



## 1.0 AUTHORITY

Mornington Peninsula Shire Council (Council) has obligations under various Acts to regulate the use of signage. This Policy identifies how these obligations are applied across the municipality.

## 2.0 INTENT

The purpose of this policy is to provide guidance for the decision making process for the placement, erection and enforcement of signage across the Mornington Peninsula. This policy does not restrict or conflict with signage regulated by the Mornington Peninsula Planning Scheme (Scheme).

## 3.0 SCOPE

This policy applies to all individuals, organisations and businesses who seek to erect signage in the municipality and identifies how signage is controlled and managed upon *Council land*, public land and private land.

## 4.0 GOVERNANCE PRINCIPLES

Under the *Local Government Act 2020*, Council must give effect to the following overarching governance principles:

- Council decisions are to be made and actions taken in accordance with the relevant law
- the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted
- collaboration with other Councils and Governments and statutory bodies is to be sought
- the ongoing financial viability of the Council is to be ensured
- the transparency of Council decisions, actions and information is to be ensured.

## 5.0 POLICY STATEMENT

### 5.1 Signage on private land

5.1.1 Signage on privately owned land is regulated by the Scheme.

5.1.2 All signage on private land must be contained within the boundaries of the private land and must comply with the requirements of the Community Amenity Local Law 2022.

5.1.3 All alleged non-compliances of signage on privately owned land will be investigated by Council's Planning and Asset Compliance team.

### 5.2 Signage on *Council land*

#### 5.2.1 Real estate signage

- Real estate signage is regulated by the Scheme which requires that real estate signs must be affixed to the property for sale.



- Real estate signage promoting the availability of lots within an estate (that is not wholly contained within the subject land) require planning approval in accordance with the Scheme.
- The only real estate signs permitted to be displayed on Council land, are Open for inspection and Auction this day signs.
- The placement or display of Open for inspection and Auction this day signs on Council land requires a permit under the Community Amenity Local Law 2022.
- Open for inspection and Auction this day signs can be displayed between 8:00am and 5:00pm on the day/s the property is open to the public for inspection or on the day of auction and while an agent is in attendance at the property.
- One Open for Inspection or Auction this Day sign may be placed directly outside the property being offered for sale, and no more than one additional Open for Inspection or Auction this Day sign may be placed at a nearby intersection directing people to the property.
- Open for inspection and Auction this day signs must:
  - not be greater than 1.2 metres in height and 0.9 metres in width;
  - be weighted or fixed;
  - not be illuminated, incorporate flags, create hazardous traffic or pedestrian conditions, or be placed on a traffic island, roundabout, pedestrian refuge, or foreshore reserves
  - be of a contrasting colour to their background to assist people with vision impairment.
- The real estate agent must have a public liability insurance policy with cover for no less than \$20 million in the joint names of that agent and Mornington Peninsula Shire Council or that shows Council as being an interested party. A copy of the certificate of currency of the insurance policy must be provided to an Authorised Officer upon request.
- All alleged non-compliances of real estate signage on Council land will be investigated by Council's Community Safety team.

## 5.2.2 Moveable advertising signage

- The placement or display of any movable advertising sign on Council land requires a permit under the Community Amenity Local Law 2022, unless the signage is in relation to an event which has the relevant 'Event Permit' or authorised Council Hall booking.
- The placement and display of any movable advertising sign must be in accordance with the permit conditions, the Community Amenity Local Law 2022 and, where applicable, the Commercial Activities on Footpaths Policy.
- Moveable signs must be of a contrasting colour to their background to assist people with vision impairment.
- Movable advertising signs must not:



- be greater than 1.2 metres in height and 0.9 metres in width
  - display a total advertising area greater than 2.16 m<sup>2</sup>
  - obstruct the safe and continuous access or line of sight of pedestrian or vehicular traffic along a footpath or road
  - be illuminated, comprised of any moveable parts or deemed inappropriate or offensive by an Authorised Officer
  - be placed within 1.2 metres of the kerb for visibility and sight lines
  - not be placed on central medians, pedestrian refuges or splitter islands.
- Garage sale signage does not require a permit, however, must adhere to the above criteria and may only be displayed one day prior to the event and must be removed at the conclusion of the event.
  - The owner of the sign must have a public liability insurance policy with cover for no less than \$20 million in the joint names of that person and Morrington Peninsula Shire Council or show Council as being an interested party. A copy of the certificate of currency of the insurance policy must be provided to an Authorised Officer upon request.
  - Council may identify pre-approved 'designated areas' in parks and on road reserves for the placement of signage which will require a permit but will reduce the permit approval time. A list of pre-approved sites will be made available on the Council website and updated as required.
  - All alleged non-compliances of moveable advertising signage on Council land will be investigated by Council's Community Safety team.

### 5.2.3 Fixed signage

- The placement or display of any fixed signage on Council land requires a permit and signage must be erected in accordance with the permit conditions, any relevant design specifications, Australian Standard and where applicable, the Scheme. The signage must comply with the Community Amenity Local Law 2022.
- Directional signage for eligible Tourist Facilities and Community Services on Council owned or maintained roads and land must be approved, erected and maintained by Council at the cost of the applicant. The applicant will be required to pay the application fee and the cost to manufacture and install the sign.
- As these signs are for the purpose of directing motorists and not for the purpose of promotion of businesses and facilities, assessment of applications for directional signage for tourists or community service facilities will be based on the need for the sign to ensure the safe and unimpeded flow of traffic (both vehicular and pedestrian).
- All directional signs must be in accordance with Department of Transport Guidelines, Australian Standards and the Tourist Signing Guidelines – Guidelines for Tourist and Services Signing on Roads in Victoria.
- Council may at any time erect signage on Council land for the purposes of identifying that land, indicating that certain activities are restricted or prohibited, or warning of potential dangers to the



community.

- Where an event or activity is supported by Council through the Events and Festivals Policy Framework, although it may be seen as more of a corporate, sporting, promotional, or tourism event, rather than a 'true community event', Council may resolve to approve signage in approved locations where it believes that there is justifiable reason for a variation to this Policy.
- The owner of any fixed signage must ensure that it is properly maintained.
- Where the design of signs is not dictated by any relevant design specifications, Australian Standard or the Scheme, they should be of a contrasting colour to their background to assist people with vision impairment.

### 5.2.4 Signage at Council owned sporting facilities

- Licensees must comply with all conditions and requirements of their Licence Agreements as it relates to signage.
- Tenant clubs of Council reserves may display their name and contact number on the identification sign at the entry to the reserve. There may be provision to advise the public of the details of the next competition/game to be held at the reserve. No advertising or sponsorship details will be permitted on this sign.
- Tenant clubs may erect club identification signs on pavilions with prior written Council approval. These signs must not exceed 2.5 m<sup>2</sup>, with one sign per pavilion allowable.
- Where there is shared tenancy of a reserve, occupants must not market or sell signage for an annual period.
- Clubs may erect advertising (sponsorship) signage subject to the following:
  - Signage must not be fixed to pavilions, toilet blocks, light poles or the external perimeter fencing of the reserve.
  - Signage may only be erected on a fence delineating the boundary of the ground/court and must not exceed the height of the fence (except for tennis courts where the signage must not exceed a maximum of two metres above ground level).
  - Signage on scoreboards must not exceed six square metres.
  - Signage on any other fence other than the fence surrounding the playing arena is not permitted.
  - All signage must be safely and securely erected, with maintenance of signage being the responsibility of the tenant club.
  - Signage advertising tobacco products, alcohol, gaming, gambling venues and adult bookshops is not permitted.
  - Signage should be of a contrasting colour to their background to assist people with vision impairment.
- All alleged non-compliances of this clause 5.2.4 will be investigated by Council's Community Safety team unless the non-compliance is in relation to a breach of the Scheme, in which case it will be

investigated by the Planning and Asset Compliance team.

### 5.2.5 Temporary event signage at Council reserves

- Temporary signs promoting approved community events held at the reserve in question may be placed or displayed at that reserve.
- Advertising or sponsorship signage may be displayed during a competition game. These signs may be erected on the morning of the game and must be removed on completion of the day's play. These signs must be secured safely, but not so that Shire property is damaged in any way.
- Signage should be of a contrasting colour to their background to assist people with vision impairment.

### 5.3 Land under the ownership of a State authority

5.3.1 Signage on land under the ownership of State authorities (e.g., Department of Transport) is regulated by the relevant land manager except for directional and tourism signage in accordance Section 10.9 of the VicRoads Tourist Signing Guidelines.

5.3.2 All non-compliances will be referred to the relevant land manager for investigation.

### 5.4 Electoral signage

#### 5.4.1 Private land

- Electoral signs are permitted on private land with the owner's consent and without the need for a planning permit, provided that:
  - Signage is stable and securely fixed to fences or poles on private land, and not attached to trees.
  - The advertisement area does not exceed 5m<sup>2</sup>.
  - Only one sign is displayed on the land.
  - Signage is not animated or internally illuminated.
  - Signage is not displayed longer than 14 days after the event is held, or three months, whichever is sooner.
- All alleged non-compliances of electoral signage on privately owned land will be investigated by Council's Planning and Asset Compliance team.

#### 5.4.2 Council land

- Electoral signs (including banners and flags) are not permitted on roads, road reserves (median strips), traffic signals, electricity poles, municipal buildings, reserves or Council land, including any structures such as bus shelters and light poles within road reserves.
- Mobile billboards (trailer types and signs that are placed in or on a vehicle) are not permitted to be

left standing/stationary on roads, road reserves or Council land and must remain mobile at all times.

- Vehicles (other than trailers) that are permanently sign written may display electoral signage, provided that the vehicle is registered and parked legally.
- All alleged non-compliances of electoral signage on Council land will be investigated by Council's Community Safety team.

## 6.0 HUMAN RIGHTS CHARTER COMPATIBILITY

This policy has been assessed as being compatible with *the Charter of Human Rights and Responsibilities Act 2006*.

## 7.0 ASSOCIATED DOCUMENTS

- *Planning and Environment Act 1987*
- *Summary Offences Act 1966*
- *Local Government Act 1989*
- *Local Government Act 2020*
- *Road Safety Act 1986*
- *Road Safety Road Rules 2017*
- *Road Management Act 2004*
- Mornington Peninsula Planning Scheme
- Mornington Peninsula Shire Community Amenity Local Law 2022
- Mornington Peninsula Shire Commercial Activities on Footpaths Policy
- VicRoads Tourist Signing Guidelines

## 8.0 DEFINITIONS

Advertising sign	Has the same meaning as in the Community Amenity Local Law 2022
Council land	Has the same meaning as in the Community Amenity Local Law 2022
Directional signage	Signs of a non-promotional nature that serve to provide information relating to the direction towards a feature. Includes community service facility signage (white text on blue background), and tourist attraction signage (white text on brown background). For the purpose of this policy, it does not include regulatory, warning, guidance, destination and street signage.
Electoral sign	A sign which contains information relating to a political candidate or political party, which is being displayed as part of a State, Federal or Local election campaign.
Fixed Signage	An advertising sign affixed to any land or a thing



Moveable Advertising Sign	Has the same meaning as in the Community Amenity Local Law 2022
Real estate sign	An advertising sign used by real estate agents to draw attention towards properties for sale, lease or auction.
Open for inspection sign	A sign that indicates that real estate or a business will be open for inspection on the day upon which the sign is displayed and does not include a promotional sign.
Auction this day sign	A sign that indicates that real estate or a business will be offered for sale by public auction on the day upon which the sign is displayed and does not include a promotional sign.
Promotional sign	A sign bearing the registered name and/or business name and/or logo of the agent or in any other manner identifying an agent and which is not a sign relating to an “open for inspection” sign or an “auction this day” sign.

## 9.0 POLICY SPONSOR

The Manager – Community Safety, Health and Compliance is responsible for overseeing the application and review of the Signage Policy.

## 10.0 DOCUMENT CONTROLS

This policy will be reviewed every four years or earlier if required.

### 10.1 Document Version Table

Document Version Control				
Version	Section	Revision Description	Date Revised	Approved by

#### Administrative Updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Shire department, the change to an existing policy or document referred to in this policy and minor updates to legislation and the like which does not have a material impact. However, any change or update which materially alters the document must be by resolution of Council.