

B10. Banners - Display of Banners within Council Controlled Properties and Reserves

Title: Banners – Display of Banners within Council Controlled Properties and Reserves Policy

Policy No: B10

Keywords: Banners, Display of, Community Service

Responsible Officer: Deputy General Manager – Land Use and Sustainability

1. PURPOSE AND AUTHORITY

The purpose of this policy is to provide a framework for the display of banners within Council controlled properties and reserves.

2. POLICY STATEMENT

The use of banners in a Council controlled property and reserve can have a very powerful impact and for that reason, among others, banners must be used correctly in order to ensure the safety and amenity of these important areas.

3. PRINCIPLES

General Conditions

Council may allow the display of banners within property and reserves under Council control if the intent is to promote community services and/or issues and/or events.

Banners promoting community issues need to offer a community benefit to Manly and require Council approval.

Community events, if commercial and profit making must be Council approved and provide community benefit to Council.

Should any of the conditions under which Council has given approval to display be contravened, Council reserves the right to remove the banners at any time during their display.

Banners over main roads can only be installed for community events. The NSW Government Transport Roads and Maritime Services (RMS) has delegated to Council the approval of banners over main roads with the exception of banners attached to bridges or within Burnt Bridge Creek Deviation.

Council is to provide RMS, with details of the applicant's proposal and Council's letters of approval. Where Council agrees to a banner but it does not conform to RMS requirements (which differ from Council's regarding purpose and duration) then details would be referred to RMS for evaluation and approval.

Liability

The organisation wishing to display the banner accepts responsibility for any claim for accidents or other happenings arising from the use of a Council structure or tree.

Evidence of the organisation's public liability insurance of a minimum value of \$10 million (or such other amount determined by Council or Council staff on a case-by-case basis) with the interests of Manly Council noted on the policy must be provided to Council.

Any damage to the Council's facilities must be repaired at the expense of the organisation displaying the banner.

Request / Approval process

Requests should be submitted to Council in the manner prescribed by Council.

Requests will be assessed in accordance with this policy and applicants will be advised in writing of the outcome.

4. SCOPE

This Policy applies to all banners wishing to be displayed from a Council owned or managed area.

5. DEFINITIONS

Community service means an activity which is non-commercial or non-profit making and offers a benefit to the Manly community.

6. IMPLEMENTATION

This Policy will be implemented without delay upon adoption by Council.

Council and/or the General Manager may, during a civil emergency only, set aside any policy terms to ensure public safety.

7. MONITORING AND BREACHES

Regular monitoring of compliance with this policy, relevant legislation and Manly policies and procedures will be undertaken and documented by the responsible officer for this policy.

Breaches of this policy are considered to be breaches of Manly Council's Code of Conduct and therefore invoke the relevant sanctions outlined in that Code. Persons in breach of any legislation may be subject to relevant criminal action.

8. REPORTING

There are no specific reporting requirements for this Policy.

9. POLICY REVIEW

This policy is subject to regular review at a maximum interval of 2 years.

For the purposes of carrying out and giving effect to this policy, the General Manager may from time to time prepare, adopt or vary, and otherwise issue to Council staff, guidelines and directions relating to any aspect of this policy.

Any recognised change to relevant legislation; or directives or guidelines issued by agencies including the NSW Ombudsman and the Division of Local Government; or to Manly Council's related guidelines and procedures will activate an immediate review of this policy to ensure it remains current and aligned to best practice policies.

10. RELEVANT REFERENCES AND LEGISLATION

Local Government Act 1993

Roads Act 1993

Crown Lands Act 1989

Environmental Planning and Assessment Act 1979

State Environmental Planning Policy No 64-Advertising and Signage.

11. RELEVANT COUNCIL POLICIES

A20 Advertisements

A40 A-Frame Signs and Merchandise Offered for Sale.

12. REVISION SCHEDULE

Minute No	Date of Issue	Action	Author	Checked by
PS53/11	2 May 2011	Periodic Review	Secretariat, Corporate Services	Manager, Administration
	May 2013	Policy reviewed – comprehensive policy review	Manager Corporate Governance	General Counsel
PS16/14	3 March 2014	Periodic Review	OM CSS	Manager Governance