

A21. Advertising and Advertisements Policy

Title: Advertising and Advertisements Policy
Policy No: A21
Replaces Policies: A20, A30 and S70
Keywords: Advertising, Signage, Promotion
Responsible Officer: Deputy General Manager – Land Use and Sustainability

1. PURPOSE AND AUTHORITY

This Policy provides information on permissible advertising and advertisements in the Manly Local Government Area.

2. POLICY STATEMENT

Council has developed this policy to encourage a consistent approach to advertising and advertisements within the Local Government Area and to provide direction on advertising and advertisements on Council owned or managed property.

3. PRINCIPLES

Council must comply with the provisions of the *Public Health (Tobacco) Act 2008* (NSW) with regard to restrictions on tobacco advertising and State Environmental Planning Policy No. 64 in regards to advertising and signage.

Advertising on The Corso

Advertising panels, i.e. hoardings and sandwich boards, are not permitted on The Corso. The only advertising permitted on The Corso are small logos on umbrellas.

*(Confirmed 20.10.97)
(previously policy A20)*

Alcohol

It is Council's policy that alcohol advertising not be permitted on any signage on Council owned or controlled property, effective from 1st July, 1992, for any commercial events.

*(O.M. 19.11.91)
(Confirmed 20.10.97)*

It is also Council's policy that the advertising of alcohol not be permitted on any signage on Council owned or Council controlled property.

*(P&S 2.08.10)
(previously policy A30)*

Note: The advertising of cigarettes is expressly covered at the State level by the Public Health (Tobacco) Act 2008.

Promotions on Public Reserves

It is Council's policy that where an activity is approved on a public reserve, and the activity involves commercial advertising or promotion, in circumstances where the activity is not a Council sponsored event, Council will require the payment of a fee related to the anticipated attendances, the number of booths/stands/stalls and the size of advertising signs as fixed by Council in its fees and charges schedule.

Further, all such activities are to be covered by Public Risk Insurance to the satisfaction of the General Manager or such officer delegated by the General Manager.

*(O.M. 24.11.87)
(Confirmed 20.10.97)
(previously policy A30)*

Wall signs in Parking Areas and on Public Buildings

It is Council's policy that Council not approve of commercial advertising walls signs in parking areas and on public buildings.

(O.M. 30.10.84)
(Confirmed 20.10.97)
(previously policy A30)

This Policy is subject to the provisions of State Environmental Planning Policy No. 61 – Advertising and Signage and all other relevantly applicable legislation.

4. SCOPE

This Policy applies to all advertising and advertisements on Council owned and managed property.

5. DEFINITIONS

Nil

6. IMPLEMENTATION

This Policy will be implemented upon adoption by Council and will be loaded to Council's internet.

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

No specific compliance reporting is required under this policy.

9. POLICY REVIEW

This policy is subject to regular review at a maximum interval of two 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 Department 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

Environmental Planning and Assessment Act 1979 (NSW)
Local Government Act 1993 (NSW)
Public Health (Tobacco) Act 2008 - s16.1 (prohibits tobacco advertising)
State Environmental Planning Policy No. 64 - Advertising and Signage.

11. RELEVANT COUNCIL POLICIES

12. REVISION SCHEDULE

Minute No	Date of Issue	Action	Author	Checked by
PS53/11	2 May 2011	Periodic Review	Secretariat, Corporate Services	Manager, Administration
	June 2013	Comprehensive Policy Review – merge A20 & A30	Manager Corporate Governance	General Counsel
PS16/14	3 March 2014	Periodic Review	OM CSS	Manager Governance