

Redland
CITY COUNCIL

AGENDA

LATE REPORT GENERAL MEETING

**Wednesday, 18 May 2022
commencing at 9:30am**

The Council Chambers
91 - 93 Bloomfield Street
CLEVELAND QLD

The audio/video of each Statutory Meeting of Council will be available on Council's website as soon as possible after the conclusion of each meeting.

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14 REPORTS FROM COMMUNITY & CUSTOMER SERVICES**14.1 SPORTS ENTRY SIGNAGE - SPORTING FIELD FENCE SIGNS****Objective Reference:** A6633233**Authorising Officer:** Louise Rusan, General Manager Community & Customer Services**Responsible Officer:** Graham Simpson, Group Manager Environment & Regulation**Report Author:** Paul Hoelscher, Team Leader Development Standards**Attachments:** Nil**PURPOSE**

To recommend Council amend *Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017* to have specific provision for Sports Fields Fence Signage and note the regulatory pathway that will allow sporting organisations to use third party sponsorship signage on Council owned sports fields.

BACKGROUND**Mayoral Minute**

At the General Meeting of 19 May 2021, Council resolved in regards to a Mayoral Minute:

That Council resolves as follows:

1. *To urgently review Subordinate Local Law 1.4 (Installation of Advertising Devices) 2015 to consider allowing sporting organisations to have outward facing sporting field fence signage containing third party sponsorship advertising, subject to conditions that include no political advertising or signage.*
2. *That due to the impacts of COVID-19 in regards to sporting organisations on membership and participation, an amnesty of 12 months be announced in regards to existing and temporarily erected sporting field fence signage so that they can face a road or other public place.*
3. *That any such amnesty does not result in signage that is:*
 - a) *Illuminated*
 - b) *Adversely affecting public safety*
 - c) *Inappropriately impacting on the use and enjoyment of land or premises*
 - d) *Excessively affecting the visual amenity of an area*
 - e) *Not a permitted sign type, by triggering other assessments*
 - f) *Placed on a road, place or premises beyond the boundary fence of the sporting facility where the organisation is located*

Council received a complaint about signs on the fence at Pinklands Sporting Complex in August 2020. The signage was a breach of Subordinate Local Law 1.4 (Installation of Advertising Devices) (SLL 1.4) where the signage was facing outward of the sporting field and was attached to Council fencing.

The Mayoral Minute noted that whilst the regulation is consistent with similar laws in place in other local government areas, dealing specifically with third party signage and visual amenity, Council recognises the importance of sponsorship revenue for Clubs in managing their operations.

It notes that Council has never sought in any way to restrict the ability of sporting organisations to seek and obtain sponsorship from third parties. The provisions of the subordinate local law could potentially lead to adverse impacts on those sporting organisations that have relied on revenue from third party sponsorship.

The Mayoral Minute proposed that appropriate opportunities be considered to allow sporting organisations to have additional revenue opportunities, whilst ensuring controls are in place to protect the amenity and visual appearance of sporting facilities across the City.

It further noted that it is timely that Council review how support for sporting organisations may be enhanced through opportunities to fundraise through sponsorship signage revenue, subject to guidelines and conditions that may include the types of signs, size and location. This would include promoting equity of opportunity amongst sporting organisations as well as consistency with branding appropriate to Council owned and managed facilities.

Amnesty and compliance

As part of the resolution it was resolved that any existing sports field fence signage that may be in breach of the subordinate local law provisions would have a 12 month amnesty period from compliance actions.

During the last 12 months Council has received no further complaints in regards to sport field fence signage.

ISSUES

Local Law Amendment Process

Local laws reviews are typically initiated twice per year, in January and July. The process to amend a local law is extensive as it is important that these laws are providing good governance to the community, while managing potential risks and adhering to the legislative requirements.

The process for amending a local law is the same process to be followed for making a local law. This process is governed by the *Local Government Act 2009* as well as Council's adopted Local Law Making Process.

Under these provisions Council must first make a resolution to propose an amendment to the subordinate local law. This report recommends that Council resolve to make such an amendment to SLL 1.4.

Council branding and wayfinding

As noted in the Mayoral Minute, an important element is the need for sport field fence signage to be consistent with Council's branding, in particular how it relates to Council owned and managed facilities.

Any proposed amendment must consider how Council can better promote Council sports fields and the significant investment made by Council to their establishment and operation. It is considered appropriate that the preferred signage options clearly demonstrate Council branding as part of the advertising device.

Council is currently rebranding/replacing existing signage for the purpose of its wayfinding strategy across the City (refer Redland City Council Signage Manual). The new signage incorporates "Redland Coast" branding. This is represented by example in Figure 1 below:

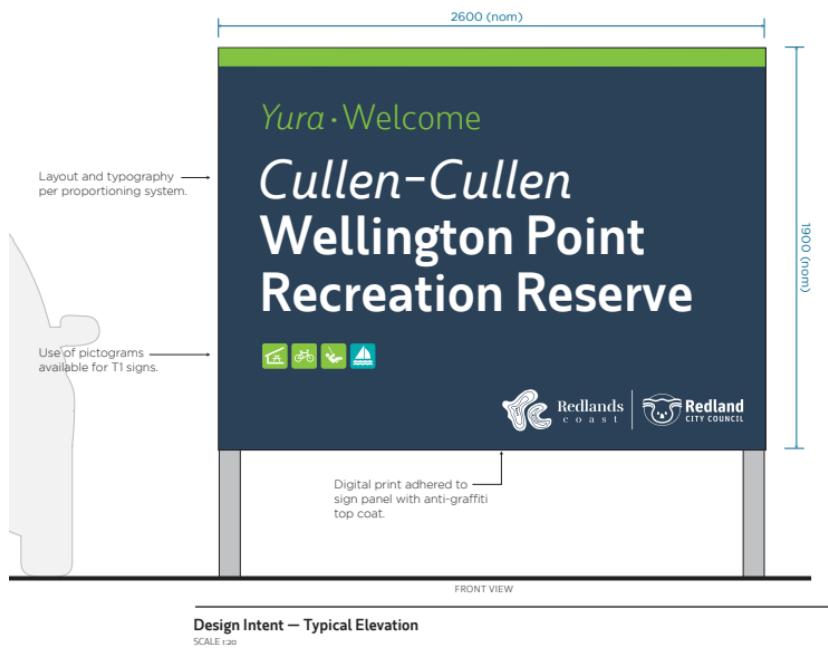


Figure 1 – Wayfinding Sign (RCC Signage Manual – green representing natural area)

It is proposed that the preferred advertising device concepts are based on the adopted wayfinding strategy for Council as incorporated into the Signage Manual, which allocates different colours and icons depending on the location or feature being represented. Currently the list includes:

- Natural areas
- Shoreline areas
- Villages
- Indigenous
- Heritage

The Signage Manual has been developed as a suite of connected chapters and allows for future signage chapters. There is an opportunity to look at how the execution of signs for sports fields can have its own distinguishing features. For example a different colour can be applied to provide differentiation of these areas and could include resident club names and similar information.

Below represents a draft of what sports field signage could look like using the Signage Manual as a guide. For current purposes a blue highlight has been applied to represent Sports Field signage and appropriate icons would need to be developed.

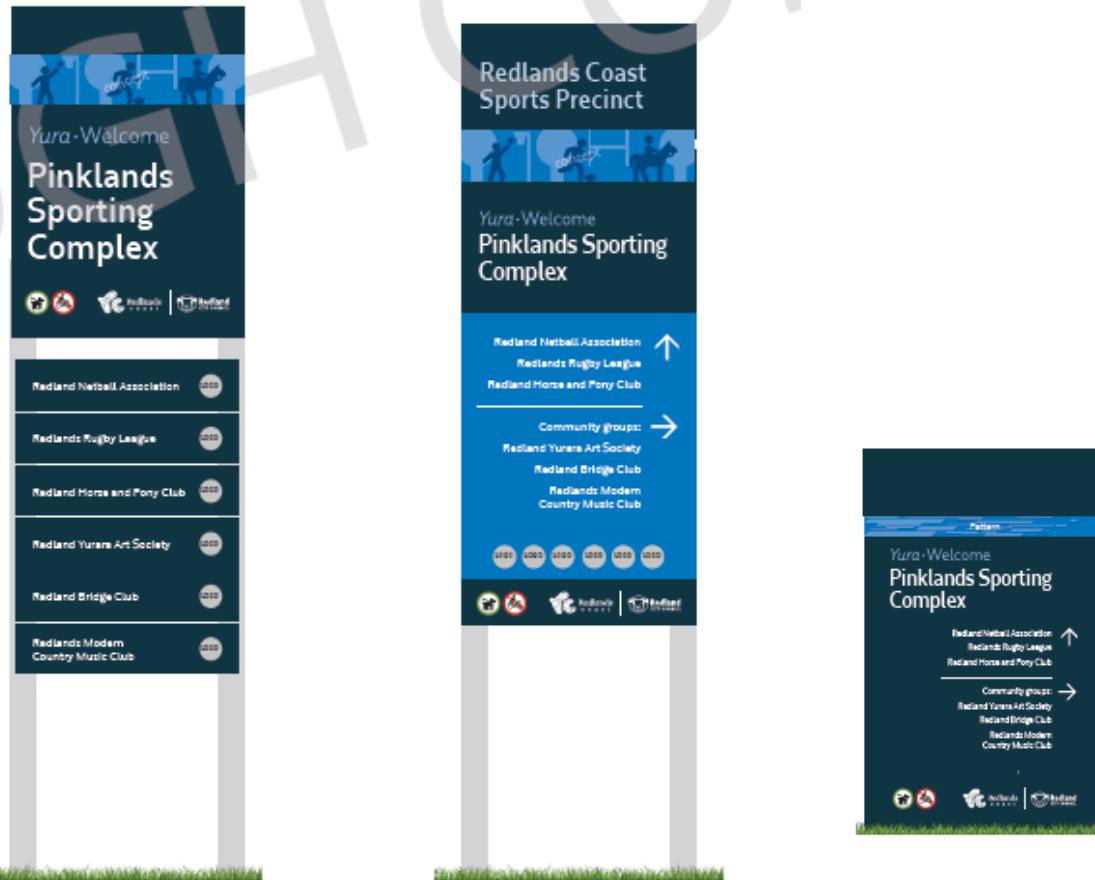


Figure 2 – Representations of Sport Field Wayfinding Signage

As part of any future policy setting it will also be necessary to amend the Signage Manual should Council agree to incorporate Council branding and wayfinding elements into the preferred signage concept.

Third party and sponsorship

The above elements in regards to branding and wayfinding are matters that Council can undertake without needing to make an amendment to SLL 1.4.

That is, the existing subordinate local law allows for public infrastructure signage with an approval from Council. For clarity, a public infrastructure sign is a sign that is attached to public infrastructure. A Council owned or operated sports field and/or related fence or structure is considered to be public infrastructure.

Therefore, wayfinding signage as depicted in Figure 2 and erected by Council is permitted under SLL 1.4. For wayfinding signage, approval is granted by Council through the adoption of the Signage Manual which outlines appropriate details concerning location, size and content. As such no SLL 1.4 approval is necessary.

A public infrastructure sign has a number of other elements and criteria that enable it to categorise signage that also incorporates third party commercial or sponsorship content. Specifically, public infrastructure signage may include third party signage if approved by Council.

Third party advertising signage is defined as signage that:

- The name, logo or symbol of a company, organisation or individual which does not own or substantially occupy the premises or building on which the sign is displayed.
- A product or service which is not supplied at, or primarily available from, the premises on which the sign is displayed.
- An activity or event which does not occur on the premises on which the sign is displayed.

Under SLL 1.4 a third party advertising sign may only be installed at a public place if the public place is specifically provided by Council for the display of third party advertising signs.

Therefore, Council may approve all or parts of Council owned sports fields as a public place for the purpose of displaying third party advertising, including sponsorship.

It should be noted that the provisions of third party advertising signs is also currently under review based on a previous Council resolution and several Planning and Environment Court appeals related to the provisions included in SLL 1.4. However, it is considered that this separate review will not impact on the definition of third party advertising signage.

Appropriate SLL 1.4 considerations

At present, Council has 30 sporting fields that have frontage to a road in which third party sponsorship signage may theoretically be placed.

As part of considering how third party sponsorship signage could be reasonably displayed it is necessary to consider the basic principles of the SLL 1.4 which need to be addressed in any proposed amendment including how signage must not cause:

- Harm to human health or safety
- Property damage or loss of amenity
- Nuisance
- Obstruction of pedestrian or vehicular traffic
- Environmental harm or nuisance
- Potential road safety risk
- Adverse effect on the amenity of the area
- Significant obstruction of views
- Conflict, in any material way, with a development approval, or a condition of a development approval, about the use of the premises

Based on the above and what may be a practical outcome, it is proposed to allow limited sporting field fence signage facing outward being 10% of the fence line (not boundary line) or 50m², whichever is the lesser.

In the example of Pinklands, this would equate to approximately 17 linear metres of the outward facing fence line being available for third party sponsorship (fence line is approximately 170m).

It is also considered important that an amendment to the local law include provisions for:

- A change to the definition and criteria of a sporting field fence sign to include provisions for outward facing sponsorship signage.
- Consideration of adjoining uses, zones and road usage, plus criteria similar to current amnesty conditions.

- If Council wishes to assess and approve the signage, a change to the level of assessment in Schedule 5 of SLL 1.4 from “permitted” to “approval required”.
- Otherwise, identify pre-determined areas available for signage which can facilitate sponsorship signage meeting prescriptive criteria.
- Addition of sponsorship content requirements e.g. non-political, non-preferred services/products etc.

Sign concepts and options

Based on the above issues identified as part of the review, in considering the preferred approach the following options are available:

1. Do not allow outward facing sport field fence signage containing third party sponsorship (no change to current SLL 1.4 provisions).
2. Allow a quota of non-Council branded third party sponsorship signage on sports field fencing.
3. Install branded wayfinding signage in addition to a quota of third party sponsorship signage on sports field fencing.
4. Install branded wayfinding signage incorporating static third party sponsorship signage.

The below table provides a summary of the different options being considered in regards sports field fence signage:

	Option 1	Option 2	Option 3	Option 4
SLL 1.4 amendment required	No	Yes – if third party signs are to be installed permanently	Yes – if third party signs are to be installed permanently	No
Amnesty required	No	Yes – until SLL 1.4 amendment and approvals in place	Yes – until SLL 1.4 amendment and approvals in place	Yes – until wayfinding signs installed
Signage Manual amendment required	No	No	Yes	Yes
Cost to install and operate	Clubs	Clubs	Council and Clubs	Council
Revenue opportunity	No	Clubs only	Clubs only	Council and Clubs
Applies to all sports fields	Yes	Yes	Yes	No
Branding and wayfinding	No	No	Yes	Yes

Table 1 – Summary of signage options

Recommendation

Based on the review undertaken into sports field fence signage, it is considered that Option 3 is the preferred outcome. That is Council should initiate:

- An amendment to SLL 1.4 to enable the ability for approval of third party sponsorship signage on outwards sports field fences generally in accordance with those matters discussed in this report.
- An additional chapter into the Signage Manual previously adopted by Council for branding and wayfinding purposes to include sports fields.

This option incorporates Council branding and wayfinding and allows third party sponsorship opportunities.

It is not however an immediate outcome so an amnesty will need to remain in place to facilitate a local law amendment process. Additionally branding and wayfinding signage is also budget dependent.

It must be further noted that the issue of how the advertising space that would become available on sports field fences is managed will effectively be a process governed through owner consent and leasing provisions. SLL 1.4 does not have the capability to deal with the equity of sponsorship opportunities for sporting clubs.

Alternatively, Option 2 could be considered if no appetite for branding and wayfinding signage exists.

Alternative signage

The recommendation of this report is seeking a consistent approach to how both wayfinding and branding signage blends with third party sponsorship opportunities for clubs. If adopted this creates a relatively simple regulatory framework for which clubs can seek to install sponsorship signage.

It is important to note that other types of signage may be installed that may be different or in addition to the recommended option. That is, providing there is land owner (Council) consent and appropriate lease provisions, an application can be made under SLL1.4 for alternative signage to be assessed. Any assessment under these alternative signage SLL 1.4 provisions will be merit based using relevant criteria within the subordinate local law.

STRATEGIC IMPLICATIONS

Legislative Requirements

Section 28 of the *Local Government Act 2009* – provides Council with the power to make a local law and section 29 of the *Local Government Act 2009* outlines the process for making or amending a local law (including a subordinate local law).

A local government may make and enforce any local law that is necessary or convenient for the good rule and local government of its local government area.

Subordinate Local Law 1.4 (Installation of Advertising Devices) 2018 regulates advertising signs and their impacts across the City.

Risk Management

There is a risk that some sporting clubs may not have equitable potential to access third party sponsorship opportunities unless access to advertising space is managed in a consistent manner. This issue is best managed through ownership and leasing provisions for particular sports fields and clubs.

Financial

Branding and wayfinding signage is budget dependent and will be installed in accordance with the available budget and priorities.

The additional work associated with updating the Signage Manual will seek to use existing budgets.

The proposed amendment of SLL 1.4 will also be undertaken using existing budgets.

People

It is not anticipated that there will be any specific impacts on people as a result of the recommendation of this report.

Environmental

It is not anticipated that there will be any specific impacts on the environment as a result of the recommendation of this report.

Social

The opportunity for increased wayfinding and branding signage will assist with identifying sports fields and clubs. Third party sponsorship signage opportunities will assist clubs with revenue opportunities.

Human Rights

There are no known relevant human rights matters associated with this report.

Alignment with Council's Policy and Plans

The recommendation aligns with Council's adopted *Our Future – A Corporate Plan to 2026 and Beyond* – Strong Communities and Thriving Economy.

Strong communities

Our strong and vibrant community spirit is nurtured through services, programs, organisations, facilities and community partnerships that promote resilience, care and respect for residents of all ages, cultures, abilities and needs.

The corporate plan outlines that we are to help ensure the city has services and social infrastructure to support the health and wellbeing of people of all ages and abilities. Third party signage on Council land will help support sport and recreation opportunities within the city.

CONSULTATION

Consulted	Consultation Date	Comments/Actions
Strategic Property Services	June 2021 to May 2022	Considered options in regards independent marketing analyst of third party signage opportunities. Consulted in regards sign management options.
Communication Engagement and Tourism	November 2021 to April 2022	Consulted in regards Integration of third party and wayfinding/branding signage. Need to update Signage Manual to add sports entry signage.
Civic and Open Space Asset Management	June 2021 to April 2022	Consulted in regards update of Signage Manual.
City Sport and Venues	June 2021 to April 2022	Consulted in regards to sign management options.

OPTIONS

Option One

That Council resolves as follows:

1. That Council commence with drafting an amendment to *Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017* to include provisions for third party sponsorship signage on Council owned or managed sports fields.
2. To develop and include Sports Entry Signage in Council's Signage Manual to allow for wayfinding and branding of Council owned or managed sports fields.
3. Extend the amnesty period for existing and temporarily erected sporting field fence signage so that they can face a road or other public place under the same terms as resolved at the General Meeting of 19 May 2021 (refer Item 19.2).

Option Two

That Council resolves to revert to existing *Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017* to regulate sports field fence signage.

OFFICER'S RECOMMENDATION

That Council resolves as follows:

1. That Council commence with drafting an amendment to *Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017* to include provisions for third party sponsorship signage on Council owned or managed sports fields.
2. To develop and include Sports Entry Signage in Council's Signage Manual to allow for wayfinding and branding of Council owned or managed sports fields.
3. Extend the amnesty period for existing and temporarily erected sporting field fence signage so that they can face a road or other public place under the same terms as resolved at the General Meeting of 19 May 2021 (refer Item 19.2).