 <p>City of Mount Gambier</p>	<p><b>F500 - FOOTWAYS AND COUNCIL LAND</b></p> <p><b>REMOVAL OF OBJECTS</b></p>	Version No:	3
		Issued:	August 2023
		Next Review:	August 2027

## 1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier (“Council”) regarding the removal of objects (including vehicles) from Council land.

## 2. SEIZURE OF OBJECTS (NOT VEHICLES)

(a) Prior to seizing any object (goods, chattels, advertisements etc.) in accordance with Council By-Laws, an authorised officer may at their discretion give the owner of the object the opportunity to remove the same. Where this discretion is exercised, it should be confirmed in writing.

(b) Objects are to be removed to and stored at the Council's Works Depot.

(c) An inventory of objects seized is to be maintained.


(d) The following objects are not to be seized:

1. Any direction sign(s) of a genuinely temporary nature which refers to a legitimate ‘open inspection’, ‘public auction’, ‘garage sale’ or major sporting or community event and which are in respect of real estate, home inspections, garage sales, major sporting or community events:

- are placed on the footway only;
- the direction sign does not exceed 1000mm x 400mm;
- the direction sign is free standing;
- includes thereon the following wording (or similar)  
OPEN INSPECTION/NAME OF EVENT  
NAME OF AGENT/ORGANISATION  
An indicator arrow (may be double sided);
- is not placed more than 500 metres from the actual location of the display, sale or event to which the sign refers;
- there are no more than two such signs allowed for each separate location/event;
- the sign(s) does not pose a potential hazard to the general public or which could adversely affect the free flow or safe flow of pedestrian or vehicular traffic;
- shall not be allowed to remain on the footway for more than three consecutive days or more than ten hours per day in respect of the location the sign refers; and
- shall not be allowed to be placed on the footway prior to sunrise and after sunset on any of the three (3) consecutive days.

2. Any advertising sign not more than one (1) metre in height and not more than 600mm wide which is stood on a footpath adjacent to or leaning against a fence or wall of a premises, and which projects not more than 300mm onto the footpath, UNLESS in the opinion of an authorised person the advertising sign:

- does not relate to the premises, or situation where the sign(s) are displayed.
- could be a potential hazard to the general public or which could adversely affect the free or safe flow of pedestrian or vehicular traffic.
- would aesthetically detract from the amenity of the locality.
- would not be in the best interest of residents of the City of Mount Gambier
- if in close proximity to traffic or pedestrian signals would conflict with any colour

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of the signals.

- is contrary to any other policy, by-law or legislative provision that Council has the power to implement or responsibility to enforce.
3. Any object placed on the footpath in accordance with a permit or licence issued by Council, or in accordance with the provisions of other Council policies.

### 3. SEIZURE OF VEHICLES

(a) Before removal of a vehicle pursuant to the provisions of:

1. the Road Traffic Act 1961; or
2. the Local Government Act 1999;

reasonable enquires are to be made as to the ownership of the vehicle, and if the owner can be ascertained they are to be given reasonable opportunity to remove the same.

(b) Ownership enquiries need not be made and notice given if the vehicle:

1. is in a dangerous position; or
2. is a pedal cycle obstructing a footpath in the City Centre or a local shopping area;  
or
3. is a shopping trolley.

(c) Vehicles are to be removed and stored at the Council Works Depot.


(d) A register of vehicles seized is to be maintained.

### 4. REVIEW & EVALUATION

This Policy is scheduled for review by Council in August 2027; however, will be reviewed as required by any legislative changes which may occur.

### 5. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council's principal office during ordinary business hours and on the Council's website [www.mountgambier.sa.gov.au](http://www.mountgambier.sa.gov.au). Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

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File Reference:	AF18/48
Applicable Legislation:	Local Government Act 1999; Road Traffic Act 1961
Reference: Community Plan	Goal 2: Our Location
Related Policies:	
Related Procedures:	
Related Documents:	Council By-Laws

## DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	3.0
Last revised date:	15 August 2023
Effective date:	15 August 2023
Minute reference:	Council Meeting 15 August 2023 Item No. 19.3 - Resolution 2023/177
Next review date:	August 2027
<u>Document History</u>	
First Adopted By Council:	17 <sup>th</sup> February, 2015
Reviewed/Amended:	17 <sup>th</sup> February, 2015; 20 <sup>th</sup> February, 2018, 15 August 2023