



APPLYING TO DISPLAY A SIGN WITHIN A PUBLIC SPACE

COMPILED BY:

ECONOMIC DEVELOPMENT AND SPATIAL PLANNING DEPARTMENT (BUILT ENVIRONMENT AND
ENFORCEMENT: OUTDOOR ADVERTISING MANAGEMENT)

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Applying to display a sign within a public space

The written consent must be obtained before any high impact sign is erected in the jurisdiction of the Municipality.

All outdoor advertising signs such as billboards must comply with the provisions of the City of Tshwane's By-law for the Control of Outdoor Advertising and the associated policy.

It is the responsibility of applicants to ensure that their applications comply with the by-law and related policy, as well as with the provisions of other relevant legislation. The approval of a sign in terms of the Municipality's By-law for the Control of Outdoor Advertising should not be construed as approval in terms of any other legislation. Applications on a site are adjudicated on a first-come first-served basis.

For applying for a high impact sign on a private property, the same procedure described under Schedule 1 shall apply.

1. Preparatory work before applying

Before submitting an application, applicants are advised to consult the following:

- 1.1 The Municipality's Outdoor Advertising Management Section to find out about –
 - 1.1.1 the zoning of the area in terms of the City's By-law for the Control of Outdoor Advertising (maximum, partial or minimum control area);
 - 1.1.2 the type of sign permitted by the By-law for the Control of Outdoor Advertising;
 - 1.1.3 the location of other signs and sign approvals in the vicinity; and
 - 1.1.4 the chances of success of the application.
- 1.2 A register must be completed in full by the relevant municipal official and signed by an applicant who wishes to apply for the display of a sign.
- 1.3 On expiration of this consultation document, the first full subsequent application received on the same site, or immediate vicinity, will be accepted.
- 1.4 An application will only be considered complete when the full application fees are paid upon submission of all standard documentation.
- 1.5 The applicant's attention is drawn to the fact that the first come, first served principle applies in respect of his/her/its application.
- 1.6 A discussion and the completion of the register in this regard constitutes a consultation only in the case of a prospective applicant having a site plan (indicating the position of the proposed sign relative to the nearest intersections and indicating distance to existing signs), a zoning plan (or certificate in the case of a private property), a superimposed picture of the proposed sign on the proposed site and an aerial map indicating the position of the sign.
- 1.7 An applicant will be granted a period of 2 (two) business days to submit a complete application after consultation of the proposed site with the Outdoor Advertising Management Office which will commence the day following the day of initial discussion, which period will expire on close of business (ie 16:00) on the second business day. The applicant's right to the proposed site will automatically lapse after the aforementioned two-day period has expired.

- 1.8 Should there be any pending application(s) in respect of the subject application, then such application(s) will be considered first, and the applicant's application can only be considered, if any, once the pending application is finalised.

2. Submitting an application (standard documentation requirements)

- 2.1 Applications must be handed in duplicate form at the offices of Outdoor Advertising Management and must consist of the following:

- 2.1.1 The application form, completed correctly and in full;
- 2.1.2 A motivating memorandum;
- 2.1.3 An approved SG diagram of the property;
- 2.1.4 Engineer's drawings;
- 2.1.5 Engineer's appointment/completion certificate (in terms of SANS10400 as amended from time to time);
- 2.1.6 Copy of the engineer's professional indemnity insurance;
- 2.1.7 The town-planning scheme zoning certificate and zoning plan;
- 2.1.8 Owner of property permission to apply on his/her/its property;
- 2.1.9 Title deed (and in the case of property belonging to an organ of state, a deed indicating ownership of such organ of state);
- 2.1.10 Confirmation of road ownership;
- 2.1.11 Zoning plan and zoning certificates of adjacent properties relative to the proposed sign position;
- 2.1.12 A locality plan to a scale of 1:5 000;
- 2.1.13 A site plan drawn to scale and with dimensions, indicating the position of the sign on the property in relation to road intersections, traffic signs, street furniture (such as bus shelters), street trees and other advertising signs in the vicinity;
- 2.1.14 The survey coordinates or GPS reading of the proposed site;
- 2.1.15 A detailed sketch of the proposed sign, with all dimensions, clear height and total height above ground level;
- 2.1.16 An artist's impression or photo montage of the proposed sign in relation to the surrounding environment;
- 2.1.17 The application fees.

- 2.2 The Municipality may require additional information or request that other applications be submitted to the municipality (or other government institution) for or prior to the evaluation of the application which may include:

- 2.2.1 The comment of the applicable ward committee/ward councilor;
- 2.2.2 Existing building plan or site development plan approval;
- 2.2.3 An application be submitted for building plan approval;
- 2.2.4 An application be submitted for building-line relaxation;
- 2.2.5 An application be submitted for a height-relaxation;
- 2.2.6 Advertising scoping report;

- 2.2.7 Environmental Impact Assessment report;
- 2.2.8 Geological on similar report;
- 2.2.9 Traffic impact assessment report;
- 2.2.10 Other

- 2.3 An application that is incomplete or that does not meet the required standards of clarity will be rejected.
- 2.4 The Municipality is not liable for any repercussions resulting from incorrect information supplied by the applicant.
- 2.5 If it transpires, after the submission of an application, that there is conflict regarding applications, the application fees may be refunded if the applicant consulted the offices of Outdoor Advertising Management before submitting the application and was not informed of the potential conflict at that stage.

3. Evaluation of applications

- 3.1 Applications are evaluated against the following criteria:
 - 3.1.1 The provisions of the By-law for the Control of Outdoor Advertising;
 - 3.1.2 Where indicated, compliance with the National Building Regulations and Standards Act, Act 103 of 1977;
 - 3.1.3 The zoning of the site in terms of the City's By-law for the Control of Outdoor Advertising (maximum, partial or minimum control area);
 - 3.1.4 Town-planning scheme compliance;
 - 3.1.5 Surrounding land-use zonings and land uses;
 - 3.1.6 The Municipality's policies and by-laws, as amended from time to time;
 - 3.1.7 Any legislation relevant to any municipal competency;
 - 3.1.8 Traffic safety considerations, including the possible distraction of motorists or the visual obstruction of or conflict with road traffic signs;
 - 3.1.9 Comment received from internal departments;
 - 3.1.10 Comment received from organs of state;
 - 3.1.11 The visual impact of the proposed sign on its environment, including the scale of the structure in relation to its surroundings, its effect on important or attractive vistas and the number of signs previously approved in the vicinity;
 - 3.1.12 The design of the structure in terms of the design guidelines formulated by the City;
 - 3.1.13 If the sign is to be illuminated or animated, the impact of the illumination or animation on nearby land uses;
 - 3.1.14 The social impact of the sign on occupants of property in the immediate vicinity, as well as on the broader community;
 - 3.1.15 The impact of the proposed sign on other interested and affected parties in the vicinity, which could include other outdoor advertising companies;
 - 3.1.16 The site inspection report;
 - 3.1.17 Any assessment studies or related studies forming part of the application;

3.1.18 Any other information that the Municipality deems relevant to reach and outcome on an application.

3.2 The evaluation of building plans, building line -and height relaxation applications shall be in accordance with the procedure and fees prescribed for the submission of such plans as determined by the Municipality from time to time.

3.3 During the evaluation process an applicant could be advised to change his or her application by, for example, adjusting the position of the proposed sign, or to consider alternative locations. An alternative location, whether in the same street or not, would mean a new application, new application fees and a new evaluation process.

3.4 The Municipality shall determine compliance with the National Building Regulations and Standards Act, Act 103 of 1977.

3.5 An application undergoes the following process:

3.5.1 The Outdoor Advertising Committee, chaired by the head of the Spatial Planning department considers the application. This committee consists of representatives of Outdoor Advertising Management, Legal Services, Spatial Planning and Transport Department. In certain circumstances, other divisions of the Municipality such as Environmental Management and Group Legal Services may be requested to comment on an application. A representative from the City's Building Control office may from part of the Outdoor Advertising Committee to assist on the adjudication of a building plan if so required.

3.5.2 The Outdoor Advertising Management Section compiles a report containing a recommendation that the application be approved, approved with special conditions, or rejected.

3.5.3 The Outdoor Advertising Committee approves or rejects the application.

3.5.4 The applicant is informed in a letter of the Committee's approval or rejection of the application.

3.5.5 Regardless of zoning or land-use, the Outdoor Advertising Committee may declare roads, land or certain portions of roads as areas of maximum control provided that such record of decision is documented and forms part of the Outdoor Advertising Committee resolution.

3.5.6 The Outdoor Advertising Committee may consider and adjudicate on proposals for signs not defined in the bylaw for the control of outdoor advertising.

3.5.7 If an advertising sign approved in accordance with this bylaw, is not erected within the prescribed period from the date of notification of such approval or within a time specified in such approval, the approval lapses.

4. Letter of approval

4.1 After receiving a letter of approval, an applicant must enter into an agreement with the Municipality.

5. Signing of an agreement and submission of proof of progress

- 5.1 The approval by the Outdoor Advertising Committee remains valid only if the wayleave approval is obtained by the applicant within a period not exceeding 6 (six) months from notification of outdoor advertising sign approval in accordance with this by-law.
- 5.2 If the applicant does not sign the agreement or does not provide proof of wayleave approval, the outdoor advertising approval shall be withdrawn.
- 5.3 The City of Tshwane may not consider or approve any new or renewal applications for any company placed in breach in terms of any outdoor advertising sign agreement.
- 5.4 No motivation shall be considered for the processing of any outdoor advertising sign application in the case of a company having been placed in breach of payment or any other transgression in terms of any outdoor advertising sign agreement.
- 5.5 No new outdoor advertising sign agreement will be issued to a company placed in breach of any outdoor advertising sign agreement.

6. Applying for wayleave approval of an electricity connection

- 6.1 Wayleave approval is required to determine that underground and above-ground services in the roadway are not damaged. It is possible that, due to the position of these services, the final position of the sign will differ slightly from the position originally applied for.
- 6.2 Applications for wayleave approval must be submitted and obtained in accordance with Municipality's Work in the public road reserve bylaw, as amended from time to time.
- 6.3 In the case of an illuminated -or electronic/animated sign an application must be submitted and approval obtained in accordance with Municipality's Electricity bylaw and/or procedure.
- 6.4 The final position of the sign may not contravene the provisions of the Municipality's by-law and associated policy.
- 6.5 The survey coordinates of the final sign position must be supplied to the Outdoor Advertising Management Section.

7. Engineer completion certificate

- 7.1 When the structure has been completed, a completion certificate certified by a structural engineer must be submitted to the Transport and Roads Department, the Building Control Office and the Outdoor Advertising Management Section.

8. Content of advertisements

- 8.1 In terms of its By-law for the Control of Outdoor Advertising, the Municipality is required to approve the content of all advertisements displayed on signs. Applications for approval must be submitted to the offices of the Outdoor Advertising Management Section and must be accompanied by –

- 8.1.1 a document indicating the location of the sign;
- 8.1.2 an example of the proposed artwork; and
- 8.1.3 application fees.

9. Evaluation of content

- 9.1 Outdoor Advertising Management evaluates the content of an advertisement in terms of the following:

- 9.1.1 Whether the amount of information contained in the advert is more than 15 bits (a "bit" is the basic unit for measuring the length of advertising messages and may consist of letters, digits, symbols, logos or abbreviations);
- 9.1.2 Whether the content is objectionable, indecent or suggestive of indecency;
- 9.1.3 Whether the colours used may lead to confusion with road traffic signals;
- 9.1.4 Whether the content includes elements that could be confused with road traffic signs.

10. Deviation from conditions

- 10.1 No deviation from the conditions for approval imposed by the Municipality is permitted. Any deviation will constitute an offence and will consequently nullify the approval.