

## TP 21

## Advertising Signs

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### 1. PRELIMINARY

#### 1.1 Relationship of this Policy to the Scheme

If a provision of this Policy is inconsistent with the Scheme, the Scheme prevails.

This Local Planning Policy is not part of the Scheme and does not bind Council in respect of any application for planning approval. However, Council shall have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

### 2. APPLICATION OF THE POLICY

#### 2.1 Purpose

The purpose of this Local Planning Policy is to guide the design, materials and siting of advertising structures and signs in the Shire of Ravensthorpe and to provide a clear direction in respect to all sign types.

#### 2.2 Application

For the purposes of this Policy, the erection, placement and display of any advertisement (other than an *exempted advertisement*) and the use of land, buildings or vehicles for that purpose is classed as development requiring the approval of Council.

Signs located in public reserves, including road reserves, are administered through this policy. This Policy is applicable to the town planning scheme area which covers the entire local government district of the Shire of Ravensthorpe.

### 3. POLICY OBJECTIVES

**To enable businesses and community groups to effectively advertise goods, services and events in a way that safeguards the visual amenity of the district and meets the safety and amenity needs of the general public.**

### 4. DEFINITIONS

In this Policy, unless the context otherwise requires:

**“Act”** means the Local Government Act 1995;

**“advertisement”** has the same meaning as "sign";

**“advertising device”** means any object on which words or numbers or figures are written, printed, affixed, illustrated or painted for the purpose of advertising any business, function, operation, event or undertaking or any product or thing and includes any vehicle or trailer or other similar stationery object placed or located so as to serve the purpose of advertising any business, function, event or undertaking or any product or thing;

**“bill”** means any material on which words, numbers or figures are written, placed, printed, illustrated or painted;

**“business”** includes the conduct of a profession, trade or occupation;

**“CEO”** means the Chief Executive Officer of the Shire;

**“Council”** means the Council of the Shire of Ravensthorpe;

**“depth”** unless otherwise specifically stated, refers to the height of a sign, and not a three dimensional measurement. The word “depth” is used to differentiate between the lateral width of a sign and the height of the sign above the ground.

**“development sign”** means a sign erected on an area of land which has been approved for subdivision into a number of smaller lots, advertising the lots for sale but upon which no building development has taken place at the time of the approval of the sign;

**“district”** means the district of the Shire;

**“electoral sign”** means a sign containing an advertisement relating to an election or to a referendum;

**“exempt sign”** means a sign referred to in Section 5 of this Policy;

**“fascia sign”** means a sign erected or displayed on the fascia of a building or the fascia of a verandah;

**“fly posting”** means advertising by means of posters placed on fences, walls, trees and like structures;

**“freestanding sign”** means any sign not attached to a structure or permanently fixed to the ground or pavement and includes “A frame” or “Sandwich Board” signs consisting of two sign boards attached to each other at the top or elsewhere by hinges or other means;

**“hoarding”** means a detached or detachable structure other than a pylon sign that is erected for the sole purpose of displaying a sign or signs and includes a poster panel or an illuminated panel; but does not include a hoarding within the meaning of Section 377 of the Local Government (Miscellaneous Provisions) Act 1960;

**“horizontal sign”** means a sign fixed parallel to the wall of a building to which it is attached and with its largest dimension being horizontal;

**“illuminated sign”** means a sign which can be lighted either from within or without the sign by artificial light provided, or mainly provided for that purpose and which does not emit a flashing light;

**“institutional sign”** means a sign erected or placed on any land or building used for or in conjunction with a surgery, clinic, hospital, rest home, home for the aged or other institution or place of a similar nature;

**“planning consent”** means the approval granted by Shire for the erection or display of a sign pursuant to the Town Planning Scheme;

**“premises”** means land and, unless the context otherwise requires, the buildings upon that land;

**“pylon sign”** means a sign supported by one or more piers and not attached to a building and includes a detached sign framework supported by one or more piers to which sign infills may be added;

**“remote advertising”** means a sign or advertising device that is located remotely (i.e. more than 1000m from the closest point) from where the business, product or event is situated, is visible from a roadway, and is intended to direct traffic and the general public to where that business, product or event is located.

**“reserve”** includes land vested in, or under the care, control and management of the Shire;

**“roof sign”** means a sign erected on or above the roof of a building;

**“rural producer sign”** means a sign erected on land zoned rural under a Town Planning Scheme indicating the products grown, reared or produced on the property;

**“sale sign”** means a sign displayed on premises advertising the sale, letting or auction of the premises;

**“service sign”** a traffic sign with white letters and/or symbols on a blue background used to: guide travellers to services provided for their personal, automotive and travel needs, or indicate other facilities not normally shown on direction signs or tourist signs.

**“Shire”** means the Shire of Ravensthorpe;

**“sign”** includes any advertising device or other sign type defined in this Local Law;

**“sign infill”** means a panel which can be fitted into a pylon sign framework;

**“Surveyor”** means the Building Surveyor of the Shire;

**“tourist sign”** means a traffic sign with white letters and/or symbols on a brown background used to guide travellers to: natural features and approved heritage sites of interest to tourists; and approved tourist establishments.

**“verandah sign”** an advertisement above, on or under a verandah, cantilever awning, cantilever verandah and balcony whether over a public thoroughfare or private land;

**“vertical sign”** means a sign fixed parallel to the wall of a building to which it is attached and with its largest dimension being vertical;

**“window sign”** means any sign fixed to or painted on the glazed area of a window of a building.

## **5. EXEMPT SIGNS**

An exempt sign for the purpose of this Policy is:

- (a) any sign which is classified as exempt under Schedule 3 of Town Planning Scheme No.5;
- (b) any sign which is the subject of an existing approval made prior to the date of effect of this Policy;

- (c) any advertisement affixed to or painted on a shop window by the occupier of the shop and relating to the business carried on in the shop;
- (d) any sign within a building;
- (e) any building name sign on residential flats or home units which has a single line of letters not exceeding 300mm in height, fixed to the facade of the building;
- (f) any newspaper poster;
- (g) 1 freestanding sign (per building or business). The sign is to be placed or erected only to direct attention to a place, activity or event during the hours of that activity or event.
- (i) A sign placed on or in front of a property advertising the sale or lease of a building, property or business, providing;
  - i. The aggregate area of such onsite signage does not exceed 3m<sup>2</sup> in area;
  - ii. Is contained within the property boundary, unless in the instance that the sign will be substantially obstructed, in which case the sign can be located on the road reserve providing it does not obstruct public visibility or access' and
  - iii. The signage does not protrude above surrounding elements of the landscape.

## **6. GENERAL REQUIREMENTS AND LIMITATIONS**

### **6.1 Standards Common to all Signs**

Signs or advertising devices (including an exempted sign) erected or displayed shall:

- (a) be securely fixed to any structure which supports it;
- (b) be structurally sound and capable of withstanding any forces to which it would be reasonably subjected to without collapsing, deforming or moving from the position on which it was erected or displayed;
- (c) be constructed and erected to the satisfaction of the Surveyor;
- (e) be maintained in good order and clean condition;
- (f) other than a service or tourist direction sign, be directly associated with the approved use of the property on which it is displayed;
- (g) not be erected or displayed in a position:
  - i. so as to obstruct the passage of or so as to create a hazard for vehicles or pedestrians;
  - ii. that in the opinion of the Shire adversely affects the local amenity, so as to significantly obstruct or impeded all or part of a view of a river, the sea or other place or feature which in Council's opinion is of significance to the district.

### **6.2 Sign Design & Information**

- 6.2.1 Every sign shall be designed to utilise colour schemes and materials that fit in with the overall style of the surrounding development and/or precinct.
- 6.2.2 Every sign attached to buildings shall be incorporated into the architectural features of the building in placement, style, proportions, materials and finish and shall be designed, constructed, finished, installed and professionally maintained.

6.2.3 Every sign shall contain the following information only:

- (a) The name of the occupier;
- (b) The business carried on in the premises;
- (c) The occupiers telephone number, web address or email address;
- (d) A description of the goods sold or offered for sale in the premises to which the sign is affixed or to which it relates;
- (e) Graphics relating directly to the effective advertising of the business, product or event;
- (f) afford a minimum headway of 2.75m where the sign projects more than 12mm into a pedestrian thoroughfare;
- (g) Any other matter specifically approved by the Shire.

6.2.4 Council reserves the right to refuse any sign in which the content of the advertisement:

- (a) could harm or cause detriment to the State;
- (b) make reference to a product which is unsafe, or is otherwise unsuitable to be referred to in the advertisement;
- (c) contains confusing, misleading, political, offensive or objectionable information; and
- (d) would breach any provision of the Trade Practices Act or any other State or Commonwealth legislation.

### **6.3 Remote Advertising**

Council will generally not support remote advertising or advance warning signs (other than a service or tourist sign), as this may lead to an undesirable precedent and proliferation of signage to the detriment of the amenity of the Shire.

### **6.4 Bill & Fly Posting**

6.4.1 A person shall not post a bill or paint, stencil, place or affix an advertisement on a street or on a building, structure, fence, wall, sign, post, blind or awning with the exception of:

- (a) an advertisement affixed to, or painted on a shop window by the occupier of the shop and relating to the business carried on in the shop; and
- (b) any sign within a building.

6.4.2 No person shall fly post at any place or location within the Shire.

## 7. REQUIREMENTS FOR PARTICULAR SIGNS

### 7.1 Freestanding Signs

7.1.1 Freestanding signs shall:

- (a) not exceed 1m in height;
- (b) not exceed an area of 1m<sup>2</sup> on any side;
- (c) not be erected in any position other than immediately adjacent to the building or the business to which the sign relates; and
- (d) be removed each day at the close of the business to which it relates and not be erected again until the business next opens for trading.

7.1.2 No more than 1 freestanding sign shall be erected in relation to the one building or business.

7.1.3 Where possible, freestanding signs should be located within the private property boundary to which the sign refers. Freestanding signs may be displayed within the verge area of a road reserve subject to the following:

- (a) Written evidence being provided to confirm that the holder of the licence has arranged and paid for public liability insurance cover to an amount not less than \$10 million. The Certificate must note that the cover extends to any sign that is located in a road reserve. The applicant is then responsible to maintain this insurance for the duration that the sign is to be displayed
- (b) The sign is to be displayed adjacent to and between the business frontage and the nearest kerb. The display location of the freestanding sign is to be approved by the Shire of Ravensthorpe and where deemed necessary, in the immediate location of a marker provided by the Shire of Ravensthorpe.
- (c) No part of the sign is to be less than 600 mm from the face of the nearest kerb or, if no kerb, from the edge of the nearest road surface (or car parking bay)
- (d) The effective width of a footpath, pedestrian access way or the like not being reduced to less than 2 metres effective width.

### 7.2 Horizontal Signs

7.2.1 A horizontal sign shall:

- (a) be fixed parallel to the wall of the building to which it is attached;
- (b) not project more than 150mm from the wall to which it is attached;
- (c) not exceed 5m<sup>2</sup> in area
- (d) conform to the following table:

Minimum distance of sign above street	Maximum depth of sign
Less than 7.5m	600mm
7.5m to 9m	750mm
9m to 12m	1,000mm

### **7.3 Illuminated Signs**

7.3.1 Every illuminated sign shall:

- (a) any boxing or casing in which it is enclosed constructed of non-combustible material;
- (b) where comprising glass (other than fluorescent tubing) have the glass so protected as to prevent its falling into a public place in the event of breakage;
- (c) have its electrical installation constructed and maintained to the satisfaction of the appropriate electricity supply authority and in accordance with any written law with respect to the construction and maintenance of electrical installations for illuminated signs;
- (d) be maintained to operate as an illuminated sign;
- (e) not have a light of such intensity as to cause annoyance to the public or be a traffic hazard;
- (f) not be displayed where it may be confused with or mistaken for the stop or tail light of a vehicle; and
- (g) not emit a flashing light.

### **7.4 Information Panels**

The Shire may provide tourist or other information panels or bays of varying sizes and charge fees for the inclusion of advertisements in such panels or bays.

### **7.5 Pylon Signs**

7.5.1 A pylon sign shall:

- (a) not have any part more than 6,000mm above the level of the ground immediately below it;
- (b) not exceed 4m<sup>2</sup> in area unless approved by the Shire;
- (c) be supported on one or more piers or columns of brick, stone, concrete, timber or steel of sufficient size and strength to support the sign under all conditions;
- (d) not be within 2,000mm of the side boundaries of the lot on which it is erected unless the lot on which the pylon sign is erected abuts an intersecting street or right-of-way, where the Shire may authorise the erection of the sign at a distance less than 2,000mm;
- (e) not have any part less than 6,000mm from any part of another sign erected on the same lot.

7.5.2 Where pylon signs are to be erected on a lot on which a factory tenement building or small shops are erected or are to be erected the Shire may require all pylon signs to be incorporated into one sign in which case:

- (a) all of the constituent or infill signs are of an equal size; and
- (b) one constituent or infill sign is provided for each business, shop or unit on the lot.

## 7.6 Roof Signs

A roof sign shall comply with the following table:

Height of main building above ground level at point where sign is to be fixed	Maximum height of sign
4m and under 5m	1,250mm
5m and under 6m	1,800mm
6m and under 12m	3,000mm

## 7.7 Verandah Signs

7.7.1 A sign fixed to the fascia of a verandah shall:

- (a) not exceed 600mm in depth; and
- (b) not project beyond the fascia.

7.7.2 A sign under a verandah shall:

- (a) not project beyond the outer frame or surround of the fascia nor exceed 600mm in width;
- (b) be fixed at right angles to the front wall of the building before which it is erected except on a corner of a building at a street intersection where the sign may be placed at an angle with the wall so as to be visible from both streets;
- (c) Not weigh more than 50kg unless the installation of the sign has been certified by a practicing structural engineer.

## 7.8 Vertical Signs

7.8.1 A vertical sign shall:

- (a) not project more than 50mm from the face of the building to which it is attached;
- (b) be within 600mm of either end of the wall to which it is attached;
- (c) be of a height of at least twice its width;
- (d) not be placed on a corner of building, except at a street intersection where it may be placed at an angle with the walls so as to be visible from both streets;
- (e) not exceed 750mm in width exclusive of the back projection; and
- (f) not exceed 2m<sup>2</sup> in total area on premises being a shop or office or both.

## **7.9 Development Signs**

- (a) A development sign shall be removed from the site within 2 years from the date of the approval or when 80% of the lots in the subdivision (or stage of subdivision) have been sold, whichever is the sooner, unless Council approval has been granted for a longer period;
- (b) Shall not exceed 32m<sup>2</sup> in area; and
- (c) Be displayed at the entrance to the subdivision and not remote from the lots being sold unless special approval is granted by Council.

## **7.10 Rural Producer Sign**

7.10.1 A rural business sign means a sign erected on the property where the actual business is being carried out.

7.10.2 A rural business sign shall –

- (a) not indicate or display any matter other than for the purpose of advertising the sale of produce grown or made available on the land on which the sign is erected;
- (b) be erected within the boundaries on the land on which the produce offered for sale was grown or made or alternatively on the adjoining road verge if in the opinion of Council, existing vegetation would otherwise obscure the sign;
- (c) not exceed 2.0 square metres in area;
- (d) not to exceed an overall height of more than 3 metres from the natural ground level;

7.10.3 Only one such sign will be permitted per lot, however in special circumstances such as the size of the lot or traffic safety, Council may allow two such signs to be erected.

## **8. RESPONSIBILITIES**

All proposals that do not conform to the standards prescribed in this policy and the applicable Local Planning Scheme shall be referred to the Council for determination.

### **8.1 Variations to standards**

If it is established to the satisfaction of the Council that a particular standard or provision contained within this Policy is unreasonable or undesirable in the particular circumstances of the case, the Council may at its discretion, vary the standard or provision.

The Council may only vary a standard or provisions where it is satisfied that:

- Approval of the variation will not set an undesirable precedent;
- The applicant demonstrates exceptional circumstances warranting support for a variation;
- Approval of the application does not contravene the overall objectives for signage contained in this policy; and
- The signs are of a high quality and professional standard.

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*Date Adopted:*

*Date Effective:*

*Date to be Reviewed:*