

1. INTRODUCTION

Advertisements and signage are part of our built environment. Advertisements are important to assist with wayfinding and notifying the public of goods and services available on a property, but the size, scale and location of advertisements needs to be balanced to ensure that it complements the streetscape, built environment and public realm.

The City of Rockingham has developed a consolidated approach to managing signage and this policy provides clear guidance as to when Development Approval is and is not required and guidelines for assessment when Development Approval is required.

This policy provides guidance to determine:

- (i) Whether Development Approval is required for signage;
- (ii) In the event that Development Approval is required, matters that will be taken into account in the City's determination of the application; and
- (iii) When an application should be lodged and which Department should be contacted for enquires.

2. POLICY APPLICATION

This Planning Policy applies to all applications for Development Approval for advertisements within the City.

For any advertisements located on Council reserves (such as parks and road reserves), this Planning Policy should be read in conjunction with the Council's *Public Places and Local Government Property Local Law 2018* and any policy prepared under that Local Law.

Notwithstanding the provisions of this planning policy, a Permit may be required for advertisements on Council reserves under the *Public Places and Local Government Property Local Law 2018*.

3. POLICY OBJECTIVES

The objectives of this Planning Policy are to:

- (i) Ensure advertising is good quality, proportionate to the site it is located on and complements the character and amenity of the locality and the public realm;
- (ii) Minimise clutter of advertising and avoid a proliferation of signs;
- (iii) Ensure advertising is well situated to avoid hazards, confusion and distraction to road users;
- (iv) To ensure outdoor advertising complements the overall amenity of the locality and is commensurate to the locality in relation to context, quantity, size, visual impact and content;
- (v) Ensure that advertising relates to the businesses, goods, services and products available on the lot that the advertisement is located;
- (vi) Protect the streetscape and the amenity of adjoining and nearby residents by minimising the visual impact of signs; and
- (vii) Ensure that advertising is not a dominant feature in the urban environment and rural landscape.

4. PLANNING CONSIDERATIONS

The City in considering any development applications for signage or advertising will have due regard to this policy and any other policy or relevant local law, the City's Town Planning Scheme No.2 and the Deemed Provisions as appropriate. For any inconsistency between this Policy and the City of Rockingham Town Planning Scheme No.2, the scheme shall prevail.

4.1 Requirement for Development Approval

Whilst this policy provides exemptions for Development Approval for some advertisements and signs, approval will be required when advertisements or signs are located in or comprise the following:

- (i) Where five or more exempted advertisements (per Table 1), are proposed on a lot;
- (ii) Signs within the boundaries of State Road Reserves, as well as advertising beyond but visible from State Roads where approval may be required from Main Roads WA pursuant to the *Main Roads (Control of Advertisement) Regulations 1996* and any other appropriate governing body. This includes advertisements along Patterson Road, Ennis Avenue, Mandurah Road and Kwinana Freeway;
- (iii) Land reserved under the Metropolitan Region Scheme where approval may be required from the Western Australian Planning Commission;
- (iv) Advertisements and signage on local reserves (including local road reserves) and public places where the advertising does not comply with the standard provisions of the City of Rockingham *Public Places and Local Government Property Local Law 2018* and the associated Local Policy;
- (v) Advertising that does not relate to the building or use of the lot on which the advertising is contained (third party advertising);
- (vi) Advertising that is digital or flashing or contain images/text that is animated, flashes, moves or changes;
- (vii) Advertising that is illuminated that does not comply with:
 - (a) Australian Standard 1997: Control of the Obtrusive Effects of Outdoor Lighting; and/or
 - (b) Main Roads Western Australian: Policy and Application Guidelines for Advertising Within and Beyond State Road Reserves;
- (viii) Any advertisement on a lot or building that is a heritage protected place;
- (ix) Advertising that does not meet the standards in Column 2 of Table 1 below; and
- (x) Any type of signage or advertisement that is not listed in Table 1.

4.2 Exempted Advertisements


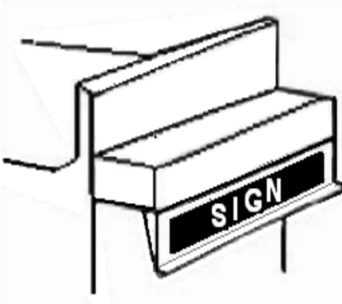
Any signage or advertisement internal to a building (other than window signs on the external windows to a building) does not require Development Approval.



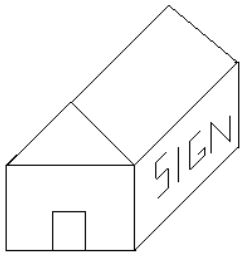
In addition to the exempted forms of advertising specified elsewhere in this policy, in accordance with Clause 61 of the Deemed Provisions, Development Approval is not required for:

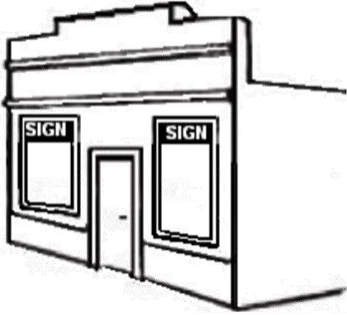
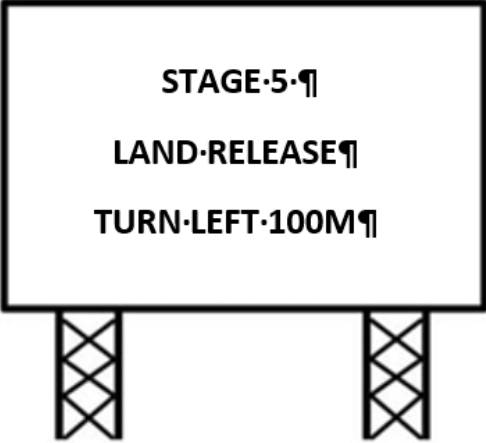
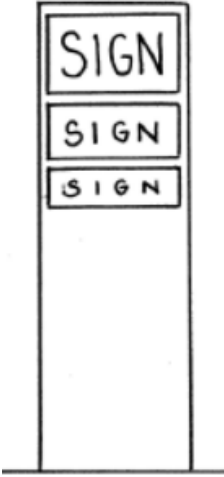
- (i) The temporary erection or installation of an advertisement for political communication (to be removed within 48 hours for an election, referendum or poll);
- (ii) The erection or installation of a sign of a class specified in a local planning policy or local development plan that applies to the works as not requiring Development Approval; or
- (iii) Works to change an existing sign that has been erected or installed on land where the sign is being replaced with a sign consistent with the existing sign.

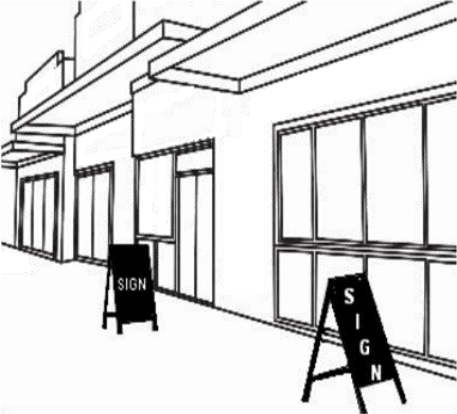

Table 1 below provides guidelines as to what advertisements external to a building that do not require Development Approval. If the advertisement does not meet the standards detailed in Column 2 of Table 1, Development Approval is required.

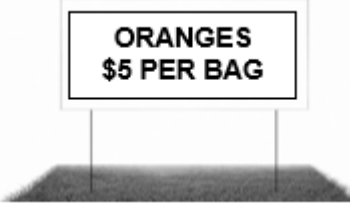

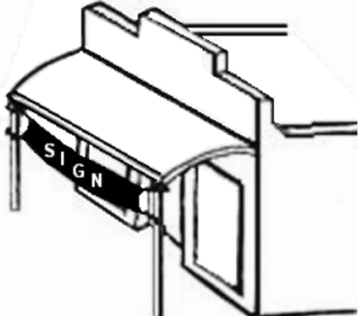
Table 1: Signage Exemptions




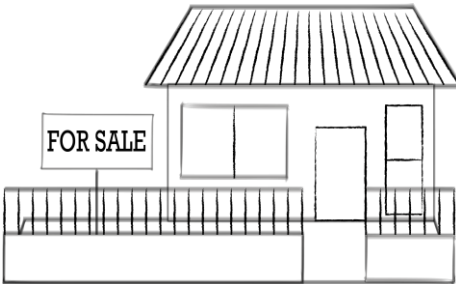
Sign Type	Exemption Criteria
Advertisements on a Building	
<p>Name Plate Advertisement that details the address, building name or business name.</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"> <p>MY BUSINESS MY ADDRESS</p> </div>	<p>An advertisement not exceeding 0.2m² in any zone or local reserve.</p>
<p>Verandah Sign (above) A sign located above the outer fascia of a verandah, balcony or awning.</p> 	<p>(i) One advertisement per business tenancy with the area of the sign measuring not more than 4m²;</p> <p>(ii) Not be located within 1 metre of another sign on an adjacent property/business tenancy;</p> <p>(iii) Not project beyond (other than above) the awning/verandah to which it is attached;</p> <p>(iv) The lot does not have dwellings located on the upper level that would be directly affected by the sign; and</p> <p>(v) Exemption <u>not</u> applicable in the following zones:</p> <ul style="list-style-type: none"> • Residential (or land designated as Residential in an approved structure plan or local development plan); • Rural; • Special Residential; • Special Rural; and • Special Use.
<p>Verandah Sign (below) An advertisement fixed to or suspended from the underside of a verandah, balcony or awning and/or an advertisement located under a verandah/awning.</p> 	<p>(i) One advertisement per business tenancy;</p> <p>(ii) Minimum clearance of 2.7m above ground level;</p> <p>(iii) Is contained wholly under the verandah, balcony or awning; and</p> <p>(iv) Exemption <u>not</u> applicable in the following zones:</p> <ul style="list-style-type: none"> • Residential (or land designated as Residential in an approved structure plan or local development plan); • Rural; • Special Residential; • Special Rural; and • Special Use.

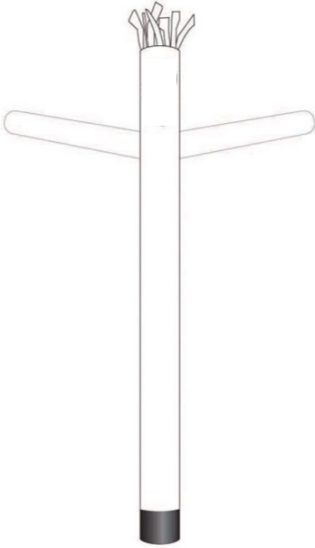

Sign Type	Exemption Criteria
	
<p>Wall Sign A sign that is affixed to the external wall or façade of a building or structure and does not protrude from the face of the wall by more than 300mm.</p> 	<ul style="list-style-type: none"> (i) The sign does not extend beyond the side or top of the wall; (ii) Is limited to two signs per business tenancy with a maximum total area of 4m² per sign or 20% of the total surface area of a wall on a building, whichever is the lesser; (iii) Have a minimum clearance of 2.7m above the existing ground level if directly above a door opening; and (iv) Exemption <u>not</u> applicable in the following zones: <ul style="list-style-type: none"> • Residential (or land designated as Residential in an approved structure plan or local development plan); • Rural; • Special Residential; • Special Rural; and • Special Use.
<p>Wall Mural An advertisement or artwork painted directly onto a wall.</p> 	<ul style="list-style-type: none"> (i) The wall mural does not exceed 20% of the area of the wall; and (ii) Exemption <u>not</u> applicable in the following zone: <ul style="list-style-type: none"> • Residential (or land designated as Residential in an approved structure plan or local development plan); and • Special Residential.
<p>Window sign An advertisement that is affixed or painted to the interior or exterior of a window.</p>	<ul style="list-style-type: none"> (i) Limited to a maximum of 10m² per business tenancy or 25% of the glazed area on each street frontage, whichever is the lesser; (ii) Does not obstruct street surveillance and natural lighting; and (iii) Exemption <u>not</u> applicable in the following zones: <ul style="list-style-type: none"> • Residential (or land designated as Residential in an approved structure plan or local development plan); • Rural; • Special Residential;

Sign Type	Exemption Criteria
	<ul style="list-style-type: none"> • Special Rural; and • Special Use.
Stand-Alone Advertisements	
<p>Directional and/or Estate, City or Suburb Signage An advertisement providing direction to and/or the location of the particular land subject of sale or the particulars of the location.</p> 	<ul style="list-style-type: none"> (i) One estate sign located at the entrance to the estate and/or within the estate, not exceeding 10m²; (ii) Located a minimum of 1.5m from a side boundary or corner truncation; (iii) For City or suburb entry statements, subject to the written approval of the landowner being obtained, one suburb or City entry statement on each regional road for each suburb abutting that regional road, not exceeding 10m²; and (iv) If located within a local reserve, complies with the requirements of the City's <i>Public Places and Local Government Property Local Law 2018</i> and associated Local Policy.
<p>Monolith Sign An advertisement structure that is solid with in-filled panels that may advertise more than one business.</p> 	<ul style="list-style-type: none"> (i) Maximum height 6m, except for land within a District Town Centre Zone & Primary Centre City Centre where the height shall not exceed 9m; (ii) Maximum width 4m; (iii) Not to be located within the 1.5m of a boundary, crossover or truncation; (iv) Limited to one monolith sign per frontage per lot; (v) The lot does not contain a pylon sign on the same street frontage; (vi) The lot does not contain dwellings; and (vii) Exemption <u>not</u> applicable in the following zones: <ul style="list-style-type: none"> • Residential (or land designated as Residential in an approved structure plan or local development plan); • Rural; • Special Residential; • Special Rural; and • Special Use.

Sign Type	Exemption Criteria
<p>Portable Advertisements An advertisement that is not permanently attached to a structure or foundation and usually represents an A frame shape.</p> 	<ul style="list-style-type: none"> (i) A maximum of one portable advertisement per business; (ii) Not exceed 1.2m in any dimension; (iii) Has a maximum of 2 facing sides; (iv) Is secured and stabilised so as not to be moveable by wind or natural forces; (v) Does not obstruct vehicle accessways, sightlines or parking; (vi) Does not obstruct pedestrian access to and within the property and does not present a hazard to pedestrians; (vii) Only on display during the hours that the business is open; (viii) Is located under an awning and/or within the lot boundary; (ix) If located within a local reserve, complies with the requirements of the City's <i>Public Places and Local Government Property Local Law 2018</i> and associated Local Policy; and (x) Exemption not applicable in the following zone: <ul style="list-style-type: none"> • Residential (or land designated as Residential in an approved structure plan or local development plan); and • Special Residential.
<p>Pylon Sign An advertisement structure supported by one or more piers and not attached to a building and includes a detached sign framework supported on one or more piers to which sign panels may be added.</p> 	<ul style="list-style-type: none"> (i) Not more than one pylon sign per lot per street frontage; (ii) The lot does not contain a monolith sign on the same street frontage; (iii) Has a minimum clearance of 2.7 metres from ground level; (iv) Not extend more than 6.0 metres above ground level or in the case of the District Town Centre Zone & Primary Centre City Centre be not more than 9 metres in height; and (v) Exemption <u>not</u> applicable in the following zones: <ul style="list-style-type: none"> • Residential (or land designated as Residential in an approved structure plan or local development plan); • Rural; • Special Residential; • Special Rural; and • Special Use.
<p>Rural Producer Sign An advertisement that relates to goods or products produced, grown or manufactured on the land.</p>	<ul style="list-style-type: none"> (i) Not more than 1 sign per lot that shall not exceed 4m² and not more than 3 metres in any dimension; (ii) Only advertises goods and/or products produced/manufactured on site; (iii) Not to be located within the 1.5m of a boundary, crossover or truncation; and

Sign Type	Exemption Criteria
	<p>(iv) Exemption <u>is</u> only applicable in the following zones:</p> <ul style="list-style-type: none"> • Rural; • Special Rural; • Special Residential.
<p>Compliance/Regulatory and Wayfinding sign Signs on local reserves and Council property that details information about that reserve or place.</p> 	<p>(i) Way finding advertising in a local reserve or land in the care and control of the City where such advertising is in accordance with the City's <i>Public Places and Local Government Property Local Law 2018</i> and associated Local Policy and/or City's adopted Strategy;</p> <p>(ii) Way finding advertising that provides regulatory information such as Beach Emergency Numbers; and</p> <p>(iii) Advertisements on City's buildings, properties and reserves detailing the name of the facility/reserve and the services/facilities that are provided on that reserve where such advertising is in accordance with the City's <i>Public Places and Local Government Property Local Law 2018</i> and associated Local Policy and/or City's adopted Strategy.</p>
Temporary Advertisements	
<p>Banner (attached to building/structure) Temporary advertisement that is made of lightweight material that is attached to a part/s of a building with such signage normally relating to an event or promotion.</p> 	<p>(i) The banner does not exceed more than 10m²;</p> <p>(ii) Is limited to a maximum of one banner per business tenancy;</p> <p>(iii) Not be installed for more than 2 weeks in a calendar month; and</p> <p>(iv) Exemption <u>not</u> applicable in the following zones:</p> <ul style="list-style-type: none"> • Residential (or land designated as Residential in an approved structure plan or local development plan); • Rural; • Special Residential; • Special Rural; or • Special Use.
<p>Banner (free standing) A freestanding banner is an advertising device made from lightweight material attached to a pole weighted to the ground. Freestanding banner signs can represent a variety of different shapes.</p>	<p>(i) A maximum of one free standing banner per 5 metres of lot street frontage, to a maximum of three (3) banners per lot per frontage;</p> <p>(ii) Are safely secured to the ground or the signs foundation;</p> <p>(iii) Are only displayed during hours the business is operating;</p> <p>(iv) Exemption <u>not</u> applicable in the following zones:</p> <ul style="list-style-type: none"> • Residential (or land designated as Residential in an approved structure plan or local development plan); or • Special Residential; and

Sign Type	Exemption Criteria
	<p>(v) If located within a local reserve, complies with the requirements of the City's <i>Public Places and Local Government Property Local Law 2018</i> and associated Local Policy;</p>
<p>Community Event Sign An advertisement which is temporary and provides details of a non-profit short term community event.</p> 	<p>(i) Located on site of the registered community event;</p> <p>(ii) One advertisement per street frontage of the subject property;</p> <p>(iii) A maximum of 4m² per sign located a minimum of 1.5m from a side boundary;</p> <p>(iv) To be installed not more than 2 weeks before the event and to be removed within 5 calendar days of the end of the event; and</p> <p>(v) If located within a local reserve, the advertisement complies with the requirements of the City's <i>Public Places and Local Government Property Local Law 2018</i> and associated Local Policy.</p>
<p>Construction Site Sign An advertisement providing details at a building site.</p> 	<p>(i) One advertisement per street frontage of the subject lot under construction;</p> <p>(ii) A maximum of 4m² per sign located a minimum of 1.5m from a side boundary; and</p> <p>(iii) Advertisement to be removed within 5 calendar days of completion of construction.</p>
<p>Display Sign (including to lease/for sale) and Public Notice Sign</p> <ul style="list-style-type: none"> • An advertisement indicating that the premises or part of the premises where the advertisement is located is for sale, lease, letting or auction; or • a public advertising display sign required by State or Local Government that contains particular details in relation to the premises. 	<p>(i) One advertisement per street frontage; and</p> <p>(ii) Portable display signs within road reserves that are in accordance with the City's <i>Public Places and Local Government Property Local Law 2018</i> and associated Local Policy.</p>

Sign Type	Exemption Criteria
<p>Inflatable sign An advertisement that is incorporated into or painted or stencilled or attached to an inflated device. This includes hot air balloon type devices as well as other inflatable devices such as the tube devices.</p> 	<p>(i) Inflatable signs such as tube devices are permitted for a consecutive period of 2 weeks, twice per calendar year on the basis that:</p> <ul style="list-style-type: none"> (a) Located more than 3 metres from a property boundary and vehicular access areas; (b) Is secured and stabilised to the ground so the base to tube device is not moveable by wind or natural forces; and (c) Only inflated during hours the business is operating; <p>(ii) If located within a local reserve, complies with the requirements of the City's <i>Public Places and Local Government Property Local Law 2018</i> and associated Local Policy; and</p> <p>(iii) Exemption <u>not</u> applicable in the following zones:</p> <ul style="list-style-type: none"> • Residential (or land designated as Residential in an approved structure plan or local development plan); • Rural; • Special Residential; • Special Rural; and • Special Use. <p>Note: No exemptions apply for hot air balloon devices.</p>
<p>Portable Variable Message Sign An advertisement on a board that is typically mounted on a trailer that can be altered to display a variety of different texts.</p> 	<p>(i) To be used as temporary measure for traffic management associated with:</p> <ul style="list-style-type: none"> • construction work; or • a temporary event; <p>(ii) To be used on a temporary nature associated with providing the community of notification of relevant Government purposes or notification (such as advising of the location of a COVID testing clinic or a community event); and</p> <p>(iii) If located within a local reserve, complies with the requirements of the City's <i>Public Places and Local Government Property Local Law 2018</i> and associated Local Policy.</p>

4.3 Assessment Criteria in determining a development application for advertising

In determining a Development Application for advertising, in addition to consideration of the objectives of this policy and the provisions of Clause 67 of the Deemed Provisions, the Local Government shall have regard to the following matters:

- (i) Advertisements is not to be, in the opinion of the Local Government, objectionable, dangerous or offensive;
- (ii) Advertisements are to be appropriate to the locality in terms of the number of advertisements, size, prominence, visual impact, colour, content and relevance to the property upon which it is located;

- (iii) Advertisements shall be commensurate to the size of the buildings/structures on the lot and in the immediate locality and be complementary to its surrounds;
- (iv) High quality third party advertisements will only be supported where the advertisement:
 - (a) Relates to Government, sporting or community organisations;
 - (b) Provides direction to a location that the Local Government deem is necessary or appropriate to have off site directional signage; or
 - (c) Is part of a contractual arrangement with the City and in accordance with an adopted Strategy, such as an illuminated sign, bin or bus shelter advertising;
- (v) Illuminated advertising shall be designed to comply with the relevant Australian Standard regarding the control of the obtrusive effects of outdoor lighting and designed to minimise light overspill and impacts of lighting particularly to nearby residential properties;
- (vi) If deemed required by the Local Government, digital signage shall be accompanied by a lighting impact assessment and a road safety assessment and such reports given due consideration in determining the application to ensure that amenity and traffic safety is not adversely impacted;
- (vii) Where the advertisement is located on a heritage protected place, the applicant is to demonstrate that the advertisement does not unreasonably detract from the architectural and setting characteristics of the heritage protected place; and
- (viii) Signage shall not have undue adverse impact on:
 - the amenity of the locality, including residential and/or rural amenity;
 - the visual amenity and/or character of the locality;
 - other advertisements;
 - pedestrian or vehicle safety; or
 - other land uses.

4.4 Application Procedure

Where an application for Development Approval is required, it shall be made on the form prescribed by the Council and lodged with the City's Statutory Planning Services section and be accompanied by the following information:

- (i) A written submission describing the proposal, which should include confirmation that the requirements of this Planning Policy can be achieved;
- (ii) Such plans and other information that the Council may reasonably require to enable the application to be determined. Information to include:
 - (a) Plans and/or diagrams (to scale) showing the location, size and materials to be used for the proposed advertisement(s);
 - (b) Diagrams showing the content of the sign panel;
 - (c) Details on illumination or other treatment;
 - (d) Any other information as requested by the City such as a sign strategy, structural engineering details, traffic safety audit, lighting assessment etc.

- (iii) The payment of an Administration Fee as detailed in the Council's Planning Information Bulletin No. 2.2 - Scale of Fees for Planning Services.

5. POST APPROVAL CONSIDERATIONS

Building Permit

Regardless of whether an advertisement requires Development Approval, a Building Permit may be required for signs that are to be installed for more than 28 days.

Repair of Advertisements

Refer to Clause 80 of the Deemed Provisions for the requirements relating to repair of advertisements, which outlines that a Local Government may require the owner of an advertisement to repair the advertisement if, in the opinion of the Local Government, the advertisement has deteriorated to a point where it is in conflict with the aims of the Scheme.

Offences

Where an advertisement is not in compliance with the City's requirements, the enforcement actions will be as follows:

- Engage with the offender to negotiate compliance (if appropriate);
- If unresolved and/or immediate action is required, the City will issue a Direction Notice pursuant to Section 214 of the *Planning & Development Act 2005* (s.214 Direction Notice) requiring the offender to take specific action (e.g. 'remove, pull down or alter the advertisement) to restore the land to its condition immediately before the development started to the satisfaction of the City;
- Where an offender fails to comply with a s.214 Direction Notice (which is an offence), the offender will be issued an Infringement Notice for failing to comply with a Direction Notice and the appropriate penalty will be applied in accordance with the relevant legislation;
- Where a person does not comply with a Direction Notice, s.215 of the *Planning and Development Act 2005* also provides the City with power to give effect to the notice to recover any expenses of doing so from that person as a debt in a court of competent jurisdiction; and
- The City also can utilise its powers to commence legal proceedings under section 223 of the *Planning & Development Act 2005* if deemed necessary.

6. AUTHORITY

This Planning Policy has been adopted by the Council under clause 4(3) of the Deemed Provisions of Town Planning Scheme No.2 and whilst it is not part of the Scheme and does not bind the Council in respect of any application for Development Approval, the Local Government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its decision.

7. INTERPRETATIONS

For the purposes of the Planning Policy, the following terms shall have the same meaning as in the *Planning and Development (Local Planning Schemes) Regulations 2015*:

Advertisement:

Means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, that is used wholly or partly for the purposes of advertising, announcing or directing, and includes:

- (i) any hoarding or similar structure used, or adapted for use, for the display of advertisements; and

- (ii) any airborne device anchored to any land or building used for the display of advertising; and
- (iii) any vehicle or trailer or other similar object placed or located so as to serve the purpose of displaying advertising;

Deemed Provisions: Means the provisions set out in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;

Heritage Protected Place: Means a place:

- (i) That is entered in the State Register of Heritage Places under the *Heritage Act 2018* section 42;
- (ii) That is under consideration for entry into the State Register of Heritage Places as described in subclause (2); or
- (iii) That is the subject of an order under the *Heritage Act 2018* Part 4; or
- (iv) That is the subject of a heritage agreement that has been certified under the *Heritage Act 2018* section 90; or
- (v) That is included on a heritage list as defined in clause 7; or
- (vi) That is within a heritage area as defined in clause 7.

For the purposes of the Planning Policy, the following terms shall have this meaning:

Business Tenancy: Means a business that occupies portion or all of a building that is located on a lot that is not zoned Residential (or land designated as Residential in an approved structure plan or local development plan) or Special Residential.

Exempted Advertisement: Means an advertisement that complies with any requirements specified in this Planning Policy in relation to the exemption from the requirement for development approval.

Non-profit: Means an “incorporated not for profit association” which is an incorporated association that:

- (i) Cannot operate for the profit or gain of its individual members; and
- (ii) Contributes to the community in a social, sporting, cultural, environmental or charitable context”.

Regional Road A road that is reserved as Primary Regional Road or Other Regional Road in the Metropolitan Region Scheme.

Signage Strategy: Means a report and plans (site plans, elevations and perspectives) detailing all proposed advertisements on a lot subject of a Development Application.

Third party advertising: Means any advertisement that is used wholly or partly for the purposes of advertising, announcing or directing to a business, service or product unrelated to the property where the advertisement is placed.

8. DELEGATION

Where an application for Development Approval for an advertisement has been the subject of a process of community consultation and substantiated objections are received, the application for Development Approval will be referred to the Council for determination.

Applications for Development Approval that comply in all other respects with the objectives and provisions of this Planning Policy will be determined under delegated authority, pursuant to Part 10, Division 2, Clauses 81-84 of the Deemed Provisions and Planning Procedure 1.1 - Delegated Authority.

9. ADOPTION

This Planning Policy was adopted by the Council at its Ordinary meeting held on 23 August 2022.

10. REVOCATION

This Planning Policy supersedes the Council's Planning Policy 3.3.1 - Control of Advertisements, as adopted by Council on 27 May 2008 and amended on 15 December 2009.