

1 INTRODUCTION

The City of Rockingham contains a diverse range of commercial, industrial, rural and residential land, as well as sporting and community groups that have varying advertising needs. The 'Council' has developed policies, local laws and town planning scheme provisions that seek to control the varying advertising needs of businesses and the community.

The purpose of this Planning Policy is to consolidate the various advertising controls to enable an 'advertiser' to determine:-

- (a) the specific requirements and objectives for each form of advertisement;
- (b) whether an application is required and how to make the application; and
- (c) where the application should be lodged and which Department should be contacted with enquiries.

Note 1: For the purposes of this Planning Policy, all reference to the term 'advertisement' (as defined in Town Planning Scheme No.2), shall include the term 'sign'.

2 POLICY APPLICATION

In Town Planning Scheme No.2, clause 5.3 deals with the control of advertisements. In this regard, clause 5.3.1(a) states that the erection, placement and display of advertisements and the use of land or buildings for that purpose is development within the definition of the Act requiring, except as otherwise provided, the prior planning approval of the Council.

The Council shall examine each application for planning approval in the light of the objectives of the Scheme and with particular reference to the character and amenity of the locality within which it is to be displayed, including its historic or landscape significance and traffic safety, and the amenity of adjacent areas that may be affected.

Planning approval is required in addition to any licence pursuant to the Council's Signs, Hoardings and Bill Posting Local-Law.

Exemptions from the Requirement to Obtain Planning Approval: The Council's prior planning approval is not required in respect of an 'exempted advertisement' listed in Schedule No.6 of Town Planning Scheme No.2 (see Appendix 1). The exemptions listed in Schedule No.6 do not apply to land, buildings, objects, structures and places included on the Council's Heritage List or within a Heritage Area established or designated under clause 5.4 of the Scheme.

Exemptions from the Requirement to Obtain a Licence: Pursuant to the Council's Signs, Hoardings and Bill Posting Local-Law, a Licence is not required for the types of advertisement listed in sub-clause 3.2 of the Local Law (see Appendix 2).

This Planning Policy should be read in conjunction with the Council's Signs, Hoardings and Bill Posting Local Law (see Appendix 3), the Council's Activities in Thoroughfares and Public Places and Trading Local Law 2001 and the Main Roads (Control of Signs) Regulations 1983.

3 POLICY OBJECTIVES

The objectives of this Planning Policy are to:-

- (a) Ensure that advertisements are appropriate for their location;
- (b) Minimise the proliferation of advertisements;
- (c) Ensure that advertisements do not adversely impact on traffic circulation and management, or pedestrian safety;
- (d) Protect the amenity of residential areas, townscape areas and areas of environmental significance;
- (e) Protect the significance of heritage places or buildings;
- (f) Ensure that advertisements are constructed with quality materials;
- (g) Encourage advertisements located within the Rural or Special Rural Zone or in areas of environmental significance to be sympathetic with the natural environment in terms of materials and colours;
- (h) Ensure advertisements are generally erected on land where the advertised business, sale of goods or service is being carried out; and
- (i) Ensure the advertisements are maintained to a high standard.

4 POLICY STATEMENT

4.1 Control of Advertisements

An advertisement shall generally not contain any information other than:-

- (a) The name of the occupiers;
- (b) Details of the business name or business carried out on the land;
- (c) Telephone or contact details;
- (d) Details of the goods sold or services provided;
- (e) The trademark or logo of the business or products for sale;
- (f) Where specified in this Planning Policy, signs may contain a promotional message.

4.2 Non-Permitted Advertisements

The following advertisements shall not be permitted:-

- (a) Any advertisement that, in the opinion of the Council is objectionable, dangerous or offensive;
- (b) Any advertisement painted on the roof of any building;

- (c) Advertisements located on land not owned or leased by the advertiser unless where otherwise specified in this Planning Policy;
- (d) Business advertisements on road reserves/median strips during normal business hours;
- (e) Advertisements located in the centre of any roundabout or within the minimum distance from any traffic signal as specified in the MRWA Guide to the Management of Roadside Advertising;
- (f) Illuminated, moving, pulsating or flashing advertisements will generally not be permitted particularly on major roads;
- (g) Advertisements incorporating animation or movement into its design or structure.

4.3 Planning Considerations

4.3.1 Planning Considerations

Interpretation

Means an advertisement that is attached or otherwise displayed on a building, and would include the following types of advertisements:-

- Wall Panels (horizontal and vertical)
- Roof Signs
- *Verandah or Awning Signs*
- *Signs under Verandahs or Awnings*
- Signs Painting on Buildings

Assessment Criteria

Unless otherwise determined by the Manager, Statutory Planning, the advertiser shall submit a Sign Strategy demonstrating compliance with the objectives of this Planning Policy, prior to the placement of any advertisement on a building or structure.

The Sign Strategy shall generally describe and illustrate the number, location, dimensions and content of all proposed advertisements.

<p><u>Note:</u> Requirements for the preparation of a Sign Strategy are set out in Section 6 of this Planning Policy.</p>

For Signs under Verandahs or Awnings in the 'City Centre', 'Waterfront Village' and 'Baldivis Town Centre' zones, a minimum of 50% of the façade is to be of clear or transparent glazing, unless a higher percentage is required by the relevant centre policy.

<p><u>Note:</u> The relevant centre policies include the following:- Planning Policy No.8.1 – Rockingham City Centre Development Policy Plan Planning Policy No.3.2.5 – Rockingham Beach Waterfront Village Planning Policy No.3.2.4 – Baldivis Town Centre</p>

Requirement for Approval

Planning Approval is not required if the application complies with the provisions of this Planning Policy and the proposal is an exempted advertisement as defined in Town Planning Scheme No.2 (see Appendix 1). A Sign Licence is required for all Signs on Buildings, unless the sign is included in the list of exemptions shown in Appendix 2.

Any enquiries and applications for Signs on Buildings should be directed to the Council's Building Department.

4.3.2 Pylon Signs

Interpretation

A Pylon Sign is an advertisement 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.

Assessment Criteria

Pylon signs shall not:-

- (a) be located within 1.8m of a boundary;
- (b) be situated within 6.0m of any other sign of the same lot;
- (c) project over a street, walkway or any other public area by more than 1.0m;
- (d) have a height exceeding 6.0m, unless it can be demonstrated to the Council that a greater height is warranted and it complies with the objectives of this Planning Policy. In any event, a Pylon Sign shall not exceed 9.0m in height;
- (e) have any part of the sign less than 2.7m from the ground level, unless the sign is designed such that the underside of the face area is located at ground level;
- (f) have a face area exceeding more than 3.5m width or height;
- (g) have a face area of more than 4m² on each side (single tenancy) or 13m² on each side (multiple tenancy).

Only one (1) pylon sign shall be permitted on a lot with a single tenancy. For lots with two or more tenancies, only one (1) pylon sign will be generally permitted unless the site is large and has more than one street frontage, in which case one pylon sign per street frontage may be permitted.

An application for a pylon sign on any land containing two (2) or more tenancies shall be supported by a Sign Strategy that shall generally describe and illustrate the number, location, dimensions and content of the pylon sign and any other commercial signs on the property, and demonstrate that equitable access for all tenancies can be achieved.

An application for a pylon sign on any land containing two (2) or more tenancies shall ensure provision can be made within the allowable sign size for every tenancy to be displayed on the sign.

A Pylon Sign shall be located wholly within the boundaries of the lot from which the product(s) or service(s) to which it relates is sited.

Requirement for Approval

A Sign Licence is required for all Pylon Signs. Planning Approval is not required if the application complies with the provisions of this Planning Policy and the proposal is an exempted advertisement as defined in Town Planning Scheme No.2.

Any enquiries and applications for Pylon Signs should be directed to the Council's Building Department.

4.3.3 Development (Estate Marketing) Signs

Interpretation

A Development (Estate Marketing) Sign is an advertisement erected to market a new development, particularly development on green-field sites.

Assessment Criteria

A maximum of two (2) Development (Estate Marketing) Signs will generally be permitted for each residential, special residential, special rural, commercial or industrial estate.

Development (Estate Marketing) Signs shall have a maximum dimension of 6.0m x 3.0m, unless it can be demonstrated to the Council that a larger sign is warranted and it complies with the objectives of this Planning Policy. In any event, the dimensions of a Development (Estate Marketing) Sign shall be no larger than 10.0m x 4.5m.

Development (Estate Marketing) Signs shall be situated on the land being subdivided, however, were the land being subdivided is isolated from direct frontage to a 'Primary Regional Road' or 'Other Regional Road', Direction Signs (restricted to a maximum dimension of 2.4m x 2.4m) may be permitted on land that is not the subject of the subdivision.

Prior to the erection of any Development (Estate Marketing) Signs or associated Direction Signs, the advertiser shall submit a Sign Strategy demonstrating compliance with the objectives of this Planning Policy.

The Sign Strategy shall generally describe and illustrate the number, location, dimensions and content of all signs, and sign structure to be erected. Requirements for the preparation of a Sign Strategy are set out in Section 6 of this Planning Policy.

Development (Estate Marketing) Signs are only permitted to be temporary in nature and any approval issues by the Council will be for a maximum period of two (2) years, after which time the signs shall be removed unless a further approval is granted.

Requirement for Approval

Planning Approval and a Sign Licence are required prior to the erection of a Development (Estate Marketing) Sign and associated Direction Signs (greater than 2.7m² in area.)

Any enquiries and applications relating to Development (Estate Marketing) Signs should be made to the Council's Planning and Building Departments.

4.3.4 Illuminated Street Name/Advertising Signs

Interpretation

An Illuminated Street Name/Advertising Sign is an advertisement located within a road reserve:-

- (a) that contains the adjacent street name(s);
- (b) that contains street numbering (where relevant);
- (c) where not more than 80% of the main advertising area is to be used for advertising space; and
- (d) where not less than 20% of the main advertising area is to be used to display a 'community' message.

Assessment Criteria

Location: the following criteria shall apply to the location of Illuminated Street Name/Advertising Signs:

- Illuminated Street Name/Advertising Signs shall not be permitted within areas that, in the opinion of the Council, have primarily a residential character.
- Unless otherwise approved by the Council, Illuminated Street Name/Advertising Signs shall be erected only on an intersection with an Other Regional Road.
- Illuminated Street Name/Advertising Signs proposed to be erected in other locations will be assessed in accordance with the objectives of this Planning Policy, taking into account the effect the sign may have on the amenity of the locality.
- Where an Illuminated Street Name/Advertising Sign is proposed to be located on, or visible from a Primary Regional Road, the approval of Main Roads WA will also be required.
- Not more than two (2) Illuminated Street Name/Advertising Signs shall be permitted on, or adjacent to any four (4) way intersection.
- Not more than one (1) Illuminated Street Name/Advertising Sign shall be permitted on, or adjacent to any other intersection.
- Not more than two (2) Illuminated Street Name/Advertising Signs shall be permitted for any one business.

Design Considerations: the following criteria shall apply to the design and appearance of Illuminated Street Name/Advertising Signs:

- The advertising contained on an Illuminated Street Name/Advertising Sign shall only advertise a business that is located within close proximity to, or within the immediate locality where the sign is erected (e.g. the nearest street junction).
- Street names shall generally be located within a separate illuminated finger box to assist in identification by passing motorists.

- Signs shall maintain a level of illumination that does not adversely impact on an adjacent property or traffic safety.

Requirement for Approval

Planning Approval is required to the erection of an Illuminated Street Name/Advertising Sign. A Sign Licence is required.

Any enquiries and applications for Illuminated Street/Advertising Signs should be directed to the Council's Planning Department.

4.3.5 Rural Business Signs

Interpretation

A Rural Business Sign is an advertisement erected on land zoned or developed for rural or special rural purposes to advertise a rural-based business (such as a Produce Store, Rural Pursuit, Intensive Agriculture, Extensive Agriculture and the like), but does not include a business that would normally be described as a Home Occupation, Home Business, Bed and Breakfast Accommodation or Industry – Cottage.

Assessment Criteria

A maximum of one (1) Rural Business Sign shall be erected on any rural or special rural lot, unless the property has more than one (1) street frontage, in which case one (1) sign per street frontage will be permitted.

Rural Business Signs shall have a maximum area of 4m² on each face.

A Rural Business Sign shall be located wholly within the boundaries of the lot from which the product(s) or service(s) to which it relates is sited.

Requirement for Approval

Planning Approval and a Sign Licence are required prior to the erection of a Rural Business Sign.

Any enquiries and applications for Rural Business Signs should be directed to the Council's Planning and Building Departments.

4.3.6 Flag (Semaphore) Signage

Interpretation

A Flag (Semaphore) Sign is an advertisement affixed and supported at, or by one of its ends only.

Assessment Criteria

A Flag (Semaphore) Sign shall:-

- have a minimum headway of 2.7m;
- be fixed at right angles to the wall to which it is attached;
- project from the building to which it is attached by no more than 1.0m;

- (d) not have a height or width exceeding 1.0m;
- (e) generally be fixed over or adjacent to the entrance of a building.

Only one (1) Flag (Semaphore) Sign per tenancy shall be permitted.

A Flag (Semaphore) Sign shall be located wholly within the boundaries of the lot from which the product(s) or service(s) to which it relates is sited.

Requirement for Approval

Planning Approval and a Sign Licence are required for Flag (Semaphore) Signs.

Any enquiries and applications for Flag (Semaphore) Signs should be directed to Council's Planning and Building Departments.

4.3.7 Out of Normal Business Hours Signs

Interpretation

An Out of Normal Business Hours Sign is a temporary advertisement placed on a road reserve (road verge) during times out of normal business hours.

Assessment Criteria

A business may display a maximum of four (4) Out of Normal Business Hours signs within the road verge outside normal business hours.

<p><u>Note:</u> For the purposes of this Planning Policy, "Normal Business Hours" are defined as being 8.00am to 5.00pm, Monday to Friday (except Thursday, which is 8.00am to 9.00pm) and 8.00 to 12.00 noon on Saturdays.</p>

Signs shall not have an area greater than 0.6m² on each face (maximum two faces) and shall not be higher than 1.0m above ground level.

Signs shall only be placed on road reserves in close proximity to the business and shall only advertise a direction to a business that is open out of normal business hours.

Such signage does not relate to Home Occupations, Home Businesses, Bed and Breakfast Accommodation and the like.

Requirement for Approval

A Sign Licence is required for Out of Normal Business Hours signs. Planning Approval is not required for temporary advertisements.

Any enquiries and applications for Out of Normal Business Hours Signs should be directed to the Council's Building Department.

4.3.8 Sporting and Community Signs

Interpretation

A Sporting and Community Sign is an advertisement erected at a sporting or community facility by a sporting or community group.

Assessment Criteria

A maximum of one (1) permanent Sporting and Community Sign will be permitted at the main entrance of a sporting or community facility comprising the name of the sporting or community group(s) utilising the facility and any relevant meeting or event dates.

A Sporting and Community Sign is to have a maximum area of 5.0m² and provide equitable access for those sporting or community groups utilising the facility.

Sponsorship signage shall be generally located within the ground and not on external perimeter fencing or walls surrounding the ovals or buildings, where the signage can be viewed from outside the venue.

Signage proposed on the external walls of Sporting and Community Centres shall be assessed in accordance with the Objectives of this Planning Policy, having regard to the size of the sign in relation to the size and scale of the building and limiting sponsorship acknowledgement to a maximum area of 20% of the size of the sign.

Requirement for Approval

Planning Approval and a Sign Licence is require prior to the erection of a Sporting and Community Sign.

Any enquiries and applications for Sporting and Community signs should be directed to Council's Planning and Building Departments.

4.3.9 Sporting and Community Signs (Temporary)

Interpretation

A Sporting and Community Sign (Temporary) is a temporary advertisement erected by a sporting or community group for the purpose of advertising a sporting or community event.

Assessment Criteria

Community and Sporting Groups may place signs showing the name, located and date of an event, for a period not exceeding ten days prior to the event occurring, on public or private land for the purpose of advertising a community or sporting event.

Signs shall not exceed an area of 5.0m² and shall be removed within two (2) days of the event ending.

Not more than two (2) temporary sponsorship banner signs may be permitted to be located on, or adjacent to, the external perimeter of the sporting arena or playing field at the commencement of the club's match day and shall be removed at the match day's completion. Signage shall not exceed 10.m² and be limited to the sponsor and team(s) names, along with a sponsorship message.

Requirement for Approval

Written approval is required from the Council's Building Department for temporary sporting and community signs.

Any enquiries and applications relating to Temporary Sporting and Community Signs should be directed to the Council's Building Department.

4.3.10 Direction and Finger Signs

Interpretation

Direction and Finger Signs are advertisements intended to identify the location of the following buildings or facilities:-

- (a) Emergency Services (eg. Police, Fire, Ambulance);
- (b) Institutional Buildings (eg. Hospitals, Libraries, Civic Buildings and Schools);
- (c) Ovals, recreation facilities and halls;
- (d) Tourist facilities/services, including accommodation (eg. Bed and Breakfast);
- (e) Shopping Centres (not including individual businesses);
- (f) Commercial/Industrial Areas (not including individual businesses);
- (g) Licenced Foreshore Traders

Assessment Criteria

In order to meet the objectives of this Planning Policy and minimise the proliferation of signage within the City, Direction and Finger Signs will not be issued to individual businesses.

Notwithstanding the preceding paragraph, rural based businesses may be given special consideration to requests for Direction Signs providing it can be demonstrated that the objectives of this Planning Policy are being maintained.

Requirement for Approval

Written approval is required from the Council's Technical Services Department for Direction and Finger Signs.

Any enquiries and applications relating to Directional and Finger Signs should be directed to the Council's Technical Services Department.

4.3.11 Banner Pole Signs

Interpretation

A Banner Pole Sign is a promotional banner erected on an approved banner pole displaying information about sporting, cultural, community, recreation and tourist events/activities which may acknowledge sponsor involvement in the promotion of such events/activities.

Assessment Criteria

Applications for Banner Pole Signs will be assessed against the criteria set out in the City of Rockingham Administrative Policy relating to the 'Hiring of Banner Poles and Displaying Promotional Banners'.

Additional banner poles shall only be located where there is an overall strategy for their location in relation to placement, number and resolution of funding matters.

Requirement for Approval

Written approval is required from the Council for Banner Pole Signs.

Any community, arts, sporting or related group wishing to utilise banner poles, should contact the Council's Recreation and Culture Service for information on the preparation and funding of banners.

4.3.12 'For Sale', 'For Lease' or 'Auction' Signs

Interpretation

Means an advertisement indicating that the premises or part of the premises whereon it is affixed are for sale, for letting or to be auctioned.

Assessment Criteria

Not more than one (1) 'For Sale', 'For Lease' or 'Auction' sign shall be permitted for each saleable lot or dwelling, except where the property has more than one (1) street frontage in which case one (1) sign per street frontage will be permitted.

'For Sale', 'For Lease' or 'Auction' signs shall be restricted to the following size limits:-

- (a) For 'dwellings', each sign shall not exceed an area of 2.0m²;
- (b) For 'multiple dwellings', commercial or industrial properties, each sign shall not exceed an area of 5.0m²;
- (c) For large properties comprised of shopping centres, buildings in excess of four stories and rural properties in excess of 5ha, each sign shall not exceed an area of 10.m².

Signs shall be situated on the property which is being sold, leased or auctioned.

Requirement for Approval

A Sign Licence is not required for 'For Sale', 'For Lease' and 'Auction' signs unless the proposed sign exceeds 0.6m² in area. Planning Approval is not required if the application complies with the provisions of this Planning Policy.

Any enquiries relating to 'For Sale', 'For Lease' or Auction Signs should be directed to the Council's Building Department.

4.3.13 Election Signs (Local, State and Federal)

Interpretation

An Election Sign is a sign advertising, promoting or commenting on any particular candidate, party, group or policy, but does not include a sign created by Local Government, State or Federal Government Agency.

Assessment Criteria

Located on Private Land: A maximum of one (1) Election Sign per lot (to a maximum size of 0.6m² on each face) is permitted on private land. The Election Sign is to be located so as not to obstruct traffic sight lines.

Election Signs in shop windows will not require an approval should they satisfy the requirement of not being greater than 0.6m² in area.

Located on Public Land: Signs, generally, located within a road reserve (or thoroughfare) are controlled via the Council's "Activities in Thoroughfares and Public Places and Trading Local Law 2001". In this regard, the Local Law permits Election Signs to be placed, subject to an approval from the City's Building Department and subject to the signs:-

- being erected at least 30m from any intersection;
- being free standing and not being affixed to any existing sign, post, power or light pole, or similar structure;
- being placed so as not to obstruct or impeded the reasonable use of the thoroughfare or access to a place by any person;
- being placed so as not to obstruct or impede the vision of a driver of a vehicle entering or leaving a thoroughfare or crossing;
- being maintained in good condition;
- not being erected until the election to which it relates has been officially announced;
- being removed within 24 hours of the close of the polls on voting day;
- not being placed within 100m of any works in the thoroughfare;
- being securely installed;
- not being an illuminated sign;
- not incorporating reflective or fluorescent materials;
- not displaying only part of the message which is to be read with other separate signs in order to obtain the whole message; and
- not exceeding a size of 0.6m² on each face.

It is the permit holder's responsibility to maintain the signs in a safe and secure manner when they are placed on the road reserve.

Timeframe: Election Signs are only permitted to be placed from the time the election is officially announced, or the issue of the writ for the election, and up until the final day of the election ("Electoral Act"). The Activities in Thoroughfares and Public Places and Trading Local Law 2001 allows for a 24 hour period after the election day to remove the signs. Accordingly, all Election Signs are to be removed no later than 24 hours after the close of polling.

Requirement for Approval

Private Land: No approval is required for Election Signs located on private property that comply with the provisions of this Planning Policy.

Public Land: Approval is required from the City's Building Department for Election Signs located on public land. The applicant is to provide a written submission which includes the following information:-

- a phone number;
- the political party being advertised;
- the person authorizing the advertisement and the name and place of business of the printer (see Section 328 "Electoral Act");
- the location of the signs by way of sketch drawn to suitable scale (noting the limitations mentioned in the "Location on Public Land" section);
- the application needs to be signed and dated by the person seeking the approval; and
- the application is to be accompanied by the prescribed fee.

Any enquiries relating to Election Signs should be directed to the Council's Building Services.

5 APPLICATION PROCEDURE

Where an application for planning approval for the erection, placement and display of advertisements is required, it shall be made on the form prescribed by the Council, and shall be signed by the owner(s), and accompanied by the following information:-

- (a) A written submission describing the proposal, which should include confirmation that the requirements of this Planning Policy can be achieved;
- (b) Such plans and other information that the Council may reasonably require to enable the application to be determined (Refer to clause 6.2.2 of Town Planning Scheme No.2). Information to include:-
 - (i) Plans and/or diagrams (to scale) showing the location, size and materials to be used for the proposed advertisement(s);
 - (ii) Diagrams showing the content of the sign panel;
 - (iii) Details on illumination or other treatment;
 - (iv) Any other information as requested by the relevant Department, or as specified in the policy such as a sign strategy, structural engineering details etc.
- (c) The payment of an Administration Fee as detailed in the Council's Planning Information Bulletin No.2.2 – Scale of Fees for Planning Services.

6 SIGN STRATEGY

In certain instances, the Council will require that a Sign Strategy be submitted as part of an application for Planning Approval and/or a Sign Licence application.

A Sign Strategy should include the following information:-

- (a) A site plan drawn to scale showing the location of all existing and proposed improvements, carparking areas, accessways and landscaping areas on the site;
- (b) The location and dimensions of any proposed advertisements on the site;
- (c) The location and dimensions of any existing advertisements on the site;
- (d) Where advertisements are proposed to be located on existing or proposed buildings on the site, elevations of the building will be required illustrating the location and dimensions of the proposed advertisements;

- (e) Such plans and other information that the Council may reasonably require to enable the application to be determined.

7 CONSULTATION

Where the Manager, Statutory Planning considers that an application for planning approval for an 'advertisement' is likely to have a significant potential impact upon the amenity of an area or affected neighbouring properties, the application will be the subject of a process of community consultation in accordance with clause 6.3.3 of Town Planning Scheme No.2 and Planning Procedure No.1.3 - Community Consultation.

8 POST APPROVAL CONSIDERATIONS

Removal and Repair of Existing Advertisements (clause 8.2)

Clause 8.2 of Town Planning Scheme No.2 states that where an existing advertisement at, or at any time after, the coming into force of the Scheme, is, in the opinion of the Council, in conflict with the amenity of the locality, the Council may by notice in writing (giving clear reasons), require the advertiser to remove, relocate, repair, adapt, or otherwise modify the advertisement.

Where, in the opinion of the Council, an advertisement has deteriorated to a point where it is in conflict with the aims of the Scheme or it ceases to be effective for the purpose for which it was erected or displayed, the Council may by written notice require the advertiser to:-

- (a) repair, repaint or otherwise restore the advertisement to a standard specified by the Council in the notice; or
- (b) remove the advertisement.

Any notice is to be served on the advertiser and is to specify:-

- (a) the advertisement(s) the subject of the notice;
- (b) full details of the action or alternative courses of action to be taken by the advertiser to comply with the notice; and
- (c) the period, not being less than 60 days from the date of the Council's determination, within which the action specified shall be completed by the advertiser.

Any person on whom notice is served under this clause may appeal under Part 14 of the Planning and Development Act 2005 against the determination of the Council, and where any such appeal is lodged the effect of the notice shall be suspended until the decision to uphold, quash or vary the notice is known and shall thereafter have effect according to that decision.

9 AUTHORITY

This Planning Policy has been adopted by the Council under clause 8.9 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 planning approval, the Council is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

10 INTERPRETATIONS

For the purposes of this Planning Policy, the following terms shall have the same meaning as in Town Planning Scheme No.2:-

Act: means the Town Planning and Development Act, 1928 (as amended).

<p><u>Note</u>: The Town Planning and Development Act, 1928 was repealed on the 9th April 2006 and replaced by the Planning and Development Act 2005.</p>

Advertisement: means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and includes any hoarding or similar structure used, or adapted for use, for the display of advertisements. The term includes any airborne device anchored to any land or building and any vehicle or trailer or other similar object placed or located so as to serve the purpose of advertising.

Advertiser: means any one person or any group comprised of the landowner, occupier, licensee or other person having an interest in or drawing benefit from the display of the advertisement concerned.

Council: means the Council of the City of Rockingham

Dwelling: means a building or portion of a building being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by:-

- (a) a single person;
- (b) a single family; or
- (c) no more than six persons who do not comprise a single family.

Exempted Advertisement: means an exempted advertisement referred to in Schedule No.6 (of Town Planning Scheme No.2).

Existing Advertisement: means an advertisement which:-

- (a) was lawfully erected, placed or displayed prior to the Gazettal Date; or
- (b) may be erected, placed or displayed pursuant to a licence or other approval granted by the Council prior to the Gazettal Date,

and an existing advertisement may, except as otherwise provided, continue to be displayed or to be erected and displayed in accordance with the licence or approval as appropriate.

Heritage Area: If, in the opinion of the Council, special planning control is needed to conserve and enhance the cultural heritage significance and character of an area, the Council may, by resolution, designate that area as a Heritage Area.

Heritage List: means a list of those places that, in the opinion of the Council, are of such cultural heritage significance to the Council that conservation and protection under the provisions of this Scheme is warranted.

For the purposes of this Planning Policy, the following term shall have the same meaning as in the Council's Signs, Hoardings and Bill Posting Local Law:-

Illuminated Sign: means a sign that is so sited arranged or constructed as to be capable of being lighted either from within or without by artificial light provided, or mainly provided, for that purpose;

Roof Sign: means a sign erected on or over the roof of a building;

Verandah: includes a cantilever awning, cantilever verandah and a balcony whether over any street, way, footpath or public place or over private land;

Verandah Sign: includes a sign on over or under a verandah or verandah fascia;

Vertical Sign: means a sign fixed parallel to the wall of a building or other structure with its largest dimension vertical;

Wall Panel: means a panel affixed to or adjoining the wall of a business premises or erected on the forecourt of such business premises and used for displaying advertisements.

For the purposes of this Planning Policy, the following term shall have the same meaning as in the

Other Regional Roads: means those roads shown coloured 'blue' on the Metropolitan Region Scheme Map.

Primary Regional Road: means roads shown coloured 'red' on the Metropolitan Region Scheme Map.

11 DELEGATION

Applications for planning approval that comply in all respects with the objectives and provisions of this Planning Policy will be determined under delegated authority, pursuant to clause 8.10 of Town Planning Scheme No.2 and Planning Procedure 1.1 - Delegated Authority.

12 ADOPTION

This Planning Policy was adopted by the Council at its ordinary Meeting held on the 27th May, 2008.

13 REVOCATION

This Planning Policy supersedes the Council's Statement of Planning Policy No.2.11 - Advertising and Directional Signs.

Appendices

1. Exemptions from the Requirement to Obtain Planning Approval
2. Exemptions from the Requirement to Obtain a Sign Licence
3. Signs, Hoardings and Bill Posting Local Law

Amended by Council on 24th November 2009 (PS Committee on 16th November 2009)
Amended by Council on 15th December 2009 (PS Committee on 7th December 2009)

SCHEDULE NO.6

EXEMPTED ADVERTISEMENTS

(under clause 5.3.4)

LANDUSE AND/OR DEVELOPMENT REQUIRING ADVERTISEMENT	EXEMPTED SIGN TYPE AND NUMBER (All non-illuminated unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
Dwellings	One professional name-plate as appropriate	0.2m ²
Home Occupation	One advertisement describing the nature of the home occupation	0.2m ²
Places of Worship, Meeting Halls and Places of Public Assembly	One advertisement detailing the function and/or the activities of the institution concerned.	0.2m ²
Cinemas, Theatres and Drive-In Theatres	Two signs (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed.	Each advertisement sign not to exceed 5m ²
Shops, Showrooms and other uses appropriate to a Shopping Area	<p>All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5m from the ground floor level of the building subject to compliance with the requirements of the Signs, Hoarding and Bill Posting By-Laws, except in respect of development within the Primary Centre City Centre, Primary Centre Urban Village, Primary Centre Waterfront Village and District Town Centre zones.</p> <p>A maximum of one free-standing composite advertising sign appurtenant to the lot boundary adjacent to the primary street frontage as determined by Council.</p>	As per Signs, Hoarding and Bill Posting Local Laws.
Industrial and Warehouse Premises	<p>A maximum of 4 advertisements applied to or affixed to the walls of the building but not including signs which project above the eaves or the ridge of the roof of the building, and excluding signs projecting from the building whether or not those signs are connected to a pole, wall or other building.</p> <p>A maximum of two free-standing advertisement signs not exceeding 5m in height above ground level.</p>	<p>Total area of any such advertisements shall not exceed 15m²</p> <p>Maximum permissible total area shall not exceed 10m² and individual advertisement signs shall not exceed 6m²</p>

LANDUSE AND/OR DEVELOPMENT REQUIRING ADVERTISEMENT	EXEMPTED SIGN TYPE AND NUMBER (All non-illuminated unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
Showroom, race course, major racing tracks, sports stadia, major sporting grounds and complexes	All signs provided that, in each case the advertisement is not visible from outside the complex or facility concerned either from other private land or from public places and streets.	N/A
Public Places and Reserves	<p>(a) Advertisement signs (illuminated and non-illuminated) relating to the functions of government, a public authority or Council of a municipality excluding those of a promotional nature constructed or exhibited by or on behalf of any such body, and;</p> <p>(b) Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, carpark, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a Government department, public authority or the Council of a municipality and;</p> <p>(c) Advertisement signs illuminated and non-illuminated required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a Statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>
Railway Property and Reserves	Advertisement signs exhibited on such land provided that each such advertisement is directed only at persons at or upon a railway station.	No sign shall exceed 2m ² in area
Advertisements within Buildings	All advertisements placed or displayed within buildings which cannot ordinarily be seen by a person outside of those buildings.	N/A

LANDUSE AND/OR DEVELOPMENT REQUIRING ADVERTISEMENT	EXEMPTED SIGN TYPE AND NUMBER (All non-illuminated unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
All classes of buildings other than single family dwellings	One advertisement sign containing the name, number and address of the building, the purpose for which the building is used for the managing agent thereof.	2m ²
<p>Building Construction Sites - advertisement signs displayed only for the duration of the construction as follows:-</p> <p>(i) Dwelling</p> <p>(ii) Multiple Dwellings, Shops, Commercial and Industrial projects</p> <p>(iii) Large Development or redevelopment projects involving shopping centres, office or other buildings exceeding 3 storeys in height</p>	<p>One advertisement per street frontage containing details of the project and professional consultants and the contractors undertaking the construction work.</p> <p>One sign as for (i) above.</p> <p>One sign as for (i) above. One additional sign showing the name of the project builder.</p>	<p>2m²</p> <p>5m²</p> <p>10m² 5m²</p>
Sale of Goods or Livestock	One sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose.	2m ²

<p style="text-align: center;">COLUMN 1 TEMPORARY SIGNS</p>	<p style="text-align: center;">COLUMN 2 EXEMPTED SIGN TYPE AND NUMBER (All non-illuminated unless otherwise stated)</p>	<p style="text-align: center;">COLUMN 3 MAXIMUM AREA OF EXEMPTED SIGN</p>
<p>Property Transactions</p> <p>Advertisement signs displayed for the duration of the period over which property transactions are offered and negotiated as follows:-</p> <p>(a) Dwellings</p> <p>(b) Multiple Dwellings, Commercial and Industrial Properties</p> <p>(c) Large properties comprised of shopping centres, buildings in excess of four storeys and rural properties in excess of 5ha</p>	<p>One sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed.</p> <p>One sign as for (a) above.</p> <p>One sign as for (a) above.</p>	<p>Each sign shall not exceed an area of 2m²</p> <p>Each sign shall not exceed an area of 5m²</p> <p>Each sign shall not exceed an area of 10m²</p>
<p>Display Homes</p> <p>Advertisement signs displayed for the period over which homes are on display for public inspection.</p>	<p>(i) One sign for each dwelling on display.</p> <p>(ii) In addition to (i) above one sign for each group of dwellings displayed by a single project building of the range of dwellings on display.</p>	<p>2m²</p> <p>5m²</p>

Exemptions from the Requirement to Obtain a sign Licence

Pursuant to the Council's Signs, Hoardings and Bill Posting Local-Law, a Licence is not required for the following types of advertisement:-

- (a) an advertising device or advertisement erected, put up, sited or maintained pursuant to any statutory obligation while that statutory obligation continues;
- (b) a 'sale sign' not exceeding a 0.6m² in area;
- (c) a place not exceeding 0.2m² in area erected or affixed on the street alignment or between that alignment and the building line of the building to which it relates showing the name and occupation or profession of an occupier of those premises;
- (d) a 'direction sign' not exceeding 600mm in height or having a greater area than 2.7m²;
- (e) a sign not exceeding 0.2m² in area solely for the use for the direction, control or regulation of people, animals or vehicles or to indicate the name or street number of premises;
- (f) a sign affixed to or displayed in or through a shop window of occupied premises by the occupier thereof and relating to the business carried on in such premises;
- (g) a sign or group of signs not exceeding 2m² in gross total area or visible externally from business premises showing the name and occupation or profession of any occupier of those premises;
- (h) an 'information panel' or 'institutional sign' not exceeding 0.6m² in area and approved by the Council;
- (i) a building name sign on flats or home units where they are of a single line of letters not exceeding 300mm in height and fixed to or painted or otherwise displayed on a wall of the flats or home units;
- (j) a newspaper headline poster within 150mm of the frontage of any shop selling newspapers or magazines to which such poster relates;
- (k) a 'service station sign';
- (l) an 'unaffixed business sign';
- (m) a sign erected by the Council on land under its care control and management;
- (n) a sign required by the Builders' Registration Board or other statutory authority and which is required to be erected on building sites during building operations if such sign is:
 - (i) within the boundaries of the lot upon which the building operations are taking place;
 - (ii) not more than 1.5m²;
 - (iii) has no part more than 2.0m above the ground directly below it;
- (o) any advertisement at a church, theatre, cinema, hall or other place or public meeting or entertainment where such advertisement contains only material or information in relation to an event, meeting, notice, agenda, programme or other information of public interest including an election notice (other than notices advertising or promoting any particular candidate, party, group or policy) where the Surveyor under the authority of the Council has issued a licence on specified conditions and those conditions are being complied with an such approval has not been revoked; or

- (p) a sign painted on the body of a motor vehicle that is lawfully being parked or standing in a street, way or other public place.

Interpretations

For the purposes of this Planning Policy, the following term shall have the same meaning as in the Council's Signs, Hoardings and Bill Posting Local Law:-

Direction Sign: means a sign erected, displayed or sited in, on or above or visible from a street, way, footpath or other public place to indicate the direction or distance to another place or to a product, service, business or display but does not include any such sign erected, displayed or sited by the Council or the Commissioner of Main Roads or a road direction sign erected, displayed or sited by a duly incorporated association or union of motorists authorised in that regard by the Minister for the time being administering the Road Traffic Act.

Information Panel: means a panel used for displaying Government or Local Authority notices, functions and date announcements of a religious, educational, cultural, recreational or similar character, general information for the benefit of the public and travellers and general commercial advertising.

Institutional Sign: means a sign erected or placed on any land or building used for or in connection with a surgery, clinic, hospital, rest home, home for the aged, or other institution or place of a similar nature and which contains only information in connection therewith.

Sale Sign: means a sign indicating that the premises or part of the premises whereon it is affixed are for sale, for letting or to be auctioned.

Service Station Sign: means a sign used solely for the purpose of advertising the price or availability of petrol, diesel or other fuels, oils, goods and services available from a site legally used as a service station and which sign:

- (a) does not exceed 0.8m² in area;
- (b) is located wholly within the boundaries of the lot in respect of which the service station to which it relates is sited;
- (c) is of sound construction and in a location on the site to the satisfaction of the Surveyor (Manager of Building Services);
- (d) is maintained in safe order and condition;
- (e) does not create a danger or restrict the free passage of or prejudice safety.

Unaffixed Business Sign: means a sign:

- (a) located wholly within the boundaries of land owned or occupied by a person who erected or who has maintained the sign;
- (b) only advertising a product or products or service or services or any combination thereof available within the boundaries of the land upon which the sign is located;
- (c) not exceeding a height of 1m measured above the level of the ground immediately below it;
- (d) not exceeding 0.6m² in area; and
- (e) not permanently attached to any land building or other structure

LG323

LOCAL GOVERNMENT ACT 1960

Municipality of the City of Rockingham

By-law Relating to Signs, Hoardings and Bill Posting

In pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the City of Rockingham hereby records having resolved on 9 February 1988 and 9 October 1990 to make and submit for confirmation by the Governor, the following By-law.

1. Citation and Appeal

1.1 This By-law may be cited as the City of Rockingham Signs, Hoardings and Bill Posting By-law.

1.2 The City of Rockingham By-law relating to Signs, Hoardings and Bill Posting published in the *Government Gazette* on the 80th day of October 1963 as amended from time to time is hereby repealed.

Interpretation

2.1 In this By-law unless the context otherwise requires—

"Act" means the Local Government Act 1960;

"advertisement" means any sign, letter, word, number, figure, motif, crest, emblem, logo or design or any combination thereof advertising any property, business, profession, organisation, association, function, candidate for election policy, political party, group, service, operation, event, proposal, election, undertaking, product, goods, price, place, date, time or thing whatsoever;

"advertising device" means any hoarding, signboard, sign, awning, blind, lamp, illuminated sign, rubbish receptacle, seat, shelter, tent, flag pole, burning pole or other thing on which any advertisement appears and includes any trailer, vehicle, anchored inflated device or other stationary object placed or located while being used for any such purpose;

"bill posting" means the attaching to, pasting on, painting or stencilling on hoardings, walls, buildings or structures any bill, placard, or advertisement whether upon private property or a public place and "bill post" has a like meaning;

"Commercial Zone" means an area classified as a Commercial Zone under the Town Planning Scheme;

"Council" means the Council of the Municipality;

"development sign" means a sign erected on land which has been approved for subdivision, advertising the lots in that subdivision for sale but upon which land no building development has taken place at the time of approval of the sign;

"direction sign" means a sign erected, displayed or sited in, on or above or visible from a street, way, footpath or other public place to indicate the direction or distance to another place or to a product, service, business or display but does not include any such sign erected, displayed or sited by the Council or the Commissioner of Main Roads or a road direction sign erected, displayed or sited by a duly incorporated association or union of motorists authorised in that regard by the Minister for the time being administering the Road Traffic Act;

"display home sign" means a sign erected on a lot on which a house or home unit is or is in the course of being erected;

"Election Sign" means a sign advertising, promoting or commenting on any particular candidate, party, group or policy; but does not include a sign erected by a Local Government, State or Federal Government Agency;

"eating-house" has the meaning given to it in Section 164 of the Health Act 1911 as amended;

"fly posting" without limiting the generality of the provisions in this By-law relating to bill posting means advertising by means of more than one advertising poster placed on any or any combination of any building, structure, fence, wall, hoarding, signpost, pole, blind, awning, tree, rock and any other place or thing without authority, and "fly post" has a like meaning;

"hoarding" means a detached or detachable structure including a poster panel, wall panel or an illuminated panel that is erected, put up, sited, maintained or used for the principal purpose of displaying a sign or signs but does not include a pylon sign or a hoarding within the meaning of Section 377 of the Act;

"illuminated sign" means a sign that is so sited arranged or constructed as to be capable of being lighted either from within or without by artificial light provided, or mainly provided, for that purpose;

"information panel" means a panel used for displaying Government or Local Authority notices, functions and date announcements of a religious, educational, cultural, recreational or similar character, general information for the benefit of the public and travellers and general commercial advertising;

"institutional sign" means a sign erected or placed on any land or building used for or in connection with a surgery, clinic, hospital, rest home, home for the aged, or other institution or place of a similar nature and which contains only information in connection therewith;

"licence" means a licence issued by the Council pursuant to this By-law;

"Light Industrial Zone" means an area classified as a Light Industrial Zone under the Town Planning Scheme;

"lot" has the meaning given to it in the Town Planning and Development Act 1928 as amended;

"projection sign" means a sign that is made by the projection of light on a wall, building, screen or structure;

"pylon sign" means a sign 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;

"roof sign" means a sign erected on or over the roof of a building;

"rural producer's sign" means a sign erected on land zoned "Rural" or "Special Rural" under the Town Planning Scheme and which—

- (a) does not exceed 1 m² in area;
- (b) does not exceed 3 m in height above the level of the ground immediately below it; and
- (c) only advertises goods or products produced, grown or lawfully manufactured upon the land within the boundaries of which the sign is located;

"sale sign" means a sign indicating that the premises or part of the premises whereon it is affixed are for sale, for letting or to be auctioned;

"semaphore sign" means a sign affixed and supported at, or by one of its ends only;

"service station sign" means a sign used solely for the purpose of advertising the price or availability of petrol, diesel or other fuels, oils, goods and services available from a site legally used as a service station and which sign—

- (a) does not exceed 0.8 m² in area;
- (b) is located wholly within the boundaries of the lot in respect of which the service station to which it relates is sited;
- (c) is of sound construction and in a location on the site to the satisfaction of the Surveyor;
- (d) is maintained in safe order and condition;
- (e) does not create a danger or restrict the free passage of or prejudice safety;

"sign" includes a bill, placard or advertisement attached to or posted, painted, or stencilled or otherwise appearing on any advertising device and any flag, bunting or pennant whether or not carrying any advertisement, but does not include the Australian Flag or the State Flag of Western Australia;

"sign panel" means a panel which can be fitted into a pylon sign framework;

"Surveyor" means the Council's Principal Building Surveyor appointed pursuant to the Act;

"tower sign" means a sign affixed to or placed on a chimney stack, mast or tower of any kind;

"Town Planning Scheme" means the town planning scheme adopted by the Council and in force in the district of the City of Rockingham;

"unaffixed business sign" means a sign—

- (a) located wholly within the boundaries of land owned or occupied by a person who erected or who has maintained the sign;
- (b) only advertising a product or products or service or services or any combination thereof available within the boundaries of the land upon which the sign is located;
- (c) not exceeding a height of 1m measured above the level of the ground immediately below it;
- (d) not exceeding 0.6 m² in area; and
- (e) not permanently attached to any land building or other structure,

and includes a sandwich board sign consisting of multiple panels attached to one another by any means;

"verandah" includes a cantilever awning, cantilever verandah and a balcony whether over any street, way, footpath or public place or over private land;

"verandah sign" includes a sign on over or under a verandah or verandah fascia;

"vertical sign" means a sign fixed parallel to the wall of a building or other structure with its largest dimension vertical;

"wall panel" means a panel affixed to or adjoining the wall of business premises or erected on the forecourt of such business premises and used for displaying advertisements.

2.2 Words and expressions used herein unless otherwise defined in this By-law shall have the meanings if any given to them in the Act.

3. Licences

3.1 (a) Subject to sub-clause 3.2 a person shall not—

- (i) attach to a sign or paste, paint or stencil a sign on any hoarding, wall, building or structure, whether erected upon private property or upon a public place;
- (ii) erect upon private property a hoarding or a bill placard or advertisement which is attached to, posted, painted or stencilled on a hoarding and which in the opinion of the Council is dangerous or objectionable; or
- (iii)

Repealed

GG 7 November 2001

unless pursuant to an unexpired written licence issued by the Council under this By-law with respect thereto.

(b) Upon the expiration or revocation of a licence the person to whom the licence was issued shall forthwith remove the sign the subject of that licence.

3.2 Sub-clause 3.1 does not apply to—

- (a) an advertising device or advertisement erected, put up, sited or maintained pursuant to any statutory obligation while that statutory obligation continues;
- (b) a sale sign not exceeding 0.6 m² in area;
- (c) a plate not exceeding 0.2 m² in area erected or affixed on the street alignment or between that alignment and the building line of the building to which it relates showing the name and occupation or profession of an occupier of those premises;
- (d) a direction sign not exceeding 600 mm in height or having a greater area than 2.7 m²;

- (e) a sign not exceeding 0.2 m² in area solely for use for the direction, control or regulation of people, animals or vehicles or to indicate the name or street number of premises;
- (f) a sign affixed to or displayed in or through a shop window of occupied premises by the occupier thereof and relating to the business carried on in such premises;
- (g) a sign or group of signs not exceeding 2m² in gross total area or visible externally from business premises showing the name and occupation or profession of any occupier of those premises; GG 8 November 1996
- (h) an information panel or institutional sign not exceeding 0.6 m² in area and approved by the Council;
- (i) a building name sign on flats or home units where they are of a single line of letters not exceeding 300 mm in height and fixed to or painted or otherwise displayed on a wall of the flats or home units;
- (j) a newspaper headline poster within 150 mm of the frontage of any shop selling newspapers or magazines to which such poster relates;
- (k) a service station sign;
- (l) an unaffixed business sign;
- (m) a sign erected by the Council on land under its care control and management; GG 8 November 1996
- (n) a sign required by the Builders' Registration Board or other statutory authority and which is required to be erected on building sites during building operations if such sign is—
 - (i) within the boundaries of the lot upon which the building operations are taking place;
 - (ii) not more than 1.5 m²;
 - (iii) has no part more than 2.0 m above the ground directly below it;
- (o) any advertisement at a church, theatre, cinema, hall or other place or public meeting or entertainment where such advertisement contains only material or information in relation to an event, meeting, notice, agenda, programme or other information of public interest including an election notice (other than notices advertising or promoting any particular candidate, party, group or policy) where the Surveyor under the authority of the Council has issued a licence on specified conditions and those conditions are being complied with and such approval has not been revoked; or
- (p) the following specific signs—

(vi)

Repealed

GG 7 November 2001

- (q) a sign painted on the body of a motor vehicle that is lawfully parked or standing in a street, way or other public place.

3.3 Every licence that is issued pursuant to this By-law shall be subject to the provisions of this By-law.

4. Application for Licences

4.1 An application for a licence under this By-law shall be in the form set out in the First Schedule.

4.2 An application for a licence under this By-law shall be accompanied by—

- (a) a plan drawn to a scale of not less than 1:50 showing the dimensions, design, colour and content thereof and the location or proposed location of the advertising device the subject of the application in relation to the nearest street, way, footpath or other public place;
- (b) details of the materials to be used in and the method of construction and fixing of the sign for which the licence is sought; and
- (c) details of the proposed form and content of the advertisement.

4.3 An application for a licence under this By-law in respect of any sign shall if required by the Surveyor be accompanied by such engineering drawings and computations as the Surveyor shall require and a certificate from a structural engineer certifying that the sign on the building structure or foundation upon which it is proposed to erect, site or anchor such sign is in all respects of sufficient strength to support or hold the sign under all conditions and that the sign is itself of structurally sound design.

4.4 An applicant for a licence shall furnish in writing such further particulars as may be required by the Surveyor to ensure compliance with the provisions of the Act and this By-law.

4.5 If required by the Council an applicant for a licence in respect of an illuminated sign shall before the Council considers the issue of the licence provide the Council with a written consent to the erection of the sign, signed by or on behalf of the person or body for the time being having the management of traffic control within the district of the City of Rockingham.

4.6 Unless otherwise stated in this By-law a licence issued pursuant to this By-law remains valid until its date of expiration or until any material alteration is made to the design, colour, content, location, illumination or structure of the subject matter of the licence or until any new street, way, footpath or other public place is created or constructed closer thereto than existed when the licence was issued and which in the opinion of the Council having regard to the matters set out in clause 3.1(a) (iii) requires the removal of the subject matter of the licence (whichever may first occur).

4.7 A licence issued pursuant to this By-law shall be in the form of the Second Schedule.

4.8 A licence shall be issued under the hand of the Surveyor upon payment of the appropriate fee set out in the Third Schedule but the payment of a licence fee pursuant to any By-law in operation prior to the coming into operation of this By-law shall be deemed to be a payment for the purpose of this By-law in respect of that specified sign.

4.9 Notwithstanding anything contained in this By-law the Council may, by licence under the hand of the Surveyor, authorise the display of an information panel or an institutional sign in such places, in such manner, and upon such terms and for such periods as the Council may in each case decide but the Council may revoke the licence at any time and notice of such revocation may be given under the hand of the Surveyor.

4.10 Upon the expiration or revocation of a licence issued under this Clause the person to whom it was issued shall forthwith remove the sign to which it relates and if he fails to do so he commits an offence.

4.11 If an application is made for a licence in respect of more than one sign to be located on one lot and upon which lot there is constructed not more than one shop, service station, warehouse, workshop, office, eating-house, hotel, motel or showroom then, notwithstanding the Third Schedule, the fee payable under Clause 4.8 shall not exceed \$50.00.

4.12 The Council may if it thinks fit in any particular case waive payment of the fee referred to in Clause 4.8.

5. General

5.1 No glass shall be used in any advertising device other than an illuminated sign.

5.2 No paper, cardboard, cloth or other flammable material shall be part of or be attached to any advertising device other than in respect of posters securely fixed to a signboard or to flags, bunting or pennants.

5.3 No advertising device shall be erected or maintained—

- (a) Repealed GG 7 November 2001
- (b) if the sign is in the opinion of the Council likely to be confused with or mistaken for a traffic light or traffic sign;
- (c) on any ornamental tower, spire, dome or similar architectural decoration or any lift, machinery room, bulkhead, over stairs or other super-structure above the main roof of a building;
- (d) so as to obstruct the access to or from any door, first escape or window (other than a window designed solely for the display of goods);
- (e) on any land that is zoned residential under the Town Planning Scheme or used for residential purposes (other than a site of a lawful non-conforming use other than residential) unless otherwise specifically permitted in this By-law;
- (f) on any building the stability of which is in the opinion of the Surveyor likely to be adversely affected by the sign;
- (g) on a light or power pole or telephone pole or any pole or other structure or object used in connection therewith without the approval in writing of the relevant authority responsible for the erection or maintenance of such pole or other structure;
- (h) in any position where it obstructs or obscures from a dwelling a person's view of a river, the sea or any other natural feature of beauty;
- (i) in any position where in the opinion of the Council the contents thereof will be unsuitable or out of harmony with the surroundings of the locality for which it is proposed; or
- (j) other than in conformity with the terms and conditions of the licence issued in respect thereof.

5.4 Except in the case of a hoarding, direction sign, information panel or development sign, no person shall unless authorised by the licence issued by the Council under this By-law in respect thereof display or cause to be displayed on or in an advertisement more than—

- (a) the name of the occupiers;
- (b) details of the business or businesses carried on; and
- (c) details of the goods sold or services provided,
- in the premises to which it is affixed or to which it relates.

5.5 Where an advertisement or advertising device in existence when this By-law takes effect fails to conform to the provisions of this By-law the Council may direct the person on whose property it is located to remove it forthwith.

5.6 Every advertising device shall be secured fixed to the structure by which it is supported and maintained to the satisfaction of the Surveyor.

5.7 Every advertising device shall unless otherwise permitted by the Surveyor be so fixed as to provide a clear headway thereunder of not less than 2.7m.

5.8 Every advertising device shall be kept clean and free from unsightly matter and shall be maintained by the licensee or owner in good order and free from dilapidation.

5.9 A person shall not bill post within the district of the City of Rockingham except on a hoarding approved for the purpose by the Council.

5.10 A person shall not fly post at any place or location within the district of the City of Rockingham.

6. Requirements for Particular Signs

6.1 Clocks

A clock shall—

- (a) comply with the following table—

Height of Bottom of Clock Above Footway	Maximum Diameter or Width of Clock Face and Depth of Clock including Lettering
2.7 m and under 4.0 m	300 mm
4.0 m and under 6.0 m	750 mm
6.0 m and under 12.0 m	1 m
12.0 m and over	1.5 m

- (b) be fixed either parallel or at right angles to the wall to which it is attached;
- (c) not project from the wall to which it is attached—
 - (i) if parallel to the wall, more than 300mm;
 - (ii) if at right angles to the wall, more than 2m;
- (d) afford a minimum headway of 2.7m;
- (e) be maintained so as to show the correct time; and
- (f) if fitted with chimes or other audible time indicators not to be permitted to sound such chimes or indicators except at such times or between such hours as Council may from time to time prescribe in the interest of and for the comfort of occupiers of premises within hearing distance thereof.

6.2 Commercial Signs

Notwithstanding the provisions of these By-laws Council may approve the erection of an advertising device or sign on land zoned "Commercial" under the Town Planning Scheme, where in Council's opinion the advertising device or sign is consistent with the general amenity of the commercial development and the advertising device or sign shall—

- (a) only be erected if the registered proprietor of the property on which it is to be erected, maintained or affixed has consented in writing thereto;
- (b) relate exclusively to products or services available within the premises on which it is erected, maintained or affixed; and
- (c) not utilise more than one half of its area in naming a third party sponsor.

6.3 Development Signs

A development sign shall—

- (a) only be erected where more than three (3) subdivisional lots are to be available in the development or the stage of development being advertised by the sign;
- (b) not exceed 18 m² in area unless otherwise authorised by Council; and not be displayed for more than one year or after 80% per centum of the lots of the subdivision being advertised have been sold whichever shall be the sooner.

GG 19 March 1993

6.4 Direction Signs on Street Poles

A direction sign attached to a pole in a street shall not exceed 150 mm in depth or 750mm in length and shall have a head room of not less than 2.7 m.

6.5 Display Home Signs

A display home sign shall not—

- (a) exceed 2 m² in area per house or home unit being advertised with no individual sign exceeding 4 m² in area and with no sign having an overall height in excess of 4 m²;
- (b) be illuminated after 9.00 pm; or
- (c) be displayed for any period in excess of 12 months.

6.6 Sale Signs

A sale sign shall—

- (a) only be erected if the registered proprietor of the premises on which it is to be erected, maintained or affixed has consented in writing thereto;
- (b) relate only to the lot upon which it is erected, marked or affixed;
- (c) be unaccompanied by any other sale sign;
- (d) not exceed 0.6m in area unless a larger area is approved in writing by the Council in any particular case; and
- (e) be removed forthwith upon the direction of the Council or within seven days after the sale, letting or auction, as the case may be, of the premises it advertised whichever shall sooner occur.

6.7 Hoardings

A hoarding shall not be—

- (a) unless with the specific approval of the Council, erected within 15 m of any street or other public place and in any case not closer than its own height to a street or public place;
- (b) of greater area than 18 m; or
- (c) displayed for a period in excess of one year or in excess of such other period as may be specified in the licence issued with respect to the hoarding.

6.8 Horizontal Signs

A horizontal sign shall—

- (a) afford a minimum headway of 2.7m;
- (b) be fixed parallel to the wall of the building to which it is attached;
- (c) conform as to depth to the following table—

Minimum Distance of Sign Above Street	Maximum Depth of Sign
Less than 7.5 m	600 mm
7.5 m to 9.0 m	750 mm
9.0 m to 12.0 m	1 m

The increase above 12 m should be 150 mm in depth for each 300 mm in height to a maximum of 4.5 m;

- (d) not project more than 600 mm from the wall to which it is attached; and
- (e) not be within 600 mm of either end of the wall to which it is attached, unless the end of the sign is secured against a brick stone or cement corbel, pier or pilaster which is at least 225 mm wide and projects at least 25 mm in front of and 75 mm above and below the sign.

6.9 Where more than one horizontal sign is fixed to the same storey or level of a building and those signs face the same street, the signs shall be fixed to that building on the same horizontal plane and shall be of uniform height.

6.10 Notwithstanding any other provision of this By-law if a horizontal sign on the facade side of a building—

- (a) identifies the name of the owner or an occupier of that building and such name appears in letters made of metal or other incombustible material; and
- (b) is the only sign on that facade side to do so;
- (c) the sign is not an illuminated sign,

that sign may be constructed to a maximum height of 1.2m.

6.11 Notwithstanding any other provision of this By-law, where there is no roof sign on a building a horizontal sign attached to the uppermost storey or level of a building may be constructed to a maximum height of 4.5m if no part of the sign is less than 12m above the ground below the sign.

6.12 Vertical Signs

A vertical sign shall—

- (a) afford a minimum headway of not less than 2.7m;
- (b) subject to sub-clause 6.13, not project more than 1m from the face of the building or other structure to which it is attached;
- (c) subject to sub-clause 6.14, not be within 1.8m of either end of the wall to which it is attached or, where the end of that wall adjoins a street or right of way or is set back from the boundary of the land on which the building is erected, within 1.8m of that street, right of way or boundary;
- (d) be of a height of at least twice its length;
- (e) not project more than 1m above the top of the wall to which it is attached at the point immediately adjacent to the sign and at no point shall the sign be extended more than 1m back from the face of that wall; and
- (f) not be within 4m of any other vertical sign on the same building;

6.13 Where a vertical sign is fixed to the face of a building and that building—

- (a) is set back behind the face of a building which adjoins that building; and
- (b) is within 3m of that adjoining building,

the sign may project from the face of the building an additional distance being the distance that the adjoining building projects beyond the building or 500mm whichever is the lesser.

6.14 Where a building to which a vertical sign is to be affixed is set back from the boundary of an intersecting street or right of way, the Council may authorise the affixing of the sign at a lesser distance from the end of the wall than prescribed by paragraphs (c) of sub-clause 6.12.

6.15 Illuminated Sign

- (a) Any boxing or case in which an illuminated sign is enclosed shall be constructed entirely of nonflammable material with exception of the insulation of the electric wires;

- (b) an illuminated sign shall have its electrical installation constructed and maintained to the satisfaction of the State Energy Commission and in accordance with the Australian Standard applicable thereto;
- (c) an illuminated sign shall be maintained to operate as an illuminated sign;
- (d) an illuminated sign shall not have a light of such intensity or colour or regular or intermittent flashing as in the opinion of the Council is for any reason dangerous or objectionable.

6.16 Information Panels

The Council may provide information panels of varying sizes and recover the cost incurred by Council in providing any information panels from the person to whom the sign was provided including the cost of labour and materials.

6.17 Institutional Signs

An institutional sign shall not exceed 0.5m in area except with the approval of the Council but in any case shall not exceed 2m in area.

6.18 Projection Signs

No person shall use a projection sign visible from any street, right of way, footpath or other public place without—

- (a) a licence; and
- (b) the consent of the owner of the wall, building, screen or structure on which it is to be projected.

6.19 A licence shall not be issued by the Council for a projection sign -

- (a) unless the wall, screen or structure on which it is proposed to project such sign is specified in the application for that licence; or
- (b) in respect of any such sign which when projected will exceed more than 12 m in width or 12 m in height.

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6.20 A licence for a projection sign shall specify the wall, building, screen or structure onto which such sign may be projected.

6.21 Where it is proposed to project such a sign onto a wall, building, screen or structure in a series the Council may issue one licence in respect of all the signs in that series provided that no sign other than in respect to which a licence has been issued shall be projected.

6.22 A person shall not project any projection sign onto any wall, building, screen or structure not specified in the licence issued for that sign.

6.23 The owner or occupier of any building, wall, screen or structure shall not permit any projection sign to be projected thereon unless by authority of a licence.

6.24 Pylon Signs

A pylon sign shall—

- (a) be so constructed that no part of the sign shall be less than 2.7m or more than 6m above the level of the ground immediately below it;
- (b) not exceed 3.5m in any direction across the face of the sign or have a greater superficial area than 4m;
- (c) not project more than 1m over any street, way, footpath or other public place;
- (d) be supported on one or more piers or columns of brick, stone, concrete, metal or other materials, or combination of materials of sufficient size and strength in the opinion of the Surveyor to support the sign under all conditions;
- (e) if supported on two or more piers or columns not have the space between the piers or columns wholly or partly filled in with any material below 2.7m above ground level;
- (f) not have any part thereof projecting over any street, way, footpath or other public place at a height of less than 2.7m;
- (g) not be within 1.8m of the side boundaries of the lot on which it is erected; and
- (h) have no parts thereof less than 6m from any part of another sign erected on the same lot,

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PROVIDED THAT where more than one pylon sign is proposed to be erected on a lot on which any unit factory or shop is erected or is to be erected the Council may require all the pylon signs to be incorporated into one sign—

- (i) containing an advertising sign for more than one business;
- (ii) having all advertising signs within it of an equal size;
- (iii) having an advertising sign for each unit factory or shop in the lot thereon; and
- (iv) not exceeding 13m in total area on any one sign.

6.25 Roof Signs

A roof sign shall—

- (a) not at any point be within 4m of the ground;
- (b) not extend beyond the external walls of the building on or over which it is erected; and
- (c) where the height of the building above the ground at the point where a roof sign is proposed to be erected, is that specified in the first column of the following table, the distance between the top of the roof at that point and the top of that sign shall not exceed the height specified in the second column of the table.

Height of Building above ground level at point where sign is to be fixed	Maximum Height of sign above roof top
Over 4m and under 5m	1.25m
Over 5m and under 6m	1.80m
Over 6m and under 12m	3.00m
Over 12m and under 18m	5.00m
Over 18m and under 24m	6.00m
Over 24m	7.00m

When ascertaining the height of a building above ground level for the purposes of this clause, any part of the roof at the point where the sign is to be erected that is provided solely for the purpose of architectural decoration shall be disregarded.

6.26 Semaphore Signs

A semaphore sign shall—

- (a) have a minimum headway of 2.7m;
- (b) be fixed at right angles to the wall to which it is attached;
- (c) subject to clause 6.27 not project more than 1m from the face of the building to which it is attached;
- (d) not exceed 1m in height at any point;
- (e) not exceed 1m in width at any point;
- (f) be fixed over or adjacent to the entrance of a building; and
- (g) not be under any verandah.

6.27 Where a semaphore sign is to be fixed to the face of a building and that building is set back behind the face of a building which adjoins that building and that building is within 3m of that adjoining building a semaphore sign may project from the face and the additional distance being the distance the adjoining building projects beyond the building or 500mm whichever is that lesser PROVIDED THAT not more than one semaphore sign shall be fixed over or adjacent to an entrance to a building.

6.28 Tower Signs

A tower sign shall not unless otherwise specially authorised by the Council in the licence issued with respect thereto—

- (a) indicate or display any matter other than the name of the owner or occupier of the land or premises on which the mast tower or chimney stack is erected;
- (b) if illuminated be a flashing sign;
- (c) exceed in height one sixth of the height of the mast tower or chimney stack on which it is placed;
- (d) exceed in width the width or diameter of the mast tower or chimney stack on which it is placed; or
- (e) extend laterally beyond any part of the mast tower or chimney stack on which it is placed.

6.29 Verandah Signs

A sign fixed to the outer or return fascia of a verandah—

- (a) shall not exceed 400mm in height;
- (b) shall not project beyond the outer frame or surround of the fascia beyond a distance of 75mm;
- (c) in the case of an illuminated sign shall not be a flashing sign; and
- (d) shall be so constructed that the bottom edge of the sign is not lower than the bottom edge of the fascia.

6.30 Signs Under Verandah

A sign under a verandah shall—

- (a) afford a headway of not less than 2.7m;
- (b) not exceed 2.4m in length or 500mm in depth;

- (c) not be less than 1.5m from another sign under that verandah;
- (d) be fixed at right angles to the front wall of the building in front of which it is erected provided that where such a sign is erected at a street intersection that sign may be placed at an angle to the wall so as to be visible from both streets; and
- (e) shall bear at its outer end its licence number in figures clearly legible from the footway.

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6.31 Signs on Fences and Free Standing Walls

A sign shall not be painted, erected or attached to a fence or free standing wall where it is visible from beyond the lot on which it is situated except on a lot in a Commercial Zone or a Light Industrial Zone occupied for commercial or light industrial purposes and shall not exceed 600mm in height unless authorised by the Council in the licence issued with respect thereto.

6.32 Election Signs

Repealed

GG 7 November 2001

7. Offences

A person who erects, puts up, sites, maintains or uses a bill, placard, advertisement, hoarding or advertising device, or who bill posts, paints, stencils, places or affixes an advertisement which does not comply with or in a manner contrary to the provisions of this By-law commits an offence.

8. Council Power

8.1 The Council may serve on the owner or occupier of any premises on which any advertising device is erected, put up, sited, maintained, used, posted, painted, stencilled, placed or affixed contrary to this By-law notice to remove the same within the time specified in the notice and a person neglecting or failing to comply with the terms of the notice served on him pursuant to this clause commits an offence.

8.2 Unlawful Signs

- (a) The Council or any person acting under the authority of the Council may remove any hoarding or any bill, placard or advertisement which is attached to or posted, painted or stencilled on a hoarding and which in the opinion of the Council is dangerous or objectionable.
- (b) Where, in the exercise of the power conferred by paragraph (a) of this subclause, the Council removes a hoarding or sign, it may recover the cost of the removal in any court of competent jurisdiction, from the owner of the property from which the hoarding or sign is removed.

9. Penalties

Any person found guilty of an offence against this By-law is liable to—

- (a) a penalty not exceeding \$500.00; or
- (b) a daily penalty during the breach not exceeding \$50.00.

10. Other Requirements

Nothing in these By-laws expressed or implied shall absolve any person from the requirements of any written law or requirements of any local or public authority.

First Schedule

LOCAL GOVERNMENT ACT

The Municipality of the City of Rockingham

By-law Relating to Signs, Hoardings and Bill Posting

Application for Licence

Application No.

Full name and address of Applicant:

Full name and address of the owner of the land on which advertising device is to be located:

The Applicant hereby applies for a licence with respect to an advertising device on Lot House No. Street as shown on and in accordance with the attached plan and details in duplicate.

Further Particulars required by the By-law or the Surveyor:

Dated this day of 19.....

Signature of Applicant

Signature of Owner of the Land

Second Schedule
LOCAL GOVERNMENT ACT
The Municipality of the City of Rockingham
 By-law Relating to Signs, Hoardings and Bill Posting
 Licence

No. Date:

This licence is granted to
 of
 in respect of an advertising device the subject of Application No.
 and the plan and details attached thereto on premises situate
 at This licence is issued subject to the
 By-laws of the Municipality.

This licence remains valid until the expiry date referred to below or until
 revoked whichever is the earlier.

Date of issue of licence:

Date of expiry of licence:

Licence fee: \$

This licence is issued subject to the following conditions:

.....

Principal Building Surveyor.

Third Schedule

Superseded - Refer to section 6.16 (3) of the Local Government Act 1995

Dated this 29th day of October, 1990.

The Common Seal of the City of Rockingham was hereto affixed in the presence
 of:

R. R. SMITH, Mayor.
 G. G. HOLLAND, Town Clerk.

Recommended—

GORDON HILL, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 4th day of
 December, 1990.

G. PEARCE, Clerk of the Council.

WEAN