



## ***Local Government Act 1960***

# **CITY OF ROCKINGHAM BY-LAW RELATING TO SIGNS, HOARDINGS AND BILL POSTING**

*Note: The By-law Relating to Signs, Hoardings and Bill Posting was published in the Government Gazette No. 152 on 7 December 1990 and amended in the Government Gazette No.46 on 19 March 1993, in the Government Gazette No. 168 on 8 November 1996 and in Government Gazette No. 221 on 7 November 2001.*

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**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 may relating to Signs, Hoardings and Bill Posting published in the *Government Gazette* on the 30<sup>th</sup> day of October 1963 as amended from time to time is hereby repealed.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, 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, bunting 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; (*Government Gazette No.168, 8 November 1996*)

**“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 the 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 issues 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 1m<sup>2</sup> in area;
- (b) does not exceed 3m 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 0.8m<sup>2</sup> 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 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 Australia 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 0.6m<sup>2</sup> in area; and
- (e) not permanently attached to any land building or other structure,

an 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 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 the 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** (*Government Gazette No. 221, 7 November 2001*)
- unless pursuant to an unexpired written licence issued by the Council under the 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 0.6m<sup>2</sup> in area;
- (c) a plate not exceeding 0.2m<sup>2</sup> 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 2.7m<sup>2</sup>;
- (e) a sign not exceeding 0.2m<sup>2</sup> 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 not exceeding 0.2m<sup>2</sup> in area solely for use for the direction, control or regulation of people, animals or vehicles or to indicate that name or street number of premises;
- (g) a sign or group of signs not exceeding 2m<sup>2</sup> in gross total area or visible externally from business premises showing the name and occupation or profession of any occupier of those premises; (*Government Gazette No. 168, 8 November 1996*)
- (h) an information panel or institutional sign not exceeding 0.6m<sup>2</sup> 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; *(Government Gazette No. 168, 8 November 1996)*
- (n) a sign required by the Builder's 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 1.5m<sup>2</sup>;
  - (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 and such approval has not been revoked; or
- (p) **Repealed** *(Government Gazette No. 221, 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 shall 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)(ii) 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 by 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.
- 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** (*Government Gazette No. 221, 7 November 2001*)
  - (b) if the sign is in the opinion of the Council likely to be confused with or mistaken for a 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 good);
  - (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 provides,
- 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 purposed 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
2.7m and under 4.0m	300mmm
4.0m and under 6.0m	750mm
5.0m and under 12.0m	1m
12.0m and over	1.5m

- (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 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 18m<sup>2</sup> in area unless otherwise authorised by Council; and (*Government Gazette No.46, 19 March 1993*)

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.

## 6.4 Direction Signs on Street Poles

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

## 6.5 Display Home Signs

A display home sign shall not –

- (a) exceed 2m<sup>2</sup> in area per house or home unit being advertised with no individual sign exceeding 4m<sup>2</sup> in area and with no sign having an overall height in excess of 4m<sup>2</sup>;
- (b) be illuminated after 9.00pm; 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 15m 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 18m; 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 7.5m	600mm
7.5m to 9.0m	750mm
9.0m to 12.0m	1m

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

- (d) not project more than 600mm from the wall to which it is attached; and
- (e) not be within 600mm 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 225mm wide and projects at least 25mm in front of and 75mm 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 façade side of the building -

- (a) identifies the name of the owner or occupier of that building and such name appears in letters made of metal or other incombustible material; and
  - (b) is the only sign on the façade 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 – *(Government Gazette No. 168, 8 November 1996)*
- (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 12m in width or 12m in height.
- 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 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; (*Government Gazette No. 168, 8 November 1996*)
- (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;

PROVIDED THAT where more than one pylon sign is proposed to be erected on a lot 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 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 500m 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 (*Government Gazette No. 168, 8 November 1996*)
- (e) shall bear at its outer end its licence number un figures clearly legible from the footway.

#### **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 occupies for commercial or light industrial purposes and shall not exceed 600m in height unless authorised by the Council in the licence issued with respect thereto.

#### **6.32 Election Signs**

*Repealed (Government Gazette No. 221, 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 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

**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 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 29<sup>th</sup> 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 4<sup>th</sup> day of December, 1990.

G. PEARCE, Clerk of the Council.