

SHIRE OF BODDINGTON
PLANNING POLICY No. 14 – SIGNS AND ADVERTISEMENTS

1. Policy Statement

This Policy sets out Council's position relating to signs and advertisements.

It is Council's policy to achieve a balance between the provision of legitimate and appropriate signage and to minimise the adverse impacts that signs may have on the amenity, appearance and character of the municipality.

2. Background and Issues

It is a requirement of the Shire of Boddington Local Planning Scheme No.2 (LPS2) for various signs to gain planning approval prior to erection, placement or display.

The following is an extract from LPS2:

5.2.1.1 For the purpose of this Scheme, 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 approval of the Council.

5.2.1.2 Applications for Council's planning approval pursuant to this Part shall be submitted in accordance with the provisions of Clause 6.2 of the Scheme and shall be accompanied by a completed Additional Information Sheet in the form set out at Appendix 10 giving details of the advertisement(s) to be erected placed or displayed on the land.

3. Definitions

In this Policy, the following definitions apply:

"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 or advertisements. The term includes any airborne device anchored to any land or building 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 an advertisement concerned.

In this Policy, "signs", "advertisements" and "advertising signs" have the same meaning.

4. Objectives

The objectives of this Policy are to:

- ensure that existing and future signage is maintained at a level which produces a positive image of the Shire of Boddington;

- encourage advertising which complements the natural and urban environment whilst minimising any negative impacts;
- control the erection of signs so as to minimise the proliferation of signs and prevent visual pollution;
- ensure signs do not detract from the streetscape/landscape and the amenity of the area through controlling the sign's size, height, materials, colours and location;
- provide further interpretation of LPS2 in the assessment of applications for signs;
- set out guidelines that will assist in the regulation and control of signage;
- provide increased certainty for advertisers, landowners, the community and others and to assist in providing greater consistency in decision making by the Council; and
- facilitate the effective and timely processing of sign applications where in accordance with this Policy.

5. Application of the Policy

This Policy applies to any advertising device proposed to be erected within the municipality unless it is an "exempted advertisement" as set out in *Attachment A* of this Policy.

6. Links to Local Planning Scheme and Other Documents

This Policy relates to various requirements set out in LPS2 including Clause 5.2 requiring advertisers to submit a Planning Application to the Shire.

7. Policy Provisions

7.1 Exemptions from the Requirement to Obtain Planning Approval

The Council's prior planning approval is not required in respect of those advertisements listed in Attachment A, which is referred to as "exempted advertisements". The exemptions listed in Attachment A do not apply to land, buildings, objects, structures and places included on the Heritage List or within a heritage precinct established or designated under Clause 5.1 of LPS2.

The Council does not require a sign denoting property and/or owner name and/or property address.

For all other signs, the advertiser is required to submit a Planning Application and gain approval from the Council prior to the sign/s being erected.

7.2 General

In assessing a Planning Application for a sign, the Council will have regard to matters including the following:

- size, shape, materials, colours, finish, wording, general appearance and location of the sign;
- whether it is illuminated and the presence or rate of flashing lights;
- existing number of signs on the site;
- pedestrian, cyclist and motorist safety;
- the objectives of LPS2;
- provisions and requirements of LPS2;
- the character and amenity of the locality within which it is to be displayed, including its historic or landscape significance;
- zoning of the lot;

- the amenity of adjacent areas which may be affected and the affect on the streetscape;
- whether the sign is proposed to be temporary or permanent;
- written comments from affected landowners and other stakeholders;
- adopted Town Centre Design Guidelines or other Building and Landscaping Guidelines; and
- any other circumstance and factor affecting the application in the opinion of the Council.

Generally, signs should be located on land or buildings on which is conducting a business or profession which the sign relates. The Council may, following appropriate justification from a proponent, consider signs on “third party” freehold properties. Generally, this will be:

- for a temporary period (typically 6 – 12 months) following which the signs are to be removed;
- for a recently established local business or a local business (based in the Shire of Boddington) which will shortly commence operating; and
- limited to one sign for the business which is no greater than 4m² in area.

The Council will not support applications for advertisements that, in the opinion of Council, detract from the aesthetic qualities of an area by virtue of inappropriate size, colour, illumination and location. Additional to this, the Council will consider the existing number of signs placed in an area and/or on the building to ensure visual cluttering does not occur.

Generally, the Council does not support signs located on a light pole or power pole unless associated with a community event. Additionally, for roads managed by Main Roads Western Australia, the agency does not allow a sign or advertising device to be attached to existing signs, structures and roadside items including a light/power pole.

The use of vehicles, trailers, and trucks for display or exhibiting of signage will not be permitted except for special events as approved by Council.

The “onus of proof” rests with the advertiser to justify their Planning Application and variations to this Policy.

7.3 Prohibited Signs

A person shall not erect, maintain or display a sign that:

- will obstruct the view of traffic on a street or public place;
- prevents the safe and effective use of a footpath and/or dual use path;
- is located in a median strip or roundabout;
- can obstruct access to or from a door, fire escape or window, other than a window designed for the display of goods;
- is likely to be confused with, or mistaken for, an official traffic sign;
- emits a flashing, intermittent or sequential light;
- is situated on a tower, mast, chimneystack, spire, dome or similar architectural feature or on a superstructure over the main roof of a building;
- is situated on a building or structure where the stability of the building or structure is likely to be affected by the sign;
- is free standing sign above a roof;
- is on a tree that is living; and
- that contains offensive language or content.

In the Commercial Zone and the area subject to the Town Centre Design Guidelines, the following will apply:

- signage is contained to the building walls and parapets. No additional structures will be permitted for signs over roofs or above parapets;
- signs are allowed on veranda fronts provided they are no higher than half of the parapet behind; and
- stand alone pylon signs, such as petrol station signs, are acceptable where they are on, or close to, the front boundary and do not exceed the height or the proposed building. Active, flashing illuminated or reflective signs are not supported.

7.5 Home Business Signs

Permanent signs for home businesses in the Residential, Special Residential, Rural Residential and Special Use Zones are to be:

- associated with the occupation of persons living on the property;
- a maximum of 1m²;
- constructed of materials and in colours which are complementary to area; and
- restricted to the approved business name and not advertise any commercial product.

7.6 Signs in Other Zones

Unless appropriately justified by the advertiser, the Council will not approve the erection of signs within the Industrial, Rural Small Holding or Rural Zones of any advertising device for a service or commodity which is not produced, offered or sold on the lot where the advertising device is erected.

Unless appropriately justified by the advertiser, the maximum size of a permanent sign in the Industrial Zone is 15m², Rural Small Holding Zone is 4m² and the Rural Zone is 9m².

7.7 Signs within Road Reserves and on Shire Managed Land

Generally, the Council does not support signs being in road reserves and on Shire managed land. Exceptions to this are moveable signs (section 7.11 of this Policy), real estate signs outside of townsites (section 7.12) and directional signs (section 7.14).

Public open space and reserves within the municipality on land managed by the Shire, shall not be used for the erection of signage except for purposes as approved by Council.

The Council does not support the erection of signage on trees with the road reserve.

The Council will consider signs supporting the sale of locally produced rural produce, in rural areas, within a road reserve managed by the Shire. The Council will support the erection of a seasonal signage, to bona fide rural producers, who provide for the sale of produce on an incidental basis subject to meeting other requirements of this Policy including safety considerations.

7.8 Siting Restrictions Near Main Roads and Key Tourist Routes

The Council will generally not permit the siting of advertising signs on or in the vicinity of main roads and key tourist routes (for this Policy these are Bannister-Marradong Road, Pinjarra-Williams Road, Albany Highway, Crossman Road, and Crossman-Dwarda Road)

when they provide vistas for the surrounding landscape. The protection of these vistas is important from a tourism and amenity viewpoint.

The Council may consider the erection of suitable advertising signs near main roads and key tourist routes where the signs are:

- on freehold land; and
- located on land or buildings on which the business or profession relates; or
- for new business and limited to a temporary period (as outlined in section 7.2).

The Council will require that signs are sited to minimise the impact upon surrounding vistas and to minimise impacts on the area's amenity.

If an advertising sign is deemed to be in conflict with its surrounding environment and will detrimentally reduce the amenity of the area, then the Council will not support the proposed sign.

7.9 Signs on Places of Heritage Value

The Council will have regard to the placement of signage on places of heritage value and buildings listed in a Local Planning Scheme or Municipal Heritage Inventory. Further, the Council will consider:

- the historic appropriateness of the materials;
- style design and lettering of the sign; and
- whether it is affixed in such a way that it causes no damage to the building and may be removed without leaving evidence of it having been affixed.

7.10 Temporary Signs for Events and Traffic Management

There is no requirement to submit a Planning Application for signs associated with traffic management for events. This is subject to signage and the event being undertaken in accordance with the *Traffic Management for Events Code of Practice* (or any updates).

There is no requirement to submit a Planning Application for signs to publicise a forthcoming event subject to the following:

- temporary signs are not to be placed on the road reserve, unless it is a directional sign;
- the temporary sign must be removed after the forthcoming event has passed and must not be displayed for no longer than 8 weeks;
- if the Council considers the temporary signs are inappropriate or unsuitable they will be removed.

While noting the above, Main Roads Western Australia requires approval for any signage in, or in the vicinity of the road reserve of a declared highway or main road. A written application is required.

There is no requirement to submit a Planning Application for signs associated with traffic management for works on roads. This is subject to signage and works being undertaken in accordance with the *Traffic Management for Works on Roads Code of Practice* (or any updates).

7.11 Moveable Signs

Movable signs are not supported where, in the Council's opinion, the sign would obstruct pedestrian, cyclist or vehicle movements or sightlines or obstruct access or views from any other premises.

Moveable signs may be supported by the Council where relevant safety and other planning considerations are suitably met. This is subject to:

- any moveable sign should typically be located as close as possible to the premises to which it relates, unless the Council is satisfied that there are circumstances which make this difficult and that an alternative location has been identified, which is to the satisfaction of Council;
- the advertiser/operator is required to maintain an appropriate Public Liability Insurance covering the placement of the moveable sign on the footpath within the Boddington town centre that indemnifies Council to the satisfaction of Council;
- moveable signs shall only remain in public places while the shop or business is open for trading; and
- moveable signs within road reserves are to be removed at the close of trading each trading day.

7.12 Real Estate Signs

No real estate advertising signs will be permitted on road reserves or on Shire controlled land in and around the Boddington and Ranford townsites in the opinion of the Council. Real estate advertising signs are to be located on freehold land in and around the Boddington and Ranford townsites.

The Council will determine the merits of real estate signs in road reserves in rural areas where they cannot be located on freehold land and they are appropriately located which promote the safety of motorists. Real estate agents will be responsible for "Dial before you dig" and avoiding services/infrastructure, with any costs payable to rectify services met by the real estate agency.

The Shire may remove real estate signs located within road reserves or on Shire controlled land throughout the municipality without necessary approvals and/or which may create safety concerns.

7.13 Subdivision/Development Marketing Signs

Subject to other requirements of this Policy being suitably met (including safety considerations), the Council will support one sign per development up to 3m² on the development site.

7.14 Directional Signs

The Council will assess, on its merits, the use of standard directional signs on roads to direct traffic to emergency services, community groups, businesses or other entities. In approving directional signs, the Council will limit one fingerboard sign for the entity at the junction of a highway or main road indicating the most direct route to the facility.

Generally, the Council will limit the number of directional signs at any intersection or other location to three (3). Priority for directional signs is given to emergency services, then community groups and last to businesses.

Generally, the Council will issue approval for directional signs for a maximum of 5 years. Following this, a separate application (and approval) is required or the sign may be removed. The Shire may remove the directional sign where the entity is no longer operating or if the entity has relocated their premises.

The advertiser is responsible for meeting the costs of directional signage, with costs set out in the Council's fees and charges.

The Council will generally support the use of composite/generic signs to remove the need for separate signs.

Where more than one direction sign is required for a particular street junction, then they may be required to be incorporated into a stack sign structure which will be funded by the various sign owners. Should there be a request for multiple signs, the Council may require the installation of a "generic" sign e.g. directing to the industrial estate.

Directional signs should not resemble an official traffic sign.

All lettering shall be white on a blue background for services or white on brown for tourist attractions.

Tourist signs may be installed for tourist establishments endorsed by the Department of Planning or Tourism WA (or the agency responsible for tourism planning).

7.15 Main Roads Western Australia

The erection of signs near a highway or main road under the control of Main Roads Western Australia (MRWA) requires the approval of both the Council and MRWA.

MRWA require approval for any signage in, or in the vicinity of the road reserve of a declared highway or main road. A written application is required.

The Council does not support signs within road reserves managed by MRWA for reasons including visual impact and detrimentally impacting the amenity of the area. The Council will consider, on its merits, signs on adjoining freehold land as set out in this Policy.

7.16 Existing Signs

There is no presumption that any existing sign has an approval from the Council. All signs will be treated according to this Policy unless the owner of the sign is able to demonstrate that Council has previously issued approval for that sign.

7.17 Derelict or Poorly Maintained Signs

Where, in the opinion of the Council, an approved sign has been permitted to deteriorate to a point where it conflicts with the objectives of LPS2 or it ceases to be effective for the purpose for which it was erected or displayed, the Council may by notice in writing require the advertiser to:

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

7.18 Non-Compliance

Should any signs be displayed that do not comply with this Policy, the conditions of the Planning Approval, or a sign that is erected without approval, the Council may, without incurring any liability, remove and dispose of the sign. Signs removed may incur a retrieval fee and may be detained for a period of 3 weeks where this occurs for the first "offence". Any sign not claimed within 3 weeks may be disposed of for the first offence. For the second and possible multiple offences, any non-compliant sign may be disposed of immediately.

In addition, the Council may require any sign to be removed if it is of the opinion that it is offensive or unsightly.

8. Administration

8.1 Matters to be Addressed Prior to Formally Lodging the Application

Proponents are encouraged to discuss proposals that seek to vary Policy requirements with the Shire administration early on in the planning process and prior to the formal lodgement of any Planning Application.

8.2 Application Requirements

Planning Applications are to include the following:

- the requirements set out in sections 6.2.1 and 6.2.2 of LPS2 which includes a clear picture/diagram of the sign (incorporating colours, design, measurements); and a clear site plan (including highlighting existing signs);
- filling in the Planning Application form and Additional Information Sheet for Advertisement Approval; and
- payment of the Shire Planning Application fee.

Preferably, the Planning Application is also accompanied by written correspondence which sets out reasons justifying the proposal.

Should a Planning Approval be issued, it may be necessary for the proponent to submit a Building Licence Application (which gains necessary approval) prior to undertaking construction.

8.3 Consultation with Landowners and Stakeholders

The Shire administration may seek comments on any Planning Application as considered appropriate.

Where a proposed sign is considered to have the potential to adversely impact on adjoining and/or nearby landowners, in the opinion of the Shire administration, the Shire will write to affected landowners/stakeholders of the application and invite them to submit comments to the Shire.

Where an application for a sign is made that does not comply with the requirements set out in this Policy, a copy of the application may be referred to adjoining/nearby landowners, relevant government agencies and stakeholders for comment.

Where a sign adjoins a road managed by MRWA, unless on a building and in conformity with this Policy, it will be referred to MRWA for comment.

8.4 Assessing the Application

Applications will be assessed on a case by case basis subject to this Policy, LPS2, information provided by the applicant and any submissions received.

In granting planning approval for the erection or display of an advertising sign, the approval may include conditions concerning matters such as the location, position, size, shape, colour, number of existing signs, degree of illumination and length of approval.

Should an application for a sign not comply with requirements of this Policy, the application may be referred to Council for consideration.

Where objections are received and the objections are not able to be adequately dealt with through conditions of approval, the application will be referred to Council for determination.

The Council may refuse a Planning Application where the application is inconsistent with this Policy or LPS2, or based on information set out in any submissions received.

9. Approval Authorisation

Authority to implement the Policy will be delegated to the Chief Executive Officer, other than as outlined in this Policy.

10. Final Adoption

Final adoption of the Policy was resolved by Council on 14 December 2010.

Attachment A - Exempted Advertisements Schedule

LAND USE AND/OR DEVELOPMENT REQUIRING ADVERTISEMENT	EXEMPTED SIGN TYPE AND NUMBER (Includes the change of posters on poster signs and applies to non-illuminated signs unless otherwise stated).	MAXIMUM AREA OF EXEMPTED SIGN
Dwelling	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
Shops, Showrooms and other uses appropriate to a Shopping Area.	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building subject to a compliance with the requirements of the Sign Hoarding and Bill Posting By-laws.	Not applicable
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 a 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>
Showroom, race courses, 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

LAND USE AND/OR DEVELOPMENT REQUIRING ADVERTISEMENT	EXEMPTED SIGN TYPE AND NUMBER (Includes the change of posters on poster signs and applies to non-illuminated signs unless otherwise stated).	MAXIMUM AREA OF EXEMPTED SIGN
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, car park, 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>N/A</p> <p>N/A</p>
Advertisements within Buildings	All advertisements placed or displayed within buildings which cannot ordinarily be seen by a person outside of those buildings.	N/A
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 or the name and address of the managing agent thereof.	0.2m ²