

**Shire of Northampton
Local Planning Policy**



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1.0 OBJECTIVES

To control advertising signs in order to safeguard the visual amenity of the district and to meet the safety and amenity needs of all thoroughfare users.

2.0 INTRODUCTION

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

2.2 This Policy should be read in conjunction with “Northampton Town Planning Scheme Policies, Policy 1.5 Control of Advertising Signage” which forms part of Town Planning Scheme No 6.

3.0 INTERPRETATIONS

In this Policy, unless the context otherwise requires:

“Act”	means the Local Government Act 1995;
“advertisement”	has the same meaning as “sign”;
“advertising device”	means any object on which words or numbers or figures are written, printed, affixed, illustrated or painted for the purpose of advertising any business, function, operation, event or undertaking or any product or thing and includes any vehicle or trailer or other similar stationery object placed or located so as to serve the purpose of advertising any business, function, event or undertaking or any product or thing;
“bill”	means any material on which words, numbers or figures are written, placed, printed, illustrated or painted;
“business”	includes the conduct of a profession, trade or occupation;
“business direction sign”	means a sign erected in a public thoroughfare or public place which indicates the nature of the business that may be located by following the direction indicated by the sign, but does not include any such sign erected by the Commissioner of Main Roads under regulation 297 of the Road Traffic Code 2000;
“CEO”	means the Chief Executive Officer of the Shire;
“Council”	means the Council of the Shire of Northampton;
“depth”	unless otherwise specifically stated, refers to the height of a sign, and not a three dimensional measurement. The word “depth” is used to differentiate between the lateral width of a sign and the height of the sign above the ground.
“development sign”	means a sign erected on an area of land which has been approved for subdivision into a number of smaller lots, advertising the lots for sale but upon which no building development has taken place at the time of the approval of the sign;
“district”	means the district of the Shire;
“electoral sign”	means a sign containing an advertisement relating to an election or to a referendum;
“exempt sign”	means a sign referred to in Section 3 of this Policy;
“fascia sign”	means a sign erected or displayed on the fascia of a building or the fascia of a verandah;
“fly posting”	means advertising by means of posters placed on fences, walls, trees and like structures;
“freestanding sign”	means any sign not attached to a structure or permanently fixed to the ground or pavement and includes “A frame” or “Sandwich Board” signs consisting of two sign boards attached to each other at the top or elsewhere by hinges or other means;
“hoarding”	means a detached or detachable structure other than a pylon sign that is erected for the sole purpose of displaying a sign or signs and includes a poster

	panel or an illuminated panel; but does not include a hoarding within the meaning of Section 377 of the Local Government (Miscellaneous Provisions) Act 1960;
“horizontal sign”	means a sign fixed parallel to the wall of a building to which it is attached and with its largest dimension being horizontal;
“illuminated sign”	means a sign which can be lighted either from within or without the sign by artificial light provided, or mainly provided for that purpose and which does not emit a flashing light;
“institutional sign”	means a sign erected or placed on any land or building used for or in conjunction with a surgery, clinic, hospital, rest home, home for the aged or other institution or place of a similar nature;
“planning consent”	means the approval granted by Shire for the erection or display of a sign pursuant to the Town Planning Scheme;
“premises”	means land and, unless the context otherwise requires, the buildings upon that land;
“public thoroughfare”	includes a street, road, footpath , carriageway and all other parts of a road reserve;
“pylon sign”	means a sign supported by one or more piers and not attached to a building and includes a detached sign framework supported by one or more piers to which sign infills may be added;
“reserve”	includes land vested in, or under the care, control and management of the Shire;
“roof sign”	means a sign erected on or above the roof of a building;
“rural producer sign”	means a sign erected on land zoned rural under a Town Planning Scheme indicating the products grown, reared or produced on the property;
“sale sign”	means a sign displayed on premises advertising the sale, letting or auction of the premises;
“service sign”	a traffic sign with white letters and/or symbols on a blue background used to: guide travellers to services provided for their personal , automotive and travel needs, or indicate other facilities not normally shown on direction signs or tourist signs.
“service station sign”	means a sign used solely for the purposes of advertising the price of petrol, diesel, gas or other fuel products sold from the premises.
“Shire”	means the Shire of Northampton;
“sign”	includes any advertising device or other sign type defined in this Local Law;
“sign infill”	means a panel which can be fitted into a pylon sign framework;
“Surveyor”	means the Building Surveyor of the Shire;
“tourist sign”	a traffic sign with white letters and/or symbols on a brown background used to guide travellers to: natural features and approved heritage sites of interest to tourists; and approved tourist establishments.

“Town Planning Scheme”	means an existing town planning scheme of the Shire made under the Town Planning and Development Act 1928;
“verandah”	includes cantilever verandahs and balconies whether over thoroughfares or over private land;
“verandah sign”	includes any sign, above or below a verandah fascia;
“vertical sign”	means a sign fixed parallel to the wall of a building to which it is attached and with its largest dimension being vertical;
“window sign”	means any sign fixed to or painted on the glazed area of a window of a building.

4.0 EXEMPT SIGNS

An exempt sign for the purpose of this Policy is:

- (a) any sign which is classified as exempt under a Town Planning Scheme;
- (b) any sign which is the subject of an existing approval made prior to the date of effect of this Policy;
- (c) any advertisement affixed to or painted on a shop window by the occupier of the shop and relating to the business carried on in the shop;
- (d) any sign within a building;
- (e) any building name sign on residential flats or home units which has a single line of letters not exceeding 300mm in height, fixed to the facade of the building;
- (f) any newspaper poster;
- (g) a rural producer sign;
- (h) 2 freestanding signs (per building or business) provided that the sign is placed or erected only to direct attention to a place, activity or event during the hours of that activity or event.

5.0 SIGN STANDARDS

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

- (a) be securely fixed to any structure which supports it;
- (b) be structurally sound and capable of withstanding any forces to which it would be reasonably subjected to without collapsing, deforming or moving from the position on which it was erected or displayed;
- (c) be constructed and erected to the satisfaction of the Surveyor;
- (d) comply with the regulation 297 of the Road Traffic Code 2000;
- (e) be maintained in good order and clean condition;
- (f) other than a service or tourist direction sign, be directly associated with the approved use of the property on which it is displayed;
- (g) not be erected or displayed in a position:
 - (i) so as to obstruct the passage of or so as to create a hazard for vehicles or pedestrians;
 - (ii) that in the opinion of the Shire adversely affects the local amenity;
 - (iii) so as to significantly obstruct or impeded all or part of a view of a river, the sea or other place or feature which in Council’s opinion is of significance to the district.

6.0 SIGN DESIGN & INFORMATION

- 6.1 Every sign shall be designed to be compatible with the proposed surroundings, including buildings, landscaping and other signs.
- 6.2 Every sign attached to buildings shall be incorporated into the architectural features of the building in placement, style, proportions, materials and finish and shall be designed, constructed, finished, installed and professionally maintained.
- 6.3 Every sign shall contain the following information only:
- (a) the name of the occupier;
 - (b) the business carried on in the premises;
 - (c) the occupier's telephone number;
 - (d) a description of the goods sold or offered for sale in the premises to which the sign is affixed or to which it relates;
 - (e) any other matter specifically approved by the Shire.

7.0 REMOTE ADVERTISING

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

8.0 BILL & FLY POSTING

- 8.1 A person shall not post a bill or paint, stencil, place or affix an advertisement on a street or on a building, structure, fence, wall, sign, post, blind or awning with the exception of an advertisement affixed to, or painted on a shop window by the occupier of the shop and relating to the business carried on in the shop; or any sign within a building.
- 8.2 No person shall fly post at any place or location within the Shire.

9.0 HOARDINGS

No person shall erect or display a hoarding at any place or location within the district.

10.0 THOROUGHFARES/RESERVES UNDER THE CARE & CONTROL OF COUNCIL

- 10.1 Unless otherwise permitted in this Policy, no advertising sign or hoarding shall be permitted on thoroughfares/reserves under the care and control of the Council, unless approval is granted from the Shire.
- 10.2 Notwithstanding Clause 10.1 above an advertising sign shall not, without the written approval of the Council, be erected or displayed:
- (a) on or adjacent to a footpath which results in the pedestrian access being less than 2m in width;
 - (b) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2.5m;
 - (c) on or within 3m of a carriageway;
 - (d) upon a dividing strip or traffic island;

- (e) so as to obstruct the passage, line of sight or create a hazard for vehicles or pedestrians;
- (f) on any landscaping feature on a thoroughfare/reserve, including street tree or furniture;
- (g) so as to significantly obstruct or impeded all or part of a view of a river, the sea or other place or feature which in Council's opinion is of significance to the district; or
- (h) in any other place that, in the opinion of the Shire, adversely affects the local amenity.

10.3 Where approval is given for the erection or display of a sign on thoroughfares/reserves under the care and control of the Council, the owner of the device shall, prior to the erection or display of a sign, complete and return to Council an undertaking that shall require the owner of the device:

- (a) to indemnify and keep indemnified the Shire, its servants and agents against any claim or proceeding (and any cost and expenses incurred as a result) that may be made or brought by any person or corporation against the Shire, its servants and agents arising out of the erection, existence or operation of the advertisement; or any negligence of the Shire, its servants and agents in granting approval to erect or display the advertisement or in setting or failing to set conditions or giving or failing to give directions for the erection, existence or display of the advertisement.
- (b) in respect of that device, effect and maintain a public liability insurance policy with a reputable insurer. The policy must include a Cross Liabilities Clause, and be in the joint names of the sign owner and the Shire. The sum insured for any single event shall be \$1M.
- (c) to obtain approval from Main Roads WA where relevant.

10.1 Enforcement & Removal

- 10.1.1 Signs placed without Council approval on land under the control of Council are to be removed as soon as practicable. The removal of signs is intended to reduce visual impact caused by a proliferation of signs and reduces the danger of injury and potential liability.
- 10.1.2 Council authorises the CEO to take action in accordance with this Policy to remove signs that are found to be placed without Council approval. This action is to be taken as early as practicable. Sign control is to be coordinated through the CEO.
- 10.1.3 Council expects that Councillors and staff will participate in a watching brief so that unlawfully placed signs are reported to the CEO.
- 10.1.4 **There is no presumption that any existing sign has an approval.** All signs on Council controlled land 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.
- 10.1.5 When a sign is easily moveable and the sign is in close proximity to the property of the business or person responsible for the sign, the following action is to be taken:

- (a) The sign is to be moved within the boundary of that property and the business or person notified verbally (if possible) and in writing that the sign has been moved.
- (b) A record is to be kept of signs that are moved and of notifications given to businesses or persons. The record is to be coordinated by the Shire's Planning Department.

10.1.6 When a moveable sign is not in close proximity to the associated property, the person responsible cannot be easily identified, or a sign that has been previously moved is again unlawfully displayed, the following action is to be taken:

- (a) The sign is to be removed and impounded at the Shire of Northampton Depots.
- (b) The person responsible for its placement may retrieve the sign after an impoundment fee of \$50 is paid at Council's Cashier and the receipt presented at the Depot office.

10.1.7 If a sign is not easily moved, the following steps are to be taken:

- (a) The business or person responsible for the sign is to be given notification in writing that the sign is to be removed within 14 days.
- (b) A record is to be kept that notification has been issued to the business or person responsible.
- (c) An inspection is to be carried out at the expiration of the specified time.
- (d) If the sign has not been removed, Council officers are to arrange removal and impoundment of the sign (a truck and small crew may be required for some fixed signs).
- (e) The person responsible for its placement may retrieve the sign after an impoundment fee has been paid at Council's Cashier and the receipt presented at the Depot together with a written undertaking that they will not again unlawfully display the sign. The impoundment fee is a minimum of \$100 with total fee set by the Chief Executive Officer based on Council's normal rates for plant and labour.

10.1.8 If a sign has not been collected from Council's Depot within 2 months of impoundment, the CEO may arrange disposal of the sign in such manner as he thinks fit, including sale of materials in the sign to offset Council's costs.

11.0 REQUIREMENTS FOR PARTICULAR SIGNS

11.1 Development Signs

A development sign shall be removed from the site within 2 years from the date of the approval or when 80% of the lots in the subdivision have been sold, whichever is the sooner.

11.2 Freestanding Signs

11.2.1 Freestanding signs shall:

- (a) not exceed 1m in height;
- (b) not exceed an area of 1m² on any side;

- (c) not be erected in any position other than immediately adjacent to the building or the business to which the sign relates; and
- (d) be removed each day at the close of the business to which it relates and not be erected again until the business next opens for trading.

11.2.2 No more than 2 portable signs shall be erected in relation to the one building or business with only 1 portable sign to be located other than within the lot boundary.

11.3 Horizontal Signs

A horizontal sign shall:

- (a) be fixed parallel to the wall of the building to which it is attached;
- (b) not project more than 150mm from the wall to which it is attached;
- (c) conform to the following table:

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

11.4 Illuminated Signs

Every illuminated sign shall:

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

11.5 Information Panels

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

11.6 Pylon Signs

11.6.1 A pylon sign shall:

- (a) not have any part more than 6,000mm above the level of the ground immediately below it;
- (b) not exceed 4m² in area unless approved by the Shire;
- (c) be supported on one or more piers or columns of brick, stone, concrete, timber or steel of sufficient size and strength to support the sign under all conditions;

- (d) not be within 2,000mm of the side boundaries of the lot on which it is erected unless the lot on which the pylon sign is erected abuts an intersecting street or right-of-way, where the Shire may authorise the erection of the sign at a distance less than 2,000mm;
- (e) not have any part less than 6,000mm from any part of another sign erected on the same lot.

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

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

11.7 Roof Signs

A roof sign shall comply with the following table:

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

11.8 Rural Producer Signs

A rural producer sign shall:

- (a) not indicate or display any matter otherwise than for the purpose of indicating the products grown, reared or produced on the property on which the sign is erected;
- (b) be erected within the boundaries of the property; and
- (c) not exceed 2m² in area.

11.9 Service Station Signs

A maximum of 2 service station signs are permitted unless otherwise required by legislation. The signs shall:

- (a) not exceed 0.8m² each side;
- (b) be located wholly within the boundaries of the site, unless otherwise approved by Council; and
- (c) be located so as to not cause a traffic or safety hazard to either vehicles or pedestrians.

11.10 Service and Tourist Signs

11.10.1 The CEO has delegated authority to approve applications for the erection and the removal of service and tourist signs subject to the sign meeting the current MRWA standards.

11.10.2 Tourist signs may be installed for tourist establishments endorsed by the WA Tourism Commission.

11.10.3 The Shire is responsible for the approval, installation and routine maintenance for service and tourist signs on all roads except those under the control of MRWA (Ajana – Kalbarri Road and the North West Coastal Highway). In all cases the Shire retains ownership of the signs and the right to relocate, modify or remove them as necessary.

11.11 Signs on Fences

A sign may be painted or erected on the inside of a side or rear fence of a lot situated within a commercial or industrial area (or other areas as approved by Council), if the lot is occupied and used for business or industrial purposes. Any such sign shall not exceed 1m in height, nor be within 3m of any street boundary, unless specifically approved by Council.

11.12 Signs on Vehicles

No vehicle with a sign upon or inside, adapted and exhibited primarily to facilitate advertising, shall be permitted to park for any lengthy period of time, as determined by Council, on any thoroughfare (other than within an approved carpark) with the exception of directly in front of the owner's residence.

11.13 Verandah Signs

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

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

11.13.2 A sign under a verandah shall:

- (a) not exceed 2,500mm in length or 400mm in depth;
- (b) be fixed at right angles to the front wall of the building before which it is erected except on a corner of a building at a street intersection where the sign may be placed at an angle with the wall so as to be visible from both streets; and
- (c) be so placed that the centre of its base longitudinally is equidistant from the outer edge of the verandah and the vertical plane of the shop front directly opposite the end of such sign.

11.14 Vertical Signs

A vertical sign shall:

- (a) not project more than 50mm from the face of the building to which it is attached;
- (b) not be within 600mm of either end of the wall to which it is attached;
- (c) be of a height of at least twice its width;
- (d) not be placed on a corner of building, except at a street intersection where it may be placed at an angle with the walls so as to be visible from both streets;
- (e) not exceed 750mm in width exclusive of the back projection; and
- (f) not exceed 2m² in total area on premises being a shop or office or both.

NOTE: *Should there be any conflict between this Policy and the Shire of Northampton Town Planning Schemes, the Town Planning Schemes shall prevail.*

Council Adoption:

19 September 2003	Advertising	(Minute 9.13.2)
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