

# Local Planning Policy No. 4.12

## ADVERTISEMENTS AND ADVERTISING SIGNS



### 1. HEAD OF POWER AND SCOPE

This Policy has been adopted pursuant to *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2 (Deemed Provisions) and applies to all Advertisements and Advertising Signs not defined as a Portable Signs located across the whole of the City.

*Note 1: This Policy does not apply to Portable Signs, refer to Council Policy 'Portable Advertising Signs in Public Places' for provisions relating to Portable Signs.*

### 2. PURPOSE

The purpose of this Policy is to:

- 2.1 Set standards relating to the design and placement of Advertisements and Advertising Signs within the City. Where Advertisements and Advertising Signs do not meet these standards they are to be:
  - (a) Designed, constructed and maintained to a high aesthetic standard and quality of presentation; and
  - (b) Integrated within the design of the development and consistent with the character of the local area; and
  - (c) Designed such that they do not result in visual clutter and/or have a detrimental impact on the streetscape or visual amenity of the surrounding area and present a visually attractive appearance to public areas; and
  - (d) Consistent with the heritage values of a place (where applicable); and
  - (e) Integrated and rationalised where a site contains multiple tenancies; and
  - (f) Designed, constructed, secured and maintained so that they do not pose a hazard to motorists, pedestrians, cyclists and the public at large; and
- 2.2 In addition to the above, where Static Illumination and/or Animation are proposed, illumination levels should not have an adverse impact on the amenity of the area or cause a nuisance to occupiers of surrounding residential premises.

### 3. INTERPRETATION

Other than those terms defined below, and in Appendix 1 : 'Types of Advertising Signage' of this Policy, terms should be interpreted in the same way as they would be interpreted if they were contained or within the Scheme, including those terms defined in the deemed provisions and Schedule 11 of the Scheme -

**"Advertisement"** as defined by the Deemed Provisions and provided below -

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

- a) any hoarding or similar structure used, or adapted for use, for the display of advertisements; and*
- b) any airborne device anchored to any land or building used for the display of advertising; and*
- c) any vehicle or trailer or other similar object placed or located so as to serve the purpose of*

# Local Planning Policy No. 4.12

## ADVERTISEMENTS AND ADVERTISING SIGNS



displaying advertising.

**“Advertising Sign”** means a permanent structure used for the purpose of Advertisement, or to draw attention to, a product, business, person or event.

**“Animation”** means the movement or the appearance of movement through the use of patterns of lights, changes in color or light intensity, computerized special effects, video displays, or through any other method.

**“Local Activity Centre”** means lot(s) which are zoned Local Centre under the Scheme and are identified within Table 3 : Activity Centre Framework of the City’s *Local Planning Strategy* as a Local Centre.

**“Main Roads WA Roads”** means any road which is under the care and control of Main Roads WA, including Primary Distributor & Regional Distributor Roads, and includes the following roads within the City;

- (a) Caves Road;
- (b) Bussell Highway from the southern boundary of the Shire of Capel to Causeway Road;
- (c) Bussell Highway from the intersection with Caves Road to the northern boundary of the Shire of Augusta Margaret River;
- (d) Busselton Bypass;
- (e) Vasse Highway; and
- (f) Sues Road.

**“Portable Sign”** means an Advertising Sign that is made from lightweight materials which can be easily moved and includes but is not limited to:

- (a) ‘A’ frame of ‘T’ frame sign;
- (b) Garage Sale Sign;
- (c) Home Open Sign;
- (d) Horizontal banner sign;
- (e) City project sign;
- (f) Vertical banner sign; and
- (g) Variable message sign.

**“Scheme”** means the City of Busselton *Local Planning Scheme No. 21* (as amended).

**“Static Illumination”** means an internal or external light source that lights any type of sign.

#### 4. POLICY STATEMENT

##### 4.1 BACKGROUND

Clause 6.1 ‘Permitted Development’ of the Scheme outlines development which is exempt from requiring development approval. Clause 6.1.1(d) of the Scheme exempts; “the erection, placement or display of any advertisement and the use of land or buildings for that purpose as exempted by Schedule 11, except in respect of a place included in the Heritage List or in a heritage area.”

In addition to Clause 6.1.1(d) of the Scheme, the following Scheme provisions are also relevant

# Local Planning Policy No. 4.12

## ADVERTISEMENTS AND ADVERTISING SIGNS



to Advertising Signage within the City:

- (a) Clause 4.36.4 of the Scheme outlines requirements for entry statements within the Rural and Viticulture and Tourism zones;
- (b) Clause 4.41 'Prohibited Advertisements' states; "Advertisements that advertise goods and services which are not produced, displayed or offered for sale, or which is otherwise not relevant to, the land upon which the advertisement is located, are prohibited".

Where not exempted by Schedule 11 of the Scheme, Advertising Signage requires a development approval and an assessment against the Scheme and this Policy.

### 4.2 SIGN TYPE AND ZONE SPECIFIC REQUIREMENTS

Advertisements should comply with 'Appendix 2: Zoning Specific Provisions - Free Standing Signs' or 'Appendix 3: Zoning Specific Provisions - Signs Attached to a Building'.

### 4.3 GENERAL REQUIREMENTS

In addition to the requirements above, the following considerations are relevant to all development applications for Advertisements:

- (a) Advertisements should generally be integrated into the architectural design of all new development; and
- (b) All Advertisements should be contained wholly within the lot to which it relates with the exception of Cantilever and Verandah/Awning Signs which may project into the adjoining road reserve or other public land (with the appropriate consent of the agency responsible for managing that land); and
- (c) A minimum clearance of 2.75m (in accordance with the *Building Code of Australia*) should be provided underneath Pylon Sign - Large, Cantilever and Verandah/Awning signs unless it can be demonstrated that 2.75m clearance cannot reasonably be achieved and a lower clearance, should that be proposed, is unlikely to have any significant impact on pedestrian amenity or safety; and
- (d) The City does not support more than one "Pylon Sign – Large", "Pylon Sign – Small" or "Commercial Flag Sign" per road frontage.

### 4.4 STATIC ILLUMINATION OF ADVERTISEMENTS AND ANIMATION

- (a) Advertisements that incorporate Animation will only be considered for not-for-profit organisation, school and/or other authority where used to display community messages.
- (b) Notwithstanding the above, the City may approve up to one Advertisement that incorporates Animation for commercial purposes per Local Activity Centre where the City is satisfied of the following:
  - (i) There is no more than one Free Standing Signs (i.e. Pylon – Large or Pylon – Small sign) per lot. Where there is more than one Free Standing Sign, the City will require that they be consolidated into a single sign; and
  - (ii) All other signage on the lot is consolidated and kept to a minimum to the satisfaction of the City; and
  - (iii) Where a Local Activity Centre is in multiple ownership a signage strategy for all lots within that Local Activity Centre has been prepared and approved by the City.

# Local Planning Policy No. 4.12

## ADVERTISEMENTS AND ADVERTISING SIGNS



- (c) Where Advertisements proposes Static Illumination and/or Animation, as part of the development application, the applicant will be required to demonstrate to the satisfaction of the City that the proposal will not cause a nuisance to occupiers of surrounding residential premises, cause a traffic hazard or distraction to drivers on the adjacent public road or be confused with traffic signals.

Static Illumination and/or Animation will be required to comply with the following if granted development approval:

- (i) Only be permitted to be in use when the business is operating and will not be permitted to operate between the hours of 9pm and 7am; and
- (ii) Cannot chase, flash or have any moving features or animations effects such as ‘fade’, ‘zoom’ or ‘fly-in’ for the change of messages or images; and
- (iii) The minimum dwell time of each message or image is not to be less than 45 seconds.

*Note 2: In addition to the City’s requirements, approval from Main Roads WA is required for all advertisements on, in the vicinity of or visible from a Main Road. In addition, all illuminated signs within 50m of traffic signals require approval from Main Roads WA.*

*Note 3: Some Advertising Signs may require a Building Permit in addition to Development Approval.*

### 5. RELATED DOCUMENTATION/ LEGISLATION

5.1 *Activities in Thoroughfares and Public Places and Trading Local Law 2015.*

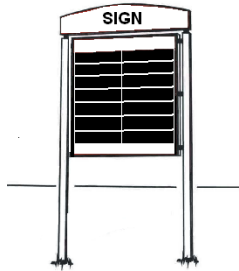


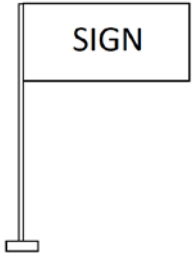

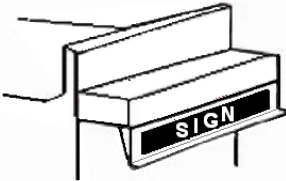
5.2 *Council Policy - Portable Advertising Signs in Public Places.*

### 6. REVIEW DETAILS

<b>Review Frequency</b>		2 yearly		
<b>Council Adoption</b>	<b>DATE</b>	27/01/2021	<b>Resolution #</b>	(C2101/004)
<b>Previous Adoption</b>	<b>DATE</b>		<b>Resolution #</b>	

# Local Planning Policy No. 4.12

## ADVERTISEMENTS AND ADVERTISING SIGNS

APPENDIX 1 - TYPES OF ADVERTISING SIGNS	
<b>Freestanding signs</b>	
<p><b>“Pylon Sign – Large”</b> means an Advertising Sign supported by one or more pole that is not attached to a building and is greater than 1.2m in overall height.</p>	
<p><b>“Pylon Sign – Small”</b> means an Advertising Sign supported by one or more poles and not attached to a building and is no greater than 1.2m in overall height.</p>	
<p><b>“Entry Statement Sign”</b> as defined by the Scheme and provided below:</p> <p><i>“a structure placed at, and denoting, the entry point to a defined area or site and includes associated landscaping and structures.”</i></p>	
<p><b>“Commercial Flag Sign”</b> means a piece of cloth, or other flexible material, which is used to advertise a business and is attached to a pole that is permanently installed into the ground.</p>	
<b>Signs attached to building</b>	
<p><b>“Cantilever Sign”</b> means an Advertising Sign that is affixed to a building or structure at or by one of its ends.</p>	
<p><b>“Verandah/Awning Sign”</b> means an Advertising Sign affixed on, above or under a verandah and includes a sign that is affixed to cantilevered awnings and balconies.</p>	

# Local Planning Policy No. 4.12

## ADVERTISEMENTS AND ADVERTISING SIGNS

**“Window Sign”** means an Advertising Sign painted or affixed to either the interior or exterior surface of the glazed area of a window.



**“Wall Sign”** as defined in Schedule 11 of the Scheme and provided below:

*“a sign attached to or otherwise displayed on a building or a structure no part of which projects further than 0.3m from that building or structure other than an advertisement that is displayed on, above or below a verandah or a verandah fascia.”*



**“Roof Sign”** means an Advertising Sign that is erected or painted directly on the roof of a building.



APPENDIX 2 : ZONING SPECIFIC PROVISIONS - FREE STANDING SIGNS

	<ul style="list-style-type: none"> <li>• Residential</li> <li>• Tourism lots without vehicular access from Bussell Highway.</li> </ul>	<ul style="list-style-type: none"> <li>• Regional Centre</li> <li>• Centre</li> <li>• Local Centre</li> <li>• Tourism lots with vehicular access from Bussell Highway.</li> </ul>	<ul style="list-style-type: none"> <li>• Service Commercial</li> <li>• Light Industry</li> <li>• General Industry</li> </ul>	<ul style="list-style-type: none"> <li>• Rural Landscape</li> <li>• Conservation</li> <li>• Bushland Protection</li> </ul>	<ul style="list-style-type: none"> <li>• Rural</li> <li>• Viticulture and Tourism</li> <li>• Rural Residential</li> </ul>
<b>Pylon – Large</b>	Not permitted.	<ul style="list-style-type: none"> <li>• One per Lot – multi tenancy sites should combine into one sign.</li> <li>• Maximum Height : 6m or the height of the associated building whichever is lesser.</li> <li>• Maximum Area : 10m<sup>2</sup></li> <li>• Shall be located so as to not impede sightlines.</li> </ul>	<ul style="list-style-type: none"> <li>• One per Lot – multi tenancy sites should combine into one sign.</li> <li>• Maximum Height : 6m or the height of the associated building whichever is lesser.</li> <li>• Maximum Area : 10m<sup>2</sup></li> <li>• Shall be located so as to not impede sightlines.</li> </ul>	Not permitted.	Not permitted.
<b>Pylon – Small</b>	<ul style="list-style-type: none"> <li>• One per lot when associated with an approved non-residential use.</li> <li>• Maximum height : 1.2m</li> <li>• Maximum area : 2m<sup>2</sup></li> <li>• Shall be located so as to not impede sightlines.</li> </ul>	<ul style="list-style-type: none"> <li>• One per Lot</li> <li>• Maximum height : 1.2m</li> <li>• Maximum area : 2m<sup>2</sup></li> </ul> <p>Shall be located so as to not impede sightlines.</p>	<ul style="list-style-type: none"> <li>• One per Lot</li> <li>• Maximum height : 1.2m</li> <li>• Maximum area : 2m<sup>2</sup></li> </ul> <p>Shall be located so as to not impede sightlines.</p>	Not permitted.	Not permitted.
<b>Entry Statement</b>	Estate signage – case by case	Not permitted.	Not permitted.	<ul style="list-style-type: none"> <li>• One per lot when associated with an approved non-residential use.</li> <li>• Average height : 1.2m</li> <li>• Maximum height : 1.8m</li> <li>• Maximum length : 9m</li> </ul>	<ul style="list-style-type: none"> <li>• One per lot when associated with an approved non-residential use.</li> <li>• Average height : 1.2m</li> <li>• Maximum height : 1.8m</li> <li>• Maximum length : 9m</li> </ul>
<b>Commercial Flag</b>	Not permitted.	Not permitted.	<ul style="list-style-type: none"> <li>• One per Lot</li> <li>• Maximum height : 6m</li> <li>• Maximum area of flag: 4.5m<sup>2</sup></li> </ul>	Not permitted.	Not permitted.

APPENDIX 3: ZONING SPECIFIC PROVISIONS - SIGNS ATTACHED TO BUILDINGS

	<ul style="list-style-type: none"> <li>Residential</li> <li>Tourism lots without vehicular access from Bussell Highway.</li> </ul>	<ul style="list-style-type: none"> <li>Regional Centre</li> <li>Centre</li> <li>Local Centre</li> <li>Tourism lots with vehicular access from Bussell Highway.</li> </ul>	<ul style="list-style-type: none"> <li>Service Commercial</li> <li>Light Industry</li> <li>General Industry</li> </ul>	<ul style="list-style-type: none"> <li>Rural Landscape</li> <li>Conservation</li> <li>Bushland Protection</li> </ul>	<ul style="list-style-type: none"> <li>Rural</li> <li>Viticulture and Tourism</li> <li>Rural Residential</li> </ul>
<b>Cantilever sign</b>	Not permitted.	<ul style="list-style-type: none"> <li>One per tenancy</li> <li>To be wholly located under the roofline and/awning.</li> <li>Maximum area : 2m<sup>2</sup></li> </ul>	<ul style="list-style-type: none"> <li>One per tenancy</li> <li>To be wholly located under the roofline and/awning.</li> <li>Maximum area : 2m<sup>2</sup></li> </ul>	Not permitted.	Not permitted.
<b>Verandah/ Awning</b>	Not permitted.	<ul style="list-style-type: none"> <li>One per tenancy</li> <li>Must be contained within the outline of the Verandah/ Awning</li> </ul>	<ul style="list-style-type: none"> <li>One per tenancy</li> <li>Maximum height &amp; Area : Must be contained within the outline of the Verandah/Awning</li> </ul>	Not permitted.	Not permitted.
<b>Window<sup>5</sup></b>	Not permitted	<ul style="list-style-type: none"> <li>Maximum 25% of the glazing or 10m<sup>2</sup> per tenancy, whichever is lesser.</li> <li>Must not be solid or prevent two way vision.</li> </ul>	<ul style="list-style-type: none"> <li>Maximum 25% of the glazing or 10m<sup>2</sup> per tenancy, whichever is lesser.</li> <li>Must not be solid or prevent two way vision.</li> </ul>	Not permitted.	Not permitted.
<b>Wall<sup>6</sup></b>	<p>Residential Use</p> <ul style="list-style-type: none"> <li>Indicate the name of the building only</li> <li>Maximum letter and number height of 300mm.</li> </ul> <p>Non Residential Use/s</p> <ul style="list-style-type: none"> <li>Indicate the name &amp; contact details of the business only</li> <li>Maximum letter and number height of 300mm.</li> </ul>	<ul style="list-style-type: none"> <li>Maximum 25% of the façade or 10m<sup>2</sup> per tenancy, whichever is lesser.</li> </ul>	<ul style="list-style-type: none"> <li>Maximum 25% of the façade or 10m<sup>2</sup> per tenancy, whichever is lesser.</li> </ul>	Not permitted.	Not permitted.
<b>Roof</b>	Not permitted.	Not permitted.	Not permitted.	Not permitted.	Not permitted.

Note 5: Advertisements affixed inside or painted on a shop window are exempt under Schedule 11 of the Scheme.

Note 6: Wall signage below the top of an awning or in the absence of an awning below a line measured at 5 metres from the ground floor level of any shop/bulky goods showroom.