****

**TOWN PLANNING SCHEME POLICY**

**ADVERTISING DEVICES POLICY**

**PURPOSE**

The purpose of this Policy is to ensure that the display of advertisements within the Shire of Moora does not adversely impact on the amenity of surrounding land while providing appropriate exposure for businesses, activities or services.

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.

The erection, placement and display of any proposed hoardings or advertising structures, on or in the vicinity of a State road, will also require approval in accordance with the Main Roads Act 1930, in addition to the approval required by Council.

This Policy should be read in conjunction with “Shire of Moora Local Government Property Local Law” and the “Shire of Moora Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law”, both made pursuant to the Local Government Act 1995.

**OBJECTIVES**

* To enable businesses and community groups to effectively advertise goods, services and events in a way that safeguards the visual amenity of the district and meets the safety and amenity needs of the general public.
* To ensure that the display of advertisements does not adversely impact on the amenity of surrounding land;
* To avoid a proliferation of signs on individual sites and buildings;
* To improve the streetscape of major roads;
* Encourage the rationalisation of advertising signs on individual premises;
* Encourage the consideration of advertising signs as part of the design of buildings;
* To ensure that signs are not discriminatory or offensive; and
* To provide valuable information for travellers and tourists that will be easily understood while ensuring the safety of all road users is maintained.

**SIGN TYPES NOT LISTED**

If a Sign Type or a particular advertisement sign is not mentioned in this Policy or the Scheme, then the sign shall be assessed on its individual merits in accordance with the objectives of the Shire of Moora’s Local Planning Scheme.

**EXEMPT SIGNS**

An exempt sign for the purpose of this Policy is:

(a) any sign which is classified as exempt under Schedule 5 of Local 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) one freestanding sign. The sign is to be placed or erected only to direct attention to a place, activity or event during the hours of that activity or event.

(h) A sign placed on or in front of a property advertising the sale or lease of a building, property or business, providing;

1. the aggregate area of such onsite signage does not exceed 3m3 in area;
2. the signage is contained within the property boundary, unless in the instance that the sign will be substantially obstructed, in which case the sign can be located on the road reserve providing it does not obstruct public visibility or access; and
3. the signage does not protrude above surrounding elements of the landscape.
4. a flag sign associated with a commercial property, where;
   1. the aggregate area of surfaces that provide advertising is 0.2m2 per 1m of street frontage of the subject tenancy (max aggregate area of 2m2);
   2. minimum ground clearance of 2.4m
   3. maximum height is less than 3m above ground level; and
   4. project less than 0.6m from the façade of building.
5. a banner used for a temporary period

**POLICY STATEMENT**

1. **STANDARDS COMMON TO ALL SIGNS**

All signage within the Shire of Moora must consider the following general requirements.

* 1. **Design and Amenity**
     1. A sign shall be designed and located so as to not significantly obstruct or impede all or part of a view of a river, or other place or feature which in Council’s opinion is of significance to the district.
     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.
     3. The design, number or variety of signs within an area shall not be injurious to the amenity or natural beauty of the locality.
     4. All signs shall be simple and provide for instant recognition.
     5. A sign shall not contain any discriminatory or offensive material.
     6. All signs shall have sign writing, design work, lettering and colouring carried out in a professional and competent manner.
     7. Materials of construction and placement should bear consideration of long term maintenance and repairs.
     8. All signs shall be maintained in good order and clean condition.
     9. Every sign shall be designed to utilise colour schemes and materials that fit in with the overall style of the surrounding development and/or precinct. (size, placement / location and style)
  2. **Safety**
     1. A sign shall:

1. be securely fixed to the structure by which it is supported, without affecting the stability of the building or structure to which it is affixed. Alternatively, a sign must be designed such that it maintains structural integrity in its own right;
2. 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.
3. Be constructed and erected to the satisfaction of the Shire of Moora
4. not obstruct the passage of or so as to create a hazard for vehicles or pedestrians;
5. not be located such that it obscures or is likely to be confused with traffic signals or signs;
6. not obstruct access to or from any door, fire escape or window;
7. not be constructed of readily combustible material including but not limited to paper, cardboard or cloth, except in the case of posters securely affixed to a signboard or other structure.
   1. **Siting**
      1. Unless expressly permitted within this policy, signs shall not be supported on private land that is not associated with the goods and services advertised on the sign.
      2. Unless expressly permitted within this policy, permanent signs shall not be located on land that is zoned or used for residential purposes.
   2. **Content**
      1. Every sign will be limited to the following content:
8. the name of the occupier;
9. the business carried on in the premises;
10. the occupier's telephone number, web or email address
11. a description of the goods sold or offered for sale in the premises to which the sign is affixed or to which it relates;
12. graphics relating directly to the effective advertising of the business, product or event; and
13. any other matter specifically approved by the Shire.
    * 1. Council reserves the right to refuse any sign in which the content of the advertisement:
14. could harm or cause detriment to the State;
15. make reference to a product which is unsafe, or is otherwise unsuitable to be referred to in the advertisement;
16. contains confusing, misleading, political, religious, offensive or objectionable information; and
17. would breach any provision of the Trade Practices Act or any other State or Commonwealth legislation.
18. **REQUIREMENTS FOR PARTICULAR SIGNS**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Bill / Fly Posting**  (Shopfront Window) | **Definition:**  An advertisement affixed to, or painted on a shop window by the occupier of the shop that relates to the business carried on in the shop. (any sign within a building)  **Requirements:**  Shall not Cover more than 50% of the glazed area of any one window or exceed 10.0m2 in area in aggregate per tenancy per lot.  **Application:**  Exempted from planning approval providing it complies with the requirements. | | | | |
|  | | | | | |
| **Bunting** | **Definition:**  A thin strip of plastic or material used for decorative purposes or to highlight a location.  **Requirements:**  Not encouraged as device creates visual clutter.  Approvals will be on a temporary basis, no longer than 4 weeks in a 3 month period to ensure the objectives of this policy are achieved; objective 2 of this policy and 1.1.3 of the policy statement.  **Application:**  Requires Planning Approval (Council approval)  Note: In the application an overall signage plan has to be submitted explaining its benefit for the business and justification for the use of this sign. | | | | |
|  | | | | | |
| **Development Sign** | **Definition:**  A sign to facilitate the sale, auction or leasing of a group of housing or building sites  **Requirements:**   1. Shall not exceed 32m2 in area; 2. Displayed at the entrance to the subdivision and not remote from the lots being sold unless special approval is granted by Council; and 3. Shall be removed within 2 years from the date of approval or when 80% of lots have been sold, whichever is the sooner, unless Council approval has been granted for a longer period.   **Application:**  Requires Planning Approval (Under Delegation of the Manager of Development Services) | | | | |
|  | | | | | |
| **Flag Sign (A)** | **Definition:**  An advertising sign that is printed onto a flag (typically flown from a pole) and associated with a commercial property.  **Requirements:**  Aggregate area of surfaces that provide advertising is 0.2m2 per 1m street frontage of the subject tenancy (max 2m2 aggregate area)  **Application:**  Exempted from planning approval providing it complies with the requirements | | | | |
|  | | | | | |
| **Flag Sign (B)** | **Requirements:**   1. Max 2 flag poles per lot (where not considered superfluous or unnecessary); 2. Max height of 6m; 3. Each flag no greater than 4.0sqm (with a pole of a size to satisfactorily support the flag under all conditions).   **Application:**  Requires planning approval (Under Delegation of the Manager of Planning) | | | | |
| **Freestanding Signs**  (Inc. A – frame, pole sign, board directory) | | **Definition:**  A portable sign that is displayed on a sign structure that is mounted on the ground on one or more supports.  **Requirements:**   1. Max 1m in height; 2. Max area of 1m2 on each side; 3. Erected immediately adjacent to building or business sign relates; 4. Removed each day at close of business and erected next trading day.   **Application:**  Exempted from planning approval providing it complies with the requirements. | | | |
|  | | | | | |
| **Hoarding** | | **Definition:**  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.  **Requirements:**  The applicant is required to provide adequate justification for the use of a hoarding sign. Refer to Appendix 1.  **Application:**  Requires Planning Approval (Council approval). | | | |
|  | | | | | |
| **Horizontal Sign** | | **Definition:**  A sign fixed parallel to the wall of a building to which it is attached and with its largest dimensions being horizontal.  **Requirements:**   1. To be fixed parallel to the wall of the building to which it is attached; 2. not project more than 150mm from the wall to which it is attached; 3. afford a minimum headway of 2.27m where the sign projects more than 12mm into pedestrian thoroughfare; 4. not exceed 5m2 in area; and 5. conforms to the following table:  |  |  | | --- | --- | | Min distance of sign above street | Max depth of sign | | Less than 7.5m | 600mm | | 7.5m to 9m | 750mm | | 9m to 12m | 1,000mm |   **Application:**  Requires Planning Approval (Under Delegation of the Manager of Planning). | | | |
| **Illuminated Sign** | | **Definition:**  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.  **Requirements:**   1. be constructed entirely of non-flammable materials; 2. be maintained to operate as an illuminated sign; 3. not be displayed where may be confused with or mistaken for the stop of tail light of a vehicle; 4. no encouraged to be of flashing, pulsating, chasing or running lights; and 5. Use a low level of illumination.   **Application:**  Requires Planning Approval (Council Approval). | | | |
| **Pole or Pylon Sign** | | **Definition:**  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.  **Requirements:**   1. Max 6m above the level of the ground immediately below it; 2. Not exceed 4m2 in area unless approved by the Shire; 3. Be supported on one or more piers or columns of brick, stone, concrete, timber or steel of sufficient size and strength to cuport the sign under all conditions; 4. Not within 2m of side boundaries of the lot on which is it erected unless the lot abuts an intersecting street or right-of-way, where the Shire may authorise the erection of the sign at a distance less than 2m; 5. Not be within 6m of another sign erected on the same lot;   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 pylon signs to be incorporated into one sign in which case:   1. All of the constituent or infill signs are of an equal size; and 2. One constituent or infill sign is provided for each business, shop or unit on the lot.   **Application:**  Requires Planning Approval (Council Approval). | | | |
|  | | | | | |
|  | | | | | |
| **Roof Sign** | | **Definition:**  An advertising sign which is fixed to or painted on a facia, or to the roof itself, or which forms part of a projection above the eaves, or ceiling of the subject building.  **Requirements:**  A roof sign shall comply with the following table: | | | |
|  | Height of building 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 |
| **Application:**  Requires Planning Approval (Under Delegation of the Manager of Planning). | | | |
| **Rural Producer Sign** | | **Definition:**  A sign erected on land zoned rural under the Local Planning Scheme indicating the products grown, reared or produced on the property.  **Requirements:**   1. 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; 2. Be erected within the boundaries of the property; and 3. Not exceed 2m2 in area.   **Application:**  Requires Planning Approval (Under Delegation of the Manager of Planning). | | | |
| **Service Station Sign** | | **Definition:**  A sign or signs used solely for the purpose of advertising the price of petrol, diesel, gas or other fuels and products sold from the premises.  **Requirements:**  The following types of business identification signs will be permitted for service stations:   1. Fascia signs; 2. Top hamper signs; 3. A pole / pylon sign; 4. A wall sign; and 5. Entry / Exit signage. 6. Only one (1) pole / pylon sign permitted along the public road frontage;    1. Max height shall be 8 metres for sites located within a townsite;    2. Max height for sites within rural zone shall be 2 metres; 7. The face of the pole / pylon sign should include a display of the current price of fuel for the service station operation.   **Application:**  Planning Approval Required (Under Delegation of the Manager of Planning).  *Note: a service station sign application is to be submitted as part of an overall sign strategy for the site. Refer to Appendix 1* | | | |
|  | | | | | |
| **Signs on Fences** | | **Definition:**  Any advertising painted or attached to a fence of a property.  **Requirements:**  Signs on fences shall not be permitted, except in designated industrial areas.  Free standing signs adjacent to the fence line are permitted elsewhere.  **Application**  Requires Planning Approval (Under Delegated Authority of the Manager of Planning). | | | |
|  | | | | | |
| **Signs on Vehicles** | | **Definition:**  An advertising sign which is applied to, or attached to, or placed on a vehicle. This excludes sign writing on the side of a registered vehicle and/or any form of advertising that does not alter the shape of the vehicle body and/or the advertisement on the vehicle relates to the registered business of which the vehicle owner operates.  **Requirements:**  No permitted to park on any thoroughfare (other than within an approved car park) without a Shire permit.  Display signs shall:   1. Have no moving parts; 2. Have a maximum vertical or horizontal dimensions of 2.0m; and 3. Limited to a maximum of one sign per street frontage on any one lot.   **Application:**  Exempted from planning approval providing it complies with the requirements | | | |
|  | | | | | |
| **Tethered Signs** | | **Definition:**  Advertising sign which is suspended from, or tethered (tired) to any structure, or tree or pole (with or without supporting framework) and made of paper, plastic, fabric or of similar material. The term includes lighter than air aerial devices, inflatables, bunting, banners, flags and kites.  **Requirements:**  Not encouraged as device creates visual clutter.  Approvals will be on a temporary basis, no longer than 4 weeks in a 3 month period to ensure the objectives of this policy are achieved; objective 2 of this policy and 1.1.3 of the policy statement.  **Application:**  Requires Planning Approval (Council approval)  Note: In the application an overall signage plan has to be submitted explaining its benefit for the business and justification for the use of this sign. | | | |
|  | | | | | |
| **Verandah Signs**  (Awning) | | **Definition:**  An advertising sign fixed to the outer or return fascia of an awning or verandah associated with a commercial building, and includes signs on blinds, sunshades and similar structures.  **Requirements:**   1. only one such sign per street frontage of the subject tenancy; 2. It has an area of 0.4m2 per 1m of street frontage of the subject tenancy (max are of 10m2); and 3. Is contained within the width of the building.   **Application:**  Exempted from planning approval providing it complies with the requirements. | | | |
|  | | | | | |
| **Vertical Signs** | | **Definition:**  A fixed sign parallel to the wall of a building to which it is attached and with its largest dimensions being vertical.  **Requirements:**  A vertical sign shall:   1. Not project more than 50mm from the face of the building to which it is attached; 2. Not be within 600mm of either end of the wall to which it is attached; 3. Be of a height of at least twice its width; 4. Not be placed on a corner of a 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; 5. Not exceed 750mm in width exclusive of the back projection; and 6. Not exceed 2m2 in total area on premises being a shop or office or both   **Application:**  Requires Planning Approval (Under Delegation of the Manager of Planning) | | | |

1. **REMOTE ADVERTISING**
   1. 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.
   2. All signage within road reserves must be co-located to maintain the visual amenity of the area.
   3. All signage within road reserves shall be assessed in accordance with the proposed sign type requirements and clause 1 and 2 of this policy.
   4. Should any conflict arise between the provisions of the Shire of Moora’s ‘Activities on Thoroughfares and Trading in Thoroughfares and Public Places’ Local Law, then the local law is to prevail.
   5. **Signage within Road Reserves inside Moora Townsite**
      1. Notwithstanding any provisions in this policy, no signage other than that erected by the Shire of Moora is to be approved within the road reserve on Robert’s Street, Gardiner Street, Tootra Street, Dandaragan Street and part of Berkshire valley Road and Dandaragan road inside the 50k/h and 60k/h speed limit zones.
      2. The Shire may provide signage of varying sizes and charge fees for the inclusion of advertisements in such signs.
      3. The Shire is responsible for the approval, installation and routine maintenance of these signs. In all cases the Shire retains ownership of the signs and the right to relocate, modify or remove them as necessary.
      4. Signage will be required to be co-located by the Shire and therefore any further advertisements may be required to use existing signage infrastructure.
   6. **Signage within Road Reserves outside Moora Townsite, Watheroo Townsite and Miling Townsite.**
      1. Council may consider a planning application for a development sign (given that the development is within close proximity to the sign), a sign advertising a tourist attraction, community association or not for profit organisation on properties, buildings or reserves that are not directly related to that sign outside the 50km/hr and 60km/hr speed zones in Moora, Watheroo and Miling in the following circumstances:
2. Where the proponent can prove to Council that there is a need from an economic view to have such a sign or advertising;
3. Where the sign falls within the definition of ‘Special Events Sign’, and will be only placed on the property, buildings or reserves for the period that the special event is being run; and
4. In any other situations that Council sees fit.
   * 1. Applicants are advised that signage within Road Reserves may require the dual approval of Council and Main Roads WA. In most instances Main Roads WA require the approval of Council before an application for signage can be considered. The requirement for Main Roads WA approval is only a requirement on roads under the care, control and responsibility of Main Roads WA.
     2. Council in considering applications may have regard to Main Roads WA Guidelines ‘Guide to the Management of Roadside Advertising’.
   1. **Signage Register**
      1. Council will maintain a register of approved signs on Public Land.
   2. **Sign Liability**
      1. Council takes no responsibility for any damage to, theft of or claims arising from a sign within the road reserve.
      2. It is the applicant’s responsibility to ensure that a private sign on the road reserve is insured against any claims arising from the public.
      3. Where a sign / advertisement will be placed in, or overhang, a public place or street, the owner of the property / applicant will be required where appropriate, to provide a public liability insurance policy indemnifying the Shire against all actions, suits, claims, damages, losses and expenses made against or incurred by the Shire arising from the approval. The applicant and/or land owner may be required by the Shire to –
   3. take out a public liability insurance policy in the name of the owner or applicant and the Shire, for a minimum value of $10 million or such other amount as considered appropriate to the risk involved;
   4. keep that insurance policy current for the duration of the approval;
   5. include a clause in the policy which prevents the policy from being cancelled without the written consent of the Shire;
   6. include a clause in the public liability insurance policy, which requires the owner or applicant and the insurance company, to advise the Shire if the policy lapses, is cancelled or is no longer in operation;
   7. on the request of an authorised person, provide for the inspection of a certificate of currency for the required insurance policy.
5. **VARIATION OF STANDARDS**
   1. All proposals that do not conform to the standards prescribed in this policy and the applicable Local Planning Scheme shall be referred to the Council for determination.
   2. If it is established to the satisfaction of the Council that a particular standard or provision contained within this Policy is unreasonable or undesirable in the particular circumstances of the case, the Council may at its discretion, vary the standard or provision.
   3. The Council may only vary a standard or provisions where it is satisfied that:
   4. Approval of the variation will not set an undesirable precedent;
   5. The applicant demonstrates exceptional circumstances warranting support for a variation;
   6. Approval of the application is in accordance with variations to site and development requirements contained within the Shire of Moora’s Local Planning Scheme (Section 5.6).
   7. Any request by an applicant to vary a standard within the Scheme or this policy shall cause the Council to require a sign strategy to be developed and submitted by the applicant as part of the submission.
6. **SIGNAGE STRATEGY**
   1. A “signage strategy” means an overall plan of the whole of the subject site showing the location and size of all advertisement signs proposed for the site, as well as the outline of any buildings, car parking areas, vehicular access points to the site, etc. Any existing signs must also be included on the plan and clearly delineated.
   2. All subsequent applications for an advertisement sign on the subject lot must be in accordance with the approved sign strategy. If not, a new sign strategy will be required by Council.
7. **CONTROL OF ADVERTISEMENT SIGNS**
   1. The erection, placement or display of advertisements signs and the use of land or buildings for that purpose requires the prior approval of the Council (except where the advertisement signs are exempted as outlined in this policy).
   2. An application for planning approval shall be accompanied by a duly completed ‘Additional Information for Advertisements’, as set out in Schedule 7 of the Shire of Moora’s Local Planning Scheme.
   3. Any signs, with the exception of exempted advertisements outlined in this policy, erected on a property or reserve prior to obtaining a formal planning approval would be in breach of the Shire of Moora’s Local Planning Scheme.
   4. With exception to requirements provided for in this policy, an approval granted pursuant to this policy remains valid until an alteration is proposed to be made to the structure or area of the sign in respect of which an approval has been issued an in such event the applicant shall apply for a new planning approval.
   5. The Council may impose any conditions it thinks fit to an approval pursuant to this policy.