

# City of Mandurah Local Planning Policy

## LPP2 Signage

**Final  
September 2017**

## Record of Adoption

Stage	Document Version & Date	Approval Date
Draft for Internal Review	Version 1 March 2017	N/A
Draft for Council Adoption	Version 2 April 2017	11 April 2017
Draft for Final Approval	Version 3 September 2017	12 September 2017

## Schedule of Modifications

No	Summary of the Modification	Document Version & Date	Approval Date

## Background

This policy replaces LPP7 dated March 2010. The policy seeks to exempt many forms of advertising from the need to obtain development approval where prescribed minimum requirements are met. This policy does not apply to signage on public land which is covered by the City of Mandurah Local Government Property and Public Places Local Law

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## 1. Introduction

### 1.1 Policy Objectives

The objectives of this Local Planning Policy are to:

- (a) Ensure that advertisements are appropriately sized and sited for their location;
- (b) Require advertisements to maintain and enhance the amenity of the immediate area, including areas of historical or environmental significance;
- (c) Discourage the ineffective, visually intrusive and proliferation of excessive advertisements; and
- (d) Provide guidelines for consistent decision making for advertisements on zoned land within Mandurah.

### 1.2 Background

Local Planning Policy No. 2 Signage replaces Local Planning Policy 9 - Advertising Devices in accordance with Schedule 2, Part 2, Clause 6(a) of the Planning and Development (Local Planning Schemes) Regulations 2015.

### 1.3 Application of the Policy

- (a) This Local Planning Policy is prepared, advertised and adopted pursuant to Part 2 Division 2 of the Deemed Provisions for Local Planning Schemes (as set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2).
- (b) Clauses 61(1)(i), 61(1)(h) and 61(2)(e) of the Deemed Provisions for Local Planning Schemes outline that Development Approval is not required for development works or the use of land where specified in a Local Planning Policy.

This Local Planning does specify forms of development that do not require development approval.

- (c) Clause 3(5) and Clause 67(g) of the Deemed Provisions for Local Planning Schemes state that the local government is to have due regard to a local planning policy in making a determination under the local planning scheme and applications for development approval.

## 1.4 Definitions

For the purposes of this policy the following definitions apply:

### **Awning Sign:**

*A sign painted or affixed flat to the surface of an awning which does not extend vertically or horizontally beyond the limits of such an awning.*

### **Construction or Development Sign:**

*A sign that provides details of a development occurring on a property which is displayed during the course of the development.*

### **Inflatable Sign:**

*A sign or other recognisable figure or emblem that is painted, stencilled or attached to an inflated device such as a balloon, which is anchored to a building or land.*

### **Portable Sign:**

*A sign that rests on the ground and is not designed to be permanently attached to a building or permanently anchored to the ground.*

### **Projecting Sign:**

*A sign attached to and projecting perpendicularly or horizontally from the face of a wall or building, but is not attached to the roof of the building or structure.*

### **Property for Sale or Lease Sign:**

*A sign displayed during a period over which a single property transaction is offered and negotiated.*

### **Under Verandah Sign:**

*A sign attached to or supported under a verandah or awning.*

### **Wall Sign:**

*A sign painted on or affixed flat to the face of a wall or building.*

### **Window Sign:**

*A sign attached to, placed upon, or printed on the interior or exterior of a window or door of a structure.*

### **Permanent Freestanding Sign ('Pylon Sign'):**

*A sign which is erected on a permanently attached freestanding pole or other structure and used to advertise one or multiple tenancies on private land.*

### **Roof Sign:**

*A sign attached to, or erected on or above the parapet or eaves or roof surface of a building.*

## 2. Exempt Development

Pursuant to clause 61(1)(h) of the Deemed Provisions, signage is exempt from the need to obtain development approval in the following circumstances:

- (a) The proposal involves rebadging or replacing of existing approved signage; or where
- (b) The requirements of Table 1 are met; and
- (c) The proposal does not result in more than 3 forms of signage per street frontage per tenancy; and
- (d) The signage is integrated with the architectural design of the building and does not obscure architectural features; and
- (e) The proposal does not include any advertisement which contains any illumination, radio animation or movement, reflective, retro-reflective or fluorescent materials in its design or structure unless otherwise permitted within Table 1; and
- (f) Approval has been obtained from Main Roads WA where the proposed sign location is within 100m of a traffic signal controlled intersection or when it is visible from, or adjacent to, a road that is under the care and control of Main Roads WA.

**Note:** *Advertisements in connection with an election, referendum or other poll conducted under the Commonwealth Electoral Act 1918, the Electoral Act 1907 or the Local Government Act 1995 are exempt from the need to obtain development approval under the Schedule 2, part 7, Cl 61 of the Planning and Development (Local Planning Schemes) Regulations 2015.*

**Table 1 Exempt Signage**

Type of Sign	Zone	Criteria to be satisfied
<b>Awning Sign</b>	All zones except Residential	<ul style="list-style-type: none"> <li>• Maximum of one sign per street frontage per tenancy;</li> <li>• Maximum height of 600mm;</li> <li>• Does not extend past awning;</li> <li>• Located on ground floor only;</li> <li>• Maintains a minimum clearance of 2.75m between the underside of the sign and the footpath below;</li> </ul>
<b>Home Occupation Sign</b>	All zones	<ul style="list-style-type: none"> <li>• Maximum of one sign per property;</li> <li>• Maximum area of 0.2m<sup>2</sup>;</li> </ul>
<b>Projecting Sign</b>	All zones except Residential	<ul style="list-style-type: none"> <li>• Maximum of one sign per street frontage of tenancy;</li> <li>• Maximum size of 4m<sup>2</sup>;</li> <li>• May be internally illuminated in a manner that does not flash or pulsate;</li> <li>• Maintains a minimum clearance of 2.75m between the underside of the sign and the footpath below;</li> </ul>
<b>Portable Sign</b>	All zones except Mandurah Strategic Activity Centre (City Centre Core) and Residential	<ul style="list-style-type: none"> <li>• Maximum one sign per tenancy;</li> <li>• Does not exceed 1.2m above the finished ground level;</li> <li>• Does not contain more than two sign faces;</li> <li>• Has no moving parts once the sign is in place;</li> <li>• Contains sign writing that is of a professional standard and quality and is appropriately maintained;</li> <li>• Is positioned wholly on the subject property and not within a road reserve;</li> <li>• Does not interfere with visibility and the safe movement of pedestrian and vehicular traffic;</li> </ul>

Type of Sign	Zone	Criteria to be satisfied
<b>Window Sign</b>	All zones except Residential	<ul style="list-style-type: none"> <li>• Permitted only on ground and first floor windows of a building;</li> <li>• Total area of sign must not cover more than one quarter (25%) of the total glazed surface area of each level of the building along each elevation;</li> <li>• Remaining 75% of the glazed surface to be visually permeable;</li> </ul>
<b>Wall Sign</b>	All zones except Residential	<ul style="list-style-type: none"> <li>• Maximum of one wall sign per elevation;</li> <li>• Sign is attached or directly painted on the external wall of the building;</li> <li>• The height of the sign does not exceed 1.2 metres and the length does not exceed two thirds of the length of the frontage of the building or tenancy, whichever is less;</li> <li>• The sign does not protrude past the limits of the façade or fascia of a building or tenancy portion;</li> </ul>
<b>Under Verandah Sign:</b>	All zones except Residential	<ul style="list-style-type: none"> <li>• Maximum one sign per street frontage per tenancy;</li> <li>• Maintains a minimum clearance of 2.75m between the underside of the sign and the footpath below;</li> <li>• Does not extend past the verandah or awning;</li> <li>• May be internally illuminated in a manner that does not flash or pulsate.</li> </ul>



Type of Sign	Zone	Criteria to be satisfied															
<b>Construction, Development and Property for Sale or Lease Signs</b>	All Zones	<ul style="list-style-type: none"> <li>• Maximum one sign per street frontage.</li> <li>• Displayed only during the period that building construction works are being undertaken, or the period in which the property is available for sale.</li> <li>• To be removed within 7 days of the completion of construction, or the sale, lease or rental agreement of the property.</li> <li>• Sign to be wholly located within the property boundary.</li> <li>• Maximum dimensions:               <table border="0" style="margin-left: 20px; width: 100%;"> <thead> <tr> <th style="text-align: left;">Type of development</th> <th style="text-align: center;">Maximum Area</th> <th style="text-align: center;">Maximum Height</th> </tr> </thead> <tbody> <tr> <td>Single or grouped dwellings</td> <td style="text-align: center;">2m<sup>2</sup></td> <td style="text-align: center;">1.5m</td> </tr> <tr> <td>Multiple dwellings and mixed use development</td> <td style="text-align: center;">5m<sup>2</sup></td> <td style="text-align: center;">3m</td> </tr> <tr> <td>Non-residential property less than 1 ha</td> <td style="text-align: center;">5m<sup>2</sup></td> <td style="text-align: center;">3m</td> </tr> <tr> <td>Non-residential properties and residential estates greater than 1 ha.</td> <td style="text-align: center;">10m<sup>2</sup></td> <td style="text-align: center;">6m</td> </tr> </tbody> </table> </li> </ul>	Type of development	Maximum Area	Maximum Height	Single or grouped dwellings	2m <sup>2</sup>	1.5m	Multiple dwellings and mixed use development	5m <sup>2</sup>	3m	Non-residential property less than 1 ha	5m <sup>2</sup>	3m	Non-residential properties and residential estates greater than 1 ha.	10m <sup>2</sup>	6m
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### 3. Signage Requiring Development Approval

#### 3.1 Signage Types

Development approval is required for the following forms of signage:

- (a) Signage that varies the requirements as set out in Part 2 and Table 1;
- (b) Roof Signs;
- (c) Permanent Free Standing Signs;
- (d) Third Party Signs;
- (e) Inflatable Signs;
- (f) Any other form of signage not listed.

#### 3.2 Assessment Criteria

Where an Applications for Development Approval is required, the proposal will be assessed against the following criteria:

- (a) The scale and design of the proposed signage is compatible with the character of the locality and the general land use of the area.
- (b) The scale and design of the proposed signage is in keeping with the scale and design of the building and does not obscure architectural features.
- (c) The proposed signage does not block views, does not interfere with the safe movement of pedestrian traffic, or affect the amenity of adjoining properties.
- (d) The proposed signage represents a cohesive and attractive visual statement.
- (e) The proposed signage ensures that visual surveillance of the street is maintained or enhanced.

### 3.3 Variations to Standard Requirements

The approval of Roof Signs, Permanent Freestanding Signs, Third Party Signs, Inflatable Signs or any form or signage not listed within the policy will generally not be supported unless the following can be demonstrated:

- (a) The investigation and/or use of all alternative forms of advertising to adequately advertise the business have been exhausted or is considered to be ineffective due to the position of the building on-site, the topography of the site and surround land, or circumstances beyond the control of the applicant;
- (b) The scale and design of the proposed signage is compatible with the character of the locality and the general land use of the area;
- (c) The scale and design of the proposed signage is in keeping with the scale and design of the building and does not obscure architectural features;
- (d) The proposed signage does not block views, does not interfere with the safe movement of pedestrian traffic, or affect the amenity of adjoining properties;
- (e) The proposed signage represents a cohesive and attractive visual statement;
- (f) No more than Roof Signs, Permanent Freestanding Signs or Inflatable Signs may be considered per lot.

### 3.4 Inflatable Signs

Where approval of an Inflatable Sign is proposed, the following requirements apply:

- (a) An inflatable sign shall only be erected for a maximum period of 28 days at a time and may only be erected on a property three times in each calendar year. A minimum period of 28 days must elapse between displays of an inflatable sign.
- (b) The inflatable sign shall be covered by general public liability insurance to a minimum of \$10 million by the property or business owner and a copy of this cover is to be submitted with the application together with confirmation that the cover does extend to the sign;
- (c) Approval must be sought from Main Roads WA where the proposed sign location is near a traffic signal controlled intersection or when it is visible from, or adjacent to, a road that is under the care and control of Main Roads WA;
- (d) The applicant is to provide in writing a minimum of 14 days notice, the period during which an approved inflatable sign is to be erected.
- (e) The sign shall not be internally or externally illuminated; and
- (f) Written certification from a professional engineer confirming the method of installation and confirming the placement of the sign will not compromise the structural integrity of the building to which it is to be attached shall be submitted with the application for the sign.

### 3.5 Permanent Freestanding Signs

Where approval for Permanent Freestanding Signs is proposed, the following requirements apply:

- (a) The proposed sign shall have no part more than 6.0m above the natural ground level immediately below the sign.
- (b) The proposed sign shall have a maximum width of 2.5m, measured horizontally across the extremities of the sign structure.
- (c) A maximum of one sign per property will be permitted irrespective of the number of tenancies.
- (d) Consistency with an approved Structure Plan or Activity Centre plan requirements if applicable.

**Note:** *It is recognised that freestanding signs exist within the City of Mandurah that are in excess of the above requirements. These signs were approved under a previous policy that provided for large signs at major centres.*

*Rebadging or replacement of oversized freestanding signs may be considered where incorporated into a major shopping centre within Strategic or District Centres.*

## 4. Enforcement

### 4.1 Planning Infringement Notices

Under Part 13, Division 3 of the Planning and Development Act 2005 an infringement notice may be issued for offences against a Local Planning Scheme.

This includes unauthorised advertising or erection of signage without an approval in accordance with this policy.

Planning Infringement Notices carry an initial penalty of \$500.

### 4.2 Enforcement Procedure

Where a sign is erected or installed contrary to the requirements of this policy, notice may be given in writing requiring the offender to remove the sign within 7 days.

Failure to remove the sign will result in the issuing of a planning infringement notice under the Planning and Development Act 2005.

Repeat offences will result in the immediate issue of a planning infringement notice.