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LOCAL GOVERNMENT ACT 1995

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**CITY OF SUBIACO  
LOCAL LAWS RELATING TO  
SIGNS AND ADVERTISEMENTS**



**LOCAL GOVERNMENT ACT 1995**

## THE CITY OF SUBIACO

**LOCAL LAWS RELATING TO SIGNS AND ADVERTISEMENTS**

Pursuant to the power conferred on it by the above mentioned act and of all other powers enabling it the Local Government known as the City of Subiaco records that on the 25 August 1998 Council resolved to adopt the following local law.

**REPEAL**

THE City of Subiaco By-laws Relating to signs, Hoardings and Bill postings published in the *Government Gazette* on 11 June 1964 and all other amendments following are now repealed.

**CITATION**

These local laws may be cited as the City of Subiaco local laws relating to (Signs and advertisements) and shall come into affect the day after they are published in the *Government Gazette*.

**PART 1**

In these local laws, unless the context otherwise requires—

- (a) “**Act**” means the Local Government Act, 1995, as amended;
- (b) “**directional sign**” means a sign erected in a street or public place to indicate the direction to be taken to some other place; but does not include any such sign erected by the Council or a road direction sign erected by a duly incorporated association, or union, of motorists, authorised in that regard by the Minister for Transport;
- (c) “**hoarding**” means a detached structure, other than a pylon sign, that is erected for the sole purpose of displaying a sign or signs and does not include a hoarding within the meaning of Section 377 of the Act;
- (d) “**illuminated sign**” means a sign that is so arranged as to be capable of being lighted, either from within or without the sign by artificial light provided for that purpose;
- (e) “**pylon sign**” means a sign supported by one or more piers and not attached to a building;
- (f) “**residential area**” means an area that has been designated under the City of Subiaco’s Town Planning Scheme;
- (g) “**sale sign**” means a sign indicating that the premises where it is erected are for sale or for letting;
- (h) “**semaphore sign**” means a sign fixed and supported at, or by, one of its ends, only;
- (i) “**sign**” includes a signboard and a clock, other than a clock that is built into a wall and that does not project beyond the face of the wall;
- (j) “**the Council**” means the City of Subiaco;
- (k) “**tower sign**” means a sign affixed to, or placed on, a chimney stack or an open structural mast or tower;

**PART 2—SIGNS****Signs Generally**

Licence required for signs—

- (a) A person shall not erect or maintain a sign, and the owner or occupier of a premises shall not permit a sign to remain on those premises, or other public place, except pursuant to a licence issued under these local laws.
- (b) Nothing in this local law relates to a sign erected or maintained pursuant to any Act having operation within the State or to a sign that is—
  - (i) A sale sign;
  - (ii) A plate, not exceeding 600 mm<sup>2</sup> in area, erected, or fixed, on the street alignment or between that alignment and the building line, to indicate the name and occupation or profession of the occupier of the premises;
  - (iii) of an area not exceeding 1200 m<sup>2</sup> and is fixed to a dwelling or erected, or fixed, behind the building line, to indicate the name of the occupier and his trade or occupation.

**Fixing of Signs**

Every sign shall be securely fixed to the structure by which it is supported, to the satisfaction of an authorised officer of the City of Subiaco, and shall be safely maintained.

Glass shall not be used in any sign, other than in an illuminated sign.

**Readily Combustible Material**

Except in the case of posters securely affixed to a sign board, paper, cardboard, cloth or other readily combustible material shall not form part of, or be attached to, any sign.

**Signs to be Kept Clean**

Every sign shall be kept clean and free from unsightly matter.

**Certain Signs Prohibited or Restricted**

A sign shall not be erected or maintained—

- (a) so as to obstruct the view, from a street or public place, of traffic in the same street or public place;
- (b) so as to be confused with, or mistaken for, an official traffic light or sign, or contravene the Traffic Act, 1919, or the Traffic Regulations;
- (c) on any ornamental tower, spire, dome or similar architectural feature or on a lift machinery room, bulk-head over stairs or other superstructure over the main roof of a building;
- (d) on any land that is classified in the City of Subiaco's Town Planning Scheme as residential;
- (e) on any building of which the stability is, in the opinion of an authorised officer of council, likely to be affected by the sign;
- (f) in any position where it obstructs or obscures a person's view from a dwelling of a river, the sea or any other natural feature of beauty.
- (g) so as to display an electronic variable message,
  - (i) not withstanding anything contained in g) above, Council may approve by special majority, following the receipt of expert opinion to the satisfaction of Council that such signage will not cause a traffic hazard and will not otherwise create a general nuisance to the community or adversely affect local amenities and is for community or special event messages only.

**Exempt Signs**

Subject to the provisions of this local law the signs referred to in (a) are exempt for the purposes of Part 2 (a) of this local law.

- (a) Notwithstanding anything contained in this local law the Chief Executive Officer or another officer authorised by the Council may upon written application grant a permit in writing permitting the erection in or on a street, way or public place of a temporary or portable sign relating to or giving directions to a charitable, cultural, educational, recreational or other public or community function, exhibition, meeting, display, event or activity not being one conducted for the purpose of commercial gain for the period and upon and subject to the terms and conditions stipulated in the permit.
- (b) A person shall not erect or maintain a sign in respect of which a permit has been granted pursuant to this clause so as to obstruct a street or way or obstruct the view of drivers of vehicular traffic.
- (c) A person shall not fix a sign in respect of which a permit has been granted to any tree.
- (d) The Council may at any time revoke a permit granted pursuant to this clause without assigning a reason therefor.
- (e) Upon the expiration or revocation of a permit issued under this clause the person to whom it was issued shall forthwith remove the sign to which it relates.
- (f) Each sign erected or maintained pursuant to the provisions of this clause shall not exceed the dimensions of 600 mm in length, 300 mm in height and 300 mm in width.

**PART 3—PARTICULAR SIGNS****Illuminated Signs**

Every illuminated sign shall—

- (a) have any boxing or casing in which it is enclosed constructed of non combustible material.
- (b) where comprising glass (other than fluorescent tubing), have the glass protected 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 electric supply authority (Western Power)
- (d) be maintained to operate as an illuminated sign;
- (e) not have a light of such intensity as to cause annoyance to the public; and
- (f) display one or more of the following—
  - (i) the name of one or more the occupiers of the premises;
  - (ii) the business or businesses carried on in the premises; and
  - (iii) the goods sold in the premises, to which it is fixed, and nothing more;

**Portable Signs**

In this clause "portable sign" means a sign—

- (a) that is not fixed to a building, wall or fence;
- (b) that only advertises a product or service available on the land adjacent to which it is erected;
- (c) and includes a sandwich board sign consisting of two sign boards attached to each other at the top by hinges or other means.

A business may erect and maintain on a street or way not more than one portable sign which—

- (a) does not project more than 600 mm into the road reserve adjacent to the business to which it is related;
- (b) does not exceed a height of 900 mm measured from the ground;
- (c) does not obstruct the street or way;
- (d) is displayed only during normal business hours of the business to which it relates; and
- (e) does not have any mechanically or wind driven rotating component part.

**Signs on Verandah Fascias**

A sign fixed to the outer or return fascia of a verandah—

- (a) shall not exceed 600 mm in depth;
- (b) shall not project beyond the outer metal frame, or surround of the fascia; and
- (c) if an illuminated sign, may be of changing colours, but shall not emit a flashing light.

**Signs Under Verandahs**

A sign under a verandah shall—

- (a) afford a headway of at least 2.4 m
- (b) not exceed 2.4 m in length, or 300 mm in depth;
- (c) not weigh more than 50kg;
- (d) be fixed at right angles to the front wall of the building 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;
- (e) be so placed an equal distant between the outer edge of the verandah and the edge of the building to which such verandah is attached.
- (f) if an illuminated sign, may be of changing colours, but shall not emit a flashing light.

**Horizontal Signs**

A horizontal sign shall—

- (a) afford a minimum headway of 2.4 m;
- (b) be fixed parallel to the wall of the building to which it is attached and with the bottom of the sign attached to the wall;
- (c) conform, to the depth, to the following table—

Minimum Distance of Sign Above Street	Maximum Depth of Sign
Less than 7.6 m .....	.6 m
9.1 m .....	.7 m
12 m .....	.9 m
More than 12 m (if there is no roof sign on the building) .....	4.5 m

- (d) not project more than .6 m from the wall to which it is attached; and
- (e) not be within .6 m of either end of the wall to which it is attached.

The name of the building, owner or occupier may be placed on the facade of a building, but—

- (a) only one such name shall be placed on any facade;
- (b) the letters of the name shall not exceed 600 mm in depth; and
- (c) the letters shall be of metal or other incombustible material.

**Vertical Signs**

A vertical sign shall—

- (a) afford a minimum headway of 3000mm
- (b) not project more than 600mm from the face of the building to which it is attached;
- (c) not be within 1800mm of either end of the wall to which it is attached;
- (d) not project more than 1000mm above the top of the wall to which it is attached
- (e) be of a height at least twice its width;
- (f) not be within 3600mm of another vertical sign on the same building;
- (g) 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; and
- (h) not exceed 600mm width.

Where a vertical sign is fixed to the face of a building that is set back beyond the face of another building by 3000 mm or more, the sign may project 600 mm further than the distance prescribed in paragraph (b) or where a vertical sign is fixed to the face of a building that is set back less than 1200 mm beyond the face of the other, the projection is to be no more than that setback.

Where a building to which a vertical sign is to be fixed abuts on an intersecting street or right-of-way, the council's authorised officer may allow the fixing of the sign at a lesser distance from the end of the wall than that prescribed in paragraph (c).

### Semaphore Signs

A semaphore sign shall—

- (a) afford a minimum headway of 3000 mm
- (b) be fixed at right angles to the wall to which it is attached;
- (c) not project more than 900 mm from the point of attachment, or be more than 600mm high;
- (d) be fixed over, or adjacent to, the entrance to a building; and
- (e) not be fixed over or under a verandah.
- (f) Not more than one semaphore sign shall be fixed over, or adjacent to, any one entrance to a building.

### Direction Signs on Street Poles

A direction sign attached to a pole in a street shall not exceed 150 mm in depth or 760 mm in length

### Roof Signs

Approval for the erection of a sign on a roof of a building shall be granted by resolution of the council at an ordinary meeting only, and where approval has been so granted, a roof sign shall—

- (a) not at any part be within 3600 mm of the ground;
- (b) not extend laterally beyond the external walls of the building;
- (c) comply, as regards height above ground and height of sign, with the following table—

Height of Main Building above Ground Level at Point where Sign is to be erected (mm)	Maximum Height of sign (mm)
3700 and under 4500 .....	900
4500 and under 6000 .....	1200
6000 and under 12m .....	2000
12m and under 18m .....	3000
18m and upwards .....	4000

- (d) not be at any part more than 30 m above the ground.

The Council shall not approve the erection of a roof sign unless the application is accompanied by structural engineers certification that in their opinion, the building is so designed and constructed that the sign may be erected on it without fear of damage or danger to the building or its occupants.

Roof signs may be erected on awnings and covered areas of service stations but—

- (a) not project over any street;
- (b) not exceed a maximum height of 1.2 m where the sign is more than 1.8 m long;
- (c) not to exceed 3000 mm in length.

### Pylon Signs

A pylon sign shall—

- (a) not have any part less than 2700 mm or more than 6000 mm above the level of the ground immediately below it;
- (b) not exceed 2000 mm measured in any direction across the face of the sign or have a greater area than 4000 mm<sup>2</sup>;
- (c) not project more than 900 mm over any street;
- (d) be supported on one or more piers or columns of brick, stone, concrete or steel of sufficient size and strength to support the sign under all conditions;
- (e) not project over any street at a height of less than 2700 mm;
- (f) not be within 1800 mm of the side boundaries of the lot on which it is erected;
- (g) not have any part less than 6000 mm from any part of another sign erected on the same lot.

### Clocks

A clock shall, if suspended under a verandah, have its centre coinciding with the centre of the footpath

A clock shall—

- (a) comply, as regards to size, with the following table—

Height of Bottom of Clock above Footway	Maximum Diameter of Width of Clock Face and Depth of Clock including Lettering
2700 mm and under 3700 mm .....	500 mm
3700 mm and under 6000 mm .....	800 mm
6000 mm and under 12 m .....	1000 mm
12 m and over .....	1500 mm

- (b) be fixed either parallel with, or at right angles to, the wall to which it is attached;
- (c) not project from the wall to which it is attached—
  - (i) if parallel to the wall, more than 300 mm; or
  - (ii) if at right angles to the wall, more than 1500 mm
- (d) afford a minimum headway of 2750 mm;
- (e) be maintained to show the correct time;
- (f) be illuminated from sunset to midnight; and
- (g) the clock chime is not to exceed the (Environmental Protection Act) noise levels.

Notwithstanding the provisions of this local law, a clock suspended in an arcade, may be suspended over the centre of the arcade.

**Sale Signs**

Where erected in a residential area, a sale sign shall not exceed 3700 mm<sup>2</sup> in area.

**Institutional Signs**

Signs erected or placed on any land, building, fence or other structure used for, or in connection with, a surgery, clinic, hospital, older persons accommodation or other institution or place of a similar nature, shall not exceed 3000 mm<sup>2</sup> in area.

**Hoarding Signs**

*Prohibition of Hoarding Signs*

A person shall not erect or maintain a hoarding sign

**Bill Posting, etc.**

A person shall not post any bill, or paint, stencil, place or fix any advertisement on any street or on any building, structure, fence, wall, hoarding, sign, post, blind or awning in, or within 15 m of any street except pursuant to a licence issued under this Local Law;

This does not apply to—

- (a) advertisements fixed to, or painted on, a shop window by the occupier and relating to the business carried on therein;
- (b) the words stating the name and occupation of any occupier of business premises painted on a window or wall of those premises; or
- (c) signs within a building.

**Advertisements**

Where an advertisement is painted, stencilled, placed or fixed on or to a building, structure, fence, wall, roof, hoarding, sign, post, blind or awning within 15 metres of a street it shall conform to the following table—

Minimum Distance of Advertisement above Street	Maximum Depth of Advertisement
Less than 7000 mm .....	600 mm
7000 mm to 9000 mm .....	700 mm
9000 mm to 12.0 metres .....	900 mm
More than 12 m (if there is no sign on the building) .....	4000 mm

- (a) The Council may permit an increase of not more than 50% of the depths mentioned to allow the inclusion of a motif or capital letter.
- (b) There shall be not more than one line of horizontal wording of an advertisement facing any one street on a storey of a building.
- (c) The name of the building, owner or occupier may be painted on the facade of a building but—
  - (i) unless otherwise specifically approved by the Council only one name shall be placed on any facade;
  - (ii) the letters of the name shall not exceed 1000 mm in depth.

**Inappropriate Signs**

Notwithstanding that a sign would otherwise comply with the provisions of these local laws and without limiting those provisions, the council may refuse a license if the sign is in its opinion, injurious to the amenity or natural beauty of the area.

**PART 4—LICENSES AND FEES**

**Licence to be Subject to Local Laws**

Every licence shall be granted, and shall subsist, subject only to the provisions of these local laws.

**Revocation of Licences**

Where anything is done pursuant to a licence issued under these local laws is not done in conformity with the licence or with these local laws or where the licensee is guilty of an offence against these local laws the Council may, without derogation of any penalty to which that person may be liable, by notice in writing, revoke the licence.

**Licences to be Produced**

A licensee shall, on demand by an officer of the Council, produce his licence for inspection.

**Applications for Licences**

An application for a licence under these local laws shall be made in the form of an application as set out in the First Schedule.

An application for the issue of a licence, in respect of—

- (a) an illuminated sign;
- (b) a pylon sign; or
- (c) a clock

shall be accompanied by a plan drawn to scale of not less than 1:100 showing the position, design and method of construction of the thing for which the licence is sought.

An application for the issue of a licence, in respect of a roof sign, shall be accompanied by a certificate from an architect or structural engineer certifying that the building on which it is proposed to erect the sign is, in all respects, of sufficient strength to support the sign, under all conditions, and that the sign is itself of structurally sound design.

Every applicant for a licence shall furnish, in writing, further particulars as may be required by Council's authorised officer.

**Licences**

Subject to these local laws, a licence issued pursuant to these local laws remains valid until any alteration is made to the sign in respect of which it is issued, and in that event the licensee shall apply for a new license.

A licence shall be in the form set out in the First Schedule to these local laws.

**Licence Fees**

A licence shall be issued upon payment of the appropriate fee as set by Council from time to time.

**Special Permits**

Notwithstanding anything contained in these local laws, the Council may, by permit under the hand of its authorised officer, allow the display of advertisements at theatres and other places of public entertainment or advertisements of meetings or other matters of public interest, upon such terms, and for such period, as the officer may, in each case decide.

The officer may revoke any such permit at any time without any reason.

Upon the expiration or revocation of a permit issued under this local law, the person to whom it was issued shall remove the advertisement to which it relates.

**PART 5—GENERAL****No Obstruction to Doors, etc**

A sign is not to be erected as to obstruct access to or from any door, fire escape or window, other than a window designed for the display of goods.

**PART 6—OFFENCES**

Every person who erects a sign that does not comply with, or erects a sign in manner contrary to, the provisions of these local laws commits an offence.

Every person who maintains a sign without a licence or in respect of which the licence has been cancelled commits an offence.

Without prejudice to the provisions of these local laws, the council may serve on the owner or occupier of any premises on which any sign is erected, fixed or maintained, contrary to these local laws, a notice to remove the sign within the time that is specified in the notice; and a person neglecting or failing to comply with the terms of a notice served on them pursuant to this local law commits an offence.

**PART 7—POWERS OF COUNCIL****Removal and Disposal of Signs Unlawfully Displayed**

The Council may remove any sign placed or erected, contrary to the provisions of these local laws, on any street or land vested in, or under the care or control of the Council and may, without incurring any liability therefor, dispose of any sign so removed, in such manner as it thinks fit.

Where, in exercise of the power conferred by these local laws, the Council removes and disposes of a sign, it may recover the cost of the removal and disposal, in any court of competent jurisdiction, from the person responsible for the placing or erecting of the sign.

**Penalties**

Any person convicted of an offence against this local law is liable to—

- (a) a minimum penalty of \$200.00 not exceeding \$5000.00; and
- (b) a further penalty of \$100.00 a day for every day the offence continues after conviction for the same.



**FIRST SCHEDULE**

CITY OF SUBIACO

FIRST SCHEDULE

APPLICATION FOR A SIGN LICENCE

APPLICATION No:

DATE:

TYPE OF SIGNAGE AND NUMBER OF SIGNS APPLIED FOR

Sign—Clock  
Sign—Direction  
Sign—Illuminated


Sign—Pylon  
Sign—Roof  
Sign—Semaphore


TO BE ERECTED, POSTED, PAINTED OR AFFIXED ON THE PREMISES KNOWN AS:

SUBJECT TO THE LOCAL LAWS OF THE CITY OF SUBIACO.

FULL NAME AND ADDRESS OF REGISTERED OWNER OF PROPERTY:

TELEPHONE NO:

FACSIMILE:

P/CODE:

FULL NAME AND ADDRESS OF APPLICANT:

TELEPHONE NO:

FACSIMILE:

P/CODE:

SITE PLAN OF PROPOSED POSITION OF SIGN—SCALE AT 1:200 MUST BE SUBMITTED  
TWO (2) COPIES OF PLANS AND DIMENSIONS OF SIGN—SCALE AT 1:100 MUST BE SUBMITTED

APPLICATION FEE: \$40.00 PER SIGN

MATERIALS AND CONSTRUCTION OF SIGN AND SUPPORTS:

INSCRIPTION OR DEVICE ON SIGN:

SIGNATURE OF REGISTERED OWNER  
OF THE PROPERTY

SIGNATURE OF APPLICANT

PLEASE NOTE: ANY APPLICATION SUBMITTED WITHOUT THE SIGNATURE OF THE REGISTERED OWNER OF THE PROPERTY, REQUIRED PLANS AND FEE PAYABLE WILL NOT BE ACCEPTED.

COMMON SEAL

The Common Seal of the City of Subiaco was hereunto affixed by authority of a resolution of the Council passed on Tuesday 25 August 1998 in the presence of—

PETER McALLISTER, Acting Mayor.  
CHRIS LIVERSAGE, Acting Chief Executive Officer.







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