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PERTH, FRIDAY, 26 MARCH 1999 No. 48 SPECIAL

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.45 PM

LOCAL GOVERNMENT ACT 1995

**SHIRE OF
SERPENTINE-JARRAHDAL**

**LOCAL LAWS RELATING TO
SIGNS AND ADVERTISEMENTS**

LOCAL GOVERNMENT ACT 1995**SHIRE OF SERPENTINE-JARRAHDALE****LOCAL LAWS RELATING TO SIGNS AND ADVERTISEMENTS***Division 1—Preliminary*

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it the Council of the abovementioned municipality hereby records having resolved on 27 July 1998 to make and adopt the following local law.

1. CITATION

These local laws may be cited as the Shire of Serpentine-Jarrahdale Local Laws Relating to Signs and Advertisements and shall come into operation on the 14th day after the day that it is published in the Government Gazette.

2. INTERPRETATION

2.1 In this local law, unless the context otherwise requires—

“Act” means the Local Government Act 1995;

“advertisement” has the same meaning as “sign”;

“advertising device” means any object or structure on which any word, letter, number, symbol, figure, drawing, image or other representation or message whatsoever is written, placed, affixed, attached, painted, projected or otherwise displayed or on which provision is made for the same, for the purpose of giving any message or direction or promoting or publicising any business, project, function, enterprise, or undertaking, or any function or event, or any person, body or group, or any product or article, or other thing whatsoever, and includes an airborne device anchored to any land, building or other thing whatsoever, and also includes any vehicle or trailer or other similar object placed or located so as to serve the advertising purpose hereinbefore referred to;

“amenity” means the quality and the conditions and characteristics of a locality or a lot or building (as the context requires) which contribute to their pleasantness and harmony and better enjoyment;

“animation” means the incorporation of movement on, in or associated with a sign or advertising device including but not limited to illumination, rotation, flapping and any mechanical or electrical device;

“bill” means any written, printed or illustrated message or matter on paper, plastic or similar material;

“bill posting” means the attaching, sticking, painting, or stenciling of any bill, poster, placard or advertisement on any building, structure, fence, wall hoarding, sign post, pole, blind or awning or on any tree, rock whether erected upon private property or upon a public place and to “post a bill” has a corresponding meaning;

“Building Surveyor” means the Principal Building Surveyor of the Shire of Serpentine-Jarrahdale or any person acting in the capacity or under the instruction of that officer;

“business” includes the conduct of a profession, trade or occupation;

“community association” means an institution, association, club, society or body, whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature and the members of which are not entitled or permitted to receive any pecuniary profit from the transactions thereof;

“Council” means the Council of the Shire of Serpentine-Jarrahdale

“development sign” means a sign erected on an area of land which has been approved for subdivision into smaller lots, advertising the subdivided lots for sale;

“directional sign” means a sign erected in a street or public place to indicate the direction to another place but does not include any such sign erected or affixed by the council or the commissioner of Main roads or a road direction sign erected or affixed by the Council or the Commissioner of Main Roads or a road direction sign erected or affixed by a duly incorporated association or union of motorists authorised in that regard by the Minister for the time being administering the Road Traffic Act 1974 and its amendments;

“display home sign” means a sign erected on a lot on which a house is erected and which notifies members of the public that the house is open for inspection;

“district” means the municipal district of the Shire of Serpentine-Jarrahdale;

“domestic quantity” means those quantities of goods, articles or things as would be utilised or kept in a single dwelling and excludes amounts of articles or things that would be sold by retail or wholesale distribution in the course of trade or commerce;

- “domestic usage” means the use of goods or items for activities associated with individual residential or rural dwellings and excludes goods, items or things purchased or used for manufacturing, business, trade or commerce;
- “dwelling” means a building containing at least one living room and includes rooms, outbuildings and other structures attached to or separate from such building but ancillary thereto, such building being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by—
- (a) a single person;
 - (b) a family;
 - (c) no more than six persons who do not comprise a single family, but share the accommodation
- “electoral advertisement” includes an advertisement relating to an election or a prospective or forthcoming election of the Parliament of Australia or of the State or either House thereof respectively or to a Local Government election and to a referendum;
- “electoral sign” means a sign containing an electoral advertisement;
- “exempt sign” is a sign which is classified as exempt pursuant to this local law, or which is exempt pursuant to the provisions of a town planning scheme;
- “fascia” means the cladding or panel erected to enclose or finish the edge of the roof of a building and which may be incorporated as an architectural feature;
- “fascia sign” means a sign erected or displayed on the fascia of a building;
- “fly posting” means advertising by means of posters placed on fences, walls, trees, rocks or other like places and to “fly post” has a corresponding meaning;
- “freestanding sign” means a sign not attached to a structure or fixed to the ground or pavement and can be carried by one person but does not include signs on vehicles or trailers;
- “frontage” means that part of one elevation of a building that faces a street from which access and egress to the building is obtained;
- “hoarding” means a detached or detachable structure including a wall panel or an illuminated panel other than a pylon sign that is erected for the sole purpose of displaying one or more signs or advertising devices;
- “home occupation” means an occupation or profession which is carried on in a dwelling or within the curtilage of a dwelling by a person resident therein;
- “horizontal sign” means a sign fixed parallel to the wall of a building to which it is attached and with its largest dimension horizontal;
- “household goods” means items that are associated with dwellings as distinct from items associated with a business, institutional, commercial or industrial enterprise;
- “identification sign” means a sign displayed for the purpose of identifying a business, profession, trade or occupation and includes a home occupation;
- “illumination” means a method by which a sign is so arranged as to be capable of being lighted from within or from without the sign by artificial light provided or mainly provided for that purpose;
- “illuminated panel” means a posted or painted advertisement externally illuminated by artificial source of light;
- “information panel” means a panel used for displaying government and local government notices, functional and dated announcements of a religious, educational, cultural, recreational or similar character, general information for the benefit of the public and travellers and general commercial advertising;
- “institutional sign” means a sign erected or placed on land or a building used for or in connection with a surgery, clinic, hospital, rest home, home for the aged, or other institution or place of a similar nature;
- “Objectives” means the Objectives in the Shire of Serpentine-Jarrahdale Town Planning Scheme No 2 as amended from time to time;
- “planning approval” means approval by Council of an Application for Planning Approval and an Application for Advertisement Approval made for the erection or display of a sign within the district;
- “projection sign” means a sign that is made by the projection of light on a wall or similar structure;
- “pylon sign” means a sign supported by one or more piers and not attached to a building and includes a detached sign framework supported on one or more piers to which infills may be added;
- “reserve” includes land under the care, control and management of the Shire, land vested in the Shire, land reserved under the Land Act 1933 and land the subject of a reservation under a town planning scheme;
- “residential area” means an area that has been designated as a residential zone under a town planning scheme having effect within the district;
- “roof sign” means a sign erected on or attached to the roof of a building;
- “rural producers’ sign” means a sign erected on land lawfully used for rural purposes which advertise goods or products produced, grown or lawfully manufactured on the land within the boundaries of which the sign is located;

“sale sign” means a sign indicating that the premises whereon it is affixed are for sale, for letting or to be auctioned;

“semaphore sign” means a sign affixed to a building or wall and supported at, or by, one of its ends only;

“Shire” means the Shire of Serpentine-Jarrahdale;

“sign” means an advertising device which includes any object or structure on which any word, number, figure, image, drawing, representation or message whatsoever is written, placed, affixed, attached, painted, projected, or otherwise displayed, or on which provision is made for the same, for the purpose of advertising any business, function, operation, development, event undertaking, person or any product or thing whatsoever, and includes any airborne device anchored to any land or building or any vehicle or trailer or other similar object placed, or located so as to serve the purpose of advertising any business, function, operation, development, event, undertaking, person or any product or thing whatsoever;

“sign infill” means a panel which can be fitted into a pylon sign framework;

“site specific advertising” means any advertising of a message or thing which only identifies the name and/or principal business and/or a thing or service, produced, stored, displayed, sold or supplied in the principal business of an occupier of the land or building on which the advertising appears or is proposed to appear;

“tower sign” means a sign affixed to, or placed on a chimney stack or an open structural mast or tower;

“town planning scheme” means any town planning scheme in force in the district of the Shire published in the Government Gazette pursuant to the Town Planning and Development Act 1928 as amended from time to time, or any zoning scheme replacing it for the time being in force within the district;

“vehicle” has the meaning given to it and for the purposes of the Road Traffic Act 1974;

“verandah” includes cantilever awnings, cantilever verandahs and balconies whether over public streets and ways or over private land;

“verandah sign” includes a sign above a verandah fascia, a sign on a verandah fascia and a sign under a verandah;

“vertical sign” means a sign attached to a building in which the vertical dimension exceeds the horizontal dimension exclusive of a back projection;

“wall sign” means a sign fixed or painted on the wall of a building and may include a panel on which a sign is painted or affixed;

“window sign” means a sign fixed to or painted on the glazed area of a window of a building;

“wall panel” means a panel used for displaying a posted or painted advertisement and affixed to or adjoining the wall of business premises or erected on the forecourt of any business premises;

“zone” means land classified in a town planning scheme operating within the Shire of Serpentine-Jarrahdale pursuant to the Town Planning and Development Act 1928;

2.2 Terms and expressions used in this Part shall have the meaning given in subsection 2.1 which shall prevail over any other conflicting definition;

Division 2—Licences

3. LICENCES

3.1 A person shall not erect, maintain or display a sign or hoarding and the owner or occupier of premises shall not suffer or permit a sign or hoarding to remain, in on or above, or within a distance of 100 metres of a street, way, footpath or other public place, or in the case of an airborne device, to be anchored from land, except pursuant to a licence issued under these Local Laws, unless it is exempt under section 3.2

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

3.1.3 Notwithstanding that a sign or hoarding would otherwise comply with the provisions of this Part, the Council may refuse a licence if in its opinion—

- (a) the addition of the sign or hoarding would increase the number or variety of signs in the locality so as to become too numerous or various; or
- (b) the licence should be refused having regard to—
 - (i) the safety, free passage of traffic or the carrying out of authorised works in a street, way, footpath or public place;
 - (ii) the suitability or otherwise of the sign or hoarding to the locality; and
 - (iii) the question whether the sign or hoarding would be injurious to the amenity or natural beauty or safety of the area.

3.1.4 A licence shall be issued upon payment of the fee prescribed by the council from time to time for a sign or hoarding of the kind applied for, but the payment of a licence fee pursuant to any local laws that were in operation prior to the coming into operation of these local laws is deemed to be a payment for the purposes of this section.

3.2 Exemptions

The following are exempt from the requirements of section 3—

- (a) a sign erected or maintained pursuant to and under authority of a written law;
- (b) a sale sign not exceeding 1.0 square metres in area;

- (c) a plate not exceeding 0.2 square metres in area erected or affixed 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;
- (d) A direction sign;
- (e) a sign used solely for the direction and control of people, animals or vehicles or to indicate the name or street number of a premises, if the area of the sign does not exceed 0.2 square metres;
- (f) an advertisement affixed to or painted on a shop window by the occupier thereof and relating to the business carried on therein;
- (g) a sign within a building unless—
 - (i) it is clearly visible from a public place outside the building; or
 - (ii) it is exempted under any other paragraph of this subsection;
- (h) a sign not larger than 1.0 square metre on an advertising pillar or panel approved by or with the consent of the council for the purpose of displaying public notices for information;
- (i) a building name sign on residential flats or home units where it is of a single line of letters not exceeding 300 millimetres in height fixed to the façade of a building;
- (j) a newspaper poster;
- (k) an institutional sign which is the only sign on the lot on which it is erected notwithstanding the provisions of section 3.15;
- (l) a rural producers sign which is the only sign on the lot on which it is erected;
- (m) a sign erected by the Council, or with the approval of Council, on land under the care, control and management of the Council, where the sign is not otherwise subject to provisions of this local law.

3.3 Exempt Signs

No person shall erect, attach, affix, maintain or display a sign of whatsoever nature which is not an exempt sign unless prior written planning approval has been obtained from the Shire.

3.4 Restrictions on Exempt Signs

An exempt sign shall not—

- (i) be illuminated;
- (ii) incorporate animation or movement in its design or structure.
- (iii) contain reflective, retro-reflective or fluorescent materials in any part of its design or structure;
- (iv) contain flags or bunting, whether they contain a written message or not;
- (v) be, in the opinion of Council, detrimental to the heritage character of the district and incompatible with the amenity and streetscape of the area.

3.5 Transfer of Licence

3.5.1 A licence issued under this Part shall not be transferred to another person except with the written consent of the Council.

3.5.2 Every application to transfer a licence under subsection 3.5.1 shall be in writing in the form prescribed and shall be signed by both the transferor and transferee.

3.6 Revocation of Licences

The Council may, without derogation of any penalty to which a person may be liable, by notice in writing revoke a licence—

- (a) where anything purporting to be done pursuant to the licence issued under this Part is not done in conformity with the licence or with this Part of the sign or hoarding or the message displayed thereon is so altered that, in the opinion of the Council, it is objectionable or in its altered form would have been refused a licence on the application of the provisions of subsection 3.1.3;
- (b) where the licensee is convicted of an offence against this Part of these Local Laws in respect of a sign or hoarding the subject of that licence.

3.7 Inspection of Licences

3.7.1 A licensee shall, on demand by a person authorised in writing by the Council produce the licence for inspection.

3.7.2 Every licensed sign or hoarding shall bear on its face in clearly legible figures the number of the licence under which it is erected or displayed.

3.8 Application for Licences

3.8.1 An application for a licence under this Part of these Local Laws shall be made in the form of application prescribed or provided by the Council for that purpose.

3.8.2 An application for the first issue of a licence in respect of a sign or hoarding shall be accompanied by a plan drawn to a scale of not less than 1:50 showing the size, position, design and inscription to appear thereon, the method of construction and fixing of the sign or hoarding for which the licence is sought and any other information the Council or the Building Surveyor requires.

3.8.3 An application for the first issue of a licence in respect of a roof sign or a pylon sign shall be accompanied by a certificate from an Architect or Structural Engineer certifying that the building or structure upon 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.

3.8.4 If so required by the Council an applicant for a licence in respect of an illuminated sign shall produce to the Council a written consent to the erection of the sign, signed by or on behalf of the person or body having for the time being the management of traffic control lights within the District.

3.8.5 Every applicant for a licence shall furnish in writing such further particulars as are required by the Building Surveyor or other officer for the time being administering this Part of these Local Laws.

3.8.6 A licence shall be issued in the form prescribed or provided by the Council for the purpose.

3.8.7 The Building Surveyor may issue a licence or permit under this Part of these Local Laws except where it is provided otherwise. In any case where the Building Surveyor exercises the power of the Council to issue a licence or permit, the relevant reference in this Part to the Council in relation to the exercise of any power or discretion shall be deemed to be a reference to the Building Surveyor.

3.8.8 Subject to section 3.5 and except where otherwise stated in this Part a licence remains valid until—

- (a) the sign or hoarding is removed;
- (b) change is made in the message of the sign or its illumination which is so significant as to amount to a different sign than that in respect of which the licence was issued; or
- (c) an alteration is made to the structure or area of the sign or hoarding in respect of which the licence was issued,

in any of which events an application must first be made and a new licence issued before the sign or hoarding can be re-erected, changed or altered as the case may be, or a new sign or hoarding erected.

3.9 Special Permits

3.9.1 Notwithstanding anything contained in these Local Laws the Council may, by permit, allow the display or distribution of advertisements at churches, theatres and other places of public entertainment; or at any place the display or distribution of election notices, advertisements of meetings or other matters of public interest, upon the terms or conditions and for the period the Council in each case decides.

3.9.2 The terms and conditions imposed by the Council and the period of the permit shall be specified in the permit.

3.9.3 The Council may at any time revoke a permit granted pursuant to subsection 3.9.1 without assigning a reason.

3.9.4 Upon the expiration or revocation of a permit issued under subsection 3.9.1 the person to whom it was issued shall forthwith remove any advertisement to which it relates and failure to remove the advertisement is an offence.

Division 3—Restrictions

3.10 General

3.10.1 Restrictions

A person shall not erect or maintain a sign or hoarding or suffer or permit a sign or hoarding to be or remain on any land or building—

- a) so as to obstruct a person's view from a street or public place of traffic in a street or public place;
- b) so as to be likely to be confused with or mistaken for an official traffic light or sign or so as to contravene the Road Traffic Act 1974 or the regulations made thereunder;
- c) except with the specific approval in writing of the Council on an ornamental tower, spire, dome or similar architectural feature or on a lift machinery room, bulkhead over stairs, or other superstructure over the main roof of a building;
- d) subject to section 3.3 and paragraph (a) of subsection 3.2 on land that is zoned by a Town Planning Scheme or Local Laws for the time being in force for residential purposes other than land so zoned that is lawfully used for a purpose other than residential purposes unless permitted under section 3.9;
- e) on a building the stability of which is, in the opinion of the Building Surveyor, likely to be affected by the sign or hoarding;
- f) as a movable or portable sign in a street or public place, unaffixed to a building;
- g) on a light or power pole without the approval of the relevant authority responsible for the erection or maintenance of that pole;
- h) in a position where it obstructs or obscures a person's view from a dwelling of a river, the Darling Scarp or any other natural feature of beauty or interest; or
- i) if the sign is an advertising device and is erected or proposed to be erected in a position where, in the opinion of the Council, it would be injurious to the amenity or natural beauty of the area in which the sign is erected or proposed to be erected, or would be unsuitable to the locality.

3.10.2 No bill, placard or advertisement shall be attached to, or posted, painted or stencilled by any person on any sign, hoarding, wall, building or structure, whether erected upon land which is private property or a public place unless—

- a) such bill, placard or advertisement is in the opinion of the Council reasonably related to the principal lawful use carried out on such land; and
- b) any trade, business or product name or trademark on or in any such bill, placard or advertisement is in the opinion of the council necessary for the purposes of communicating the principal lawful use carried out on such land.

3.10.3 No person shall permit or suffer the doing of anything contrary to the provisions of paragraphs (a) and (b) of subsection 3.10.5

3.10.4 Paragraphs (a) and (b) of subsection 3.10.5 do not apply to any bill, placard or advertisement which states the name and/or trade, business or profession of the occupier of such land where such trade, business or profession is the principal lawful use carried out on the land and does not contain any other information, including any other trade, business or product name or trademark.

3.10.5 *Inscriptions on Signs*

Except in the case of a hoarding or direction sign, a sign generally shall only display one or more of the following—

- a) the name of one or more of the occupiers of the premises to which it is affixed;
- b) details of the business or businesses carried on in the premises;
- c) details of the goods sold in the premises; and
- d) any other matter approved by the Council.

3.10.6 *Existing Signs and Hoardings*

Subject to sections 3.4 and 3.5, a licence issued under any previous Local Laws in force in the District is deemed to have been issued pursuant to these Local Laws.

3.10.7 *Fixing of Signs*

A sign shall be securely fixed to the structure by which it is supported, to the satisfaction of the Building Surveyor, and shall be maintained in a safe condition.

3.10.8 *Headroom*

Every sign shall, unless otherwise permitted by the Building Surveyor, be so fixed as to provide a clear headway thereunder of not less than 2.75 metres.

3.10.9 *Obstruction to Doors, etc*

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

3.10.10 *Glass in Signs*

Glass shall not be used in any sign or hoarding other than an electric light globe or tube.

3.10.11 *Readily Combustible Material*

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

3.10.12 *Signs to be Kept Clean*

Every sign shall be kept clean and free from unsightly matter and shall be maintained by the licensee or owner in good order free of dilapidation.

3.10.13 *Bill Posting*

Subject to section 3.2 a person shall not post a bill or paint, stencil, place or affix an advertisement in a street or on a building, structure, fence, wall, hoarding, sign-post, blind or awning so as to be visible to a person in a street, reserve, public place or other land, except on a hoarding approved for the purpose of the Council.

3.10.14 *Fly Posting*

A person shall not fly post at any place or location within the District.

3.10.15 A person shall not erect or display or allow the erection or display of bunting, streamers, streamer strips, banner strips, flag strips or decorations of a similar nature, except for other than specific short term events.

Division 4—Signs

3.11.1 *Development Signs*

A development sign shall—

- a) only be erected where the area of residential land being subdivided exceeds 5 hectares;
- b) only be erected in the ratio of 1 square metre of area per hectare up to a maximum of 50 square metres with no individual sign exceeding 20 square metres; and
- c) be removed from the site within two years or when 80 per cent of the lots in the subdivision have been sold, whichever is the sooner.

3.11.2 *Direction Signs on Street Poles*

A direction sign attached to a pole in a street shall not exceed 200 millimetres in width and 760 millimetres in length with a headroom of not less than 2.75 metres.

3.11.3 *Display Home Signs*

A display home sign shall—

- a) be provided in a ratio not exceeding 2 square metres per house in a centre with no individual sign exceeding 4 square metres;
- b) not have an overall height of more than 4 metres
- c) not be illuminated after 9.00pm; and
- d) not be erected or maintained for a period exceeding six months on any one lot.

3.12 Hoardings

3.12.1 A hoarding shall not—

- a) be erected on land that is zoned for residential purposes by a Town Planning Scheme or Local Laws for the time being in force;
- b) except with the approval of the Council be erected within 25 metres of a street or other public place and in any case not closer than its own height to a street or public place;
- c) be of greater area than 22 square metres.

3.12.2 A licence issued in respect of a hoarding is valid in terms of the licence for the period specified in the licence but not exceeding 10 years.

3.12.3 The licence fee for a hoarding is the annual licence fee prescribed by the Council from time to time and is payable annually so long as the hoarding is maintained with the approval of the Council.

3.13 Horizontal Signs

3.13.1 A horizontal sign shall—

- a) afford a minimum headway of 2.75 metres;
- b) be fixed parallel to the wall of the building to which it is attached;
- c) conform as to depth to the following table;

Minimum Distance of Sign above Street	Maximum Height of Sign
Less than 7.6 metres	1.0 metres
7.6 metres to 9.1 metres	1.5 metres
9.1 metres to 12 metres	2.0 metres
More than 12 metres (if there is no roof sign on the building)	4.5 metres

- d) not project more than 600 millimetres from the wall to which it is attached; and
- e) not be within 600 millimetres of either end of the wall to which it is attached, unless the end of the sign abuts against a brick, stone or cement corbel, pier or pilaster which is at least 225 millimetres wide and projects at least 25 millimetres in front of and 75 millimetres above and below the sign.

3.13.2 There shall be not more than one line of horizontal signs on a building facing any one street.

3.13.3 The name of the building, owner or occupier may without any licence or permit be shown on the façade of a building but—

- a) unless otherwise specifically approved by the Council, only one such name shall be placed on any façade;
- b) the letters of the name shall not exceed 1.2 metres in height;
- c) the letters shall be of metal or other incombustible material; and
- d) the letters shall not be lit or illuminated unless an illuminated lettering has been approved by the Council.

3.14 Illuminated Signs

An illuminated sign shall—

- a) have any boxing or casing in which it is enclosed constructed of incombustible material;
- b) have its electrical installation constructed and maintained to the satisfaction of the appropriate electricity supply authority and in accordance with the AS 3000-1991;
- c) be maintained to operate as an illuminated sign;
- d) not have a light of such intensity as to cause annoyance to the public; and
- e) not reflect the illuminated sign with a flickering frequency which would impact on a residential area

3.15 Information Panels

The Council may provide information panels and permit the inclusion of advertisements in such panels upon any conditions it thinks fit.

3.16 Institutional Signs

An institutional sign shall not exceed 0.5 square metres in area except with the approval of the Council but in any case shall not exceed 2 square metres.

3.17 Projection Signs

3.17.1 A person shall not project by light a sign being a photographic or other image which can be seen from a street, way, footpath, or other public place onto a building, screen or structure without a licence issued under this Part of these Local Laws nor without the consent of the owner of the building, screen or structure.

3.17.2 A licence shall not be issued by the Council for such a sign—

- a) unless the building, screen or structure onto which it is proposed to project the sign is specified in the application for the licence;
- b) if the sign when projected onto a building, screen or structure would be more than 12 metres in width or 12 metres in length;
- c) unless the licence specifies the building, screen or structure onto which the sign may be projected.

3.17.3 Where it is proposed to project such a sign onto a building, screen or structure in a series the Council may issue one licence in respect of all the signs in that series but no sign or signs other than that or those in respect of which a licence has been issued shall be projected.

3.17.4 Where a licence has been issued by the Council for a projection sign, the sign in respect of which it has been issued shall not be projected onto any building, screen or structure not specified in the licence.

3.17.5 The owner or occupier of a building, screen or structure shall not permit any sign to be projected onto it unless a licence has been issued for the sign pursuant to this Part and in accordance with this section.

3.18 Pylon Signs

3.18.1 A pylon sign shall—

- a) not have any part thereof less than 2.75 metres or more than 6 metres above the level of the ground immediately below it, or exceed 2.5 metres measured in any direction across the face of the sign or have a greater superficial area than 4 square metres except in a business area or large shopping complex with the approval of the Council and unless it complies with the following—
 - i. the sign is the motif or emblem of the centre;
 - ii. only one sign is erected;
 - iii. the sign does not exceed 20 metres in height;
 - iv. the sign does not exceed 10 square metres on any face; and
 - v. the sign is not erected within its own overall height of any street or right of way;
- b) not project more than 1 metre over any street;
- c) 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;
- d) where the sign is supported on two or more piers or columns not be erected unless the space between the piers or columns is not wholly or partly filled in with any material below 2.75 metres above ground level;
- e) not, as to any part thereof, project over any street at a height of less than 2.75 metres;
- f) not be within 1.8 metres of the side boundaries of the lot on which it is erected unless the lot on which it is erected abuts an intersecting street or right of way in which the Council may authorise the erection of the sign at a lesser distance than 1.8 metres; and
- g) not have any part thereof less than 6 metres from any part of another sign erected on the same lot.

3.18.2 Where two or more pylon signs are to be erected on a lot on which factory units or small shops are erected or are to be erected the Council may require all the pylon signs to be incorporated into one sign. All infills are to be of an equal size and space with one infill for each shop or unit on the lot.

3.18.3 Where the Council requires two or more signs to be incorporated into one sign—

- a) the total area of the infill signs specified under paragraph (a) of subsection 3.18.1 may be increased by up to 50 per cent or to a maximum of 6 square metres; and
- b) the approval of the Council to each additional infill to be fitted into the sign is required.

3.19. Roof Signs

3.19.1 a roof sign shall—

- a) not at any point be closer than 4 metres to 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.	Maximum Height of Sign
3.7 metres and under 4.5 metres	1.2 metres
4.5 metres and under 6 metres	1.8 metres
6 metres and under 12 metres	3 metres
12 metres and upward	4.5 metres

- d) not have a horizontal side longer than 2.4 metres in length; and
- e) not have an area greater than 1.5 square metres.

3.19.2 When ascertaining the height of the main building above ground level for the purpose of this section, any part of the roof at the point where the sign is to be erected that is provided solely for the purpose of architectural decoration shall be disregarded.

3.19.3 A licence for a roof sign requires the approval of the Council.

3.20 Rural Producer's Sign

A rural producer's sign shall—

- a) show only the name and address of the occupier of the land or the name of the property or both and only advertise goods or products produced, grown or lawfully manufactured upon the land; and
- b) not exceed 1 square metre in area or 3 metres in height.

3.21 Sale Signs

Subject to the provisions of this Part of the Local Laws a person shall not erect or maintain a sale sign—

- a) exceeding 10 square metres in area;
- b) in respect of an auction sale for more than 24 days before the date on which the auction sale is to be held or for more than 48 hours after that date;
- c) in respect of the sale of land under 5 hectares in area for a period exceeding 6 months nor within the period of 12 months from the date of expiration of the period during which another sign advertising the sale of the same land or any part thereof was erected or maintained; or
- d) advertising that flats or dwelling units in a building erected or to be erected on the land on which the sign is situated are or will be available for letting or for purchase before the date of issue of the building licence in respect of the building or after 3 months following the completion of the building.

3.22 Semaphore Signs

3.22.1 A semaphore sign shall—

- a) afford a minimum headway of 2.75 metres;
- b) be fixed at right angles to the wall to which it is attached;
- c) not project more than 1 metre from the point of attachment nor be of greater height at any point than 1 metre;
- d) be fixed over or adjacent to the entrance to a building; and
- e) not be fixed under or over any verandah.

3.22.2 Not more than one semaphore sign shall be fixed over or adjacent to any one entrance to a building.

3.23 Tower Signs

A tower sign shall not, unless otherwise approved by the Council—

- a) indicate or display any matter other than the name of the owner or occupier of the land or premises on which the mast, tower or chimney stack is erected;
- b) if illuminated, be a flashing sign;
- c) exceed in height one-sixth of the height of the mast, tower or chimney stack on which it is placed;
- d) exceed in width the width or diameter of the mast, tower or chimney stack on which it is placed.

3.24 Verandah Signs

3.24.1 A sign comprising free-standing lettering only may be erected above the outer fascia of a verandah parallel to the kerb if the lettering does not exceed 400 millimetres in height and is mounted on a base of at least 75 millimetres in width.

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

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

3.24.3 A sign under a verandah shall—

- a) afford a headway of at least 2.75 metres or, when approved by the Council, 2.4 metres;
- b) not exceed 2.4 metres in length or 500 millimetres in depth;
- c) not weigh more than 50 kilograms;
- d) not, if it exceeds 300 millimetres in width be within 1.4 metres, or where it does not exceed 300 millimetres in width be within 1 metre, of the side wall of the building, measured along the front of the building before which it is erected;
- e) not, if it exceeds 300 millimetres in width, be within 2.75 metres, or where it does not exceed 300 millimetres in width be within 1.75 metres, or another sign under that verandah;
- f) 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 when the sign may be placed at an angle with the wall so as to be visible from both streets; and
- g) 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 the sign.

3.25 Vertical Signs

3.25.1 A vertical sign shall—

- a) afford a minimum headway of 2.75 metres;
- b) subject to subsection 3.25.2, not project more than 1 metre from the face of the building to which it is attached;
- c) subject to subsection 3.25.3, not be within 1.75 metres of either end of the wall to which it is attached;
- d) be of a height of at least twice its width;
- e) not project more than 1 metre above the top of the wall to which it is attached nor more than 1 metre back from the face of that wall;

- f) not be within 4 metres of another vertical sign on the same building;
- g) not be placed on a corner of a building, except at a street intersection when it may be placed at an angle with the wall so as to be visible from both streets; and
- h) except with the approval of the Council not exceed 1 metre in width exclusive of the back projection.

3.25.2 Where a vertical sign is affixed to the face of a building that is set back beyond the face of another building within 3 metres of it, the sign may project 500 millimetres further than the distance prescribed by paragraph (b) of subsection 3.25.1 or the distance by which the building to which it is affixed is set back beyond the face of the other, whichever is the lesser.

3.25.3 Where a building to which a vertical sign is to be affixed is set back from the boundary or abuts on an intersecting street or right of way, the Council may authorise the affixing of a sign at a lesser distance from the end of the wall than that prescribed by paragraph (c) of subsection 3.25.1.

3.26 Offences

3.26.1 A person who erects or maintains or permits or suffers to be erected or maintained a sign or hoarding—

- a) which does not comply with a provision of this Part; or
- b) in a manner contrary to the provisions of this Part,

commits an offence and is subject to the penalties set out in the Town Planning and Development Act 1928 (as amended) .

3.26.2 Where by this Part of these Local Laws a licence is required to erect or maintain a sign or hoarding, a person who maintains or permits or suffers to be maintained a sign or a hoarding without a licence or in respect of which the licence has expired or been cancelled, commits an offence.

4.26.3 Neither the owner nor the occupier of any land or premises shall permit a sign or hoarding to remain thereon unless the sign or hoarding complies with this Part of these Local Laws.

3.26.4 Without prejudice to the preceding provisions of these Local Laws the Council may serve on the owner or occupier of any premises upon which a sign is erected, affixed or maintained, contrary to this Part of these Local Laws, notice to remove the sign within the time specified in the notice; and a person neglecting or failing to comply with the terms of a notice served on that person pursuant to this section commits an offence.

3.26.5 The Council may remove to a place appointed by the Council a sign or hoarding placed or erected on or over a street, way, footpath or other public place under the care control and management of the Council unless so placed or erected pursuant to this Part of these Local Laws.

3.26.6 The Council may, without being liable in damages or otherwise, dispose of any sign or hoarding and reinstate the street, way, footpath or public place at the expense of the person or persons responsible for the erection or display of the sign or hoarding thereon or the injury thereto and recover the amount of the expense from that person in a Court of competent jurisdiction.

3.26.7 The Council, or any person acting under the authority of the Council, may remove from private property any hoarding or any bill, placard or advertisement which is attached to, or pasted, or painted, or stencilled on a hoarding and which in the opinion of the Council is dangerous or objectionable and the Council may recover the expenses of the removal from the owner of the property in a Court of competent jurisdiction.

The Common Seal of the Shire of Serpentine-Jarrahdale was hereunto affixed on the 9th day of March, 1999 in the Presence of—

COLLEEN H. RANKIN, President.
IAN M. BODILL, Chief Executive Officer.

