

Local Law relating to **Signs, Hoardings and Billpostings**

Extract from Government Gazette (No. 76) of October 19 1984

In pursuance of the powers conferred upon it by the Local Government Act 1995 and of other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on 12 July 1983, to repeal the whole of the "Local Laws Relating to Signs, Hoardings and Billposting" as published in the Government Gazette Nos. 53, 100 and 89 of 11 June 1968, 31 October 1968, and 27 August 1969; and to make and submit for confirmation by the Governor the following Local Laws:

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1. Citation

These Local Laws may be cited as the City of Melville Local Laws Relating to Signs, Hoardings and Billposting

2. Interpretation

2.1 In these Local Laws, unless the context otherwise requires -

"Act" means the Local Government Act 1960 (as amended);

"advertising device" means any object on which words or numbers or figures are written, placed, affixed or painted for the purpose of advertising any business, function, operation or other activity and includes any vehicle or trailer or other similar stationary object placed or located so as to serve the purpose of advertising any business, function, event, product or undertaking;

"billposting" means the sticking of any bill or painting, stencilling or affixing any advertisement on any building, structure, fence, wall, hoarding, signpost, pole, blind or awning, so as to be visible to any person in a street, public place, public reserve or other land;

"Building Surveyor" means the Building Surveyor appointed by the Council from time to time and includes any acting Building Surveyor or Deputy building Surveyor;

"Council" means the Council of the Municipality of the City of Melville;

"development sign" means a sign or signs erected on an area of land which has been approved for subdivision into a number of smaller lots, advertising the lots for sale but upon which no building development has taken place at the time of approval of the sign or signs;

"direction 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 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 (as amended);

"directional sign" means a sign promoting or giving information in relation to events occurring within the Municipal District of the Council subject to the conditions further specified in the Local Laws.

"display home sign" means a sign or signs erected on a lot on which a home is erected where the lot and house have been approved by the Building Surveyor as meeting Council's requirements for a display home including the provision of the required parking;

"fly posting" means advertising by means of posters placed on fences, walls, trees, or other structure or objects, without authority and in contravention of Local Law 4.11;

"hoarding" means a 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 posted panel, a wall panel or an illuminated panel but does not include a hoarding within the meaning of section 377 of the Act;

"horizontal sign" means a sign fixed parallel to the wall of a building to which it is attached and with its largest dimension horizontal;

"illuminated panel" means a posted or painted advertisement externally illuminated by an artificial source of light;

"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, or mainly provided, for that purpose;

"information panel" means a panel used for displaying Government and Local Authority notices, functional and dated announcements or 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 any land or 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;

"permanent portable sign" means a sign -

- a) that is not affixed to a building, post, wall or fence; and
- b) which only advertises a product or service available on the land upon which it is erected or upon land immediately adjacent to its location; and
- c) which is not a temporary portable sign as defined by the Local Laws.

"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 supported on one or more piers to which sign infills may be added;

"reserve sign" means a sign erected on a council reserve advertising that a community group or club are based at that reserve;

"roof sign" means a sign erected on the roof of a building;

"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 and supported at, or by, one of its ends only;

"service station sign" means a sign erected or placed on or in front of premises used for, or in connection with, a service station;

"sign" includes advertising devices, any form of sign more particularly defined in this by-law and signboards, portable signs, bunting signs, flags and bunting which carry no written message and clocks (other than clocks which are built into a wall and do not project beyond the face of the wall);"

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

"temporary portable sign means a sign -

- a) that is not affixed to a building, post, wall or fence; and
- b) which only advertises -
 - i) a service station open on rostered hours.
 - ii) a pharmacy open after normal trading hours.
 - iii) homes (including display homes) and/or land for sale.

subject to the conditions further specified in the Local Laws.

"tenancy sign" means a sign or sign feature constructed at the front of a property and only indicates the owners or tenants company name and address.

"tower sign" means a sign affixed to or placed on a chimney stack or open structural mast or tower;

"verandah", for the purpose of these Local Laws, includes cantilever awnings, cantilever verandahs and balconies whether over public streets and ways or over private land;

"verandah signs" includes signs above verandah fascias, signs on verandah fascias and signs under verandahs;

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

"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 such business premises.

2.2 Words and expressions used have the same respective meaning as is given in the Act.

3. Licences

3.1 Licences and Exemptions:

3.1.1 Subject to Local Law 3.1.2 and 3.6 -

- (a) No person shall erect, make or maintain a sign or advertising device except pursuant to a licence issued under the Local Laws.
- (b) An owner or occupier of premises shall not suffer or permit a sign or advertising device to remain on those premises so as to be visible from a street, public reserve or other public place except pursuant to a licence issued under these Local Laws.

3.1.2 The following are exempt from the requirements of these Local Laws:

- (a) a sign erected or maintained pursuant to any Act having operation within the State;
- (b) a sale sign not exceeding 1 square metre 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) signs of use solely for the direction and/or control of people, animals and/or vehicles, or to indicate the name and/or street number of a premises; providing the area of any such sign does not exceed 0.2 square metres.
- (e) advertisements affixed to or painted on a shop window by the occupier thereof and relating to the business carried on therein;
- (f) subject to Local Law 5.6.4 the name and occupation of any occupier of business premises painted on a window, wall or fence of those premises;
- (g) signs not larger than 0.7m x 0.9m on advertising pillars or panels approved by or with the consent of the Council for the purpose of displaying public notices for information;
- (h) subject to Local Law 5.6.4 building name signs on residential flats or home units where they are of a single line of letters not exceeding 450mm in height, fixed to the facade of the building.
- (i) a maximum of ten Newspaper or Magazine Posters provided they are displayed against the outside wall of the Business Premises from which the Newspapers or Magazines are Sold.
- (j) tenancy signs provided they do not exceed 2.0m in height and do not restrict motorist sight vision for vehicles entering or leaving the property.

3.1.3 Every licence shall be granted and shall subsist subject only to the provisions of these Local Laws.

3.1.4 Notwithstanding that a sign or hoarding would otherwise comply with the provisions of these Local Laws the Council may refuse a licence if the sign or hoarding would, in its opinion, increase the number or variety of signs so as to become too numerous or various to be acceptable to residents in the area or be injurious to the amenity or natural beauty or safety of the area; or if the sign or hoarding advertises goods or services which are not produced, displayed or offered for sale or otherwise available to the public upon or from the land where the sign or hoarding is erected.

3.2 Revocation of Licences: Council may, without derogation of any penalty to which that person may be liable, by notice in writing revoke a licence:

- (a) where anything purporting to be done pursuant to a licence issued under these Local Laws is not done in conformity with the licence or with these Local Laws or is so altered that, in the opinion of Council, it contravenes Local Law 3.1.4; or
- (b) where the licensee commits an offence against these Local Laws.

3.3 Inspection of Licences:

3.3.1 A licence shall, on demand by an Officer of Council, authorised in that regard, produce his licence for inspection.

3.3.2 Every licensed sign or hoarding shall bear on its face, (on the bottom left hand corner, as viewed), in clearly legible figures the number of the licence under which it is erected or displayed.

3.4 Applications for Licences:

3.4.1 An application for a licence under these Local Laws shall be made in the form of an application set out in the first schedule hereto.

3.4.2 An application for the first issue of a licence in respect of a sign shall be accompanied by duplicate plans, drawn to a scale of not less than 1 to 50 showing the size, position, design and inscription to appear thereon, the method of construction and fixing of the sign for which the licence is sought, setbacks from street boundaries where applicable together with such further information as Council may reasonably require.

3.4.3 An application for the first issue of a licence in respect of a roof sign or a special pylon sign shall be accompanied by a certificate from a practising 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.

3.4.4 Every applicant for a licence shall furnish in writing such further particulars as may be required by the Building Surveyor.

3.4.5 If so required by Council an applicant for a licence in respect of an illuminated sign shall produce to 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.

3.4.6 Subject to Local Law 3.2 and except where otherwise stated in these Local Laws a licence issued pursuant to the Local Laws remains valid until any alteration is proposed to be made to the structure or area of the sign in respect of which it is issued and in that event the licensee shall apply for a new licence.

3.4.7 A licence issued shall be in the form set out in the first schedule to these Local Laws.

3.5 Licence Fees: A licence shall be issued upon payment of the appropriate fee set out in the second schedule to these Local Laws but the payment of a licence fee pursuant to any Local Laws of Council relating to Signs, Hoardings and Billposting and the like, 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 Local Law.

3.6 Special Permits:

3.6.1 Notwithstanding anything contained in these Local Laws Council may, by permit under the hand of the Building Surveyor, allow the display of advertisements at

churches, theatres and other places of public entertainment, election notices or advertisements of meetings or other matters of public interest upon such terms and for such period as Council may in each case decide.

3.6.2 Council may revoke any such permit at any time without assigning any reason for such action.

3.6.3 Upon the expiration or revocation of a permit issued under this Local Law the person to whom it was issued shall forthwith remove the advertisement to which it relates and failure so to remove the advertisement is an offence.

4. General

4.1 Restrictions: A sign shall not be erected or maintained:

- (a) (i) So as to obstruct or impede all or part of the view which may be enjoyed from a street or public place of the river, the sea or any other place or feature of natural beauty;
- (a) (ii) So as to obstruct or impede the sight lines required for the free and safe movement of traffic in any 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 any Regulations thereto;
- (c) except with the approval of Council, on any 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 sub Local Law 3.1.2, on any land that is classified in a Town Planning Scheme or Zoning Local Laws as residential or for flats other than a site of lawful non-conforming use unless specifically permitted in these Local Laws;
- (e) on any building of which the stability is, in the opinion of the Building Surveyor, likely to be affected by the sign;
- (f) on a light or power pole without the approval of the relevant authority responsible for the erection of that pole;
- (g) 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;
- (h) in any position where, in the opinion of Council, the advertisement will be out of harmony with the surroundings in the locality in which the advertisement is proposed to be exhibited or where Council considers it will be undesirable.

4.2 Inscriptions on Signs: Except in the case of a hoarding or direction sign, signs generally shall only display one or more of the following:

- (a) the name of one or more of the occupiers of the premises;

- (b) details of the business or business carried on in the premises;
 - (c) details of the goods sold in the premises to which it is affixed and nothing more;
 - (d) any other matter specifically approved by Council.
- 4.3 Existing Signs: Where existing signs fail to conform to the requirements of these Local Laws they shall be removed immediately upon receipt of a direction from the Building Surveyor provided that a person aggrieved by such a direction may within 14 days of his receipt thereof appeal to Council.
- 4.4 Fixing of Signs: Every sign shall be securely fixed to the structure by which it is supported, to the satisfaction of the Building Surveyor, and shall be safely maintained.
- 4.5 Headroom; Every sign shall, unless otherwise permitted by the Surveyor, be so fixed as to provide a clear headway thereunder of not less than 2.75m.
- 4.6 Obstruction to Doors, etc.: A sign shall not be erected so as to obstruct access to or from any door, fire escape or window, other than a window designed for the display for goods.
- 4.7 Glass in Signs: Glass shall not be used in any sign except for illumination purposes in an illuminated sign.
- 4.8 Readily Combustible Material: Except in the case of bunting and flags or posters securely affixed to a signboard or hoarding, paper, cardboard, cloth or other readily combustible material shall not form part of or be attached to any sign.
- 4.9 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 and condition.
- 4.10 Billposting: Subject to sub Local Law 3.1.2 a person shall not post any bill or paint, stencil, place or affix any advertisement on any street or on any building, structure, fence, wall hoarding, sign post, blind or awning so as to be visible to a person in a street, public place, public reserve or other land, except on a hoarding approved for the purpose by Council.
- 4.11 Fly Posting:
- 4.11.1 No person shall fly post at any place or location within the boundary of the Municipality of the City of Melville.
- 4.12 (a) Subject to sub-Local Law (b) of this Local Law, no sign shall be erected or maintained within the municipal district relating to any federal or state governments or other election.
- (b) Notwithstanding sub-Local Law (a) of this Local Law, the Council, by its agents, servants or employees, may erect signs or grant approval to erect signs for the purpose of:
- (i) Encouraging participation in voting (but not in favour of any individual) at Local Government Elections, provided that the signs are erected no more than five weeks prior to the date of any Local Government Election; or
 - (ii) Indicating the location and identity of a polling place at which voting for an election is then taking place.

5. Requirements for Particular Signs

5.1 Clocks: A clock shall:

- (a) if suspended under a verandah or in an arcade, have its centre coinciding with the centre line of the footway thereunder;
- (b) comply as regards size with the following table:

Height of Bottom of Maximum Diameter or Width of Clock Face Clock above Footway and Depth of Clock including Lettering	
2.75m and under 4m	300mm
4.0m and under 6m	750mm
6.0m and under 12m	1.0m
12.0m and over	1.5m
- (c) be fixed either parallel or at right angles to the wall to which it is attached;
- (d) not project from the wall to which it is attached:
 - (i) if parallel to the wall more than 300mm; or
 - (ii) if at right angles to the wall more than 2m;
- (e) afford a minimum headway of 2.75m;
- (f) be maintained so as to show the correct time;
- (g) be illuminated from sunset to midnight; and
- (h) if fitted with chimes, not be permitted to strike between the hours of midnight and seven am

5.2 Development Signs - Development signs shall:

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

5.3 Direction Signs on Street Poles: A direction sign attached to a pole in a street shall not exceed 150mm in depth or 750mm in length with a headroom of 2.75m.

- 5.3A Directional Signs shall be displayed only with the prior approval in writing of the Council which approval shall be subject to -

- (a) A Directional Sign not exceeding two (2) square metres in area;
- (b) A Directional Sign only being located in such place as is specified in the approval;
- (c) A Directional Sign being constructed in a Professional Manner both as to method and materials of construction and appearance; and
- (d) A Directional Sign being removed within 24 hours of the cessation of the event to which the Directional Sign relates.

5.4 Display Home Signs shall:

- (a) be provided in a ratio not exceeding 2 square metres per house in a centre with no individual sign exceeding 6 square metres; overall height of sign not to exceed 4m;
- (b) not be illuminated after 9.00 pm;
- (c) be approved for a period not exceeding twelve months at any one time.

5.5 Hoardings:

5.5.1 Hoardings shall not:

- (a) be erected in a residential area;
- (b) except with the specific approval of Council, be erected within 15 metres of any 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.

5.5.2 A licence issued in respect of a hoarding is valid in terms of the licence for such period as may be determined by Council with a maximum period of validity of ten years.

5.5.3 The licence fee for a hoarding is an annual licence fee and is payable annually so long as the hoarding is maintained with the approval of Council.

5.6 Horizontal Signs:

5.6.1 A horizontal sign shall:

- (a) afford a minimum headway of 2.75m;
- (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 Depth of Sign
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Less than 7.5m 750mm

7.5m to 9m 900mm

9.0m to 12m 1200mm

The increase above 12m should be 150mm in depth for each 300mm in height to a maximum of 4.5m;

- (d) not project more than 600mm from the wall to which it is attached; and
- (e) not be within 600mm 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 25mm in front of and 75mm above and below the sign.

5.6.2 Notwithstanding the provisions of paragraph (c) of sub-Local Law 5.6.1, Council may permit an increase of not more than fifty percent of the depth therein mentioned in any part or parts of a sign to permit the inclusion therein of a motif or capital letter.

5.6.3 There shall be not more than two lines of horizontal signs facing any one street or any building.

5.6.4 The name of the building, owner occupier or business name may be shown on the facade of a building without a sign licence subject to -

- (a) a maximum of two such names on any facade;
- (b) the letters of the name not exceeding 1.2 metres in height unless the building is setback more than 20 metres from the street or the building is higher than 9 metres, in which case approval may be given up to 1.5 metres;
- (c) the motif or emblem of a business not being of a greater height or width than 1.5 metres;
- (d)
 - (i) there being no written complaints for excessive glare or light where the lettering or motif are externally lit;
 - (ii) the Council providing approval where the lettering and motif are internally illuminated.

5.7 Illuminated Signs: Every 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 State Energy Commission or the appropriate electricity supply authority and in accordance with the S.A.A. Wiring Rules No. C.C.1, Part 1, 1961;
- (c) be maintained to operate as an illuminated sign; and
- (d) not have a light of such intensity as in the opinion of the Building Surveyor will cause annoyance to the public.

- 5.8 Information Panels: Council may provide information panels or bays of varying sizes and charge fees for the inclusion of advertisements in such panels or bays.
- 5.9 Institutional Signs: Institutional signs shall not exceed 0.5 square metres in area except with the approval of Council but in any case shall not exceed 2 square metres.
- 5.9A Permanent Portable Signs shall be displayed only with the prior approval in writing of the City Building Surveyor which approval shall be subject to -
- (a) A limit of one sign for the Business Premise to which that sign relates;
 - (b) A maximum size of not more than one (1) square metre;
 - (c) Placement on Private Property;
 - (d) Production of the sign in a professional manner both as to method and materials of construction and appearance;
 - (e) Being secured to prevent movement whether by wind, weather or otherwise;
- provided that the City Building Surveyor shall be authorised to provide special approval outside the scope of paragraph (c) above upon being satisfied that the business of the Applicant is, or is likely to be, disadvantaged as a consequence of limited or no access to a road or of the existence of any other circumstances considered sufficient to waive or vary the requirements of paragraph (c).

5.9B Temporary Portable Signs shall be displayed only with the prior approval in writing of the City Building Surveyor which approval shall be subject to -

- (a) with respect to a Service Station open on Rostered Hours -
 - (i.) A maximum of ten (10) Temporary Portable Signs;
 - (ii.) The Temporary Portable Sign only being displayed during the Rostered Hours; and
 - (iii.) The Temporary Portable Sign not to be displayed further than three (3) kilometres from that Service Station;
- (b) with respect to a Pharmacy open after normal Trading Hours, a maximum of two (2) Temporary Portable Signs; and
- (c) with respect to homes or land for sale -
 - (i.) A maximum of three (3) Temporary Portable Signs for each house or parcel of land offered for sale; and
 - (ii.) Each Temporary Portable Sign being removed immediately the Home or Land is no longer open and available for inspection by the Public; and
- (d) each Temporary Portable Sign not to exceed 0.6 square metres in area.

5.10 Projection Signs:

5.10.1 No person shall install or operate a projection sign which can be seen from any street, way, footpath, or other public place onto any building, screen or structure without a written licence issued by Council, nor without the consent of the owner of the building or structure.

5.10.2 No licence shall be issued by Council:

- (a) unless the building, screen or structure onto which it is proposed to project such projection sign or projection signs is specified in the application for such licence;
- (b) in respect of any such projection sign which when projected onto a building, screen or structure is more than 12m in width or 12m in height;
- (c) unless the licence specifies the building, screen or structure onto which such projection sign may be projected.

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

5.10.4 Where a licence has been issued by Council pursuant to this Local Law the projection sign or projection signs in respect of which it has been issued shall not be projected onto any building, screen or structure not specified in such licence.

5.10.5 The owner or occupier of any building, screen or structure shall not permit any projection sign or projection signs to be projected onto the same unless a licence has been issued pursuant to this Local Law.

5.11 Pylon Signs:

5.11.1 Every pylon sign shall:

- (i) not have any part less than 1.8 metres or more than 6 metres above the level of the ground immediately below it except signs complying with 5.11(iii)(d) which may be up to 20 metres in height;
- (ii) be supported on one or more piers or columns of brick, stone, concrete or steel of sufficient size and strength to support the Pylon Sign;
- (iii) comply with the following size requirements -
 - (a) a maximum size of 4 square metres where there is one business per lot of land; or
 - (b) a maximum size of 2 square metres per business up to a maximum overall size of 20 square metres per lot; or
 - (c) where four or more businesses are on the same lot of land, two separate pylon signs may be permitted provided the maximum size of the sign for each business does not exceed 2 square metres; or

- (d) notwithstanding sub-paragraphs (a) and (b) approval may be granted for a pylon sign larger than four square metres to a maximum size of 20 square metres provided:
 - (1) the overall height does not exceed 20 metres;
 - (2) the sign is deemed desirable for the development;
 - (3) the subject lot is zoned commercial or industrial;

5.11A Reserve Signs -

Community groups or clubs requiring a Reserve sign must make written application to the Council and Written Approval may be granted subject to -

- a. the area of the sign not exceeding one square metre;
- b. the sign being located on the reserve or boundary fence and not the Council verge;
- c. only one sign per community group or club;
- d. the community group or club being based or operating from that reserve;
- e. the sign being professionally produced;
- f. the Council reserve the right to withdraw approval at any time or limit the time the sign may be display.

5.12 Roof Signs:

5.12.1 A roof sign shall -

- (a) not at any point be within 4m of the ground level;
- (b) not extend laterally beyond the external walls of the building;
- (c) comply as regards to height above ground level with the following table:

Height of Building Where Roof Sign is to be fixed	Maximum Height of Roof Sign
4m and under 5m	1.5m
5m and under 6m	2.0m
6m and under 12m	3.2m
12m and under 18m	5.0m
18m and under 24m	6.0m
24m and upwards	7.0m

5.13 Sale Signs:

5.13.1 Subject to the issue of a licence pursuant to the provisions of these Local Laws, a person may erect a sale sign not exceeding 18.0 square metres in area.

5.13.2 Signs less than 1.8 square metres in area are exempt from the provisions of this Local Law.

5.14 Semaphore Signs:

5.14.1 A semaphore sign shall:

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

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

5.14A Service Station Signs

5.14A.1 The Council shall not approve in relation to a service station the erection or placement of:

- i. more than one service station sign that is a pylon sign; and
- ii. more than one service station sign indicating the price of petroleum products not exceeding three square metres; and
- iii. more than one service station sign, or a type not referred to in paragraphs (i) or (ii), advertising products or services available at the service station not exceeding three square metres

And the total area of all signs shall not exceed 22 square metres.

5.15 Tower Signs: A tower sign shall not, unless otherwise specially approved by 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; or
- (e) extend laterally beyond any part of the mast, tower or chimney stack on which it is placed.

5.16 Verandah Signs:

5.16.1 Signs above Verandah Fascias: Signs comprising freestanding lettering only may be erected above the outer fascia of a verandah parallel to the kerb, if the lettering does not exceed 400mm in height and is mounted on a base of at least 75mm in width.

5.16.2 Signs on Verandah Fascias: A sign fixed to the outer or return fascia of a verandah:

- (a) shall not exceed 600mm 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.

5.16.3 Signs on Verandah Fascias (Theatre):

5.16.3.1 An illuminated sign fixed to the outer fascia of a theatre verandah shall:

- (a) not be constructed or erected unless plans and specifications thereof and structural details of the verandah have been submitted to Council and the plans of the sign approved by Council;
- (b) be so constructed that its bottom edge is not lower than the bottom edge of the fascia or its top edge not higher than the top edge of the fascia;
- (c) not in any event exceed 1.2m in height.

5.16.3.2 Where such a sign is to be fixed to the outer fascia of a theatre verandah which has already been constructed at the time that this Local Law comes into force, the outer face of the sign shall not be less than 150mm from a line drawn vertically from the kerb line of the footpath beneath such verandah.

5.16.3.3 Where such a sign is to be fixed to the outer fascia of a theatre verandah constructed after this Local Law comes into force, the outer face of the sign shall not be less than 600mm from a line drawn vertically from the kerb line of the footpath beneath such verandah.

5.16.4 Signs Under Verandahs: A sign under a verandah shall:

- (a) afford a headway of at least 2.75m or, when approved by Council, 2.4m;
- (b) not exceed 2.4m in length or 500mm in depth;
- (c) not weigh more than 50 kg;

- (d) not, if it exceeds 300mm in width, be within 1.4m, or where it does not exceed 600mm in width be within 1m, of the side wall of the building, measured along the front of the building before which it is erected;
- (e) not, if it exceeds 300mm in width, be within 2.75m, or where it does not exceed 300mm in width be within 1.75m, of 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 where the sign may be placed at an angle with the wall so as to be visible from both streets;
- (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 such sign.

5.17 Vertical Signs:

5.17.1 A vertical sign shall:

- (a) afford a minimum headway of 2.75m;
- (b) subject to sub-Local Law 5.17.2, not project more than 1m from the face of the building to which it is attached;
- (c) subject to sub-Local Law 5.17.3 not be within 1.75m 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 1m above the top of the wall to which it is attached nor more than 1m back from the face of that wall;
- (f) not be within 4m 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) except with the approval of Council not exceed 1m in width exclusive of the back projection.

5.17.2 Where a vertical sign is affixed to the face of a building that is set back beyond the face of another building within 3m of it, the sign may project 500mm further than the distance prescribed by paragraph (b) of sub-Local Law 5.17.1 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.

- 5.17.3 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, Council may authorise the affixing of the sign at a lesser distance from the end of the wall than that prescribed by paragraph (c) of sub-Local Law 5.17.1.

6. Offences

- 6.1 Every person who erects a sign, hoarding or posts any bill which does not comply with or erects a sign or hoarding or posts a bill in a manner contrary to the provisions of these Local Laws commits an offence;
- 6.2 Where by these Local Laws it is required that a person obtain a licence to erect or maintain a sign or hoarding, every person who maintains a sign or a hoarding without a licence or in respect of which the licence has expired or been cancelled commits an offence;
- 6.3 Neither the owner nor the occupier of any land or premises shall permit a sign hoarding or billposting to remain therein or thereon unless, such sign, hoarding or billposting complies with these Local Laws;
- 6.4 Without prejudice to the preceding provisions of this Local Law the Council may serve on the owner or occupier of any premises on which any sign hoarding or billposting is erected, affixed or maintained contrary to these Local Laws, notice to remove that sign hoarding or billposting within such time as may be specified in the notice and a person neglecting or failing to comply with the terms of a notice served on him pursuant to this sub-Local Law commits an offence;
- 6.5 The Council or any person duly authorised by the Council in that regard may remove to a place appointed by the Council any sign, advertisement, advertising device, hoarding or signboard placed on or erected on any street, way, footpath or other public place, unless so placed or erected pursuant to these Local Laws;
- 6.6 The Council or any person duly authorised by the Council in that regard may without being liable in damages or otherwise dispose of any of the things mentioned above and reinstate the street, way, footpath or public place at the expense of the person or persons responsible for the deposit thereon of the injury thereto and recover the amount of the expense from him in a Court of competent jurisdiction."

7. Penalties

- 7.1 Any person who commits an offence against these Local Laws is liable on conviction, to a penalty as prescribed in Section 190(7)(d)(i) and (ii) of the Act.

8. Application

- 8.1 These Local Laws shall apply to the whole of the district of the municipality of the City of Melville.

First Schedule

Application for Licences - Signs and Hoardings

To: Melville City Council

Name of owner/occupier of land on which the sign is to be erected

Submitted by

Address for correspondence

I/We hereby apply for a licence to erect and/or maintain a

.....Sign on lot.....House No.

Street,

in accordance with the attached plan and details in duplicate.

Signature of Applicant:

Date:

I/We acknowledge that I/We have read and understood the City of Melville Local Laws relating to Signs, Hoardings and Bill-Posting, pursuant to which this application is made.

I/We undertake to Melville City Council that, in consideration of Melville City Council issuing the Licence the subject of this application, I/We shall indemnify and save harmless, Melville City Council for all claims, demands, actions or proceedings of whatsoever nature made by any person whatsoever as a consequence of any loss or damage suffered by the placement of the sign the subject of this application in a public place.

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Licence

Municipality of Melville

No. Date: 20.....

This Licence is granted to.....of.....

in respect of a on premises known as No.

in accordance with Application No.....and subject to the Local Laws of the Municipality. This licence shall remain valid unless any alteration is made to the sign, then in such event the licensee must apply for a new licence. If this licence is issued in respect of a hoarding, the licence expires on the

This Licence is issued subject to compliance with the Local Laws relating to signs, hoardings and billpostings and the Sign Licence number must be placed on the bottom left hand corner, as viewed in clear legible numbers.

.....20

Building Surveyor:

Second Schedule - Scale of Fees

Application fees for the classification of signs inclusive but not limited to the following will be determined from time to time by resolution of the Council of the City of Melville and in accordance with Section 6.16 and 6.17 of the Local Government Act 1995.

Scale of Fees

Pylon or tower sign

Oversized pylon or tower sign

Illuminated sign –

On roof

Under verandah

Other

Development sites

Sign panel

Hoardings (per annum)

Any other sign

Sale signs (per six months)

1.8 square metres to 4.0 square metres

4.1 square metres to 10.0 square metres

10.1 square metres to 18.0 square metres

Permanent portable signs.

Amendments

Government Gazette - 28/7/89 - No 71 page ? - amendment 2nd schedule - fees
Government Gazette - 8/12/89 - No 121 page 4487 - amendment Local Law 7 - penalty clause
Government Gazette - 2/3/90 - No 22 page 1307 - amended to include service station signs
Government Gazette - 7/12/90 - No 152 page 6004 - amendment 2nd schedule - fees
Government Gazette - 12/4/91 page 1644 - amendment to include portable signs
Government Gazette - 16/10/92 page 5142 - addition of types of signs
Government Gazette - 15/4/94 page 1602 - replacement of Local Law 4.12 - election signs
Government Gazette - 30/9/94 page 5000 - 2nd schedule replacement - fees
Government Gazette - 14/10/94 page 5193 - printers correction
Government Gazette - 05/01/96 page 7/8 - advertising devices
Government Gazette - 15/03/96 - Scale of Fees
Government Gazette - 15/04/97 page 1882- Scale of Fees
Government Gazette – 12/07/02 page 3377 – Scale of Fees
Government Gazette – 17/06/03 – Scale of Fees