

LOCAL GOVERNMENT ACT 1960

MUNICIPALITY OF THE SHIRE OF BROOME

LOCAL LAWS RELATING TO SIGNS, HOARDINGS AND BILL POSTING

In pursuance of the powers conferred upon it by the above-mentioned Act and of all other powers enabling it, the Council of the above-mentioned Municipality hereby records having resolved on 21st June 1994 to revoke the By-laws (Signs, Hoardings and Bill Posting) published in the Government Gazette on the 27th May 1963 as amended 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 Shire of Broome Signs, Hoardings and Bill Posting Local Laws.

2. Interpretation

In these Local Laws, unless the context otherwise requires:

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

"**Advertising Device**" means any object, structure, building, wall or fence on which words or numbers or figures or drawings are written, placed, affixed, attached or painted for the purpose of advertising any business, function, operation, development, event undertaking or any product or thing whatsoever, and includes any vehicles or trailer or such other similar object or objects placed or located so as to serve the purpose of advertising any business, function, operation, development, event, undertaking or any product or thing whatsoever;

"**Bill Posting**" means the attaching, sticking, application, painting, stencilling or affixing of any bill, poster, placade, or advertisement on any building, structure, fence, wall, hoarding, sign post, pole, blind or awning, whether erected upon private property or in or upon a public place so as to be visible to any person in a street, public place, private property, reserve or other land;

"**Council**" means the Council of the Shire of Broome;

"**Commercial Area**" means an area where business or trade is conducted, to the exclusion of any purpose as classified by the Town Planning Scheme.

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

"**Display Home Sign**" means a sign erected on a lot on which lot a house or other residential building is erected or is to be erected which house or other residential building has been approved by the Council as a display home under the district Zoning Scheme of the Council.

"**Fly Posting**" without limiting the generality of the provisions of these Local Laws relating to bill posting means advertising by means of more than one bill poster placed or placard attached, applied, painted, stencilled or affixed on fences, walls, buildings, structure, trees, rocks and any like places, or things without authority and "fly post" has a like meaning;

"**Hoarding**" means a detached or detachable structure including a poster panel, wall panel or an illuminated panel other than a pylon sign that is erected for the sole purpose of displaying a sign or signs but excluding hoardings referred to in Section 377 of the Act;

"Horizontal Sign" means a sign affixed or attached parallel to the wall of a building or a structure to which it is attached with its largest dimension, horizontal;

"Illuminated Sign" means a sign that is so arranged as to be capable of being lit either from within or from 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 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 any private property, public place or building used for or in connection with a medical or dental surgery clinic, hospital, rest home, home for the aged or other institution or place of a similar nature;

"Industrial Area" means an area classified as an industrial zone by Council's Town Planning Scheme;

"Licensee" means the holder of a licence issued by the Council pursuant to these Local Laws;

"Lot" shall have the same meaning given to it in and for the purposes of the Town Planning and Development Act, 1928 (as amended) and "allotment" has the same meaning;

"Low Level Sign" means a sign complying with the standards and requirements of Local Law 5.20mk2:

"Portable Sign" means a sign not permanently attached to the ground or to a structure, wall, fence or building and including, but not limited to a sandwich board sign consisting of two sign boards attached to each other at the top or elsewhere by hinges or other means;

"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 sign infill may be added;

"Residential Area" means an area classified as a residential zone by Council's Town Planning Scheme;

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

"Sale Sign" means a sign indicating that the private property or premises whereon the sign is affixed, are for sale, for letting or to be auctioned;

"Semaphore Sign" means a sign attached or affixed to a structure or building which sign is affixed and supported at, or by, one of its ends only;

"Service Station Sign" means signs used solely for the purpose of advertising the price of petrol, diesel or other products sold from land used as a motor vehicle service station;

"**Sign**" includes a signboard, a portable sign, a bunting sign, a clock other than a clock which is built into a wall and does not project beyond the face of the wall, or flags, and bunting which carry no written message and every other type or style of sign defined or referred to in these Local Laws;

"**Sign Infill**" means a panel which can be fitted into a pylon sign framework;

"**Surveyor**" means the Council's Building Surveyor appointed pursuant to the Act;

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

"**Town Planning Scheme**" means the Shire of Broome Town Planning Scheme No 2 published in the Government Gazette on the 29th June 1993 as amended from time to time or such other Town Planning Schemes or Local Laws for the time being in force whereby the Shire of Broome or any part thereof is classified and zoned.

"**Verandah**" for the purpose of these Local Laws, includes cantilever awnings, cantilever verandahs and balconies whether in, on or above a street, way, footpath, public place or private property;

"**Verandah Signs**" includes signs attached or affixed on or above verandah fascias and signs under verandahs;

"**Vertical Sign**" means a sign affixed or attached to the wall of a building or a structure, of which the vertical dimensions of the sign exceeds the horizontal dimension of the sign exclusive of the back projection of the sign;

"**Wall Panel**" means a panel used for displaying a bill poster or painted advertisement which panel is attached or affixed to the wall of a business premises or which panel erected in or about the forecourt of such business premises;

Where applicable, words and expressions used in Local Law 2 hereof have the same respective meaning as is given to them in the Act.

3. **Licences**

3.1 Licences and Exemptions

3.1.1 Subject to Sub- Local Law 3.1.2 and 3.6

- (a) No person shall erect, make, place 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 signs 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 private property or premises
- (d) advertisement affixed to or painted on a shop window by the occupier thereof and relating to the business carried on therein
- (e) signs within a building unless such signs are deemed to be objectionable by the Council
- (f) signs not larger than 0.7 m x 0.9 m on advertising pillars or panels approved by or with the consent of the Council for the purpose of displaying public notices for information
- (g) building name signs on residential flats or home units when such signs are of a single line of letters not exceeding 300 mm in height, fixed to the facade of the building
- (h) signs for use solely for the direction and/or control of people, animals, and/or vehicles or to indicate the name and/or street numbers of a premises, providing the area of any such sign does not exceed 0.2 square metres and the sign is located wholly within the boundaries of a private property or premises owned by a person who erected or who has maintained the sign
- (i) signs that are required by the Builders Registration Board or other Government bodies or authorities on building sites, providing the area of any such sign does not exceed 1.5 square metres and no part of the sign is of a distance greater than 2 metres above the ground directly below it, and that any such sign is removed within seven (7) days of completion of the building works on the building site
- (j) signs or advertising devices erected, made or placed by the Council of the Shire of Broome on land under the care, control and management of the Council

3.1.3 Notwithstanding the provisions of Sub- Local Law 3.1.1, the following signs are not required to have a licence issued under these Local Laws, but are nevertheless to be erected and maintained so as to comply with the requirements of these Local Laws and with Main Roads Department regulations relating to main roads under the control and management of the Main Roads Department.

- (a) home open, display centre directional signs, and
- (b) portable signs

3.1.4 Every licence that is granted pursuant to these Local Laws shall exist subject only to the provisions of these Local Laws.

3.1.5 Notwithstanding that a sign or advertising device complies with the provisions of these Local Laws, the Council may refuse a licence if:

- (a) such sign or advertising device would, in its opinion, increase the number or variety of signs so as to become too numerous or various in the locality to be injurious to the amenity or natural beauty or safety of the locality, or
- (b) such sign or advertising device advertises goods, services or activities which are not produced, displayed or offered for sale or otherwise available to the public upon or from the premises where such sign or hoarding is erected, attached or affixed.

3.2 Revocation of Licences

The Council may, without limiting its power to prosecute for any breach of these Local Laws or to recover any penalty arising therefrom, by notice in writing to the licensee revoke any licence granted by the Council pursuant to these Local Laws where:

- (a) 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 a sign or hoarding the subject of a licence is so altered that, in the opinion of the Council, it is objectionable or contravenes Local Law 3.1.5, or
- (b) the licensee is guilty of an offence against these Local Laws in respect to such licence

3.3 Inspection of Licences

3.3.1 A licensee shall, on demand by an officer of the Council produce for inspection a licence issued by the Council pursuant to these Local Laws

3.3.2 Every sign or hoarding the subject of a licence issued by the Council pursuant to the Local Laws shall bear on its face (bottom left hand corner as viewed) clearly legible figures (minimum 25 mm high) the number of the licence applicable to the said sign or hoarding as provided by Council.

3.4 Applications for Licences

3.4.1 An application to the Council for a licence pursuant to 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 to a sign or hoarding shall be accompanied by duplicate plans, drawn to a scale of not less than 1 to 50 showing the size, position, design and inscriptions to appear thereon, the method of construction and fixing of the sign or hoarding to a building or structure, setbacks of the sign or hoarding from a street, way, footpath or other public place, boundaries where applicable, together with such further information as Council may require.
- 3.4.3 An application for the first issue of a licence, in respect of a roof sign shall be accompanied by a certificate from a Structural Engineer certifying that the building and roof thereof upon which it is proposed to erect the roof sign is in all respects of sufficient strength to support the roof sign, under all conditions and that the roof sign is itself of structurally sound design.
- 3.4.4 Every applicant for a licence pursuant to these Local Laws shall furnish in writing such further particulars as to the sign or hoarding the subject of a licence application as may be required by the Building Surveyor.
- 3.4.5 Subject to Local Law 3.2 and except where otherwise provided in these Local Laws, a licence issued pursuant to these Local Laws remains valid until an alteration is proposed to be made to the structure or area of the sign or hoarding in respect of which a licence has been issued and in such event the licensee shall apply for a new licence.
- 3.4.6 The Council may impose any conditions it thinks fit to a licence issued pursuant to these Local Laws.

3.5 Licence Fees

A licence pursuant to these Local Laws shall only be issued and valid upon payment of the appropriate fee as set out in the Second Schedule to these Local Laws, but the prior payment of a licence fee pursuant to any Local Laws that were in operation prior to the coming into operation of these Local Laws shall be deemed to be a payment for the purpose of this Local Law.

3.6 Special Permits

- 3.6.1 Notwithstanding anything contained or provided in these Local Laws, the Council may, by written permit issued by the Building Surveyor, allow the display of:
- (a) advertisements at churches, theatres and other places of public entertainment, or of advertisements of meetings or other matters of public interest.
 - (b) a sign or advertising device in the form of search lights, flood lights, pennants, flags, banners and the like used to call attention to, or for the purpose of advertising any service, business, function, operation, event or undertaking, upon such terms and for such period as the Council may in each case think fit.

- 3.6.2 Such terms and conditions imposed by the Council pursuant to Local Laws 3.6.1 hereof and the period of the permit shall be specified in the permit.
- 3.6.3 Council may revoke any such permit at any time without assigning any reason for such revocation.
- 3.6.4 Upon the expiration or revocation of a permit issued under this Local Law, the persons to whom the permit was issued shall forthwith remove the advertisement sign or advertising device to which the permit relates and failure by the holder of the permit to remove the advertisement within a reasonable time shall be an offence.

4. **General**

4.1 Restrictions

A sign or advertising device shall not be erected, placed, or maintained:

- (a) (i) so as to obstruct or impede all or part of the view which may be enjoyed from a street, way, footpath, public place or private property of any place of feature or natural beauty;
- (ii) so as to obstruct or impede the sight lines required for the free and safe movement of traffic in, to, or from any street, way, footpath, public place or private property;
- (b) so as to be likely to be confused with or mistaken for an official traffic sign or so as to contravene the Main Roads Act 1982 or the Regulations made thereunder;
- (c) except with the approval of the Council or 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 or structure;
- (d) on any land that is zoned in the District Zoning Scheme as residential or used for residential purposes other than a site of lawful non-conforming use other than residential, unless specifically permitted in these Local Laws;
- (e) on or to any building or structure of which the stability of the building or structure is, in the opinion of the Building Surveyor, likely to be detrimentally affected by the sign or advertising device;
- (f) as a movable or portable sign upon a carriageway, dividing strip or traffic island, or other place that in the opinion of Council is dangerous to pedestrian and/or vehicular traffic;
- (g) on a light or power pole without the approval of the relevant authority responsible for the erection of that pole;
- (h) upon or inside a vehicle adapted and exhibited primarily to facilitate

advertising;

- (i) in the form of balloons or blimps;
- (j) so as to have all or any part thereof projected, flashing, animated, moving or rotating;
- (k) in or at any site, location or position where, in the opinion of the Council, the advertisement will not be harmonious with the surroundings in the locality in which the advertisement is proposed to be sited, located or positioned or where Council considers it will be undesirable for reasons to be stated by the Council.

4.2 Inscriptions on Signs

Except in the case of a direction sign, sale sign, information panel and a development sign, signs attached or affixed to a premises, or building generally shall only display one or more of the following:

- (a) the name of one or more of the occupiers of the same premises or building;
- (b) details of the business or businesses carried on, in, or at the same premises or building;
- (c) details of the goods sold in or at the same premises or building to which it is affixed and nothing more;
- (d) any other matter approved by the Council.

4.3 Existing Signs

Where an existing sign fails to conform to the requirements of these Local Laws, a person receiving a direction from the Council to remove the sign shall remove it immediately upon receiving the direction. A person receiving such a direction may within 14 days of his receipt thereof, appeal in writing to the 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 Surveyor and shall be safely maintained.

4.5 Obstruction of Doors, etc

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

4.6 Glass in Signs

Glass shall not be used in any sign, except for the purpose of illumination of an illuminated sign.

4.7 Readily Combustible Material

Except in the case of posters securely affixed to a signboard or hoarding, readily combustible materials, including, but not exclusively paper, cardboard or cloth, shall not form part of or be attached to any sign.

4.8 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.

4.9 Bill Posting

A person shall not bill post within the district of the Shire of Broome except on a hoarding approved for the purpose by the Council.

4.10 Fly Posting

A person shall not fly post at any site, place or location within the district of the Shire of Broome.

4.11 Design Principles

Any sign or advertising device erected and maintained in accordance with these Local Laws shall:

- (a) be simple and provide for instant recognition.
- (b) in design, colour and location be sympathetic and harmonious with the surrounding street, way, footpath, public place or private property and environment and the building or structure to which it is attached or affixed.
- (c) be placed and constructed so as not to endanger public safety.
- (d) have all sign writing, design work, lettering and colouring thereto carried out in a competent and professional manner.

4.12 Reserves Under the Care and Control of Council

4.12.1 Unless otherwise allowed pursuant to these Local Laws or approved by Council, a sign or advertising device shall not be permitted to be erected or maintained on road reserves or other reserves under the care and control of Council.

4.12.2 The Council may grant approval for the erection of any sign or advertising device on road reserves or other reserves under the care and control of the Council and impose any such conditions or enter into any such contract or agreement with the owner or licensee of the sign or advertising device as it sees fit to ensure the proper control and maintenance of any such sign or advertising device.

5. **Requirements for Particular Signs**

Subject to sub Local Law 5.17, painted signs on any object, structure, building or wall shall where applicable conform to the provisions contained within sub Local Laws 5.7 and 5.20 pertaining to horizontal and vertical signs respectively.

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, accessway or footpath thereunder;
- (b) comply as regards with the following table:

Height of bottom of clock above footway	Maximum diameter or width of clock face and depth of clock including lettering
2.75 m and under 4 m	300 mm
4 m and under 6 m	750 mm
6 m and under 12 m	1 m
12 m and over	1.5 m

- (c) be affixed or attached either parallel or at right angles to the wall to which it is affixed or attached;
- (d) not project from the wall to which it is affixed or attached;
 - (i) if parallel to the wall, more than 300 mm; or
 - (ii) if at right angles to the wall, more than 2 m;
- (e) afford a minimum headway of 2.75 m;
- (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 midnight and 7.00 am.

5.2 Development Signs

Development signs shall:

- (a) only be erected where more than 10 subdivisional lots are to be created in the development or in the stage of development being advertised;

- (b) only be erected in the ratio of 1 square metre of area per hectare of the total land to be subdivided, up to a maximum aggregate area of all development signs of 50 square metres with no individual sign exceeding 22 square metres in area;
- (c) be removed from the site within two years of the granting of a licence for the same or when 80 per cent of the lots by number in the subdivision or stage being advertised have been sold, whichever is the sooner.

5.3 Direction Signs on Street Poles

5.3.1 Approval is required for the erection of any directional sign on a street pole and such approval shall only be granted by the resolution of the Council and where approval has been so granted any directional sign on a street pole shall:

- (a) afford a minimum headway of 2.1 m;
- (b) not exceed 150 mm in depth or 750 mm in length;
- (c) be securely affixed to and supported by one or more columns of steel of sufficient size and strength to support the sign under all conditions;
- (d) be erected and maintained so as not to cause interference or hazard to vehicular traffic or cause any interference or hazard to or impede pedestrians.

5.3.2 Council may revoke any such approval at any time without assigning any reason for such revocation of approval.

5.4 Display Centre Directional Signs

Each display centre may have a maximum of four direction signs on the verge at any one time and any such sign shall:

- (a) only be displayed during the times the display centre to which the signs are directed, is open to the public;
- (b) be sited as not to create a hazard to vehicular or pedestrian traffic;
- (c) not have dimensions exceeding 600 mm x 450 mm and not have a height exceeding 600 mm.

5.5 Display Home Signs

Display home signs shall:

- (a) be provided in a ratio not exceeding 2 square metres per home in a centre with no individual sign exceeding 4 square metres, the overall height of the sign shall not exceed 4 m;

- (b) not be illuminated after 9.00 pm;
- (c) be approved for a period not exceeding 12 months at any one time.

5.6 Hoardings

5.6.1 Hoardings shall not:

- (a) be erected on land zoned "residential" pursuant to the District Zoning Scheme;
- (b) except with the approval of Council, be erected within 15 m of any street, way, footpath or public place and in any case, shall not be closer than its own height to a street, way, footpath or public place;
- (c) be of greater area than 22 square metres, Council may permit an increase of not more than 50 per cent of the area.

5.6.2 A licence issued in respect to a hoarding shall be valid for such period as determined by the Council, but not exceeding 10 years.

5.6.3 The licence fee for a hoarding is an annual licence fee and is payable annually for such period as the hoarding is erected or maintained with the approval of the Council.

5.7 Horizontal Signs

5.7.1 A horizontal sign shall:

- (a) afford a minimum headway of 2.75 m;
- (b) be affixed or attached parallel to the wall of the building or structure to which it is affixed or attached;
- (c) conform as to depth to the following table:

Maximum distance of bottom of sign off the street level	Maximum depth of sign
Less than 4.5 m	600 mm
4.5 m to 7.5 m	750 mm
7.5 m to 12 m	1 m

Any sign greater than 12 m off the street level should be 150 mm in depth for each 300 mm in height to a maximum of 4.5 m. All horizontal signs behind the 9 m setback from the front boundary can be double the aforementioned approved depth of the sign providing the whole of the sign is within the fascia limits;

- (d) not project more than 600 mm from the wall to which it is affixed

or attached; and

- (e) not be within 600 mm 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 25 mm in front of and 75 mm above and below the sign.

5.7.2 Notwithstanding the provisions of paragraph (c) of sub Local Law 5.7.1, the Council may permit an increase of not more than 50 per cent of the depth therein mentioned in any part or parts of a sign to permit the inclusion therein of a motif or capital letter.

5.7.3 There shall be not more than one line of horizontal signs facing any one street, way, footpath, public place or private property on any building or structure.

5.7.4 The name of the building or structure, owner or occupier may be shown on the facade of a building or structure, but:

- (a) unless otherwise approved by the Council, only one such name shall be placed on any facade;
- (b) the letters of the name shall not exceed 1.2 m in height;
- (c) the letters shall be of metal or other non-combustible material; and
- (d) the letters shall not be lit or illuminated unless all illuminated lettering has been approved by the Council.

5.8 Illuminated Signs

Every illuminated sign shall:

- (a) be enclosed by boxing or casing which is constructed of non-combustible 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 SAA Code 3000 - 1976;
- (c) be maintained to operate as an illuminated sign; and
- (d) not have or produce light of such intensity or colour as to cause annoyance to the public and which shall not interfere with traffic control lights.

5.9 Information Panels

The Council may provide information panels of varying sizes.

5.10 Institutional Signs

Institutional signs shall not exceed 0.5 square metres in area, except with the

approval of the Council, but in any case, no such sign shall exceed 2 square metres in area.

5.11 Portable Signs

5.11.1 A portable sign shall:

- (a) not exceed 750 mm in height;
- (b) not exceed 0.9 square metres double sided area (eg 750 mm x 600 mm each face);
- (c) not indicate or display any matter other than the name of the owner or occupier of the premises to which it relates and the nature of the business carried on therein;
- (d) be placed so as not to cause interference or be hazardous to vehicular traffic or cause any interference or hazard or impede pedestrians;
- (e) be of sound construction, maintained in good condition, neatly sign written and fixed in position to the satisfaction of the Surveyor;
- (f) be located wholly within the boundaries of land owned or occupied by the person who erected or who has maintained the sign; and not be erected in any position other than adjacent to the building to which the sign relates;
- (g) be removed from the land in the event of a cyclone threat.

5.11.2 A person shall not erect more than one portable sign in relation to a single shop or business unit..

5.11.3 A person who erects a portable sign shall remove the same at the close of business each day and shall not erect the same again until the commencement of business on the following or a subsequent trading day.

5.12 Pylon Signs

5.12.1 A pylon sign shall:

- (a) not have any part thereof less than 2.75 m or more than 6 m above the level of the ground immediately below it;
- (b) not exceed 2.6 m measured in any direction across the face of the sign or have a greater superficial area than 4 square metres;
- (c) not project over any adjacent street;
- (d) be supported on one or more piers or columns of brick, stone, concrete or steel of sufficient size, strength and construction to

support the sign and to comply with the Wind Loading Code AS 1170.2;

- (e) where supported by two or more piers or columns, the space between the piers or columns not be wholly or partly filled in with any material below 2.75 m above ground level;
- (f) not be within 2 m of the side boundaries of the lot on which it is erected unless the lot on which the pylon sign is erected abuts an intersecting street or right of way, in which case the Council may authorise the erection of a sign at a lesser distance than 2 m;
- (g) not have any part thereof less than 6 m from any part of another sign erected on the same lot.

5.12.2 Where more than one pylon sign is proposed to be erected on a lot on which unit factories or small shops are erected, or are to be erected, Council may require all the pylon signs to be incorporated into one sign in which event:

- (a) initial approval shall be given to the pylon sign framework together with one or more sign infills;
- (b) an application is to be submitted and approval given for each additional infill;
- (c) all infills are to be an equal size and space is to be provided to the sign for one infill for each shop or unit on the lot;
- (d) the total area of the infill signs specified under sub By-law 5.12.1 (b) may be increased by up to a maximum of 10 square metres.

5.12.3 Notwithstanding the provisions of sub Local Law 5.12.1 and 5.12.2, approval for the erection of a pylon sign that does not meet the requirements of these Local Laws may only be granted by the resolution of the Council.

5.13 Roof Signs

5.13.1 Approval for the erection of a sign on a roof of a building shall only be granted by resolution of the Council and where approval has been so granted, a roof sign shall:

- (a) not at any point extend above the ridge line of the roof;
- (b) not at any point be within 3 m of the ground;
- (c) not extend laterally beyond the external walls of the building;
- (d) comply as regards height above ground and height of sign with the following table:

**Height of main building
above ground level at**

**Maximum height
of size**

**point where sign is to
be fixed**

3 m and under 4 m	1.0 m
4 m and under 6 m	1.8 m
6 m and under 12 m	2.0 m
12 m and under 18 m	2.5 m
18 m and over	3.0 m

5.13.2 When ascertaining the height of the main building above ground level for the purpose of this Local Law, 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.

5.14 Sale Signs

5.14.1 Any sale sign of any description shall be erected on the land to which it relates and not elsewhere.

5.14.2 A land sale sign advertising for sale lots created by a subdivision shall:

- (a) not exceed 2 square metres in area;
- (b) not be erected or maintained for a period exceeding six (6) months without the prior approval of the Council;
- (c) not be erected until:
 - (i) the plan of subdivision has been approved by the Department of Planning and Urban Development;
 - (ii) the land has been zoned for the appropriate use.

5.14.3 A sale sign advertising an auction shall:

- (a) not exceed 1 square metre in area;
- (b) not be erected more than 28 days before the proposed date of the auction;
- (c) be removed no later than 48 hours after the auction has been held.

5.14.4 A sale sign advertising that flats and dwelling units in a building erected, or to be erected, are, or will be available for letting or for purchase shall:

- (a) not exceed 1 square metre;
- (b) not be erected before the issue of a building licence for any such building;
- (c) not be erected or maintained for a period exceeding three (3)

months following completion of any such building, without the prior approval of the Council.

5.15 Semaphore Signs

5.15.1 A semaphore sign shall:

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

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

5.16 Service Station Signs

5.16.1 A maximum of two (2) service station signs (located on the same supports) are permitted on service station sites, but only one sign shall relate the price of petroleum products. In addition to the aforementioned, a service station sign shall:

- (a) not exceed 0.8 square metres double sided area;
- (b) be located wholly within the boundaries of the site used as a service station;
- (c) be of sound construction, maintained in good condition, neatly sign written and fixed in position to the satisfaction of the Surveyor;
- (d) be located so as not to cause a traffic or safety hazard.

5.17 Signs on Fences

A sign may be painted or erected on the inside of a side or rear fence of a lot situated within a commercial area or an industrial area if the lot is occupied and used for business purposes. Any such sign shall not exceed 1,000 mm in height, not be within three metres of any street boundary, unless specific approval is granted from the Council. Signs may not be erected or painted on any fence, other than the areas specified above.

5.18 Tower Signs

A tower sign shall not, unless prior approval has been given 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.

5.19 Verandah Signs

5.19.1 **Signs above Verandah Fascias**

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

5.19.2 **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.

5.19.3 **Signs under Verandahs**

A sign under a verandah shall:

- (a) afford a headway of at least 2.75 m or only 2.4 m when approved by the Council;
- (b) not exceed 2.4 m in length or 500 mm in depth;
- (c) not weigh more than 50 kg;
- (d) not, if it exceeds 300 mm in width, be within 1.4 m (or where it does not exceed 600 mm in width be within 1 m) of the side wall of the building to which the said sign is affixed or attached;
- (e) not, if it exceeds 300 mm in width, be within 2.75 m (or where it does not exceed 300 mm in width be within 1.75 m) of another sign under that same verandah;
- (f) be fixed at right angles to the front wall of the building to which it is erected except on a corner of a building at a street intersection where the sign may be placed at an angle to the walls 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;
- (h) not be constructed of shatterable material.

5.20 Vertical Signs

5.20.1 A vertical sign shall:

- (a) afford a minimum headway of 2.75 m;
- (b) subject to sub Local Law 5.20.2, not project more than 1 m from the face of the building to which it is affixed or attached;
- (c) subject to sub Local Law 5.20.3, not be within 1.8 m of either end of the wall to which it is affixed or attached;
- (d) be of a height of at least twice its width;
- (e) not project more than 1 m above the top of the wall to which it is attached ;
- (f) not be within 4 m of another vertical sign on the same building;
- (g) not be placed on a corner of a building, except at a street intersection where the sign may be placed at an angle to the walls so as to be visible from both streets, and

- (h) except with prior approval of the Council, not exceed 1 m in width exclusive of the back projection.

5.20.2 Where a vertical sign is affixed to the face of a building that is set back beyond the face of another building, which is situated less than 3 m from the side wall of the first building, the sign may project 500 mm further than the distance prescribed by paragraph (b) of sub Local Law 5.20.1, or the distance by which the building to which it is affixed or attached is set back beyond the face of the other building, whichever distance is the lesser.

5.20.3 Where a building to which a vertical sign is affixed or attached is set back from the boundary or abuts intersecting streets or a right of way, the Council may approve the affixing of a vertical sign at a lesser distance from the end of the wall than that prescribed by paragraph (c) of sub Local Law 5.20.1.

5.20mk2 Low Level Sign

5.20.1mk2 A low level sign:

- may be erected on one or more piers or columns;
- shall not have a dimension of more than 2m in any one direction across its face;
- shall not have any part of its structure more than 2.5m above the level of the adjacent pavement or the level of the ground on which it is constructed at any point;
- shall not project into or over a thoroughfare in any manner;
- shall display only messages which relate to the business and/or name of any occupier of premises on the lot on which it is erected;
- shall contain only messages in panels not greater than 400mm in depth the panels being separated by a space of not less than 50mm;
- may have no more than four panels of 400mm in depth and in any event shall have no more than six panels of any lesser depth.

5.20.2mk2 The Council shall not permit both a low level sign and a pylon sign on any lot.

6. **Offences**

6.1 Every person who erects or authorises or permits to be erected a sign, or a hoarding which does not comply with, or erects or authorises or permits to be erected a sign or a hoarding in a manner contrary to the provisions of these Local Laws, commits an offence.

6.2 Whereby these Local Laws, it is required that a person obtain a licence to erect or maintain a sign or hoarding, every person who erects or 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, building or premises shall permit a sign or hoarding to remain affixed or attached thereto, or thereon unless such sign or hoarding complies with these Local Laws.

- 6.4 Without prejudice to the preceding provisions of these Local Laws, the Council may serve on the owner or occupier of any land, building or premises on which a sign is erected, affixed, attached or maintained, contrary to these Local Laws, notice to remove the sign within such time as may be specified in the Notice and a person neglecting or failing to comply with the terms of such a Notice served on him pursuant to this sub Local Law, commits an offence.

7. Removal and Disposal of Signs Unlawfully Displayed

- 7.1 The Council 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 under the care and control of Council, unless so placed or erected pursuant to these Local Laws. The Council may without incurring any liability therefore, or be liable for damages or otherwise dispose of any sign, advertisement, advertising device, hoarding or signboard so removed and reinstate the street, way, footpath or public place under the care, control of Council, at the expense of the person or persons responsible for the placing or erecting of the same thereon or the injury thereto and recover the expense of the removal from him in a Court of competent jurisdiction.
- 7.2 The Council, or any person acting under the authority of the Council, may remove from private property to a place appointed by the Council any hoarding of any bill, placard or advertisement which is attached to, painted, stencilled, placed, stuck, pasted or affixed on a hoarding and which in the opinion of the Council is dangerous or objectionable at the expense of the owner or occupier who attached, painted, stencilled, placed, stuck, pasted or affixed the same and the Council may recover the expense of the removal from the owner or occupier of the property in a Court of competent jurisdiction.

8. Penalties

Any person who is guilty of an offence against these Local Laws is liable to:

- (a) a penalty not exceeding five hundred dollars (\$500), and
- (b) a daily penalty, during the continuing breach, not exceeding fifty dollars (\$50).

9. Application

These Local Laws shall apply to the whole of the district of the municipality of the Shire of Broome.

SHIRE OF BROOME

First Schedule

APPLICATION FOR LICENCE

SIGNS AND HOARDINGS

Application No: Date:

I hereby apply for a sign / illuminated sign / roof sign / pylon sign / semaphore sign / direction sign / clock / hoarding as shown on the attached plan to be erected on the premises known as

.....

subject to the Local Laws of the Council.

Full name and address of the applicant:

.....

Exact position of the sign:

.....

Dimensions of the sign:

.....

Materials and construction of the sign and supports:

.....

Inscription of device on the sign:

.....

Fees Paid: Approved:

Receipt No:

Signature of Applicant:

Signature of Building Surveyor:

SHIRE OF BROOME
LICENCE
SIGNS AND HOARDINGS

Permit No: Date:

This licence is granted to:

on premises known as:

in accordance with Application No and subject to the Local Laws of the Council.

This licence shall remain valid unless any alteration is made to the sign. In such an event, the licensee must apply for a new licence.

If this licence is issued in respect of a hoarding, the licence expires on the

.....

Building Surveyor

SHIRE OF BROOME

Second Schedule

FEES

1.	A pylon sign	\$ 50.00
2.	An illuminated sign	\$ 50.00
3.	Any other sign	\$ 40.00
4.	A hoarding - per annum	\$150.00

Dated this

day of

1996

The Common Seal of the SHIRE)
OF BROOME was duly affixed by)
authority of a Resolution of)
Council in the presence of:)

.....
R J JOHNSTON
SHIRE PRESIDENT

.....
GREG POWELL
SHIRE CLERK

Recommended:

.....
Minister for Local Government

Approved by His Excellency the Governor in Executive Council.

This

day of

1996

.....
Clerk of the Council