

CHAPTER 2.6 SIGNAGE

1.0 INTRODUCTION

The introduction of State Environmental Planning Policy No 64 – Advertising and Signage (SEPP 64) and the (draft) Signage Code under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the “Codes SEPP”), has provided uniform regulation for the consideration of applications for signage across NSW.

While these documents provide information to deal with the majority of proposals for signage, in certain circumstances further guidance and assessment is required. This Chapter provides:

- the additional information for the provision and assessment of appropriate signage; and
- a general guide for the process of erecting appropriate signage in Wyong Shire.

1.1 Objectives of this Chapter

- To encourage high quality signage that is properly designed, located and maintained
- To allow for the provision of signage that is compatible with the desired amenity and visual character of an area
- To provide for the effective communication of information in suitable locations

1.2 Land to which this Chapter Applies

This Chapter applies to the areas of Wyong Shire where WLEP 2013 is in force.

1.3 Relationship to other Legislation

This Chapter is to be read in conjunction with State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and WLEP 2013.

In addition, signage is also considered under:

- State Environmental Planning Policy No 64 – Advertising and Signage (SEPP 64);
- The Environmental Planning and Assessment Regulation 2000.
- State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure);

1.4 Relationship to Other Chapters and Policies

This Chapter should be read in conjunction with other relevant Chapters of this Development Control Plan and other Policy Documents of Council, including but not limited to:

- Chapter 2.11 – Parking and Access
- Chapter 2.14 – Restricted Premises and Sex Services Premises
- Chapter 3.7 – Heritage Conservation
- Council's Civil Works – Design Guideline and Construction Specification

Note: Signage related to Restricted Premises are dealt with exclusively in DCP 2013 Chapter 2.14 and signage relating to Heritage is discussed under Section 2.2.2 below.

1.5 Glossary

Note: Generally, the terms used in this Chapter have the same meaning as those terms are defined within the WLEP 2013. The following additional terms are relevant to this Chapter:

advertisement is defined as a sign, notice, device or representation in the nature of an advertisement visible from any public place or public reserve or from any navigable water.

advertising structure is defined as a structure used or to be used principally for the display of an advertisement. Advertising structures are a type of signage.

building identification sign means a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services.

business identification sign means a sign:

- that indicates:
 - the name of the person or business; and
 - the nature of the business carried on by the person at the premises or place at which the sign is displayed; and
- that may include the address of the premises or place and a logo or other symbol that identifies the business, but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

signage means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following:

- an advertising structure;
- a building identification sign;
- a business identification sign;

but does not include a traffic sign or traffic control facilities.

2.0 DEVELOPMENT PRINCIPLES

2.1 Summary of the Assessment Process

Most forms of business and building identification signage are dealt with under the Codes SEPP:

- Part 2 Division 2 – Advertising and Signage Exempt Development Code
- Part 5 Subdivision 7 and 8 – General Commercial and Industrial Code

If the proposed signage exceeds the development standards set under the Codes SEPP and/or is located on land where the SEPP does not apply, a Development Application is required and is to respond to the requirements of Section 2.2.1 below.

Proposals for advertisements and other forms of permissible signage not listed in the Codes SEPP are to respond to the requirements of Section 2.2.2 below.

2.2 Development Applications

A development application for signage may only be lodged on land where signage is permissible under WLEP 2013 or other Environmental Planning Instrument such as SEPP 64 and the SEPP Infrastructure.

Signage must relate to the approved use of the land upon which it is located except as otherwise permitted under other instruments such as SEPP Infrastructure or SEPP 64.

2.2.1 Signage Types dealt with under Codes SEPP

For the purposes of this DCP, Council will apply the Development Standards (e.g. - heights, signage area etc.) as those acceptable for signage listed in the Codes SEPP. In submitting a development application for signage types mentioned in the Codes SEPP the applicant must:

- a ensure that the form of signage proposed is permissible on the subject site under WLEP 2013, SEPP 64 or other applicable Planning Instrument;
- b document the extent of variation from the Development Standards set under the Codes SEPP and provide justification for the variation to each relevant Standard if sought;
- c document the need for the development application to be lodged if the proposal does not seek variation to a Codes SEPP Development Standard (e.g. - located on land not covered by the SEPP, vegetation removal required, signage type not dealt with in the SEPP, etc.);
- d provide appropriate information as required as per Council's Development Application Requirements including a Statement of Environmental Effects;
- e provide within the Statement of Environmental Effects, information indicating how the proposal meets **all** the requirements of Clause 8 of SEPP 64.

Note: Where signage is listed under the Codes SEPP, applicants are encouraged to meet the standards set under the SEPP. Applicants may wish to contact Council prior to lodging a Development Application to ascertain the likelihood of approval.



Figure 1 - Typical Building Signage (source Department of Planning and Environment)

2.2.2 Other Signage

The Codes SEPP deals with the majority of signage that is considered to be appropriate in Wyong Shire Local Government Area. The following are examples of signage that may be permissible with development consent, not considered under the Codes SEPP:

- Advertisements: Advertisements that are not considered to be exempt development under the Codes SEPP are considered under SEPP 64.
- Above Awning Signs: The prescriptive standard for “under awning signs” as described under the Signage Code will be applied for assessment purposes for “above awning signs”.

Note: For types of signage that are not listed above, applicants may wish to contact Council prior to lodging a Development Application to ascertain the likelihood of approval. Section 3 below lists some forms of signage that would not gain approval.

Where it is considered that a Development Application is required the following information is to be provided:

- a indication that the form of signage proposed is permissible on the subject site under WLEP 2013, SEPP 64 or other applicable Planning Instrument;
- b appropriate information required as per Council’s Development Application Requirements including a Statement of Environmental Effects;
- c document the extent of any variation from the development standards and provide justification for the variation to each relevant Standard if sought;
- d provide information in the Statement of Environmental Effects indicating how the proposal meets the requirements of Clause 8 of SEPP 64;

- e for advertisements not considered exempt development, Part 3 of SEPP 64 applies and the requirements of the SEPP must be met;

Note: Signage related to a Heritage Item or Heritage Conservation Area is subject to development standards found under Chapter 3.7 – Heritage Conservation. The Codes SEPP does not apply to Heritage Areas or Items. Development Applications for signage relating to a Heritage Item or Area is to respond to the requirements of Chapter 3.7 and Section 2.2.2 a to d above.

3.0 SIGNAGE TYPES NOT PERMITTED IN WYONG SHIRE LOCAL GOVERNMENT AREA

While Council will deal with any proposal for signage on its merit, there are certain forms of signage that are considered inappropriate that will not be issued with consent.

- a any advertisements displayed on parked motor vehicles, trailers and the like on road reserves, including road(s) and footpaths.
- b signs affecting traffic safety or movement;
- c any advertisement or advertising structure affixed in whole or part to a tree, electricity pole or the like;
- d any advertisement or advertising structure which obscures or interferes with road traffic signs;
- e any advertisement or advertising structure which interferes with the view of a road hazard or oncoming vehicle or any other vehicle or person or other obstruction which should be visible to drivers and other road users;
- f any advertisement or advertising structure giving instructions to traffic by the use of the words "halt", "stop" or other directions, or imitate traffic signs, painted on windows, walls or displayed on any advertising structure.