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13 OUTDOOR ADVERTISING

Where consent is required for outdoor advertising, a development application will be assessed on its ability to meet:

- The zone objectives and provisions of the applicable LEP.
- *Environmental Planning and Assessment Act 1979*, including the provisions of Section 79C.
- The provisions of the *Murray Regional Environmental Plan No 2—Riverine Land*.
- Any other applicable State Environmental Planning Policies.
- Relevant objectives and controls in this DCP.
- Council policies (refer to Chapter 1 Section 1.8).
- Council’s Development Manual.

NOTE: Please also refer to Chapter 11 for proposed advertising or signage within the Heritage Conservation Area or within the vicinity of a listed heritage item.

NOTE: It is important that development complies with all relevant Chapters of this DCP. Applicants should check each Chapter and address all relevant controls.

13.1 GENERAL DEFINITIONS

The following general definitions are based on those provided in clause 4 of the *State Environmental Planning Policy 64 - Advertising and Signage (SEPP 64)*.

Advertisement means signage to which Part 3 of SEPP 64 applies and includes any advertising structure for the advertisement.

Advertising display area means the area of an advertisement or advertising structure used for signage, and includes any borders of, or surrounds to, the advertisement or advertising structure, but does not include safety devices, platforms or lighting devices associated with advertisements or advertising structures. Where a sign has two or more sides, the advertising display area is not the sum of the display areas on all sides.

Advertising structure means a structure or vessel that is principally designed for, or that is used for, the display of an advertisement.

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

Building wrap advertisement means an advertisement used in association with the covering or wrapping of:

- (a) a building or land, or
- (b) a building that is under construction, renovation, restoration or demolition, but does not include a wall advertisement.

Business identification sign means a sign:

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

Freestanding advertisement means an advertisement that is displayed on an advertising structure that is mounted on the ground on one or more supports.

Product image means any words, letters, symbols or images that identify a product or corporate body, but does not include any object to which the words, letters, symbols or images are attached or appended.

Roof or sky advertisement means an advertisement that is displayed on, or erected on or above, the parapet or eaves of a building.

Signage means all signs, notices, devices, representations and advertisements that advertise or promote 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:

- (a) Building identification signs, and
- (b) Business identification signs, and
- (c) Advertisements to which Part 3 of SEPP 64 applies, but does not include traffic signs or traffic control facilities.

Special promotional advertisement means an advertisement for an activity or event of a civic or community nature, but does not include a wall advertisement.

Wall advertisement means an advertisement that is painted on or fixed flat to the wall of a building, but does not include a special promotional advertisement or building wrap advertisement.

13.2 TYPES OF SIGNS

The following sign definitions are based on those provided in clause 4 of the *State Environmental Planning Policy 64 Advertising and Signage (SEPP 64)*.



Figure 13-1 Types of Signs (Source: NSW Planning and Infrastructure, Changes to Exempt and Complying Development - Information Sessions for Council and Industry Practitioners January 2014 – February 2014)

13.3 STATE PLANNING POLICIES

There are two main State Environmental Planning Policies (SEPPs) that apply to signage. These are discussed below.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP)

This SEPP details signage that, in certain circumstances, are exempt and complying development.

State Environmental Planning Policy No 64 – Advertising and Signage (SEPP 64)

SEPP 64 applies to all signage that is permissible with or without consent under the provisions of another environmental planning instrument, and that is visible from any public place or public reserve. It aims to ensure that signage is compatible with the amenity and character of the area, is of high quality design and finish, and is situated in a suitable location.

SEPP 64 does not apply to signage that is defined as exempt development under the provisions of instruments such as LEP 2013, Codes SEPP or SEPP 64 itself.

Note: SEPP 64 does not prohibit the display of an advertisement at a sporting facility on land zoned for public recreation that provides information about a sponsor of a sporting team or organisation that utilises the sporting facility.

13.4 DO I NEED A DEVELOPMENT APPLICATION?

There may be some signage that is “permissible without consent”, if it is identified as such in an environmental planning instrument. Most signage will fall into the categories of exempt, complying, permissible with consent or prohibited development.

Figure 13-2 is a simple flowchart to help work out if you need to lodge an application for your sign (not including signs that are “permissible without consent”). If your sign is “permissible without consent” a development application is not needed, however the sign must still satisfy SEPP 64 and take into consideration any impacts on the environment.

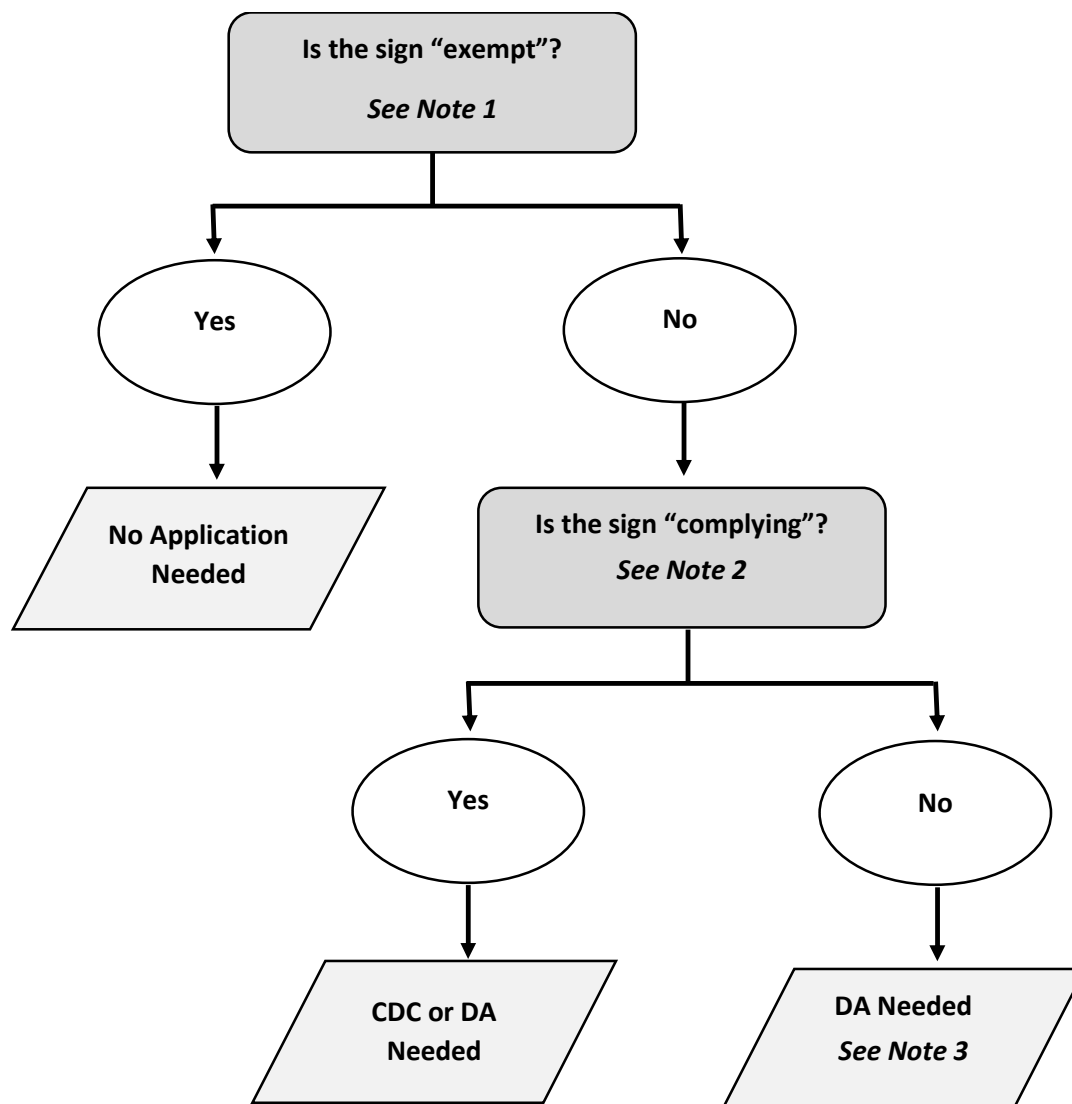


Figure 13-2 Signage Application Flow Diagram

Note 1: Exempt Development

- Exempt signs are usually those that are minor in size and nature, meets the requirements of the Building Code of Australia and are **not** proposed on land or a building that has any special significance. Areas with special significance may include, but is not limited to, Heritage Conservation Areas, near a listed Item of Environmental Heritage and land that is critical habitat to threatened species.
- An advertisement or sign is exempt development if it satisfies the exempt development provisions of the Codes SEPP. Council's Environmental Services section can let you know if your sign is exempt development.
- If an advertisement or sign satisfies these provisions, a development application is not required. The signage however must be constructed or installed in accordance with Part 2 Division 2 Advertising and Signage Exempt Development Code (within the Codes SEPP).

Note 2: Complying Development

- Some projecting wall signs and freestanding pylon and directory board signs are listed as Complying Development in Part 5 of the Codes SEPP.
- An advertisement or sign is complying development if it satisfies the relevant clauses of the Codes SEPP. Council's Environmental Services section can let you know if your sign is complying development.
- If an advertisement or sign satisfies these provisions the applicant can either:
 - Apply for a Complying Development Certificate through Council or a Private Certifier, or
 - Lodge a development application with Council.

Note 3: Permissible With Consent

- Where an advertisement or sign is not exempt, prohibited or complying development a development application will need to be submitted to Council to obtain consent.
- The following general advertising and signage controls must be addressed in a development application.

13.5 GENERAL ADVERTISING AND SIGNAGE CONTROLS

Objectives

- a. Ensure signage does not create visual clutter.
- b. Ensure the size of signage is appropriate for the building and the surrounding neighbourhood.
- c. Ensure that signage complements urban and rural landscapes.
- d. Ensure signage is of high quality construction and design.

Controls

1. Advertising signage within the Heritage Conservation Area, on the site of an Item of Environmental Heritage must comply with the relevant controls of Chapter 11 - Heritage Conservation.
2. All signage must relate directly to the business activity occupying the site, unless permitted by SEPP 64.
3. Where a sign will be attached to a building, it must not obscure any architectural feature of the building such as mouldings, windows, doors, parapets and the like.
4. The use of a common directory sign is encouraged for multi-occupancy sites.
5. The size of signs permitted will depend on the merits of the site. Council will take the following matters into consideration:
 - Safety of pedestrians, cyclists and motorists.
 - The visual amenity of the area.
 - The number of existing signs and whether the new signage will reduce visual clutter.
 - The amount of space suitable for signs that will be attached to a building.
6. The number of signs permitted on a particular property will depend on the circumstances of the site. Council will take the following matters into consideration:
 - The length of street frontage of the site.
 - The number of tenancies on the site.
 - The number of existing signs and whether the new signage will reduce visual clutter.
 - The amount of space suitable for signs that will be attached to a building.

7. Signs and associated structures must not cause a nuisance or hazard or endanger public safety by:
 - Obscuring the view of motorists, cyclists or pedestrians, or
 - Emitting unreasonable glare from internal or external illumination or reflection from surface materials.
8. Flashing signage is not permitted.
9. The size of sponsor signs permitted at public sporting facilities, except for land subject to the 'Deniliquin Rams Football and Netball Club Site Advertising Agreement', will depend on the merits of the sign and the site. Council will take the following matters into consideration:
 - Safety of the public.
 - Visual amenity of the facility.
 - The size of existing signage at the facility.
10. Signs on land occupied by the Deniliquin Rams Football and Netball Club, being Lot 262 DP 634603 and Lot 1 DP 724430 are to be in accordance with the 'Deniliquin Rams Football and Netball Club Site Advertising Agreement'.