

## Chapter 9

# Signage



## 9 Signage

Signs have an important role in the city of Lismore. They provide information, identify businesses and products, and they constitute a significant part of the streetscape. Signs in the Lismore Local Government Area are used to advertise a place of business or give directions and/or information. They should be architecturally attractive and contribute to, rather than detract from, the surrounding area.

These sign standards are Council's policy in order to assure that a business will have precisely the same controls as other businesses in the same zone. In addition, the business is protected against undesirable and overpowering advertising structures from other competitors and/or adjacent premises in the area. Council is required to regulate advertising structures under the *Environmental Planning and Assessment Act 1979*.

Without reasonable and fairly applied criteria, signs may distract and dominate the setting by way of their height, shape, size, number, lighting and movement. It is Lismore City Council's intention to encourage the use of signs in appropriate locations, as they reflect the character and regional role of the Lismore area.

### 9.1 Objectives of this Chapter

1. To provide Lismore with effective guidelines for the erection and content of signage throughout the Lismore area;
2. To protect Lismore's streetscapes against the aesthetically adverse proliferation of inappropriate signage, thus protecting public amenity with regard to signage.

### 9.2 Relation to Other Plans

State Environmental Planning Policies (SEPPs) override the provisions of this development control plan. When preparing or assessing a development application for signage the provisions of SEPP 64 Advertising and Signage should be considered. SEPP 64 may be found at the NSW Government legislation website <http://www.legislation.nsw.gov.au>

The SEPP prohibits the display of an advertisement within the following zones or descriptions:

- environmentally sensitive area
- heritage area (excluding railway stations)
- natural or other conservation area
- open space
- waterway
- residential (but not including mixed residential/business zones)
- national park
- nature reserve

with the exception of building identification signs, business identification signs, signage on vehicles, and signage which is Exempt Development under another SEPP or Lismore LEP 2012.

SEPP (Exempt and Complying Development Codes) 2008 includes Exempt and Complying signage provisions. Subject to criteria, the following signage is classified as Exempt Development: building identification, business identification, replacement identification, internal, community notice and public information, temporary event, real estate and election signs. Some business identification signs, subject to criteria, are classified as Complying Development. These include projecting wall signs and free standing pylon and directory board signs. SEPP (Infrastructure) 2007 Schedule 1 Exempt Development applies to development carried out by or on behalf of a public authority and provides for the following forms of signage: identification, directional, community information, safety and temporary signs.

### 9.3 Definitions

A word or expression used in this chapter has the same meaning as it has in LEP 2012 unless it is otherwise defined in this chapter.

**advertisement** is 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 billboard** means a structure (such as framework, a signboard, a noticeboard, a wall, or a fence) erected or used primarily for the display of advertising matter.

**advertising structure** is a structure used or to be used principally for the display of an advertisement.

**animated sign** means a sign with movement, or that flashes or changes colour, due to the use of electrical or manufactured sources of power.

**awning sign (above)** means a sign that is located on top of an awning or verandah and that does not project above the parapet or ridgeline or beyond the awning edge.

**awning sign (below)** means a sign that is fixed below an awning and above the footpath and that does not project above the awning edge and is located at least 2.6m above the existing ground level and 600mm from the kerbing edge or awning edge.

**banner/flag sign** means a single piece of lightweight material attached or supported on one or two sides that displays advertising matter.

**blimp/balloon sign** means a sign which is inflated and suspended above the premises, site or event which it is intended to promote or identify and which is tethered and displayed at the same premises for a period of no more than one calendar month in any one year.

**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.

**bunting** means a sign consisting of a continuous string of lightweight coloured material secured so as to allow movement.

**business identification sign** means a sign:

- (a) that indicates:
  - (i) the name of the person or business, and
  - (ii) the nature of 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 contain any advertising relating to a person who does not carry on business at the premises or place.

**chalkboard sign** means a board used for the purpose of describing services or goods for sale which vary on a regular basis, such as a restaurant menu.

**directional sign** means a sign erected by the Council for the purpose of directing vehicular or pedestrian traffic, or advising the public (including advising the public about any restrictions), and which does not include any information of a commercial nature.

**election sign** means the display of any poster that contains electoral matter in relation to an election held under the *Commonwealth Electoral Act 1918* of the Commonwealth, the

*Parliamentary Electorates and Elections Act 1912* or the *Local Government Act 1993*. The sign is not to exceed 1m<sup>2</sup> and can only be exhibited 5 weeks prior to the election, on the day of the election and 1 week after the election.

**environmentally sensitive area** has the same meaning as in clause 3.3 of LEP 2012.

**fascia sign** means a sign that is painted on or attached to the fascia or return of an awning, but does not exceed the height of the fascia or the return of the awning.

**free standing pylon and directory board sign** means a sign which is supported by one or more columns, uprights or braces fixed to the ground and which is not directly attached to any building or other structure.

**illuminated sign (external)** means a sign in the form of a device (such as a reflective or luminous sign) in which a source of light is directed to the device in order to make the message readable.

**illuminated sign (internal)** means a sign illuminated by an internal source of light.

**illuminated sign (neon)** means an illuminated sign constructed from neon tubing.

**integrated sign** means a sign that is permanent and is an integrated design component of a building.

**portable footpath sign** means a small, free-standing, portable sign located on a footpath or area utilised for pedestrian traffic and includes portable weighted signs, sandwich board or A – frame signs and retractable signs.

**projecting wall sign** means a sign which projects more than 300 millimetres from the wall of the building to which it is attached.

**real estate sign** means a temporary sign to advertise real property for sale or rent, being a sign that is located on the property for sale or rent or on the site of the property for sale or rent.

**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:

- (a) an advertising structure,
- (b) a building identification sign,
- (c) a business identification sign,

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

**sky/roof/fin sign** means a sign erected on or above a roof or parapet wall of a building and which is supported, wholly or partially, by the building, and includes an advertising sign extending above the roof line of a building.

**temporary sign** means a sign that advertises a commercial, community or retail event or private function (including sponsorship of the event or function) on a temporary basis and which is erected for no more than two consecutive calendar months.

**top hamper sign** means a sign above a display window or attached to the transom of a doorway.

**tourist sign** means a sign that directs the travelling public to tourist facilities, activities or accommodation or places of scientific, historical or scenic interest.

**wall sign** means a sign that is flat mounted or painted on the surface wall of a building, boundary fence or other structure.

**window sign** means a sign painted or displayed on the exterior or interior of a shop window or on any glazed surface of a building or structure.

## **9.4 Design Guidelines**

The design of all signs should have regard to the following matters:

### ***Appearance***

Signs should be simple, concise and uncluttered in appearance, utilising graphics where possible and harmonious colours. The emphasis should be on the clarity of communication.

### ***Professional Consultation***

Signs should utilise professionally designed layouts, and Council encourages applicants to consult with professionals (sign writers, artists, etc) prior to lodging an application.

### ***Position***

Signage should be positioned so that it does not unreasonably obscure or dominate other existing signs on the same property or neighbouring properties.

### ***Character***

Signage should be designed and located so as to be in scale and character with the architecture and appearance of the host premises and adjoining premises. This principle is of particular importance in the case of historic buildings or within historic precincts recognised by Council or the National Trust. The design and location of signs should complement rather than compromise existing architectural features. No sign shall obstruct or block the view of any feature of historic architecture.

### ***Number***

The total number of signs on a particular property should be restricted to those necessary to provide reasonable identification of the business or businesses established thereon, with duplicate signs to be avoided. Signs may be used to minimise clutter where two or more businesses share a premises.

### ***Combination***

Where a number of different signs on a single property are proposed, or where a large building complex is involved accommodating a number of firms or functions (e.g. shopping centres, factory units, industrial estates, etc) a co-ordinated and orderly approach to advertising is to be employed, with the signs of uniform or complementary style and character. Entrance signs to industrial estates should be attached so as to be single structures (i.e. identification sign).

### ***Amenity***

The size, shape, location, height and message of an advertising device should not detract from the amenity of adjacent premises or from the locality generally. Rather, the sign should relate to the existing land use. However, tourist signs and directional signs should be allowed regardless, as they perform an important role in directing tourists to significant locations. Any illuminated signs should not be a source of nuisance to neighbours.

### ***Obstruction***

Signage must be positioned so as not to present a potential obstruction to the safe movement of pedestrians, bicycles or motor vehicles, or cause confusion with traffic signs, controls or directional signs.

### ***Safety***

Signage must be designed and built in a manner which is structurally and electrically sound so that they pose no threat or danger to the public.

## **Advertising Structures**

Any supporting structural elements should be discreet so that they do not detract from the overall appearance of the sign or the host premises.

### **9.5 Applications**

Sign applications should be submitted to Council on a Development Application form, with six (6) copies of accompanying plans of the proposed sign(s). Applications should address both the advertising content and the structure on which it is to be displayed.

The plans should be to scale, and clearly show the particulars of sign dimensions, type, colour(s), material(s), location, construction and method of attachment of the advertisement, and any further information deemed necessary or as requested by Council.

Applications will be determined according to the provisions of this Plan, as well as the merits of the sign's location and effect on the amenity of the area. The application fee shall be determined by Council's list of fees and charges.

The period of consent shall be in accordance with the provisions of the *Environmental Planning & Assessment Act 1979* and/or such time as prescribed by Council. The development consent will state the length of time the approval applies and a renewal and/or extension must be submitted prior to the expiry date.

Sign applications need not be a separate application from a development application for the whole development of a site. Applicants are encouraged to consider the provision of suitable integrated signage as part of the overall design of a development.

Where the application involves the erection of a complex advertising structure, the development application may also be required to address this issue. Applicants shall be advised in this instance.

### **9.6 Existing Use**

Where signage has been legally approved in the past, existing use rights may apply. Signs which have not been given approval but existed prior to the introduction of planning controls or the adoption of Lismore City Council's original Policy on Outdoor Advertising Signs and Structures on 15 October 1985, may be deemed also as having existing use rights.

Where signage does not comply with this Plan, LEP 2012, SEPP 64, SEPP (Infrastructure) 2007 or SEPP (Exempt and Complying Codes) 2008 and is not subject to existing use rights, and has not been approved, it should be removed. Alternatively, development consent could be sought for the use of the signage.

### **9.7 Duration of Consents**

In accordance with the provisions of SEPP 64 Advertising and Signage, Council may grant consent to an application for signage for a maximum period of fifteen years.

### **9.8 Agreement of landowner for erection of advertising signs**

Development applications for signage must include the agreement of the owner of the property on which the signage is to be erected. Lismore City Council or the Roads and Maritime Services are the owners of road reserves, including footpaths, within Lismore. Council will not agree to the erection of signage in the road reserve for commercial development other than signage attached to protrusions of commercial development such as awnings and the like.

### **9.9 Directional signage for tourist facilities**

Directional signage for tourist and visitor accommodation must comply with the Tourist Signposting Manual prepared by the former Tourism New South Wales and the NSW Roads and Maritime Services, and be approved by the Tourist Attraction Signposting Assessment Committee (TASAC). This manual is available at

<http://www.rta.nsw.gov.au/doingbusinesswithus/downloads/technicalmanuals/touristsignsv4.pdf>

TASAC may be contacted through NSW Roads and Maritime Services.

### 9.10 Advertisements on trailers and motor vehicles on public land

The development of public land to display an advertisement for a commercial purpose on a motor vehicle or trailer requires the permission of the landowner (generally Council). This type of signage is considered undesirable. This subclause does not apply to a motor vehicle or trailer attached to a motor vehicle while the vehicle or vehicle and trailer are otherwise lawfully on the carriageway of a public street.

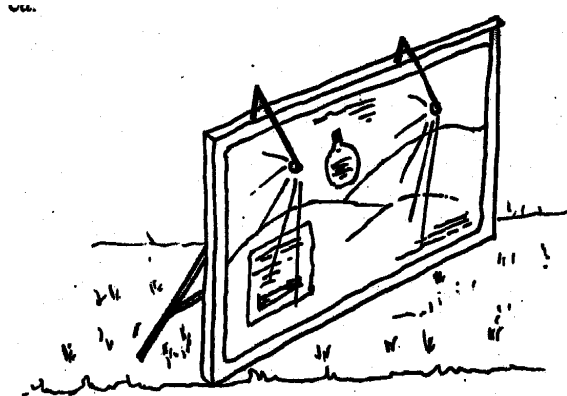
### 9.11 Additional Information

The following provisions apply where signage is permissible with consent in accordance with Lismore LEP 2012 and SEPP 64.

**Note:** The following environmental planning instruments should be consulted regarding the permissibility of signage: LEP 2012 Schedule 2 Exempt Development, LEP 2012 land use table, SEPP 64 Advertising and Signage, SEPP (Exempt and Complying Development Codes) 2008 and SEPP (Infrastructure) 2007. These Environmental Planning Instruments provide for certain types of signage as Exempt or Complying Development and the provisions of this DCP chapter are not applicable.

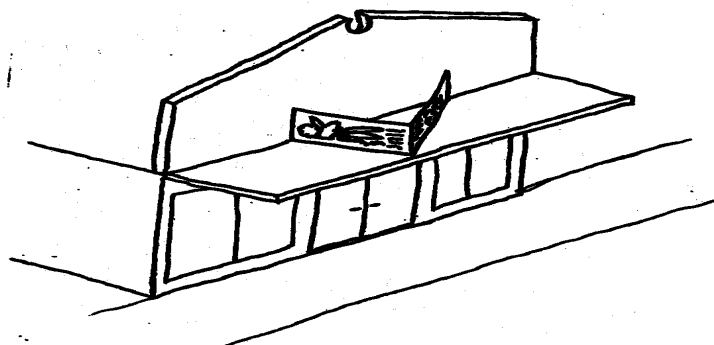
#### Advertising billboard

These signs are very obtrusive, and are therefore generally not encouraged in Lismore. The panel of these signs should generally be greater than 6m<sup>2</sup> in area, but not exceed 18m<sup>2</sup> in area.



#### Awning sign (above)

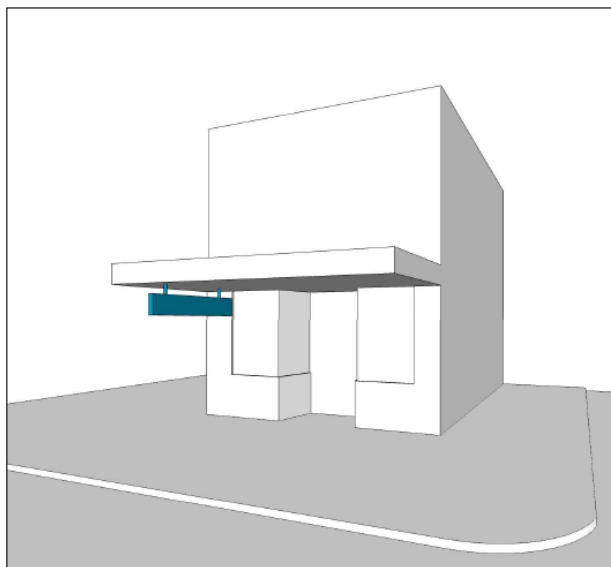
These signs should not exceed 2.5m<sup>2</sup> in area as a total per premises. These signs are considered to be obtrusive, and can adversely affect streetscapes and restrict views of architectural features on a building or buildings.



**Awning sign (below)**

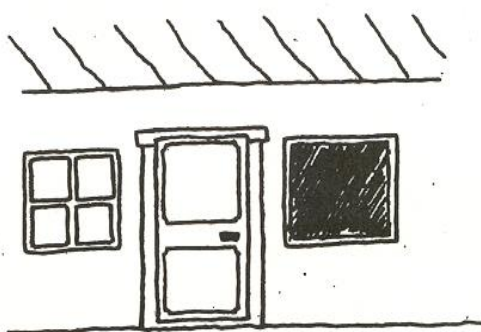
These signs should not exceed 2m<sup>2</sup> in area as a total per premises, with a maximum depth of 500mm, and located a minimum of 600mm from the kerbing edge.

**Note:** Under awning signs are Exempt Development if erected in accordance with SEPP (Exempt and Complying Development Codes) 2008. Under awning signs inconsistent with the SEPP require development consent.



**Chalkboard sign**

These signs are not to be placed on footpaths or road reserves, and must be affixed to private property and generally not exceed 1.5m<sup>2</sup> in area as a total per premises.

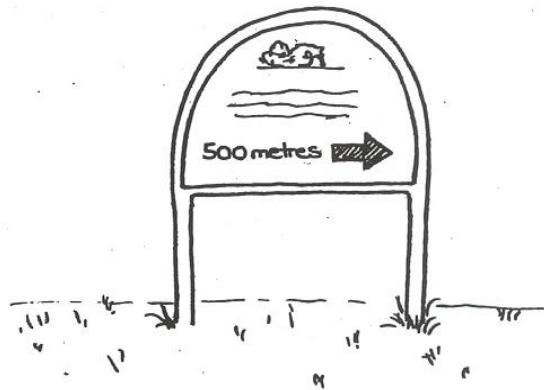




### **Directional sign**

A directional sign is any advertising device which directs the travelling public to tourist facilities, activities, accommodation or places of scientific, historical or scenic interest, and which conforms to the Australian Standard 1743, and is approved and erected by Council.

**Note:** *The erection or display of a direction sign by or on behalf of a public authority is Exempt Development if erected in accordance with Part 2 Division 4 and Schedule 1 of SEPP (Infrastructure) 2007.*



### **Election sign**

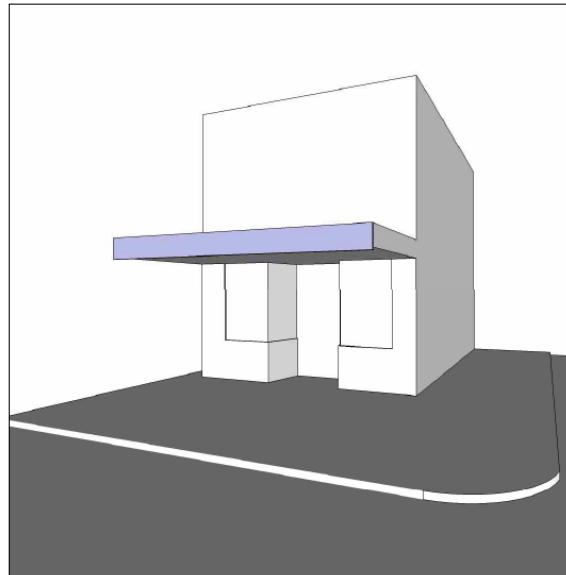
Election signs greater than 0.8m<sup>2</sup> in area may be permissible, subject to development consent.

**Note:** *Election signs are Exempt Development if erected in accordance with SEPP (Exempt and Complying Development Codes) 2008. Election signs inconsistent with the SEPP require development consent.*

**Facia sign**

A facia sign is a sign attached to the facia or return end of an awning, but does not exceed the height of the facia or return end of the awning.

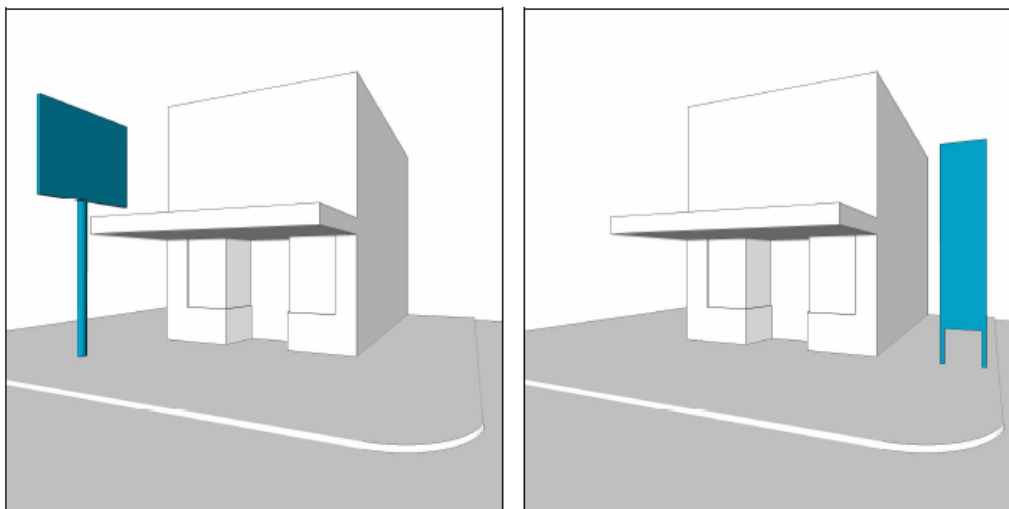
**Note:** *Facia signs are Exempt Development if erected in accordance with SEPP (Exempt and Complying Development Codes) 2008. Facia signs inconsistent with the SEPP require development consent.*



**Freestanding pylon and directory board sign**

Freestanding pylon and directory board signs should not exceed 7.5m in height.

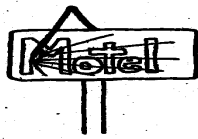
**Note:** *Freestanding pylon and directory board signs are Complying Development if erected in accordance with SEPP (Exempt and Complying Development Codes) 2008. A development application needs to be lodged with Council for pylon and directory board signs inconsistent with the SEPP.*



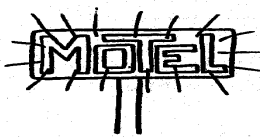
### ***Illuminated sign***

Illuminated signs can either be externally or internally illuminated. Internally illuminated signs can also include neon signs and animated signs. Internally illuminated signs have the light source enclosed within the sign. Neon signs are a form of fluorescent lighting containing neon or another gas that produces coloured light when electricity is passed through the tube. Animated signs are flashing or moving signs. Neon and animated signs are only considered appropriate in business and industrial zones.

*Note: Illuminated signs are Exempt Development if erected in accordance with SEPP (Exempt and Complying Development Codes) 2008. Illuminated signs inconsistent with the SEPP require development consent.*



External



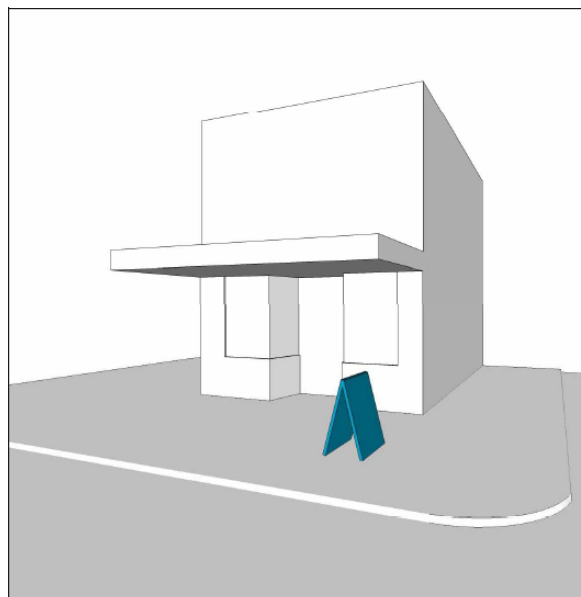
Internal



Neon

### ***Portable footpath sign***

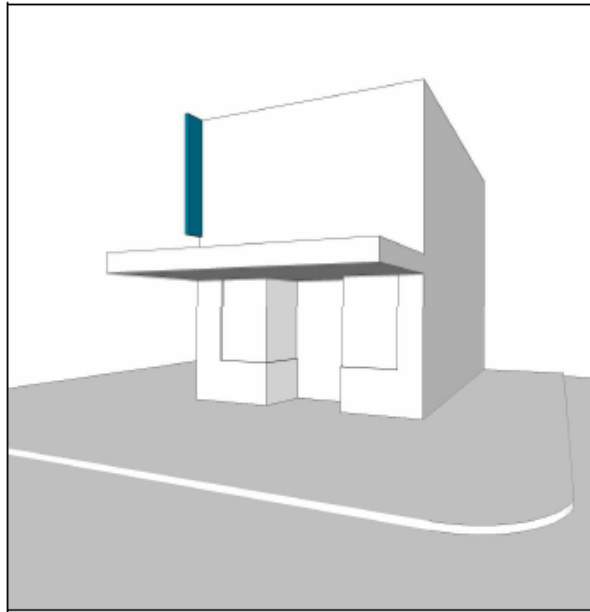
Portable footpath signs, including portable weighted signs, A-frame signs and retractable signs, are not permissible unless they are consistent with the criteria listed in Schedule 2 Exempt Development LEP 2012.



**Projecting wall sign**

Projecting wall signs must be located a minimum of 600mm from the kerbing edge.

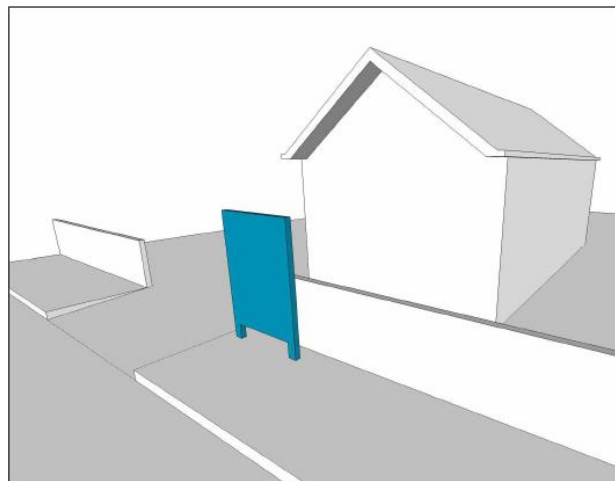
**Note:** Projecting wall signs are Complying Development if erected in accordance with SEPP (Exempt and Complying Development Codes) 2008. A development application needs to be lodged with Council for projecting wall signs inconsistent with the SEPP.



**Real estate sign**

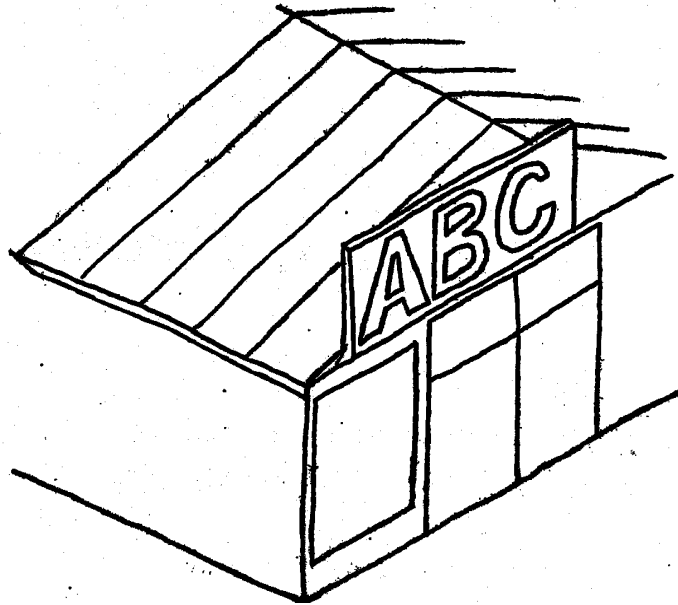
These signs are only permitted to be erected on the property which is for sale or rent and must be removed upon the completion of sale or lease of the property.

**Note:** Real estate signs are Exempt Development if erected in accordance with SEPP (Exempt and Complying Development Codes) 2008. Real estate signs inconsistent with the SEPP require development consent.



### **Sky/roof/fin sign**

These signs should generally not exceed 8m<sup>2</sup> in area, and not exceed the height of the highest part of the building on which they are erected. It is considered that these signs are unnecessarily obtrusive, often destroying the appearance and character of the building and the surrounding streetscape. This is particularly relevant within the Lismore precinct, where many of the residents have their principal view over the townscape.



### **Temporary sign**

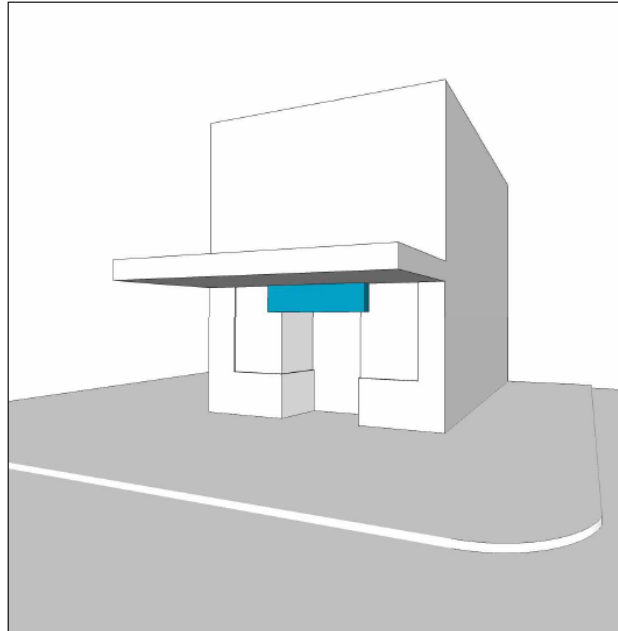
Any approval for temporary signs will specify the period (no more than two consecutive calendar months) the sign may remain. At the expiry of the period of approval specified by the consent, the temporary sign shall be removed unless further approval is provided by Council for renewal or extension time.

**Note:** *Temporary signs are Exempt Development if erected in accordance with SEPP (Exempt and Complying Development Codes) 2008. Temporary signs inconsistent with the SEPP require development consent.*

### **Top hamper sign**

These signs are attached to the transom of a doorway or above the display window of a building.

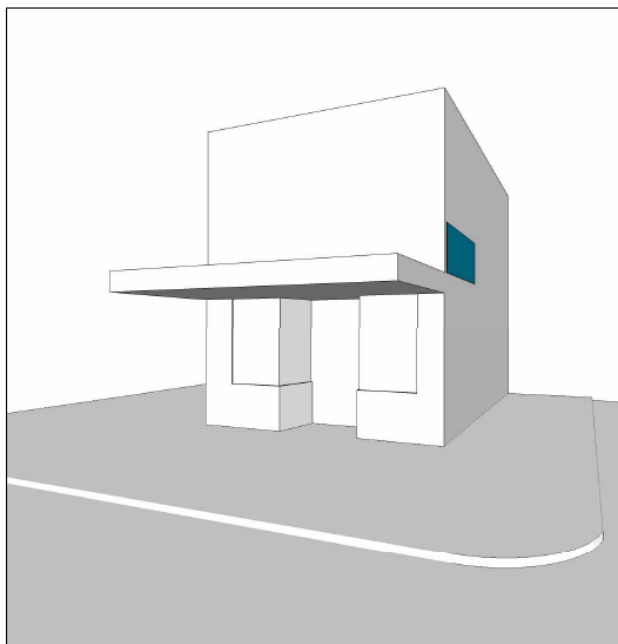
**Note:** *Top hamper signs are Exempt Development if erected in accordance with SEPP (Exempt and Complying Development Codes) 2008. Top hamper signs inconsistent with the SEPP require development consent.*



### **Wall signs**

These signs are limited to one per wall, and should not protrude above the wall or parapet. Wall signs may also include fence signs.

**Note:** *Wall signs are Exempt Development if erected in accordance with SEPP (Exempt and Complying Development Codes) 2008. Wall signs inconsistent with the SEPP require development consent.*



**Window sign**

A window sign is painted, attached to, or displayed on the exterior or interior of a shop window or on any glazed surface of a building or structure.

**Note:** Window signs are Exempt Development if erected in accordance with SEPP (Exempt and Complying Development Codes) 2008. Window signs inconsistent with the SEPP require development consent.

