



Code for the Control of Erection of Signs and Advertising Structures



Administrative Centre 2-14 Fisher Street, Petersham
PO Box 14 PETERSHAM NSW 2049 | Phone: 9335 2222
council@marrickville.nsw.gov.au | www.marrickville.nsw.gov.au

Contents

1.0 General.....	1
2.0 Definitions.....	1
3.0 Prohibitions	2
4.0 Residential Zone Areas.....	3
5.0 Business Zone Areas.....	3
6.0 Industrial Zone Areas.....	3
7.0 Special Uses Zone Areas.....	4
8.0 Open Space Zone Areas	4
9.0 Special Provisions	4

1.0 General

- 1.1 This Code was adopted by Council on the 4th day of May, 1982, vide Item 4, Finance Meeting 7/1982, as constituting its policy and requirements in respect of the consideration of applications for advertising signs and structures.
- 1.2 Applications shall be made on the prescribed application form, in triplicate, addressed to the Town Clerk and accompanied by the prescribed fee.
- 1.3 Applications for the erection of advertisements and advertising structures shall be considered by Council on the basis of the provisions of the Environmental Planning & Assessment Act, 1979, Ordinance 55 of the Local Government Act, 1919, (as amended) and the provisions of this Code. In particular, but without limitation, regard shall be given to:-
- 1.3.1 Design, size, height, materials, scale and stability of the proposed sign.
- 1.3.2 Number of existing signs on the building or premises.
- 1.3.3 The effect of the proposed sign on the amenity of the neighbourhood.
- 1.4 Council will in certain circumstances, dependent upon the merits of the application, permit a variance of the provisions of this Code where it is satisfied that the objects of the Code are achieved as well as or better than that sought by the Code specifications.

2.0 Definitions

- 2.1 "*Advertisement*" includes writing or a picture, symbol, flag bunting, light or other visible device, object or sign or a combination of two or more of the foregoing that advertises, calls attention to, gives publicity to or otherwise gives or provides notices or information about a thing, person, place, event or competition or about property or services or about any other matter.
- 2.2 "*Advertising Structure*" has the meaning ascribed to it in Ordinance 55 under the Act, but does not include a "temporary advertising structure".

General advertising structures are not permitted within areas of the Municipality zoned 2(a), 2(b1), 2(b2), 2(c1), 2(c2), 2(c3), 2(c4), 2(c5), 2(c6) and 2(c7) under Council's Planning Scheme Ordinance. This prohibition shall not apply to a general advertising structure to be erected on premises within these zones for the purposes only of displaying a commercial sign.

- 2.3 "*Temporary Advertisement*" is an advertisement erected for such period not exceeding two (2) months as the Council deems fit and specifies on any permit required.
- 2.4 "*Commercial Sign*" means an advertisement which has an outline that would fit within a rectangular figure of 1.2 m in length and 0.6 m in height; and in respect of any place or premises to which it is affixed contains only:-
- 2.4.1 A reference to the identification or description of the place or premises.
- 2.4.2 A reference to the identification or description of any person residing or carrying on an occupation at the place or premises.

- 2.4.3 Particulars of any occupation carried on at the place or premises.
- 2.4.4 Such directions or cautions as are usual or necessary relating to the place or premises or any occupation carried on thereat.
- 2.4.5 Particulars or notifications required or permitted to be displayed by or under any Act or any Act of the Parliament of the Commonwealth.
- 2.4.6 Particulars relating to the goods, commodities or services dealt with or provided at the place or premises.
- 2.4.7 A notice that the place or premises is or are for sale or letting together with particulars of the sale or letting: or
- 2.4.8 Particulars of any activities held or to be held at the place or premises.
- 2.5 Commercial signs as defined by this Code and Ordinance 55 do not require Council's consent, unless it requires the use of an advertising structure for which building approval must be obtained.

3.0 Prohibitions

- 3.1 Flashing, moving or animated signs.
- 3.2 Any sign which is not permanently fixed to the premises.
- 3.3 Any sign which would adversely affect traffic lights, or obstruct motorists' vision at an intersection.
- 3.4 Any sign made of canvas, calico or the like.
- 3.5 Signs which do not solely relate to the business carried out on the premises.
- 3.6 Signs extending over street boundaries, other than those permitted in conjunction with shops, or the like where buildings are erected on the street alignment and pole or pylon signs.
- 3.7 Any underawning sign in excess of 2,500 mm x 400 mm.
- 3.8 Signs at a lower level than 2,600 mm above the footway.
- 3.9 Sky or roof signs.
- 3.10 Any sign having an area in excess of 18 sq.m.
- 3.11 Any painted, pasted or other type panel wall signs on any premises located in the residential zoned areas of the Municipality. In other areas, such signs to be restricted to a maximum of 20% of the wall area and subject to Council's approval.
- 3.12 No signs to be illuminated between the hours of 10.00 pm and 7.00 am the following day on land in or abutting residential zoned areas.

4.0 Residential Zone Areas

- 4.1 In areas zoned residential, where the use of the land for a non-residential purpose is permitted to operate under the existing use rights provisions of the Environmental Planning & Assessment Act, 1979:-
- 4.1.1 In the case of a shop or shop and dwelling, only one commercial sign or one underawning sign may be displayed on the premises.
- 4.1.2 In the case of home occupations, home industries, doctors', dentists' and veterinarians' uses, total sign dimensions shall not exceed 1.2 m x 0.6 m.
- 4.1.3 In any other case, only commercial signs as defined under Ordinance 55 of the Local Government Act, 1919, may be erected and the total permissible area of all signs (excluding underawning signs) shall not exceed 1 sq.m. for every 20 m of street frontage of such land.
- 4.2 Notwithstanding the provisions of this Clause, in any fresh application for licence or renewal of a licensing period for signs on land which enjoys existing use rights for the non-conforming use conducted thereon, Council will take into consideration the size and total areas of existing signs to permit replacement or refusal thereof.

5.0 Business Zone Areas

- 5.1 One underawning sign shall be permitted for each shop with a frontage up to 6.0 m. All other applications will be considered on their merits.
- 5.2 In addition to the underawning sign, the total permissible area of all signs shall not exceed 1 sq.m. of advertising per 1.5 m of street frontage.
- For corner blocks the frontage is the street to which the property is rated and the area is assessed by including all faces of a sign.
- 5.3 Signs shall not be permitted to overhang the footway unless such signs are underawning signs or where the sign is painted on the front of the awning, or where the maximum projection does not exceed 0.75 m.

6.0 Industrial Zone Areas

- 6.1 Any sign to be erected upon any industrial building or in any industrial zone shall not exceed 5 sq.m. in area; one (1) sign only per 50 m of street frontage may be erected.
- 6.2 No sign shall stand higher at any point than the roof line of the building to which it is affixed.
- 6.3 No free-standing sign shall be higher than 7.5 m above natural ground level.
- 6.4 The following information only may be displayed on any sign erected:-
- 6.4.1 Name.
- 6.4.2 Type of Business.
- 6.4.3 Products.
- 6.4.4 Company Symbol

7.0 Special Uses Zone Areas

- 7.1 Advertisements shall only be permitted:-
- 7.1.1 Where the applicant shows a justifiable need.
 - 7.1.2 Where the amenity of the area will not be detrimentally affected.
 - 7.1.3 After consideration of the general merits or otherwise of the application.

8.0 Open Space Zone Areas

- 8.1 As per "Special Uses".

9.0 Special Provisions

- 9.1 Development Consent:

Development Consent is required pursuant to the provisions of the Environmental Planning & Assessment Act, 1979, where it is considered by Council that erection of an advertising structure requires building approval.

- 9.2 Traffic Safety:

The Traffic Safety (Lights and Hoardings) Act, 1951, provides that signs employing red, amber, green or blue lighting effects SHALL NOT be erected in the following positions EXCEPT with the written consent of the Police Traffic Department:-

- 9.2.1 Within 61 m of a traffic control light signal, except where the sign is erected at least 9.2 m above road level.
- 9.2.2 Within 122 m of a traffic control signal whereby reason of a grade or curve, the sign would be in line with a driver's vision of the signal; or where, within the distance, the sign may be interpreted as a traffic control signal whilst the driver is approaching.

- 9.3 Department of Main Roads Signs and Markings (3.6 Control of Advertising Signs)

The Commissioner of Main Roads has the power under Section 39(4) of the Main Roads Act to control the erection of advertising signs within the boundaries of Main Roads. Under Section 3(1) of the Traffic Safety (Lights and Hoardings) Act, and subsequent delegation from the Traffic Authority he has the power to order the removal of any advertising sign, either on a public road or on a private road or on a private property, which is prejudicial to traffic safety.

- 9.4 Temporary Advertising Signs:

- 9.4.1 Applications to be submitted to Council for approval prior to erection and shall be at the discretion of Council.
- 9.4.2 A temporary sign shall not be displayed for more than two (2) months.

9.5 Wording contained in Advertising Structures:

Advertising Structures proposed to be erected on any building or premises shall only contain wording relating to:-

- 9.5.1 The identification or description of the place or premises.
- 9.5.2 The identification or description of any person residing or carrying on an occupation at the place or premises.
- 9.5.3 Particulars of any occupation carried on at the place or premises.
- 9.5.4 Particulars relating to the goods, commodities or services dealt with or provided at the place or premises.
- 9.5.5 Particulars of any activities held or to be held at the place or premises.

9.6 Large Developments:

Consideration will be given to applications for the erection of signs having areas greater than those listed above where the proposed site is a large development and the sign is in scale with that development.

9.7 Newsagents - Headline Placards:

- 9.7.1 All placard notices of headlines and the like must be in frames fixed to, and not merely propped against the façade of the premises and shall not project more than 75 mm therefrom.
- 9.7.2 No portable signs or other signs of any description are permitted on Council's footpath or roadway.

9.8 Street Blinds (Canvas Blinds):

- 9.8.1 No canvas blinds are permitted to hang from the fascia of the awning unless a minimum height of 2.3 m from the footpath to the underside of the blind hooks and blind roller is provided.
- 9.8.2 A canvas flap may be extended a maximum of 0.3 m below the roller.
- 9.8.3 No advertising permitted on blinds.

9.9 Licence Fees for Signs:

Fees for a maximum licensing period by Council of three (3) years to be paid in accordance with the Schedule of Fees as adopted or altered by Council.

9.10 Maintenance of Signs:

- 9.10.1 A sign shall not be altered in any way after approval unless permission in writing for such alterations is obtained beforehand from the Council.
- 9.10.2 The sign/s shall be maintained in a satisfactory condition at all times.