

# Richmond Valley Development Control Plan 2021



## Part F Signage

This DCP applies to all land within the Richmond Valley Local Government Area.

**Date adopted by Council:**  
22/06/2021

**Effective Date:**  
01/08/2021

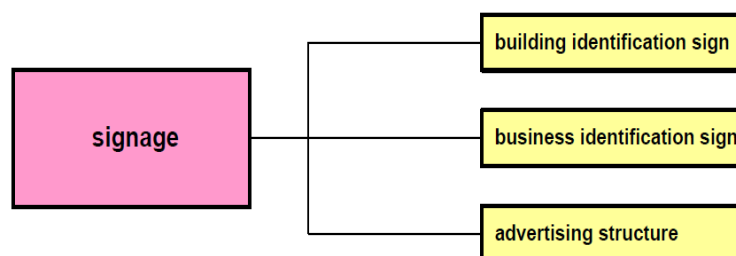
**Amendments:**  
Nil<sup>1</sup>

**Effective Date:**

~~Well-designed~~Well-designed signage which respects the environment and character of the locality will be appreciated by both residents and visitors whilst enhancing commercial activity. Conversely, when placed without proper thought or planning, signage can be ~~counter~~counter-productive, obtrusive and dangerous for both pedestrians and road users. Too many signs can result in visual 'clutter' having a detrimental impact on the general public, the business operator and the visual amenity of the locality.

The Standard Instrument LEP provides a defined term for signage (a group term) and includes sub-term definitions for advertising structure, building identification signage, and business identification signage. As such signage comprises of signs, notices, devices, representations or advertisements that advertise or promote goods, services or events.

**LAND USE** terms WITHIN signage group term:



**Figure F.1 General relationships for signage in the Standard Instrument LEP (Source Department of Planning, [Housing and Infrastructure](#) – Practice Note PN11-0034).**

## Part E Signage

### Additional Signage Regulations

Apart from this DCP and *Richmond Valley Local Environmental Plan 2012* there are several key environmental planning instruments that regulate signage. These include ~~SEPP64—Advertising and Signage~~ SEPP (Industry and Employment) 2021 and *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

These policy documents provide for signage permissibility, development standards, and exemptions, and prevail over and above the LEP.

*State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* enables some signage to be undertaken as either exempt or complying development.

### F.1 General Objectives

The general objectives of this Part are to:

- (1) Enable signage that is compatible with the amenity, heritage and visual character of an area,
- (2) Ensure signage does not adversely affect the area in terms of appearance, size, illumination, visual clutter, traffic and pedestrian safety.
- (3) Encourage signs which are simple, concise, uncluttered, and that are suitably located on the building or property

### F.2 Signage Permissibility

#### (1) Richmond Valley Local Environmental Plan 2012

Within the Standard Instrument LEP, signage is a defined group term. It has several sub-terms which are also defined in the Dictionary to the Standard Instrument LEP. Definitions have been extracted below:

Extract of terms from *Richmond Valley LEP 2012*

#### Dictionary

**advertisement** has the same meaning as in the Act.

**Note.** The term 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** has the same meaning as in the Act.

**Note.** The term is defined as a structure used or to be used principally for the display of an advertisement.

**Advertising structures** are a type of signage—see the definition of that term in this Dictionary.

**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 not include general advertising of products, goods or services.

**Note.** Building identification signs are a type of signage—see the definition of that term in this Dictionary.

**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

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- (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.

**Note.** Business identification signs are a type of signage—see the definition of that term in this Dictionary.

**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 structures,  
(b) a building identification sign,  
(c) a business identification sign,  
but does not include a traffic sign or traffic control facilities.

(2) Land-use ~~Permissibilities~~ Permissibility

**Table F.1 Land-use Permissibility under *Richmond Valley LEP* and ~~SEPP64~~ SEPP (Industry and Employment) 2021**

Land Zones and Areas		Defined Land-use Terms			
		SIGNAGE <sup>1, 2</sup>	Building Identificatio	Business Identificatio	Advertising Structure <sup>2</sup>
RU1	Primary Production	Y	Y	Y	X
R1	General Residential	Y	Y	Y	X
RU5	Village	Y	Y	Y	Y
<del>B1</del>	<del>Neighbourhood Centre</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>
<del>B2</del> <u>E1</u>	Local Centre	Y	Y	Y	Y
<del>B3</del> <u>E2</u>	Commercial <del>Core</del> Centre	Y	Y	Y	Y
<del>IN1</del> <u>E4</u>	General <del>Industry</del> <u>Industrial</u>	Y	Y	Y	Y
RE2	Private Recreation	X <sup>3/4</sup>	Y	Y	X
R5	Large Lot Residential	X <sup>3/4</sup>	Y <sup>4</sup>	Y <sup>4</sup>	X <sup>3</sup>
RE1	Public Recreation	X	Y	Y	X
W1	Natural Waterways	X <sup>4</sup>	Y <sup>4</sup>	Y <sup>4</sup>	X <sup>3</sup>
W2	Recreational Waterways	X <sup>4</sup>			
<del>E1</del> <u>C1</u>	National Parks and Nature Reserves	X			
<del>E2</del> <u>C2</u>	Environmental Conservation	X	Y <sup>4</sup>		X
<del>E3</del> <u>C3</u>	Environmental Management	X	Y	Y	X
<p><b>Note.</b> <sup>1</sup> Group term within LEP. <sup>2</sup> Regulated by Part <u>33.3</u> of <del>SEPP64</del> <u>SEPP (Industry and Employment) 2021</u>, unless exempt development. <sup>3</sup> Prohibited by <del>clause 10</del> <u>Section 3.8</u> of <del>SEPP64</del> <u>SEPP (Industry and Employment) 2021</u>, unless exempt development. <sup>4</sup> May be exempt development <u>under the Codes-2008 (Exempt and Complying Development Codes)</u> SEPP.</p>					

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### F.3 Structures over Public Roads

- (1) Chapter I-2 provides guidelines for the erection of structures in, on, over or under a public road. In summary, ~~owners~~owner's consent (generally Council) will be required to erect any structure, including signage over a public road.
- Other approvals may also be required to undertake works within a public road including under the *Roads Act 1993* and *Local Government Act 1993*. Such approvals may still be required even if the signage is exempt development.

### F.4 Development Controls Relating to Signage

#### All signage types

- (1) All signage types must-
- (a) relate to the use of the land, be visually interesting and be of high quality design and materials.
  - (b) not detract from the amenity or visual qualities of an area. The sign must have a scale, proportion and form appropriate for the streetscape.
  - (c) be compatible with the building design in its colour, materials and finishes. Solid block painting of walls particularly in bright colours is to be avoided.
  - (d) not be constructed over or obscure architectural elements of the building.
  - (e) not exceed, for total signage per street frontage, one top hamper, one fascia sign, one wall sign or projecting wall sign, and one under awning sign. An additional free standing sign may be permitted in an appropriate location.
 

**Note.** Council may require sites with existing "clutter" signage to be removed as part of an approval process.
  - (f) not be attached to a vehicle, include flashing or animated displays, be located above rooftops or project beyond the building elevation.
  - (g) if illuminated, have concealed cables, not cause unacceptable glare, and may be required to have intensity dimmers and restricted hours of operation.
  - (h) not cause a traffic distraction, obscure or interfere with road traffic sign or signals. If visible from a busy road the sign must be consistent with The Transport Corridor Outdoor Advertising and Signage Guidelines published by the Department of Planning, Housing and Infrastructure.
- (2) Signage located over Council owned land will only be approved where it is located over a footpath area within the central business district.

#### Under Awning Signs

- (3) Under awning signage requirements are-

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- (a) Maximum of one sign per tenancy;
- (b) Not project beyond the awning;
- (c) Erected at right angles to the building; and
- (d) Be located at least 2.6m above ground level.

### Projecting Wall Signs or Above Awning signs

- (4) Projecting Wall Sign or Above Awning Signage requirements are-
- (a) Maximum of one sign of this type per building elevation that does not contain a flush wall sign.
  - (b) Be at least 500mm below the wall height including any parapet.
  - (c) Not be less than 3.0m above ground level.
  - (d) Projects not more than 2.5m from the wall for a wall sign, or 2.6m above the awning for an above awning sign.
  - (e) Have a thickness of not more than 300mm.
  - (f) Not exceeding 5m<sup>2</sup> for each side of the sign.
  - (g) Wholly located upon the subject land or have the consent of the adjoining land owner. Where located over Council owned land e.g. footpath the requirements of Chapter I-2 apply.

### Flush Wall Signs

- (5) Flush Wall Signage requirements are-
- (a) Either attached to or painted onto a wall that does not include a projecting wall sign or an above awning sign.
  - (b) Maximum of one per building elevation.
  - (c) Maximum of 25% of the wall area.
  - (d) Must be at least 500mm below the wall height including any parapet.
  - (e) Not project more than 300mm from the wall.
  - (f) Be wholly located within the property boundary or have the consent of the adjoining landowner.

### Top Hamper Signs

- (6) Top Hamper Signage requirements are-
- (a) Located immediately above a doorway or window and below the awning.
  - (b) Not exceed the width of the window or opening.
  - (c) Freestanding, Pole or Pylon Signs
  - (d) Only permitted in Commercial or Industrial areas, advertising the business or products sold on the land.
  - (e) Limit of one structure per road frontage. Where multiple tenancies exist locate individual panels for each business on the same structure.
  - (f) Must not project beyond the boundary of the premises.
  - (g) Maximum width of 2.5m
  - (h) Height must not exceed 6m.
  - (i) Must not contain any moving, flashing or animated components.

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### Electronic, Variable Message or Display Signage

- (7) Where any signage type will be Electronic in style, with the ability to change its display, will be permitted within Business and Industrial Zones only.
- (8) Electronic signage must be located and managed not to cause any traffic distraction or hazard.
- (9) Electronic signage must be consistent with ~~SEPP64~~ SEPP (Industry and Employment) 2021 and *The Transport Corridor Outdoor Advertising and Signage Guidelines* published by the Department of Planning, Housing and Infrastructure & Environment. Assessment in accordance with Part 3 of the document will be required. In particular the following requirements will apply-
  - (a) The speed limit of the road must not be greater than 70 kilometres per hour
  - (b) The time to change the display must not be greater than 1 second
  - (c) The display must be completely static from its first appearance to the commencement of a change to another display
  - (d) A driver should not expect to see more than one (1) message in the period of exposure
  - (e) The level of illumination must be adjustable
  - (f) The sign must not-
    - obscure or limit the view of the driver of a motor vehicle on a public road, or
    - be mistaken for a traffic control device, or
    - cause inconvenience or danger in the use of a public road, or
    - be otherwise hazardous to traffic.

### F.5 ~~State Environmental Planning Policy No 64—Advertising and Signage (SEPP64)~~(Industry and Employment) 2021

- (1) ~~SEPP64~~ SEPP (Industry and Employment) 2021 applies to all signage and aims to ensure that it:
  - is compatible with the desired amenity and visual character of an area;
  - provides effective communication in suitable locations, and
  - is of high quality design and finish.
 It also provides:
  - time-limited consents (maximum 15 years),
  - development assessment criteria,
  - prohibitions on signage (other than business identification signs, building identification signs, exempt development signs, and signage on vehicles) within:

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- environmentally sensitive areas/ natural or other conservation area (Zones [E2C2](#) and [E3C3](#))
  - heritage areas — Casino Central Business District Conservation Area
  - open space — Zone RE1
  - waterways — Zone W1 and W2
  - residential (but not mixed residential and business zones) — Zone R1 and R5
  - national park/nature reserve — Zone [E4C1](#)
- development standards for specified types of signage, these being:
- advertisements on rural or non-rural land,
  - transport corridors,
  - advertisements with a display area >20 m<sup>2</sup> or higher than 8 metres above ground,
  - advertisements with a display area >20 m<sup>2</sup> and within 250 metres of, and visible from, a classified road,
  - advertising display area >45 m<sup>2</sup>,
  - roof or sky advertisements,
  - wall advertisements,
  - freestanding advertisements,
  - advertisements on bridges,
  - special promotional advertisements,
  - building wrap advertisements, and
  - advertisements within navigable waters.

Extract from [SEPP64 SEPP \(Industry and Employment\) 2021](#)

### Schedule 15 Assessment criteria

- 1 Character of the area**
  - Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?
  - Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?
- 2 Special areas**
  - Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?
- 3 Views and vistas**
  - Does the proposal obscure or compromise important views?
  - Does the proposal dominate the skyline and reduce the quality of vistas?
  - Does the proposal respect the viewing rights of other advertisers?
- 4 Streetscape, setting or landscape**
  - Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?
  - Does the proposal contribute to the visual interest of the streetscape, setting or landscape?
  - Does the proposal reduce clutter by rationalising and simplifying existing advertising?
  - Does the proposal screen unsightliness?
  - Does the proposal protrude above buildings, structures or tree canopies in the area or locality?
  - Does the proposal require ongoing vegetation management?
- 5 Site and building**

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	<ul style="list-style-type: none"> <li>• Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</li> <li>• Does the proposal respect important features of the site or building, or both?</li> <li>• Does the proposal show innovation and imagination in its relationship to the site or building, or both?</li> </ul>
<b>6</b>	<p><b>Associated devices and logos with advertisements and advertising structures</b></p> <ul style="list-style-type: none"> <li>• Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</li> </ul>
<b>7</b>	<p><b>Illumination</b></p> <ul style="list-style-type: none"> <li>• Would illumination result in unacceptable glare?</li> <li>• Would illumination affect safety for pedestrians, vehicles or aircraft?</li> <li>• Would illumination detract from the amenity of any residence or other form of accommodation?</li> <li>• Can the intensity of the illumination be adjusted, if necessary?</li> <li>• Is the illumination subject to a curfew?</li> </ul>
<b>8</b>	<p><b>Safety</b></p> <ul style="list-style-type: none"> <li>• Would the proposal reduce the safety for any public road?</li> <li>• Would the proposal reduce the safety for pedestrians or bicyclists?</li> <li>• Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</li> </ul>