

POLICY NAME: BUSHLAND RESERVES SIGNAGE
POLICY REF: B07
MEETING ADOPTED: 26 March 2009
Resolution No. 260309/26
POLICY HISTORY: 280808/16



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OBJECTIVE

The objectives of this policy are to:

- (a) Preserve the amenity of bushland, foreshore and environmentally sensitive public reserves by managing the placement of signage in these reserves, and
- (b) To provide guidelines on what signage may be placed in bushland, foreshore and environmentally sensitive public reserves and the process that needs to be followed to enable the placement of signage within these areas.

BACKGROUND

The placement of signage in bushland, foreshore and environmentally sensitive public reserves has in the past been carried out by residents and community groups without reference to Council. The signage generally includes but is not limited to interpretive signage, directional signage, warning signs or signage to promote community groups and is usually placed along walking tracks and entrances to the public reserves.

The Shire's bushland, foreshore and environmentally sensitive public reserves are areas of high natural amenity and high conservation value and when numerous signs are located within these reserves and the signs are of a non durable nature the signs can attract vandalism, become waste that spreads within the reserve and can create visual pollution.

These reserves are usually, but not always, Zoned 7 Environmental Protection under the Ballina Local Environmental Plan 1987 (BLEP). This zoning aims to protect the amenity and environmental value of the reserves and prevent development which may result in significant adverse impacts.

The planning policy framework which provides for whether or not signage requires development consent primarily comprises State Environmental Planning Policy No. 64 - Advertising and Signage (SEPP No. 64), State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP), Ballina Shire Local Environmental Plan 1987 (BLEP) and Ballina Shire Development Control Plan – Exempt and Complying Development (Exempt and Complying Development DCP).

In general terms, some forms of signage are identified as exempt development and therefore do not require development consent to be carried out, subject to meeting certain criteria. While signage identified as exempt development does not require the submission of a development application and the issuing of development consent, the approval of Council is required for the placement of signs in reserves as landowner or Reserve Trust Manager.

Signage which is not identified as exempt development by the Infrastructure SEPP or the Exempt and Complying DCP is controlled by BLEP which specifies whether it is permissible with development consent or prohibited within a particular zone.

It is intended that this policy will serve as a guide for the information required to be provided to Council for consideration of a request to place signage in reserves. The information provided in this policy applies to both signage which is exempt from requiring development consent, and signage which requires the submission of a development application.

This policy sets out guidelines on the kind of signs that may be approved on land within public reserves. Attachment 1 to these guidelines contains controls regarding their content and appearance, the materials they are made of, and the number of signs permitted. Attachment 2 contains detail regarding the statutory controls applying to signage within the zones described in this policy.

DEFINITIONS

Advertisement

Display of symbols, messages or other devices for promotional purposes or for conveying information, instructions, directions or the like, whether or not the display involves the erection of a structure or the carrying out of a work.

Ballina Local Environment Plan 1987 (BLEP)

Is the principal planning instrument in the Shire. This plan is a statutory document that specifies the zoning of land within the Shire and defines the types of uses that are permissible and prohibited in the various zones.

Zone 7 - Environmental Protection land identified in the following zones in BLEP:

- 7(a) Environmental Protection (Wetlands) Zone;
- 7(c) Environmental Protection (Water Catchment) Zone;
- 7(d) Environmental Protection (Scenic/Escarpment) Zone;
- 7(d1) Environmental Protection (Newrybar Scenic/Escarpment) Zone;
- 7(f) Environmental Protection (Coastal Lands) Zone;
- 7(i) Environmental Protection (Urban Buffer) Zone;
- 7(l) Environmental Protection (Habitat) Zone.

Zone 6a - Open Space Land identified in BLEP.

Zone 2a - Residential Living Area identified in BLEP.

Bushland, Foreshore and Environment Public Reserves

Public reserves located on Crown land that Council is the Trust Manager of, Community Land or Operational Land that is generally zoned 7, 6a and 2a.

Exempt and Complying Development

Is defined in BLEP and detailed in *Ballina Development Control Plan - Exempt and Complying Development*. In general terms:

- Exempt development is development of minimal environmental impact that does not require development consent; and
- Complying development is small-scale, low impact development that can be approved by either Council or a privately accredited certifier via the issue of a Complying Development Certificate.

State Environmental Planning Policies such as the Infrastructure SEPP also contain provisions regarding exempt development.

Signage

Refers to information displayed in a number of forms in public places for the public to read.

The signage may contain information on:

- Educational and interpretive themes,
- Advertising of commercial products and services,
- The name of the reserve,
- Directional assistance, and
- Regulations, advisory messages and warnings that are applicable in the area.

All signage is defined as an "advertisement" in accordance with the provisions of BLEP.

State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)

The Infrastructure SEPP is a State government policy which aims to facilitate the effective delivery of infrastructure across the State. It contains provisions regarding exempt development including signs carried out by or on behalf of a public authority.

APPLICATION OF POLICY

The Bushland Reserves Signage Policy **does not** apply to regulatory signage.

As a minimum this Policy should be read in conjunction with:

- Ballina Local Environmental Plan 1987
- Ballina Shire Development Control Plan - Exempt and Complying Development
- Ballina Shire Combined Development Control Plan with particular reference to Chapter 14 Advertising Signage
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No. 64 - Advertising & Signage
- Local Government Act 1993
- Crown Lands Act 1989

An overview of the applicable planning controls (at the date of this policy's adoption) is contained in *Attachment 2*. Before applying this policy, it is important to determine whether or not the sign proposed is 'exempt', 'permissible with consent' or 'prohibited' under the planning framework.

POLICY

To assist in the preparation and processing of applications to place signs in bushland reserves this policy has been prepared to advise the public about the types of signage permitted on land within public reserves. *Attachment 1* to these guidelines contains further detail regarding the content and appearance of signs, acceptable materials, and the number of signs permitted.

All "Exempt" signage must comply with the provisions of the Exempt and Complying DCP and / or the Infrastructure SEPP as applicable and detailed in *Attachment 2*.

The following provisions apply to all applications for signage on reserves whether it is being undertaken as exempt development, or is subject to a development application. In relation to the Infrastructure SEPP it is noted that apart from signage associated with an approved Special Event, all signage is required to be carried out by or on behalf of a public authority in order to satisfy the exempt provisions of the Infrastructure SEPP.

There are 4 categories of signage for the purposes of this policy:

1. Reserve name
2. Interpretive centre/noticeboard
3. Educational, interpretive or directional signage
4. Temporary signage

1. Reserve Name

Signs with the name of the reserve may be placed on the perimeter of the reserve where it is appropriate to provide identification of the reserve. These signs may consist of Council's standard reserve signage that contains the name of the reserve as well as regulatory and risk management information. Alternatively more formal or specialised signage may be used in addition to Council's standard reserve signs.

2. Interpretive Centre or Noticeboard.

This signage consists of a larger sign or noticeboard that would be strategically located so that it would be at the entry/s to a reserve or at a strategic location within a reserve. The noticeboard would provide the opportunity for Landcare groups to place information signage on their contact details, working bees, up coming events and projects. Advisory signs requesting that walkers stay on the paths should be located on these noticeboards.

Signage placed on these noticeboards is limited to the activities of the Landcare Group and is not be available to the general public for advertising signage.

Signage placed on the noticeboards may acknowledge donations, grants or sponsorship from companies or other government bodies. This acknowledgment should read so that it is clear that the sponsorship or donation has been made however must not advertise a product.

The noticeboards may also provide more extensive information on the reserve in terms of its history, environmental attributes and the use of the reserve.

A photo of the type of signage that is envisaged is included as Plate 1. This is not the intended design or an indication of the size of the noticeboard rather an indication of what is possible. The Bushland Reserves Signage Guidelines provided as *Attachment 1* to this policy provide further information on the signage specifications.

3. Educational, Interpretive and Directional Signage

This is permanent signage that consists of individual signs strategically located throughout the reserves that provide information on the flora, fauna, Aboriginal and European heritage. These signs should be constructed of similar materials, have the same design presentation for the layout of information and be of a similar size. This will ensure that there is continuity in signage throughout the Shire's reserves.

An overall master plan showing the location of signs for each reserve or precinct and an indication of the content of the signs must be prepared and submitted to Council for the approval of Council's Open Spaces and Reserves Manager.

Directional signage may include arrows to indicate the routes of walks or runs.

4. Temporary Signage

Temporary signage does not require development application approval when it complies with the provisions of the Exempt and Complying DCP and / or the Infrastructure SEPP as applicable, and is placed during an event and removed when groups or organisations leave the reserve. The signage may consist of banners, signs on fences or posts. The signage may be to advise of an event or to advise that herbicide application is being carried out or temporary path closures.

At times temporary signage may be required to remain in place for a longer period of time. Such signs may be required to advise of a path closures etc. Such signs shall be placed with the approval of the General Manager.

Advertising Signage

Signage advertising the services or products of businesses may not be placed in the bushland reserves or on the noticeboards.

Acknowledgment of Sponsors

Sponsors, grant bodies or donors may be acknowledged for their involvement in projects. The acknowledgment must not advertise a product or service.

Signage Design Guidelines

Attachment 1 contains design guidelines to further assist in the preparation of applications to place signs in bushland reserves.

These guidelines provide design specifications and construction specifications.

REVIEW

The Bushland Signage Policy is to be reviewed four years after the adoption of this policy or, if required, when the new shire wide LEP is adopted.

ATTACHMENT 1

Noticeboard on Luke Pen walk, Kalgan River, Albany. This is an indication of the type of signage that could be used for the interpretive centres as described in this policy.



ATTACHMENT 2

Signage currently used at Flat Rock providing information on local birds.
The sign is made of Anodised Aluminium and supported on a post.



ATTACHMENT 3

OVERVIEW OF PLANNING CONTROLS (AS AT DATE OF THIS POLICY'S ADOPTION)

**Note – planning instruments may change. You should seek planning advice if uncertain about the applicable planning requirements.*

Ballina Local Environmental Plan 1987 (BLEP)

In accordance with the provisions of BLEP advertisements are prohibited within the 7(a) Environmental Protection (Wetlands) Zone, 7(c) Environmental Protection (Water Catchment) Zone, 7(d) Environmental Protection (Scenic/Escarpment) Zone, 7(d1) Environmental Protection (Newrybar Scenic/Escarpment) Zone, 7(f) Environmental Protection (Coastal Lands) Zone 7(i) Environmental Protection (Urban Buffer) Zone, and 7(l) Environmental Protection (Habitat) Zone.

This means that signage is only able to be erected on reserves zoned 7 – Environmental Protection where it is defined as “exempt” development, either in accordance with the provisions of BLEP and the Exempt and Complying DCP, or as provided by the Infrastructure SEPP.

Signage which is not identified as exempt development in the Infrastructure SEPP or Exempt and Complying DCP is permissible with development consent in the 6(a) Open Space Zone.

Signage which is not identified as exempt development in the Infrastructure SEPP or Exempt and Complying DCP is permissible with development consent within the 2(a) Residential Living Area Zone, subject to it meeting the zone objectives. “Building identification signs” and “business identification signs” are nominated as advertised development – permissible with development consent.

Exempt and Complying Development DCP

Land Zoned 7(a) and 7(l):

Exempt development cannot be undertaken on land zoned 7(a) Environmental Protection (Wetlands) Zone or 7(l) Environmental Protection (Habitat) Zone.

Land Zoned 7(f):

Exempt development can be undertaken on land used for Special Events within the 7(f) Zone. Special Events include street parades, processions and marches, fun runs festivals, sporting events, concerns and dance parties, and must be approved under Council's Special Events Policy. Temporary Signs are permitted as exempt development in association with approved special events on land zoned 7(f), subject to the following:

Temporary Signs

- The sign is a temporary advertisement for a social, cultural, political or recreational event that is displayed no more than 28 days before the event and is removed within 14 days after the event.
- The sign is located wholly within the subject property.
- The sign is not illuminated, animated or flashing.
- The ‘advertising area’ of such signage does not exceed 1.5m² per premises.

Land Zoned 2(a), 6(a), 7(c), 7(d), 7(d1) and 7(i):

The following forms of signage are included in exempt development within the 2(a) Living Area Zone, 6(a) Open Space Zone, 7(c) Environmental Protection (Water Catchment) Zone, the 7(d) Environmental Protection (Scenic / Escarpment) Zone, the 7(d1) Environmental Protection (Newrybar Scenic / Escarpment) Zone, and the 7(i) Environmental Protection (Urban Buffer) Zone in accordance with the provisions of the Exempt and Complying Development DCP:

a) Business Identification Signs

Business identification signs are those which indicate only the use of the premises, or nature of goods or services sold or provided from the premises, on the site where the sign is located.

(i) On land within RESIDENTIAL AREAS where:

- Signs are not erected on an item or on a site comprising an item or site of environmental heritage;
- There is only one sign which does not exceed 0.6m² in area;
- The sign is of a professional standard of construction and finish; and
- The sign is not illuminated, animated or flashing.

(ii) On land within RURAL or ENVIRONMENTAL PROTECTION ZONES in the Ballina Local Environmental Plan where:

- Signs are not erected on an item or site comprising an item of local environmental heritage;
- There is only one sign which does not exceed 0.75m² in area;
- The sign is of a professional standard of construction and finish; and
- The sign is not illuminated, animated or flashing; and
- The sign is not located within 250m of a classified road.

(iii) On land within OPEN SPACE ZONES in the Ballina Local Environmental Plan where:

- The sign dimensions do not exceed 1200mm by 800mm; and
- Sponsors names are restricted to 10% of the advertising area of the sign; and
- The sign is approved by Council's Open Space Manager.

b) Identification, interpretive, directional and advanced warning signs

Constructed and installed by or on behalf of the Council or the Roads and Traffic Authority.

c) Municipal, school or other signs of a public nature

Installed by public authorities.

d) Real Estate Signs

- The sign is a real estate sign advertising that the premises on which it is displayed are for sale or lease.
- The sign and any structure together have a maximum area of 2.5m² on residential or rural premises, or 4.5m² on commercial or industrial premises.
- The sign is removed within 14 days after the sale or letting of the property.
- The sign is located wholly within the subject property.
- The sign is not illuminated, animated or flashing.

e) Temporary Signs

- The sign is a temporary advertisement for a social, cultural, political or recreational event that is displayed no more than 28 days before the event and is removed within 14 days after the event.
- The sign is located wholly within the subject property.
- The sign is not illuminated, animated or flashing.
- The 'advertising area' of such signage does not exceed 1.5m² per premises.

f) Signs behind the glass line of a shop window or painted on the window of a shop

- The sign, if illuminated, is not animated or flashing.
- The 'advertising area' of such signage does not exceed 40% of the total glazed area of the premises.

g) Change in the face content or message from that which was displayed on a previously lawful advertisement:

- The sign does not contain offensive or prohibited material;
- The sign is of a professional standard of construction and finish;
- The sign is not animated and there is no additional illumination from that which is existing.
- The change does not alter the sign 'type', i.e. from a "business identification sign" to a general "advertising sign".

h) Community signs, including community notice boards:

- The sign is erected in accordance with Ballina Council "Fund Raising and Events Banner Policy"; or
- The sign provides information to the public relating to:
 - community events or activities; or
 - notices of public health and safety; and
- The sign is installed by or on behalf of Council.

i) Garage Sale signs where:

- The sign has a maximum surface area of 0.5m²; and
- The sign is erected only on the day of a sale to which the sign relates; and
- There are no more than 2 signs per garage sale.

Infrastructure SEPP

The Infrastructure SEPP 2007 contains the following provisions for exempt development:

Exempt development

Note: Under section 76 of the Act, exempt development may be carried out without the need for development consent under Part 4 of the Act or for assessment under Part 5 of the Act.

The section states that exempt development:

- (a) must be of minimal environmental impact, and
- (b) cannot be carried out in critical habitat of an endangered species, population or ecological community (identified under the **Threatened Species Conservation Act 1995** or the **Fisheries Management Act 1994**), and
- (c) cannot be carried out in a wilderness area (identified under the **Wilderness Act 1987**).

- (1) Development for a purpose specified in Schedule 1 is exempt development if:
 - (a) it is carried out by or on behalf of a public authority, and
 - (b) it meets the development standards for the development specified in Schedule 1, and
 - (c) it complies with the requirements of this clause.

- (2) To be exempt development, the development:
 - (a) must meet the relevant deemed-to-satisfy provisions of the Building Code of Australia, and
 - (b) if it is carried out in relation to an existing building, must not cause the building to contravene the Building Code of Australia, and
 - (c) must be carried out in accordance with all relevant requirements of the Blue Book, and
 - (d) must involve no more than minimal impact on the environment or amenity of the surrounding area, and
 - (e) if it is likely to affect a State or local heritage item or a heritage conservation area, must involve no more than minimal impact on the heritage significance of the item or area.

Note. Other provisions of this Policy identify kinds of development that are exempt development if they meet the requirements of subclause (2).

It is important to note that the development listed in Schedule 1 must be carried out by or on behalf of a public authority.

Schedule 1 of the SEPP includes the following provisions regarding signage:

General provisions: signs	
Identification, directional, community information or safety signs but not including roof-top signs or commercial advertising or signs associated with the use of road infrastructure (including signs associated with level crossings)	<ul style="list-style-type: none"> • Surface area must not exceed 3.5m². • Must be located wholly within property boundary or be attached to existing boundary fence and not projecting more than 100mm from fence. • Obtrusive effects of outdoor lighting must be controlled in accordance with AS 4282–1997, <i>Control of the obtrusive effects of outdoor lighting</i>.
Identification, directional, community information or safety signs associated with the use of road infrastructure	<ul style="list-style-type: none"> • Must be consistent with road safety policies and guidelines on outdoor advertising approved by the Director-General for the purpose of this provision and published in the Gazette.
Temporary signs advertising an event and associated relevant details including sponsorship of the event	<ul style="list-style-type: none"> • Surface area must not exceed 3.5m². • Must be located wholly within property boundary. • Must not be displayed earlier than 28 days before event and must be removed within 14 days after event. • Obtrusive effects of outdoor lighting must be controlled in accordance with AS 4282–1997 <i>Control of the obtrusive effects of outdoor lighting</i>.

The provisions of the Infrastructure SEPP prevail over Council's exempt development provisions in relation to temporary signs. However, the Infrastructure SEPP specifically requires the temporary signage to be carried out **by or on behalf of a public authority**. Otherwise the provisions of the Exempt and Complying DCP apply.