

LORD HOWE ISLAND BOARD POLICY

TITLE	Advertising and Signage Policy		
DATE ADOPTED	June 2005	AGENDA ITEM	6iii June 2005
CURRENT VERSION	September 2015	AGENDA ITEM	8v September 2015
REVIEW	5 years	FILE REFERENCE	PO0017 CO0010
ASSOCIATED LEGISLATION	<i>Environmental Assessment and Planning Act 1979</i> <i>Lord Howe Island Local Environmental Plan 2010</i> <i>Lord Howe Island Development Control Plan 2005</i>		
ASSOCIATED POLICIES	N/A		

1 Introduction

Advertising and signage provide benefits to the various business and community organisations on Lord Howe Island in terms of promotion and product information. Signs are also important to assist people to find their way around the island and informing the public on various decisions and events. It is important to balance these needs with the low-key character of development on the Island and the significant scenic values of the place.

1.1 Objectives

The policy aims to ensure that advertising and signage on Lord Howe Island is:

- a) Compatible with the desired amenity and visual character of the area;
- b) Appropriate in terms of need, design, safety and location;
- c) There is a clear, equitable and consistent assessment process; and
- d) To regulate advertising and signage.

1.2 Background to the Policy

The *Lord Howe Island Local Environmental Plan 2010* (LEP) identifies some forms of development that can be carried out without the need to apply for development consent if it meets certain criteria. Such development is permitted without the need for consent because it is expected to result in only minimal environmental impact. Clause 9 defines what is exempt development and Clause 10(1)(a) is the operational part which permits exempt development to happen.

The LEP includes various advertising and signs as 'exempt' subject to them meeting certain development standards.

Clause 30 requires consent for any other advertising signs and prohibits among other things any advertising signs not covered by Schedule 1 on land zoned Recreation, Environment Protection, Permanent Park Preserve or Marine Park.

2 Policy

The policy applies to Lord Howe Island as defined in section 3 of the *Lord Howe Island Act, 1953*.

The policy applies to all forms of advertising and signage including those that are classified as 'exempt development' under the LEP.

The policy does not include traffic signs within the meaning of the Roads Act 1993.

The policy does not include advertisements and signage on a vessel. Where an advertisement is to be displayed on a vessel this must be consistent with the relevant Marine Parks commercial activity permit.

A person must not display any advertisement or a sign except with the consent of the Lord Howe Island Board (the Board).

Applications to display a sign will be on the prescribed form provided by the Board (Appendix 4).

The Board may not grant consent to the display of an advertisement or sign unless it is consistent with:

- a) The objectives of this policy;
- b) Clause 9 (1) and Schedule 1 of the LEP;
- c) Additional criteria outlined in Appendix 1 of this policy, which is stated in the Lord Howe Island Signage Policy.

Applications which fail to comply with Clause 9(1) and the standards outlined in Appendix 1 of this policy will be refused.

The display of any other advertisement or sign requires development consent from the Board in accordance with Clause 30(1) of the LEP and section 79 of the *Environmental Planning & Assessment Act, 1979*.

Clause 30 (2) prohibits any advertising signs not covered by Schedule 1 on land zoned Recreation, Environment Protection, Permanent Park Preserve or Marine Park and any advertisement or sign that promotes an event and is placed on public property.

An approval to display an advertisement or a sign may be suspended or cancelled by the Board for a contravention of any condition of the licence.

Appendix 1: Extract from the *Lord Howe Island Local Environmental Plan 2010* (Schedule 1 Exempt Development).

Development	Development Standards and Other Requirements	Additional Criteria (c.f Signage Policy 2005)
Advertisement or sign	<ul style="list-style-type: none"> a) Must not cover any mechanical ventilation vents. b) Must not be internally illuminated. 	<ul style="list-style-type: none"> a) No advertising sign will be located on public land, including public road reserves, other than on a building on a permissive occupancy or commercial lease which is currently housing an approved business. b) Businesses will be entitled to two (2) advertising signs per business. One sign is to be located on the site of the business or, with the Board's approval, at another business location. This sign must not exceed 0.9sqm and the top of the sign must be located less than 2m above ground level, and of a design approved by the Board. Another advertising sign may be located on an advertising notice board provided by the Board. The size of the sign will be governed by the advertising space leased from the Board or Lord Howe Island Tourism Association. c) Where an advertising sign is located on a permissive occupancy, it will only be permitted if attached to the main structure of the building which houses the business. d) Compliance of advertising signs will be determined as for Clauses c) and d)) below (business identification sign).
Advertisement or sign behind a shop window	No additional requirements.	
Advertisement or sign on a vehicle or trailer	<ul style="list-style-type: none"> a) The vehicle or trailer must primarily be used for the conveyance of goods or passengers. b) The vehicle or trailer must not be parked solely for the purposes of advertising or promotion. 	

Development	Development Standards and Other Requirements	Additional Criteria (c.f Signage Policy 2005)
Business identification sign	<ul style="list-style-type: none"> a) Not more than one for each business premises concerned. b) Must be installed on the land from which the business is operating. c) Must not exceed 0.9 square metres. d) If on premises with an awning—the advertisement or sign must be located below the level of the awning. e) If installed on premises without an awning—the top of the advertisement or sign must be located less than 2 metres above ground level. f) Must not cover more than 20 percent of the area of the front of any building from which the business is operating. 	<ul style="list-style-type: none"> a) No business identification sign will be located on public land, including public road reserves, other than on a building on a permissive occupancy or a commercial lease which is currently housing an approved business. b) Such signs, where located on a permissive occupancy, or a commercial lease will only be permitted if attached to the main structure of the building which houses the business. c) All business identification signs which do not comply with the above will be removed within six (6) months of the adoption of this policy, and replaced with a compliant sign, where applicable. Where a sign does not comply with the above and has the current approval of the Board, a transitional arrangement will apply, as per below. d) BIS which are not currently approved, but otherwise comply with the above policy, will be registered as approved as of the adoption of this policy.
Navigation sign (including a public notice erected on, or placed in, Zone 8 Permanent Park Preserve or Zone 9 Marine Park)	Must be installed by or on behalf of a public authority.	<ul style="list-style-type: none"> a) Where such a location, as stated in this policy and the LEP, in the opinion of the Board, would not be visible from a public road, the Board may install a navigation sign on public land, including road reserve to indicate the location of the business. These signs will be a maximum of 1000 mm wide x 250 mm high and provide a directional arrow, name of the business and distance in meters. The cost of providing such a sign will be met by the relevant business. <p>While keeping the number of signs to a minimum the Board will ensure all streets are adequately identified</p>

Development	Development Standards and Other Requirements	Additional Criteria (c.f Signage Policy 2005)
Public notice (including a public notice erected on, or placed in, Zone 8 Permanent Park Preserve or Zone 9 Marine Park)	Must be installed by or on behalf of a public authority.	
Replacing an advertisement, or sign (but not any part of an advertisement or a sign that is a structure)	Advertisement or sign must relate to the purpose for which the land on which it is placed is used.	Business identification signs which have documented approval from the Board, and which do not comply with the above, may only be maintained on a like for like basis. That is, in the course of maintenance no change, expansion or alteration to the sign from its form as recorded in the Board's Sign Register at the time of the adoption of this policy, will be permitted. When the sign requires replacement, it will be replaced with a sign in accordance with the sign policy and the LEP requirements. Business identification signs which are not currently approved, but otherwise comply with the above policy, will be registered as approved as of the adoption of this policy.
Temporary advertisement or sign relating to an event	<ul style="list-style-type: none"> a) Must not exceed 5 square metres. b) Must not be installed more than 28 days before the subject event. c) Must be removed within 48 hours after the subject event. d) Limit of 2 per event. 	<ul style="list-style-type: none"> a) Signs will be located so they do not obstruct traffic nor pose a danger to the public. b) The person or organization erecting the sign will indemnify the Board.
Tourist directory sign (including a tourist directory sign erected on, or placed in, Zone 8 Permanent Park Preserve or Zone 9 Marine Park)	Must be installed by or on behalf of a public authority.	

Appendix 2: Extract from *Lord Howe Island Local Environmental Plan 2010*, Clause 30

30 Advertisements or signs

(1) Despite anything to the contrary in Part 2, the placement or erection of an advertisement or sign may be carried out, but only with the consent of the consent authority.

(2) Despite subclause (1), the placement or erection of the following kinds of advertisements or signs is prohibited:

(a) any advertisement or sign placed or erected on land within Zone 6 Recreation, Zone 7 Environment Protection, Zone 8 Permanent Park Preserve or Zone 9 Marine Park,

(b) any advertisement or sign that promotes an event and is placed on public property.

Appendix 3: Definitions

Definitions from *Local Environmental Plan 2010*

Business Identification Sign means a sign, not internally illuminated, that, in respect of any place or premises to which it is affixed, contains one or more of the following:

- a) a reference to the identity or a description of the place or premises,
- b) a reference to the identity or a description of any person residing or carrying on an occupation at the place or premises,
- c) particulars of any occupation carried on at the place or premises,
- d) such directions or cautions as are usual or necessary relating to the place or premises or the occupation carried on at the place or within the premises,
- e) particulars or notifications required or permitted to be displayed under any State or Commonwealth Act,
- f) particulars relating to the goods, commodities or services dealt with or provided at the place or premises,
- g) particulars of any activities held or to be held at the place or premises,
- h) a reference to an affiliation with a trade, professional or other association relevant to the business conducted at the place or premises.

Sign means a display of symbols, messages or other devices 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.

Temporary Advertisement or Sign means an advertisement or sign displayed for not more than 2 months that:

- a) announces any local event of governance, religious, educational, cultural, political, social or recreational character or relates to any temporary matter in connection with such an event, and
- b) does not include any advertising of a commercial nature (other than the name of the event's sponsor).

Tourist Directory Sign means an advertisement or sign erected by the Board or another public authority and the purpose of which is to direct the attention of the public to services, activities, features or facilities likely to be of interest especially to tourists.

Definitions (from *Signage Policy 2005*)

Advertising means a sign, not internally illuminated, that promotes the products, services or scheduled events of a business.

Navigation means street identification and traffic management signs.

Public Notice means a sign erected by the Board or another public authority to inform the public.

LORD HOWE ISLAND BOARD

APPLICATION TO ERECT A SIGN

The Lord Howe Island Board Signage Policy requires all signage on the island to be approved by the Lord Howe Island Board.

APPLICANT DETAILS

Name:

Address:

Phone:..... Fax:

Email:

BUSINESS DETAILS

Name of business:

Address of business:

Premises where the business will operate:

Address for issuing of notices:

NSW Department of Fair Trading business registration number:

SPECIFICATION OF PROPOSED SIGNAGE

Type of Sign

Business identification:

Advertising:

Temporary:

Dimensions

Width of sign (mm):

Height of sign (mm):

Height of top of sign above ground level (mm):

Location

Address:

APPLICANT'S DECLARATION

Name:

Signature: Date: