

7.09 Advertising and Signage

Amendment history

Version Number	Date Adopted by Council	Commencement Date	Amendment Type
1	15/11/2011	15/6/2012	New
2	27/9/2016	24/10/2016	Amended
3	14/3/2017	3/4/2017	Amended

Savings provisions

Any development application lodged but not determined prior to this section coming into effect will be determined taking into consideration the provisions of this section.

Land to which this section applies

This section applies to all land to which the Newcastle Local Environmental Plan 2012 applies and to land outside of the Port of Newcastle lease area to which State Environmental Planning Policy (Three Ports) 2013 applies.

Development (type/s) to which this section applies

This section applies to all advertisements and signage, except that which is exempt development under an environmental planning instrument that applies to it.

Applicable environmental planning instruments and legislation

The provisions of the following listed environmental planning instrument/s also apply to development applications to which this section applies:

- Newcastle Local Environmental Plan 2012.
- State Environmental Planning Policy 64 – Advertising and Signage.
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

In the event of any inconsistency between this section and any environmental planning instrument, the environmental planning instrument will prevail to the extent of the inconsistency.

Note 1: Other environmental planning instruments may also apply in addition to those listed above.

Note 2: Environmental planning instruments may prohibit some types of advertising and / or signage in some zones or areas.

Note 3: The *Environmental Planning and Assessment Act 1979* enables an environmental planning instrument to exclude or modify the application of this DCP in whole or part.

Related sections

- Section 5.05 Heritage Items
- Section 6.01 Newcastle City Centre
- Section 6.02 Heritage Conservation Areas
- Section 6.09 Darby Street Cooks Hill
- Section 6.10 Beaumont Street Hamilton

Associated technical manual/s

- Nil

Additional information

- Department of Planning and Environment Transport Corridor Outdoor Advertising and Signage guidelines (as amended).

Definitions

A word or expression used in this development control plan has the same meaning as it has in Newcastle Local Environmental Plan 2012, unless it is otherwise defined in this development control plan.

Other words and expressions referred to within this section are defined within Section 9.00 - Glossary, of this plan, and include:

- **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 area** - the entire surface area of a sign face, including any margin, frame or embellishment which forms an integral part of the sign. In the case of an advertising structure with more than one sign face, the maximum surface area of the combined faces. The area of skeleton letter signs shall be the total area within which the letters and associated graphics are displayed and not the area of the individual letters added together.
- **Advertising panel** - any other advertising structure which is unilluminated, including a hoarding or bulletin board.
- **Advertising sign** - a sign, notice, device or representation in the nature of an advertisement, whether illuminated or not, which is visible from any public place or public reserve, or from any navigable waterway, and is not a road traffic signal or sign.
- **Advertising structure** - 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.

- **Business identification sign** - has the same meaning as in the Newcastle Local Environmental Plan 2012.

Note: The term is defined as a sign:

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

- **Signage** - has the same meaning as in the Newcastle Local Environmental Plan 2012.

Note: The term is defined as meaning all signs, notices, devices, representations and advertisements that advertise or promote 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:

- (a) building identification signs, and
 - (b) business identification signs, and
 - (c) advertisements to which Part 3 applies,
- but does not include traffic signs or traffic control facilities.

Aims of this section

1. To provide guidelines for the design, erection and display of signage and advertising structures.
2. To ensure that signage is well designed, appropriately sized and positioned in a consistent manner.
3. To minimise visual clutter caused by the proliferation of signage and encourage the rationalisation of existing and proposed signage.
4. To ensure that signage is compatible with the scale and character of the building or site on which it is displayed.
5. To ensure that signage does not detract from the architecture of existing buildings, significant views, vistas and streetscapes.
6. To ensure that signage does not impact on the significance of heritage items and/or conservation areas.
7. To ensure that signage does not compromise pedestrian, cyclist or vehicle safety.

7.09.01 Types of signage and controls

Note: For exempt signage types refer to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Signage Type	Definition / Controls
<p>Above Awning Sign</p> 	<p>Signage which is displayed above an awning.</p> <p>Not supported throughout the Newcastle Local Government Area (LGA).</p>
<p>Building Wrap Sign (existing buildings)</p> 	<p>Signage used in association with covering or wrapping of a building or land.</p> <p>Controls</p> <ul style="list-style-type: none"> a) Is limited to signage for community and civic events. b) Is not to be erected more than one month before the event and must be removed within one week of the conclusion of the event. c) Consent will be limited to the period noted in (b) or one year, whichever is the lesser. d) Is not to be illuminated. e) Limited to one building wrap sign on a building at any time. f) Is not to cover more than two adjacent facades. g) Is not to obscure any prominent architectural features of the building. h) Is mounted flush with the external facade of the building.

Signage Type	Definition / Controls
<p>Building Wrap Sign (on scaffolding/hoardings)</p> 	<p>Signage used in association with a building that is under construction, renovation, restoration or demolition.</p> <p>Controls</p> <ol style="list-style-type: none"> a) The content of the signage is not to be changed over the life of the building work without prior approval of Council. b) The signage is to be removed as soon as the relevant works have been completed. c) Commercial advertising is limited to 20% of the extent of the scaffolded elevation. d) In heritage conservation areas, signage is restricted to images of the proposed building being constructed / refurbished, or similar appropriate image. Business identification may be considered where it is limited to 5% of the extent of the scaffolded elevation and is located at ground level.
<p>Directory Board</p>	<p>See pole or pylon sign</p>
<p>Electronic Changing Word /Flashing Sign</p> 	<p>Signage that contains mechanical or electronic moving images or displays, including LED, neon and electronically projected images (including portable LED signs, video/tv screens, projected laser advertising and other intermittently illuminated or sequenced lighting signs). These sign types are generally not supported within the Newcastle LGA unless it can be demonstrated to be appropriate for a particular site and circumstances.</p> <p>Controls</p> <ol style="list-style-type: none"> a) If a proposal is considered to have merit, the following controls will apply: <ol style="list-style-type: none"> i) Consent will be limited to a period of 12 months or may be granted on a temporary basis in association with a related event. ii) An application is to include details of the proposed messages and/or images to be displayed. Excessive use of illumination and/or animated schemes is not supported. iii) Illumination is limited to within the hours of 7am to 10pm or close of business (whichever is the lesser).

Signage Type	Definition / Controls
<p>Electronic Changing Word /Flashing Sign (cont.)</p>	<ul style="list-style-type: none"> iv) Is not located within, or adjacent to a residential zone, heritage conservation area, heritage item, or public domain (other than public roads). v) Is not located so as to impact on interpretation of traffic signs or signals. vi) Is not to contain displays that resemble traffic signs or signals, or give instruction to traffic by using words such as 'halt' or 'stop'. vii) Complies with the NSW Department of Planning and Environment requirements regarding Illumination and Reflectance.
<p>Fascia Signs</p> 	<p>Signage displayed on the fascia or return end of an awning.</p> <p>Controls</p> <ul style="list-style-type: none"> a) Is to be mounted flat and securely fixed to the fascia. b) Is not to project above or below the fascia or return end of the awning to which it is attached. c) Is not to extend to within 0.6m of the vertical projection of the kerb line. d) Is not to be illuminated.
<p>Flush Wall Sign</p> 	<p>Signage attached to or painted on the wall of a building and projecting horizontally no more than 300mm from the wall.</p> <p>Controls</p> <ul style="list-style-type: none"> a) No more than one sign per building elevation. In the case of multiple occupancies, one sign per occupant may be considered (in such cases a directory board is preferred). b) Is to be attached to the building in which the business identified in the sign is located. c) Is not more than 10% of wall area in commercial zones. d) Is not more than 20% of wall area in industrial zones (including land to which the Three Ports SEPP applies). e) For all other land use zones, size to be considered on merit. f) Does not extend laterally beyond the wall, to which it is attached, in any direction.

Signage Type	Definition / Controls
Flush Wall Sign (cont.)	<ul style="list-style-type: none"> g) Does not cover any window, door or architectural feature. h) For heritage items/heritage conservation areas, is not fixed (by any means) to sandstone or face brickwork, but may be fixed into mortar joints.
Home Business / Industry / Occupation Sign	<p>A sign at a dwelling that advertises a home business, home industry or home occupation at the premises.</p> <p>Controls</p> <ul style="list-style-type: none"> a) Signage is for business identification only. b) Is a flush wall sign with a maximum size of 1m². c) Is not illuminated. <p>Note: Refer SEPP Exempt and Complying Development Codes 2008.</p>
Portable Signs	<p>Signage that can be readily moved and includes A-frame signs, portable flags, trailers and any similar device.</p> <p>Controls</p> <ul style="list-style-type: none"> a) Is not to be displayed on the footpath of any road or in any public place unless the premises of the relevant business or person have direct ground floor frontage and direct ground floor access to that road or public place. b) Is not to unreasonably hinder or obstruct the access and use of the footpath or any road or of any public place. c) Is to be removed from the road or public place each day at the close of business. d) Is to comply with the provisions of Newcastle Council's Outdoor Trading Policy. e) Signage displayed on trailers is not to be parked on any footpath, road related area, or road, whether attached to a vehicle or not, when the primary purpose for the placement of the trailer is for promotion or advertising.

Signage Type	Definition / Controls
<p>Pole or Pylon Sign</p> 	<p>Signage erected on a pole or pylon independent of any building or structure (including directory board).</p> <p>Controls</p> <ol style="list-style-type: none"> Pole/pylon signs will not be supported where signs are capable of being placed on a building within 5m of the primary road frontage. Is not more than 8m above the ground level. Has a maximum advertising area of 20m². Maximum of one per site. To be contained wholly within the property boundary.
<p>Projecting Wall Sign</p> 	<p>Signage attached to the wall of a building and projecting horizontally from the wall.</p> <p>Not supported throughout the Newcastle LGA except as identified within key precincts.</p>
<p>Roof or Sky Sign</p> 	<p>Signage erected on or above the roof or parapet of a building.</p> <p>Not supported throughout the Newcastle LGA.</p>
<p>Temporary Sign</p>	<p>Signage of a temporary nature (such as flyers, posters, or corflute) that is lightweight & weather resistant fixed to power poles, bus shelters or other public property, fences, buildings shop fronts, shop front windows or hoarding.</p> <p>Not supported throughout the Newcastle LGA.</p>

Signage Type	Definition / Controls
<p data-bbox="188 275 464 309">Under Awning Sign</p> 	<p data-bbox="906 275 1477 338">Signage that is attached to and hangs below an awning.</p> <p data-bbox="906 374 1042 407">Controls</p> <ul style="list-style-type: none"> <li data-bbox="906 427 1477 577">a) Maximum of one sign per shopfront. In the case of multiple occupancies, one sign for each use may be considered, provided that the horizontal distance between signs is at least 3m. <li data-bbox="906 589 1342 622">b) Is not to exceed 2.5m in length. <li data-bbox="906 633 1393 696">c) Is not to exceed more than 1.5m² in advertising area. <li data-bbox="906 707 1477 808">d) Is erected approximately horizontal to the ground and at no point less than 2.6m from the ground. <li data-bbox="906 819 1458 882">e) Is erected at right-angles to the building to which the awning is attached. <li data-bbox="906 902 1477 1010">f) Is securely fixed to the awning by means of durable and structurally sound support systems. <li data-bbox="906 1021 1422 1084">g) Is not projected beyond the edge of the awning to which it is attached.
<p data-bbox="188 1102 376 1135">Window Sign</p> 	<p data-bbox="906 1102 1477 1196">Signage within any window of a building and includes business identification, advertising, lifestyle graphics, tv/video screens and the like.</p> <p data-bbox="906 1211 1477 1296">Note: Lifestyle Graphic is defined as signage by way of images that depict people, products, words and the like, in connection with a product, place or service.</p> <p data-bbox="906 1332 1042 1366">Controls</p> <ul style="list-style-type: none"> <li data-bbox="906 1386 1445 1509">a) Does not occupy more than 20% or 6m² (whichever is the lesser) of the glazed surface of the window in which it is displayed. <li data-bbox="906 1520 1177 1554">b) Is not illuminated. <li data-bbox="906 1565 1358 1628">c) Does not contain LED/Electronic messages. <li data-bbox="906 1639 1275 1673">d) Is located at ground level.

Table 1: Development zones and supported signage types (general guidance only)

Signage Type	Development Zones			
	Residential	Commercial	Industrial	Heritage Conservation Area / Item
Building Wrap Sign (completed buildings)	X	✓	X	X
Building Wrap Sign (on scaffolding/hoardings)	✓ (as temporary use only)	✓	✓	✓
Directory Board	X	✓	✓	X
Fascia Signs	X	✓	✓	✓
Flush Wall Sign	X	✓	✓	✓
Home Business/ Home Industry / Home Occupation Sign	✓ (as exempt development)	✓	✓	✓
Illuminated Sign	X	✓	✓	X
Pole or Pylon Sign	X	✓	✓	X
Under Awning Sign	X	✓	X	✓
Window Sign	X	✓	✓	✓

Note: Signs within special use, recreation and environmental zones will be considered having regard to the general controls and the surrounding context.

Key	
Symbol	Meaning
✓	Generally supported in zone (check relevant environmental planning instruments)
X	not supported in zone

7.09.02 General design guidelines

Objectives

1. To establish a consistent and co-ordinated approach to the design, size and positioning of signage to enhance the streetscape.
2. To ensure that signage does not detract from the architecture of buildings, streetscapes and vistas.
3. To ensure design, size and positioning of signage does not create a safety risk.

Controls

1. A signage strategy is submitted with all development applications for new buildings or for buildings that are a heritage item and/or within a heritage conservation area. The signage strategy is to address the general design guidelines and any applicable Key Precinct principles. The signage strategy will then be used to guide the provision of any signs at the premises.

Note: A signage strategy is to include full details on sign locations, dimensions, colours and finishes, including any proposed illumination.

2. Proposals for new or amended signs on existing buildings will be considered in relation to the building's streetscape, architectural compatibility and cumulative impact within the vicinity.
3. The total number of signs on a property is to be limited to those needed to reasonably identify the business. To minimise clutter, composite signs should be used where there are multiple businesses located on a property.
4. Signage is to be unobtrusive in colour, height and scale, and located so as to be integrated with the architecture and scale of the buildings and adjoining premises. The design and location of signs should not unduly detract from existing architectural features.
5. Signage is to be designed to complement the significance of heritage items and/or heritage conservation areas.
6. Signage is to be positioned so that it does not affect the safe movement of pedestrians, bicycles or motor vehicles.
7. Signage is not to obstruct or cause confusion with the interpretation of traffic signs, traffic controls or navigational beacons.
8. Signage is to be designed and built so that it is structurally and electrically sound.
9. Signage illuminated by internal or external lighting:
 - (a) is to meet the NSW Department of Planning and Environment's requirements regarding Illumination and Reflectance
 - (b) is not to detract from the architecture of the host building
 - (c) is not to cause distraction or nuisance to neighbouring properties, residential areas or traffic

- (d) is generally restricted to the hours between 7am and 10pm.
- (e) has illumination sources (including cabling) concealed or integrated within the sign
- (f) is generally not supported in connection with heritage items.

7.09.03 Key precincts

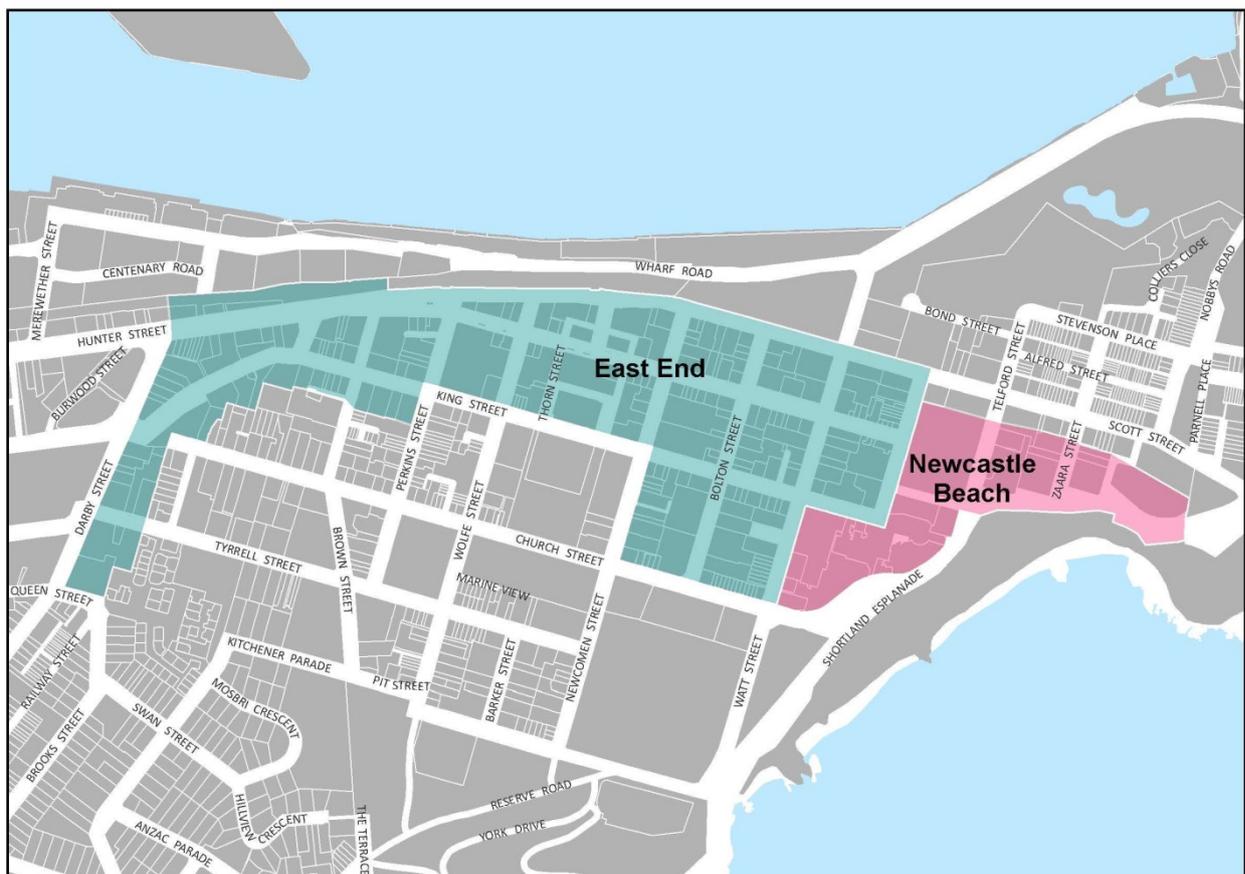
Some commercial areas in the Newcastle LGA are within heritage conservation areas and/or have been identified as key character precincts. Additional guidelines are provided for three precincts to achieve development outcomes that are compatible with the character and amenity of the precincts:

- Newcastle East End & Newcastle Beach
- Newcastle West End & Civic
- Darby Street, Cooks Hill and Beaumont Street, Hamilton.

Signage proposed within the above precincts is required to address the following design controls, in addition to the general design guidelines.

A. Newcastle East End and Newcastle Beach

Map 1: Newcastle East End and Newcastle Beach



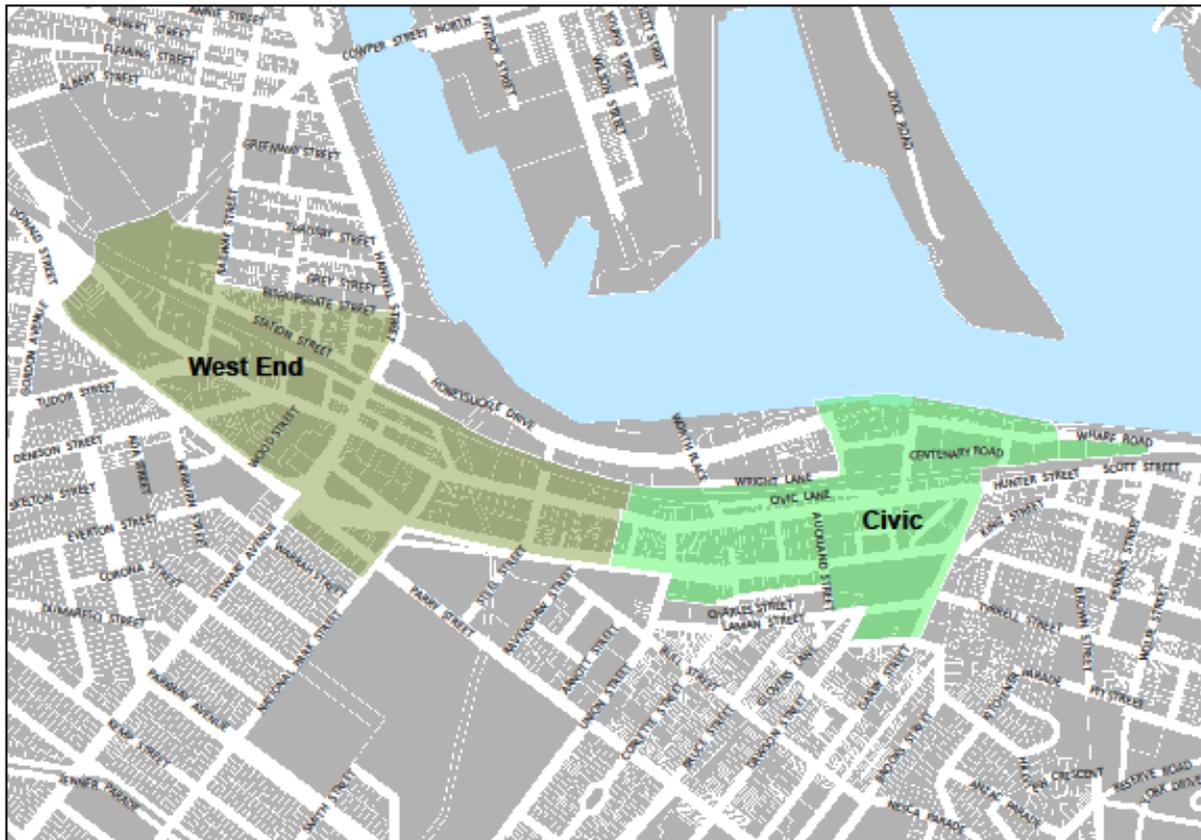
Controls

1. Signage types within this precinct are to comprise of:
 - (a) fascia
 - (b) under awning
 - (c) window sign
 - (d) projecting wall signs where there is no awning.
2. Signage is for business identification only.
3. For projecting wall signs the following controls will apply:
 - (a) limited to one sign per elevation
 - (b) located at ground level only (consistent with location of adjacent awnings)
 - (c) does not exceed 2.5m in length
 - (d) does not to exceed more than 1.5m² in advertising area
 - (e) erected horizontal and at no point less than 2.6m from the ground
 - (f) is not to extend to within 0.6m of the vertical projection of the edge of the vehicular carriageway, including any parking space
 - (g) erected at right-angles to the building
 - (h) any illumination is restricted to the hours of 7am to 10pm/close of business (whichever is the lesser).
4. Signage within shopfront windows is minimised. Painted skeletal business identification signage may be considered.
5. Signage reflects the heritage significance of this precinct by way of style, colour, format and materials.

Note: Corporate colours & logos may need to be altered where they do not achieve a high degree of compatibility with the architecture, materials, finishes and colours of the host building & streetscape.
6. Signage to be constructed from high quality materials, particularly metals such as bronze, brass and stainless steel.
7. The restoration of original painted signs and construction of new signs using traditional designs is encouraged.
8. Signage is to be at or below awning level. In the absence of any shop front awnings signage is to be kept at or below the height of awnings on adjacent buildings. In these circumstances, projecting wall signs (in a heritage compatible design) may be considered.
9. Illumination (with the exception of under awning/projecting wall signs) is not supported.
10. LED/Changing message signs (internal and external to premise) are not supported.

A2. Newcastle West End and Civic

Map 2: Newcastle West End and Civic precinct



Controls

1. Signage is for business identification only.
2. Signage reflects the heritage significance of the area by way of style, colour, format and materials.

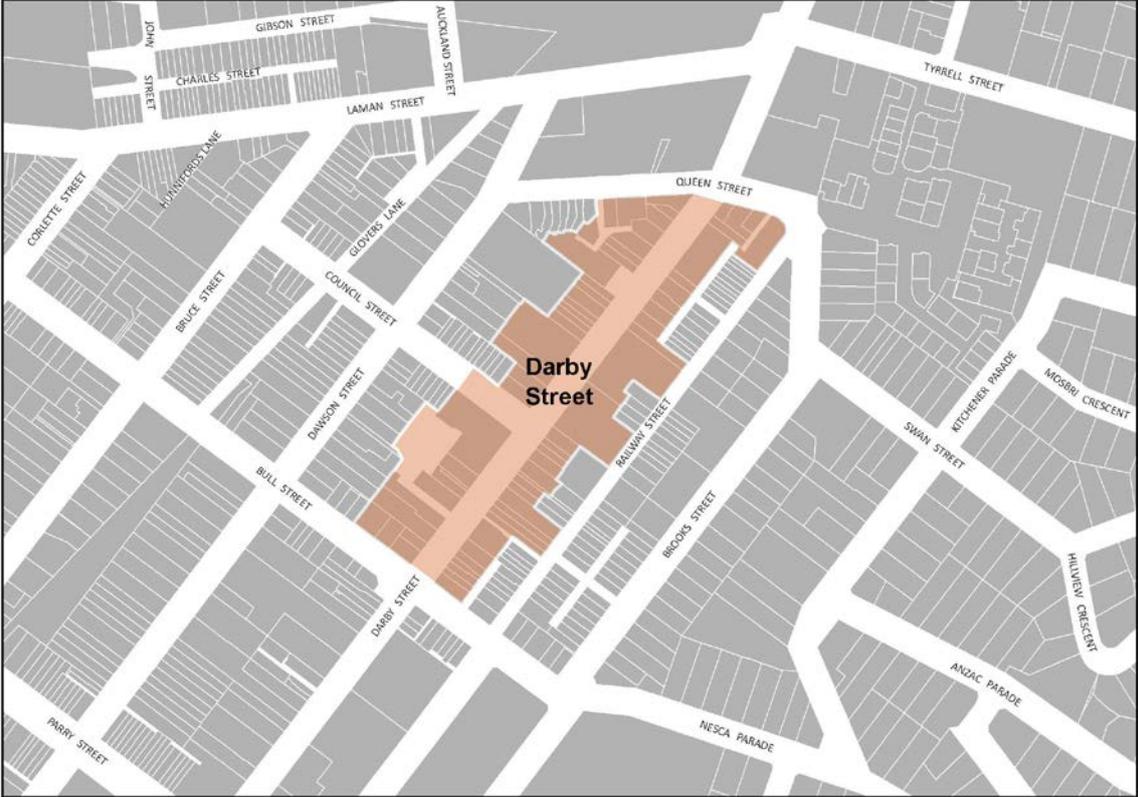
Note: Corporate colours and logos may need to be altered where they do not achieve a high degree of compatibility with the architecture, materials, finishes and colours of the host building and streetscape.

3. Flush wall signs are:
 - (a) located below first floor level on a frontage with public access only
 - (b) not more than 20% of the building elevation
 - (c) not illuminated if on a heritage item.

4. Pole/pylon signs are supported for civic buildings only and the following controls will apply:
 - (a) one pole/pylon sign per site
 - (b) no higher than 4m above ground, have a minimum area of 3m² per face, and not more than two faces
 - (c) signs with simple and clearly displayed details on a white background are preferred.
5. Projecting wall signs are only supported in the absence of an awning. In such cases the following controls will apply:
 - (a) one sign per elevation
 - (b) located at ground level only (consistent with location of adjacent awnings)
 - (c) not exceed 2.5m in length
 - (d) does not to exceed more than 1.5m² in advertising area
 - (e) erected horizontal and at no point less than 2.6m from the ground
 - (f) is not to extend to within 0.6m of the vertical projection of the edge of the vehicular carriageway, including any parking space
 - (g) erected at right-angles to the building.
6. Window signage is to be minimised, with shopfronts being primarily used for the display of goods and services. Lifestyle graphics, tv/video screens and the like are not a supported form of window signage.
7. Illumination is restricted to the hours of 7am to 10pm/close of business (whichever is the lesser).
8. LED/Changing message signs (internal and external to premise) are not supported.

A3. Darby Street, Cooks Hill and Beaumont Street, Hamilton

Map 3: Darby Street, Cooks Hill precinct



Map 4: Beaumont Street, Hamilton precinct



Controls

1. Signage types within these precincts are to comprise of:
 - (a) fascia sign
 - (b) under awning sign
 - (c) window sign
 - (d) projecting wall sign where there is no awning.
2. Signage is for business identification only.
3. Signage reflects the heritage significance of the area by way of style, colour, format and materials.

Note: Corporate colours and logos may need to be altered where they do not achieve a high degree of compatibility with the architecture, materials, finishes and colours of the building and streetscape).
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4. For projecting wall signs the following controls will apply:
 - (a) limited to one sign per elevation
 - (b) located at ground level only (consistent with location of adjacent awnings)
 - (c) does not exceed 2.5m in length
 - (d) does not to exceed more than 1.5m² in advertising area
 - (e) erected horizontal and at no point less than 2.6m from the ground
 - (f) is not to extend to within 0.6m of the vertical projection of the edge of the vehicular carriageway, including any parking space
 - (g) erected at right-angles to the building.
5. Window signage is to be minimised, with shopfronts being primarily utilised for display of goods and services. Lifestyle graphics, tv/video screens and the like are not a supported form of window signage.
6. Illumination is limited to the hours of 7am to 10pm/close of business (whichever is the lesser).
7. LED/Changing message signs (internal and external to premise) are not supported.

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