



8b Advertising and signage

Explanatory outline

Section 8b outlines assessment criteria for outdoor advertising and signage.

Note: these criteria **do not apply** where the advertising or signage is:

- **‘Exempt’ development**, under either:
 - *Advertising and Signage Exempt Development Code - Division 2 of SEPP (Exempt and Complying Development Codes) 2008; or*
 - *Muswellbrook Local Environmental Plan - Schedule 2 Exempt Development*
- **‘Complying’ development** under *SEPP (Exempt and Complying Development) Codes 2008* (particularly *Part 5 Commercial and Industrial Alterations Code*).
- **Prohibited or otherwise regulated** under *State Environmental Planning Policy (Industry and Employment) 2021 - Chapter 3 Advertising & signage*

In such cases, the criteria under the relevant SEPP or Local Environmental Plan will apply instead.

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8b.1 Application of this section and relevant planning instruments and legislation

This section applies to development described in Column 1 when carried out on land described in Column 2.

Column 1: Type of development

Construction, erection, placement, alteration, illumination, relocation, attachment, painting or repainting of:

- advertising structures; or
- signage.

Column 2: Applicable land

Any land.

Despite the information above, this part **does not apply to** any advertising structure or signage where it is:

- **‘Exempt’ development**, under either:
 - *Advertising and Signage Exempt Development Code - Division 2 of SEPP (Exempt and Complying Development Codes) 2008; or*
 - *Upper Hunter Local Environmental Plan 2013 - Schedule 2 Exempt Development*



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- **‘Complying’** development under *SEPP (Exempt and Complying Development) Codes 2008* (particularly *Part 5 Commercial and Industrial Alterations Code*).
- **Prohibited or otherwise regulated** under *State Environmental Planning Policy (Industry and Employment) 2021 - Chapter 3 Advertising & signage*

In such cases, the criteria under the relevant *SEPP* or *Local Environmental Plan* will apply instead.

The following other environmental planning instruments or other legislation are also relevant to development to which this part applies:

- *Upper Hunter Local Environmental Plan 2013*
- *State Environmental Planning Policy (Industry and Employment) 2021 - Chapter 3 Advertising & signage*
- *Local Government Act 1993*
- *Roads Act 1993*

Further planning instruments and legislation may also be relevant. In the event of any inconsistency, any of the above listed instruments will prevail over requirements or criteria contained in this part.

A sign must not be altered in any way (except for removal) without consent after approval has been granted.

8b.2 Definitions

There may be words used in this Part that are defined in the *Environmental Planning and Assessment Act, 1979*, as amended, or within *Upper Hunter Local Environmental Plan 2013*, as amended. The Dictionary to this DCP provides additional definitions that are relevant to this Part.

8b.3 Objectives

The objectives of this part are to:

1. provide a consistent approach to the control, location and design of advertisements and information signage
2. ensure that signs complement the architecture of the buildings to which they are attached and their surroundings
3. reduce the visual complexity of the streetscape by providing fewer, more effective signs
4. promote effective and visually interesting advertising of goods and services and ensure that signage is of a high quality design and finish
5. ensure that advertisements do not adversely affect the safety of motorists and pedestrians.
6. ensure that signs do not affect the amenity of residents by way of shadow or illumination effects
7. facilitate the placement of signs that promote businesses in a manner appropriate to the scale and design of the existing built environment
8. permit adequate business advertising and identification



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8b.4 Supporting plans & documentation

Development applications that are subject to this section should be supported by the following plans and documentation.

Item	When required	Plans or information to be provided
A. General requirements	All applications	Refer to Part 2 Preparing & lodging a development application .
B. Advertising signage details	All applications <i>Note: the seeking of Council's consent as owner is separate from the development application process.</i>	The following information is to be provided: <ul style="list-style-type: none"> • A site plan showing the position of the proposed sign on the property. The plan should be dimensioned and drawn to scale and must include property boundaries and the distance from the sign to the property boundary and nearest road. • A dimensioned sketch of the sign in the form of a drawing or photograph. This needs to detail the sign face dimensions, overall height of the sign, height of the lowest part of the sign above natural ground level and information applied to the signs (fonts, colours, logos, diagrams). • A plan showing how the sign is to be supported. Detail of post footings, description of materials and the dimensions of any structural members or building specifications and the method of fixing to the existing structures. • Details regarding the lighting or illumination of the sign, where relevant. • A report addressing each criteria listed in Schedule 5 'Assessment criteria' of <i>State Environmental Planning Policy (Industry and Employment) 2021 - Chapter 3 Advertising & signage</i> • Council may require a maintenance plan indicating the proposed methods of cleaning, replacement of defective lighting and a detailed maintenance schedule to ensure the ongoing upkeep of the sign. • If the sign is to be erected on land other than the applicant's, then written consent from the landowner is required. If Council is the landowner, then written consent from Council as the landowner must be provided.
C. Visual Impact Assessment	Applications that potentially impact adjoining and surrounding areas, as advised by Council.	Plans showing detail of the sign(s) and its relationship to adjoining and surrounding areas, addressing relevant criteria in Schedule 5 'Assessment criteria' of <i>State Environmental Planning Policy (Industry and Employment) 2021 - Chapter 3 Advertising & signage</i> , particularly: <ul style="list-style-type: none"> • Impacts on view corridors • Impacts on adjoining or nearby residences • Lighting impacts



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Item	When required	Plans or information to be provided
		<ul style="list-style-type: none"> Cumulative impact of signage on the property or neighbourhood
D. Heritage plans or reports	Applications that will potentially impact on land that is listed as or contains: <ul style="list-style-type: none"> a heritage item a heritage conservation area an archaeological site an Aboriginal object an Aboriginal place of heritage significance. 	Include the matters required under section 9a Heritage conservation .

8b.5 Assessment criteria

A performance-based approach will be adopted in the assessment of development applications. Applications will be assessed according to the extent to which the outcomes specified in the left-hand column of the following table will be satisfied or achieved by the design, construction or operation of the proposal.

The design guidelines specified in the right-hand column indicate design and best practice solutions by which the required outcomes can be met. They do not preclude other solutions that may be suitable under particular local circumstances. All proposals will be considered on merit.

This section is structured in the following way:

A	Compliance with <i>State Environmental Planning Policy (Industry and Employment) 2021 - Chapter 3 Advertising & signage</i>
B	Locations of signage
C	Inappropriate forms of signage
D	Maximum number of signs
E	General restrictions
F	Post, pole or pylon signs (including banners & flags)
G	Heritage
H	Signage in rural and non-urban areas
I	Signage design and scale
J	Visual impact & scenic quality
K	Illumination & noise
L	Safety
M	Quality

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Outcomes to be achieved

Design guidelines

A. Compliance with *State Environmental Planning Policy (Industry and Employment) 2021 - Chapter 3 Advertising & signage*

- The signage must comply with *State Environmental Planning Policy (Industry and Employment) 2021 - Chapter 3 Advertising & signage*.
- The signage must satisfy the assessment criteria of Schedule 5 of *State Environmental Planning Policy (Industry and Employment) 2021 - Chapter 3 Advertising & signage*, to the satisfaction on Council, being issues relating to:
 - the character of the area.
 - special areas.
 - views and vistas.
 - streetscape, setting or landscape.
 - site and building.
 - associated devices and logos with advertisements and advertising structures.
 - illumination.
 - safety.

These issues are included in the Development Outcomes and Development Guidelines below.

Notes:

- under the SEPP, Council cannot grant consent unless it is consistent with the aims of the SEPP and satisfies the assessment criteria listed in Schedule 5 of the SEPP.
- where there is an inconsistency between the SEPP and any other provisions of this part, the provisions of the SEPP prevail.

B. Locations of signage

- Signage is located on the actual property that contains the lawful business or activity identified or promoted on the sign itself.
 - The location of signage and advertising structures takes into account the site, existing structures on the site, adjoining and surrounding sites, and the general impact on the streetscape.
 - Signage and advertising structures are not situated in the following locations:
 - locations where there would be an adverse effect on the traffic signals, road sign or sight distances available to pedestrians and motorists.
 - trees, electricity or telephone poles or any other inappropriate structures
 - locations that would obscure any significant architectural features of a building
 - bridges
 - illuminated signage within residential zones
- Consideration should be given to surrounding vegetation and whether the trees or plant species will grow to obscure the sign from view.
 - Signs should have adequate clearance around poles and electricity wires.
 - Signs should be placed where they will not impact on visibility for motorists or pedestrians.
 - All signs should form an integral part of the development and its design.
 - Signs should, where practical, be located at least one metre behind the property boundary.



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Outcomes to be achieved

Design guidelines

- locations that would impact on the visual character of a building or an area with environmental heritage values.
- public property or footpaths
- signs within the road reserve or on council land (with the exception of A-Frame / Sandwich Board signs)

C. Inappropriate forms of signage

- Signage must not be of any of the following forms:
 - a. Above awning signs (attached to the top surface of awning)
 - b. Horizontal projecting wall signs are not favoured and shall not be permitted except in exceptional circumstances.
 - c. Flag pole signs
 - d. Inflatable signs
 - e. Moving and flashing signs
 - f. Video Signs
 - g. Roof or sky signs
 - h. Large signs (>20m² or higher than 8m) including billboards

D. Maximum number of signs

- The maximum number of signs per lot is as specified in **Table 1: Maximum number of signs per lot**. Where there is more than one business present per lot, the numbers specified in **Table 1: Maximum number of signs per lot** shall be per business.
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Table 1: Maximum number of signs per lot

Upper Hunter LEP 2013 Zone	Sign type	Maximum number of signs
Employment (E1 and E4) or Mixed Use (MU1)	Post supported	2
	Wall	2
	Entrance	2
	Fascia	2
	Below awning	No limit
	A-frame	1 (2 for corner blocks)
	Business directory	1
	Window	No limit
Rural (RU1, RU3, RU4)	Post supported	2
	Wall	2
	Business directory	1
	Entrance	2
Conservation (C3)	Post supported	2
	Wall	2
	Business directory	1
	Entrance	2
Special Activities and Infrastructure (SP1, SP2)	The type and number of signs should be on a case-by-case basis	
Recreation (RE1, RE2)	The type and number of signs should be on a case-by-case basis	
Residential (R1, R5, RU5)	Business identification	1
	Window	1
	Fascia	On merit
	Business directory	1
	Below awning	1
	Post-supported and gateway (only for businesses operating under existing use rights –see above table)	On merit

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Outcomes to be achieved

E. General restrictions

- Under awning signs must be located 2.6m above natural ground level, not exceed 2.5 m in length or 0.5 m in height.
- Only one directory board permitted for multiple occupancy buildings.

Design guidelines

- Avoid advertising products that are not sold on the premises.
- No advertising structure should be erected closer than 3 metres in a horizontal plane to any other advertising structure.

F. Post, pole or pylon signs (including banners & flags)

This section relates to an advertisement on a pole or pylon independent of any building structure.

The sign must comply with the following:

- Shall not project beyond the boundary of a property.
- Where two signs are proposed the second sign should have the same setback and be of uniform design and spacing.
- Maximum advertising area and maximum height must not exceed:-
 - 3 square metres and 2 metres high in rural areas.
 - 8 square metres and 8 metres high in business areas, and.
 - 10 square metres and 8 metres high in industrial areas.
- Signs for businesses operating in residential areas under existing use rights will be assessed on their merits. Maximum advertising area is 2 m² and maximum height above ground is 2 m.
- Notwithstanding the above, the height of the structure must not protrude above the dominant skyline (including any buildings, structures or tree canopies) when viewed from ground level within a visual catchment of 1 kilometre.

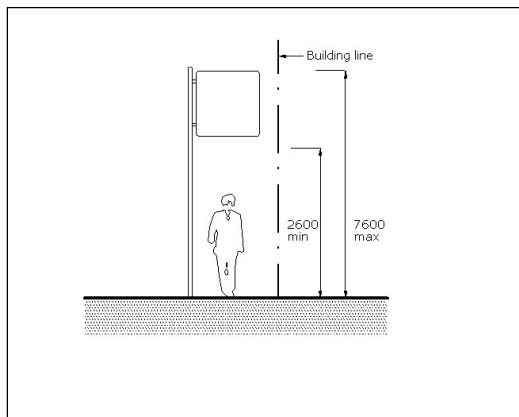


Figure 1 Post, pole or pylon sign

G. Heritage

- Impact from advertising structures or signage on any heritage item or Heritage Conservation Area is considered (refer to section **9a Heritage conservation**).
 - The sign responds to the character, style, colour, design and materials and fixing methods of the relevant heritage item or to the architecture of the Conservation Area.
- Avoid new signs on side walls of buildings.
 - Provide a high standard of materials and graphics.
 - Use traditional designs, colours, lettering and construction methods.
 - Avoid placing illuminated signs on heritage items

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Outcomes to be achieved

- Only one sign per property is permitted which is a minor element and restrained in design.
- Original signs are retained and conserved at the site.

Design guidelines

H. Signage in rural and non-urban areas

This provision applies to zones RU1 Primary Production, RU4 Primary Production Small Lots and C3 Environmental Management and W1 and takes precedence over any other provision in this part.

- Signage must only contain:
 - an advertisement relating to the land on which the advertisement is to be displayed, or to premises situated on that land or adjacent land, **and**
 - specify one or more of the following particulars:
 - (A) the purpose for which the land or premises is or are used,
 - (B) the identification of a person residing or carrying on an occupation or business on the land or premises,
 - (C) a description of an occupation or business referred to in sub-paragraph (B),
 - (D) particulars of the goods or services dealt with or provided on the land or premises,
 - or**
 - a notice directing the travelling public to tourist facilities or activities or to places of scientific, historical or scenic interest.

I. Signage design and scale

- Signage enhances the architecture of existing buildings, streetscapes and vistas.
 - Signage is visually interesting and integrated with architecture of the building.
 - Signage is not located where it will obstruct views, vistas or cause significant overshadowing.
 - Signage does not dominate the building or protrude above any parapet or eaves.
- Use lettering, materials and colours that complement the existing building or place.
 - Avoid signage that dominates the building.
 - Provide an appropriate scale, form and similar proportions to the desired character of the streetscape.
 - Avoid locating advertisements over a window, other openings or which covers significant architectural detail of the building.
 - Avoid freestanding signs that dominate the skyline when viewed from the ground within one kilometre
 - Signage should respect the proportions of the façade of the host building, for example:
 - subdivide the facade into a series of vertical or horizontal panels on which the signage can be placed - **see** Figure 2: Signage design and scale #1
 - Join together two smaller panels to form a more usable horizontal or vertical panel. – **see** Figure 3: Signage design and scale #2

Project lines from the adjacent buildings across the façade of the building to

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Outcomes to be achieved

Design guidelines

identify horizontal panels where signs can be located to achieve visual continuity with neighbouring buildings – see

- Figure 4: Signage design and scale #3

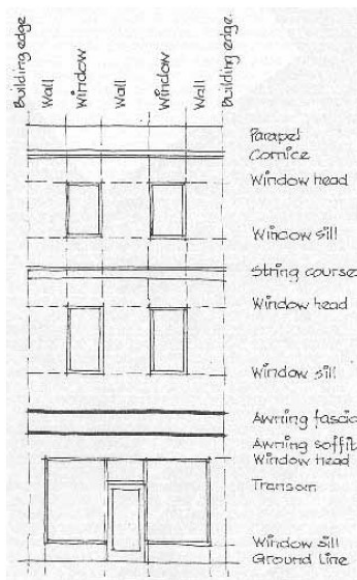
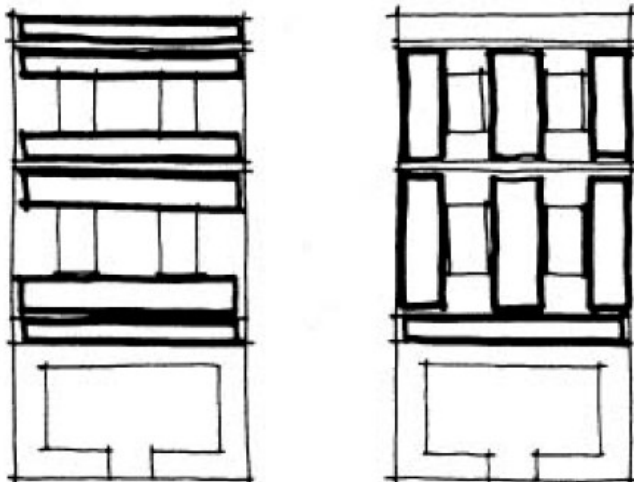


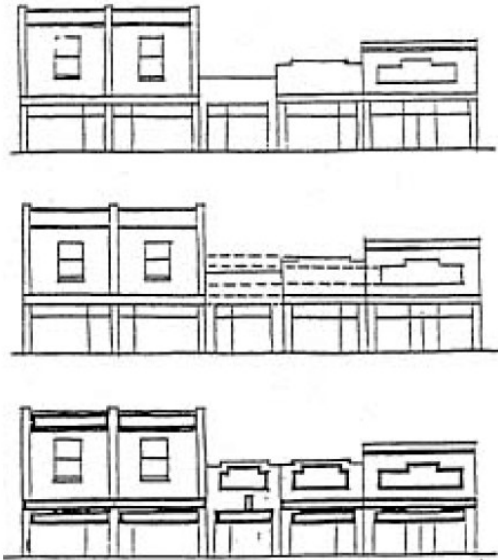
Figure 2: Signage design and scale #1

Figure 3: Signage design and scale #2



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Figure 4: Signage design and scale #3



Outcomes to be achieved

Design guidelines

J. Visual impact & scenic quality

- Signage and advertising structures is designed so as to consider the following matters:
 - nature and density of existing current approved signs on the property and on any adjoining properties and the potential for clutter
 - scale of the sign relevant to nearby buildings and to viewing distances
 - style of the sign relative to the style of existing development within the visual catchment area of the proposed sign
 - impact of the sign on adjoining development or on the use or enjoyment of nearby buildings or land
 - existing and future likely character and amenity of the area.
 - impact of the sign on the landscape or scenic quality of the area
 - integration of the sign(s) with buildings or other landscape elements
 - visibility of the sign above the horizon or with the landscape as a backdrop
 - effect of the proposal on the natural and man-made landscape.
- The design of signs should respect the character of the landscape or streetscape in which it is placed e.g. urban, commercial, remote rural etc.
- Sign materials should be compatible with the Shire's rural character and high scenic value.

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Outcomes to be achieved

- Text and graphics are compatible with accepted community standards.

Design guidelines

K. Illumination & noise

- Illuminated signs minimise the impact on the surrounding development and environment in terms of external lighting intensity, duration of illumination and light scatter/ spill.
- Moving, flashing and running light signs that project glare and light spillage are undesirable.
- Any noise emitted from electrical equipment in the advertising structure is minimised where there would be potential for noise nuisance.

- Council will generally not favour applications for high intensity illuminated signs.
- Council may require illuminated signs to be fitted with an automatic timing device to extinguish the illumination during specified hours to avoid light spill into surrounding areas.
- Avoid positioning illuminated signs on properties fronting laneways between residential and commercial areas.
- Illumination of signs is to be concealed or integral to the sign. Up lighting of signs is prohibited. Any external lighting of signs is to be downward pointing and focused directly on the sign to prevent or minimise the escape of light beyond the sign.

L. Safety

- The design takes into consideration:
 - impact on vehicle and pedestrian movement and safety.
 - structural integrity, with particular emphasis on the ability to withstand wind forces.

- The placement of signs should be appropriate to the horizontal and vertical alignments of the road(s) addressed by the sign and the traffic speeds and volumes specific to the road(s).
- Provide signage that avoids confusion with road traffic signs or signals. Do not use the word “stop” or other traffic directions.
- Do not obscure a road hazard, oncoming vehicles or pedestrians.

M. Quality

- Signage and advertising structures are to achieve high standards of visual quality

- Signs should be designed for low maintenance and minimum chance of vandalism.

8b.6 Further information

Duration of Approval

Development consent granted under *State Environmental Planning Policy (Industry and Employment) 2021 - Chapter 3 Advertising & signage* will last for 15 years as per the SEPP. On expiration of this period, a new development application will need to be submitted and approved by Council.

Unsafe or unsightly signs

Any sign that is considered as being unsafe or unsightly will need to be repaired, renovated, removed or replaced as appropriate in the circumstances. Note: Council can issue an order pursuant to the Environmental Planning and Assessment Act 1979.

8b.7 Supplementary guidance

The following documents or reference materials provide further advice or information that is relevant to this section.

- *State Environmental Planning Policy (Industry and Employment) 2021 - Chapter 3 Advertising & signage*
- [Transport Corridor Outdoor Advertising and Signage Guideline \(Department of Planning, 2007\)](#)



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