

# PART B PANEL SUBMISSION

## GREATER GEELONG PLANNING SCHEME AMENDMENT C383ggee

### *Advertising Sign Guidelines*

### Part B Submission to the Independent Panel

Prepared by:

Peter Smith - Coordinator Strategic Implementation

Rachel Carr - Strategic Planner

City of Greater Geelong

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## A. INTRODUCTION

1. This submission has been prepared by the Planning Authority, *The City of Greater Geelong*, for Amendment C383ggee (“the Amendment”). This submission responds to the 19 September 2023 Panel Direction, which requires a Part B submission that provides:
  - its response to submissions and evidence
  - its final position on the Amendment.

### A.1 OVERVIEW

2. The main purpose of the Amendment is to incorporate *The City of Greater Geelong Advertising Sign Guidelines* (May 2022) into the Greater Geelong Planning Scheme, and to make associated changes to the Scheme.
3. Specifically, the amendment:
  - Inserts new Clauses 15.01-1L-03 (Signs in urban environments) and 15.01-6L (Signs in rural areas) to require signs in urban and rural areas to comply with *The City of Greater Geelong Advertising Sign Guidelines* (May 2022).
  - Amends the schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme) by removing *Advertising Sign Guidelines November 1997, Amended 2014* (City of Greater Geelong) and replacing it with *City of Greater Geelong Advertising Sign Guidelines* (May 2022) as an incorporated document.
  - Amends the schedule to Clause 72.08 (Background Documents) by inserting *The City of Greater Geelong Advertising Sign Guidelines Review – Issues and Options Paper* (May 2022) as a background document.
4. *The City of Greater Geelong Advertising Sign Guidelines* (May 2022) will provide local policy guidance to applicants and Council officers, ensuring place-based outcomes grounded in the Greater Geelong context.
5. *The City of Greater Geelong Advertising Sign Guidelines* (May 2022) were prepared by the City of Greater Geelong, with design elements provided by UrbanFold.
6. *The City of Greater Geelong Advertising Sign Guidelines Review – Issues and Options Paper* (May 2022) was prepared by the City of Greater Geelong.

## **A.2 RELATIONSHIP TO STATE PLANNING SCHEME PROVISIONS**

7. The Particular Provision at Clause 52.05 Signs of the Planning Scheme seeks:
  - To regulate the development of land for signs and associated structures.
  - To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
  - To ensure signs do not contribute to excessive visual clutter or visual disorder.
  - To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.
8. Local policies are a mechanism by which Councils can 'implement state policy in a way that is relevant to their vision for the municipality' (*Practitioner's guide to Victoria's planning schemes Version 1.5 April 2022*, DELWP, p.78).
9. *The City of Greater Geelong Advertising Sign Guidelines* (May 2022) will fulfil this function once inserted into the planning scheme as an Incorporated Document and given effect in local policy at Clause 15.01.
10. The specific guidelines within *The City of Greater Geelong Advertising Sign Guidelines* (May 2022) were informed by concerns identified in the *City of Greater Geelong Advertising Sign Guidelines Review – Issues and Options Paper* (May 2022). Many guidelines were modelled on similar local policy provisions included in other Victorian Planning Schemes.

## **A.3 SUMMARY OF COUNCIL'S POSITION**

11. Council submits that the Amendment is consistent with State planning policy and provisions, is based on demonstrated need and place analysis, and will result in a much-improved set of guidelines to guide decision making on permit applications for signs.
12. As the Panel will see later in our submission, we have demonstrated a willingness to respond to submissions and expert evidence by preparing further updates to the exhibited guidelines. We believe these revisions further clarify the intent of the guidelines and strike an appropriate balance between providing clear and objective signage strategies and guidelines without unnecessarily restricting signage required to promote and identify business and activities.
13. The proposed Growth Area guidelines is the main issue being submitted on at this hearing. Council will seek to demonstrate in our submissions that clearer guidance for

Growth Area signage is particularly important in the Geelong context as many of the current and earmarked growth areas interface with farming or rural land uses including declared Distinctive Areas and Landscapes (DALs), tourist and arterial roads where safety of road users must be considered and also contain and adjoin established residential areas.

14. The new housing estates in growth areas such as Armstrong Creek and Lara West are in applied residential zones under the Urban Growth Zone schedules. This further demonstrates the sensitive setting and the need to properly control new estate signage. We believe the guidelines (as updated in response to submissions and evidence) will provide improved and much needed guidance for the growth areas in Geelong and are consistent with sign policies and guidelines in the planning schemes of several Melbourne metropolitan growth municipalities.
15. We seek the Panel's endorsement of *The City of Greater Geelong Advertising Sign Guidelines* (May 2022) and updates to the associated clauses and schedules listed below:
  - Clauses 15.01-1L-03 Signs in urban environments
  - Clause 15.01-6L Signs in rural areas
  - Schedule to Clause 72.04 Documents Incorporated in this Planning Scheme
  - Schedule to Clause 72.08 Background Documents

#### **A.4 KEY TERMS**

16. *The Advertising Sign Guidelines November 1997, Amended 2014* (City of Greater Geelong) are hereafter referred to as the "Guidelines (1997, amended 2014)".
17. *The City of Greater Geelong Advertising Sign Guidelines* (May 2022) proposed to be implemented via this amendment is hereafter referred to as the "Guidelines (May 2022)".
18. *The City of Greater Geelong Advertising Sign Guidelines Review – Issues and Options Paper* (May 2022) is hereafter referred to as the "Issues and Options Paper".

## B. BACKGROUND

19. A detailed background to the development of the Guidelines (May 2022) was provided in Council's Part A submission. The following is a summary of that discussion.
20. Following a number of VCAT cases in which the Guidelines (1997, Amended 2014), which are currently incorporated in the Greater Geelong Planning Scheme, were critiqued as outdated, biased or otherwise irrelevant, Council reviewed the guidelines with the intent to update the local policy.
21. Council, with the urban design assistance of UrbanFold, prepared the Guidelines (May 2022) and associated Issues and Options Paper. These documents were peer reviewed by Transect Planning Pty Ltd.
22. The Guidelines (May 2022) contains twelve sections, each with objectives, strategies, and guidelines specific to that topic. Nine of these respond directly to certain contexts (Commercial Areas – Category 1; Industrial Areas – Category 2; High Amenity Areas – Category 3; Sensitive Areas – Category 4; Interface Areas; Central Geelong; Heritage Places; PAD sites; and Growth Areas). Three chapters provide guidelines applicable in a wider range of contexts (General; Major Promotion Signs, Electronic Signs).
23. The key motivators for this amendment were:
  - The age of the current Guidelines (1997, Amended 2014), which are now more than 20 years old and have not been reviewed in almost a decade.
  - The need for a place-based local policy regarding advertising signage which responds to the Greater Geelong local context and supports Council's desired urban design and planning outcomes.
  - The need for local advertising sign policy which is practical and absent of explicit biases against promotion signs, as identified in *Kings Funeral Services Pty Ltd v Greater Geelong CC (Red Dot) [2008] VCAT 487*.
  - The lack of a policy or provision in the Scheme which gives effect to the Guidelines (1997, Amended 2014) despite it being an incorporated document as per Clause 72.04, which was identified in *E. Koroneos & Sons Pty Ltd v Greater Geelong CC [2022] VCAT 1093 (28 September 2022)*.

### ***Advertising Sign Guidelines***

*85 Before addressing whether the proposed advertising signage is acceptable, I must also address the status of the Advertising Sign Guidelines.*

*There is no dispute that these guidelines are an Incorporated Document under the schedule to clause 72.04 of the Scheme. However, the parties could not identify a clause within the Scheme that gives effect to these guidelines. There is no policy or provision in the Scheme that requires me to consider these guidelines.*

*86 I accept the Council's submissions that the previous local planning policy at clause 22 [sic] did give effect to these guidelines, and that it appears that a policy statement giving effect to these guidelines did not get translated into the Planning Policy Framework by Amendment C417ggee to the Scheme. (in July 2022).*

*87 The respondent/permit applicant clarified that the Advertising Sign Guidelines were a reference document to clause 22.01. They submit that, while relevant, the guidelines ought to be given less weight than the provisions of clause 52.05 because they are old, missing from the policy translation, but most importantly they are inconsistent with what is in clause 52.05.*

*88 I am persuaded by the respondent's/permit applicant's submissions that there is no policy or provision in the Scheme giving effect to the guidelines. While relevant, in the circumstance I agree that the Advertising Sign Guidelines ought to be given less weight than the provisions of clause 52.05.*

24. At the Council Meeting on 28 February 2023, Council passed the following resolution:

*"That Council:*

*1. Endorses the preparation and exhibition of Amendment C383ggee to the Greater Geelong Planning Scheme to:*

*1. Replace the current Advertising Signage Guidelines, City of Greater Geelong 1997 with the City of Greater Geelong Advertising Sign Guidelines (May 2022) in the Schedule to Clause 72.04 as an incorporated document in the Greater Geelong Planning Scheme;*

*2. Include the City of Greater Geelong Advertising Sign Guidelines Review – Issues and Options Paper (May 2022) in the Schedule to Clause 72.08 as a background document in the Greater Geelong Planning Scheme; and*

*3. Make other associated changes to the local policy provisions of the Greater Geelong Planning Scheme.*

*2. Requests the Minister for Planning to authorise the preparation and exhibition of Amendment C383ggee."*

25. The amendment was exhibited between 18<sup>th</sup> May to 16<sup>th</sup> June 2023 and eight submissions were received. In general, the majority of these submissions raised concerns that the Guidelines were overly restrictive, particularly in the growth area context, argued for a finer-grain approach and sought changes to the following chapters of the Guidelines (May 2022):
- General Guidelines (p.8)
  - Commercial Areas – Category 1 (p.12)
  - Industrial Areas – Category 2 (p.20)
  - Interface Areas (p.36)
  - Growth Areas (p.52)
  - Major Promotion Signs (p.60)
  - Electronic Signs (p.60)
26. On 30 August 2023, Council considered submissions under delegation and resolved to request an independent panel be appointed under Part 8 of the Planning and Environment Act, 1987, and to refer all submissions to the same.
27. As per Direction 3b of the Planning Panels Victoria letter dated 19 September 2023, an interim version of the Guidelines (May 2022) with initial proposed wording changes in line with the Council Delegates Report (30 August 2023) was provided via online filesharing on 21 September 2023.
28. This Part B submission further expands on Council's response to the submissions and addresses the expert evidence tabled.

## **C. RESPONSE TO SUBMISSIONS AND EVIDENCE**

29. Eight submissions were received during the exhibition period. Each of these eight submissions sought changes to the amendment with seven objecting submissions from land developers or their consultants and one supportive submission from VicTrack which also requested changes. An initial response was provided to these submissions in the Council Delegates report dated 30 August 2023. Further clarification of the detail of associated changes outlined in the response was provided as per Planning Panel Direction 3b in the form of a tracked changes version of the Guidelines (May 2022). This document is dated 25 September 2023.
30. Two expert witness statements were tabled. The first is from Council's planning expert Mr Mark Marsden of Transect Planning Pty Ltd, a planning professional with more than 35 years' experience. The second is from Mr William Bromhead of Ratio Consultants Pty Ltd on behalf of DFC (Ashbury) Pty Ltd, a planning professional of 30 years' experience. A summary of their recommendations can be found in Appendix 1.
31. The following section outlines Council's response to submissions and evidence received in regards to the amendment. The response is comprised of the following sub-sections:
  - Response to Submissions
  - Response to Council's Expert Witness
  - Response to Other Parties' Expert Witness
  - Complex Response to Certain Changes
  - Summary of Response

### **C.1 Response to Submissions**

32. As identified in the Part A submission, the key issues raised in submissions to the amendment were:
  - The guidelines do not allow for sufficient flexibility in response to place and context;
  - The proposed Growth Area Sign guidelines are too restrictive;
  - The proposed Major Promotion Sign guidelines are too prescriptive;
  - The guidelines relating to electronic signs do not sufficiently account for technological developments.

33. Submissions also raised concerns with a number of the General guidelines and the guidelines for signs in Pedestrian Oriented Commercial, Industrial, and Interface areas.
34. In this response, these issues are further grouped as follows:

**Issue 1    Insufficient Flexibility in Response to Place and Context**

**Issue 2    Proposed Growth Area Sign Guidelines Are Too Restrictive**

**Issue 3    Proposed Major Promotion Sign Guidelines Are Too Prescriptive**

**Issue 4    Electronic Sign Guidelines Do Not Sufficiently Account for Technological Developments**

**Other**

## Issue 1 - Insufficient Flexibility in Response to Place and Context

35. Many submissions argued that the Guidelines (May 2022) are too restrictive and do not respond sufficiently or consistently to place.

### *Response*

36. Council maintains that the Guidelines (May 2022) offer an appropriate level of local policy to guide the assessment of applications for advertising signs. The place-based approach underpinning the Guidelines (May 2022) ensures that the local policies are not over-applied in contexts where they are not relevant. As outlined in Council's Part A submission, the objectives of each category of the Guidelines (May 2022) are informed by the purposes of the state provision at Clause 52.02.
37. Council asserts that the local policy offers a guiding framework, not a set of rigid requirements, and discretion can be applied in the assessment of signage applications to balance Council's desired planning outcomes with advertising signage which efficiently promotes businesses and supports economic functions in the municipality. A sign is not expected to comply with all guidelines with rigidity.
38. The use of language such as 'avoid' and 'discourage' which is used in the drafting of the Guidelines (May 2022) is acceptable in local policy and should not be read as though it is a requirement. This is supported in the below VCAT cases.
39. *Glossop Town Planning Pty Ltd v Melbourne CC [2009] VCAT 2548*

*18 [...] Although this policy specifically discourages promotion signs, this cannot be read as a prohibition. The provisions of the Scheme allow such signage and each application must be determined on its merit.*

40. *Regional Billboard Co Pty Ltd v Colac Otway SC [2023] VCAT 606*

*15. Under the heading signage on page 64 the guidelines seek to ‘avoid creating clutter in the development of new signage’ and ‘incorporate new signage into building design and avoid freestanding or above verandah signs’.*

*16. I agree with Mr Course that the broad policies (and guidelines) can’t be interpreted as a ban on promotion signs, and it would be an error to do so.*

41. As discussed in the Issues and Options Paper (May 2022), Council Delegates Report (30 August 2023) and Council’s Part A Submission, the context of the City of Greater Geelong is unique in that it must address a variety of drastically different urban and rural contexts which often abut one another and contains or adjoins areas of declared landscape and environmental significance. Local policy is guiding the placement of advertising signs in the municipality therefore needs to be responsive to a number of different contexts, hence why Council took a place-based approach which breaks down the guidelines into chapters according to their context.
42. Council maintains that the place-based approach is justified and well-executed in the Guidelines (May 2022).

## Issue 2 - Proposed Growth Area Sign Guidelines Are Too Restrictive

43. Most submitter raised concerns that the Growth Area Guidelines were too restrictive and did not sufficiently respond to place or allow for a variety of contexts. Additionally, the guideline regarding trailer-mounted signs was critiqued.

### *Response*

44. Many of the growth areas in Greater Geelong interface with lower density residential, farming, and other zones and are on main arterial roads and tourist routes. Of particular note, the Armstrong Creek Growth Area directly borders both the Surf Coast and the Bellarine DALs. The presence of cluttered, prolific, and over-large estate promotion signage does not help to ensure these delicate, adjoining areas are protected and can continue to be enjoyed by current and future generations.
45. In the Greater Geelong context, these growth areas often already contain established precincts comprising established housing estates in residential zones (applied), schools, opens space and activity centres. These established areas adjoin or are near new subdivisions and housing estates which are being promoted. Consideration must be given to the impact on the established amenity for those living and moving through the growth areas.

46. Council maintains that local policy which provides additional guidance to the provisions of Clause 52.05 on applications for estate promotion signs is needed in the Greater Geelong Context. The significant size of growth areas in Greater Geelong and their proximity to sensitive areas, including two DALs, requires localised guidelines to address gaps in the state provision.
47. Council maintains that the level of specificity in the Growth Area Guidelines enhances their response to place and is well founded in other, similar place-based local advertising sign policy implemented in various planning schemes across Victoria. As illustrated in Table 1 of Council's Part A submission, the Growth Area Guidelines variously echo local policy implemented in other planning schemes, including Cardinia, Greater Bendigo, Hobsons Bay, Hume, Melton, Wangaratta, Whittlesea, and Wyndham.
48. Given the concerns Council holds around new housing estate promotion signage in Growth Areas, as outlined in the Issues and Options Paper (May 2022), Council's Part A Submission and other amendment documents, Council maintains that additional local policy guidance for trailer-mounted signs is substantiated.
49. Similar policy is reflected in multiple planning schemes, as outlined in Table 1 of Council's Part A Submission.
50. Mr Bromhead, a planning expert engaged on behalf of submitter DFC (Ashbury) Pty Ltd, states:

*246. Finally, I am supportive of Growth Areas Guideline 7 which discourages trailer mounted signs and any form of movable signage associated with land sales. I agree that this type of signage should be purpose built and provided in a fixed location, enabling a precinct-based approach. (Town Planning Expert Evidence Amendment C383ggee, William Bromhead, 6 October 2023)*
51. Council intends to retain Guideline 7 (Avoid trailer mounted signs or any form of moveable signage associated with land sales) as exhibited.
52. Council notes that in order for the Growth Area guidelines to respond most appropriately to place, the guidelines should consistently use the wording 'estate promotion signs' to clarify the signage types to which they apply. A definition informed by the wording in various Schedules to Clause 37.07 (Urban Growth Zone) of the Greater Geelong Planning Scheme has been added to the introduction of the Growth Area category in the Guidelines (May 2022). See Appendix 2 of this report for detail of these changes.

### Issue 3 – Proposed Major Promotion Sign Guidelines Are Too Prescriptive

53. A number of submissions objected to the guidelines regarding major promotion signs on the grounds that they are too restrictive. The guideline pertaining to expiry dates was also critiqued.
54. Submissions cited *IOM Pty Ltd v Knox CC [2013] VCAT 1556 (5 September 2013)* which identified the following key principles in the assessment of major promotion signage:
10. Some key principles of particular relevance that emerge from these decisions, and which I accept are that:
    - Proposals for major promotion signs should be assessed from a neutral rather than negative point of view (*Kings Funeral Services v Greater Dandenong CC*)
    - An inherent quality of major promotion signs is that they are typically placed in prominent locations and of a scale to maximise their exposure – that is they are designed to be seen and attract attention to themselves (*Caption Pty Ltd v Melbourne CC*).
    - As a matter of principle, it cannot be fairly said that major promotion signs reduce visual amenity (*Wyndson Pty Ltd v Bayside CC*).
    - Such signs are a legitimate commercial activity (*Wyndson Pty Ltd v Bayside CC*).
    - Major promotion signs can serve an important function in relation to public information and awareness and can add interest, colour and character to an area (*Buckle Outdoor Advertising Pty Ltd v Port Phillip CC & Ors*).
    - The critical element is that any major promotion sign is of a scale, form and location that is appropriate in the context of the existing physical environment (*Buckle Outdoor Advertising Pty Ltd v Port Phillip CC & Ors*).
    - Any sign must be consistent with planning policies guiding future development and have regard to potential amenity impacts on surrounding uses (*Buckle Outdoor Advertising Pty Ltd v Port Phillip CC & Ors*).

#### Response

55. Council maintains that the Major Promotion Sign Guidelines generally provide a reasonable framework which balances the competing economic and socio-environmental needs.
56. The rationale for the inclusion of local policy guidelines on Major Promotion Signs was expanded upon in Council's Part A Submission. The City maintains that, subject to the removal of Major Promotion Sign Guideline 2 (Ensure major promotion signs stay relevant and well maintained, by allocating an expiry date to permits of up to 5 years from the date of issue of the permit), the objectives, strategies and guidelines for Major

Promotion Signs in the Greater Geelong context are in-line with the principles identified in *IOM Pty Ltd v Knox CC*. A response to each of those principles is provided below:

- 56.1 Council agrees that signs should be assessed from a neutral rather than negative point of view. However, this principle should not mean that where major promotion signs present added challenges in local contexts, any local policy seeking to provide a framework for such assessments is inherently biased.
  - 56.2 Council understands that major promotion signs are placed in prominent locations and of a scale to maximise their exposure. However, where there are competing values i.e. protection of environmental amenity or potential negative impact on other economic factors (i.e. tourism), Council maintains it is reasonable to provide additional guidance in local policy.
  - 56.3 Council does not deny that major promotion signs do not inherently reduce visual amenity, however in some contexts they can and local policy helps council officers identify these occasions when assessing planning permits.
  - 56.4 Council acknowledges such signs are a legitimate commercial activity.
  - 56.5 Council agrees that major promotion signs can serve an important function in relation to public information and awareness and can add interest, colour and character to an area. The local policy supports this outcome.
  - 56.6 Council agrees that the assessment of a major promotion sign permit should account for the scale, form and location in relation to the context of the existing physical environment. The local policy generally supports this outcome. In Greater Geelong, which is undergoing significant change to its urban and rural landscapes, some consideration should be given to future contexts where a policy or strategy implemented in the Planning Scheme gives effect to that future state.
  - 56.7 Council agrees that any sign must be consistent with planning policies guiding future development and have regard to potential amenity impacts on surrounding uses. The local policy supports this outcome.
57. As discussed in Council's Part A Submission, Greater Geelong and the wider area, include key tourist routes, and are home to protected wetlands and Distinctive Areas and Landscapes. In the Greater Geelong context, protecting road ways which form or lead to designated tourist destinations from major promotion signs or discouraging them completely is neither feasible nor desirable however the inclusion of the 1km metric in

Guideline 1 will help Council officers assess permits. This conclusion is supported in Mr Marsden's evidence statement (Amendment C383GGEE Expert Witness Statement, Mark Marsden, 2 October 2023, Attachment D).

58. Council acknowledges the objection to Guideline 2 which reads 'Ensure major promotion signs stay relevant and well maintained, by allocating an expiry date to permits of up to 5 years from the date of issue of the permit.' On the advice of expert witnesses, as outlined below, Council agrees to remove this guideline.

## Issue 4 - Electronic Sign Guidelines Do Not Sufficiently Account for Technological Developments

59. A number of submission critiqued guidelines on electronic signs, including relevant guidelines included under a place-based category heading (i.e. Pedestrian Oriented Commercial Areas).

### *Response*

60. The Guidelines (May 2022) offer local policy on the assessment of electronic signs which was lacking in the old Guidelines (1997, Amended 2014). The local policy supports the state provisions and ensures permits for electronic signage can be assessed with regard to the Greater Geelong context. It also ensures that electronic signs neither overwhelm their environment nor are themselves overwhelmed by an excess of similar sign types or other electronic signs with more sensory output.

## Other Issues Raised in Submissions

61. In addition to the above, a number of submissions raised concerns regarding specific elements of the General, Commercial Areas (Pedestrian Oriented), Industrial and Interface categories.

### **General Guidelines**

62. Many submissions objected to the General Guidelines, arguing that they were too broad and did not respond sufficiently to site context.

### *Response*

63. The General Guidelines are, by their nature, broad however Council maintains they generally respond appropriately to place when considering the variety of contexts in Greater Geelong.

64. Upon consideration of the submissions and review of the expert evidence, Council agrees to make the following changes in addition to those detailed in the interim edition of the Guidelines (May 2022) provided under Planning Panel Direction 3b. These changes clarify the intent of the General Guidelines and provide more specific guidance to ensure balanced advertising sign outcomes. Details of these changes are outlined in Appendix 2.
- General Guideline 9 *Discourage 'V' shape signs* - Amend
  - General Guideline 11 *Avoid illuminated and electronic signs that [...]* - Amend

### **Commercial Areas – Category 1 (Pedestrian Oriented)**

65. Submissions objected to the inclusion of guidelines on electronic and major promotion signs in pedestrian oriented commercial areas on the grounds that a commercial area is an appropriate place for such signage types.

#### *Response*

66. The guidelines on Commercial Areas consider the different commercial contexts in Greater Geelong, and the ways in which advertising signage can enhance or detract from the urban amenity of these areas. The different contexts are provided with specific guidance by dividing the guidelines for Commercial Areas into sections on Pedestrian Oriented Commercial Areas and Highway Oriented Commercial Areas.

Council upholds the inclusion of Commercial Area Guidelines in pedestrian-oriented contexts to limit the use of electronic signs (Pedestrian Oriented Commercial Areas Strategy 3, p.16) and strongly discourage major promotion signs in Pedestrian Oriented Commercial Areas outside Central Geelong. (Pedestrian Oriented Commercial Areas Guideline 12, p.16).

67. Figure 1 (Guidelines (May 2022), p.17), reproduced on the following page, illustrates appropriate signage locations in Pedestrian Oriented Commercial Areas). Major Promotion Signs are unable to meet these outcomes.

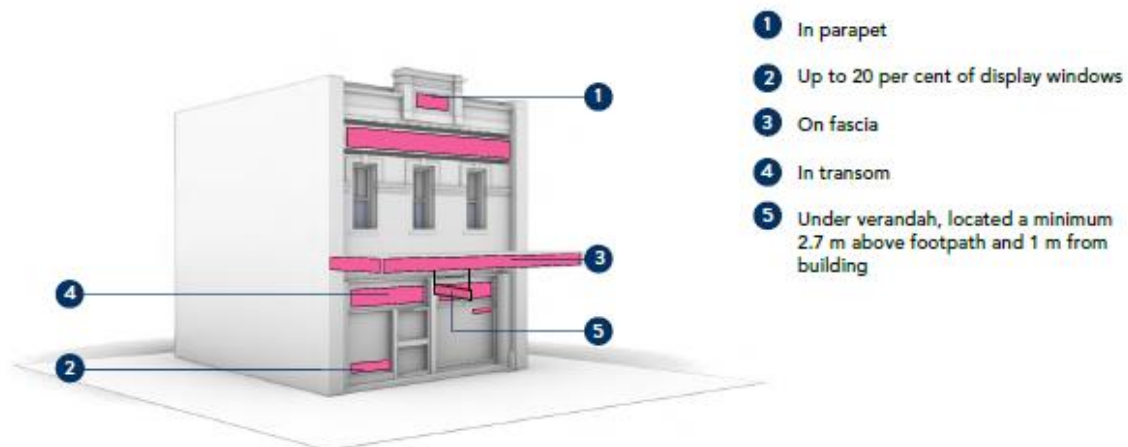


Figure 1 Appropriate Signage Locations in Pedestrian Oriented Commercial Areas

## Industrial Areas – Category 2

68. Three submissions objected to Industrial Areas Guideline 3 (Avoid freestanding signs unless there is no opportunity for signs to be incorporated into buildings, or the building which it relates to on the site is set back from road more than 20 m) on the grounds it is insufficiently site-specific.

### Response

69. Council maintains that the guideline is suitable, appropriately place-based, and well-founded. Some edits to the phrasing have been made as per the advice of Mr Marsden (see Appendix 2 for detail).

## Interface Areas

70. One submission objected to elements of the interface strategies and guidelines regarding signage facing onto passive open space, and requested alterations to the wording.

### Response

71. Council maintains that there is a need to manage such interfaces through specific guidelines and upholds the intent of the strategies and guidelines in Interface Areas.

72. This need is affirmed in *Joystic Pty Ltd v Greater Geelong CC [2022] VCAT 276 (16 March 2022)* which found that:

*35 The responsible authority and the two respondents say the signage would be intrusive and adversely impact the amenity of the dwellings that have views to the*

*open landscape to the west. The responsible authority says that the signage would cause detrimental impacts to the nearby residential area through light emissions and visual disturbance to the open views to the skyline to the west. It says the proposed signage is inconsistent with various provisions of the Scheme. [The respondent] was concerned that her young children might see the advertising.*

*36 The permit applicant says the signage is acceptable given the inclusion of the land in an Industrial 1 Zone and the relatively robust character of the area. The applicant says the signage will not be visually intrusive to the dwellings, as their habitable rooms and secluded private open space areas are screened by trees and solid fences. Only one dwelling would have direct views of the sign.*

*37 I am persuaded by the submissions from the responsible authority and the respondents. The sign does not fit its policy or built form contexts. Advertising in industrial areas is permitted if it relates to the activity on the land. The size and form of the advertising should relate to the scale of the buildings.*

*38 In this case there is only one very modest, utilitarian industrial building in the area and it has very limited signage. The proposed sign would be a unitary sign, alone, large and prominent.*

*39 It would not form part of a collection of signage that provides a robust, active and colourful context for large signs, as you might find in and near an activity centre. This includes industrial areas that front main roads, where a range of commercial activities are located with a consequential clutter of signage.*

*40 The residents of the neighbouring precinct are remote from commercial activities. This is not an area within or adjacent to a commercial precinct where they already have existing signage, and this sign is simply one more sign in a landscape of signage. It will be prominent and eye catching for the residents. I am persuaded that reducing the illumination and the hours of operation will do little to reduce its prominence during the daytime and evening.*

*41 I agree with the responsible authority that the proposed signage will be disproportionate and incongruous to the residential area and that its presence will be unrelenting and overwhelming when viewed from the dwellings. It will not gently blend into the sky and landscape, but will be a prominent, disturbing and intrusive new feature in the area.*

*42 I am satisfied that it will have an unacceptable negative impact on the amenity that the residents can reasonably expect in this area and context. In my view it is*

*unacceptable in this built form and landscape context and hence inconsistent with the planning policy framework. This matter has been determinative to my decision.*

73. However, changes to wording which clarify the intent of the guidelines are considered reasonable.
74. As per the interim version of the Guidelines (May 2022, amended September 2023), distributed as per Direction 3b of the letter from Planning Panels Victoria, Council agrees to adjust the wording of the guideline to better reflect the strategic intent of this section.
75. The evidence of planning expert Mr. Mark Marsden (Transect Planning Pty Ltd) proposes an adjustment to the wording of Interface Areas Strategy 1. Council acknowledges this evidence and agrees to adjust the wording of this strategy. This change is further detailed in Appendix 2.

## **C.2 Response to Council's expert witness evidence**

76. Mr Mark Marsden of Transect Planning Pty Ltd, a town planner of more than 35 years' experience, provided an expert witness statement on 2 October 2023 in accordance with Direction 7a of the Planning Panels Victoria letter dated 19 September 2023.
77. Having reviewed the Amendment and supporting documents, Mr Marsden concludes:
  - The amendment is strategically justified.
  - The proposal to include the Advertising Signs Guidelines as an Incorporated Document is appropriate.
  - The proposal to include the Issues and Options Paper as a Background Document is appropriate.
  - The structure of the Advertising Signs Guidelines in terms of a combination of a placed-based and sign-type approach to assessing applications for advertising signs is appropriate.
  - The use of objectives, strategies and guidelines within the Advertising Sign Policy incorporated document is appropriate.
  - Subject to recommended changes to various objectives, strategies and guidelines, the Amendment will deliver a net community benefit and sustainable development.

### *Response*

78. Council adopts the bulk of Mr Marsden's evidence and his response to relevant submissions, including recommendations to adjust certain wordings for clarity, removal

of certain guidelines including those referring to permit expiry limits for major promotion signs, and adjustments to ordinance as detailed in Figure 1 below.

### Figure 1. Proposed Change to Wording in Clause 15.01-1L-03 and Clause 15.01-6S of the Greater Geelong Planning Scheme

Note: Changed wording is in bold.

#### Strategies

Ensure signs **meet the objectives, strategies and guidelines** of the City of Greater Geelong Advertising Sign Guidelines (May 2022).

### C.3 Response to other parties' expert witness evidence

79. Mr William Bromhead is a Director at Ratio Consultants Pty Ltd. A town planner of 30 years' experience and Director, he provided an expert witness statement on behalf of DFC (Ashbury) Pty Ltd on 9 October 2023, in accordance with Direction 7b of the Planning Panels Victoria letter dated 19 September 2023.
80. Mr Bromhead's review focused primarily on the sections related to growth areas. He expressed concerns also with the general and major promotion sign categories.
81. Having reviewed the amendment and supporting documents, Mr Bromhead concludes:
- There is a demonstrated need for the proposed updated signage policy, noting the age of the existing Guidelines and their status in the Greater Geelong Planning Scheme as an incorporated document but without any clear references in the Planning Policy Framework.
  - The use of signage as a form of branding is legitimate, and local planning policy should recognise this.
  - New estate developments and subdivisions in greenfield areas rely on signage to market their product, as well as to establish a cohesive sense of community and as a means of wayfinding.
  - Local policy objectives, strategies and guidelines should not seek to constrain signage outcomes to the extent that limitations are imposed on the type, number, and size of signs associated with any given site or development. This approach

fails to account for the broad variety of site conditions which should provide the primary guidance as to what is an acceptable outcome.

- Subject to the recommendations set out in his evidence statement, Amendment C383 to the Greater Geelong Planning Scheme be approved.

#### *Response*

82. Council has reviewed Mr Bromhead's evidence. Where his suggestions are in agreement with those of Mr Marsden, as outlined above and detailed in Appendix 1, Council adopts those changes.

83. In his expert statement, Mr Bromhead provided additional recommended changes some of which Council agrees with. Where an addition was proposed or Council disagrees with the suggestion, a further response is outlined below. Details of changes in response to Mr Bromhead's expert evidence are detailed in Appendix 2.

84. Council adopts the below recommendations of Mr Bromhead:

Add:

#### *General Objective*

*To facilitate the display of signage for businesses and community groups in order to provide opportunities for identification and promotion where appropriate.*

Modify:

#### *General Strategy 4*

*Manage the number and repetition of signs on a single lot and streetscape.*

#### *General Guideline 8 (In part)*

*Discourage multiple promotion signs that are advertising the same or similar message on a single site or visible across multiple sites, except for offsite estate promotion signs in growth areas which should meet the locational criteria set out in the Growth Area Guidelines of this policy.*

## **C.4 Complex Response to Certain Changes**

85. Elements of the Guidelines (May 2022) where Council disagreed with an expert's suggested change, or where the experts' presented contrasting evidence, further discussion is needed. Council's responses to these more complex suggestions are outlined below. Details of the proposed changes can be found in Appendix 2.

### **General Strategy 1 – Prioritise business identification signs as the main type of signage.**

86. In his expert witness evidence, Mr Marsden advises modifications to the wording of this strategy in the form of the following:

*Discourage promotion signs that may impact on opportunities for business identification signs, particularly where such signs are not related to the land.*

87. In his expert witness evidence, Mr Bromhead disagrees and recommends the strategy be deleted.

88. Council has reviewed and discussed the above evidence in relation to the intended outcome of the amendment, which is to embed a practical local advertising sign policy into the Greater Geelong Planning Scheme. Having considered the merits of both approaches, Council is inclined to agree to adopt the evidence of Mr Bromhead but welcomes the Panel's advice on this approach or a suitable alternative.

### **General Guideline 9 – Discourage 'V' shaped signs.**

89. In his expert witness evidence, Mr Marsden advises modifications to the wording of this strategy in the form of the following:

*Discourage V-shaped signs on buildings. Free standing V-shaped signs may be supported on corner sites.*

90. In his expert witness evidence, Mr Bromhead disagrees and recommends the strategy be deleted, however Council submits that the reasons for this deletion are not sufficiently compelling to warrant the deletion.

91. The appropriateness of a general guideline discouraging V-shaped advertising signs was discussed in the Panel Hearing for Amendment C210wynd (*Wyndham C201 (PSA) [2014] PPV 24 (11 March 2014)*). Please note, Wyndham CC refers to this sign type as V-board signs. The panel found such a guideline, appropriately worded, is generally consistent with the state provisions. The relevant text is bolded.

#### *6.6 Conclusion and Recommendations*

*[...]*

*With regard to A-frame and V-board sign, **the Panel considers that the inclusion of additional considerations for V-boards in relation to traffic safety impacts and visual amenity as exhibited is entirely consistent with Clause 52.05** and that this additional wording is supported. The Panel also agrees with the Council and submitters that there may be some cases in high*

*amenity areas where V-boards and A-frames are suitable depending on their scale and location, and in this context, this policy should be amended as proposed in the Council's right of reply.*

92. The final wording for this policy is as follows:

Discourage the following types of signs:

- Signage in a V-Board configuration on verandahs or awnings, at intersections where they impede visibility, or dominate the streetscape.

*(Clause 15.01-1L-02 of the Wyndham Planning Scheme)*

93. For these reasons, Council adopts Mr Marsden's evidence and proposes the addition of the phrase 'at intersections where they impede visibility, or dominate the streetscape' to ensure the intent of the guideline is maintained.

**Growth Area Objective – To protect areas of new development from a proliferation of advertising signage.**

94. Both experts included in their evidence suggested wording for modifications to the Growth Area Objective.

95. Mr Marsden provides the following wording:

*To ensure that signs promoting new subdivisions in growth areas does not result in a excess number of signs.*

96. Mr Bromhead provides the following wording:

*To appropriately manage the visual impact of signage in areas of new development and to avoid unreasonable visual clutter.*

97. Council acknowledges that the experts are in agreement on the need to update the Growth Area Objective. While there are merits to both, Council adopts Mr Marsden's approach.

**Growth Area Strategy (New)**

98. Both experts included in their evidence suggested wording for a new Growth Area Strategy to replace the existing strategies.

99. Mr Marsden provides the following wording:

*Ensure a proliferation of signs does not occur that results in visual clutter and detracts from the local environment.*

100. Mr Bromhead provides the following wording:

*Encourage a precinct or whole-of-estate approach to subdivision and new estate signage, ensuring that signs avoid visual clutter.*

101. While there is merit in both approaches, Council adopts Mr Bromhead's wording (see Appendix 2).

### **Growth Area Guidelines On-site Signage**

102. This discussion responds to evidence relating to Growth Area Guidelines discussing on-site estate promotion signage, specifically Guideline 1 (Subdivision and new estate promotion signs should be limited to a maximum of one per road frontage) and Guideline 4 (150 m separation should be provided between all signs within the same estate and a maximum of 4 in total).

103. Both experts recommended in their evidence suggested changes to these guidelines.

104. Mr Marsden recommended the two guidelines be amended or combined. (see Appendix 2 for wording).

105. Mr Bromhead recommended and modification of Guidelines 1 and 4, for which he provided the following wording:

*Guideline 1*

*Subdivision and new estate promotion signs along the same road frontage should be spaced at least 150 metres apart.*

*Guideline 4*

*150 metre separation should be provided between all promotional signs within the same estate.*

106. Acknowledging there will be variation in the extent of road frontage to an estate development site, Council agrees it is reasonable to modify Guidelines 1 and 4 to better embody the intent. Council accepts the removal of reference to a maximum of 4 signs in total for on-site signage as the distance qualifiers suitably manage the issue of visual clutter.

107. Council agrees to a combined approach and adopts the wording as generally outlined in Mr Marsden's evidence, with some minor changes for clarity (see Appendix 2).

**Growth Area Guideline 2 - Offsite estate promotional signs should be located within 1.6 km or the closest major intersection (whichever is closer) of the exterior boundary of the subdivision development to which they relate.**

108. Mr Bromhead recommended changes to these guidelines in the form of the following in Guideline 2:

*Offsite estate promotional signs should be located within 5km of the exterior boundary of the subdivision development to which they relate.*

109. Council maintains that specifying a distance in the context of off-site estate promotion signs is well-supported in other planning schemes and as discussed in Council's Part A Submission, examples range between 3-5km.

110. Council is willing to increase the distance specified in Guideline 2 to 3km which would bring it in line with the policy of neighbouring Wyndham City Council.

**Growth Area Guideline 3 - 250 m separation should be provided between all off site estate promotional signs, and a maximum of 4 in total.**

111. Mr Bromhead recommended the deletion of reference to a maximum number of off-site estate promotion signs.

112. Council agrees with Mr Marsden's evidence that 'a policy allowing off-site signs with a 250 metre separation with a maximum of four signs is not unreasonable and should be retained' (Marsden,2023, Attachment D) and does not propose changes to Guideline 3.

**Growth Area Guideline 5 - The height or width of a promotion sign should not exceed 6m and the total advertisement area should not exceed 8 square metres.**

113. Mr Bromhead recommended deletion of to this guideline, which is not supported by the evidence of Mr Marsden.

114. Council agrees with Mr Marsden's evidence that '8 square metres is not an unreasonable size when considered together with the guideline that allows for a maximum of four signs' (Marsden, 2023, Attachment D) and does not propose changes to Guideline 5.

**Growth Area Guideline 6 - Ensure promotional signage stays relevant and well maintained, by allocating an expiry date to permits of up to 5 years from the date of issue of the permit.**

115. In the tracked changes version of the Guidelines (May 2022) distributed in accordance with Planning Panel Direction 3b, the following wording was proposed:

*Ensure ~~promotional~~ signage stays relevant and well maintained, by allocating an expiry date to permits of up to 5 years from the date of issue of the permit, unless Clause 52.02 specifies otherwise.*

116. Mr Bromhead's evidence speaks to this version of the guideline.

117. Council has considered the merits of Mr Bromhead's evidence and while it does not agree to delete this guideline, it is inclined to agree to further change the guideline in the form of the following:

Wording as per or similar to Clause 22.09-5 (Display home village and new estate promotion signs) of the Cardinia Planning Scheme,

Or;

Edit to the guideline increasing the expiry date from 5 to 10 years.

118. We welcome any advice or recommendations from the Panel on the wording of this guideline.

**Major Promotion Strategy 6 - Strongly discourage major promotion signs outside Central Geelong, Highway Oriented Commercial Areas and Industrial Areas.**

119. Mr Bromhead identified this strategy as redundant and recommended its deletion on the basis that the provisions at Clause 52.05 adequately address the intent. While Council agrees in the main with this assessment, Council maintains there is a need to appropriately manage major promotion signs outside the areas listed above.

120. Council is willing to consider the deletion of 'strongly' in this guideline.

## **D. FINAL POSITION ON THE AMENDMENT**

121. The Amendment is necessary to ensure an up-to-date, place-based and responsive local advertising sign policy is given appropriate weight within the Planning Scheme. Council reiterates its position that Amendment C383ggee is well-founded in planning policy, responds to a demonstrated need, and makes suitable use of local policy.
122. Council agrees to make a number of changes to the Guidelines (May 2022) following consideration of the submissions and expert evidence. These changes clarify the intent and appropriateness of the Guidelines (May 2022) to ensure the local policy is able to best support the state provisions at Clause 52.05 Signs.
123. The changes are detailed in a table at Appendix 2. A track changes copy of the Guidelines (May 2022) including all changes in the table is also provided as a separate document. It is not considered that the changes detailed herein constitute a significant change to the amendment but rather reinforce and clarify the intent of the amendment, including ordinance and the proposed incorporated and background documents.

## **E. CONCLUSION**

124. On this basis, we seek the Panel's support for the Amendment.

## APPENDICES

### Appendix 1. Summary of Expert Evidence Recommendations

125. The following table summarises the recommendations of the expert witnesses.

126. The change types are categorised as follows:

Change Type	Outcome
Add	A new objective/strategy/guideline proposed
Modify	An edit to the objective/strategy/guideline
Delete	Removal of the objective/strategy/guideline

Guideline (May 2022)	Request	Change	Guideline (Proposed by Expert)	Council Response
	Mr Marsden Mr Bromhead			
<b>General Objectives</b>				
New	X	Add	To facilitate the display of signage for businesses and community groups in order to provide opportunities for identification and promotion where appropriate.	Agree
<b>General Strategies</b>				
1 Prioritise business identification signs as the main type of signage.	X	Modify	Discourage promotion signs that may impact on opportunities for business identification signs, particularly where such signs are not related to the land.	Disagree
	X	Delete	-	Agree

Guideline (May 2022)	Request		Change	Guideline (Proposed by Expert)	Council Response
	Mr Marsden	Mr Bromhead			
General Strategies cont.					
4 Minimise the number and repetition of signs on a single lot and streetscape.		X	Modify	Manage the number and repetition of signs on a single lot and streetscape.	Agree
General Guidelines					
2 Signs should only be located on the land to which they relate.	X	X	Delete	-	Agree
7 Discourage signs on open sites where they will be a dominant visual element in the landscape and detract from the visual amenity of a road, cycling, pedestrian or rail corridor.	X		Modify	Discourage signs that detract from the visual and landscape amenity of a road, cycling, pedestrian or rail corridor.	Agree
8 Discourage multiple promotion signs that are advertising the same or similar message on a single site or visible across multiple sites.		X	Modify	Discourage multiple promotion signs that are advertising the same or similar message on a single site or visible across multiple sites, except for estate promotion signs in growth areas which should meet the locational criteria set out in the Growth Area Guidelines of this policy.	Agree in part
9 Discourage 'V' shape signs.	X		Modify	Discourage V-shaped signs on buildings. Free standing V-shaped signs may be supported on corner sites.	Agree in part
		X	Delete	-	Disagree
10 Discourage signs that require earthworks or the removal of trees or landscaping.	X		Modify	Encourage signage that retains existing trees and introduces new landscaping and vegetation.	Agree

Guideline (May 2022)	Request	Change	Guideline (Proposed by Expert)	Council Response
	Mr Marsden Mr Bromhead			
General Guidelines cont.				
11 Avoid illuminated and electronic signs that: <ul style="list-style-type: none"> <li>• Detract from the overall character of the streetscape;</li> <li>• Will dominate neighbouring non-illuminated signs;</li> <li>• Detract from the architectural style or the heritage character of the building;</li> <li>• Have 'pop out' elements;</li> <li>• Have flickering or flashing content or blank screens, including between messages.</li> <li>• Result in glare or include visually obtrusive light fixtures.</li> <li>• Use multiple screens to advertise the same product or service.</li> <li>• Have exposed cabling/conduit systems and junction boxes.</li> </ul>	X	Modify	Encourage electronic signs appropriate for their context and if they meet the electronic signs detailed guidelines, including road safety.  Encourage internally illuminated signs that are appropriate for their context and do not detract from the amenity or adversely affect the built environment or safety.	Agree
Commercial Areas (Highway Oriented) Strategies				
4 Avoid signs that result in loss of loss of amenity or adversely affect the natural or built environment, or the safety, appearance or efficiency of a road.	X	Modify	Avoid signs that result in loss of amenity or adversely affect the natural or built environment, or the safety, appearance or efficiency of a road or rail corridor.	Agree
Industrial Areas Guidelines				
3 Avoid freestanding signs unless there is no opportunity for signs to be incorporated into buildings, or the building which it relates to on the site is set back from road more than 20 m.	X	Modify	Discourage freestanding signs unless there is no opportunity for signs to be incorporated into buildings, or the building which it relates to on the site is set back more than 20m from the road.	Agree

Guideline (May 2022)	Request		Change	Guideline (Proposed by Expert)	Council Response
	Mr Marsden	Mr Bromhead			
<b>Interface Areas Strategies</b>					
1 Ensure signage near passive open space and other sensitive areas is discreet.	X		Modify	Signs should not dominate the outlook from or result in increased illumination to adjoining landscapes, passive open space or nearby dwellings.	Agree
<b>Growth Areas Objectives</b>					
To protect areas of new development from a proliferation of advertising signage.	X		Modify	To ensure that signs promoting new subdivisions in growth areas does not result in a excess number of signs.	Agree
		X	Modify	To appropriately manage the visual impact of signage in areas of new development and to avoid unreasonable visual clutter.	Agree in principle
<b>Growth Areas Strategies</b>					
1 Encourage signage management plans for new estates or where there are multiple tenancies operating on a single site.	X	X	Delete	-	Agree
2 Discourage branding of new estates through signage.	X	X	Delete	-	Agree
New	X		Add	Ensure a proliferation of signs does not occur that results in visual clutter and detracts from the local environment.	Agree in principle
New		X	Add	Encourage a precinct or whole-of-estate approach to subdivision and new estate signage, ensuring that signs avoid visual clutter.	Agree

Guideline (May 2022)	Request		Change	Guideline (Proposed by Expert)	Council Response
	Mr Marsden	Mr Bromhead			
<b>Growth Areas Guidelines</b>					
1 Subdivision and new estate promotion signs should be limited to a maximum of one per road frontage.	X		Modify	Subdivision and new estate promotion signs on the same estate should be limited to a maximum of one per road frontage. More than one sign may be permitted where: <ul style="list-style-type: none"> <li>Estate frontages that exceed a length of 150 metres;</li> <li>A 150 metre separation is provided between signs.</li> </ul>	Agree in part
		X	Modify	Subdivision and new estate promotion signs along the same road frontage should be spaced at least 150 metres apart.	Agree in principle
2 Offsite estate promotional signs should be located within 1.6 km or the closest major intersection (whichever is closer) of the exterior boundary of the subdivision development to which they relate.		X	Modify	Offsite estate promotional signs should be located within 5km of the exterior boundary of the subdivision development to which they relate.	Agree in part
3 250 m separation should be provided between all off site estate promotional signs, and a maximum of 4 in total.		X	Modify	250 m separation should be provided between all off site state promotional signs.	Disagree
4 150 m separation should be provided between all signs within the same estate and a maximum of 4 in total.	X		Modify	150m separation should be provided between estate promotion signs within the sane estate and a maximum of 4 in total.	Agree in principle
		X	Modify	150 metre separation should be provided between all promotional signs within the same estate.	Agree in principle

Guideline (May 2022)	Request		Change	Guideline (Proposed by Expert)	Council Response
	Mr Marsden	Mr Bromhead			
Growth Areas Guidelines cont.					
5 The height or width of a promotion sign should not exceed 6m and the total advertisement area should not exceed 8 square metres.		X	Delete	-	Disagree
6 Ensure promotional signage stays relevant and well maintained, by allocating an expiry date to permits of up to 5 years from the date of issue of the permit.		X	Delete	-	Disagree
Major Promotion Signs Strategies					
6 Strongly discourage major promotion signs outside Central Geelong, Highway Oriented Commercial Areas and Industrial Areas.		X	Delete	-	Disagree
Major Promotion Signs Guidelines					
2 Ensure major promotion signs stay relevant and well maintained, by allocating an expiry date to permits of up to 5 years from the date of issue of the permit.	X	X	Delete	-	Agree
Electronic Signs Strategies					
3 Prioritise road safety when considering and assessing applications for electronic signs.	X		Modify	Prioritise road and rail safety when considering and assessing applications for electronic signs.	Agree
Electronic Signs Guidelines					
4 Avoid electronic signs in locations where it cannot be demonstrated the risk to road users is low.	X		Modify	Avoid electronic signs in locations where it cannot be demonstrated the risk to road users does not meet relevant criteria.	Agree

Guideline (May 2022)	Request	Change	Guideline (Proposed by Expert)	Council Response
Electronic Signs Guidelines cont.				
New Moved and amended from General Guideline 11 (Guidelines, May 2022)	X		Add Avoid electronic signs that: <ul style="list-style-type: none"> <li>• Detract from the overall character of the streetscape;</li> <li>• Will dominate neighbouring non-illuminated signs;</li> <li>• Have 'pop out' elements;</li> <li>• Have flickering or flashing content or blank screens, including between messages.</li> <li>• Result in glare or include visually obtrusive light fixtures.</li> <li>• Use multiple screens to advertise the same product or service.</li> <li>• Have exposed cabling/conduit systems and junction boxes.</li> </ul>	Agree

## Appendix 2. Changes to the Guidelines in Response to Submissions and Evidence

127. The below table details changes Council agrees to having considered the submissions and evidence. Entries duplicated from Table 2 in Council’s Part A submission are greyed out.

Section	Type	Pg	Change
General	Objective	10	Edit text:  To avoid signs that interfere with movements and viewlines of pedestrians and cyclist <del>movements.</del> and the safety of roads and railways.
	Objective	10	Add objective:  To facilitate the display of signage for businesses and community groups in order to provide opportunities for identification and promotion where appropriate.
	Strategy 1	10	Remove:  <del>Prioritise business identification signs as the main type of signage.</del>
	Strategy 4	10	Edit text:  <del>Minimise</del> Manage the number and repetition of signs on a single lot and streetscape.
	Guideline 2	11	Remove:  Signs should only be located on the land to which they relate.
	Guideline 7	11	Edit text:  Discourage signs on <del>open sites where they will be a dominant visual element in the landscape and that</del> detract from the visual and landscape amenity of a road, cycling, pedestrian or rail corridor.
	Guideline 8	11	Edit text:  Discourage multiple promotion signs that are advertising the same or similar message on a single site or visible across multiple sites, <del>except where it is allowable under the Growth Area Guidelines of this policy.</del>
	Guideline 9	11	Edit text:  Discourage ‘V’ shape signs on buildings, at intersections where they impede visibility, or dominate the streetscape. Free standing V-shaped signs may be supported on corner sites.
	Guideline 10	11	Edit text:  <del>Discourage signs that require earthworks or the removal of trees or landscaping.</del> Encourage signage that retains existing trees and introduces new landscaping and vegetation.

Section	Type	Pg	Change
General cont.	Guideline 11	11	<p>Edit text:</p> <p><del>Avoid illuminated and electronic signs that:-</del></p> <ul style="list-style-type: none"> <li><del>• Detract from the overall character of the streetscape;</del></li> <li><del>• Will dominate neighbouring non-illuminated signs;</del></li> <li><del>• Detract from the architectural style or the heritage character of the building;</del></li> <li><del>• Have 'pop-out' elements;</del></li> <li><del>• Have flickering or flashing content or blank screens, including between messages;</del></li> <li><del>• Result in glare or include visually obtrusive light fixtures;</del></li> <li><del>• Use multiple screens to advertise the same product or service;</del></li> <li><del>• Have exposed cabling/conduit systems and junction boxes.</del></li> </ul> <p>Encourage electronic signs appropriate for their context and if they meet the electronic signs detailed guidelines, including road safety.</p> <p>Encourage internally illuminated signs that are appropriate for their context and do not detract from the amenity or adversely affect the built environment or safety.</p>
	Guideline (New)	11	<p>Add guideline:</p> <p>Discourage signs that will adversely affect the safety and operation of public transport and roads.</p>
Commercial Areas (Highway Oriented)	Strategy 4	18	<p>Edit text:</p> <p>Avoid signs that result in loss <del>of loss</del> of amenity or adversely affect the natural or built environment, or the safety, appearance or efficiency of a road <del>or rail corridor</del>.</p>
Industrial Areas	Guideline 3	24	<p>Edit text:</p> <p>Discourage <del>Avoid</del> freestanding signs unless there is no opportunity for signs to be incorporated into buildings, or the building which it relates to on the site is set back <del>from road more than 20 m</del> more than 20m from the road.</p>
Interface Areas	Strategy 1	39	<p><del>Ensure signage near passive open space and other sensitive areas is discreet.</del></p> <p>Signs should not dominate the outlook from or result in increased illumination to adjoining landscapes, passive open space or nearby dwellings.</p>
	Guideline 1	39	<p>Edit text:</p> <p>Signs should not <del>face toward</del>, dominate the outlook from or result in increased illumination to adjoining landscapes, passive open space or nearby dwellings.</p>

Section	Type	Pg	Change
Growth Areas	Introduction	54	Edit text:  Greenfield and large infill development areas, generally included in the Urban Growth Zone, Development Plan Overlay, Design and Development Overlay.  The term 'estate promotional signs' refers to a sign that promotes the sale of land or dwellings, whether or not the sign is located on the land for sale.
	Strategy 1	54	Remove:  <del>Encourage signage management plans for new estates or where there are multiple tenancies operating on a single site.</del>
	Strategy 2	54	Remove:  <del>Discourage branding of new estates through signage.</del>
	Strategy (New)	54	Add strategy:  Ensure a proliferation of estate promotion signs does not result in visual clutter and detract from the local environment.
	Guideline 1	54	Edit text:  Subdivision and new estate promotion signs on the same estate should be limited to a maximum of one per road frontage. More than one sign may be permitted where: <ul style="list-style-type: none"> <li>Estate frontages exceed a length of 150m</li> <li>A 150m separation is provided between signs</li> </ul>
	Guideline 2	54	Edit text:  Offsite estate promotional signs should be located within 3km <del>1.6 km or the closest major intersection (whichever is closer)</del> of the exterior boundary of the subdivision development to which they relate.
	Guideline 4	54	Remove:  <del>150 m separation should be provided between all signs within the same estate and a maximum of 4 in total.</del>
	Guideline 5	54	Edit text:  The height or width of an estate promotional <del>a promotion</del> sign should not exceed 6m and the total advertisement area should not exceed 8 square metres.
	Guideline 6	54	Edit text to comply with VPP:  Ensure promotional signage stays relevant and well maintained, by allocating an expiry date to permits of up to 5 years from the date of issue of the permit, unless Clause 52.02 specifies otherwise.

Section	Type	Pg	Change
Major Promotion Signs	Guideline 2	58	Remove: <del>Ensure major promotion signs stay relevant and well maintained, by allocating an expiry date to permits of up to 5 years from the date of issue of the permit.</del>
	Strategy 6	58	Edit text: <del>Strongly</del> Discourage major promotion signs outside Central Geelong, Highway Oriented Commercial Areas and Industrial Areas.
Electronic Signs	Strategy 3	62	Edit text: Prioritise road <b>and rail</b> safety when considering and assessing applications for electronic signs.
	Strategy 4	62	Edit text: Avoid electronic signs in locations where it cannot be demonstrated the risk to road users <del>is low</del> <b>does not meet relevant criteria.</b>
	Guideline (new)	62	Move text from General Guidelines to add a new electronic signs guideline in the form of the following: <b>Avoid electronic signs which:</b> <ul style="list-style-type: none"> <li>• <b>Will dominate neighbouring non-illuminated signs;</b></li> <li>• <b>Detract from the architectural style or the heritage character of the building;</b></li> <li>• <b>Have ‘pop out’ elements;</b></li> <li>• <b>Have flickering or flashing content or blank screens, including between messages.</b></li> <li>• <b>Result in glare or include visually obtrusive light fixtures.</b></li> <li>• <b>Use multiple screens to advertise the same product or service.</b></li> <li>• <b>Have exposed cabling/conduit systems and junction boxes.</b></li> </ul>