



THE CITY OF
GREATER GEELONG

ADVERTISING SIGN GUIDELINES REVIEW

ISSUES AND OPTIONS PAPER

CONTENTS

ACKNOWLEDGEMENT OF COUNTRY

The City of Greater Geelong acknowledges the Wadawurrung People as the Traditional Owners of this Land, Waterways and Skies.

It also acknowledges all Aboriginal and Torres Strait Islander People who are part of the Greater Geelong community today.

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EXECUTIVE SUMMARY

The issues and recommendations of this review have focussed on the impacts of advertising signs, grouped into areas where they most commonly occur. The areas identified are as follows:

- Central Geelong
- Pedestrian oriented commercial areas
- Highway oriented commercial areas
- Industrial areas
- Heritage places
- Open space
- Residential areas
- Growth areas
- Major promotion signs

Some issues common across all areas are also identified, which are:

- Visual clutter resulting from excessive numbers and sizes of signs, as well as their placement (such as where they block out a competing sign).
- Impacts on buildings, particularly where signage is not in proportion to the building or alters or obscures architectural features.
- Impacts on the area, such as from signs that are of a size or height that dominate the built form character and streetscape.
- Signs that obscure or dominate views or vistas to significant natural or man-made features, as well as to the sky or between buildings from public places (such as the street or parks).
- Use of variable messaging signs to promote sales or other commercial activities and the detrimental impact they have on road users and the amenity of an area.

Issues identified with the current statutory and policy framework are:

- Age of the current incorporated document (Advertising Signage Guidelines, City of Greater Geelong 1997)
- Generalisation of different types of commercial areas in the current Advertising Signage Guidelines
- Need to update in the Planning Policy Framework context

The options suggested include the development of new guidelines to replace the current ones, to be included in the planning scheme as either a background or incorporated document, and/or a local policy in the Planning Scheme.

The recommended option is to prepare a succinct local planning policy and new Advertising Guidelines, as an incorporated document.

The recommended structure of the guidelines would be based on the areas and issues identified, as follows:

1. General
2. Central Geelong precincts (excluding Waterfront)
3. Category 1 areas. These areas are commercial and most are identified in the City of Greater Geelong Retail Strategy 2020-2036 (August 2020). There are two main development types, with different preferred signage characters:
 - a. Pedestrian oriented commercial areas. This will include most Commercial 1 Zone areas, as well as a small number of Commercial 2 and Urban Growth Zone areas with this development type. Typically these areas have, or are planned to, a 'main street' built environment.
 - b. Highway oriented commercial areas. Most Commercial 2 Zone areas and a number of Commercial 1 Zone places that have a different established signage and built form character to Pedestrian oriented commercial areas. These include large format retail (bulky goods) and shopping centres surrounded by large carparking areas.

To enable ease of use, the incorporated document should include a list of Commercial 2 Zone areas that are in Pedestrian oriented commercial areas and Commercial 1 Zone areas that are in Highway oriented commercial areas.

4. Category 2 areas. These areas are chiefly industrial, but also include some in the Armstrong Creek growth area.
5. Category 3 areas
 - a. Residential areas.
 - b. Central Geelong Waterfront.
6. Category 4 areas (Rural and public land)
7. Heritage places
8. Interfaces with sensitive areas
9. Growth Areas
10. Major promotion signs
11. Electronic signs

PURPOSE

Advertising signage is an important part of the economy, helping to promote and generate business. Some signs help identify the location of businesses and places, or promote local events. Others, such as large billboards, can promote projects of regional significance (such as new housing estates) or road safety messages.

Done well, signage can also add to the vitality of an area and contribute to its character. A corporate logo on an office building can provide a landmark that helps orient city users. It can also provide a sense of connection between a business and its locality and signify its importance to the local economy, such as the Worksafe building in central Geelong.

Done poorly, however, the opposite can be true. Signage can block important views of natural or architectural features, or create an unattractive, cluttered appearance to an area. Signage that is too large or high can also dominate and detract from the amenity of a public place, such as a square or park.

There is a need to update the City of Greater Geelong Advertising Signage Guidelines (1997), which are over 20 years old and have not been changed since their introduction. Since this time there have been numerous changes to the planning scheme, including to the number and types of commercial zones, as well as to the advertising sign particular provision (Clause 52.05). The evolving nature of advertising signage and urban design also require updated direction for planning permit applications.

In addition, Geelong's status as a UNESCO City of Design provides a strong basis for the quality of its natural and built environments to be enhanced, in which signage has an important contributing role.

The purpose of this report is therefore to:

- Outline the current statutory and policy context for advertising signage in Greater Geelong;
- Identify and discuss relevant signage issues in different environments, including a number of case studies in Geelong and other municipalities.
- Identify and discuss issues with the current statutory framework, particularly the Advertising Signage Guidelines (City of Greater Geelong, 1997).
- Review emerging technology in advertising signage, including digital signs.
- Provide options (including a recommended option) to update the Planning Scheme, including the format and structure of a new Advertising Guidelines document.

POLICY AND STATUTORY CONTEXT

STATE

There are two strategies for signage in state policy:

- Clause 15.01-1S (Urban design)
Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.
- Clause 18.01-1S (Land use and transport integration)
Design the transport system and adjacent areas to achieve visual outcomes that are responsible to local context with particular reference to landscaping, the placement of signs and providing buffer zones and resting places.

It is noted the Urban Design Guidelines, which are a reference document in Clause 15.01-1S, provide little guidance for signage and instead redirect users to Clause 52.05.

Clause 52.05 (Signs) is the primary section in the planning scheme which addresses signage requirements. It includes permit triggers and decision guidelines. A 'category' based system is used, which is as follows:

- Category 1 - minimum limitation. Includes Commercial 1 and 2 zones. It also applies to:
 - All precincts of the Central Geelong Activity Centre Zone schedule except precinct 3 (Waterfront).
 - Precinct 1 in the Armstrong Creek Town Centre (Urban Growth Zone, schedule 5).
 - Precincts 4, 5 and 6 of the Armstrong Creek North East Industrial Precinct (Urban Growth Zone, schedule 1).
- Category 2 - low limitation. Includes Industrial 1, 2 and 3 zones, as well as the Port Zone. It also applies to:
 - Special Use Zone schedules 4 (Beckley Park) and 12 (Lara Energetic Materials Manufacturing Plant).
 - Precincts 2, 3 and 4 of the Armstrong Creek Town Centre (Urban Growth Zone, schedule 5).
 - Precincts 1, 2 and 3 of the Armstrong Creek North East Industrial Precinct (Urban Growth Zone, schedule 1).
 - The sports stadium at Kardinia Park (Public Park and Recreation Zone).

- Category 3 – medium limitation. This category applies to most residential areas (including the Rural Living Zone). This category is the default category for the Mixed Use, Special Use and Comprehensive Development zones, other than those in which the schedule to the zone specifies a different category. It also applies to:
 - Central Geelong Waterfront (Activity Centre Zone schedule).
 - Precinct 5 of the Armstrong Creek Town Centre (Urban Growth Zone, schedule 5).
 - Ocean Grove Park (Public Park and Recreation Zone).
- Category 4 – maximum limitation. These areas include rural and public land zones. The Urban Floodway Zone is included in this category. The category also applies to schedules 1, 5 and 13 of the Special Use Zone.

In a Road Zone and Public Use Zone 4 (Transport), the sign category which generally applies is the category which applies to the adjoining zone nearest to the land.

Clause 73.02 (Sign terms) provides definitions of different types of signage.

It is noted local policy provisions must be consistent with and be within the scope of these state provisions.

LOCAL

The Advertising Signage Guidelines (City of Greater Geelong, 1997) provide directions for signage and are an incorporated document in the scheme. A minor amendment to the Guidelines was made in 2014 to address a specific requirement for signage at Kardinia Park. There has not, however, been a comprehensive revision of the guidelines since their introduction.

Notably the Guidelines do not provide guidance for electronic signs or major promotion signs and includes some outdated references to sign types and policies that are inconsistent with the current scheme provisions.

There are a number of objectives, strategies and policies in the following local provisions and schedules in the scheme:

- Clause 15.01-1L-02 (Pakington Street North Urban Design)
- Schedule to Clause 37.08 (Activity Centre Zone)
- The following schedules to Clause 43.02 (Design and Development Overlay):
 - Schedule 17 (Central Geelong Western Wedge)
 - Schedule 18 (Geelong Ring Road Employment Precinct)
 - Schedule 20 (Industrial 1, 2 and 3 Zones)
 - Schedule 21 (Portarlington town centre)
 - Schedule 24 (St Leonards town centre)
 - Schedule 25 (Barwon Heads town centre)
 - Schedule 26 (West Fyans Precinct Structure Plan)
 - Schedule 29 (Lara Town Centre expansion area)
 - Schedule 31 (Bellarine Hwy mixed use centre - Leopold)
 - Schedule 39 (Grubb Rd Activity Centre - Commercial 1 and 2 zones)
 - Schedule 40 (Ocean Grove town centre)
- The following schedules to Clause 42.03 (Significant Landscape Overlay):
 - Schedule 10 (Lake Connewarre)
 - Schedule 11 (Lake Victoria)
 - Schedule 12 (Swan Bay)
 - Schedule 14 (Clifton Springs - Portarlington coast)

COUNCIL POLICIES (NON-PLANNING)

The following council policies are applicable to signs requiring approval under local laws.

Recreation Reserve Advertising Signage Policy

This policy establishes guidelines for approval of advertising and sponsorship signage at Council sporting reserves. It relates to all Council owned and managed reserves and associated facilities, except for the sports stadium at Kardinia Park. This policy is proposed to be revoked and superseded by a new set of *Recreation Reserve Advertising Signage Guidelines* which are currently under development.

Footpath and Designated Roads Trading and Activity Policy

This policy sets out requirements for the conduct of trading and other activities on Council's footpaths, including signs.

General Signage (Including Electoral Advertising Signs) On Council Road Reserves and Land

This policy provides direction on the assessment and determination of applications to place general signage on any Council land, municipal building or road. It does not include signs relating to the placement of a sign on a Council footpath, which are covered in the Footpath and Designated Roads Trading and Activity Policy. It does not include directions on the placement of electoral signs, which are covered in the Placement of Electoral Signs Policy. This policy is being revoked and an updated set of guidelines are under development.

Guidelines For The Placement of Electoral Signs

This policy sets the guidelines for the placement of electoral signs in Greater Geelong.

GEELONG UNESCO CITY OF DESIGN

On 31 October 2017 Geelong was designated a member of the UNESCO Creative Cities Network. The aim of the network is to make creativity an essential driver for sustainable urban renewal and development. Cities in the network are designated one of seven creative fields which include crafts and folk art, design, film, gastronomy, literature, music and media arts. Geelong is the only city in Australia to receive this designation.

As a Creative City of Design, Council has committed to:

Integrating design thinking into all aspects of urban planning and development, as well as raising Geelong's international profile as a clever and creative city

UNESCO – Creative Cities Network website
<https://en.unesco.org/creative-cities/node/982>

This is supported in Council's thirty year vision A Clever and Creative Future (City of Greater Geelong, 2017) which outlines a blueprint for the City as a 'Clever and Creative' city-region. While there are no specific directions for signage, some broader principles are relevant, including:

- an active street culture involving student and café precincts
- urban design that encourages activity and comfortable open public areas in all seasons
- revitalisation of Central Geelong

ISSUES

IMPACTS OF ADVERTISING SIGNS

The issues relating to this topic have been grouped into places where they most commonly occur. Many issues will, however, be relevant to a number of settings.

Some of the issues are common across all areas, which are as follows:

- Visual clutter resulting from excessive numbers and sizes of signs, as well as their placement (such as where they block out a competing sign).
- Impacts on buildings, particularly where signage is not in proportion to the building or alters or obscures architectural features.
- Impacts on the area, such as from signs that are of a size or height that dominate the built form character and streetscape.
- Signs that obscure or dominate views or vistas to significant natural or man-made features, as well as to the sky or between buildings from public places (such as the street or parks).
- Use of variable messaging signs to promote sales or other commercial activities and the detrimental impact they have on road users and the amenity of an area.

The following places, or local environments, are based on the different types of urban environments in the municipality. They were identified in a review of the current City of Greater Geelong Advertising Signage Guidelines (1997), Clause 52.05 category area types and a number of key strategic documents described in the following section.

Two distinct sub-types of commercial environments were identified, following a review of the activity centres described in the City of Geelong retail strategy. These have been described as 'pedestrian oriented' and 'highway oriented' commercial areas. Comparative policies and VCAT cases have also been examined to provide insight into contemporary policy in other municipalities.

A separate non-place group is identified for major promotion signs.

Central Geelong

The Activity Centre Zone applies to much of Central Geelong. Amendment C341ggee has been prepared, which includes a draft framework plan (containing a new structure plan and urban design guidelines) and schedule to the zone. This was placed on exhibition 25 May 2021 and hearings and a committee report is scheduled for the second half of 2021.

The draft framework plan and zone schedule do not include directions for advertising signage. The current Central Geelong Urban Design Guidelines (October 2008) do include guidance, although there is only limited direction in the current zone schedule. Therefore if the proposed zone schedule and framework plan proceed, there will be no local signage policy for Central Geelong.

It is further noted the age of the guidelines was criticised by the Tribunal in *Drive By Developments Pty Ltd v Greater Geelong CC* (2016).



Central Geelong Framework Plan (as shown in draft schedule to the Activity Centre Zone, May 2021)

Central Geelong has some significant sensitivities, including heritage, views and a need for the different precincts to develop a character. Built form and streetscapes will play a key role and advertising signage can either help or hinder this being achieved.

The cultural precinct will be sensitive to signage. The Central Geelong Arts and Cultural Precinct Masterplan 2017 seeks to create a distinctive character for this area through public realm streetscape treatments. Art is proposed to be integrated into the public realm and built form, such as through projections and installations on blank walls. While some advertising related to the functions of this district would be appropriate (such as for performances or exhibitions), the introduction of unrelated commercial advertising would likely threaten this character.

Laneways are also a key feature of Central Geelong. There is a need for signage in these spaces to be human scale – particularly aimed at pedestrians and minimised to avoid visual clutter. The Laneways Action Plan, a background document to the proposed framework plan, seeks to avoid blank walls and long garage doors. Signs may have a role to play in activating these.

The proposed draft Central Geelong urban design guidelines also notes that buildings above seven storeys height will form part of the skyline. Likewise signs above this level will have the potential to form part of the skyline and consideration should be given to whether they (particularly major promotion signs) should be limited to seven storeys.

The proposed zone schedule designates all precincts, other than the Waterfront (which is mainly open space) as 'Category 1' signage areas, which have the lowest level of limitation. Two of the precincts, York and Station, are proposed to be principally residential (with some allowance for commercial uses). Policy direction is needed to ensure signs in these areas do not conflict with the character sought.

Similarly while the Waterfront is included in a Category 3 area (medium limitation), there would be no guidance for signage to ensure signage does not have a detrimental impact on this renowned space.

The lack of policy for signs in the current and proposed zone schedules also does not reflect the prioritisation of the Retail Core precinct as the focus for commercial activity.

CASE STUDY: CENTRAL GEELONG

131 Malop Street, Geelong - Drive By Developments Pty Ltd v Greater Geelong CC [2016] VCAT



Image above: Electronic signage approved on heritage building in Central Geelong

The Tribunal issued a planning permit for an electronic major promotional sky sign, placed on top of a single storey building on a street corner in Central Geelong.

While council officers raised concerns with the compatibility of the sign with the area and its dominance of the host building, the Tribunal found the proposal was not incompatible with the 'bulk and scale of the robust buildings' of the area. The Tribunal also gave little weight to the current Central Geelong Urban Design Guidelines, due to their age.

Commercial areas

Commercial areas in Greater Geelong are outlined in Clause 02.03-1 (Settlement), which is based on the City of Greater Geelong Retail Strategy 2020-2036 (August 2020). Under Clause 02.03, there are six types of centres: one regional centre (Central Geelong), five sub-regional centres (Belmont, Waurn Ponds, Corio, Leopold and Armstrong Creek), six town centres (Ocean Grove, Drysdale, Lara, Barwon Heads, Portarlington and St Leonards). There is also one Specialised Centre (Pakington Street), twenty four Neighbourhood Centres and eight restricted retail centres.

The built form of these commercial areas can vary significantly, with some being in the form of traditional shopping strips, such as Hitchcock Avenue in Barwon Heads and Ormond Road in East Geelong.

Other commercial areas are largely based around access by car. These are often located along main roads and highways and include enclosed shopping centres surrounded by large carparking areas, as well as bulky goods 'homemaker' centres. Freestanding (or 'pad site') development, such as service stations and drive-through restaurants, are also included in this type.

These two main types of commercial areas have significantly different signage types and issues. It is acknowledged some areas have attributes of both built form environments, such as large 'standalone' supermarkets set behind large carparks in main street environment, or older restricted retail strips with buildings close to a highway frontage. Most areas can, however, be grouped into either of the two commercial area types and therefore are discussed separately under the following headings.

Pedestrian oriented commercial areas

Examples: High Street, Belmont; Hitchcock Avenue, Barwon Heads; Ormond Road, East Geelong

These areas are characterised in the advertising signage local policy of the Greater Dandenong planning scheme, as having the following attributes:

- zero or a minimal setback from the street, laneway and side boundaries;
- promotes continuity of the frontage between adjacent developments;
- facilitates active pedestrian interaction between the building and street; and
- incorporates other pedestrian-friendly features such as weather protection.

Often these areas are also in a low vehicular speed environment (under 50 km/h), although there are exceptions (such as Ormond Road, East Geelong).

Much of Central Geelong and Commercial 1 zoned activity centres are in this type of area (at street level), as are a number of suburban commercial areas and town centres.



Example of pedestrian oriented development in Belmont

Issues that have been identified in these areas are:

- Signage that blocks views between people on the street and people on the ground and upper floors of buildings. This can have a detrimental impact on safety and activity in the street.
- Animated signs and large signs (particularly electronic and illuminated ones) can dominate and have a major detrimental impact on these types of centres.
- Signs that interfere with pedestrian sightlines and movements.
- Large signs that are disproportionate to their host building and streetscape.
- Signs located above verandah can dominate the host building and streetscape, particularly if they form part of the skyline.
- Painting of whole buildings in corporate colours.
- Freestanding signs, such as pole or pylon signs, can be inconsistent with the built form character.

Highway oriented commercial areas

(Examples: Colac Road, Waurin Ponds and Grovedale; Melbourne Road, Norlane; Murradoc Road, Drysdale)

This type of commercial area is generally accessed by car and characterised by:

- substantial setbacks from the street/public realm and adjacent developments without continuity to the streetscape and,
- large areas of the site often devoted to vehicular access, parking and landscaping to the perimeter of the development

Most areas in the Commercial 2 Zone have these characteristics, as well as some in the Commercial 1 Zone.

These areas are often located along arterial roads and highways and include car based, enclosed shopping centres surrounded by large carparking areas, as well as bulky goods 'homemaker' centres. Freestanding (or 'pad site') development, such as service stations and drive-through restaurants are other examples. Signage is often aimed at passing vehicles in a higher speed environment.

The issues identified in these areas are:

- Excessive number of freestanding signs.
- Freestanding signs, particularly major promotion signs and pylon signs, that are of a height and size disproportionate to the streetscape (such protruding above a skyline of trees or buildings).
- Signs (particularly major promotion signs) that interfere with the function and visibility of other signs. In particular signs that block, obscure or dominate business identification signs should be avoided.

- Freestanding major promotion signs that adversely affect the amenity and functionality of a site or area, including the land on which they are located. This is particularly the case where a sign would be located on a 'key development' or 'significant building' site identified in a strategy, such as in Central Geelong or Ocean Grove.



Example of car-based stand-alone development from Cardinia Advertising Signage Design Guidelines (Cardinia Shire Council, 2020)

Industrial areas

Industrial areas in Greater Geelong typically have similar built form environment and signage to Highway oriented commercial areas. The issues experienced in these areas are the same as those in the Highway oriented commercial areas.

Heritage places

A number of older commercial areas have substantial numbers of heritage buildings, including in Central Geelong, Pakington Street (Geelong West), East Geelong, Drysdale and Portarlington. Older industrial areas in Corio, North Geelong, Newtown and South Geelong also have significant heritage.

Issues in these heritage areas, in addition to those identified earlier, as follows:

- Impact on heritage buildings and places, such as concealing architectural features and details or become a dominant feature.
- Retention of existing signs with heritage value
- Signs which damage the heritage fabric (physical material of the place).
- Multiple signs on a single site, typically where there are multiple tenancies.
- Digital signs are generally incompatible with the character of heritage places.
- Illuminated signage have previously been discouraged (including in the current Guidelines), but recent technology has provided opportunities for certain types of sign lighting (such as subtle illuminated of letters).

CASE STUDY: HERITAGE PLACES

165 Moorabool Street, Geelong (PP-1273/2013)



Image above: Electronic signage approved on heritage building in Central Geelong

This proposal involved digital signage on a heritage building, in which case Council took the view the signage would add some vibrancy to the city centre and that this outweighed what was considered 'limited adverse heritage impact'. This decision is an example of tensions between heritage and place activation objectives relating to signage.

It is noted this decision was prior to 2014 and there has been considerable change in Central Geelong since then, which should be taken into account when considering new signage guidelines, particularly relating to impacts on heritage buildings and places.



Image above: Electronic signage as constructed at 165 Moorabool Street, Geelong (Nearmap, 25 November 2020)

Open space

Open space includes sport open space (often referred to as 'active' open space) and various types of other open space (often referred to as 'passive' open space) such as community parks, town squares and significantly landscaped streetscapes.

The issues identified for open space are:

- Signage that dominates open space (particularly non-sporting open space), particularly significant areas such as the Geelong Waterfront.
- Intrusive effects of illuminated, electronic and animated signs on open space.
- Physical effects of signage such as overshadowing, access to daylight and sunlight, perception of light and shadow, of open space and other sensitive spaces such as footpaths and private open space, windows at different times of the year.
- Impact of signs in industrial areas adjacent to waterways and open space, such as in Breakwater, South Geelong, Newtown and Fyansford which are all located adjacent to the Barwon River environs.

CASE STUDIES: OPEN SPACE

120 Barwon Terrace, South Geelong (PP-1248-2020)

A planning permit application was lodged for an electronic major promotion sign proposed adjacent to a bridge that crosses the Barwon River, in an industrial zone.



Image above: Location of sign proposed in PP-1248-2020 shown with green marker (Places Weave, April 2019)

In this scenario, there is a potential conflict between the decision guidelines of Clause 52.05, which discourage major promotion signs around waterways and require consideration of the sensitivity of waterways and open space, while also encouraging them in industrial locations.

The application was refused by Council and the decision upheld by the Tribunal in *Joystic Pty Ltd v Greater Geelong CC* (2022). The Tribunal noted the industrial zoning but held the sign would be out of place and have a negative impact on the amenity of nearby dwellings.



Image above: Illustration of proposed major promotion sign in PP-1248-2020, viewed west from the Breakwater Road bridge (anonymous, 2020).

Armstrong Creek Town Centre (PP-146-2020)

The current Advertising Sign guidelines do not provide direction for how signage should address open space. In this planning permit application, an 8.5sqm internally illuminated Coles sign was shown above the entrance of a shopping centre, adjacent to a town square (public open space), as shown in the image below.



Image above: Coles sign adjacent to town square (LHS) in PP-146-2020. The Armstrong Creek Town Centre logo is shown immediately right of the sign, in addition to lettering on the adjacent wall

This example offers an opportunity to reflect on the impact signage has on this type of open space. The sign, in terms of its size, height above ground, colour and illumination is prominent and therefore a dominant feature.

Residential areas

Non-residential uses in or adjoining residential often need signage. Residential areas are, however, particularly sensitive to impacts from signage.

The issues identified for these areas are:

- Signs that face adjoining dwellings, such as from adjoining commercial sites.
- Excessive signage in residential areas can have a detrimental impact on the neighbourhood character.
- Illuminated and electronic signs can be particularly intrusive in residential areas and can result in light spill and glare on nearby dwellings.
- Signs can have detrimental amenity impacts similar to those in open space (such as perception of light and shadow and access to daylight) discussed earlier.
- Signs that dominate the outlook from dwellings, such as major promotion signs that may be located some distance away but above the skyline.
- The character and amenity of rural living areas are particularly sensitive to signs.
- Ensure that the amenity of residential areas is not adversely affected by the provision of outdoor signage for non-residential uses, particularly along non-arterial roads.

Growth areas

The issues identified for these areas are:

- Visual clutter from excessive developer or real estate signage in and around new estates.
- Signs that are put up distant from the actual development site.
- Signage is sometimes unattractive, such as when attached to shipping containers or other structures.
- Use of trailer mounted signs.

CASE STUDY: RESIDENTIAL AREAS

Maple Media Pty Ltd v Port Phillip CC [2018] VCAT

Maple concerned a case where the applicant sought the endorsement of amended plans based on as-built rooftop signage. The key point of interest in this decision was that the Tribunal noted ResCode standards did not directly apply and instead applied a 'more qualitative' approach. It considered impacts on light courts, daylight and sunlight access, as well as the perception of light and shadow. It is noted in this case shadows were assessed at the equinox.

The Tribunal allowed a permit to be issued in this case, but the consideration of the physical impacts of signage, such as overshadowing, suggests a holistic approach to the impacts of signage should be applied when determining an application for signs. This is particularly relevant when assessing amenity impacts of signs, particularly for sensitive spaces such as footpaths, public and private open space, as well as windows and any other area that would be detrimentally impacted by loss of light.

The effect of signs on light access and overshadowing are not addressed in the current City of Greater Geelong Advertising Guidelines, or in the decision guidelines of Clause 52.05. Inclusion of these matters for consideration in the planning scheme would be beneficial, particularly for urban areas such as Central Geelong or other commercial areas where residential amenity needs to be balanced with the competing need for signage.

Major promotion signs

These signs are defined in the planning scheme as promotion signs over 18 sqm in size, such as large billboards. These are often located along main roads on freestanding structures, or on buildings. Many of the issues identified earlier are applicable to this type of sign. In addition to these, some issues that are particularly relevant to these signs are:

- Dominance of other signs, particularly business identification signs.
- Loss of amenity either within or external to a site, such as through overshadowing.
- Impact of large freestanding major promotion signs on the functionality of the host site.
- Major promotion signs can be particularly dominant if located on a vacant site.
- Visual clutter from major promotion signs without sufficient spacing between, such as along highway routes.
- Major promotion signs that require removal of established trees or landscaping.
- Where a major promotion sign would restrict the development of a site or conflict with an identified strategic development objective.
- Electronic major promotion signs that are not in a major activity centre or adjacent to a freeway which has only a commercial, office or industrial interface.

CASE STUDY: MAJOR PROMOTION SIGNS

Total Outdoor Media Pty Ltd v Buloke SC [2019] VCAT

The Tribunal considered a proposal for a two-sided major promotion sign, with a display area of 42.2sqm to each side and a total height of 7 metres above ground. It was to be located in a commercial area at the entrance into the Charlton township.

The Buloke planning scheme did not include an advertising sign policy, but included a strategy to 'consider the presentation of town entrances and streetscapes...', which was given weight in the decision.

In the decision to uphold Council's refusal of the application, the Tribunal gave weight to the strategy.

There are numerous townships and urban areas in the City of Greater Geelong that could benefit from a similar strategy derived from this one in Buloke.

CASE STUDY: MAJOR PROMOTION SIGNS

26 Rossack Drive, Wauron Ponds - iOM Pty Ltd v Greater Geelong CC [2014] VCAT

In this example the Victorian Civil and Administrative Tribunal issued a permit for a freestanding major promotion sign, which has since been constructed. The sign is located in the carpark of a site occupied by a multi-tenanted restricted retail complex (known as Wauron Ponds Plaza), as well as a convenience restaurant close to the sign.

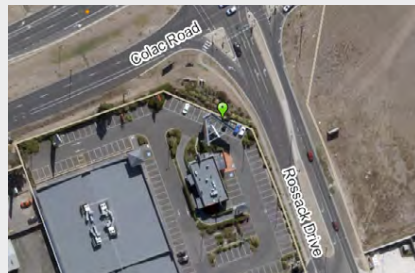


Image above: Location of sign shown with green marker (Places Weave, April 2019)

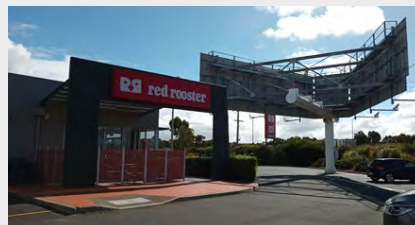


Image above: Major promotion sign in carpark of Wauron Ponds Plaza

The sign has a significant impact on its host site and the buildings and other signs on them. It is located only 4m (approximately) from the convenience restaurant, but is substantially higher and has a large footprint. It dominates the site and has resulted in visual clutter, with substantial business identification and promotional signage within the site, as well as directional road signage in front.

STATUTORY AND POLICY FRAMEWORK

Age of the current incorporated document

The Advertising Signage Guidelines (City of Greater Geelong, 1997) have not been substantively revised since adoption in 1997 and inclusion in the new format planning scheme in 2000. Since then, changes have been made to the Victoria Planning Provisions, including to Clause 52.05 (Signs), 73.02 (Sign terms) and the introduction of VicSmart. There also have been changes in the types of signage, including the emergence of animated and electronic displays, which are not addressed in the guidelines.

Generalisation of commercial areas in current Advertising Signage Guidelines

Clause 52.05 includes pedestrian oriented commercial areas and highway oriented commercial areas in the same signage category (Category 1). These two types of areas have a significantly different built form environment, as described earlier. The current Advertising Sign Guidelines provide directions based on each category in Clause 52.05, as well as individual sign types, which does not address the differences in environment.



Image above: Corio Village shopping centre (Places Weave, viewed 29 June 2021)



Image above: Corio Village, viewed from Bacchus Marsh Road and Purnell Road intersection

This approach results in large indoor shopping centres, such as Corio Village, having the same guidelines as traditional street-based activity centres, such as Ormond Road, East Geelong.



Image above: Ormond Road shopping area (Places Weave, viewed 29 June 2021)



Image above: Ormond Road shopping area, East Geelong. Viewed south along Garden Street, from Ormond Road intersection

Some issues with this approach are:

- There is little direction for planners about how to apply the guidelines to different built form environments.
- Some guidelines do not reflect the sensitivity of the area. An example is the guidance given for pylon (or pole) signs, which could be viewed as too restrictive for Highway oriented commercial areas or too permissive in Pedestrian oriented commercial areas.

Need to update in the Planning Policy Framework context

There is no 'stand alone' policy for signage in the scheme.

Clause 52.05 sets out a list of decision guidelines, but does not allow for localised content other than notice and review exemptions in the schedule. Given they are decision guidelines, they set out matters which require consideration and do not (except for major promotion signs) provide guidance on what is acceptable. For instance, it states some considerations are:

- The relationship to the streetscape, setting or landscape:
 - The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.
 - The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.

Clause 52.05 does not elaborate on what an acceptable proportion or position for a sign would be, which is potentially a scenario for which local policy could provide further guidance for applicants, planners, councillors and the community.

NEW TECHNOLOGY AND DIGITAL SIGNS

The current guidelines do not address electronic signage and as noted earlier, the draft Central Geelong Urban Design Guidelines do not address signage. Issues associated with digital advertising signs include:

- Dwell time of images and flashing.
- Excessive levels and intensity of illumination, including light spill.
- Visually obtrusive light fixtures, such as exposed cabling/conduit systems and junction boxes.
- Inappropriate content.
- Use of audio to accompany advertisements.
- Projections (including holographs). A recent high profile example was the projection of a horse racing promotion onto the Sydney Opera House in 2018, which received a substantial public backlash at the time.
- Road safety impacts.

New forms of digital signs are also emerging, which include the following technology:

- Interactive signage:
 - The use of QR codes allow for a direct engagement between the business and viewer, as has become prevalent during the Covid pandemic. There are also opportunities that could provide public benefit, such as wayfinding and making advertisements more accessible.
 - Touchscreens can also be used. Gesture recognition (which has already been trialled in some cities) may increase the use of this type of advertising in future.
 - Use of locational data (including 'real time') and facial recognition software for the delivery of more targeted outdoor advertising.
- Three dimensional billboards, ranging from a simple V-format sign to holographic displays. The images displayed in these can appear to 'pop out' of a building.
- The potential for signage to provide (and fund) electric vehicle charging stations. This has recently been trialled in Adelaide in a study part-funded by the federal government (Metro Advertising Revenue Funded Electric Vehicle Charging Trial Project, Jolt Charge 2021).

CASE STUDY: ELECTRONIC SIGN

[Westfield Limited v Manningham CC \[2011\] VCAT](#)

In Westfield a very large (112 sqm) electronic sign was proposed at a congested intersection. The proposal was opposed by Council and VicRoads on road safety grounds. The Tribunal upheld Council's refusal and found the precautionary principle should apply, noting that while there is no evidence showing a link between traffic accidents and signs, this does not mean it does not exist.

This is as applicable to Geelong as it is in Melbourne, particularly noting the expected significant population growth and corresponding increase in traffic. Direction for electronic signs should be provided in the Guidelines to prioritise driver safety over other considerations, in accordance with this case.

OPTIONS

Implementation into the planning scheme

A number of options are available to respond to the issues raised. It is considered new guidelines or local policy are required, which could be implemented in the planning scheme as follows:

1. Insert the Guidelines into the planning scheme as an Incorporated Document.
2. Reference the Guidelines in the planning scheme as a Background Document.
3. Insert the Guidelines into the planning scheme as a local policy.
4. Insert the Guidelines as an Incorporated Document in addition to a brief local policy that would cross reference the Guidelines

A fifth option is also available to remove the current guidelines as an Incorporated Document and insert relevant guidelines in zone or overlay schedules where they currently apply.

The merits of each option are discussed as follows:

1. Insert the Guidelines into the planning scheme as an Incorporated Document.

An advantage of including the design guidelines as an Incorporated Document is that they are part of the planning scheme and have statutory weight. A disadvantage is that any change to the Incorporated Document requires a planning scheme amendment.

2. Reference the Guidelines in the planning scheme as a Background Document.

If the guidelines are included as a background document, they could be used to provide information that helps better understand the reasons for advertising sign policy in the Scheme. Unlike incorporated documents, however, background documents are not part of the planning scheme and therefore cannot directly affect decision making.

3. Insert the Guidelines into the planning scheme as a local policy.

A comprehensive local policy could potentially avoid reliance on the guidelines, which are currently not as easily located by users of the planning scheme. If the guidelines are a background document, then a comprehensive policy would provide the statutory weight required for decision making.

This approach would limit the directions available for signage to what can be included in the planning scheme. There would be limited opportunities to provide visual direction, compared with a guidelines document. An information sheet could assist in meeting this shortfall.

This option appears to be the most common approach, including Wyndham, Bendigo, Boroondara and Knox Councils. All of these have a comprehensive local policy. Moreland City Council also has primarily a local policy (which is succinct), although includes an incorporated document for signs specifically for sports grounds. Melbourne City Council also has a comprehensive policy and includes guideline documents for specific sites and areas such as Citylink and Melbourne Aquarium.

A number of Councils have an approach that combines options 2 and 3, including:

- Cardinia Shire Council which, in addition to a guidelines background document, is proposing a number of comprehensive local policies addressing advertising signs.
- Monash City Council, which has a comprehensive local policy and an 'Outdoor advertising brochure' background document.
- Banyule City Council with a succinct local policy and also a background document for advertising signs.

4. Insert the Guidelines as an Incorporated Document in addition to a brief local policy that would cross reference the Guidelines.

A brief local policy would meet the overall direction for the planning scheme to be as concise as possible. If the guidelines as an incorporated document, they would still be part of the scheme and carry statutory weight.

5. Remove current guidelines (as an Incorporated Document) and insert relevant guidelines in zone or overlay schedules where they currently apply.

This approach would remove obsolete directions in the current guidelines. It would not provide guidance for applicants, planners, councillors and the community for advertising signage beyond the current directions in the planning scheme.

Place specific sign requirements could be included, such as those currently included in a number of Design and Development Overlay schedules, listed earlier in the 'Policy and statutory context' section of this report.

Structure of Advertising Sign Guidelines

There are a number of ways a guidelines document could be structured. Guidelines could be developed to address one or more of different sign types, zones, areas, locations, built form or categories identified in Clause 52.05 (Signs). The current City of Greater Geelong Advertising Sign Guidelines groups policy guidance in the following structure:

- Categories (as identified in Clause 52.05)
- Heritage overlay areas
- Drysdale commercial area sign controls
- Sign types

The approach taken by councils in their advertising sign and/or guidelines documents structure is quite varied across the state. The different structures appear to be predominantly based on one of the following:

- Sign categories, as identified in Clause 52.05 (Wyndham and Knox councils).
 - This allows for easy cross-reference from Clause 52.05 and is the format of the first section of the current advertising guidelines. A disadvantage of this approach is the categories in Clause 52.05 are based primarily on land use and not built form. Therefore 'homemaker centres' (restricted retail) and industrial areas, which often have a similar built form environment, are in different signage categories. Similarly traditional main streets, bulky goods 'homemaker centres' and fast food drive-throughs, which have significantly different built form, are all in the 'Category 1' commercial area under Clause 52.05.

- Area types, such as commercial, industrial and restricted retail, residential, new residential estates and rural areas. Some guidelines provide for different environments, such as major activity centres and traditional main street commercial areas and freestanding shopping centres. Policy and/or guidelines of Melbourne, Greater Dandenong and Banyule councils have this structure.

- This approach allows for signs to be considered in the context of their built form environment, without the duplication that is necessary in a structure based on sign categories. The disadvantages of this approach are that not all built form in these areas will be the same, such as a standalone supermarket located in an otherwise traditional main street shopping area. It also places greater reliance on the applicant and assessing planner to identify the area type, unless this is identified in policy or the guidelines document.

- A combination of guidelines based on sign and area types (Cardinia, Melton and Monash).

- This is perhaps not the easiest format to use, as it requires users to review different sections of policy or guidelines. There is certainly a basis for some signs (such as major promotion and electronic signs) to have specific guidance, but the benefit of this for each sign type is uncertain.

- Issues, such as maintaining active frontages. This structure is reflected in Boroondara and Bendigo advertising sign policy.

- The major disadvantage of this approach is it provides guidance for only the issues addressed.

RECOMMENDATIONS

It is considered the best option is to prepare a succinct local policy provision for advertising signage, as well as new advertising sign guidelines that would be included in the planning scheme as an incorporated document. There is sufficient strategic justification for this given the age of the current guidelines and the need to provide contemporary guidance for signage, particularly in the local context.

There is a need for the guidelines to be an incorporated document as it would provide essential guidance, particularly visually, for planners, applicants and the community for advertising signage (where a planning permit is required). As the guidelines cover most areas in the municipality, it would also be too large to include as a local policy.

The guidelines could have a structure based on the area types identified earlier, as well as the categories in Clause 52.05. The different area types can enable informed decisions for how advertising signs should be designed and adapted to different locations in Greater Geelong. Further guidelines are also required to address particular signage issues. The guidelines should also address areas not discussed in this report, such as rural. An example structure is as follows:

1. General
2. Central Geelong precincts (excluding Waterfront)
3. Category 1 areas. These areas are commercial and most are identified in the City of Greater Geelong Retail Strategy 2020-2036 (August 2020). There are two main development types, with different preferred signage characters:
 - a. Pedestrian oriented commercial areas. This will include most Commercial 1 Zone areas, as well as a small number of Commercial 2 and Urban Growth Zone areas with this development type. Typically these areas have, or are planned to, a 'main street' built environment.

- b. Highway oriented commercial areas. Most Commercial 2 Zone areas and a number of Commercial 1 Zone places that have a different established signage and built form character to Pedestrian oriented commercial areas. These include large format retail (bulky goods) and shopping centres surrounded by large carparking areas.

To enable ease of use, the incorporated document should include a list of Commercial 2 Zone areas that are in Pedestrian oriented commercial areas and Commercial 1 Zone areas that are in Highway oriented commercial areas.

4. Category 2 areas. These areas are chiefly industrial, but also include some in the Armstrong Creek growth area.
5. Category 3 areas
 - a. Residential areas.
 - b. Central Geelong Waterfront.
6. Category 4 areas (Rural and public land)
7. Heritage places
8. Interfaces with sensitive areas
9. Growth Areas
10. Major promotion signs
11. Electronic signs

The local policy and incorporated document will need to be consistent with state provisions as well as avoid conflict with existing local provisions, such as Design and Development Overlay schedules and other incorporated documents, including Precinct Structure Plans. They should also provide guidance for signage in places that are not easily categorised, such as freestanding petrol stations and supermarkets

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