

**Greater Geelong Planning Scheme Amendment C383ggee
Sign Guidelines**

Panel Report

Planning and Environment Act 1987

1 December 2023

How will this report be used?

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether or not to adopt the Amendment.
[section 27(1) of the *Planning and Environment Act 1987* (the PE Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the PE Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the PE Act]

Planning Panels Victoria acknowledges the Wurundjeri Woi Wurrung People as the traditional custodians of the land on which our office is located. We pay our respects to their Elders past and present.

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the PE Act

Greater Geelong Planning Scheme Amendment C383ggee

Sign Guidelines

1 December 2023



Alison McFarlane, Chair

Contents

	Page
Executive summary	7
1 Introduction	9
1.1 The Amendment.....	9
1.2 Background	9
1.3 The Panel’s approach	10
2 Strategic issues	11
2.1 Planning context	11
2.2 Strategic justification	11
3 Threshold issues	14
3.1 Clauses 15.01-6L	14
3.2 Detailed drafting of strategies and policy guidelines.....	17
4 General guidelines	21
5 Locational guidelines	29
5.1 Pedestrian orientated commercial areas.....	29
5.2 Highway orientated commercial areas	31
5.3 Industrial area	33
5.4 Interface areas	34
5.5 Growth areas.....	36
6 Type guidelines	46
6.1 Major promotion signs.....	46
6.2 Electronic signs.....	51
Appendix A Document list	56
Appendix B Application of sign categories	59
Appendix C Planning context	61
C:1 Planning policy framework.....	61
C:2 Planning scheme provisions	62
C:3 Ministerial Directions, Planning Practice Notes and guides	62
Appendix D Examples of growth area signs	64
Appendix E Panel preferred version of local policy	66
E:1 Clause 15.01-1L-03 Signs	66
Appendix F Panel preferred version of Sign Guidelines	68
F:1 Panel preferred version General Guidelines	68
F:2 Panel preferred version Pedestrian Orientated Commercial Area Guidelines.....	69
F:3 Panel preferred version Highway Orientated Commercial Area Guidelines	70
F:4 Panel preferred version Industrial Area Guidelines	71
F:5 Panel preferred version Interface Area Guidelines	72
F:6 Panel preferred version Growth Area Guidelines.....	73
F:7 Panel preferred version Major Promotion Sign Guidelines	74
F:8 Panel preferred version Electronic Sign Guidelines.....	75

List of Tables

	Page
Table 1	Amendment C383ggee chronology of events..... 9
Table 2	Planning context 11
Table 3	Example strategies and policy guidelines 19
Table 4	Example policy guidelines..... 19
Table 5	Comparison of terms used in the Guidelines and Clause 73.02..... 20
Table 6	General guidelines 21
Table 7	Pedestrian orientated commercial area sign guidelines 29
Table 8	Highway orientated commercial area sign guidelines 31
Table 9	Industrial area guidelines..... 33
Table 10	Interface area sign guidelines..... 34
Table 11	Growth area sign guidelines..... 36
Table 12	Major promotion sign guidelines..... 46
Table 13	Electronic sign guidelines..... 52

List of Figures

	Page
Figure 1	Example of growth area directional sign 39
Figure 2	69-93 Hams Road, Waurm Ponds..... 47
Figure 3	421-423 Barwon Heads Road, Charlemont..... 47
Figure 4	2101-2111 Warralilly Boulevard, Mount Duneed..... 48
Figure 5	Inappropriate sign locations in pedestrian orientated commercial areas 50
Figure 6	Inappropriate sign locations in highway orientated commercial areas 51

Glossary and abbreviations

2022 Guidelines	<i>City of Greater Geelong Advertising Sign Guidelines 2022</i>
ACDC and others	Armstrong Creek Development Corporation Pty Ltd, Armstrong Creek Developments Pty Ltd and Lovely Banks Development Group Pty Ltd
Amendment	Greater Geelong Planning Scheme Amendment C383ggee
Council	Greater Geelong City Council
Day 1 Guidelines	Greater Geelong Advertising Sign Guidelines 2022 with City of Greater Geelong Panel Version 25 September 2023 (Document 4a, b and c)
DFC	DFC Ashbury Pty Ltd
Final Day Guidelines	Greater Geelong Advertising Sign Guidelines 2022 with City of Greater Geelong Final Post-Hearing Changes 2 November 2023 (Document 23b)
Issues Paper	<i>City of Greater Geelong Advertising Sign Guidelines Review – Issues and Options Paper May 2022</i>
PE Act	<i>Planning and Environment Act 1987</i>
PPF	Planning Policy Framework
Property Council	Property Council of Australia
VCAT	Victorian Civil and Administrative Tribunal

Overview

Amendment summary

The Amendment	Greater Geelong Planning Scheme Amendment C383ggee
Common name	Sign Guidelines
Brief description	Replace the City of Greater Geelong Advertising Signage Guidelines 1997 with the City of Greater Geelong Advertising Signage Guidelines 2022
Subject land	All land in the Greater Geelong Planning Scheme
Planning Authority	Greater Geelong City Council
Authorisation	5 April 2023
Exhibition	18 May to 26 June 2023
Submissions	<p>Number of Submissions: 8 opposing</p> <ul style="list-style-type: none"> - Armstrong Creek Development Corporation Pty Ltd - Core Projects - DFC Project Management Pty Ltd - Jinding Australia - Lovely Banks Development Corporation - Property Council of Victoria - VicTrack - Villawood Properties

Panel process

The Panel	Alison McFarlane, Chair
Directions Hearing	Video, 18 September 2023
Panel Hearing	City of Greater Geelong, 16 and 17 October 2023
Site inspections	Unaccompanied, 11 October and 24 November 2023
Parties to the Hearing	<ul style="list-style-type: none"> - City of Greater Geelong represented by Rachel Carr, Strategic Planner and Peter Smith, Coordinator Strategic Planning, who called expert evidence on planning from Mark Marsden of Transect Planning - Dennis Family Corporation represented by Alex Gelber of HWL Ebsworth Lawyers who called expert evidence on planning from William Bromhead of Ratio Consultants - Armstrong Creek Development Corporation Pty Ltd, Armstrong Creek Developments Pty Ltd and Lovely Banks Development Corporation Pty Ltd represented by Tamara Brezzi of Norton Rose Fulbright Australia and Peter Jewell of Jewell Partnership
Citation	Greater Geelong PSA C383ggee [2023] PPV
Date of this report	1 December 2023

Executive summary

Planning policy in Victoria requires development to achieve high quality urban design outcomes, including through the display of signs. Greater Geelong Planning Scheme Amendment C383ggee (the Amendment) responds to this goal by proposing the introduction of a new Incorporated Document *Greater Geelong Advertising Sign Guidelines 2022* (2022 Guidelines) to guide decision making on signs. The 2022 Guidelines provide objectives, strategies and guidelines for displaying signs in specific areas and for different sign types.

Public exhibition of the Amendment attracted eight opposing submissions, the majority of which objected to guidance proposed for growth areas. Submitters argued the guidance was too restrictive and failed to account for the temporary nature of growth area signs.

A Practitioner's Guide to Victorian Planning Schemes Version 1.5, April 2022 and *Ministerial Direction: The Form and Content of Planning Schemes* provides guidance and directions on the drafting of local policy. Importantly, the guidance confirms there is a role for local policy to guide the exercise of discretion where it can be demonstrated local circumstances require it.

The Panel's review of the issues reveals parts of the 2022 Guidelines:

- do not follow drafting guidance
- duplicate provisions in Clause 52.05 (Signs)
- are not responsive to the issues identified in the *City of Greater Geelong Advertising Sign Guidelines Review – Issues and Options Paper May 2022* that informed the Amendment.

The Panel agrees with many of the proposals put forward by submitters to encourage the display of signs in locations responsive to site conditions and context, including the dynamic condition of growth areas as they transition from farmland to thriving new communities.

The Panel's recommendations reflect the need to revise the 2022 Guideline to address these matters. With these changes, the Panel is satisfied the 2022 Guidelines will add value and appropriately guide decision making on signs in Greater Geelong.

Recommendations

Based on the reasons set out in this Report, the Panel recommends that Greater Geelong Planning Scheme Amendment C383ggee be adopted as exhibited subject to the following:

1. **Amend Clauses 15.01-1L-03 and 15.01-6L in accordance with the Panel preferred version in Appendix E.**
2. **Amend the Incorporated Document 'Greater Geelong Advertising Sign Guidelines, 2022' to:**
 - a) **revise the description of policy guidelines in accordance with Document 23b**
 - b) **delete 'objectives' and 'strategies' that duplicate the provisions of Clause 52.05**
 - c) **redraft detailed guidance under 'strategies' as 'policy guidelines'**
 - d) **delete 'guidelines' that do not provide direct and prescriptive measures**
 - e) **delete 'strategies' and 'guidelines' that provide blanket opposition to specific sign types**
 - f) **make terminology consistent with the Victoria Planning Provisions, as shown in Table 5 of this report**

- g) revise Section 2 'General Guidelines' as shown in the Panel preferred version at Appendix F:1**
- h) revise Section 3 'Pedestrian Orientated Commercial Areas' as shown in the Panel preferred version at Appendix F:2**
- i) revise Section 3 'Highway Orientated Commercial Areas' as shown in the Panel preferred version at Appendix F:3**
- j) revise Section 4 'Industrial Areas' as shown in the Panel preferred version at Appendix F:4**
- k) revise Section 7 'Interface Areas' as shown in the Panel preferred version at Appendix F:5**
- l) revise Section 11 'Growth Areas' as shown in the Panel preferred version at Appendix F:6**
- m) revise Section 12 'Major Promotion Signs' as shown in the Panel preferred version at Appendix F:7**
- n) revise Section 13 'Electronic Signs' as shown in the Panel preferred version at Appendix F:8.**

1 Introduction

1.1 The Amendment

(i) Amendment description

The purpose of the Amendment is to replace the current *City of Greater Geelong Advertising Sign Guidelines 1997* (1997 Guidelines) with the *City of Greater Geelong Advertising Sign Guidelines 2022* (2022 Guidelines).

Specifically, the Amendment proposes to:

- insert Clause 15.01-1L-03 (Signs in urban environments) and Clause 15.01-6L (Signs in rural areas) into the Planning Policy Framework
- replace the 1997 Guidelines with the 2022 Guidelines in the Clause 72.04 Schedule (Documents incorporated in this Planning Scheme)
- list *City of Greater Geelong Advertising Sign Guidelines Review – Issues and Options Paper May 2022* (Issues Paper) in the Clause 72.08 Schedule (Background documents).

1.2 Background

Greater Geelong City Council (Council) provided a detailed background to the Amendment in its Part A submission, including a chronology of events. The Panel has summarised this in Table 1.

Table 1 Amendment C383ggee chronology of events

Date	Event / Description
2012 to 2015	Council conducted workshops with local government planners to determine the need for a review of the 1997 Guidelines
6 November 2014	Amendment C296ggee amended 1997 Guidelines to facilitate display of signs at Kardinia Park
2021	Council conducted a review of the 1997 Guidelines
2021 to mid-2022	Council prepared draft Advertising Guidelines and Issues Paper, with graphic design support provided by UrbanFold
January 2022	Transect Pty Ltd completed a peer review of the draft Advertising Guidelines and Issues Paper
28 February 2023	Council resolved to seek authorisation to prepare the Amendment
5 April 2023	Authorisation to prepare the Amendment granted by the Minister for Planning
18 May to 26 June 2023	Amendment C3383ggee exhibited
30 August 2023	Council resolved to refer the submissions to a Panel

1.3 The Panel's approach

Key issues raised in submissions were:

- the guidelines for growth areas are too restrictive
- the guidelines for major promotion signs are too prescriptive
- the guidelines for electronic signs do not sufficiently account for developments in technology
- the guidelines do not allow for sufficient flexibility in response to place and context.

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, and submissions, evidence and other material presented to it during the Hearing. The Panel has been selective in referring to the more relevant or determinative material in the Report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Strategic issues
- Threshold issues
- General guidelines
- Locational guidelines
- Type guidelines.

2 Strategic issues

2.1 Planning context

This chapter identifies planning context relevant to the Amendment. Appendix C highlights key imperatives of relevant provisions and policies.

Table 2 Planning context

	Relevant references
Victorian planning objectives	- section 4 of the Planning and Environment Act 1987
Municipal Planning Strategy	- Clause 02.03-5 (Built environment and sustainability)
Planning Policy Framework	- Clause 11.03-1L (Activity centres) - Clauses 15.01-1S (Urban design), 15.01-1L-02 (Pakington Street North urban design), 15.01-6S (Design for rural areas) - Clause 18.01-1S (Land use and transport integration)
Planning scheme provisions	- Clause 52.05 (Signs) - Clause 73.02 (Sign terms)
Ministerial directions	- Ministerial Direction: The Form and Content of Planning Schemes - Ministerial Direction 11 (Strategic Assessment of Amendments)
Planning practice notes and guidance	- Planning Practice Note 46: Strategic Assessment Guidelines, August 2018 - Planning Practice Note 59: Mandatory Provisions in Planning Schemes, August 2023 - A Practitioner's Guide to Victorian Planning Schemes Version 1.5, April 2022.

2.2 Strategic justification

(i) Evidence and submissions

Council submitted the Amendment is responsive to the following:

- the 1997 Guidelines are 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 1997 Guidelines 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)*.

Council submitted the Amendment was consistent with guidance in the Practitioner's Guide on the role and content of local policy, which states:

Local policy has a role in providing direction at a municipal level where:

- locally specific policy guidance is needed on a particular matter
- directions intersect with a number of controls (for example, urban design considerations may apply to multiple zones)
- guidance is needed to support decision making associated with a zone, overlay or other controls (such as non-residential uses in a residential zone).

...

Local policy has an important role in expressing the local objectives of a municipality and helping shape the kind of place a council wishes to create.

Mr Marsden, called by Council to give planning evidence, was satisfied the Amendment was strategically justified and that the 2022 Guidelines will provide contemporary guidance for signs to ensure they are appropriately designed, sited and of a scale that complements and enhances site and context in the varied built form environments across the municipality.

DFC Ashbury Pty Ltd (DFC) submitted the Amendment does not have a proper strategic basis. It submitted, the Issues Paper, as the only document underpinning the Amendment, provides insufficient analysis of the problem sought to be addressed by the guidelines. It submitted:

DFC is not opposed to sensible, directed, justified policy relating to signage in growth areas. DFC accepts that there is planning merit in maintaining order in terms of signage in most locations, including growth areas. Moreover, DFC is strongly supportive of the Council's urgency in updating a local policy that is clearly out-of-date. However, the failure of the Issues and Options Paper and the Guidelines to explore the specific nature of growth areas has, with respect, limited the utility of the Guidelines as an incorporated document.

In its current state the Guidelines are overly restrictive and would serve to prevent various matters where there is no clearly identified harm.

Referring to the first objective of planning in Victoria "*To provide for the fair, orderly, economic and sustainable use, and development of land*", DFC submitted economic concerns should be considered. This is particularly relevant in growth areas which play an important part in the local economy, and developers need to advertise their product.

Mr Bromhead, called by DFC to provide planning evidence, stated:

I am generally satisfied that there has been extensive work carried out that will benefit the planning process and importantly will help describe in words and pictures examples of appropriate and inappropriate signage. I agree that the current Guidelines are outdated and that there is generally a role for local signage policies to fill in any gaps in Clause 52.05. In particular, local policies can account for and respond to the specific physical and spatial characteristics of a municipal area.

To this extent, I am supportive of the composition of the updated Guidelines which have been organised into categories and themes based on signage locations and typology.

Armstrong Creek Development Corporation Pty Ltd, Armstrong Creek Developments Pty Ltd and Lovely Banks Development Group Pty Ltd (ACDC and others) submitted there is a clear need to replace the 1997 Guidelines with "*modern strategies which reflect the current practice and expectations for good signage practices*".

In closing Council submitted:

- the strategic justification for the Amendment is provided in the Explanatory Report
- the Amendment was authorised by the Minister for Planning
- the economic benefits of signs are acknowledged
- Council will balance social, environmental and economic factors when making decisions on signs in the future.

(ii) Discussion

Clauses 02.03-5 (Built environment and sustainability) and 15.01-1S (Urban design) provide the strategic foundation for the Amendment. Combined, these policies require development to achieve high quality urban design outcomes, including through the display of signs. The Amendment is responsive to this goal.

The Panel agrees the 1997 Guidelines are outdated and no longer assist decision making.

There is a role for local policy to guide the exercise of discretion where it can be demonstrated local circumstances require it. Local policies must add value, not simply replicate the Victoria Planning Provisions in a different format and clutter the Planning Scheme. Having regard to the evidence of Mr Marsden and Mr Bromhead, the Panel is broadly satisfied the 2022 Guidelines will add value and appropriately guide decision making on signs.

However, there are threshold and detailed drafting matters that required resolution to ensure the 2022 Guidelines are targeted to local issues and build upon the Victoria Planning Provisions to ultimately deliver a net community benefit and support sustainable development as required by Clause 71.02-3 of the Planning Scheme. This is discussed in Chapter 3 (Threshold issues), Chapter 4 (General guidelines), Chapter 5 (Locational guidelines) and Chapter 6 (Type guidelines).

(iii) Conclusions

For the reasons set out in this report, the Panel concludes that the Amendment is supported by, and implements, the relevant sections of the Planning Policy Framework.

Subject to its recommended changes discussed in the following chapters, the Panel concludes the Amendment is consistent with the relevant Ministerial Directions and Practice Notes, is well founded and strategically justified and should proceed.

3 Threshold issues

3.1 Clauses 15.01-1L-03 and 15.01-6L

(i) The issue

The issue is whether local policies at Clauses 15.01-1L-03 and 15.01-6L are appropriate.

(ii) Background

The exhibited local policies are:

Clause 15.01-1L-03 Signs in urban environments

Policy application

This policy applies to all urban land in the municipality.

Strategies

Ensure signs are in accordance with the City of Greater Geelong Advertising Sign Guidelines (May 2022).

Clause 15.01-6L Signs in rural areas

Policy application

This policy applies to all rural land in the municipality.

Strategies

Ensure signs are in accordance with the City of Greater Geelong Advertising Sign Guidelines (May 2022)

The 2022 Guidelines contain a 'User Guide'. It states:

Each section of the guidelines is divided into objectives, strategies and guidelines.

Objectives specify the outcomes a decision under these guidelines should seek to achieve.

In addition to objectives, both strategies and guidelines must both be taken into account when making a decision.

Strategies describe how the objectives are to be achieved.

Guidelines provide detailed guidance for how objectives may be achieved.

Clause 71.02-2 (Operation) provides:

A planning policy provides guidance for decision making and can help the community to understand how the responsible authority will consider a proposal.

The consistent application of planning policy over time should achieve a desired outcome.

A planning authority must take into account the Planning Policy Framework when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Planning Policy Framework when it makes a decision under this planning scheme. This does not apply to policy guidelines and policy documents.

...

A planning policy may include policy guidelines. Policy guidelines indicate how objectives can be met and how strategies can be implemented.

A responsible authority must take a relevant policy guideline into account when it makes a decision under this planning scheme, but is not required to give effect to it. If the responsible authority is satisfied that an alternative approach meets the objective, the alternative may be considered.

The Practitioner's Guide states:

Objectives and strategies are the key elements used to communicate the intent of a policy.

Objectives are a statement of what a policy seeks to achieve. Objectives must be clear, concise and be able to be implemented via the planning scheme.

Strategies are statements that outline how an objective is to be achieved. Strategies must be able to be implemented via a planning scheme.

At a local level, the Municipal Planning Strategy provides the 'why' of policy, an objective provides the 'what' and a strategy provides the 'how'.

Policy guidelines are a more detailed form of 'how'.

...

A policy (and other provisions) should generally be self-contained and include the information necessary to assess and decide on an application. Where addition, more detailed guidance is absolutely necessary, it can be provided through an incorporated document.

If a policy relies on an incorporated document then it must be referenced in the policy as a policy document and a decision-maker must consider it when making a decision.

(iii) Submissions and evidence

Mr Marsden's evidence was:

Given the PPF structure that has separate sections on urban and rural environments, I consider it appropriate to have separate policy on signs in each section. It is noted the policies are brief and include reference to the Advertising Sign Guidelines May 2022. However, I suggest the following minor modifications to the strategies under both sections:

Strategies

Ensure signs ~~are in accordance with~~ meet the objectives, strategies and guidelines of the City of Greater Geelong Advertising Sign Guidelines (May 2022).

ACDC and others submitted the language in the exhibited policy is an overreach because planning policies should not prescribe outcomes through mandatory controls, consistent with the guidance in *Planning Practice Note 59: Mandatory Provisions in Planning Schemes*, *Planning Practice Note 8: Writing a Local Planning Policy*¹ and decisions of the Victorian Civil and Administrative Tribunal².

While not opposing the incorporation of the 2022 Guidelines into the Planning Scheme (and reference to them in Clauses 15.01-1L-03 and 15.01-6L), ACDC and others submitted they should be "referred to and applied as guidelines, not a quasi-controls fettering the discretion of the responsible authority in some way". The exhibited language to "ensure signs are in accordance with" implies a limit a mandatory compliance requirement beyond the role of policy. Having regard to the Practitioner's Guide, they proposed the drafting be modified as:

Strategies

~~Ensure~~ Encourage signs ~~are in accordance with~~ to meet the objectives, strategies and guidelines of the City of Greater Geelong Advertising Sign Guidelines (May 2022).

In relation to the status of the guidelines, ACDC and others submitted:

...guidelines should do no more than guide with general principles regarding positive outcome, and provide recommendations for techniques which may demonstrate one way in which amenity impacts might be reduced. Guidelines in planning policy that adopt a 'one size fits all' approach will inevitably fail to perform their proper role which is to guide a decision maker in its task of assessment of a permit application to determine whether the application will deliver an acceptable outcome.

¹ Planning Practice Note 8 is not on the list of current practice notes at www.planning.vic.gov.au

² TEAC Australia Pty Ltd v Port Phillip City Council (unreported, 1999/101615, decided 16 July 1999)
SMA Projects v Port Phillip City Council (1999) 2 VPR 270
LCM Calvary Health Care Holdings Ltd v Glen Eira CC (Red Dot) [2018] VCAT 655

Mr Bromhead was concerned policies might be interpreted as requirements that cannot be varied. He considered this to be problematic when dealing with sites of varying contexts.

Mr Bromhead considered the Whittlesea's policy at Clause 15.01-1L strikes the best balance between signage regulation and facilitation. The listed objectives and strategies clearly articulate the issues that the policy is trying to address, without dictating a solution. This is achieved through qualitative language, such as "*Encourage a precinct-based approach for the siting and design of signs in residential, commercial and industrial estates*".

Council initially supported Mr Marsden's recommendation for drafting of the local policies, however, later agreed with the amended drafting put forward by ACDC and others. Council submitted the intent of the proposed 'guidelines' in the 2022 Guidelines is consistent with 'policy guidelines' as defined in Clause 72.01 and the Practitioner's Guide, that is, that they must be taken into account, but are not required to be given effect (unlike objectives and strategies). Council proposed that 2022 Guidelines define policy guidelines as follows:

Policy Guidelines indicate how objectives can be met and how strategies can be implemented. A responsible authority must take a relevant policy guideline into account when it makes a decision under this planning scheme, but is not required to give effect to it. If the responsible authority is satisfied that an alternative approach meets the objective, the alternative may be considered. (Clause 71.02-2 of the Greater Geelong Planning Scheme)

(iv) Discussion

To resolve the drafting of proposed local policies at Clauses 15.01-1L and 15.01-6L, the intent of the 2022 Guidelines (as an Incorporated Document) must be properly understood.

It is appropriate and practical for the meaning of 'objectives', 'strategies' and 'guidelines' in the 2022 Guidelines to align with Clause 71.02-2 (Operation) and the Practitioner's Guide. This can be achieved by inserting new text into the 'User Guide' and relabelling 'guidelines' as 'policy guidelines', as proposed by Council.

Policy guidelines provide detailed guidance on how a strategy is to be implemented or objective achieved by providing direct and prescriptive measures. However, a policy guideline only represents one way of achieving a desired outcome. Importantly, a responsible authority is not required to give effect to a policy guideline if it is satisfied an alternative approach can still fulfil the policy objectives and strategies. With this clarity, many of concerns expressed by submitters and experts fall away. Notably, the policy guidelines are:

- not mandatory requirements
- not elevated above strategies or objectives
- deliberately directive about how a strategy can be implemented or an objective achieved
- not the only method of implementing a strategy or meeting an objective.

Turning to Clauses 15.01-1L and 15.01-6L, the Panel finds the drafting agreed by Council and ACDC is unnecessarily confusing, because it provides a 'strategy' to "*meet objectives, strategies and guidelines*". To avoid this confusion, and reinforce the equivalency between objectives, strategies and policy guidelines in the Planning Scheme and the 2022 Guidelines, the Panel's preferred drafting is:

Objective

To encourage signs to meet the objectives of the City of Greater Geelong Advertising Sign Guidelines (May 2022).

Strategy

Encourage signs to meet the strategies of the City of Greater Geelong Advertising Sign Guidelines (May 2022).

Policy Guidelines

Consider as relevant:

- Policy guidelines of the City of Greater Geelong Advertising Sign Guidelines (May 2022).

In addition, the 2022 Guidelines must be referenced as policy documents to satisfy drafting guidance in the Practitioner's Guide and the Form and Content Direction.

(v) Conclusions and recommendations

The Panel concludes:

- The terms 'objectives', 'strategies' and 'policy guidelines' should have equivalent meaning in Clauses 15.01-1L-03 and 15.01-6L and the 2022 Guidelines.
- Proposed Clauses 15.01-1L-03 and 15.01-6L should be amended to comply with drafting guidance in *A Practitioner's Guide to Victorian Planning Schemes Version 1.5, April 2022* and Ministerial Direction: The Form and Content of Planning Schemes.

The Panel recommends:

Amend the description of policy guidelines in the 'Greater Geelong Advertising Sign Guidelines, 2022' in accordance with Document 23b.

Amend Clauses 15.01-1L-03 and 15.01-6L in accordance with the Panel preferred version in Appendix E.

3.2 Detailed drafting of strategies and policy guidelines**(i) The issue**

The issue is whether the approach to drafting strategies and policy guidelines is appropriate.

(ii) Background

The Practitioner's Guide states:

A provision should not be drafted in a manner that is contrary to its operational limits or in conflict with other provisions, such as a policy that seeks to prohibit a class of land use or development that is discretionary in a zone. This causes confusion about the intended effect of a provision.

The Practitioner's Guide lists 'conclusive' verbs as:

- Avoid: keep away from or keep clear of
- Ensure: to make sure or certain to occur
- Prevent: to keep from occurring; hinder.

'Discouraging' verbs are:

- Limit: to confine or keep within limits; to restrict
- Minimise: to reduce to the smallest possible amount or degree
- Reduce: to bring down to a smaller extent, size, amount; to lower in degree, intensity
- Restrict: to confine or keep within limits as of space, action, choice or quantity
- Discourage: to express disapproval of; to dissuade from; to obstruct by opposition

(iii) Submissions

ACDC and others submitted the guidelines are “*framed in the negative*” through use of ‘avoid’, ‘limit’, ‘minimise’, ‘restrict’ and ‘ensure’. This raises concerns regarding the mandatory language prescribing an outcome, rather than the exercise of discretion.

ACDC and others referred to a discussion paper on signs released by the Department of Transport and Planning (Document 18³), aimed at reducing regulatory burden and providing more proportional assessment of signs. They submitted adoption of the 2022 Guidelines would conflict with the department’s program of de-regulation and efficient decision making. In particular, the language and structure of the guidelines is inconsistent with the principles that ought to be applied in the writing of new law in the form of policy, because it:

- seeks to ‘limit’ and ‘avoid,’ rather than ‘encourage’ specific outcomes
- is complex and lengthy
- is repetitive and prescriptive
- confuses the role of ‘objectives’, ‘strategies’ and ‘guidelines’; and
- will add to the administrative burden for decision makers.

DFC submitted the drafting of the guidelines is important because they are proposed to be incorporated into the Planning Scheme and will be relied upon by applicants and Council to make important decisions on signs.

In closing, Council submitted the wording of the 2022 Guidelines in relation to objectives and strategies is largely resolved. The outstanding issue is whether the policy guidelines are too prescriptive. It submitted:

- the Practitioner’s Guide clearly allows numerical requirements
- the numerical requirements in the policy guidelines provide a way in which applications can meet the broader objectives and strategies
- the numerical requirements are a guide and starting point, and not mandatory.

(iv) Discussion

The Panel agrees with ACDC and others that the 2022 Guidelines as exhibited were largely framed in the negative. The iterations of the guidelines tabled by Council and parties through the Hearing have progressively increased use of positive and encouraging language, which the Panel supports. The proactive approach taken by parties to refining the drafting of the guidelines through the Hearing has confined the issues in dispute (as discussed in the following chapters).

The Panel observes the approach to drafting objectives, strategies and policy guidelines varies. There are examples where:

- the detailed ‘how’ of an objective is sometimes drafted as a strategy as sometimes as a policy guideline as detail in Table 3
- policy guidelines sometimes propose certain sign types should be avoided without exception or qualification as detailed in Table 4
- policy guidelines do not provide detailed guidance on how a strategy can be achieved and largely duplicate strategies.

³ Modernising sign requirements Discussion paper, Department of Transport and Planning, August 2023.

Table 3 Example strategies and policy guidelines

Strategy	Policy Guideline
Pedestrian orientated commercial areas	
Avoid freestanding signs, unless the building which it relates to on the site is set back from road more than 20 metres.	Not applicable
Industrial areas	
Limit freestanding signs.	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 metres.

Table 4 Example policy guidelines

Category	Policy Guideline
General	Reflective signs should be avoided.
Highway orientated commercial areas	Avoid sky signs, high wall signs and bunting signs.
Heritage places	Avoid sky signs and bunting signs.

The Practitioner's Guide clearly explains the difference between a 'strategy' and a 'policy guideline'. The former is the 'how' and the latter is the 'detailed how', where the detailed how is prescriptive and directive.

The 2022 Guidelines require extensive review to ensure the applicable guidance is correctly applied. Further to the above, the Panel observes:

- most of the proposed policy guidelines are insufficiently directive or prescriptive to qualify as policy guidelines when measured against the guidance in the Practitioner's Guide
- there is considerable repetition and overlap between the proposed strategies and the decision guidelines of Clause 52.05
- there is also considerable repetition and overlap between the proposed objectives and the purposes of Clause 52.05.

Furthermore, a policy guideline should not assume that specific types of application can never met broader policy objectives. This is the blanket approach taken with the policy guidelines referenced in Table 4 and is not appropriate.

It is important to emphasise that the 2022 Guidelines do not need to be self-contained and presented as a complete and comprehensive set of guidelines for signs. As an Incorporated Document, they are an extension of the Planning Scheme and are not required to repeat provisions that already apply. A consistent and targeted drafting approach will reduce clutter in the Planning Scheme and ultimately support its efficient administration.

Terminology in the 2022 Guidelines should be consistent with Clauses 52.05 and 73.02 (Sign terms) of the Victoria Planning Provisions, as shown in Table 5. This approach is consistent with Drafting Rule 9 of the Practitioners Guide which provides:

A provision must:

...

Use terms and language that are consistent with the Act, the Victoria Planning Provisions and the relevant parent provision.

Table 5 Comparison of terms used in the Guidelines and Clause 73.02

2022 Guidelines term	Clause 73.02 term
Advertisement area × The height or width of a promotion sign should not exceed 6 metres and the total <u>advertisement area</u> should not exceed 8 square metres.	Display area ✓ The height or width of a promotion sign should not exceed 6 metres and the total <u>display area</u> should not exceed 8 square metres.
Advertising sign × City of Greater Geelong <u>Advertising Sign Guidelines</u>	Sign ✓ City of Greater Geelong <u>Sign Guidelines</u>
Signage × To ensure <u>signage</u> is subordinate to the built form and landscape context in which it is located.	Signs ✓ To ensure <u>signs</u> are subordinate to the built form and landscape context.

(v) Conclusions and recommendation

The Panel concludes:

- Drafting of strategies and policy guidelines is inconsistent across the 2022 Guidelines.
- The 2022 Guideline require review to ensure drafting of objectives, strategies and policy guidelines is consistent with the *A Practitioner's Guide to Victorian Planning Schemes Version 1.5, April 2022* and Ministerial Direction: The Form and Content of Planning Schemes.

The Panel recommends:

Amend the 'Greater Geelong Advertising Sign Guidelines 2022' to:

- delete 'objectives' and 'strategies' that duplicate with the provisions of Clause 52.05**
- redraft detailed guidance under 'strategies' as 'policy guidelines'**
- delete 'guidelines' that do not provide direct and prescriptive measures**
- delete 'strategies' and 'guidelines' that provide blanket opposition to specific sign types**
- make terminology consistent with the Victoria Planning Provisions, as shown in Table 5 of this report.**

4 General guidelines

(i) Background

The general guidelines apply to all land. The Day 1 Guidelines with Final Day Guidelines shown as track changes are shown in Table 6.

Table 6 General guidelines

Objectives

To ensure signs respond to the natural setting and urban context in which they are located.

To ensure signs do not alter or obscure views to significant natural or built features.

To ensure signs do not dominate the streetscape, host site or building.

To ~~avoid signs that~~ ensure that signs do not interfere with movements and viewlines of pedestrians and cyclist movements and the safety of roads and railways.

To ~~avoid~~ manage visual clutter from signage.

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

Strategies

- ~~1. Prioritise business identification signs as the main type of signage.~~
- ~~21.~~ Encourage signs to be co-located and consolidated wherever possible, particularly where there is more than one tenancy.
- ~~32.~~ Encourage signs that are integrated with and proportionate in height and scale to the host building, site and streetscape.
- ~~43.~~ Minimise-Manage the number and repetition of signs on a single lot and streetscape.
- ~~54.~~ Avoid any sign that would dominate or obscure business identification signs within a site or the surrounding area.
- ~~65.~~ ~~Avoid signs that~~ Consider whether a sign would alter, dominate or obscure architectural or landscape features of the host site or building.
- ~~76.~~ ~~Avoid signs that will impair the safety~~ Encourage signs that are sensitive to the movement, visibility and functionality of the public realm and infrastructure.

Policy Guidelines

1. Limit the number of signs by placing at strategic locations at a height easily read by pedestrians of all abilities.
- ~~2. Discourage signs that will adversely affect the safety and operation of public transport and roads.~~
- ~~32.~~ New development should nominate consistent areas for the display of signage for each business tenancy.
- ~~43.~~ Encourage the preparation of signage strategies for non-residential proposals with a large floor area or multiple tenancies.
- ~~54.~~ Flat signs on building walls should relate to the architecture of the building in style and placement.
- ~~65.~~ Encourage use of individual letters as an alternative to large, flat signs on building walls where appropriate.
- ~~76.~~ ~~Discourage signs that detract from~~ Encourage signs that are responsive to the visual and landscape amenity of a road, cycling, pedestrian or rail corridor.
- ~~87.~~ Discourage multiple promotion signs that are advertising the same or similar message on a single site or visible across multiple sites, except where it is allowable under the Growth Area Guidelines of this policy.
- ~~98.~~ Discourage v-shaped signs on buildings, at

intersections where they impede visibility, or dominate the streetscape. Free standing V-shaped signs may be supported on corner sites.

~~109.~~ Encourage signage that retains existing trees and introduces new landscaping and vegetation.

~~11. Avoid illuminated and electric signs that:~~

- ~~• detract from the overall character of the streetscape~~
- ~~• will dominate neighbouring non-illuminated signs~~
- ~~• detract from the architectural style or the heritage character of the building~~
- ~~• have pop-out elements~~
- ~~• result in glare or include visually obtrusive light fixtures~~
- ~~• have exposed cabling/conduit systems and junction boxes.~~

~~12.10.~~ Reflective signs should be avoided.

11. Discourage signs that will adversely affect the safety and operation of public transport and roads.

12. Encourage electronic signs appropriate for their context and if they meet the electronic signs detailed guidelines, including road safety.

13. Encourage internally illuminated signs that are responsive for their context and do not detract from the amenity or adversely affect the building environment or safety.

(ii) The issue

The issue is whether the general guidelines are appropriate.

(iii) Evidence and submissions

Council submitted:

- signs are crucial tools for local businesses which, when used well, can support economic opportunities and growth
- Council has a responsibility to protect the amenity and unique character of the municipality
- the 2022 Guidelines seek to balance these two objectives and to provide context specific guidance to streamline the planning permit process both for applicants and for Council officers assessing permit applications
- the 2022 Guidelines encourage signs that help identify a business, provide directional information and are proportionate to the scale and type of the building, site, streetscape and landscape

- the 2022 Guidelines discourage signs that contribute to clutter, distract from the streetscape, or that dominate buildings, sites, streetscapes and landscapes
- the general guidelines set a minimum standard for signs that strike the balance between commercial need and amenity.

Property Council of Australia (Property Council) submitted:

- local policies should seek to adopt a positive approach towards signs promoting off site goods or services, and community messaging
- the focus should be on evaluating the visual impact of the signs themselves, rather than their specific content.

Objectives

VicTrack noted the while the guidelines address the impact of signs on roads, the same consideration is not given to rail and rail safety which is equally important. It recommended the guidelines be amended to recognise rail safety and guide the impact of signs on the rail corridor. In response, Council proposed the modify the fourth general objective as follows:

To avoid signs that interfere with movements and viewlines of pedestrians and cyclists
~~movements~~ and the safety of roads and railways.

Council, DFC and ACDC and others supported this drafting with minor modifications to replace “To avoid” with “To ensure that signs do not...”.

ACDC and others proposed the fifth objective “To avoid visual clutter from signage” be redrafted in the positive as “To manage visual clutter from signage”. Council supported this change.

In Mr Bromhead’s opinion, the general objectives should acknowledge the important role that signs play in society. He recommended the addition of a new objective “To facilitate the display of signage for businesses and community groups in order to provide opportunities for identification and promotion where appropriate”. Council, DFC and ACDC and others supported this change.

Strategy 1

Strategy 1 was opposed by various submitters.

Mr Marsden evidence was:

- there is no State policy or policy in Clause 52.06 that prioritises one type of sign over another (see *Kings Funeral Services v Greater Geelong CC (Red Dot) [2008] VCAT 487*), however there are similar policies in the Casey, Hume, Melton and Whittlesea Planning Schemes
- it would be concerning to have a proliferation of promotion signs that undermine the impact of business signs
- the strategy should be amended as “Discourage promotion signs that may impact on opportunities for business identification signs, particularly where such signs are not related to the land”.

Mr Bromhead’s evidence was:

- Strategy 1 is ‘redundant’ because it does not further the general objectives
- Mr Marsden’s rewording of Strategy 1 is superior to the exhibited version, although it is preferable that that the strategy is deleted.

Council agreed to delete the strategy.

Strategy 4

Strategy 4 was opposed by various submitters.

Mr Bromhead's evidence was:

- use of 'minimise' in Strategy 4 is unnecessarily restrictive as there is nuance to the acceptability of the number and repetition of signs on any single lot or streetscape, for example, a high proliferation of signage and repetitive messaging will likely be inappropriate in an established residential setting, but not necessarily so in a commercial area
- as the role of the policy is to guide discretion in decision making, use of 'manage' in lieu 'minimise' will still serve to further the general objectives
- the strategy should be amended to *"Manage the number and repetition of signs on a single lot and streetscape"*.

Council agreed to revise the strategy as recommended by Mr Bromhead and supported by DFC and ACDC and others.

Strategy 6

ACDC and others proposed Strategy 6 *"Avoid signs that alter, dominate or obscure architectural or landscape features of the host site or building"* be redrafted in the positive as *"Consider whether a would alter, dominate or obscure architectural or landscape features of the host site or building"*.

Council supported this change.

Strategy 7

ACDC and others proposed Strategy 7 *"Avoid signs that will impair the safety, movement, visibility and functionality of the public realm and infrastructure"* be redrafted in the positive as *"Encourage signs that are sensitive to the movement, visibility and functionality of the public realm and infrastructure"*. Council supported this change.

Guideline 1

ACDC and others proposed Guideline 1 *"Limit the number of signs by placing at strategic locations at a height easily read by pedestrians of all abilities"* be redrafted as *"Place signs at strategic locations at a height easily read by pedestrians of all abilities"*. Council did not support this change in its Final Day Guidelines.

Guideline 2

Guideline 2, as exhibited, was *"Signs should only be located on the land to which they relate"*. The guideline was opposed by various submitters.

Mr Marsden considered the guideline to be overly restrictive in a growth area context, particularly as there may be occasions where future residential land is within fragmented rural land holdings. Council supported Mr Marsden's recommendation to delete the guideline.

Guideline 7

Guideline 7, as exhibited, was *"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"*.

Council's Day 1 Guidelines revised the guideline as "*Discourage signs that detract from the visual and landscape amenity of a road, cycling, pedestrian or rail corridor.* Mr Marsden, Mr Bromhead and DFC supported this change.

ACDC and other proposed the guideline be revised as "*Encourage signs that are responsive to the visual and landscape amenity of a road, cycling, pedestrian or rail corridor*".

Guideline 8

Mr Marsden recommended Guideline 8 be retained because it is more specific than the decision guideline at Clause 52.05-8 which deals with the cumulative impact of signs.

Mr Bromhead's evidence was:

- it is more useful for the policy to be specific about the circumstances where promotion and other signs are to be discouraged, for example in areas where they are more likely to detract from a significant view or valued character in the built environment
- Guideline 8 is inconsistent with a growth area setting where there is a genuine need to identify and provide wayfinding for new estate developments, and should be revised to avoid confusion with the growth area guidelines
- The guideline be amended as "*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*".

Council proposed to amend the guideline as "*Discourage multiple promotion signs that are advertising the same or similar message on a single site or visible across multiple sites, except where it is allowable under the Growth Area Guidelines of this policy*".

DFC submitted if Guideline 8 is accepted in substance, Mr Bromhead's drafting should be preferred. It noted use "*allowable*" in the policy is too restrictive in a policy document.

ACDC and others submitted the guideline should be deleted.

Guideline 9

Guideline 9 was opposed by various submitters. Submitters stated suitability of "V" shaped signs should be evaluated against the site context, including the orientation of the roadway and surrounding built form.

Mr Marsden considered V-shaped signs are more inappropriate in the context of buildings and main street streetscapes. He recommended Guideline 9 be amended as "*Discourage V-shaped signs on buildings. Free standing V-shaped signs may be supported on corner sites*". Council supported Mr Marsden's recommendation.

Mr Bromhead's evidence was:

- there will be situations and settings where a 'V' shaped sign is appropriate, particularly if it is designed in accordance with other strategies and guidelines in this policy
- Mr Marsden's rewording of Guideline 9 is superior to the exhibited version, although it is preferable that the strategy is deleted.

DFC submitted Council's amendments to Guideline 9 lessen the concern about restrictions on V-shaped signs, however advised it remains opposed to the guideline because:

- it has no proper strategic basis in relation to growth areas

- there is no evidence before the Panel in relation to any specific harm that might be caused by V-shaped signs
- would be likely to have unintended consequences, in particular the need to file separate applications for what might otherwise be a single sign.

ACDC and others submitted Guideline 9 should be deleted.

Guideline 11

Guideline 11 was opposed by Core Projects and the Property Council. Submissions stated:

- the guidelines should focus on the potential amenity issues and impacts of signs on sensitive uses, rather than just focussing on illuminated and electronic signs
- electronic signs are a growing aspect of outdoor advertising and should be evaluated against their specific attributes, such as adjustable luminance, limited visibility angles, and dynamic displays
- discouraging electronic signs has the potential to impeded technological advancements.

Mr Marsden evidence was:

- Guideline 11 should be replaced with general guidelines for illuminated and electronic signs and the detailed guidance moved to Section 13
- it is agreed that the illumination of a sign or whether it is electronic has little to do with the visual impact of an area, and in any event, there are other sub-guidelines under Guideline 11 to avoid illuminated or electronic signs that detract from the architectural style or heritage character of the buildings, as well as guidelines to deal with the potential amenity impacts of such signs
- Guideline 11 should be moved to Section 13 and replaced with:
 - *“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.”*
- delete *“Detract from the overall character of the streetscape”* from Guideline 11 (repositioned under Section 13).

Council supported Mr Marsden’s recommendation.

(iv) Discussion

Objectives

The Panel generally supports changes to objectives agreed by the parties. The Panel does not support the general objective *“To manage visual clutter from signage”*. This general objective replicates one of the purposes of Clause 52.05 *“To ensure signs do not contribute to excessive visual clutter or visual disorder”* and is unnecessary.

Strategy 1

Consistent with submissions and evidence presented, the Panel acknowledges that the Planning Policy Framework does not prioritise one sign type over another. It would be inappropriate for the sign guidelines to seek to provide blanket opposition to specific types of signs without qualification, where a permit can be sought for the sign under Clause 52.05. The Panel agrees with Council that Strategy 1 should be deleted.

The Panel observes a variation of Strategy 1 is replicated in the guidelines for highway orientated commercial areas (Strategy 1) and industrial areas (Strategy 2). For the above reasons, these guidelines should also be deleted.

Strategy 4

The Panel agrees with Council that Strategy 4 should be amended from “*Minimise*” to “*Manage*” in recognition that the acceptability of the number and repetition of signs on any single lot or streetscape in dependent is context specific.

Strategy 6

The proposed redrafting of Strategy 6 is not supported. “*Consider*” is appropriate for a decision guideline, not a strategy. An appropriate alternative is “*Encourage signs to integrate with the architectural or landscape features of the host site or building*”.

Strategy 7

The proposed redrafting of Strategy 7 in the positive is supported.

Guideline 1

The Panel does not support Guideline 1 as drafted by Council or ACDC and others. The guideline does not provide an explicit or prescriptive measure that demonstrates how a strategy can be implemented or objective achieved.

The guideline could be redrafted as a strategy as “*Encourage the positioning of signs at strategic locations at a height easily read by pedestrians of all abilities*”, however the Panel notes:

- further clarification about the meaning of the term ‘strategic locations’ is required
- there are extensive decision guidelines in Clause 52.05 that require consideration of the relationship between a sign and the streetscape, setting or landscape
- Mr Bromhead’s evidence was that the content of signs in not controlled by the Planning Scheme.

Based on these considerations, Guideline 1 should be deleted.

Guideline 2

The Panel agrees with Council that Guideline 2 should be deleted.

Guideline 7

The Panel does not support Guideline 7 as drafted by Council or by ACDC and others. The guideline does not provide an explicit or prescriptive measure demonstrating how a strategy can be implemented or objective achieved.

The proposed guideline largely replicates Strategy 6 of the Final Day Guidelines, which should be amended as “*Encourage signs that are sensitive to the movement, visibility, functionality [and amenity](#) of the public realm and infrastructure*”.

Guideline 8

The Panel does not support Guideline 8 as proposed by Council because it does not meet the criteria for a policy guideline. Proposed Strategy 3 and the decision guidelines under Clause 52.05-8 are sufficient to guide decision making where multiple signs are proposed on a single site or streetscape.

Guideline 9

The Panel does not support Guideline 9 as proposed by Council because it does not meet the criteria for a policy guideline. Further, the material presented to the Panel does not demonstrate that V-shaped signs should always be discouraged. Mr Marsden's suggested alternative to discourage V-shaped signs on buildings is implied by Strategy 3 which provides "*Encourage signs that are integrated with and proportionate in height and scale to the host building, site and streetscape*".

Guideline 11

Illuminated and electronic signs are separate sign types and should be treated individually in the policy. Mr Marsden's suggestion to move Guideline 11 to Section 13 (electronic signs) is supported in principle because it will consolidate the detailed guidance for this sign type. It is unnecessary to replace this guideline with a general policy to encourage electronic signs and illuminated signs appropriate for the context, because this would duplicate the purpose of Clause 52.05 and the objectives of the general guidelines.

(v) Conclusions and recommendations

The Panel concludes the general guidelines are generally appropriate, subject to revisions to:

- eliminate repetition with Clause 52.05
- ensure that objectives, strategies and policy guidelines comply with drafting guidance in the Practitioner's Guide.

The Panel recommends:

Amend Section 2 'General Guidelines' of the 'Greater Geelong Advertising Sign Guidelines, 2022' as shown in the Panel preferred version at Appendix F:1.

5 Locational guidelines

5.1 Pedestrian orientated commercial areas

(i) Background

The pedestrian orientated commercial area guidelines apply to the areas listed in Appendix B, which are typically main streets in suburban areas or town centres, with low vehicle speeds and a walkable environment.

The Day 1 Guidelines with Final Day Guidelines shown as track changes are shown in Table 7.

Table 7 Pedestrian orientated commercial area sign guidelines

Objectives

To ensure signs are subordinate and not intrusive to the built form and streetscape environment.

To protect visibility between the public realm and inside buildings.

To encourage a signage character that is consistent with a human scale built form and streetscape.

To maintain open and framed views to the sky from the public realm.

To avoid signs that compromise the architectural values of buildings and landscape.

Strategies

1. Ensure signs are of a size and height that maintain the built form and streetscape character.
2. Discourage any sign that would block a view from the public realm between buildings and to the sky.
3. Limit use of electronic signs.
4. Avoid signs that obscure visibility through building windows to and from the street.
5. Avoid freestanding signs, unless the building which it relates to on the site is set back from road more than 20 metres.

Policy Guidelines

1. Encourage signs in the locations shown in Figure 1.
2. Discourage signs in the locations shown in Figure 2.
3. Signs should not exceed a maximum street wall or building height, or encroach an upper level setback, identified in a zone, overlay or schedule.
4. Signs should not project more than one metre from the building and not be lower than 2.7 metres above a pedestrian thoroughfare.
5. No more than one electronic sign should be displayed per building.
6. Buildings should not be painted in corporate colours, which is regarded as signage.
7. Ground level and parapet are the preferred locations for small illuminated signs (particularly non-flashing, neon tubular art signs) and electronic signs, where appropriate.
8. Discourage signs that cover upper level windows or other openings of buildings.
9. Minimise signs on back or side walls of buildings, particularly at upper levels.
10. Limit total signage for premises with less than 5 metres street frontage to a maximum of 8 square metres.
11. Avoid sky signs, high wall signs and bunting signs.

12. Strongly discourage major promotion signs in Pedestrian Oriented Commercial Areas outside Central Geelong.

(ii) The issue

The issue is whether the guidelines for pedestrian orientated commercial areas are appropriate.

(iii) Evidence and submissions

Strategy 3

Core Projects opposed Strategy 3.

Mr Marsden's evidence was:

- the Issues Paper identifies that animated signs and large signs (particularly electronic and illuminated ones) can dominate and have a major detrimental impact on these types of centres
- Strategy 3 is not proposing a blanket ban on electronic signs, but is seeking to limit their use
- any application for an electronic sign can be assessed against the 12 guidelines in this section.

Guideline 12

Core Projects opposed Guideline 12.

The Property Council submitted promotion signs are suitable in certain locations and can enhance the vibrancy and appeal of shopping centres without compromising their character and overall ambiance. The Guidelines should offer justification for the proposed restriction rather than imposing limitations.

Mr Marsden evidence was:

- major promotion signs are greater than 18 square metres and by virtue of their size, may be inappropriate in fine grain streetscapes
- Guideline 12 is to 'strongly discourage' major promotion signs, not prohibit them.

(iv) Discussion

Strategy 3

The Panel agrees with Mr Marsden that Strategy 3 proposes to confine rather than ban electronic signs. Guideline 5 provides more specific guidance on use of electronic signs and provides "*No more than one electronic sign should be displayed per building*". The Panel prefers that the drafting of this guideline (now policy guideline) is refined to make it more directive, consistent with guidance in the Practitioner's Guide. The preferred drafting is "*[Consider as relevant]: Limiting electronic signs to one sign per building.*"

Guideline 12

The information presented to the Panel does not demonstrate major promotion signs will always be inappropriate in pedestrian orientated commercial areas outside Central Geelong. While Mr Marsden has noted promotion signs may be inappropriate in fine grain streetscapes, the Panel

observes ‘pedestrian orientated commercial area’ includes a range of streetscape typologies, not just fine grain streetscapes found in traditional main streets.

Further, as discussed in Chapter 3.2, a policy guideline should not assume that specific sign types (in this case all major promotion signs in pedestrian orientated commercial areas outside Central Geelong) can never met broader policy objectives.

(v) Conclusion and recommendation

The Panel concludes the guidelines for pedestrian orientated commercial areas are generally appropriate, subject to revisions to:

- make Guideline 5 more directive
- delete Guideline 12.

The Panel recommends:

Amend Section 3 ‘Pedestrian Orientated Commercial Areas’ of the ‘Greater Geelong Advertising Sign Guidelines, 2022’ as shown in the Panel preferred version at Appendix F:2.

5.2 Highway orientated commercial areas

(i) Background

The highway orientated commercial area guidelines apply to the areas listed in Appendix B, which are typically multi tenanted commercial sites with extensive main road frontage. The Day 1 Guidelines, with Final Day Guidelines shown as track changes, are provided in Table 8.

Table 8 Highway orientated commercial area sign guidelines

Objectives	
To ensure signage is subordinate to the built form and landscape context in which it is located.	
To provide for the clear identification of premises.	
To discourage signs that interfere with the functionality of a site.	
To avoid signage that adversely affects the amenity of the host site and surrounding area.	
Strategies	Policy Guidelines
1. Ensure business identification signs are the primary type of signage.	1. Encourage signs in the locations shown in Figure 3.
2. Avoid oversized and excessive numbers of signs.	2. Discourage signs in the locations shown in Figure 4.
3. Avoid signs that interfere with pedestrian or vehicular thoroughfares or business entrances.	3. Incorporate areas for the display of signage for each business tenancy within the building design.
4. 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.	4. Minimise the number of businesses identified on freestanding signs for multi-tenanted development.
	5. 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 from road more than 20 metres.
	6. Freestanding business identification signs should:

- Be placed at a right (90 degree) angle to sensitive interfaces (such as open space and residential areas)
- Not protrude over a dominant skyline, including buildings, structures and tree canopies, when viewed from the ground within 1 kilometre.
- Be less than the height of the building to which it relates, excluding parapets, or 7 metres, whichever is lesser.
- For sites with one street frontage, be restricted to one sign per premises.
- For sites with more than one street frontage and the frontages are both greater than 150 metres long and each have access to a road, be limited to a total of two freestanding signs, with not more than one sign on each frontage.
- Be spaced and set back from the street consistently with the prevailing spacing and setbacks in the streetscape.

7. Avoid sky signs, high wall signs and bunting signs.

(ii) The issue

The issue is whether the guidelines for highway orientated commercial areas are appropriate.

(iii) Evidence and submissions

VicTrack noted the while the guidelines address the impact of signs on roads, the same consideration is not given to rail and rail safety which is equally important. It recommended the guidelines be amended to recognise rail safety and guide the impact of signs on the rail corridor.

Mr Marsden agreed that the proposed changes suggested by VicTrack are appropriate. Mr Marsden recommended Strategy 4 be amended to *“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”*. Council supported Mr Marden’s recommendation.

(iv) Discussion

Broadening Strategy 4 to include safety considerations for the rail corridor is consistent with the strategic directions at Clause 02.03-8 (Transport) of the Municipal Planning Strategy, which supports the development of a safe, accessible, equitable and efficient traffic, transport and freight network. The Panel agrees Strategy 4 should be revised as proposed by Mr Marsden and supported by Council.

(v) Conclusion and recommendation

The Panel concludes guidelines for highway orientated commercial areas are appropriate, subject to revisions to Strategy 4 to recognise the need to protect rail safety.

The Panel recommends:

Amend Section 3 ‘Highway Orientated Commercial Areas’ of the ‘Greater Geelong Advertising Sign Guidelines, 2022’ as shown in the Panel preferred version at Appendix F:3.

5.3 Industrial area

(i) Background

The industrial area guidelines apply to land in the Industrial Zone, Port Zone and, where nominated in the Special Use Zone Schedules, Urban Growth Zone Schedules and the Public Park and Recreation Zone (the sports stadium at Kardinia Park).

Table 8 provides the Day 1 Guidelines with Final Day Guidelines shown as track changes.

Table 9 Industrial area guidelines

Objectives

To provide for the adequate identification of premises.

To ensure signage is subordinate to the built form and landscape context in which it is located.

To discourage signs that interfere with the functionality of a site.

Strategies

1. Ensure signage respects the built form and the landscape context, and is not the dominant feature.
2. Ensure business identification signs are the primary type of signage.
3. Incorporate areas for the display of signage for each business tenancy within the building design.
4. Limit freestanding signs.
5. Avoid signs that interfere with pedestrian or vehicular thoroughfares or business entrances.
6. Avoid signs that have an adverse effect on the safety, appearance and efficiency of a road.

Policy Guidelines

1. Encourage signs in the locations shown in Figure 5.
2. Discourage signs in the locations shown in Figure 6.
3. **Avoid 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 from road more than 20 metres.
4. Freestanding business identification signs should:
 - be placed at a right (90 degree) angle to sensitive interfaces (such as open space and residential areas)
 - not protrude over a dominant skyline, including buildings, structures and tree canopies, when viewed from the ground within 1 kilometre.
 - not exceed the dominant existing building height of an area.
 - for sites with one street frontage, be restricted to one sign per premises.
 - for sites with more than one street frontage and the frontages are both greater than 150 metres long and each have access to a road, be limited to a total of two freestanding signs, with not more than one sign on each frontage.
 - be spaced and set back from the street consistently with the prevailing spacing and

setbacks in the streetscape.

(ii) The issue

The issue is whether the guidelines for industrial areas are appropriate.

(iii) Evidence and submissions

Core Projects opposed Guideline 3.

Property Council submitted a restriction on freestanding signs (Guideline 3) hinders innovation and site-specific solutions, noting there are situations where freestanding signs can be more desirable and impactful than signs attached to buildings.

Mr Marsden evidence was Guideline 3 is reasonable however given its application in industrial areas the word ‘avoid’ should be replaced with ‘discourage’. Council supported Mr Marsden’s recommendation.

(iv) Discussion

The Issues Paper identifies issues with freestanding signs in pedestrian and highway orientated commercial areas, but not industrial areas. It is unclear to the Panel why the policy guideline is required in the absence of an identified issue, or the rationale for limiting the display of freestanding signs unless a building is further than 20 metres from the road.

In the absence of a justification, the Panel considers Guideline 3 is not required.

(v) Conclusion and recommendation

The Panel concludes the guidelines for industrial areas are appropriate, subject to deleting Guideline 3.

The Panel recommends:

Amend Section 4 ‘Industrial Areas’ of the ‘Greater Geelong Advertising Sign Guidelines, 2022’ as shown in the Panel preferred version at Appendix F:4.

5.4 Interface areas

(i) Background

The interface area guidelines apply to land within Category 1 or 2 which is adjoining or opposite land in Category 3 or 4.

Table 10 provides the Day 1 Guidelines with Final Day Guidelines shown as track changes.

Table 10 Interface area sign guidelines

Objectives	
To ensure signs in commercial and industrial areas do not have a detrimental impact on high amenity and sensitive areas.	
Strategies	Policy Guidelines
1. Ensure signage adjacent to or visible from passive open space and other sensitive areas is discreet.	1. Signs should not dominate the outlook from or result in increased illumination to adjoining

Signs should not dominate the outlook from or result in increased illumination to adjoining landscapes, passive open space or nearby dwellings.

2. Ensure signs do not have a detrimental impact on access to daylight or sunlight, **including perception of light and shadow**, or overshadowing of any sensitive space (including footpaths, public and private open space, windows) at any time of the year.
 3. Ensure signs near rural areas are sympathetic in scale and do not dominate any landscape, coastal or environmental features, view corridors or vistas.
 4. Discourage the use of floodlit signs and ensure that they are **not visible from primarily directed away from** visually sensitive areas.
 5. Illuminated signage should be limited near residential areas, open space and other sensitive interfaces.
- landscapes, passive open space or nearby dwellings.
 2. Limit the number of signs on any one property that are visible from the high amenity or sensitive area to the minimum number necessary to identify the premises.
 3. Signage colours should be compatible with surrounding landscape.
 4. Illuminated signs should be located, baffled and the level of illumination controlled to ensure there is no **unreasonable** spill of light beyond the area of the sign or loss of amenity.
 5. Discourage internally illuminated panels and boxes on or above verandah level.

(ii) The issue

The issue is whether the guidelines for interface areas are appropriate.

(iii) Evidence and submissions

Submitters were concerned Strategy 1 and Guideline 1 would impact on activity centres adjoining open spaces, noting:

- the co-location of activity centres and community centres with open spaces is a desirable land use outcome frequently sought by Precinct Structure Plans
- the idea that signs should not face towards open spaces is in conflict with other design objectives requiring commercial development to positively address and activate adjoining land uses
- it should be expected that high quality commercial outcomes result in signs facing open spaces and dwellings without undermining the quality of the urban environment
- more nuanced strategies and guidelines should be drafted which recognise the importance of making activity centre signs visible from surrounding areas
- this will also ensure the commercial success of these areas.

In response, Council's Day 1 guidelines proposed to amend Strategy 1 and Guideline 1 as:

Strategy 1: Ensure signage adjacent to or visible from passive open space and other sensitive areas is discreet.

Guideline 1: Signs should not dominate the outlook from or result in increased illumination to adjoining landscapes, passive open space or nearby dwellings.

Mr Marsden supported Council's proposed changes.

Council's penultimate version of the Guidelines (Document 20a) proposed further changes to Strategy 1 as:

Signs should not dominate the outlook from or result in increased illumination to adjoining landscapes, passive open space or nearby dwellings.

ACDC and other supported Council’s changes to Strategy 1 and proposed that Guideline 1 be further amended as:

Signs should not dominate the outlook from or result in increased illumination to adjoining nearby dwellings.

Council did not support this further change in the Final Day Guidelines.

(iv) Discussion

The Panel supports changes to Strategy 1 as agreed by Council and ACDC and others. Guideline 1 should be deleted because it is not drafted as a policy guideline and provides no direction on how Strategy 1 could be implemented.

(v) Conclusion and recommendation

The Panel concludes guidelines for interface areas are appropriate, subject to amending Strategy 1 and deleting Guideline 1.

The Panel recommends:

Amend Section 7 ‘Interface Areas’ of the ‘Greater Geelong Advertising Sign Guidelines, 2022’ as shown in the Panel preferred version at Appendix F:5.

5.5 Growth areas

(i) Background

The guidelines for growth areas apply to greenfield and large infill development areas, generally included in the Urban Growth Zone, Development Plan Overlay and/or Design and Development Overlay.

The Issues Paper identified the following concerns about signs within growth areas:

- excessive visual clutter
- signs erected at a large distance from the subject site
- signs that area haphazard and detrimental to the landscape, such as trailer mounted signs and signs fixed to shipping containers
- road safety.

Table 11 provides the Day 1 Guidelines with Final Day Guidelines shown as track changes.

Table 11 Growth area sign guidelines

Objective	
To protect areas of new development from a proliferation of advertising signage. To appropriately manage the visual impact of signage in areas of new development and to avoid unreasonable visual clutter.	
Strategies	Policy Guidelines ⁴
1. Deleted.	1. Subdivision and new estate promotion signs on the same estate should be limited to a maximum

⁴ The Panel corrected numbering in the Final Day Guidelines (Document 23b)

~~2. Discourage branding of new estates through signage. Ensure a precinct or whole-of-estate approach to subdivision and new estate signage ensuring that signs avoid visual clutter.~~

- of one per road frontage. More than one sign may be permitted where:
- estate frontages exceed a length of 150 metres, and
 - a 150 metres separation is provided between signs
2. Off site estate promotional signs should be located within ~~1.6~~ 3 kilometres ~~or the closest major intersection (whichever is closer)~~ of the exterior boundary of the subdivision development to which they relate.
 3. Consider whether 250 metres separation ~~should~~ can be provided between all off site estate promotional signs, and a maximum of 4 in total.
 - ~~4. 150 metres separation should be provided between all signs within the same estate and a maximum of 4 in total.~~
 - ~~5~~4. The height or width of a promotion sign should not exceed 6 metres and the total advertisement area should not exceed 8 square metres.
 - ~~6~~5. 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 52.05 specifies otherwise.
 - ~~7~~6. Avoid trailer mounted signs or any form of moveable signage associated with land sales.

(ii) The issue

The issue is whether the guidelines for growth areas are appropriate.

(iii) Evidence and submissions

Council explained it was important to have clearer advertising sign guidance for growth areas because:

- the final stages of the Armstrong Creek Urban Growth Area will be developed close to the Bellarine Peninsula declared Distinctive Area and Landscape
- development will commence in the North and Western Growth Areas in the coming years, and it is crucial for Council to have a framework to ensure sign outcomes in these contexts are appropriate considering their often sensitive interfaces.

Council provided examples of signs that do not comply with the proposed guidelines, as shown in Appendix F. Council submitted the signs in Appendix D Example 6 “*demonstrates the need for a local policy to mitigate such outcomes*”.

Opposing submitters, including DFC and ACDC and others submitted:

- the management of signs is a necessary part of orderly development of growth areas
- the Issues Paper does not explain the purported harm cause by current practices

- the concerns raised in the Issues Paper can be adequately addressed by existing provisions of the Planning Scheme and other mechanisms, which for growth areas includes the relevant precinct structure plan and Urban Growth Zone
- sign settings for a new residential estate these are vastly different to what occurs for more 'mainstream' and 'main street' urban settings
- estate signs are temporary and are removed after the estate stage is completed
- it is important for signs to be available to guide individuals in unfamiliar places to avoid disorientation
- setting arbitrary limits on the maximum number of signs, the size of signs or separation distances has no planning justification given the scale, the landscape in which they exist and the dynamic nature of estate development
- Council's approach is crude and fails to acknowledge the size of estates, local conditions, interface issues or the stage of development
- communicating a developer "brand" is often a key component of estate signage
- a less prescriptive approach is needed to enable an application to be assessed on its merits and provide flexibility given the varying context of individual estates
- consistent messaging and branding of new suburbs or estates are valuable assets that generate interest and set them apart from others.

DFC concluded:

The Panel ought to be comfortable recommending that the Guidelines proceed without any reference to growth areas, in knowledge that the special nature of growth areas already requires detailed strategic planning and the preparation of specific background documents that identify the real issues that need to be managed.

In closing, Council submitted:

- there are public signs to direct people to growth areas, as shown in Figure 1
- not all land in growth areas has a precinct structure plan
- it would inefficient, costly and resource demanding to prepare amendments to existing precinct structures plans to retrofit sign guidelines
- it is more efficient to have a set of guidelines across the municipality as proposed by the Amendment.

Figure 1 Example of growth area directional sign



Source: Document 17

Preamble

Council proposed 'estate promotion signs' be defined in the guidelines as:

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.

DFC and ACDC and others supported this change.

Objective

Mr Marsden's evidence was the objective could be expressed more positively to recognise the positive role signs play within a growth area. He recommended the objective be revised as *"To ensure that signs promoting new subdivisions in growth areas does not result in an excess number of signs"*.

Mr Bromhead's evidence was:

- the objective is unnecessarily limiting and should be revised to recognise the need for signs in growth areas
- greenfield sites are often large and open, and can require multiple promotion and business identification signs to effectively identify and market themselves to the area
- where multiple signs are required, they can be spaced to ensure that they do not become visually dominant
- new residential estates are often developed in stages, and this influences when and where signs are needed
- estate signs are often temporary
- existing estate signs in Armstrong Creek, Lara and Fyansford do not are generally proportionate to the environment and not visually dominant.

Mr Bromhead recommended the objective be amended as *"To appropriately manage the visual impact of signage in areas of new development to avoid unreasonable visual clutter"*.

DFC opposed Mr Marsden's recommendation, submitting it does not enjoy a proper strategic basis because there is no reference to an 'excess number' of signs in the Issues Paper. DFC submitted Mr Bromhead's recommended drafting is responsive to the concern identified in the Issues Paper (albeit that the discussion of the concern is limited) and with the purposes of Clause 52.05.

Council and ACDC and others supported Mr Bromhead's recommendation.

ACDC and other proposed an additional objective be inserted *"To ensure signs associated with growth areas have regard to the local character, cumulative impact of signs and recognise their temporary nature for the purposes of land sales"*. Council did not support this addition in the Final Day Guidelines.

Strategy 1 and Strategy 2

Strategy 1, as exhibited, was *"Encourage signage management plans for new estates or where there are multiple tenancies operating on a single site"*.

Strategy 1 and Strategy 2 were opposed by various submitters. Council deleted Strategy 1 in the Day 1 Guidelines.

Mr Marsden's evidence was:

- most new estates will have an element of branding and the Issues and Options Paper does not identify branding as an issue for growth areas
- Strategy 1 and Strategy 2 should be replaced with *"Ensure a proliferation of signs does not occur that results in visual clutter and detracts from the local environment"*.

Mr Bromhead's evidence was:

- it is appropriate for new estates to use branding
- restrictions on branding may sometimes be needed where there are visual qualities warranting protection, such as significant heritage buildings
- branding contributes to an integrated precinct 'feeling'
- a precinct-based approach to growth area signs is preferable
- it would be undesirable for there to be excessive visual clutter caused by a high number of signs near one another.

Mr Bromhead recommended Strategy 1 and Strategy 2 be replaced with *"Encourage a precinct or whole-of-estate approach to subdivision and new estate signage, ensuring that signs avoid visual clutter"*.

Council and DFC supported Mr Bromhead's recommendation, although Council preferred use of 'ensure' rather than 'encourage'.

ACDC and others proposes the strategies be consolidated as *"Ensure that signs promoting new estates are appropriately managed"*.

Guideline 1

Various submitters opposed Guideline 1.

Mr Marsden noted Guideline 1 is inconsistent with Guideline 4. He recommended Guideline 1 be deleted and Guideline 4 expanded as:

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:

- Estate frontages exceed a length of 150m, and

- A 150m separation is provided between signs, and
- A maximum of 4 in total.

Mr Bromhead considered Guideline 1 does not account for the variations in road frontage length that are typical in greenfield areas, and it is preferable that guidance specify a minimum separation rather than an arbitrary limit. He recommended the guideline be revised to *“Subdivision and new estate promotion signs along the same road frontage should be spaced at least 150 metres apart”*.

DFC submitted there is no strategic support in either the Issues Paper or the 2022 Guidelines for limiting onsite signs to 4 signs. This would limit signs commonly displayed in new estates, such as banners. On this basis, DFC submitted Mr Bromhead’s drafting should be preferred. Further, DFC submitted the drafting of this guideline could be further refined in light of the proposed definition of estate promotion signs.

ACDC and others suggested the guideline be expressed as:

Consideration should be given to whether subdivision and new estate promotion signs on the same estate should be limited to a maximum of one per road frontage. For example it may be acceptable that more than one sign will be permitted where:

- Estate frontages exceed a length of 150 metres, and
- A 150 metre separation is provided between signs.

Council supported Mr Marsden’s drafting with the exception of the 4 sign maximum.

Guideline 2

Council’s Day 1 Guidelines (and Final Day Guidelines) increased the maximum distance between an off site sign and an estate from 1.6 to 3 kilometres.

Mr Bromhead considered Guideline 2 is unnecessary because there is no planning reason to specify the distance between a promotion sign and a growth area. If Guideline 2 is retained, it is preferable that it set a distance of 5 kilometres, consistent with the Melton and Hume Planning Schemes.

While accepting Council’s Day 1 change as an *“improvement”*, DFC submitted there was no proper strategic basis for guideline. If it is found there is a strategic basis for the guideline, Mr Bromhead’s drafting is preferred.

ACDC and others proposed Guideline 2 be deleted.

Guideline 3

Various submitters opposed Guideline 3.

Mr Marsden considered the proposal to allow up to 4 off site signs spaced 250 metres apart in Guideline 3 is reasonable.

Mr Bromhead considered Guideline 3 is generally consistent with policies that apply in Metropolitan growth areas, however, does not account for the large variation in the size of estate developments. He considered it appropriate to set a separation distance between off site promotion signs of 250 metres but not set a cap on the number of signs. Mr Bromhead recommended the Guideline 3 be amended as *“250 metres separation should be provided between all off site estate promotion signs”*.

DFC submitted there was no analysis in either the Issues Paper or 2022 Guidelines that might support a limit on off site estate promotion signs. DFC adopted Mr Bromhead’s recommendation

to delete the limit of 4 signs, noting a proliferation of off site signs is addressed by Clause 52.05 which calls into question the cumulative impact of signs.

ACDC and others proposed Guideline 3 be revised as *“Consider whether 250 metre separation can be provided between all off site estate promotional signs”*.

Council’s Final Day Guidelines proposed to revise Guideline 3 as *“Consider whether 250 metre separation can be provided between all off site estate promotional signs and a maximum of 4 in total”*.

Guideline 4

Various submitters opposed Guideline 4.

Mr Marsden’s evidence is summarised under Guideline 1.

Mr Bromhead considered Guideline 4 to be overly restrictive in a growth area setting. He considered it appropriate to set a separation distance of 150 metres between on site promotion signs, but not set a cap on the total number of signs.

Guideline 5

Various submitters opposed Guideline 5.

Mr Marsden considered the height and size of signs in Guideline 5 is less than other growth areas but reasonable given the allowance of up to 4 signs. In cross examination Mr Marsden agreed:

- a growth area can have varying degrees of sensitivity, depending on (amongst other things) landscape features
- the decision guidelines of Clause 52.05 address the sensitivity of an area, including the natural environment.

Mr Bromhead’s evidence was:

- Guideline 5 is inconsistent with Clause 52.05 which allows a sign with a display area of up to 8 square metres to be developed without a permit
- it does not make sense for Guideline 5 to limit the size of a promotion sign in a growth area which capable of accommodating large signs without negatively impacting on character or impeding a significant view
- if Guideline 5 is retained, it is preferable it adopts a similar approach to the Wyndham Planning Scheme which sets a limit of 25 square metres.

DFC submitted the guideline should be deleted consistent with Mr Bromhead’s evidence. ACDC and others also proposed Guideline 5 be deleted.

Guideline 6

Mr Bromhead’s evidence was:

- Guideline 6 is not appropriate because estate promotion signs are typically required for a period of up to 10 years
- Guideline 6 creates confusion with Clause 52.05-9 which guides the expiry date for major promotion signs
- if Guideline 6 is retained, it should be modelled on the Cardinia Planning Scheme, which acknowledges the need for estate signs for the duration of an estate development.

ADCD submitted Council’s proposal to allocate an expiry date *“of up to 5 years from the date of issue of the permit, unless Clause 52.05 specifies otherwise”* implies there should be a preference

for expiry provisions to provide for a 5 year period. They submitted there is no justification for the additional administrative burden that arises from the imposition of a five year time limit for these signs, particularly in growth areas where development of estates occurs over multiple decades.

DFC opposed any attempt to address the expiry of permits that allow signs, and submitted:

- there is no strategic basis for a limit
- the question of expiry is most appropriately dealt with by specific permits and not broad reaching statements of policy.

Council provided an example of a standard condition for the expiry of signs in the growth area (Document 15a). This provides:

Unless otherwise extended in writing by the Responsible Authority, this permit, as it relates to signage expires 5 years from the date of issue, or 7 days after the last lot is sold whichever is the earlier, at which time the signage and all supporting structures must be removed and the site made good to the satisfaction of the Responsible Authority.

DFC submitted this example *“helpfully connects the life of a signage permit to the sale of the last lot in the subdivision”*. To the extent that it is considered necessary for the 2022 Guidelines to address expiry, they should adopt a similar approach to this standard permit condition.

In closing, Council submitted there are examples of signs in Armstrong Creek with no obvious land estates for sale in the immediate area. There can be a tendency for signs to remain for some years after lots on adjoining land are sold. This demonstrates the need to encourage time limits on permits for signs in growth areas.

Guideline 7

Submitters stated blanket bans on trailer mounted signs or movable signage associated with land sales impede the promotion of large-scale master-planned estates.

ACDC and others proposed Guideline 7 be deleted. Council’s Final Day Guidelines retained the guideline as exhibited.

(iv) Discussion

Preamble

The Panel agrees the term ‘estate promotion sign’ should be defined in the preamble to the Growth Areas Guidelines to ensure the meaning of objectives, strategies and policy guidelines can be unambiguous.

In addition, the Panel recommends the term ‘estate’ is defined in the preamble. This term should capture the various place descriptions used in strategies and guidelines, including *“new development”, “precinct”, “subdivision”* and *“new estate”*.

Objectives

The Panel agrees in principle that Mr Bromhead’s drafting of Objective 1 is better linked with the issue of sign clutter discussed in the Issues Paper. However, the objective agreed by Council and other parties essentially duplicates one of the purposes of Clause 52.05 *“To ensure signs do not contribute to excessive visual clutter or visual disorder”*. On this basis the objective should be deleted.

Strategy 1 and Strategy 2

The Panel supports Mr Bromhead’s drafting Strategy 1 and Strategy 2, with modification.

A strategy to “encourage” a whole of estate approach to signs is commensurate with the discretion available to a responsible authority. It is sufficient for the drafting to “*Encourage a whole of estate approach to signs*”. The purpose and outcome of this approach (to avoid visual clutter) does not need to be repeated in the strategy.

Guideline 1

Based on the Issues Paper and its observation of signs in growth areas, the Panel agrees it is appropriate for a policy guideline to provide direction on the appropriate spacing of onsite promotion signs. The Panel supports the spacing of signs 150 metres apart as proposed by Council and supported by the experts.

The Panel observes an ‘estate’ is generally a large unit with multiple road frontages exceeding 150 metres. For this reason, drafting of Guideline 1 should be simplified as “*Limiting onsite promotion signs to one sign per 150 metres of road frontage*”.

Guideline 2

The Panel agrees with Council that it is appropriate to provide a policy guideline to direct the acceptable separation of a promotion sign and a growth area. Based on Mr Bromhead’s reference examples, and the size of the Greater Geelong municipality, the Panel considers a 5 kilometre separation is appropriate. The Panel accepts there may be instances where a greater distance is appropriate, and this can be tested and assessed through a permit process.

Guideline 3

The Panel agrees with Council that it is appropriate to provide a policy guideline to direct the acceptable separation and number of off site promotion signs.

Guideline 4

Following the discussion of Guideline 1 above, the Panel supports a policy guideline direct the spacing of onsite signs at 150 metres apart.

Guideline 5

The Panel notes that most of the examples of growth area signs provided by Council (Appendix D) include promotion signs with an area greater than 8 square metres. The examples do not persuade the Panel that limiting the size of promotions signs in growth areas is necessary. On the contrary, growth areas have many attributes that lend themselves to larger signs, particularly:

- their size
- lack of sensitive interfaces, particularly in early phases of development
- their transitional condition and appearance.

Guideline 5 should be deleted.

Guideline 6

The Panel agrees that it will often be necessary to set time limits on the display of promotion signs in growth areas. The Panel supports the approach recommended by DFC to require the removal of signs after the completion of land sales. The preferred drafting is “[*Consider as relevant:*] *Limiting the display of promotion signs for 5 years or until the last lot is sold, whichever is the earlier*”.

Guideline 7

Moveable and trailer mounted signs can be responsive to the dynamic nature of growth areas under development. Based on the examples put to it, the Panel is not persuaded the structure of a sign determines its acceptability in its host location. Moreover, there is only a single reference to trailer mounted signs in the Issues Paper, which simply identifies “*use of trailer mounted signs*” as an issue, with no analysis of the harm that results from a moveable rather than fixed sign.

Guideline 7 should be deleted.

(v) Conclusions and recommendation

The Panel concludes the guidelines for growth areas are appropriate, subject to:

- defining the terms ‘estate’ and ‘estate promotion sign’
- deleting the objective because it duplicates the purposes of Clause 52.05
- combining Strategy 1 and Strategy 2 to encourage a whole of estate approach to signs
- revising Guideline 2 to nominate 5 kilometres separation between an off site promotion sign and an estate
- deleting Guideline 5 to recognise promotions signs larger than 8 square metres may be appropriate in growth areas
- deleting Guideline 7 because the harm resulting from moveable rather than fixed signs has not been substantiated.

The Panel recommends:

Amend Section 11 ‘Growth Areas’ of the ‘Greater Geelong Advertising Sign Guidelines, 2022’ as shown in the Panel preferred version at Appendix F:6.

6 Type guidelines

6.1 Major promotion signs

(i) Background

A major promotion sign is a sign with “an area of 18 square metres or greater that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited”.

Table 12 provides the Day 1 Guidelines with Final Day Guidelines shown as track changes.

Table 12 Major promotion sign guidelines

Objectives

To ensure major promotion signs respect the scale and form of their built form and landscape context.

~~To discourage major promotion signs in inappropriate locations.~~ To ensure major promotion signs are located in appropriate locations.

To ~~avoid major promotion signs that adversely affect~~ ensure major promotion signs are sensitive to the character, amenity and functionality of a site or area.

To avoid major promotion signs that dominate the surrounding area.

Strategies

1. Encourage the provision of architectural interest in the design of major promotion signs.
2. Ensure major promotion signs are ~~not located in, overshadow~~ designed to avoid unreasonable overshadowing or result in loss of amenity to usable areas of the host site or adjoining land.
3. Ensure major promotion signs are spaced at a sufficient distance apart in order to avoid visual clutter.
4. Avoid major promotion signs that dominate buildings and uses on the host site and adjoining land.
5. Avoid locating major promotion signs in land near sensitive interfaces including river corridors, passive open space and residential areas, particularly where it will form part of the skyline when viewed from these areas.
6. ~~Strongly~~ Discourage major promotion signs outside Central Geelong, Highway Oriented Commercial Areas and Industrial Areas.

Policy Guidelines

1. Major promotion signs should be spaced at least 1 kilometre from any other major promotion sign on the same road.
- ~~2. Ensure major promotion signs stay relevant and well maintained, by allocating an expiry date to permits of up to 10 years from the date of issue of the permit.~~
3. Discourage major promotion signs that would restrict the development of a site or conflict with an identified strategic development objective.
4. Avoid ‘pop out’ elements.
5. Avoid more than one major promotion sign at any intersection.
6. Major promotion signs displayed on walls of a building should not cover more than:
 - 20 per cent of an elevation less than 100 square metres; or
 - 20 square metres of an elevation between 100 – 200 square metres.

(ii) The issue

The issue is whether the guidelines for major promotional signs are appropriate.

(iii) Evidence and submissions**General**

Council explained:

- major promotion signs are considered non-compliant with Guideline 5 of the Growth Area Guidelines (*The height or width of a promotion sign should not exceed 6 metres and the total advertisement area should not exceed 8 square metres*)
- assessment of a major promotion sign in a growth area requires a balanced and flexible approach
- the 2022 Guidelines are designed to provide a framework for assessment of planning permits, not a rigid, inflexible set of regulations
- a major promotion sign in a growth area should endeavour to meet the guidelines for growth areas and major promotion signs and where that is not feasible, there is discretion in the assessment to make a balanced decision.

Council provided examples of signs that comply with proposed guidelines for major promotion signs, as shown in Figures 2 to 4.

Figure 2 69-93 Hams Road, Waurn Ponds



Source: Panel

Status of the site

Zone: General Residential Zone Schedule 1

- ✓ does not restrict development or conflict with strategic development objectives
- ✓ no pop out elements
- ✗ does not comply with Growth Area Guideline 5

Figure 3 421-423 Barwon Heads Road, Charlemont



Source: Panel

Status of the site

Zone: Urban Growth Zone Schedule 1

- ✓ does not restrict development or conflict with strategic development objectives
- ✓ no pop out elements
- ✗ does not comply with Growth Area Guideline 5

Figure 4 2101-2111 Warraililly Boulevard, Mount Duneed

Source: Document 5

Status of the site

Zone: Urban Growth Zone Schedule 2

- ✓ does not restrict development or conflict with strategic development objectives
- ✓ no pop out elements
- ✓ only major promotion sign at intersection
- ✗ does not comply with Growth Area Guideline 5

Council referred to key principles for the assessment of major promotion signs referred to by VCAT in *IOM Pty Ltd v Knox CC [2013] VCAT 1556 (5 September 2013)*. These are:

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*).

Council submitted:

- a local policy seeking to provide a framework for assessment of a major promotion sign is not inherently biased
- it is reasonable to provide guidance for signs proposed in prominent locations where there are competing values, for example protection of the environment and tourism
- local policy will guide assessment in locations where there is visual amenity considerations
- Greater Geelong is undergoing significant change to its urban and rural landscapes, requiring consideration to be given to future contexts.

Mr Marsden gave evidence that all guidelines are discretionary not mandatory, and a permit could be sought to exceed the guidelines.

Strategy 6

Mr Bromhead considered Strategy 6 is not required given other strategies and guidelines generally seek to ensure major promotion signs are site responsive and do not detract from significant view lines. He recommended the strategy be deleted. ACDC supported Mr Bromhead's recommendation.

Council proposed the strategy be amended from “*Strongly discourage*” to “*discourage*”.

Guideline 1

Various submitters opposed Guideline 1. Council did not propose any changes to the exhibited provision.

Mr Marsden noted Guideline 1 discourages the proliferation of major promotion signs, and considered it is reasonable to set a guideline requiring signs to be spaced 1 kilometre apart.

ACDC and others submitted Guideline 1 should be deleted. Having regard to the VCAT commentary in *Total Outdoor Media Pty Ltd v Greater Dandenong City Council (P2/2014)*, they considered it more appropriate to adopt a performance measure that relates to the 'visual separation' of signs, rather than any nominal physical distance.

Guideline 2

Various submitters opposed Guideline 2 and submitted the proposed time limit is impractical, out of touch with modern planning practices and fetters the responsible authority's discretion.

Mr Marsden's evidence was the proposed 5 year expiry in Guideline 2 is contrary to the Clause 52.05-9 which sets a minimum expiry of 10 years, and a local provision should not be drafted to contradict a State provision. He recommended Guideline 2 be deleted.

Mr Bromhead's recommended Guideline 2 be deleted. In his opinion:

- Guideline 2 is not required because Clause 52.05 comprehensively deals with the potential impacts of major promotion signs
- the role of this policy is to guide the exercise of discretion rather than to prescribe a specific outcome, and it is inappropriate for Guideline 2 to specify a maximum timeframe of 10 years
- the content of signs is not controlled by the Planning Scheme.

Council agreed to delete the guideline.

Guideline 5

Various submitters opposed Guideline 5. The Property Council submitted there are situations in which having multiple major promotion signs at an intersection can be deemed acceptable based on planning and design considerations.

Mr Marsden considered Guideline 5 is consistent with the objective to avoid major promotions signs dominating an area.

Guideline 6

DFC opposed Guideline 6.

(iv) Discussion

General

In the Panel's view, Council has overstated the challenges presented by land use changes occurring across Greater Geelong. Even if the Panel did accept in principle that Greater Geelong was 'special' this is not reflected in the objectives and strategies prepared for major promotion signs, which are generic considerations equally applicable in metropolitan Melbourne or rural and regional Victoria.

Strategy 6

The Panel agrees with Mr Bromhead that Strategy 6 should be deleted. Discouraging all major promotion signs outside Central Geelong, highway orientated commercial areas and industrial areas is a coarse approach that is not justified by the material supporting the Amendment. Whether a promotion sign is appropriate in a pedestrian orientated commercial area, or any other area, is dependent on context. The decision guidelines in Clause 52.09-5 address the considerations relevant to an assessment.

Guideline 1

Based on the examples provided by Council, particularly in growth areas, the Panel is satisfied that a policy guideline to space major promotion signs 1 kilometre apart is appropriate. The Panel’s preferred drafting is “[Consider as relevant]: Providing a minimum 1 kilometre separation between major promotion signs on the same road”.

Guideline 2

The Panel supports deletion of Guideline 2 as proposed by Council and supported by other submitters. The guideline duplicates the purpose and function of Clause 52.05-9.

Guideline 5

Based on the examples provided by Council, the Panel is satisfied that a policy guideline to limit major promotion signs at intersections is appropriate. That said, the Panel agrees with the Property Council that there will be situations where more than one major promotion sign will be acceptable at an intersection. This can be tested through a permit application process.

Guideline 6

The 2022 Guidelines provide graphics showing appropriate and inappropriate signs in pedestrian and highway orientated commercial areas. Figures Figure 5 and Figure 6 appear to provide graphic representations of major promotion signs exceeding 20 per cent of the wall area, as discouraged by Guideline 6.

Figure 5 Inappropriate sign locations in pedestrian orientated commercial areas



Source: 2022 Guidelines, page 17

Figure 6 Inappropriate sign locations in highway orientated commercial areas

Source: 2022 Guidelines, page 19

The examples demonstrate the relationship of the size of a sign and its host location. However, the Panel is not satisfied Guideline 6 provides any value, given:

- the first guideline (major promotion signs should not cover more than 20 per cent of an elevation less than 100 square metres) would effectively prohibit signs achieving the necessary area to qualify as a major promotion sign (18 square metres) other than for a wall greater than 90 square metres
- the second guideline (major promotion signs should cover no more than 20 square metres of an elevation between 100-200 square metres) suggests smaller signs are more appropriate on larger walls, when the opposite is likely to be equally appropriate.

Based on the graphics in Figure 5 Figure 6, an appropriate alternative could be:

Limiting major promotion signs on walls to:

- 20 per cent the wall area
- A maximum area of [to be specified] square metres.

This would require testing of the size of the sign against the wall area, to determine the maximum size of an acceptable sign, noting it would be a policy guideline only and not a requirement.

(v) Conclusion and recommendation

The Panel concludes guidelines for major promotion signs are appropriate, subject to deleting Strategy 6, Guideline 2 and revising Guidelines 1 and 6.

The Panel recommends:

Amend Section 12 ‘Major Promotion Signs’ of the ‘Greater Geelong Advertising Sign Guidelines, 2022’ as shown in the Panel preferred version at Appendix F:7.

6.2 Electronic signs

(i) Background

Clause 73.02 (Sign terms) defines an electronic sign as a “*sign that can be updated electronically and includes screens broadcasting still or moving images*”.

Table 13 provides the Day 1 Guidelines with Final Day Guidelines shown as track changes.

Table 13 Electronic sign guidelines

Objectives

To encourage electronic signs in appropriate locations that add vitality and light to a commercial or industrial area.

To avoid electronic signs that **adversely unreasonably** affect the amenity of a site or area.

To avoid electronic signs that may have an adverse effect on road safety.

Strategies

Policy Guidelines

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> 1. Avoid electronic and animated signs that will result in unreasonable light spill, glare, disturbance, intrusion or other detrimental effects on the amenity of surrounding rural or residential areas or public open space. 2. Strongly discourage animated signs (including digital media, holographic, 3D and projections) and audio associated with signage, unless consistent with an adopted place-based advertising strategy to provide activation to a public place. 3. Prioritise road and rail safety when considering and assessing applications for electronic signs. | <ol style="list-style-type: none"> 1. Control electronic signs to have appropriate levels of illumination responsive to sunlight, weather conditions and time of day. 2. Limit the number of electronic signs to one per premises. 3. Discourage electronic signs that face a residential area, passive open space or other sensitive interfaces. 4. Avoid electronic signs in locations where it cannot be demonstrated the risk to road users is low does not meet relevant criteria. 5. Avoid variable messaging boards in all locations, unless where required to provide notice of an essential public service of a government department, public authority or municipal council, such as fire protection activities. 6. Avoid electronic signs which: <ul style="list-style-type: none"> • have flickering or flashing content or blank screens, including between messages • use multiple screens to advertise the same product or service. • will dominate neighbouring non-illuminated signs • detract from the architectural style or the heritage character of the building • have pop out elements • have flickering or flashing content or blank screens, including between messages • result in glare or include visually obtrusive light fixtures • use multiple screens to advertise the same product • have exposed cabling/conduit systems and junction boxes. |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

(ii) The issue

The issue is whether the guidelines for electronic signs are appropriate.

(iii) Evidence and submissions

General

ACDC and others submitted the guidelines for electronic signs were misguided. Under Clause 52.05, the only way electronic or animated signs are treated differently to other signs is by Clause 52.05-3 (Referral of applications) which relates to traffic safety. ACDC saw little benefit in Council encroaching into assessment of traffic safety (as prescribed by the policy) when this is best dealt with by the road authority (as established by Clause 52.05-3). Further, in terms of aesthetic considerations, the provisions of Clause 52.05-8 are thorough and adequately deal with amenity and design considerations. On this basis there is no need for a separate section in the Sign Guidelines for electronic or animated signs.

Strategy 2

ACDC and others proposed Strategy 2 be deleted. Council did not accept this change in the Final Day Guidelines.

Strategy 3

In response to submissions from VicTrack on rail safety, Mr Marsden recommended Strategy 3 be amended to *“Prioritise road and rail safety when considering and assessing applications for electronic signs”*. Council supported this change.

Guideline 2

ACDC and others proposed Strategy 2 be deleted. Council did not accept this change in the Final Day Guidelines.

Guideline 4

Various submitters opposed Guideline 4.

Mr Marsden’s evidence was:

- the purpose of this Guideline 4 is appropriate and is generally consistent with the Decision guidelines in Clause 52.05-8 that seek to ensure signs are not a safety hazard
- the wording of Guideline 4 should be amended to *“Avoid electronic signs in locations where it is demonstrated that the safety risk to road users does not meet relevant criteria”*.

Guideline 5

ACDC and others proposed Guideline 5 be deleted. Council did not accept this change in the Final Day Guidelines.

Guideline 6

ACDC and others proposed Guideline 6 be revised as *“Consider whether electronic signs will have an unreasonable detrimental impact on traffic safety”*. Council did not accept this change in the Final Day Guidelines.

(iv) Discussion**General**

The Panel must consider whether locally specific policy guidance is required for electronic signs in response to local issues. The Issues Paper notes several opportunities and concerns with electronic signs in Greater Geelong, notably:

- the 1997 Guidelines do not address electronic signs or new forms of digital technology
- electronic signs can add vitality to Central Geelong
- electronic and illuminated sign can dominate pedestrian orientated commercial centres
- illuminated, electronic and animated signs may have an intrusive impact on open space
- Illuminated and electronic signs can be particularly intrusive in residential areas and can result in light spill and glare on nearby dwellings.

The objectives of the Final Day Guidelines are broadly responsive to these issues and opportunities, however they duplicate many of the objectives of Clause 52.05. The local objectives require review to ensure this duplication is eliminated.

The contested strategies and policy guidelines are discussed below. The Panel's general drafting recommendations in Chapter 3 apply to the strategies and policy guidelines not specifically discussed.

Strategy 2

Strategy 2 recognises the positive contribution animated signs may have on activating public places, although is expressed in the negative. The Panel considers the drafting should be refined as *"Encourage animated signs (including digital media, holographic, 3D and projections) to activate public places"*. The Panel considers that it is inappropriate to refer to non-specific *"adopted place-based advertising strategy"* that has no weight in the Planning Scheme.

The Panel notes:

- animated and electronic signs are separately defined terms in Clause 73.02
- Section 13 of the 2022 Guidelines only apply to electronic signs defined in the Planning Scheme, and not animated signs
- the scope of Section 13 should be broadened to include animated signs.

Strategy 3

The Panel agrees that Strategy 3 should be expanded to address both road and rail safety. Mr Marsden's recommended drafting requires refinement to meeting drafting guidance. The Panel's preferred drafting is *"Ensure electronic signs prioritise road and rail safety"*.

Guideline 2

The Panel agrees that limiting electronic signs to one per premises may contribute to policy objectives aimed at reducing visual clutter and visual disorder. The Panel's preferred drafting is *"[Consider as relevant]: Limiting electronic signs to one per premises"*.

Guideline 4

Setting aside that Guideline 4 is not properly constructed as a policy guideline, the Panel considers the policy intent replicates the provisions of Clause 52.05 and is unnecessary.

Guideline 5

Guideline 5 “*Avoid variable messaging boards*” is too broad to be of assistance to a decision maker and does not meet drafting requirements for a decision guideline. Furthermore, variable messaging boards for public service announcements largely benefit from exemptions under Clause 52.05-10 and do not need to be listed as an exception in the proposed guideline.

Guideline 6

The Panel disagrees in principle with ACDC and others that Guideline 6 should be confined to traffic safety matters alone. Assessment of electronic signs takes into account a broader range of issues than road safety.

Turning to the substance of Guideline 6, the Panel observes considerable repetition with the general guidelines and decision guidelines of Clause 52.05. For example:

- “*detract from the architectural style or the heritage character of the building*” replicates a strategy under general guidelines
- the impact of flickering or flashing content is addressed in Clause 52.05-8
- the impact of illumination is addressed in Clause 52.05-8.

The remaining considerations are insufficiently directive to qualify as policy guidelines and should also be deleted.

(v) Conclusions and recommendation

The Panel concludes guidelines for electronic signs are appropriate, subject to:

- Extending the guidelines to animated signs.
- Broadening Strategy 3 to apply to rail safety.
- Deleting Guidelines 4, 5 and 6.

The Panel recommends:

Amend Section 13 ‘Electronic Signs’ of the ‘Greater Geelong Advertising Sign Guidelines, 2022’ as shown in the Panel preferred version at Appendix F:8.

Appendix A Document list

No.	Date	Description	Provided by
1	19 Sep 23	Panel Directions and Hearing Timetable (version 1)	Planning Panels Victoria (PPV)
2	21 Sep 23	Peer Review of Greater Geelong's Advertising Sign Issues and Options Paper and Draft Guidelines, Transect Planning	Council
3	21 Sep 23	Summary of submissions and officer response	Council
4	21 Sep 23	Advertising Guide Guidelines Panel Version 25 September 2023 (Parts 1, 2 and 3)	Council
5	2 Oct 23	Part A Submission	Council
6	2 Oct 23	Mark Marsden Witness Statement with attachments: a) instructions b) peer review c) curriculum vitae d) response to submissions e1) Cardinia Signage Design Guidelines, February 2020 e2) Casey Advertising Signs Design Guide, September 2021 e3) Melton Clause 15.01-1L-04 e4) Hume Clause 15.01-1L-05 e5) Whittlesea Clause 15.01-1L e6) Wyndham Clause 15.01-1L-02 f) Images	Council
7	9 Oct 23	William Bromhead Witness Statement	DFC
8	10 Oct 23	Site inspection list	Council
9	10 Oct 23	Site inspection list	ACDC and others
10	14 Oct 23	Part B Submission a) Advertising Sign Guidelines with marked changes 14 Oct 23	Council
11	16 Oct 23	Mark Marsden response to expert evidence and proposed changes by Council	Council
12	16 Oct 23	a) E. Koroneos & Sons Pty Ltd v Greater Geelong CC [2022] VCAT 1093 b) Glossop Town Planning Pty Ltd v Melbourne CC [2009] VCAT 2548 c) IOM Pty Ltd v Knox CC [2013] VCAT 1556 d) Joystic Pty Ltd v Greater Geelong CC [2022] VCAT 276 e) Kings Funeral Services Pty Ltd v Greater Geelong CC (Red Dot) [2008] VCAT 487	Council
13	16 Oct 23	Submissions with attachments:	ACDC and others

No.	Date	Description	Provided by
		<ul style="list-style-type: none"> a) Becton Corporation Pty Ltd v Melbourne CC [2007] VCAT 631 b) Fernglen Pty Ltd v Hobsons Bay CC (1997/38562) c) Fivex Pty Ltd v Melbourne CC (Red Dot) [2019] VCAT 138 d) Glossop Town Planning Pty Ltd v Melbourne CC [2009] VCAT 2548 e) IOM Pty Ltd v Knox CC & Ors [2012] VCAT 1447 f) iOM Pty Ltd v Knox CC [2014] VCAT 1315 g) Kings Funeral Services Pty Ltd v Greater Geelong CC (Red Dot) [2008] VCAT 487 h) LCM Calvary Health Care Holdings Ltd v Glen Eira CC (Red Dot) [2018] VCAT 655 i) Lighting Impact Assessment Digital Signage at Unit 1 & 2, 302 Macaulay Rd, North Melbourne, Victoria j) P3 2014 Total Outdoor Media Pty Ltd v Greater Dandenong CC (vd am 160514) k) Planning Practice Note: Writing a Local Planning Policy, 8 June 2015 l) Victorian Planning Report Editorial Comment, April 2017, PPV Volume 4 Number 8, Planning Practice Note 59: Need for an update and more consistent approach m) Practitioner's Guide to Victoria's Planning Schemes Version 1.5 April 2022 n) RW and MM Anderson Nominees Pty Ltd v Greater Geelong CC [2016] VCAT 1904 o) SMA Projects v Port Phillip City Council (1999) 2 VPR 270 	
14	16 Oct 23	Submissions	DFC
15	17 Oct 23	<ul style="list-style-type: none"> a) Planning Permit PP-74-2023 361-363 Torquay Road, Mount Duneed b) Planning Permit PP-1293-2015A 32 LaTrobe Boulevard, South Geelong 	Council
16	17 Oct 23	Mondib Group Pty Ltd v Coral Rise Pty Ltd [2023] VSCA 237	DFC
17	17 Oct 23	Part C Submission	Council
18	17 Oct 23	Modernising sign requirements, Discussion paper August 2023	ACDC and others
19	17 Oct 23	Panel Further Directions	PPV
20	19 Oct 23	Response to Further Directions with attachment: <ul style="list-style-type: none"> a) Advertising Sign Guidelines Final Panel Version 	Council
21	27 Oct 23	Supplementary submissions with attachment: <ul style="list-style-type: none"> a) Annexure A marked changes to Advertising Sign Guidelines Final Panel Version 	DFC

No.	Date	Description	Provided by
22	27 Oct 23	Supplementary submissions – marked changes to Advertising Sign Guidelines Final Panel Version	ACDC and others
23	2 Nov 23	Final Position submissions with attachments: a) Advertising Sign Guidelines (Text Only) Council response to Norton Rose Fulbright comments 2 November 2023 b) Advertising Sign Guidelines (Text Only) Council final post-hearing version 2 November 2023	Council

Appendix B Application of sign categories

Category	Application
Category 1 Commercial areas - Pedestrian orientated commercial areas	Commercial 1 Zone (excluding areas listed in Highway Orientated Commercial Areas).
	Activity Centre Zone (excluding Precinct 3 – Geelong Waterfront).
	All land in the Commercial 1 or 2 Zone and Design and Development Overlay Schedule 26 (West Fyans Precinct Structure Plan) South Geelong and Newtown.
	All land in a commercial zone on Pakington Street (between Church Street and Spring Street) and Gordon Avenue (between Pakington Street and Latrobe Terrace), Geelong West.
Category 1 Commercial areas - Highway orientated commercial areas	Commercial 2 Zone: <ul style="list-style-type: none"> - All lots in the area along Moorabool Street between Fyans Street and Carr Street, South Geelong. - All land that is in both the Commercial 2 Zone and Design and Development Overlay Schedule 39 (Grubb Road Activity Centre and Restricted Retail Precinct), Ocean Grove.
	Urban Growth Zone: <ul style="list-style-type: none"> - All Category 1 precincts, unless specified as a Highway Orientated Commercial Area in the zone schedule or precinct structure plan.
	Commercial 2 Zone (excluding areas listed in Pedestrian Orientated Commercial Areas).
Category 1 Commercial areas - Highway orientated commercial areas	Commercial 1 Zone activity centres as follows (shown in Appendix 1): <ul style="list-style-type: none"> - Waurn Ponds, Pioneer Rd, Grovedale (Waurn Ponds Plaza and 245-253 South Valley Road, Highton) - Corio Village, Bacchus Marsh Rd, Corio - Leopold Gateway Plaza, Bellarine Hwy, Leopold - Barrabool Hills, Provence Boulevard, Highton - Bell Post, Anakie Road, Norlane - Bellarine Village, Bellarine Highway, Newcomb - Grovedale Central, Heyers Road, Grovedale - Marketplace, Shell Road, Ocean Grove - Newcomb Central, Bellarine Highway, Newcomb - Surf Coast Highway, Grovedale (142 – 158 Torquay Road).
	Industrial Zone
	Port Zone
	Special Use Zone as nominated
	Urban Growth Zone
	Public Park and Recreation Zone (the sports stadium at Kardinia Park)

Category	Application
Category 3 – High amenity areas	Residential Zones
	Rural Living Zone
	Mixed Use Zone
	Special Use and Comprehensive Development Zones, other than those in which the schedule to the zone specifies a different category
	Activity Centre Zone Precinct 3 (Geelong Waterfront)
	Urban Growth Zone Schedule 5, Armstrong Creek Town Centre Precinct 5
	Ocean Grove Park (Public Park and Recreation Zone)
Category 4 – Sensitive areas	Rural Zones
	Public Land Zones
	Urban Floodway Zone
	Special Use Zone Schedules 1, 5 and 13
Interface areas	Proposals for signs on land within a Category 1 or 2 area, which are adjoining or opposite land in a Category 3 or 4 area
Central Geelong	All land within the Activity Centre Zone Schedule 1 and its precincts and Design and Development Overlay (Schedules 17 and 46)
Heritage places	Places where the Heritage Overlay applies
PAD sites	Freestanding service stations, retail premises, freeway service centres, medical centres and veterinary centres
Growth areas	Greenfield and large infill development areas, generally included in the Urban Growth Zone, Development Plan Overlay, Design and Development Overlay
Major promotion signs	Major promotional signs as defined in the planning scheme.
Electronic signs	Electronic signs as defined in the planning scheme

Appendix C Planning context

C:1 Planning policy framework

Council submitted that the Amendment is supported by various clauses in the Planning Policy Framework, which the Panel has summarised below.

Victorian planning objectives

The Amendment will assist in implementing State policy objectives set out in section 4 of the *Planning and Environment Act 1987* by:

- encouraging the display of signs and its economic benefits in a manner that is fair, orderly and sustainable
- ensuring the display of signs does not compromise pleasant and efficient working, living and recreational environments
- ensuring signs are respectful of heritage places.

Clause 2 (Municipal Planning Strategy)

The Amendment supports Clause 02.03-5 (Built environment and sustainability) particularly the following strategic directions:

- Ensure that development enhances Geelong's sense of place and identity.
- Encourage all development to provide high quality urban design and landscaping.

Planning Policy Framework

The Amendment supports the objectives and strategies of Clause 11.03-1L (Activity Centres in Greater Geelong), particularly:

- Ensure that retail use and development on land within the Residential Growth Zone:
 - Is designed and sited to operate without amenity impacts to neighbouring residents.

The Amendment supports the objectives and strategies of Clause 15.01-1S (Urban design), particularly:

- Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.
- Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.
- Ensure the interface between the private and public realm protects and enhances personal safety.
- Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.
- Promote good urban design along and abutting transport corridors.

The Amendment supports the objectives and strategies of Clause 15.01-6S (Design for rural areas), particularly:

- Ensure that the siting, scale and appearance of development protects and enhances rural character.
- Protect the visual amenity of valued rural landscapes and character areas along township approaches and sensitive tourist routes by ensuring new development is sympathetically located.
- Site and design development to minimise visual impacts on surrounding natural scenery and landscape features including ridgelines, hill tops, waterways, lakes and wetlands.

The Amendment supports the objectives and strategies of Clause 15.01-1L-02 (Pakington Street North urban design), particularly:

Discourage signs that dominate the building or streetscape and detract from the pedestrian environment.

The Amendment supports the objectives and strategies of Clause 18.01-1S (Land use and transport integration), particularly:

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.
- Providing buffer zones and resting places.

C:2 Planning scheme provisions

A common zone and overlay purpose is to implement the Municipal Planning Strategy and the Planning Policy Framework.

i) Urban Growth Zone

The purposes of the Urban Growth Zone are:

To manage the transition of non-urban land into urban land in accordance with a precinct structure plan.

To provide for a range of uses and the development of land generally in accordance with a precinct structure plan.

To contain urban use and development to areas identified for urban development in a precinct structure plan.

To provide for the continued non-urban use of the land until urban development in accordance with a precinct structure plan occurs.

To ensure that, before a precinct structure plan is applied, the use and development of land does not prejudice the future urban use and development of the land.

ii) Clause 52.05 Signs

The purposes of Clause 52.05 (Signs) are:

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.

C:3 Ministerial Directions, Planning Practice Notes and guides

Ministerial Directions and Planning Practice Notes

The Explanatory Report discusses how the Amendment meets the relevant requirements of Ministerial Direction 11 (Strategic Assessment of Amendments) and *Planning Practice Note 46: Strategic Assessment Guidelines*, September 2022 (PPN46). That discussion is not repeated here.

Practitioner's Guide

The Practitioner's Guide sets out key guidance to assist practitioners when preparing planning scheme provisions. The guidance seeks to ensure:

- the intended outcome is within scope of the objectives and power of the *Planning and Environment Act* and has a sound basis in strategic planning policy
- a provision is necessary and proportional to the intended outcome and applies the Victoria Planning Provisions in a proper manner
- a provision is clear, unambiguous and effective in achieving the intended outcome.

Appendix D Examples of growth area signs

Legend ✓ Complies with growth area guidelines ✗ Does not comply with growth area guidelines

Example 1 435 Horseshoe Bend Road, Armstrong Creek



Zone: Urban Growth Zone Schedule 2

- ✓ signs are within 1.6 kilometre of the development to which they relate.
- ✗ 2 signs per road frontage
- ✗ less than 150 metres between the signs
- ✗ total advertisement area exceeds 8 square metres
- ✗ trailer-mounted or moveable signage

Example 2 529-549 Horseshoe Bend Road, Armstrong Creek



Zone: Urban Growth Zone Schedule 2

- ✗ more than 1 sign per road frontage
- ✗ more than 4 signs
- ✗ total advertisement area exceeds 8 square metres

Example 3 Armstrong Creek



Zone: Urban Growth Zone Schedule 2

- ✗ more than 1 sign per road frontage
- ✗ less than 150 metres apart
- ✗ more than 4 signs
- ✗ total advertisement area exceeds 8 square metres
- ✗ trailer-mounted or moveable signage

Example 4 O'Hallorans and Patullos Roads, Lara



Zone: Urban Growth Zone Schedule 6

- ✗ excessive estate promotion signs that dominate the landscape
- ✗ signs provide little useful information to the public about the detail of the development
- ✗ poles signs contribute to visual clutter

Example 5 596 Horseshoe Bend Road, Armstrong Creek



- Zone: Urban Growth Zone Schedule 2
- × two identical major promotion signs
 - ✓ clear and legible text
 - ✓ display draws on the natural, muted colours of its surroundings, demonstrating the ways in which the needs of developers can be balanced.

Example 6 Horseshoe Bend Road, Armstrong Creek



- Zone: Urban Growth Zone Schedule 2
- × seven signs within 200 metres that contribute to visual clutter

Appendix E Panel preferred version of local policy

[Tracked Added](#)

~~Tracked Deleted~~

E:1 Clause 15.01-1L-03 Signs in urban environments

Policy application

This policy applies to all urban land in the municipality.

Objectives

To encourage signs to meet the objectives of the City of Greater Geelong Advertising Sign Guidelines (May 2022).

Strategies

Encourage signs to meet the strategies of the City of Greater Geelong Advertising Sign Guidelines (May 2022).

Policy guidelines

Consider as relevant:

- Policy guidelines of the City of Greater Geelong Advertising Sign Guidelines (May 2022).

Policy documents

Consider as relevant:

- City of Greater Geelong Advertising Sign Guidelines (May 2022).

E:2 Clause 15.01-6L Signs in rural areas

Policy application

This policy applies to all rural land in the municipality.

Objectives

To encourage signs to meet the objectives of the City of Greater Geelong Advertising Sign Guidelines (May 2022).

Strategies

Encourage signs to meet the strategies of the City of Greater Geelong Advertising Sign Guidelines (May 2022).

Policy guidelines

Consider as relevant:

- Policy guidelines of the City of Greater Geelong Advertising Sign Guidelines (May 2022).

Policy documents

Consider as relevant:

- City of Greater Geelong Advertising Sign Guidelines (May 2022).

Appendix F Panel preferred version of Sign Guidelines

F:1 Panel preferred version General Guidelines

Panel notes:

- changes are based on the Day 1 version of Advertising Sign Guidelines 2022 (Document 4)
- highlighted content subject to specific recommendations
- all other content should be reviewed in accordance with Panel threshold recommendations 2b, c, d, e and f (refer Executive Summary).

Objectives

To ensure signs respond to the natural setting and urban context in which they are located.

To ensure signs do not alter or obscure views to significant natural or built features.

To ensure signs do not dominate the streetscape, host site or building.

To ensure that signs do not interfere with movements and viewlines of pedestrians and cyclist movements and the safety of roads and railways.

Objective 5 deleted.

To facilitate the display of signs for businesses and community groups for identification and promotion where appropriate.

Strategies

1. Deleted
2. Encourage signs to be co-located and consolidated wherever possible, particularly where there is more than one tenancy.
3. Encourage signs that are integrated with and proportionate in height and scale to the host building, site and streetscape.
4. Manage the number and repetition of signs on a single lot and streetscape.
5. Avoid signs that dominate or obscure business identification signs within a site or the surrounding area.
6. Encourage signs to integrate with the architectural or landscape features of the host site or building.
7. Encourage signs that are sensitive to the movement, visibility, functionality and amenity of the public realm and infrastructure.

Policy Guidelines

1. Deleted
2. Deleted
3. New development should nominate consistent areas for the display of signage for each business tenancy.
4. Encourage the preparation of signage strategies for non-residential proposals with a large floor area or multiple tenancies.
5. Flat signs on building walls should relate to the architecture of the building in style and placement.
6. Encourage use of individual letters as an alternative to large, flat signs on building walls where appropriate.
7. Deleted
8. Deleted
9. Deleted
10. Encourage signage that retains existing trees and introduces new landscaping and vegetation.
11. Deleted
12. Reflective signs should be avoided.

F:2 Panel preferred version Pedestrian Orientated Commercial Area Guidelines

Panel notes:

- changes are based on the Day 1 version of Advertising Sign Guidelines 2022 (Document 4)
- highlighted content subject to specific recommendations
- all other content should be reviewed in accordance with Panel threshold recommendations 2b, c, d, e and f (refer Executive Summary).

Objectives

To ensure signs are subordinate and not intrusive to the built form and streetscape environment.

To protect visibility between the public realm and inside buildings.

To encourage a signage character that is consistent with a human scale built form and streetscape.

To maintain open and framed views to the sky from the public realm.

To avoid signs that compromise the architectural values of buildings and landscape.

Strategies

1. Ensure signs are of a size and height that maintain the built form and streetscape character.
2. Discourage any sign that would block a view from the public realm between buildings and to the sky.
3. Limit use of electronic signs.
4. Avoid signs that obscure visibility through building windows to and from the street.
5. Avoid freestanding signs, unless the building which it relates to on the site is set back from road more than 20 metres.

Policy Guidelines

Consider as relevant:

1. Encourage signs in the locations shown in Figure 1.
2. Discourage signs in the locations shown in Figure 2.
3. Signs should not exceed a maximum street wall or building height, or encroach an upper level setback, identified in a zone, overlay or schedule.
4. Signs should not project more than one metre from the building and not be lower than 2.7 metres above a pedestrian thoroughfare.
5. Limiting electronic signs to one sign per building.
6. Buildings should not be painted in corporate colours, which is regarded as signage.
7. Ground level and parapet are the preferred locations for small illuminated signs (particularly non-flashing, neon tubular art signs) and electronic signs, where appropriate.
8. Discourage signs that cover upper level windows or other openings of buildings.
9. Minimise signs on back or side walls of buildings, particularly at upper levels.
10. Limit total signage for premises with less than 5 metres street frontage to a maximum of 8 square metres.
11. Avoid sky signs, high wall signs and bunting signs.
12. Deleted

F:3 Panel preferred version Highway Orientated Commercial Area Guidelines

Panel notes:

- changes are based on the Day 1 version of Advertising Sign Guidelines 2022 (Document 4)
- highlighted content subject to specific recommendations
- all other content should be reviewed in accordance with Panel threshold recommendations 2b, c, d, e and f (refer Executive Summary).

Objectives

To ensure signage is subordinate to the built form and landscape context in which it is located.

To provide for the clear identification of premises.

To discourage signs that interfere with the functionality of a site.

To avoid signage that adversely affects the amenity of the host site and surrounding area.

Strategies

1. Deleted
2. Avoid oversized and excessive numbers of signs.
3. Avoid signs that interfere with pedestrian or vehicular thoroughfares or business entrances.
4. 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.

Policy Guidelines

1. Encourage signs in the locations shown in Figure 3.
2. Discourage signs in the locations shown in Figure 4.
3. Incorporate areas for the display of signage for each business tenancy within the building design.
4. Minimise the number of businesses identified on freestanding signs for multi-tenanted development.
5. 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 from road more than 20 metres.
6. Freestanding business identification signs should:
 - Be placed at a right (90 degree) angle to sensitive interfaces (such as open space and residential areas)
 - Not protrude over a dominant skyline, including buildings, structures and tree canopies, when viewed from the ground within 1 kilometre.
 - Be less than the height of the building to which it relates, excluding parapets, or 7 metres, whichever is lesser.
 - For sites with one street frontage, be restricted to one sign per premises.
 - For sites with more than one street frontage and the frontages are both greater than 150 metres long and each have access to a road, be limited to a total of two freestanding signs, with not more than one sign on each frontage.
 - Be spaced and set back from the street

consistently with the prevailing spacing and setbacks in the streetscape.

7. Avoid sky signs, high wall signs and bunting signs.

F:4 Panel preferred version Industrial Area Guidelines

Panel notes:

- changes are based on the Day 1 version of Advertising Sign Guidelines 2022 (Document 4)
- highlighted content subject to specific recommendations
- all other content should be reviewed in accordance with Panel threshold recommendations 2b, c, d, e and f (refer Executive Summary).

Objectives

To provide for the adequate identification of premises.

To ensure signage is subordinate to the built form and landscape context in which it is located.

To discourage signs that interfere with the functionality of a site.

Strategies

1. Ensure signs respect the built form and the landscape context, and are not the dominant feature.
2. Deleted
3. Incorporate areas for the display of signage for each business tenancy within the building design.
4. Limit freestanding signs.
5. Avoid signs that interfere with pedestrian or vehicular thoroughfares or business entrances.
6. Avoid signs that have an adverse effect on the safety, appearance and efficiency of a road.

Policy Guidelines

1. Encourage signs in the locations shown in Figure 5.
2. Discourage signs in the locations shown in Figure 6.
3. Deleted
4. Freestanding business identification signs should:
 - be placed at a right (90 degree) angle to sensitive interfaces (such as open space and residential areas).
 - not protrude over a dominant skyline, including buildings, structures and tree canopies, when viewed from the ground within 1 kilometre.
 - not exceed the dominant existing building height of an area.
 - for sites with one street frontage, be restricted to one sign per premises.
 - for sites with more than one street frontage and the frontages are both greater than 150 metres long and each have access to a road, be limited to a total of two freestanding signs, with not more than one sign on each frontage.
 - be spaced and set back from the street consistently with the prevailing spacing and setbacks in the streetscape.

F:5 Panel preferred version Interface Area Guidelines

Panel notes:

- *changes are based on the Day 1 version of Advertising Sign Guidelines 2022 (Document 4)*
- *highlighted content subject to specific recommendations*
- *all other content should be reviewed in accordance with Panel threshold recommendations 2b, c, d, e and f (refer Executive Summary).*

Objectives

To ensure signs in commercial and industrial areas do not have a detrimental impact on high amenity and sensitive areas.

Strategies

1. Signs should not dominate the outlook from or result in increased illumination to adjoining landscapes, passive open space or nearby dwellings.
2. Ensure signs do not have a detrimental impact on access to daylight or sunlight, or overshadowing of any sensitive space (including footpaths, public and private open space, windows) at any time of the year.[^]
3. Ensure signs near rural areas are sympathetic in scale and do not dominate any landscape, coastal or environmental features, view corridors or vistas.
4. Discourage the use of floodlit signs and ensure that they are primarily directed away from visually sensitive areas.[^]
5. Illuminated signage should be limited near residential areas, open space and other sensitive interfaces.

[^] in format of Final Day Changes

Policy Guidelines

1. Deleted
2. Limit the number of signs on any one property that are visible from the high amenity or sensitive area to the minimum number necessary to identify the premises.
3. Signage colours should be compatible with surrounding landscape.
4. Illuminated signs should be located, baffled and the level of illumination controlled to ensure there is no unreasonable spill of light beyond the area of the sign or loss of amenity.[^]
5. Discourage internally illuminated panels and boxes on or above verandah level.

F:6 Panel preferred version Growth Area Guidelines

Panel notes:

- changes are based on the Day 1 version of Advertising Sign Guidelines 2022 (Document 4)
- highlighted content subject to specific recommendations
- all other content should be reviewed in accordance with Panel threshold recommendations 2b, c, d, e and f (refer Executive Summary).

Objective	
Deleted	
Strategies	Policy Guidelines
1. Deleted	Consider as relevant:
2. Encourage a whole-of-estate approach to signs in growth areas.	<ol style="list-style-type: none"> 1. Providing a minimum of 150 metres between onsite promotion signs on the same road. 2. Limiting off site promotion signs to: <ul style="list-style-type: none"> - within 5 kilometres of the estate - 4 signs per estate - a minimum 250 metres between each sign. 3. Combined with Policy Guideline 2 4. Combined with Policy Guideline 1 5. Deleted. 6. Limiting the display of promotion signs for 5 years or until the last lot is sold, whichever is the earlier. 7. Deleted.

F:7 Panel preferred version Major Promotion Sign Guidelines

Panel notes:

- changes are based on the Day 1 version of Advertising Sign Guidelines 2022 (Document 4)
- highlighted content subject to specific recommendations
- all other content should be reviewed in accordance with Panel threshold recommendations 2b, c, d, e and f (refer Executive Summary).

Objectives

To ensure major promotion signs respect the scale and form of their built form and landscape context.

To ensure major promotion signs are developed in appropriate locations.

To ensure major promotion signs are sensitive to the character, amenity and functionality of a site or area.

To avoid major promotion signs that dominate the surrounding area.

Strategies

1. Encourage the provision of architectural interest in the design of major promotion signs.
2. Ensure major promotion signs are designed to avoid unreasonable overshadowing or result in loss of amenity to useable areas of the host site or adjoining land.
3. Ensure major promotion signs are spaced at a sufficient distance apart in order to avoid visual clutter.
4. Avoid major promotion signs that dominate buildings and uses on the host site and adjoining land.
5. Avoid major promotion signs in land near sensitive interfaces including river corridors, passive open space and residential areas, particularly where it will form part of the skyline when viewed from these areas.
6. Deleted

Policy Guidelines

Consider as relevant:

1. Providing a minimum 1 kilometre separation between major promotion signs on the same road.
2. Deleted
3. Discourage major promotion signs that would restrict the development of a site or conflict with an identified strategic development objective.
4. Avoid 'pop out' elements
5. Limiting major promotion signs to one per intersection.
6. Limiting major promotion signs on walls to:
 - 20 per cent the wall area
 - A maximum area of [to be specified] square metres.

F:8 Panel preferred version Electronic Sign Guidelines

Panel notes:

- changes are based on the Day 1 version of Advertising Sign Guidelines 2022 (Document 4)
- highlighted content subject to specific recommendations
- all other content should be reviewed in accordance with Panel threshold recommendations 2b, c, d, e and f (refer Executive Summary).

Objectives

To encourage electronic signs in appropriate locations that add vitality and light to a commercial or industrial area.

To avoid electronic signs that unreasonably affect the amenity of a site or area.[^]

To avoid electronic signs that may have an effect on road safety.

Strategies

1. Avoid electronic and animated signs that will result in unreasonable light spill, glare, disturbance, intrusion or other detrimental effects on the amenity of surrounding rural or residential areas or public open space.[^]
2. Encourage animated signs (including digital media, holographic, 3D and projections) to activate public places.
3. Ensure electronic signs prioritise road and rail safety.

[^] in format of Final Day Changes

Policy Guidelines

Consider as relevant:

1. Control electronic signs to have appropriate levels of illumination responsive to sunlight, weather conditions and time of day.
2. Limiting electronic signs to one per premises.
3. Discourage electronic signs that face a residential area, passive open space or other sensitive interfaces.
4. Deleted.
5. Deleted.
6. Deleted.