

5 Ordinary Business

5.1 T240155 PA - Construction and Display of an Electronic Sign at 6 Racecourse Road, Pakenham VIC 3810

Responsible GM: Debbie Tyson
Author: Ana Neiva

Recommendation

- A. That Council resolve to issue a Notice of Decision to Refuse to Grant a Permit for Planning Permit Application T240155 for '*Construction and Display of an Electronic Sign*' at land known and described as L2 LP21709, 6 Racecourse Road, Pakenham, on the following grounds:
1. The proposal is inconsistent with 'Objective 2' and associated strategies of Clause 21.06-1 of the Cardinia Planning Scheme, as it provides for signage that is inconsistent with the surrounds and results in the proliferation of signage and visual clutter.
 2. The proposal is inconsistent with the strategies and policy guidelines relating to industrial signage pursuant to Clause 22.09-3 of the Cardinia Planning Scheme, as it fails to provide for signage which is not a dominant feature of its surroundings and provides for an 'electronic sign' which is sought to be avoided.
 3. The proposal is inconsistent with the decision guideline outlined within Clause 52.05-8 of the Cardinia Planning Scheme, as the proposal fails to adequately consider the cumulative impact of signs already existing on site and the existing or desired future character of the area in which it is proposed to be located (Industrial and Restricted Retail Areas – Cardinia Advertising Design Guidelines (Feb, 2020)).
 4. The proposal is inconsistent with the Cardinia Advertising Design Guidelines (Feb, 2020).

AND

- B. That Council authorise the Manager Planning and Design/Coordinator Statutory Planning to instruct Council's Statutory Planners and/or Council's advocate on any future application for review at the Victorian Civil and Administrative Tribunal.

Attachments

1. T240155 PA - Delegate Report - Refusal [5.1.1 - 11 pages]
2. T240155 PA - Decision Documents [5.1.2 - 7 pages]
3. T240155 PA - Locality Map [5.1.3 - 1 page]
4. Advertising Signage Design Guidelines (2020) [5.1.4 - 37 pages]

Application Details

APPLICATION NO.:	T240155 PA
APPLICANT:	Worklocker Pakenham (Mr. James Williams)
LAND:	L2 LP21709, 6 Racecourse Road, Pakenham VIC 3810
PROPOSAL:	Construction and Display of an Electronic Sign
PLANNING CONTROLS:	Industrial 1 Zone – Schedule Land Subject to Inundation Overlay – Schedule
NOTIFICATION & OBJECTIONS:	Notice of the application as given pursuant to Section 52 of the <i>Planning and Environment Act 1987</i> , by placing a sign on the land and mailing notices to surrounding landowners. Zero (0) Objections were received.
KEY PLANNING CONSIDERATIONS:	Purposes and objectives of key policies within the Cardinia Planning Scheme including; <ul style="list-style-type: none"> - Clauses 21.06 (Urban Design), - Clause 22.09 (Signs), - Clause 22.09-3 (Industrial and Restricted Retail Signs), and - Clause 52.05-8 (Signs). - Cardinia Advertising Design Guidelines (<i>Feb, 2020</i>).
REASON FOR MEETING:	Recommended for Refusal.
RECOMMENDATION:	Issue a Notice of Decision to Refuse to Grant a Permit

Executive Summary

The purpose of this report is to consider an application for the ‘*Construction and Display of an Electronic Sign*’.

There is a clear policy theme throughout the Cardinia Planning Scheme that seeks to promote good urban design outcomes through the consideration of the visual amenity, appearance and character of an area. Overall, the proposed sign type (electronic), location and its contribution to the proliferation of signage is unacceptable in terms of its visual impact upon the public realm.

The application is recommended for refusal due to its poor response to the decision guidelines of Clause 52.05-8 (Signs) of the Cardinia Planning Scheme, the Cardinia Advertising Design Guidelines (*Feb, 2020*), and key policies within State and Local Policy Framework that seeks to avoid the type of signage proposed.

It is considered that the electronic signage is at odds with the specific guidelines and policy direction within the Planning Policy Framework and represents an unacceptable response to the key policy directive in Clauses 21.06 (Urban Design), Clause 22.09 (Signs) and Clause

22.09-3 (Industrial and Restricted Retail Signs). The signage does not comply with the requirements of the *Cardinia Advertising Signage Design Guidelines (2020)* nor the decision guidelines of Clause 52.05-8 (Signs)

As such, it is recommended Council support the Officers' recommendation and determine to refuse to grant a planning permit.

Relevance to Council Plan

{council-plan}

4.1 We support our productive land and employment land to grow local industries

4.1.5 Strengthen and promote our shire's unique identity

APPLICATION FOR CONSIDERATION
REFUSAL
OFFICER REPORT

Application Details:

Proposal	Construction and Display of an Electronic Sign
Applicant	Worklocker Pakenham (Mr. James Williams)
Date Received:	02 April 2024
Statutory Days:	226 Days (as of 15 November 2024)
Section 50/50A/57A Amendment	<input checked="" type="checkbox"/> None
Application Number	T240155 PA
Planner	Ana Neiva
Land/Address	L2 LP21709, 6 Racecourse Road, Pakenham VIC 3810
Property No.	3711050300
Zoning	Industrial 1 Zone – Schedule
Overlay/s	Land Subject to Inundation Overlay – Schedule
Permit Trigger(s)	Pursuant to Clause 52.05-2; a permit is required to construct or put up for display a sign in Section 2 (Electronic sign within Category 2 – Office/Industrial).
Aboriginal Cultural Sensitivity	<input checked="" type="checkbox"/> No
Section 55 Referrals	<input checked="" type="checkbox"/> Yes, list below:
	<ul style="list-style-type: none"> ▪ Department of Transport and Planning (Determining)
Registered restrictions on Title	<input checked="" type="checkbox"/> None
Recommendation	<input checked="" type="checkbox"/> Refusal
Ward Councillor communications	<input checked="" type="checkbox"/> None
Documents relied on	<ul style="list-style-type: none"> ▪ Application Form (Dated, 02 April 2024) ▪ Title Documents (Dated, 02 April 2024) ▪ Written Statement prepared by Permit Applicant (Dated, 27 May 2024) ▪ Development Plans prepared by Permit Applicant (undated)

Proposal

The applicant is seeking permission to display of a trailer mounted 'electronic sign', that measures 2.4m (length) x 3m (height), with a total surface area of 3.6m² to identify and promote an existing business (being that of Worklocker Pakenham), which is the tenant at No. 6 Racecourse Road, Pakenham.

The sign is proposed to have variable content relating to the business with a permanent location. The electronic visual message is internally illuminated at approximately 1500 lux and is operational between the hours of 8:00am and 5:00pm Monday to Friday and 9:00am to 12:00pm on Saturdays.

The sign is sited within the car parking area and visible from the road (see Figure 1).

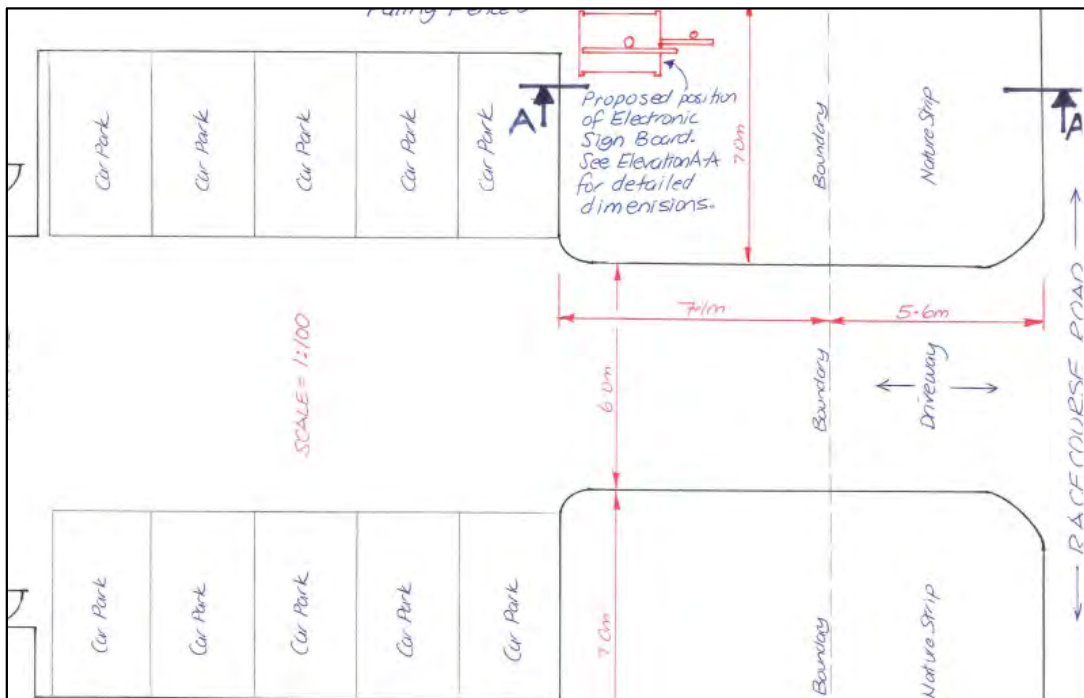


Figure 1 - Site Plan



Figure 2 - Street View (Google Street View Sept, 2023)

Subject site & locality

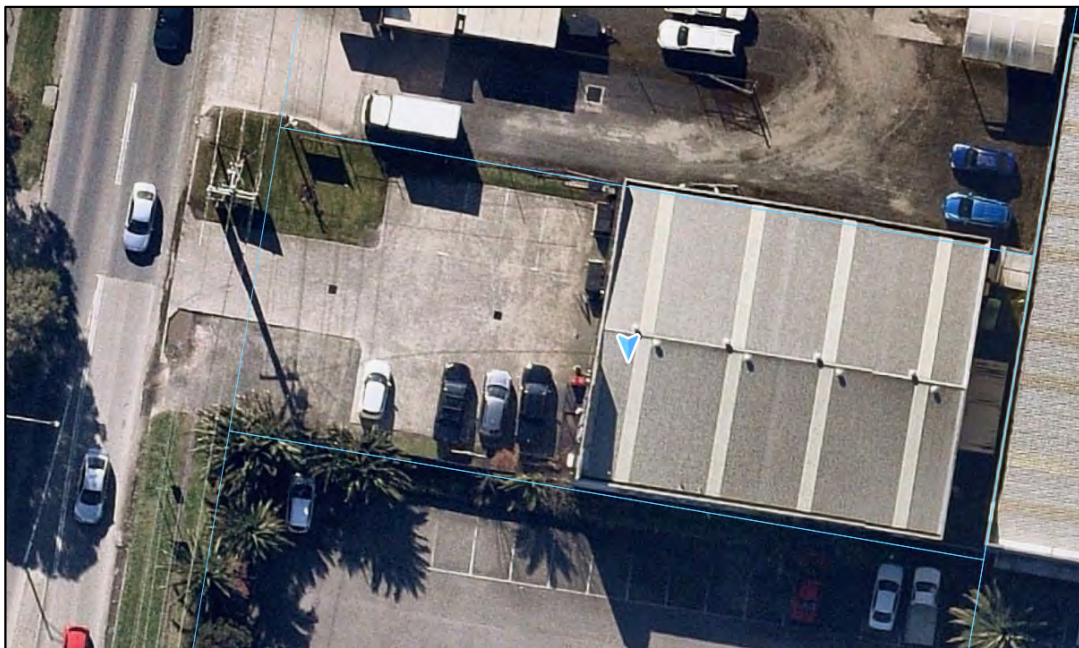


Figure 3 - Aerial of Subject Site (Source: NearMap Oct, 2024)



Figure 4 - Aerial of Surrounding Area (Source: NearMap Oct 2024)

The subject site is No. 6 Racecourse Road, Pakenham and is legally addressed Lot 2 in Lot Plan 21709. The site is rectangular in shape and has a total area of 1,012.36m². The subject site is located to the east of Racecourse Road and has an existing crossover.

The site is currently developed with building tenanted by 'Worklocker Pakenham' (Retail Premises – Section 2 Use) and 10 associated car spaces. There is no vegetation present on site.

The topography of the land is flat with no undulation.

The main characteristics of the surrounding area are:

- NORTH: Directly North of the subject site is No. 8 Racecourse Road, Pakenham that is a largely vacant of development but being used to store/hire vehicles.
- EAST: Directly East of the subject site is No. 54 Bald Hill Road, Pakenham that is currently developed with a Bunnings Warehouse and associated car parking.
- SOUTH: Directly South of subject site is Lot 1 in Plan of Subdivision 315807 that is currently used as a car park associated with other tenancies of No. 54 Bald Hill Road including Bunnings Warehouse and Rapid Tune Automotive Services.
- WEST: Directly West of the subject site Racecourse Road (Transport Road Zone 2).

Permit/Site History

The history of the site includes:

- Planning Permit T050728 was issued on the 11th November 2005 and allowed for 'Advertising Sign' at No. 6 Racecourse Road, Pakenham VIC 3810. The permit has since expired as it has been 15 years since the date of its issue.

Planning Scheme Provisions

Zone & Overlays

The land is within the Industrial 1 Zone – Schedule (IN1Z) and is subject to the Land Subject to Inundation Overlay – Schedule (LSIO).

Planning Policy Framework (PPF)

The relevant clauses of the PPF are:

- Clause 13.03-1S Floodplain management
- Clause 15.01-1S Urban Design

Local Planning Policy Framework (LPPF)

The relevant clauses of the LPPF are:

- Clause 21.01 – Cardinia Shire Key Issues and Strategic Vision
- Clause 21.03-2 – Urban Established Area – Beaconsfield and Pakenham
- Clause 21.06-1 – Urban Design
- Clause 22.09-3 – Industrial and Restricted Retail Signs

Relevant Particular/General Provisions and relevant incorporated or reference documents

The relevant provisions/ documents are:

- Clause 52.05 Signs
- Advertising Signage Design Guidelines (Cardinia Shire, adopted 2020)

Planning Permit Triggers

The proposal requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 52.05-2; a permit is required to construct or put up for display a sign in Section 2 (Electronic sign within Category 2 – Office/Industrial).

Public Notification

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending notices to the owners and occupiers of adjoining land.
- Placing a sign on site.

No objections have been received to date.

Referrals

External Referrals/Notices:

Referrals/Notice	Referral Authority	Brief summary of response
Section 55 Referrals	Department of Transport and Planning (Determining)	No objection (subject to conditions) External Referral Response
Section 52 Notices	None	N/A

Internal Referrals:

Internal Council Referral	Advice/ Response/ Conditions
None	N/A

Assessment

Planning Policy Assessment

There is a clear policy theme throughout the Cardinia planning scheme that seeks to promote good urban design outcomes through the consideration of the visual amenity, appearance and character of an area. Additionally, the Planning Policy Framework is clear in discouraging the type of signage proposed (electronic).

Clause 21.06 (*Urban Design*) seeks to ‘Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads’.

Clause 22.09 (*Signs*) centres on positive urban design outcomes that are compatible with the area and existing signs in the streetscape while allowing for reasonable identification of business.

Clause 22.09-3 (*Industrial and restricted retail signs*) also builds on this policy and gives specific regard to signage to avoid signs within industrial areas that have an adverse effect on the visual amenity of the area. Specifically, ‘Avoiding sign types that have an adverse effect on the visual amenity of the area including above verandah/awning (or roof), sky, bunting, animated, **electronic** and reflective signs.’

It is considered that the electronic signage is at odds with the specific guidelines and policy direction within the Planning Policy Framework. The proposed signage results in an unacceptable impact to the amenity of the area due to the type of sign it is (electronic), its siting and its contribution to the proliferation of signage on the subject site.

The existing context of the subject site includes extensive signage along the building’s frontage (see figures 5-7 below), which has been unlawfully displayed (no planning permit granted to date). This matter has been raised with and will be reviewed by Councils Enforcement department. The proposed signage is considered to exacerbate the existing ‘visual clutter’ by introducing a type of sign that is not supported by the policy (animated signage) and which is visually dominant along the frontage of the site.

The proliferation of signage, in combination with the clear policy direction to avoid animated signs within Industrial areas and any signage that dominates the street frontage means that this sign represents an unacceptable response to the aforementioned policies.

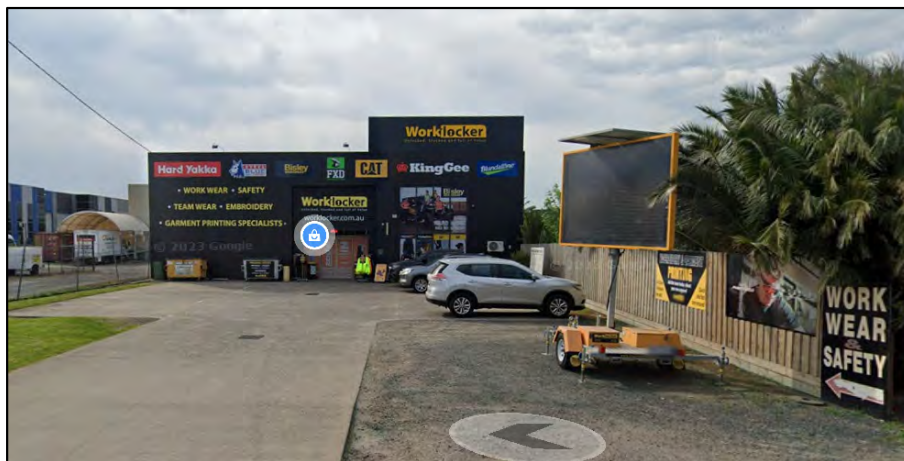


Figure 5 - Street view of the subject site (Source: Google Street View Sept 2023)



Figure 6 - Existing signage along building frontage (Source: Site Visit 10/08)



Figure 7 - Existing signage along building frontage (Source: Site Visit 10/08)

Clause 13.03-1S Floodplain Management objectives include the protection of life, property and community infrastructure from flood hazard, natural flood carrying capacity of rivers, streams and floodways and the flood storage function of floodplains and waterways.

The proposed signage is not expected to have any direct impact to the flow and temporary storage of flood waters through the property. The proposal does not trigger a planning permit pursuant to the Land

Subject to Inundation (LSIO) nor does it require the referral to Melbourne Water as specified in Clause 66.03 (Referrals).

Overall, there is clear policy direction throughout the Cardinia planning scheme that seeks to avoid the type of signage proposed. The sign fails to meet the objectives of Clause 21.06-1 and Clause 22.09-3 which seeks to avoid electronic signs and represents an unacceptable outcome in terms of visual amenity, the proliferation of signage, and character of an area.

Advertising Signage Design Guidelines (Cardinia Shire, adopted 2020)

The purpose of the Cardinia [Advertising Signage Design Guidelines \(2020\)](#) is to define the acceptable standards for the display of advertising signage relating to industrial development and are considered supplementary to the Cardinia Planning Scheme. The guidelines have numerous objectives which echo those within local policy at Clause 22.09 and Clause 52.05 (Signs).

However, the Design Guidelines provides specific guidance relating to the type of signage outcomes that are preferred within [Industrial Areas](#).

Importantly, Paragraph 4.4 - Industrial and Restricted Retail Area (Page 30) of the Decision Guidelines states that signs on land zoned for industrial uses:

- *'Should be located on buildings, awning or within built elements'*
- *'Should not appear as a dominant feature of building facades, walls, parapets or landscaped surroundings.'*
- (If free standing) *'should Be limited to one Pole/ Pylon Sign or Free-Standing Panel Sign may be permitted provided it is no greater than seven metres in height, and identifies the company name and logo only.'*

Further, Page 13 of the Design Guidelines states that:

'Electronic Signs should only be located in:

- *Major Activity Centres if a community benefit can be demonstrated.*
- *Land adjacent to a freeway which does not have an interface with rural, Green Wedge Zone or any Residential use.*
- *Schools.'*

It is considered that the proposed signage does not comply with any of the above requirements as it results in an electronic sign, outside of the preferred locations and presenting dominantly to the streetscape.

Industrial 1 Zone – Schedule

The proposed signage is in associated with the existing use of the land for 'Trade Supplies' which is a Section 2 Use (permit required) that has been unlawfully operating without a Planning Permit. The use of the land will be investigated by Councils Enforcement department.

Regarding the display of signage, pursuant to Clause 33.01-5 (Industrial 1 Zone) all land within the Zone is Category 2 – Office/Industrial Areas with regard to 52.05-12 (Signs).

As no building and works are proposed, a permit is not required under Clause 33.01-4 (Industrial 1 Zone).

Land Subject to Inundation Overlay

As no building and works are proposed as part of the application no permit is required pursuant to Clause 44.04-2 (Land Subject to Inundation Overlay) and will no longer form part of the assessment within this report.

Clause 52.05 Signs

The subject site is designated as Category 2 – Office and industrial Area. The purpose of this category is to provide for adequate identification signs and signs that are appropriate to office and industrial areas.

As detailed in Clause 52.05-12 (Category 2 – Office and industrial Area) a permit is required to display electronic signage as it is not listed within ‘Section 1’ or ‘Section 3’ in the table of uses

The Responsible Authority is required at Clause 52.05-8 to consider the relevant Decision Guidelines, including:

Decision Guideline	Assessment
<p><i>The character of the area including:</i></p> <ul style="list-style-type: none"> • <i>The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.</i> • <i>The compatibility of the proposed sign with the existing or desired future character of the area in which it is proposed to be located.</i> • <i>The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.</i> • <i>The consistency with any identifiable outdoor advertising theme in the area.</i> 	<p>The proposed signage is not compatible with the existing or desired character of the area. The area is characterised by industrial land uses, in which a variety of signage types are to be expected and is consistent with the character of the area. Racecourse Road does not have a consistent character in relation to signage. However, the sign is an anomaly in the area in that it is an electronic sign displaying promotional messaging instead of business identification. Further, this sort of signage is not the preferred outcome for the area and is sought to be avoided through policy. As discussed, the proliferation of signage on the subject site has a negative impact on the character of the area and causing visual disorder and clutter.</p>
<p><i>Impacts on views and vistas:</i></p> <ul style="list-style-type: none"> • <i>The potential to obscure or compromise important views from the public realm.</i> • <i>The potential to dominate the skyline.</i> • <i>The potential to impact on the quality of significant public views.</i> • <i>The potential to impede views to existing signs.</i> 	<p>The proposed signage is not expected to impact any views or vistas.</p>
<p><i>The relationship to the streetscape, setting or landscape:</i></p> <ul style="list-style-type: none"> • <i>The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.</i> • <i>The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.</i> 	<p>As discussed throughout the report, it is considered that position of the sign relative to the streetscape setting represents an unacceptable outcome.</p>

<ul style="list-style-type: none"> • <i>The ability to screen unsightly built or other elements.</i> • <i>The ability to reduce the number of signs by rationalising or simplifying signs.</i> • <i>The ability to include landscaping to reduce the visual impact of parts of the sign structure.</i> 	
<p><i>The relationship to the site and building:</i></p> <ul style="list-style-type: none"> • <i>The scale and form of the sign relative to the scale, proportion and any other significant characteristics of the host site and host building.</i> • <i>The extent to which the sign displays innovation relative to the host site and host building.</i> • <i>The extent to which the sign requires the removal of vegetation or includes new landscaping.</i> 	<p>The proposed signage is not sympathetic to the host site nor the host building. It is situated separate the existing building and other signage, along the frontage of the site. The proposed signage becomes the dominate feature of the site and is not respectful the existing built form or host site.</p>
<p><i>The need for identification and the opportunities for adequate identification on the site or locality.</i></p>	<p>The proposed electronic signage displays promotional information as opposed to business identification information.</p> <p>Additionally, as shown the site has ample existing business identification signage.</p>
<p><i>The impact on road safety. A sign is a safety hazard if the sign:</i></p> <ul style="list-style-type: none"> • <i>Obstructs a driver's line of sight at an intersection, curve or point of egress from an adjacent property.</i> • <i>Obstructs a driver's view of a traffic control device, or is likely to create a confusing or dominating background that may reduce the clarity or effectiveness of a traffic control device.</i> • <i>Could dazzle or distract drivers due to its size, design or colouring, or it being illuminated, reflective, animated or flashing.</i> 	<p>The signage is sited along a road in a Transport Zone 2 (Racecourse Road) and in proximity to the intersection of Bald Hill Road and Racecourse Road. The application has been referred to the Head, Transport for Victoria who have consented to the application subject to conditions should Council approve the application.</p>

Overall, the proposed sign type (electronic), location and its contribution to the proliferation of signage is unacceptable in terms of its visual impact upon the public realm and would be inconsistent with the decision guidelines of Clause 52.05-8.

Clause 65 Decision Guidelines

The matters listed within Clause 65.01 (Approval of an Application or Plan) and contained within Section 60 of the Act have been considered throughout this report. On balance, the display of an electronic sign is not considered to represent an acceptable response to these considerations, nor does it represent an orderly planning outcome.

Conclusion

In accordance with the reasons and ground of refusal listed below, it is submitted that the Planning Policy Framework and the purpose and decision guidelines of Clause 52.05 (Signs) do not afford the proposed signage support. As such, it is recommended that the proposed signage represents an unacceptable outcome and the application be refused.

Recommendation

Refusal to Grant a Planning Permit

- A. That Council having caused notice of Planning Application T240155 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987*, issued a Notice of Refusal to Grant a Permit in respect of the land known and described as L2 LP21709, 6 Racecourse Road Pakenham, for the 'Construction and Display of an Electronic Sign', on to the following grounds:
1. The proposal is inconsistent with 'Objective 2' and associated strategies of Clause 21.06-1 of the Cardinia Planning Scheme, as it provides for signage that is inconsistent with the surrounds and results in the proliferation of signage and visual clutter.
 2. The proposal is inconsistent with the strategy and policy guidelines relating to industrial signage pursuant to Clause 22.09-3 of the Cardinia Planning Scheme, as it fails to provide for signage which is not a dominant feature of its surroundings and provides for an 'electronic sign' which is sought to be avoided.
 3. The proposal is inconsistent with the decision guideline outlined within Clause 52.05-8 of the Cardinia Planning Scheme, as the proposal fails to adequately consider the cumulative impact of signs already existing on site and the existing or desired future character of the area in which it is proposed to be located (Industrial and Restricted Retail Areas – Cardinia Advertising Design Guidelines (Feb, 2020)).
 4. The proposal is inconsistent with the Cardinia Advertising Design Guidelines (Feb, 2020).

AND

- B. That Council authorise the Manager Planning and Design/Coordinator Statutory Planning to instruct Council's Statutory Planners and/or Council's Solicitors on any future application for review at the Victorian Civil and Administrative Tribunal.

Processed 2/4 Receipt no 4387725

Cardinia

Planning Enquiries
Phone: 1300 787 624
Web: www.cardinia.vic.gov.au

Office Use Only

Application No.:

Date Lodged: / /

Application for a Planning Permit

If you need help to complete this form, read MORE INFORMATION at the end of this form.

▲ Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any questions, please contact Council's planning department.

▲ Questions marked with an asterisk (*) must be completed.

▲ If the space provided on the form is insufficient, attach a separate sheet.

i Click for further information.

The Land **i**

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No.:	St. No.: 6	St. Name: RACECOURSE Rd.
Suburb/Locality: PAKENHAM		Postcode: 3810

Formal Land Description *
Complete either A or B.

▲ This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A Lot No.: **2** Lodged Plan Title Plan Plan of Subdivision No.: **021709**

OR

B Crown Allotment No.: Section No.:

Parish/Township Name:

The Proposal

▲ You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.

i For what use, development or other matter do you require a permit? *

eCloud Mail Service
Cardinia Mail Centre

- 3 APR 2024

RECEIVED



PROPOSAL For a Trailer Mounted Animated SIGN, Size 2.4m x 1.8m to be placed inside the Boundary in Par Park area. Sign to be displayed during Business hours Monday to Saturday from 8:00 am to 5:00 PM. Sign will be used to promote Worklocker Pakenham while the Business is being affected by ongoing Road Works for Big Build Project.

Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

Cost \$ **0** **▲** You may be required to verify this estimate. Insert '0' if no development is proposed.

i Estimated cost of any development for which the permit is required *

If the application is for land within metropolitan Melbourne (as defined in section 3 of the *Planning and Environment Act 1987*) and the estimated cost of the development exceeds \$1 million (adjusted annually by CPI) the Metropolitan Planning Levy must be paid to the State Revenue Office and a current levy certificate must be submitted with the application. Visit www.sro.vic.gov.au for information.

Existing Conditions ◀ ▶

Describe how the land is used and developed now *

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Retail Building with Car-parks in Front.

Provide a plan of the existing conditions. Photos are also helpful.

Title Information ◀ ▶

Encumbrances on title *

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
- No
- Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

Applicant and Owner Details ◀ ▶

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

Name: Title: *MR* First Name: *JAMES* Surname: *WILLIAMS*
 Organisation (if applicable): *Worklocker Pakenham*
 Postal Address: If it is a P.O. Box, enter the details here:
 Unit No.: St. No.: *6* St. Name: *Racecourse Rd.*
 Suburb/Locality: *PAKENHAM* State: *VIC* Postcode: *3810*

Please provide at least one contact phone number *

Contact information for applicant OR contact person below
 Business phone: *03 59 40 34 00* Email: *James@WorklockerPakenham-Care.au*
 Mobile phone: *0419 572 136* Fax:

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Contact person's details* Same as applicant
 Name: Title: First Name: Surname:
 Organisation (if applicable):
 Postal Address: If it is a P.O. Box, enter the details here:
 Unit No.: St. No.: St. Name:
 Suburb/Locality: State: Postcode:

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name: Title: *MR* First Name: *PETER* Surname: *TIMMINS*
 Organisation (if applicable):
 Postal Address: If it is a P.O. Box, enter the details here:
 Unit No.: St. No.: *45* St. Name: *Old Gunns Court*
 Suburb/Locality: *HALLAM* State: *VIC* Postcode: *3803*
 Owner's Signature (Optional): Date: *2/4/2024*
day / month / year



Declaration i

This form must be signed by the applicant *

⚠ Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature:

Date: 2/4/2024

day / month / year

Need help with the Application? i

General information about the planning process is available at planning.vic.gov.au

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

Has there been a pre-application meeting with a council planning officer?

No Yes

If 'Yes', with whom?:

Date:

day / month / year

Checklist i

Have you:

Filled in the form completely?

Paid or included the application fee?

⚠ Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

Provided all necessary supporting information and documents?

A full, current copy of title information for each individual parcel of land forming the subject site.

A plan of existing conditions.

Plans showing the layout and details of the proposal.

Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts).

If applicable, a current Metropolitan Planning Levy certificate (a levy certificate expires 90 days after the day on which it is issued by the State Revenue Office and then cannot be used). Failure to comply means the application is void.

Completed the relevant council planning permit checklist?

Signed the declaration?

Lodgement i

Lodge the completed and signed form, the fee and all documents with:

Cardinia Shire Council
PO Box 7
Pakenham VIC 3810

In person: 20 Siding Avenue, Officer

Contact information:

Telephone: 1300 787 624

Email: mail@cardinia.vic.gov.au

DX: 81006

Deliver application in person, by post or by electronic lodgement.



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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

Page 1 of 1

VOLUME 07758 FOLIO 195

Security no : 124113832599S
Produced 02/04/2024 10:56 AM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 021709.
PARENT TITLE Volume 07357 Folio 205
Created by instrument 2173525 22/02/1950

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
TIMMINS SUPER PTY LTD of 45 OLD GUNNS COURT HALLAM VIC 3803
AN646537R 15/03/2017

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP021709 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 6 RACECOURSE ROAD PAKENHAM VIC 3810

DOCUMENT END



Monday, 27th of May, 2024

Cardinia Shire
Juliette Perry-Dumarquez
Statuary Planner

Application No: T240155 PA

Property No.: 3711050300

Address: L2 LP210709, 6 Racecourse Road, Pakenham, VIC, 3810

Proposal: Trailer Mounted animated sign to be placed inside boundary of car park

Outlined below is further information as requested.

Written Statement

- The electronic visual message sign board is trailer mounted. The VMS is illuminated internally, the VMS illumination is run at 50% or less to maintain the solar battery life which is approximately 1500 lux.
- The VMS will operate between the hours of 8:00am to 5:00pm Monday to Friday and 9:00am to Midday on Saturday.
- General guidelines for an industrial area advertising Clause 52.05-8 road safety.
 - The sign will be North facing, located within the building boundary and will not impede on existing car spaces.
 - The sign size is consistent with the scale of existing signs within the industrial area.
 - Signage colours and graphics will be a neutral amber colour so as not to detract from amenity of the area.
 - The sign is built to Australian Standards by SafeRoads Australia.
 - The sign will have variable content with a permanent location.

Your sincerely

James Williams
Worklocker Manager

5 Ordinary Business

5.1 T240155 PA - Construction and Display of an Electronic Sign at 6 Racecourse Road, Pakenham VIC 3810

Responsible GM: Debbie Tyson
Author: Ana Neiva

Recommendation

- A. That Council resolve to issue a Notice of Decision to Refuse to Grant a Permit for Planning Permit Application T240155 for '*Construction and Display of an Electronic Sign*' at land known and described as L2 LP21709, 6 Racecourse Road, Pakenham, on the following grounds:
1. The proposal is inconsistent with 'Objective 2' and associated strategies of Clause 21.06-1 of the Cardinia Planning Scheme, as it provides for signage that is inconsistent with the surrounds and results in the proliferation of signage and visual clutter.
 2. The proposal is inconsistent with the strategies and policy guidelines relating to industrial signage pursuant to Clause 22.09-3 of the Cardinia Planning Scheme, as it fails to provide for signage which is not a dominant feature of its surroundings and provides for an 'electronic sign' which is sought to be avoided.
 3. The proposal is inconsistent with the decision guideline outlined within Clause 52.05-8 of the Cardinia Planning Scheme, as the proposal fails to adequately consider the cumulative impact of signs already existing on site and the existing or desired future character of the area in which it is proposed to be located (Industrial and Restricted Retail Areas – Cardinia Advertising Design Guidelines (Feb, 2020)).
 4. The proposal is inconsistent with the Cardinia Advertising Design Guidelines (Feb, 2020).

AND

- B. That Council authorise the Manager Planning and Design/Coordinator Statutory Planning to instruct Council's Statutory Planners and/or Council's advocate on any future application for review at the Victorian Civil and Administrative Tribunal.

Attachments

1. T240155 PA - Delegate Report - Refusal [5.1.1 - 11 pages]
2. T240155 PA - Decision Documents [5.1.2 - 7 pages]
3. T240155 PA - Locality Map [5.1.3 - 1 page]
4. Advertising Signage Design Guidelines (2020) [5.1.4 - 37 pages]

APPLICATION FOR CONSIDERATION
REFUSAL
OFFICER REPORT

Application Details:

Proposal	Construction and Display of an Electronic Sign
Applicant	Worklocker Pakenham (Mr. James Williams)
Date Received:	02 April 2024
Statutory Days:	226 Days (as of 15 November 2024)
Section 50/50A/57A Amendment	<input checked="" type="checkbox"/> None
Application Number	T240155 PA
Planner	Ana Neiva
Land/Address	L2 LP21709, 6 Racecourse Road, Pakenham VIC 3810
Property No.	3711050300
Zoning	Industrial 1 Zone – Schedule
Overlay/s	Land Subject to Inundation Overlay – Schedule
Permit Trigger(s)	Pursuant to Clause 52.05-2; a permit is required to construct or put up for display a sign in Section 2 (Electronic sign within Category 2 – Office/Industrial).
Aboriginal Cultural Sensitivity	<input checked="" type="checkbox"/> No
Section 55 Referrals	<input checked="" type="checkbox"/> Yes, list below:
	<ul style="list-style-type: none"> ▪ Department of Transport and Planning (Determining)
Registered restrictions on Title	<input checked="" type="checkbox"/> None
Recommendation	<input checked="" type="checkbox"/> Refusal
Ward Councillor communications	<input checked="" type="checkbox"/> None
Documents relied on	<ul style="list-style-type: none"> ▪ Application Form (Dated, 02 April 2024) ▪ Title Documents (Dated, 02 April 2024) ▪ Written Statement prepared by Permit Applicant (Dated, 27 May 2024) ▪ Development Plans prepared by Permit Applicant (undated)



Figure 6 - Existing signage along building frontage (Source: Site Visit 10/08)



Figure 7 - Existing signage along building frontage (Source: Site Visit 10/08)

Clause 13.03-1S Floodplain Management objectives include the protection of life, property and community infrastructure from flood hazard, natural flood carrying capacity of rivers, streams and floodways and the flood storage function of floodplains and waterways.

The proposed signage is not expected to have any direct impact to the flow and temporary storage of flood waters through the property. The proposal does not trigger a planning permit pursuant to the Land

Overall, the proposed sign type (electronic), location and its contribution to the proliferation of signage is unacceptable in terms of its visual impact upon the public realm and would be inconsistent with the decision guidelines of Clause 52.05-8.

Clause 65 Decision Guidelines

The matters listed within Clause 65.01 (Approval of an Application or Plan) and contained within Section 60 of the Act have been considered throughout this report. On balance, the display of an electronic sign is not considered to represent an acceptable response to these considerations, nor does it represent an orderly planning outcome.

Conclusion

In accordance with the reasons and ground of refusal listed below, it is submitted that the Planning Policy Framework and the purpose and decision guidelines of Clause 52.05 (Signs) do not afford the proposed signage support. As such, it is recommended that the proposed signage represents an unacceptable outcome and the application be refused.

Recommendation

Refusal to Grant a Planning Permit

- A. That Council having caused notice of Planning Application T240155 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987*, issued a Notice of Refusal to Grant a Permit in respect of the land known and described as L2 LP21709, 6 Racecourse Road Pakenham, for the 'Construction and Display of an Electronic Sign', on to the following grounds:
1. The proposal is inconsistent with 'Objective 2' and associated strategies of Clause 21.06-1 of the Cardinia Planning Scheme, as it provides for signage that is inconsistent with the surrounds and results in the proliferation of signage and visual clutter.
 2. The proposal is inconsistent with the strategy and policy guidelines relating to industrial signage pursuant to Clause 22.09-3 of the Cardinia Planning Scheme, as it fails to provide for signage which is not a dominant feature of its surroundings and provides for an 'electronic sign' which is sought to be avoided.
 3. The proposal is inconsistent with the decision guideline outlined within Clause 52.05-8 of the Cardinia Planning Scheme, as the proposal fails to adequately consider the cumulative impact of signs already existing on site and the existing or desired future character of the area in which it is proposed to be located (Industrial and Restricted Retail Areas – Cardinia Advertising Design Guidelines (Feb, 2020)).
 4. The proposal is inconsistent with the Cardinia Advertising Design Guidelines (Feb, 2020).

AND

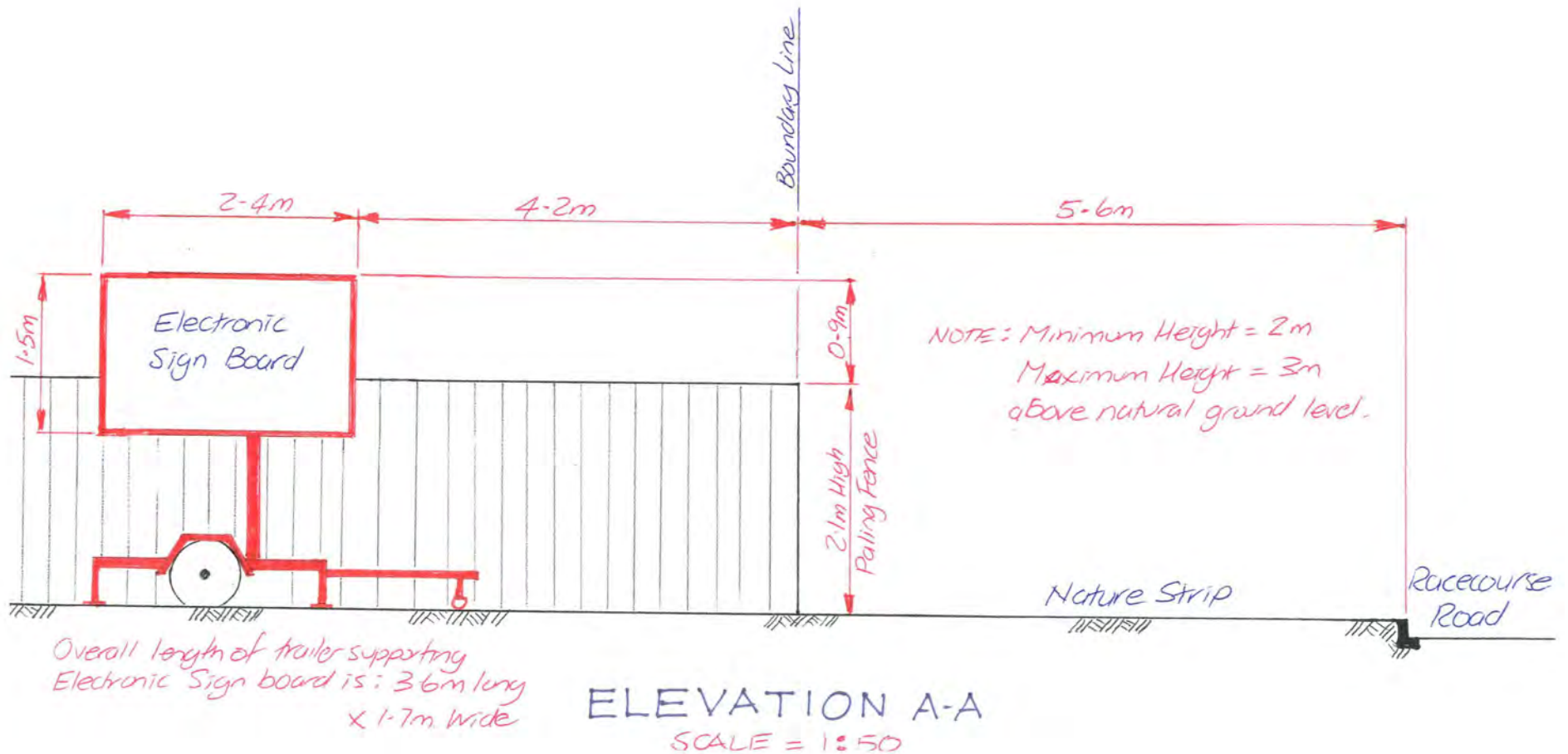
- B. That Council authorise the Manager Planning and Design/Coordinator Statutory Planning to instruct Council's Statutory Planners and/or Council's Solicitors on any future application for review at the Victorian Civil and Administrative Tribunal.

Application No.: T2 40155 PA

Property No.: 3711050300

Address: L2 LP21709, 6 Racecourse Road, Pakenham, Vic, 3810

Proposal: Trailer mounted animated sign to be placed inside boundary of car park

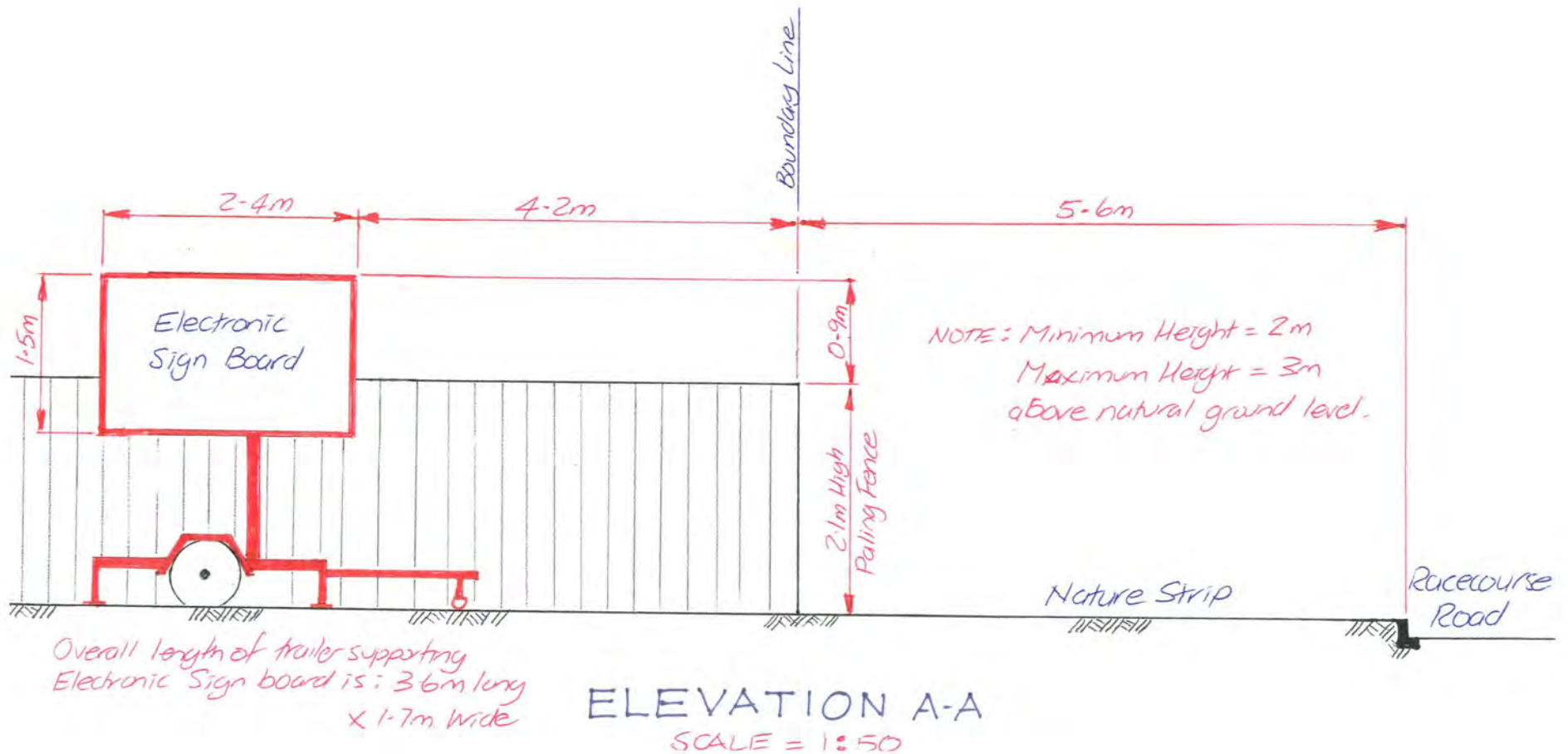


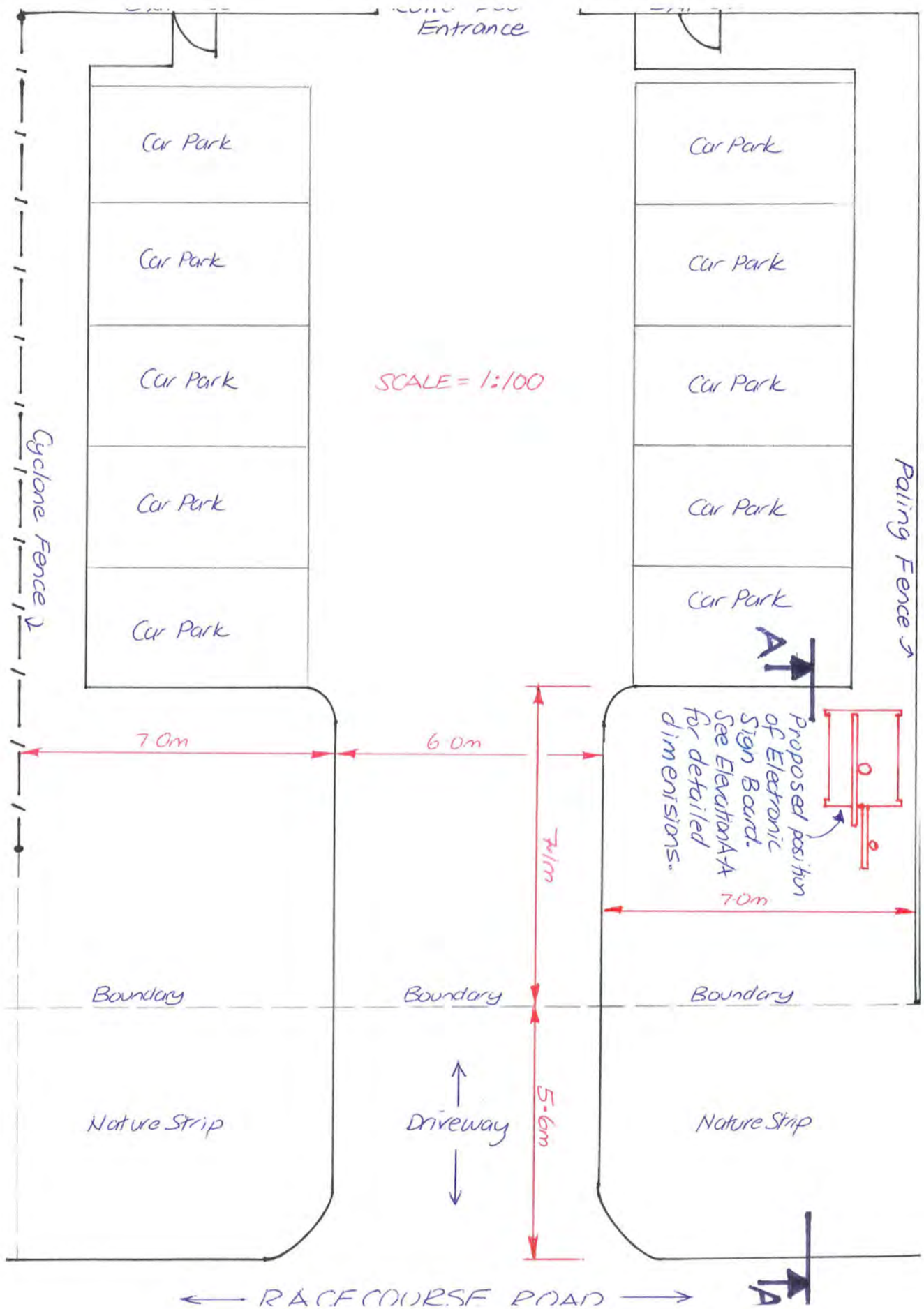
Application No.: T2 40155 PA

Property No.: 3711050300

Address: L2 LP21709, 6 Racecourse Road, Pakenham, Vic, 3810

Proposal: Trailer mounted animated sign to be placed inside boundary of car park







T240155 PA - Locality Map

Disclaimer: This content is provided "as is" without warranty of any kind. 11-Nov-2024

[View map online](#)



1 : 1,863 at A4



Advertising Signage Design Guidelines

February 2020

Prepared by:

Planning Strategy and Urban Design, Cardinia Shire Council.

If there are difficulties viewing or interpreting elements of this document due to accessibility needs, please contact Council for assistance.

Document Control

Version	Comments	Author	Date	Approved	Date
V1	Draft for Consultation	YB	2019	LC	25/09/2019
V2	Final for Council Adoption	TG	2020	BT	16/1/2020

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1 Introduction

This policy applies to outdoor signs on all land within Cardinia Shire Council. The terms used in this policy have the same meaning as specified in Clause 73.03 Land use terms of the Planning Scheme. The assessment criteria in Clause 52.05 Signs should also be considered in conjunction with these guidelines.

1.1 Purpose of Guidelines

Signs have an important role in the built environment. Advertising signs are essential in identifying, communicating and marketing businesses, institutions and buildings across the municipality. Advertising signs have a significant impact on the public realm and the quality of the streetscape and the building with which they are visually associated.

Well designed and integrated signage in appropriate locations can add colour, vibrancy and interest to an area. A proliferation of, poorly designed and located signs can significantly detract from the attractiveness and amenity of the Shire's urban and rural environments and gateways, as well as reducing the effectiveness of signs. Council considers it necessary to plan for the management of advertising signage in the built environment to balance the expectations of business and economic development with that of the broader community.

The 2018 review of Municipal Strategic Statement identifies the need to ensure that signs do not detract from the character or appearance of a locality, building or site, but integrate with building, landscape design and architecture. In addition, that an advertising signs policy be prepared to ensure good urban design outcomes and manage inappropriate and inefficient signage that degrades the character of streetscapes and public spaces.

The *Advertising Signage Design Guidelines* have been written to provide guidance for the design and placement of signs that are appropriate for

various forms of development and context, and to assist developers, building owners, building tenants, planning permit applicants and residents in understanding what type of signs are supported and are not supported in Cardinia Shire. The illustrations in this document are a visual aid to demonstrate examples of good and bad signs that anyone wanting to display one or more signs should consider before submitting a planning application.

1.2 Vision

The *vision* for Advertising Signage within Cardinia Shire Council is:

- **Encourage the development of signage which reflects and respects the context, having regard to built form height and massing, subdivision grain, landscape, road hierarchy, openness of the environment and heritage attributes.**
- **Protect the important view lines and vistas to key buildings, heritage and landscape qualities which are a highly valued part of the municipality.**
- **Manage transport corridors with a focus on maintaining road safety, visual order and avoiding clutter.**
- **Promote economic development and provide equitable identification and marketing of businesses in Cardinia Shire Council.**

1.3 Objectives

The core **objectives** for the advertising policy are to:

- Require advertising signage to respond and enhance the character, scale, architectural quality and appearance of a building, site and landscape setting.
- Allow for the reasonable identification and marketing of businesses in Cardinia Shire.
- Embed stronger urban design emphasis into policy.
- Ensure that signs are designed, positioned and displayed in an appropriate and attractive manner.
- Maximise the effectiveness of signs by minimising and consolidating signage to avoid visual clutter.
- Provide flexibility within the policy for dealing with changing modes of communication and new technologies.
- Encourage signs that contribute positively to the day and night image of activity centres and town centres.
- Support signs that contribute to the interest, vitality, and improve the quality of commercial and industrial areas.
- Ensure that signs enhance residential areas and other high amenity built and natural areas and do not detract from the appearance or character of the area.
- Improve the appearance of Shire gateways through the effective, sensitive display of signs and the avoidance of proliferation and visual clutter.
- Encourage the continual renewal and maintenance of existing signage structures to ensure their presentation does not detract from the urban setting.

1.4 Planning Permit

When to use the guidelines

Clause 52.05 Signs of the Cardinia Planning Scheme specifies those signs, which require a planning permit. Clause 73.03 Land Use Terms of the Cardinia Planning Scheme defines the signage terms used in relation to outdoor advertising.

These guidelines operate in conjunction with the Planning Scheme provisions, by setting out the parameters which Council (in exercising its discretion) will assess planning permit applications. Applicants **must use the Guidelines** as a basis for designing advertising signs that require a planning permit including new signage and/or modifying or replacing existing signage in Cardinia Shire.

The key requirements and design performance standards of these design guidelines will form a new Local Policy - Advertising Signs at Clause 22 of the Cardinia Planning Scheme.

This document will be used by Council Officers in assessing planning permit applications for advertising signs to ensure consistency with Council Policy. It is noted that Council encourages use of the guidelines whether a permit is required or not.

Do I need a Planning Permit?

To determine whether a planning permit is required for an advertising sign, please contact Cardinia Shire Council's Statutory Planning team on **1300 787 624**.

You may be eligible for a VicSmart Planning Permit application to display a sign. You can learn more about the VicSmart process by visiting Council's website www.cardinia.vic.gov.au

2 Policy

2.1 General

It is policy that advertising sign proposals are assessed against the following criteria, that the sign/s:

1. Advertise and identify the business and service provided on the site and not details of product/s sold.
2. Avoid excessive or repetitive advertising on a building or site.
3. Be located within the site the business operates on.
4. Not be located on a road reserve, unless above a Verandah / Awning or Verandah Fascia & Under Verandah sign types.
5. Be integrated with existing buildings and structures rather than erected as stand-alone structures, except for free-standing promotional Pole signs.
6. Be carefully designed to integrate with heritage buildings or objects to ensure the building's and architectural features and detailing are not obscured.
7. Be legible and concise in content and are designed taking into account how they will be viewed and read from different modes of travel.
8. Be erected in a manner such that they are at a safe clearance above the footpath (a minimum of 2700mm from ground level) and are set back at least 750mm from the kerb line if the signs are located on street-fronting development and protrude from the property boundary.
9. Not protrude above rooflines or parapets, or beyond the edges of fascia or walls of the host building.
10. Not compromise the structural integrity and safety of the host building/structure.
11. Not impair the effectiveness of the surrounding security and emergency signs.
12. Not affect road safety. A sign is a safety hazard if the sign:
 - Obstructs a driver's line of sight at an intersection, curve or point of egress from an adjacent property.
 - Obstructs a driver's view of a traffic control device, or is likely to create a confusing or dominating background which might reduce the clarity or effectiveness of a traffic control device.
 - Could dazzle or distract drivers due to its size, design or colouring, or it being illuminated, reflective, animated or flashing.
 - Is at a location where particular concentration is required, such as a high pedestrian volume intersection.
 - Is likely to be mistaken for a traffic control device, because it contains red, green or yellow lighting, or has red circles, octagons, crosses, triangles or arrows.
 - Requires close study from a moving or stationary vehicle in a location where the vehicle would be unprotected from passing traffic.
 - Invites drivers to turn where there is fast moving traffic or the sign is so close to the turning point that there is no time to signal and turn safely.
 - Is within 100 metres of a rural railway crossing.
 - Has insufficient clearance from vehicles on the carriageway.
 - Could mislead drivers or be mistaken as an instruction to drivers.
13. Complement the architectural design, form and scale of the host building or land and not obscure a building's architectural form, features or glazed surfaces.
14. Consist of materials and colours that have sufficient contrast between the background and the letters/symbols so that they are

legible/readable both during the day as well as the night, and eliminate glare.

15. Consider Ecologically Sustainable Development (ESD) principles in the use of materials and lighting to achieve energy efficiency.
16. Provide adequate space for all occupancies to display signage where a building or site is occupied by more than one business.
17. Be innovative in design and enrich pedestrian visual experience.
18. Conceal electrical services to a sign.
19. Be designed and placed in a manner that accounts for the long-term maintenance needs and the ease of changing messages if reusing the existing mountings and service installations.
20. Not detract from the appearance or character of the area in residential areas and other high amenity areas.
21. Protect areas of environmental and natural significance by limiting signage within, adjoining or facing these areas.
22. Be compatible with and complement the type, design and character of existing signs in the streetscape and surrounding area.
23. Enhances major entrances / gateways to the municipality by positively contributing to urban design.

3 Sign Types

This section details the requirements relating to specific types of signs, and includes the details for each sign type including term, definition and design guidelines. The outdoor advertising terms and definitions are in accordance with Clause 73 Outdoor Advertising Terms of the Cardinia Planning Scheme.

3.1 Above Verandah/ Awning Sign

A sign above a verandah or, if no verandah, that is more than 3.7 metres above pavement level, and which projects more than 0.3 metres outside the site.

Design guidelines:

Above Verandah/Awning signs should:

- Be limited to one sign per site, or one sign per occupancy where there is more than one tenant in the building and the sign does not create visual clutter.

3.2 Animated Sign

A sign that can move, contains moving or scrolling parts, changes its message, flashes, or has a moving or flashing border.

Design guidelines:

Animated Signs are strongly discouraged in sensitive areas such as residential, rural and conservation zoned areas, heritage places and green wedge areas which have advertising signage controls.

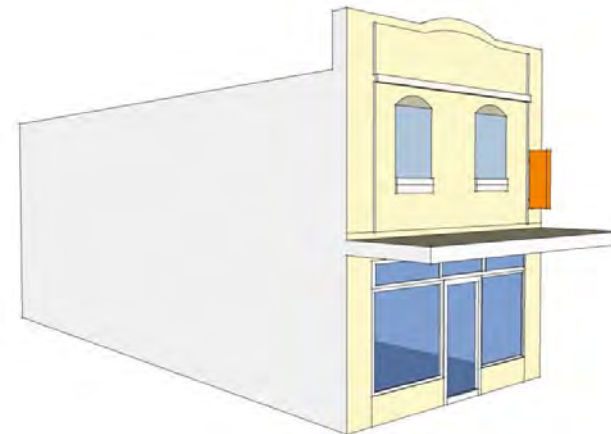


Figure 1. Above Verandah / Awning Sign

Animated Signs must:

- Be limited to one per premises.
- Not be located on the roof of a building, above an awning or verandah.
- Not use animated effects such as ‘fade’, ‘zoom’ or ‘fly-in’.

Animated Signs should:

- Not be adjoining or facing dwellings or public parks / reserves.
- Be static with a minimal number of changes per day. Where changing messages are appropriate a minimum dwell time of not less than 45 seconds should be applied, with no blank screen between messages.

NOTE: Where relevant, the signage requirements and performance standards of Sections 3.6 Electronic Signs applies.



Figure 2. Animated Sign

3.3 Bunting Sign

An advertisement that consists of bunting, streamers, flags, windvanes, or the like.

Design guidelines:

Bunting Signs must:

- Provide or be directly associated with clear identification of a business on site.

Bunting Signs should:

- Be limited to one per premises.
- Contribute to the visual appearance and amenity of commercial or industrial site.
- Be not located in sensitive land use areas.

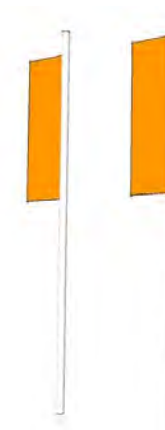


Figure 3. Bunting Sign

3.4 Business Identification Sign

A sign that provides business identification information about a business or industry on the land where it is displayed. The information may include the name of the business or building, the street number of the business premises, the nature of the business, a business logo or other business identification information.

Design guidelines:

Business Identification Signs must:

- Be limited to a maximum of two signs per tenancy where sign is at ground level of a building.
- Be located on the wall / façade of a building or within a 5 metre distance of the building on the site in which the business operates where no parapet exists.
- Be placed at a minimum height of 2.7m clear above the footpath (if applicable) and not project more than 1 metre.

Business Identification Signs should:

- Be placed on the parapet of a building whether it is single or double storey.
- Be located on the façade of the building or on any approved Pole / Panel Sign when designed for freestanding retail centres and for major tenant businesses.
- Be located within a recess or in a specific and designated location that respects the character and scale of the building when designed as part of a new development.
- Not be exceeding 30% of the combined (street-facing) façades on which that signage is located.
- Be clear in its font and print, contain few words and be colour contrasted so to be readable.
- In a freestanding retail centre, be limited to one sign per business / tenancy when where multiple tenancies have direct frontages to car parking areas or streets and the signage is consistent and equally proportional with adjoining businesses.

Cardinia Shire Council

Advertising Signage



Figure 4. Business Identification Sign

11

3.5 Direction Sign

A sign not exceeding 0.3 square metres that directs vehicles or pedestrians. It does not include a sign that contains commercial information.

Design guidelines:

Direction Signs should:

- Not exceed 0.3 square metres in signage area.
- Not exceed more than one sign per business and be displayed on the subject site, unless it can be demonstrated that additional signs are required (i.e. to accurately locate the business).
- Provide a directional message only, and should not promote a business or a product.

NOTE:

Direction signs are used to direct vehicles and or pedestrians within a private property. They do not include signs that contain commercial information, although there are occasions when the business identification logo is integrated with a direction sign.

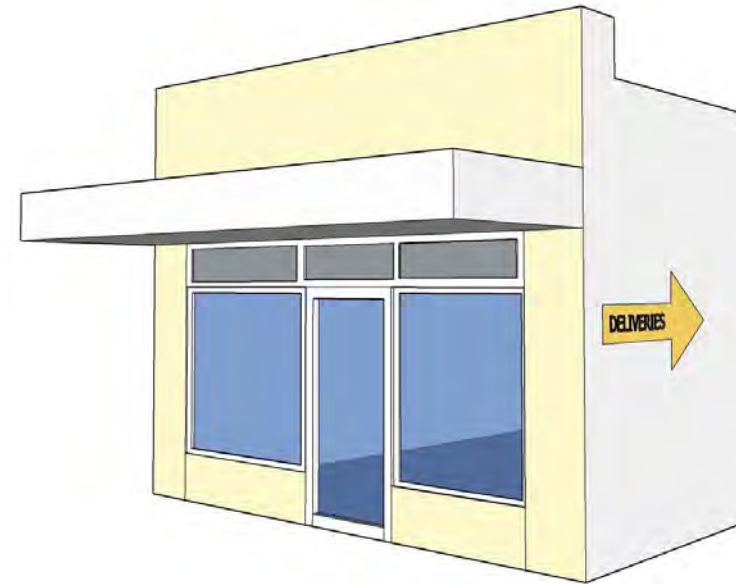


Figure 5. *Direction Sign*

3.6 Electronic Sign

A sign that can be updated electronically. It includes screens broadcasting still or moving images.

Design guidelines:

Electronic Signs must:

- Meet the relevant road authority guidelines where the sign is located adjacent any road.
- Ensure the level and intensity of illumination treatment does not result in light spill, distracting glare and does not affect the amenity of surrounding areas.
- Be designed to ensure the location and size of the sign is appropriate and does not cause distraction to road users.
- Have a minimum dwell time of 45 seconds with no blank screen between messages.

Electronic Signs should only be located in:

- Major Activity Centres if a community benefit can be demonstrated.
- Land adjacent to a freeway which does not have an interface with rural, Green Wedge Zone or any Residential use.
- Schools.

Electronic Signs greater than 18 square metres must:

- Provide 25% of the screen time for a community benefit i.e. is used to screen real time information (such as time, weather, or news headlines), is used to broadcast major events (such as sporting or cultural events), and / or offers free advertising for local community organisations or events.
- Not displaying alcohol and gambling related promotions.



Figure 6. *Electronic Sign*

3.7 Home Occupation Sign

A sign at a dwelling that advertises a home occupation carried on in the dwelling, or on the land around the dwelling.

Design guidelines:

Home Occupation Signs should:

- Face the road with the highest amount of traffic flow.
- Be located at the front of the property, within the landscaping treatment and be no higher than 2 metres above the footpath level if it is a freestanding sign.
- Be professionally designed and printed.
- Not be artificially lit or consist of any bunting, flags or streamers.

3.8 Floodlit Sign

A sign illuminated by external lighting provided for that purpose.

Design guidelines:

Floodlit Signs must:

- Be limited to one sign per site.

Floodlit Signs should:

- Be compatible with, and relevant to the location, type, use and opening hours of the business.
- Be designed at a scale and size which does not dominate the streetscape and has considered the surrounding built form and land uses.
- Ensure the intensity of illumination does not cause light spill and result in loss of amenity to the surrounding area.



Figure 7. Home Occupation Sign

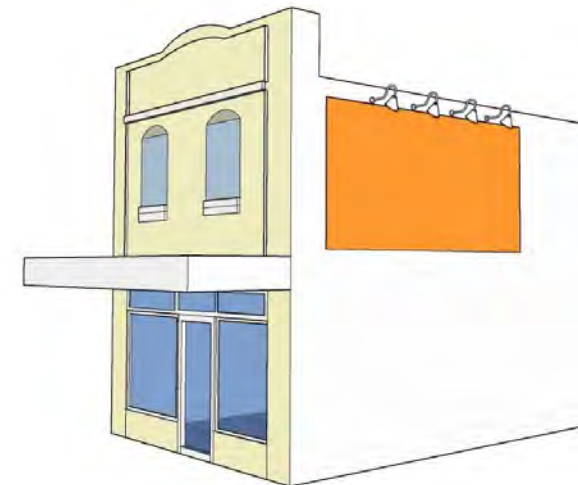


Figure 8. Floodlit Sign

- Provide baffled treatment to avoid distracting glare to surrounding areas. (Including motorists and road related areas).
- The effectiveness and legibility of neighbouring signs are protected.
- Designed so no cabling and light fixtures are exposed.
- The numbers and sizes of floodlights are appropriate to the scale of the sign.

Note: The requirements in Section 3.6: Electronic Signs also applies.

3.9 High Wall Sign

A sign on the wall of a building so that part of it is more than 10 metres above the ground.

Design guidelines:

High Wall signs must:

- Be displayed on a building which is greater than 3-4 storeys in height or at a location which supports a prominent sign and is located within a retail / commercial activity centre or industrial area.
- Be located along the building frontage (where relevant), and the size must be proportionate to the building and surrounding built form.
- Not protrude above the wall height and be fixed to the wall.
- Only display appropriate information relating to that particular business.

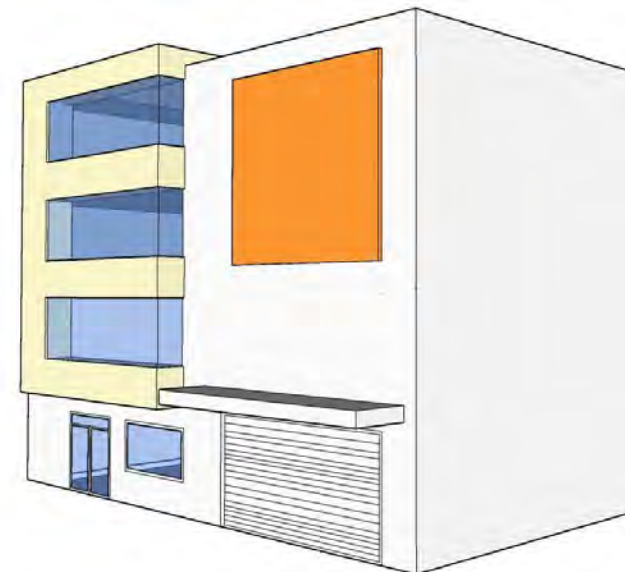


Figure 9. High Wall Sign

3.10 Reflective Sign

A sign finished with material specifically made to reflect external light.

Design guidelines:

Reflective Signs must:

- Be limited to one per site / business / development.
- Not dominate the building(s).

3.11 Internally Illuminated Sign

A sign illuminated by internal lighting or which contains lights or illuminated tubes arranged as an advertisement.

Design guidelines:

Internally Illuminated Signs should:

- Be located at ground level in an activity centre.
- Be compatible with, and relevant to the type, use and opening hours of the business.
- Enhance the architectural style, heritage and or the character of the building.
- Integrate their light fixtures, cabling systems and junction boxes within the sign structure.
- Not interfere with the effectiveness and legibility of neighbouring signs.
- Avoid flashing light and animation.
- Ensure baffled treatment is provided to avoid the unnecessary spill of light and distracting glare.

Note: The requirements in Section 3.6 Electronic Signs also applies.

Cardinia Shire Council

Advertising Signage

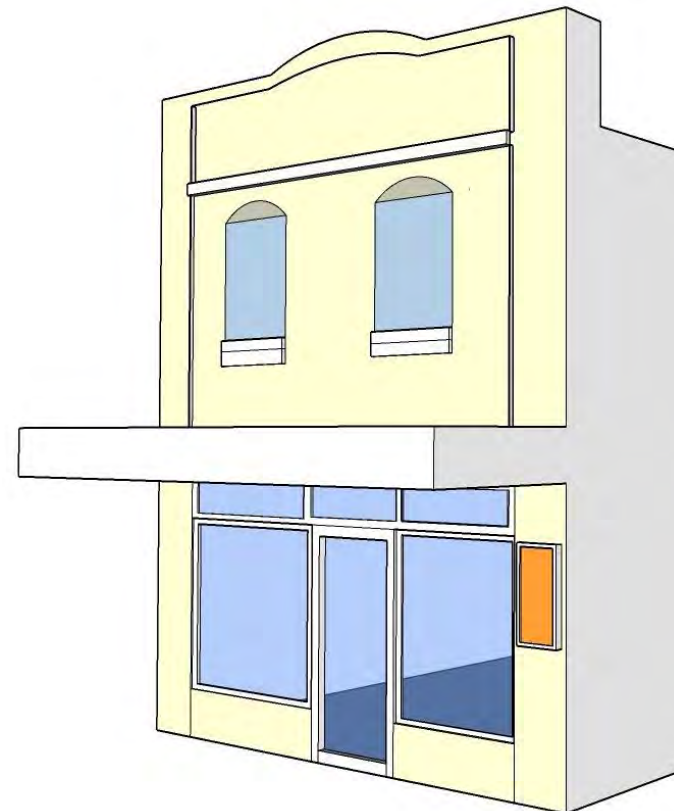


Figure 10. Internally Illuminated Sign

3.12 Panel Sign

A sign with an advertisement area exceeding 10 square metres.

Design guidelines:

Panel Signs must:

Be placed on a large-scale industrial / commercial use building with a significant frontage to a road in the Road Zone Category 1 (RDZ1) or Category 2 (RDZ2).

- Be limited to only one sign per building, unless a building has dual frontage (corner site), then one sign may be permitted on each frontage.
- Refer to one business only.
- Be attached to the building to which the sign relates.
- Not extend above the roofline of the building.
- Not obscure activity inside the building or restrict street surveillance from buildings.

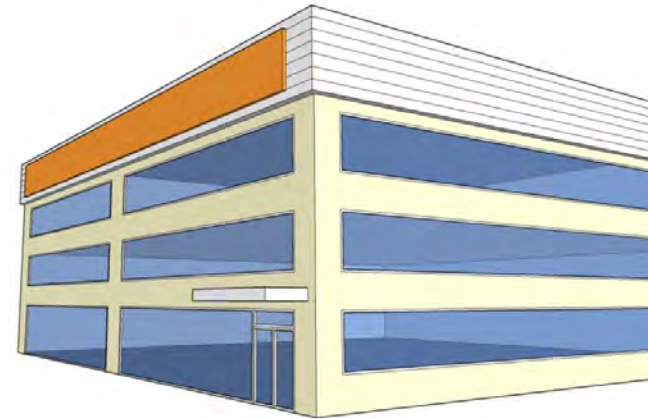


Figure 11. Panel Sign

3.13 Pole Sign

A sign:

- a) on a pole or pylon that is not part of a building or another structure;
- b) that is no more than 7 metres above the ground;
- c) with an advertisement area not exceeding 6 square metres; and
- d) that has a clearance under it of at least 2.7 metres.

Design guidelines:

Pole Signs should:

- Be restricted to one sign per group of premises (i.e. one Pole Sign for a group of shops, industrial or restricted retail premises).
- Be incorporated into the landscape treatment.
- Ensure the signage structure does not protrude over a footpath, road or adjoining property.
- Include the name / location of the retail centre (if applicable) on the sign as the first (top) item on the pole and only major tenants are advertised on that sign.
- Consolidate signs where possible and have regard to the size and number of Pole Signs on adjoining properties.

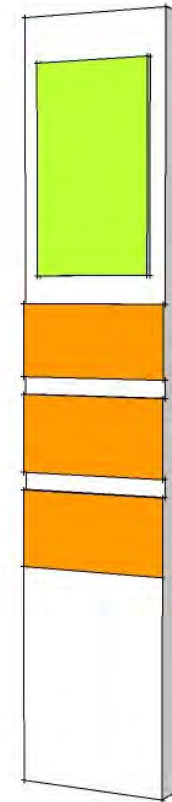


Figure 12. Pole Sign

3.14 Sky Sign

A sign:

- a) on or above the roof of a building, but not a verandah;
- b) fixed to the wall of a building and which projects above the wall; or
- c) fixed to a structure (not a building) so that part of it is more than 7 metres above the ground.

Design guidelines:

Sky Signs on or above the roof of a building, but not a verandah should:

- Identify the major tenants of a shopping centre.
- Only be located at the main entry points for a shopping centre.

Sky Signs fixed to the wall of a building and which projects above that wall should:

- Identify the major tenants of a shopping centre.
- Only be located at the main entry points for a shopping centre.

Sky Signs fixed to a structure (not a building) so that part of it is more than 7 metres above the ground should:

- Only be permitted for identification at the major entry points / gateways to an activity centre or townships.

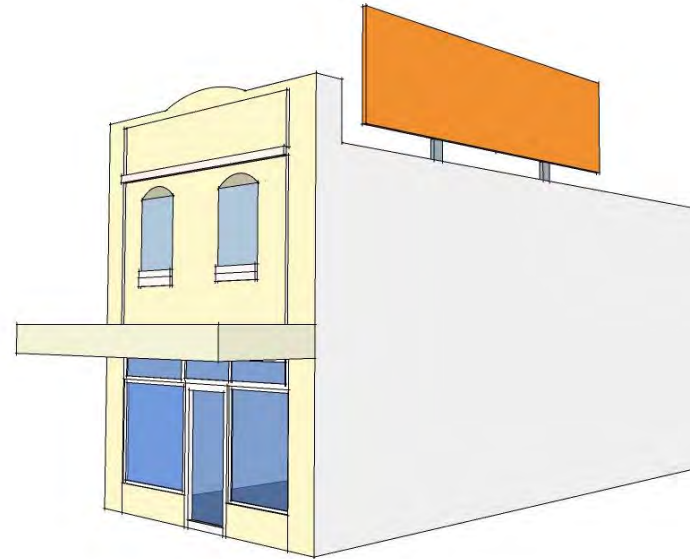


Figure 13. Sky Sign

3.15 Verandah Fascia & Under Verandah Sign

Sign located under the verandah or displayed along the fascia of the verandah. These are to include signs (no more than 3.7m above pavement level) where no below no verandah exists.

Design guidelines:

Verandah Fascia and Under Verandah Signs should:

- Be at least 2.4 metres above the footpath level
- Not project further than the verandah level.
- Not exceed 0.5 metres in height and 0.3 metres in depth for an Under Verandah Sign.
- Have a maximum height of 0.5 metres for a Verandah Fascia Sign.

3.16 Promotion Sign

A sign of less than 18 square metres 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.

Design guidelines:

Promotion Signs that are not located on the same land as the place of business are discouraged with the exception of those listed under Section 3.17 (subdivision and new estate signs) of these guidelines.

Subdivision and New Estate Promotion Signs must:

- Be temporary and relate to Sale Offices and Display Villages or promotion of residential and industrial subdivisions. The signage must be removed once land sales have ceased, or when the planning permit expires (whichever comes first).

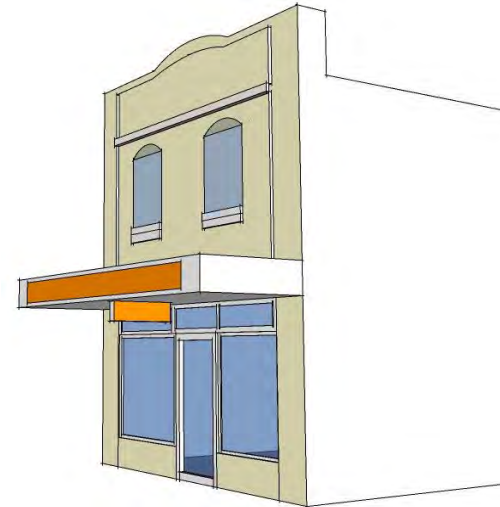


Figure 14. Verandah Fascia & Under Verandah Sign

Subdivision and New Estate Promotion Signs should:

- Be located on the subject land that is being subdivided or sold
- Not be an Internally Illuminated, Floodlit, Animated, Electronic, or a Reflective Sign and have no additions, flags, streamers or appurtenances added to the sign.
- Only display one sign per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- Be removed and the subject site be reinstated, prior to the issuing of a Statement of Compliance for the final stage of subdivision to the satisfaction of the Responsible Authority for promotional signs relating to subdivision.
- Be setback a minimum distance of 10 metres from the title boundary for signs located adjacent to a declared Freeway and/or Highway.
- Have a minimum separation distance of 150 metres between any subdivision and/or new estate Promotion Signs.
- Have a maximum advertising area of 10 square metres.
- Have a minimum setback of 500 metres from an on-off ramp of a Freeway.

Promotional Signs (including signage on trailers) which does not relate to product, goods or services offered for sale on the land) will not be supported.

Council will not support the display or parking of moveable signage, including trailer signage on any land, including Vic Roads or Council road reserves.

NOTE: Where relevant, the requirements in Section 3.12 Panel Sign and Section 3.13 Pole Sign also applies.

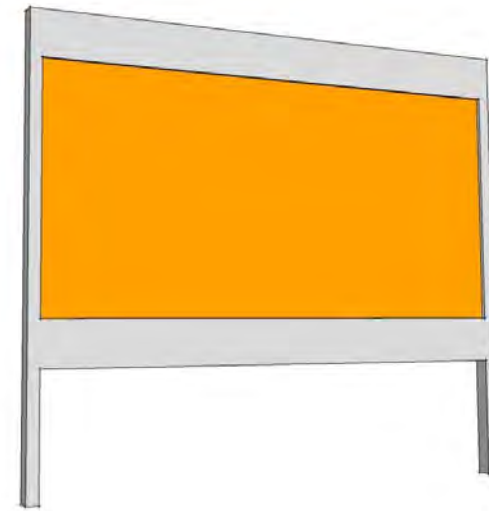


Figure 15. Promotion Sign

3.17 Major Promotion Sign

A sign which is 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.

Design guidelines:

*All Major Promotion Signs for Subdivision and New Estates must comply with the requirements of **Section 3.16 Promotion Signs and the following additional conditions.***

Major Promotion Signs must:

- Be located within Major Activity Centres and or abut declared freeways and highways.
- Take into consideration any requirements of VicRoads, for signs along the freeways and highways.
- Not exceed a total of 21 square metres of advertising area.

Major Promotion Signs should:

- Not dominate the streetscape or landscape.
- Have concealed supports, cabling, lighting and electrical.

NOTE: Where relevant, the requirements in Section 3.12 Panel Sign also apply.



Figure 16. Major Promotional Sign

4 Design Guidelines for Specific Land Use

Different land uses have individual characteristics and this section outlines the requirements relating to signs located on different land uses and includes details for each sign type.

4.1 Commercial (Shop & Office) Areas

Design Guidelines

Signage located in commercial (shop and office) areas should:

- Stimulate interest in the business or service provided on the site and enhance and contribute to the vitality and visual amenity of the commercial area.
- Not occupy more than 50% of the wall area above a verandah, or if no verandah 50% of the total front facade wall.
- Not occupy more than 50% of an awning.
- Be no more than eight square metres of the preferred signage type (see below) for premises with a frontage of less than five metres.
- Be limited to only the front façade of a building where it has a direct frontage to a road or car parking area for painted corporate colours on the exterior of a building.
- Avoid Above Verandah, Sky, High Wall and Bunting Signs that are actively discouraged and are considered inappropriate for this location.

Preferred signage types:

Verandah Fascia Signage
Under Verandah Signage
Business Identification Signage
Internally Illuminated Signage



Figure 17. Encouraged Sign Types for Shops with verandah (Double Storey)

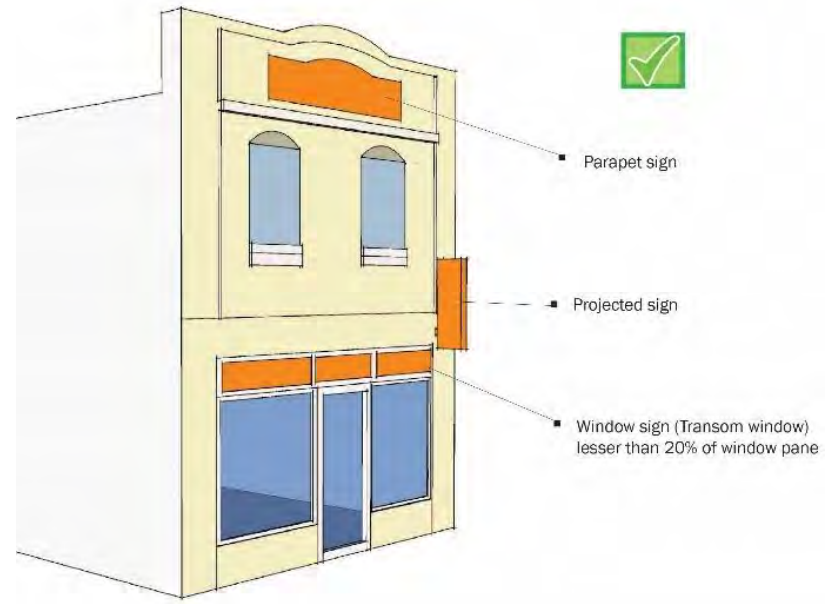
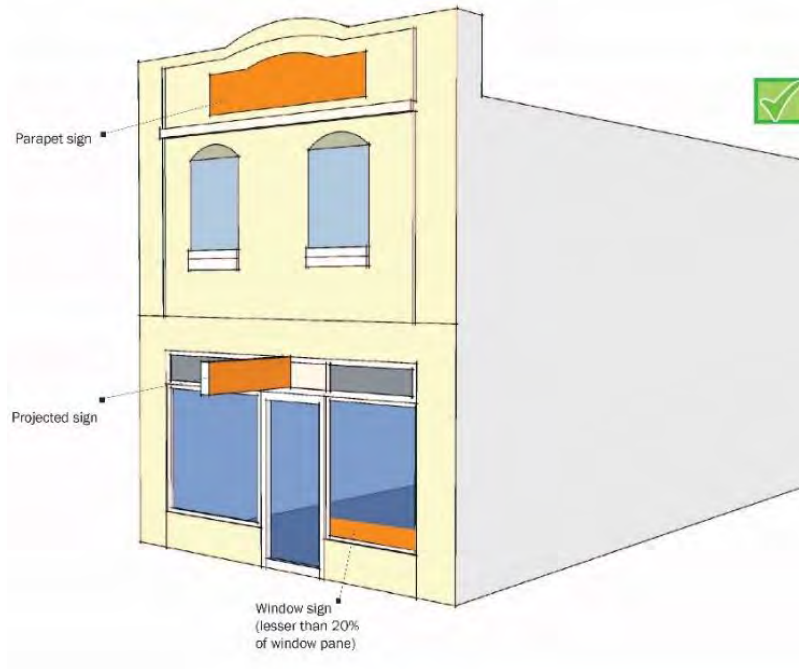


Figure 18. Encouraged Sign Types for Shops without verandah (Double Storey)

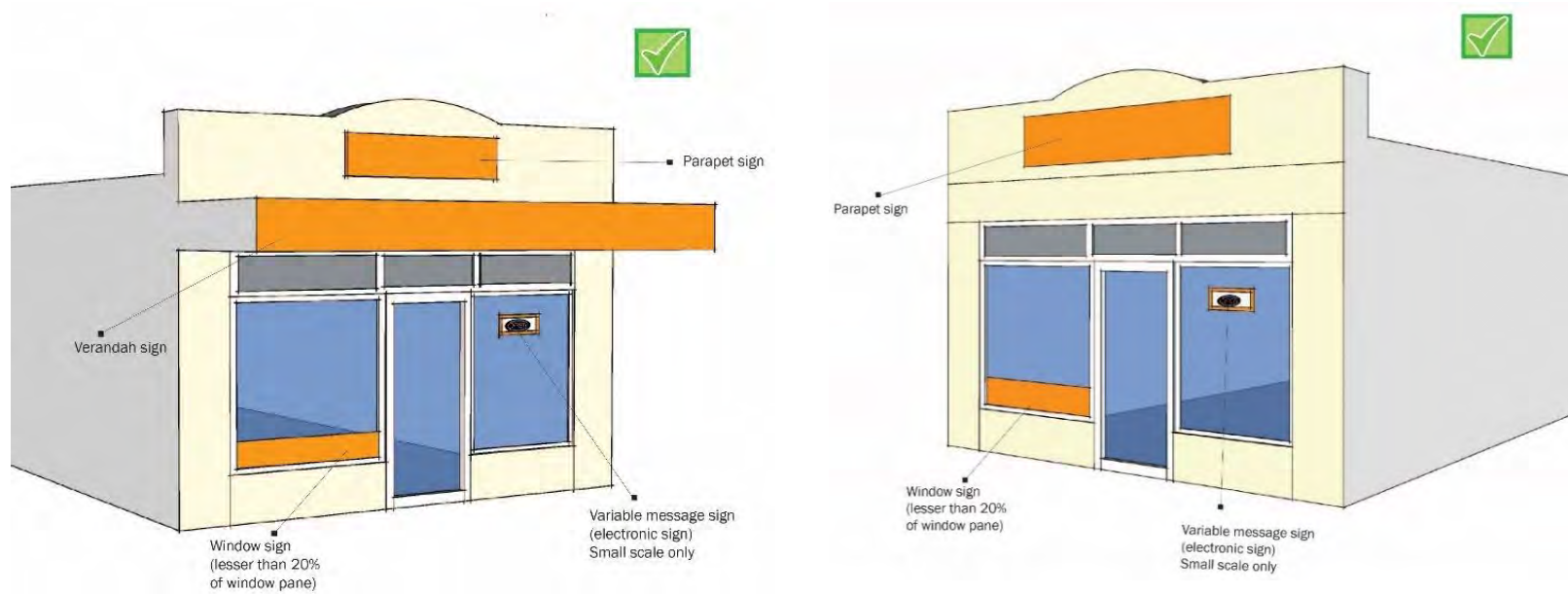


Figure 19. Encouraged Sign Types for Shops (Single Storey)

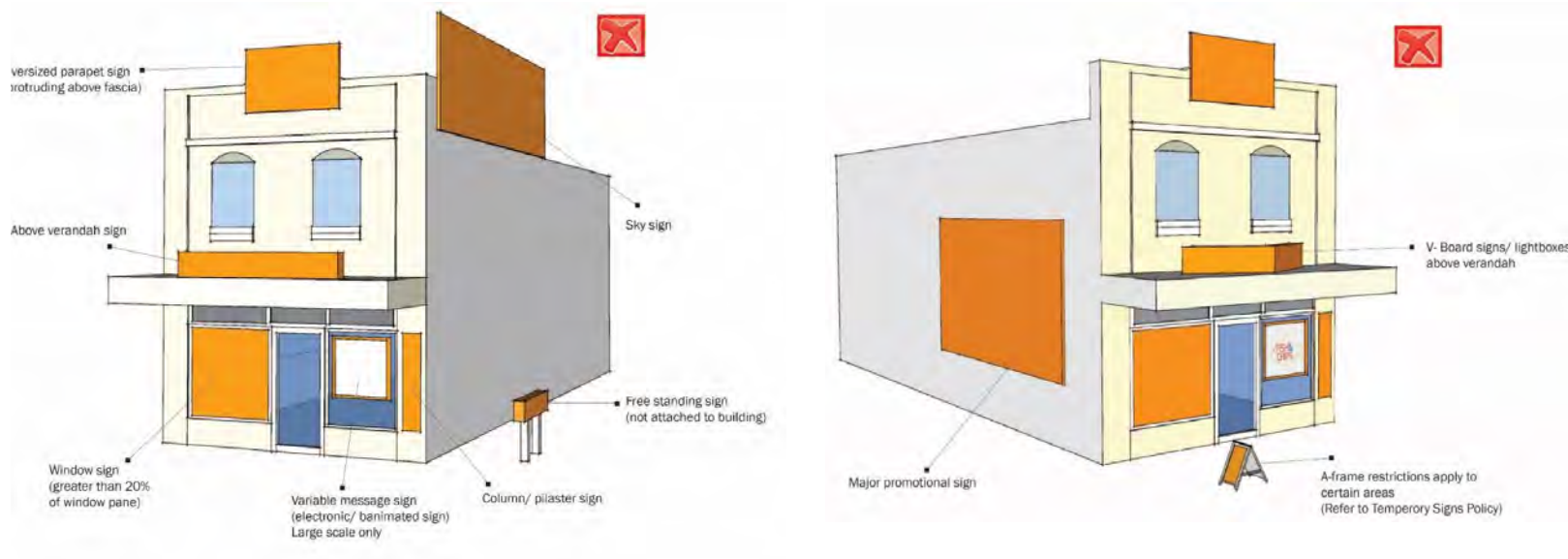


Figure 20. Discouraged Sign Types

4.2 Shopping Centres (Activity Centres, Town Centres)

Shopping centres include free standing retail centres located on a prominent corner site and/or adjoining a Road Zone Category 1 or 2 (RDZ1 or RDZ2), large and neighbourhood Activity Centres (that generally have one central built form area but are comprised of a number of tenancies), and traditional main streets within townships. These shopping centres have a high degree of visibility from the surrounding area.

Design guidelines:

Free-Standing Shopping Centre Signs should:

- Be incorporated into the design of the building form.
- For an individual business, advertising on the exterior of a building should only be permitted where the tenancy has direct external frontage to a carpark. Business Identification Signs should be consistent and uniform in size and preferably located on the businesses verandah fascia or parapet.
- Business Identification Signs on external walls should:
 - Be proportional to the building and is positioned on the building facade.
 - Designed into and complement the architecture of the building.
 - Not protrude above the roofline.
 - Identify the name of the shopping centre.

Specific Guidelines for Activity Centres

This applies to Major Activity Centres and Activity Centres as identified in the Cardinia Planning Scheme.

Pole and Free-Standing Panel Signs should:

- Be limited to one sign per road frontage.

- Display the name of the shopping centre at the top of the sign and list tenants of the site beneath the name of the shopping centre.
- Be incorporated into the landscaping treatment.

Specific Guidelines for Neighbourhood Centres

This applies to Neighbourhood Centres as identified in the Cardinia Planning Scheme.

Pole and Free-Standing Panel signs should:

- Be limited to one sign per centre.
- Display the name of the shopping centre at the top of the sign and list tenants of the site beneath the name of the shopping centre.
- Be incorporated into the landscaping treatment.
- Have a maximum height of six metres.
- Not have adverse impacts upon residential amenity.

Preferred Signage Types

Verandah Fascia Signage
Under Verandah Signage
Panel Signage
Pole Signage
Directional Signage
Business Identification Signage
Internally Illuminated Signage



Figure 21. Encouraged Sign Types for Shops in Town Centres

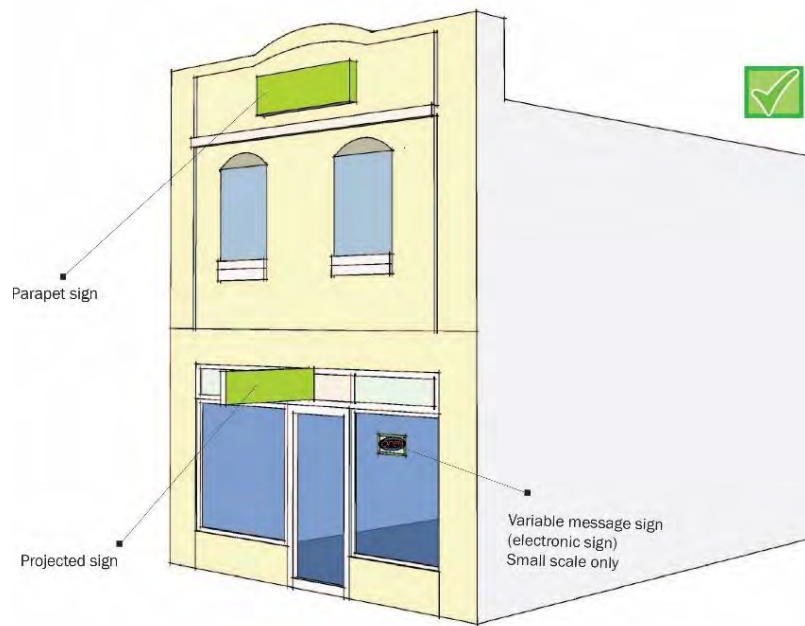


Figure 22. Encouraged Illuminated Sign Types for Shops (without a verandah)



Figure 23. Encouraged Illuminated Sign Types for Shops (with a verandah)

4.3 Free Standing ‘Pad’ Sites

Pad sites include freestanding service stations, retail premises, freeway service centre, office (medical centre) and veterinary centre land uses. Generally, pad sites are located on prominent corner sites and/or on freeways, highways and main roads.

Design guidelines:

- Business Identification Signs on external walls must:
 - Not protrude above the roofline.
 - Identify the name of the tenants (or business logo) only.
- Pole/Pylon and Free-Standing Panel Signs must:
 - Be limited to one sign per road frontage.
 - Be less than seven metres in height.
 - Be incorporated into the landscaping treatment.
 - Not have adverse impacts upon residential amenity.
- Direction Signs for a pad site must:
 - Be limited to one per road entry point.
 - Not exceed 0.3 square metres in size.
- Internally Illuminated, Floodlit, Animated, Electronic and Reflective Signs are highly discouraged on sites or in locations where they will impact upon residential amenity.

Free-Standing Pad Site Signs should:

- Contribute to good urban design outcomes.
- Be designed to minimise visual clutter and unnecessary repetitiveness.
- Be incorporated into the design of the building form.
- Be designed so the signage does not obscure views from windows to, or passive surveillance of, pedestrian activity areas, car parking areas and streets.
- Business identification signs should be consistent and uniform in size and preferably located on the businesses verandah fascia or parapet.

- For an individual business, the painting of corporate colours on the exterior of a building is considered to be signage and should be limited to the front façade of the tenancy where it has frontage to a car parking area or road.

Preferred Signage Types

Verandah Fascia Signage
Under Verandah Signage
Panel Signage
Pole Signage
Directional Signage
Business Identification Signage
Internally Illuminated Signage

4.4 Industrial and Restricted Retail Areas

Design guidelines:

Signs on land zoned for industrial and restricted retail uses should:

- Be located on buildings, awnings or within built elements.
- Be limited to the front and sides of buildings. Business Identification Signs are discouraged at the rear of buildings.
- Should not appear as a dominant feature of building facades, walls, parapets or landscaped surroundings.
- Have a maximum area of 10 square metres.
- Where frontage greater than 40 metres and is set back by 10m or more from a road, consideration will be given for signage with a maximum area of 20 square metres.
- Not include Above Verandah (or roof), Sky, Bunting, Animated, Electronic and Reflective Signs due to the adverse impact such signs have on visual amenity and result in visual clutter in industrial and restricted retail areas.

Signs in **industrial areas** must:

- Where multiple tenants exist on a site, coordinate one main pole/ pylon / free standing panel sign to identify the various businesses located within the site.
- Pole Signs in industrial areas must:
 - Be located at large free standing premises fronting a Road Zone Category 1 (RDZ1) and be well set back from the road.
 - Display only business identification information and are limited to one Pole Sign per premises.
 - Be shared between tenants in industrial estates.
 - Be incorporated into a landscaped area.
 - Be less than seven metres in height.
- Signs on Industrial buildings (or complexes) that are freestanding should:
 - Be limited to one Pole/ Pylon Sign or Free-Standing Panel Sign may be permitted provided it is no greater than seven metres in height, and identifies the company name and logo only.
 - Where dual road frontage, a Fascia / Wall Mounted Sign is permitted on each road abuttal (provided the road is located at the front or the side of the site) which identifies the company name (and logo if applicable).

Signage in **restricted retail** areas must:

- Where there is a grouping of restricted retail premises (such as in a homemaker centre) business identification signage will only be permitted where the retail premise has direct frontage to the exterior of the centre on to a carpark. Signs within the grouping should be consistent and uniform in area and preferably located on the building's verandah fascia / parapet area.
- For individual restricted retail premises, the advertising area will not exceed 12 square metres for the premise.

- Where restricted retail premises are collocated (i.e. homemaker centre), only one major Pole or Free-Standing Panel sign will be allowed to provide a register of business. The sign must be no greater than seven metres in height.
- For free-standing restricted retail sales premises, one Pole Sign is permitted, but only when the site's frontage exceeds 40 metres in length.

Preferred Signage Types

Business Identification Signage
Verandah Fascia Signage
Pole Signage
Direction Signage
Internally Illuminated Signage

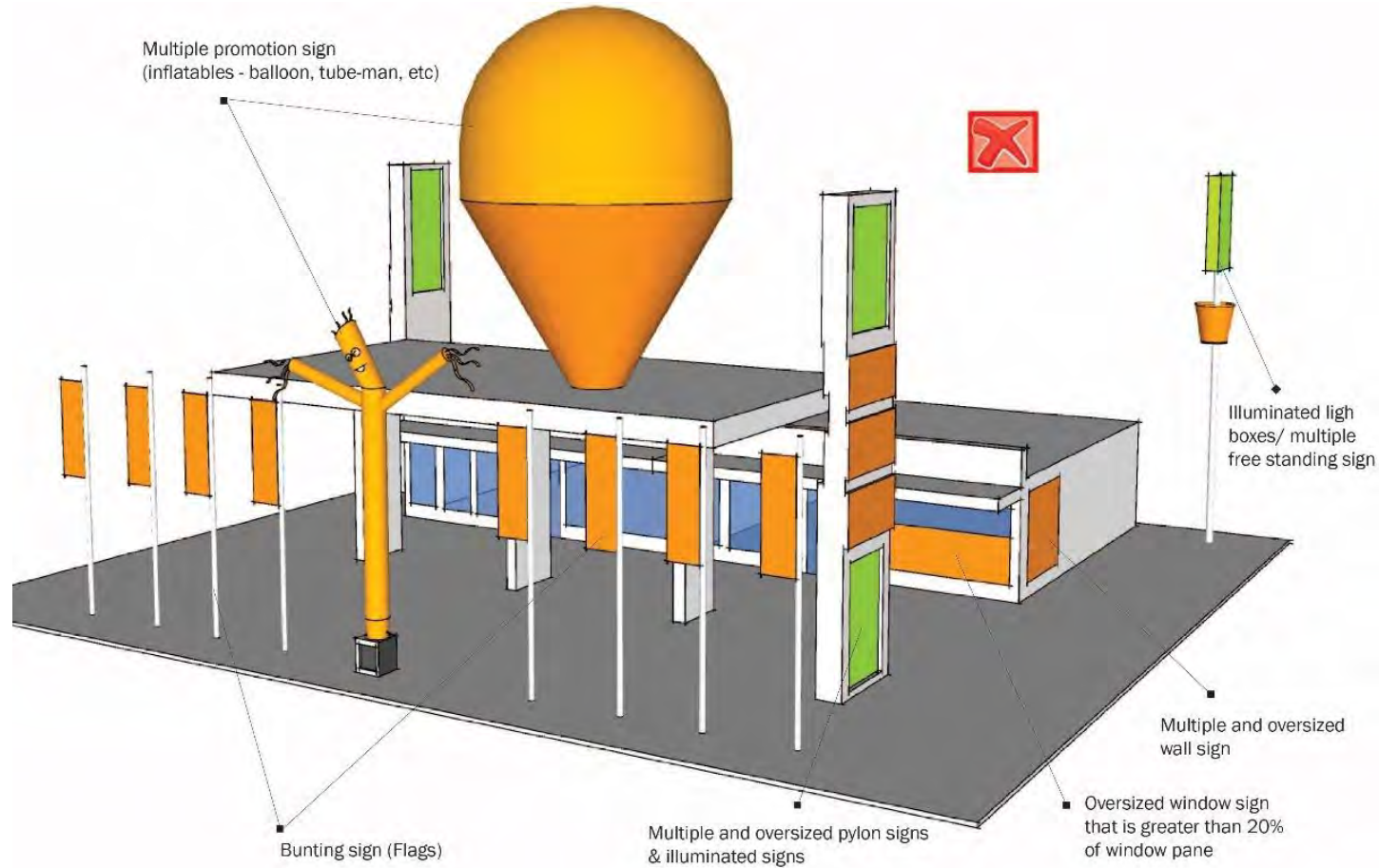


Figure 24. Discouraged Sign Types for Pad Sites, Industrial & Restricted Retail



Figure 25. Encouraged Sign Types for Pad Sites, Industrial & Restricted Retail

4.5 Residential Areas

A range of uses can be located within residential areas which require advertising signage, including but not limited to home occupation, and non-residential uses such as nursing homes, medical centres and childcare centres. The expectation in residential areas is a high level of amenity, privacy, and no visual intrusion from advertising signs or illumination.

Design guidelines:

Signs in residential areas should:

- Be minimised so it does not detract from the residential amenity of the area.
- Be designed to be compatible with the surrounding residential area.
- Not be Internally Illuminated, Floodlit, Animated, Electronic or Reflective Signs unless it can be demonstrated that there is no adverse impact upon residential amenity.

Signs in residential areas must:

- Be limited to one business identification sign with an area of less than three square metres.
- If the signage is free standing signage must:
 - Be located at the front of the building
 - Be located on the street with the greatest amount of traffic (if the site has more than one street frontage)
 - Be no higher than two metres above footpath level
 - Be incorporated into the landscape treatment

Preferred Signage Types

Business Identification Signage
Direction Signage



Figure 26. Encouraged Sign Types for Residential Area

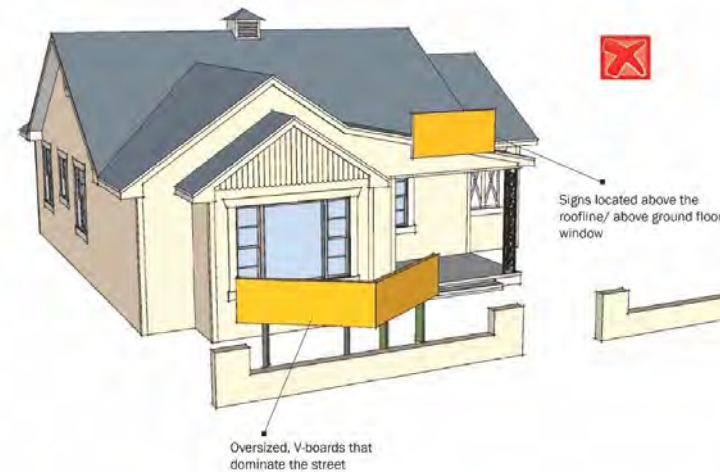


Figure 27. Discouraged Sign Types for Residential Area

4.6 Display Homes Villages & Land Sales Offices

Display home villages are typically located within new residential estates. Signage in these areas should be minimised so it does not detract from the residential amenity of the area and must not be located on a Council road reserve

Design guidelines:

Signs for display home villages and land sales offices should:

- Be designed to minimise visual clutter and unnecessary repetitiveness.
- Direction Signs should not exceed 0.3 square metres in size.
- Be displayed only for the length of time that the land is being used for a display home.
- Not be internally Illuminated, Floodlit, Animated, Electronic or Reflective Signs.
- Not be trailer signs or any form of moveable signage on the land being subdivided or any other land including road reserves.

Preferred Signage Types

Promotion Signage
Direction Signage
Pole Signage

4.7 Rural Areas

Land that is zoned for agricultural/ rural purposes should be identified as areas which have limitations on the type of signage permitted within them. A variety of businesses operate in rural areas such as farming, farm machinery repairs, boarding kennels, and equine facilities etc. which require business identification signage. Signs in these areas should be minimised to minimise the impact that signs may have on the surrounding area.

Design guidelines:

Signs in rural areas must:

- Be limited to one Business Identification Sign per site, which identifies the business or service provided (but not a product).
- Not be an Internally Illuminated, Floodlit, Animated, Electronic or a Reflective Sign.
- Where signage is free standing, it should be located at the front of the property and no more than two metres above ground height.

Signs in rural areas should:

- Be of a low scale to respect the rural character of the surrounding area.
- Be incorporated into the landscape treatment along the boundary of the property.
- Signage colours should be compatible with the surrounding landscape character.

Preferred Signage Types

Business Identification Signage
Direction Signage

5 Advertising Signage Planning Application Checklist

This checklist applies to applications where a new or replacement advertising sign requires a planning permit under the provisions of the Cardinia Planning Scheme.

5.1 What information is required to be submitted with my application?

Clause 52.05 Signs and Sub Clause 52.05-2 Requirements of the Cardinia Planning Scheme sets out the application requirements that must accompany a planning permit application for advertising signage.

The following additional information is required to be provided for a planning permit application for one or more signs:

- A written submission addressing the following:
 - How the proposal meets the requirements of the Cardinia Planning Scheme including the provisions of Clause 52.05 Signs.
 - How the proposal meets the requirements of the Advertising Signage Design Guidelines and/or the Advertising Signs local policy at Clause 22.
- Electronic copies of a fully dimensioned site layout plan at a scale of 1:100. The plans should show:
 - The title boundaries and dimensions.
 - The exact position of all existing and proposed signage on the land.
 - Details of any signs to be retained or removed.
 - Exact dimensions of the signage, including the height, width and depth of all features of the signage.
 - Total percentage of wall area or awning occupied by the sign (wall area includes total wall area above a verandah, or if no verandah, total facade wall).

- Front, side and rear elevations of the signage (or location on a building if applicable) including exact height dimensions and the distance from natural ground level.
- The setback of the sign(s) from all property boundaries.
- The location of the sign(s) in relation any buildings on the application site. If the sign is placed on a wall of a building, this should also be noted on the plan.

- A context plan to show the location of the signs in context of the general area and must show the following:
 - Any existing sign(s) or proposed sign(s) for the same business / development which are located within 500 metres of the proposed sign.
 - If applicable, the proposed sign' distance from a decision making point on the freeway / highway.
 - Any other requirements for specific sign types and specific land uses as detailed in these Guidelines.
 - The location of the proposed sign on the site or building and distance from property boundaries.
 - The location and size of existing signage on the site including details of any signs to be retained or removed.
 - The location and form of existing signage on abutting properties and in the locality.
 - The location of closest traffic control signs.
 - Identification of any view lines or vistas that could be affected by the proposed sign.
- The dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width, depth of the total sign structure including method of support and any associated structures such as safety devices and service platforms.
- Details of associated on-site works.
- The colour, lettering style and materials of the proposed sign.
- The size of the display (total advertising area including all sides of a multi-sided sign).

- The location of any corporate logo box and proportion of display area occupied by such a logo box.
- The relationship to any significant or prominent views and vistas.
- Any landscaping details.
- Some signage may require building permits to ensure that they are safe. Detailed design drawings should be included.

- For Animated or Electronic Signs, a report addressing the decision guidelines at Clause 52.05-3 Referral of applications relating to road safety.

- For any sign over 18 square metres in area:
 - A description of the existing character of the area including built form and landscapes.
 - The location of any other signs over 18 square metres, or Scrolling, Electronic or Animated Signs within 200 metres of the site.
 - Any existing identifiable advertising theme in the area.
 - Photo montages or a streetscape perspective of the proposed sign.
 - Level of illumination including:
 - lux levels for any sign on or within 60 metres of a road zone, a residential zone, public use zone or Business 5 Zone;
 - The dwell and change time for any non-static images.

- If the application proposes a number of signs in various locations of a locality / the municipality, an additional context plan should also be submitted to illustrate this.
- Details of each proposed signage, including dimensions, elevation plans and information on any non-static images or lighting (if applicable).
- The type and level of illumination (if any), including lux levels for any sign within 60 metres of any land in a road, residential, Mixed Use, Public Use or Urban Growth Zone.
- Details of any form of baffles and the times at which the sign would be illuminated.