

**LEVEL 10
477 COLLINS STREET
MELBOURNE VIC 3000**

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21 June 2022

Mary Osman
Statutory Planning
Yarra City Council
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Dear Mary,

TEMPORARY PROJECTION – ARTWORK & SIGNAGE | NO. 2 GOUGH STREET, CREMORNE

Urbis Pty Ltd act on behalf of The Hype Agency (acting for Nike and in collaboration with Caydon Property Group), with respect to the land at No. 2 Gough Street, Cremorne (The Malt District). We have been instructed to lodge a planning permit application seeking approval for the display of temporary projected artwork and promotional signage on the site.

We seek Council's cooperation for urgent facilitation of this matter, as the desired projections are only sought for 2 consecutive months between the months of July and October for approximately four hours after sunset on Friday and Saturday nights.

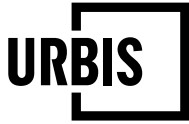
This application seeks to project promotional artwork/signage, to the north, south, east and west elevations of the existing silo structures at 2 Gough Street, Cremorne. The display is to be achieved by temporarily projecting images from a bank of projectors temporarily located in various locations internal to the overall site. The signage is intended to be an interactive display, designed to create visual interest on the silos, whilst not impeding any current construction works nor representing any kind of visual clutter, distraction or hazard.

We enclose the following information in support of this application:

- Certificate of Title
- Application Form
- Projection Plans prepared by The Hype Agency and Caydon

We note that the installation content (advertising and artwork) is subject to global embargo, likely to be approved only a couple of weeks prior to desired commencement. For Council consideration our client has provided indicative imagery which represents the desired scope but would need to be interchangeable with future campaign content.

We request a payment link for urgent payment of an application fee associated with the temporary artwork and signage works.



1. BACKGROUND AND SITE CONTEXT

2 Gough Street (Lot S2 on PS810921M) encompasses the 'Malt District', a mixed-use development precinct, currently under staged development pursuant to PLN15/1176.

1.1. SURROUNDS

The site is a significant part of the Richmond Malting District which comprises of several heritage listed industrial structures. Land surrounding the site comprises a range of uses, with adjoining properties predominantly comprising of commercial and residential properties.

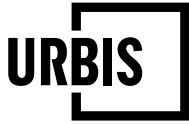
Land immediately surrounding the subject site is described in the table below:

North	To the immediate north of the site is Gough Street. This is a two-way road with on-street carparking along the northern boundary of the subject site. Further north of the subject site is residential properties, comprising of mostly single storey dwellings, and a few infill developments.
East	Immediately to the east of the subject site is No. 154 Cremorne Street, Cremorne, which is a mixed-use development with residential and commercial uses, as part of the Malt District Development. Further East from the subject site is a large-scale mixed-use building which is approximately 12-storeys in height, and with a 4-storey podium street wall. The land further east of this development is mostly commercially zones with a pocket of residential land.
South	Immediately to the south of the site is Harcourt Parade. The Citylink Toll road also runs along the Sothern boundary of the site, which is a state significant road, that is part of the Principal Road Network. Both roads run along the boundary of Yarra River, adjoining the Yarra River Reserve. Further south of the subject site are large areas of residential land, mainly comprising of low to medium density developments.
West	Adjoining the north-west boundary of the site is No. 1-3 Harcourt Parade Cremorne, which is a carparking lot with 2 sky signs, elevated to face the City Link and Harcourt Parade roads. Further West of this site is the crossover between Punt Road and Citylink, and Yarra River. The Royal Botanical Gardens is further west of the Yarra River, within 500-metres of the subject site.

2. PROPOSAL

Caydon have been approached by The Hype Agency, on behalf of Nike, to help facilitate the promotion of their brand by illuminating the prominent silos of the Malt District.

The proposal signage can be described as a 'temporary signage installation' incorporating 'high-wall, major promotion signage', as per the Sign definitions pursuant Clause 73.02 of the Yarra Planning



Scheme. We define the signage components as high-wall signage as it is located on a wall more than 10m above the ground and it is a major promotion sign as it is greater than 18m² (total, across all elevations) and is promotional in nature.

Still images will be projected onto the Silos for 4 hours per night from no earlier than 6pm on Friday and Saturday nights for no more than 2 consecutive months between the months of July and October. This will also include set up and testing for a limited time period. We note the projections do not feature moving, animated or video content nor do they require true works for installation. All facias will feature the same still image, however, a projection specialist will “map” the campaign content to fit the silos.

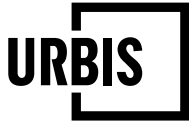
The only proposed physical component is the temporary installation of 8-projectors in various locations around the site, not visible from the public realm. The projectors are to be located within pop up marquees or parked vans and do not require “works” of any kind for installation. The Silos on which the display is to be projected are to be retained in their present condition.

The display will be relatively large in size, encompassing the Silo structures from the north, south, and east with proposed dimensions of maximum 20 m wide by maximum of 51 m high giving a display area of approximately 3225 m² in total. Whilst considered major promotional signage these installations will primarily feature artistic content with limited branding and text.

We seek to provide council with indicative signage content of similar scope, as our client’s promotional campaigns are subject to global embargo where branding content is withheld until unanimously agreed upon. For the purposes of approval within the specified advertising dates, indicative content that is representative of the intended scale and style of the promotional content has been provided for council consideration.

The table below provides approximate dimensions for the 8 facades impacted by the proposed signage.

Building	Associated Fascia Projection Number	Elevation	Signage dimensions* (Area Approximate)
B8 silos	6	North	150 m ² (5 m x 30 m)
B8 silos	4	South	253 m ² (11 m x 23 m)
B8 silos	5	East	400 m ² (20 m x 20 m)
B8 silos	7	West	460 m ² (20 m x 23 m)
B9 silos	1	North	375 m ² (15 m x 25 m)
B9 silos	3	South	612 m ² (12 m x 51 m)
B9 silos	8	East	475 m ² (19 m x 25 m)
B9 silos	2	West	500 m ² (20 m x 25 m)



Building	Associated Fascia Projection Number	Elevation	Signage dimensions* (Area Approximate)
Total	N/A	N/A	Total signage area is approximately 3225 m ² .

3. PLANNING CONTROLS

3.1. ZONING

The subject site is zoned Comprehensive Development Zone – Schedule 3 (CDZ3) under the Yarra Planning Scheme. The provisions of this zone state that sign requirements are at Clause 52.05 and under Category 2.

We also note that one of the key purposes of the zone is to allow the continuation of limited major advertising in the precinct.

3.2. OVERLAYS

The subject site is affected by the following overlays:

- City Link Project Overlay (CLPO)
- Environmental Audit Overlay (EAO)
- Heritage Overlay (HO350)
- Land Subject to Inundation Overlay (LSIO)

The Heritage Overlay states that a planning permit is required to construct or display a sign. However, pursuant to Clause 43.01-2 of the Yarra Planning Scheme states that no permit is required under this overlay to develop a heritage place which is included on the Victorian Heritage Register. Accordingly, as the site is included on the Victoria Heritage Register, a planning permit is not required under the zone. As the proposal does not constitute “works” and only a temporary still image projection, Heritage Victoria permission is not considered necessary.

The EAO and LSIO do not include any additional requirements for advertising signs.

We note that the City Link Project Overlay partially affects the subject site. We understand that permissions are considered based upon the area of works, not the entire parcel. The area for permission is strictly that of the silos only, and the silos / signage area are NOT within the CLPO and thus no permission is required pursuant to this overlay.

3.3. LOCAL PLANNING POLICY

The key local planning policy relevant to the proposal is Clause 22.04 (Advertising Signs Policy). This policy seeks to maintain and enhance the visual amenity of an area, add vitality to activity centres and retail strips and provide economic advantages. There is also an emphasis on reducing visual clutter to maintain the character and amenity of the area.

Clause 22.04 sets out a number of guidelines pertaining to different signage types and signage in specific locations. Signs in commercial areas at Clause 22.04-3.7 and in heritage areas at Clause 22.04-3.8 would be applicable to this proposal.

Local and State policy doesn't provide a definition, requirements or objectives for projection signage.

3.4. PARTICULAR PROVISIONS

Clause 73.02 of the Yarra Planning Scheme provides definitions in relation to various types of signs:

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

The key control governing the display of signage is **Clause 52.05 (Signs)** of the Yarra Planning Scheme. The subject site falls within Category 2. Although this proposal does not meet the VicSmart provisions of this Clause in entirety (relating to the overall signage size), this application otherwise performs well against the VicSmart requirements.

We note the Clause 52.05-9 seeks a mandatory minimum approval period of 10 years for major promotional signage. The intent of the requirements is to ensure that any sign and structure built specifically to support and illuminate the sign must be removed. As these projections and projectors require no works and are temporary, a condition to specify an expiry date of 15 years or otherwise is not required. Furthermore, we would liken the proposed projections to major promotion signs displayed on temporary building shrouding i.e., banner signs. These types of major promotional signs are exempt from a specified expiry date and are comparable to the proposal for their temporary nature and limited impact to the subject building.

Due to the inherently temporary nature of the signs, a sunset clause can be incorporated so that permission ceases by September 2022.

An assessment of the application against the objectives of Clause 52.05 (Signs) is discussed in Section 4.5 of this letter.

3.5. SUMMARY OF PERMIT TRIGGERS

In accordance with the planning controls stipulated above, a planning permit is sought under Clause 52.05-2, where a permit is required to construct or display a sign pursuant to Category 2 - Section 2.

No referral is required to Department of Transport as the signage is not animated nor electronic.

As no works are proposed, there is no referral required from Heritage Victoria for the projections. Views to the nearby heritage signs will be protected.

4. PLANNING CONSIDERATIONS

4.1. IS THE PROPOSAL APPROPRIATE FOR ITS CONTEXT?

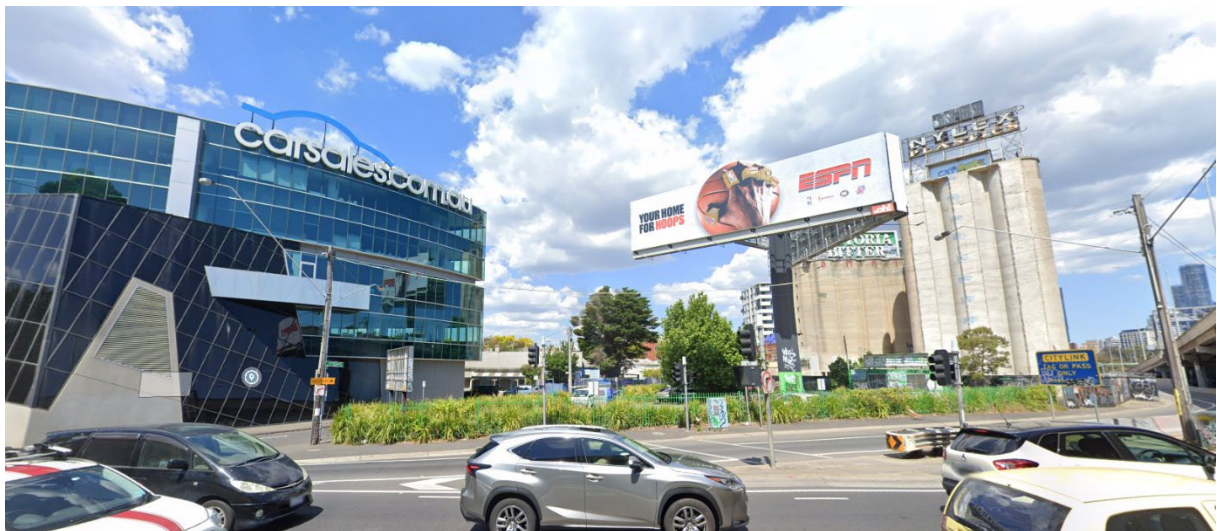
Urbis submit that contextually, the temporary activation of the silos represents a unique and innovative opportunity to promote art and tourism within Melbourne. We consider the proposed installation to be

appropriate within the context of the area given its temporary nature. The installation will illuminate the silos for a total of 4 hours on Friday and Saturday nights (8 hours per weekend) for no more than 2 consecutive months between the months of July and October, leaving the daytime experience and other permitted works unaffected. We observe that the night-time character of this this site, in particular its heritage features, is intended to be perceived as a vibrant landmark of Melbourne.

With respect to size of the artwork and signs in relation to the host structure (silos), we acknowledge the overall content presents across a large area that is very visible from all interfaces. We note the area of branded content contained within the overall projections is limited to a maximum of 5 -10%, with the majority of the projection being artistic content intended to create visual interest as part of a global artistic display rollout. We suggest the projections are not excessive in relation to the scale of its host structure and that the signage component is suitably limited at each vantage point/ projection. All appropriate mechanisms will be in place to ensure there is no light or projector spill to nearby residences.

We note there are examples of major illuminated signage with comparable interfaces. The proposed illumination level of the projections would be significantly lower than the typical internally illuminated screens (~100 lux/cdm2), or externally illuminated panel signs present along Punt Road and Harcourt parade. We find the proposal is less likely to dominate the surrounding environment at night in comparison to the more conventional signage examples within the area.

Figure 1 - Corner of Punt Road and Harcourt Parade



4.2. WILL THE PROPOSAL NEGATIVELY IMPACT UPON BUILDINGS NEARBY?

The signs are located more than 30m from the nearest residential properties. Notwithstanding, the software used for the projections is based on a 3D digital model of the host structure to ensure the content fits perfectly and exclusively to the silos. We have been advised that this software eliminates any potential light spill into the surrounding environment. The projectors themselves are enclosed within vehicles and marquees and will be appropriately baffled during the display times. Given the projections are temporary it is considered that the desired future character of the area is not relevant to the proposal.

The applicant would be happy to accept a Condition of Permit requiring appropriate baffling or projection material to ensure no light spill to residential properties in the vicinity.

4.3. WILL THE PROPOSAL NEGATIVELY IMPACT UPON PEDESTRIAN OR VEHICLE MOVEMENTS?

The Malt District is a location long-associated with the display of major promotional material. Furthermore, the proposed installations are commensurate with the key purposes of the zone, allowing the continuation of limited major advertising in the precinct. The proposal by its nature as a projected image, is not comparable to illuminated wall signs or traffic signs. It is subtle in its level of illumination and as a result will be less distracting. In accordance with clause 52.05-3, no referral is required to Department of Transport as the signage is not animated nor electronic.

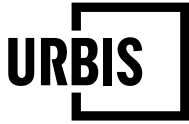
The proposed projections are considered to be acceptable against the requirements of clause 52.05-8 for the following reasons:

- They do not obstruct a driver's line of sight at an intersection, curve or point of egress from an adjacent property
- They do not obstruct driver's view of a traffic control device or are likely to create a confusing or dominating backgrounds that may reduce the clarity or effectiveness of a traffic control device.
- They do not dazzle or distract drivers due to their size, design, or colouring, or by being illuminated, reflective, animated, or flashing.
- They are not at a location where particular concentration is required, such as a high pedestrian volume intersection.
- They cannot be mistaken for a traffic control device, because of red, green or yellow lighting, or red circles, octagons, crosses, triangles or arrows.
- They do not require close study from a moving or stationary vehicle in a location where the vehicle would be unprotected from passing traffic.
- They do not Invite drivers to turn where there is fast moving traffic or are so close to the turning point that there is no time to signal and turn safely.
- The projections are not within 100 metres of a rural railway crossing.
- They do not mislead drivers or are able to be mistaken as an instruction to drivers.

4.4. WILL THE SIGN HAVE AN IMPACT ON THE HERITAGE SIGNIFICANCE OF THE PRECINCT?

Light projected onto the host structure (registered place) does not fall under the definition of 'works' and therefore does not require statutory approval from Heritage Victoria. In this case, the projectors would not be physically affixed to the registered building element so there is no physical intervention requiring approval. In any case, we do not believe the proposed illumination of the silos to detract from the existing heritage fabric of the site during the short display.

The illumination of the level of the projections will not detrimentally affect the amenity of the area by the emission of light spill. The applicant would be accepting of a standard permit condition regarding baffling of light / projection material to ensure no light spill to adjoining properties or buildings.



4.5. CLAUSE 22.04 & 52.05 ASSESSMENT

The proposed signage performs well against the Clause 52.05 requirements for signage, and the mandatory requirements applied to Major Promotional Signage. The proposed signage meets the general signage objectives of Clause 22.04-3 in that:

- The proposed signage exhibits excellent design quality and will be finished to a high standard.
- The visual amenity of the surrounding neighbourhood will be preserved, in that the signage will not result in any visual clutter or excessive advertising.
- The signage does not obscure any important views of vistas, and will not interfere with traffic signals, directional signage, or street signs. There will be no detrimental impacts on to the road network.
- The signage will not produce any light spillage onto adjacent properties of sensitive uses.
- The heritage significance of the signage atop the silo structures will not be diminished by the proposed signage. The proposal does not detract from the architectural detailing of the buildings and is strategically positioned to maximum blank walls.

The proposed signage meets the major promotional signage objectives of Clause 22.04-3.3 and Clause 22.04-3.5 in that:

- The proposed promotional sign is no higher than the height of a building on an adjoining lot or a structure on the subject site.
- The signs are designed to prevent light spill onto adjacent properties.
- The structures that act as projection points and the illumination sources will be concealed where possible and minimise impact to any surrounding properties.
- The proposed signage does not pose any safety hazards and nuisances to the vehicular traffic along Harcourt Road or Gough Street.
- The signage consists of fixed projected images and there are no moving or animated elements of the proposed design.

In response the requirements of the Claus 52.05 are as follows:

Clause 52.05 Decision Guidelines	Response
Character of the area:	The site is located on Gough Street within a commercial area included within the Richmond Maltings District. The surrounding areas consists of low density residential and medium to high-density mixed-use buildings. Although there are pockets of residential development to the north, the immediate surroundings to the site are not considered to be highly sensitive.
Impacts on views and vistas:	The proposed signage will not obscure or compromise any views or vistas. The signs have

Clause 52.05 Decision Guidelines	Response
The relationship to the streetscape, setting or landscape:	<p>been designed and positioned to ensure they will not dominate the skyline. Furthermore, there will be no impact to views of the heritage signs as the proposed projection will be mapped to fit the silo fascia only.</p> <p>The projections are not excessive in relation to the scale of the host structure. Furthermore, the signage component is suitably limited at each vantage point/ projection.</p>
The relationship to the site and building:	<p>The projected signage will sit parallel to the building and will be projected on to the façade, making no physical alterations to the architectural detail of the buildings. We observe that the night-time character of this this site, in particular its heritage features, is intended to be perceived as a vibrant landmark of Melbourne.</p>
The impact of structures associated with the sign:	<p>The proposed signage will be projected on to the face of the buildings from erected projection points and these will be removed after the allotted time, so no impacts will arise as a result of any signage structures. The projectors will not need to be affixed to the area and will be housed in pop up temporary marquees.</p>
The impact of any illumination:	<p>The illumination of the proposed signage will be minimal despite the large scale of the signs.</p> <p>It will not impact adjoining properties or the functioning Harcourt Parade and Gough Street, due the proposed signage positioning and viewpoints.</p> <p>The proposed signage will not impact directly with any properties containing dwellings, noting that building will be buffered by Gough Street.</p> <p>The projected signage image will be fixed and not cause any issued from dazzlement or strobing.</p>

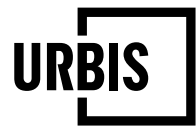
Clause 52.05 Decision Guidelines	Response
The impact of any logo box associated with the sign:	There is no logo box associated with this signage application.
The need for identification and the opportunities for adequate identification on the site or locality:	As part of the ongoing staged development for the Richmond Maltings site, these signages will not contribute to any identification relevant to the overall development.
The impact on road safety:	The proposed signs will not impact the safety of Gough Street as the signs are projected on to the silo buildings, and will have limited light output, will not flash or emit coloured lights and cannot be mistaken for traffic lights.

Major Promotional Signage Requirements pursuant to Clause 52.05-8	
Clause 52.05 Decision Guidelines	Response
<p>The effect of the proposed major promotion sign on:</p> <ul style="list-style-type: none"> ▪ Significant streetscapes, buildings and skylines. ▪ The visual appearance of a significant view corridor, view line, gateway location or landmark site ▪ identified in a framework plan or local policy. ▪ Residential areas and heritage places. ▪ Open space and waterways 	<p>Whilst the projected signage will cover a large area of the Silo buildings, they will not have any permanent impact on the streetscape, buildings and skylines. The form of the structures will remain the same and the signage is temporary.</p> <p>The proposed signage adds visual interest to view line, and is a night-time activation, adding vibrancy to the site. The signage will not detract from any significant views around the site.</p> <p>The promotional nature of the signage will not detrimentally impact the heritage significance of the Nylex sign, the Victoria Bitters sign or the Richmond Malting precinct itself which are landmarks within the Cremorne Neighbourhood. The proposed signage and light source do not interact with the heritage elements in any permanent way.</p> <p>The duration of the illumination is within a specific timeframe to avoid any detrimental impacts to nearby residential areas.</p>

Major Promotional Signage Requirements pursuant to Clause 52.05-8	
Clause 52.05 Decision Guidelines	Response
	The open space and waterways are not impacted by the proposed signage.
<p>When determining the effect of a proposed major promotion sign, the following locational principles must be taken into account:</p> <ul style="list-style-type: none"> ▪ Major promotion signs are discouraged along forest and tourist roads, scenic routes or landscaped sections of freeways. ▪ Major promotion signs are discouraged within open space reserves or corridors and around waterways. ▪ Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant view lines ▪ In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building. 	<p>The proposed promotional signage is temporary and proposed to be active for 4 hours after sunset for 2 days a week (Fridays and Saturdays), between the months of July and October. This significantly limits the surrounding areas to any minor impacts of the signage.</p> <p>There are multiple examples of major promotional signage along the Harcourt Parade which adjoins the Yarra River. Whilst this interface is significant, there are no detrimental impacts to the open spaces and waterway itself.</p> <p>The promotional signage will not obstruct view-lines of heritage significant structures. The scale of the signage ensures that when viewed from the residential areas to the north, the signage will not be visually dominating.</p> <p>The proposed signage does not alter the structure of the heritage building.</p> <p>Richmond Malting and the Silos are a distinctive built form, however the site is undergoing redevelopment and will be altered from its current state. The proposed signage does not detract from these structures as their key features are still visible with the illumination of the signs.</p>

5. CONCLUSION

We now look forward to working with Council to facilitate approval in a prompt and appropriate timeframe. Should you have any queries, please don't hesitate to contact me or Callum Goldby via phone or email.



Kind regards,

A handwritten signature in black ink, appearing to read "Clare Warren", with a long horizontal flourish extending to the right.

Clare Warren
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