



YARRA CITY COUNCIL
Internal Development Approvals Committee
Agenda

**to be held on Wednesday 29 January 2020 at 6.30pm
in Meeting Rooms 1 & 2 at the Richmond Town Hall**

Rostered Councillor membership

Councillor Misha Coleman
Councillor Danae Bosler
Councillor Daniel Nguyen

I. ATTENDANCE

Ally Huynh (Senior Co-ordinator Statutory Planning)
Lara Fiscalini (Principal Planner)
Cindi Johnston (Governance Officer)

II. DECLARATIONS OF PECUNIARY INTEREST AND CONFLICT OF INTEREST

III. CONFIRMATION OF MINUTES

IV. COMMITTEE BUSINESS REPORTS

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***"Welcome to the City of Yarra.
Yarra City Council acknowledges the
Wurundjeri Woi-wurrung as the
Traditional Owners of this country,
pays tribute to all Aboriginal and
Torres Strait Islander people in Yarra
and gives respect to the Elders past
and present."***

Internal Development Approvals Committee Submissions

“Prior to the consideration of any Committee Business Report at a meeting of the Internal Development Approvals Committee, members of the public shall be invited by the Chairperson to make a verbal submission. In determining the order of submissions, the Chairperson shall first invite the applicant or their representatives to submit, followed by formal objectors and finally any other interested persons.

All submitters accepting the invitation to address the meeting shall make submissions in accordance with these guidelines (or a variation of these guidelines as determined by the Chairperson at their sole discretion).

- Speak for a maximum of five minutes;
- Direct their submission to the Chairperson;
- Confine their submission to the planning permit under consideration;
- If possible, explain their preferred decision in relation to a permit application (refusing, granting or granting with conditions) and set out any requested permit conditions.
- Avoid repetition and restating previous submitters;
- Refrain from asking questions or seeking comments from the Councillors, applicants or other submitters;
- If speaking on behalf of a group, explain the nature of the group and how the submitter is able to speak on their behalf.

Following public submissions, the applicant or their representatives will be given a further opportunity of two minutes to exercise a right of reply in relation to matters raised by previous submitters. Applicants may not raise new matters during this right of reply.

Councillors will then have an opportunity to ask questions of submitters. Submitters may determine whether or not they wish to take these questions.

Once all submissions have been received, the formal debate may commence. Once the debate has commenced, no further submissions, questions or comments from submitters can be received.”

Extract from the Council Meeting Operations Policy, September 2019

1. Committee business reports

Item		Page	Rec. Page
1.1	PLN19/0568 - 60 Cremorne Street Cremorne - The construction and display of internally-illuminated, business identification, sky signs.	5	15
1.2	PLN18/0844 - 23-45 Waterloo Rd, Collingwood - Use and development of the land for the construction of two, multi-storey, mixed use buildings (permit required for restaurant and restricted recreation facility (gymnasium) uses), sale and consumption of liquor and a reduction in the car parking requirements.	29	34
	(CONFIDENTIAL ITEM)		

1.1 PLN19/0568 - 60 Cremorne Street Cremorne - The construction and display of internally-illuminated, business identification, sky signs.

Executive Summary

Purpose

1. This report provides Council with an assessment of a planning permit application submitted for No. 60 Cremorne Street Cremorne, which seeks approval for the construction and display of internally-illuminated, business identification, sky signs.

Key Planning Considerations

2. Key planning considerations include:
 - (a) Clause 22.04 – Advertising Signs Policy; and
 - (b) Clause 52.05 – Signs.

Key Issues

3. The key issues for Council in considering the proposal relate to:
 - (a) Signage, and;
 - (b) Objector concerns.

Submissions Received

4. Fourteen (14) objections were received to the application, the grounds of which can be summarised as follows:
 - (a) Light spill impacts from the signs during the night and associated sleep disturbance;
 - (b) Visual intrusion of the sign into Cremorne streetscapes;
 - (c) Impacts on the heritage streetscape of Wellington Street;
 - (d) Query that the proposed signage should be classified as an ‘advertising’ sign rather than as a business-identification sign, and;
 - (e) Erosion of the architectural integrity of the host building.

Conclusion

5. Based on the following report, the proposal is considered to comply with the relevant planning policy and should therefore be supported.

CONTACT OFFICER: Chris Stathis
TITLE: Senior Statutory Planner
TEL: 9205 5352

1.1 PLN19/0568 - 60 Cremorne Street Cremorne - The construction and display of internally-illuminated, business identification, sky signs.

Reference: D20/1296
 Authoriser: Senior Coordinator Statutory Planning

Proposal: The construction and display of internally-illuminated, business identification, sky signs.
Existing use: Office development (currently under construction)
Applicant: Arthur Land PTY LTD
Zoning / Overlays: Commercial 2 Zone / None
Date of Application: 26 August 2019
Application Number: PLN19/0568

Planning History

1. Planning Permit 990593 was issued on 29 November 1999 for 'development of two office buildings, with associated car parking and landscaping'. An extension of time to permit 990593 was approved on 5 December 2000 for the use/development to commence no later than 29 November 2001 and be completed no later than 29 November 2003.
2. Planning Permit PL07/0538 was issued on 11 March 2008 to 'develop the land through buildings and works including the construction of two five-storey buildings and one three-storey building, plus basement and use of the land as offices (no permit required), restricted retail premises and food and drinks premises (café) and a reduction in car parking requirements.
3. Planning Permit PL07/0538 was amended on 28 August 2008 in accordance with VCAT Order and Conditions 1(p), 1(q), 1(r) and Condition 5 deleted and '*The first floor windows and second floor balcony located at the northwest end of Building 3 – North elevation (Plan 22 Revision P3), to be screened to a height of 1.7 metres above floor level*' added to Condition 1
4. An extension of time to permit PL07/0538 was approved on 27 April 2010 for development to commence no later than 11 March 2011. A second extension of time to permit PL07/0538 was approved on 29 March 2011 for development to commence no later than 11 March 2012 and be completed no later than 11 March 2014. This permit has not been acted upon and has now expired.
5. Planning permit PLN11/0404 was issued on 29 July 2011 for the development of the land for buildings and works (retrospective) and use of the land as a temporary car park and storage warehouse for the Epworth Hospital (3 years); and waiver of the car parking requirement. The permit expired on 29 July 2014 with the applicant applying for two extensions of time, which have resulted in a permit expiration date of 29 July 2020. The permit allows for 175 car parking spaces to be provided on the site.
6. Planning Permit PLN17/0626 was issued on 21 June 2018 at the direction of VCAT for the following in accordance with the endorsed plans:
 - (a) *The construction of a building or construction or carrying out of works under clauses 34.02-4 and 43.02-2;*
 - (b) *The use of the land for Indoor recreation facility' under clause 34.02-1;*
 - (c) *The use of the land for 'food and drink premises (café)' as the floor area exceeds 100m² under clause 34.02-1; and*
 - (d) *A reduction in the number of car parking spaces under clause 52.06-3.*

7. The approved building is a seven-storey, mixed use building with most of the building dedicated to office floor space and is currently under construction. This building will be the host building of the signage proposed by the subject application. An image of the building is shown below at figure 1.



Figure 1: Visualisation of the mixed use development at the subject site which is currently under construction.

Background

8. During the planning consultation meeting, it became apparent that the critical objector issue was that of light spill impacts during the night from the proposed signage. In response to this, following the planning consultation meeting, the permit applicant provided the following:
- (a) placement montages of the proposed signage, and;
 - (b) a revised version of the original sightline diagram which provides additional notations.

The Proposal

9. The application is for the construction and display of internally-illuminated, business identification sky signs. Details of the proposed signage are as shown in the table below:

Signage	Type	Size	Location	Total Area
West-facing signs	2 x internally illuminated, business identification, sky signs	3.03m x 3.03m (round logo sign) 1.51m high x 4.24m long (text sign)	West-facing plant screen of the host building with a minimum western boundary setback of 42.35m, southern boundary setback of 48.52m and northern boundary setback of 32.22m.	27.2sqm
East-facing signs	2 x internally illuminated, business identification, sky signs	3.03m x 3.03m (round logo sign) 1.51m high x 4.24m long (text sign)	East-facing plant screen of the host building with an eastern boundary setback of 11.36m, southern boundary setback of 48.52m and northern boundary setback of 32.22m.	

10. The proposed signage is shown by a rendered image of the west-facing signs on the host building at figure 2.

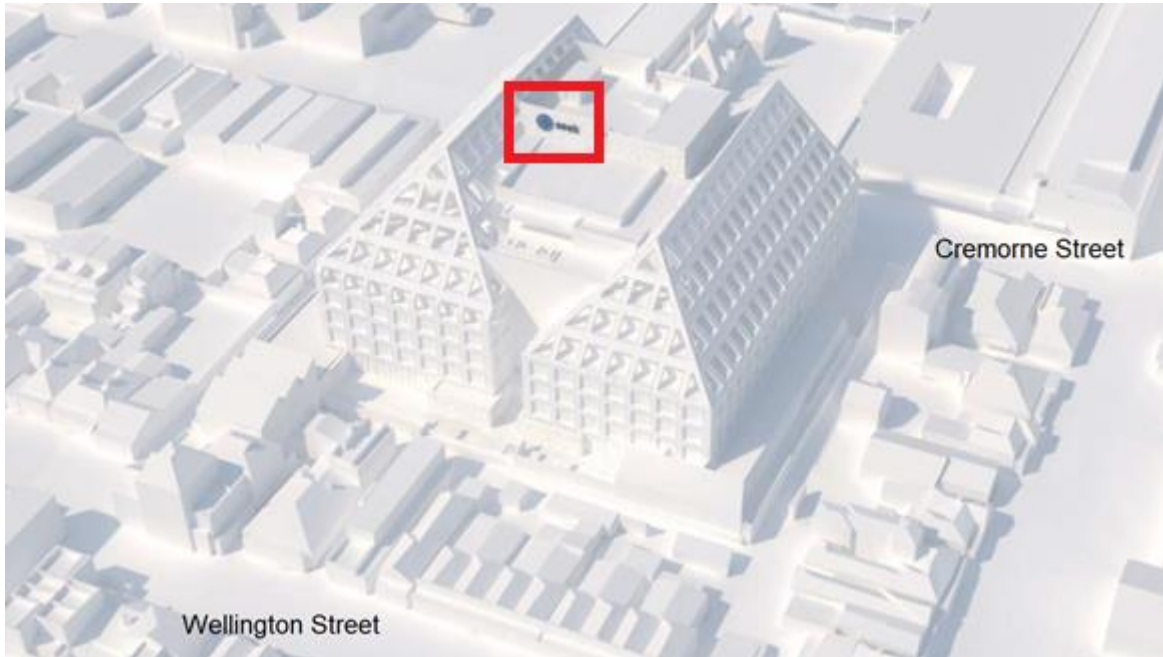


Figure 2: Visualisation of the proposed west-facing signage, looking northeast.

Existing Conditions

Subject Site

11. The site is located on the west side of Cremorne Street in Cremorne. The site comprises three separate titles and is bound by Blanche Street to the north, Parkins Lane to the south and a laneway for part of the western boundary. The site is a regular shaped allotment, has a frontage to Cremorne Street of approximately 88.66m and a depth of approximately 76.54m, yielding an overall site area of approximately 6734sqm.
12. The site is currently being developed in accordance with Planning Permit PLN17/0626 (as previously outlined). The extent of works is shown in the aerial image at figure 3 below.



Figure 3: The subject site and surrounding area (Nearmap, December 2019)

13. The site is legally described as Lots 1, 2 and 3 on Plan of Subdivision PS416600G and the copy of title submitted with the application reveals that there are no restrictive covenants affecting the site.

Surrounding Land

14. Cremorne is generally bound by Punt Road to the west, the CityLink and Yarra River to the south, Church Street to the east and Swan Street to the north.
15. The site is located within a transitional area where the Commercial 2 Zoned land abuts residential land to its immediate west. Further to the east, the Commercial 2 Zone land continues beyond Church Street with the exception of some residentially zoned pockets. There are also some dwellings within the Commercial 2 Zone area, some of which have established existing use rights. Further south is land within the Comprehensive Development Zone and further to the north is the Swan Street Major Activity Centre (MAC) and associated Commercial 1 Zone land. This various zoning has resulted in existing development in the wider area being mixed resulting in diverse built form.
16. The zoning of the area is shown below at figure 4:

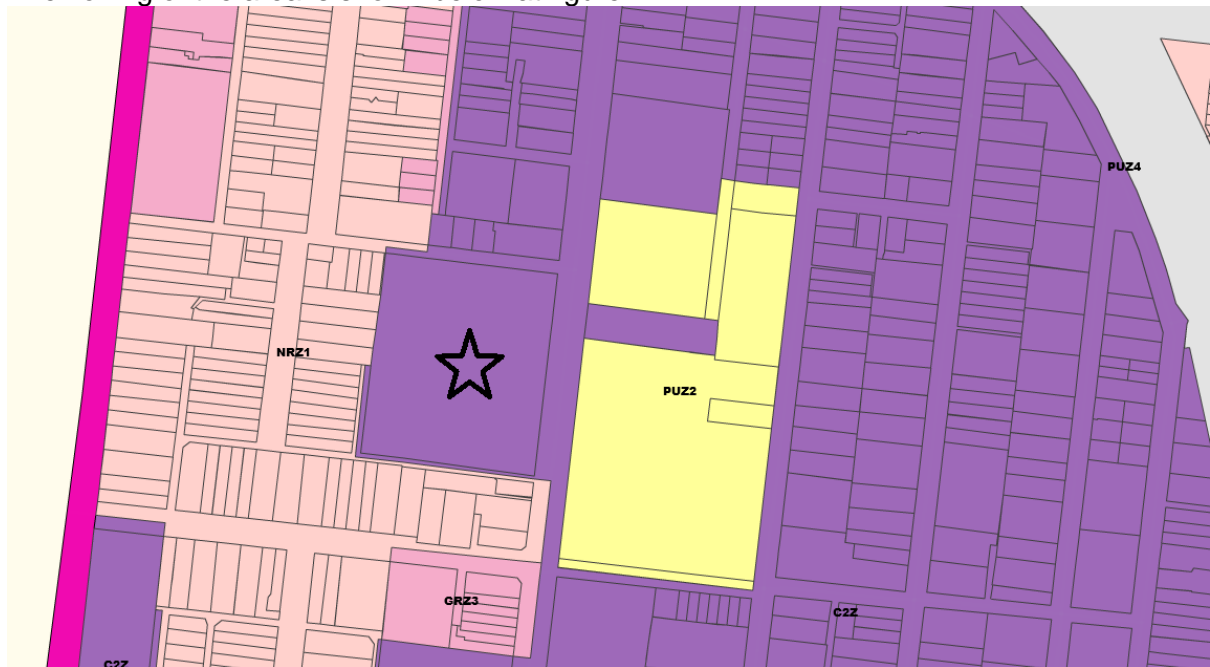


Figure 4: Zoning context of the surrounding land (Council GIS), with subject site marked with a star.

17. The wider area of Cremorne is currently going through a period of transition from lower scale buildings to higher density development. There have been a number of larger scale developments within this western part of Cremorne which have been approved, the majority of which are for office developments ranging in height from 5-10 storeys.
18. The Cremorne area has a diverse range of signage that reflects the land zoning. Along Punt Road there are a number of large major promotional signs, including signs near the Punt Road exit of the City Link freeway and signs attached to the raised platforms of Richmond Railway Station. The majority of these signs are internally illuminated or have floodlighting and are highly visible from the public realm. Smaller, business identification signs are clustered along the commercial strips of Swan Street and Church Street. Along Cremorne Street (closer to the subject site), medium-sized business identification signs are present, the majority of which relate to the light industrial uses in this part of Cremorne.
19. The nearest properties to the subject site include:
 - (a) Dwellings located on the eastern side of Wellington Street and the southern side of Blanche Street (west of the subject site);

- (b) Dwellings located on the northern side of Kelso Street and Nos. 90-94 Cremorne Street (south of the subject site);
- (c) Kangan Institute and a number of commercial uses located on the eastern side of Cremorne Street (east of the subject site), and;
- (d) Dwellings located on the northern side of Blanche Street and the warehouse building at No. 58 Cremorne Street (north of the subject site).

Planning Scheme Provisions

Zoning

20. The subject site is located within the Commercial 2 Zone. The following provisions apply:
- (a) Pursuant to Clause 34.02-8, sign requirements are at Clause 52.05. This zone is in Category 1 (Commercial areas – minimum limitation).

Overlays

21. The subject site is not affected by any planning overlays.

Particular Provisions

Clause 52.05 - Signs

22. The following provisions apply:
- (a) Pursuant to Clause 52.05-11 (Category 1):
 - (i) a planning permit is required for a business identification sign that exceeds 8sqm;
 - (ii) a planning permit is required for an internally illuminated sign that exceeds 1.5sqm and is greater than 3.7m above pavement level, and;
 - (iii) a planning permit is required for a sky sign.
23. The proposed signs are business identification signs as they promote the business which operates on the site.

General Provisions

24. The decision guidelines outlined at Clause 65 of the Scheme are relevant to all applications. Because a permit can be granted does not imply that a permit should or will be granted. Before deciding on an application, the Responsible Authority must consider a number of matters. Amongst other things, the Responsible Authority must consider the relevant State and Local Planning Policy Frameworks, as well as the purpose of the zone, overlay or any other provision. An assessment of the application against the relevant sections of the Scheme is offered in further in this report.

Planning Policy Framework (PPF)

25. Relevant clauses to this application are as follows:

Clause 15.01-1S – Urban Design

26. The objective of this clause is *to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity*. The relevant strategies of this policy are as follows:
- (a) *Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.*
 - (b) *Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
 - (c) *Ensure the interface between the private and public realm protects and enhances personal safety.*
 - (d) *Ensure development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.*
 - (e) *Promote good urban design along and abutting transport corridors.*

Clause 17.02-1 - Business

27. The relevant objective of this clause is:
- (a) *To encourage development which meet the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.*

Local Planning Policy Framework (LPPF)

28. The clauses of the Municipal Strategic Statement (MSS) that are relevant to this application are as follows:

Clause 21.04-3 – Industry, office and commercial

29. This clause highlights the importance of the commercial/ office precincts of Yarra and states that *Yarra plans to retain and foster a diverse and viable economic base.*

Clause 21.05-2 – Urban design

30. The relevant objectives and associated strategies of this clause are as follows:
- (a) *To reinforce the existing urban framework of Yarra*
 - (i) *Reinforce the Yarra River Corridor as the key ecological and open space element of the urban framework.*
 - (ii) *Maintain and strengthen the preferred character of each Built Form Character Type within Yarra.*
 - (iii) *Maintain key vistas along the Yarra River Corridor.*
 - (b) *To ensure that new development contributes positively to Yarra's urban fabric.*
 - (i) *Ensure development is designed having particular regard to its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties and its environs.*

Clause 21.08-2 – Burnley, Cremorne, South Richmond

31. This clause sets out the locally specific implementation of the objectives and strategies for Yarra's neighbourhoods. The subject site is located within the 'Burnley – Cremorne – South Richmond' neighbourhood, and is identified as having the 'Non Residential Areas' built form character. The specific objective for this built form character is to *improve the interface of development with the street.*

Relevant Local Policies

32. The relevant local policies are as follows:

Clause 22.03 – Landmarks and Tall Structures Policy

33. The objective of this policy is to *maintain the prominence of Yarra's valued landmarks and landmark signs.* The policy lists a number of prominent landmarks, and states that the public views of these should be protected. The most proximate landmark to the subject site is the Slade Knitwear sign on Dover Street, Cremorne.

Clause 22.04 - Advertising Signs Policy

34. This policy applies to all permit applications for development that incorporate signage. The relevant objectives of this policy are:
- (a) *To ensure that signs contribute to and do not detract from the visual amenity of commercial precincts, activity centres and residential areas.*
 - (b) *To minimise visual clutter.*
 - (c) *To ensure that signs are not the dominant element in the streetscape.*
 - (d) *To protect and enhance the character and integrity of places of heritage significance.*
 - (e) *To maintain vehicular and pedestrian safety.*

Advertising

35. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 2,692 letters sent to surrounding owners and occupiers and by a sign displayed on site. Council received (14) objections to the application, the grounds of which can be summarised as follows:
- (a) Light spill impacts from the signs during the night and associated sleep disturbance;
 - (b) Visual intrusion of the sign into Cremorne streetscapes;
 - (c) Impacts on the heritage streetscape of Wellington Street;
 - (d) Query that the proposed signage should be classified as an 'advertising' sign rather than as a business-identification sign, and;
 - (e) Erosion of the architectural integrity of the host building.
36. A planning consultation meeting was held on 19 November 2019 and attended by three objectors, the applicant and planning officers to discuss issues and concerns raised in the letters of objection. The applicant did not make any commitments to change the proposal, however a sign placement montage and a revised sightline diagram was submitted following the planning consultation meeting (see attachments).

Referrals

37. The application was not required to be referred externally or internally.

OFFICER ASSESSMENT

38. The primary considerations for this application are as follows:
- (a) Signage, and;
 - (b) Objector concerns.
39. The proposed signs will be assessed against the decision guidelines of Clause 52.05 and the local advertising signs policy of Clause 22.04. The signage provisions of Clauses 52.05 and 22.04 have consistent objectives pertaining to the protection of the visual amenity of the area – particularly the minimisation of visual clutter – as well as major view corridors and vistas, and the amenity of dwellings.

General

40. Clause 52.05 sets out the following relevant decision guidelines which will be discussed across the following paragraphs:
- (a) *The character of the area;*
 - (b) *Impacts on views and vistas;*
 - (c) *The relationship to the streetscape;*
 - (d) *The relationship to the site and building;*
 - (e) *The impact of any illumination;*
 - (f) *The impact on road safety.*
41. The proposal is for two internally-illuminated signs to be incorporated into the façade of an office development that is currently under construction. This development is to be Australian headquarters of the online recruitment business 'seek' and as such, the purpose of the proposed signage is to identify the development as such. The subject site is located within the Commercial 2 Zone which is listed as Category 1 (commercial areas) which has the least restrictions with respect to signage. Pursuant to Clause 52.05-11, the purpose of this category is to *provide for identification and promotion signs and signs that add vitality and colour to commercial areas*. The proposed signage satisfies this purpose by identifying and promoting the host building with the 'seek' business and adding to the vibrancy of the broader area.

As previously outlined, Cremorne is undergoing a transition towards a key office precinct of Melbourne with numerous multi-storey developments under construction – the proposed signage – the business logo of the tenant of the host building - will thus be compatible with this emerging context.

Design

- 42. The proposed signage will be located on west and east-facing plant area screens of the building and will not protrude above the overall height of the building. This satisfies local signage policy at Clause 22.04 which states that signs should not be erected on the roof of the host building and that signs must be integrated into the design of the host building. The design of the signage is simple in that it is limited to the 'seek' logo and text. The logo is a dark blue circle surrounding an arrow composed of smaller white circles. The text is 'seek' in a simple, lower case font in the colour white. The sign is thus of a simple design that will integrate with the host building, which has a contemporary, rectilinear appearance.
- 43. With dimensions of 3.03m by 3.03m (round logo) and 4.24m long by 1.51m high (text), the scale of the signs is well proportioned relative to the large building on which they will sit, which is approximately 66m wide by 35m high. The proposed sizing of the signs thus satisfy local signage policy at Clause 22.04 which state that signs must have proportional relationships with their host buildings. The host building does not have approval for any other permit-required signage. As such, the proposed signage will not result in visual clutter for the host building in accordance with the decision guidelines of Clause 52.05 and local signage policy at Clause 22.04.

Streetscape

- 44. The proposed signs will face east to Cremorne Street and west towards the rear of dwellings on the eastern side of Wellington Street. Cremorne Street is characterised by commercial buildings with a mix of small and medium-sized business identification signs typically located at either the ground floor and at the street boundary. The proposed east-facing sign will have minimal interruption to the Cremorne Street context as it will be located towards the top of the host building (i.e. away from the lower levels of the public realm) and will be set back from the Cremorne Street boundary (11.35m). Wellington Street has no evident signage, however the proposed west-facing sign will generally not be visible from this street. This is due to the sign's significant minimum western boundary setback of 42.35m which ensures that the lower levels of the western façade of the host building will obscure views of the sign from Wellington Street, as shown by the sightline diagram at figure 5. In light of these considerations, the proposed signage will not result in any significant change to the signage context of these streetscapes and will not result in any cumulative impact or visual clutter to the surrounding context.

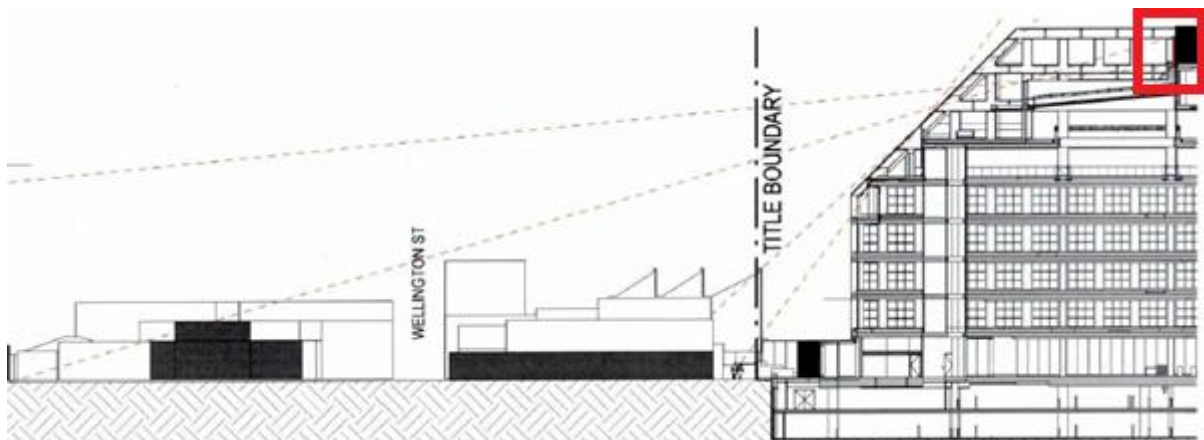


Figure 5: Sightline diagram for the west-facing signage.

Views / Vistas

45. The proposed signage will not affect views and vistas of the Melbourne CBD, prominent landmarks or other signs nearby, when compared to the host building. This is because the signage has been designed to sit below the overall height of the host building. In addition, the proposed signage is restrained in design and modest in size (relative to the host building). As such, the signage will not dominate the skyline or affect the quality of significant public views. Clause 22.03 shows that the closest listed landmark to the subject site is the Slade Knitwear sign on Dover Street, which is approximately 130m from the subject site. Given this distance from the subject site and the Slade Knitwear sign's relatively low height (four storeys), the proposed signage will not affect the quality of views to the Slade Knitwear sign.

Construction and support

46. The proposed signs are appropriate given they will be fixed to the eastern and western plant screens of the building, and will therefore not impede the movement of pedestrians or vehicles. Any electrical equipment will be integrated into the overall structure and will generally be concealed from view from surrounding streets by the lower levels of the host building.

Illumination

47. As stated under Clauses 52.05 and 22.04, applications for illuminated signage need to consider potential impacts on vehicle safety and the amenity of nearby residents.
48. With regard to vehicle safety, the west-facing sign will be visible from the CityLink freeway (at a distance of 350m) and from Punt Road (at a distance of 180m). Given that the proposed signage is not electronic or animated, there is no statutory requirement for the application to be referred to VicRoads. Notwithstanding this, the proposed signage is considered to be appropriate from a vehicle safety perspective given the following:
- (a) The signs are not animated or flashing and given the blue and white colours of the sign, cannot be interpreted as a traffic light signal. Whilst the logos of each sign do include an arrow symbol, the height and setbacks of the signs will ensure that they are not interpreted as traffic instructions;
 - (b) The signs will not obstruct a driver's view of existing traffic control devices or signs, and;
 - (c) The signs are commensurate with other business identification signs in the area. Further, the signs are smaller than the major promotion signs located along Punt Road and the City Link freeway.

49. In relation to the amenity of surrounding dwellings, the most proximate dwellings are directly opposite the west-facing sign (i.e. the dwellings on the eastern side of Wellington Street) which will not have any visibility of the sign given that the lower levels of the host building will obscure views. Similarly, the lower levels of the host building will obscure light spill from the west-facing sign partly by shadows from the building itself; partly from any lights from the office building.

50. As determined in the planning appeal for No. 2A Bridge Road, Richmond (*oOh! Media Assets Pty Ltd v Yarra CC [2016] VCAT 1670*), in relation to residential interfaces with illuminated signage in a commercial zone, the Victorian Civil Administrative Tribunal (the Tribunal) stated:

“residents retain the opportunity to draw blinds to avoid excessive distraction that may arise if sitting in a darkened room with the blinds open” and that “deciding to close blinds or not, and indeed the type of blinds residents use is their choice”.

51. This is particularly pertinent to residential buildings that are located at the interface with commercially-zoned land where residents cannot expect the same level of amenity as they would in a residential hinterland.

52. Notwithstanding the above considerations, a lighting impact assessment will be required by condition. This will ensure that the lighting levels of the proposed signage are maintained in a

measurable manner so as not to result in any unreasonable light spill impacts to the nearby residential land.

53. The proposed signage is in accordance with the decision guidelines of Clause 52.05 and local policy at Clause 22.04. The proposed signage is appropriate for the commercial context but has also been designed to minimise visibility and light spill impacts to nearby residential uses - the required Lighting Impact Assessment will provide measurable restrictions to ensure that this is the case.

Objector Concerns

54. The majority of objector concerns have been addressed within the body of this report as follows:

- (a) *Light spill impacts from the signs during the night and associated sleep disturbance* – this matter has been addressed at paragraphs 49-52;
- (b) *Visual intrusion of the sign into Cremorne streetscapes* – this matter has been addressed at paragraphs 44-45;
- (c) *Impacts to the heritage streetscape of Wellington Street* – the subject site is not located within a heritage overlay and therefore heritage considerations cannot be given significant weight as part of the application assessment. The heritage merits of Wellington Street are based on the streetscape and buildings along Wellington Street itself and not on commercial land further east. Notwithstanding this, the proposed signage has been designed to minimise views from nearby streets affected by the heritage overlay (notably Wellington Street to the west). As such, the proposed signage will not have any unreasonable impact on nearby heritage streetscapes.
- (d) *Query that the proposed signage should be classified as an ‘advertising’ sign rather than as a business-identification sign* – this matter has been addressed at paragraphs 22-23, and;
- (e) *Erosion of the architectural integrity of the host building* – this has been addressed generally within the report, however it is reiterated that the proposed signage is to be attached to the plant area screens only, is limited in size and does not alter the architecture of the host building.

Conclusion

55. Based on the above report, the proposal is considered to comply with the relevant planning policy and should therefore be supported, subject to conditions.

RECOMMENDATION

That having considered all relevant matters, Council resolves to issue a Notice of Decision to Grant Planning Permit PLN19/0568 be issued for the construction and display of internally-illuminated, business identification sky signs at 60 Cremorne Street, Cremorne, generally in accordance with the plans noted previously as the “decision plans” and subject to the following conditions:

1. The location and details of the signs, including the supporting structure, as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
2. The signs must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.

3. Before the signage is erected, a Lighting Impact Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Lighting Impact Assessment must address light spill impacts to nearby dwellings. When approved, the Lighting Impact Assessment will be endorsed and will form part of this permit. The Lighting Impact Assessment must provide for:
 - (a) The control of light spillage into the windows of existing dwellings to comply with the requirements of AS 4282 – 1997, "Control of the obtrusive effects of outdoor lighting";
4. The provisions, recommendations and requirements of the endorsed Lighting Impact Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
5. The signs must not include any flashing or intermittent light.
6. This permit expires 15 years from the date of the permit.
7. On expiry of this permit the approved signs and structures built specifically to support or illuminate it must be removed.

NOTES:

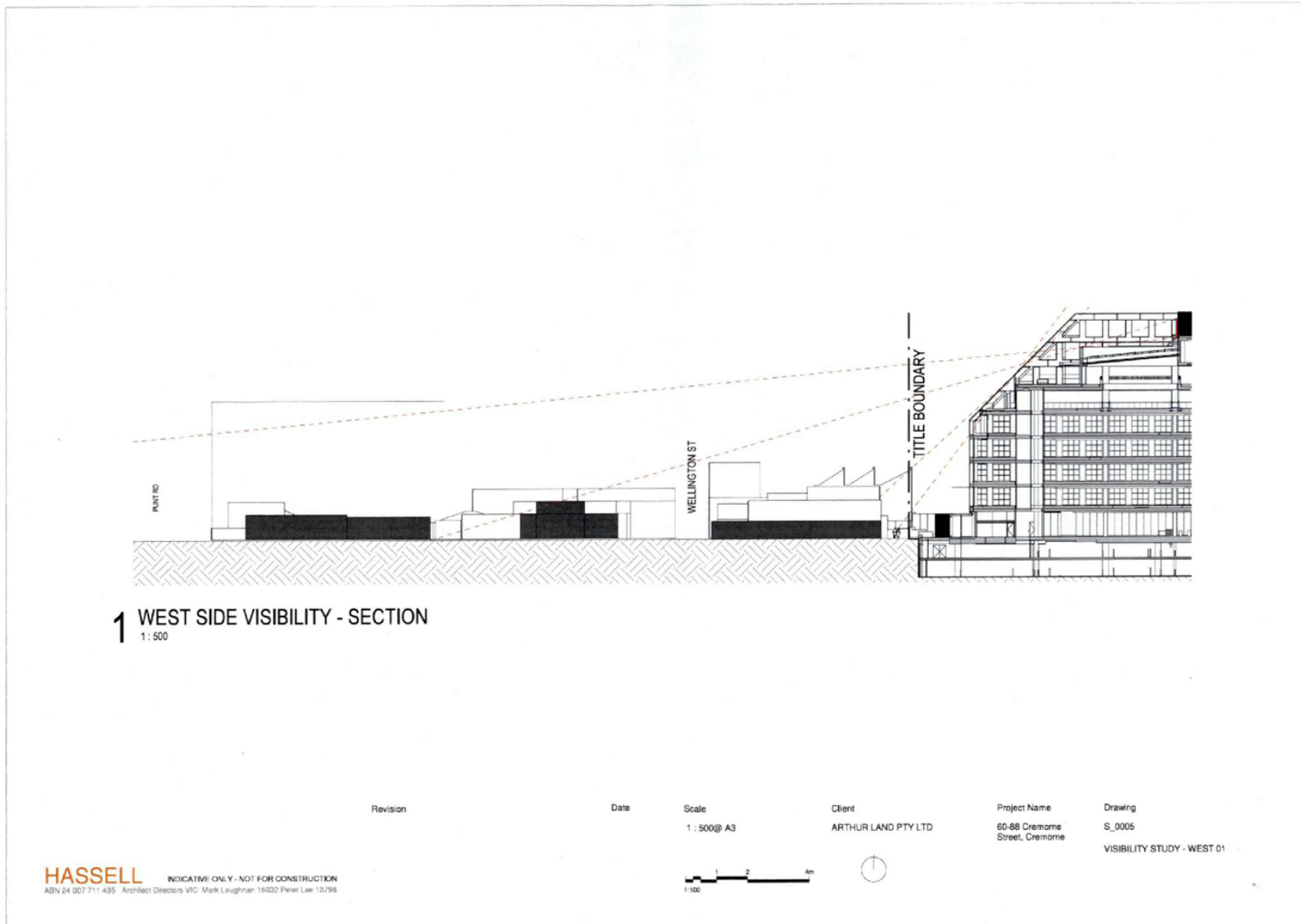
A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5428 to confirm.

CONTACT OFFICER: Chris Stathis
TITLE: Senior Statutory Planner
TEL: 9205 5352

Attachments

- 1 PLN19/0568 - 60 Cremorne Street Cremorne - Visibility Section - West
- 2 PLN19/0568 - 60 Cremorne Street Cremorne - Advertised Plans
- 3 PLN19/0568 - 60 Cremorne Street Cremorne - Signage Placement Montages
- 4 PLN19/0568 - 60 Cremorne Street Cremorne - Sightline (Revision B)

Attachment 1 - PLN19/0568 - 60 Cremorne Street Cremorne - Visibility Section - West



Attachment 2 - PLN19/0568 - 60 Cremorne Street Cremorne - Advertised Plans

diadem

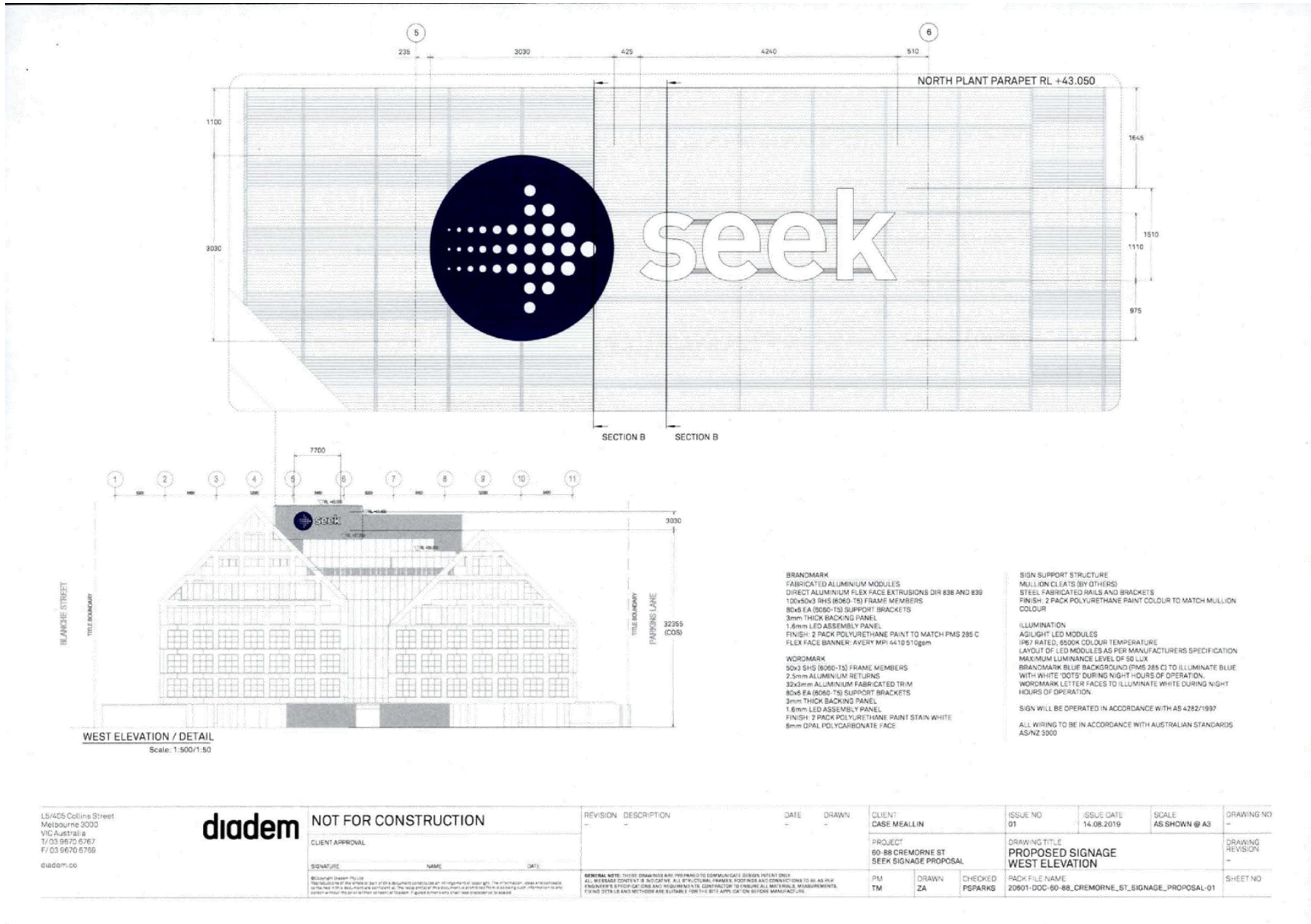
60-88 Cremorne St
Seek Signage Proposal

Planning Permit Application

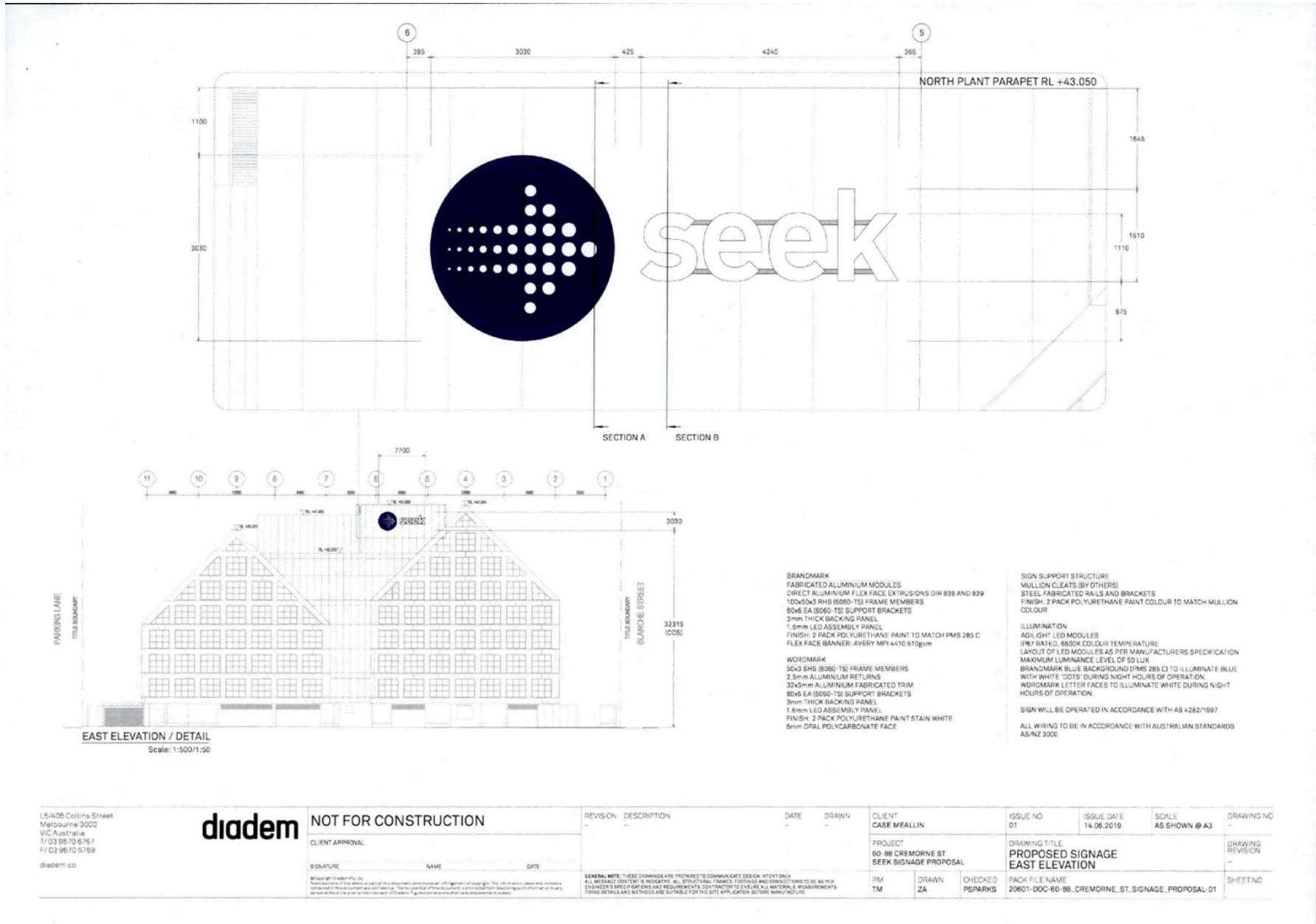
August 2019



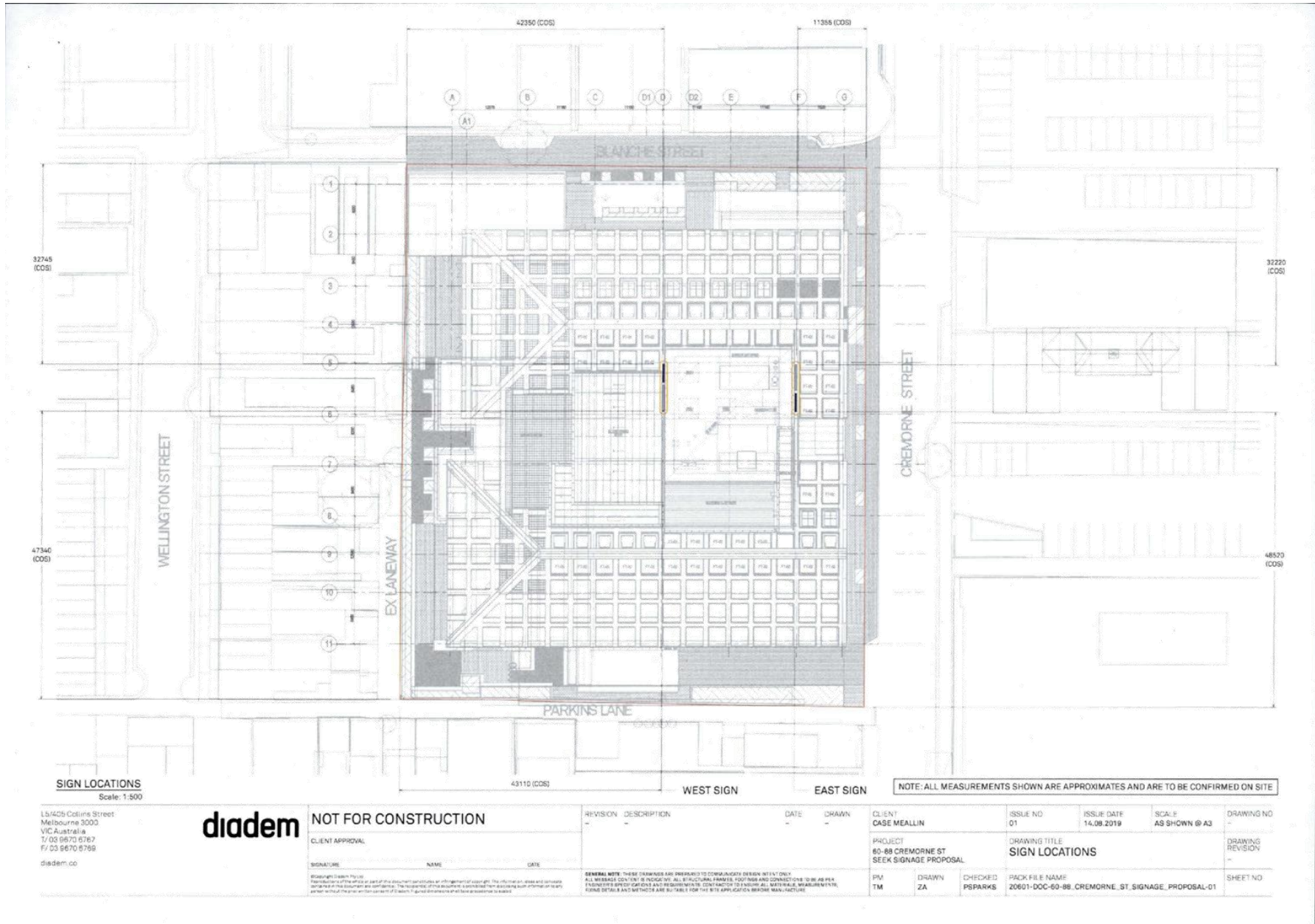
Attachment 2 - PLN19/0568 - 60 Cremorne Street Cremorne - Advertised Plans



Attachment 2 - PLN19/0568 - 60 Cremorne Street Cremorne - Advertised Plans



Attachment 2 - PLN19/0568 - 60 Cremorne Street Cremorne - Advertised Plans



SIGN LOCATIONS
Scale: 1:500

L5/405 Collins Street
Melbourne 3000
VIC Australia
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F/ 03 9670 6769
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CLIENT APPROVAL:
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REVISION	DESCRIPTION	DATE	DRAWN
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NOTE: ALL MEASUREMENTS SHOWN ARE APPROXIMATES AND ARE TO BE CONFIRMED ON SITE

CLIENT CASE MALLIN	ISSUE NO 01	ISSUE DATE 14.08.2019	SCALE AS SHOWN @ A3	DRAWING NO -
PROJECT 60-88 CREMORNE ST SEEK SIGNAGE PROPOSAL	DRAWING TITLE SIGN LOCATIONS		PACK FILE NAME 20601-DOC-60-88_CREMORNE_ST_SIGNAGE_PROPOSAL-01	DRAWING REVISION -
PM TM	DRAWN ZA	CHECKED PSPARKS		SHEET NO

Attachment 2 - PLN19/0568 - 60 Cremorne Street Cremorne - Advertised Plans



WEST SIGN

EAST SIGN

NOTE: BUILDING PLAN SHOWN ON SITE MAP IS INDICATIVE AND NOT TO SCALE

60-88 CREMORNE ST
CREMORNE VIC 3121

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REVISION DESCRIPTION

DATE

DRAWN

CLIENT
CASE MEALLIN

PROJECT
60-88 CREMORNE ST
SEEK SIGNAGE PROPOSAL

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ZA

CHECKED
PSPARKS

ISSUE NO
01

ISSUE DATE
14.08.2019

SCALE
AS SHOWN @ A3

DRAWING TITLE
PROPOSED SIGNAGE
MACRO CONTEXT

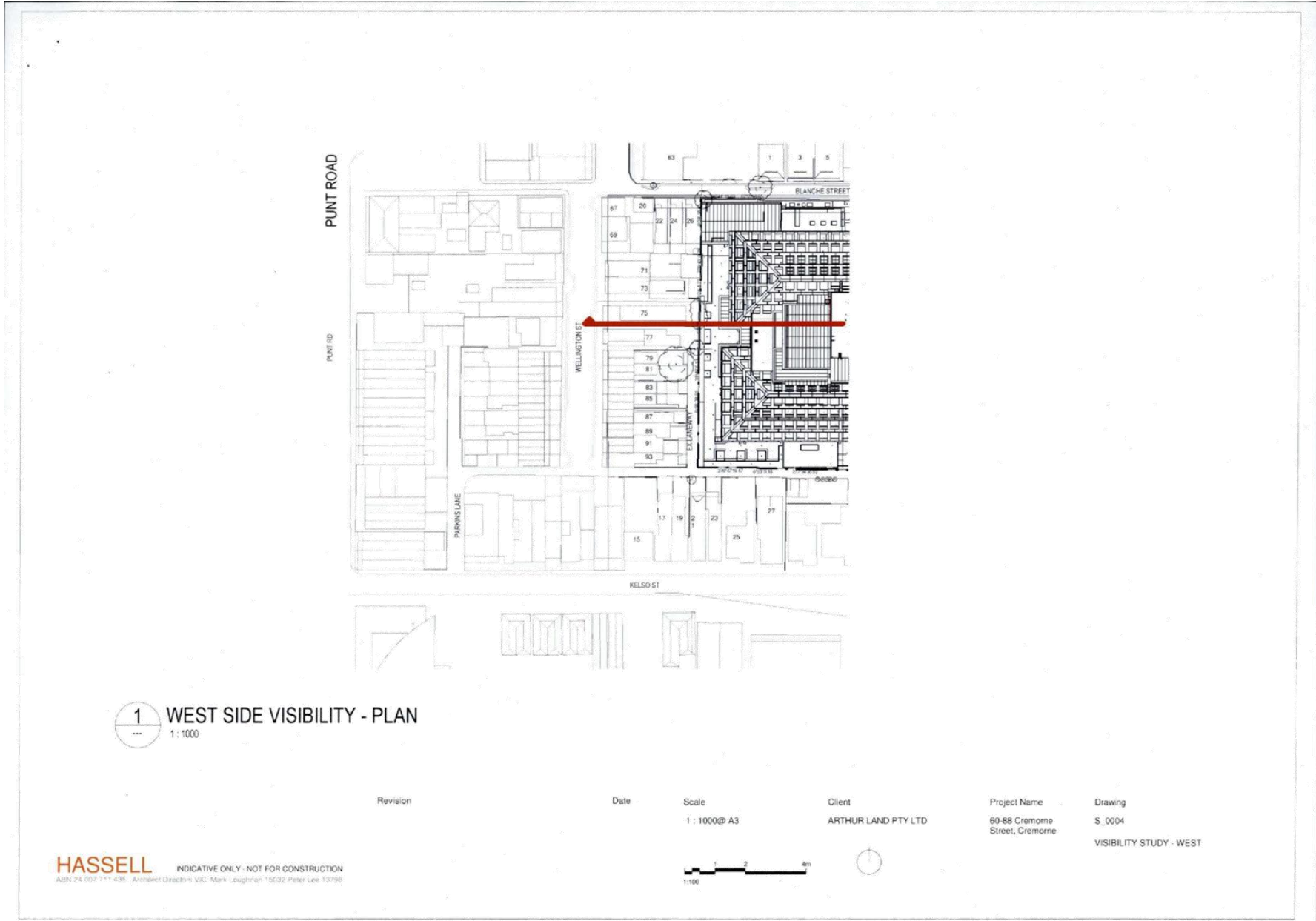
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DRAWING NO

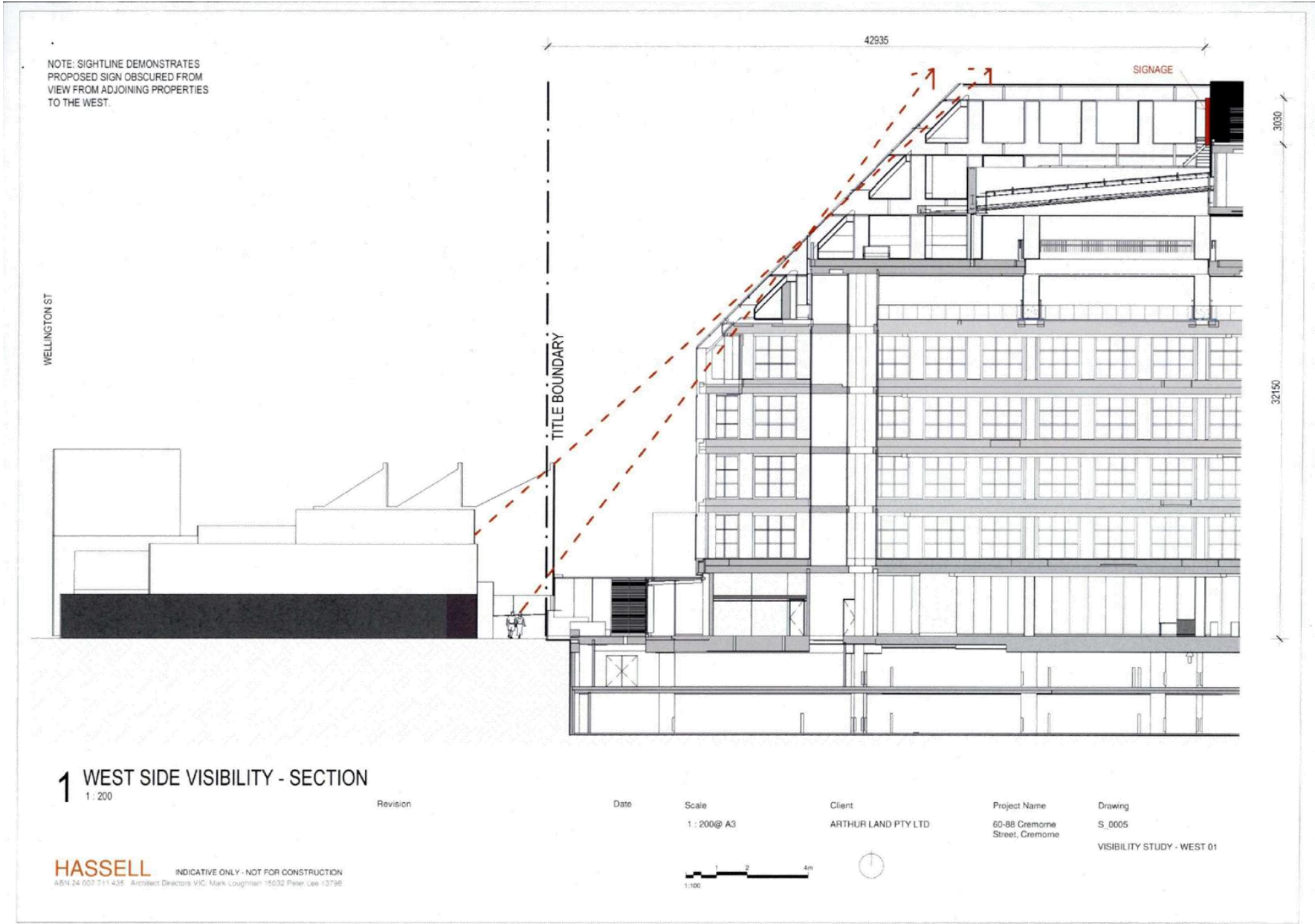
CASE REVISION

SHEET NO

Attachment 2 - PLN19/0568 - 60 Cremorne Street Cremorne - Advertised Plans



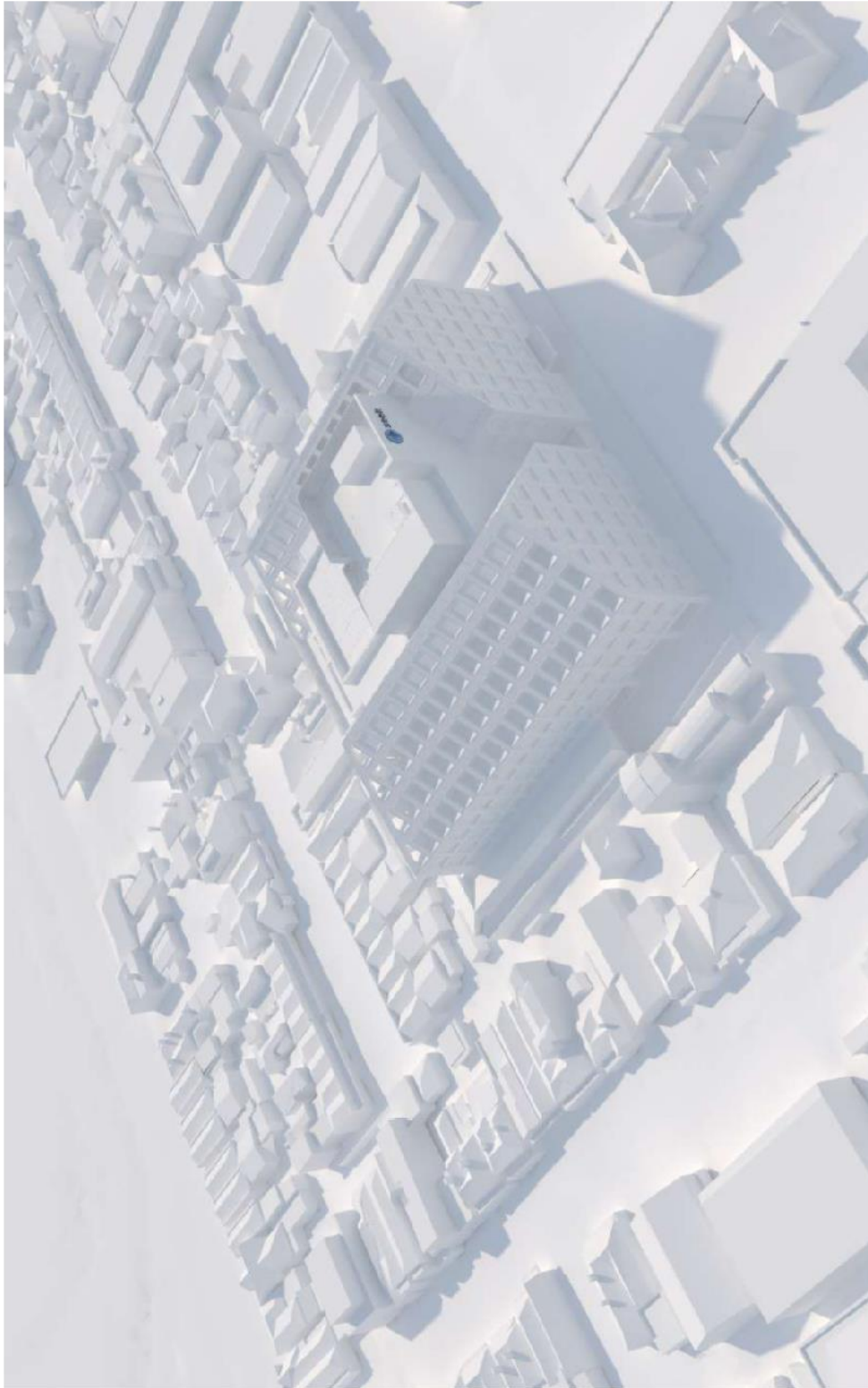
Attachment 2 - PLN19/0568 - 60 Cremorne Street Cremorne - Advertised Plans



Attachment 3 - PLN19/0568 - 60 Cremorne Street Cremorne - Signage Placement Montages

2

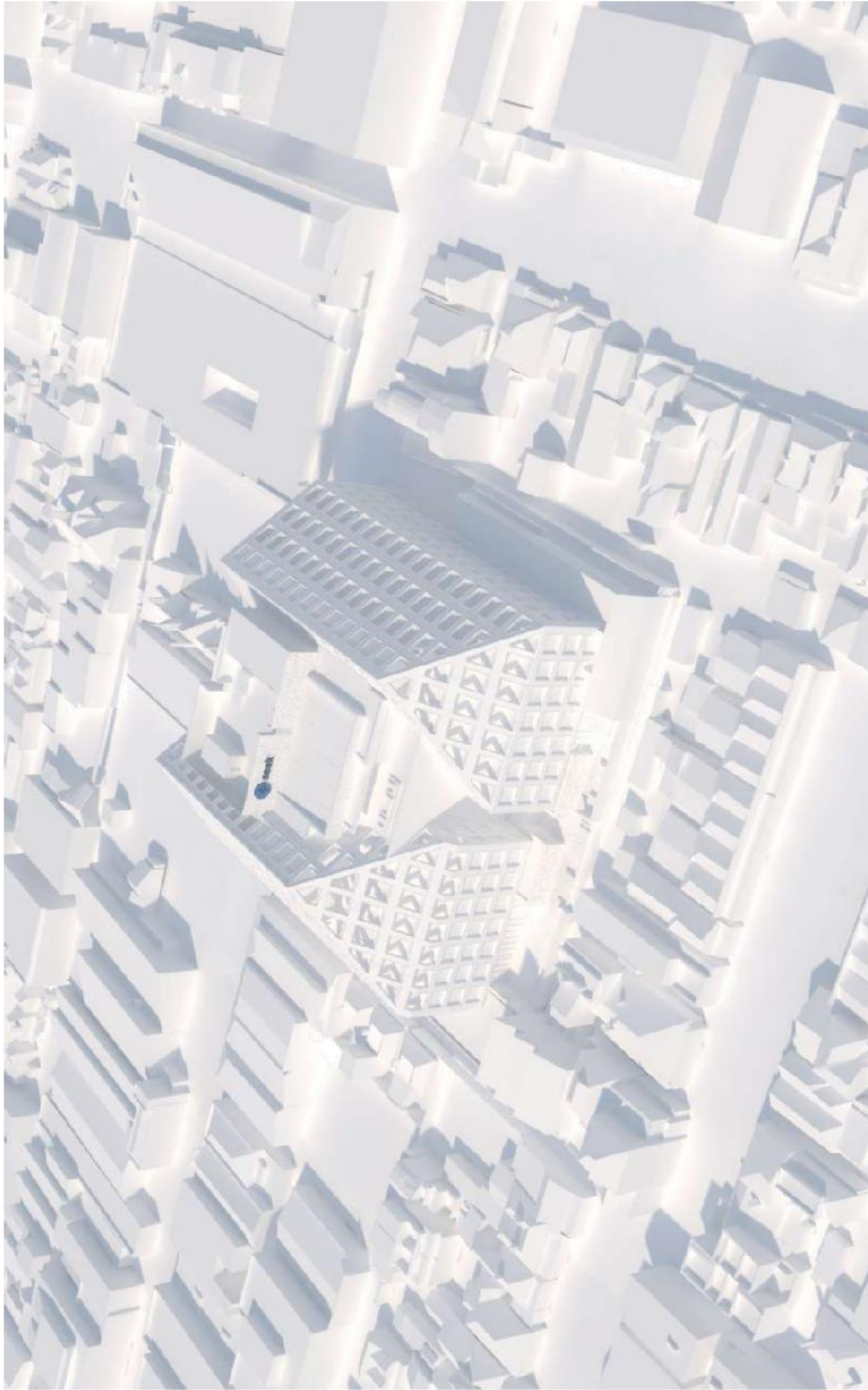
60 CREMORNE ST
SIGNAGE STUDY



BATESMART.

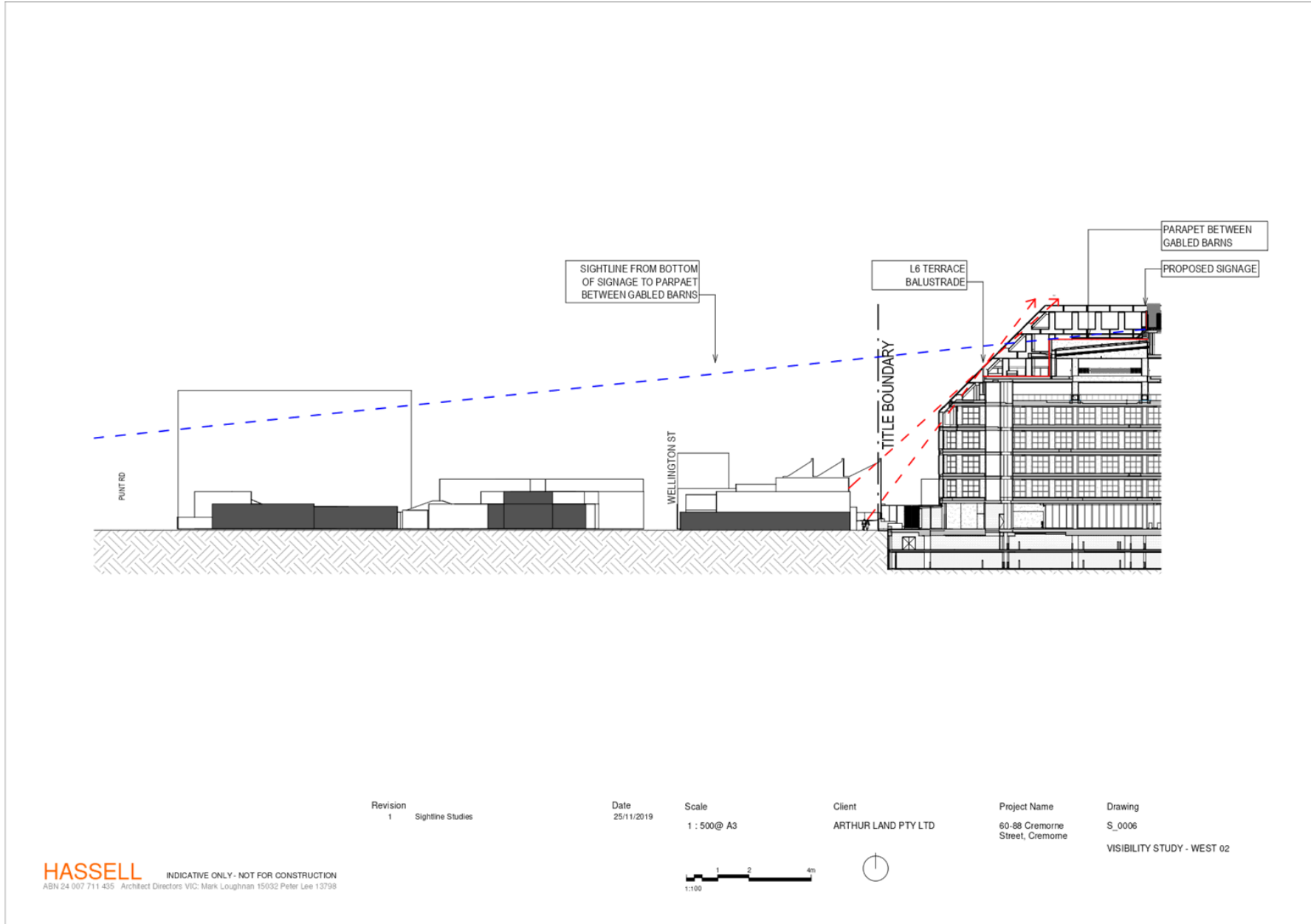
Attachment 3 - PLN19/0568 - 60 Cremorne Street Cremorne - Signage Placement Montages

60 CREMORNE ST
SIGNAGE STUDY



BATESMART.

Attachment 4 - PLN19/0568 - 60 Cremorne Street Cremorne - Sightline (Revision B)



-
- 1.2 PLN18/0844 - 23-45 Waterloo Rd, Collingwood - Use and development of the land for the construction of two, multi-storey, mixed use buildings (permit required for restaurant and restricted recreation facility (gymnasium) uses), sale and consumption of liquor and a reduction in the car parking requirements.**

[CONFIDENTIAL ITEM – VCAT COMPULSORY CONFERENCE WITHOUT PREJUDICE POSITION]

Executive Summary

Purpose

1. On 10 October 2019, Council received notice that an application for review had been lodged with the Victorian Civil and Administrative Tribunal (**VCAT**) against Council's notice of decision to grant a permit (**NOD**).
2. On 10 October 2019, Council also received notice that an application for review had been lodged with VCAT against conditions on the NOD. A total of 6 objectors joined as parties to the appeal against conditions.
3. The conditions subject to review on the NOD are conditions 1(a), 1(v), 1(w), 1(y), 17, 25 and 29. Refer to Attachment 1 for a copy of the NOD.
4. In summary, the conditions subject to review relate to:
 - (a) pedestrian access arrangements;
 - (b) relocation of the gas meter room;
 - (c) building setbacks from the northern boundary;
 - (d) provision of balconies with self-watering plants; and
 - (e) the timing of when reports must be submitted for approval.
5. In summary, the objectors' review of Council's decision raised issues relating to:
 - (a) access arrangements;
 - (b) inadequate construction management plan;
 - (c) inadequate acoustic treatments; and
 - (d) unacceptable public realm impacts.
6. Following discussions between the parties in regard to the application to review conditions, an agreement was reached based on amendments to the conditions and plans, and the objectors' withdrew from the conditions appeal.
7. On 16 May 2019 a Compulsory Conference was held at VCAT and the remaining party reached an agreement with Council and the applicant that a permit should issue, subject to further amendments to the conditions.
8. The purpose of this report is to seek Council approval to consent to the agreement reached at the Compulsory Conference which provides for a permit to be issued, subject to conditions.

Key Planning Considerations

9. Key planning considerations include:
 - (a) Clause 15.01-2S – Building design
 - (b) Clause 21.05-2 – Urban design;

- (c) Clause 22.10 – Built Form and Design Policy
- (d) Clause 34.02 – Commercial 2 Zone;

Key Issues

- 10. The key issues for Council in considering whether to consent to the agreement reached is the following:
 - (a) Do the amended conditions still achieve an acceptable outcome having regard to:
 - (i) the amended access arrangements
 - (ii) the amended northern elevation;
 - (iii) the amended construction management plan; and
 - (iv) the timing of when reports must be submitted for approval.
 - (b) What are the benefits of the negated agreement?

Conclusion

- 11. Based on the following report, the negotiated agreement reached at the Compulsory Conference should be supported by the Council.

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