

CONFIRMED MINUTES

**FOR THE
GREATER SHEPPARTON CITY COUNCIL**

DEVELOPMENT HEARINGS PANEL

Meeting No. 4/2015

**HELD ON
THURSDAY 26 MARCH 2015
AT 2.13PM**

**IN THE COUNCIL BOARDROOM
90 WELSFORD STREET**

**CHAIR
Councillor Dinny Adem**

1. ACKNOWLEDGEMENT

“We the Greater Shepparton City Council, begin today’s meeting by acknowledging the traditional owners of the land which now comprises Greater Shepparton. We pay respect to their tribal elders, we celebrate their continuing culture, and we acknowledge the memory of their ancestors”.

2. RECORDING OF PROCEEDINGS

The Chairperson advised the hearing that:

- the proceeding is being minuted but not recorded.
- that out of courtesy for all other attendees Any recording devices should be turned off during the course of the hearing, unless the Chair has been formally advised that a party wishes to record proceedings.

3. COMMITTEE MEMBERS PRESENT

- Councillor Dinny Adem (Chair),
- Colin Kalms – Manager Planning,
- Jonathan Griffin – Team Leader Development,
- Braydon Aitken – Team Leader Statutory Planning
- Michael MacDonagh – Principal Strategic Planner.

4. OFFICERS PRESENT

Ronan Murphy – Senior Statutory Planner.

5. APOLOGIES

- Johann Rajaratnam – Director Sustainable Development,
- Ian Boyle – Team Leader Strategic Planning.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Moved by Braydon Aitken, and seconded by Michael MacDonagh that the minutes of the meeting held on 21 January 2015 be adopted.

Carried

Moved by Braydon Aitken, and seconded by Colin Kalms that the minutes of the meeting held on 17 December 2014 be adopted.

Carried

7. DECLARATIONS OF CONFLICTS OF INTEREST

None

8. MATTERS FOR CONSIDERATION

The applicant, R A Diamond, for Planning application no. 2014-251, for the proposed 'above verandah internally illuminated signage' at 257-259 Wyndham Street, Shepparton; addressed the Panel and requested an adjournment of the Development Hearings Panel.

Mr Diamond advised that his representative was unable to attend as a result of having a procedure in hospital on Wednesday 25 March 2015.

Braydon Aitken moved that the item be adjourned and included as a late report in the next Development Hearings Panel scheduled for 2 April 2015.

Seconded by Colin Kalms

Carried

9. LATE REPORTS

None.

10. NEXT MEETING

2 April 2015.

I N D E X

<u>Application No.</u>	<u>Subject Address:</u>	<u>Proposal:</u>	<u>Page No.</u>
2014-251	257-259 Wyndham Street, Shepparton	Above verandah internally illuminated signage	3

Application Details:

Responsible Officer:	Ronan Murphy
Application Number:	2014-251
Applicant Name:	R A Diamond
Date Received:	08-Sep-2014
Statutory Days:	123
Land/Address:	257-259 Wyndham Street SHEPPARTON VIC 3630
Zoning & Overlays:	Commercial 1 Zone Heritage Overlay Parking Overlay
Why is a permit required (include Permit Triggers):	43.01-1 Construction and display of a sign in the Heritage Overlay 52.05-7 Internally illuminated above verandah sign.
Are there any Restrictive Covenants on the title?	Nil
Is a CHMP required?	No
Was the correct application fee paid?	Yes

Proposal

The proposal comprises of a business identification sign, that is above verandah and internally illuminated sign at 257-259 Wyndham Street, Shepparton.

As the sign does not exceed 8m² no planning permit is required for the business identification sign component.

The subject site is within the Commercial 1 Zone and is affected by the Heritage Overlay and the Parking Overlay.

A Planning Permit is required pursuant to the provisions of Clause 52.05-7 of the Planning Scheme to display an above verandah internally illuminated sign.

A Planning Permit is also required for the sign pursuant to the provisions of Clause 43.01-1 of the Planning Scheme for the construction and display of a sign in the Heritage Overlay.

The proposed sign would have the following elements:

- An internally illuminated sign with an area of 2.89m² on two sides
- The sign has the following wording: Two Five Seven Restaurant bar / café.

Summary of Key Issues

- The application for a planning permit proposes the display of an internally illuminated above verandah sign at 257-259 Wyndham Street, Shepparton.
- The sign is existing on site and does not have a Planning Permit, the application currently being considered was made as a result of enforcement action commenced by the Planning Department.
- At a pre application meeting, the applicant was informed that the application would most likely not be supported by the Planning Department.
- This was confirmed in numerous phone conversations with the applicant throughout the application process.
- A site meeting to discuss the proposal was arranged, the applicant did not attend.
- The applicant has been informed that, the Planning Department would support an application where the sign was attached to the façade of the building.
- The application was referred to Vic Roads, who did not have any objection to the proposal.
- The application was referred to the Council's Heritage Advisor, who objected to this issue of Planning Permit as it was considered that the signage is too prominent and will detract from the cultural heritage values of the building in the Heritage Overlay.

Recommendation

Refusal

That the Council having caused notice of Planning Application No. **2014-251** 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* decides to refuse to Grant a Permit under the provisions of **43.01-1 and 52.05-7** of the Greater Shepparton Planning Scheme in respect of the land known and described as **257-259 Wyndham Street SHEPPARTON VIC 3630**, for an above verandah and internally illuminated sign in the Heritage Overlay for the following reasons:

1. The application is contrary:
 - a) To Clause 21.04-4 of the Local Planning Policy Framework which specifically discourages the display of signs that project above verandahs in all areas that are not attached to the parapet; and
 - b) The adopted Shepparton CBD Strategy which seeks to avoid all kinds of above-verandah signs within the CBD.

2. The application is contrary to Clause 21.04-5 of the Local Planning Policy Framework which seeks to protect the character of heritage places from inappropriate development which detract from the significance of buildings.

Subject Site & Locality

An inspection of the site and the surrounding area has been undertaken.

Date: **20/1/14** Time: **9.52** am

The site has a total area of approximately 449 square metres and currently contains:

- The site contains an existing two storey building that is currently in use as a restaurant.

The main site/locality characteristics are:

- The subject land is within the Shepparton CBD, within a mixed use street consistent with a CBD area.

The Photos below show the existing site:





Permit/Site History

The history of the site includes:

- 1) 2004-478
Permit granted for an on premise liquor licence and reduction in car parking.
 - 2) 2004-478/A
Permit amended to allow for updated hours of operation.
 - 3) 2007-328
Application refused for an internally illuminated business identification sign at the same location as the sign currently being considered.
 - 4) 2008-78
Planning Permit granted for the erection and display of an internally illuminated business identification sign. This permit relates to a sign which was located under the verandah.
 - 5) 2013-207
Planning Permit granted for a café / liquor license.
 - 6) 2013-207/A
Planning Permit amended to allow Sunday trading.
-

Further Information

Was further information requested for this application? **NO**

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.
-

Objections

The Council has not received any objections to date.

Title Details

The title does not contain a Restrictive Covenant or Section 173 Agreement

Consultation

Consultation was undertaken. Relevant aspects of consultation, included:

Pre Application meeting 5/8/14

- In this meeting the applicant was informed that an application for a sign in its current form would most likely not be supported by the Planning Department..

Numerous phone calls

- Planning Officers and the applicant had numerous phone calls throughout the process, in which the applicant was told that the application was not considered to

achieve acceptable outcomes and would not be supported by the Planning Department. The applicant was informed that should the sign be attached to the façade that the Planning Department could consider the application more favourably.

Referrals

External Referrals/Notices Required by the Planning Scheme:

Section 52 - Notice Authority	Advice/Response/Conditions
No Section 52 Notices required	Vic Roads No Objection, no conditions

Internal Council Notices	Advice/Response/Conditions
Heritage Advisor	Objected to the grant of a permit as the sign is too prominent and detracts from the cultural heritage values of the building.

Assessment

The zoning of the land

Commercial 1 Zone 34.01

The purpose of the zone is to create a vibrant mixed use commercial centres for retail, office, business, entertainment and community uses and to provide for residential uses at densities complementary to the role and scale of the commercial centre.

Advertising sign requirements are at Clause 52.05. This zone is in category 1 of the signage controls set out in Clause 52.05 of the Planning Scheme. The proposal will therefore be considered under Clause 52.05 of the Planning Scheme.

Relevant overlay provisions

Heritage Overlay

The purpose of the Heritage Overlay is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

A Planning Permit is required pursuant to the provisions of Clause 43.01-1 of the Planning Scheme for buildings and works in the Heritage Overlay.

Clause 43.01-4 of the Planning Scheme sets out the following decision guidelines:

- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.*
- *Any applicable statement of significance, heritage study and any applicable conservation policy.*
- *Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.*
- *Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.*
- *Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.*
- *Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the proposed subdivision will adversely affect the significance of the heritage place.*
- *Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the lopping or development will adversely affect the health, appearance or significance of the tree.*

The subject site is identified as being a non-contributory place within the Central Business Area Precinct (HO160). This precinct is cited as having historic, and social significance as it provides tangible physical evidence of the settlement of the commercial area of Shepparton. The built fabric demonstrates the historic and aesthetic character associated with each major phase of development.

The application was referred to Council's Heritage Advisor who stated:

The proposed signage - illuminated projecting box signage is not supported. The sign is too prominent and will detract from the cultural heritage values.

Instead the sign should be located either below the ground floor to the underside of the porch area or be attached to the upper wall.

It is important that this sign's presence in the streetscape is modified as it compromises the overall streetscape values.

In light of the above, it is considered that the proposal would not comply with the provisions of the Heritage Overlay.

Parking Overlay 45.09

The purpose of the Parking Overlay is:

- *To implement the State Planning Policy Framework and Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To facilitate an appropriate provision of car parking spaces in an area.*
- *To identify areas and uses where local car parking rates apply.*
- *To identify areas where financial contributions are to be made for the provision of shared car parking.*

The sign would not have any impact on the provisions of the Parking Overlay.

The State Planning Policy Framework (SPPF)

15.01-1 Urban Design

The objective of this provision is to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.

Relevant strategies and principles of the provision include:

- Promote good urban design to make the environment more liveable and attractive.
- Landmarks, views and vistas should be protected and enhanced or, where appropriate, created by new additions to the built environment.

Response

The sign which is currently displayed projects vertically from the existing entrance structure to the building. The location and size of the sign dominates the façade and allows the sign to become a feature in its own right.

It is considered that the sign would not promote appropriate urban design and would detract from the visual character of the site.

The details regarding the sign and how the structure associates with the urban design characteristics of the locality are discussed in more detail under the Local Planning Policy section of this report.

The Local Planning Policy Framework (LPPF)- including the Municipal Strategic Statement (MSS), local planning policies and Structure Plans

Urban Design 21.04-4

Advertising signage is a key and often highly visible component of the physical environment of the municipality and the inappropriate design or placement of advertising signs can have a significant effect on the appearance and visual amenity of an area. Council wants to guide the location and display of signage within the municipality to ensure signage is compatible with the character and architecture of local streetscapes. The design, form, size and placement of advertising signs should be controlled so as to protect and enhance the appearance of rural and urban areas and to avoid signs that are excessive, confusing or incompatible with the character of the surrounding area.

Objectives and strategies

- *To control the number of signs and ensure that the appearance, size, illumination or location of signs does not adversely affect the visual amenity of the natural environment or the built form in the municipality.*
- *Control the location, size and scale of advertising signage, especially in key precincts of the Shepparton CBD and town centres.*
- *Ensure that the location, form and size of signs complements the dominate character of any urban or rural landscape, building, site or area on which they are erected.*

Policy Guidelines – Advertising Signs

When considering an application for an advertising sign such as this one, Council will be guided by the following relevant provisions:

- *Fewer signs displaying a simple clear message is encouraged*
- *Advertising signage is encouraged to be primarily for business identification providing basic identification information of the business.*
- *Above verandah signs should be attached to the upper façade or parapet, parallel/horizontal to the road with minimal projection.*
- *Sky signs, high wall signs, projecting off-wall signs on upper facades and signs that project above parapets, wall, verandahs, roof lines or building fascias are discouraged in all areas*
- *Where a building is set back from the street, signs are encouraged to be located within the boundary and should be orientated to be parallel or at right angles to the street.*
- *Where possible signs should be located on the building.*

It is considered that the sign currently being considered would not comply for the following reasons:

- The sign does not compliment the character of this area of Wyndham Street, it is noted that there are no other above verandah signs of this type along the area of Wyndham Street in which the subject land is located.
- The sign projects from the parapet, which is clearly discouraged in all areas by the policy guidelines.

In light of the above and while it is acknowledged that advertising signage is often a typical function of the landscape within the Central Business District it is considered that the sign

would detract from the established character of the street. It is apparent that the eastern side of Wyndham Street at this location does not have signage that is comparable to the signage currently being considered.

It is clear that Council does not oppose appropriately sized and located business identification signage, this is clearly articulated throughout the Shepparton CBD.

The sign which is currently being considered, will not be attached to the facade or upper parapet of the building as identified in the policy guidelines. Council's Planning Officers have made it clear in discussions with the applicant that the Department would not oppose the sign if attached to the facade or parapet of the building to project at right angles to the wall. The location of the sign above the front door to the building has become a more dominant feature than the character of the building itself and as such become a disproportionately oversized feature of the urban landscape contributing to visual clutter. This is seen as a key component and reasoning for the policy which supports such signage to be attached to the buildings on which they are displayed.

21.05-4 Cultural Heritage

The objectives of Clause 21.05-4 of the Planning Scheme are:

- *To ensure that places of cultural heritage significance are conserved or restored.*
- *To discourage the demolition of places of cultural heritage significance that are designated as Individually Significant or Contributory in heritage precincts.*
- *To ensure that development does not adversely affect places of cultural heritage significance.*
- *To conserve the historic low-scale, low-density and homogenous character of any precinct and ensure that development is compatible with this character.*
- *To ensure that new development does not become the visually dominant element in any precinct. This includes external additions and alterations.*
- *To ensure that places that are designated as Non-Contributory in heritage precincts are developed in a manner that is sympathetic to, and does not detract from, the cultural heritage significance of a heritage precinct.*
- *To conserve and enhance significant views and settings in any heritage precinct.*
- *To ensure that archaeological remains are not inadvertently damaged or destroyed.*
- *To encourage sympathetic re-use of places of cultural heritage significance, including the consideration of uses which would normally be prohibited (where permitted in the Schedule to Clause 43.01), so that such places are maintained and enhanced.*

It is considered that the sign would not comply in the following ways:

- The proposal would adversely affect the character and setting of building in the Heritage Overlay. This view is supported by Council's Heritage Advisor.

Advertising Signs 52.05

The purpose of this provision is to:

- *Regulate the display of signs and associated structures;*

- *Provide for signs that are compatible with the amenity and visual appearance of an area, including the existing or desired future character;*
- *To ensure signs do not contribute to excessive visual clutter or visual disorder;*
- *To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.*

The subject land is identified as being within a category 1 area. The purpose of the category 1 area is:

To provide for identification and promotion signs and signs that add vitality and colour to commercial areas.

Pursuant to Clause 52.05-5 a planning permit is required to display an above verandah sign.

Decision Guidelines 52.05-3

Before deciding on an application to display a sign, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

The character of the area including:

- *The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.*
- *The compatibility of the proposed sign with the existing or desired future character of the area in which it is proposed to be located.*
- *The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.*
- *The consistency with any identifiable outdoor advertising theme in the area.*

It is considered that the sign would not comply for the following reasons:

- It is considered that the sign does not comply with the amenity and visual character of the area.
- The sign does not respect the heritage value of the building from which it projects and would detract from cultural heritage values.
- The sign is at variance to the character of the area as it would be the only sign of its type in this area of Wyndham Street.

As identified previously, the character of the locality can be best described as the entrance to the Shepparton's retail core, further to this, the subject site is identified as being within the Heritage Overlay and such, this is a cogent consideration for the design of the sign and its impact on the building.

The application was referred to Councils Heritage Advisor, who objected to the issue of a Planning Permit as the sign would have a detrimental impact on the character of the heritage building.

A broad assessment of the general area in which the site is located demonstrates that Policy response the signage in the locality is predominately business identification displayed on the walls and front of verandahs of the existing buildings. It clearly discernable that signs displayed above the verandahs with no attachment to the façade or upper parapet are not common within the locality.

There are no similar signage types on the eastern side of Wyndham Street in this location. It is further noted that the only existing sign for the locality still being displayed above a verandah and not attached to a building being the Newagency sign on the western side of Wyndham Street.

Taking this into account it can be seen that, by the discouraging of these types of signs, Council has clearly achieved through the policy a desired theme, which should be retained. It is considered that allowing a sign of the type currently being considered would not achieve the desired advertisement theme of the area.

Impacts on views and vistas:

- *The potential to obscure or compromise important views from the public realm.*
- *The potential to dominate the skyline.*
- *The potential to impact on the quality of significant public views.*
- *The potential to impede views to existing signs.*

The sign would not comply for the following reasons:

- The sign detracts from the setting of the heritage building by its prominence and would detract from the cultural heritage values.
- The sign would have a detrimental impact on the quality of views in the area.

By locating the sign above the verandah and away from the building façade the proposed sign will potentially become a feature of the upper façade within the locality, similar to the newsagency sign on the other side (western side) of Wyndham Street. Although not significant in its own right to become a major impact of the streetscape, the sign would contribute to a clutter of signs and set a precedent for each of the tenancies to have above verandah signs, which would compromise the character of the area.

The relationship to the streetscape, setting or landscape:

- *The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.*
- *The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.*
- *The ability to screen unsightly built or other elements.*
- *The ability to reduce the number of signs by rationalising or simplifying signs.*
- *The ability to include landscaping to reduce the visual impact of parts of the sign structure.*

The sign would not comply for the following reasons:

- The sign does not conform with the scale or character of the area and has the potential to dominate the visual amenity of the area.
- The sign is located above the entrance parapet of the building and does not comply with the Council signage policy.

As identified above the sign could become a dominate feature of the building and furthermore it could be considered that a precedent could be set for similar signage within the CBD. This would not achieve an acceptable outcome for the character of the CBD as a such signs could have a cumulative impact on the urban landscape.

The relationship to the site and building:

- The scale and form of the sign relative to the scale, proportion and any other significant characteristics of the host site and host building.
- The extent to which the sign displays innovation relative to the host site and host building.
- The extent to which the sign requires the removal of vegetation or includes new landscaping.

The sign would not comply for the following reasons:

- The site is within the Heritage Overlay and Council's Heritage Advisor has stated that the sign is too prominent and would detract from cultural heritage values.

The impact of structures associated with the sign:

- *The extent to which associated structures integrate with the sign.*
- *The protential of associated structures to impact any important or significant features of the building, site, streetscape, setting or landscape, views and vistas or area.*

The display of the sign will require just the frame in which the sign is to be mounted and no other structures are required.

The impact of any illumination:

- *The impact of glare and illumination on the safety of pedestrians and vehicles.*
- *The impact of illumination on the amenity of nearby residents and the amenity of the area.*
- *The potential to control illumination temporally or in terms of intensity.*

The proposed sign is internally illuminated. The illumination is not a dominant characteristic of the sign.

The impact of any logo box associated with the sign:

- *The extent to which the logo box forms an integral part of the sign through its position, lighting and any structures used to attach the logo box to the sign*
- *The suitability of the size of the logo box in relation to its identification purpose and size of the sign.*

A logo box is not proposed to be displayed.

- *The need for identification and the opportunities for adequate identification on the site or locality.*

It is considered that there is ample opportunity on the building to provide appropriate advertising structures. In this regard the applicant was advised that, if the sign was attached to the building that the Planning Department could support an application.

The impact on road safety. A sign is a 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.*

The proposed sign is not considered to be distracting to road users. The sign will display a clear and simple message of the restaurant within the building and is not envisaged to result in any traffic issues as identified in the decision guidelines above.

It is noted that the application was referred to VicRoads who did not object to the proposal.

The decision guidelines of Clause 65

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

- The following decision guidelines are relevant to this application:
- The matters set out in Section 60 of the Act.

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.

Response

The relevant decision guidelines have been considered and addressed when assessing the application for a planning permit with the following identified.

There is no significant relevant State Planning policy which relates to the proposed advertising signage other than broad Urban Design policy directions. The proposed sign is considered to be at variance with the local policy in that it specifically discourages the location of signs above verandahs.

Whilst it is acknowledged that there is an above verandah sign in the vicinity of the land at 246 Wyndham Street (Lovells Newsagency) it submitted that this sign has been in place for a number of years and that the signage policy that now prevails was not in place when that sign was put in place.

The sign is considered to be at variance to the character of the area in providing an additional above verandah sign of which there are none within this section of Wyndham Street.

The proposal is not in keeping with the orderly planning of the area, in that as identified above the sign will result in an additional above verandah signage, which is limited within this locality.

The safety display of the sign is not envisaged to result in any safety impacts to either road users or pedestrians, given the location and simple content of the sign and the sign.

Relevant incorporated or reference documents

Heritage Study Stage IIB

257-259 Wyndham Street, Shepparton was recommended for inclusion in the Heritage Overlay within the *Greater Shepparton Heritage Study Stage IIB*. The place was subsequently included in the Heritage Overlay as a non-contributory place within the Shepparton Central Business Area Precinct (HO160) by Amendment C110 to the Greater Shepparton Planning Scheme.

The *Greater Shepparton Heritage Study Stage IIB* addressed a number of particular historic themes that had not been fully identified in the *Greater Shepparton Heritage Study Stage I* and *Greater Shepparton Heritage Study Stage II*. This included the identification of a number of places in the Central Business Area that contributed to an appreciation of significant periods of development. This included the identification of a number of places in the Central

Business District that contributed to an appreciation of significant periods of development. This included:

- The establishment of Shepparton at the turn of the 20th century. It was during this period that a number of the earlier timber buildings were replaced by more substantial masonry buildings.
- The Interwar Period. This was a period of rapid growth and economic prosperity linked to the development of irrigation and Closer Settlement Policies. A number of commercial buildings were constructed during this period and the identification of these buildings is important as they assist in demonstrating the impact that changes to agricultural practices, the development of associated industries and the service sector had on the built fabric of Shepparton.
- Immediate post war growth. Post war growth and post war migration combined with favourable agricultural seasons contributed to changes in the built fabric of the Central Business Area. There is a defined style of modernist commercial architecture found within the Central Business Area that is associated with this period of development.
- The 1970s and the promoted modernisation of the Central Business Area. A number of significant 19th century buildings were replaced and this includes the demolition of the Shepparton Post Office and the construction of new bank buildings.

The *Greater Shepparton Heritage Study Stage IIB* determined that the central business district of Shepparton is of aesthetic or architectural, social and historic significance. The study recommended that the Shepparton Central Business Area Precinct be included in the Heritage Overlay to continue to conserve the cultural heritage significance of this place.

Amendment C110 to the Greater Shepparton Planning Scheme included the findings and recommendations of this study in the planning scheme on 03 October 2013.

CBD Strategy

The following guidelines are set out with regard to signage:

- *Develop a consistent and coordinated suite of signage for the CBD that is designed to serve a range of purposes, such as way finding, marking historical locations or announcing entry points.*
- *Provide for business identification but discourage cluster of business identification signs within the CBD.*
- *Ensure signs do not dominate, are of high quality and minimise the visual impact of advertising signage on streetscapes.*
- *Encourage multiple business occupancies to share space on the sign.*
- *Limit the size of freestanding business identification signs to an envelope that is a maximum height of 1.5m and a maximum width of 1m. (This envelope includes the height of any supporting structure).*
- *Limit the size of signs attached to a building.*
- *Avoid promotional signs.*
- *Avoid all kinds of V-board signs, above-verandah signs and advertising elements such as banners, flags, major promotional signs and inflatable signs within the CBD.*
- *Avoid A-frame signs within the CBD.*
- *Avoid colours and materials that interfere with the safety or efficiency of traffic circulation.*

The proposal would not comply in the following ways:

- The sign would dominate the building and would have a detrimental impact on the character of the area.
- The sign is above the parapet of the building which is discouraged.

Other relevant adopted State policies or strategies policies

There are no other relevant adopted State or strategic policies that relate to this application for a planning permit.

Relevant Planning Scheme amendments

There are no relevant Planning Scheme amendments that relate to this application for a planning permit.

Are there any significant social & economic effects?

There are no relevant significant social or economic effects that relate to this application for a planning permit.

Discuss any other relevant Acts that relate to the application?

There are no other relevant Acts that relate to this application

Conclusion

The application for the display of an above verandah internally illuminated business identification sign is considered to be at variance with the Local Planning Policies and characteristics of the locality as identified in the Greater Shepparton Planning Scheme.

It is considered that the sign at its current location, on the verandah would become a feature of the locality in its own right, being separated from the main built form of the site.

The application was referred to Council's Heritage Advisor, who objected to the issuing of a Planning Permit, as the sign detracts from the cultural heritage of the place. It is considered therefore that the sign would not comply with the provisions of the Heritage Overlay.

The recommendation that the proposed sign be refused is considered reasonable as the proposed sign is specifically discouraged by the Local Planning Policy, Heritage policies and the CBD Strategy.

DRAFT

REFUSAL TO GRANT A PERMIT

APPLICATION NO: 2014-251

PLANNING SCHEME: GREATER SHEPPARTON PLANNING SCHEME

RESPONSIBLE AUTHORITY: GREATER SHEPPARTON CITY COUNCIL

ADDRESS OF THE LAND: 257-259 Wyndham Street SHEPPARTON VIC 3630

WHAT HAS BEEN REFUSED: Above Verandah internally illuminated signage

WHAT ARE THE REASONS FOR THE REFUSAL?

1. The application is contrary:
 - a. To Clause 21.04-4 of the Local Planning Policy Framework which specifically discourages the display of signs that project above verandahs in all areas that are not attached to the parapet; and
 - b. The adopted Shepparton CBD Strategy seeks to avoid all kinds of above-verandah signs within the CBD.

2. The application is contrary to Clause 21.05-4 of the Local Planning Policy Framework which seeks to protect the character of heritage places from inappropriate development which detract from the significance of the building.

Development Hearings Panel
Meeting Number: 04/2015
Date: 26 March 2015

Meeting closed at 2.23PM