



**Moreland**  
City Council

## **COUNCIL AGENDA**

### **PLANNING AND RELATED MATTERS**

Thursday 27 January 2022

Commencing 6.30 pm

The meeting will be held via video conference and livestreamed

#### **Language Link**

This is the Agenda for the Council meeting.  
For assistance with any of the agenda items,  
please telephone 9240 1111.

這是市政會會議的議程。您若在理解議程中有需要協助的地方，請打電話給“語言連接 (Language Link)”翻譯服務，號碼9280 1910。

Questo è l'ordine del giorno per la Riunione del consiglio Comunale. Se hai bisogno di aiuto sugli argomenti in discussione, sei pregato di telefonare al Language Link al numero 9280 1911.

Αυτή είναι η Ημερήσια Διάταξη για τη Συνεδρίαση του Συμβουλίου (Council Meeting). Για βοήθεια με οποιοδήποτε από τα θέματα της ημερήσιας διάταξης, παρακαλείστε να τηλεφωνήσετε στο Γλωσσικό Σύνδεσμο (Language Link), στο 9280 1912.

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Đây là Nghị Trình cuộc họp của Ủy Ban Quy Hoạch Đô Thị. Nếu muốn biết thêm chi tiết về đề tài thảo luận, xin gọi điện thoại cho Language Link qua số 9280 1915.

यह काँसिल की बैठक का कार्यक्रम है। कार्यक्रम के किसी भी विषय के बारे में सहायता के लिए कृपया 9280 1918 पर फोन कीजिए।

这是市政府例会的议题安排，如果需要协助了解任何议题内容，请拨打9280 0750。

ਇਹ ਕੌਂਸਲ ਦੀ ਮੀਟਿੰਗ ਦਾ ਏਜੰਡਾ ਹੈ। ਏਜੰਡੇ ਦੀ ਕਿਸੇ ਆਈਟਮ ਬਾਰੇ ਮਦਦ ਲਈ, ਕ੍ਰਿਪਾ ਕਰਕੇ 9280 0751 ਤੇ ਟੇਲੀਫੋਨ ਕਰੋ।

## **Acknowledgement of the traditional custodians of the City of Moreland**

Moreland City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Custodians of the lands and waterways in the area now known as Moreland, and pays respect to their elders past, present, and emerging, as well as to all First Nations communities who significantly contribute to the life of the area.

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**1. WELCOME**

**2. APOLOGIES**

Cr Carli Hannan is on a leave of absence from 9 December 2021 to 2 March 2022 inclusive.

Cr Pavlidis has sought a leave of absence from 16 December 2021 to 30 January 2022 inclusive. The request will be received at the Council meeting on 9 February 2022.

**3. DISCLOSURES OF CONFLICTS OF INTEREST**

**4. MINUTE CONFIRMATION**

The minutes of the Planning and Related Matters Meeting held on 15 December 2021 be confirmed.

**5. COUNCIL REPORTS**

5.1 39A SHORTS ROAD, COBURG NORTH - PLANNING PERMIT APPLICATION MPS/2021/102

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**6. URGENT BUSINESS**

## 5. COUNCIL REPORTS

### 5.1 39A SHORTS ROAD, COBURG NORTH - PLANNING PERMIT APPLICATION MPS/2021/102

Acting Director City Futures, Phillip Priest

City Change

#### Executive Summary



<b>Property:</b>	39A Shorts Road, Coburg North
<b>Proposal:</b>	Display major promotion and business identification signage
<b>Zoning and Overlays:</b>	<ul style="list-style-type: none"><li>• Public Park and Recreation Zone</li><li>• Specific Controls Overlay</li><li>• Environmental Significance Overlay 1</li><li>• Special Building Overlay</li><li>• Development Contributions Plan Overlay</li></ul>
<b>Strategic setting:</b>	Public Open Space – Hosken Reserve
<b>Objections:</b>	<ul style="list-style-type: none"><li>• 14 objections</li><li>• Key issues:<ul style="list-style-type: none"><li>- Outward facing signs</li><li>- Privatisation of public space</li><li>- Obscuring view lines</li></ul></li></ul>
<b>Planning Information and Discussion (PID) Meeting:</b>	<ul style="list-style-type: none"><li>• Date: 18 November 2021</li><li>• Attendees: 1 objector, the applicant, 2 Council officers, Cr Mark Riley, Cr Sue Bolton and Cr Pavlidis-Mihalakos</li><li>• The applicant agreed to a request from the objector to flip the major promotion sign to face inwards towards the soccer field instead of the car park and vehicle entry to the site.</li></ul>
<b>Key reasons for support</b>	<ul style="list-style-type: none"><li>• Hosken Reserve is identified in the Planning Scheme as an area where ‘minimum limitation’ on signage applies.</li><li>• Signs would be located to minimise their appearance from the adjoining streets and residential properties.</li><li>• The promotion signs facing inward towards the soccer field are exempt under the ‘Signage on Sports Grounds’ Incorporated Document.</li></ul>
<b>Recommendation:</b>	It is recommended that a Notice of Decision to Grant a Planning Permit be issued for the proposal.

## Officer Recommendation

That a Notice of Decision to Grant a Planning Permit No. MPS/2021/102 be issued for the display of major promotion signage and business identification signage at 39A Shorts Road, Coburg North, subject to the following conditions:

### Amended Plans

1. Within 3 months of the permit issue date, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans advertised on 23 September 2021 but modified to show:
  - a) The major promotion sign displaying the 'Senol' logo to be flipped to face inwards toward the soccer field.
  - b) An amended site plan showing the location of each sign, including a list with a number for each sign with its dimensions and details.
  - c) Elevations/images including scaled dimensions of the height and width of each sign.
  - d) The sign facing Bakers Road must be a business identification (not promotion) sign, displaying the Club Logo.
2. Within 3 months of the endorsement of plans, the major promotion sign displaying the 'Senol' logo must be flipped to face inwards toward the soccer field.
3. The location, dimensions, shape and associated structures of every sign must accord with the endorsed plans and must not be altered, unless with the consent of the Responsible Authority.
4. The major promotion sign must not:
  - a) Dazzle or distract drivers due to its colouring.
  - b) Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
  - c) Be able to be mistaken as an instruction to drivers.
5. The signs approved by this permit must not be animated or contain any flashing light.
6. No part of the signs approved by this permit must be internally or externally illuminated.
7. Every sign on the land must be maintained in good condition to the satisfaction of the Responsible Authority.
8. This permit expires 15 years from the date of issue, at which time the sign and all supporting structures must be removed and the site made good to the satisfaction of the Responsible Authority.

## 1. Background

### Subject site

The subject site is located at 39A Shorts Road, Coburg North and is known as Hosken Reserve. The site accommodates two sporting fields: an unfenced football/cricket field and a fenced soccer field. A single building occupies the land providing facilities for the Pascoe Vale Soccer Club.

The following existing signs displayed on-site do not have planning approval:

- One major promotion sign including 'Senol' logo and club logo and one business identification sign with the club logo fixed to the east fence facing the tennis courts; and
- Two business identification signs displaying the club logo fixed to the building.

There are no restrictive covenants indicated on the Certificate of Title.

### Surrounds

The surrounding area is characterised by:

- Residential properties to the north along Shorts Road with a small pedestrian access to Hosken Reserve between No. 39 and 41. The residential properties are located approximately 150 metres away from any proposed signs.
- Pallet Street including an industrial interface to the immediate west and residential properties north of Ulm Street.
- Bakers Road including an industrial interface to the south.
- A non-government school, the Hosken Reserve car park, and Merlynston Tennis Club to the east.
- The industrial land to the north-east of the site is subject to Amendment C201. Amendment C201 is awaiting authorisation from the Minister for Planning and seeks to rezone land to the north-east of the site, to facilitate residential development.

A land controls map forms **Attachment 1**.

### The proposal

The proposal is summarised as follows:

- 49 promotion signs 1 metre high x 3 metres long (with various logos) inward facing towards the soccer field (no planning approval needed)
- One major promotion shadecloth sign 3 metre high x 20 metres long displayed on the east fence (retrospective approval sought)
- Four business identification (club) signs, including:
  - Two 1 metre high x 1 metres wide displayed on the building (retrospective approval sought)
  - One 2 metre high x 20 metre long shadecloth sign displayed on the east fence (retrospective approval sought)
  - One 3 metre high x 3 metres long on the outside south fence facing Bakers Road

None of the signs are illuminated.

The development plans form **Attachment 2**.

## Site history

Council's Planning Enforcement team carried out investigations regarding the illegal display of major promotion and promotion signs associated with the Pascoe Vale Soccer Club. At the time, a 2 metre x 20 metre major promotion sign was being displayed on the outside fence facing Bakers Road. The sign was subsequently removed and re-erected on the internal fence facing the tennis courts. Further action is on hold pending the outcome of this planning permit application.

A refresh of the Hosken Reserve Masterplan occurred during 2021, with a final concept plan being endorsed by Council in October 2021, following community feedback. The masterplan refresh alters the layout of the reserve to include a second soccer field in the north field and provide an active recreation zone between the football pavilion and the tennis courts. The masterplan is considered in the assessment at section 4.

## Statutory Controls – why is a planning permit required?

Control	Permit Requirement
Public Park and Recreation Zone	Schedule 1 to the PPRZ lists the sign requirement for Hosken Reserve, Coburg North as Category 1 (minimum limitation) under Clause 52.05.
Particular Provisions	Clause 52.05-11 - A permit is required to construct or put up for display business identification signage exceeding 8 square metres and major promotion signage, including: <ul style="list-style-type: none"><li>• One Major Promotion Sign 60sqm in area</li><li>• Four business identification signs which total 31sqm in area</li></ul>

The following Provisions of the Moreland Planning Scheme are also relevant to the consideration of the proposal:

- Clause 42.01: Environmental Significance Overlay (ESO). The proposed works would be located outside of the land which is affected by the overlay and therefore does not require a planning permit under the ESO.
- Clause 44.05: Special Building Overlay (SBO). The proposed works would be located outside of the land which is affected by the overlay and therefore does not require a planning permit under the SBO.
- Clause 45.06: Development Contributions Plan Overlay. The proposal does not increase commercial floor space and therefore does not require payment of a development contributions levy.
- Clause 45.12: Specific Controls Overlay. This overlay applies to the northern part of Hosken Reserve. This is discussed in Section 4 of this report.

## 2. Internal/External Consultation

### Public notification

Notification of the application has been undertaken pursuant to Section 52 of the *Planning and Environment Act 1987* by:

- Sending notices to the owners and occupiers of adjoining and nearby land;
- Sending a notice to the person who notified Council of the signs being displayed without a permit; and
- Placing three signs on the site, one at the Bakers Road frontage, one at the pedestrian entry from Shorts Road and one facing the car park on-site.

Council has received 14 objections to date. A map identifying the location of objectors forms **Attachment 3**.

The key issues raised in objections are:

- Outward facing signs
- Privatisation/commercialisation of public space
- Obscuring view lines
- Visual clutter

A Planning Information and Discussion meeting was held on 18 November 2021 and attended by Cr Mark Riley, Cr Sue Bolton and Cr Pavlidis-Mihalakos, two Council Planning Officers, the applicant and one objector. The meeting provided an opportunity to explain the application, for the objector to elaborate on their concerns, and for the applicant to respond.

Following the discussions at the Planning and Information Discussion meeting, the following change was agreed to by the applicant and forms a condition of this recommendation:

- The major promotion sign displaying the 'Senol' logo to be flipped to face inwards toward the soccer field.

#### **Internal/external referrals**

The proposal was referred to the following internal branches/business units:

<b>Internal Branch/Business Unit</b>	<b>Comments</b>
Property Services	Supports the proposal.
Recreation Services	Supports the proposal.

### **3. Policy Implications**

#### **Planning Policy Framework (PPF):**

The following policies are of most relevance to this application:

- Municipal Planning Strategy (Clause 2), including:
  - Built Environment and Heritage (Clause 2.03-4)
  - Infrastructure (Open Space) (Clause 2.03-8)
- Built Environment (Clause 15.01), including:
  - Urban Design (Clause 15.01-1S, 15.01-1R & 15.01-1L)
  - Signs (Clause 15.01-1L)
- Economic Development (Clause 17), including:
  - Business (Clause 17.02-1S)
- Infrastructure (Clause 19.02), including:
  - Cultural Facilities (Clause 19.02-3S & 19.02-3R)
  - Social and Cultural Infrastructure (Clause 19.02-4S)
  - Open Space (Clause 19.02-6S, 19.02-6R & 19.02-6L)

#### **Incorporated Documents:**

- Signage on Sports Grounds, June 2019



## Human Rights Consideration

This application has been processed in accordance with the requirements of the *Planning and Environment Act 1987* (including the Moreland Planning Scheme) reviewed by the State Government and which complies with the *Victorian Charter of Human Rights and Responsibilities Act 2006*. In consideration of the Human Rights Charter, the following rights are considered relevant:

- Section 18 – Right to take part in public life.

The opportunity has been provided for the public to engage with Council as part of the planning permit application process, including attendance at the Planning and Related Matters Meeting being held to determine this application.

## 4. Issues

In considering this application, regard has been given to the Planning Policy Framework, the provisions of the Moreland Planning Scheme, objections received and the merits of the application. The following assessment considers whether the proposed display of signage at the subject land is an acceptable outcome.

### Which signs require a planning permit?

Hosken Reserve is affected by a Specific Controls Overlay. In the map to the Specific Controls Overlay, the overlay appears to only apply to the northern section of the site (see Figure 1 – the Overlay is marked as 'SCO1' and shown dotted). This is despite the Signage on Sports Grounds Incorporated Document including all of Hosken Reserve within its scope. Council's Strategic Planning Unit has advised planning officers that the exclusion of the southern part of the land from the Specific Controls Overlay (which includes the location of the proposed signs) was in error, with a correction to the mapping currently being pursued with the Department of Environment, Land, Water and Planning (DELWP).

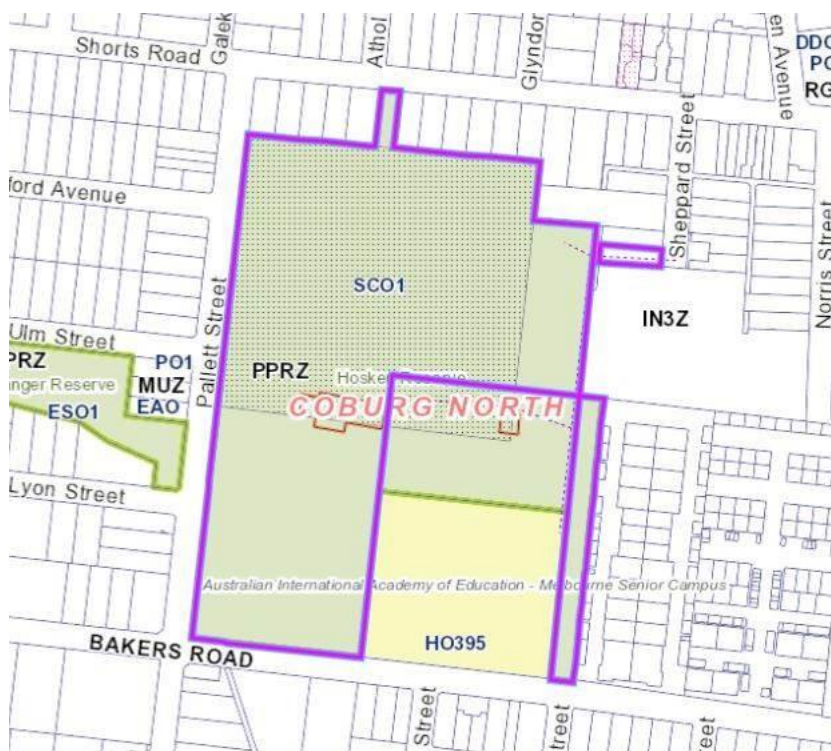


Figure 1 – Specific Controls Overlay

Regardless of the mapping error, the Incorporated Document states that:

- *The land identified in the document may be developed in accordance with the specific controls in the document;*

- *The Incorporated Document operates in addition to the provisions of Clause 52.05 'Signs' to allow the display of signs; and*
- *The application of the Incorporated Document is limited to the sign categories set out in the document and the recreation reserves listed in the document or as mapped in the Specific Controls Overlay. (Underline added for emphasis)*

Therefore, the Incorporated Document still applies to all parts of Hosken Reserve.

Promotion signs exceeding 8 square metres usually require a planning permit under Clause 52.05-11 for Category 1 areas. However, the Incorporated Document states that a planning permit is not required to display a promotion sign (sponsor sign) if all the following conditions are met:

- Each sign must have a maximum display area of 3 square metres;
- The sign must face inwards towards the sporting area or playing field;
- The total signage must not cover more than 50 per cent of the internal circumference of the sporting ground/playing field fence; and
- The signs must not be fixed to pavilions or scoreboards.

The 49 promotion signs (1m x 3m) each 3 square metres in size would be fixed to the inside of the soccer field fence facing towards the playing field. With the soccer field fence having a total length of approximately 370 metres and the promotion signs having a total length of 147 metres, the total signage cover would be 39.7 per cent of the internal circumference of the soccer field fence. Therefore, the 49 promotion signs would not require a planning permit under the Incorporated Document.

The major promotion sign and business identification signs are not exempt under the Incorporated Document and are therefore assessed below.

### **Does the proposal have strategic policy support?**

Moreland Planning Scheme Amendment C169 altered the advertising sign category for 31 sporting reserves within Moreland from Category 4 (Sensitive areas – maximum limitation) to Category 1 (Commercial areas – minimum limitation) and Category 2 (Office and industrial – low limitation). The subject site is listed as one of the six sporting reserves identified as Category 1, meaning that they have the least limitation on signage. The amendment also implemented the Incorporated Document to allow sporting clubs to display promotional/sponsor signs without a planning permit if certain requirements are met. The amendment was implemented to better facilitate the signage needs for sports clubs. It was acknowledged that Category 4 areas are too restrictive in the display of signage, with sponsors and associated advertising signage being a traditional component of local sports clubs and providing a valid source of income.

In pursuit of integrated decision making, planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations, pursuant to Clause 71.02-3 of the Moreland Planning Scheme. This proposal seeks to act on the strategic work carried out under Amendment C169, which is not advocating the privatisation of public space but rather seeking to strengthen the financial position of sporting clubs in Moreland.

Both State and local planning policies support community infrastructure through the development of cultural facilities. As acknowledged above, sponsorship is a valid source of income for sporting clubs. It is considered that the proposal aligns with the Planning Policy Framework (PPF) by encouraging community activities and the appropriate use of public land and to generate social and economic benefit.

However, this must still be balanced against the need to consider the impacts of the signage on the host reserve and the surrounding land. This is assessed in detail below.

### **Does the proposal result in any unreasonable amenity impacts?**

The purpose of Clause 52.05 includes:

- *To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character;*
- *To ensure signs do not contribute to excessive visual clutter or visual disorder;*  
and
- *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.*

Before deciding on an application, the responsible authority must consider the decision guidelines at Clause 52.05-8, including but not limited to the character of the area, impacts on views and vistas and the relationship to the streetscape, setting or landscape.

The character of this area consists of a varied context with some site interfaces less sensitive than others. The industrial interface to the west and south is not considered to be sensitive, with less amenity afforded to industrial properties and business identification signage being a common characteristic. It is also noted that the raised level of Hosken Reserve above the adjoining roads (Pallett Street and Bakers Road) and existing boundary landscaping further minimises the appearance of the Pascoe Vale Soccer Club facilities beyond the site boundaries. Based on this context, the proposed 3 metre x 3 metre business identification sign is considered to not result in any unreasonable amenity impacts.

To the east, the Pascoe Vale Soccer Club backs on to a secondary school and tennis club. North of the soccer club is a large open playing field with residential properties oriented to Shorts Road beyond. These properties are located almost 150 metres from the soccer club and proposed signs thereby providing adequate separation to limit any impacts.

The northern oval within Hosken Reserve provides public open space for the community and is therefore considered a sensitive interface. The space between the tennis courts and the soccer pavilion is currently grassed with some established trees, however it is noted that the Hosken Reserve Masterplan identifies this area for an Active Recreation Zone and therefore will be treated as a sensitive interface. The car park to the east provides for vehicle access and parking to the entire site and is also considered sensitive but to a lesser extent than the other two sensitive interfaces.

The business identification (club) signs fixed to the building are appropriately sized and located to avoid loss of amenity to Hosken Reserve.

The major promotion sign and business identification sign fixed to the east fence of the soccer club face the tennis courts and car park. These signs include the Pascoe Vale Soccer Club logo and the Senol logo. The business identification sign does not include any promotional content and offers screening to the back-of-house services and equipment of the Soccer Club. This signage is therefore considered appropriate. However, the major promotion sign would be oriented to a sensitive interface and Clause 15.01-5L *Signs* discourages major promotion signs. During the Planning and Information Discussion meeting, it was suggested that the major promotion sign be oriented to face internally towards the sports ground given the sign would not be at odds with the other proposed promotional signage which faces inwards. As this type of displaying signage is supported by the Incorporated Document and offers a means of supporting the economic viability of the sports club, the display of the major promotion sign in this manner is considered acceptable. Therefore, the major promotion sign should be flipped to face inwards as a condition of this recommendation.

### **Does the proposal result in visual clutter and obscure view lines?**

As discussed previously, the display of promotions signs within the soccer field is consistent with the Incorporated Document which does not require planning permission and therefore is excluded from the merits of this assessment.

In focussing on the signs that do require planning permission, they are generally spread across the site to minimise visual clutter.

The 3 metre x 3 metre sign which would face Bakers Road would be fixed to the outside fence and based on discussions with the applicant it is understood that it will be a business identification sign displaying the club logo. The sign would occupy a small section of the fence which is approximately 90 metres long. This part of the site also shares an interface with industrial buildings to the south which is not sensitive. Furthermore, the raised level of the site above Bakers Road and existing landscaping would minimise the appearance of the sign but also offers identification for the soccer club which is not easily seen from a vehicle on Bakers Road. Overall, the proposed sign would continue to allow view lines into Hosken Reserve from Bakers Road. As the precise location, content and dimensions of the sign have not been included on the site plan, these details would be required as conditions of this recommendation, including a requirement that it be a business identification (not promotion) sign.

It is noted that the 3 metre x 20 metre major promotion sign that was displayed on the outside fence facing Bakers Road was removed as part of the planning enforcement action carried out at the site and this application does not seek to reinstate it.

### **Does the proposal conflict with the Hosken Reserve Masterplan?**

The proposal has also been considered against the Hosken Reserve Masterplan Refresh and is not considered to conflict with the masterplan as there is no consideration of signage.

## **5. Response to Objector Concerns**

The following issues raised by objectors are addressed in section 4 of this report:

- Outward facing signs
- Privatisation/commercialisation of public space
- Obscuring view lines
- Visual clutter

## **6. Officer Declaration of Conflict of Interest**

Council Officers involved in the preparation of this report do not have a conflict of interest in this matter.

## **7. Financial and Resources Implications**

There are no financial or resource implications.

## **8. Conclusion**

The findings of the assessment conclude that the proposal has strong strategic support under the planning policy and land controls. The concerns raised in the objections have been adequately responded to within the assessment. Subject to a condition to flip the major promotional sign so that it faces internally to the sports field, the proposal demonstrates an acceptable outcome for the site which is in favour of net community benefit.

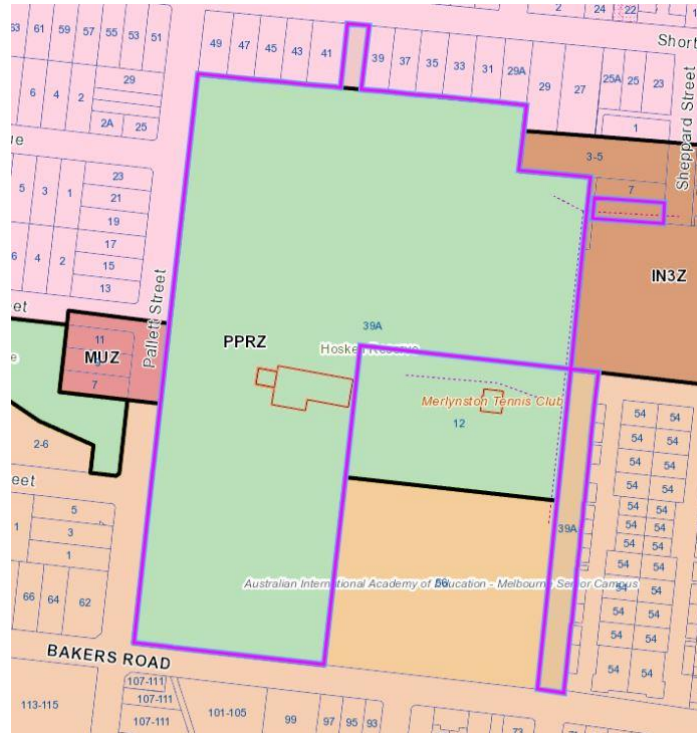
It is considered that the proposed display of major promotion and business identification signage is acceptable and should be supported.


On the balance of policies and controls within the Moreland Planning Scheme and objections received, a Notice of Decision to Grant a Planning Permit No. MPS/2021/102 should be issued subject to the conditions included in the recommendation of this report.

### **Attachment/s**

- |   |                           |            |
|---|---------------------------|------------|
| 1 | Land Controls Map         | D21/546353 |
| 2 | Development Plans         | D22/10259  |
| 3 | Location of Objectors Map | D21/546357 |

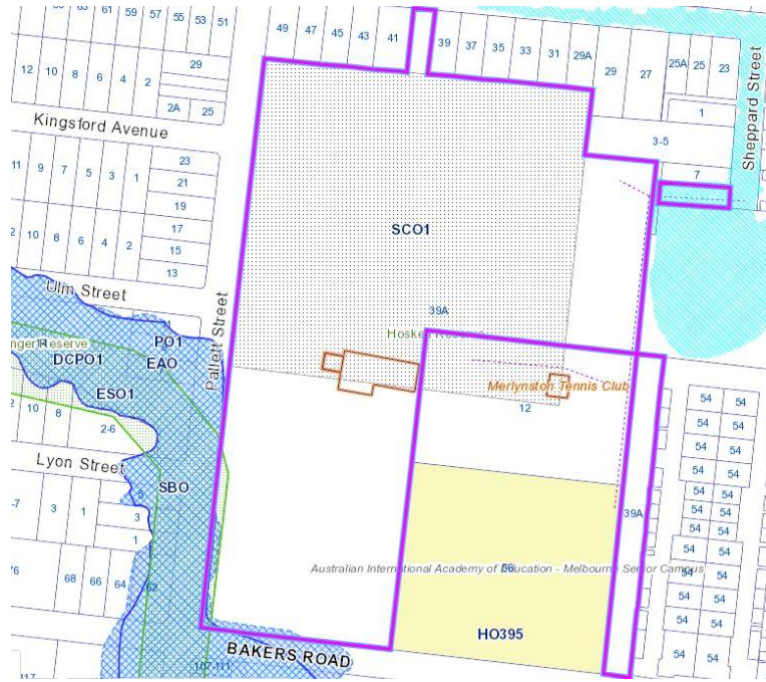
**39A Shorts Road, Coburg North**  
**Zoning Map to Application MPS/2021/102**



 Subject Site

39A Shorts Road, Coburg North

Overlays Map to Application MPS/2021/102



 Subject Site



























































