

Committee Future Melbourne (Planning Portfolio)

Presenter Councillor Reece

Purpose

1. The purpose of this report is to seek Council's support for the adoption of Melbourne Planning Scheme Amendment C300 Epworth Freemasons Signage.

Recommendation

2. That Council:
 - 2.1. Adopts Melbourne Planning Scheme Amendment C300 Epworth Freemasons Signage as shown in Attachment 4 of the report from management, pursuant to section 29 of the *Planning and Environment Act 1987*.
 - 2.2. Submits the Amendment to the Minister for Planning for approval.

Attachment:

1. Future Melbourne Committee, Agenda item 6.1, 1 August 2017

Report to the Future Melbourne (Planning) Committee

Agenda item 6.1

Amendment C300 Epworth Freemasons Signage

1 August 2017

Presenter: Emma Appleton, Manager Urban Strategy

Purpose and background

1. The purpose of this report is to seek the Future Melbourne Committee's support for the adoption by Council of Melbourne Planning Scheme Amendment C300 Epworth Freemasons Signage (the Amendment). Refer to Attachment 2. Management was approached by a consultant representing the Epworth Foundation as the landowner, seeking this amendment to enable permit applications to be considered for a variety of signs.
2. On 4 April 2017, the Committee resolved to seek authorisation from the Minister for Planning to prepare and give notice of the Amendment. On the basis that under the Amendment, applications for signage would require a planning permit, including probable advertising to any affected properties, the Committee requested that the Amendment be processed under section 20(2) of the *Planning and Environment Act 1987*, limiting notification of the Amendment to the landowner, Heritage Victoria and the prescribed Ministers.
3. The Amendment amends the Schedule to the Public Use Zone by altering the signage controls that apply to the Epworth Freemasons Hospital site at 124, 128 and 130-132 Grey Street and 166 Clarendon Street (Attachment 3). Category 3 (residential) signage controls are proposed to apply to the site, rather than the current Category 4 (sensitive areas) controls. Category 3 controls have less restrictive requirements on the size and type of signage than is currently allowed. The Amendment will bring the whole site into a consistent signage category.
4. Authorisation was granted by the Minister for Planning on 24 April 2017. The Amendment notified Heritage Victoria, the landowner and prescribed Ministers of the Amendment and all parties were given two weeks to make a submission. No submissions were received.

Key issues

5. The purpose of Category 3 signs is 'to ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area'. This level of sensitivity is considered suitable for the site given its context surrounded by residentially zoned land and opposite the Fitzroy Gardens. Rather than simply prohibiting signs including business identification signs, internally illuminated, reflective and pole mounted signs (as Category 4 does), Category 3 offers more flexibility by accommodating these signs subject to a permit. This means that each application will be considered on its merits, having regard to Council's heritage and signage policies. If the Council is of the opinion that a sign may cause material detriment, advertising will need to be undertaken including notification of any properties that may be affected.
6. The Epworth is an important hospital and medical facility in East Melbourne. The Amendment is appropriate as business identification is particularly important in a hospital environment, where patients require obvious identification of buildings to assist their movement to and within the site. This Amendment will support the Hospital facility through enabling the display of appropriate signage for identification and wayfinding.

Recommendation from management

7. That the Future Melbourne Committee recommends Council:
 - 7.1. Adopts Melbourne Planning Scheme Amendment C300 Epworth Freemasons Signage as shown in Attachment 2, pursuant to Section 29 of the *Planning and Environment Act 1987*.
 - 7.2. Submits the Amendment to the Minister for Planning for approval.

Attachments:

1. Supporting Attachment (page 2 of 14)
2. Site location and zones and overlays (page 3 of 14)
3. Comparison of signage controls under Category 3 and 4 of Clause 52.05 (page 6 of 14)
4. Planning scheme amendment documentation (page 7 of 14)

Supporting Attachment

Legal

1. Division 1 and part 3 of the *Planning and Environment Act 1987* deal with planning scheme amendments, setting out provisions for the exhibition and notification of planning scheme amendments, consideration of submissions, and adoption.
2. The decision to adopt the Amendment cannot be made under delegation.

Finance

3. Under Section 6 of the *Planning and Environment (Fees) Regulations 2016* a fee is to be paid when requesting the Minister approve an amendment and give notice in the Government Gazette of approval of an amendment. These costs will be met by the proponent (landowner).

Conflict of interest

4. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a direct or indirect interest in relation to the matter of the report.

Stakeholder consultation

5. The Amendment was exhibited in accordance with the *Planning and Environment Act 1987*. The Amendment was placed on limited exhibition between 9 May and 25 May 2017, with notice sent to the landowner, Heritage Victoria and the prescribed Ministers in line with the recommendation endorsed by FMC, and with the permission of the Minister for Planning. No submissions were received.
6. The Amendment and supporting information was available at the City of Melbourne counter in Council House 2 and on the City of Melbourne website and on the Department of Environment, Land, Water and Planning website.

Relation to Council policy

7. Under Clause 21.16–2 of the Planning Scheme, East Melbourne has ‘an important role in providing hospital and medical services’.
8. Clause 22.07 Advertising Signs provides the framework for decision making under the proposed provisions. This includes the objective: ‘To allow for the reasonable identification and marketing of institutions, businesses and buildings and communication of messages’.

Environmental sustainability

9. There are no environmental impacts likely to arise from the Amendment.

Attachment 2: Site location, zones and overlays



Figure 1. Aerial image showing the site location and area A

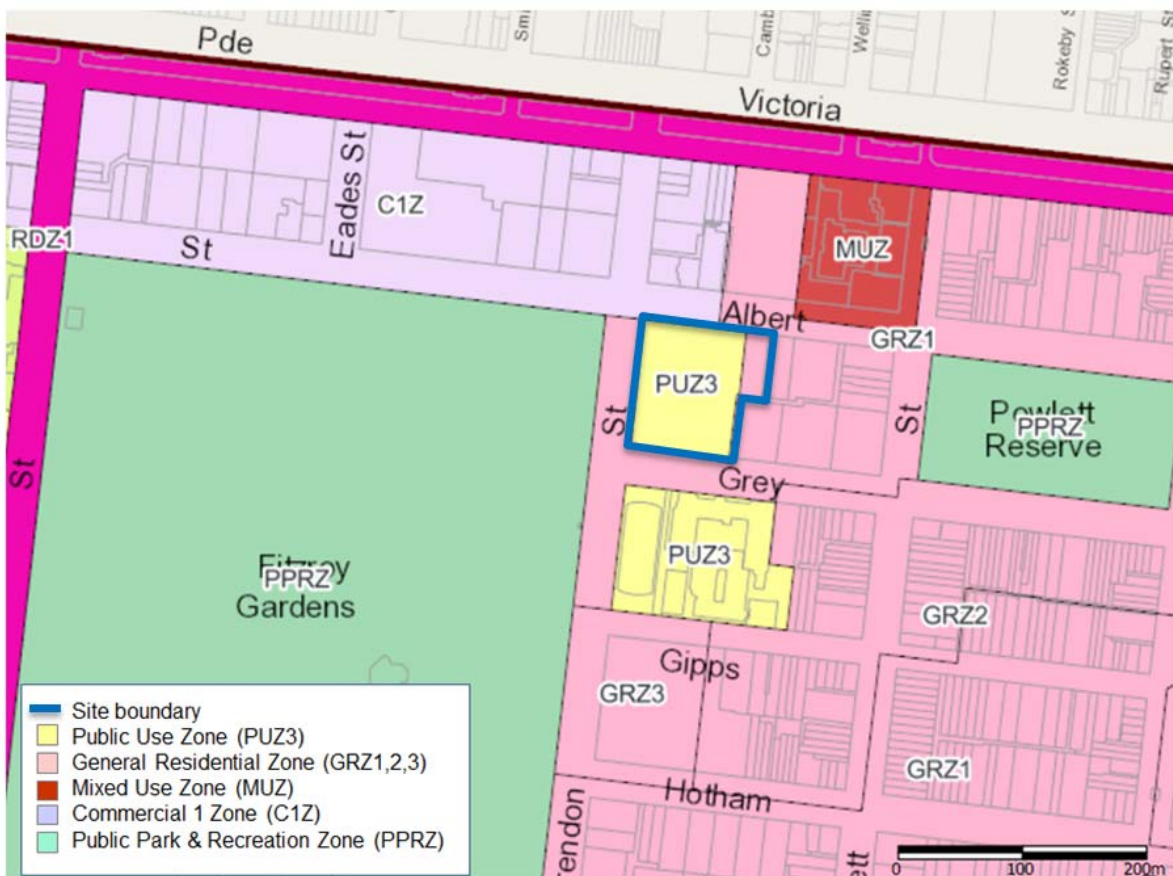


Figure 2. Land use zoning map showing the site zoned as Public Use Zone, with part residential, surrounded by predominantly residential land

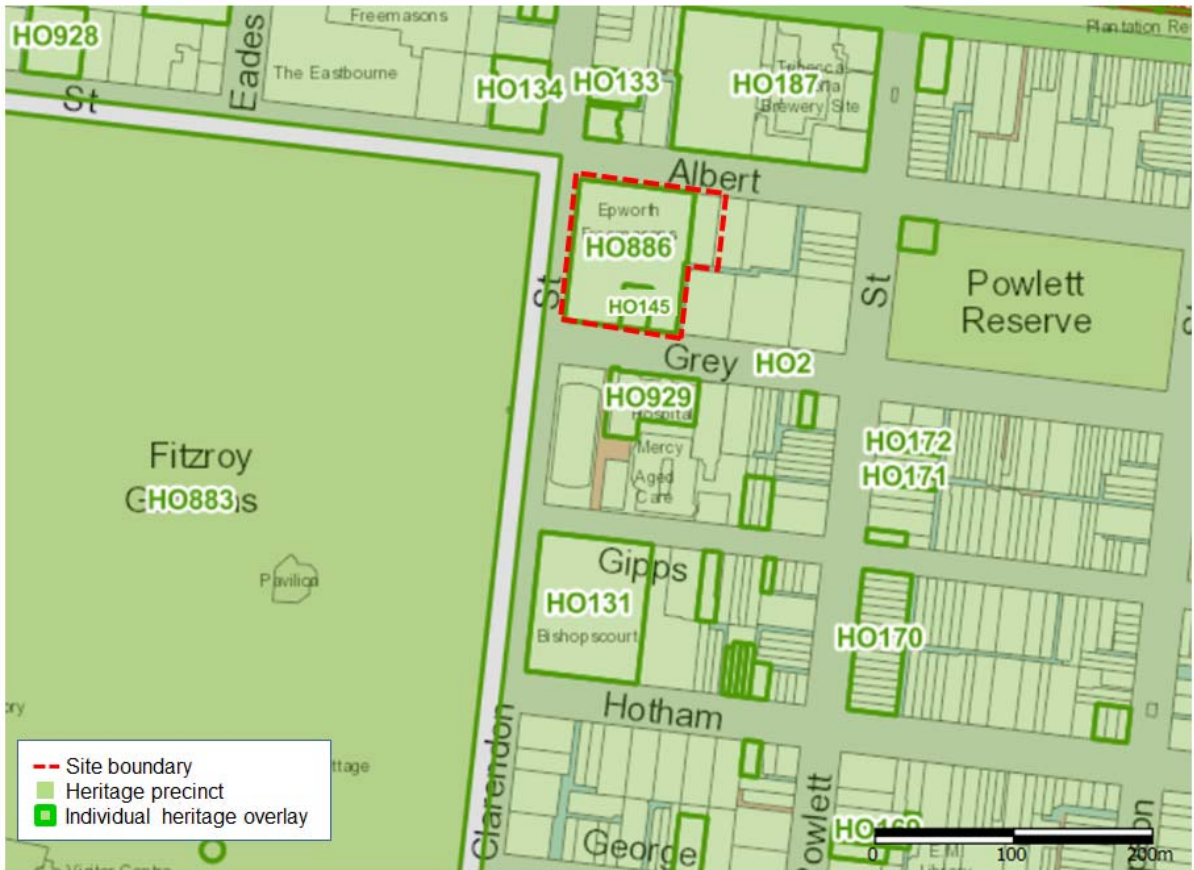


Figure 3. Map of the site showing its location within the East Melbourne Heritage precinct (HO2), and individual heritage overlays, including HO886 and HO145



Photo of the subject site looking down Clarendon Street



Photo of the Fitzroy Gardens in Clarendon Street, which is opposite the site



Photo looking down Albert Street, with the subject site on the right



Photo looking down Grey Street, with the subject site on the left

Figure 4. Photos of the subject site and surrounding area

Attachment 3: Comparison of signage controls under Category 3 and 4 under Clause 52.05 of the Melbourne Planning Scheme

	Category 3 'high-amenity areas'	Category 4 'sensitive areas'
	This category applies to all residential zones.	
Purpose	To ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area	To provide for unobtrusive signs in areas requiring strong amenity control
Business identification sign	Permit required	Permit required – total advertisement area to each premises must not exceed 3 sq m.
Internally-illuminated sign	Permit required	Prohibited
Reflective sign	Permit required	Prohibited
Pole sign	Permit required	Prohibited

Attachment 4: Amendment documents

MELBOURNE PLANNING SCHEME

AMENDMENT C300

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the City of Melbourne, which is the planning authority for this amendment.

The Amendment has been made at the request of the Epworth Foundation.

Land affected by the Amendment

The Amendment applies to:

The Epworth Freemasons Hospital Campus [part] comprising:

- 124 Grey Street, East Melbourne;
- 128 Grey Street, East Melbourne;
- 130-132 Grey Street; and
- 166 Clarendon Street, East Melbourne as Area A in Map 2 below:



What the amendment does

The Amendment amends the Schedule to the Public Use Zone so that Category 3 (High Amenity Areas) signage controls apply to the above listed land, rather than the current Category 4 (Sensitive Areas) signage controls.

Strategic assessment of the Amendment

Why is the Amendment required?

Business identification is particularly important in a hospital environment, where patients require obvious identification of buildings to assist their movement to and within the site. This Amendment will support the Hospital facility through enabling the display of appropriate signage for identification and wayfinding.

The Amendment seeks to revise the Schedule to the Public Use Zone so that Category 3 signage controls apply to the property, rather than the current Category 4 controls. The Amendment applies to part of the site (marked as Area A), and will bring the whole site into a consistent signage category.

The current Category 4 controls prohibit business identification signs over 3 square metres, internally illuminated, reflective and pole mounted signs. Category 3 offers more flexibility by accommodating these signs subject to a permit. This means that each application will be considered on its merits having regard to Council's heritage and signage policies. Unless the City of Melbourne is of the opinion that a sign will not cause material detriment, it will also undertake advertising, including notification of any properties that may be affected.

Further, the part of the site subject to the proposed amendment is also on the Victorian Heritage Register. Accordingly, any future signage will also need to apply for a Heritage Permit. The Heritage Permit will be required to be publicly advertised, in addition to the planning permit process, providing further opportunity for community input, as well as consideration of heritage matters.

How does the Amendment implement the objectives of planning in Victoria?

The amendment implements the following objectives of planning in Victoria at Section 4(1) of the *Planning and Environment Act 1987*:

(a) To provide for fair, orderly, economic and sustainable use, and development of land; and

This contributes to these objectives by allowing for consideration of permit applications for business identification and wayfinding signs associated with an important and significant Hospital.

How does the Amendment address any environmental, social and economic effects?

There are no environmental, social or economic impacts likely to arise from the amendment.

Does the Amendment address relevant bushfire risk?

Not applicable.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with the Minister's Direction of the Form and Content of Planning Schemes under section 7(5) of the Act.

The amendment is consistent with the Minister's Direction – Strategic Assessment of Amendments under section 12(2) of the Act.

The amendment is consistent with the Minister's Direction 9 – Metropolitan Strategy under section 12(2) of the Act. The amendment has been prepared having regard to the Metropolitan Strategy – Plan Melbourne. The following policy content from Plan Melbourne is relevant to the amendment:

- Initiative 4.4.1 Create Health and Education precincts to meet the needs of residents across Melbourne.
- Initiative 4.4.2 A co-ordinated approach to the delivery of education, health, recreation and cultural facilities.

How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?

The Epworth Freemasons site is set within a cluster of key medical institutions, including St Vincent's Public and Private Hospital (Victoria Parade and Grey Street), the Royal Victorian Eye and Ear Hospital and the Epworth Freemasons (Victoria Parade). The strategic importance of the precinct as a Medical Hub is clearly recognised within State Policy. Specifically:

- **Plan Melbourne**, Melbourne's Metropolitan Strategic Growth Plan, identifies East Melbourne as a State Significant health precinct, recognising the value of geographical clustering of employment and innovation services. This medical precinct leverages from this.
- **Clause 19.02**, To assist the integration of health facilities with local and regional communities.

The Amendment will support the hospital facility in this location, through display of appropriate signage for identification and wayfinding.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The strategic importance of the precinct as a Medical Hub is also clearly recognised within the Municipal Strategic Statement. Specifically:

- **Clause 21.08** locates the subject site within the Knowledge Precinct, where clustering of facilities is encouraged. This proposed development seeks to enhance and complement existing health services in the East Melbourne area, which have a broad role in servicing the growing health needs of Melbourne.
- **Clause 21.04** positions Epworth Freemasons outside the stable residential area and specifically the East Melbourne Residential Area.

The recently approved development on this site, including a tower of 35m, emphasises the importance of this site as a key medical offer in this location. Signage is an integral component of the hospital development and it is important that the signage controls on the site are reflective of the use. Category 4 controls do not provide a suitable signage regime for a large regional Hospital and Cancer Centre, and are inadequate to support business identification and external wayfinding signage.

Does the Amendment make proper use of the Victoria Planning Provisions?

The amendment makes appropriate use of the Victoria Planning Provisions by properly utilising the Schedule to Clause 36.01 Public Use Zone which provides the opportunity to alter the relevant advertising sign category applicable to land within the Public Use Zone.

How does the Amendment address the views of any relevant agency?

Heritage Victoria has been consulted given that the site is listed on the Victorian Heritage Register and subject to two heritage overlays. Heritage Victoria has no objection to the Amendment.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The amendment does not impact on the Transport Integration Act 2010.

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment will allow planning applications for signs to be made. This is consistent with other land within the City of Melbourne attracting associated application fees.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, during office hours at the following places:

City of Melbourne, Level 3, 240 Little Collins Street, Melbourne.

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection.

Planning and Environment Act 1987

MELBOURNE PLANNING SCHEME

AMENDMENT C300

INSTRUCTION SHEET

The planning authority for this amendment is the City of Melbourne.

The Melbourne Planning Scheme is amended as follows:

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

1. In Zones – Clause 36.01, replace the Schedule with a new Schedule in the form of the attached document.

End of document

Proposed
C300

SCHEDULE TO THE PUBLIC USE ZONE

Public Land	Use Or Development	Conditions
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None specified

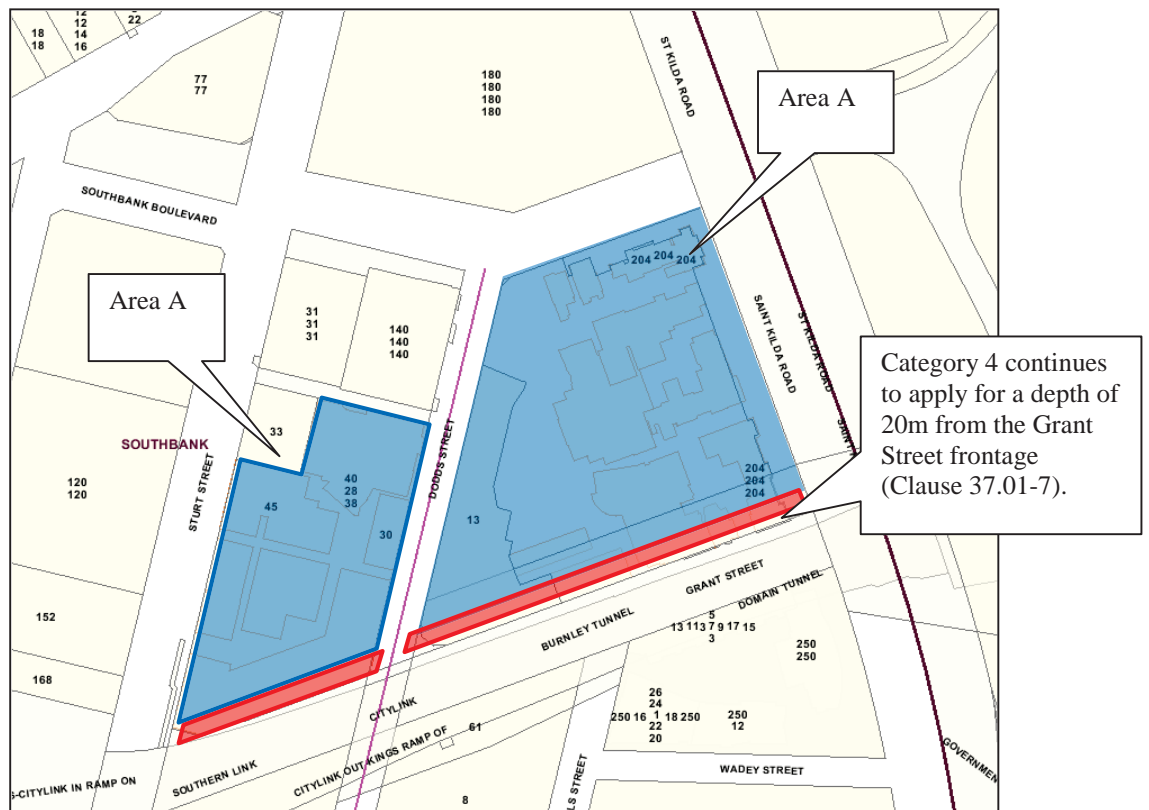
Land	Advertising Sign Category
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161-169 Moore Street, Southbank, described in Title Volume 4613 Folio 516 Category 1

The University of Melbourne, VCA Campus, described as Area A in Map 1 to this Schedule and also known as part of:
204 St Kilda Road, Southbank;
13-39 Dodds Street, Southbank; and
28-40 Dodds Street and 45 Sturt Street, Southbank. Category 2

The Epworth Freemasons Hospital Campus located at: 124, 128, 130-132 Grey Street, and 166 Clarendon Street, East Melbourne; and shown as Area A in Map 2 to this Schedule. Category 3

Map No. 1 to the Schedule to Clause 36.01



Map No. 2 to the Schedule to Clause 36.01

