

9.2 PLANNING PERMIT APPLICATION PLP205/19 FOR A MAJOR PROMOTION SIGN (DOUBLE-SIDED AND FLOODLIT) AT 8C EMILY STREET SEYMOUR

Author: Holly Sawyer - Senior Statutory Planner

File No: PLP205/19

- Attachments:**
1. Planning Policy Framework
 2. Proposed Plans

Property No.:	100430
Title Details:	Lot 2 on Plan of Subdivision 439656X Volume 10568 Folio 157
Applicant:	Regional Billboard Co.
Zoning:	Commercial 2 Zone
Overlays:	Floodway Overlay Bushfire Management Overlay
Objections Received:	Two objections received
Cultural Heritage Management Plan Required:	Not required
Officer Declaration of Conflict of Interest:	No officers involved in the preparation of this report have any direct or indirect interest in this matter

SITE MAP



PLANNING PERMIT APPLICATION PLP205/19 FOR A MAJOR PROMOTION SIGN (DOUBLE-SIDED AND FLOODLIT) AT 8C EMILY STREET SEYMOUR (CONT.)

SUMMARY

The application is seeking approval for a major promotion sign (double-sided and floodlit) at 8C Emily Street, Seymour. The subject land is located within the Commercial 2 Zone and is affected by the Floodway Overlay and Bushfire Management Overlay of the Mitchell Planning Scheme.

The application was advertised via letters to adjoining landowners and occupiers and a sign was displayed on the site. A total of two objections have been received, at the time of writing this report.

The primary matters discussed later in this report are related to the significance of the subject area as a key gateway into the Seymour township, the sign's potential to obscure adjoining commercial premises, limitations on streetscape improvements, and impacts to the character of an entrance into Seymour.

This report recommends that a Notice of Decision to Refuse a Planning Permit be issued for the proposal, as it is considered that the sign will detrimentally impact on the historic, cultural and natural character of a key gateway into Seymour, the sign will limit opportunities for streetscape improvements as identified within the adopted Seymour Structure Plan, the sign will dominate that streetscape and will obscure adjoining properties and limit their ability to display business identification signage.

SITE AND SURROUNDS

Subject Site Description

The subject site is a rectangular allotment located on the northern side of Emily Street. The 2820 square metres lot currently contains three buildings, including offices and a storage building. The buildings are single storey, with a crossover located along the eastern boundary providing access to Emily Street. Six formal car parking spaces are available within the front setback to Emily Street.

The site is relatively flat, with some remnant native vegetation located on the rear boundary of the site. The site is current used as a real-estate firm (A Little Bird Told Me).

Planning Background

No planning related outcomes have been determined for the site.

Title/Restrictions/Agreements

The site is not affected by any restrictive covenants or agreements. An easement is located within the rear third of the site (running east-west) for the purposes of pipelines or ancillary purposes. The application has no bearing on this easement.

Surrounding Area

The subject site is located within the western end of the Emily Street and to the south-east of the Goulburn River. The subject site forms part of the entrance into Seymour from the Hume Freeway. Emily Street is an arterial road that forms part of the Goulburn Valley Highway and provides access to the Hume Freeway.

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The area is a commercial precinct within Seymour. The character of the surrounding area consists of a mix of industrial uses commercial/office uses, food and drink premises, and caravan parks.

The character of the built form within the area is mostly single storey (except the Royal Hotel and Prince of Wales Hotel to the north-east of the site), with most premises providing car parking onsite.

The topography of the surrounding area is flat, with vegetation consisting of planted natives within the median of Emily Street and remnant natives within private property and within the surrounding road reserves (Tierney Street and Hanna Street).

There are two major promotion signs located along Emily Street at the northern end of the commercial precinct within a predominantly light industrial area. These signs are double sided but are not illuminated.

PROPOSAL

The application is seeking approval for a double-sided, floodlit major promotion sign. A series of images are provided below extracted from the proposed plans. A full set of proposed plans are attached to this report.

Sign Location

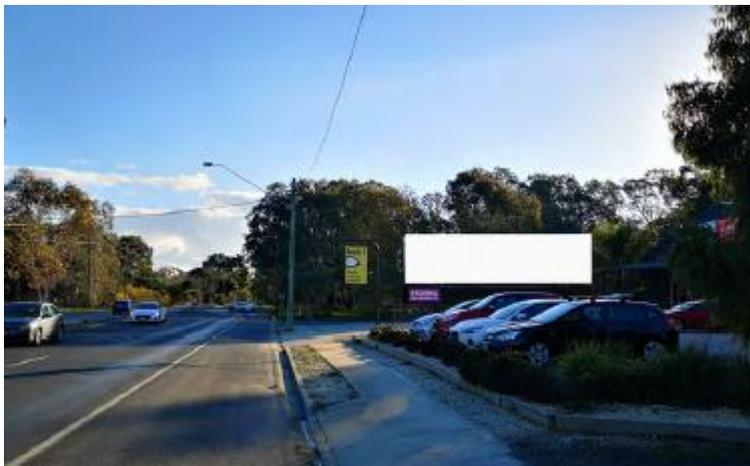
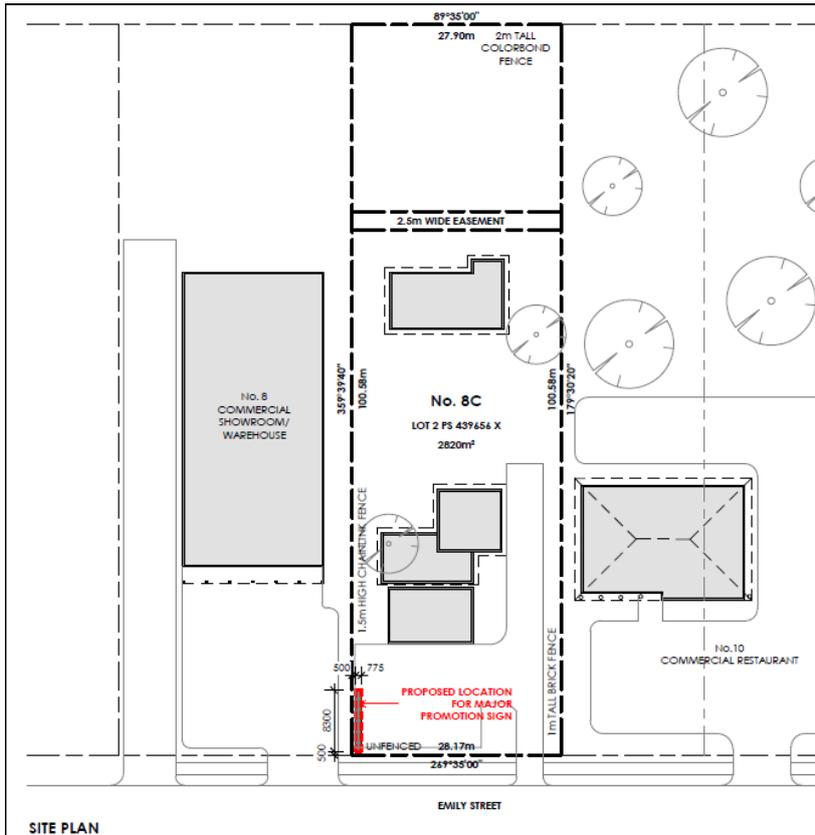
The sign is proposed to be located within the south-western corner of the site fronting Emily Street. The sign is to be setback 0.5 metre from the western boundary (adjoining the Reece site) and 0.5 metre from the southern boundary (adjoining Emily Street).

Major Promotion Sign Details

Specifically, the sign includes:

- The overall sign is to measure 8.3 metres in length, a maximum height of 4.65 metres (ground level to the top of sign) and 0.775 metres in width.
- The display face is 8.3 metres in width and 2.2 metres in height. The total area of each display face is 18.26 square metres. Both sides of the display face will measure 36.52 square metres. The display of the main sign is to change over time, therefore, a specific display is not proposed herein.
- The skirting board (located below the display face) is 8.3 metres in width and 0.85 metre in height. The skirting board also includes permanent business identification signage stating, '*Regional Billboard Co.*', measuring 1.3 metres in length and 0.55 metre in height. The area for the business identification signage is a total of 0.72 square metres for each side.
- The signage will be constructed on two post at a height of 1.5 metres.
- A total of four floodlights are located on top of the sign, two for each side.

PLANNING PERMIT APPLICATION PLP205/19 FOR A MAJOR PROMOTION SIGN (DOUBLE-SIDED AND FLOODLIT) AT 8C EMILY STREET SEYMOUR (CONT.)



PLANNING PERMIT APPLICATION PLP205/19 FOR A MAJOR PROMOTION SIGN (DOUBLE-SIDED AND FLOODLIT) AT 8C EMILY STREET SEYMOUR (CONT.)

APPLICATION HISTORY

The application was received by Council on 11 July 2019. Further information was requested by Council on 7 August 2019, which was submitted in full on 16 August 2019. Public notification of the application commenced on 12 September 2019 and concluded on 30 September 2019. Two objections were received in response to the application.

PLANNING SCHEME PROVISIONS

Zoning

Commercial 2 Zone

The subject site is located within the Commercial 2 Zone pursuant to Clause 34.02 of the Mitchell Planning Scheme. There are no specific permit requirements for signage within the Commercial 2 Zone, although Clause 34.02-8 specifies that any proposed sign must be considered under Category 1 of Clause 52.05 (Signs) of the Scheme.

Overlays

Floodway Overlay

The subject site is affected by the Floodway Overlay pursuant to Clause 44.03 of the Scheme. Pursuant to the Schedule to Clause 44.03-2, a planning permit is not required for an outdoor sign.

Bushfire Management Overlay

The subject site is partially affected by the Bushfire Management Overlay pursuant to Clause 44.06 of the Scheme. As the proposed sign is located outside of the part of the site affected by this overlay, there are no permit requirements under Clause 44.06-2.

Particular Provisions

Clause 52.05 (Signs)

Pursuant to Clause 34.02-8, sign requirements are considered under Clause 52.05-11 (Category 1 – Commercial areas). The purpose of this category is to *provide for identification and promotion signs and signs that add vitality and colour to commercial areas*.

Pursuant to the requirements of Clause 52.05-11, a permit is required for promotional signage with a display area of all signs exceeding 8sqm. As the total display area of all signs proposed herein measures 37.95, a permit is required pursuant to this clause. Further, planning approval is also required for floodlit signage pursuant to this clause.

Planning Policy Framework & Local Planning Policy Framework (PPF & LPPF)

A number of State and Local Planning Policies are relevant to this application and are included at Attachment 2.

Seymour Structure Plan (adopted)

The Seymour Structure Plan sets directions and opportunities for change in Seymour. The strategies and actions within the Plan will be implemented by many stakeholders over the period of the Plan. Importantly, the Plan will guide future planning and

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development decisions and provide a framework that will facilitate future investment in the township.

The Seymour Structure Plan includes a number of objectives that are relevant to this proposal. The relevant sections of the Seymour Structure plan are detailed below:

Character and Identity

This section (pg. 22) identifies that land along Emily Street forms the township arrival and seeks to:

- Protect and enhance important elements that contribute positively to Seymour's character and the town's pride;
- Strengthen Seymour's connections to its surrounding landscape, including waterway corridors, hills and significant vegetation; and
- Provide a strong sense of arrival into Seymour along key entry roads and railway corridors.

Entrances and Exits

This section (pg. 24) identifies that

Major entries are important in establishing a sense of arrival and reinforcing the local character of a town. They provide a 'window to the town, which creates first impressions of the local community and can reinforce local pride. The Seymour Structure Plan identifies a number of gateways and arrival experiences that are important to establishing a sense of arrival into Seymour. These (primary) gateways are connected by key roads that provide an arrival experience. These key roads include Hume Highway, Anzac Avenue and Emily Street. Many of these roads have limited connection with the wider landscape, however they provide views to the cultural landscape of the town and a 'first impression' of Seymour as a place and a community. The relationship between the regional landscape and the landscape of the township is important. The Structure Plan seeks to enhance these arrival experiences into Seymour through additional tree planting and upgrading streetscapes as well as enhancing views to natural features, open space and heritage elements.

Emily Street

Emily Street (pg. 31) provides comments identifying Emily Street as the main entrance into Seymour from Melbourne and envisage a role as a tourism precinct and key entry. Public realm improvements are seen as a catalyst for future investment and development. This is further supported by the statement that seeks to encourage uses along Emily Street that create an attractive 'front door' to Seymour and complement its proximity to the Goulburn River and its heritage (pg. 35, figure 12)

PUBLIC NOTIFICATION (ADVERTISING)

Formal notification of the application was given by means of letters to adjoining landowners and occupiers. A total of two objections have been received.

The objections received in relation to the current proposal cover a number of matters and are addressed below:

- The advertising display will not benefit local businesses.

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- The proposed sign will overshadow the general view of the adjoining Reece building and business identification signage.
- The sign is significantly larger than any other sign within the immediate area and is not in keeping with the streetscape.
- The advertising signage will have no connection with the business on the subject site.
- The proposal will have a detrimental effect on the general amenity of the area.

REFERRALS

External

The application was not required to be referred to any external authorities pursuant to Section 55 of the *Planning and Environment Act 1987*.

Internal

The application was discussed internally with Council's Strategic Planning Unit who raised concerns in regards to the impact this proposal would have upon the intended outcomes of the Seymour Structure Plan. They further provided comments highlighting concerns that the proposal would limit the capacity for future streetscape improvements and is in does not accord with objectives to ensure that development along key gateway sites within Seymour is of an appropriate scale and design to the natural and cultural context of the area.

DISCUSSION

Policy Response & Seymour Structure Plan (adopted)

State and local policies seek to ensure that signs minimise detrimental impacts on amenity and the natural and built environment (Clause 15.01-1S). Further policy (Clause 21.06-1) seeks to enhance the presentation of towns and their main road entrances through building on established identity and character of towns. These policy aims are supported by the decision guidelines of Clause 52.08, as discussed above. The existing or desired future character of the streetscape must be considered to ensure that the amenity and visual character of the area is not detrimentally impacted by signage.

Given the above policy and objectives of the Seymour Structure Plan for achieving a better physical outcome for key gateway locations into the township, the proposed major promotion sign is considered too dominant and imposing within the streetscape. Whilst it is acknowledged that the commercial zoning of the site is appropriate for promotional signage, the scale and location of the sign poses detriment to the natural and commercial character of the area. The sign will obscure views to adjoining premises and natural view lines to remnant vegetation to the rear of the built form adjoining the Goulburn River. The installation of the sign at the proposed scale and location would limit the ability for future occupants of the subject site and adjoining properties to install business identification signage, with *Total Outdoor Media Pty Ltd v Strathbogie SC [2019] VCAT 142* identifying this issue as a reason to uphold a refusal for a major promotion sign proposed along a main entry into the township of Euroa.

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Further, the sign will impact on the character of the entry into the township, which is identified as a main entry into Seymour from Melbourne. Encouraging major promotion signs within this area would detrimentally impact on the experience when entering the town and diminish the gateway into Seymour. The sign would limit the capacity for streetscape improvements as identified within the adopted Seymour Structure Plan and would diminish the experience of visitors to the township through a key gateway.

Decision guidelines – Clause 52.05 (Signs)

Clause 52.05-8 provides a number of decision guidelines that must be considered for major promotion sign applications. Considerations include:

- the effect of the proposed signage on significant streetscapes and the visual appearance of a significant view corridor and/or gateway location.
- the proposed major promotion sign complements or enhances the character of the area.
- to ensure that major promotion signs do not dominate streetscapes.

Emily Street is identified as a key gateway location into the Seymour township; therefore, any development or works must provide a positive urban design contribution to the streetscape. The position of the proposed major promotion sign will be dominant within the streetscape due to its 0.5 metre setback to Emily Street. When viewed from Emily Street (eastbound and westbound), the sign will obscure views of buildings, including business identification signage, and views of the trees to the rear of the buildings. This is not considered to represent an orderly planning outcome as the sign would detrimentally impact views of both the natural landscape but also the surrounding built form which would result in visual clutter.

It is acknowledged that there are two existing major promotion signs located at the north-eastern end of Emily Street. This section of Emily Street is developed in a more scattered nature with a mix of industrial and commercial land uses interspersed within vacant land along the floodplain of the Goulburn River. These signs were approved prior to the adoption of the Seymour Structure Plan which seeks to improve the Emily Street streetscape. It is also important to note that the existing signs are non-illuminated, whilst the sign proposed herein seeks to provide floodlighting to the top of the sign which would further impose on the natural setting surrounding the subject site particularly at night.

CONCLUSION

The proposed major promotion sign is considered to be in conflict with the objectives of the state and local planning policy and particular provision of the Mitchell Planning Scheme and the adopted Seymour Structure Plan, as the proposal will dominant the surrounding streetscape, obscure views to adjoining commercial premises and the natural setting of Emily Street and limit the ability for adjoining commercial premises to install business identification signage. Further, the sign will detrimentally impact on character of the Seymour township given the site's status as a key gateway into the town.

PLANNING PERMIT APPLICATION PLP205/19 FOR A MAJOR PROMOTION SIGN (DOUBLE-SIDED AND FLOODLIT) AT 8C EMILY STREET SEYMOUR (CONT.)

RECOMMENDATION

THAT Council having complied with the relevant Sections of the *Planning and Environment Act 1987*, resolve to issue a Notice of Refusal for a Planning Permit in respect of Application No. PLP205/19 for a major promotion sign at Lot 2 on Plan of Subdivision 439656X Volume 10568 Folio 157, known as 8C Emily Street, Seymour, on the following grounds:

1. The proposal does not meet the objectives and strategies of Clauses 15.01-1S and 21.06-1 of the Mitchell Planning Scheme.
2. The proposal is not in accordance purpose and the following decision guidelines of Clause 52.05-8 of the Mitchell Planning Scheme as the major promotion sign:
 - a. Is not compatible with the existing or desired future character of the area in which it is proposed to be located;
 - b. Will have a negative effect on the gateway location;
 - c. Is visually dominant and imposing within the streetscape;
 - d. Will impede views to existing signs.
 - e. Has no relationship to the host site or building, streetscape and landscape.
3. The proposed major promotion sign is at odds with the direction of adopted (May 2018) Seymour Structure Plan.
4. The proposed major promotion sign will obscure views to adjoining commercial premises and limit the ability for those premises to display business identification signage.
5. The proposal is contrary to proper and orderly planning pursuant to Clause 65.01 of the Mitchell Planning Scheme.

PLANNING PERMIT APPLICATION PLP205/19 FOR A MAJOR PROMOTION SIGN (DOUBLE-SIDED AND FLOODLIT) AT 8C EMILY STREET SEYMOUR (CONT.)

MITCHELL SHIRE COUNCIL

Council Meeting Attachment

DEVELOPMENT AND INFRASTRUCTURE

16 DECEMBER 2019

9.2

**PLANNING PERMIT APPLICATION PLP205/19
FOR A MAJOR PROMOTION SIGN (DOUBLE-
SIDED AND FLOODLIT) AT 8C EMILY STREET
SEYMOUR**

Attachment No: 1

Planning Policy Framework

PLANNING POLICY FRAMEWORK (PPF) AND LOCAL PLANNING POLICY FRAMEWORK (LPPF)

Policy	Objective
<p>Clause 15.01-1S (Urban design)</p>	<p>This clause is relevant and has the following objective:</p> <p><i>To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.</i></p> <p>Strategies of this clause include:</p> <p><i>Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.</i></p>
<p>Clause 21.06-1 (Urban environment)</p>	<p>This clause is relevant and has the following objective:</p> <p><i>To enhance the presentation of towns and their main road entrances.</i></p> <p>Strategies of this clause include:</p> <p><i>Build on the established and strong sense of identity and character of each town.</i></p>
<p>Clause 21.11-6 (Seymour)</p>	<p>This clause is relevant and has the following strategies:</p> <p><i>Encourage high standards of urban design and architecture.</i></p>

MITCHELL SHIRE COUNCIL

Council Meeting Attachment

DEVELOPMENT AND INFRASTRUCTURE

16 DECEMBER 2019

9.2

**PLANNING PERMIT APPLICATION PLP205/19
FOR A MAJOR PROMOTION SIGN (DOUBLE-
SIDED AND FLOODLIT) AT 8C EMILY STREET
SEYMOUR**

Attachment No: 2

Proposed Plans

SEYMOUR - PROPOSED DOUBLE SIDED, EXTERNALLY ILLUMINATED, MAJOR PROMOTION SIGN

8C EMILY STREET,
SEYMOUR, VIC 3660

TOWN PLANNING DRAWINGS

- A01 COVER PAGE
- A02 SITE PLAN
- A03 FLOOR PLAN & ELEVATIONS
- A04 STREETScape
- A05 PERSPECTIVE VIEWS

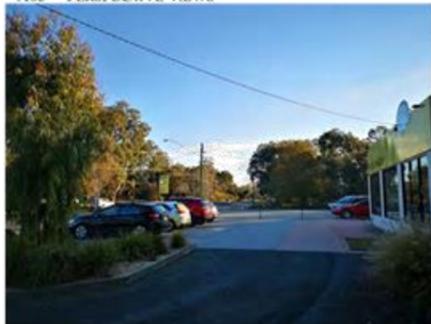


PHOTO 01



PHOTO 02



PHOTO 03



PHOTO 04



KEY PLAN
SCALE 1 : 1500

PHOTO LEGEND	
NO.	DESCRIPTION
01	PHOTOGRAPHIC VIEW OF THE PROPOSED LOCATION FOR THE SIGN.
02	PHOTOGRAPHIC VIEW EAST FROM THE PROPOSED LOCATION OF THE SIGN.
03	PHOTOGRAPHIC VIEW OF THE PROPOSED LOCATION FOR THE SIGN INCLUDING THE SURROUNDING CONTEXT EAST.
04	PHOTOGRAPHIC VIEW OF THE PROPOSED LOCATION FOR THE SIGN INCLUDING THE SURROUNDING CONTEXT WEST.

ISSUE/AMMENDMENTS SCHEDULE

- 01 09.07.2019**
TOWN PLANNING ISSUE
- 02 15.08.2019**
RFI RESPONSE

TOWN PLANNING

NOT FOR CONSTRUCTION



PROJECT
SEYMOUR - PROPOSED DOUBLE SIDED, EXTERNALLY ILLUMINATED, MAJOR PROMOTION SIGN
ADDRESS
8C EMILY STREET,
SEYMOUR, VIC 3660

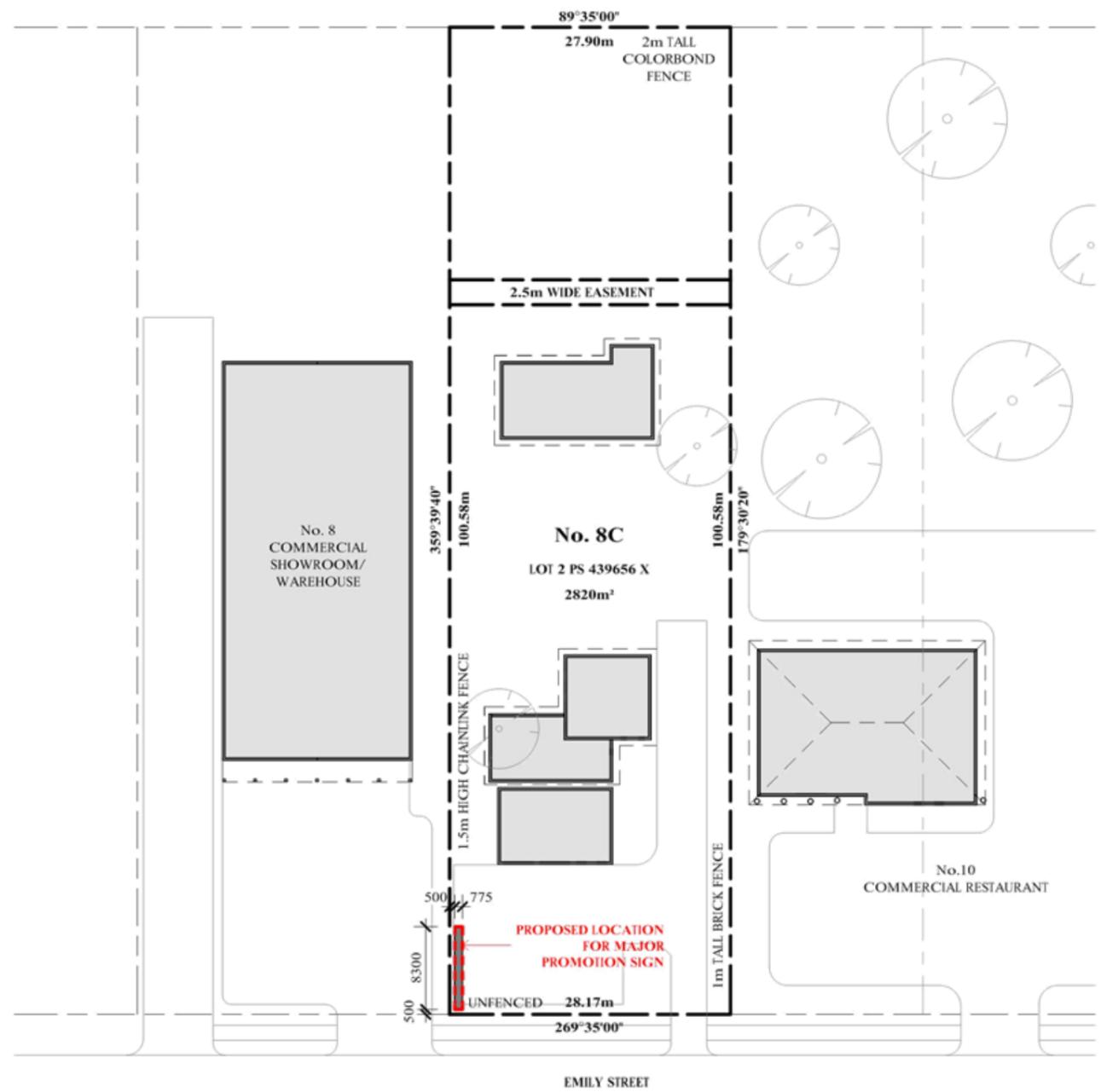
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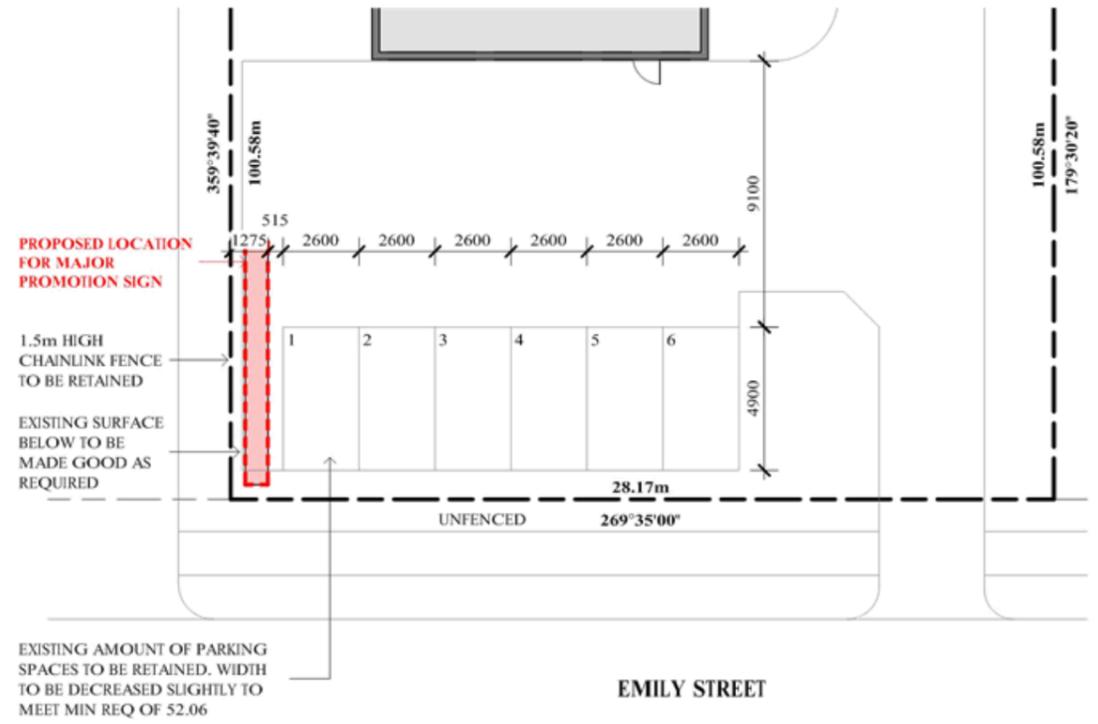
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A01
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JAMES
PROJECT NO.
19-004
PAGE SIZE
A3
ISSUE NO.
2

REGIONAL BILLBOARD CO.

A 62 John Street, ELTHAM VIC 3095
E james@regionalbillboardco.com.au
M 0400 096 182



SITE PLAN
SCALE 1 : 500



SITE PLAN - DETAIL
SCALE 1 : 200

ISSUE/AMMENDMENTS SCHEDULE

- 01 09.07.2019
TOWN PLANNING ISSUE
- 02 15.08.2019
RFI RESPONSE

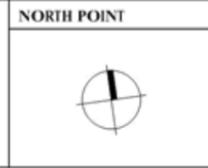
LEGEND

- PROPERTY BOUNDARY
- EXISTING BUILDINGS ONSITE
- PROPOSED MAJOR PROMOTION SIGN FOOTPRINT

TOWN PLANNING
NOT FOR CONSTRUCTION

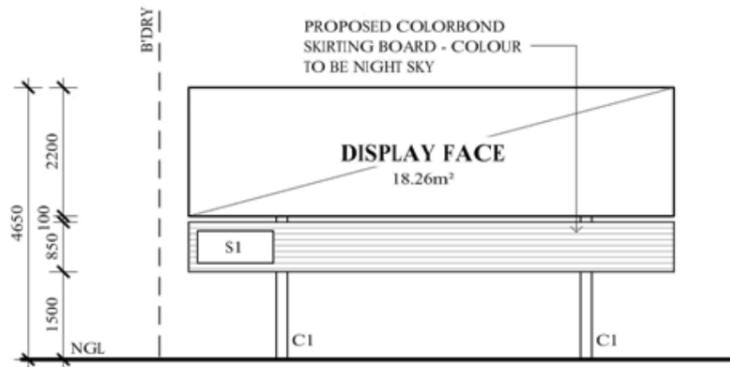


PROJECT
SEYMOUR - PROPOSED DOUBLE SIDED, EXTERNALLY ILLUMINATED, MAJOR PROMOTION SIGN
ADDRESS
8C EMILY STREET,
SEYMOUR, VIC 3660

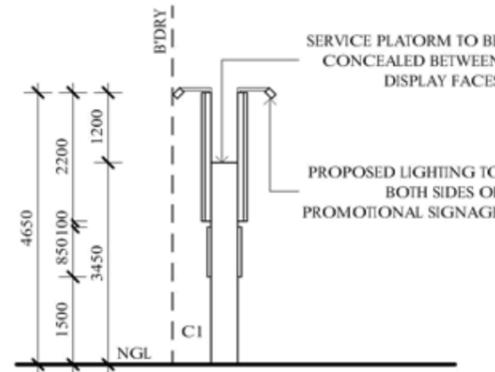


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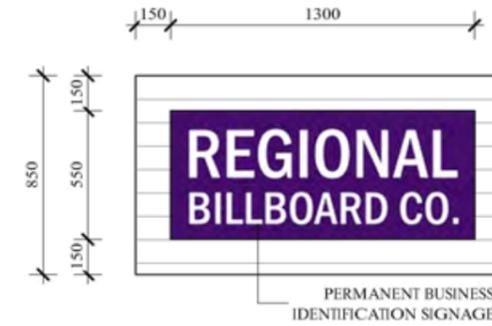
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A 62 John Street, ELTHAM VIC 3095
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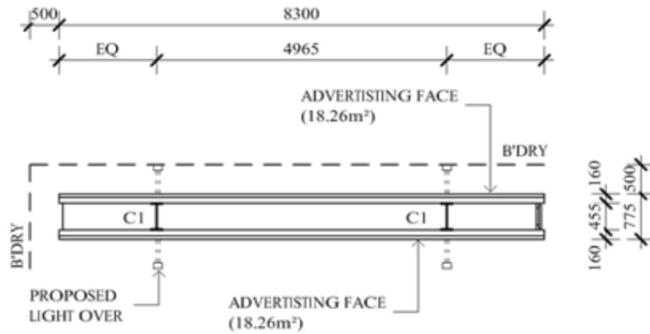
EAST ELEVATION
SCALE 1 : 100



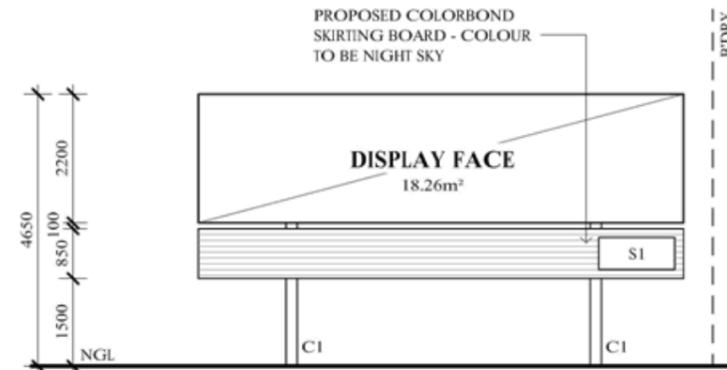
SOUTH ELEVATION
SCALE 1 : 100



S1 - SIGNAGE DETAIL
SCALE 1 : 25



FLOOR PLAN
SCALE 1 : 100



WEST ELEVATION
SCALE 1 : 100

ISSUE/AMMENDMENTS SCHEDULE

- 01 09.07.2019**
TOWN PLANNING ISSUE
- 02 15.08.2019**
RFI RESPONSE

LEGEND

- C1 PROPOSED COLUMN - POWDERCOAT BLACK FINISH
- NGL NATURAL GROUND LINE
- S1 PERMANENT SIGN 1 - REFER TO DETAIL

TOWN PLANNING

NOT FOR CONSTRUCTION

MATERIALS BOARD



C1
PROPOSED COLUMN -
POWDERCOAT BLACK
FINISH



BLACK PAINT
PROPOSED BLACK PAINT
FINISH TO ALL FEATURES,
TRIMS AND LIGHTING



SKIRTING BOARD
PROPOSED COLORBOND
SKIRTING BOARD WITH
NIGHT SKY FINISH



PROJECT
SEYMOUR - PROPOSED DOUBLE SIDED, EXTERNALLY
ILLUMINATED, MAJOR PROMOTION SIGN
ADDRESS
8C EMILY STREET,
SEYMOUR, VIC 3660

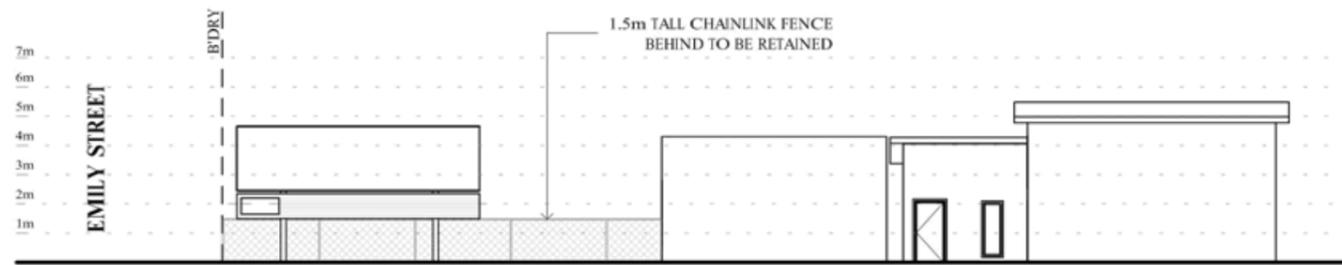
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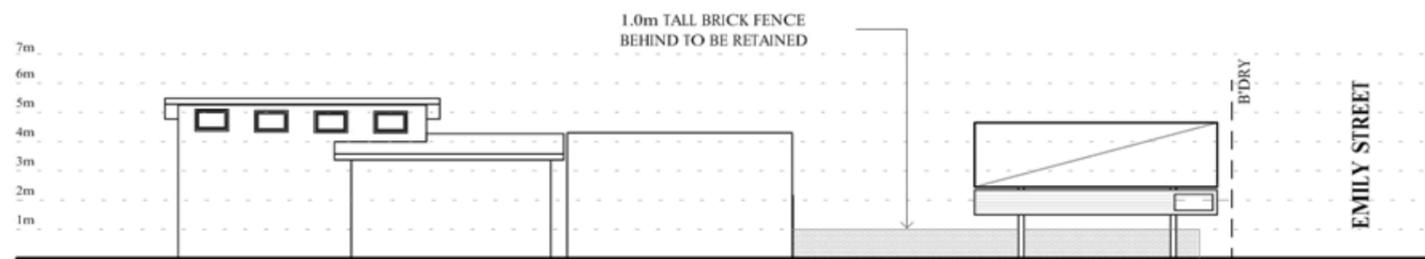
A 62 John Street, ELTHAM VIC 3095
E james@regionalbillboardco.com.au
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EAST ELEVATION
SCALE 1 : 200



SOUTH ELEVATION (EMILY STREET)
SCALE 1 : 200



WEST ELEVATION
SCALE 1 : 200

GENERAL NOTES

ALL HEIGHTS ARE APPROXIMATE HEIGHTS, EDUCATED FROM IMAGES AND MEASUREMENTS TAKEN ONSITE.

OPENINGS ARE REFERENCE ONLY AND NOT TO SCALE.

TOWN PLANNING

NOT FOR CONSTRUCTION



PROJECT
SEYMOUR - PROPOSED DOUBLE SIDED, EXTERNALLY ILLUMINATED, MAJOR PROMOTION SIGN
ADDRESS
8C EMILY STREET,
SEYMOUR, VIC 3660

NORTH POINT

DATE
09.07.2019

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JAMES

PROJECT NO.
19-004

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ISSUE NO.
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A 62 John Street, ELTHAM VIC 3095

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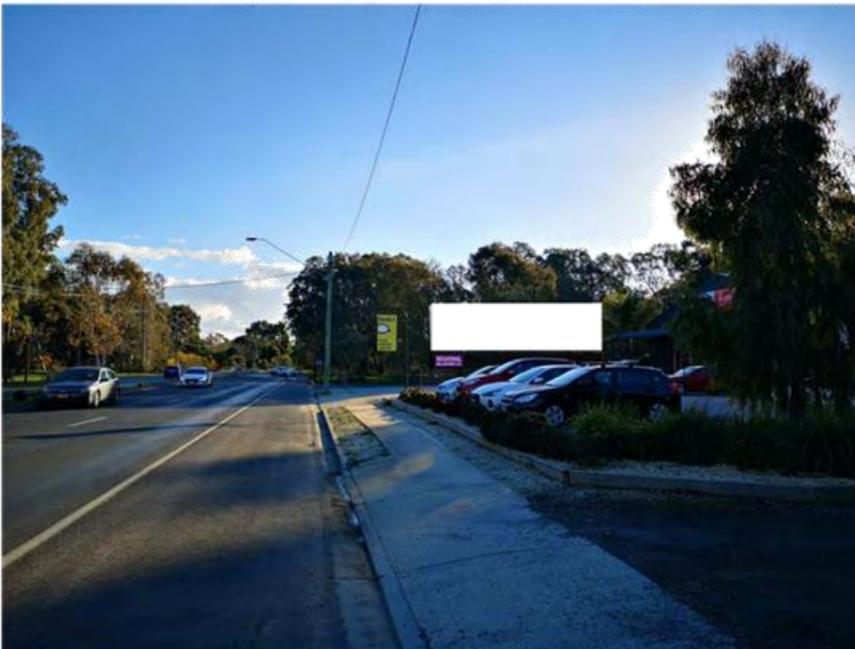
EXISTING PERSPECTIVE VIEW #01 - EASTBOUND TRAFFIC



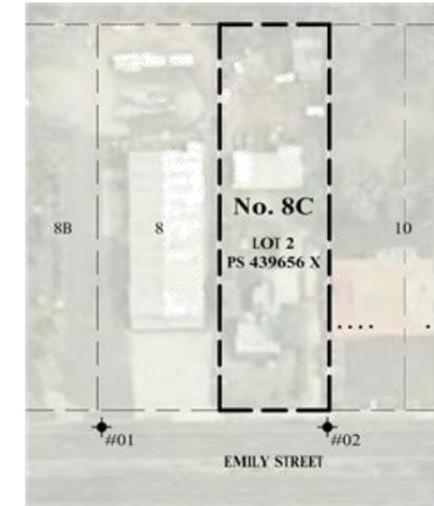
EXISTING PERSPECTIVE VIEW #02 - WESTBOUND TRAFFIC



PROPOSED PERSPECTIVE VIEW #01 - EASTBOUND TRAFFIC



EXISTING PERSPECTIVE VIEW #02 - WESTBOUND TRAFFIC



PERSPECTIVE VIEW REFERENCE
SCALE 1 : 1500

ISSUE/AMMENDMENTS SCHEDULE

- 01 09.07.2019**
TOWN PLANNING ISSUE
- 02 15.08.2019**
RFI RESPONSE

GENERAL NOTES

PROPOSED PERSPECTIVE VIEW IS AN ARTIST'S IMPRESSION OF THE PROPOSAL ONLY. SIZE AND SCALE ARE REFERENCED ON THE FLOOR PLANS AND ELEVATIONS.

THE PROPOSAL SEEKS THE APPROVAL OF THE ERECTION AND DISPLAY OF A DOUBLE SIDED, EXTERNALLY ILLUMINATED, MAJOR PROMOTION SIGN

ALL DRAWINGS TO BE READ IN CONJUNCTION WITH THE SUPPLIED TOWN PLANNING REPORT

REFER TO THE TOWN PLANNING REPORT FOR THE WRITTEN STATEMENT REGARDING THE METHODOLOGY DURING THE PREPARATION OF PERSPECTIVE VIEWS

LEGEND

- #00** PERSPECTIVE VIEW - LOCATION IN WHICH PHOTOGRAPHIC VIEWS WERE TAKEN

TOWN PLANNING

NOT FOR CONSTRUCTION



PROJECT
SEYMOUR - PROPOSED DOUBLE SIDED, EXTERNALLY ILLUMINATED, MAJOR PROMOTION SIGN
ADDRESS
8C EMILY STREET,
SEYMOUR, VIC 3660

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