



northern  
beaches  
council

**Application No:** PLM2018/0192  
**Meeting Date:** 4/09/2018 11:00:00 AM  
**Property Address:** Various sites on road reserves across the Northern Beaches as indicated on plans  
**Proposal:** Signage - Third party advertising on Telstra smart phone pay phones  
**Attendees for Council:** Renee Ezzy (Principal Planner)  
David Auster (Planner)  
Wijaya Hapukotuwa (Senior Engineer - Civil Assets)  
Claire Chaikin-Bryan (Project Manager - Strategy, Performance & Improvement)  
Cherry Varde (Land Dealings Officer)  
**Attendees for applicant:** Matthew Vincent (JCDecaux)  
Dale maher and Pete Manwaring (Telstra)  
Jocelyn McDowall and Paige Crowe (Urbis)

#### General Comments/Limitations of these Notes

These notes have been prepared by Council on the basis of information provided by the applicant and a consultation meeting with Council staff. Council provides this service for guidance purposes only. These notes are an account of the specific issues discussed and conclusions reached at the pre-lodgement meeting. These notes are not a complete set of planning and related comments for the proposed development. Matters discussed and comments offered by Council will in no way fetter Council's discretion as the Consent Authority. A determination can only be made following the lodgement and full assessment of the development application.

In addition to the comments made within these notes, it is a requirement of the applicant to address ALL relevant pieces of legislation including (but not limited to) any SEPP and any applicable clauses of Pittwater Local Environment Plan 2014 and Pittwater 21 Development Control Plan within the supporting documentation of a development application including the Statement of Environmental Effects.

You are advised to carefully review these notes. If there is an area of concern or non-compliance that cannot be supported by Council, you are strongly advised to review and reconsider the appropriateness of the design of your development for your site and the adverse impacts that may arise as a result of your development prior to the lodgement of any development application.



## SPECIFIC ISSUES

Issue/s Raised	Council Response
Third party advertising	The proposed third party advertising must not be offensive and the signage must be consistent with the requirements of SEPP 64.
Permissibility	<p><b>Locations under Pittwater LEP</b> The locations in the B4 zone are permissible with consent as 'signage'.</p> <p>For the location in the SP2 zone (1501 Pittwater Road), the application will need to demonstrate that the proposal is ancillary to the identified use (a road).</p> <p><b>Locations under Warringah LEP 2011</b> The notes provided indicate that the proposal intends to rely on existing use rights for a number of the locations. However, in the B1, B2, B4 and B5 zones 'Signage' which includes an 'advertisement' is permissible with consent, in which case existing use rights are not relevant.</p> <p>For the sites that fall within the SP2 zone, compelling arguments will need to be made that third party advertising is 'ordinarily incidental or ancillary to' the purpose shown on the relevant maps.</p> <p><b>Locations under Manly LEP</b> SEPP 64 prohibits advertising in heritage areas and scenic protection areas. The sites that fall within these areas (as identified in the notes provided with the pre-lodgement application) are subject to this prohibition. No applications for advertising should be lodged for these sites as they will have to be refused.</p> <p>As above, for the two sites that fall within the SP2 zone, compelling arguments will need to be made that third party advertising is 'ordinarily incidental or ancillary to' the purpose shown on the relevant maps.</p>
Owner's Consent	The locations of the phone boxes on Council owned land will require owner's consent. Council's Transport & Civil Infrastructure Assets have provided comments in this regard (see below). Owner's consent will need to be negotiated with the manager of Transport & Civil Infrastructure Assets prior to lodgement of the development applications.



<p>Illumination</p>	<p>Council is willing to accept that signs are illuminated, as long as the illumination intensity is adjustable, and will not have any unreasonable impacts on residential neighbours. The locations proposed are not generally in close proximity to residential neighbours, and are generally near busy roads. This issue will need to be assessed in more detail at the application stage, including any submissions received.</p> <p>The proposal should minimise any unreasonable impacts caused by the illumination. Concerns are raised with the overall size of the advertising area and the phone box design as a whole. The size of the proposed boxes should be significantly reduced.</p>
<p>SEPP 64</p>	<p>The proposed signs must be consistent with the requirements of SEPP 64. Based on the information provided to Council so far, it is likely that the proposed signs will be consistent with the SEPP, subject to illumination intensity being adjustable and set a reasonable level, and subject to assessment by Council's Transport &amp; Civil Infrastructure Assets Department for safety with regard to sight lines. The size of the phone boxes and attached advertising should also be reduced.</p>
<p>DCP controls</p>	<p><u>Pittwater DCP</u>  C5.11 'Third Party Signage' states that third party signage is not permitted. The applications in the Pittwater area must make a strong case that the signage to be displayed will achieve the outcomes of the clause. In this regard the applications must demonstrate that the third party signage is ancillary to the main use of the infrastructure and intended to help cover the cost of the infrastructure.</p> <p><u>Warringah DCP</u>  D23 Signs – The proposal should generally comply with the requirements of this clause. The signs would be considered 'Freestanding signs'. The control requires that these signs must not be illuminated. Given the proposed signage is to be illuminated, the applications must make a strong case that the objectives and other requirements of the clause are met.</p> <p><u>Manly DCP</u>  Clause 4.4.3 states that Advertising content must relate to the building or goods sold on the premises to which it is attached. The applications must make a strong case that they achieve the objectives of the clause. In this regard the applications must</p>



	demonstrate that the third party signage is ancillary to the main use of the infrastructure and intended to help cover the cost of the infrastructure.
Planning pathways	Owner's consent will be needed for all applications. This will need to be obtained from Council's Transport & Civil Infrastructure Assets Department.
Key considerations for identified sites	Please refer to the comments below from Council departments.
Key referral requirements	The applications within the SP2 zone will be referred to the RMS. It is recommended the applicant liaise with the RMS prior to lodgement.
DA requirements	Plans must clearly identify locations and all dimensions, including dimensions of the proposed advertising.
Notification and assessment timeframes	All applications would be notified locally for a period of 14 days. Being on Council land, given the current State Government delegations, the applications would need to be determined by the independent Northern Beaches Local Planning Panel.
Preferred lodgement procedure (including the ability to combine applications)	<p>One application per phone box should be lodged. This will mean if issues are identified during assessment with particular phone boxes or locations, it won't hold up the other applications. Notification to surrounding neighbours will also be less confusing for neighbours.</p> <p>Council's assessment program will also allow for standardisations in this regard. Further, the consents produced will be in relation to each location, where as one single consent for multiple locations is likely to lead to complications and misunderstandings.</p>
Any other questions from Council	<p>The overall height and width of the phone boxes (2.727m x 1.2m) is considered to be excessive, and is likely to unreasonably dominate the streetscape and impact on sightlines and other advertiser's viewing rights, and potentially negatively affect pedestrian access.</p> <p>The third party advertising is meant to be ancillary to the main use of the structure. The design should be reduced in height to a maximum of 2.1m, and maximum width of 800mm, similar to existing phone boxes.</p>



Specialist Advice	
Referral Body	Comments
<b>Transport &amp; Civil Infrastructure Assets</b>	<p>The following comments were made. Please contact Stephen Watson - Manager Transport &amp; Civil Infrastructure Assets to obtain owner's consent prior to lodging applications.</p> <ol style="list-style-type: none"> <li>1. Levels of footings of structure etc., should smoothly harmonise with the existing environment and public path ways</li> <li>2. Avoid any possible trip Hazards</li> <li>3. Structure not to obstruct visibility of bus commuters</li> <li>4. Structure not to distract driver's in difficult traffic /maneuvering situations</li> <li>5. Not obstruct cycle paths</li> <li>6. Not create rubbish dumping spaces</li> <li>7. Not create any kind of public safety issues.</li> </ol> <p>Further comments:</p> <ol style="list-style-type: none"> <li>1. 7 sites out of 30 sites seem to have no issues for owner's consent (see attached locations)</li> <li>2. Out of other 23 sites some are in conflict with our requirements related to public safety etc</li> <li>3. Some other sites need to be checked with current/proposed development plans i.e. Dee Why Town Centre development, Coles DA etc</li> </ol>
Referral Body	Comments
<b>Heritage</b>	<p>There are 4 site locations which are located on or within the vicinity of heritage items or within a heritage conservation area.</p> <p>As the proposal is for third party advertising on upgraded/ replacement of existing Telstra payphone booths, there is unlikely to be an issue from a heritage perspective. However, for those sites located in or within the vicinity of heritage items or located in a heritage conservation area, then there should be a <i>Statement of Heritage Impact</i> submitted with any DA, addressing the impact of these new Telstra phone booths on the heritage significance of LEP listed items and areas and items in the vicinity.</p> <p>The sites of interest from a heritage perspective are listed below with discussion and comment. (See attachment).</p> <p><i>NOTE: The sites that fall within heritage areas are not permissible under SEPP 64.</i></p>



Specialist Advice	
Referral Body	Comments
Strategy, Performance & Improvement	In terms of the strategic smart cities aspect of their proposal I would suggest they look at/highlight how they align with the Northern Beaches Community Strategic Plan and the Northern Beaches Council Digital Transformation Strategy, both are available on Council's website.
Referral Body	Comments
Capital Projects	<p>For the majority there are no issues for Capital Projects, with the following exceptions, comments below:</p> <ul style="list-style-type: none"> <li>• 22 Howard Avenue – may have been recently relocated or about to be relocated as a result of streetscape works</li> <li>• 1056 Pittwater Road Collaroy – may affect sight lines coming out of carpark</li> <li>• 13 Waratah St Mona Vale – may affect sightlines around corner and impact future positioning of kerb ramps</li> <li>• 27 Oaks Avenue – may have been or about to be relocated as a result of streetscape works</li> <li>• 28 Oaks Avenue – has already been relocated as part of streetscape works</li> <li>• 20 The Strand Dee Why – likely to restrict footpath width as area near property boundary is already leased for outdoor dining</li> <li>• 2 Oaks Avenue Dee Why – no issues but streetscape has recently been upgraded</li> <li>• 661 Pittwater Road Dee Why – no issues but just completed new paving and the owner of 661 may not like it. Also there may be a tree in that spot now.</li> <li>• 27 Dee Why Parade Dee Why – no issues but likely to be repaved in 2020/21</li> <li>• 12 Fisher Road Dee Why – no issues but likely to upgrade streetscape in 2020/21</li> </ul>



<b>Specialist Advice</b>	
	<ul style="list-style-type: none"> <li>• 620 Pittwater Road North Manly (near Warringah Mall) – may impact sight lines at bus stop</li> </ul> <p>Concern with the new payphones is their increased size and footprint compared to the existing payphones.</p> <p>The proposed new style of payphones will impact and reduce pedestrian access along the footpath. Pedestrian accessibility and increased footpath areas was a key requirement from the Dee Why Centre Masterplan and Streetscape Upgrade works.</p> <p>Also the larger payphones/advertising panels will dominate the pedestrian/road environment and reduce sight lines and openness</p> <p>See below details and dimensions of existing payphone booths compared to the new digital proposal.</p> <p>Please contact Tony Goninon or Andrew Camarsh for further details regarding specific locations.</p>
<b>Referral Body</b>	<b>Comments</b>
<b>Senior Urban Designer</b>	<p>The new design is a lot bulkier and will obstruct footpath width and thus overwhelm the streetscape environment. It is 350mm wider and extends all the way to the footpath level compared to the current design. The wifi signage box on top has yet to be added or will it be part of the new panel design?</p> <p>The new design may be satisfactory if the maximum dimensions are kept at 845mm width and 2160mm height and incorporate the wifi signage as part of the panel design.</p>

<b>Documentation to accompany the Development Applications</b>
<ul style="list-style-type: none"> <li>• Electronic copies (USB)</li> <li>• Statement of Environmental Effects</li> <li>• Cost of works estimate/ Quote</li> <li>• Site Plan</li> <li>• Elevations</li> <li>• A4 Notification Plans</li> <li>• Survey Plan</li> <li>• Site Analysis Plan</li> <li>• Demolition Plan</li> </ul>



### Documentation to accompany the Development Applications

- Waste Management Plan (Construction & Demolition)
- Schedule of colours and materials
- Statement of Heritage Impact (where applicable)
- Advertising Structure / Sign Plan
- Geotechnical Report
- Bushfire Report

*Please refer to Development Application Checklist for further detail.*

### Concluding Comments

These notes are in response to a pre-lodgement meeting held on 4 September 2018 to discuss the replacement of various Telstra phone boxes across the Northern Beaches. The notes reference preliminary plans prepared by JCDecaux Australia and Telstra.

The proposal is generally acceptable from a permissibility point of view (with exceptions as noted in the comments above).

Each phone box will need to be lodged as a separate application and assessed individually and may be supported on a case by case basis if it is demonstrated that no unacceptable impacts are caused in each location. Reference should be made to the specific requirements of the zone each location falls within, relevant Development Control Plans, and comments from referral bodies above.

The applications will need to make strong arguments that the proposed third party advertising is ancillary to the main purpose.

The design of the phone boxes should be reduced in size as the initial proposal is considered to be excessive in terms of height and width and likely to interfere with pedestrian access.

Owner's consent for each application will need to be negotiated with Council's Transport & Civil Infrastructure Assets department prior to lodgement of each application.

Based upon the above comments you are advised to satisfactorily address the matters raised in these notes prior to lodging a development application.