



Planning Enquiries
 Phone: (03) 9658 9658
 Web: www.melbourne.vic.gov.au

Clear Form

Office Use Onl

Application No.:

Date Lodged: / /

Application for a Planning Permit

If you need help to complete this form, read MORE INFORMATION at the end of this form.

- ⚠** Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any questions, please contact Council's planning department.
- ⚠** Questions marked with an asterisk (*) must be completed.
- ⚠** If the space provided on the form is insufficient, attach a separate sheet
- i** Click for further information.

The Land **i**

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No.:	St. No.:	St. Name: Road reserve in front of 131 Queen St
Suburb/Locality: Melbourne		Postcode: 3000

Formal Land Description *

Complete either A or B.

⚠ This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A Lot No.: Lodged Plan Title Plan Plan of Subdivision No.:

OR

B Crown Allotment No.: No formal land description Section No.:

Parish/Township Name:

The Proposal

⚠ You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application

i For what use, development or other matter do you require a permit? *

Construction of a Telecommunication Facility (payphone cabinet)

⚠ Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

i Estimated cost of any development for which the permit is required *

Cost \$ 60,000 **⚠** You may be required to verify this estimate. Insert '0' if no development is proposed.


If the application is for land within **metropolitan Melbourne** (as defined in section 3 of the *Planning and Environment Act 1987*) and the estimated cost of the development exceeds \$1 million (adjusted annually by CPI) the Metropolitan Planning Levy **must** be paid to the State Revenue Office and a current levy certificate **must** be submitted with the application. Visit www.sro.vic.gov.au for information.

Existing Conditions i

Describe how the land is used and developed now *

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Phone booth


 Provide a plan of the existing conditions. Photos are also helpful.

Title Information i

Encumbrances on title *

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
- No
- Not applicable (no such encumbrance applies).

 Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

Applicant and Owner Details i

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

Name:		
Title:	First Name:	Surname:
Organisation (if applicable): JCDecaux Australia		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.: L16	St. No.: 1	St. Name: York Street
Suburb/Locality: Sydney	State: NSW	Postcode: 2000

Please provide at least one contact phone number *

Contact information for applicant OR contact person below	
Business phone: 03 9617 6622	Email: jsmall@urbis.com.au
Mobile phone:	Fax:

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Contact person's details*		Same as applicant <input type="checkbox"/>
Name:		
Title:	First Name: James	Surname: Small
Organisation (if applicable): Urbis Pty Ltd		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.: L12	St. No.: 120	St. Name: Collins Street
Suburb/Locality: Melbourne	State: VIC	Postcode: 3000

Owner *


The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

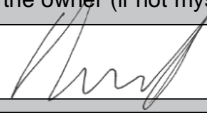
Owner *		Same as applicant <input type="checkbox"/>
Name:		
Title:	First Name:	Surname:
Organisation (if applicable): Crown land		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.:	St. Name:
Suburb/Locality:	State:	Postcode:
Owner's Signature (Optional):	Date:	
	day / month / year	

Declaration

This form must be signed by the applicant *

 Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature: 

Date: 19/11/2018

day / month / year

Need help with the Application?

General information about the planning process is available at planning.vic.gov.au

Contact Council's planning department to discuss the specific requirements for his application and obtain a planning permit checklist. Insufficient or unclear information may delay your application

Has there been a pre-application meeting with a council planning officer

No

Yes

If 'Yes', with whom?:

Date:

day / month / year

Checklist

Have you:

Filled in the form completely?

Paid or included the application fee?



Most applications require a fee to be paid. Contact Council to determine the appropriate fee.



Provided all necessary supporting information and documents?

A full, current copy of title information for each individual parcel of land forming the subject site.

A plan of existing conditions.

A3 plans showing the layout and details of the proposal.

Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts).

If applicable, a current Metropolitan Planning Levy certificate (a levy certificate expires 90 days after the day on which it is issued by the State Revenue Office and then cannot be used). Failure to comply means the application is void

Completed the relevant council planning permit checklist?

Signed the declaration?

Lodgement

Lodge the completed and signed form, the fee and all documents with:

By Post:

Planning Department
City of Melbourne
PO Box 1603
Melbourne VIC 3001

In Person:

Melbourne Town Hall
120 Swanston Street
Melbourne VIC 3000

Contact information:

Phone: (03) 9658 9658
Fax: (03) 9654 4854
Email: planning@melbourne.vic.gov.au
DX: 210487

Translation: Amharic (03) 9280 0716, Cantonese (03) 9280 0717, Greek (03) 9280 0718, Indonesian (03) 9280 0719, Italian (03) 9280 0720, Mandarin (03) 9280 0721, Somali (03) 9280 0722, Spanish (03) 9280 0723, Turkish (03) 9280 0724, Vietnamese (03) 9280 0725 and all other languages (03) 9280 0726

Deliver application in person, by post or by electronic lodgement.



i MORE INFORMATION

The Land

Planning permits relate to the use and development of the land. It is important that accurate, clear and concise details of the land are provided with the application.

How is land identified

Land is commonly identified by a street address, but sometimes this alone does not provide an accurate identification of the relevant parcel of land relating to an application. Make sure you also provide the formal land description - the lot and plan number or the crown, section and parish/township details (as applicable) for the subject site. This information is shown on the title.

See **Example 1**.

The Proposal

Why is it important to describe the proposal correctly?

The application requires a description of what you want to do with the land. You must describe how the land will be used or developed as a result of the proposal. It is important that you understand the reasons why you need a permit in order to suitably describe the proposal. By providing an accurate description of the proposal, you will avoid unnecessary delays associated with amending the description at a later date.

▲ Planning schemes use specific definitions for different types of use and development. Contact the Council planning office at an early stage in preparing your application to ensure that you use the appropriate terminology and provide the required details.

How do planning schemes affect proposals?

A planning scheme sets out policies and requirements for the use, development and protection of land. There is a planning scheme for every municipality in Victoria. Development of land includes the construction of a building, carrying out works, subdividing land or buildings and displaying signs.

Proposals must comply with the planning scheme provisions in accordance with Clause 61.05 of the planning scheme. Provisions may relate to the State Planning Policy Framework, the Local Planning Policy Framework, zones, overlays, particular and general provisions. You can access the planning scheme by either contacting Council's planning department or by visiting Planning Schemes Online at planning-schemes.delwp.vic.gov.au

▲ You can obtain a planning certificate to establish planning scheme details about your property. A planning certificate identifies the zones and overlays that apply to the land, but it does not identify all of the provisions of the planning scheme that may be relevant to your application. Planning certificates for land in metropolitan areas and most rural areas can be obtained by visiting www.landata.vic.gov.au Contact your local Council to obtain a planning certificate in Central Gol fields, Corangamite, Macedon Ranges and Greater Geelong. You can also use the free Planning Property Report to obtain the same information.

See **Example 2**.

Estimated cost of development

In most instances an application fee will be required. This fee must be paid when you lodge the application. The fee is set down by government regulations.

To help Council calculate the application fee, you must provide an accurate cost estimate of the proposed development. This cost does not include the costs of development that you could undertake without a permit or that are separate from the permit process. Development costs should be calculated at a normal industry rate for the type of construction you propose.

Council may ask you to justify your cost estimates. Costs are required solely to allow Council to calculate the permit application fee. Fees are exempt from GST.

▲ Costs for different types of development can be obtained from specialist publications such as Cordell Housing: Building Cost Guide or Rawlinsons: Australian Construction Handbook.

▲ Contact the Council to determine the appropriate fee. Go to planning.vic.gov.au to view a summary of fees in the Planning and Environment (Fees) Regulations.

Metropolitan Planning Levy refer Division 5A of Part 4 of the *Planning and Environment Act 1987* (the Act). A planning permit application under section 47 or 96A of the Act for a development of land in metropolitan Melbourne as defined in section 3 of the Act may be a leviable application. If the cost of the development exceeds the threshold of \$1 million (adjusted annually by consumer price index) a levy certificate must be obtained from the State Revenue Office after payment of the levy. A valid levy certificate must be submitted to the responsible planning authority (usually council) with a leviable planning permit application. Refer to the State Revenue Office website at www.sro.vic.gov.au for more information. A leviable application submitted without a levy certificate is void.

Existing Conditions

How should land be described?

You need to describe, in general terms, the way the land is used now, including the activities, buildings, structures and works that exist (e.g. single dwelling, 24 dwellings in a three-storey building, medical centre with three practitioners and 8 car parking spaces, vacant building, vacant land, grazing land, bush block).

Please attach to your application a plan of the existing conditions of the land. Check with the local Council for the quantity, scale and level of detail required. It is also helpful to include photographs of the existing conditions.

See **Example 3**.

Title Information

What is an encumbrance?

An 'encumbrance' is a formal obligation on the land, with the most common type being a 'mortgage'. Other common examples of encumbrances include:

- **Restrictive Covenants:** A 'restrictive covenant' is a written agreement between owners of land restricting the use or development of the land for the benefit of others, (eg. a limit of one dwelling or limits on types of building materials to be used).
- **Section 173 Agreements:** A 'section 173 agreement' is a contract between an owner of the land and the Council which sets out limitations on the use or development of the land.
- **Easements:** An 'easement' gives rights to other parties to use the land or provide for services or access on, under or above the surface of the land.
- **Building Envelopes:** A 'building envelope' defines the development boundaries for the land.

Aside from mortgages, the above encumbrances can potentially limit or even prevent certain types of proposals.

What documents should I check to find encumbrances

Encumbrances are identified on the title (register search statement) under the header 'encumbrances, caveats and notices'. The actual details of an encumbrance are usually provided in a separate document (instrument) associated with the title. Sometimes encumbrances are also marked on the title diagram or plan, such as easements or building envelopes.

What about caveats and notices?

A 'caveat' is a record of a claim from a party to an interest in the land. Caveats are not normally relevant to planning applications as they typically relate to a purchaser, mortgagee or chargee claim, but can sometimes include claims to a covenant or easement on the land. These types of caveats may affect your proposal.

Other less common types of obligations may also be specified on title in the form of 'notices'. These may have an effect on your proposal, such as a notice that the building on the land is listed on the Heritage Register.

What happens if the proposal contravenes an encumbrance on title?

Encumbrances may affect or limit your proposal or prevent it from proceeding. Section 61(4) of the *Planning and Environment Act 1987* for example, prevents a Council from granting a permit if it would result in a breach of a registered restrictive covenant. If the proposal contravenes any encumbrance, contact the Council for advice on how to proceed.



You may be able to modify your proposal to respond to the issue. If not, separate procedures exist to change or remove the various types of encumbrances from the title. The procedures are generally quite involved and if the encumbrance relates to more than the subject property, the process will include notice to the affected party.

▲ You should seek advice from an appropriately qualified person, such as a solicitor, if you need to interpret the effect of an encumbrance or if you seek to amend or remove an encumbrance.

Why is title information required?

Title information confirms the location and dimensions of the land specified in the planning application and any obligations affecting what can be done on or with the land.

As well as describing the land, a full copy of the title will include a diagram or plan of the land and will identify any encumbrances, caveats and notices.

What is a 'full' copy of the title?

The title information accompanying your application must include a 'register search statement' and the title diagram, which together make up the title.

In addition, any relevant associated title documents, known as 'instruments', must also be provided to make up a full copy of the title.

Check the title to see if any of the types of encumbrances, such as a restrictive covenant, section 173 agreement, easement or building envelope, are listed. If so, you must submit a copy of the document (instrument) describing that encumbrance. Mortgages do not need to be provided with planning applications.

▲ Some titles have not yet been converted by Land Registry into an electronic register search statement format. In these earlier types of titles, the diagram and encumbrances are often detailed on the actual title, rather than in separate plans or instruments.

Why is 'current' title information required?

It is important that you attach a current copy of the title for each individual parcel of land forming the subject site. 'Current' title information accurately provides all relevant and up-to-date information.

Some councils require that title information must have been searched within a specified time frame. Contact the Council for advice on their requirements.

▲ Copies of title documents can be obtained from Land Registry: Level 10, 570 Bourke Street, Melbourne; 03 8636 2010; www.landata.vic.gov.au – go direct to "titles & property certificates"

Applicant and Owner Details

This section provides information about the permit applicant, the owner of the land and the person who should be contacted about any matters concerning the permit application.

The applicant is the person or organisation that wants the permit. The applicant can, but need not, be the contact person.

In order to avoid any confusion, the Council will communicate only with the person who is also responsible for providing further details. The contact may be a professional adviser (e.g. architect or planner) engaged to prepare or manage the application. To ensure prompt communications, contact details should be given.

Check with Council how they prefer to communicate with you about the application. If an email address is provided this may be the preferred method of communication between council and the applicant/contact.

The owner of the land is the person or organisation who owns the land at the time the application is made. Where a parcel of land has been sold and an application made prior to settlement, the owner's details should be identified as those of the vendor. The owner can, but need not, be the contact or the applicant.

See **Example 4**.

Declaration

The declaration should be signed by the person who takes responsibility for the accuracy of all the information that is provided. This declaration is a signed statement that the information included with the application is true and correct at the time of lodgement.

The declaration can be signed by the applicant or owner. If the owner is not the applicant, the owner must either sign the application form or must be notified of the application which is acknowledged in the declaration

▲ Obtaining or attempting to obtain a permit by wilfully making or causing any false representation or declaration, either orally or in writing, is an offence under the *Planning and Environment Act 1987* and could result in a fine and/or cancellation of the permit

Need help with the Application?

If you have attended a pre-application meeting with a Council planner, fill in the name of the planner and the date, so that the person can be consulted about the application once it has been lodged.

Checklist

What additional information should you provide to support the proposal?

You should provide sufficient supporting material with the application to describe the proposal in enough detail for the Council to make a decision. It is important that copies of all plans and information submitted with the application are legible.

There may be specific application requirements set out in the planning scheme for the use or development you propose. The application should demonstrate how these have been addressed or met.

The checklist is to help ensure that you have:

- provided all the required information on the form
- included payment of the application fee
- attached all necessary supporting information and documents
- completed the relevant Council planning permit checklist
- signed the declaration on the last page of the application form

▲ The more complete the information you provide with your permit application, the sooner Council will be able to make a decision.

Lodgement

The application must be lodged with the Council responsible for the planning scheme in which the land affected by the application is located. In some cases the Minister for Planning or another body is the responsible authority instead of Council. Ask the Council if in doubt.

Check with Council how they prefer to have the application lodged. For example, they may have an online lodgement system, prefer email or want an electronic and hard copy. Check also how many copies of plans and the size of plans that may be required.

Contact details are listed in the lodgement section on the last page of the form.

▲ Approval from other authorities: In addition to obtaining a planning permit, approvals or exemptions may be required from other authorities or Council departments. Depending on the nature of your proposal, these may include food or health registrations, building permits or approvals from water and other service authorities.

EXAMPLES

Example 1

The Land

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No.: 4	St. No.: 26	St. Name: Planmore Avenue
Suburb/Locality: HAWTHORN		Postcode: 3122

Formal Land Description *
Complete either A or B.

This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A Lot No.: 2 Lodged Plan Title Plan Plan of Subdivision No.: LP93562
OR
B

Example 2

For what use, development or other matter do you require a permit? *

Construction of two, double-storey dwellings and construction of two new crossovers.

Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

Example 3

Existing Conditions

Describe how the land is used and developed now *

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Single dwelling.

Provide a plan of the existing conditions. Photos are also helpful.

Example 4

Applicant and Owner Details

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

Please provide at least one contact phone number *

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name:

Title: Mr	First Name: Len	Surname: Browning
Organisation (if applicable): Responsible Developers P/L		
Postal Address: <small>If it is a P.O. Box, enter the details here:</small>		
Unit No.: 4	St. No.: 12	St. Name: Ardour Lane
Suburb/Locality: Wychebrook		State: Vic
		Postcode: 3527

Contact information for applicant OR contact person below

Business phone: 9123 4567	Email: tcpl@bigpond.net.au
Mobile phone: 0412 345 678	Fax: 9123 4567

Contact person's details* Same as applicant

Name:

Title: Mr	First Name: Andrew	Surname: Hodge
Organisation (if applicable): Town Planning Consultants		
Postal Address: <small>If it is a P.O. Box, enter the details here:</small>		
Unit No.:	St. No.:	St. Name: PO Box 111
Suburb/Locality: Parkdale		State: Vic
		Postcode: 3194

Name: Same as applicant

Title:	First Name:	Surname:
Organisation (if applicable):		
Postal Address: <small>If it is a P.O. Box, enter the details here:</small>		
Unit No.:	St. No.:	St. Name:
Suburb/Locality:		State:
		Postcode:
Owner's Signature (Optional):		Date:
		day / month / year

1. OVERVIEW

This application is for the installation of a new Smart City payphone (which includes an ancillary electronic promotional sign) which forms part of Telstra's new Smart Media Network.

1.1. SMART CITIES

Telstra is committed to future proofing our cities by providing the essential infrastructure facilitating the ever-growing digital connections binding our communities. The new Smart Media Network is the latest initiative by Telstra in smart city development.

The Smart Media Network breathes new life into Telstra's existing 30,000 assets located in all parts of the country – providing vibrant digital infrastructure that connects people across Australia. The Smart Media Network includes upgraded formats of Telstra's public communications products, transformed into cutting edge media products befitting smart cities. These facilities include:

- Smart billboards.
- Smart Hubs.
- Smart City Payphones.
- Interactive community spaces.
- 5G network connectivity.
- Big data collection and analytics.

1.2. PAYPHONES CONTINUE TO SERVE OUR COMMUNITY

Payphones have been serving the Australian community for well over a century. Australia's first payphone was installed in the late 1880's and by 1920, 4,000 payphones had been installed as an over-the-counter service in post offices.

While the payphone has continued to serve generations of Australians well, the last major payphone cabinet upgrade was in 1983; an era of Walkmans, VCRs and polaroids. It is time for the payphone's next evolution; bringing the humble community staple into the 21st century by reimagining its value to the community.

Telstra has around 16,000 payphones across Australia, and despite the popularity of mobile phones, 13-million calls were made from payphones in the last 12 months. Offering a critically important service to the community, over 200,000 of these calls were made to emergency services, triple 000 and lifesaving services such as Lifeline.

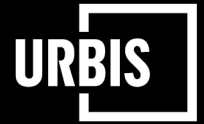
Payphones also help those affected by natural disasters like floods and bushfires. During the 2019-2020 bushfires, Telstra made all payphones available for free use to help connect people touched by the devastating fires. During this period, Telstra payphones connected over 900,000 calls totalling over 38,000 hours talk time.

Payphones remain a symbol of safety in our community, with thousands of school children and vulnerable persons still using this service. The Federal Government acknowledges and endorses the importance of payphones in our community, by investing tens of millions of dollars each year to keep them working on the streets.

1.3. THE NEED FOR CHANGE IN A MODERN CITY

Despite the benefits and the high penetration of mobile phones, our payphone infrastructure needs to adapt to keep pace with advances in technology and the change in societal needs. The Australian public is more mobile than ever before, and our vision is to maintain the inherent community benefits of the payphone for those citizens, while also introducing smart city technology to best serve our community now and into the future. This will include superfast 5G and Wi-Fi, and the ability for people to charge their mobile devices while they are on the move.

In the future, Australia's payphone may be the foundation of a hyper connected smart city, enabling governments to allocate resources and manage traffic, infrastructure and services in a smarter and more



efficient manner through integrated sensors and cameras. Upgrading our payphones today will enable our Australian cities to match the public communications offerings of world-leading cities like New York, London and Tokyo.

2. SITE LOCATION AND HISTORY

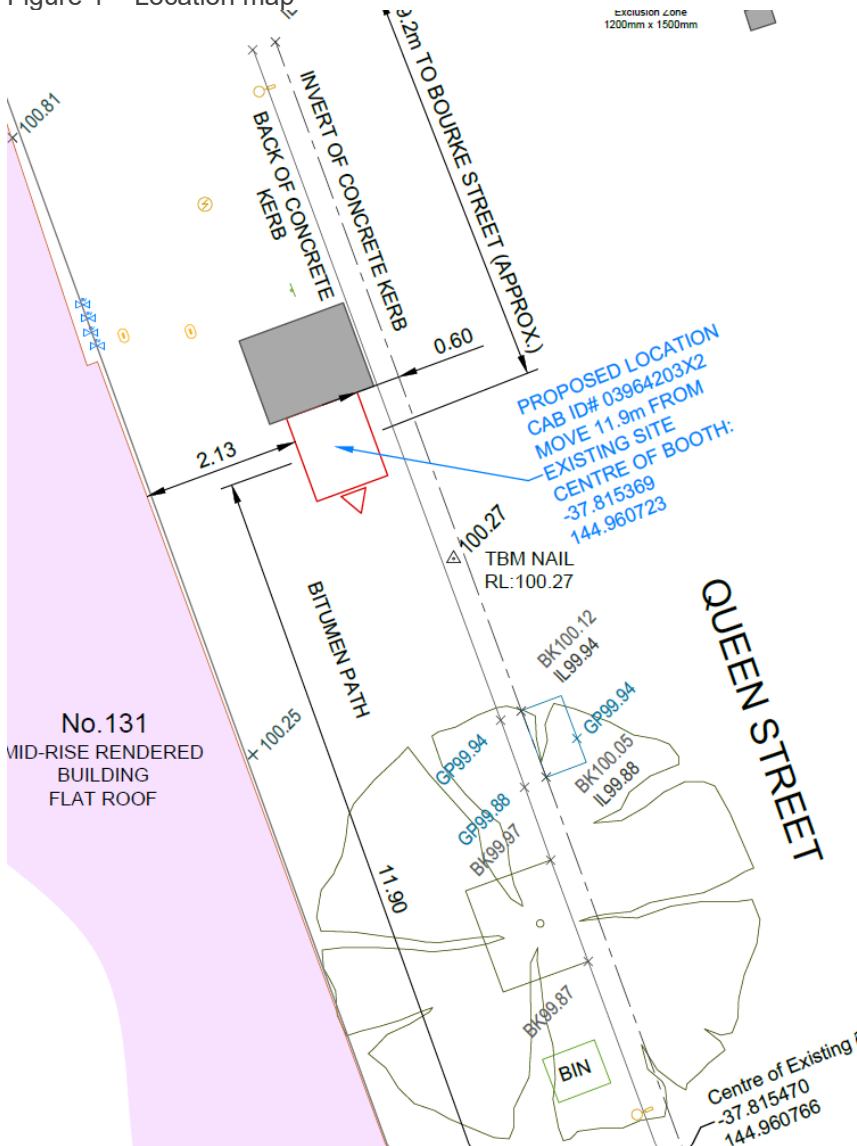
2.1. SITE DETAILS

The Smart City Payphone subject to this application, is identified within the below location map.

The Smart City Payphone will be located within road reserves/footpath area in front of the below property.

131 Queen Street, Melbourne

Figure 1 – Location map



Source: Swanson Surveying

The general siting and location of these facilities is directed to areas of high pedestrian movement, which in turn facilitates the ongoing primary use of such facilities within the district.

This new phone booth will replace an existing Telstra payphone that is currently located approximately 12m away.

3. PROPOSAL

This planning application seeks planning approval to erect a Smart City payphone on this site. The Smart City payphone will have a maximum height of 2735mm, a width of 1200mm and a depth of 321mm.

Features of the new Smart City payphone include:

- An NFC enabled 'always-on' mobile interaction hub allowing mobile users to tap for instant digital content, with two tabs available for council use.
- USB charging ports.
- Public transport information.
- Public emergency messaging system.
- First genesis of a modern payphone cabinet that integrates into a smart city.
- A front facing electronic promotion sign (687mm W x 381mm H) and a rear facing electronic promotion sign (927mm W x 1649mm H).

The front facing electronic promotion sign will only contain Telstra content while the rear facing electronic promotion sign will contain third party content. Both electronic promotion signs will have an instant transition of 10 second dwell time between images.

3.1. ILLUMINATION

Each electronic promotion sign has an inbuilt light adjustment sensor that measures ambient light around the structure and gradually adjusts the screen brightness based on the need for light. The brightness adjustments occur in small increments so that no dramatic change in illuminance level is experienced.

The screen brightness outputs are designed in accordance to satisfy Australian Standard AS4282:1997 *Control of the Obtrusive Effects of Outdoor Lighting*. Screen brightness is summarised in Table 2.

TABLE 1 – Screen brightness levels

Lighting Condition	Average	Maximum
Full direct sun on panel	2,000 cd/m ²	2,500 cd/m ²
Day time	1,200 – 1000 cd/m ²	1,500 cd/m ²
Inclement weather	1,000 – 900 cd/m ²	1,000 cd/m ²
Night time	350 – 300 cd/m ²	500 cd/m ²

3.2. COMMUNITY & ENVIRONMENTAL BENEFITS

In addition to the new features of the proposed Smart City payphone, it also brings a number of benefits to the community and the environment including:

- Potential use of the front screen for community advertising and local events
- 4G infrastructure which reduces the need for addition mobile towers

- Light sensors ensuring the electronic screens brightness is automatically adjusted between day and night
- Emergency messaging system
- Payphone foundations which allow for easy payphone replacement with minimal impact on surrounding public realm infrastructure
- Change of paper advertising to electronic results in a reduction of paper usage
- The electronic screens are controlled remotely resulting in reduced visits to the payphone = reduced fuel usage and carbon footprint
- All maintenance handled including cleaning and repairs
- Environmental management system including rainwater used for payphone cleaning and 50% of electricity usage through renewable electricity

4. PLANNING CONTROLS

4.1. STATE PLANNING POLICY

The Planning Policy Framework (PPF) seeks to foster the objectives of planning in Victoria (as set out in the *Planning and Environment Act, 1987*) through appropriate planning policies and practices that encompass relevant environmental, social and economic factors. The PPF includes a number of policies which relate to urban design and amenity standards within City of Melbourne. These state policies relevant to the proposal are:

- Clause 11.01-1R1 (Planning for Places)
- Clause 15 (Built Environment and Heritage)
- Clause 17 (Economic Development)

Broadly, the abovementioned state planning policies seek to guide Melbourne towards positive development outcomes, wherein urban environments are characterised by high quality design and amenity. Whilst it is policy to direct strengthen local economies and encourage sustainable housing growth in areas that can accommodate it, Clauses 11.01-1R1 and 15 seek to ensure that growth does not compromise liveability. Urban environments should be accessible, safe, and engaging, and new development should contribute to a distinctive sense of place (Clause 11.01-1R1, Clause 15.01-1S). Additionally, new development should protect and enhance the significance of heritage places (Clause 15.03-1).

4.2. LOCAL PLANNING POLICY

4.2.1. Clause 21.03 – Vision

Clause 21.03 establishes the municipality's guiding city building vision. A core tenant of Melbourne's overarching vision is that it will be a prosperous city. The City of Melbourne makes a vital contribution to the broader state economy, and therefore development should contribute to facilitating economic vitality for the region.

4.2.2. Clause 21.06 – Built Environment and Heritage

Clause 21.06 seeks to ensure that new development does not compromise Melbourne's distinctive urban morphology, its historic street layout and its heritage buildings, as these are recognised as the city's defining characteristics. The relevant objectives of Clause 21.06 are:

- *To reinforce the City's overall urban structure.*
- *To protect iconic views in the city.*
- *To increase the vitality, amenity, comfort, safety and distinctive City experience of the public realm.*
- *To create a safe and comfortable public realm.*
- *To conserve and enhance places and precincts of identified cultural heritage significance.*

4.2.3. Clause 21.12 – Hoddle Grid

Clause 21.12 outlines specific development guidelines for the Hoddle Grid Local Area. With regard to economic development, Clause 21.12 seeks to preserve the Retail Core's existing role as a compact, high-density precinct with easy pedestrian access and encourage the retention and enhancement of the Hoddle Grid's specialised shopping and entertainment precincts. Clause 21.12 seeks to enhance the Hoddle Grid's built environment and heritage pleas by protecting identified significant public spaces and protecting the scale of important heritage places, including the Retail Core and Collins Street.

4.2.4. Clause 22.04 – Heritage Places Within the Capital City Zone

Clause 22.04 seeks to conserve and enhance heritage places and precincts by ensuring that new developments are complementary to their character, scale, form and appearance. It is policy that all development affecting a heritage precinct should enhance its character.

4.2.5. Clause 22.07 – Advertising Signs

Clause 22.07 applies to all applications for advertising within the municipality. The Clause acknowledges that advertising signs can pose a direct impact on the character and appearance of Melbourne's public spaces. As such, policies seek to ensure that the following relevant objectives are achieved:

- *To allow for the reasonable identification and marketing of institutions, businesses and buildings and communication of messages.*
- *To protect the characteristics of significant buildings and streetscapes.*
- *To protect important vistas from obtrusive and insensitive advertising.*
- *To ensure that signs in residential areas and other high amenity areas do not detract from the appearance or character of the area.*
- *To encourage where appropriate, signs that contribute to the lively and attractive character of an area.*
- *To encourage signs that improve the quality of the area.*

Clause 22.07 contains the following general criteria against which proposed advertising signs should be assessed:

- *Signs should respect the building style and scale and the character of the street.*
- *Signs should fit within architectural forms and be integrated with the design of the building.*
- *Signs should not obscure architectural features of buildings, including windows.*
- *Wall or fascia signs should be applied directly to the building or on a flush mounted panel with minimum projection.*
- *Signs should not cause visual clutter. Existing signs on a building or site will be taken into account when assessing new proposals.*
- *An integrated approach should be taken to the provision of signage on buildings with more than one occupancy.*
- *Where a building is occupied by more than one business, adequate space should be made available for all occupancies to display signage.*
- *Signs should not interrupt important views and vistas along roads leading to and out of the Central City.*
- *Views of the sign from all angles should be considered and the supporting structure should be designed with this in mind.*
- *Promotion, panel and sky signs are discouraged.*
- *Illumination should be concealed within, or integral to the sign through use of neon or an internally lit box or by sensitively designed external spot-lighting.*
- *Cabling to signs should be concealed.*
- *Signs and their support should allow adequate clearance for the servicing requirements of streets and lanes.*

- *The design and location of new signs should respect the cultural heritage significance, character and appearance of the heritage place.*
- *Signs which are attached to or form part of a building (including painted signs) and which contribute to the cultural heritage significance of the place should be retained.*

Clause 22.07 also highlights guidelines specific to signage at ground level within the Capital City Zone. Horizontal projection signage should have a maximum overall dimension of 1.5 square metres, with a height, width and depth of 0.5 metres x 2.5 metres x 0.3 metres and a minimum clearance to pavement of 2.7 metres.

4.3. ZONING AND OVERLAYS

4.3.1. Zone

The subject site is located within a Capital City Zone – Schedule 1 (CCZ1).

Pursuant to Clause 37.04-5, sign requirements are at Clause 52.05. This zone is not in a sign category at Clauses 52.05-11 to 52.05-14.

4.3.2. Overlays

The subject site is located within the following overlays:

- Design and Development Overlay – Schedule 1 (DDO1)
- Design and Development Overlay – Schedule 10 (DDO10)
- Parking Overlay – Precinct 1 (PO1)

4.4. PARTICULAR PROVISIONS

4.4.1. Clause 52.19 – Telecommunications Facility

Clause 52.19 (Telecommunications Facility) contains decision guidelines for the assessment of a telecommunications facility application, which are oriented towards the following relevant purposes:

- *To ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs.*
- *To facilitate an effective statewide telecommunications network in a manner consistent with orderly and proper planning.*
- *To encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.*

The proposal's compliance with Clause 52.19 is demonstrated at Section 5 of this report.

4.5. PLANNING PERMIT TRIGGERS

This planning application results in the following permit triggers:

- Construct a building or construct or carry out works for a telecommunications facility (Clause 52.19-1)

5. PLANNING ASSESSMENT

This planning application has been assessed against relevant planning policies and considerations, and is summarised as follows:

- The scale and form of the proposed payphone is appropriate to the existing commercial streetscape.
- The proposed payphone is constructed of high quality materials.
- The proposed electronic signs facilitate visual communication of a scale and extent that does not result in adverse visual effects or clutter.
- The proposed electronic signs are considered appropriate and are contained within the proposed payphone structure.
- The internal illumination of the proposed electronic signs comply with relevant Australian Standards and does not result in glare or other effects that compromise the safety of pedestrians, bicyclists and vehicles.
- The proposed electronic signs do not detract from the overall amenity and character of the area and does not adversely impact any residences or other sensitive land uses in the area.

5.1. ADVERTISING SIGNS POLICY

The size, design and character of the proposed sign is considered to appropriately address relevant objectives of Clause 22.04 – Advertising Signs Policy. The application has been assessed against the relevant objectives and are summarised as follows:

- The proposed electronic signs are adequate and effective for the immediate area and will not be detrimental to surrounding businesses or the prevailing streetscape.
- The appearance, size and illumination of the proposed electronic signs will not be detrimental to the character of the surrounding locality.
- The proposed electronic signs are confined within the payphone and does not protrude above surrounding buildings or tree canopies, resulting in no additional interruption or detract from views of major natural and built form features.

5.2. CLAUSE 52.19 – TELECOMMUNICATIONS FACILITY

Under Clause 52.19 a permit is required to construct a building or construct or carry out works for a telecommunications facility. It is considered that the proposed payphone appropriately addresses the principles for the design, siting, construction and operation of a telecommunications facility contained in the *A Code of Practice for Telecommunications Facilities in Victoria, July 2004* for the following reasons:

Under Clause 52.19 a permit is required to construct a building or construct or carry out works for a telecommunications facility. It is considered that the proposed payphone appropriately addresses the principles for the design, siting, construction and operation of a telecommunications facility contained in the *A Code of Practice for Telecommunications Facilities in Victoria, July 2004* for the following reasons:

Principle	Response
1. A telecommunications facility should be sited to minimise visual impact.	The proposed payphone has been sited to limit visual impact. Having said this, the payphone does need to be able to be seen by the public given they are the intended users of this telecommunications facility.

<p>2. Telecommunications facilities should be co-located wherever practical.</p>	<p>This principle does not apply to payphones.</p>
<p>3. Health standards for exposure to radio emissions will be met.</p>	<p>The proposed payphone will comply with the relevant permitted maximum human exposure levels.</p>
<p>4. Disturbance and risk relating to siting and construction should be minimised.</p> <p>Construction activity and site location should comply with State environment protection policies and best practice environmental management guidelines.</p>	<p>The construction of the payphone will be undertaken in a safe and effective manner. Construction will be carried out in a way to minimise disruption to adjoining properties and public access.</p>

6. CONCLUSION

This proposal seeks approval to construct a new payphone (telecommunications facility). The design and location is considered to be appropriate for this new Smart City payphone.

We trust the above is to Council's satisfaction and from the planning discussion above recommend approval be granted.

DISCLAIMER

This report is dated September 2022 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of assumptions used and representations, opinions, conclusions or recommendations in this report, which are given in good faith. Urbis Pty Ltd (Urbis) has prepared this report with due care and diligence and on the instructions of, and for the sole use and benefit only, of JCDecaux Australia (Instructing Party) in relation to the planning permit requirements for third party signage usage on new and replacement telephone booth infrastructure (Purpose) and not for any other purpose or use. The report is not suitable for use by and may not be provided to any other party without the specific approval of Urbis. Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of the information provided by the Instructing Party on which the report is based and such information is not independently verified unless otherwise stated. To the maximum extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to any person (including the Instructing Party) for any loss suffered as a result of reliance or purported reliance on this report for any purpose other than the Purpose, and to any other person for any loss suffered as a result of reliance or purported reliance on this report for any purpose whatsoever (including the Purpose).
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PLAN OF SURVEY: 131 QUEEN STREET, MELBOURNE, 3000

APPROX. MGA2020
ZONE 55

Survey Code Legend

Code	Description	Sym	Line Style
017	Nail	⊕	—
105	Existing_Surface	—	—
201	Tree	+	—
309	Grated_Pit	+	—
310	Junction_Pit	+	—
407	Invert_of_Kerb	+	—
408	Back_of_Kerb	+	—
503	Sign	+	—
522	Rubbish_Bin	+	—
603	Major_Building	+	—
711	Light_Pole	+	—
712	Electricity_Pole	+	—
716	Electricity_Pit	+	—
721	Communications_Pit	+	—
725	Existing Phone Booth (900mmx900mm)	+	—
726	Communications_Pit_Large	+	—
751	Stop_Valve	+	—

New Digital Booth
 L 1019mm X W 1200mm
 (Triangle indicates Ad Panel direction)
 Exclusion Zone
 1200mm x 1500mm

NOTATIONS:

Existing services have been located where visible. No guarantee is given that all existing services are shown.

Survey Accuracy:
 Features and levels on site: +/-0.02m
 Roof & building details measured by indirect methods: +/-0.05m

Data in this drawing has been hidden for clarity of the plan. Hidden data can be found on the 'Hidden' layer.

This drawing is a compilation of survey information and data obtained from external sources. Swanson Surveying takes no responsibility for the accuracy of externally sourced data.

Title boundaries in this plan are approximate only, based on DCMB and best fit of buildings. It is recommended that a title re-establishment survey be undertaken prior to construction if buildings are located on or near title boundaries.

Construction to be undertaken in accordance with the requirements of: AS1428. 1 - 4 Design for Access and Mobility.

All works shall comply with the ACCESSIBILITY OF PAYPHONES INDUSTRY GUIDELINE 2006

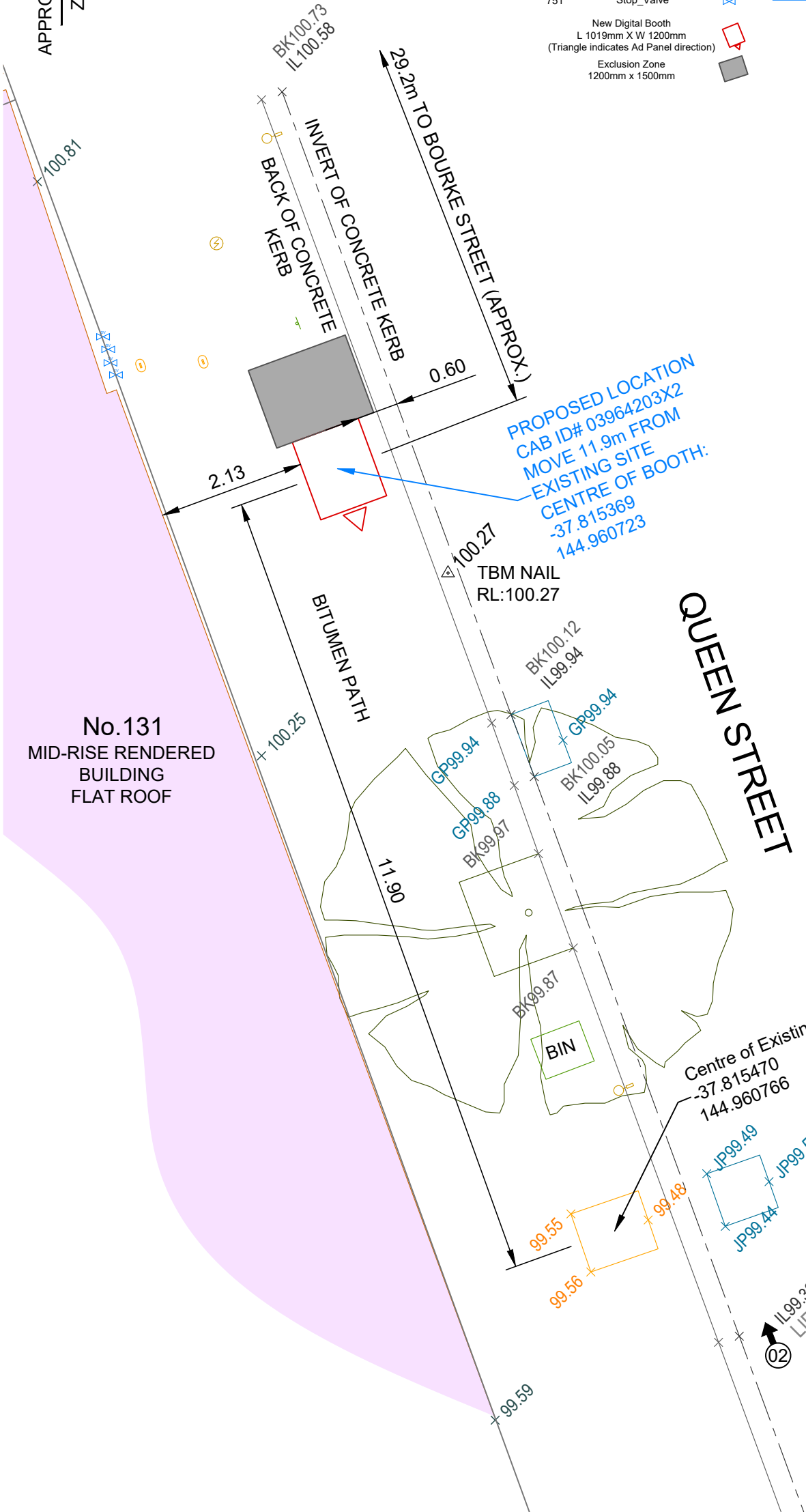
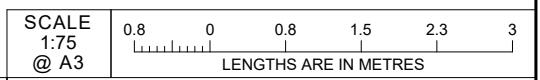


PHOTO 01



PHOTO 02



SWANSON SURVEYING PTY. LTD.
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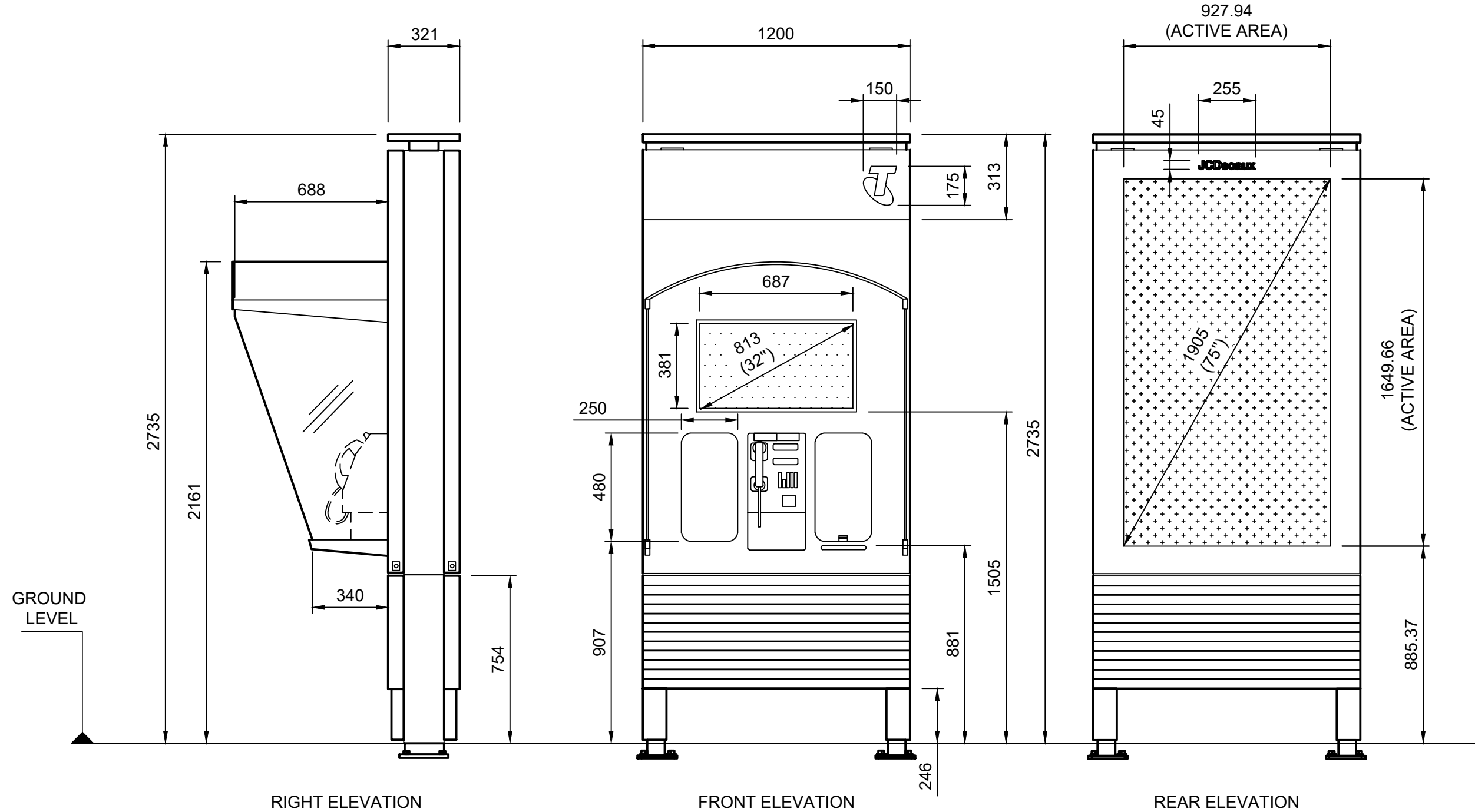
FILE REF. 11957 FS32V03 (131 Queen Street)
 CLIENT: JCDECAUX AUSTRALIA & NEW ZEALAND
 HEIGHT DATUM: ARBITRARY
 CO-ORDINATE DATUM: APPROX. MGA2020 ZONE 55
 CONTOUR INTERVAL: -
 DATE OF SURVEY: 18/07/2022

SHEET 1 OF 1
 SURVEYOR: MP
 DRAFTED: FG
 QA: GW

NOTATIONS
 This plan has been prepared for design and planning purposes. It should not be used for any other purpose.
 All dimensions are in metres

NOTES -

- ALL MEASUREMENTS ARE IN MILLIMETRES UNLESS STATED OTHERWISE.
- CONSTRUCTION TO BE UNDERTAKEN IN ACCORDANCE WITH THE REQUIREMENTS OF AS1428.1-4 DESIGN FOR ACCESS AND MOBILITY.
- ALL WORKS SHALL COMPLY WITH THE ACCESSIBILITY OF PAYPHONES INDUSTRY GUIDELINE 2006.



*WIFI MODEL IS AVAILABLE
DEPENDING ON SITE



ELECTRONIC LANDSCAPE DISPLAY AREA
FOR TELSTRA CONTENT - TRANSITION
10 SECONDS DWELL TIME



ELECTRONIC PORTRAIT DISPLAY AREA
FOR COMMERCIAL CONTENT- INSTANT
TRANSITION 10 SECONDS DWELL TIME

	DWG NO TEL-003	SCALE 1:20 (A3)	DRAWING TITLE V2 TELEPHONE 75" / 32"
	DATE 08/06/2021	DRAWN BY AC	PROJECT TITLE TELSTRA

Smart City Payphone



- 1 Embedded shelter - clear toughened wing glass and aluminium canopy
- 2 Electronic screen on front of structure will only display Telstra content
- 3 Integrated USB port for charging device
- 4 Discover community information and event via mobile phone tap on NFC
- 5 Electronic screen on rear of structure will display third party content
- 6 Frame
- 7 Laminated glass screen, extruded aluminium frames and stainless panels. Powdercoat with JCD7002 Chain Metal Gris
- 8 Double legs, footing post-installed and cast-in fastenings in concrete