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Our ref: 20279.2.63

10 December 2020

The General Manager
Northern Beaches Council
PO Box 82
MANLY NSW 1655

Dear Sir/Madam,

RE: Development Application for Replacement Signage at the Existing Caltex Service Station at 86 Pittwater Road, Manly 2095

1 INTRODUCTION

KDC Pty Ltd (KDC) have prepared this Statement of Environmental Effects (SEE) on behalf of Caltex Australia Petroleum Pty Ltd (Caltex) for the proposed replacement signage to reflect the Ampol rebranding at the existing Caltex service station at 86 Pittwater Road, Manly 2065.

This Statement of Environmental Effects (SEE) describes the site, its environments, the proposed modification and an assessment of the proposal in terms of the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979). Refer to Architectural Plans prepared by Urbis at Appendix A for full details.

This SEE, including attachments, provides an overall comment on the proposal.

1.1 BACKGROUND

Based on a search of Council's DA Tracker, the following development applications have been approved at the site:

- + 115/1999 – Refurbish Building and Upgrade Signage (Approved 12/7/1999)
- + 134/2008 – Alterations and Additions – Replacement of existing underground steel tanks and pipe work with fibre glass tanks and pipe work (Approved 27/8/2008)
- + DA437/2008 – Alterations and Additions – Increase in height of canopy of the existing service station (Approved 20/4/ 2008)
- + DA2018/0844 – Alterations and Additions – Alterations and Additions to the existing service station and signage (Approved 18/7/2018)

2 THE SITE AND SURROUNDS

The site is located on the corner of Pittwater Road and Steinton Street within the former Manly Local Government Area, now known as Northern Beaches Local Government Area (LGA). It is legally described as Lot 1 in DP 115663, Lot A DP 404316 and Lot 1 DP 970249, and is commonly known as 86 Pittwater Road, Manly. Access to the site is provided via one ingress driveway from Pittwater Road, and one egress driveway Steinton Street. Refer to Figures 1 and 2 for details of the site and its surrounds.



As of October 2nd 2020, **KDC has joined the SLR Consulting team**. To learn more about SLR, and the additional expertise that we can now provide our clients, [take a read here >](#)

The site currently contains a Caltex service station, convenience store, and associated car parking. Surrounding land uses are predominately residential in nature with a food and drink premises located north of the site.

Refer to the following photographs for the existing site and surrounding uses.

Figure 1 – Site Aerial (Source: Six Maps)



Figure 2 – Site Cadastre (Source: Six Maps)



Photograph 1 – View of Existing site from Pittwater Road (Source: Google Maps Street View)



Photograph 2 – View of Existing site from Steinton Street (Source: Google Maps Street View)



3 PROPOSAL

The proposed development is for replacement signage at the existing Caltex service station to reflect the Ampol rebranding. The proposed replacement signage reflects the rebranding of Caltex service stations to Ampol service stations Australia wide.

The proposed works specifically involve:

- + Replacement Signage including;
 - Removal and Replacement of Fuel Canopy signage on northern elevation;
 - Removal and Replacement of ID Pylon Sign;
 - Removal and Replacement of freestanding Promo Board sign;
 - Removal and Replacement of on building fascia signage; and
 - Removal of existing wall sign
- + Other minor works as identified on the plans at Appendix A.

No changes to the internal figuration or built form of the existing convenience store building are proposed. The proposal will not impact operational factors such as deliveries and waste management, operational hours and staffing. Additionally, the proposal will not alter existing access to the site.

Refer to the Architectural Plans at Appendix A for full details of the proposed works.

4 LEGISLATION AND PLANNING CONTROLS

The following legislation, Environmental Planning Instruments (EPI's) and Development Control Plan (DCP) are relevant to the proposed development and have been addressed below:

- + Environmental Planning and Assessment Act 1979;
- + Environmental Planning and Assessment Regulation 2000;
- + State Environmental Planning Policy (Infrastructure) 2007
- + State Environmental Planning Policy No 64 – Advertising and Signage;
- + Manly Local Environmental Plan (LEP) 2013; and
- + Manly Development Control Plan (DCP) 2013.

4.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (EP&A ACT 1979)

The proposal is subject to the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979). Section 4.15 of the EP&A Act 1979 provides criteria which a consent authority is to take into consideration, where relevant, when considering a DA. An assessment of the DA, in accordance with the relevant matters prescribed under Section 4.15 (1), is provided within this SEE.

4.1.1 SECTION 4.65 – DEFINITION OF “EXISTING USE”

(a) the use of a building, work or land for a lawful purpose immediately before the coming into force of an environmental planning instrument which would, but for Division 4 of this Part, have the effect of prohibiting that use, and

(b) the use of a building, work or land:

(i) for which development consent was granted before the commencement of a provision of an environmental planning instrument having the effect of prohibiting the use, and

(ii) that has been carried out, within one year after the date on which that provision commenced, in accordance with the terms of the consent and to such an extent as to ensure (apart from that provision) that the development consent would not lapse.

The site has been operating as an approved service station for numerous years. The proposed development will not change the existing use of the site. The use commenced before the commencement date of the current LEP. All signage is ancillary to the use of the site as a service station.

4.1.2 SECTION 4.66 – CONTINUANCE OF AND LIMITATION ON EXISTING USE

Section 4.66 (3) provides that an existing use is to be presumed, unless the contrary is established, to be abandoned if it ceases to be actually so used for a continuous period of 12 months, in which case the continuation of the use is not permitted.

The use of the site for the purposes of a service station is known to have continued for since approval, with no cessation of the use for a period of 12 months or more within that period. All signage is ancillary to the use of the site as a service station.

4.1.3 SECTION 4.67 REGULATIONS RESPECTING EXISTING USE

(1) The regulations may make provision for or with respect to existing use and, in particular, for or with respect to:

(a) the carrying out of alterations or extensions to or the rebuilding of a building or work being used for an existing use, and

(b) the change of an existing use to another use, and

(c) the enlargement or expansion or intensification of an existing use.

(2) The provisions (in this section referred to as the incorporated provisions) of any regulations in force for the purposes of subsection (1) are taken to be incorporated in every environmental planning instrument.

(3) An environmental planning instrument may, in accordance with this Act, contain provisions extending, expanding or supplementing the incorporated provisions, but any provisions (other than incorporated provisions) in such an instrument that, but for this subsection, would derogate or have the effect of derogating from the incorporated provisions have no force or effect while the incorporated provisions remain in force.

The proposal is for replacement signage at the existing service station, as referenced in Section 3 above. The proposed replacement is minor in nature and considered ancillary development to the primary service station use.

The incorporated provisions, contained within the Regulations 2000, are addressed in Section 4.2 of this SEE.

4.2 ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

4.2.1 CLAUSE 41 – CERTAIN DEVELOPMENT ALLOWED

(1) An existing use may, subject to this Division:

(a) be enlarged, expanded or intensified, or

(b) be altered or extended, or

(c) be rebuilt, or

(d) be changed to another use, but only if that other use is a use that may be carried out with or without development consent under the Act, or

(e) if it is a commercial use-be changed to another commercial use (including a commercial use that would otherwise be prohibited under the Act), or

(f) if it is a light industrial use-be changed to another light industrial use or a commercial use (including a light industrial use or commercial use that would otherwise be prohibited under the Act)

The current application proposes the replacement of existing signage at the site; no change to the overall built form is proposed.

4.2.2 CLAUSE 43 - DEVELOPMENT CONSENT REQUIRED FOR ALTERATION OR EXTENSION OF BUILDINGS AND WORKS

(1) Development consent is required for any alteration or extension of a building or work used for an existing use.

(2) The alteration or extension:

(a) must be for the existing use of the building or work and for no other use, and

(b) must be erected or carried out only on the land on which the building or work was erected or carried out immediately before the relevant date.

The proposed replacement signage will continue to be ancillary to the service station use.

4.2.3 LAND AND ENVIRONMENT COURT PLANNING PRINCIPLE: EXISTING USE RIGHTS MERIT ASSESSMENT

The proposal is assessed against the four questions that usually arise in the assessment of existing use rights developments, below:

1) How do the bulk and scale (as expressed by height, floor space ratio and setbacks) of the proposal relate to what is permissible on surrounding sites? (Principle 1)

"While planning controls, such as height, floor space ratio and setbacks do not apply to sites with existing use rights; they have relevance to the assessment of applications on such sites. This is because the controls apply to surrounding sites and indicate the kind of development that can be expected if and when surrounding sites are redeveloped. The relationship of new development to its existing and likely future context is a matter to be considered in all planning assessment."

Response: The proposal consists of replacement signage and as such will not change the scale, setback, bulk or height of the site. The proposal will not change the approved height and floor space ratio on site. The proposed works simply aim to reflect the rebranding of the site from Caltex to Ampol. The proposal therefore satisfies this question.

2) What is the relevance of the building in which the existing use [sic] takes place? (Principle 2)

"Where the change of use is proposed within an existing building, the bulk and scale of that building are likely to be deemed acceptable, even if the building is out of scale with its surroundings, because it already exists. However, where the existing building is proposed for demolition, while its bulk is clearly an important consideration, there is no automatic entitlement to another building of the same floor space ratio, height or parking provision."

Response: As described above, there is no change to the building floor area or envelope, and the proposal also does not trigger the requirement for additional parking. The proposal therefore satisfies this question.

3) What are the impacts on adjoining land? (Principle 3)

"The impact on adjoining land should be assessed for all development. It is true that where, for example, a development control plan requires three hours of sunlight to be maintained in adjoining rear yards, the numerical control does not apply. However, the overshadowing impact on adjoining rear yards should be reasonable."

Response: The proposal involves replacement signage, which will not have a significant impact on adjoining land. Given the existing screening and attenuation measures, coupled with the design and scale of the existing building; the proposed replacement signage will not have an unreasonable impact on neighbours. The proposed signage will have an illumination intensity similar to the existing signage, so as to not impact on adjoining land. The proposal therefore satisfies this question.

4) What is the internal amenity? (Principle 4)

"Internal amenity must be assessed as it is assessed for all development. Again, numerical requirements for sunlight access or private open space do not apply, but these and other aspects must be judged acceptable as a matter of good planning and design. None of the legal principles discussed above suggests that development on sites with existing use rights have lower amenity than development generally."

Response: The proposed replacement of signage will uphold amenity and functionality within the site and for the adjoining lands. The proposal continues to represent good design, and therefore satisfies this question.

The proposed replacement signage at the existing service station is therefore consistent with the test established in the Land and Environment Court for merit assessment of existing uses.

4.3 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) aims to facilitate the efficient delivery of Infrastructure across the State. The relevant clauses of the Infrastructure SEPP are set out below.

Clause 45 - Determination of development application – other development

(1) This clause applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following:

- (a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,*
- (b) development carried out:*
 - (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or*
 - (ii) immediately adjacent to an electricity substation, or*
 - (iii) within 5m of an exposed overhead electricity power line,*

Clause 45 requires the consent authority to give written notice to the electricity supply authority in certain circumstances, as well as give consideration to any response received within 21 days. The works are located adjacent to exposed overhead power lines, however due to the minor nature of the signage replacement works it is not considered that referral to the electricity supply authority is required.

Clause 101 – Development with frontage to a classified road

The site has a frontage to Pittwater Road, which is a classified road, and accordingly Clause 101 applies to the proposal.

This clause states:

(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:

(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and

(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:

(i) the design of the vehicular access to the land, or

(ii) the emission of smoke or dust from the development, or

(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and

(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

The proposed development is for replacement signage, which replaces existing signage of the same proportions. Therefore, no additional impacts will be caused to Pittwater Road and the safety, efficiency and ongoing operation of the classified road will not be impacted by the proposed development.

4.4 STATE ENVIRONMENTAL PLANNING POLICY NO 64 – ADVERTISING AND SIGNAGE

As stated in Section 3, approval is sought for replacement signage in an order to reflect the nation-wide rebranding from Caltex to Ampol service stations. The signs will relate only to the use within the tenancy and feature business identification content.

It is considered that the signage scheme proposed is consistent with the requirements outlined within SEPP 64 as detailed below.

Clause 8 of SEPP 64 states the following:

"A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

(a) that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and

(b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1."

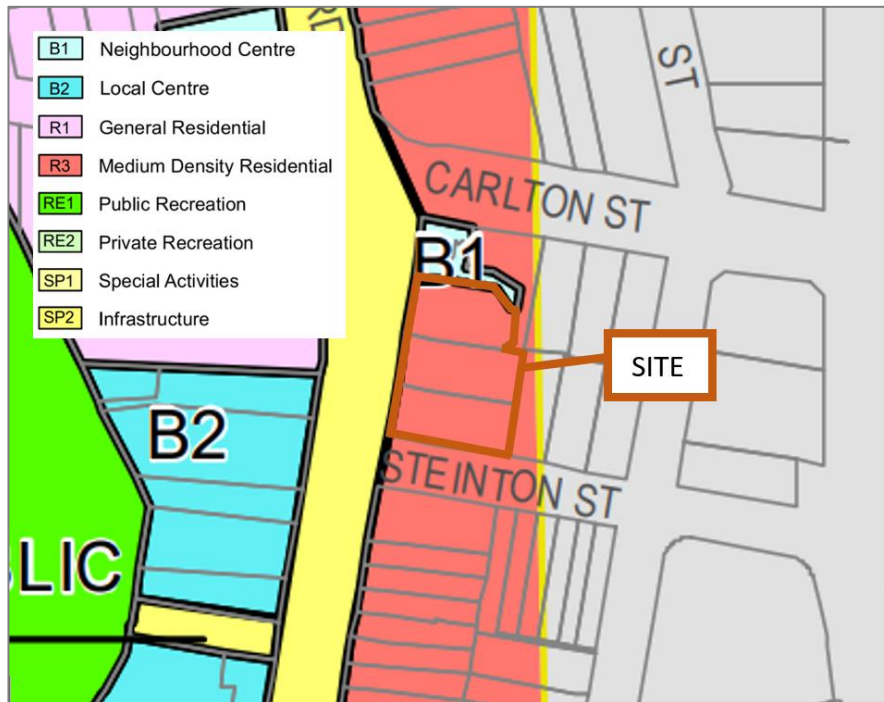
The assessment criteria in Schedule 1 of the SEPP relates to matters for consideration such as character of the area; amenity of residential areas; views and vistas; streetscape, setting and landscape; site and building compatibility; illumination; and safety.

A detailed assessment of the proposal against the provisions of SEPP 64 is provided in Appendix C attached to this SEE. Overall, the proposed signage meets the applicable criteria of SEPP 64 and is consistent with the aims of this SEPP.

4.5 MANLY LOCAL ENVIRONMENTAL PLAN (LEP) 2013

The site is subject to the provisions of the Manly Local Environmental Plan 2013 (LEP). The site is zoned R3: Medium Density Residential under the LEP 2013 (Refer to Figure 3).

Figure 3 – Land Zoning Map Extract from Manly LEP 2013 (LZN_003)



Zone R3 Medium Density Residential

1 Objectives of zone

- + To provide for the housing needs of the community within a medium density residential environment.
- + To provide a variety of housing types within a medium density residential environment.
- + To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- + To encourage the revitalisation of residential areas by rehabilitation and suitable redevelopment.
- + To encourage the provision and retention of tourist accommodation that enhances the role of Manly as an international tourist destination.

2 Permitted without consent

Home-base child care; home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Boat sheds; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental protection works; Flood mitigation works; Group homes; Home businesses; Home industries; Hostels; Information and education facilities; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (indoor); Residential flat buildings; Respite day care centres; Restaurants or cafes; Roads; Secondary dwellings; Semi-detached

dwelling; Seniors housing; Service stations; Shop top housing; Signage; Take away food and drink premises; Tank-based aquaculture; Tourist and visitor accommodation; Water recycling facilities; Water supply systems

4 Prohibited

*Advertising structures; Farm stay accommodation; Pond-based aquaculture Water treatment facilities; **Any other development not specified in item 2 or 3***

While a service station is not permissible with consent in the R3 Medium Density Residential Zone, the proposed works are inclusive of replacement signage at the existing service station and rely on existing use rights as detailed above.

Clause 4.1 Minimum Lot Size

The minimum lot size for the site is 250m². The proposed development will not impact the existing minimum lot size of the building.

Clause 4.3 Height of Buildings

The site has a maximum height of buildings of 8.5 metres. The proposed alterations will not increase the existing height of the service station building or ancillary structures on site.

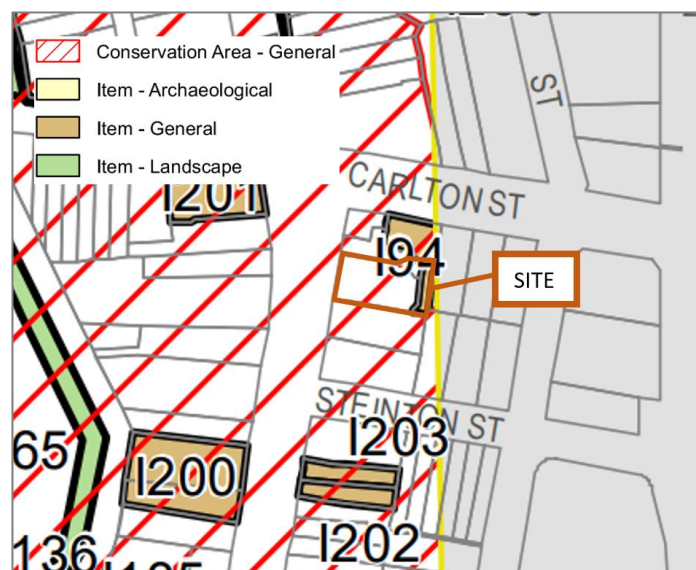
Clause 4.4 Floor Space ratio

The maximum floor space ratio applying to the site is 06:1. The proposal alterations to signage will not impact upon the sites existing FSR.

Clause 5.10 Heritage Conservation Area

The site is located within the *Pittwater Road* Heritage Conservation Area which is a heritage conservation area of local significance. The site is also located adjacent too heritage item number I94. The site has undergone a number of changes from its original heritage significance. The proposed signs form part of the modified façade and ultimately does not detract from the heritage significance of the area. The heritage conservation area will be preserved through this proposal as it includes only compatible signage designs, materials and colours and the use of existing signage spaces.

Figure 4 – Heritage Map (HER_003)



4.6 MANLY DEVELOPMENT CONTROL PLAN 2013

The Manly Development Control Plan 2013 (DCP 2013) applies to all land within the former Manly LGA. The following sections are specifically relevant to the proposal:

- + Part 4 – Development Controls and Development Types
 - 4.4.3 Signage

An assessment of the relevant development controls has been carried out and a table of compliance can be located at Appendix B of this SEE.

5 ASSESSMENT OF PLANNING ISSUES

The following is an assessment of the environmental effects of the proposed alterations to signage as described in the preceding sections of this SEE. The assessment considers only those matters under Section 4.15(1) of the EP&A Act 1979 that are relevant to the proposal.

5.1 VISUAL IMPACT

The proposed replacement signage has been designed to integrate with the existing building features and results in an overall simple and uncluttered external appearance. The proposed signage will not detract from surrounding development but will complement the surrounding area. Additionally, the signage will utilise high quality materials that are sympathetic to the existing building and built form of the area.

The proposal includes illumination elements which will be at appropriate LUX levels, generally consistent with other illuminated signs within the area. The signage will be illuminated at a maximum rate of 335 > 344 cd/m². Illumination will comply with both Section 3 (Advertisements and Road safety) of the NSW Department of Planning and Environment Transport Corridor Outdoor Advertising and Signage Guidelines (November 2017) and AS 4282—1997, Control of the obtrusive effects of outdoor lighting. As such, illuminated signs are not expected to distract pedestrians, motorists or road users on Pittwater Road.

The proposal will provide high quality signage that will contribute to the aesthetics of the streetscape. The proposed signage is not expected to result in any adverse visual or amenity impacts. Further details outlining compliance with the Manly DCP is provided in Appendix B of this SEE.

5.2 WASTE MANAGEMENT

Demolition/construction waste shall be appropriately managed on site and recycled where possible in accordance with sustainability principles, as detailed in the Waste Management Plan provided in Appendix D. Operational waste management will remain unchanged by the proposal.

5.3 HERITAGE IMPACTS

The replacement signage is not considered to result in any adverse impacts to the *Pittwater Road Heritage Conservation Area*. As the proposed signage is of a similar scale and proportions to the existing signage, and the proposal is not considered to have any adverse impacts on the heritage significance of the area. Due to the previously approved works on the site, including signage upgrades, the proposal replacement signage is considered suitable for the site. The proposed works are considered minor in nature and therefore are considered suitable for the site.

Overall, it is considered that the proposed works will not detrimentally impact the significance of the local heritage conservation area.

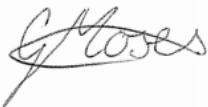
6 CONCLUSION

The proposed replacement signage at the existing service station at 86 Pittwater Road, Manly 2095 will upgrade the site while appropriately reflecting the rebranding of the service station from Caltex to Ampol. The proposal is minor in nature and not considered likely to create any adverse impacts in terms of light spill or illumination, visual obtrusiveness to pedestrians or passing traffic, or impacts to the visual character of the area.

As discussed above, the proposed development is generally consistent and compliant with the aims and objectives of all relevant legislation, planning instruments and controls. Although a service station is prohibited within the R3 Medium Density Residential, the proposed works involve only replacement signage at the existing and approved Service Station.

Given the merit of the proposal and the absence of any significant adverse impacts, the application is considered to be in the public interest and worthy of Council's support. Should you have any questions please do not hesitate to contact the undersigned.

Yours sincerely



Grace Moses
Town Planner
KDC Pty Ltd

Appendices:

- Appendix A – Architectural Plans
- Appendix B – DCP Compliance Table
- Appendix C – SEPP 64 Schedule 1 Assessment Criteria
- Appendix D – Waste Management Plan

APPENDIX A – ARCHITECTURAL PLANS

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APPENDIX B – DCP COMPLIANCE TABLE

KDC Pty Ltd

Manly DCP 2013 COMPLIANCE TABLE

Control	Requirement	Comment	Compliance
Part 4 Development Controls and Development Types			
4.4 Other Development			
4.4.3 Signage			
4.4.3.1 Controls for all Development Types			
Maximum number of signs	<p>In relation to shopfronts, a maximum of 2 identification signs will be permitted per frontage (for example 1 fascia and 1 hamper sign), in any 2 of the following preferred locations:</p> <ol style="list-style-type: none"> Under awning; Awning fascia; A transom sign above the door or shopfront (top hamper); Inside the display window; Below the window sill; and Flush wall signs. 	The proposed signage consists of more than 2 signs, however given the service station land use of the site, and that the signage replaces existing signage of the same proportion, this is considered appropriate for the site.	Y
Advertising Content	<p>Advertising content must relate to the building or goods sold on the premises to which it is attached. Any third party advertising of goods sold on the premises must not dominate the advertising of the building or premises.</p> <p>Where the maximum number of signs is achieved in locations in accordance with a) above, further signs, particularly above the awning are not permitted</p>	The propose signage is for business identification purposes. The signage relates to the premises and the goods sold on site, with the business being a service station.	Y
Design Integration	i) The design of signs is to be integral to the architectural style and finishes of the building to which they are attached, rather than a "tack on" appearance. In this regard, above awning signs level of a projecting nature are restricted. See also paragraphs 4.4.3.3.c & d.	The proposed signage will replace the existing size and scale of signage on site. The signage will be complementary and compatible with the existing service station and surrounding land uses.	Y

	ii) Applicants designing new buildings or alterations and multi-tenant buildings refurbishment of existing buildings are strongly encouraged to take into account advertising requirements at an early stage, as an integral part of the building. In this regard a Sign Concept Plan is required for the co-ordinated identification and advertising for the development with the DA.	N/A	N/A
Streetscape	Signs must not have an adverse impact on the streetscape in terms of unobtrusive design, colour, height, size and scale in proportion to building and other urban elements. Not only should a sign be simple, clear and efficient (with a reasonable degree of visibility), but a well-designed sign inspires and promotes confidence in the business or product advertised without impacting on the streetscape.	The proposed signage will not negatively impact the existing streetscape. The design, colour, height, size and scale of the replacement signage will be proportionate to the existing signage on site. The signage will contain a simple, clear and efficient and is used for business identification purposes.	Y
Maintenance	<p>i) Building facades should not be visually spoiled by electrical conduits to illuminated signs or spot lights, and should therefore be taken directly into the building or otherwise concealed by chasing into external walls.</p> <p>ii) Signs should be located at a height which avoids impact from footpath maintenance vehicles and discourages vandalism.</p>	<p>Noted, the proposed electrical conduits for the illuminated signage will be concealed.</p> <p>Noted, the proposed height of the replacement signage will match the height of the existing signage on site.</p>	<p>Y</p> <p>Y</p>
Safety	i) Council will give due attention to all applications with respect to possible distraction of motorists due to illumination, position, colours, design and proximity to traffic lights. Signs facing roads with high traffic volumes, traffic lights or major intersections may be referred to other relevant authorities such as the NSW Roads Agency for comment.	The proposed signage will on replace the existing signage on site and will not be obtrusive or create distraction for passing motorists or pedestrians.	Y

	<p>ii) Signs must be maintained in good and substantial repair and in a clean and tidy condition at all times. Council will not favour signs which are prone to deterioration in appearance and condition, and may order removal of objectionable or unsightly advertisements.</p>	<p>The signage will be well maintained, clean and tidy. The signage will be constructed with anti-graffiti materials and will not be prone to deterioration.</p>	Y
Illumination	<p>i) In considering the illumination of signage care is be given to avoid nuisance from glare and spillage of light which may impact on both residents, particularly in the Residential LEP Zones (including E3 & E4) as well as to passing traffic. Depending on the location, and its relationship to residential premises, Council may require that illumination be controlled by automatic time clocks extinguishing illumination between 10pm and 6am, or as appropriate in the circumstances.</p> <p>ii) A floodlit sign which projects over a public road must not be illuminated by a lighting medium which is less than 2.6m above the ground. Lighting must not cause distraction or nuisance to neighbouring properties or traffic.</p>	<p>The proposed signage illumination levels will match the existing illumination levels of signage on site. The LUX levels will be of an appropriate level, this being a maximum rate of 335 > 344 cd/m2 The signage will be unobtrusive in the residential zoned land.</p> <p>N/A</p>	<p>Y</p> <p>N/A</p>
4.4.3.2 Signage on Heritage listed items and in Conservation Areas			
	<p>Advertising signs should be designed and located in a manner which preserves and enhances Heritage listed items and Conservation Areas</p>	<p>The proposed replacement signage will designed and located in accordance with the existing signage on site. The signage will be situated in appropriate locations and is of a design that is sympathetic to the heritage conservation area.</p>	Y

Sign Locations	<p>Signs should be discreet and should complement the building and surrounding uses. The architectural features of the building or listed item should always dominate. Advertising should preferably be placed in locations on the building or item which would traditionally have been used as advertising areas. Opportunities for advertising, therefore, may be somewhat limited. Generally, sign panels can be determined by dividing a building into a grid and identifying locations on:</p> <ol style="list-style-type: none"> 1. a solid parapet above a cornice 2. the horizontal panel below a cornice 3. verandas or awning fascia 4. ground floor windows 5. notice boards or plaques on ground floor piers 6. small signs on individual architectural elements such as rendered blocks; 7. under awning signs 8. small not illuminated free standing pole signs; and 9. side walls (carefully considered) 	The proposed signage is of the same proportion and scale as the existing signage, and complements the building and surrounding land uses. The signage does not dominate the façade or streetfront elevation of the site and is considered appropriate for the area.	Y
Other Guidelines for Heritage Items and Conservation Areas	<p>i) Signs on shop windows should not exceed 25 percent of the window area;</p> <p>ii) As the external colours applied in different historical periods varied, and were more muted in range than today, it is wise to research appropriate colour ranges for buildings in heritage areas. Generally however, the following dark or muted colours are suggested: Maroon, dark green, terracotta, brown, charcoal, etc. highlighted with creams, ochres, pinks and earth tones;</p>	<p>N/A</p> <p>No significant change to the colour scheme of the existing signage or shopfront are proposed.</p>	<p>N/A</p> <p>Y</p>

	<p>iii) Heritage lettering styles may involve shaded letters, the mixing of sizes and styles of letters, and ornamental scrolls relevant to the period of the building;</p> <p>iv) Signs are preferably illuminated by floodlighting, with the source of the illumination being suitably concealed;</p> <p>v) Modern standardised “trademarks” advertising will not usually be appropriate. This however, could be compromised by placing the modern sign in a panel with a perimeter margin and surrounding wall surface, printed in sympathetic heritage colours.</p>	<p>N/A</p> <p>The proposed illuminated signage is internally illuminated, and the methods of illumination are concealed.</p> <p>The proposed signage replaces existing logo business identification signage, and is therefore considered appropriate for the site and area.</p>	<p>N/A</p> <p>Y</p> <p>Y</p>
4.4.3.3 Controls for Particular Development Types			
Fascia Signs	<p>i) must not project above or below the fascia or return end of the awning to which it is attached;</p> <p>ii) must not extend more than 0.3m from the fascia end of the awning; and</p> <p>iii) unless the council otherwise approves, must not extend or project beyond a point 0.6m within the vertical projection of the kerb line.</p>	<p>The proposed canopy fascia signage projects slightly above the fascia, however less significantly than the sign which it is replacing. This is considered a reduction in intensification and is therefore considered appropriate.</p> <p>N/A</p> <p>Noted, compliant.</p>	<p>N-justified</p> <p>N/A</p> <p>Y</p>
Pole or Pylon Signs	<p>i) must not project more than 1.2m over any road alignment; and</p> <p>ii) if projecting over any road alignment, the sign must be at least 2.6m above the ground where it so projects.</p>	<p>The pylon signage does not project over any road alignment.</p> <p>N/A, as above.</p>	<p>Y</p> <p>N/A</p>

	<p>iii) In the LEP Zone B6 Enterprise Corridor, buildings setback from the street alignment, may be accompanied by a freestanding pole sign, setback at an equivalent setback to that of any other existing pole signs. The number of pole signs should be limited to one sign per 10m of frontage, and increased where influenced by frontage, existing signs and traffic speed etc. Signage size and shape will be considered on merit; but should not dominate the area of the building or the landscaped buffer area within the building line setback area.</p>	<p>N/A, site is zoned R3 Medium Density Residential.</p>	<p>N/A</p>
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APPENDIX C – SEPP 64 SCHEDULE 1 ASSESSMENT CRITERIA

KDC Pty Ltd

Assessment Criteria		Comment	Compliance
1) Character of the area	Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	Yes, the proposed signage, being replacement signage, continues to be compatible with the existing and desired future character of the area.	Y
	Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	No. There is no apparent advertising theme within the area.	N/A
2) Special areas	Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	No, the proposed signs have been designed, scaled and located to complement the visual quality of the surroundings and not have a significant negative impact on the amenity of the location or the heritage conservation area.	Y
3) Views and vistas	Does the proposal obscure or compromise important views?	The proposed signage does not obscure or compromise important views.	Y
	Does the proposal dominate the skyline and reduce the quality of vistas?	The signage will not dominate the skyline or reduce the quality of vistas.	Y
	Does the proposal respect the viewing rights of other advertisers?	The proposed signage does not obscure any advertising.	Y
4) Streetscape, setting or landscape	Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale of the replacement signage is proportionate to the building and existing on-site signage. It remains set back from the streetscape and appropriate for the surrounding streetscape.	Y
	Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage will continue to contribute to the visual interest of the site in context of its surroundings.	Y
	Does the proposal reduce clutter by rationalizing and simplifying existing advertising?	The proposal remains consistent with the existing signage, which maintains a consolidated approach to signage on the site.	Y
	Does the proposal screen unsightliness?	The proposal does not screen unsightliness.	N/A
	Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No, proposed signage is attached to the existing building/structures and does not extend beyond the built form.	Y

	Does the proposal require ongoing vegetation management?	No.	N/A
5) Site and building	Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The signage has been designed to continue to be compatible with the existing built form and site characteristics.	Y
	Does the proposal respect important features of the site or building, or both?	The proposed signage does not detract in any way from important features of the building or site.	Y
	Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage has been designed to be simple and uncluttered and complement the existing building and other structures on site.	Y
6) Associated devices and logos with advertisements and advertising structures	Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The proposed signage contains internally illuminated lighting elements, however these will be concealed.	Y
7) Illumination	Would illumination result in unacceptable glare?	No, the proposed signs will not result in excessive glare.	Y
	Would illumination affect safety for pedestrians, vehicles or aircraft?	No, the proposed signage will not be of a LUX level to affect the safety for pedestrians, vehicles or aircraft.	Y
	Would illumination detract from the amenity of any residence or other form of accommodation?	The proposed signage will not be of a LUX level to detract from the amenity of surrounding residences.	Y
	Can the intensity of the illumination be adjusted, if necessary?	The brightness of the signs can be adjusted if necessary.	Y
	Is the illumination subject to a curfew?	The signs will operate during the operating hours of the service station and convenience store.	Y
8) Safety	Would the proposal reduce the safety for any public road?	The signage will not affect road safety on Pittwater Road.	Y
	Would the proposal reduce the safety for pedestrians or cyclists?	No, the sign will not reduce the safety for pedestrians or cyclists.	Y
	Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	No, sightlines are not affected by the proposal.	Y



APPENDIX D – WASTE MANAGEMENT PLAN

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