

19 June 2023

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Northern Beaches Council
PO Box 82
Manly NSW 1655

Attention: The General Manager

Dear Sir/Madam,

**Statement of Environmental Effects
Ancillary Electric Vehicle Charging
1509 Pittwater Road, North Narrabeen NSW 2101**

1 Introduction

SLR Consulting Australia Pty Ltd (SLR) have prepared this Statement of Environmental Effects (SEE) on behalf of Ampol Australia Petroleum Pty Ltd (Ampol) for the proposed installation of an electric vehicle (EV) charging station and solar panels at the existing Ampol service station located at 1509 Pittwater Road, North Narrabeen NSW 2101.

This Statement of Environment Effects (SEE) describes the site, surrounds, the proposed works and provides 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). Refer to Architectural Plans at **Attachment A** for full details.

1.1 Background

The site was recently rebranded to Ampol and the Metro convenience store. A search of the Northern Beaches Council (Council) DA Tracker found the following previous development applications available for the site:

Table 1 Application History

Application Number	Description
0194/90	New fuel storage tank
0377/90	Service station alterations
0234/91	New advertising signs
0308/91	New underground fuel tanks
0397/91	New advertising sign
8097/91	Underground fuel tanks
8099/91	Advertising signs
W11/9006/92	New advertising banner
N0566/00	Upgrade of service

Application Number	Description
CC0318/01	Upgrade of service station/convenience store
T0371/13	Tree Application - Tree/Bushland Works 5 TREES
DA2020/1741	Alterations and Additions - Alterations and additions to an existing service station involving replacement business identification signs
BD2021/00270	Security - Builders Kerb Security Bond
TA2022/0007	Trees - Removal/Pruning of 3-5 Trees
DA2022/0185	Alterations and additions to commercial development - Alterations and additions to a service station and signage
BD2022/01180	Security - Builders Kerb Security Bond

This application does not intend to alter the existing use of the site as the EV charging stations are to be ancillary to the service station use.

1.2 Consultation with Council

Consultation with Council regarding the flood risk on site was conducted through email correspondence. Chris McLean of the Stormwater and Floodplain Engineering Team was able to confirm Council's stance that the proposed works are minor in nature and unlikely to impact the existing flood regime on site. Refer to Section 5.3 for further discussion.

2 The Site and Surrounds

The site is located on the corner of Garden Street and Pittwater Road, within the Northern Beaches Local Government Area (LGA). It is legally described as Lot 567 DP 813147 and is commonly known as 1509 Pittwater Road, North Narrabeen NSW 2101. Access to the site is provided via a shared ingress/egress driveway on Garden Street, as well as separated ingress/egress driveways on Pittwater Road. Refer to **Figures 1** and **2** for details of the site and its surrounds.

The site currently contains an Ampol service station, a Woolworths MetroGo convenience store, and associated car parking. Land uses within vicinity of the site are mainly residential. Land uses to the north and west of the site are predominantly low-density residential, and to the south (Pioneer Park) and east (South Creek) are natural/ recreational areas. The site is approximately 50m west of the South Creek waterway, which connects to the Narrabeen Lagoon. Refer to **Photos 1** and **2** for the existing site and surrounding uses.

Figure 1 Site Aerial (Source: NearMap)



Figure 2 Site Cadastre (Source: SIX Maps)

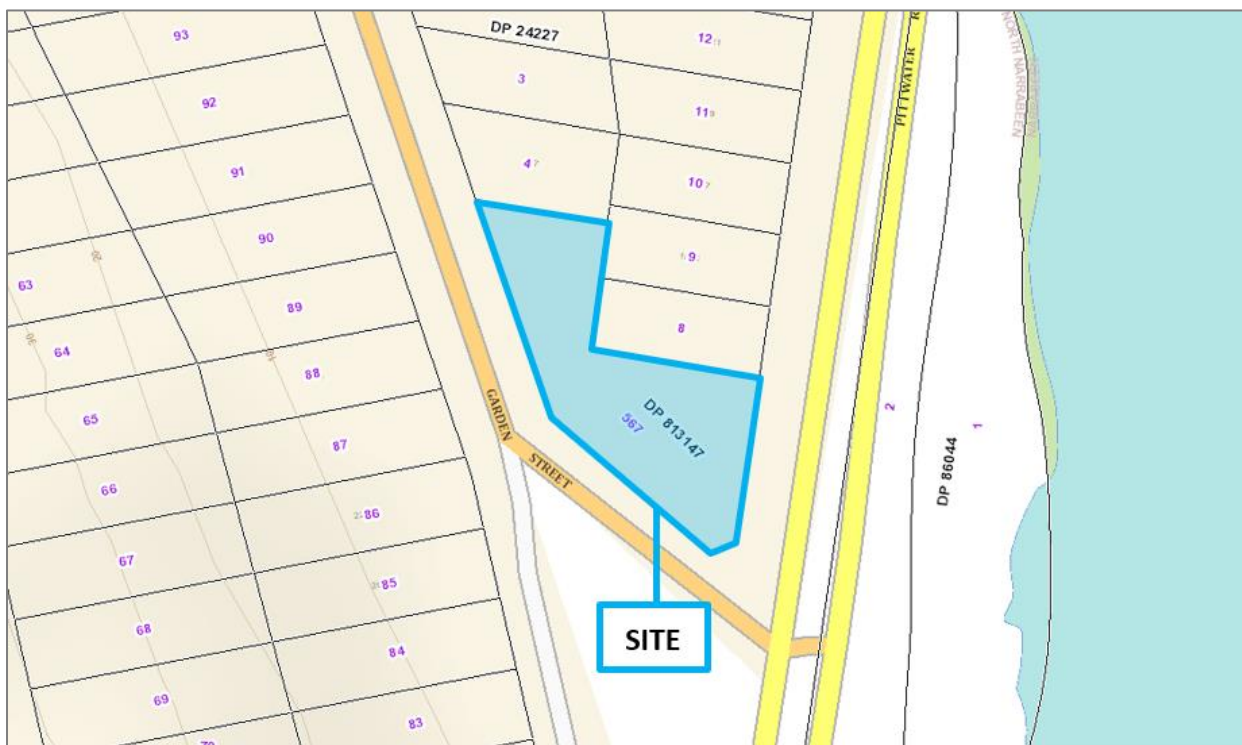


Photo 1 View of Existing Site from Pittwater Road (Source: Google Street View)



Photo 2 View of Existing Site from Garden Street (Source: Google Street View)



3 Proposal

The proposed development is for the installation and operation of an EV charging point at the existing Ampol service station as well as the installation of solar panels and marking of existing car parking spaces. The development forms part of a nationwide rollout of EV charging points to help provide added infrastructure to Australia's EV network.

The proposed works specifically include:

- Installation of one (1) EV charging station;
- Marking of two (2) new parking spaces to facilitate EV charging;
- Installation of solar panels (fitted flat) to the fuel canopy and convenience store building;
- Trenching for laying cables for the EV charging station(s);
- Installation of bollards, located in front of the EV charging stations;
- Additional 'AMPOL AMPCHARGE' panel installed to the existing pylon sign; and
- Other minor works specified on the Architectural Plans at **Attachment A**.

The charging station will be placed between two (2) new marked car parking spaces with two (2) ports available (one for use in each space).

The proposal will result in two (2) new marked spaces for the purpose of the EV charging, which will continue to contribute to the parking demand at the site.

As discussed in Section 4.3 below, there are exemptions available for erection of EV chargers and solar energy systems under Clause 2.41 and 2.123 of the *Transport and Infrastructure SEPP* which enables the proposed works to proceed without consent and can be reasonably considered minor with negligible impact to the effect and/or ameliorated impacts of the existing service station. However, the above proposed works trigger a development application due to the groundworks associated with the installation and the reduction in car parking spaces on site.

The proposal will result in the retention of eight (8) car parking spaces, including two (2) spaces approved as Click & Collect Pickup bays. It is noted that the two (2) EV charging bays will be used by motorists who would ordinarily place demand on the service station in any case. The spaces are also available to all customers, noting that fuel customers would likely only use the space briefly, making them generally available for EV users. Therefore, the EV bays continue to contribute to the car parking supply at the site. Additionally, there are several informal parking spaces that may add to the nominal parking rate on site. These are discussed in Section 5.4.

No changes to the internal configuration or built form of the existing fuel station are proposed. The EV charging station will be subordinate to the principal use and is appropriately considered ancillary to the Ampol service station operation. The proposal will not impact operational factors such as deliveries, waste management, operational hours nor staffing. The proposal does not alter existing access nor egress to the site.

Refer to the Architectural Plans at **Attachment 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*;
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*;
- *State Environmental Planning Policy (Resilience and Hazards) 2021*;
- *State Environment Planning Policy (Industry and Employment) 2021*;
- *Pittwater Local Environmental Plan 2014 (LEP)*; and
- *Pittwater 21 Development Control Plan (DCP)*.

4.1 Environmental Planning and Assessment Act 1979

The proposal is subject to the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Section 4.15 of the EP&A Act provides criteria which a consent authority is to take into consideration, where relevant, when considering a DA.

4.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

Division 4 under the State Environment Planning Policy SEPP 2021 relates to Electricity Generating Works or Solar Energy Systems. Clause 2.41 prescribe works that can be exempt development as follows:

4.2.1 Clause 2.41 Exempt development

(2) *Solar energy systems Development for the purpose of a solar energy system is exempt development if—*

- (a) *it complies with section 2.20 (other than section 2.20(2)(f)), and*
- (b) *in the case of development for the purposes of a photovoltaic electricity generating system—the system is installed in accordance with the manufacturer's specifications or by a person who is accredited by the Clean Energy Council for the installation of photovoltaic electricity generating systems, and*
- (c) *in the case of development for the purpose of any solar energy system other than a photovoltaic electricity generating system—the system is installed in accordance with the manufacturer's specifications, and*
- (d) *the system does not involve mirrors or lenses to reflect or concentrate sunlight, and*
- (e) *in the case of a system that is ground-mounted—*
 - (i) *the total area occupied by the system (together with any other ground-mounted solar energy system on the lot concerned) does not exceed 150m², and*
 - (ii) *the system has a height of not more than 5m above ground level (existing), and*
 - (iii) *the system is installed no less than 3m from any adjoining property boundary, and*

- (iv) *if the land contains a State or local heritage item or is in a heritage conservation area—the system is not visible from any road at the point where the road adjoins the property boundary concerned, and*
 - (v) *if the solar energy system is a photovoltaic electricity generating system having the capacity to generate 10kW or more—the system is installed no less than 10m from any dwelling that is not owned or occupied by the owner of the system, and*
- (f) *in the case of a system that is not ground-mounted—*
- (i) *the development does not reduce the structural integrity of, or involve structural alterations to, any building to which the system is attached, and*
- Note—**
- The term **building** is defined in the Environmental Planning and Assessment Act 1979 as including any structure.*
- (ii) *if the land is in a prescribed residential zone and the system is attached to a wall or roof facing a primary road—the system does not protrude more than 0.5m from the wall or roof (as measured from the point of attachment), and*
 - (iii) *if the land is in a prescribed residential zone and the system is not attached to a wall or roof facing a primary road—*
 - (A) *the system does not protrude more than 1m from any building to which it is attached (as measured from the point of attachment), and*
 - (B) *the system is installed no less than 1m from any adjoining property boundary if the system protrudes more than 0.5m from any building to which it is attached (as measured from the point of attachment), and*
 - (iv) *if the land contains a State or local heritage item or is in a heritage conservation area—*
 - (A) *the system is not attached to any wall or roof of a building facing a primary road, and*
 - (B) *the system does not protrude more than 0.5m from any building to which it is attached (as measured from the point of attachment), and*
 - (v) *the system does not protrude more than 1.5m from any building or structure to which it is attached (as measured from the point of attachment) if the land is in a land use zone other than a prescribed residential zone.*

The site and proposed installation of solar panels are considered to comply with Clause 2.20 (General requirements for exempt development).

Based on the above clauses, the proposed solar panel installation to the service station canopy and Woolworths MetroGo building can be considered exempt development. The panels will be fitted flat onto the canopy roof and Woolworths MetroGo roof, and will not create any adverse glare or reflectivity impacts on nearby residential properties.

4.2.2 Clause 2.48 Determination of development applications – other development

Clause 2.48(2) 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 proposal does not include penetration of ground within 2m of an underground electricity power line or distribution pole or within 10m of an electricity tower, nor will development be carried out adjacent to an electricity easement, electricity substation or within 5m of an exposed overhead electrical line.

As such, it is considered the application does not require written notice to the electricity supply authority for the area.

4.2.3 Clause 2.119 Development with frontage to classified road

Clause 2.119 of this SEPP applies as the subject site has frontage to Pittwater Road, which is identified as a State Classified Road. The purpose of Clause 2.119 is to maintain the efficiency and safety of classified roads and ensure that new development does not adversely affect the existing network. Under this clause, vehicular access to the site should be provided via a road that is not classified.

There are no changes to the existing vehicular access, and accordingly, the provisions of this Clause are not applicable in this case.

4.2.4 Clause 2.122 Traffic generating development

The proposed development (EV charging station) will not generate greater than 50 vehicle movements per hour and as such does not trigger traffic generating development under the SEPP. Referral under this clause to Transport for NSW is therefore not required.

4.2.5 Clause 2.123 Premises used for recharging or exchanging batteries

Clause 2.123 of this SEPP is as follows:

Development for the purpose of premises used for recharging or exchanging the batteries of electric vehicles may be carried out by any person with consent on any of the following land adjoining a public road –

(a) land in a prescribed zone,

(b) land on which there is an existing service station, highway service centre or car washing facility.

The proposed works are ancillary to an existing service station. Therefore, recharging batteries of EV at the service station is permitted with consent. However, there are exemptions available for erection of EV chargers and solar energy systems under Clause 2.41 and 2.124 of the SEPP which enables the proposed works to proceed without consent and can be reasonably considered minor with negligible impact to the effect and/or ameliorated impacts of the existing service station.

4.3 State Environmental Planning Policy (Resilience and Hazards) 2021

4.3.1 Chapter 2 – Coastal management

Clause 2.8 – Development on land in proximity to coastal wetlands or littoral rainforest

(1) Development consent must not be granted to development on land identified as “proximity area for coastal wetlands” or “proximity area for littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map unless the consent authority is satisfied that the proposed development will not significantly impact on —

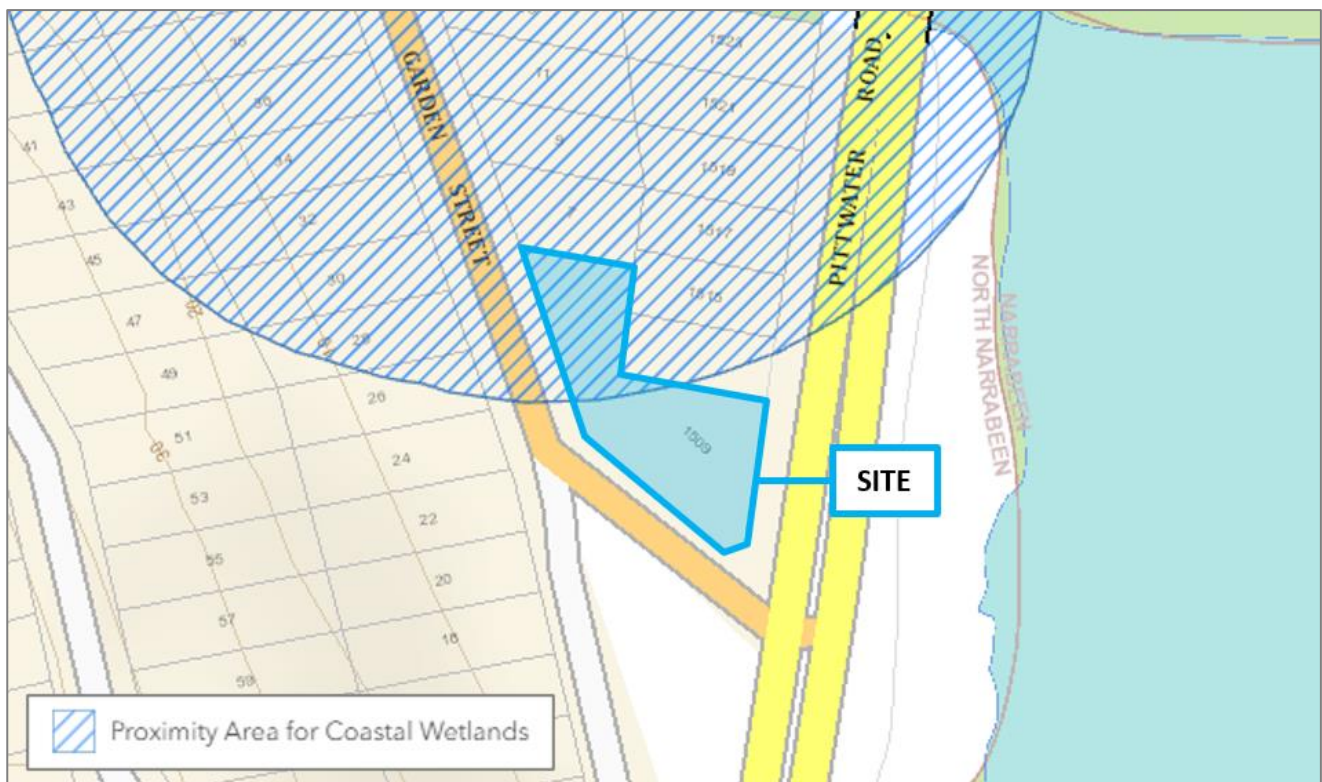
(a) the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest, or

(b) the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest.

Under this SEPP, a portion of the site is identified as a ‘Proximity Area for Coastal Wetlands’ (refer to **Figure 3**). As such, Clause 2.8 applies.

As mentioned previously, the proposal does not change the current use of the site as a service station, rather enhances its utility by adding a charging station for electric vehicles, which are fast becoming a popular mode of environmentally-friendly private transport. The works proposed, including trenching, are minor, would not affect nearby waterways or environmentally sensitive areas, and would include remediation efforts that minimise any changes to the site.

Figure 3 Coastal Wetlands and Littoral Rainforests Area Map (Source: ePlanning Spatial Viewer)



Clause 2.10 – Development on land within the coastal environment area

The site has been mapped as a Coastal Environment Area (refer to **Figure 4**).

Figure 4 Coastal Environment Area Map (Source: ePlanning Spatial Viewer)



(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following—

- (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
- (b) coastal environmental values and natural coastal processes,*
- (c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
- (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
- (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (f) Aboriginal cultural heritage, practices and places,*

(g) the use of the surf zone.

(2) Development consent must not be granted to development on land to which this section applies unless the consent authority is satisfied that—

- a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or
- b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
- c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

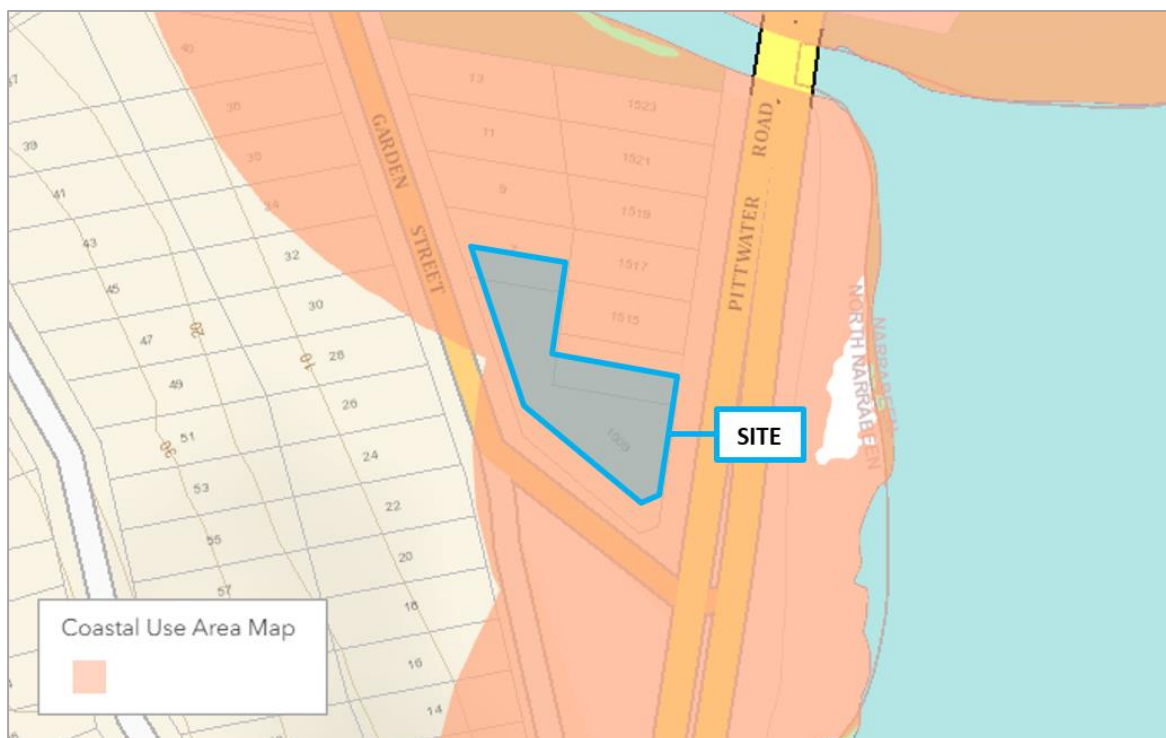
(3) This section does not apply to land within the Foreshores and Waterways Area within the meaning of State Environmental Planning Policy (Biodiversity and Conservation) 2021, Chapter 6.

As only minor works are proposed on the site the nearby coastal environment and wetlands will not be negatively affected. The proposed development is predominantly located on the western end of the site, thus minimising impacts on coastal environment values and processes, the marine estate, and native and marine vegetation to the east of the site. No impacts will result to access to public space, the surf zone, the wetland areas, or aboriginal heritage places. The proposed development is therefore considered to be in accordance with Clause 2.10.

Clause 2.11 – Development on land within the coastal use area

The site has been mapped as a Coastal Use Area (refer to **Figure 5**).

Figure 5 Coastal Use Area Map (Source: ePlanning Spatial Viewer)



(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority—

- a) has considered whether the proposed development is likely to cause an adverse impact on the following—*
 - i. existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
 - ii. overshadowing, wind funnelling and the loss of views from public places to foreshores,*
 - iii. the visual amenity and scenic qualities of the coast, including coastal headlands,*
 - iv. Aboriginal cultural heritage, practices and places,*
 - v. cultural and built environment heritage, and*
- b) is satisfied that—*
 - i. the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
 - ii. if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
 - iii. if that impact cannot be minimised—the development will be managed to mitigate that impact, and*
- c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.*

(2) This section does not apply to land within the Foreshores and Waterways Area within the meaning of State Environmental Planning Policy (Biodiversity and Conservation) 2021, Chapter 6.

The works proposed can be considered minor and ancillary to the existing uses on site. The development does not include any aspects that impede on the current use of the site as a service station and convenience store, as well as neighbouring environmental and recreational uses of the South Creek waterway and coastal wetland area. There will be no changes to the public spaces surrounding the site. The works will also not impede on the visual amenity of the area, as no significant structural and built-form changes are proposed. Therefore, the proposal is compliant with clause 2.11.

Clause 2.12 – Development in coastal zone generally – development do not increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

The works proposed can be considered minor and are ancillary to the existing uses on site as a service station and convenience store. Therefore, there will be no impacts that will increase the risk of coastal hazards on site or in neighbouring land. Thus, the proposal is compliant with clause 2.12.

Clause 2.13 – Development in coastal zone generally – coastal management programs to be considered

Development consent must not be granted to development on land within the coastal zone unless the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.

The Coastal Zone Management Plans implemented in the Northern Beaches LGA do not apply to the site, thus clause 2.13 does not apply.

4.3.2 Chapter 3 – Hazardous and Offensive Development

This policy aims to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact.

It is noted that the storage of petroleum on site is considered a potentially hazardous industry, however, no hazardous or offensive development is involved as a part of this proposal. As such the provisions of chapter 3 are not likely to be triggered.

4.3.3 Chapter 4 – Remediation of Land

The site has been operating as a service station, with the current works allowing for the continued operation of a service station. This will not change the risk profile of the existing land. Furthermore, risk of underlying potential contaminants are remediated by the trenching being backfilled with excavated material in situ.

4.4 State Environmental Planning Policy (Industry and Employment) 2021

The proposal will require additional 'AMPOL AMPCHARGE' panel installed to the existing pylon sign.

It is considered that the proposed addition to the existing pylon sign is consistent with the requirements outlined within this SEPP as detailed below:

3.6 Granting of consent to signage

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 Chapter as set out in section 3.1(1)(a), and*
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.*

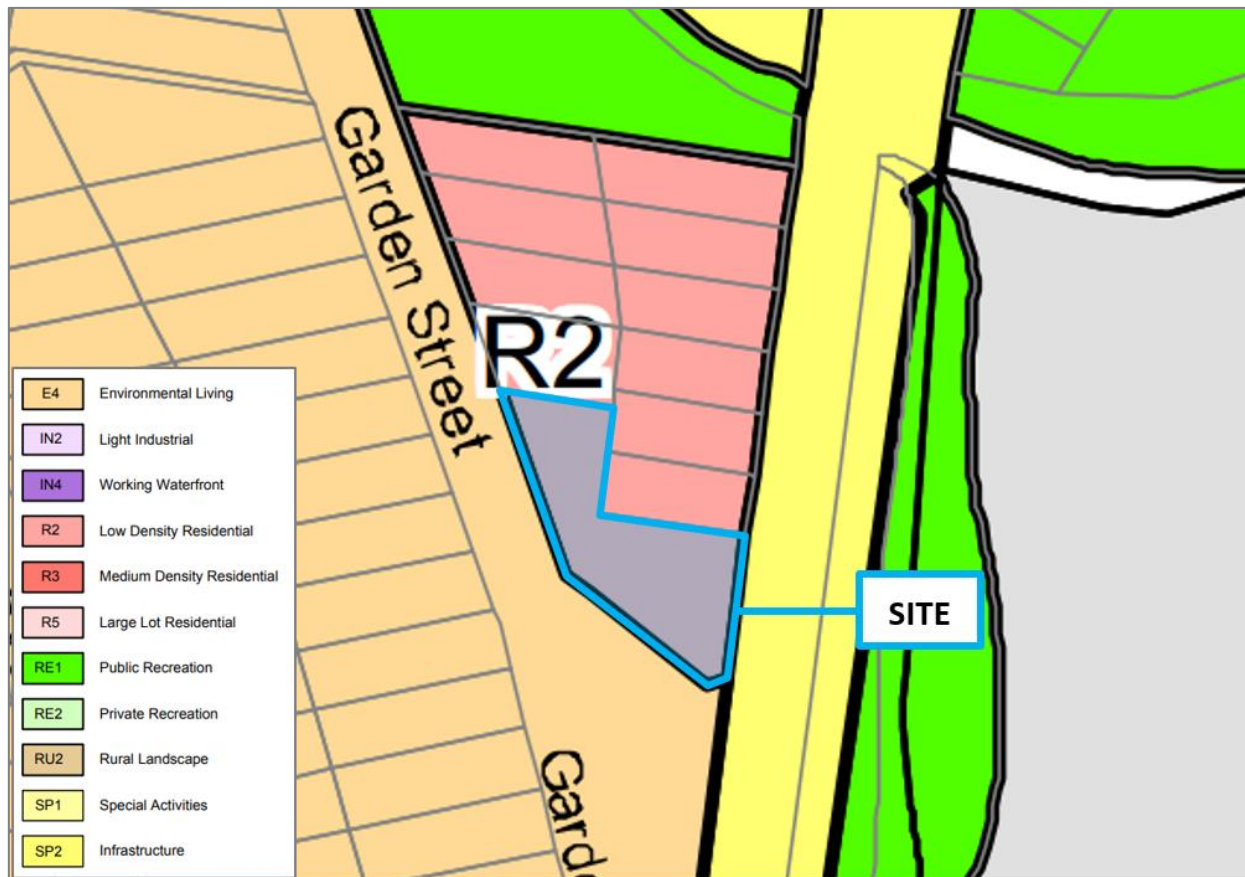
The assessment criteria in Schedule 5 of the SEPP relates to matters for consideration such as character of the area; amenity of residential areas; views and vistas; streetscape, setting and landscape; site and building compatibility; illumination; and safety.

A detailed assessment of the proposal against the provisions of this SEPP is provided in **Attachment C** of this SEE. Overall, the proposed signage meets the applicable criteria of the Industry and Employment SEPP and is consistent with the aims of this SEPP.

4.5 Pittwater Local Environmental Plan 2014

The site is subject to the provisions of the Pittwater Local Environmental Plan 2014 (LEP) and is applicable to all land within the former Pittwater LGA (now within the amalgamated Northern Beaches Council LGA). The site is zoned R2 Low Density Residential under the Pittwater LEP 2014 (refer to **Figure 4**).

Figure 6 Land Zoning Map Extract from Pittwater LEP 2014 (LZN_019)



The objectives and land use table of the R2 Low Density Residential Zone are as follows:

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.

2 Permitted without consent

Home businesses; Home occupations

3 Permitted with Consent

Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Group homes; Health consulting rooms; Home-based child care; Home industries; Jetties; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Respite day care centres; Roads; Secondary dwellings; Tank-based aquaculture; Veterinary hospitals; Water recreation structures

4 Prohibited

Any development not specified in item 2 or 3

A service station is prohibited in the R2 Low Density Residential Zone as ‘Any other development not specified in item 2 or 4’. Therefore, the service station relies on Clause 2.5 Additional permitted uses for particular land in the LEP for development consent. The EV charging station is considered ancillary to the services station site upon which it is located and will not alter or intensify the use.

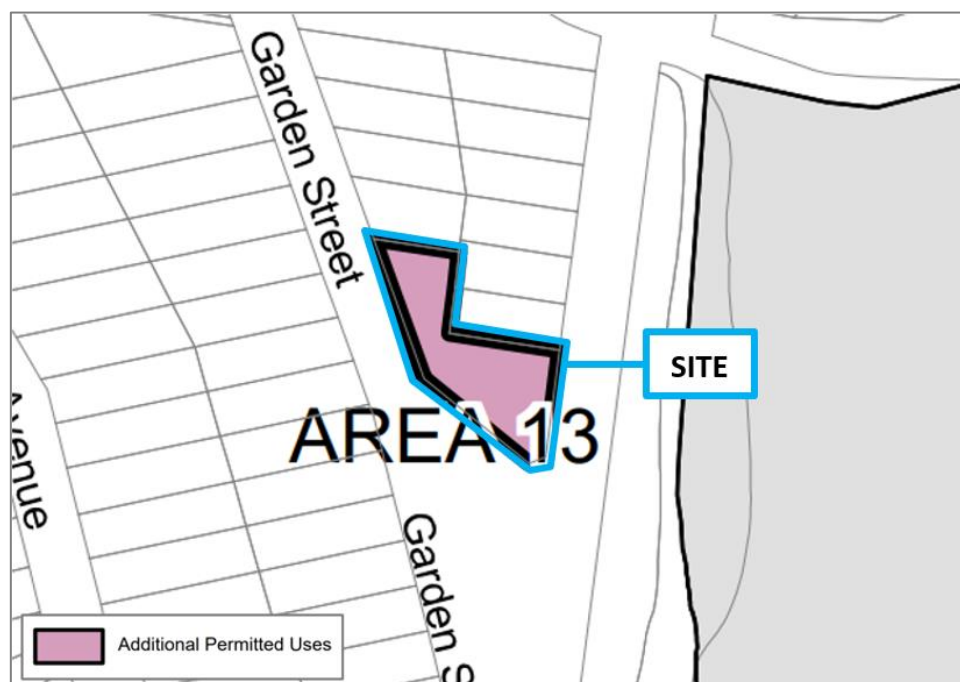
4.5.1 Clause 2.5 Additional permitted uses for particular land

Clause 2.5 of the LEP states that:

- (1) Development on particular land that is described or referred to in Schedule 1 may be carried out—
 - (a) with development consent, or
 - (b) if the Schedule so provides—without development consent, in accordance with the conditions (if any) specified in that Schedule in relation to that development.

Schedule 1 states that development for the purpose of a service station is permitted with consent on the site 1509 Pittwater Road, North Narrabeen, identified as ‘Area 13’ (refer to **Figure 7**). Therefore, the site and its current use is within LEP controls.

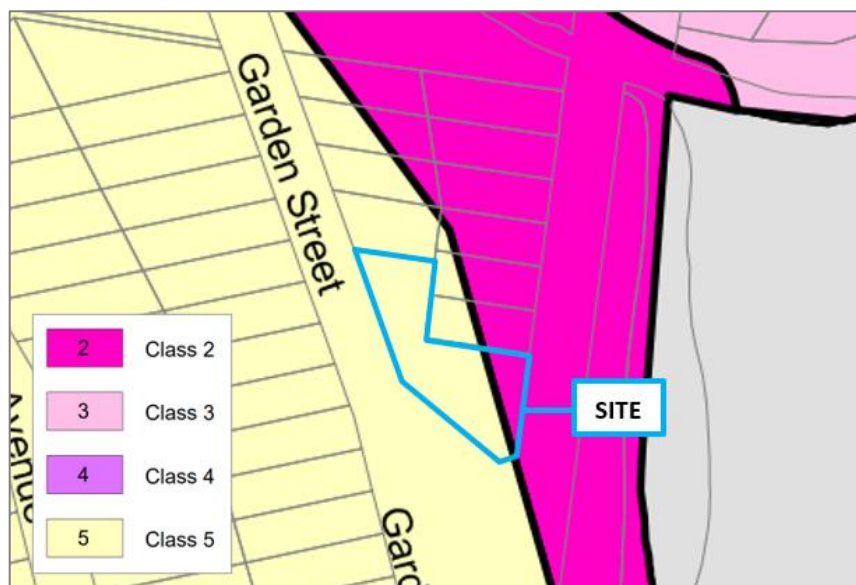
Figure 7 Additional Permitted Uses Map from Pittwater LEP 2014 (APU_019)



4.5.2 Clause 7.1 Additional permitted uses for particular land

- (1) *The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.*
- (2) *Development consent is required for the carrying out of works described in the table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.*
- (3) *Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.*
- (4) *Despite subclause (2), development consent is not required under this clause for the carrying out of works if—*
(a) *a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and*
(b) *the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.*
- (5) *Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power)—*
(a) *emergency work, being the repair or replacement of the works of the public authority, required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,*
(b) *routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),*
(c) *minor work, being work that costs less than \$20,000 (other than drainage work).*
- (6) *Despite subclause (2), development consent is not required under this clause to carry out any works if—*
(a) *the works involve the disturbance of less than 1 tonne of soil, and*
(b) *the works are not likely to lower the watertable.*

Figure 7 Acid Sulfate Soils Map from Pittwater LEP 2014 (ASS_019)



The subject site is mapped as containing both Class 5 and Class 2 land as identified on the LEP Acid Sulfate Soils Map (refer to **Figure 7**). The proposed ground works occur wholly on the portion of the site identified as Class 5. The minor trenching works proposed under this application are not likely to expose acid sulfate soils. Neither an acid sulfate soils preliminary assessment nor management plan are considered necessary to support this application.

4.6 Pittwater 21 Development Control Plan

The Pittwater 21 Development Control Plan (DCP) provides detailed guidelines to guide the design and assessment of development applications for land covered by the Pittwater LEP 2014.

The DCP controls relevant to the proposed development are:

- B3 – Hazard Controls
 - B3.11 – Flood Prone Land
- B4 – Controls Relating to the Natural Environment
 - B4.14 – Development in the Vicinity of Wetlands
 - B4.22 – Preservation of Trees and Bushland Vegetation
- B6 – Access and Parking
 - B6.3 – Off-Street Vehicle Parking Requirements
- B8 – Site Works Management
 - B8.1 – Construction and Demolition - Excavation and Landfill
 - B8.3 – Construction and Demolition - Waste Minimisation
- C5 – Design Criteria for Other Development
 - C5.9 – Signage

An assessment of the relevant development controls has been carried out and a table of compliance is located at **Attachment B** of this SEE.

The proposal will result in a nominal decrease in car parking spaces from seven (7) to five (5) spaces. This does not comply with the DCP requirements for parking. However, it is noted that the EV charging bays will continue to contribute to the parking supply at the site given that motorists would likely be utilising the service station had they not been driving an EV. The spaces are also available to all customers, noting that fuel customers would likely only use the space briefly, making them generally available for EV users. Further, the encouragement of EV use reduces the overall demand on the service station as they require recharging less frequently than a normal vehicle would require refuelling, noting that EV are ordinarily charged overnight. Therefore, the EV bays continue to contribute to the car parking supply at the site.

Furthermore, it should be noted that the two (2) parking spaces allocated for 'Click & Collect' pickup, situated adjacent the EV spaces, also contribute to parking numbers as patrons may use them for short-term parking. The service station also contains six (6) bays for fuel pumping, located under the canopy. These can also be used by patrons for short-term parking, thus adding to the overall parking rate of the site. Finally, there are approximately two (2) to three (3) informal spaces for parking adjacent the closed driveway along the Garden Street frontage. These would also informally add to the nominal parking rate on the site. Therefore, a total of 10 to 11 potential parking spaces are located on site that add to the parking rate.

5 Assessment of Planning Issues

The following is an assessment of the environmental effects of the proposed development 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 that are relevant to the proposal.

5.1 Visual Impact

The proposed additions to the service station will result in a minor change to the visual appearance of the service station however is not considered to impact the visual amenity of the site or the area. The EV charging station has been designed to integrate with the existing parking and built form features and results in an overall simple and uncluttered external appearance. The proposed solar panels are located on the fuel canopy and convenience store roof tops and will not be readily visible from the surroundings. The Solar panels will be installed flat (with a negligible angle to facilitate stormwater runoff). Existing building and fuel canopy parapet will screen panels from street view, and no glare or reflectivity will affect the surrounding roads or development. The proposed pylon panel will integrate into the existing signage structure and is considered to have a negligible impact on the overall effect of the sign.

The development will not detract from surrounding development. Additionally, the development will utilise high quality materials that are sympathetic to the existing building and built form of the area.

5.2 Proximity to Coastal Wetlands

A portion of the site has been identified in Clause 2.8 of SEPP (Resilience and Hazards) 2021 as a 'Proximity Area for Coastal Wetlands' (refer to Figure 3).

The proposal does not change the current use of the site as a service station, rather enhances its utility by adding a charging station for electric vehicles, which are fast becoming a popular mode of environmentally-friendly private transport. The works proposed, including trenching, would not affect nearby waterways or environmentally sensitive areas, and would include remediation efforts that minimise any changes to the site.

5.3 Flood Risk

The site is mapped by Council as being within a Flood Hazard Area (see **Figure 8**). The minor works associated with this proposal will not have a detrimental effect on the flood risk to the site. Only a negligible area of the site will be altered (location of EV charging station) as part of the proposal, and all other works will reinstate the site to its original condition (trenching) or will be above ground (solar panel installation, signage panel on existing pylon). No landscaped areas or stormwater drainage channels will be affected by the works. As per consultation with Council, outlined in Section 1.2, it can be considered that the proposed works will not have a detrimental effect on the flood risk on site.

Figure 8 Flood Hazard Map (Source: Northern Beaches Council)



5.4 Waste Management

Construction waste will be minimal, limited to packing and small offcuts only as the charging station will be prefabricated off site. Construction waste will be appropriately managed on site and recycled where possible in accordance with sustainability principles. Operational waste management will remain unchanged by the proposal.

5.5 Vegetation on site

The site contains several vegetated and landscaped areas, including several trees towards the north of the site. The proposed works will not affect any existing vegetations, and will be more than 5m from existing trees on site.

5.6 Parking

It is noted that the development will result in the addition of two (2) new marked car parking spaces to allow room for the EV charging station. As mentioned in Section 4.6, the EV charging bays will continue to contribute to the parking supply at the site given that motorists would likely be utilising the service station had they not been driving an EV. The spaces are also available to all customers, noting that fuel customers would likely only use the space briefly, making them generally available for EV users. Further, the encouragement of EV use reduces the overall demand on the service station as they require recharging less frequently than a normal vehicle would require refuelling, noting that EV are ordinary charged overnight. Therefore, the EV bays continue to contribute to the car parking supply at the site. There are also an additional informal parking spaces located within the site that may add to the parking rate.

5.7 Safety and Security

Due to being located on a service station site, potential impacts of safety and security must be considered. It is considered the addition of an EV charging station and other associated works will not exacerbate the safety and security risk on site. The service station will already be appropriately lit and has existing safety and security measures implemented.

5.8 Appropriateness of Charging Stations

The EV charging station development aims to help provide improved infrastructure to Australia's growing EV network and is in line with the NSW Government Electric Vehicle Strategy. By installing a charging station at the North Narrabeen site, current and future EV drivers can utilise the benefits of having an additional location to recharge their vehicle, allowing them to ensure they arrive at their desired destination.

This proposal aims to help aid the feasibility of EV usage, from residents and visitors alike. Furthermore, the EV charging stations are to operate through solar panels, thus helping to reduce the overall carbon footprint of the site by creating a renewable alternative to traditional fuelling methods.

6 Conclusion

The proposed ancillary EV charging points at the existing service station at 1509 Pittwater Road, North Narrabeen NSW 2101 will upgrade the site by providing infrastructure for Australia's growing EV network. The proposal is minor in nature and not considered likely to create any adverse impacts in terms of traffic, safety, and security. The development is also considered appropriate for the surrounding area and provide much-needed infrastructure for Australia's EV network.

The proposed development is generally consistent and compliant with the aims and objectives of all relevant legislation, planning instruments, controls and supporting NSW Government's plan to accelerate the State's vehicle fleet of the future. The proposed works are ancillary to the existing and approved service station on site and EV charging stations remain permissible in the R2 Low Density Residential Zone through the application of 'Clause 2.5 Additional permitted uses for particular land' of the Pittwater LEP 2014.

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,



KAVEEN WICKREMARATCHY
Project Consultant - Planning

Checked/
Authorised by: AK

Attachments

Attachment A – Architectural Plans

Attachment B – DCP Compliance Table

Attachment C – SEPP (Industry and Employment) Schedule 5 Assessment

Attachment D – Waste Management Plan

ATTACHMENT A

PROPOSAL PLANS

Ampol Australia Petroleum Pty Ltd

ATTACHMENT B

DCP COMPLIANCE TABLE

SLR Consulting Australia Pty Ltd

PITTWATER 21 DEVELOPMENT CONTROL PLAN COMPLIANCE TABLE

Control	Requirement	Comment	Compliance
B3 – Hazard Controls			
B3.11 – Flood Prone Land	<p>Requirements</p> <p>1. Development must comply with the prescriptive controls set out in the Matrix below. Where a property is affected by more than one Flood Risk Precinct, or has varying Flood Life Hazard Category across it, the assessment must consider the controls relevant at each location on the property.</p> <p>2. Development on flood prone land requires the preparation of a Flood Management Report by a suitably qualified professional.</p>	<p>As per consultation with Council, outlined in Section 1.2, it can be considered that the proposed works will not have a detrimental effect on the flood risk on site, and a Flood Management Report will not be required.</p> <p>Only a negligible area of the site will be altered (location of EV charging station) as part of the proposal, and all other works will reinstate the site to its original condition (trenching) or will be above ground (solar panel installation, signage panel on existing pylon). No landscaped areas or stormwater drainage channels will be affected by the works.</p>	Y
B4 – Controls Relating to the Natural Environment			
B4.14 – Development in the Vicinity of Wetlands	<p>Controls</p> <ul style="list-style-type: none"> Development in a wetlands catchment shall not adversely impact on the wetlands. Compliance with Council's Water Management for Development Policy is required Development shall provide adequate buffering to wetlands Existing wildlife corridors are to be maintained and functional habitat links provided wherever possible. Development shall ensure that at least 60% of any new planting incorporates native vegetation (as per species found on the site or those listed in Native Plants for your Garden on Pittwater Council website) 	<p>Under the SEPP (Resilience and Hazards) 2021, a portion of the site is identified as 'Proximity Area for Coastal Wetlands' (refer to Figure 3).</p> <p>The development includes only site works, unlikely to have any external impacts. The proposal does not change the current use of the site as a service station, rather enhances its utility by adding a charging station for electric vehicles, which are fast becoming a popular mode of environmentally-friendly private transport. The works proposed, including trenching, would not affect nearby waterways or environmentally sensitive areas, and would include remediation efforts that minimise any changes to the site.</p>	Y
B4.22 – Preservation of Trees and Bushland Vegetation	<p>Controls</p> <p>1. Authority to clear a tree or other vegetation is regulated in this plan in accordance with State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 i.e. 'Vegetation SEPP'. In particular, Part 2 of the Vegetation SEPP sets out the authority</p>	<p>The works proposed on site, including trenching, will occur close to existing site vegetation and trees. However, the developments will aim to ensure that these trees and their root systems are not disturbed and are protected. Any trenching that occurs on site will be remediated to its original form.</p>	Y

	<p><i>to clear vegetation and Part 3 provides for Council to declare under this DCP when a Vegetation Clearing Permit may be issued for clearing of vegetation.</i></p> <p><i>However a permit under Part 3 of the Vegetation SEPP (clause 10(3)) cannot allow the clearing of vegetation that is or forms part of a heritage item or that is within a heritage conservation area, or that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance, unless the council is satisfied that the proposed activity:</i></p> <ul style="list-style-type: none"> <i>• is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area, and</i> <i>• would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.</i> <p><i>2. A person shall not ringbark, cut down, top, lop, remove, poison, injure, or wilfully destroy tree or bushland vegetation that requires a Vegetation Clearing Permit under the provisions of Part 3 of the Vegetation SEPP. This includes damage to a tree or bushland vegetation by:</i></p> <ul style="list-style-type: none"> <i>• Damaging or tearing live branches and roots;</i> <i>• Damaging the bark, including attachment of objects using invasive fastenings, the fastening of materials around the trunk of trees which may result in a detrimental impact on tree health;</i> <i>• Tree topping, where large branches and/or the trunk of the tree is removed from the top of the trees canopy;</i> 		
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	<ul style="list-style-type: none"> • <i>Tree lopping, where branches are removed to reduce the height and spread of the tree.</i> • <i>Damaging the root zone of a tree by way of compaction, including storage and stockpiling materials;</i> • <i>Changing of ground levels within the root zone of a tree by way of excavation, trenching, filling or stockpiling;</i> • <i>Underscrubbing of bushland vegetation;</i> • <i>Burning of vegetation (not part of a Hazard Reduction Certificate); or</i> • <i>Any other act or activity that causes the destruction of, the severing of trunks or stems of, or any other substantial damage to, some or all of the native vegetation in an area.</i> <p><i>An authority to clear vegetation is not required under the Vegetation SEPP:</i></p> <ul style="list-style-type: none"> <i>i. if it is clearing authorised by development consent i.e. a 'DA' under Part 4 of the Environmental Planning and Assessment Act 1979. Note: However this authority to clear vegetation without a permit does not extend to clearing merely because it is a part of or ancillary to the carrying out of exempt development (see clause 8(1) of Vegetation SEPP).</i> <i>ii. if it is clearing of a kind that is an activity authorised by an approval, or carried out by a determining authority within the meaning of Part 5 of the Environmental Planning & Assessment Act after compliance with that Part.</i> <i>iii. if the clearing was an emergency firefighting act or emergency bush fire hazard reduction work within the meaning of the Rural Fires Act 1997 (the 'Act'), or bush fire hazard reduction work to which section 100C(4) of the</i> 		
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	<p><i>Act applies or vegetation clearing work under section 100R of the Act.</i></p> <p><i>3. A Vegetation Clearing Permit is required for:</i></p> <ul style="list-style-type: none"> <i>a) Removal or cutting down of any tree over five (5) metres in height;</i> <i>b) Pruning of more than ten percent (10%) of a tree canopy.</i> <i>c) The removal or cutting down of vegetation in "Bushland".</i> <p><i>For the purpose of this clause "Bushland" means land on which there is vegetation which is either a remainder of the natural vegetation of the land or, if altered, is still representative of the structure and floristics of the natural vegetation (as defined by the Local Government Act 1993).</i></p> <p><i>Note: A description of native vegetation types or communities which constitute "Bushland" is provided in the adopted Warringah Natural Area Survey: Vegetation Communities and Plant Species - August 2005.</i></p> <p><i>4. In applying for a Vegetation Clearing Permit, the applicant must demonstrate that any tree to be removed as part of a Vegetation Clearing Permit meets one or more of the criteria of the Removal of Tree Test in Appendix 16 (P21DCP) and the Tree Retention Assessment in Appendix 17 (P21DCP). An arborist report may be required to satisfy this requirement.</i></p> <p>Requirements for other Development Applications</p> <p><i>When a DA required for clearing vegetation the following requirements apply:</i></p> <p><i>5. Development is to be sited and designed to minimise the impact on remnant native vegetation, including canopy trees and understorey vegetation, and on remnant native ground cover species.</i></p>		
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	<p>6. Where the applicant demonstrates that no reasonable alternative design exists and a tree must be removed, suitable compensatory tree planting is required. Details including proposed species and the location of replacement planting are to be provided.</p> <p>7. Development must also avoid any impact on trees on public land.</p> <p>8. For development applications involving the construction of new buildings and works containing Classes 2-9 (BCA), the information contained in Appendix 18 (P21DCP) is to be submitted.</p> <p>9. Where trees proposed to be retained may be affected by the construction of new buildings and works of Classes 1 and 10, a Tree Protection Plan as per Appendix 19 (P21DCP) is to be submitted.</p>		
B6 – Access and Parking			
B6.3 – Off-street Vehicle Parking Requirements	<p>Development not included in the above table (Table 1: Onsite Car Parking requirements)</p> <p>The minimum number of vehicle parking requirements must be determined using the appropriate guidelines for parking generation and servicing facilities based on development type comparison based on the Roads and Maritime Services Guide to Traffic Generating Development or analysis drawn from surveyed data for similar development uses. Provision must be made within the development site for access and parking of all service vehicles servicing the site, visitor parking and parking for people with disabilities.</p>	<p>According to the <i>Roads and Maritime Services Guide to Traffic Generating Development</i> by the RTA, a parking rate of 5 spaces per 100m² GFA is recommended. Therefore:</p> <p>Approx. GFA = 180m²</p> <p>$(180\text{m}^2 / 100\text{m}^2) \times 5 = 9 \text{ spaces}$</p> <p>The proposal will result in a nominal decrease in car parking spaces from seven (7) to five (5) spaces. Although this implies that the proposal is not compliant with the guidelines, it should be noted that the two (2) EV charging spaces will continue to service the demands for normal parking by patrons of the service station and Woolworths Metro.</p>	N, justified

		<p>Furthermore, the site contains six (6) fuel pumping bays under the canopy. These can also contribute towards short-term parking on the site.</p> <p>The two (2) spaces allocated for 'Click & Collect' pickup, located adjacent the EV spaces, may also contribute towards nominal parking rate.</p> <p>Additionally, there are approximately two (2) to three (3) informal spaces for parking near the closed driveway along the Garden Street frontage that may add to the parking rate on the site.</p> <p>Therefore, a potential 10 to 11 additional parking spaces are available on site for patrons' use.</p>	
B8 – Site Works Management			
B8.1 – Construction and Demolition - Excavation and Landfill	<p>Controls</p> <p><i>Excavation and landfill on any site that includes the following:</i></p> <ul style="list-style-type: none"> • <i>Excavation greater than 1 metre deep, the edge of which is closer to a site boundary or structure to be retained on the site, than the overall depth of the excavation;</i> • <i>Any excavation greater than 1.5 metres deep below the existing surface;</i> • <i>Any excavation that has the potential to destabilize a tree capable of collapsing in a way that any part of the tree could fall onto adjoining structures (proposed or existing) or adjoining property;</i> • <i>Any landfill greater than 1.0 metres in height; and/or</i> 	<p>A Waste Management Plan has been prepared for this application, refer to Appendix D.</p>	Y

<p>B8.3 – Construction and Demolition – Waste Minimisation</p>	<ul style="list-style-type: none"> Any works that may be affected by geotechnical processes or which may impact on geotechnical processes including but not limited to constructions on sites with low bearing capacity soils, must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5) as adopted by Council and details submitted and certified by a Geotechnical Engineer and/or Structural Engineer with the detail design for the Construction Certificate. <p>Information to be included in the Statement of Environmental Effects</p> <p>A statement in relation to the proposed development outlining how it has been designed and will be constructed to address the potential for landslip and subsidence as a result of excavation.</p> <p>Controls</p> <p>Waste materials generated through demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.</p>		
<p>C5 – Design Criteria for Other Development</p>			
<p>C5.9 – Signage</p>	<p>Controls</p> <p>Signage shall meet the following criteria:</p> <p><u>Pole or pylon sign (erected on a pole or pylon independent of any building or other structure):</u></p> <ul style="list-style-type: none"> i. shall not be less than 2.6 metres above ground; ii. shall not have a signage area greater than 4.5sq m; iii. shall not project beyond the boundary of the premises; and iv. shall not extend beyond the height of the built form within whose context it sits. 	<p>The proposed development includes alterations to the existing Main ID Pylon Sign, including an 'AMPOL AMPCHARGE' panel installed to the existing sign. No changes to the size or location of the existing pylon are proposed. A SEPP (Industry and Employment) 2021 – Schedule 5 assessment has been complete, refer to Appendix C.</p>	

ATTACHMENT C

SEPP (INDUSTRY AND EMPLOYMENT) 2021

SCHEDULE 5 ASSESSMENT

SLR Consulting Australia Pty Ltd

SEPP (INDUSTRY AND EMPLOYMENT) 2021 SCHEDULE 5 ASSESSMENT

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?	The proposed signage, being an additional 'AMPOL AMPCHARGE' panel installed to the existing pylon sign, 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?	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?	The proposed additional panel does not have a significant negative impact on the amenity of the location.	Y
3 Views and vistas		
Does the proposal obscure or compromise important views?	The proposed signage, being an additional 'AMPOL AMPCHARGE' panel installed to the existing pylon sign, 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 proposed additional panel is proportionate to the existing pylon sign and appropriate for the streetscape, setting and landscape.	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 rationalising 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?	The proposed signage does not extend beyond the built form.	Y
Does the proposal require ongoing vegetation management?	The proposed signage does not require ongoing vegetation management.	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

Assessment Criteria	Comment	Compliance
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?	The proposed signs will not result in excessive glare.	Y
Would illumination affect safety for pedestrians, vehicles or aircraft?	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 will be fixed; however, the signs will only have a soft glow that is mostly visible at night.	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.	Y
Would the proposal reduce the safety for pedestrians or bicyclists?	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?	Sightlines are not affected by the proposal.	Y

ATTACHMENT D

WASTE MANAGEMENT PLAN

SLR Consulting Australia Pty Ltd