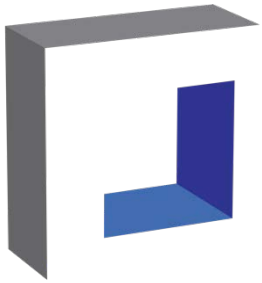
2019-1036

PROPOSED SERVICE STATION – 79 BARRENJOEY ROAD, MONA VALE

STATEMENT OF ENVIRONMENTAL EFFECTS

APRIL 2019

VERSION 4



WILSON PLANNING

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1.0 Introduction

1.1 Site Details

The site, identified as Lot A in DP4052025 at Barrenjoey Road, Mona Vale is approximately 20 kilometres north of the Sydney CBD and is located in an area zoned 'light industrial development' IN2 pursuant to the Pittwater LEP (2014).

The site is currently vacant with no trees. There is a slight sloping topography from the east to west. The site has a frontage of 49.5m on the eastern side of Barrenjoey Road, a northern boundary of 38.4m, a southern boundary of 48.7m and a rear western boundary of 48.7m. The site has a total area of **1,628sqm.** The nearest cross street is Bassett Street approximately 40m from the site.

There are two concrete driveways provide access to the site from Barrenjoey Road and sit on an east and west axis.

The site is identified as Class 3 Acid Sulphate soils. The site proposes to discharge stormwater to 45 Bassett St or 2 Polo Avenue.

The location of, and features within, the site are shown in Figures 1-4 below.

Figure 1 – Location Plan Source: Six Maps 2019

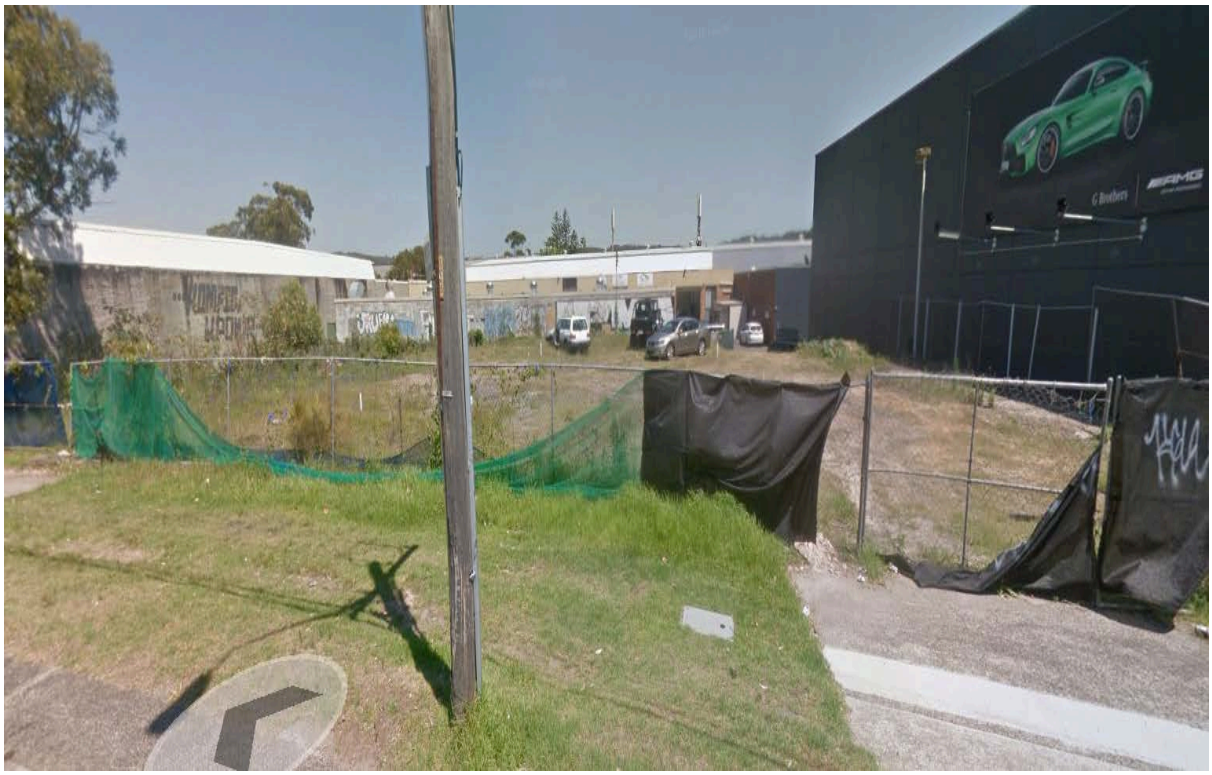

Figure 2 – View of site from east side along Barrenjoey Road, Mona Vale

Figure 3 – View of site looking north along Barrenjoey Road, Mona Vale

Figure 4 – View of site looking south along Barrenjoey Road, Mona Vale

1.2 Historical Use

According to historical data the site was not developed until the 1900s (Parsons Brinckerhoff, June 2012. The development of the site coincides with the purchase of the property by Caltex Australia Pty Ltd in 1957. Caltex has been the owner of the site since 1957 and the property was been used as a fuel facility until 2005 when operations at the site ceased and infrastructure was removed.

Activities at the service station included fuel storage and dispensing and vehicle maintenance and repairs. The service station and workshop, sales office, office area and amenities, with all fuel related facilities also located on the forecourt area. A trade waste interceptor, and associated oil storage tank were located within this portion of the site. These were used for the treatment of waste water originating from the service station/workshop prior to disposal.

Remediation works have occurred on the site with the EPA providing a notice of completion of an approved voluntary management proposal dated 17th October 2012.

1.3 Surrounding Development

The site is located approximately 11 kilometres south of Palm Beach approximately 11 kilometres north of Brookvale.

The development site is situated on the north-eastern boundary of the business park development of Mona Vale which adjoins the site to the south and west. The site adjoins the Mercedes Benz commercial sales business and other business park/industrial land developments.

Residential development exists to the east of the development on the opposite side of Barrenjoey Road.

1.4 Proposed Development

The development application seeks approval for the construction of service station and convenience store on the site with associated signage and ancillary works.

- Construction of a new service station, including a 191m^2 convenience store building containing customer service counter, retail floor space, office, store room, cool room, amenities, and service yard.
- Installation of underground fuel tanks (1 x 50,000 litre diesel, 1 x 30,000 litre Ethanol 10, 1 x 30,000 litre Premium Unleaded 98, 1 x 40,000 litre Unleaded 91 and 1 x 30,000 litre Premium 95) and their related infrastructure. TBC.
- Installation of four (4) double sided fuel dispensers (appropriately bunded) and overhead canopy, 3 fuel + 1 Hi flow pump.
- Construction of 7 car parking spaces, including one accessible space and x 1 air / water bay.
- Installation of x 1 indicative freestanding 8m high internally illuminated pylon sign, located within north-eastern corner.
- Construction of an underground Puraceptor and Stomscak system for waste water discharge management.
- Construction of an underground OSD tank (38.4m^3) for stormwater discharge control.
- Installation of a signage tower and indicative business identification signage on the south face of the convenience store.
- x 2 illuminated indicative signs on the 'south' and 'east' faces of the car refuelling canopy.
- Planting of landscaping around the perimeter of the service station and adjacent to the proposed building.
- Screened waste storage area.
- Loading Zone adjacent to waste storage area.
- Minor excavations to accommodate vehicle accesses/exits.

The service station will operate 24 hours a day, seven days week and employ 2 staff Mon-Friday and 1 staff for night and weekend shifts.

2.0 The provisions of any environmental planning instruments

2.1 Protection of the Environment Operations Act 1997 (POEO Act)

Schedule 1 of the POEO Act lists a number of 'scheduled activities' which require an Environmental Protection Licence (EPL) under this Act. Under Clause 9 of Schedule 1 the following storage chemicals are considered to be a scheduled activity:

Activity	**Criteria**
General chemicals storage	Capacity to store more than 20 tonnes (pressurised gases), 200 tonnes (liquefied gases) or 2,000 tonnes (chemicals in any other form)
Petroleum products storage	Capacity to store more than 200 tonnes (liquefied gases) or 2,000 tonnes (chemicals in any other form)

Clause 50 of the POEO Act also identifies interactions between the POEO Act and the Act. Clause 50 provides that:

1. "This section applies to development that cannot be carried out without development consent under the Environmental Planning and Assessment Act 1979. This development is called ***controlled development*** *in this section.*

2. A licence that relates to controlled development must not be granted or varied (other than on the initiative of the EPA) by the appropriate regulatory authority, unless development consent has been granted for the controlled development. However, this section does not prevent the consideration of a licence application by the appropriate regulatory authority before development consent is granted."

Installation of underground fuel tanks and their related infrastructure

The maximum fuel storage capacity of the site is 180,000 litres (1 x 50,000 litre diesel, 1 x 30,000 litre Ethanol 10, 1 x 30,000 litre Premium Unleaded 98, 1 x 40,000 litre Unleaded 91 and 1 x 30,000 litre Premium 95 within underground fuel tanks, which equates to approximately 180 tonnes. There is no proposal to store or supply LPG at this site.

There is also no other chemical stored at the site in excess of 2,000 tonnes. As such, the proposal is not a controlled development and does not need an EPL.

2.2 Road Act 1993

Under Section 138 of the Road Act, consent is required from the appropriate road's authority to:

(a) erect a structure or carry out a work in, on or over a public road, or
(b) dig up or disturb the surface of a public road, or
(c) remove or interfere with a structure, work or tree on a public road, or
(d) pump water into a public road from any land adjoining the road, or
(e) connect a road (whether public or private) to a classified road,

Therefore, an approval under Section 138 will be required once a consent has been granted. This can be addressed at the Construction Certificate stage.

2.3 Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014 (POEO Regulation)

The POEO Regulation is relevant to the operation of the service station. It requires owners and operators of underground petroleum storage systems (UPSS) to regularly check for leaks in the fuel tanks and pipes used to store and handle petroleum products. Owners and operators also need to meet minimum standards in their day-to-day environmental management of these storage systems. The owner / operator of a UPSS is required to have in place:

- A system for detecting and monitoring leaks.
- Groundwater monitoring wells at sensitive locations and a program to test them.
- An Environment Protection Plan for the facility.
- Systems in place for record keeping, reporting of leaks and notifying the local council when a UPSS is decommissioned.

Responsibility for compliance with the provisions of the UPSS Regulation lies with the person

responsible for the system.

A Multi-Level Risk Assessment Report has been prepared by an accredited dangerous goods consultant, Myros Design Pty Ltd, and accompanies the application. A Preliminary Hazard Analysis can be found in Appendix C of the Multi-Level Risk Assessment Report.

Environment management/protection measures will be enacted for all new tanks to enable best practice for safe operation and environmental protection. The proposal will incorporate the following features and protection devices, as mentioned in the Preliminary Hazard Analysis:

'All equipment will be designed and installed to the latest technology and techniques available to date from approved suppliers.

The design & installation of the underground petroleum storage system to comply with AS 4897 2008 and with Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulations 2014 and Protection of the Environment Operations (Clean Air) Regulation 2010 (if required by legislation). Also, will comply with AS 1940. Auto LPG will NOT be installed on this site at this stage.

Underground storage Tanks – Fuel

- *2 x Type 90 (90,000 litres nominal capacity) underground storage tanks, (one tank to be split 50,000 / 40,000 litres and the other to be split 30,000 / 30,000 / 30,000 litres nominal capacity) underground storage tanks with a manufacturer's warranty of 30 years. Safe Fill level of tanks is 95% of marked capacity.*
- *Double walled fiberglass tank (Tank Solutions or Envirotank– double wall type) complete with a built-in liquid level monitory system. Alternatively, steel tank shell with a separate steel shell wall of fiberglass outer shell, (Permatank – double wall type), complete with integral and permanent precision test system (PTS). Using a near perfect vacuum gauge to achieve a hermetic seal, this will monitor for any leaks that may occur in the steel tank shell.*
- *All tank outlet product fittings to be enclosed in one containment turret installed on the tank top, with any potential leaks from joints in pump and pipe work fittings being contained in the turret for safe and approved disposal methods.*
- *Tank farm area to be monitored for any petroleum leaks with two observation wells installed on opposite corners of tank excavation.*
- *Tank and pipe work system to have an automatic tank gauging system installed which will serve as a tank gauging system and a leak detection on the complete fuel system.*

In tank Submersible Pump Units - Fuel

Submersible turbine pumps complete with mechanical leak detectors for fuel, to be installed inside tank containment turrets for ease of servicing, and any leaks are contained within the containment turrets for ease of servicing. Any fuel leaks detected by the leak detector will immediately shut down the fuel pumping system.

Underground Pipe Work – Fuel

- *Product delivery lines from tanks to dispensers to be Lined Polyethylene Flexible pipe (UPP or NUPI) type, with any joints being welded and or terminated inside tank containment turret and dispenser containment.*
- *Vent, vapour recovery, fill and syphon lines to be Lined Polyethylene Flexible Pipe (UPP or NUPI).*
- *All underground malleable fittings to be protected with Denso tape or corrosion protection.*

Above ground Fuel Vent Pipe Work

- *To be galvanized steel and supported to specification.*

- *Vent terminations to be minimum 4.5 m high, with up draft vents caps and located to meet AS1940 – 2017 and AS/NZS 60079.10.1:2009 requirements.*

Fuel Vapour Recovery System Stage 1

Underground tanks vent system to be connected to a vapour recovery system to return vapours from underground tanks into delivery vehicle tank vapour recovery system, during product deliveries from delivery vehicle.

Fuel Vapour Recovery System Stage 2

Underground pipework from all dispenser bases, falling back to one underground tank to eventually return vapours from cars via dispensers to underground tanks. This may not be required by legislation at this site.

Overfill prevention on Fill line

Underground tanks to have overfill prevention valves to stop delivery of product if delivery vehicle tries to overfill during product deliveries.

Fuel Dispenser Units

- *To be 10 hose units to dispense Unleaded 91, Ethanol10, Premium Unleaded 98, Unleaded 95, and Automotive Diesel Fuel and located under a canopy of concrete pavement area and on-site forecourt and to meet AS1940-2017.*
- *Dispenser units to have containment sumps fitted to all units to capture any leaks from fittings and joints, to prevent any soil and ground water contamination.*
- *Dispenser units to be protected from vehicle damage with steel bollards fitted near each unit on concrete forecourt area.*
- *Dispenser unit hoses to have automatic shut nozzles to prevent overfilling of vehicle fuel tanks.*
- *Underground pipe work near dispensers to be protected with impact shear valves being fitted in all product lines, in the event of a vehicle impacting on a dispenser, the impact valve will immediately stop the flow of product.*

PA System

PA system to be installed in the forecourt area and retail building to enable the site operator to communicate in the event of an emergency with client vehicles on the forecourt area.

Fuel Filling Points for Underground Tanks

- *Filling Points to be an aboveground system installed to ensure that any minor spills from delivery hoses are captured in the bunded area, and with a drain valve and pipe work to allow fuel to drain into an underground tank. Refer to Standard Oil Co. drawings.*
- *Steel bollards to protect and to prevent damage from vehicles.*
- *Overfill prevention valves fitted into tank fill pipe to prevent accidental overfill of tanks.*
- *Overfill protection valves fitted into tank vent system to prevent accidental overfill of tanks.*

Installation Comments

- *All equipment to be installed to manufactures, suppliers and to Oil Company specifications, by accredited and experienced installing Contractors.*
- *All work to be tested, checked and certified by Fuel System Certifying Consultants.*
- *Tank excavation to have a minimum of 2 observation wells to comply with AS 4897.*

Pavement Area of under canopy areas

To be concrete to Australian Standards with a pollution control drainage system incorporated to capture any spills on the forecourt area to a pollution control unit.

Fuel Spill Control

An environmental spill kit to be held outside main building for any small spills on forecourt area.

Fire protection (minimum)

- *Two (2) 4.5kg dry chemical fire extinguishers to be installed on canopy columns in the event of small fires on or near vehicles.*
- *One (1) 4.5 kg dry chemical fire extinguisher fitted inside building.*

Pumps and Dispensers Emergency Stops

Emergency stop switches fitted to both inside and outside of building, to shut down power to all dispensers in the event of spillage or fire.

Emergency Response

Step by step emergency response Instructions, complete with telephone numbers and contacts, to be placed near site operator in building.

Safety Signage

All dispensers to have mandatory safety signs, complete with instructions, fitted on canopy columns and dispensers.

Fuel and LPG Work Practices and Training Procedures

All site staff to complete work practices and safety training with the manual kept on site for inspection and auditing by appropriate authorities.

Groundwater Monitoring Wells

They will be installed; number and location will be determined by a duly qualified person on a site-specific basis and to comply with the relevant authorities' requirements and Australian Standards.

Inspections and Certification of Works

The works to be inspected and documented at the following stages:

- *Before and during underground tank installation, which included observing, checking methods and equipment employed to ensure correct installation to specifications and standards. Works to be carried out by accredited installers.*
- *After underground tanks and pipe work installation which includes witnessing of the pressure integrity testing of tanks and pipe work to approved standard and specifications, prior to backfilling.*
- *After submersible turbine pumps, leak detectors and dispensers are installed, including checking for leaks and correct operation of all fittings and pump systems inside underground tank turrets and dispenser containment sumps.'*

2.4 Work Health and Safety Act 2011 and Work Health and Safety Regulation 2011

A notification by the service station operator in conjunction with the contractor who installs the fuel system will be required to enable Workcover to regulate the management of the fuel on the site in accordance with the provisions of these pieces of legislation.

2.5 State Environmental Planning Policies (SEPPs)

2.5.1 State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

Division 5 Electricity transmission or distribution

Clause 45

Clause 45 requires the consent authority to give written notice to the electricity supply authority and invite comments about potential safety risks when applications for the following development are received:

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*

It is understood that the DA will need to be referred to Ausgrid as the proposal involves works near to overhead power lines. However, it is considered that the current design has responded to relevant guidelines and should be supported.

Division 17 Roads and traffic – Subdivision 1 Development in or adjacent to road corridors and road reservations

Clause 104 Traffic-generating development

Pursuant to column 3 of the Table to Schedule 3, the proposed 'service station' is classified as traffic generating development and the application will need to be considered by RMS.

Division 17 Roads and traffic – Subdivision 1 Development in or adjacent to road corridors and road reservations

Clause 101 Development with frontage to classified road

The site has a frontage and direct access onto Barrenjoey Road, a classified road. It is understood that the application will need to be sent to RMS for comment.

2.5.2 State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33)

A Multi-Level Risk Assessment Report has been prepared by Myros Design and accompanies the application. The Multi-Level Risk Assessment Report contains assessment of SEPP 33 risk factors, a Risk Procedure Summary Sheet, a flowchart for Screening Thresholds, and a Level 1 Qualitative Analysis. These are shown in Figures 5 and 6 below.

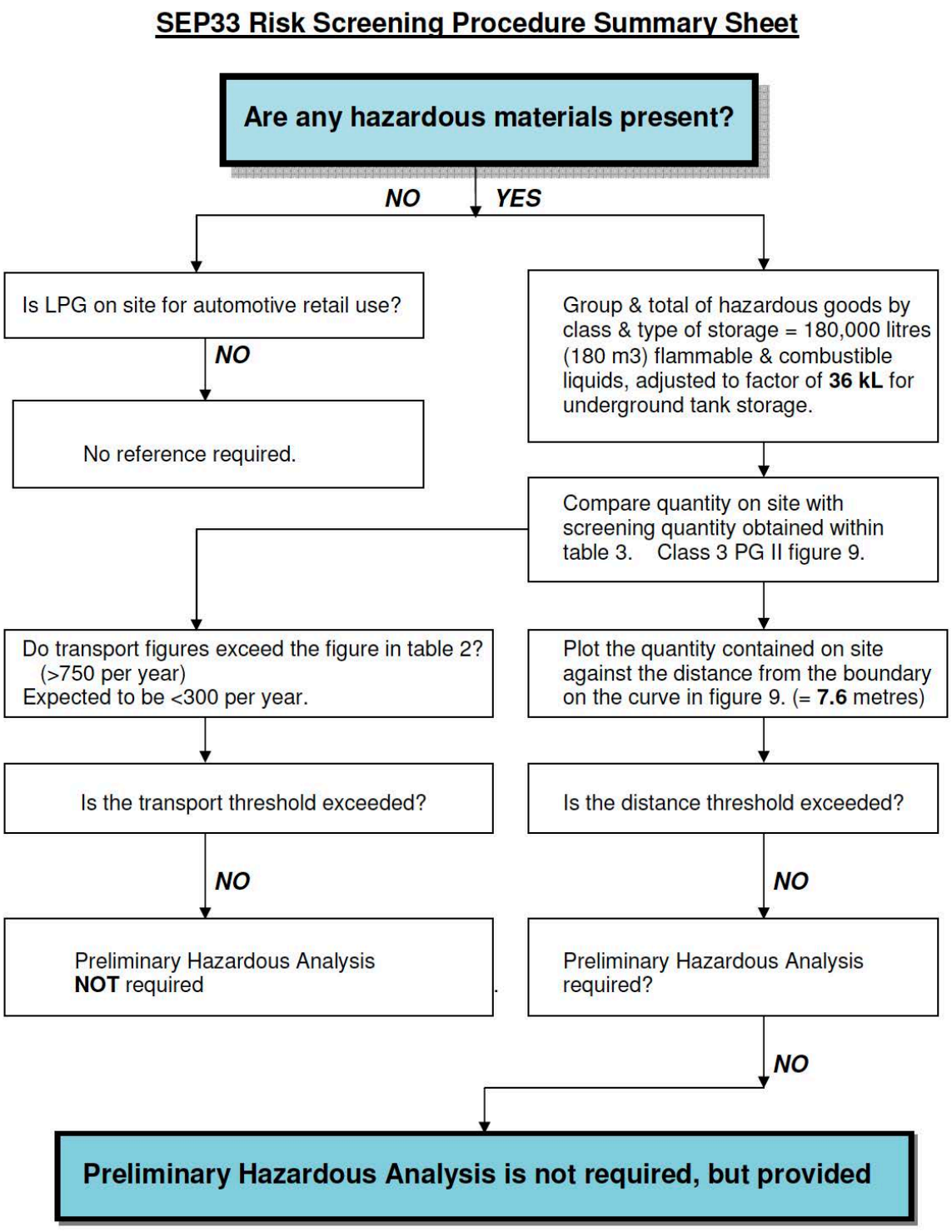

Figure 5 – SEPP 33 Risk Screening Procedure Summary Sheet
Source: Multi-Level Risk Assessment Report, Myros Design, 27 March 2019

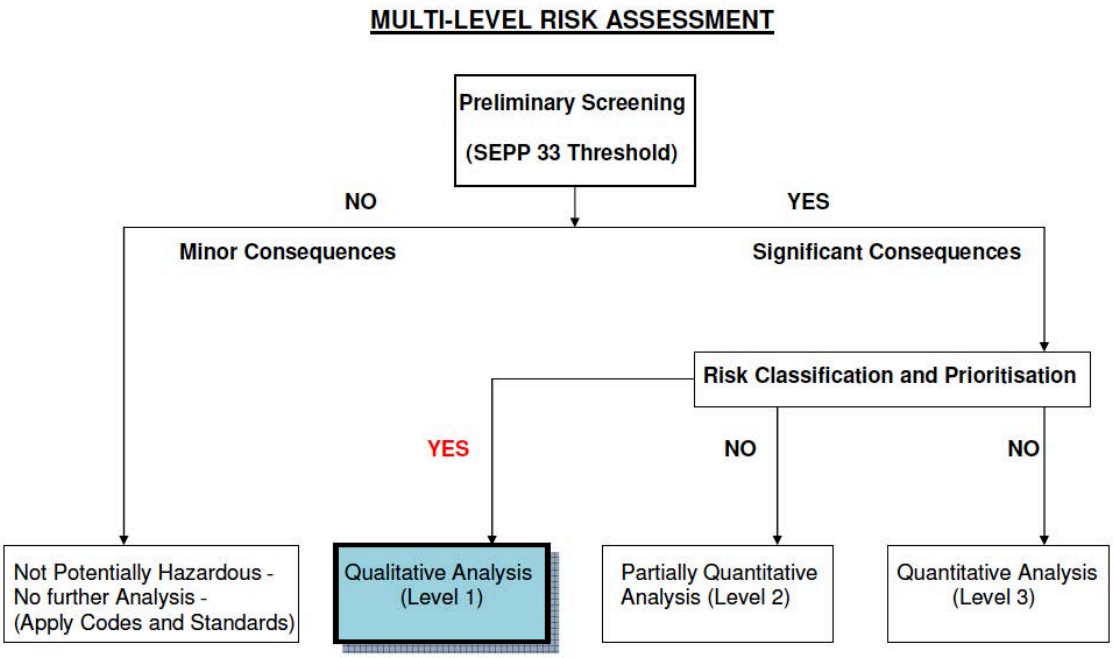

Figure 6 – Preliminary Screening (SEPP 33 Threshold)
Source: Multi-Level Risk Assessment Report, Myros Design, 27 March 2019

Conclusion

Plotting the frequency against consequence, it can be clearly seen that the societal risk is negligible. Therefore, only a level one qualitative Risk Analysis is required.

2.5.3 State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55)

Remediation of land applies to all land and aims to provide for a state-wide planning approach to the remediation of contaminated land.

Clause 7 of SEPP 55 requires Council to consider whether land is contaminated prior to granting consent to carrying out of any development on that land.

As discussed under Historical use in section 1.2 of this statement the site was previously used as a service station. Remediation works have occurred on the site.

2.5.4 State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64)

The proposal involves the installation of;

- Indicative Pylon sign – 6m in height, 1.9m in width and 0.4m in depth.
- x 2 illuminated indicative signs on the 'north east' and 'north west' faces of the car refuelling canopy.
- x 1 indicative tower sign with x 2 indicative internally illuminated business signs (north and east).

The proposed signage has been designed to integrate with the proposed buildings, to reflect corporate branding, and to comply with the requirements of SEPP 64 as outlined in the following table:

State Environmental Planning Policy No. 64 – Advertising and Signage		
Clause	**Provision**	**Comment**
3	Aims, objectives etc	The proposed signage is considered to meet the aims and objectives of the SEPP in that it; • is compatible with the desired visual amenity of the business precinct within which the site is situated • complements the overall theme of the development • is considered to be in the best location for effective communication with users of the highway service centre • uses high quality design and materials.
Schedule 1 - Assessment criteria		
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? Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed signage is considered to be compatible with desired character.
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 signage does not have a negative impact on any of the listed areas.
3	Views and vistas Does the proposal obscure or compromise important views? Does the proposal dominate the skyline and reduce the quality of vistas? Does the proposal respect the viewing rights of other advertisers?	The proposed signage does not obscure or compromise important views, dominate the skyline or reduce the quality of any views or vistas. The proposed signage has no impact on existing signage in close proximity to the site.
4	Streetscape, setting or landscape	The signage is very standard for a service station and is considered to be acceptable in terms of scale, height, and appearance.

State Environmental Planning Policy No. 64 – Advertising and Signage		
Clause	**Provision**	**Comment**
	Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? Does the proposal contribute to the visual interest of the streetscape, setting or landscape? Does the proposal reduce clutter by rationalising and simplifying existing advertising? Does the proposal screen unsightliness? Does the proposal protrude above buildings, structures or tree canopies in the area or locality? Does the proposal require ongoing vegetation management?	
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? Does the proposal respect important features of the site or building, or both? Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage is compatible with, and complements, the overall scale, proportion, design and character of the development.
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?	These are not considered necessary.
7	Illumination Would illumination result in unacceptable glare? Would illumination affect safety for pedestrians, vehicles or aircraft?	Low impact lighting will be provided to illuminate the signage at night. Adjacent residential development will not be impacted by the lighting.

State Environmental Planning Policy No. 64 – Advertising and Signage		
Clause	**Provision**	**Comment**
	Would illumination detract from the amenity of any residence or other form of accommodation? Can the intensity of the illumination be adjusted, if necessary? Is the illumination subject to a curfew?	
8	Safety Would the proposal reduce the safety for any public road? Would the proposal reduce the safety for pedestrians or bicyclists? Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	Safety would not be compromised by the location, size or nature of the proposed signage. The signage located at the vehicular entrance to the site will not impact on sight lines.

2.6 Pittwater Local Environmental Plan 2014 (PLEP)

2.6.1 Zone and Zone Objectives

The subject site is zoned IN2 (Light Industrial) under the PWLEP 2014, as shown in Figure 6 below.

The objectives of the IN2 zone are:

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.
- To enable a range of compatible services, community and recreation uses.
- To accommodate uses that, because of demonstrated special building or site requirements or operational characteristics, cannot be or are inappropriate to be located in other zones.
- To provide healthy, attractive, functional and safe light industrial areas.

It is our assessment that the service station can comfortably be accommodated within the ambit of the definition of an industrial activity particularly given the definition of 'service station' that is permissible use with consent in the zone.

The development achieves the objectives of the zone. It provides for employment opportunities and a valuable service to travelling members of the public. The convenience store will contribute to the day to day needs of people in the area and provides a compatible use within the light industrial zone.

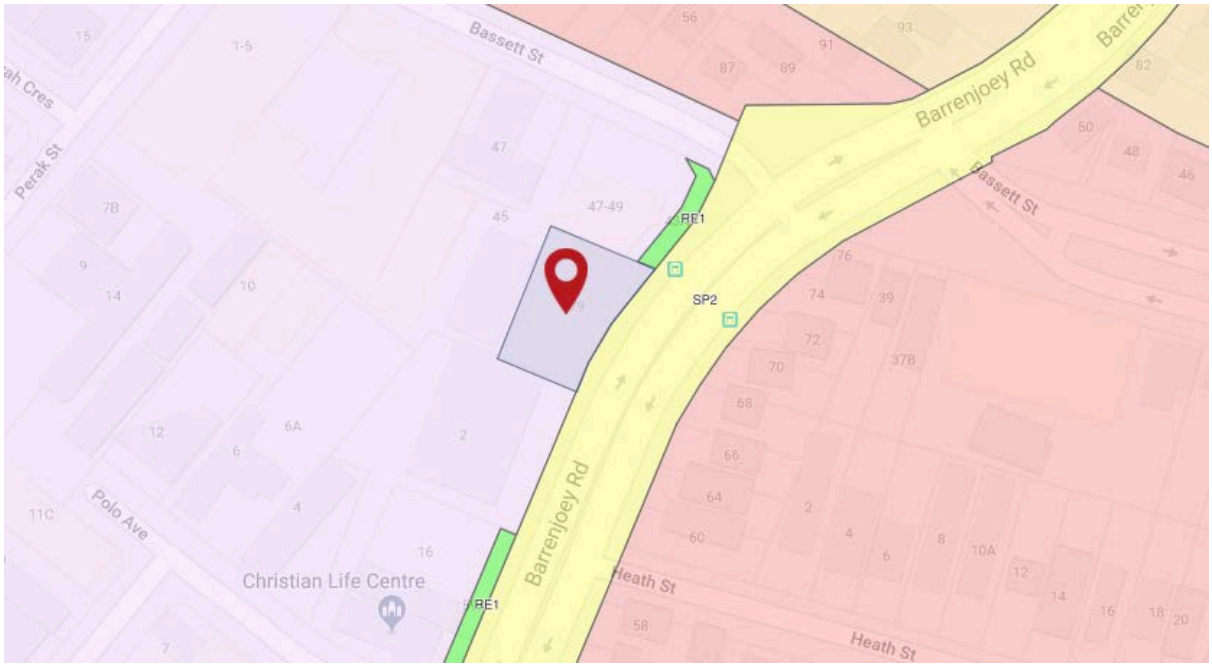

Figure 6 – Zone extract showing the site in the IN2 zone. Source: NSW Planning Portal 2019

2.6.2 Land Use Table

The proposal is for a 'Service Station' which is defined within the Standard Instrument as follows;

'service station' *means a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following:*

(a) the ancillary sale by retail of spare parts and accessories for motor vehicles,
(b) the cleaning of motor vehicles,
(c) installation of accessories,
(d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration),
(e) the ancillary retail selling or hiring of general merchandise or services or both.

This use is permissible with consent within the IN2 Zone pursuant to the PWLEP 2014.

2.6.3 Principal Development Standards

The following table provides an assessment of the proposal against other relevant clauses of PMLEP, including consideration of Principal Development Standards.

Pittwater Local Environmental Plan 2014		
Clause	**Provision**	**Comment**
4.3	Height of buildings	The maximum height of the building is 11m. The proposed buildings and signage are well below the maximum specified height limit.
4.4	Floor space ratio	The proposed FSR for the site is 0.24:1 Well within the Councils maximum FSR.

Pittwater Local Environmental Plan 2014		
Clause	**Provision**	**Comment**
5.9	Repealed	
5.10	Heritage conservation	The site does not contain any listed items of heritage significance, nor is it located within a heritage conservation area. The site is also not located in close proximity of any locally listed heritage item. An AHIMS search reveals no Aboriginal sites or places recorded within or near the site. No further assessment or studies required.
7.1	Acid sulfate soils	The site has been identified within the Acid Sulphate Soil Class 3. Works more than 1 metre below the natural ground surface. Works by which the water table is likely to be lowered more than 1 metre below the natural ground surface. Will require the submission of an Acid Sulphate Soil Management Plan.
7.2	Flood Planning	The site is not located within a flood planning area.
7.3	Earthworks	The proposal involves earthworks, as shown on the Bulk Earthworks Cut and Fill Plan prepared by Eclipse Consulting Engineers and consent is sought under this application.

3.0 Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority

There are no current draft or proposed instruments applicable to the proposal.

4.0 The provisions of any development control plans

4.1 Pittwater Development Control Plan 2014 (PDCP)

The following table provides an assessment of the proposed development against relevant sections of PDCP.

Pittwater Development Control Plan 2014	
Provision	**Comment**
B1 General Controls	
B1 Heritage Controls	The site has not been identified within the heritage conservation area listed under the PLEP2014
B2.4 Density Controls	The proposed development does not impact on the natural environment, it is not within a Heritage Conservation area.
B3.6 Hazard Controls	The site has previously been approved for a service station. Remediation works have occurred on site with EPA issuing a completion notice on 17th October 2012.
B4 Controls Relating to natural environment	The site is not within a flora and fauna conservation area, and therefore no significant or native will be impacted by this proposal.
B5 Water Management	The site includes Stormwater Plans prepared by Eclipse Consulting Engineers. This identifies that the hard surface within car-parking areas direct stormwater to the existing stormwater drain in the south-west corner of the site. Spills and run-off from beneath the canopy would be directed to a SPEL system for collection by a specialist trade waste company. All water from the hardstand is first directed to a 38.4m^3 on-site detention system before filtrations through a SPEL system before disposal to Councils system. Water from the service station roof is directed to a 5000L underground rainwater tank. This tank can be connected to external taps for the purposes of landscaping watering and car-washing, before direction to the OSD tank (above). This system is considered sufficient to meet Councils DCP requirements.
B6 Access and Parking	A detailed traffic and parking assessment accompany this application prepared by Intersect Traffic.

Pittwater Development Control Plan 2014	
Provision	**Comment**
	As the DCP does not identify a car-parking rate for a service station. Our Traffic consultant has therefore applied the RMS's RTA Guide to Traffic Generating Developments Issue 2.2 October 2002 is to be utilised when this is the case. The relevant rates contained in the RTA Guide are as follows: *5.7.2 Service Station and Convenience Stores* *Car Parking – 6 spaces per work bay plus 5 space per 100 m2 GFA of convenience store.* Noting no work bays are proposed the resulting peak parking demand calculated is: Car Parking = 200 / 20 = 10 spaces The proposal provides for 7 onsite car parking spaces. However, Intersect Traffic consider it reasonable that a cross use of 50% of bowser filling parking spaces be applied for the customer cross-use of the bowser filling and the convenience store. This results in an adequate provision of spaces and satisfies the requirements of the parking provisions under the DCP. The application is accompanied by swept flow diagrams. This demonstrates that all vehicles can satisfactorily and safely circulate within the site, load and unload and enter and leave the site in a forward direction.
B8 Site Works Management	The proposal will ensure appropriate measures are to be undertaken to address the issues of construction impacts, Erosion and sedimentation management, waste minimisation, site fencing and security work in public domain and traffic management. The site being of adequate area does not impose any unusual construction or onsite material storage difficulties. The site works will be managed in accordance with the *Protection of the Environmental Operations Act 1997* with appropriate erosion and sediment control, fencing and air pollution controls being appropriately implemented. Traffic management procedures will be implemented where necessary.
B8.1 Excavation and Landfill	The site includes fill up to 2m in height due to a significant depression in the south-west corner of the site. We consider this may have been where underground tanks were

Pittwater Development Control Plan 2014	
Provision	**Comment**
	previously stored. There is also significant fill along the western boundary. This is required in order to ensure the site is levelled for the use. This will not have any impact upon adjoining occupiers.
B8.2 Erosion and Sediment Management	The application is accompanied by an erosion and sediment management plan that will ensure that construction has no impact upon surrounding properties.
B8.3 Waste Management.	The application is accompanied by a waste management plan that will ensure that construction materials are subject to satisfactory disposal.
B8.4 Site Fencing	Site fencing for construction works can form part of the condition of any consent.
B8.5 Works in the Public Domain	Any works impacting the public domain can be included as conditions of consent.
B8.5 Works in the Public Domain	A requirement for a Traffic Management Plan can form a condition of consent.
C2 Design Criteria for Business Development	
C2.1 Landscaping	The proposal includes the provision of a high-quality landscaping scheme which includes extensive ground cover and medium mature trees which are indigenous species.
C2.2 Safety and Security	The development has been assessed to meet Crime Prevention Through Environmental Design (CPTED) principles: i. Surveillance – Developments must be designed and managed to maximise the potential for passive surveillance; Comment – The service station component is proposed to be open 24 hours a day, seven days a week to allow for maximum surveillance at all times. ii. Access Control – Developments must be designed so as to make them legible for users without losing the capacity for variety and interest; Comment – The service station component of the site is open 24 hours a day, seven days a week. iii. Territorial Reinforcement – Developments must be designed to define clearly legitimate boundaries between private, semi-private and public space;

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	Comment – the boundaries of the site clearly define public and private areas. iv. Space Management – Developments must be designed and detailed to minimise damage and the need for undue maintenance, without undermining the aesthetic and functional qualities of the building. Comment – the site will be closely managed.
C2.3 Awnings	The site includes a large canopy for service station users. It is not practical to provide an awning from the service station to the street.
C2.5 View Sharing	The proposal will not have any adverse impacts upon any views from the neighbouring sites, nor is the site located within a public view or vista. The development is considered compliant with the DCP.
C2.6 Accessibility	The DCP requires convenient and safe access for all people, including people with a disability, old people and people with prams to be provided to and within all building to which the general public have access. The proposed building will be constructed on a concrete slab level to the ground giving clear and direct access to the entry building. An accessible car-parking space has been provided. This is compliant with the DCP requirements.
C2.7 Building Facades	The service station building is constructed of coloured concrete panels and glazed panels, typical of a service station design. The façade and fuel station canopy present an appropriate high-quality streetscape façade.
C2.8 Energy and Water Conservation All new hot water systems must be either solar, heat pump or gas and must have a minimum rating of 3.5 stars. Water efficient appliances shall be used in all development (including AAA rated water efficient shower heads, water tap outlets and dual flush toilets).	Water and energy efficient measures can be provided throughout the scheme and these measures can be conditioned for CC stage.

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C2.9 Waste and Recycling Facilities	The application has identified that 3m^3 waste will be produced per week (1 x 1.5 m^3 recycled waste and 1 x 1.5 m^3 general rubbish) and collected by a private waste contractor. The proposal includes a dedicated waste and recycling compound to the north-west. This is sufficient for the needs of the proposed users. The application is accompanied by a Site Waste Management and Minimisation Plan prepared by Brown Commercial Building which identifies the extent of waste materials from construction. A demolition plan will be submitted at CC stage.
C2.10 Pollution Control	The proposed development does not adversely impact on public health and other neighbouring lands. The development has been addressed under the *Protection of the Environmental Operations Act 1997*, refer to Section 2 within this report. A multi-level risk assessment report has been prepared by Myros Design and accompanies this application. An acoustic report has also been prepared and will accompany this application. This demonstrates the use would have a negligible impact upon adjoining residential occupiers provided that key conditions are complied with.
C2.11 Signage	The proposal will include the following: • Installation of a signage tower and indicative business identification signage on the south face of the convenience store. • x 2 illuminated indicative signs on the 'south' and 'east' faces of the car refuelling canopy The signage is identified on elevation details for future building identification purposes (refer to Architectural plans for details). These signage spaces identify the tenants signage zones.
C2.12 Protection of Residential Amenity	As identified above, the proposal would have a minimum impact upon residential amenity.
C2.15 Car Wash Bay	The proposal does not include a car wash bay. However, there will be some limited cleaning of windscreen on the forecourt area.

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C3.15 Underground of Utility Services	The DCP requires all existing and proposed utility services to be placed underground for the total frontage of the site to any public road. Merit consideration will be given for the retention of electricity wire carrying 33,000 volts or more or for short lengths of overheads of two spans or less, subject to achieving the outcomes of this control. It is understood that Ausgrid will need to be consulted.
C2.20 Public Road Reserve	The proposed development has considered the existing character the landscaping proposal achieves the requirements of the Pittwater locality. A detailed landscaping plan accompanies this application, highlighting the native planting proposed within this development.
C2.21 Food Premises Design Standards	The proposed development 'convenience store' fit out will be in accordance with the AS 1668.1:1998 and AS 1668.2:2012. The convenience store will be provided with the necessary services of water waste disposal, light ventilation, cleaning and personal hygiene facilities, storage space and access to toilets.
C3.22 Plant, Equipment Boxes and lift over-run	The proposed development will ensure all noise generating equipment will be located away from the neighbouring sites and within the equipment boxes. The proposal is accompanied by a Noise Assessment by Reverb Consulting. This recommend noise mitigation measures to the roof top plant if noise criteria are exceeded.
C2.23 Service Station	
(a) the site is more than 90 metres from the junction or intersection of a main or arterial road, with another main or arterial road;	The site is located at least 640m from the major intersection of Barrenjoey and Pittwater Road. The site is located 41m from the intersection of Bassett Street and Barrenjoey Road. The site was previously in use as a service station and our Traffic Consultant has not identified any adverse impacts on the local traffic network or junctions, as a consequence of the development.

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(b) where the site has frontage to a main or arterial road i. the Traffic Authority of New South Wales has been consulted; and ii. where the site is not a corner lot, the frontage to the road is not less than 38 metres, or, where the site is a corner lot, the frontage to the road is not less than 30 metres;	i. It is understood that RMS will be consulted during the application process. ii. Not applicable.
c) where the site has frontage to a road other than a main or arterial road, the frontage is not less than 30 metres;	The site has a frontage of 50m so complies.
d) the width of a vehicular crossing over a footpath is not more than 9 metres;	The vehicular crossovers are 12m in width at the point where they cross the public footpath. However, each crossover is single entry and exit and subject to low footfall, and a variation to Councils controls is considered justified.
e) any a vehicular crossing over a footpath is not closer than 6 metres to a road intersection;	Complies
f) separate entrances to and exits from the site are provided and those entrances and exits are separated by physical barriers constructed on the road alignment and so identified by suitable signs readily visible to persons using the adjoining road or entering;	Each crossover is separate entrance and entry. Suitable signage can be detailed and provided at CC stage.
g) Not applicable	Not applicable
h) inlets to bulk fuel storage tanks are so situated on the site as to ensure that tankers, while discharging	Complies.

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fuel into such tanks, shall stand wholly within the site;	
i) fuel pumps are within the site not closer than 3 metres to the road alignment;	Complies.
j) the layout of the site is such as to facilitate the movement of vehicles entering into or leaving the site with the flow of traffic on the adjoining road;	Complies.
k) vehicular access to or from the site from or to an adjoining road is situated not less than 24 metres to any traffic lights on the roads;	The site is located 41m from the junction of Bassett Road and Barrenjoey Road. Complies.
l) the site is suitably landscaped.	A high-quality landscaping scheme has been submitted with the application. This includes the planting of medium mature trees.
D9 Mona Vale Locality	
D9.1 Character as viewed from a public place	The development appropriately addresses Barrenjoey Road and a landscaped setback area has been provided to minimise the impact of the proposed built form. The proposed development achieves consistency with the objectives and controls in that the new development responds to the built form of the existing development in Barrenjoey Road and the appearance of the proposed building is compatible with the desired future character of development in the locality The proposed building has a well-proportioned scale and design within the streetscape, with high quality architectural building facades.
D9.3 Building colours and materials	The architectural details include external material descriptions and colours that are consistent with the predominant colours of development in Barrenjoey Road with earthy tones. The proposed faced of the service station is constructed of precast concrete panels coloured dark grey with powder coated black framework for glazed panels and doors.

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	The use of these materials is considered appropriate within this commercial area/
D9.6 Front Building Line	The minimum front building line for development in an IN2 zone shall be 10 metres or the established building line whichever is greater. For sites falling within the IN2 zone, a 2.5 m reduction in the front building setback is permitted where parking is provided to the rear of the site, within the building or is located where it is not readily visible from the street. The service station has a front setback of 10m which is compliant.
D9.7 Side and Read Building Line Nil setback	A nil setback is permitted to the side and rear boundaries. The proposed development incorporates a 500mm setback to the northern side, 900mm from the rear western setback from the service yard and 3.1m setback from the car canopy. The existing development are considered large industrial structures, the proposed structure on the northern boundary will be positioned against the large solid brick structure.
D9.9 Building Envelope	The proposed development is compliant with the controls in the DCP, the proposed development will not have detrimental impact on the neighbouring site and is consistent with the character of the industrial locality.
D9.10 Landscape Area	Not applicable
D9.12 Fences	The Noise Report identified by Reverb Acoustics identifies a requirement for a 1.8m high wall to the service yard only. No other fences are proposed as the site is surrounded by walls.
D9.14 Construction, Retaining Wall, terracing and under croft areas	The proposal includes construction of retaining walls around the perimeter of the site.

5.1 Environmental impacts on both the natural and built environments

5.1.1 Noise

A noise impact statement has been prepared by Reverb Acoustics based upon the assumption of a 24 hours a day, 7 days a week operation. The service station use is for 24 hours, generally, it is considered that this operation would be acceptable.

The reported considered potential noise sources such as mechanical plant (refrigeration, air conditioning, compressors) loading bay activities (including unloading, truck movements, etc) garbage collection, general site noise and customer vehicles entering and leaving the premises and manoeuvring on the site.

The report concluded that the proposal would not have any adverse long-term impacts subject to recommendations including:

- *The mixed-use development may trade over the full 24-hour period.*
- *Fuel tanker deliveries are to be restricted to 5am-12am.*
- *General store deliveries are to be restricted to 5am-12am.*
- *Perimeter walls to the Service Yards must be impervious from the ground to a height of 1800mm above FGL.*
- *Exhaust plant that produces a sound pressure level (SPL) in excess of 75dB(A) at a distance of 1 metre must have acoustic barriers constructed at the fan discharge.*

Given compliance with the above recommendations, the noise impact assessment concludes:

> *A noise impact assessment for a proposal to construct a service station development at 79 Barrenjoey Road, Mona Vale has been completed, resulting in noise control recommendations summarised in Section 4 of this Report. The site is suitable for the intended purpose providing recommendations outlined in this report are incorporated into the design. With these or equivalent measures in place, noise from the site will be either within the criterion or generally below the existing noise levels in the area for the majority of the time.*
>
> *With relatively constant traffic on nearby roads, and the abundance of nearby commercial development, noise generated by the proposed site will be audible at times but not intrusive at any nearby residence. As the character and amplitude of activities associated with the site will be similar to those already impacting the area, it will be less intrusive than an unfamiliar introduced source and should be acceptable to residents.*
>
> *Providing the recommendations presented in this report are implemented noise emissions from operation of the site will not have any long-term adverse impact upon the acoustical amenity of nearby residents. We therefore see no acoustic reason why the proposal should be denied.*

The client will accept operational conditions in accordance with these recommendations.

5.1.2 Air Quality

The proposal will have no impacts on air quality. As stated earlier, A Multi-Level Risk Assessment Report has been prepared by accredited dangerous goods consultant, Myros Design Pty Ltd, and accompanies the application.

All the proposed works will be consistent with the Protection of the Environment Operations (Clean Air) Regulation 2010, as mentioned in the Multi-Level Risk Assessment Report, which concludes:

> *'Plotting the frequency against consequence, it can be clearly seen that the societal risk is negligible. Therefore, only a level one qualitative Risk Analysis is required.'*

A Preliminary Hazard Analysis has been prepared to provide *'level one qualitative Risk Analysis'* and can be found in Appendix C of the Multi-Level Risk Assessment Report.

All equipment will be installed to manufacturer's recommendations and will comply with all the relevant standards listed therein. Specific safety features of the site have been included in the Preliminary Hazards Analysis, including all monitoring procedures.

5.1.3 Hazards

The site includes Stormwater Plans prepared by Eclipse Consulting Engineers. These identify that the site includes stormwater can be directed to Council's stormwater system within the south-western corner of the site. This will be filtered via SPEL Stomscaks in surface inlet pits, OSD tank and sand filter to remove contaminants.

There are no other known hazards or risks, other than those identified previously within this report, that would preclude approval of the proposal.

5.1.4 Safety, Security and Crime Prevention

The development has been assessed to meet Crime Prevention Through Environmental Design (CPTED) principles:

i. Surveillance – Developments must be designed and managed to maximise the potential for passive surveillance;

Comment – The service station is proposed to be open 24 hours a day, seven days a week to allow for maximum surveillance at all times.

ii. Access Control – Developments must be designed so as to make them legible for users without losing the capacity for variety and interest;

Comment – the service station is proposed to be open 24 hours a day, seven days a week.

iii. Territorial Reinforcement – Developments must be designed to define clearly legitimate boundaries between private, semi-private and public space;

Comment – the boundaries of the site clearly define public and private areas.

and

iv. Space Management – Developments must be designed and detailed to minimise damage and the need for undue maintenance, without undermining the aesthetic and functional qualities of the building.

Comment – the site will be closely managed.

The site will be developed and operated in accordance with CPTED principles.

5.2 Social impacts

The proposal will have positive social impact in that it will introduce a service for local people and provide activation and passive surveillance 24/7.

5.3 Economic impacts

The proposed development will provide temporary employment though the construction phase and permanent jobs through the establishment of the land uses as proposed.

The proposal will have a positive economic impact.

6.0 The suitability of the site for the development

The development represents the reactivation of the previous service station use at the site. The site is well located with regards to utility services and public transport. There will be no excessive level of transport demand created.

The site has no special physical or engineering constraints and is suitable for the proposed development given that the proposed use is permissible in the IN2 and complies with PLEP and PDCP it will not have detrimental impacts on the natural or built environments.

There are no significant physical, ecological, technological or social constraints on the proposed development. There is no adverse shadowing, privacy or overlooking impacts resulting from the proposal.

7.0 The public interest

The proposed development will allow for the development of a currently vacant site and will allow for a suitable light industrial development.

The external form of the development is compatible with the form of development in the Mona Vale Industrial area.

For these reasons the approval of the development is considered to be in the public interest as it meets the objectives of the IN2 zone and complies with the provisions of PLEP and PDCP.

8.0 Conclusion

The relevant matters for consideration under Section 79c of the *Environmental Planning and Assessment Act 1979* have been addressed in this report and the proposed development has been found to be consistent with all relevant planning provisions.

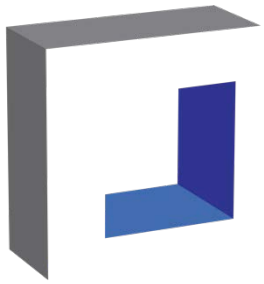
The assessment finds that the proposal is substantially compliant with the controls prescribed by the applicable environmental planning framework.

The proposed service station will provide:

- Fuel Service facilities for passing traffic and adjacent workers and residents;
- A rest stop for long distance travellers, including access to food and drink/amenities;
- A positive link to the existing industrial and residential uses within the area;
- Additional local employment opportunities.

Overall, the proposal is an appropriately tailored response to the opportunities and constraints of site and its immediate surrounds. Importantly, the proposal will assist in activating the area.

Council's favourable consideration of the application is requested.



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