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Our ref: 20036

13 May 2020

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

Dear Sir/Madam,

**RE: Development Application for Alterations and Additions to the Existing BP Service Station
at 38 Barrenjoey Road, Mona Vale NSW 2103**

1 INTRODUCTION

KDC Pty Ltd (KDC) have prepared this Statement of Environmental Effects (SEE) on behalf of BP Australia Pty Ltd (BP) for the proposed alterations and additions to the existing service station at 38 Barrenjoey Road, Mona Vale 2103.

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

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

1.1 BACKGROUND

Based on a search of Council's DA Tracker, the following development applications were approved at the site;

- + DA FC2/0019/97 – Installation of a 30KL underground LPG tank and associated dispenser at BP service station. (Approved 18/05/1997)
- + DA FC2/0061/97 – Alterations and additions to an existing service station/convenience store (Approved 24/07/1997)
- + DA NO682/99 – Relocation of main identification sign for service station to corner of Barrenjoey Road and Darley Street (Approved 19/08/1999)
- + DA NO031/13 – Alterations and additions to a service station (Approved 21/06/2013)

It is noted that a new development application will be required for the proposed works.

2 THE SITE AND SURROUNDS

The site is located on 38 Barrenjoey Road, Mona Vale within the Local Government Area (LGA) of Northern Beaches Council (formerly Pittwater). It is legally described as Lot 7 in DP29305. The service station is located on the corner of Barrenjoey Road and Darley Street, with separate entry and exit driveways on Barrenjoey Road, and a single additional exit driveway on Darley Street. Refer to Figures 1 and 2 for details of the site and its surrounds.

The site currently contains a BP service station, convenience store, and associated car parking. Development to the north of the site is mostly commercial in nature, comprised of a mix of retail premises, and a 7-Eleven service station is located to the west of the site across Darley Street. Residential development is located to the south of the site, and Baldwin Living Seabeach Gardens retirement village is located adjacent to the site to the east.

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

Figure 1 – Site Aerial (Source: Six Maps)

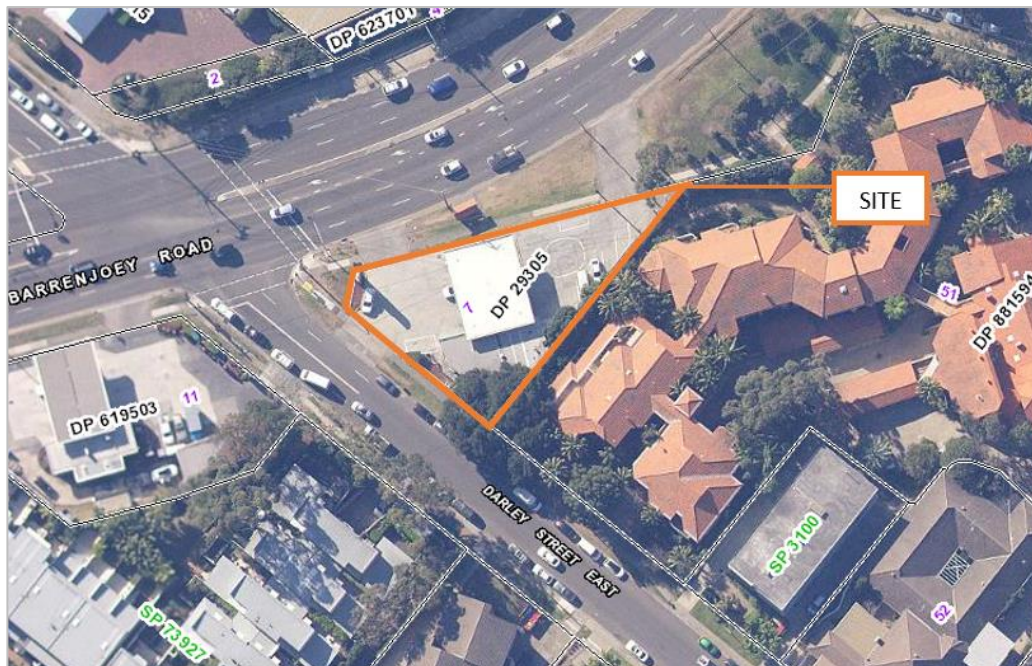
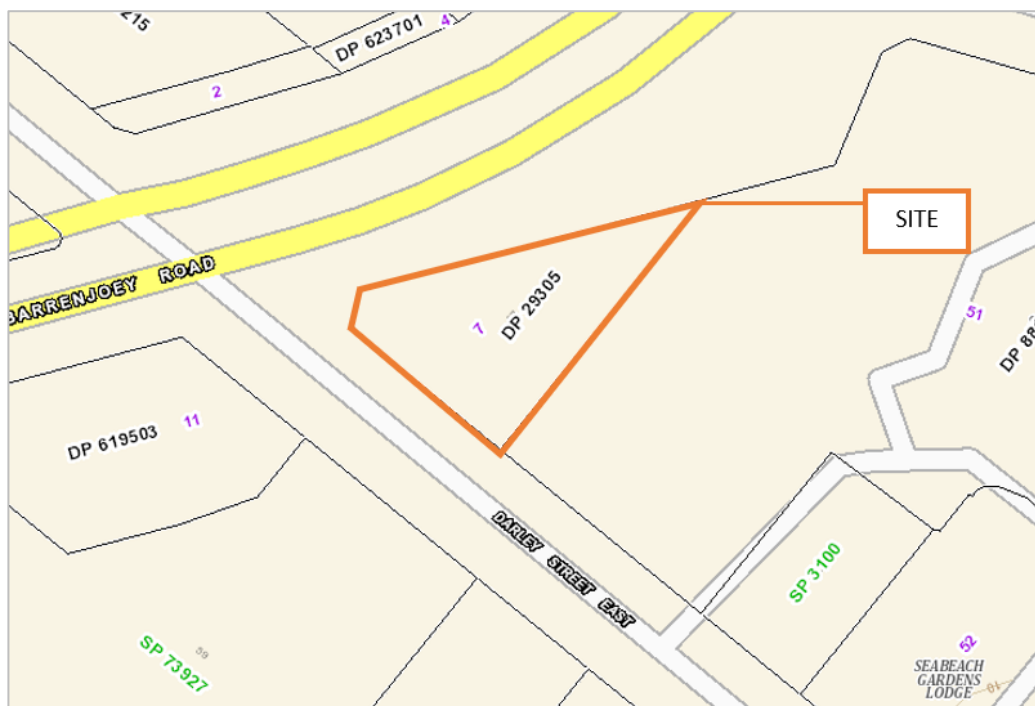


Figure 2 – Site Cadastre (Source: Six Maps)



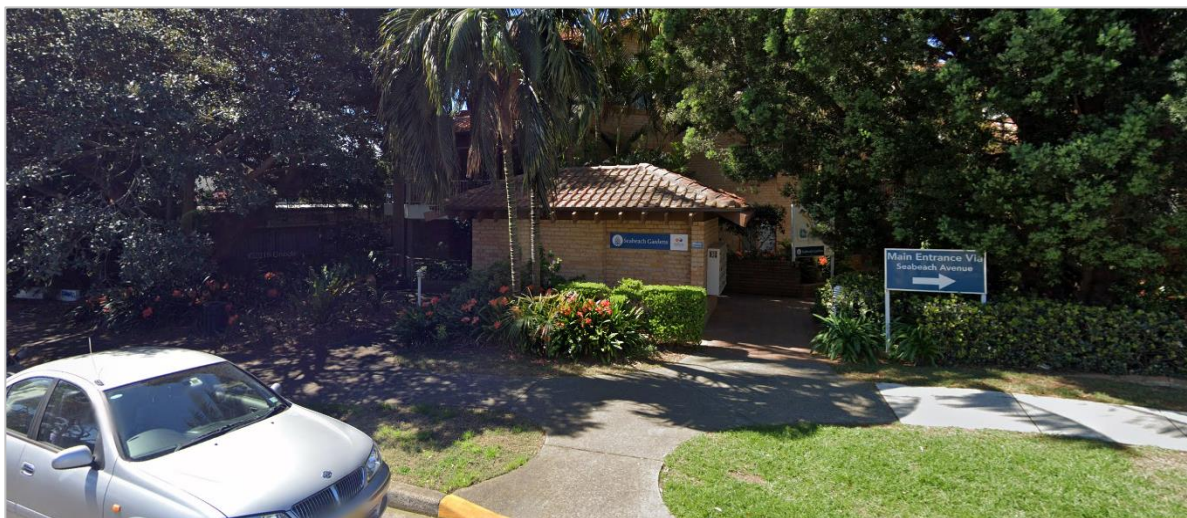
Photograph 1 – View of Existing site from Barrenjoey Road (Source: Google Maps)



Photograph 2 – Commercial Development across Barrenjoey Road (Source: Google Maps)



Photograph 3 – Seabeach Gardens Retirement Village adjacent to the site along Darley Street (Source: Google Maps)



3 PROPOSAL

The proposed development is for alterations and additions to the existing BP service station. The proposed alterations and additions reflect BP upgrades across NSW and the new food offering. It is noted that the works only affect the convenience store portion of the site.

The proposed works specifically involve:

- + Internal alterations including new food preparation area, benches, and oven;
- + Façade treatment including new painted white finishes;
- + 1 x removal of fascia signage on northern elevation;
- + 1 x new illuminated fascia sign on northern elevation;
- + 2 x new illuminated wall signs on northern elevation;
- + Other minor works as identified on the plans at Appendix A.

It is noted that the proposed works do not increase the existing ground floor area of the convenience store. The proposal will not impact operational factors such as deliveries and waste management, operational hours and staffing. Additionally, the proposal will not alter existing access to the site.

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

4 LEGISLATION AND PLANNING CONTROLS

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

- + Environmental Planning and Assessment Act 1979;
- + State Environmental Planning Policy No 64 – Advertising and Signage;
- + Pittwater Local Environmental Plan (LEP) 2014; and
- + Pittwater 21 Development Control Plan (DCP).

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

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

4.2 STATE ENVIRONMENTAL PLANNING POLICY NO 64 – ADVERTISING AND SIGNAGE

As stated in Section 3, approval is sought for new signage in an effort to reflect the state wide upgrades and new food offering. The signs will relate only to the use within the tenancy and feature business identification content.

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

Clause 8 of SEPP 64 states the following:

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

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

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

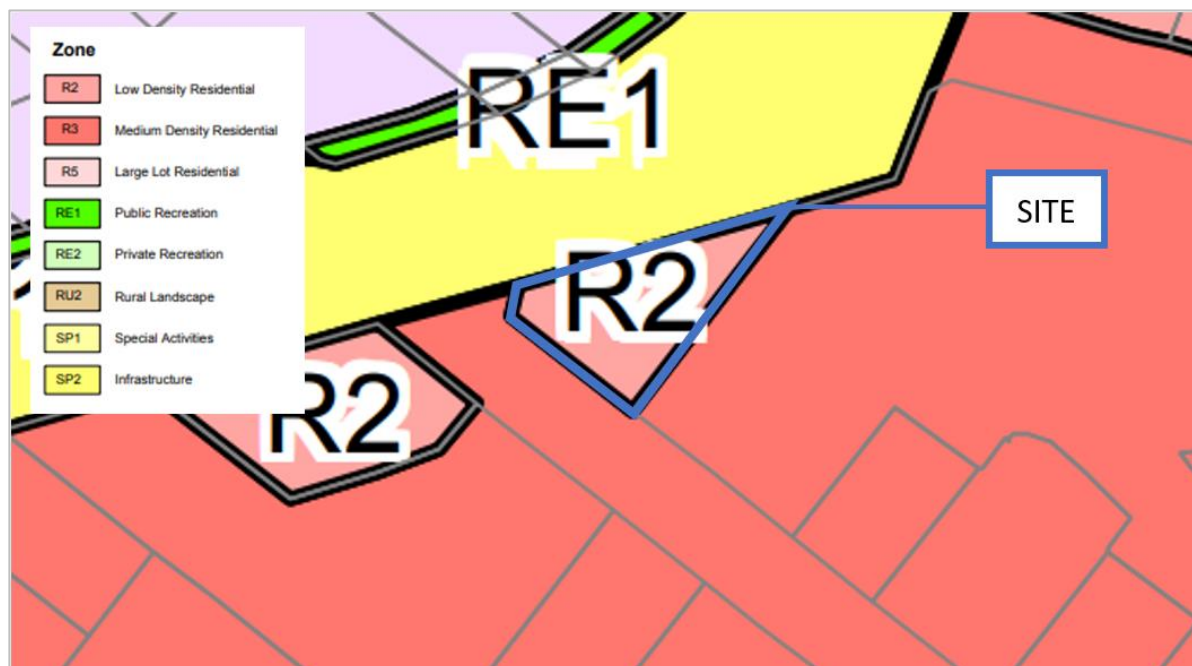
The assessment criteria in Schedule 1 of the SEPP relates to matters for consideration such as character of the area; amenity of residential areas; views and vistas; streetscape, setting and landscape; site and building compatibility; illumination; and safety.

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

4.3 PITTWATER LOCAL ENVIRONMENTAL PLAN (LEP) 2014

The site is subject to the provisions of the Pittwater Local Environmental Plan 2014 (LEP). The site is zoned R2 Low Density Residential under the LEP 2014 (Refer to Figure 3).

Figure 3 – Land Zoning Map Extract from Pittwater LEP 2014 (LZN_018)



Zone R2 Low Density Residential

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; Boarding houses; 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

While a service station is not permissible with consent in the R2 Low Density Residential Zone, the site is specifically listed in Schedule 1 of the LEP as an additional permitted use:

8 Use of certain land at 24 and 38 Barrenjoey Road, Mona Vale and 1509 Pittwater Road, North Narrabeen

(1) This clause applies to the following land identified as "Area 13" on the Additional Permitted Uses Map—

- (a) 24 Barrenjoey Road, Mona Vale, being Lot 11, DP 619503,*
- (b) 38 Barrenjoey Road, Mona Vale, being Lot 7, DP 29305,*
- (c) 1509 Pittwater Road, North Narrabeen, being Lot 567, DP 813147.*

(2) Development for the purpose of a service station is permitted with development consent on each lot.

Therefore, the continued use of the site as a service station is considered permissible under Schedule 1 of the LEP.

Clause 4.3 Height of Buildings

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

Clause 4.4 Floor Space Ratio

No floor space ratio is mapped for this site. Regardless, the proposed development does not seek any changes to the gross floor area.

4.4 PITTWATER DEVELOPMENT CONTROL PLAN 2014

The Pittwater Development Control Plan 2014 (DCP 2014) applies to all land within the former Pittwater LGA. The following sections are specifically relevant to the proposal:

- + Section C Development Type Controls
 - C2 Design Criteria for Business Development
 - C2.11 Signage

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

5 ASSESSMENT OF PLANNING ISSUES

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

5.1 VISUAL IMPACT

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

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

The proposed façade updates are considered to be a visual improvement to the existing shopfront elevation. The proposal will provide high quality signage that will contribute to the aesthetics of the streetscape. The proposed signage is not expected to result in any adverse visual or amenity impacts. Further details outlining compliance with the Pittwater DCP is provided in Appendix B of this SEE.

5.2 SOCIAL AND ECONOMIC IMPACT

The proposed façade and signage upgrades will have a positive contribution to the architectural presentation of the building and thereby improve the economic circumstances and social perception of the locality through an innovative design and service.

5.3 ACCESS

The proposal only involves works to convenience store, therefore existing access to and from the site as well as to and from the convenience store will remain unchanged by the proposal.

5.4 WASTE MANAGEMENT

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

6 CONCLUSION

The proposed internal works, façade improvements and signage at 38 Barrenjoey Road, Mona Vale will upgrade the site while appropriately reflecting the new food offering as well as enhancing the shopfront appearance and customer experience. The proposal is minor in nature and not considered likely to create any adverse impacts in terms of light spill or illumination, visual obtrusiveness to pedestrians or passing traffic, or impacts to the visual character of the area.

As discussed above, the proposed development is generally consistent and compliant with the aims and objectives of all relevant legislation, planning instruments and controls. Although a service station is prohibited within the R2 Low Density Residential zone the, use of a service station at the site has been listed as an additional permitted song in Schedule 1 of the LEP, and the proposed works involve only minor alterations and additions to the existing and approved BP Service Station.

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

Yours sincerely



Connor Buckley
Town Planner
KDC Pty Ltd

APPENDIX A – ARCHITECTURAL PLANS

Richmond + Ross

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APPENDIX B – DCP COMPLIANCE TABLE

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Pittwater DCP 2014 COMPLIANCE TABLE

Control	Requirement	Comment	Compliance
Section C Development Type Controls			
C2 Design Criteria for Business Development			
C2.11 Signage			
	Awning Fascia Sign (Attached to the fascia or return end of an awning) Shall not project above, below or beyond the fascia or return end of the awning to which it is attached.	The proposed awning fascia sign does not project above, below or beyond the fascia to which it is attached.	Y
	Wall sign (painted onto a wall of a building or attached to the wall of a building, not being a sign elsewhere listed in the table) i. shall not extend laterally beyond the wall of the building upon which it is attached; ii. shall not cover any window or architectural projections; iii. shall not have a signage area greater than 4.5sq m; iv. where illuminated, shall not be less than 2.6m above the ground; and v. shall not project more than 300mm from the wall.	The proposed wall signs do not extend beyond the wall of the building, do not cover any window or important architectural feature, are less than 4.5m² and do not project more than 300mm from the wall. The proposed wall signs are illuminated and are located less than 2.6m above ground level, however it is not considered that this will be hazardous considered the wall signs are located on a stand alone service station building, and will not be of an illumination level to cause distraction to any passing motorists or pedestrians. The signs will also be partially obscured from view from the road by existing structures at the site	Justified
	Any signage erected within a residential, environmental or rural zone shall not be visually obtrusive.	The proposed signs are integrated into the design of the existing service station and are not considered to be visually obtrusive.	Y

	The following signage shall not be permitted in Pittwater: 1. where erected on or above the roof, canopy, or parapet of a building 2. where attached to the upperside of an awning 3. where attached to the wall of a building and projecting more than 300mm from that wall 4. where illuminated at frequent intervals (i.e. flashing) 5. where capable of movement by source of power or wind 6. where illuminated (within a residential zone or environmental zone) 7. where incorporates bill/fly posters, bunting and airborne signage, including hot air balloons, blimps, and the like 8. where located on motor vehicles and which renders the motor vehicle stationary	The site is located within a residential zone, and illuminated signage is proposed. However, it is not considered that this will cause a hazard to pedestrians or motorists on Barrenjoey Road or Darley Street, as they will not be of an illumination level that will cause distraction and are partially obscured from view from the road by existing structures at the site. It is also noted that other illuminated signage is existent at the site.	N-Justified
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APPENDIX C – SEPP 64 SCHEDULE 1 ASSESSMENT CRITERIA

KDC Pty Ltd

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

	Does the proposal require ongoing vegetation management?	No.	N/A
5) Site and building	Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The signage has been designed to be compatible with the existing built form and site characteristics.	Y
	Does the proposal respect important features of the site or building, or both?	The proposed signage does not detract in any way from important features of the building or site.	Y
	Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage has been designed to be simple and uncluttered and complement the proposed new façade of the store.	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 screen (internally illuminated) will be of an appropriately level of brightness for outdoor display.	Y
7) Illumination	Would illumination result in unacceptable glare?	No, the proposed signs will not result in excessive glare.	Y
	Would illumination affect safety for pedestrians, vehicles or aircraft?	No, the proposed signage will not be of a LUX level to affect the safety for pedestrians, vehicles or aircraft.	Y
	Would illumination detract from the amenity of any residence or other form of accommodation?	The proposed signage will not be of a LUX level to detract from the amenity of surrounding residences.	Y
	Can the intensity of the illumination be adjusted, if necessary?	The brightness of the signs 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 working hours of the service station and convenience store.	Y
8) Safety	Would the proposal reduce the safety for any public road?	The signage will not affect road safety on Barrenjoey Road or Darley Street.	Y
	Would the proposal reduce the safety for pedestrians or cyclists?	No, the sign will not affect pedestrians or cyclists, it is affixed to the building away from the pedestrian footpath.	Y
	Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	No, sightlines are not affected by the proposal as signage is located on the building.	Y

APPENDIX D – WASTE MANAGEMENT PLAN

KDC Pty Ltd

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