







DEVELOPMENT ASSESSMENT PANEL REPORT

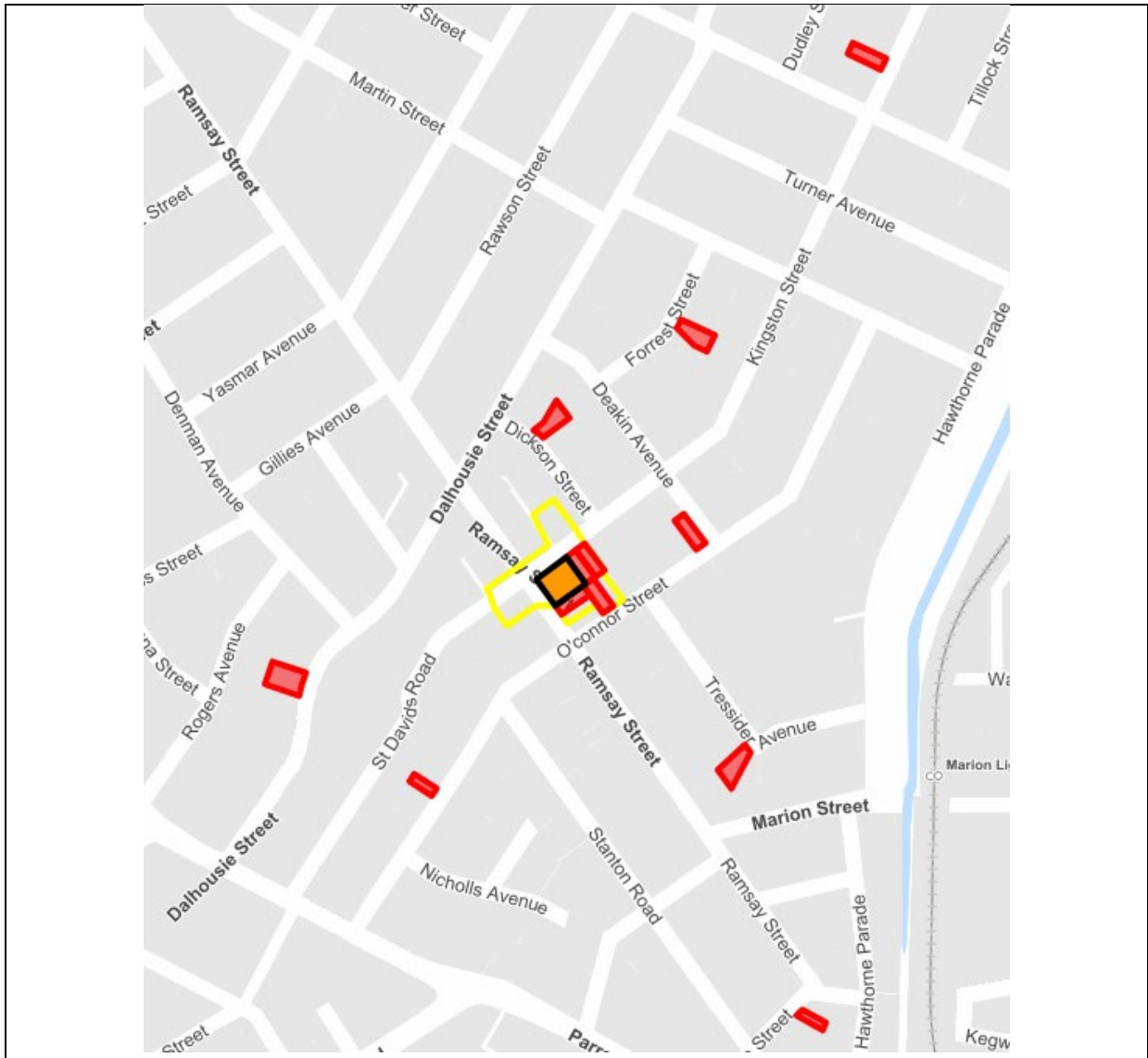
Application No.	DA/2024/0724
Address	95 Ramsay Street HABERFIELD
Proposal	Construction of a shade sail and relocation of an existing sign associated with the existing car wash
Date of Lodgement	28 August 2024
Applicant	Peter Khouri
Owner	Haberfield Nominees NSW Pty Ltd
Number of Submissions	14
Cost of works	\$5,000.00
Reason for determination at Planning Panel	Number of submissions
Main Issues	Heritage conservation
Recommendation	Approved with Conditions
Attachment A	Recommended conditions of consent
Attachment B	Plans of proposed development
Attachment C	Heritage Impact Statement



LOCALITY MAP

Subject Site		Objectors		↑ N
Notified Area		Supporters		

Note: Due to scale of map, not all objectors could be shown. See zoomed out map below for extent of objectors



Scope of submission map

1. Executive Summary

This report is an assessment of the application submitted to Council for construction of a shade sail and relocation of an existing sign associated with the existing car wash at 95 Ramsay Street Haberfield.

The application was notified to surrounding properties and 14 unique submissions were received in response to the initial notification.

The main issues that have arisen from the application include:

- Compatibility with the Heritage Conservation Area
- Issues raised in submissions

The non-compliances are acceptable given the subject site is non-contributory to the Haberfield HCA and the proposal will protect view lines to surrounding contributory buildings from the public domain and therefore the application is recommended for approval.

2. Proposal

The construction of a shade sail over the existing wash-down area associated with the carwash, and the relocation of an existing sign associated with the existing carwash.

3. Site Description

The subject site is on a corner allotment located on the north-eastern side of Ramsay Street and south-eastern side of Kingston Street. The site consists of 2 allotments with a total area of 1848 sqm and is legally described as Lot 1 in DP 180212 and Lot 1 in DP 926992.

The site has a primary frontage to Ramsay Street of approximately 40 metres and a secondary frontage of approximate 45 metres to Kingston Street.

The site supports a service station and car wash with an existing retail building central on the block, fuel pumps on the south-western side, a carwash tunnel along the north-eastern side with attached amenity blocks, and a wash-down/vacuum area on the north-western side of the subject site. The subject site is part of the commercial area in Haberfield and the adjoining properties support single-storey residential dwellings and 2 storey commercial premises across Kingston Street

The subject site is located within the Haberfield Heritage Conservation Area; however, the premises is not contributory.

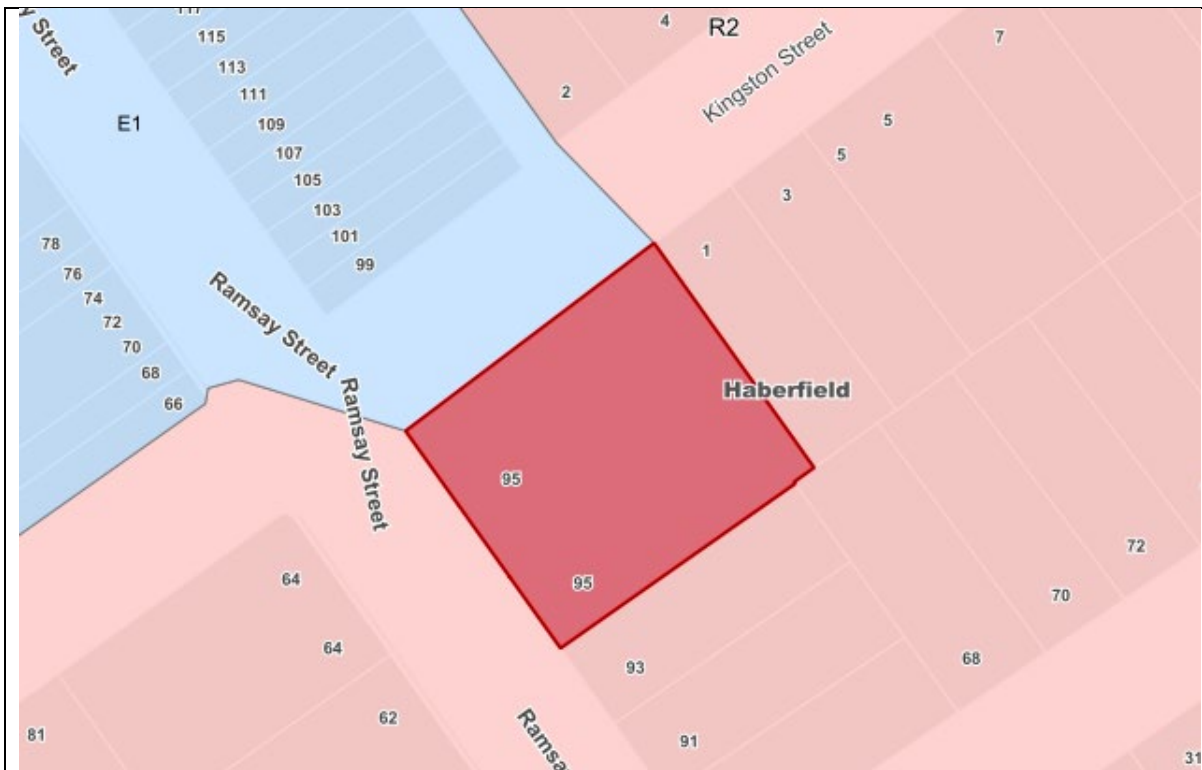


Figure 1: Zoning Map, subject site outlined in red



Figure 2: Aerial image, subject site outlined in green



Photo 1: Photo taken from within the site facing east showing the existing site characteristics and temporary umbrellas

4. Background

Site history

The following application outlines the relevant development history of the subject site and any relevant applications on surrounding properties.

Subject Site

Application	Proposal	Decision & Date
EPA/2023/0133	Enforcement order issued which allowed the repositioning of the approved 'wipe-down area laterally to the property boundary adjoining Kingston Street (as 3 lanes), removal of the vacuum pumps on the redundant lane, removal of the A-frame signage'	Complied with 22/08/2024
MOD/2022/0008	Section 4.55 Modification to DA10.2017.107 - Modifications include a request to regularize unapproved works on the site, modifications to	29/03/2023 COURT refusal

	the physical form of the Crystal Carwash and modifications to the operational arrangements of the carwash	
REV/2021/0006	S8.2 Review Application to MOD/2020/0401 for modification of existing development to regularise works and inclusion of a dog wash facility	27/10/2021, Refused Local Planning Panel
MOD/2020/0401	Modification of existing development to regularise works and inclusion of a dog wash facility	23/02/2021, Refused Local Planning Panel
010.2017.00000170.004	Modification of approved service station & extension of trading hours until 7.00pm daily	24/09/2019, Refused
010.2017.00000170.003	Removal of a 3m wide section of approved landscape strip and construction of new vehicle crossing to Kingston Street	20/12/2018, Approved
010.2017.00000170.002	Modifications to service station and carwash	30/11/2018, Approved
010.2017.00000170.001	Alterations and additions to existing service station to create a new extended building to provide a convenience store, new café and ancillary spaces, new single storey building to provide plant, amenities and staff room, a new automated car washing facility, car parking and associated signage	24/01/2017, Approved
010.2005.00000159.001	Fence/Wall- Construction of a concrete block retaining wall and fence between the service station at No. 95 Ramsay Street and the dwelling house at No. 1 Kingston Street; Installation of crash barrier on service station side	20/09/2005, Approved
010.2001.00000109.001	Demolition of existing service station and removal of all trees on the site; construction of petrol station/convenience store to operate 24 hours and construction of a car wash and advertising signage	13/12/2001, Refused

Surrounding properties

Not applicable

Application history

The following table outlines the relevant history of the subject application.

Date	Discussion / Letter / Additional Information
27 September 2024	Council sent a letter to the applicant requesting the plans are updated to provide levels and dimensions, and accurately depict the existing site context.

19 October 2024	Amended plans were submitted which included levels as requested and also altered the shape of the shade sail.
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5. Assessment

The following is a summary of the assessment of the application in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979 (EP & A Act 1979)*.

A. Environmental Planning Instruments

The application has been assessed and the following provides a summary of the relevant Environmental Planning Instruments.

State Environmental Planning Policies (SEPPs)

SEPP (Resilience and Hazards) 2021

Chapter 4 Remediation of land

Section 4.6(1) of the *Resilience and Hazards SEPP* requires the consent authority not consent to the carrying out of any development on land unless:

- (a) *it has considered whether the land is contaminated, and*
- (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

In considering the above, the subject site contains a service station which is a use associated with potential contamination. However, this use is being maintained and remains unchanged with this application and the proposal is for a shade sail which will not require groundworks that would trigger remediation with regard to the provision of the *Resilience and Hazards SEPP*.

The land will be suitable for the continued use and the proposed works.

SEPP (Industry and Employment) 2021

Chapter 3 Advertising and Signage

The following is an assessment of the development under the relevant controls contained in the *Industry and Employment SEPP*.

The application seeks consent for the relocation of the following signage:

Location	Sign Type	Lettering	Dimension
South-western elevation of the proposed shade sail	Business identification fascia sign	"CRYSTAL Car Wash"	4200mm by 600mm

It is noted that other signage is shown on the Signage Detail drawing however these do not form part of this development application as consent has not been sought for these, as such a condition is included in the recommendation specifying what works are and are not covered in this consent, i.e. being limited to the relocation of 1 existing sign.

The proposed development is with objectives set out in Section 3(1)(a) and the assessment criteria specified in Schedule 5 as follows:

Criteria	Assessment
Character of the area	<ul style="list-style-type: none"> The signage is existing and being relocated on the site so it will not cause additional "crowding" of signage on the site which is compatible with the desired future character of the surrounding area.
Special areas	<ul style="list-style-type: none"> The signage does not detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways or residential areas due to its location on the subject site and existing site characteristics
Views and vistas	<ul style="list-style-type: none"> The signage does not obscure or compromise important views. The signage does not dominate the skyline.
Streetscape, setting or landscape	<ul style="list-style-type: none"> The scale proportion and form of the signage is appropriate to the streetscape and locality. The signage is of a simple design and will not contribute to visual clutter. The signage is existing and is being relocated to a new location. The signage will not impact vegetation.
Site and building	<ul style="list-style-type: none"> The scale, proportion and form of the signage is appropriate to the structure on which the signage is to be located. The signage respects important features of the building.
Associated devices and logos with advertisements and advertising structures	<ul style="list-style-type: none"> All elements of the signage have been well integrated into the structure which displays the signage.
Illumination	<ul style="list-style-type: none"> The proposed signage will not be illuminated and, hence, will not result in adverse amenity impacts or effect safety.
Safety	<ul style="list-style-type: none"> The signage will not reduce safe of any public road, pedestrians, bicyclists and will not obscure sightlines from public areas.

As the sign is for business identification purposes Part 3.3 does not apply. The proposal is considered acceptable noting the aims and objectives of this chapter of the SEPP.

Inner West Local Environmental Plan 2022

The application was assessed against the following relevant sections of the *Inner West Local Environmental Plan 2022 (IWLEP 2022)*.

Part 1 – Preliminary

Section	Proposed	Compliance
Section 1.2 Aims of Plan	The proposal satisfies the section as follows: <ul style="list-style-type: none"> The proposal conserves and maintains the natural, built and cultural heritage of Inner West, The proposal facilitates economic growth and employment opportunities within Inner West. 	Yes

Part 2 – Permitted or prohibited development

Section	Proposed	Compliance
Section 2.3 Zone objectives and Land Use Table	<ul style="list-style-type: none"> The application proposes the erection of a shade sail and signage associated with an existing service station; Service stations are permissible with consent in the E1 Local Centre zone. The proposal is consistent with the relevant objectives of the zone, and is considered to not detract from the heritage significance of the locality. 	Yes
Section 2.7 Demolition requires development consent	The proposal satisfies the section as follows: <ul style="list-style-type: none"> Demolition works are proposed, which are permissible with consent; and Standard conditions are recommended to manage impacts which may arise during demolition. 	Yes, subject to conditions

Part 4 – Principal development standards

Control	Proposed	Compliance
Section 4.3 Height of building	Maximum	10m
	Proposed	4.5m
Section 4.4 Floor space ratio	Maximum	1:1 or 1848sqm
	Proposed	0.11:1 or 197.03sqm – no change from existing
Section 4.5 Calculation of floor space ratio and site area	The site area and floor space ratio for the proposal has been calculated in accordance with the section.	Yes

Part 5 – Miscellaneous provisions

Section	Compliance	Compliance
Section 5.10 Heritage conservation	See comments below.	Yes
<p>Whilst the subject site is located within the Haberfield Heritage Conservation Area (HCA), it does not contribute to the HCA.</p> <p>The proposal achieves the objectives of this section as follows:</p> <ul style="list-style-type: none"> • The proposed work will rationalise the existing site conditions by removing the existing umbrellas that clutter the site with a single shade sail. The shade sail will improve the overall presentation of the site in simplifying the visual clutter. • The proposed shade sail will be lower than the existing ridgelines established by the A-frame carwash building and the awning over the fuel pumps as the poles are a maximum 4.5m tall so the shade sail will not dominate the site. • The shade sail is setback approximately 18m off the Ramsay Street frontage so the shade sail will not block view lines from the public domain into the Haberfield commercial area and the "Haberfield - The Garden Suburb" mural on the south-eastern elevation of No.99 Ramsay Street. • The proposed finish of the shade sail is Black from the Rainbow Shade – Z16 range. While black is not a typical heritage finish, this colour has the best UVR protection and shade rating of the range and as the main reason for the shade-sail is for sun protection for staff, this is considered acceptable. • As the subject site is non-contributory, and the proposed works will not obstruct view lines to contributory buildings and elements from the public domain, the proposal is considered to have a neutral impact on the HCA and is considered acceptable from a heritage perspective. <p>Given the above the proposal preserves the environmental heritage of the Inner West</p>		

Part 6 – Additional local provisions

Section	Proposed	Compliance
Section 6.1 Acid sulfate soils	<ul style="list-style-type: none"> The site is identified as containing Class 5 acid sulfate soils. The proposal is considered to adequately satisfy this section as the application does not propose any works that would result in any significant adverse impacts to the water table. 	Yes
Section 6.2 Earthworks	<ul style="list-style-type: none"> The proposed earthworks are unlikely to have a detrimental impact on environmental functions and processes, existing drainage patterns, or soil stability. 	Yes
Section 6.3 Stormwater Management	<ul style="list-style-type: none"> The development is for the construction of a shade sail. Given the existing area to be covered is impervious, and the proximity to neighbouring properties, subject to standard conditions the proposal would not result in any significant runoff to adjoining properties or the environment. 	Yes, subject to conditions
Section 6.20 Development on land in Haberfield Heritage Conservation Area	The subject site is located within the Haberfield HCA, however, as the use of the subject site is as a service station, this section does not apply.	Yes

B. Development Control Plans**Summary**

The application has been assessed and the following provides a summary of the relevant provisions of Comprehensive Inner West Development Control Plan 2016 (CIWDCP 2016) for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill.

CIWDCP 2016	Compliance
Section 1 – Preliminary	
B – Notification and Advertising	Yes
Section 2 – General Guidelines	
A – Miscellaneous	
1 - Site and Context Analysis	Yes
4 - Solar Access and Overshadowing	Yes
5 - Landscaping	Yes
6 - Safety by Design	Yes
7 - Access and Mobility	Yes
8 - Parking	Yes
10 - Signs and Advertising Structures	Yes

15 - Stormwater Management	Yes
B – Public Domain	
C – Sustainability	
3 – Waste and Recycling Design & Management Standards	Yes
E2 – Haberfield Heritage Conservation Area	
2.1 Desired Future Character	Yes
2.2.1 Statement of Significance	Yes
2.2.2 General	Yes
2.2.15 Colour Schemes	Yes
2.2.19 Commercial Buildings and Institutions	Yes

The following provides discussion of the relevant issues:

Comprehensive Inner West Development Control Plan 2016

The application was assessed against the following relevant parts of the Comprehensive Inner West Development Control Plan for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill 2016 (CIWDCP 2016).

Chapter A – Miscellaneous

Control	Proposed	Compliance
Part 2 – Good Design	<ul style="list-style-type: none"> The development is well designed and appropriately considers context, scale, built form, density and resource, energy and water efficiency, landscape, amenity, safety and security, social dimensions and aesthetics. 	Yes
Part 4 – Solar Access and Overshadowing	<ul style="list-style-type: none"> Given the orientation of the subject site, proposed location and elevation of the shade sail, and location of existing buildings, no additional overshadowing will fall on neighbouring properties and hence no shadow diagrams were required to be provided. The proposal will provide staff and customers with shade in the wipe-down/vacuum area of the associated carwash which will improve the work conditions for staff. 	Yes
Part 5 – Landscaping	<ul style="list-style-type: none"> The proposal maintains the existing landscape area on the subject site. The maintenance of existing landscaping supports the intention of the CIWDCP 2016 in retaining, protecting significant vegetation within development. 	Yes
Part 6 – Safety By Design	<ul style="list-style-type: none"> The development contributes to the creation of safe, active and welcoming public spaces and will minimise the risk of personal or property crime and has designed in accordance with the principles of Crime Prevention Through Environmental Design (CPTED). The proposal will not obstruct view lines into and out of the subject site, allowing casual surveillance. 	Yes

Control	Proposed	Compliance
Part 7 – Access and Mobility	<ul style="list-style-type: none"> The proposal maintains appropriate universal access to the subject site. 	Yes
Part 8 – Parking	<ul style="list-style-type: none"> The proposal will not impact the existing car-parking spaces on the subject site. 	Yes
Part 10 – Signage	<ul style="list-style-type: none"> The proposed relocation of the fascia sign complies with the specific design requirements of this part of the Plan. The proposed new location of the signage minimises adverse effects on the area, does not lead to visual clutter or dominate the subject site, is proportional to the size of the structure, and is compatible with the character of the area. 	Yes
Part 15 – Stormwater Management	<ul style="list-style-type: none"> Standard conditions are recommended to ensure the appropriate management of stormwater. 	Yes, subject to conditions

Chapter C – Sustainability

Control	Proposed	Compliance
Part 2 – Waste and Recycling Design & Management Standards	<ul style="list-style-type: none"> Standard conditions are recommended to ensure the appropriate ongoing management of waste and during the construction phase. 	Yes, subject to conditions

Chapter E2 – Haberfield Neighbourhood

Control	Proposed	Compliance
2.1. Desired Future Character	<ul style="list-style-type: none"> The proposal is consistent with the objectives of this part and the desired future character of the Haberfield neighbourhood. The proposed does not conceal, dominate or otherwise compete with the architectural character of neighbouring contributory buildings. 	Yes
2.2.1. Statement of Significance	<ul style="list-style-type: none"> The proposal rationalises the existing site characteristics and will have a negligible impact on surrounding contributory elements which are detailed within Statement of Significance for the Haberfield Heritage Conservation Area. 	Yes
2.2.2. General	<p>The proposal is consistent with the objectives of this part as follows:</p> <ul style="list-style-type: none"> The works will not detract from the heritage significance of Haberfield. 	Yes
2.2.19. Commercial Buildings and Institutions	<p>The subject site is located within the Commercial area of Haberfield along Ramsay Street. However, the subject site is not-contributory to the existing siting pattern and built form, hence there are no controls which apply to the subject site under this part.</p>	Yes

C. The Likely Impacts

These matters have been considered as part of the assessment of the development application. It is considered that the proposed development will not have significant adverse environmental, social or economic impacts upon the locality.

D. The Suitability of the Site for the Development

The proposal is of a nature in keeping with the overall function of the site. The premises are in a residential and commercial surrounding and maintains the existing use of the subject site.

E. Submissions

The application was required to be notified in accordance with Council’s Community Engagement Strategy between 05 September 2024 to 19 September 2024.

A total of 16 submissions were received in response to the initial notification.

Further issues raised in the submissions received are discussed below:

Concern	Comment
Inconsistencies in the architectural plans	Council requested further information and detail to be included on the architectural plans which has been provided by the applicant. It is considered sufficient detail and information have now been provided with the application to allow for a complete assessment. The amended plans include perspectives which are scaled with correct dimensions which are sufficient for an assessment of the impacts of the proposal. As detailed in this report, an assessment against the relevant planning controls/policies was undertaken. In summary, the proposal is considered to satisfy the relevant provisions and a condition of consent is recommended specifying what works are and are not covered in this consent. Confusion has been raised regarding the “Timber Awning over Carwash” noted on the Survey Plan 15964Bdetail prepared by C.M.S Surveyors Pty Ltd dated 08/09/2020. This plan is a survey which was carried out in 2020 prior to the demolition of the timber awning as ordered by the Court and hence, is not on the existing or proposed site plan.
Heritage impact on commercial gateway	As discussed in Section 5.10 of the <i>IWLEP 2022</i> , the subject site is not contributory to the heritage value of the Haberfield HCA, and it is considered that the proposal will rationalise the existing site conditions while providing sun protection for staff. The proposed shade sail is setback approximately 20m from the Ramsay Street frontage and will not affect view lines to contributory buildings for those entering the commercial area. It is considered that the shade sail will not block views of the mural on the Kingston Street side of No. 99 Ramsay Street.
Visual impact, bulk and scale	The proposed poles associated with the shade sail will have a maximum height of 4.4m above ground level with the shade sail dropping slightly below this. The existing ridge of the carwash tunnel is approximately 5.5m above ground level and the awning over the fuel pumps is 5.4m above

	ground level. Given the scale of these existing structures on the site, the heights proposed for the poles used to support the shade sail are acceptable as they will be lower than existing structures and the character of the shade sail will not be a bulky element on the subject site.
Breach of the building line along Kingston Street	Concern has been raised that the shade sail breaches the front setback requirement for buildings along Kingston Street. The subject sites primary road frontage is Ramsay Street with Kingston Street as a secondary road frontage. The proposed site contains a commercial premises which is non-contributory and hence, is not required to comply with the front building line established by residential dwellings along the Kingston Street frontage. Research into historical imagery of the subject site shows a cluster of buildings on the site in 1943, one building of which breaches this Kingston Street setback pattern. Notwithstanding, recent approvals for buildings on the subject site ensured compliance with this setback pattern, however, it is not considered that the shade sail is a building as it does not contain any enclosing walls or permanent roof structure. Hence it is considered that the construction of the shade sail is a “soft” element which will not significantly impact the pattern of development established in the streetscape.
Potential conversion of the shade sail into additional enclosed floor area	The proposal is for a shade sail and Council does not approve any works outside of this scope. The shade sail does not add to floor space ratio or site coverage as it is a fabric sail which doesn’t create an enclosed area.
Engineering plans to ensure structural adequacy of the shade sail	Concern was raised that no engineering details have been provided to certify that the shade sail can withstand high winds and climatic changes. The design guide from the Rainbow Shade Z16 brochure provides technical properties, strength characteristics, and wind speed resistance which confirms that when installed to the correct specifications, the shade sail will be able to withstand high winds without failure and therefore it is considered that the shade-sail will be structurally adequate for use on the subject site.
Existing site is too congested and the proposal will present vehicle manoeuvring risks	Concern was raised that the proposal will add an additional structure to a site which contains too many built elements and is too congested. The installation of the shade sail will result in the removal of the temporary umbrellas to create a much simpler structure which complements the existing buildings on the site and will provide shelter and shade to staff and customers utilising the wipe-down area. The proposed location of the poles does not obstruct the existing approved paths of vehicles through the carwash. Concern has been raised that the shade sail presents an additional hazard for the fuel tanker trucks when refilling the station. The shade sail is only covering the approved car-wash wipe-down area so it is not considered that it would obstruct the path of trucks through the fuelling part of the station. Hence it is considered that the proposal will help rationalise the existing site conditions and removes elements which do congest the site.
The existing unauthorised works are unresolved and the Court orders have not been carried out.	The existing unauthorised works were investigated by Councils compliance team and an order issued which was complied with. The proposal relates to the existing approved wipe-down area with the purpose of providing shade to staff and will not provide approval to other works which have occurred on the subject site.
Signage scope, location and illumination.	Concern was raised that the applicant hasn’t clearly identified that the proposal also includes new signage and objection has been raised to it facing the Kingston Street frontage and being illuminated. The proposed relocation of the existing signage is included in the scope of works of this

	application and a condition of consent is recommended specifying what works are and are not covered in this consent. The proposed new location of the signage will be facing southwest towards Ramsay Steet and will not be illuminated.
Heritage Impact Statement (HIS) is insufficient	Concern was raised that the HIS submitted with this application does not adequately address the heritage impact of the proposed works. As the subject site is non-contributory within the Haberfield HCA, the conclusions drawn from the HIS is agreed by council being that the proposal will simplify the existing site conditions providing an “aesthetic improvement” to the site.

F. The Public Interest

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by Council ensuring that any adverse effects on the surrounding area and the environment are appropriately managed.

This has been achieved in this instance.

6. Referrals

The following internal referrals were made, and their comments have been considered as part of the above assessment:

- Heritage Specialist.

7. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in *Inner West Local Environmental Plan 2022* and *Inner West Comprehensive Development Control Plan 2016* for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill.

The development will not result in any significant impacts on the amenity of the adjoining premises, properties and the streetscape and is considered to be in the public interest.

The application is considered suitable for approval subject to the imposition of appropriate conditions.

8. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant consent to Development Application No. DA/2024/0724 for construction of a shade sail and relocation of an existing sign associated with the existing car wash at 95 Ramsay Street, HABERFIELD subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent

CONDITIONS OF CONSENT

GENERAL CONDITIONS

Condition																									
1.	<p style="text-align: center;">Documents related to the consent</p> <p>The development must be carried out in accordance with plans and documents listed below:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Plan, Revision and Issue No.</th> <th style="text-align: center;">Plan Name</th> <th style="text-align: center;">Date Issued/Received</th> <th style="text-align: center;">Prepared by</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">A1.01 Rev F</td> <td style="text-align: center;">Site Plan</td> <td style="text-align: center;">27/09/23</td> <td style="text-align: center;">i.d. Projects</td> </tr> <tr> <td style="text-align: center;">A3.03 Ref F</td> <td style="text-align: center;">Elevations</td> <td style="text-align: center;">27/09/23</td> <td style="text-align: center;">i.d. Projects</td> </tr> <tr> <td style="text-align: center;">A7.01 Rev F</td> <td style="text-align: center;">Perspectives</td> <td style="text-align: center;">27/09/23</td> <td style="text-align: center;">i.d. Projects</td> </tr> <tr> <td style="text-align: center;">A7.02 Rev F</td> <td style="text-align: center;">Perspectives</td> <td style="text-align: center;">27/09/23</td> <td style="text-align: center;">i.d. Projects</td> </tr> <tr> <td style="text-align: center;">A8.02 Rev F</td> <td style="text-align: center;">Signage Detail</td> <td style="text-align: center;">27/09/23</td> <td style="text-align: center;">i.d. Projects</td> </tr> </tbody> </table> <p>As amended by the conditions of consent.</p> <p>Reason: To ensure development is carried out in accordance with the approved documents.</p>	Plan, Revision and Issue No.	Plan Name	Date Issued/Received	Prepared by	A1.01 Rev F	Site Plan	27/09/23	i.d. Projects	A3.03 Ref F	Elevations	27/09/23	i.d. Projects	A7.01 Rev F	Perspectives	27/09/23	i.d. Projects	A7.02 Rev F	Perspectives	27/09/23	i.d. Projects	A8.02 Rev F	Signage Detail	27/09/23	i.d. Projects
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2.	<p style="text-align: center;">Works Outside the Property Boundary</p> <p>This development consent does not authorise works outside the property boundaries on adjoining lands.</p> <p>Reason: To ensure works are in accordance with the consent.</p>																								
3.	<p style="text-align: center;">Storage of Materials on public property</p> <p>The placing of any materials on Council's footpath or roadway is prohibited, without the prior consent of Council.</p> <p>Reason: To protect pedestrian safety.</p>																								
4.	<p style="text-align: center;">Other works</p> <p>Works or activities other than those approved by this Development Consent will require the submission of a new Development Application or an application to modify the consent under Section 4.55 of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>Reason: To ensure compliance with legislative requirements.</p>																								

5.	<p style="text-align: center;">National Construction Code (Building Code of Australia)</p> <p>A complete assessment of the application under the provisions of the National Construction Code (Building Code of Australia) has not been carried out. All building works approved by this consent must be carried out in accordance with the requirements of the National Construction Code.</p> <p>Reason: To ensure compliance with legislative requirements.</p>
6.	<p style="text-align: center;">Notification of commencement of works</p> <p>Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the PCA (not being the council) has given the Council written notice of the following information:</p> <ul style="list-style-type: none"> a. In the case of work for which a principal contractor is required to be appointed: <ul style="list-style-type: none"> i. The name and licence number of the principal contractor; and ii. The name of the insurer by which the work is insured under Part 6 of that Act. b. In the case of work to be done by an owner-builder: <ul style="list-style-type: none"> i. The name of the owner-builder; and ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit. <p>Reason: To ensure compliance with legislative requirements.</p>
7.	<p style="text-align: center;">Dividing Fences Act</p> <p>The person acting on this consent must comply with the requirements of the <i>Dividing Fences Act 1991</i> in respect to the alterations and additions to the boundary fences.</p> <p>Reason: To ensure compliance with legislative requirements.</p>
8.	<p style="text-align: center;">Dial before you dig</p> <p>Contact "Dial Prior to You Dig" prior to commencing any building activity on the site.</p> <p>Reason: To protect assets and infrastructure.</p>
9.	<p style="text-align: center;">Asbestos Removal</p> <p>Hazardous and industrial waste arising from the use must be removed and / or transported in accordance with the requirements of the NSW Environment Protection Authority (EPA) and the New South Wales WorkCover Authority.</p> <p>Reason: To ensure compliance with the relevant environmental legislation.</p>
10.	<p style="text-align: center;">Works approved by this consent</p> <p>This approval only gives consent for the construction of a shade sail and relocation of the existing <i>Fascia Sign B</i> onto the shade sail. Approval is not provided for any other signage detailed on Drawing A8.02 Revision F "Signage Detail" prepared by i.d. Projects dated 27/09/2023. This consent does not provide retrospective approval for other works which may have occurred on the subject site.</p> <p>Reason: To ensure works are in accordance with the consent.</p>

BUILDING WORK
BEFORE BUILDING WORK COMMENCES

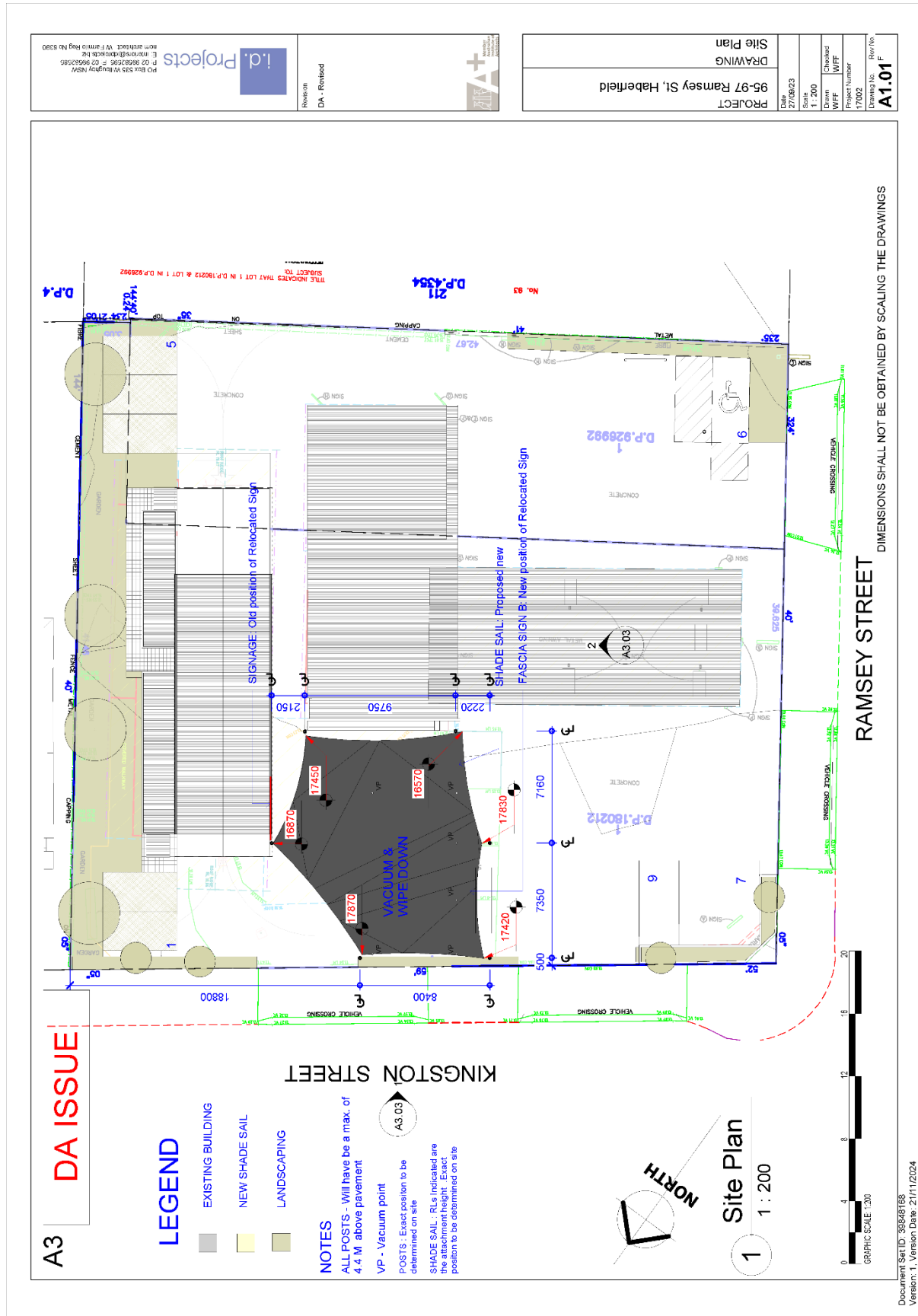
Condition	
11.	<p>Waste Management Plan</p> <p>Prior to the commencement of any works (including any demolition works), the Certifying Authority is required to be provided with a Recycling and Waste Management Plan (RWMP) in accordance with the relevant Development Control Plan.</p> <p>Reason: To ensure resource recovery is promoted and local amenity is maintained.</p>
12.	<p>Erosion and Sediment Control</p> <p>Prior to the issue of a commencement of any works (including any demolition works), the Certifying Authority must be provided with an erosion and sediment control plan and specification. Sediment control devices must be installed and maintained in proper working order to prevent sediment discharge from the construction site.</p> <p>Reason: To ensure resource recovery is promoted and local amenity is maintained.</p>
13.	<p>Standard Street Tree Protection</p> <p>Prior to the commencement of any work, the Certifying Authority must be provided with details of the methods of protection of all street trees adjacent to the site during demolition and construction.</p> <p>Reason: To protect and retain trees.</p>
14.	<p>Construction Fencing</p> <p>Prior to the commencement of any works (including demolition), the site must be enclosed with suitable fencing to prohibit unauthorised access. The fencing must be erected as a barrier between the public place and any neighbouring property.</p> <p>Reason: To protect the built environment from construction works.</p>

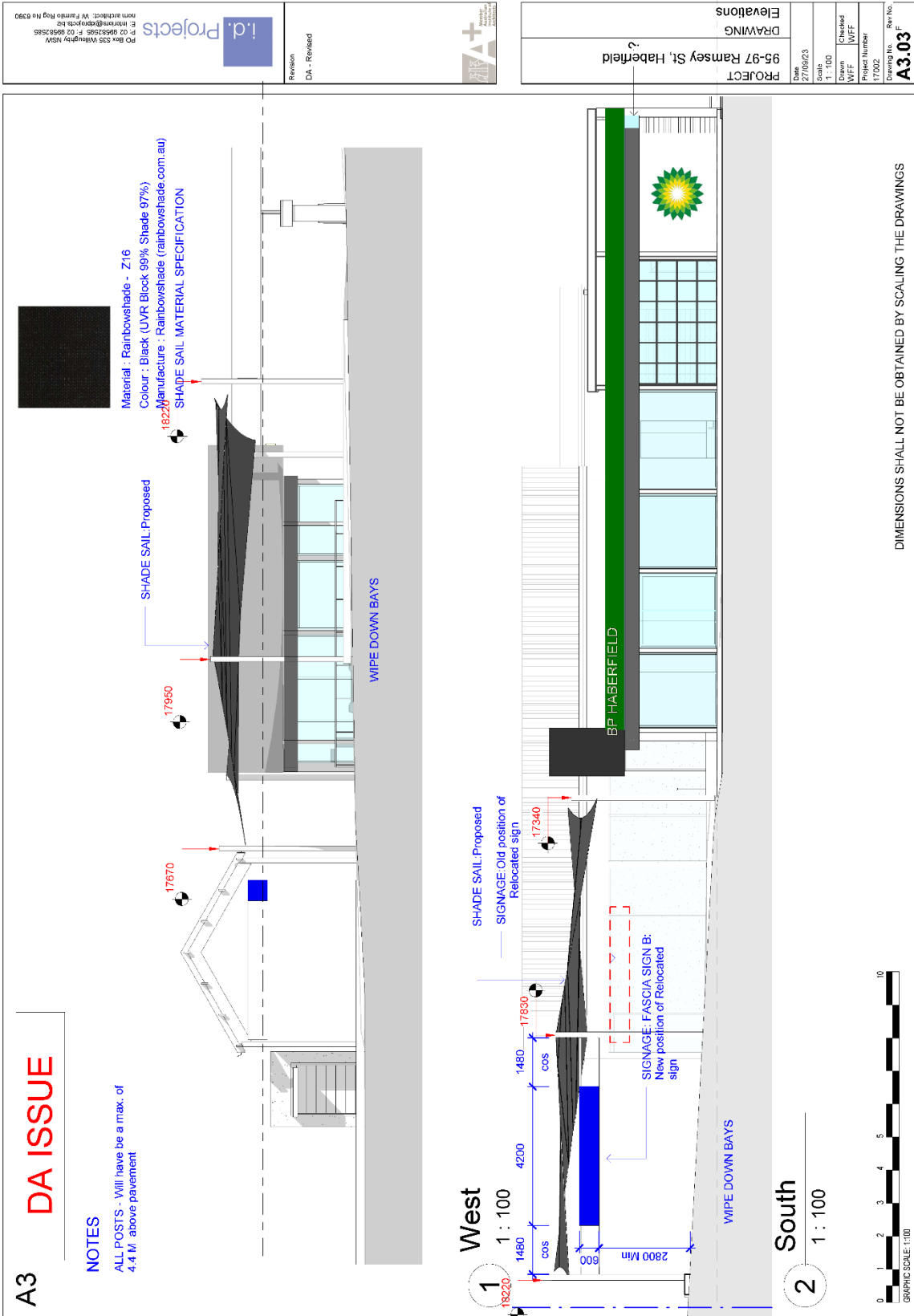
DURING BUILDING WORK

Condition	
15.	<p>Advising Neighbours Prior to Excavation</p> <p>At least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, reasonable notice must be provided to the owner of the adjoining allotment of land including particulars of the excavation.</p> <p>Reason: To ensure surrounding properties are adequately notified of the proposed works.</p>

<p>16.</p>	<p>Construction Hours – Class 2-9</p> <p>Unless otherwise approved by Council, excavation, demolition, construction or subdivision work must only be permitted during the following hours:</p> <p>7:00am to 6.00pm, Mondays to Fridays, inclusive (with demolition works finishing at 5pm); 8:00am to 1:00pm on Saturdays with no demolition works occurring during this time; and at no time on Sundays or public holidays.</p> <p>Works may be undertaken outside these hours where they do not create any nuisance to neighbouring properties in terms of dust, noise, vibration etc. and do not entail the use of power tools, hammers etc. This may include but is not limited to painting.</p> <p>In the case that a standing plant or special out of hours permit is obtained from Council for works in association with this development, the works which are the subject of the permit may be carried out outside these hours.</p> <p>This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, to prevent risk to life or environmental harm.</p> <p>Activities generating noise levels greater than 75dB(A) such as rock breaking, rock hammering, sheet piling and pile driving must be limited to 8:00am to 12:00pm, Monday to Saturday; and 2:00pm to 5:00pm Monday to Friday.</p> <p>The person acting on this consent must not undertake such activities for more than three continuous hours and must provide a minimum of one 2 hour respite period between any two periods of such works. "Continuous" means any period during which there is less than an uninterrupted 60 minute respite period between temporarily halting and recommencing any of that intrusively noisy work.</p> <p>Reason: To protect the amenity of the neighbourhood.</p>
<p>17.</p>	<p>Survey Prior to Footings</p> <p>Upon excavation of the footings and before the pouring of the concrete, the Certifying Authority must be provided with a certificate of survey from a registered land surveyor to verify that the structure will not encroach over the allotment boundaries.</p> <p>Reason: To ensure works are in accordance with the consent.</p>

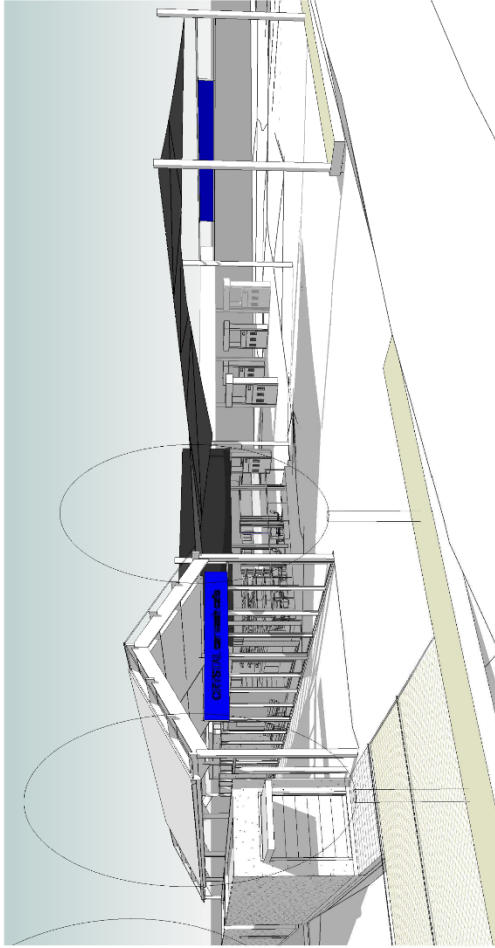
Attachment B – Plans of proposed development



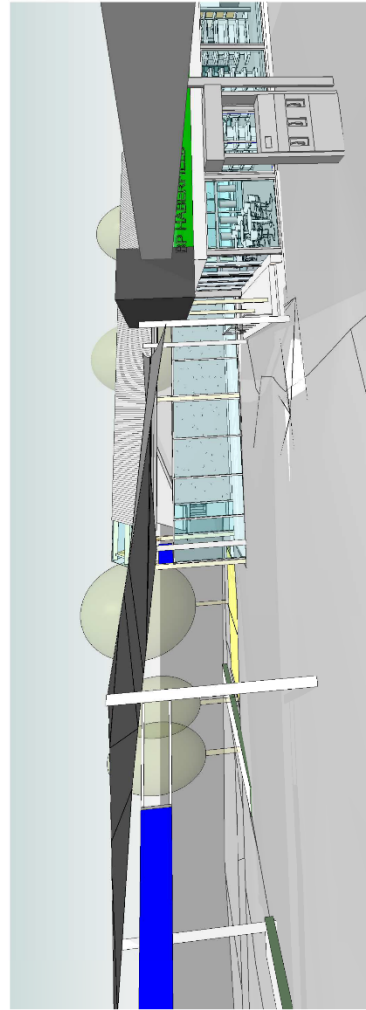


DA ISSUE

A3



1 From Kingston St





2 From Cnr of Kingston & Ramsey

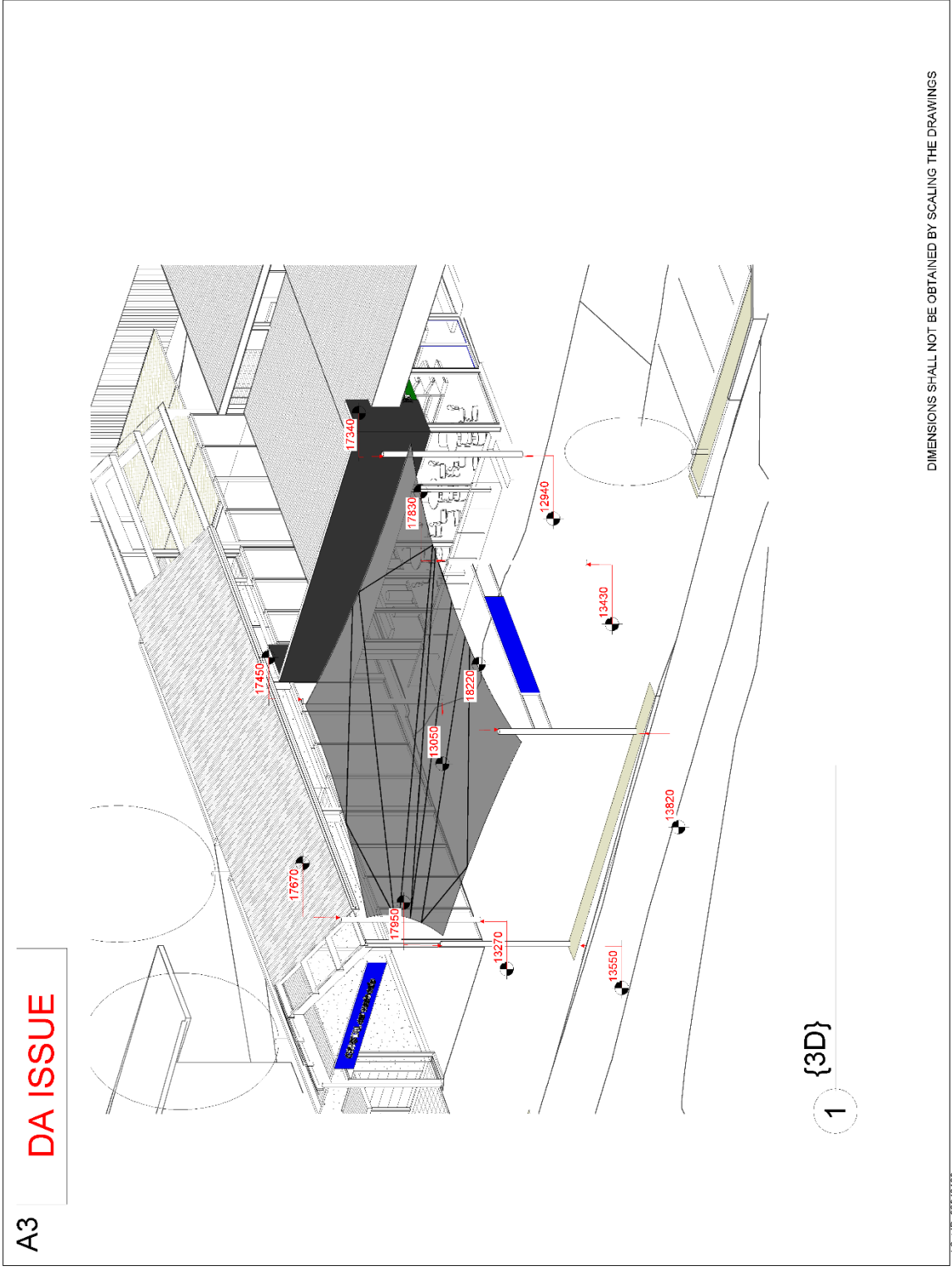
DIMENSIONS SHALL NOT BE OBTAINED BY SCALING THE DRAWINGS

 <p>i.d. Projects PO Box 535 Waverley NSW 151 02 94962325 F 02 94962325 E info@idprojects.com.au 151 02 94962325 F 02 94962325 151 02 94962325 F 02 94962325</p>	<p>Revision DA - Revised</p>	
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PROJECT	95-97 Ramsey St, Haberfield
DRAWING	Perpectives
Date	21/08/23
Scale	
Drawn	WFF
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Project Number	17002
Drawing No.	
Rev No	A7.01

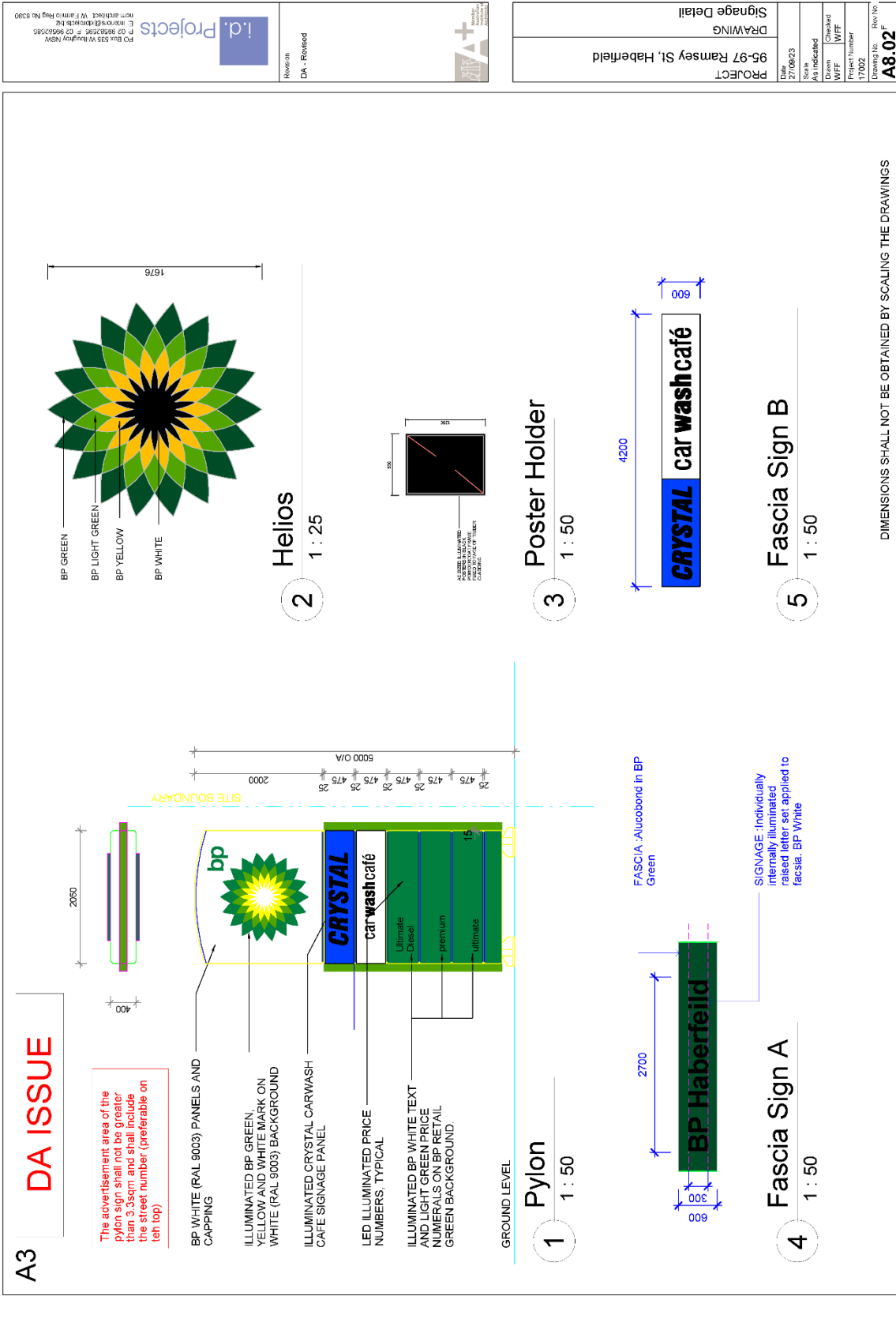
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PROJECT 95-97 Ramsey St, Haberfield	DRAWING Perspectives
Date: 27/08/23 Scale:	Checked: WFF Project Number: 177002 Drawing No.: Rev No:
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DIMENSIONS SHALL NOT BE OBTAINED BY SCALING THE DRAWINGS

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Version: 1, Version Date: 21/11/2024



DIMENSIONS SHALL NOT BE OBTAINED BY SCALING THE DRAWINGS

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Version: 1, Version Date: 21/11/2024

Attachment C – Heritage Impact Statement

Kemp & Johnson
Heritage Consultants

3 David Street
Croydon NSW 2132
ABN 92 230 460 374
Ph M 0422 238 089
Email kempchery@gmail.com



1 March 2024

HERITAGE IMPACT STATEMENT FOR CRYSTAL CAR WASH/BP SERVICE STATION, 95 RAMSAY STREET, HABERFIELD (LOT 1, DP180212 & LOT 1, DP926992)

This Heritage Impact Statement has been written to support a Development Application for replacement of outdoor foldable umbrellas at the Crystal Car Wash with a new shade sail.

SITE LOCATION

The site is located at the south-eastern corner of the intersection of Ramsay Street and Kingston Street, Haberfield, as shown in Figures 1 & 2 below.

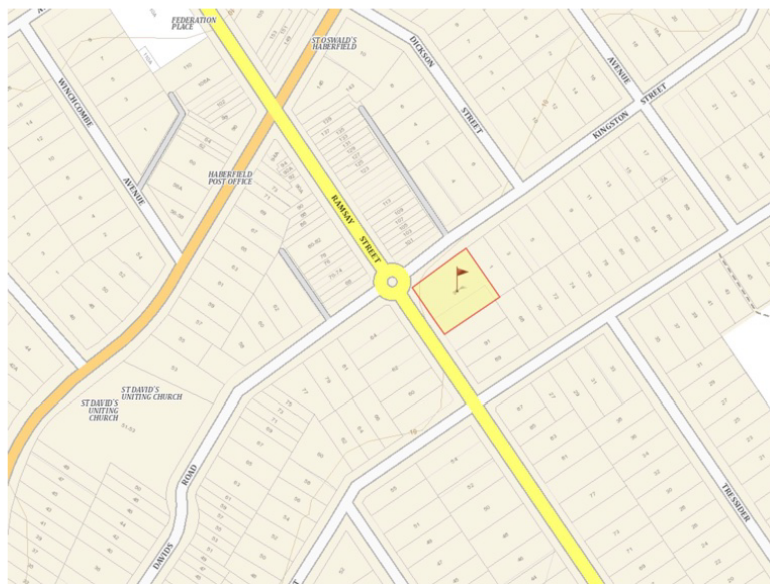


Figure 1: (Left) Location map showing the subject property at (shaded yellow, outlined in red) Source: NSW Land & Property Information Six Maps



Figure 2: (Left) Recent satellite view of 95 Ramsay Street (shaded yellow, outlined in red) Source: NSW Land & Property Information Six Maps

HERITAGE STATUS OF THE SITE

The property at 95 Ramsay Street, Haberfield is within the C54 Haberfield Heritage Conservation Area listed under Part 2 Heritage Conservation Areas of Schedule 5 of the Inner West LEP 2022. Figure 3 below shows the heritage context of the site. The property is not in the vicinity of any heritage items. Clause 5.10 of the LEP therefore requires compliance with heritage objectives and controls, including the submission of a Heritage Impact Statement with any DA, assessing the heritage impact proposed work may have on the heritage significance of the HCA as part of any Development Application.

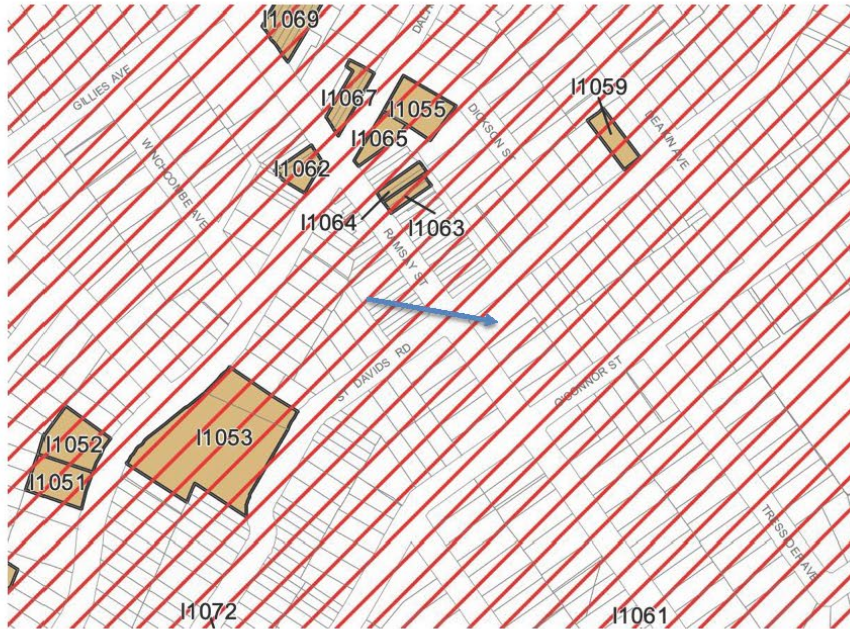


Figure 3: Extract Heritage Map No. 004, Inner West LEP 2022, showing the subject property at 95 Ramsay Street indicated with blue arrow.

HISTORY

A previous Heritage Impact Statement prepared in 2021 by Archnex Designs outlined the history of the site as being the original office and display home of Stanton & Sons Ltd at Haberfield (since demolished), which from 1925-1932/33 was used as a medical practitioner's premises. The service station was likely to have occupied the site from 1962. The 1943 aerial photo below shows a cluster of buildings on the site, since demolished & replaced.



Figure 4: 1943 aerial photo showing previous buildings on the site (since demolished and replaced). Source: NSW Land & Property Information Six Maps

DESCRIPTION OF SUBJECT PROPERTY

The site is occupied by the Crystal Car Wash and BP Service Station, as shown in the photos below. The photos below show the foldable umbrellas currently used for shading at the Crystal Car Wash.



Figure 5: The Crystal Car Wash from Kingston Street. Note the cluster of foldable umbrellas in the area proposed for the shade sail (arrowed).



Figure 6: Crystal Car Wash and BP Service station from the corner of Kingston Street and Ramsay Street



Figure 7: The BP Service Station (at left) looking east along Ramsay Street



Figure 8: The Crystal Car Wash from Kingston Street



Figure 9: The Crystal Car Wash from Ramsay Street (at right) with adjacent house at left.

THE PROPOSAL

The proposal is shown on plans prepared by i.d. Projects Architects at Attachment 1 to this report, and the proposed work involves:

- Replacement of existing foldable umbrellas at the Crystal Car Wash with a new shade sail on posts
- Relocation of the Crystal Car Wash sign to a new position internal to the site

HERITAGE ASSESSMENT OF PROPOSAL

General

The proposal removes the current clutter of foldable umbrellas, replacing these with a single shade sail. This is an aesthetic improvement to the site, which will make the site more compatible with its heritage conservation area context.

LEP Heritage Controls

The proposal complies with the objectives and controls of Clause 5.10 of the LEP, as the proposal will have no impact on the heritage significance of the Haberfield Heritage Conservation Area, the heritage impacts have been considered, and this Heritage Impact Statement fulfils the requirements of Clause 5.10 (5).

DCP Heritage Objectives & Controls

The table below assesses the proposal against the relevant heritage objectives and provisions of Inner West DCP 2016, in particular Chapter E2: Haberfield Conservation Area. It is noted that the current controls of Section E2 of the DCP concentrate on residential controls, with some controls for traditional commercial buildings. None of these controls appear relevant to the subject site, which is a modern service station and car wash commercial activity and does not contain any traditional buildings. The proposal is therefore assessed against the objectives of Chapter E2 (see Table 1 below).

Table 1: Assessment of the proposal against the relevant heritage objectives and provisions of the Chapter E2 of the Inner West DCP 2016

Objective or Provision	Response
<p>Objectives</p> <p>To keep the qualities which contribute to the heritage significance of the historic suburb of Haberfield;</p> <p>To ensure that necessary change, such as alterations and extensions to existing buildings, will respect the contribution of those buildings to the heritage significance of Haberfield and will have no ill effect on the heritage significance of Haberfield as a whole;</p> <p>To encourage the removal and reversal of those components which detract from the heritage significance of Haberfield.</p>	<p>The Crystal Car Wash & BP Service Station are clearly not part of the historical or significant fabric of the Haberfield Heritage Conservation Area (HCA). The proposal, which replaces a clutter of foldable umbrellas at the car wash site with a single shade sail, is an aesthetic improvement to the site, which will enhance the quality of the site as part of the HCA. The relocation of the car wash sign to an internal location within the site facing Ramsay Street is considered to have no adverse impact on the Haberfield HCA.</p> <p>Overall, the proposed works comply with these objectives and will have no adverse impact on the heritage significance of the Haberfield HCA.</p>

CONCLUSION

The proposal is recommended for approval by the consent authority as the proposed works will have no adverse impact on the heritage significance of the Haberfield HCA and will remove the current cluster of foldable umbrellas at the car wash site and replace these with a single shade sail, which is considered an aesthetic improvement on the current arrangement. The relocation of the Crystal Car Wash sign to a location internal to the site facing Ramsay Street will have no adverse impact on the heritage significance of the Haberfield HCA.



Chery Kemp,
Principal Partner/Heritage Specialist
Kemp & Johnson Heritage Consultants

ATTACHMENT 1:

PROPOSAL PLANS PREPARED BY
i.d. Projects, ARCHITECTS

<p>PO Box 593 Waverley NSW P 02 9369 2585 F 02 9369 2585 info@idprojects.com.au www.idprojects.com.au</p>	Revision DA - Shade Sail	
	Date 27/08/23	

PROJECT 95-97 Ramsey St, Haberfield	Site Plan DRAWING 27/08/23
Date 27/08/23	Site Plan DRAWING 27/08/23
Checked WJF	Project Number 17002
Drawing No. A1.01	Row No. D

