

1 May 2025

SLR Ref No.: 630.032084.0001-v0.1-L0.1-Statement of Environmental Effects - 4-8 Inman Road Cromer.docx

**Attention: General Manager**  
Northern Beaches Council  
1 Belgrave Street  
Manly NSW 2095

SLR Project No.: 630.032084.0001

**RE: Statement of Environmental Effects**  
**s4.55(2) Modification to DA2023/1142**  
**4-8 Inman Road, Cromer NSW 2099**

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## **1.0 Introduction**

SLR Consulting Australia Pty Ltd (SLR) acts on behalf of Indoor Padel Australia in lodging this Section 4.55(2) modification application to Northern Beaches Council (Council) to modify DA 2023/1142. The proposal includes modifications to 'Condition 1 'Approved Plans and Supporting Documentation' and 'Condition 16 Hours of Operation' of the approved consent to facilitate the proposed licensed premise located at 4-8 Inman Road, Cromer NSW 2099.

Section 4.55(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act) states that a consent authority may, on application, modify a development consent involving substantially the same development. The proposed modification is considered to satisfy these requirements as detailed within this modification application.

### **1.1 Background**

- DA2023/1142 was approved on 24 November 2023 with the description 'Use of existing premises as an indoor recreational facility, including fitout and signage'.
- Mod2024/0313 was approved on 30 July 2024 for the minor internal alterations required to the plans.

## **2.0 Site Details**

The site is legally described as Lot 1 within DP 1282038 and is known as 4-8 Inman Road Cromer. Refer to **Figure 1** and **Figure 2** for a site aerial and cadastral plan. It has two (2) street frontages, being South Creek Road to the south and Inman Road to the west.

Within the site, the premises is known as Warehouse Unit 2 and is located in the northeast corner of the site.

Vehicle access to the site is available off both South Creek Road and Inman Road.

Refer to **Figure 1** to view the existing site and surrounding development.

The proposal seeks to include operational changes to the existing indoor padel facility to allow for a licensed premises, including building works.

### 3.1 Architectural Plans

The proposed minor changes are detailed below and are included on the amended architectural plans enclosed at Appendix A.

- Additional signs;
  - Projecting wall sign (non-illuminated);
  - Wall sign (non-illuminated)
- Outdoor tables/seating (16 seats); and
- Internal bar area changes.

Other operational changes are detailed below:

### 3.2 Operational hours:

#### 3.2.1 Indoor padel

**Existing hours:**

- Monday – Friday: 7:00am to 10:00pm
- Sunday and Public Holidays: 7:00am to 10:00pm

**Proposed hours:**

- Monday – Sunday: 6:00am to 10:00pm

#### 3.2.2 Liquor License

**Proposed hours:**

- Monday – Friday: 4:00pm to 10:00pm
- Saturday and Sunday: 10:00am to 10:00pm

## 4.0 Relevant Legislation and Planning Controls

### 4.1 Environmental Planning and Assessment Act 1979

The proposal is subject to the provisions of the Environmental Planning and Assessment Act 1979 (EP&A Act 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 subject DA, in accordance with the relevant matters prescribed under Section 4.15 (1), is provided within this SEE.

The appropriate approval path for the proposed modification is a s4.55(2) under the EP&A Act.

*(2) **Other modifications** A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if—*

*(a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which*



*consent was originally granted and before that consent as originally granted was modified (if at all), and*

*(b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*

*(c) it has notified the application in accordance with—*

*(i) the regulations, if the regulations so require, or*

*(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*

*(d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.*

*Subsections (1) and (1A) do not apply to such a modification.*

The proposed amendment includes minor changes to operating hours, external and internal seating, and the liquor license. These adjustments do not alter the overall design, appearance, or land uses of the approved development. Therefore, the proposal remains substantially the same as the originally granted consent, involving operational changes with minimal potential for adverse environmental effects.

As such the proposed modification can be considered under s4.55(2) of the EP&A Act.

## **4.2 State Environmental Planning Policy (Industry and Employment) 2021**

The proposal involves the installation of a non-illuminated wall sign, therefore, assessment of the SEPP (Industry and Employment) 2021 is required.

It is considered that the proposed wall sign is consistent with the requirements outlined within this SEPP as detailed below:

### **3.6 Granting of consent to signage**

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

*that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and*

*that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.*

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



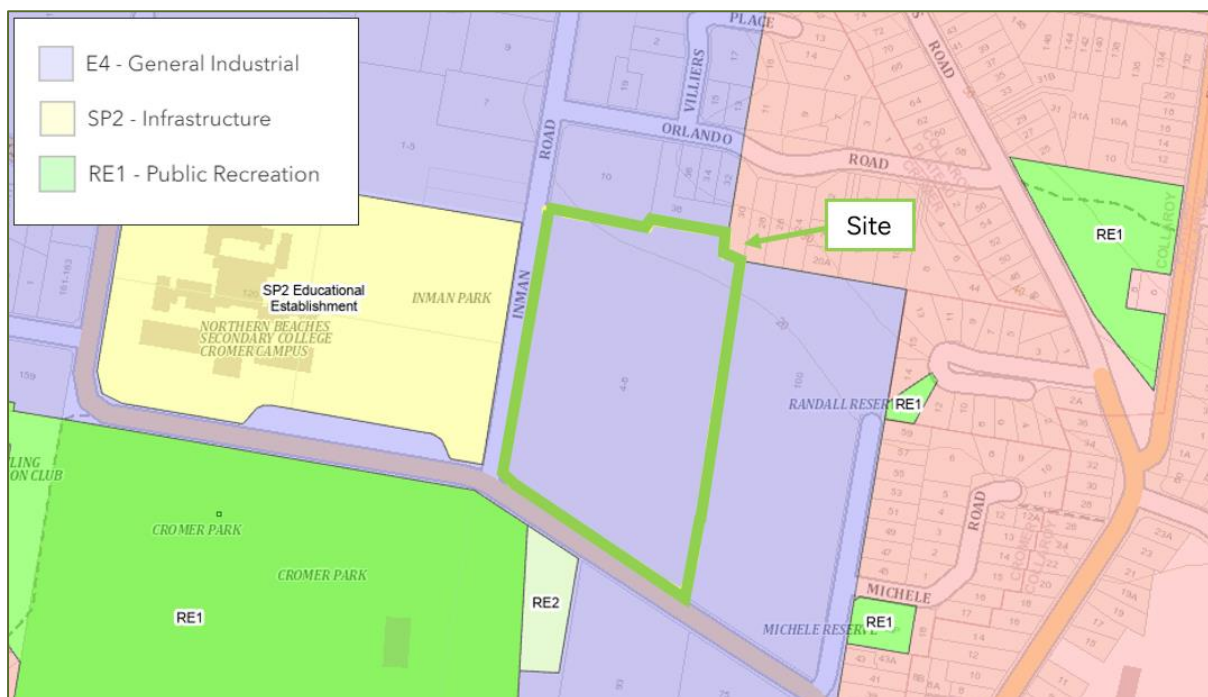


A detailed assessment of the proposal against the provisions of this SEPP is provided in Appendix D of this SEE. Overall, the proposed signage meets the applicable criteria of the Industry and Employment SEPP and is consistent with the aims of this SEPP.

### 4.3 Warringah Local Environmental Plan 2011

Under the provisions of the Warringah LEP 2011, the site is zoned E4 General Industrial under the LEP.

**Figure 3 Zoning Map Extract (NSW Planning Portal Spatial Viewer)**



#### **Zone E4 General Industrial**

##### **1 Objectives of zone**

- To provide a range of industrial, warehouse, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.
- To provide areas for land uses that need to be separated from other zones.
- To provide healthy, attractive, functional and safe light industrial areas.

##### **2 Permitted without consent**

Nil



### **3 Permitted with consent**

*Depots; Freight transport facilities; Garden centres; General industries; Goods repair and reuse premises; Hardware and building supplies; Horticulture; Industrial retail outlets; Industrial training facilities; Landscaping material supplies; Light industries; Local distribution premises; Neighbourhood shops; Oyster aquaculture; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Water supply systems; Any other development not specified in item 2 or 4*

### **4 Prohibited**

*Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Community facilities; Correctional centres; Early education and care facilities; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Passenger transport facilities; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Wharf or boating facilities*

The proposed use is defined as a recreation facility (indoor). Therefore, the proposed use is permitted with consent under this clause. The proposal meets the objectives of the zone, including enabling limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.

***recreation facility (indoor)*** means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club

The remainder of the relevant clauses have been outlined below.

#### **4.3.1 Applicable Clauses**

##### **Clause 4.1 Minimum Lot Size**

The Site is subject to a minimum lot size of 4,000m<sup>2</sup> under the WLEP 2011. No subdivision is proposed as part of this development.

##### **Clause 4.3 Height of buildings**

The maximum building height for the site is 11m. Notwithstanding, the proposal does not result in an increase in building height.



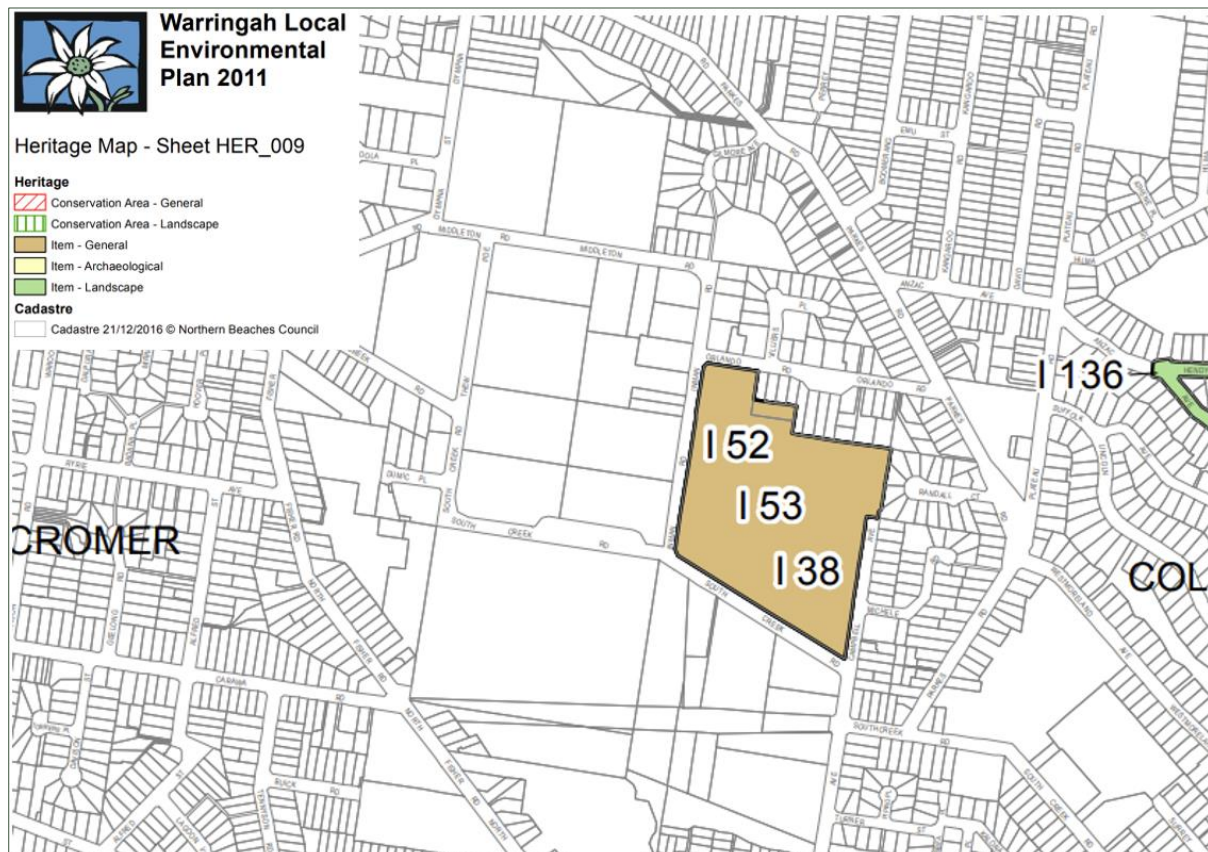
#### Clause 4.4 Floor space ratio

Pursuant to the WLEP 2011, the site does not have a maximum floor space ratio (FSR). The proposal will not result in a change of the FSR of the site.

#### Clause 5.10 Heritage Conservation

The site is identified as three (3) heritage items under Schedule 5 of the WLEP 2011.

**Figure 4 Heritage Map Extract (Source: Sheet HER\_009)**



As specified in **Figure 4**, the site contains three (3) items of local significance.

- The Roche Building (I52);
- Givaudan-Roure Office (I53); and
- Trees (I38)

The heritage items are not to be impacted as part of this application. It is also noted that items 53 and 38 are outside of the scope of this proposal. The proposed modification will not cause further impacts that would detract from the heritage amenity or views to and from these heritage items is anticipated.

#### 4.4 Warringah Development Control Plan 2011

The Warringah DCP 2011 applies to the site.



The minor nature of the modifications proposed do not impact the compliance of the development with relevant DCP controls as assessed under the original application, and thus do not warrant further reassessment.

## 5.0 Assessment of Planning Issues

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

The proposed extension of trading hours and liquor licence is in direct response to continued customer demand and public need for an increase in safe and sociable food and drink services at the recreational facility. The proposal is expected to result in improved conditions (due to the noise mitigation methods) on the environment and the amenity of the surrounding area.

### 5.1 Noise

A Noise Monitoring Report Assessment (NMR) was prepared by SLR Consulting (dated April 2025), measuring the noise impact of the site in accordance with the current operating hours. Noise measurements were conducted at various locations within and external to the Indoor Padel Facility on Saturday 12 April 2025 during the operational hours.

Table 5 within the Noise Assessment indicates the Predicted Noise Levels (PNL) with the applied mitigation methods. This involves a reduced court operation by half (from 6:00 am to 7:00 am on a weekday and 7:00 am to 8:00 am on a weekend).

Table 5 shows that morning shoulder, daytime and evening overall LA10(dBA) noise criteria can be met, assuming consistent noise emissions from the operation. However, some octave bands may exceed the criteria by up to 2 dB. Given the suburban location, where ambient noise is dominated by traffic, industry, and insects, these exceedances are considered negligible.

Refer to the NA located at **Appendix B** for further details.

### 5.2 Heritage

Due to the nature of the proposal, there will be no physical impact to the site or surrounding heritage listed items. The continued use of the site as a recreation facility will not impact the significance of the heritage listed items, and there will be no negative impacts as a result of the proposed extension to trading hours. In this regard, the proposal will also not have an impact on surrounding heritage items of the locality.

### 5.3 Traffic

The proposal will not impact on the existing approved conditions regarding traffic, parking and access.

### 5.4 Lighting

The standard of lighting is designed to not only reduce the fear of crime in accordance with Australia lighting standards, but also serves to provide clear identification of activity using the high technology CCTV cameras.

Lighting is generally directed internally within the site to prevent light spill on nearby land uses.





## 5.5 Safety and Security

The premises will ensure the safety and security of the site through the updated Plan of Management (refer to Appendix E) and CPTED Assessment (refer to Appendix C) which deals with such matters as the amenity of the neighbourhood, lighting, surveillance equipment, vandalism, noise, anti-social behaviour and security. The Plan of Management includes requirements including, the operations of the licensed area, compliance with the liquor license, Responsible Service of Alcohol, gambling, staff training, incident report and complaint resolution.

A number of measures are used to ensure the safety and security of the site, including:

- *CCTV surveillance;*
- *control and monitoring of access; and,*
- *activity and space management including maintenance and target hardening and removal strategies.*

By utilising these measures throughout the proposed operation, it is considered that the premises will upkeep the safety of the site. Should any issues arise, the operation will be managed efficiently in accordance with the Plan of Management.

## 5.6 Social and Economic Impact

Proper management of a liquor license with staff trained in Responsible Service of Alcohol (RSA) can enhance customer safety and experience. RSA-trained staff are equipped to monitor alcohol consumption, identify signs of intoxication, and intervene when necessary, promoting a safe and enjoyable environment for patrons. This can lead to a positive reputation for the venue, fostering customer loyalty and attracting new patrons seeking a responsible and enjoyable dining experience.

Adding a liquor license to the existing indoor padel facility introduces a unique social element that enhances the overall experience for players. With designated drinking times, 4:00PM – 10:00PM on weekdays and 10:00AM – 10:00PM on weekends, patrons can enjoy a controlled and structured environment where alcohol is available only during specific periods. This setup helps maintain a balance between active gameplay and relaxation while ensuring that professional standards and safety measures remain intact.

By incorporating set tables and chairs for alcohol consumption, the facility can ensure that patrons are monitored for signs of intoxication, promoting responsible drinking within the premises. This approach allows players to unwind after matches in a communal space without disrupting gameplay or the business park's atmosphere.

Overall the addition of the licensed premise will not have an impact on the surrounding community.



## **6.0 Conclusion**

The proposed amendment to DA 2023/1142 is considered to have minimal environmental impact and will not change the approved design or land use(s) at the site. It is therefore considered a s4.55(2) application under the EP&A Act 1979 is appropriate.

Given the absence of any significant adverse impacts resulting from the modification and consistency with all relevant planning legislation and Council policy, the proposed modification is considered to be worthy of Council's support.

**SLR Consulting Australia**

A handwritten signature in black ink, appearing to read 'MDow', written in a cursive style.

**Melanie Dow**

Senior Project Consultant – Planning  
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Appendix A – Architectural Plans

Appendix B – Noise Monitoring Report

Appendix C – Crime Prevention through Environmental Design (CPTED) Statement

Appendix D – Compliance Tables

Appendix E – Plan of Management

**Appendix A**  
**Architectural Plans**

**Appendix B**  
**Noise Monitoring Report**



## **Appendix C**

### **Crime Prevention through Environmental Design (CPTED) Statement**

## **Appendix D**

### **Compliance Tables**

## SEPP (Industry and Employment) 2021 Schedule 5 Assessment

Assessment Criteria	Comment	Compliance
<b>Character of the area</b>		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signage, is compatible with the existing land use.	Y
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	There is no apparent advertising theme within the area.	N/A
<b>Special areas</b>		
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 is not street facing and does not have a significant negative impact on the amenity of the location.	Y
<b>Views and vistas</b>		
Does the proposal obscure or compromise important views?	The proposed signage is to be installed affixed to the building and does not obscure or compromise important views.	Y
Does the proposal dominate the skyline and reduce the quality of vistas?	The signage will not dominate the skyline or reduce the quality of vistas.	Y
Does the proposal respect the viewing rights of other advertisers?	The proposed signage does not obscure any advertising.	Y
<b>Streetscape, setting or landscape</b>		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signage appropriate for the streetscape, setting and landscape.	Y
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage will contribute to the visual interest of the site in context of its surroundings.	Y
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed sign does not contribute to clutter at the site.	Y
Does the proposal screen unsightliness?	The proposal does not screen unsightliness.	N/A
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed signage does not extend beyond the built form.	Y
Does the proposal require ongoing vegetation management?	The proposed signage does not require ongoing vegetation management.	N/A
<b>Site and building</b>		
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The signage has been designed to continue to be compatible with the existing built form and site characteristics.	Y

Does the proposal respect important features of the site or building, or both?	The proposed signage does not detract in any way from important features of the building or site.	Y
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage has been designed to be simple and uncluttered and complement the existing building and other structures on site.	Y
Associated devices and logos with advertisements and advertising structures		
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The proposed signage contains internally illuminated lighting elements, however these will be concealed.	Y
Illumination		
Would illumination result in unacceptable glare?	Signage is not proposed to be illuminated.	Y
Would illumination affect safety for pedestrians, vehicles or aircraft?		
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?		
Safety		
Would the proposal reduce the safety for any public road?	The signage will not affect road safety.	Y
Would the proposal reduce the safety for pedestrians or bicyclists?	The sign will not reduce the safety for pedestrians or cyclists.	Y
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	Sightlines are not affected by the proposal.	Y





**Appendix E**  
**Plan of Management**