

## **STATEMENT OF ENVIRONMENTAL EFFECTS**

**LOT 7356, DP1167221, CARRINGTON PARADE, CURL  
CURL  
SOUTH CURL CURL SURF LIFE SAVING CLUB**

**CHANGE OF USE TO PERMIT CAFÉ**

**PREPARED ON BEHALF OF  
South Curl Curl Surf Life Saving Club**

**APRIL 2024**

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## 1. INTRODUCTION

This application seeks approval for the change of use to permit a Café and alter hours of operation upon land at Lot 7356 in DP 1167221 which is known as **South Curl Curl Surf Life Saving Club at Carrington Parade, Curl Curl**.

In preparation of this development application consideration has been given to the following:

- Environmental Planning & Assessment Act, 1979.
- Warringah Local Environmental Plan 2011.
- Warringah Development Control Plan 2011.

The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by CMS Surveyors Pty Ltd, Ref No. 21857 and dated 10/10/2022.
- South Curl Curl Surf Life Saving Club Lease Area Plan, dated September 2020.
- Architectural Plans prepared by Michael Airey, Rev A and dated April 2024.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15 of the Environmental Planning and Assessment Act 1979. As a result of that assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

## 2. SITE DESCRIPTION AND LOCALITY

The South Curl Curl Surf Life Saving Club is (South Curl Curl SLSC) is located on part of Lot 7356 in DP 1167221 which is identified as Carrington Parade, Curl Curl. The site is located on the southeast side of Carrington Parade and adjoins South Curl Curl Beach to the east. The allotment of land comprises over 4 hectares of public open space including the Curl Curl Lagoon, Curl Curl Beach and headland areas. The South Curl Curl SLSC is located towards the southern portion of the allotment. The locality is depicted in the following map:



**Site Location Map (approximate location of Club identified by ★)**

The South Curl Curl SLSC comprises a part one and part two storey building including, amenities, storage, lifeguard office, caretakers residences, function room, club hall and observation decks. A café with indoor and outdoor seating is located on the ground floor level towards the southern end of the building. A detached storage shed is located to the south of the main building.

This application relates to the café only.

The site is depicted in the following photograph:



**View from carpark towards Existing Cafe**

There have been a number of development applications relating to the South Curl Curl SLSC with the following relevant to the subject proposal:

**DA2002/1260** – This application granted approval for the refurbishment and expansion of an existing kiosk at the SLSC. Approval was granted on 29 January 2003. The consent included the following conditions:

7. *The proposal shall NOT incorporate a commercial kitchen.*
8. *The kiosk shall NOT provide table service.*
13. *Hours of Operation are restricted to 8am to 9pm.*

Development to the west of the site, on the opposite side of Carrington Parade comprises a mix of dwelling houses, low-rise apartment buildings and Stewart House.

The subject site and existing surrounding development are depicted in the following photographs:





**Aerial Photograph of South Curl Curl SLSC**

### **3. THE DEVELOPMENT PROPOSAL**

This proposal seeks approval for authorisation of the Café use of a portion of the lower ground level and associated hours of operation.

The existing kiosk/café occupies a portion of a southern end of the lower level of the building. This application does not seek any building or physical works, rather it seeks to authorise the café use including indoor seating and table service.

The application also seeks the following hours of operation (to be in line with the current operation):

7 days a week – 6am to 9pm.

There will be a maximum of 10 staff members on site at any one time.

The café will seat a total of 78 customers, incorporating 30 within the café and 48 within the external leased area. This is depicted on the plans submitted with the application.

#### 4. ZONING & DEVELOPMENT CONTROLS

The proposed development is identified as development requiring the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979, as amended. The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Northern Beaches Council.

##### 4.1 Planning for Bushfire Protection 2006

That portion of the subject site that comprises the South Curl Curl SLSC is not identified as bushfire prone land on Council's Bushfire Prone Land Map and therefore the provisions of Planning for Bushfire Protection 2006 do not apply.

##### 4.2 Statement Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 2 (Coastal Management) aims to manage development in the coastal zone and protect the environmental assets of the coast. The site is mapped as Coastal Use Area and Coastal Environment Area. However, the proposal does not provide for any physical works and therefore no further assessment is required.

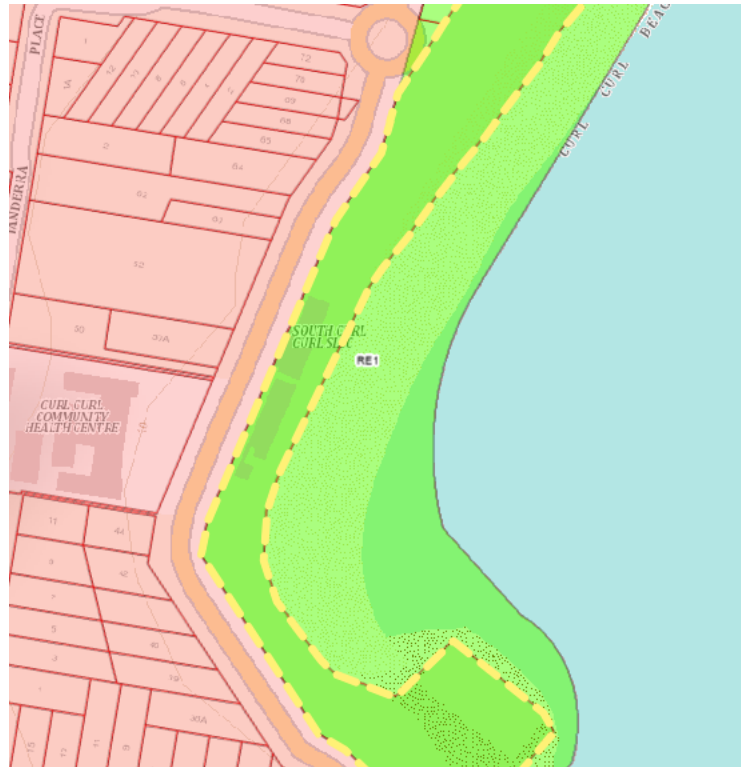


**Extract of Coastal Use and Coastal Environment Map**



### 4.3 Warringah Local Environmental 2011

The Warringah Local Environmental Plan 2011 (LEP 2011) came into effect on Friday 9 December 2011.



**Extract of Zoning Map**

The site is zoned RE1 Public Recreation. Development for the purposes of a cafe is permissible in this zone with the consent of Council.

A restaurant or café means:

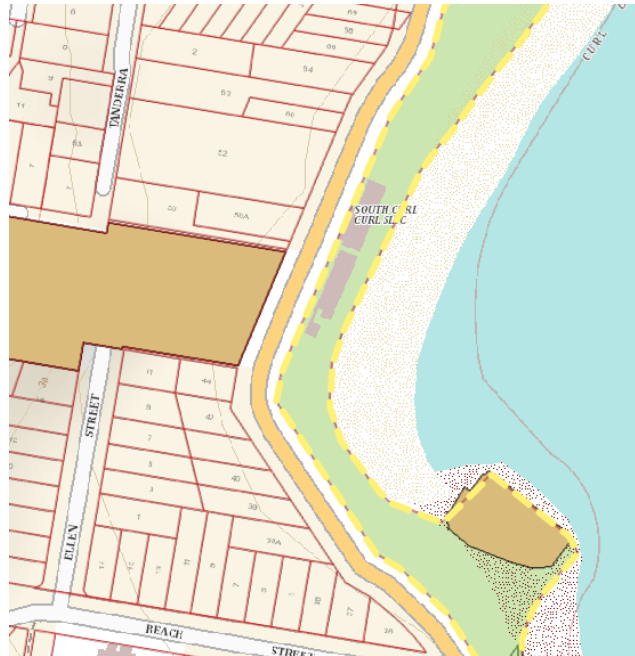
*restaurant or café means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided, but does not include the preparation and serving of food and drink to people that occurs as part of—*

- (a) *an artisan food and drink industry, or*
- (b) *farm gate premises.*

The use of the lower southern portion of the building for a café meets this definition.

The following provisions of the LEP are relevant:

## Clause 5.10 Heritage Conservation



**Heritage Map**

The subject building is not heritage listed however, it is located in proximity of the following heritage items:

- South Curl Curl Pool (I129 – located on the site towards the southeast).
- Stewart House (I128 – located opposite the site on the western side of Carrington Parade).

The South Curl Curl SLSC building is provided with ample setback to the above identified items. Further the proposal does not provide for any physical works, rather it merely seeks to authorise a Café use and hours of operation. The proposal does not have any impact on the heritage significance of the surrounding items.

### Clause 5.21 Flood Planning

The portion of the site subject to this application is not identified as flood prone land. This clause does not apply.

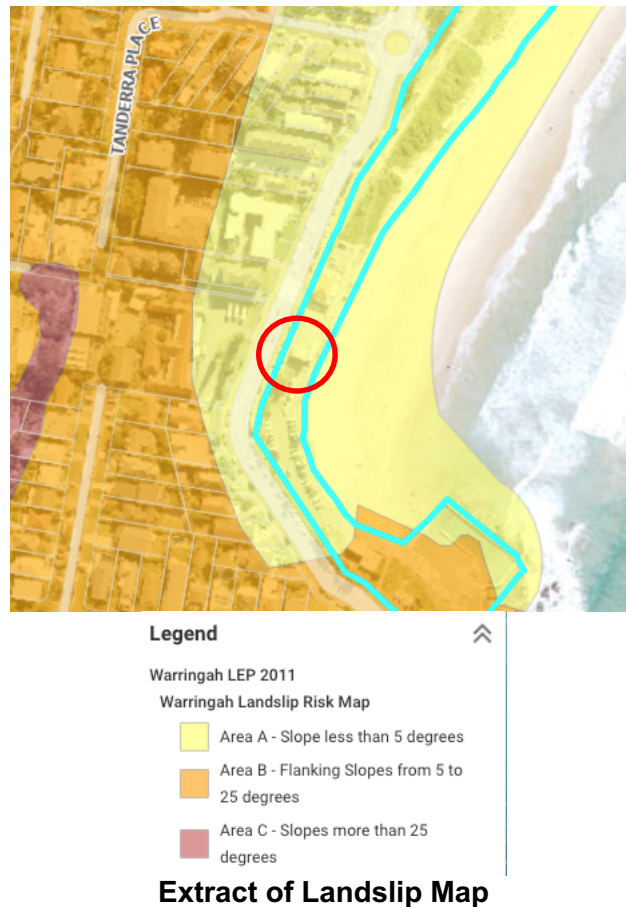


### Clause 6.1 Acid Sulfate Soils

The subject site is identified on Council's Acid Sulfate Soils Map. However, the proposal does not provide for any physical works or changes to ground level. This application is for a change of use and associated hours of operation. This clause does not apply.

### Clause 6.4 Development on Sloping Land

This portion of the site is classified as Area A on Council's Landslip Map. The proposal does not provide for any physical works and no further information is required in this regard.



There are no other provisions of the Warringah Local Environmental Plan 2011 that apply to the proposed development.

#### 4.4 Warringah Development Control Plan 2011

The Warringah Development Control Plan (DCP) has been prepared by Council and was due to come into effect upon the gazettal of the LEP 2011. The new DCP contains detailed planning controls that support LEP 2011.

The following clauses are considered:

##### C3 Parking Facilities

The proposal does not seek to increase floor area or patron numbers. This application merely seeks to authorise the existing Café use and hours of operation. The site benefits from an existing car park and the majority of the patrons arriving by foot. The proposal does not increase the current seating arrangement. There is no additional demand on parking as a result of this application.

### **D3 Noise**

This application seeks to authorise the existing hours of operation being 6am to 9pm seven days a week.

This application does not seek to increase the hours operation currently occurring on site. The site is well separated from nearby residences by Carrington Parade, with the Café being on the lower level. There is no anticipated increase noise.

There are no other provisions of the DCP that apply to the proposed development.



## **5. EP & A ACT - SECTION 4.15**

### **The Provisions of any Environmental Planning Instruments**

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2011. The site is zoned RE1 Public Recreation under the provisions of the LEP. Use of the site for a Cafe is permissible with the consent of Council in this zone. It is considered that the provisions of this document have been satisfactorily addressed within this report and that the proposal complies with the relevant provisions.

There are no other environmental planning instruments applying to the site.

### **The Likely Impacts of the Development**

It is considered that the development which seeks to authorise the café use and existing hours of operation will not have any detrimental impact on the environment, social and economic status of the locality. The proposal does not provide for any physical work and there is no detrimental impact on the streetscape or surrounding properties.

### **The Suitability of the Site for the Development**

The subject site is zoned RE1 Public Recreation and the use of the site as a Café in this zone is permissible with the consent of Council. The proposal does not require any physical works and is considered suitable for the site.

For these reasons it is considered that the site is suitable for the proposed development.

### **The Public Interest**

It is considered that the proposal is in the public interest in that it will continue to provide a service for the community without impacting the amenity of the surrounding properties or the public domain.

## 6. CONCLUSION

This application seeks approval for the authorisation of a Café use on site and associated hours of operation. As demonstrated in this report the proposal is consistent with the aims and objectives of the Warringah Local Environmental Plan 2011. The Café use does not have any detrimental impact on the amenity of the surrounding properties or the character of the locality.

It is therefore considered that the Café Use and associated hours of operation at **South Curl Curl Surf Life Saving Club at Carrington Parade, Curl Curl** is worthy of the consent of Council.

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