

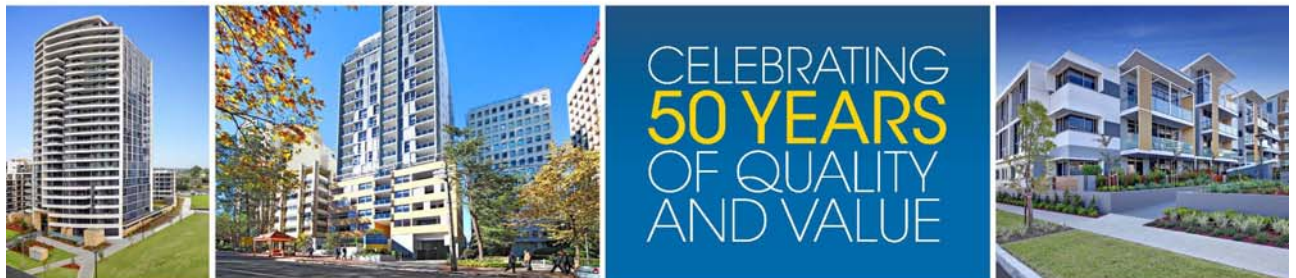
Planning Report

Section 75W Application

14-18 Boondah Road, Warriewood

Amendment to Childcare

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PREPARED BY

MERITON PROPERTY SERVICES PTY LTD
ABN 69 115 511 281

KARIMBLA CONSTRUCTIONS SERVICES (NSW) PTY LTD
ABN 67 152 212 809

Level 11, Meriton Tower
528 Kent Street, Sydney NSW 2000
Tel: (02) 9287 2888
Fax: (02) 9287 2777
Web: meriton.com.au



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Annexure 1: Proposed Amended Plans

1 Introduction

This Planning Report relates to a Section 75W Application seeking consent from Department of Planning and Infrastructure to amend Major Project Application MP10_0177.

The subject Section 75W Application seeks to amend the childcare.

This Report:

- describes the site and its surrounding area,
- details the nature of the proposed development, and
- undertakes an assessment of any likely impacts arising from the proposal.

The conclusion is reached that the proposal is acceptable with regard to all relevant planning issues.

2 Site and Surroundings

The subject site is located at 14 – 18 Boondah Road, Warriewood. It is bounded by Macpherson Street to the north and Boondah Road to the east and has an area of 81,160m².

The site is irregular in shape and slopes gently towards Warriewood Wetlands. The site has been modified over past years. A portion of the site is currently under construction. Refer to site location plan at **Figure 1**.



Figure 1: Subject site

The surrounding area comprises the following land uses:

- The residential development sites (Sectors 11 and 12) to the west;
- The Warriewood wetlands (Sector 15) to the south;
- Warriewood Brook, Seniors Living Development within Buffer Area 2 to the north; and
- The Sydney Water Sewage Treatment Plant, to the east.

The site adjoins Warriewood Wetlands, which covers approximately 260ha, and is in close proximity to Warriewood Shopping Centre as well as recreational facilities such as playing fields, Boondah Reserve, Jacksons Reserve, Progress Park, North Narrabeen Reserve, a golf driving range situated on Pittwater Road, and an indoor sports centre at Narrabeen Sports High. Warriewood Beach, Narrabeen Lakes and North Narrabeen Beach are all within close proximity.

A public high school (Narrabeen Sports High) and primary school (North Narrabeen Primary School) are both situated on Namona Street, North Narrabeen, approximately 1.5kms away. Marta Maria Catholic School is also situated approximately 1.5kms away on Forest Road, Warriewood.

The subject site adjoins the Warriewood Wetlands, a high quality visual and landscape element containing a boardwalk that links the site and surrounding residential development areas within Warriewood Valley with Warriewood Shopping Centre.

Fern Creek runs along the south western boundary of the site and provides a valuable source of public open space. Two heritage items are situated within the near vicinity of the site, a 'federation cottage' at 21 Macpherson Street, Warriewood to the west of the site and a 'memorial bus shelter', which is situated on Macpherson Street, opposite "Flower Power".

3 Proposed Modifications

3.1 Existing Consent

On 18 January 2011, the Department of Planning issued its consent (MP10_0177) for the following development:

Stage 1 for a residential and child care development including:

- *Demolition of the existing buildings and structures on site and tree removal;*
- *Excavation, earthworks and flood mitigation works;*
- *Construction of 7 residential buildings of 3, 4 & 5 storeys in height providing 295 apartments with associated pools and gymnasium;*
- *Basement parking for 471 cars comprising 429 resident car spaces and 42 visitor spaces;*
- *Single storey childcare centre (270m²);*
- *External road works, internal public access roads and public pedestrian and cycle way;*
- *Asses Protection Zone, Environmental Buffer areas and ecological rehabilitation and landscaping works.*

3.2 Proposed Amendments

It is proposed to amend the childcare component of the approval in the following manner:

- Change the building footprint of the childcare centre buildings and accommodate up to 100 childcare places; and
- Amend the car parking layout including provision for 25 car parking spaces.

The proposed amendments to the childcare centre are a result of commercial viability. The approved Stage 1 DA and subsequent Development Application approval can only accommodate for 32 childcare spaces. This number of childcare places is not commercially viable to a potential purchaser of the land plus the construction costs. Without increasing the number of child places up to 100, the site will remain vacant and the community will be deprived of a much needed childcare centre.

The proposed childcare car park will be located above the overland stormwater path that is to be dedicated to Council. A future subdivision plan will be submitted to Council clarifying the land area, upon a DA being lodged with Council.

The proposal also results in an amended subdivision plan to excise Lot 601 from the land to be dedicated to Council. Lot 601 is to accommodate the carpark area for the amended childcare carparking layout.

The proposed amended plans are included at **Annexure 1**.

3.3 Proposed Conditions

3.3.1 Development Description

It is proposed to amend the approved development description as follows:

Stage 1 for a residential and child care development including:

- *Demolition of the existing buildings and structures on site and tree removal;*
- *Excavation, earthworks and flood mitigation works;*
- *Construction of 7 residential buildings of 3, 4 & 5 storeys in height providing 295 apartments with associated pools and gymnasium;*
- *Basement parking for 471 cars comprising 429 resident car spaces and 42 visitor spaces;*
- *~~Single Two~~ storey childcare centre (~~270 778~~m2);*
- *External road works, internal public access roads and public pedestrian and cycle way;*
- *Asses Protection Zone, Environmental Buffer areas and ecological rehabilitation and landscaping works.*

3.3.2 Condition A1

It is proposed to amend condition A1 to incorporate the submitted amended plans, as follows:

Existing Plan	Amended Plan
DA00	Update as per attached
DA01	Update as per attached
DA02	Update as per attached
DA05	Update as per attached
DA06	Update as per attached
DA07	Update as per attached
DA30	Update as per attached
LA000	Update as per attached
LA101	Update as per attached
LA102	Update as per attached

It is also proposed to add the following plans to the schedule in condition A1:

Proposed New Plan No.	Proposed New Plan Description
DA01	Site Plan
DA02	Ground Floor
DA03	First Floor
DA04	Elevations
DA05	Elevations and Section

3.3.3 Condition A6(1)

It is proposed to amend condition A6(1) of the consent, as follows:

A child care centre is to be provided at the north-west corner of the site, between the overland flowpath and the western alignment of the main internal road. Places are limited to a maximum of ~~40-100~~ children unless otherwise approved by Council. A further Development Application for the proposed use is to be submitted to Council for its assessment. This application is to demonstrate that the proposed use and its operations including parking provision can be provided with minimal impact to future residents in the majority of the development site.

4 Planning Assessment

This section undertakes an assessment of the proposal under relevant issues of consideration.

4.1 Environmental Planning Instruments

4.1.1 Pittwater Local Environmental Plan 1993

Part 2 of the Pittwater Local Environmental Plan 1993 (LEP) identifies that the subject site is zoned 2(f) Residential. The proposal is permitted in the zone subject to consent from the Council.

There are no other clauses of the LEP that are particularly relevant in the assessment of the proposal.

4.2 Draft Environmental Planning Instruments

There are no draft environmental planning instruments that apply to the subject site.

4.3 Development Control Plans

4.3.1 Pittwater Development Control Plan 21

Pittwater Development Control Plan 21 (DCP) applies to the subject site.

Part B6 of the DCP does not contain parking requirements in relation to childcare centres, but refers to the RTA guide for car parking numbers.

Part D16 contains controls relating to Warriewood Valley Land Release Area Locality. None of the provisions are particularly relevant in the assessment of the proposal. It is noted, however, that the proposed two-storey childcare centre is below the 8.5 metre height limit imposed in D16.14.

There are no other provisions of the DCP that are relevant.

4.4 Likely Impacts

As stated in Section 3.2 of this report, the proposed amendments are driven by economic feasibility. The current approved scheme is not economically appealing. The proposed amendments provide more certainty for the realisation of the childcare centre and will also benefit the community by providing additional childcare places. No adverse impacts are anticipated.

5 Conclusion

The subject Section 75W Application seeks to amend the childcare.

It is considered that the proposal provides an appropriate response to the planned development of the site and will assist in the orderly and economic development of the land.

The proposal satisfies assessment of all relevant issues and all relevant provisions of the applicable planning controls.

It is therefore submitted that the Minister grant approval to the Section 75W Application and amend the Major Project approval in the manner requested.

Annexure 1: Proposed Amended Plans