

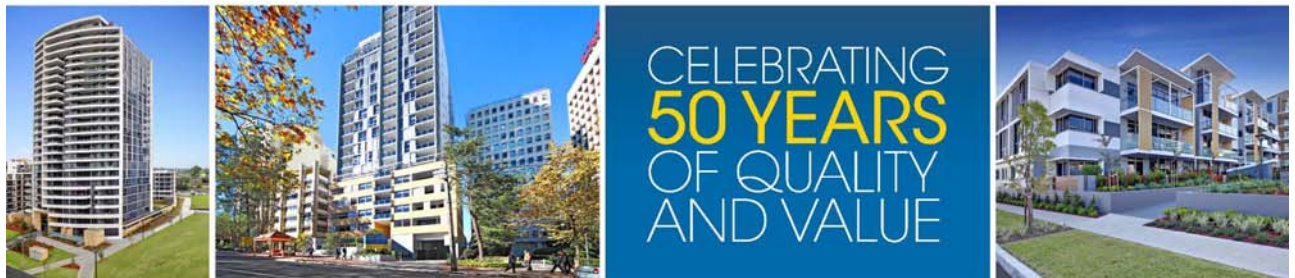
Planning Report

Section 75W Application

14-18 Boondah Road, Warriewood

Amendment to Childcare

4 March 2013



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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 MP09_0162.

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 (MP09_0162) for the following development:

Concept approval is granted to the development as described below:

- (a) Use of the site for residential and childcare purposes and public open space;*
- (b) Indicative building envelopes for 16 separate buildings with heights ranging from 3 to 4 storeys;*
- (c) Basement level and at grade car parking;*
- (d) Internal and external road works;*
- (e) Public pedestrian and cycle pathway;*
- (f) Provision of a Core Riparian Zones, Vegetated Buffers and Asset Protection Zones;*
- (g) Ecological rehabilitation works, associated landscaping and site facilities.*

3.2 Proposed Amendments

It is proposed to amend the childcare component of the Concept Plan 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 Concept Plan building 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 Condition 2

It is proposed to amend condition 2 to incorporate the submitted amended plans.

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