

Statement of Environmental Effects

Development Application

Dee Why Town Centre “Site B” – Mixed Use Development
Stratum subdivision into two lots (Childcare and Retail)

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Contents

1	Introduction	2
1.1	Overview	2
1.2	Consent Authority	2
1.3	Structure of Report	2
2	Site and Surroundings	3
2.1	Site Description	3
2.2	Surrounding Area	4
2.3	Planning History	4
3	Proposed Development.....	6
4	Environmental Planning Assessment	7
4.1	Section 4.15(1)(a)(i): Environmental Planning Instruments	7
4.1.1	Warringah Local Environmental Plan 2011	7
4.2	Section 4.15(1)(a)(ii): Draft Environmental Planning Instruments	7
4.3	Section 4.15(1)(a)(iii): Development Control Plans	7
4.3.1	Warringah Development Control Plan 2011	7
4.4	Section 4.15(1)(a)(iiia): Planning Agreements	7
4.5	Section 4.15(1)(a)(iv): Regulations	7
4.6	Section 4.15(1)(b): Likely Impacts	7
4.7	Section 4.15(1)(c): Suitability of the Site	8
4.8	Section 4.15(1)(d): Submissions	8
4.9	Section 4.15(1)(e): The Public Interest	8
5	Conclusion	9

Annexure 1: Subdivision Plan

1 Introduction

1.1 Overview

This Statement of Environmental Effects (SEE) has been prepared Karimbla Construction Services (NSW) Pty Ltd and is submitted to Northern Beaches Council in support of a Development Application (DA) in relation to land know as Dee Why Town Centre at 888 Pittwater Road, Dee Why.

This Development Application seeks consent for the Stratum Subdivision of Registered Lot 2 of Deposited Plan 124568 into two (2) lots over part of an approved mixed-use development. The objective of the application is to stratum subdivide the lot into:

- (1) Childcare lot; and
- (2) Retail lot.

1.2 Consent Authority

The proposed development is for local development and is permissible with consent from the relevant planning authority. The application will be assessed under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). This DA is lodged with Northern Beaches Council pursuant to Part 4 of the EP&A Act, the Council is the consent authority.

1.3 Structure of Report

This Statement:

- Describes the site and its surrounding area,
- Details the nature of the proposed development, and
- Undertakes an assessment of the proposal under the heads of consideration in Section 4.15 of the *Environmental Planning and Assessment Act, 1979*.

This report should be read in conjunction with the supporting documentation attached in **Annexure 1**.

2 Site and Surroundings

2.1 Site Description

The site comprises land bound by Howard Avenue, Oaks Avenue and Pittwater Road within the suburb of Dee Why in Sydney's Northern Beaches region, in the Northern Beaches Local Government Area. Dee Why is located approximately 16km north of the Sydney CBD. The location of the site is shown below in **Figure 1** and **2**.



Figure 1: Site Location



Figure 2: Aerial View of Site

The site forms the western part of the defined boundary of the Dee Why Town Centre. It has direct frontage to Pittwater Road which is the main north-south arterial road running through the Northern Beaches Local Government Area. Dee Why Town Centre comprises a linear centre which extends along Pittwater Road. The site is situated at the northern end of the town centre directly adjacent to its central spine (Pittwater Road).

The site is occupied by a recently constructed mixed use development comprising a shopping centre with residential towers above, approved under DA2016/0705 on 10 May 2017. Additional uses within the development include a childcare, commercial gym, office spaces and car wash.

2.2 Surrounding Area

The surrounding area comprises the Dee Why Town Centre. It consists of a mix of land uses with a focus on small scale retail and commercial development with newer residential flat buildings occurring on the western side of Pittwater Road.

2.3 Planning History

Mixed Use Development

Development Application DA2016/0705 to allow for the comprehensive redevelopment of the site for a mix of commercial and residential uses accommodated within two buildings approved by the Sydney Planning Panel on 10 May 2017. The application involved the construction of:

- Construction of two buildings of 18 storeys and 16/17 storeys;
- 350 residential apartments;
- Three levels of basement car parking to accommodate 1,035 car parking spaces;
- Childcare centre for 130 children at first floor level; and
- New publicly accessible plaza.

The consent has been variously modified by Section 4.55 application and standalone development applications to allow for minor changes to the mix of uses and layout of the commercial component of the development.

Stratum Subdivision

Development Application DA2017/0815 for the stratum subdivision of the approved development into two stratum lots made up of Lot 1 (residential) and Lot 2 (non-residential) was approved by the Northern Beaches Council on 26 October 2017.

3 Proposed Development

This application proposes the subdivision of existing stratum Lot 2 of Deposited Plan 1241568 lot into two new Stratum lots, as follows:

- **Stratum Lot 1:** Comprising the childcare component (including thirty (30) car spaces) approved under DA2017/0576 (as modified).
- **Stratum Lot 2:** Comprises the retail component of the approved development including commercial floorspace, publicly accessible areas throughout the development, and all relevant retail parking as approved under DA2016/0705

The proposed configuration of the lots is shown on the plan included at **Annexure 1**.

Easements for access, services and the like will be created as required. A Building Management Plan is also to be prepared. These matters will be included and registered with the final plan of subdivision.

4 Environmental Planning Assessment

4.1 Section 4.15(1)(a)(i): Environmental Planning Instruments

4.1.1 Warringah Local Environmental Plan 2011

Part 2 of the Warringah Local Environmental Plan (LEP) identifies that the development site is zoned MU1 Mixed Use. The proposal is permitted in the zone subject to consent from the Council.

There are no other clauses within the LEP of specific relevance to the assessment of the proposal.

4.2 Section 4.15(1)(a)(ii): Draft Environmental Planning Instruments

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

4.3 Section 4.15(1)(a)(iii): Development Control Plans

4.3.1 Warringah Development Control Plan 2011

Warringah Development Control Plan 2011 applies to the subject site. There are no controls of particular relevance to the proposal contained within the DCP.

4.4 Section 4.15(1)(a)(iia): Planning Agreements

Section 7.4 of the EP&A Act enables the proponent to enter into a Voluntary Planning Agreement (VPA) with Council as an alternative mechanism for securing contributions (material and / or monetary) for the provision of public services and facilities to support new development.

The site is subject to a Voluntary Planning Agreement (VPA) negotiated by the former site owner and Warringah Council during the assessment of DA2007/1249 and subsequently amended by Council and Meriton Properties Pty Ltd as the new owners of the site to more appropriately respond to the future development of the site. The Stratum Subdivision does not change the executed VPA.

4.5 Section 4.15(1)(a)(iv): Regulations

The Development Application has been made in accordance with the requirements contained in Clause 23 and 24 of the *Environmental Planning and Assessment Regulation 2021*.

4.6 Section 4.15(1)(b): Likely Impacts

The environmental impacts of the development have already been taken into consideration in the assessment of the original development application of the site for the mixed-use development.

The subdivision will have no adverse impact on the availability of services, vehicular access, use of common facilities, and open space. The subdivision will have no change to unit configurations or any other built form element on the site and, further, it will not change the use of any part of the site.

Parking

Under DA2017/0576, as modified by Mod2017/0326, the Childcare Centre is allocated thirty (30) car parking spaces. The proposed Stratum Subdivision of the Childcare Centre includes thirty (30) parking spaces ensuring compliance with Condition 13 of the Consent to DA2017/0576 (as modified) and adequate parking is provided for customers pick-up/drop-off perpetuity with the Childcare Centre.

All relevant retail parking, as approved under DA2016/0705, will be included in proposed Stratum Lot 2.

4.7 Section 4.15(1)(c): Suitability of the Site

There are no environmental constraints on the site that would impede the proposal or render it unsuitable for the site.

4.8 Section 4.15(1)(d): Submissions

Council will consider submissions at the close of the exhibition period.

4.9 Section 4.15(1)(e): The Public Interest

For the reasons set out in this Statement, it is considered that the public interest would be best served by approval of the DA under consideration, particularly, given the absence of any demonstrable adverse impacts resulting from the proposal.

5 Conclusion

The proposal seeks Council's consent to stratum subdivide Dee Why Town Centre Lot 2 into two (2) lots, separating the childcare and the retail components of the development approved under DA2016/0705.

The proposal satisfies the relevant heads of consideration under Section 4.15 of the Environmental Planning & Assessment Act, 1979.

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.

Accordingly, the application should be recommended for approval.

Meriton
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Annexure 1: Subdivision Plan