

# Statement of Environmental Effects

S96 (1A) Application

884-896 Pittwater Road, 9-17 Howard Avenue, 14-16 and  
28 Oaks Avenue, Dee Why

Increase capacity of childcare centre to 159 children

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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 2835

[meriton.com.au](http://meriton.com.au)



# Contents

<b>1</b>	<b>Introduction .....</b>	<b>1</b>
1.1	Overview.....	1
1.2	Relevant Background.....	1
1.3	Structure of the Report.....	2
<b>2</b>	<b>Site and Surroundings.....</b>	<b>3</b>
2.1	The Site.....	3
2.1	Surroundings.....	3
<b>3</b>	<b>Proposed Modification .....</b>	<b>5</b>
3.1	Intent of the Modification .....	5
3.2	Justification for the Modification .....	5
3.3	Proposed Modification.....	5
3.4	Proposed Works.....	5
3.5	Parking .....	5
3.6	Capacity and Staffing .....	5
<b>4</b>	<b>Section 96 Assessment .....</b>	<b>7</b>
4.1	Environmental Impact.....	7
4.2	Extent of Modification .....	7
<b>5</b>	<b>Environmental Planning Assessment.....</b>	<b>8</b>
5.1	Section 79C(1)(a)(i): Environmental Planning Instruments.....	8
5.2	Section 79C(1)(a)(ii): Draft Environmental Planning Instruments.....	8
5.3	Section 79C(1)(a)(iii): Development Control Plans .....	8
5.4	Section 79C(1)(a)(iiia): Planning Agreements.....	8
5.5	Section 79C(1)(a)(iv): Regulations.....	8
5.6	Section 79C(1)(b): Likely Impacts .....	8
5.7	Section 79C(1)(c): Suitability of the Site .....	9
5.8	Section 79C(1)(d): Submissions .....	9
5.9	Section 79C(1)(e): The Public Interest.....	9
<b>6</b>	<b>Conclusion.....</b>	<b>10</b>

## Annexure 1: Traffic Statement

# 1 Introduction

## 1.1 Overview

This Statement of Environmental Effects (SEE) describes and considers a modification to Development Consent DA2017/0576 for the fitout and use of a childcare centre at 884-896 Pittwater Road, 9-17 Howard Street, 14-16 and 28 Oaks Avenue, Dee Why. The site is known as Dee Why Town Centre "Site B".

Pursuant to Condition 3 of the development consent DA2017/0576 allows for a maximum 130 children to be accommodated within the approved childcare centre. Consistent with the proposal as originally lodged with Council, the proposed modification seeks to increase the capacity of the centre to 159 children.

## 1.2 Relevant Background

### 1.2.1 DA2016/0705 Mixed Use Development

Development Application DA2016/0705 to allow for the comprehensive redevelopment of the site for mixed use accommodated within two buildings was approved by the Sydney Planning Panel on 10 May 2017. The consent includes provision for a childcare centre at Level 1 of the eastern building. Internal fit out details were not included within DA2016/0705. Accordingly, a separate application seeking consent for the internal fit out of the childcare centre was subsequently lodged with Council (DA2017/0576). The DA included details of the hours of operation of the facility, staffing and capacity and fit out details (indoor and outdoor areas).

The childcare centre is to be located at the first floor level of the approved eastern building with a street frontage to Oaks Avenue. It forms an integral component of the overall Dee Why Town Centre Site B development. The development has been purposefully designed to include the requirements of the childcare centre including the provision of adequate parking spaces within the basement parking area. In accordance with Conditions 94 and 117 of DA2016/0705 24 parking spaces are to be allocated within the development's basement for the childcare centre. This parking allocation was based on an estimated capacity of 130 children. There are no conditions contained within DA2017/0576 that restrict the capacity of the childcare centre.

### 1.2.1 DA2017/0576 Childcare Centre Fit Out

DA2017/0705 did not include fit out details for the childcare centre. Accordingly, a subsequent DA for consent for the use and fit out of the childcare centre located at the first floor level of the development's eastern building as shown on the approved plans for DA2016/0705 was submitted with Council. .

The application (DA2017/0576) sought approval for the use and fit out of the childcare centre and included the following details:

- Capacity for a maximum 159 children (age group breakdown specified below)
- Internal play areas totalling 513.75sqm
- Outdoor play areas totalling 1,113sqm
- Office, reception area and administration room
- Amenities including toilets, laundry, bottle preparation, cot, and nappy change room and kitchen.

The DA was approved on 2 August 2017 subject to conditions. Condition 3 restricts the capacity of the centre to 130 children. The condition states the following:

***"3. Child care centre operation***

*The maximum capacity for the Child Care Centre at any one time shall be restricted to 130 children (as per DA2016/0705).*

*Reason: To ensure that adequate parking is provided to service the development onsite."*

As identified in Condition 3, the capacity of the childcare centre was restricted as Council's assessment indicated that adequate parking was only available for 130 children, being the capacity of the centre used as the basis of parking calculations which supported DA2016/0705.

**1.2.2 DA2017/0646 Change of Use from Office Space to Child Care Centre**

DA2017/0646 was approved on 13 October 2017. It involves the change of use of space contained at Level 1 of the western building of the development approved under DA2016/0705 from office space to a childcare centre with capacity for up to 156 children. Condition 14 of the consent requires the allocation of 30 car spaces within the Site B development for use by the childcare centre. The change in the mix of uses within the development arising from this application releases some capacity within the development's available parking supply to accommodate the additional childcare spaces now proposed. A review of the capacity of the childcare centre within the development's eastern tower is therefore warranted.

**1.3 Structure of the 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 79C (1) of the *Environmental Planning and Assessment Act, 1979*.

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

## 2 Site and Surroundings

### 2.1 The Site

#### 2.1.1 Property Description

The site is known as 884-896 Pittwater Road, 9-17 Howard Street, 14-16 and 28 Oaks Avenue, Dee Why. **Figure 1** shows the general location of the site and **Figure 2** shows an aerial view of the site and its boundaries. The table below provides a list of the site details and a site survey is included at **Annexure 1**.

Land Title	Address
Lot 1, DP 307937	896 Pittwater Road, Dee Why
Lot 3, DP 307937	896 Pittwater Road, Dee Why
Lot A, DP 416469	894 Pittwater Road, Dee Why
Lot 1, DP 504212	892 Pittwater Road, Dee Why
Lot 10, DP 231418	890 Pittwater Road, Dee Why
Lot 11, DP 231418	888 Pittwater Road, Dee Why
Lot A, DP 339410	884 Pittwater Road, Dee Why
Lot 7, Section 16, DP 8172	9 Howard Avenue, Dee Why
Lot 1, DP 209503	11 Howard Avenue, Dee Why
Lot 1, DP 212382	15 Howard Avenue, Dee Why
Lot 2, DP 212382	17 Howard Avenue, Dee Why
Lot A, DP 371110	14 Oaks Avenue, Dee Why
Lot B, DP 371110	16 Oaks Avenue, Dee Why
Lot 3, DP 212382	28 Oaks Avenue, Dee Why

#### 2.1.2 Existing Development

The site was previously occupied by a mix of non-residential buildings that have been demolished. DA2016/0705 for the construction of a new mixed use development including a shopping centre was approved on 10 May 2017. Construction has commenced.

### 2.1 Surroundings

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.

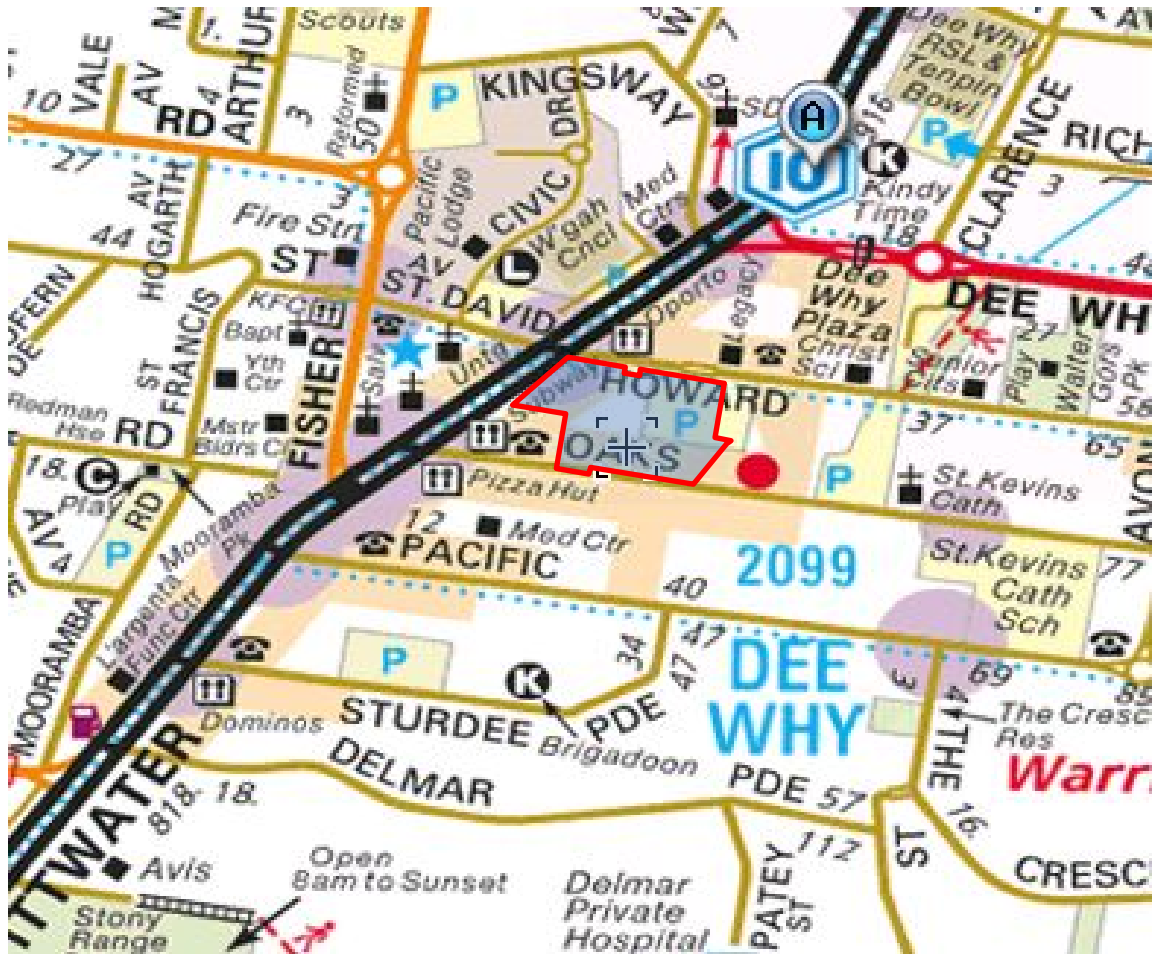


Figure 1: Location of subject site marked with red star



Figure 2: Aerial view of subject site - outlined in red

### 3 Proposed Modification

#### 3.1 Intent of the Modification

The modification is intended to allow for an increase in the capacity of the approved childcare centre within the eastern tower of the Dee Why Town Centre Site B development, allowing for an additional 29 children. The internal and external spaces of the centre were designed to accommodate a maximum 159 children; adequate space is available within the internal and external areas of the centre to allow for this number of children (as identified in the documents which accompanied DA2017/0576).

#### 3.2 Justification for the Modification

The mix of uses approved within the Dee Why Town Centre Site B development has been modified since originally approved. Specifically, DA2017/0646 has allowed for the change of use of space at Level 1 of the western building as approved under DA2016/0705 from office use to a new childcare centre. Office use generates greater demand for parking than childcare centres. The change of use has therefore released some parking capacity within the development. Parking spaces previously intended for commercial use will be reallocated for use by the childcare centre.

#### 3.3 Proposed Modification

The proposal necessitates a modification to Condition 3 of DA2017/0576 as follows (deleted text shown in ~~strikethrough~~, new text shown in **bold**):

***"3. Child Care Centre Operation***

*The maximum capacity for the Child Care Centre at any one time shall be restricted to ~~130~~  
**159** children."*

#### 3.4 Proposed Works

No physical works are proposed by this application.

#### 3.5 Parking

Given the increase in capacity of the centre proposed by this application it is anticipated that an additional 6 parking spaces will be required to be allocated to the childcare centre. These spaces will be drawn from the existing supply of parking within the development's basement.

Adequate parking is available within the development to meet the additional demand for parking that would be generated by the extra childcare places sought by this application. This is discussed further in **Section 5** and within the Traffic Statement at **Annexure 1**.

#### 3.6 Capacity and Staffing

As per the original DA the use will operate under a floating licence from the Department of Education and Communities (DECs) for a maximum capacity of 159 children. The floating licence allows for some flexibility in the number of children within each of the different age groups. This flexibility is important as it enables children to remain within the centre following a birthday that would require them to move up a class. The initial breakdown of age groups and staffing levels are as follows:

- 0-2 years: 44 children 1 staff member per 4 children
- 2-3 years: 55 children 1 staff member per 5 children
- 3-5 years: 60 children 1 staff member per 10 children

Up to an additional 3 administration / managerial staff will also be employed at the site.



## **4 Section 96 Assessment**

The application has been assessed in accordance with the relevant requirements of Section 96(2) of the EP&A Act as set out below.

### **4.1 Environmental Impact**

The potential environmental impacts of the proposed amendments are negligible and can be considered under the provisions of Section 96(2).

The proposed modifications will not result in any impacts that extend beyond the confines of the existing site by virtue of changes to the character, physical appearance of the building, scale or intensity of use of the development.

No physical works are proposed and as such the external appearance of the development will not be impacted.

### **4.2 Extent of Modification**

The proposed modifications will result in substantially the same development as originally approved under DA/2016/0705. The proposed modifications will not have any impact on the nature, scale, location or form of the approved buildings.

## 5 Environmental Planning Assessment

### 5.1 Section 79C(1)(a)(i): Environmental Planning Instruments

#### 5.1.1 Warringah Local Environmental Plan 2011

Part 2 of the Warringah Local Environmental Plan 2011 (LEP) identifies that the subject site is zoned B4 Mixed Use.

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

### 5.2 Section 79C(1)(a)(ii): Draft Environmental Planning Instruments

Not applicable.

### 5.3 Section 79C(1)(a)(iii): Development Control Plans

#### 5.3.1 Warringah Development Control Plan 2011

*Warringah Development Control Plan 2011* applies to the subject site. The proposal does not affect compliance of the development with the relevant provisions of the DCP.

### 5.4 Section 79C(1)(a)(iiia): Planning Agreements

None applicable.

### 5.5 Section 79C(1)(a)(iv): Regulations

The modification has been made in accordance with the requirements contained in Clause 50(1A) of the *Environmental Planning and Assessment Regulation 2000*.

### 5.6 Section 79C(1)(b): Likely Impacts

The likely impacts of the development including environmental impacts on both the natural and built environment, and the potential social and economic impacts of the proposal have been assessed. The key issues as they relate to the childcare centre are considered to be traffic generation and parking. These matters are discussed below.

#### **Parking**

24 spaces are provided for the childcare centre as required by DA2016/0705. This requirement was based on an estimated capacity of the childcare centre of 130 children. The spaces closest to the childcare centre have been allocated for this purpose.

In assessing the parking requirement for the development a discounted parking rate was applied to the childcare centre to account for the mixed use nature of the development which would reduce the centre's actual demand for parking spaces. It was acknowledged that some users of the childcare centre would be resident within the development, additionally there would be some sharing of spaces with the retail uses. The council's assessment report comments as follows:

*"based on the WDCT 2011 requirements, the proposed 130 placement childcare centre requires 33 car parking spaces. However, WSPB has allowed for a 25% reduction in car*

*parking on the basis that the facility is located within a Town Centre and is part of a mixed use development, thus the peak parking requirement is reduced to 24 spaces."*

The proposed childcare centre fit out is intended to provide for a maximum capacity of 159 children and will have in the order of 33 staff including a manager and administrative personnel. The Warringah DCP requires 1 car parking space for every 4 children. This equates to a requirement of 40 spaces for the proposed development, 11 spaces more than are currently provided for under DA2016/0705 and as required by DA2017/576. Using the discounted parking rate applied during the assessment of DA2016/0705 a total of 30 spaces are required for the childcare centre, therefore 6 additional spaces from the development's total parking provision are to be allocated for this use. The overall total number of parking spaces contained within the development will remain at 1,035 spaces.

Additional parking capacity has been released within the development through the reallocation of space at Level 1 of the western tower from office use to childcare centre use. This is discussed further within the Traffic Statement at **Annexure 1**.

### **Traffic Generation**

An assessment of the additional traffic that would be generated by the proposal has been undertaken. This assessment identified that the additional 29 children would generate the following additional traffic movements:

- 17 vehicle trips per hour during the AM peak period
- 15 vehicle trips per hour during the PM peak period.

These additional traffic movements would have minimal impacts on the local road network as demonstrated in the Traffic Statement at **Annexure 1**.

#### **5.7 Section 79C(1)(c): Suitability of the Site**

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

#### **5.8 Section 79C(1)(d): Submissions**

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

#### **5.9 Section 79C(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 modification under consideration, to remove any risk to private or public land holdings.

## 6 Conclusion

The modification is to increase the capacity of the approved childcare centre within the eastern tower of the Dee Why Town Centre Site B site from 130 children to 159 children.

The proposal satisfies the relevant heads of consideration under Section 79(C) of the *Environmental Planning & Assessment Act, 1979*.

Accordingly, the application should be recommended for approval.

**Meriton**  
**November 2017**

## **Annexure 1: Traffic Statement**