

Oatlands Golf Club - Land between No. 17 and No. 21 Niblick Crescent, Oatlands

Proposal Title : **Oatlands Golf Club - Land between No. 17 and No. 21 Niblick Crescent, Oatlands**

Proposal Summary : **The planning proposal seeks to rezone the subject land to R2 Low Density Residential and apply a maximum permissible height of buildings, a maximum permissible FSR and minimum permissible lot size.**

PP Number : **PP_2016_PARRA_005_00** Dop File No : **16/01414**

Proposal Details

Date Planning Proposal Received : **07-Jan-2016** LGA covered : **Parramatta**

Region : **Metro(Parra)** RPA : **Parramatta City Council**

State Electorate : **PARRAMATTA** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **Niblick Crescent**

Suburb : **Oatlands** City : **Sydney** Postcode : **2117**

Land Parcel : **Lot 39 DP 808581. Land between No. 17 and No. 21 Niblick Crescent, Oatlands.**

DoP Planning Officer Contact Details

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RPA Contact Details

Contact Name : **Suzie Jattan**

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DoP Project Manager Contact Details

Contact Name : **Terry Doran**

Contact Number : **0298601579**

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Land Release Data

Growth Centre : Release Area Name :

Regional / Sub Regional Strategy : **Metro West Central subregion** Consistent with Strategy :

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MDP Number :

Date of Release :

Area of Release (Ha)

Type of Release (eg

Residential /

Employment land) :

No. of Lots : 0

No. of Dwellings 3
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes

Lobbyists Code of

Conduct has been

complied with :

If No, comment :

Have there been No

meetings or
communications with
registered lobbyists? :

If Yes, comment :

The Lobbyist Contact Register was checked on 19 January, 2016 and indicated no contact with lobbyists regarding this planning proposal.

Supporting notesInternal Supporting
Notes :

- On 24 March 2014, Council resolved not to proceed with the planning proposal, in light of the outcome of the preliminary public exhibition and resolved that the application be rejected as it departs significantly from the LEP, and does not appropriately address flooding issues.

- On 1 May 2014, a request for a Pre-Gateway Review was lodged with the Department.

- At its meeting of 1 October 2014, the S.W.J.R.P.P recommended that the planning proposal should be submitted for Gateway determination.

- On 3 February 2015, the Deputy Secretary determined that the proposal should proceed to Gateway determination.

- On 11 March 2015, Council resolved that it does not wish to act as the relevant planning authority (RPA) for the subject planning proposal as it previously opposed the proposal.

- On 13 August 2015, the Panel was appointed as the alternate RPA for progressing the planning proposal through the plan making process.

- On 5 November 2015, the Panel as RPA endorsed the planning proposal to be submitted for Gateway determination.

External Supporting
Notes :

The Site has an area of 2,310 square metres. The site does not contain any structures other than log barriers to prevent vehicle entry. The proposal has the potential to establish three residential lots of 700 square metres and one residual lot of 210 square metres fronting Niblick Crescent.

Adequacy Assessment**Statement of the objectives - s55(2)(a)**

Is a statement of the objectives provided? Yes

Comment :

The planning proposal seeks to amend the Parramatta Local Environmental Plan 2011 to enable low density residential development.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : The planning proposal seeks to apply the following planning controls to land between number 17 and number 21 Niblick Crescent, Oatlands (Lot 39 DP 808581):

- rezone the land from RE2 Private Recreation to R2 Low Density Residential;
- apply a maximum permissible Height of Building control of 9m;
- apply a maximum permissible Floor Space Ratio of 0.5:1; and
- apply a minimum permissible Lot Size control of 550 square metres.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

2.3 Heritage Conservation

3.1 Residential Zones

* May need the Director General's agreement

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

4.3 Flood Prone Land

Is the Director General's agreement required? **N/A**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

e) List any other matters that need to be considered :

SECTION 117 DIRECTIONS

2.3 HERITAGE CONSERVATION

This Direction does apply to the planning proposal as the site is adjacent to Oatlands House, which is a locally listed heritage item. There is a separation distance of 60m between the subject site and Oatlands House, and therefore the proposal is unlikely to impact on its heritage significance. The proposal is considered to be **CONSISTENT** with this direction.

3.1 RESIDENTIAL ZONES

This Direction does apply to the planning proposal as it affects land within a proposed R2 Low Density Residential zone. The proposal is considered to be **CONSISTENT** with this direction as it will make more efficient use of existing infrastructure and services.

3.4 INTEGRATING LAND USE AND TRANSPORT

This planning proposal is **CONSISTENT** with this Direction as it will provide dwellings within walking distance of public transport and neighbourhood shops (a bus stop is located 280m away).

4.1 ACID SULPHATE SOILS

The proposal is **INCONSISTENT** with this Direction as an acid sulphate soils study, required when an intensification of land uses is proposed, has not been prepared. This inconsistency is considered to be justified on the basis of minor significance given that:

- (a) the affection is by class 4 acid sulphate soils; and
- (b) the matter will be further considered at development application stage under clause 6.1 of Parramatta Local Environmental Plan 2011.

4.3 FLOOD PRONE LAND

This Direction does not apply because the land is not flood prone. The subject site serves as an overland flow path corridor for the upstream catchment that predominantly covers the north western part of the Oatlands Golf Course.

Council's Catchment Management Team considered the hydrological and hydraulic modeling and flood plans at its meeting on 24 March 2014 and was satisfied that the localised flooding can be managed if prescribed conditions are applied. An amended flood study prepared on 29 October 2014 by Kozarovski and Partners, which concluded

that flooding can be managed, was considered by the Sydney West Joint Regional Planning Panel (the Panel) at its meeting on 5 November 2015. Both the Panel and Council staff are satisfied that potential localised flood can be managed.

It is considered that this matter has been satisfactorily addressed.

STATE ENVIRONMENTAL PLANNING POLICIES

STATE ENVIRONMENTAL PLANNING POLICY No 55 - Remediation of Land
A Phase 1 Preliminary Contamination Investigation Report was undertaken by Benbow on 8 February 2013 and found no contamination on the land, with no further contamination studies being required at the rezoning stage. The proposal is therefore **CONSISTENT** with this Policy.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : The maps are adequate for public exhibition purposes although the map labels for 'Current Floor Space Ratio Map' and 'Proposed Floor Space Ratio Map' should be relocated from page 8 to page 9 of the planning proposal to align with the relevant maps.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Community consultation is to be carried out in accordance with Parramatta Council's adopted principles of community consultation, in particular, Council's Community Stakeholder Engagement Policy.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : The principal LEP was made in October 2011.

Assessment Criteria

Need for planning proposal : The proposal is needed to rezone surplus land forming part of the Oatlands Golf Course to enable low density dwellings consistent with the existing residential character of Niblick Crescent.

Consistency with strategic planning framework :

A PLAN FOR GROWING SYDNEY

The planning proposal is **CONSISTENT** with the NSW Government's "A Plan for Growing Sydney". In regard to this Direction, it is recommended that:

(a) page 11 of the planning proposal be updated to refer to "A Plan for Growing Sydney."

DRAFT WEST CENTRAL SUB-REGIONAL STRATEGY

The planning proposal is consistent with the draft strategy, providing residential dwellings on an infill site in close proximity to public transport and local centres.

PARRAMATTA COUNCIL'S RESIDENTIAL DEVELOPMENT STRATEGY

The subject site is not identified in the strategy but is consistent with the strategy's objectives. This planning proposal enables the opportunity to increase the provision of detached housing in a suitable area that is in close proximity to transport, services and facilities.

The planning proposal is **CONSISTENT** with all relevant regional and local strategies.

Environmental social economic impacts :

VEGETATION

The site is predominantly grassed area and is therefore suitable for development with regard to potential environmental impact.

DRAINAGE

Localised flooding occurs in the vicinity of the site. An Overland Flow Management Study undertaken by Kozarovski and Partners has taken into account changes to the catchment as a consequence of recent drainage improvement works to the Oatlands Golf Course seeking to alleviate existing localised flooding. A proposed stormwater drainage system is to be implemented that ensures no net increase on runoff from the subject land.

HERITAGE

The separation distance between the subject site and Oatlands House is sufficient to ensure that there will be no adverse impacts upon this heritage item.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 months** Delegation : **DDG**

Public Authority Consultation - s56(2)(d)

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

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Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Planning Proposal (Nov 2015).docx	Proposal	Yes
Appendix A - Flood Study Report.pdf	Study	Yes
2014SYW130 - Oatlands Golf Course.pdf	Study	Yes
JRPP Secretariat (DP&E)_07-01-2016_Part of Oatlands Golf Course adjoining Niblick Crescent, Oatlands_.pdf	Proposal Covering Letter	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **2.3 Heritage Conservation**
 3.1 Residential Zones
 3.4 Integrating Land Use and Transport
 4.1 Acid Sulfate Soils
 4.3 Flood Prone Land

Additional Information : **DELEGATION OF PLAN MAKING FUNCTIONS**
This planning proposal is the result of a pre-gateway review application and the Sydney West Joint Regional Planning Panel has been appointed as the alternate relevant planning authority. It is not possible to issue plan making delegations to the Panel.

Section 117 Directions

It is recommended that the Minister's delegate agree that any inconsistency with s.117 Direction 4.1 Acid Sulfate Soils is of minor significance.

DETERMINATION

It is recommended that the Planning Proposal proceed subject to the following conditions:

1. Prior to exhibition, the Panel is to amend the planning proposal as indicated below:
 - (a) The map labels for 'Current Floor Space Ratio Map' and 'Proposed Floor Space Ratio Map' be relocated from page 8 to page 9 of the planning proposal to align with the relevant maps;
 - (b) Page 11 of the planning proposal be updated to refer to the current metropolitan strategy i.e. "A Plan for Growing Sydney".
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Environment 2013).
3. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.

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4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Supporting Reasons : This planning proposal is supported as it will enable an additional 3 detached dwellings consistent with the surrounding low density residential character.

Signature:


L. Charlesworth

Printed Name:

Acting Team Leader

Date:

4.2.16

