



YOUR REFERENCE: SCC2021COPAR - 2
OUR REFERENCE: NCA/10/2021
CONTACT: Mark Leotta
TELEPHONE: 9806 5450
EMAIL: mleotta@cityofparramatta.nsw.gov.au

Angela Hynes
Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

24 November 2021

Dear Angela,

ATTN: Alicia Hall

RE: Site Compatibility Certificate under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 – 94 Bettington Road, Oatlands - OATLANDS GOLF CLUB (SCC2021COPAR - 2)

Reference is made to the Department of Planning, Industry & Environment's (DPIE) correspondence dated 5 November 2021, regarding the abovementioned Site Compatibility Certificate (SCC) which was referred to City of Parramatta Council for comment in accordance with the consultation requirements set out under Section 25 (5) of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) (the SEPP). City of Parramatta Council appreciates the opportunity to provide comment on this SCC application.

Council holds significant concerns with the proposal which are detailed below. Council requests that the SCC application be rejected.

PERMISSIBILITY

It is noted that the application seeks an SCC for a seniors living development on land at 94 Bettington Road, Oatlands (commonly known as Oatlands Golf Club) comprising 5 building envelopes, ranging in height from 3 to 6 storeys containing 193 independent living units with 2 levels for the club house which contains a café, restaurant, bar and community facilities.

The land at 94 Bettington Road is zoned RE2 Private Recreation and is surrounded by R2 Low Density Residential zones in the Parramatta Local Environmental Plan 2011 (PLEP 2011). The area is predominantly characterised by single, and two-storey detached dwellings in garden settings.

The existing use of the site is a golf club and is defined as a recreation facility (outdoor) and is a permissible use. Registered clubs are also permitted with consent in the RE2 Private Recreation zone. Seniors Housing is prohibited by exclusion in the RE2 zone.

Council contends this is a clear and longstanding strategic intent to utilise these valuable areas for the purposes and objectives as set out in the PLEP 2011.

Council notes that the Draft Harmonisation Parramatta Local Environmental Plan (Harmonisation LEP) is being finalised by DPIE, but the site zoning, its objectives and permissibility table remain unchanged. This further confirms the Council and community expectation around use of this site.

It is noted that the proponent is relying on the current provisions of State Environmental Planning Policy (Housing for Seniors or People With A Disability) 2004 for permissibility and reasons that the following 4 criteria areas are satisfied:

- The land is "zoned primarily for urban purposes" or "adjoins land zoned primarily for urban purposes" (clause 4(1)); and
- The land "is being used" for the purpose of an existing registered club (clause 4(1)(b)); and
- If land is being used for the purposes of an existing registered club, most of the land that it adjoins is land zoned for urban purposes (clause 4(7)(b)); and
- The land is not described in Schedule 1 (Environmentally sensitive land) (clause 4(6)(a)).

Schedule 1 precludes application of the SEPP on certain land as described in the Schedule.

Schedule 1 states:

"Land identified in another environmental planning instrument by any of the following descriptions or by like descriptions or by descriptions that incorporate any of the following words or expressions:

(e) open space,

There is no distinction in the wording of the Schedule on whether this refers to public or private open space.

The proponent contends that PLEP 2011 or any other instrument does not identify the site as 'open space'. However, the objectives of the RE2 zone in PLEP 2011 state (emphasis added in first bullet point):

Zone RE2 Private Recreation

Objectives of zone

- To enable land to be used for private **open space** or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To identify privately owned land used for the purpose of providing private recreation, or for major sporting and entertainment facilities which serve the needs of the local population and of the wider Sydney region.

On this basis, it is not beyond challenge that the subject site is 'described' as open space in a planning instrument (PLEP2011). Council asks that confirmation of permissibility from DPIE be considered fully in the assessment of the SCC application.

SCALE AND BULK

There is no height or FSR development standard applicable to the site pursuant to PLEP 2011. Further, under the Harmonisation PLEP, the site remains zoned as RE2 Private Recreation and retains the nil FSR and height provisions.

The SCC scheme proposes building envelopes with a gradual change in height from the north to the south. The tallest of the buildings being Buildings B and C are located to the north and north-east of the development area and the lower buildings being Buildings A and E located closer to residential properties along Bettington Road and Niblick Crescent. These buildings are located on a topographical area that is higher than the existing surrounding residential development. As such, irrespective of the proposed stepped heights and setbacks, the 5 buildings which have a residential flat building typology and clustered layout, would result in undue imposition of bulk and scale relative to surrounding, existing low scale, one to two storey residential development and as viewed from the public domain.

As the surrounding sites will continue to be zoned for low density residential development, any future development on the subject site (subject to permissibility) should be a similar scale to the surrounding area. The scale of the proposed development means it cannot be mitigated by existing landscaping and this is shown in the plans submitted with the application.

The SCC scheme proposes a minimum 7.5m setback from Building E to the south-west boundary where it has an interface with existing detached dwellings on Niblick Crescent. Pursuant to the Apartment Design Guide (ADG), Residential Flat Buildings (RFB) are required to provide a 9m boundary setback to achieve appropriate building separation. The SCC scheme falls short of this requirement and its potential impacts of bulk and scale as well as privacy, are exacerbated when taking into consideration the topographical differences between the development site and the existing residential development to the south. The disparity between the scale of building typology is not considered adequately mitigated by the proposed building setbacks. Additionally, whilst the proposal is for building envelopes, concern is raised that an appropriate building separation cannot be achieved between Buildings A and B and Buildings B and C, particularly once windows and fenestrations are introduced to the design of the development.

STREETSCAPE

The development will be readily visible from Bettington Road due to the unacceptable setback, building height and scale, and the elevated contour of the site. The building typology, density and scale is incongruous with the low density residential character of Bettington Road and surrounding residential streets.

SOLAR ACCESS

The solar access impacts of the SCC scheme within and external to the development site are of concern. The proposed building envelopes appear to overshadow the adjoining residential properties to the south and south-west during the winter solstice. Parramatta Development Control Plan 2011 requires that adjoining properties receive a minimum 3 hours of solar access on 21 June. The proposed building envelopes suggest that this may not be achieved. Further, the SCC scheme illustrates that many of the residential units within the development will not receive adequate solar access. The Seniors Living SEPP require that 70% of the development receive solar access for 3 hours during the winter solstice. The SCC scheme potentially only achieves solar access to approximately 108 units being approximately 60% of the development.

LANDSCAPING

The Seniors Living SEPP has provisions for deep soil areas for developments made under that SEPP. Given that the site area is 16,000m², the minimum deep soil areas required is 2,400m². The SEPP is also implicit in which areas of the site can be considered as deep soil, noting that these areas should not be built on, paved, or otherwise sealed and that there is soil of a sufficient depth to support the growth of trees and shrubs. A review of the SCC scheme illustrates that the first level of basement covers much of the site and therefore deep soil areas in accordance with the SEPP requirements can only be located along the south and south-west portions of the site. A review of this area does not indicate that the minimum deep soil requirements can be accommodated.

The SCC scheme provides for a common garden area between Buildings E and D with an area of approximately 600m². The ADG's require that a minimum 4000m² of COS is provided for a site area equating to 16000m². It is also noted that this area does not receive adequate solar access during the winter solstice for a continuous 2 hours as required by the ADG's.

URBAN DESIGN

Upon review of the SCC scheme, residential units are proposed on the lower levels where basements are located. The submitted plans indicate that some of these units may be below ground level and is located within Buildings A, D and E. Concern is raised that these units will not be provided with satisfactory amenity given their proximity to plant rooms and the basement. Further, these units may not receive adequate solar access and ventilation given their subterranean location. Access to these units from the basement, in particular the units located in Buildings A and E are also unclear from the proposal.

HERITAGE

Concern is raised that the height, typology, and scale of the development at a higher contour will adversely impact the heritage significance of Oatlands House, as it will form a dominant visual backdrop to the heritage item. Oatlands House sits within a landscaped setting characterised by plantings close to the house and open expanses of green space, reminiscent and reflective of its original pastoral setting. The existing low scale golf club building and carpark while not ideal, do not significantly adversely detract from this setting as they are recessive in the landscape and sit below the existing tree. The proposed development does not achieve this.

TRAFFIC

Council holds the following initial traffic concerns with this proposal:

- i. There will be additional traffic on Bettington Road as a result of the proposed development.
- ii. The additional traffic generated may impact other intersections such as Pennant Hills Road/Bettington Road and Kissing Point Road/Bettington Road which was not modelled in the traffic report.
- iii. Pedestrians will be required to cross Bettington Road to access the local shops and bus stop on the opposite side.
- iv. It is noted that traffic and parking surveys were undertaken during a Covid lockdown period (16 to 18 September 2021). Although some Covid adjustment factors have been applied, the traffic volumes and parking occupancy rates may not accurately reflect pre-Covid conditions.
- v. It is unclear how the private road will be managed during special events (e.g. golf competitions) as there will be increased traffic and parking demand on the private road during this time. Loading vehicles and vehicles parking/exiting 90 degree spaces within the private road can cause delays which can result in vehicles queuing on Bettington Road, impacting traffic flow and public bus services.

- vi. Swept paths demonstrating an 8.8m loading vehicle (Medium Rigid Vehicle) entering and exiting the site shows that two-way access cannot be maintained at all locations. This may cause vehicles to store on the road waiting to access the site which can impact traffic flow and public bus services on Bettington Road.
- vii. Coach bus parking in the private road for special events should be included.

PUBLIC INTEREST

Whilst there is currently no requirement to notify and invite members of the public to comment on the SCC application, Council is in receipt of a petition with 96 signatures from residents within proximity of the Oatlands Golf Club objecting to the proposal. The reasons for objections relate to scale, loss of amenity, irreplaceable open space areas, inconsistent development with the wider locality, traffic, solar access and privacy. A copy of the petition is submitted with Council's submission. Given that the petition aligns with the issues raised by Council, it is requested that this petition and concerns raised by the residents be considered in any assessment and recommendation to the Panel.

RECOMMENDATION

The proposal has not had due regard to the surrounding context in which it is located. Council requests that the Department consider the permissibility of the proposal given the open space nature of the site. While the site has no FSR and height controls under the current LEP, this does not mean that either measure does not need to be appropriately aligned with its context. In this case, the absence of FSR and height controls has been used to propose a development form that is of a bulk and scale that is inappropriate for the site and surrounds. This is exacerbated by the topography of the site which elevates any development on this site above surrounding existing low density residential development. The proposed scale, number and clustering of the buildings reduce the amenity for the occupiers as well as that of neighbouring properties and will be highly visible from Bettington Road.

The scale and form of development is considered inconsistent with the surrounding low density residential environment and incongruous with the current and desired future character of the area. Concern is also raised in respect of heritage impacts on Oatlands House.

The proposal fails the 'test' of site compatibility by being incompatible with surrounding land uses for the reasons set out in this submission. Therefore, Council strongly objects to the application and asks that the DPIE recommend rejection of the SCC application for a seniors living development at Oatlands Golf Club in their report to the Sydney Central City Planning Panel.

Should you have further information, please contact Mark Leotta on 9806 5450 or mleotta@cityofparramatta.nsw.gov.au

Regards



Jennifer Concato
Executive Director City Planning & Design
City of Parramatta

**PETITION FROM RESIDENTS TO OPPOSE THE OATLANDS GOLF CLUB
DEVELOPMENT PROPOSAL**

The General Manager
Parramatta City Council
Parramatta NSW
17 November 2021

We, the residents who have signed this petition respectfully appeal to Council to support our cause in objecting to the above proposal. We are only a small portion of the residents who attended a public meeting to object to this proposal. Further names and addresses can be supplied if requested.

Our objections include the fact that a development of this scale is a blight on the environment, and will result in loss of amenity of the area. It will spoil the beautiful greenery of the golf course. Green open space is irreplaceable once it is gone; the development is not in keeping with the area which consists of single dwellings with strict height limits, the development fronts Bettington Rd which is a narrow 2 lane main local arterial road already overburdened with traffic.

The proposed development includes 5 separate blocks of units to be built on a hill close to homes that adjoin the golf course. This will have the detrimental effect of destroying the privacy of the residents and grossly overshadowing their homes.











There may be other objections that are relevant to this proposal. For the purpose of this petition, we highlight only the above objections.

We pray that Council accepts our petition and help us to stop this development.

Petition to STOP Oatlands Golf Club's Development Proposal

Petition summary and background


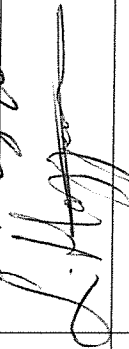








The residents of Oatlands are against the Oatlands Golf Club 193 Unit (3-6 stories) Development Proposal

Printed Name	Signature	Address	Email or Phone Number	Date
Mimaya Monrose		5 Niblick Crescent	0402337338	
Alpha Alpha		5 Niblick Crescent	042708888	
Karina Kouris		2 Niblick Cres	0499926688	
Con Kouris		2 Niblick Cres	0448664051	
Ellen Kouris		2 Niblick Cres	0499926688	
Sara Kouris		2 Niblick Cres	0418664051	
Alpha Ma		4 Niblick Cres	0488356060	
Elle Baissari		8 Niblick Cres	0411123113	
Joe Baissari		8 Niblick Cres	0410493113	
Adrian Baissari		11 " "	0432648475	

Petition to STOP Oatlands Golf Club's Development Proposal

Petition summary and background

The residents of Oatlands are against the Oatlands Golf Club 193 Unit (3-6 stories) Development Proposal

Printed Name	Signature	Address	Email or Phone Number	Date
Hanna Hazzouni		19 Edwin Street Oatlands	0414 549 150	18/11
Laila Hazzouni		19 Edwin Street Oatlands	0430 108 822	18/11
Mary-Carmen Hazzouni		2 Quinlan Pl Oatlands	0402 357 332	19/11
Michael Saab		25 Ellis Street Oatlands	0415 408 125	19/11
Lilly Saab		25 Ellis Street Oatlands	0405 353 239	19/11
Andrew Saab		22 Niblick Cres Oatlands	0413 033 540	20/11
Lena Saab		22 Niblick Crescent Oatlands	0424 166 929	20/11
Melhem Hazzouni		6 York Street Oatlands	0414 549 519	21/11
Natalie Hazzouni		6 York Street Oatlands	0430 066 269	21/11
Briana Mekary		2 Quinlan Place Oatlands	0431 175 573	22/11

Petition to STOP Oatlands Golf Club's Development Proposal

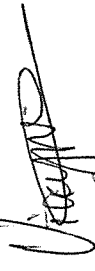







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Printed Name	Signature	Address	Email or Phone Number	Date
Lynn Matoney	L. Matoney	23 Niblick Cres Oatlands	lynnmatoney@gmail.com	18.11.2021
Therese flockart	[Signature]	25 NIBLICK CRES	0438936518	18-11-2021
Margaret Shankle	[Signature]	31 Niblick Cres		
Rhonda Moses	[Signature]	33 Niblick Cres	9630-5578	
Brian Mosses	[Signature]	33 NIBLICK CRES	0413 080 853	18/11/21
Dylan Brass	[Signature]	24 NIBLICK CRES	0403253779	
Arthur Brass	[Signature]	24 NIBLICK CRES	0411528445	
Adrianne Brass	[Signature]	24 NIBLICK CRES	" "	
Ngatangi Brass	[Signature]	24 NIBLICK CRES	" "	
ARTHUR ROUMANUS	[Signature]	26 NIBLICK CRES	0411 696 095 0411 096	18-11-21

Petition to STOP Oatlands Golf Club's Development Proposal










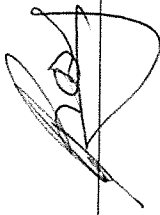
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Printed Name	Signature	Address	Email or Phone Number	Date
VICKY MOSES		25 Green Avenue OATLANDS 2117	0405 979 384	
Matthew Moses		25 GREENS AVENUE OATLANDS NSW 2117	0705568 768	
Mr Noam Moses		25 GREENS AVE OATLANDS	044224833	
EVAN MOSES		25 GREENS AVE OATLANDS	044259251	
Rachel Falecki		25 Aidans Ave Oatlands	0410317655	
Kelli Matchell		34 Coronet Ct North Rocks	0404 827475	
Mike Barilaro		3 YOUNG PLACE HARRIS PARK 2167	0421 153591	
MARK CRADDOCK		29 GREENS AVE OATLANDS	0998 473 331	

Petition to STOP Oatlands Golf Club's Development Proposal

Petition summary and background









The residents of Oatlands are against the Oatlands Golf Club 193 Unit (3-6 stories) Development Proposal

Printed Name	Signature	Address	Email or Phone Number	Date
Joanne Alphonse		9 Niblick crescent oatlands	0411162393	18/11/2021
Sonya Zeater		18 Holmes Ave, Oatlands	0414522 395	18/11/2021
Danielle Zeater		18 Holmes Ave Oatlands	0401576 507	18/11/2021
Vara Tarni		160 Holmes Ave, Oatlands	040888 1978	18/11/2021
Tanya Wehbe		7 Stringer Pl Oatlands	0412135933	18/11/2021
David Wehbe		7 STRINGER PL OATLANDS	0418 278166	18/11/21
ANGELINA WEHBE		7 STRINGER PL OATLANDS	0413 536 913	18/11/21
George Nakhoul		11 Niblick cres	0416622 204	18/11/21
Joseph Alphonse		9 Niblick Crescent oatlands	0438152259	18/11/21
Rose Assouad		21 Niblick Cres OATLANDS	0433137428	18/11/21

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The residents of Oatlands are against the Oatlands Golf Club 193 Unit (3-6 stories) Development Proposal

Printed Name	Signature	Address	Email or Phone Number	Date
David + Mirella Khatun		26 TULONG AVE	mirella.khatun@live.com	18/11/21
TONY KHATTAN		26 TULONG AVE		18/11/21
Elana M. Pacheco		24 Dulong Ave		18/11/21
Peira Meizonis		5 Newbert Place	pmelgonis@hotmail.com	18/11/21
Sylva Mezher		6 Newport Pl	0400 770 724	18/11/2021
P. Meizgonis		5 Newport Pl. OAT		18/11/2021
V. SKAMVOUGER		19 TULONG AVE	OATLAND NICK SKAMVOUGER	
FRED ZEATER		1 Newport Pl OATLANDS	0408258057	18.11.2021
Sermy Zeater		1 Newport Pl. OATLANDS	0418 630617	18.11.2021
JOHN ZEATER		8 GARDENVALE RD OATLANDS	0418 861 373	18/11/2021

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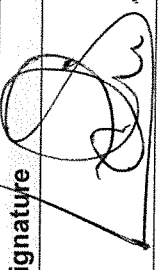



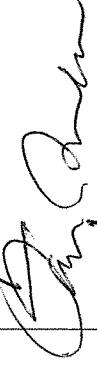
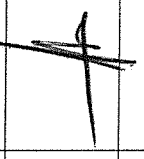




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Printed Name	Signature	Address	Email or Phone Number	Date
Rosemary Zeater		8 Gardenvale Road OATLANDS	0418455665	18/11/21
Christian Zeater		8 Gardenvale Road, Oatlands, Warrandyte	0423 771 721	18/11/21
Chris Tohme		10 Gardenvale Rd, Oatlands	0416 242 469	18/11/21
ADIB SALMAN		14 GARDENVALE RD OATLANDS	0449 822 384	18/11/21
JOANNE SALMAN		14 GARDENVALE RD, OATLANDS	0420 981642	18/11/21
SID ARIDA		101 Bettyhorne Rd ^o	0417 467396	19/11/21
Joe Arida		3 The Circle Oatlands	—	22/11/21
Arida Ayala		3 The Circle Oatlands	—	22/11/21
Junel Arida		150 Pennant hills Rd Oatlands	—	22/11/21
Sid Arida		101 Bettyhorne Rd Oatlands	—	22/11/21

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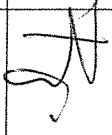







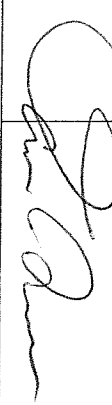
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Printed Name	Signature	Address	Email or Phone Number	Date
LOU SASSEN		OATLANDS 19 GOWAN BRAE AVE	lou@fihox.com.au	18/11/21
MICHELLE SASSEN		19 GOWAN BRAE AVE OATLANDS	goremanor@hotmail.com	18/11/21
TONY STEELE		62 PRATTANA AVE WEST PENNANT HILLS	tonysteele@bigpond.com	18.11
Joselyn Warkie		7 WILBICK CR. OATLANDS	JOEWARKIE1@GMAIL.COM	18.11/21
Ian Shepherd		63/20 ONSLOW AVE EL BAY. 2011	ianrshpherd@yahoo.com.au	18/11/21
Charlie Alam		103 Bettington Rd Oatlands	alamcharlie@gmail.com	18/11/21
George SASSEN		10 ELLIS ST OATLANDS	george@fihox.com.au	18/11/21
Jana Ka Wimalaratne		9 Prindle st, oatlands	JanaKa - W@bigpond.com	18/11/21
Robert Sassen		84 Bettington Rd Oatlands	rsossen@bigpond.com	18/11/21
IAN JOHNSON		8 WELLEN PK RYDAK METE NSW 2116	ian@8wp.com.au	18/11/21

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Printed Name	Signature	Address	Email or Phone Number	Date
Sandra Rohnams		28 Niblick Cr Oatlands	0424551755	18/10/21
Phelomena Frangi		30 Niblick Crescent Oatlands	0414 273337	18/10/21
Leon Francis		"	0411 309 157	18/10/2021
PAT KAHUAI		28 Niblick Crescent Oatlands	0410 438 055	18/10/21
Kola Kahuiji		28 Niblick Crescent Oatlands NSW	0410 438 059	18/10/21
Jacob Khoudai		32 Niblick C- Oatlands NSW	0424902620	18/11/21
Therese Grosz		34 Selwyn Rd Oatlands	0410 115118	
Oliver Daher		8A Greens Ave Oatlands	0414882388	18/11/21
TOSHER WEBBER		7 Niblick Cr Oatlands	0414 984 090	18/11/21
Ian Shephard		66/20 Oatlands Rd Eli's Bay 2011	0402 374848	18/11/21

Petition to STOP Oatlands Golf Club's Development Proposal

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