

Silverdale & St Heliers Roads, Silverdale

Proposal Title : **Silverdale & St Heliers Roads, Silverdale**

Proposal Summary : **To rezone land known as the 'Silverdale & St Heliers Roads, Silverdale' site for housing and environmental protection.**

The western part of the site is proposed for low density housing, while the eastern part of the site, containing some native vegetation, is proposed for low-impact housing that will allow environmental protection (i.e. 'environmental living').

PP Number : **PP_2012_WOLLY_002_00** Dop File No : **12/11578**

Planning Team Recommendation

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

S.117 directions : **1.2 Rural Zones
2.1 Environment Protection Zones
3.1 Residential Zones
3.4 Integrating Land Use and Transport
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **It is recommended that the Proposal proceed subject to the following conditions:**

- 1. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act 1979 for a period of 28 days;**
- 2. The timeframe for completing the local environmental plan is to be 12 months from the week following the date of the Gateway Determination;**
- 3. The Director General approves the inconsistency with section 117 Direction 1.2 – Rural Zones on the basis that it is of minor significance;**

The following conditions should be met, and the amended Proposal submitted to the regional team, prior to community consultation:

- 4. Council should prepare a flora and fauna study to confirm the appropriate zones and their boundaries. Council should consult with the Office of Environment and Heritage and, if necessary, the Federal Department of Sustainability, Environment, Water, Population and Communities and ensure that all statutory obligations has been met in relation to the Shale Sandstone Transition Forest on the site. Following completion of the study and agency consultation, and prior to undertaking community consultation, Council should demonstrate consistency with Direction 2.1 Environment Protection Zones.**
- 5. Council should prepare a flooding and drainage study, which also considers the impacts of removing the dams that are on the site. Council should demonstrate consistency with Direction 4.3 Flood Prone Land prior to undertaking community consultation;**
- 6. Council should be reminded of the need to comply with section 117 Direction 4.4 Planning for Bushfire Protection, which, among other things, includes a requirement for consultation with the Commissioner of the NSW Rural Fire Service;**
- 7. Pursuant to SEPP 55 - Remediation of Land, Council should undertake a preliminary contamination investigation and consider the results before proceeding further. Council**

should provide a copy of the investigation to the regional team prior to undertaking community consultation;

8. The Planning Proposal should indicate whether the electricity transmission line easement across the south western part of the site has been taken into account in the estimation of the lot yield. If necessary, Council should amend the Proposal prior to undertaking community consultation;

9. Council should consult with the public authorities responsible for the Hawkesbury-Nepean River system and the electricity line transmission easement; and

Supporting Reasons : The Planning Proposal will provide for orderly expansion of the Silverdale neighbourhood centre.

Panel Recommendation

Recommendation Date : **26-Jul-2012**

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The Planning Proposal should proceed subject to the following conditions:**

1. Council is to consult with the Commissioner of the NSW Rural Fire Service in accordance with Section 117 Direction 4.4 Planning for Bushfire Protection and amend the planning proposal, if necessary, to take into consideration any comments prior to undertaking exhibition of the planning proposal.
2. Council is to ensure the planning proposal includes sufficient additional information on flooding and drainage to adequately demonstrate consistency with Section 117 Direction 4.3 Flood Prone Land, prior to undertaking exhibition of the planning proposal.
3. Council is to ensure the planning proposal includes sufficient additional information on flora and fauna to adequately demonstrate consistency with Section 117 Direction 2.1 Environmental Protection Zones and is also to consult with NSW Office of Environment and Heritage and the Federal Department of Sustainability, Environment, Water, Population and Communities and amend the planning proposal, if necessary, to take into consideration any comments prior to undertaking exhibition of the planning proposal.
4. Council is to demonstrate that the planning proposal satisfies the requirements of State Environmental Planning Policy No 55 (SEPP 55) – Remediation of Land and the Contaminated Land Planning Guidelines. Council is to prepare an initial site contamination investigation report to demonstrate that the site is suitable for rezoning to the proposed zone. This report is to be included as part of the public exhibition material.
5. Council is to amend the planning proposal to indicate whether the electricity transmission line easement that cross part of the site has been taken into account in the estimation of the dwelling yield, prior to undertaking exhibition of the planning proposal.
6. 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 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).
7. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Hawkesbury-Nepean Catchment Management Authority
 - Office of Environment and Heritage
 - NSW Rural Fire Service
 - Sydney Water
 - Transgrid

- Road and Maritime Services
- Department of Primary Industry (NSW Office of Water)
- Federal Department of Sustainability, Environment, Water, Population and Communities

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

8. 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).

9. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature: _____

Printed Name: _____

Date: _____