

SEPP (Infrastructure) 2007

Provision	Requirement	Response
Part 2, Division 1 Consultation Clause 13 Consultation with Councils – development with impacts on council-related infrastructure or services.	Development to be carried out by or on behalf of a public authority that will have substantial impacts relating to Council infrastructure such as stormwater management; the local traffic system; sewerage systems; water supply system and footpaths do not require development consent. However, prior to the development work, written notice to council must be given and consideration to the response from Council.	The provision of infrastructure services are embodied within the Infrastructure Study by Cardno attached under Appendix R. This report will be referred to all relevant public authorities and Councils as part of the Part 3A referral process by the DoP. The requirements for each authority will be further addressed at the relevant subdivision stage under future applications.
Clause 14 Consultation with Councils – development with impacts on local heritage	Development to be carried out by or on behalf of a public authority that will have an impact on a local heritage item or a heritage conservation area may be carried out without development consent. However, prior to the development work, an assessment of the impact is required and written notice including an assessment report must be given to the Council with consideration to the response from Council.	Any development works to be undertaken by or on behalf of a public authority will require consideration to this provision as part of the subdivision stage under future applications.
Clause 15 Consultation with Councils – development with impacts on flood liable lands	Development to be carried out by or on behalf of a public authority on flood liable land that will change flood patterns may be carried out without development consent. However, prior to the development work written notice must be given to the Council with consideration to the response from Council.	Any development works to be undertaken by or on behalf of a public authority will require consideration to this provision as part of the subdivision stage under future applications.
Clause 16 Consultation with public authorities other than Councils	Development to be carried out by or on behalf of a public authority for specified development may be carried out without consent providing that written notice is made to relevant specified authorities with consideration to their respective comments. In this regard, this would apply in regard to: <ul style="list-style-type: none"> ▪ Development adjacent to land reserved under the National Parks and Wildlife Act 1974 and the Department of Environment and Climate Change. ▪ Development for the purposes of an education establishment, health services facility or for residential purposes in a bush fire prone land and the NSW Rural Fire Service. 	This application will be referred to DECC and the NSW Rural Fire Service by the DoP in accordance with the Part 3A referral process.
Clause 17 Exceptions	The above provisions (13 to 16) do not apply with respect to development to the extent that they would require notice of the intention to carry out development to be given to a Council or public authority from whom an approval is required in order for the development to be carried out lawfully.	This application will be referred to all relevant Councils and public authorities by the DoP in accordance with the Part 3A referral process such that the appropriate level of consultation occurs.
Division 4 Exempt	Identifies the criteria required to be met for consideration of whether certain works may be	Future consideration to exempt development will be undertaken as

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Development Clause 20 Exempt Development	carried out as exempt development listed in Schedule 1 of the Infrastructure SEPP that is carried out by or on behalf of a public authority.	part of the subdivision stage under future applications.
Part 3 Development controls Division 3 Educational Establishments Clause 28 Development permitted with consent	Development consent is required for an educational establishment.	A separate application for consent for school facilities will be lodged at the relevant stage and time.
Division 5 Electricity transmission or distribution networks	Provides considerations as to whether development for electricity transmission or distribution networks by or on behalf of a public authority may occur with or without development consent. Provides procedures for notifications relating to other developments that may potentially impact on existing electricity networks.	These considerations will be addressed at the relevant phase of the project.
Division 6 Emergency services facilities and bush fire hazard reduction	Provides considerations as to whether development for emergency services facilities and bushfire hazard reduction works by or on behalf of a public authority may occur with or without development consent.	These considerations will be addressed at the relevant phase of the project.
Division 7 Flood mitigation work	Provides considerations as to whether flood mitigation works by or on behalf of a public authority may occur with or without development consent.	These considerations will be addressed at the relevant phase of the project.
Division 9 Gas transmissions or distributions	Provides considerations for the delivery of gas transmission and distribution by or on behalf of a public authority relating to consent requirements and developments adjacent to a gas pipeline corridor.	These considerations will be addressed at the relevant phase of the project.
Division 10 Health services facilities	Provides considerations to the provision of health services facilities.	These considerations will be addressed at the relevant phase of the project.
Division 12 Parks and other public reserves	Provides considerations as to whether development for parks, public reserves and recreational facilities by or on behalf of a public authority may occur with or without development consent.	These considerations will be addressed at the relevant phase of the project.
Division 17 Roads and traffic Subdivision 1 Road Infrastructure facilities	Provides considerations as to whether development for road or road infrastructure facilities by or on behalf of a public authority may occur with or without development consent.	These considerations will be addressed at the relevant phase of the project.
Subdivision 2 Development in or adjacent to road corridors and road reservations Clause 101 Development with frontage to a	Development with frontage to a classified road provides: <ul style="list-style-type: none"> ▪ where practicable, vehicular access to the land is provided by a road other than the classified road; 	The proposed road layout and indicative subdivision pattern is designed to ensure no direct access from lots will be available off Newcastle Link Road or the F3 Freeway.

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<p>classified road; and Clause 102 Impact of road noise or vibration on non-road development</p>	<ul style="list-style-type: none"> ▪ Safety, efficiency and ongoing operation of the classified road will not be adversely affected in respect to the design of the vehicular access to the land; by smoke or dust; or by the nature, volume or frequency of vehicles. ▪ development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately designed to be ameliorated from such potential impacts. <p>Impact of road noise or vibration on non-road development provides:</p> <ul style="list-style-type: none"> ▪ Sensitive land uses adjacent to road corridors with an average daily traffic volume of more than 40,000 vehicles to take account of road noise or vibration guidelines issued by the DGs and published in the Gazette. ▪ Internal noise levels are required to meet minimum requirements. 	<p>Traffic impacts to the safety, efficiency and ongoing operation of Newcastle Link Road and the F3 Freeway will be minimised through appropriate design and upgrading of intersection to the proposed estate. Refer to Traffic and Transport Report in Appendix M.</p> <p>Noise impact assessment with reference to the interim guideline “Development near Rail Corridors and Busy Roads” has been undertaken by Renzo Tonin & Associates which indicates that residential properties within the vicinity to major traffic routes will be affected by traffic noise. A range of mitigation measures is provided to achieve appropriate noise amenity levels. This is discussed in Section 6.8 of the EA.</p> <p>Vibration and noise considerations to be further addressed at relevant phase of the project to ensure acceptable future construction.</p>
<p>Clause 104 Traffic-generating development</p>	<p>Proposed subdivision exceeds the creation of 200 allotments and therefore the proposal is required to be referred to the RTA. The consent authority is required to take into consideration:</p> <ul style="list-style-type: none"> ▪ Comments from the RTA; and ▪ Accessibility; efficiency of movement; extent of multi-purpose trips; the potential to minimise the need for travel by car; traffic safety, road congestion; and parking implications. 	<p>Consultation with the RTA has occurred during the preparation of the Concept Plan and will be ongoing.</p> <p>The Concept Plan will be referred to the RTA by the DoP as part of the Part 3A process.</p> <p>Traffic assessment by Hyder Consulting is submitted with the EA.</p> <p>Concept Plan is designed to encourage “walkable neighbourhoods” with proximity to open space, public transport and neighbourhood centres.</p>
<p>Division 18 Sewerage systems</p>	<p>Provides considerations as to whether development for sewage treatment plants or biosolids treatment facilities; water recycling facilities; sewage reticulation systems by or on behalf of a public authority may occur with or without development consent.</p>	<p>These considerations will be addressed at the relevant phase of the project.</p>
<p>Division 19 Soil Conservation works</p>	<p>Provides considerations as to whether development for the purposes of soil conservation works by or on behalf of a public authority may occur with or without development consent.</p>	<p>These considerations will be addressed at the relevant phase of the project.</p>

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Division 20 Stormwater management systems	Provides considerations as to whether development for the purposes of stormwater management systems by or on behalf of a public authority may occur with or without development consent.	These considerations will be addressed at the relevant phase of the project.
Division 21 Telecommunications and other communication facilities	Provides considerations as to whether development for the purposes of telecommunications facilities requires development consent.	These considerations will be addressed at the relevant phase of the project.
Division 24 Water supply systems	Provides considerations as to whether development for the purposes of water reticulation systems by or on behalf of a public authority may occur with or without development consent.	These considerations will be addressed at the relevant phase of the project.
Division 25 Waterway or foreshore management activities	Provides considerations as to whether development for the purposes of waterway or foreshore management activities by or on behalf of a public authority may occur with or without development consent.	These considerations will be addressed at the relevant phase of the project.
