

7 April 2017

Director, Industry and Infrastructure Policy
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Contact: Martin Johnson
Our Ref: DOC2017/020716
Your Ref:

Dear Sir / Madam

Draft Amendments to State Environmental Planning Policy (Infrastructure) 2007

Thank you for the opportunity to provide comment on the Draft Amendments to *State Environmental Planning Policy (Infrastructure) 2007*, ('the Draft SEPP'). Council has previously provided comments in relation to the drafting of the SEPP and a copy of Council's advice is attached for your information.

Council has reviewed the Draft SEPP and provides the following comments.

Council Operational Land

Council supports the draft amendment to extend exempt development and development permitted without consent to council operational land.

However, Council recommends that the current wording of 'cycleways' in Clause 65(3)(a) is amended to read 'pathways, including cycleways'.

This amendment will help remove any potential confusion and confirm that 'footpaths' are also included as development permitted without consent in Council's parks and other public reserves.

Proposed Operational Improvements and Housekeeping Amendments

Council generally supports the proposed operational improvements and housekeeping amendments proposed in the Draft SEPP, with the exception of the following:

Correctional Centres

Council objects to the further extension of provisions under the Draft SEPP that will permit a public authority to expand a correctional centre on 'any land' without the need for consent.



Council is of the opinion that the environmental, social and economic impacts associated with any expansion of correctional centres should be given due consideration through a development consent process. This is particularly true in instances where the expansion occurs in a zone that prohibits the land use.

Telecommunication Facilities

Council has some reservation regarding the proposed amendment to include the replacement or upgrading of existing telecommunications facilities by public authorities as exempt development in land reserved under the National Parks and Wildlife Act 1974 or acquired under Part 11 of that Act.

It is possible that the proposed amendment will adversely impact on areas currently under protection as designated National Parks given that the exemption will not only cover direct works as related to "the replacement or upgrading of existing telecommunications facilities" but to all ancillary activities required to undertake the works (such as clearing to create access roads, manage stockpiles, etc.). A blanket exemption for these works is in direct conflict with the intent of the protection provided by the *National Parks and Wildlife Act 1974*.

If you require any further information, please do not hesitate to contact Martin Johnson, Manager Strategic Land Use Planning, on telephone 02 4993 4229.

Yours faithfully



Gareth Curtis
Director Planning and Environment



20 May 2016

Department of Planning & Environment
Felicity Greenway
Director Industry and Infrastructure Policy
Via email: jason.walsh@planning.nsw.gov.au

Contact: Mr Bo Moshage
Our Ref: DOC2016/026763
Your Ref:

Attention: Jason Walsh

Dear Mr Walsh,

Review of the State Environment Planning Policy (Infrastructure) 2007

Cessnock City Council is making this staff submission in response to the Department of Planning and Environment (DP&E) seeking preliminary feedback to help inform the pending review of the State Environment Planning Policy (Infrastructure) 2007 ('I' SEPP).

Council supports the initiatives of the DP&E in reviewing the 'I' SEPP to ensure that it remains an up-to-date, effective planning tool in the delivery of infrastructure in NSW.


The objective of any infrastructure approval system should be to have a balanced regime that codifies best practice community consultation and environmental assessment capable of handling the majority of infrastructure approvals under one (1) infrastructure approval system. A balanced triple bottom-line assessment is an imperative. This will help to improve public accountability and transparency and reduce the complexity associated with public infrastructure development.

With this in mind, Council generally supports the opportunities to extend complying development and exempt development pathways for social infrastructure including schools, universities, hospitals, police stations, justice precincts and other emergency services facilities. However, such changes need to be accompanied by an examination of the process in which the 'I' SEPP is administered and the use of Complying Development Certificates (CDC). CDCs are a vital tool in the development of an efficient planning and regulatory framework in which infrastructure can be delivered in a fast and cost-effective manner. However, without appropriate resources and a clear and transparent chain of accountability, any efficiency gained by improving the policy could be lost.

The following comments are made to Division 12 Parks and other public reserves of the 'I' SEPP. Council suggests an amendment to the current wording of 'cycleways' in Clause 65(3)(a) to read 'pathways, including cycleways'. This administrative amendment will help to remove any potential confusion and confirm 'footpaths' as development permitted without consent.

If any further information is required, please do not hesitate to contact Council's Strategic Land Use Planning Manager, Mr Martin Johnson on telephone 4993 4229.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Gareth Curtis', with a stylized flourish at the end.

Gareth Curtis
Director Planning and Environment