

CONTENTS

7	INFRASTRUCTURE ZONE	7-1
7.1	INTRODUCTION	7-1
7.2	RELATIONSHIP TO OTHER ENVIRONMENTAL PLANNING INSTRUMENTS.....	7-1

7 INFRASTRUCTURE ZONE

7.1 INTRODUCTION

Where consent is required for development within an Infrastructure zone, a development application will be assessed on its ability to meet:

- The zone objectives and provisions of the applicable LEP.
- *Environmental Planning and Assessment Act 1979*, including the provisions of Section 79C.
- The provisions of the *Murray Regional Environmental Plan No 2—Riverine Land*.
- Any other applicable State Environmental Planning Policies.
- Relevant objectives and controls in this DCP.
- Council policies (refer to Chapter 1 Section 1.8).
- Council’s Development Manual.

7.2 RELATIONSHIP TO OTHER ENVIRONMENTAL PLANNING INSTRUMENTS

The ***State Environmental Planning Policy (Infrastructure) 2007*** (Infrastructure SEPP) applies to public authority and some private infrastructure work within an infrastructure zone or other zones as prescribed in the SEPP.

The aim of the Infrastructure SEPP is to facilitate the effective delivery of infrastructure across the State. For this reason, this SEPP prevails over an LEP where there are any inconsistencies. Clause 5.12 of LEP 2013 reinforces this relationship stating that, in general terms, the LEP 2013 cannot prohibit a development that is permitted by the SEPP.

Examples of infrastructure development includes, but is not limited to, educational establishments, health services facilities, sewerage treatment systems, air transport facilities, railway works, roads and traffic works, electricity generating works, water supply systems, parks and public reserves.

The Infrastructure SEPP defines and details infrastructure works that:

- Are **exempt** from development consent. In this case the development may be carried out without the need for consent under the provisions of Part 4 or Part 5 of the *Environmental Planning and Assessment Act 1979*).
- Are **permissible without development consent** (still require due consideration of environmental impacts under the provisions of Part 5 of the *Environmental Planning and Assessment Act 1979*).
- Are **complying development** under the provisions of the Infrastructure SEPP. In this case an application for a Complying Development Certificate is to be lodged with Council or a Private Certifier.
- **Require development consent** under the provisions of Part 4 of the *Environmental Planning and Assessment Act 1979*. Where development consent is required a development application must be submitted to Council.

NOTE: It is important that development complies with all relevant Chapters of this DCP. Applicants should check each Chapter and address all relevant controls.