



## PLANNING SYSTEM

State environmental planning policies

<b>Circular</b>	PS 09–018
<b>Issued</b>	14 July 2009
<b>Related</b>	PS 09–007; PS 09–009

# Amended school provisions under State Environmental Planning Policy (Infrastructure) 2007

This circular provides information about an amendment to State Environmental Planning Policy (Infrastructure) 2007 associated with schools.

## Introduction

On 10 July 2009, the SEPP (Infrastructure) 2007 (Infrastructure SEPP) was amended to further improve the ability of educational establishments in NSW to efficiently respond to the Australian Government’s economic stimulus package.

The amended policy provisions ensure that the NSW planning system supports the national incentives package to fund additional infrastructure at both government and non-government schools, and TAFE establishments.

The changes build on the existing provisions for schools and TAFEs that were added to the Infrastructure SEPP in October 2008 and February 2009. These latest amendments:

- extend the complying development provisions for schools under the Infrastructure SEPP
- ensure that complying development can be undertaken where there is an existing educational establishment.

Please also refer to Planning Circulars PS 09–007 and PS 09–009 issued in March 2009.

## Amended provisions

### Complying development

‘Complying development’ under the Infrastructure SEPP is a key planning provision, which can assist schools undertaking construction, alterations or additions at existing establishments under the national incentives package. Complying development can be undertaken where predetermined standards are met.

The SEPP has been amended to clarify that complying development for schools and TAFEs can be undertaken on land where there is an existing school or

TAFE establishment regardless of whether they are in a ‘prescribed zone’ (these are listed in the SEPP).

The complying development provisions have also been extended to include:

- a hall with associated covered outdoor learning area and/or tuckshop
- an outdoor learning or play area and associated awnings or canopies—if the development is not on bush fire prone land or if the educational establishment is not, or does not contain, a heritage item. [Note: If an outdoor learning or play area and associated awnings or canopies is on bush fire prone land or if the educational establishment is or contains a heritage item, the development may be carried out without consent by a public authority—under Part 5 of the *Environmental Planning and Assessment Act 1979*.]

It has also been clarified that alterations or additions that involve a change of use from an existing school use to another school use is complying development.

### Exempt development

Where relevant development standards are met, some additional school development that is minor is ‘exempt development’, i.e. it does not require development consent. The exempt development standard for awnings, canopies, pergolas and storm blinds has now been amended so the size limit of 20 square metres does not apply where the development is for an educational establishment.

### Further information

This and other circulars are published on the Department’s website at [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)

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