

PLANNING & DEVELOPMENT UPDATE

School Projects To Be Fast-Tracked With New State Planning Policy Amendments



On 24 October 2008, significant new amendments have been made to the State Environmental Planning Policy for 'infrastructure' development, which includes government and non-government schools.

This policy makes a number of important changes to the way in which school projects will be assessed and approved in NSW.

Importantly, new school developments proposed to be carried out on existing school sites will be able to avoid the necessity for obtaining local council development consents, and instead, fast-track their developments through use of complying development certificates.

Under the amendments, new school projects can go ahead provide that they meet certain

specified planning and building criteria.

The amendments apply to school projects within an existing school including the following:

- Classrooms
- Library or administration building.
- Lecture theatres, gym or hall.
- Child care facilities.
- Car parking.

The development covered by the amendments must be permitted in the zone under local planning controls, and must meet BCA requirements. If on unreserved land, the relevant approval from the local council must be first obtained for any effluent disposal system. The amendments do not apply to school projects within 1 metre of any public sewer.

Questions & Answers

1. Our (non-government) school is established, but the local zoning no longer permits schools. Does the amendment apply to us?

No. However, the State Planning Policy allows your school to expand and to grow, with local council approval, both within and adjoining your site, even if schools are prohibited on the adjoining land.

2. Our (non-government) school needs new classrooms. Schools are permissible in the zone, and we comply with BCA and sewage system requirements. Do we need consent from the local council?

No consent from council required, provided the school development is set back a sufficient distance from side and rear boundaries (5 metres min.), uses non-reflective materials, and has a building height not exceeding 6.5 metres.

(Note: This update contains general advice only above. Please seek specialist advice for any specific school project under consideration)



FOR FURTHER INFORMATION, PLEASE CONTACT:

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The amendments will be of particular interest to proponents of school projects that, for the first time, are clearly identified as not requiring a local council development consent.

The update covers only some of the more important changes to the planning policy.

If you have any questions in relation to this state planning policy and how it may affect your school project, or need a project manager or town planner to help with your project, feel free to call us.