

# Education and Child Care SEPP

February 2017

## What is the Education and Child Care SEPP?

- The draft *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* (Education and Child Care SEPP) is a State environmental planning policy to help deliver educational infrastructure more efficiently across NSW.
- The proposed changes aim to ensure the planning system helps to:
  - offer suitable and affordable child care facilities;
  - ensure every child in NSW has access to high quality school facilities; and
  - deliver world class tertiary institutions.

## Why have we created a new SEPP?

- NSW is facing unprecedented growth with the population forecast to increase by 28% to almost ten million people by 2036. The number of children under five will climb 18 percent to over 600,000, and the total population under 15 years of age will grow by 23 per cent to more than 1.8 million. This growth is placing increasing pressure on our social infrastructure, particularly facilities for all levels of our education system, including childcare.
- The NSW Government recognises the growing demand and is proposing improvements to the planning framework regulating these developments.

## How does the Education and Child Care SEPP change the planning system?

- Currently, planning provisions for schools and tertiary institutions are covered in the *State Environmental Planning Policy (Infrastructure) 2007* (Infrastructure SEPP). Early childhood education and care facilities are regulated through several policies, including national regulations, state requirements and localised provisions in Local Environmental Plans (LEPs) and Development Control Plans (DCPs).
- The Education and Child Care SEPP will take responsibility for providing education facilities in the Infrastructure SEPP, and expand responsibility for delivering school, TAFE and university infrastructure.
- The Education and Child Care SEPP will also streamline and consolidate planning controls for early childhood education and care facilities. The National Quality Framework for early childhood education and care facilities will be aligned with the NSW planning system for the first time.

## What are the key elements of the Education and Child Care SEPP?

- The proposed SEPP will:
  - simplify and standardise the approval process for child care facilities, schools, TAFEs and universities, and broaden the range of developments that can be undertaken as exempt and complying developments;
  - set out clear planning rules for these developments, including where they can be built, what development standards apply, and consultation requirements; and
  - establish state-wide assessment requirements and design considerations to improve the quality of these facilities and to minimise impacts on surrounding areas.

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- The draft SEPP also includes amendments to the State and Regional Development SEPP so new schools, and major works to existing schools (over \$20 million in capital investment value) will be classified as State Significant Development and determined by the Minister for Planning.
- It is also proposed to make various amendments to the Exempt and Complying Development SEPP (the Codes SEPP), including changes to facilitate 'change of use' for tertiary institutions.
- An Explanation of the Intended Effect (EIE) of the draft SEPP outlines these proposed policy changes.

## What does the package include?

- A major part of the policy package will be a State Environmental Planning Policy (SEPP) providing the overarching planning framework.
- The SEPP will also be supported by a number of documents and policies including:
  - amendments to the *Environmental Planning and Assessment Regulation 2000*;
  - planning guidelines for child care facilities;
  - design guidelines for school facilities;
  - an Environmental Assessment Code of Practice for non-government schools;
  - a planning circular providing guidance to applicants and consent authorities in relation to development consent conditions that cap student and staff numbers; and
  - an Explanation of the Intended Effect (EIE), setting out the detail of the package in plain English.

## What safeguards will be in place to ensure appropriate development?

- Population growth, greater demand for education services, and ageing infrastructure are putting pressure on existing facilities. Delivering the highest quality services will always be a priority for the State. Child care and education facilities should be well-designed, appropriately located, fit for purpose, and worthy of our State's most important assets – our young people.
- The draft SEPP will be supported by a number of related documents supporting the delivery of high quality infrastructure and minimising adverse outcomes, including:
  - Planning guidelines for early childhood education and care facilities setting out consistent planning and design requirements, ensuring a building is fit for a service approval under the national law;
  - Design quality principles to be applied to new school facilities to ensure they provide quality learning environments, and suit the character of the area;
  - Amendments to the *Environmental Planning and Assessment Regulation 2000* to ensure complying development proposals for larger school developments consider design quality principles and potential traffic impacts;
  - Enforceable Code of Practice for non-government schools to require appropriate environmental assessment and consultation on certain school developments undertaken without consent; and
  - Planning circular providing guidance to applicants and consent authorities in relation to development consent conditions capping school student and staff numbers.

## How does the Education and Child Care SEPP Review relate to the Infrastructure SEPP?

- The Infrastructure SEPP is the state's most frequently used planning policies. The current policy includes 26 infrastructure categories ranging from transport, utilities, to social infrastructure and public administration, and environmental works. The policy currently includes planning provisions for schools, TAFEs and universities.
- The Infrastructure SEPP is currently under review and a draft amendment to the policy will be exhibited separately.
- Proposed changes to the education provisions in the Infrastructure SEPP form part of the exhibition of the draft Education and Child Care SEPP.
- Proposed provisions for educational establishments will be transferred to the Education and Child Care SEPP from the Infrastructure SEPP.

## Who has been consulted on the policy development?

- The Department of Planning and Environment has undertaken preliminary consultation with State agencies, peak industry bodies and education providers. Comments received from these bodies have been considered by the Department in its initial development of the draft SEPP.

## How do I comment on the proposed changes?

- You can view and comment on the changes until 24 March 2017 at [www.planning.nsw.gov.au/proposals](http://www.planning.nsw.gov.au/proposals)
- All submissions will be made public in line with the Department's objective to promote an open and transparent planning system. If you do not want your name published, please state this clearly at the top of your submission. Before making a submission, please read our privacy policy at: [www.planning.nsw.gov.au/privacy](http://www.planning.nsw.gov.au/privacy)

## Where can I find out more?

- Call the Department of Planning and Environment's Information Centre on 1300 305 695.
- If English isn't your first language, please call 131 450. Ask for an interpreter in your language and then request to be connected to our Information Centre on 1300 305 695.
- Email: [education.sepp@planning.nsw.gov.au](mailto:education.sepp@planning.nsw.gov.au)