



New South Wales

State Environmental Planning Policy (Infrastructure) Amendment 2019

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

ROBERT STOKES, MP
Minister for Planning and Public Spaces

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1 Name of Policy

This Policy is *State Environmental Planning Policy (Infrastructure) Amendment 2019*.

2 Commencement

This Policy commences on the day on which it is published on the NSW legislation website.

3 Repeal of Policy

- (1) This Policy is repealed on the day following the day on which this Policy commences.
- (2) The repeal of this Policy does not, because of the operation of sections 5(6) and 30 of the *Interpretation Act 1987*, affect any amendment made by this Policy.

4 Amendment of State Environmental Planning Policy (Infrastructure) 2007

(1) Clause 36 Development permitted without consent

Insert “or an educational establishment within the meaning of *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*” after “infrastructure facility” in clause 36(3)(a).

(2) Clause 48 Development permitted without consent

Insert after clause 48(5)—

- (5A) Despite subclause (5), development for the purpose of an emergency services facility carried out by or on behalf of Fire and Rescue NSW may result in a building being located closer than 5 metres to any property boundary.