

26 April 2021

Department of Planning, Industry and Environment

Dear Sir/Madam

Design and Place EIE – Muswellbrook Shire Comments

I refer to the documents on exhibition to support a broader review of SEPPs with the aim of simplifying and consolidating the delivery of good design in NSW.

Given that a good understanding of Place is necessary to undertake good design, the SEPP should be named the Place and Design SEPP.

Balancing higher urban density, urban heat, local stormwater management (i.e. creating the urban sponge) and affordable housing is a difficult challenge in urban and rural areas away from the coast. The trend of 4-bedroom stand-alone project homes built on 400m² lots is unlikely to deliver good outcomes for urban heat and the 'urban sponge' when the site coverage is close to 80%, there is no room for deep soil planting on the private lot, and no room for larger trees in the adjoining narrow road reserves. Maximum site coverage targets may be necessary to gain a shift in housing type to terraces and semi-detached dwellings, and more consideration of common rear boundary areas being designed for shared deep soil planting areas.

Section 3.1.1 – Design Skills – as the qualified architect and/or landscape architect is still being engaged by a client who has control of the brief and budget, poor design outcomes will still be possible. It may be necessary to introduce a system of audits to check on the quality of the work of these design professionals as part of a process for deciding if their accreditation or registration should continue. A system like that in place for Biodiversity Assessment Method accredited assessors may be a model.

Section 3.2.2 – Mandatory Matters.

4. Local Living – Due to the legacy of existing subdivision patterns it may not be possible to create new subdivisions on the urban fringe in rural and regional towns with a 20-minute walk to shops. Encouraging new shops on the urban fringe may not be viable from an economic point of view or support the health of existing main street shopping centres. How a precinct is defined will be important.

17. Basix, Emissions and Resource Efficiency – Council supports an update to BASIX. In some parts of NSW, summer heat, heat waves and heat stress are increasing due to climate change. An updated BASIX needs to allow/encourage designs that limit solar heat gain via glass surfaces during summer. Ultimately though, if it is common or predicated to be common in the future for a location to have several days above 38

degrees each spring/summer/autumn then artificial cooling will be likely despite the best design.

There needs to be a mechanism to audit dwellings (perhaps at point of sale) to ensure they are still compliant with BASIX requirements years after they are constructed. Councils may not have the resources to complete an audit unless a fee is paid to cover expenses.

18. Tree Canopy – Many street trees planted at the subdivision stage are removed by builders/homeowners when the dwellings are constructed. As Private Certifiers may be issuing the OC it can be problematic for councils to secure replacement planting. There is also difficulty in ensuring trees are planted and maintained on private property. There needs to be a mechanism to audit dwellings (perhaps at point of sale) to ensure they are still compliant with tree planting requirements years after they are constructed. Councils may not have the resources to complete an audit unless a fee is paid to cover expenses.

Thank you for the opportunity to comment on the EIE.

Regards



Sharon Pope
Executive Manager Environmental and Planning Services