



President: **Darren Booth** Secretary: **Paul Mather**

Mailing Address PO Box 195, Adamstown NSW 2289
President Ph (02) 6884 1008 Secretary Ph (0417) 440 926
Email: secretary@countrysurveyors.com.au
Website: www.countrysurveyors.com.au

ABN: 229 693 296 03

29 March 2021

NSW Planning, Industry and Environment
GPO Box 39
Sydney NSW 2001

Uploaded via planning portal

To whom it may concern,

Design and Place State Environmental Planning Policy
Explanation of Intended Effect

The Country Surveyors Association of NSW (CSA) welcomes the opportunity to provide comment on the proposed Design and Place State Environmental Planning Policy and on its intended effect.

CSA is an association representing regionally based Surveyors across all regional and rural NSW.

Our members reside and practice between Broken Hill and Moree, The Tweed, south to Eden and everywhere between excluding only the Sydney Metropolitan area.

The Association works cooperatively and conscientiously with other NSW based Professional organisations such as Consulting Surveyors NSW and The Institution of Surveyors NSW together with NSW Government through Office of Registrar General, Spatial Services, the NSW Board of Surveying and Spatial Information and the Department of Planning, Industry and Environment to ensure regionally based Land Surveyors a high level of continuing professional development.

3.1.1 Design Skills – “Designers Qualifications”

Registered Land Surveyors in NSW are highly educated and skilled in all aspects of land development including matters relating to planning of new development. The Surveying Profession's input into the design of place extends as far back in history to 1788 and the settlement of the colony of NSW.

The importance of the Surveyors in this regard is reinforced by the known history that selection and appointment of NSW's first Surveyor General Augustus Alt preceded the appointment of Governor Arthur Phillip by the Crown. Since settlement, NSW Surveyors have played an integral part in the planning and laying out of many villages and towns (many of which are now significant regional centres) across all New South Wales; setting aside land in Crown subdivisions for public open spaces and reserves, town centres, residential precincts, cemeteries etc.

Surveyor General John Oxley is celebrated for, amongst many other things, the laying out of what has become the City of Brisbane.

Professional Land Surveyors are firstly required to complete specific undergraduate degree programs. Such courses include education and training in all aspects of land development aside from just the art of measurement, extending to Engineering principles, land law and economics and Town Planning.

For such graduates to then proceed and seek Registration as a Land Surveyor with the NSW Board of Surveying and Spatial Information (BoSSI) candidates must further demonstrate their competence in three aspects of Cadastral Surveys, Engineering Design as relates to land development and Planning Principals and legislation to the Board.

To maintain Registration, Land Surveyors in NSW must complete a set amount of annual professional development as set by BoSSI and as such surveyors participate in approved events having content relevant to environmental planning and design of land development projects.

In NSW, and particularly in regional areas, a Registered Land Surveyor is the recognised planning professional for those communities. Many Surveyors go on to undertake post graduate tertiary studies specifically in Planning and Urban Design.

CSA wishes to raise its specific concern and objection to the omission of NSW Registered Land Surveyors as being suitably qualified to undertake designs of land development projects particularly in regional NSW.

The experience, knowledge and expertise of NSW Land Surveyors as relates to understanding the constraints, economic feasibility/viability, market conditions, and community expectations for development in regional areas cannot be understated.

CSA further raises concerns the intended effects of the proposed SEPP will seek to align with the NSW Design and Building Practitioners Act 2020. This legislation has additional perceived impacts on the ability of NSW Registered Land Surveyors to practice in traditional and long accepted disciplines related to the development of land, again particularly in regional NSW.

2.4.1 Development Scales

The Association notes development classifications and thresholds referred to in the above section of the subject document by way of area and population which do not align in a regional context.

CSA considers the area thresholds proposed does not consider the lower density developments that are consistent with regional development.

It is completely unlikely that a development footprint of 10ha in a regional area will support 1000 people. Adopting a conventional yield expectation of 10 residential lots per hectare (including public infrastructure) a 10ha residential site would yield just 100 lots and therefore less than 400 people.

Further, the 10ha threshold for "Precinct Development" would capture a 10 lot, minimum 1ha development with a rural road in a rural zone thereby over complicating the intent of the development proposal.

In addition, we further assert subdivision of land into greater than 50 lots whether conventionally or by Community Scheme would not necessarily constitute a precinct. Membership feed back is clear that regionally based small and medium sized survey practices regularly act as the principal consultant for development well exceeding 50 lots.

With respect to "significant development" considerations we again raise concerns regarding the described thresholds.

We propose that subdivision of 4000m² cannot be considered significant development in all cases. A typical example may be the subdivision of this area into 8x 500m² lots and cannot accommodate 500 people.

We cannot see the relevance of the proposed criteria for a significant development as being bounded on all sides by existing streets in a regional context.

CSA identifies the proposed criteria for both precinct and significant developments as being more appropriate to higher density metropolitan development proposals and not to the scale of development in regional NSW.

We propose that where the area and population criteria are intended to be linked, the word 'or' be substituted with the word 'and' at the very least. We wish to query if the area criteria documented are in fact typographical errors omitting trailing zeros, ie 10ha is intended to be 100ha?

Other matters for consideration:

The proposed Design and Place SEPP does not appear to align with schedules within the State and Regional Development SEPP to the extent the proposed policy may capture development NOT considered significant. In this regard CSA submits application of Design and Place standards to existing identified equivalent standards is not appropriate.

CSA does not consider that current Complying Development standards will have any impact on Design and Place as such considerations will have already been made in scheduling certain types of development as complying.

Section 5.1.2 proposes any variation to design standards should provide an "improved outcome and public good". CSA considers this proposal potentially onerous in regional areas and proposes the outcome in such instances result in no worse outcome than what would be achieved by complying strictly with the necessary development standards.

The experience of CSA membership in the more remote regions of NSW is that the resources of the Local Aboriginal Land Council are often limited. CSA raises concerns regards consultation with traditional custodians may adversely impact on regional development proposals specifically on sites where items of heritage are known NOT to exist.

Conclusion

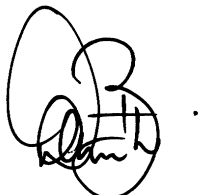
CSA has concerns the proposed SEPP will exclude Registered Land Surveyors practicing in the field of design of land development proposals to the extent they have traditionally been associated with and that such exclusion could constitute a restraint of trade for sole practitioners, small and medium sized practices reliant up on land development of any scale as a core component of their business.

It appears to our membership that the proposed policy is aimed at more high density, metropolitan development proposes but inadvertently captures lessor scale developments with lessor impacts in regional areas without consideration of the economic drivers or capacity in regional NSW.

Country Surveyors Association of NSW welcomes any future opportunity to participate in specific consultation with Department of Planning, Industry and Environment on matters raised and look forward to positive outcomes not only for enhanced Place Design standards but also the recognition of the role of regionally based Registered Land Surveyors in that process.

Yours faithfully

Country Surveyors Association of NSW

A handwritten signature in black ink, appearing to read 'Darren Booth', is written over a circular stamp. The stamp contains the text 'Country Surveyors Association of NSW' and 'Registered Land Surveyor'.

Darren Booth
President, Country Surveyors Association of NSW
Registered Land Surveyor

CC: Narelle Underwood, NSW Surveyor General
Michelle Blicavs, CEO Consulting Surveyors NSW