

NSW Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2000

Re: Explanation of Intended Effect (EIE) for a Design and Place SEPP – Call for Submission

Thank you for the opportunity to provide feedback on the EIE for a Design and Place SEPP (D+PSEPP) in NSW. We support the intent for a design-led, place-based approach to planning and development expressed in the EIE for a Design and Place SEPP and the proposed guidelines for Public Space and Urban Design.

The recognition of urban design as a profession is also supported. Urban design expertise has a critical role to play at all scales and stages of development from strategic planning through to development assessment.

As a major educator in urban design at the post-graduate level in the Master of Urbanism (Urban Design) and the Master of Urban Design degrees and at the undergraduate level in the Bachelor of Environment and Architecture, the University of Sydney is well placed to advise GANSW on urban design process, competencies and accreditation.

The EIE presents a number of potential challenges with the most significant being the accreditation of urban designers; the stated yet vague desire for flexibility; and the nexus between placed-based design outcomes and the NSW LEP Template.

1.0 Qualified Urban Designer

A consistent definition of urban design should be provided with a list of core competencies for urban designers.

Currently there is no professional body or systems for registration of urban designers. The lack of institutional support for Urban Design professionals or consistency across the professional institutes makes use of the Design and Building Practitioners Act challenging as there are no pathways to registration and maintenance of competencies. Architecture, Landscape and Planning Institutes could establish common urban design competencies and pathways for different disciplines. While past attempts have been derailed, elevating urban design professionals through recognition would be an incentive for the institutes to collaborate.

Urban design accreditation should consider existing practitioners, many of whom have undertaken a variety of paths to acquire experience, skills and knowledge in the absence of professional qualifications. A staged process of for recognition in short term and registration in longer term may be warranted. Planners who have acquired design skills through practice and meet the core competencies should also be supported.

Landscape architects should not be limited to projects with 1000sqm of open space but should be a part of all project from inception.

Enabling accreditation of the University's Master of Urban Design and Master of Urbanism (Urban Design) through the institutes would support professional accreditation.

2.0 Urban Design as a Process

The Urban Design Guide presents the opportunity to reinforce the practice of urban design as both an outcome and a process that requires urban design leadership and cross disciplinary expertise. As such the proposal for “a qualified designer, i.e. urban designers, architect with master planning skills or landscape architect” does not recognise the necessity of all of these skills on the project team and that the role of the urban designer offers unique skills in designing across spatial scales from the urban structure to the lot, communicating complex concepts, facilitating collaborative processes, and understanding and coordinating solutions across disciplines. The urban design process is therefore as important as the use of qualified designers as it directly informs design team roles and responsibilities and procurement processes. Establishing the urban design process is an important component of the Urban Design Guide.

3.0 D+PSEPP Principles and Matters of Consideration

Nineteen matters of consideration are proposed to be included in the SEPP, as such they will be elevated above local development controls plans, such as part 6A of the current SEPP65, and applicable across the State. Therefore, the matters would benefit from testing and review against the proposed design scales and a range of context types and densities, particularly if the Matters include metrics. Some matters may be better served in a local policy, where they can be applied to a specific context. For example, SEPP 65 elevates some elements above development controls plans. Deep soil is not one of these elements because the current deep soil provisions are relatively low (7%) compared to some development controls plans, which achieve better outcomes, and elevating this control would result in a poorer outcome in some areas of the State.

The Existing 10 Principles in SEPP65 and the 9 Objectives in Better Placed have been a useful tool for Design Review Panel assessment reporting but are often formulaic in many Design Statements accompanying development applications. Guidance on the application and assessment of the Matters of Consideration in the design, development assessment, the design review processes would be beneficial.

4.0 D+PSEPP Design Scales

Refinement of the proposed design scales and their relationship to the Matters of Consideration is needed. The proposed scales of Precincts, SSP and Other do not adequately recognise different types of contexts across the Sydney metropolitan area and state nor the differences between established urban areas, regional and new settlement areas. The Other category could be reconsidered to also include established centres undergoing incremental change often at significant densities. These areas are largely influenced by land ownership patterns, existing urban structure and existing urban form. Current benchmarks, for example in the Apartment Design Guide, do not always translate to densities over an FSR 2.5:1. High density design considerations and parameters are needed for these areas. While the Urban Design Guides does include acknowledgement of different context types, how they are addressed throughout the guide and any proposed metrics of ‘good urban form’ is not yet clear.

5.0 Urban Design Guide

The Urban Design Guide is welcome and presents the opportunity to guide not only the design of 'good urban form' but also the design process, implementation outcomes and project team procurement. While metrics can be a useful benchmark or rule of them, good design is also based on an analysis of place, synthesis of objectives and testing of design options to derive agreed outcomes across complex considerations and stakeholder engagement. Design is iterative. The Urban Design Guide should explain the iterative nature of design and specify the requirements for different design stages of the design process.

The Urban Design Guide aims to establish a design-led, place-based process that defines the future spatial structure and three-dimensional form of a place. Therefore, the process should have the capacity to inform statutory controls rather than fitting within constrained pre-determined controls. The LEP Template approach to broad land uses, FSR and height controls does not enable a more nuanced response to local character and morphology that could be realised through the design process. Similarly, the design process should be able to recommend variations to base design criteria, when needed, in response to context issues. For example, solar access and overshadowing on a south facing slope can be tested at a precinct level in relation to the street pattern and criteria established that may be different from policy criteria in the ADG. The process derives the appropriate outcome and enables more certainty at the individual development proposal stage. The Urban Design Guide should explain how design precedes the formation of planning controls.

6.0 Apartment Design Guide

SEPP 65, the Apartment Design Guide and its predecessor the Residential Flat Code have significantly improved the quality of apartment design and amenity in NSW. The policy regular review process is supported and offers the potential to improve the policy based on practice experience and built outcomes. A key feature of the ADG is its performance-based structure with clear objectives, design guidelines and design criteria. Metrics have played a useful role in setting base expectations and performance and providing industry with certainty. But metrics have also been overly used to assess tick the box compliance. Design review panels and Council's inhouse urban design experts play an important role in assessing merit, but panels are largely advisory and not all Council have adequate urban design expertise. This means that even when a design is supported by design specialists, the DA assessment often can revert to ticking the box.

We recommend maintaining the current document structure's clear line of sight between objectives design guidance and criteria but with additional guidance for assessing merit-based design solutions that respond to the context and bespoke site conditions. The structure enables both flexibility and certainty by providing useful benchmarks for defining base performance and guidance for design solutions. This is the success of the policy, which could be improved through additional application guidance and use of Design Review Panels.

7.0 Design Studio Partnership Opportunity

In the Master of Urban Design and Urbanism Programs, we teach two main design studios - an Urban Project Studio in Term 2 and an Urban Precinct Studio in Term 2. In the Precinct Studio we have collaborated with local government to focus on real world urban design challenges in Sydney. Recent studios have investigated urban design propositions for:

- Burwood Town Centre and its nexus with the new Metro at Parramatta Road;
- Fairfield Town Centres: Fairfield, Cabramatta, Canley Vale, and Carramar with Fairfield Council;
- Granville Town Centre with Cumberland Council; and
- Crows Nest New Metro Precinct with North Sydney Council.

The Urban Project Studio has been investigating the new University Campus in Parramatta North over the past few years, where students are encouraged to interrogating current planning through place-specific design invention. The urban design studios offer an opportunity to road test the draft Urban Design Guide in collaboration with GANSW, and potentially a local Council or DPIE Precinct project.

We would also be pleased to work with GANSW and the professional institutes to draft urban design competencies; to discuss pathways for urban design recognition and/or accreditation in general and for our Urban Design degrees; and to contribute information of further advice on the development of the D+PSEPP, Urban Design Guide, and Apartment Design Guide.

Yours sincerely,

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