



Ryde - Hunter's Hill Flora and Fauna Preservation Society

Member of Nature Conservation Council of N.S.W.

**P.O. Box 552
Gladesville 1675**

Department of Planning Industry and Environment
4 Parramatta Square
12 Darcy Street
Parramatta NSW 2150

Re: Proposes Design & Place SEPP

We are a local environment group established over 55 years ago. The aims and objectives of the Society include-

- Respect for the land and its flora and fauna and original custodians:
- The education of the membership and the community, particularly in the local area, in nature conservation and protection of the environment.
- The promotion of ecologically sustainable land use and development at the local, state, national and international levels.
- Advocating measures at the local, state, national and international level necessary to safeguard the environment from all forms of pollution to ensure, clean air, clean water and a healthy environment and address climate change.

The Society has been actively campaigning over many years on the mitigation of climate change, ceasing further exploitation of fossil fuels, supporting renewable energy, protecting native forests and wildlife, opposing destructive land clearing and preserving our precious biodiversity.

We are writing to express our concerns about the "Intended Effects" of the Design and Place State Environmental Planning Policy (SEPP).

Our first concern is the proposed move to relying solely on a principle placed/based approach to deliver healthy and prosperous places for people, community and Country across NSW.

We agree that ambitious principles are essential, but planning authorities should have clear targets and the community have confidence they will be achieved. The document of Intended effects treats basic environmental and liveability requirements as 'matters for consideration' by using 'flexibility', 'trade-offs' and 'moving away from prescriptive controls'. Outcomes will be delivered by a 'good design process' using non-binding "guidance" documents.

In our view this is not satisfactory, as instead of projects being benchmarked against clear best practice targets, decision makers, including local councils and the community will be required to analyse a complex range of documents that merely consider the environment and liveability. We understand that developers will be able to use alternative assessment methods that will best suit their own desired outcomes. This severely limits the capacity to fully assess the proposed developments and to put forward alternative proposals that cater to and reflect the best interests of the broader community.

Relying on non binding guidance documents has been problematic following the downgrade of current Development Control Plans to this status. Decisions in the Land and Environment Court have been made that are inconsistent with DCP's on the basis that such planning instruments are non binding. Extending the non binding guidance concept via the proposed SEPP will weaken further the current measures for protecting the

environment and liveability of our urban areas. The government's SEPPs must be based on established ESD principles in order to genuinely achieve ecological sustainability. Anything less will not provide the improved design quality and outcomes required.

We urge that the proposed Design and Place SEPP adopts a prescriptive approach which sets out specific targets that are required to be met and that does not water down the requirements in the current planning instruments that will be affected by the proposed SEPP. As proposed, it appears that the only part of this that is 'mandatory' is the requirement to 'consider' the items under the SEPP. This will fail us into the future.

Our second concern is the absence of any specific and firm proposals to protect, enhance and increase biodiversity in our urban areas. The document refers to biodiversity in the context of integrating green infrastructure (principle 4). Biodiversity should at least have the same status and emphasis as reducing emissions and water, energy and materials efficiency. It is critical to urgently mitigating climate change that tree canopy providing dense shade, native vegetation plantings and maximum green space (no Astroturf) is integral to every new development. Habitat corridors and survival for our urban wildlife also need to be taken into account.

We urge that protecting, enhancing and increasing biodiversity and managing for a rapidly changing climate be recognised as primary objects of the proposed SEPP.

Francis Breen
President

25 April 2021

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