



SUBMISSION TO STATE ENVIRONMENTAL PLANNING POLICY (SEPP)

DESIGN AND PLACE

There are over 10 Local Government areas lumped into what is now commonly referred to as 'Western Sydney'. This ubiquitous phrase has obliterated any opportunity to foster local character, design and a sense of 'place'. Vast numbers of suburbs, once enjoying clear identity, with heritage connections to colonial, pastoral and indigenous importance have collectively become 'Western Sydney' and we absorb the detritus of a burgeoning City of Sydney. We absorb excess and unnatural population growth, we absorb the waste and the impacts of trucks bringing that waste to recycling facilities, we absorb an international airport designed for freight and 24-hour operation with all of its noise and air pollution. We also absorb the carcasses of a rapidly growing city with all new cemeteries proposed for our metropolitan rural areas. And the consequence of directing the ugly but necessary side effects of an economy based on population growth has resulted in an annihilation of what little remains of the unique ecosystems of 'Western Sydney'.

The Design and Place EIE speaks of "best use of investment and delivering compact urban form, to reduce further sprawl". We are NOT seeing this with our influential developers (ie the Lend Leases, the Walker Corps, the MIRVACS and the Allam homes -with their Silverdale debacle) who the setting the direction and standards of design – instead of the NSW Planning Department. This EIE gives us no confidence that the government can achieve improvements in 'Design', foster 'green links' and reduce 'urban sprawl'.

The EIE speaks of "retaining arable land on the urban fringe for food security". The reality is that our 'urban fringe' is under assault from cemeteries and crematoria using our **arable land** to dispose of human carcasses and a plethora of waste facilities, an international airport and anything else that won't neatly 'fit' into urban areas. It is ALL being dumped on the urban fringe – so please forgive the cynicism we have of such statements. The urban fringe is also the ONLY space that can potentially address biodiversity decline and cultural landscape preservation. These should be the primary focus of the 'urban fringe'.

We have already lost 'character' and 'beauty' and 'place' with the conurbation of suburbs, the replication of shopping centres that have the 'same same' appearance and the constant pressure for the lower socio-economic area to the west of the City of Sydney to absorb all the ugly by-products of a growing city. And the subjective notion of 'beauty' is fraught with individual interpretation. In Mulgoa Valley, a recent dwelling constructed within a rural and cultural landscape has ignored the development control plans (DCP) of the area – allowing an ultramodern, white, flat roofed 'box' to dominate a rural landscape. It is now a permanent fixture marring a once **'beautiful'** landscape – destroyed by a DCP that is simply a 'guide' – non-binding and permitting permanent destruction of pastoral and heritage landscapes. However, we are sure that the owners of this new dwelling believe their new home offers 'beauty'. In a different setting, it could be considered 'acceptable', but within the cultural landscape of the Mulgoa Valley – it is a permanent scar and in the opinion of many – it epitomises 'ugly'. And yet the owners (and quite likely the Council staffer who gave the DA the 'green light') must believe that it is **'beautiful'**. This is simply an example of how one planning "mistake" can permanently destroy beauty. The design is not in keeping with the landscape. The colours, roof pitch and fencing are actually non-compliant with the Development Control Plan for Mulgoa Valley – and yet it was approved by Council, built by owners who have a different concept of 'beauty', and certified by a 'private certifier' regardless of non-compliance. There must be controls in our planning system that permit enforcement of 'design and beauty' IN CONTEXT with place. And such controls must be legally enforceable. Otherwise the incremental decline in visual amenity will destroy 'beauty' in a short few years.

This Design and Place SEPP arrives far too late to retrieve the character of the heritage towns of the Nepean, Hawkesbury and Camden Valleys. It also proposes changes in the Planning rules that will further add to the control of development by developers themselves. The EIE invites 'flexibility', 'trade-offs', and non-binding 'guidance documents'. Everything is discretionary. This EIE has avoided setting controls, minimum standards and best practice benchmarks. Developers have been given 'Carte Blanche' for too long. Dormitory suburbs are designed to provide maximum return for minimum cost to the developers. Even the catch phrase of 'affordable housing' is just 'smoke and mirrors' for suburbs that are unliveable, overly dense and permits developers to minimise lot sizes and maximise profit. We anticipate that the percentage of people that travel from these suburbs to their place of work each day – then return home to sleep and repeat – would be over 90%. Houses have no boundary setbacks, no front yard, no back yard. In fact, we wonder why they are built as freestanding as there is no access to meaningful outdoor areas. Apartment living would offer barely perceptible differences than the freestanding homes being mass produced today.

Our roads are congested, our critically endangered vegetation communities are fragmented and functionally extinct and yet the NSW Government continues to approve swathes of approvals to the Green Fields developers (with 40,000 ha of new Growth centres in Wilton, Campbelltown, Orchard Hills and the Aerotropolis). Along with 'local growth' which is not even calculated as an impost to biodiversity. An example of this is the planning error at Silverdale where Allam homes was permitted to construct 500 new houses on the boundary of the Cumberland Plain. There are no jobs, no schools and no services, no public transport and one road in and out of the suburb. This is a planning Joke – but while Mr. Allam homes

is very happy with his profit margin, those moving into these new homes are suddenly realising that the liveability of such 'planning mistakes' is challenging. So it is difficult for us, as part of the community of Western Sydney, to accept the vernacular in this EIE when there are no legislated controls or binding requirements imposed upon developers that will actually result in ...

“development that demonstrates an appropriate response to context and local character, that is suited to a site’s unique topography, that is sensitive to Country and history, including the surrounding built environment and landscape setting, to ensure appropriate innovation or change.”

The 'intentions' of the EIE are very nice and very reassuring – but the robust delivery of these intentions is absent.

Principle 4 Design Greener Places: encourage development to be designed within the context of the existing landscape by introducing a requirement to integrate landform, bushland, hydrology and ecology; retain existing green infrastructure (where possible), particularly habitat and significant vegetation; and maintain and enhance the quality of our watercourses require the coordinated planning and design of green infrastructure...”

It would be refreshing to see the NSW Government recognise the fact that large areas of Nepean and Hawkesbury Valleys are flood prone – and instead of conveniently filling them to artificially alter flood levels (note Jordan Springs debacle) – perhaps we should not build on areas of the 1 in 50 year floods? Perhaps this SEPP can influence the gradual retreat from development in flood zones that affects our and stimulates absurd proposals such as flooding a World Heritage Area in order to save some houses that should never have been built where they are built. It is common sense.

Furthermore, the NSW Government has an enduring history of destroying every waterway on the Cumberland Plain. Retention of all creeks and waterways in their NATURAL form (rather than piped and back filled) will allow for improved habitat, biodiversity, connectivity and better access to important green spaces for all. Many of these 'beautiful' waterways can never be retrieved – but some can. The concreting of our waterways across the Cumberland Plain is criminal and needs to be 'undone'.

The EIE states, “The proposed Design and Place SEPP will apply to urban land, and exclusions for certain zones, including rural zones, and certain development types will be determined during development of the SEPP”. We seek clarification if metropolitan rural areas (such as the Mulgoa Valley) are excluded from this SEPP – and note that development Control Plans have failed to protect against inappropriate development that impacts a cultural landscape. As such, a DCP must be binding in a legal sense and serve to protect areas from insidious impacts (such as a new obsession of all lifestyle rural landholders to construct 'industrial sized' sheds on rural properties. There must be thought given to “flexibility and how this will simply result in the demise of visual amenity in peri-urban areas.

Finally, this EIE states that **“Cultural and built heritage Areas of cultural and built importance are celebrated, conserved and protected, including heritage items or areas at risk, and a corresponding strategy has been developed to ensure community use and enjoyment of these. Elevates a wider consideration of heritage to include Aboriginal and non-Aboriginal heritage, celebrating cultural landscapes and the relationship of items to their landscape, or heritage in its place.”**

**For the communities of the Mulgoa Valley
– this is the most important statement in this EIE.**

The Mulgoa Valley Landcare group has advocated for the protection and conservation of the Mulgoa Valley for almost three decades. The Mulgoa Valley is a geographically defined landscape area that is arguably of UNIQUE cultural significance on the Cumberland Plain. We are seeking recognition and protection of this cultural landscape and hope that this Design and Place SEPP will deliver legislative certainty in our efforts to conserve this special area. We believe that it remains as the ONLY existing ‘cultural landscape’ remaining on the Cumberland Plain.

We encourage that the NSW Government to implement a pilot program of identification, listing and implementation of measures that will conserve our unique colonial landscapes onto the future. Currently, we, as a community, must actively object to every inappropriate DA that is submitted. Clear, and unambiguous design controls will unburden the community of Mulgoa who have tirelessly defended our unique landscapes for decades. We ask the NSW Government, through this process, to step up and take a role in the protection of our landscapes which can quite simply be undone with one inappropriate dwelling location, one supersized machinery shed or with the insidious creep of industrial activities into a rural zoning. We are tired of defending our cherished ‘cultural landscape’ in Mulgoa and seek legislative assistance for all that we have achieved over so many decades.

Sincerely
Lisa Harrold
President
Mulgoa Valley Landcare Group Inc