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27 April 2021

Mr Jim Betts
Secretary
Department of Planning, Industry and Environment
Locked Bag 5022
Parramatta NSW 2124

Dear Mr Betts,

RE: Submission to the New Design and Place SEPP – Explanation of Intended Effect

Thank you for the opportunity to seek feedback on the public exhibition of the new Design and Place State Environmental Planning Policy (Design and Place SEPP).

Rawson Communities is the residential land development business of Rawson Group which also includes Rawson Homes and Thrive Homes. Rawson Communities is generally supportive of the need to simplify and consolidate planning policies and to promote good quality urban design outcomes in New South Wales. However, Rawson Communities is concerned with a number of proposed design directions as outlined in the Explanation of Intended Effect (EIE). These concerns have been outlined in this submission and relate to development scale and the inclusion of certain design criteria for greenfield development.

As part of the Rawson Group of companies, Rawson Communities originated to provide well designed residential communities through the integrated delivery of house and land subdivision. Rawson Communities have extensive experience across a number of different release areas within the Sydney metropolitan area and have delivered high quality residential communities in the North-West and South West Growth Precincts together with developments the Hunter, Illawarra, South Coast and Canberra regions.

Rawson Communities is grateful for the opportunity to provide feedback on the EIE and we look forward to the exhibition of the draft Design and Place SEPP and the associated Urban Design Guide (UDG) and Design Review Guide (DRG) later in the year.

Development Scale

The Design and Place SEPP proposes a place-based approach to planning and will apply to three development scales which includes precincts, significant development and all other development. The EIE indicates that *Precincts (including both new and urban renewal areas) are often defined by physical characteristics, such as the area of land suitable for development, or boundary constraints such as rivers, creeks or bushland.* With respect to the application of development types and pertinent to greenfield planning, Precincts would apply to any community scheme subdivision or subdivision into more than 50 lots. Comparitively, Precincts would also apply to areas greater than 10 hectares or 1,000 people and to any areas identified for local strategic planning.

Rawson Communities is concerned that the development scale and threshold to greenfield planning is not relative to the more significant scale of other identified development types. A subdivision of 50 or more lots is not significant in the context of greenfield planning particularly within identified urban release areas and is not of a scale that should trigger the level and requirements for Precinct planning as identified by the new Design and Place SEPP. This would provide for an unfair and imbalanced approach to planning when compared to other development types which would be detrimental to the feasibility of land subdivision and potentially result in a more fragmented approach to land subdivision which is currently being experienced in localities such as Austral and Leppington North in South-West Sydney.

Rawson Communities understand that land subdivision is important with placemaking to establish strong and connected residential communities through the delivery of high-quality design and urban outcomes. However, the majority of urban release areas are already subject to longstanding and extensive planning undertaken to establish indicative layout plans, streetscape design, landscaping and local neighbourhood character which serve to deliver the same intended outcomes of the Design and Place SEPP. In this respect, the quantum threshold for subdivisions as part of the Precinct scale should be reconsidered and increased to a more significant lot yield which would provide for a scale that is intended for Precinct planning such as large masterplan estates. Furthermore, individual subdivisions within existing release areas should be excluded entirely where there is an established and effective planning framework.

Design Criteria for Greenfield Planning

The Design and Place SEPP proposes design criteria and guidance for greenfield planning as part of a new Urban Design Guide (UDG) which is expected to be released later in 2021. It is understood that the UDG will apply to all urban zoned land including existing release areas. The intended effects of the proposed UDG relevant to greenfield planning include the following:

- Specific metrics proposed to supplement design and place considerations:
 - total public space area
 - average block size
 - maximum single block size
- The UDG proposes to introduce design criteria for the integration of streets with surrounding street networks, and for the creation of new streets within precincts.
- Limiting the amount of single use residential zones within new precincts to less than 50 per cent, and the minimum non-residential ground floor space required in R3 and R4 zones and centres.

- Dwelling lot sizes, including a lot width design criteria that relates to housing typology, and a lot depth design criteria that relates to lot width and rear lane access.
- Front and rear setbacks relating to street type, land use and urban setting.
- Side setbacks, including a mechanism for neighbours to reduce side setbacks to zero by agreement.
- Wayfinding, street wall heights and utility integration.

Rawson Communities is concerned with the potential duplication of design criteria and guidance as they apply to existing release areas. This will result in uncertainty and an inconsistent approach to planning already established within release areas. Most existing release areas are partially developed and are already subject to precinct specific Development Control Plans which include an overarching indicative layout plan, performance objectives and fine grain controls to ensure the orderly development of land for residential and community purposes. These include requirements for civil design, road hierarchy, landscaping, stormwater, streetscape, lot design / size and density provisions. For the most part, existing release areas have been subject to extensive precinct planning with a clear and orderly development character and pattern.

At a strategic level, changing these controls / standards has the potential to adversely impact the existing lot yield for a particular precinct, impact government forecasting for housing targets and the provision of other services and facilities envisaged under Section 7.11 contribution plans and Special Infrastructure Contribution levies.

Rawson Communities is also concerned with the introduction of metrics for total public space area which will have direct impacts on existing Section 7.11 Contribution Plans. Further consideration and a detailed analysis of the implications to the existing framework for infrastructure planning and delivery will need to be accounted for. This is particularly the case where new metrics for public space area are contrary to the open space area already identified/established within existing release areas as part of the zoning framework or indicative layout plan.

Further, the introduction of average block size and maximum single block size should be predicated on market forces / demand based on an understanding of the local context rather than a one size fits all approach across the State.

We therefore request further information and clarification on the application of the UDG with respect to existing release areas and the extent of the design criteria intended for greenfield planning. We recommend that the UDG only apply to emerging or newly adopted precincts that are not yet subject to a comprehensive planning framework.

Design Skills and Qualifications

The Design and Place SEPP proposes that certain developments including precincts and significant developments are designed by suitably qualified design professionals. This is intended to apply as follows:

- a registered architect will be required for all buildings with three or more storeys, and in the case of multi-residential buildings, four dwellings.
- a registered landscape architect will be required for all open space greater than 1,000m².
- a qualified designer, i.e., urban designer, architect with master planning skills or landscape architect, will be required for master planning of all precincts and significant development.

We understand that the requirement for a qualified designer will extend to precinct scale development which includes subdivision of 50 or more lots in addition to any community scheme subdivision. Rawson Communities is concerned that for smaller scale subdivisions in the order of circa 50 lots the requirement will be onerous and unnecessary. Furthermore, a 50-lot subdivision should not be subject to the same design requirements for a master planned community or for sites in the order of 10 hectares or 1,000 people. This requirement should be revised with our earlier recommendation to reconsider and increase the scale of subdivision that will be identified as precinct scale development.

Rawson Communities is also concerned with respect to the application of this requirement. In terms of greenfield planning, coordination with adjoining landowners with different expectations may potentially result in delays in the preparation of Development Applications placing added pressure on the delivery of housing and impacting affordability.

Sustainability in Residential Buildings (BASIX)

The Design and Place SEPP proposes reforms to the Building Sustainability Index (BASIX). Of note, is the staged and incremental increase in sustainability targets to enable industry to plan for future change and implementation in line with the NSW Government's Net Zero Plan.

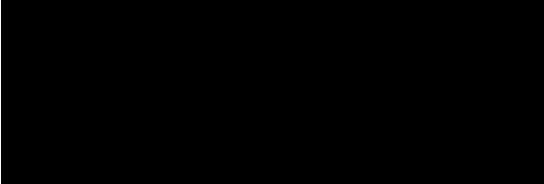
Rawson Group support building sustainability and the principles of ecological sustainable development however raise concern with the implications to end users and compounding the issue of housing affordability. As part of the ongoing consultation process for the Design and Place SEPP, the measures to increase sustainability targets will need to be appropriately tested and understood to ensure there is no significant cost impost to the end user which will ultimately contribute to the issue of housing affordability. An outline of probable costs for the proposed incremental increases in sustainable targets should be documented with the future exhibition of the Design and Place SEPP so industry has an understanding and gauge on the anticipated obligation and cost.

On this basis, Rawson Communities respectfully request that as part of the ongoing development of the Design and Place SEPP that DPIE:

- I. Reconsider the development scale of subdivisions for Precincts which should be increased to a more significant lot yield which would provide for a more appropriate scale intended for Precinct planning. Furthermore, individual subdivisions within existing release areas should be excluded entirely where there is an established and effective planning framework already in place.
- II. Provide further information on the application of the UDG with respect to existing release areas. We recommend that the UDG need only apply to emerging or newly adopted precincts that are not yet subject to a comprehensive planning framework.
- III. Reconsider the requirement for a qualified designer for subdivisions which will be onerous and unnecessary for subdivisions at the lower end of the Precinct threshold. This should be revised in line with our recommendation to reconsider and increase the scale of subdivisions considered as precinct scale development.
- IV. Provide modelling and an outline of the additional probable costs for the incremental increases in sustainability targets for dwelling houses with the future exhibition of the Design and Place SEPP and associated BASIX reforms.

We welcome any further consultation in relation to the Design and Place SEPP and would be willing to meet with DPIE staff to discuss any aspect of this submission. Should you have any questions, please do not hesitate to contact, Michael Chan, Acting General Manager, Rawson Communities on [REDACTED].

Yours Sincerely,

A large black rectangular redaction box covering the signature area.

Michael Chan
Acting General Manager, Rawson Communities