

## SUBMISSION ON EXPLANATION OF INTENDED EFFECT

### ‘DESIGN AND PLACE’ STATE ENVIRONMENTAL PLANNING POLICY 2021

Thank you for the opportunity to provide input at a conceptual stage in the development of the new ‘Design and Place’ SEPP.

At this time, the development of the ‘Design and Place’ SEPP must be seen as an opportunity to shape **resilient and liveable** places; referred to in the EIE as ‘great places.’ This will involve redesigning and rebuilding of living spaces for adaptation to and mitigation of **climate change**. Yes; ‘great places’ are beautiful with plenty of well-maintained social infrastructure and they also need to be embedded in ‘**cool suburbs**.’ **Biodiversity** and **water conservation** must be primary benchmarks of future design; enabling living within natural systems, for example letting water into wetlands and floodplains incorporated into design and restoring urban bushland. Designing for **circular economy** and **net zero emissions** are the other necessary benchmarks.

This submission makes comment on the aims and principles set out in the EIE.

Aims and principles will be important for the draft ‘Design and Place’ SEPP and those set out in the EIE appear appropriate for future development.

#### **Aims**

It is appropriate that **Connecting with Country** is a major aim of the draft SEPP. Country and Context are crucial and cannot be disregarded. Given that many non-Aboriginal people have little lived experience of this phenomenon, the SEPP will need to address how this aim will be achieved, for example by offering considerable guidance, standards and a rigorous consultation and review process.

**Place-based** is also an important approach. The EIE includes ‘responsive design’ and this must respect what is already in a place and work with it. The new SEPP must influence a departure from a ‘terra nullius’ ‘bulldozing’ paradigm and displacement. Forced acquisition, for example is a practice that needs to be abolished.

It should be noted that the definition of a precinct structure plan includes: ‘physical transformation of a place, supported by financial, economic and social policy documents.’ It seems that this definition could be inconsistent with a place-based approach. The scale is concerning, as is the absence of ‘environmental’ from this definition. Such potential inconsistency needs to be addressed in the Draft SEPP, so that the place-based approach takes precedence.

#### **Design Principles**

1. Design places with beauty and character that people feel proud to belong to.

The content of this principle as stated is all about ‘built environments’ as ‘tools for economic growth’ (p16). Firstly, places will already have their own beauty and the context, character,

heritage, culture and Country may be such that building will diminish if not destroy this beauty. Secondly, another aspect included in this principle includes 'appropriate response' to context and local character, may conflict with building for economic growth. The Draft SEPP needs to make clear that development can only be approved if it enhances/improves/restores the beauty and character of a place. Further, as 'appropriate response' may be open to interpretation, see my recommendation below for the addition of a sixth principle.

## 2. Design inviting public spaces to support engaged communities.

There is no doubt that public spaces and regenerative design are crucial for the health and wellbeing of people and resilience and liveability of places.

The idea, however, of 'future growth and development' needs to be urgently revised. This principle is about **social infrastructure**. The Draft SEPP needs to mandate retention of existing social infrastructure as a baseline and require enhancement and increase in public spaces. This principle could include a dialogue about mechanisms for collaborative responsibility for maintenance of public spaces, for example involving government, businesses and local community.

'Green infrastructure' needs to include restoration of local ecosystems, including both education and opportunities for collaboration around care of these spaces.

## 3. Develop productive and connected places to enable thriving communities

As above, statements under this principle mentions 'growing populations.' Population density is a crucial issue that needs to be addressed within the Draft SEPP because it impacts the liveability, resilience and sustainability of places. Population density produces a human footprint on/to green spaces.

Content under this principle also includes: 'human-scaled', sufficient densities', and 'reduces car-dependency'. Taken together, these concepts suggest a need to prevent over populated spaces. To this effect 'baseline residential density targets' should be taken to mean maximum numbers. The Draft SEPP needs to incorporate caps/ceilings on population density because with too much increasing density liveability is diminished and overuse of social and green infrastructure diminishes its capacity to deliver its intended benefits.

The Draft SEPP must set requirements for all scales but particularly precinct and significant development scale developments to have motor vehicle exclusion zones, while putting in place strategies for accessibility, such as trams.

## 4. Design sustainable and greener places for the wellbeing of people and the environment

Driven by this principle, the Draft SEPP must ensure that existing natural areas, such as waterways, wetlands, aquatic ecosystems, grassy, woodland and forest ecosystems, particularly remnants are retained. In subsequent places where development can happen, it must be required to include connecting remnants, restoration of natural areas and revegetation, as well as building design.

Further, the best of current scientific evidence suggests that the net zero emissions target needs to be achieved sooner than 2050.

#### 5. Design resilient and diverse places for enduring communities

This principle in particular can drive design for adaptation to and mitigation of climate change, as discussed in the opening paragraph of this submission. This is a crucial role for the new 'Design and Place' SEPP if the government is truly serious about social, economic and environmental resilience.

Community capacity with significant local knowledge may also exist in a place where development is proposed. This factor should be included under this principle, because it can and should be worked with to enhance the resilience of neighbourhoods and communities.

An additional principle for driving the development of the Draft 'Design and Place' SEPP is inclusivity. The draft document should incorporate community consultation processes as central because many of the principles can be better achieved with civic participation. Such an additional principle would also be associated with accountability and transparency and a commitment to moving away from the corruption too often associated with development; to make design and development for the majority of people. Such a principle would address the absolute urgency of liveability, resilience and other factors required for adaptation and mitigation of climate change. To this end, please see my recommendation below.

#### 6. Design places based on community involvement that grow ongoing civic participation.

One of the intentions of this principle is to foster grassroots design; encourage design initiatives proposed by community groups in collaboration with local businesses and local government. Such benchmarks as: 'appropriate response to context and local character' (p16); needs for and uses of social infrastructure; 'appropriate density' for a human scale (p18) can be better determined by the local neighbourhood or community.

There is often community capacity with significant local knowledge and local residents with skills, experience and expertise that should be engaged to achieve better place-based design.

The other intention of this principle is to establish best practice mechanisms, such as co-design, to ensure the neighbourhood or community is meaningfully and equally involved in the design of places. The Draft SEPP should place responsibility on the proposer of a design

and development, whether it be a community/civil society, government agency or corporation/developer to justify why the development is needed and how it will **improve** the environment and quality of life of people.

‘Simplifying’ the development application process MUST NOT favour developers with primarily a for profit motive. The development of the Draft ‘Design and Place’ SEPP is an opportunity to influence the move away from this destructive paradigm. If the development application process is simplified this must be to make it easier to protect the environment, quality of life of the majority of people and civic participation.

I look forward to public exhibition of the Draft ‘Design and Place’ SEPP.

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