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Tuesday, April 27, 2021

Thank you very much for this opportunity to comment on the Design and Place SEPP EIE and appendices, toward the design and realisation of beautiful amenable places in NSW.

The intent of the Design and Place SEPP toward the good design of places in New South Wales, is supported.

1 Clarify the overarching intent

- Good design of places needs to be clearly articulated as the intent of the new SEPP. It needs to be supported by standards for the making of new places. The SEPP and Design Guide standards need to apply to the design of new public places and the urban repair of existing places. This needs to be a stated intent.

2 Concise targeted Design Quality SEPP

The intention to have a concise SEPP which gives statutory weight to a suite of Design Guides including qualitative and quantitative standards, is supported. This is best demonstrated in NSW by SEPP 65 and ADG, uniting specific apartment design principles with apartment design standards.

Further consideration

Public space requires its own SEPP and Guide uniting specific public space design principles with public space design standards. See notes under item 6.

3 Reference to International Standards

Reference to Article 25 of the United Nations International Declaration of Human Rights (UNIDHR) and the United Nations Sustainable Development Goals ¹ (UNSDG) is supported.

- These need to overarch the (Unified) Housing Guide and the Urban Design (Public Space) Guide
- All the Sustainable Development Goals associated with the design and making of built form, public space and infrastructure should be included - Goals 3,6,7,9,12,13, ² in addition to Goals 11, 3 and 8;
- Review and refine the Design Guides over time to better achieve the UN Sustainable Development Goals.

¹ Senate Report on UNSDG Feb 2019 CI 4.16 The committee heard that 'the SDGs are a global agreement between member states through the UN process but that their implementation...happens at the city or municipal level' Foreign Affairs Senate Report on UNSDG Feb 2019

² Diagram of the 17 UN Sustainable Development Goals is attached

- Article 25 UNIDHR needs to be referenced by the (Unified) Housing Guide. The Guide need to secure standards of amenity for all housing types - apartments, seniors, affordable, missing middle, etc. A unified Housing Guide presenting specific housing type metrics on a single page would be ideal.

Further consideration

- Should the International Standards be referenced by all the Guides, not just the urban design Guide?
- Can / should the effectiveness of the Design and Place Guides be monitored toward achieving the UN Sustainable Development Goals? ³;

4 Build on the Premiers Priorities (Urban tree canopy and access to parks)

Reference to the Premiers priorities is supported. The Design Guides needs to elaborate and strengthen these priorities - for example :

- Target 5 minute walk from homes in urban areas to two or three "quality green open and public" spaces. 5 minute walk (400m) is a standard referenced in UNSDG 11.
- Support the ambition of the Greater Sydney Commission urban tree canopy target of 40%. Parks, streets and private space need to contribute differentially, at different rates according to their capacity. Public space needs to carry proportionately more urban tree canopy, as governments and public authorities can protect, manage and expand tree plantings in perpetuity

Further consideration

- To mitigate the effects of climate change and urban heat island effect, does/will the Greener Places Design Guide prescribe urban tree canopy targets for private space (outside of mixed use centres) as well as public space?

5 Design Guides with a partner SEPP

The intent of Design Guides which are given statutory weight by their partner SEPP, is supported.

Housing standards

- The Apartment Design Guide (ADG) should build on the strengths of SEPP65 and its associated ADG;
- The ADG should be expanded to include all housing with unified standards. Special requirements for particular housing types would also need to be articulated;
- The Affordable Housing SEPP lacking minimum housing amenity standards, contributes to extreme housing inequity for people in NSW;
- Missing middle housing under the Exempt and Complying Development SEPP consolidates urban problems associated with large unwalkable urban blocks and is mute on housing amenity, urban tree canopy and deep soil landscape;
- Housing needs minimum amenity standards; Calibrated standards should be used to secure greater access to sunlight and deep soil landscapes outside of mixed use town centres;

³ Senate Report on UNSDG Feb 2019 CI 4 68 4.69 Submissions provided examples of how different countries have approached implementing the SDGs at the local level. . . . Several submissions nominated the United States (US) Cities SDG Index as an example of international best practice. The Index includes a consolidated database of indicators to monitor sustainable development in America a snapshot of where cities stand on SDGs implementation to help identify priorities for early action in each city Foreign Affairs Senate Report on UNSDG Feb 2019

Further consideration

For simplicity a matrix of housing types should be prepared on a single page (or two page spread), including solar access and deep soil landscape targets :

- include specific metrics for (1) mixed use centres with a variety of public facilities, (2) edging mixed use centres, (3) suburban areas;
- include specific metrics for particular housing types, if distinctions are necessary;

6 Urban design + Public Space standards

As NSW has no public space LEP zoning, SEPP or guide, and as public space is fundamental to the identity and success of urban places, Public Space needs its own SEPP.

Cities are made up of public and private spaces. Public spaces serve the city collectively, as an interconnected network of social and utilitarian space for urban life, access address and interface, landscape and environment, infrastructure and services. Public space is multifunctional and needs better statutory planning support.

An urban design guide predicated on design standards for the making of public space is essential. Such a guide needs to include standards for making liveable public space in urban places. Liveable public space, must be designed pre-eminently for pedestrians, with other users being accommodated. Liveable public space must have walkable streets with direct lines of sight and movement and an easy walking access to a variety of parks.

The guide needs to distinguish between private and public.

Privately owned land is currently regulated by planning legislation in LEPs including land use zoning height and floor space ratio. There is currently only one design quality SEPP which ties design quality to minimum standards. A similar framework specific to public space is essential.

Public space in urban areas comes under a mix of jurisdictions :

- Streets - NSW Roads Act (+Ausraod guides), Local Council, some statutory authorities like Sydney Water, SHFA, SOPA etc
- Parks - Council's local and neighbourhood parks, Water Authorities
- Public transport - heavy rail, light rail and metro, buses and ferries

As accessible public land is in high demand for urban communities all this public space needs to be made more accessible to the community, sharing infrastructure purposes, with environmental with social and sporting as much as possible. Accessible public space needs to be generous amenable and safe for pedestrian access

- The Urban Design Guide needs to prescribe requirements for public space (existing and emerging), distinguishing it from private development on private lots.
- Public space is an explicit connection to pre colonial Country - used and managed for the community over time, sustainably managed by agreed values as community obligation, not by entitlement.
- To achieve connective urban structure in perpetuity, new public space needs to be publicly dedicated.

7 Scales of Development and Considerations

The distinctions between Scales of Development and various Considerations, is supported

The disconnect between Scales of Development and Considerations (summarized in the table below) is not supported. D+P SEPP Principles need to overarch all considerations.

- Different sites and projects present different opportunities. All project designs should include consideration of all the SEPP considerations - their applicability needs to be determined and assessed for each project + site;
- A single site (All other development) might be suited to making a new public space or providing enhanced address to an existing public space. Design should consider the applicability of Cultural and Built Heritage, Public Space, Connectivity, Local Living, Street Design, Water Management, Green Infrastructure, Resilience, Fine Grained movement;
- Precinct design should consider Density, Housing Diversity, Attractive Form, Impacts on Public Space, Impacts on Vibrant Areas, Activation, Emissions and Resource, Efficiency, Tree Canopy, Affordable Housing;
- Significant Development design should consider Cultural and Built Heritage.

Table - Scales of Development and Considerations

Design and Place Considerations	Development scales	D+P SEPP Principles	D+P SEPP Principles need to overlap all considerations
1. Cultural and Built Heritage	Precinct	1 Design places with beauty and character	<p>D+P SEPP Principles need to overlap all considerations</p> <p>1 Design places with beauty and character</p> <p>2 Design inviting public places</p> <p>3 Design productive and connected places</p> <p>4 Design sustainable and greener places</p> <p>5 Design resilient and Diverse places</p>
2. Public Space	Precinct	2 Design inviting public places	
3. Connectivity	Precinct	2 Design inviting public places	
4. Local Living	Precinct	3 Design productive and connected places	
5. Street Design	Precinct	3 Design productive and connected places	
6. Water Management	Precinct	4 Design sustainable and greener places	
7. Green Infrastructure	Precinct	4 Design sustainable and greener places	
8. Resilience	Precinct	5 Design resilient and Diverse places	
9. Fine Grained movement	Precinct Significant Development	3 Design productive and connected places	
10. Density	Precinct Significant Development	3 Design productive and connected places	
11. Housing diversity	Precinct Significant Development	5 Design resilient and Diverse places	
12. Transport and parking	Precinct Significant Development All other development	3 Design productive and connected places	
13. Attractive Form	Significant Development All other development	1 Design places with beauty and character	
14. Impacts on Public Space	Significant Development All other development	2 Design inviting public places	
15. Impacts on Vibrant Areas	Significant Development All other development	2 Design inviting public places	
16. Activation	Significant Development All other development	2 Design inviting public places	
17. Emissions and Resource Efficiency	Significant Development All other development	4 Design sustainable and greener places	
18. Tree Canopy	Significant Development All other development	4 Design sustainable and greener places	
19. Affordable Housing	Significant Development All other development	5 Design resilient and Diverse places	

Bibliography

Foreign Affairs Defence and Trade References Committee - United Nations Sustainable Development Goals (SDG) - Senate Report Feb 2019