

8 April 2021

Department of Planning, Industry and Environment
12 Darcy Street
Parramatta NSW 2150
To be submitted electronically as part of the submission process on
<https://www.planningportal.nsw.gov.au/design-and-place-sepp>

To whom it may concern,

**Re: Feedback on the draft Design and Place State Environmental Planning Policy:
Explanation of Intended Effect (EIE)**

Thank you for the opportunity to provide feedback on the Design and Place State Environmental Planning Policy (SEPP): Explanation of Intended Effect (EIE).

This submission from Cancer Council NSW (CCNSW) focuses on the co-benefits of shade, with a key ask that, where possible, the design principles outlined in the SEPP are developed further to specifically outline how the provision of natural and built shade as an outcome is a goal which aligns closely with the five SEPP principles.

While our priority at CCNSW is to reduce the incidence of skin cancer amongst the NSW population, we note that quality shade provides many other co-benefits to individuals and communities, and also aligns with:

- The Government Architect NSW Greener Places Framework, which states “Good urban tree canopy will provide shade and protect against over-exposure to sunlight, which can cause skin cancer” (page 16, [Greener Places Framework](#)).
- The Premier’s Priorities of [greener public spaces](#) and [greening our city](#).

This submission will briefly outline the benefits of shade and provide comment on the SEPP EIE in relation to the need for the proposed SEPP to provide specific requirements, targets and information regarding quality natural and built shade. These inclusions should also be backed up by measurable outcomes to guide designers in practice.

The benefits of shade

Australia has the highest levels of ultraviolet radiation (UV) in the world and the highest skin cancer rates worldwide – skin cancer is our national cancer! UV radiation causes at least 95% of all skin cancers in Australia, meaning that when we protect our skin from UV, we significantly reduce our risk.

Most people know the *Slip, Slop, Slap* sun protection mantra introduced by Cancer Council back in the early 1980’s. Since that time two additions have been made to these recommendations: *Seek Shade* and *Slide on Sunglasses*. Increasing the availability of [quality shade in public spaces](#) is a no brainer – from the perspectives of both UV protection, improvements in thermal comfort, as well as many other social, economic, environmental and health benefits (refer to the hyperlinked brochure for further details).

Well-designed shade can reduce exposure to UV by up to 75%, and in priority spaces, including spaces used by children and adolescents, who are particularly vulnerable to solar UV, shade is a critically important design consideration. We know that when shade is provided, people will use it. However, most frequently the key problem is insufficient access to shade in the right spaces. We also know, via CCNSW research, that people living in lower socio-economic areas have less access to playgrounds with adequate shade.

The CCNSW's [Guidelines to Shade](#) provide best-practice information for designing and constructing good quality and well positioned shade in outdoor public spaces.

Incorporating shade more explicitly in the proposed Design and Place SEPP

The Office of the NSW Government Architect provides strategic design leadership for NSW and has made the first attempt to set targets for shade in outdoor playspaces in NSW, recommending that up to 80% of NSW play spaces should be shaded. Cancer Council NSW would like to ensure that this initial work relating to shade is extended further, and suggests that this could be done through the proposed SEPP.

With a growing strength of evidence supporting the health, environmental, social and economic [benefits of shade](#), there is now an imperative to use the Design and Place SEPP to incorporate well designed quality shade into its key principle, proposed provisions and related guidance and resources.

For example, all five of the Principles of the proposed Design and Place SEPP would benefit from the inclusion of either 'natural or built shade' as key components of those Principles. Shade is linked to the delivery of:

- Principle 1: beauty and character;
- Principle 2: feeling welcome to spend time in public spaces and enabling active lifestyles;
- Principle 3: connected spaces with shade and cycling access;
- Principle 4: greener places to assist in mitigating the impacts of climate change
- Principle 5: resilience and adaptivity to change, including extreme weather events

While natural shade is identified explicitly in two of the 19 matters for consideration (ie #7 Green infrastructure and #18 Tree canopy), both natural and built shade are also broadly relevant to the following considerations: #2 public space, #3 connectivity, #5 street design, #8 resilience, #13, attractive form and #17 emissions and resource efficiency.

It is great to see that registered design professionals (i.e. architects, landscape architects, and urban designers) are recommended to be involved in projects of a certain size, as a method of ensuring strong design skills and the application of the Design and Place SEPP principles. To support their work, CCNSW recommends that quality shade design is explicitly included in the proposed SEPP's suite of provisions, guidance and tools under development.

Specifically, planning for quality built and natural shade provision should be included:

- In the Application requirements of the proposed SEPP (p27 of the EIE). Cancer Council recommends that a 'shade assessment' or 'shade site plan' containing shade diagrams (similar to, but the reverse of well-understood 'shadow diagrams') should be required as a part of relevant development applications. These should demonstrate the provision of adequate built and natural tree shade in both public spaces adjoining developments and in communal open spaces of private development. These should demonstrate adequate protection from the sun during peak UV times (from 10am-3pm).
- In the [Mandatory matters for consideration](#) of the proposed SEPP (p28 of the EIE). The assessment of good quality built and natural shade provision should be a key consideration in a number of the sections mentioned in Table 1, particularly Public Space, Street Design, Green Infrastructure, Resilience, Fine Grain Movement, Attractive Form, Impacts on Public Space, Tree Canopy.
- In the proposed revision of the [Apartment Design Guide](#). The use of shade assessments/shade diagrams outlined above should be an integral part of applications

for apartments. Other strategies such as window tinting can be very effective in reducing exposure to UV (see the Cancer Council Australia's [Tinted Window fact sheet](#) for more information on tinted windows on building glass).

- In the proposed new [Urban Design Guide](#), noting the benefits of best-practice shade for both UV radiation and heat protection. The Guide should include information already given in the CCNSW [Guidelines to Shade](#) which provides practical design details and guidance for planning and implementing best-practice shade. This resource is already referenced in the Government Architect NSW Urban Design Guide for Regional NSW.
- In the shade design and shade targets set for all types and scales of development in the proposed [Design Review Guide](#). Shade provision should be defined and included as a 'threshold' for design review for State and local government. Shade targets should complement the other suggestions given in this submission, providing a tangible outcome for the provision of better quality shade.
- In the proposed [Resilience Toolkit](#) of the proposed SEPP, since UV radiation from the sun and urban heat island impacts already experienced by many communities requires state-wide resilience planning and guidance.
- In the proposed [Strategic guide to planning for natural hazards in NSW](#). Planning for UV radiation as a natural hazard has recently been included in a number of NSW local council's Local Strategic Planning Statements (LSPSs) as a result of submissions made by CCNSW and the Cancer Institute NSW to draft LSPSs during their exhibition in 2019 and 2020. It makes sense that the proposed Strategic Guide to Planning for Natural Hazards in NSW should recognise UV as a natural hazard, and should hence include guidance for planning for sun / UV protection.

For decades, CCNSW has been promoting the benefits of shade, including through our [Guidelines to Shade](#) and [benefits of shade](#) advice, helping organisations including state government bodies and local councils across the state to provide and design better shade. If you would like any further information or support, please feel free to contact me via

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Thank you again for the opportunity to provide comment on the Design and Place SEPP: Explanation of Intended Effect (EIE).

Yours sincerely,



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and Chair of the NSW Skin Cancer Prevention Strategy Shade Working Group