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Ms Abbie Galvin
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Email: government.architect@planning.nsw.gov.au

Attention: Mr Marc Lane, Principal of Integrated Frameworks, GANSW
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Dear Ms Galvin

Design and Place State Environmental Planning Policy

Heritage NSW supports the objectives and principles of the proposed Design and Place State Environmental Planning Policy (SEPP). We see this as a significant opportunity to collaborate with the Government Architect and Department of Planning, Industry and Environment on the intersections between design, place and heritage. Heritage NSW (HNSW) recognises this as an important planning policy for NSW with the potential to connect design and heritage conservation through a common desire to generate and respect meaningful places.

As the SEPP has the objective to integrate heritage as one of the central elements that contribute to sense of place, we would like to offer our expertise and collaborate in drafting aspects of the SEPP. In particular, we are interested in the opportunities for better integration and consideration of local and State listed items, Aboriginal cultural heritage values as well as architectural and urban cultural heritage landscapes. The following comments are provided constructively, and we would welcome the opportunity for further engagement on this policy as it is developed.

Heritage NSW recognises and commends the prioritisation of heritage conservation within the Design and Place SEPP's first principle. However, it appears that this will only apply to 'precinct' level development. The agency requests that this principle apply to all development subject to the policy. This will ensure heritage at all levels and diverse types is integrated into proposals in line with the SEPP's aims to bring together "context, character, heritage, culture and Country" (p.16).

The SEPP would benefit from some further explanatory additions. First, the terms in the Burra Charter could be included in the glossary in order to align the new SEPP with existing heritage legislation and policy. Second, a diagram that explains how the SEPP integrates with related policy and guides would be valuable e.g. State Significant Development, State Significant Infrastructure, Exempt and Complying Development and Development Control Plans that are currently used to manage State Heritage Register items. Thirdly, the inclusion of a section on how the SEPP will be enforced and interact with *Heritage Act 1977*. Finally, the addition of a statement explaining that the conservation of heritage places (both Aboriginal and non-Aboriginal) is critical to both design and excellence. Heritage can also be a mechanism by which places can thrive through the interpretation of its significance whether it be built fabric, the urban layout, natural landscape, intangible cultural values and/or archaeology.

Embedding the draft *Connecting with Country Framework* into the SEPP provides a way forward for working with Aboriginal people so that planning projects incorporate an informed and meaningful approach to connecting with and caring for Country (including the protection of Aboriginal cultural heritage). This should be applied to all three scales of development identified in the SEPP not just precincts. In addition, the retention of heritage *in situ* should be primary driver for design and development delivery. Heritage could also be reflected in place naming conventions, wider strategic planning which filter down to local planning.

Aboriginal-led consultation should be an integral part of the SEPP's prioritisation of Country within the design process. This includes minimising or avoiding impacts to community places. It is also suggested that the SEPP broaden the description of who within the Aboriginal community should be consulted to include a range of knowledge-holders. More detailed guidance could be provided on how to most effectively and meaningfully engage with Aboriginal communities to support delivery of the SEPP outcomes.

The proposed Heritage Maps are an excellent opportunity to both document and exhibit the multiple meanings, layers, stories, time and culture thereby articulating connection to Country and enabling their integration into future design proposals. While absolutely critical for Aboriginal communities, the integration of community consultation needs to be extended to all communities which may be impacted by proposed development at all scales. Place and people are one.

Finally, the following documents should be included or referenced within the SEPP to support the objectives with regards to heritage items and places:

- Government Architect with Heritage Council of NSW, 2019, *Design Guide for Heritage*, 2019
- Australia ICOMOS, *The Burra Charter*, 2013 (Note that the charter is referred to in the *Design Guide for Heritage*)
- Government Architect with Heritage Council of NSW, *Designing with Country*, 2019
- NSW Heritage Office and Royal Institute of Architects, *Design in Context*, 2005

The Heritage Council of NSW is also developing draft heritage principles which offer guidance on how new design and development should respond to historic context through an understanding and informed analysis on values, character and quality. These principles, once completed, should be included as a supporting document to the SEPP.

Overall, the SEPP is clearly designed to achieve better places to live and work. We support the application of the SEPP to peri-urban areas and/or environmental conservation zones, as well as specific rural lands. If the SEPP's aims are achieved, NSW will experience positive outcomes, not only for communities, but for their existing and future heritage items and areas by facilitating the creation of great places within our cities.

If you would like to discuss this matter, please contact Caroline Ford, Senior Team Leader, Strategic Relationships and Planning, Heritage NSW at the Department of Premier & Cabinet on 02 9585 6506 or at caroline.ford@environment.nsw.gov.au.

Yours sincerely



Pauline McKenzie
Executive Director
Heritage NSW
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