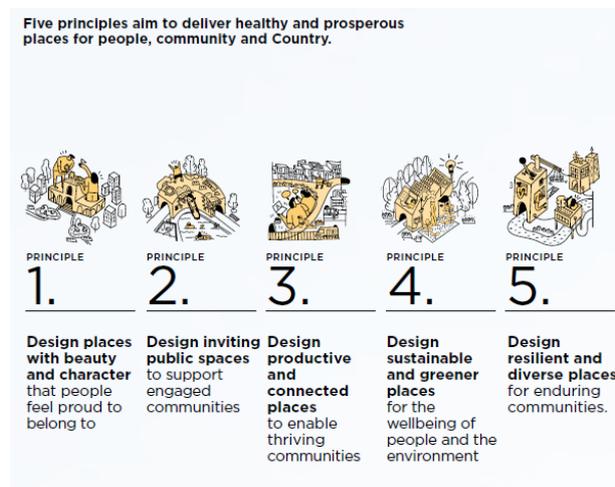


DESIGN AND PLACE SEPP – not a solution for our urban environment

We would all like Sydney to work better for the environment and sustainability. The release of the “Intended Effects” of the Design and Place State Environmental Planning Policy (SEPP) was heralded by the NSW Government as applying to all urban land in NSW and implementing, *Our shared responsibility to care for Country and sustain healthy, thriving communities. [It], spans places of all scales, from precincts, significant developments, and buildings to infrastructure and public space.*

So it’s a big deal. Check out the 5 Principles.



The environmental and liveability challenges of our cities and towns are urgent, whether climate change (25% of carbon emissions are from the built environment), loss of trees, urban heat and lack of accessible green spaces. Ambitious aspirations are essential and planning authorities should have clear targets and the community have confidence they will be achieved.

However, when you examine what’s really in the proposed SEPP, principles turn to mush. They are embraced by the well worn developer ideology of making basic environmental and liveability requirements as ‘matters for consideration’ by using ‘flexibility’, ‘trade-offs’ and ‘moving away from prescriptive controls’. Outcomes will be delivered by a ‘good design process’ (paid for by developers) using non-binding “guidance” documents.

Instead of projects being benchmarked against clear best practice targets, decision makers, including councils and the community will be submerged in a blizzard of studies “considering” our environment and liveability – with little capacity to fully assess them and argue for better, alternative outcomes. Developer consultants will also be able to use alternative assessment methods that will best suit their desired outcomes.

The document repeatedly states, *These intended effects will be realised through mandatory considerations...[including] for water management, green infrastructure, emissions, resource efficiency and tree canopy.* In other words, everything is discretionary.

What’s more, it’s full of loopholes.

- Retention of the existing mature tree canopy can be offset by green roofs, walls and softscape or two small trees, if they survive (goodbye native plant and animal habitat).
- The energy target in BASIX that has served the city and towns well, can be eliminated by considering the energy content of building materials in a vague gesture to a circular economy (and it won't help reduce household energy costs).
- BASIX is further undermined by an overriding 'pathway' towards 2030 goals and net zero by 2050 (how can you replace actual achievement of targets with buildings constructed now, that obviously can't change in the future?). Alternative national targets (eg NABERS) are also 'matters for consideration'.
- The 40% tree canopy target can be traded away. Without this canopy target being mandated, it will not occur and the damaging Urban Heat Island impacts will continue to exacerbate the effects of climate change; have negative health impacts for the community; contribute to evaporation and drought conditions; and decrease urban water quality. Shading and trees have the greatest health and cooling benefits.
- It will undermine the value of protection and green space zones as determined by local communities as part of their own community engagement and strategic plans.

The Department of Planning is not leading by example through the setting of best practice standards, but wants to be led by developers, whether good (only a few) - or average or bad (most) seeking minimum cost for maximum return. It makes the community and local councils, a sideshow.

This proposed policy surrenders our environment and liveability to the private sector. It's an abrogation of responsibility by the state government to present and future generations.

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To read the full Intended Effects go here - <https://www.planning.nsw.gov.au/Policy-and-Legislation/State-Environmental-Planning-Policies-Review/Design-and-Place-SEPP>

WE NEED TO ACT NOW! Submissions are due by 31 March here - <https://www.planningportal.nsw.gov.au/design-and-place-sepp>. The draft of the actual SEPP will be released for further consultation later in the year.

Encourage your family and friends and members of your local group to make a submission.

Key points you can make:

- Recognise that climate change is an urgent challenge and should not be diverted into vague pathways that will avoid essential emission reduction and delivery targets.
- Reject the flexibility approach as it invites trade-offs and undermining of fundamental goals. We need to achieve best practice at all times and inject certainty for industry and the community.
- Ensure high quality tree retention, tree canopy and open space targets are mandatory and can't be offset by weak alternatives.
- Maintain, improve and enforce BASIX including its energy targets (or an alternative higher national standard) for housing and commercial developments.
- The resilience of our communities in the face of natural challenges is vital and is not just a consideration.
- The approach will lead to a multitude of court cases disadvantaging local councils who may wish to reject or significantly amend development plans.