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JAMIE PARKER MP
Member for Balmain



The Hon. Rob Stokes
Minister for Planning and Public Spaces
GPO Box 5341
Sydney NSW 2001

Friday, 7 May 2021

Dear Minister,

I am prompted to write in my capacity as the NSW Greens spokesperson on Planning and Heritage to make a brief comment on the proposed Design and Place SEPP.

I recognise there is a great deal of effort that goes into the development of a policy such as this and I appreciate the constructive and consultative approach the department has taken to ensure broad community input.

I am aware that submissions from a number of advocacy groups and community members have been prepared in response to the Explanation of Intended Effects, and encourage you to carefully consider their views. These organisations don't have the resources for paid staff to spend their time lobbying your office but nevertheless reflect a majority view in the community to reign in inappropriate development.

I understand a view from within the for profit development and construction industry is that the planning system is overly complex and difficult to navigate, which makes it all the more important to ensure the views of lay-people and those without access to the considerable resources and advice available to the industry are given adequate weight.

I have taken the opportunity to review the documents and I offer the following comments.

Adopting a principles based approach

The shift to a principles based approach can be a positive however it is critical to ensure that they are put into practice in a way that delivers best practice outcomes.

Requiring developers to merely address "matters for consideration" while encouraging innovation and flexibility is little more than an invitation for planning controls to be tested at the margins. In particular, matters of sustainability and resilience warrant strong prescriptive controls. Each of the proposed principles have the potential to be eroded unless clear, standards with clear outcomes are built in to the policy.

Improving building sustainability requirements

The policy presents an opportunity to be more ambitious with reforming the BASIX tool to meet the carbon neutrality ambitions of the government and to meet community expectations. The policy should:

- Extend the application of BASIX to renovation or amendment to any existing structure, and develop an index for non-residential construction.
- Regularly review and update BASIX benchmarks for water and energy efficiency, driving and accounting for improvements in technology and design.
- Require new buildings to maximise passive heating and cooling to draw on the minimum amount of energy possible for thermal comfort.
- Expand the definition of *sustainability* in BASIX to account for and reduce emissions impacts of construction materials and methods.
- Drive innovation and technological advances through the supply chain by requiring new buildings to become carbon neutral within a reasonable period of time after construction, and developing a set of benchmark targets for timeframes.
- Ensure BASIX standards account for climate change projections (ie more hot days and extreme weather events) in the design of buildings when taking into account thermal comfort.
- Allow councils and other consent authorities to develop local standards based on higher benchmarks than BASIX.
- Require that *all* renovations and amendments to existing structures must at least improve a building's sustainability rating.

Green infrastructure

New development at ever increasing density is displacing wildlife through destruction of habitat, particularly in areas that are already built-up. The loss of tree canopy cover and native vegetation also makes it harder to keep our suburbs cool, putting extra pressure on our homes and increasing the amount of energy we use.

We must ensure that our green corridors are not only maintained but improved over time. The policy should:

- Increase tree canopy coverage across all urban areas by ensuring targets are mandatory and not able to be easily traded away
- Require high density development that reduces potential tree canopy coverage to meet the highest BASIX benchmarks
- Ensure that greenspace is planted to provide for positive biodiversity outcomes. Too much green space is an ecologically barren grassed area that fails to provide the three dimensional planting of grasses, shrubs and canopy cover required to provide habitat for wildlife. Without this type of planting, canopy simply becomes the habitat of aggressive invasive species like the Indian Minor bird as other native birds and wildlife have no place to rest, nest and evade aggressive species.

Thank you for the opportunity to comment on the proposed Design and Place SEPP. Please do not hesitate to contact my office on 9660 7586 or Balmain@parliament.nsw.gov.au should you have any questions or if you would like to discuss my comments in any further detail.

Yours sincerely,

A handwritten signature in blue ink that reads "Jamie Parker". The signature is written in a cursive, flowing style.

Jamie Parker MP
Member for Balmain