

This document answers some frequently asked questions about the proposed new Design and Place State Environmental Planning Policy (Design and Place SEPP).

Policy overview

Why does NSW need the new Design and Place SEPP?

The NSW Government is committed to modernising and reducing complexity in planning processes. The [Design and Place SEPP](#) is part of a review of the State's environmental planning policies. The Minister for Planning and Public Spaces has requested a plain-English policy to simplify, consolidate and support design and place considerations in the planning system.

What topics will the Design and Place SEPP cover?

The Design and Place SEPP will bring together a range of considerations that impact the design and planning of places in NSW. It will deliver objectives of the *Environmental Planning and Assessment Act 1979* and the Premier's Priorities for a better environment. The SEPP will highlight key considerations including connecting with Country, sustainability, resilience, and overall design quality. It will prioritise urban design, public space, and green infrastructure.

How does the Design and Place SEPP relate to existing policies and guidance?

The Design and Place SEPP will draw on existing and new guidance material, including the [Draft Greener Places Design Guide](#), [Urban Design for Regional NSW](#), [Practitioner's Guide to Movement and Place](#) and the [Apartment Design Guide](#).

Government Architect NSW is overseeing the development of the Design and Place SEPP within the Department of Planning, Industry and Environment. The Design and Place SEPP will build on the seven objectives for a well-designed built environment, as defined in [Better Placed: An integrated design policy for the built environment of NSW](#). Better Places will be updated to ensure it functions as a complementary policy to the Design and Place SEPP.

What is the process behind creating a new policy?

The NSW Government must follow formal processes to create and implement new policies. This includes consultation within government through working groups, policy control groups and steering committees, as well as engagement with key stakeholders through public exhibitions. The Parliamentary Counsel's Office and the departmental legal team must also be consulted, and NSW Cabinet approval may be sought for some policies.

Scope of the Design and Place SEPP

What type of development does the Design and Place SEPP apply to?

The Design and Place SEPP will be relevant to all new developments on urban land in NSW. It will apply to both public and privately owned developments in urban and regional places across the State. The SEPP will include development thresholds to explain when and where particular considerations will apply.

Will the new Design and Place SEPP impact existing SEPPs?

SEPP No 65 – Design Quality of Residential Apartment Development (2002) and SEPP (Building Sustainability Index: BASIX) 2004 will be repealed and their content will be relocated to the new Design and Place SEPP. The *Apartment Design Guide* and BASIX will be revised at the same time, as detailed in Appendices A and C of the Explanation of Intended Effect.

Will the new Design and Place SEPP affect existing planning proposals?

Implementation of the Design and Place SEPP will include a transition phase to ensure applications that are pending at the time the new SEPP commences will be assessed and determined in accordance with existing policies and provisions. Transitional arrangements will be detailed when the SEPP goes on public exhibition later in the year.

Assessment Processes

How should the Explanation of Intended Effect be considered by consent authorities?

The Explanation of Intended Effect for a Design and Place SEPP is now on public exhibition. It outlines the proposed aims, structure and components of the Design and Place SEPP for the purpose of seeking public comment and inform how the policy will develop.

Councils and other consent authorities should note that the Design and Place SEPP and related guidance is still work in progress and is not yet state government policy. There will be further consultation, research and modelling undertaken on aspects of the proposed policy and as such, the EIE should be considered an early stage and subject to change.

Will design review processes change as a result of the SEPP?

The Design and Place SEPP will define consistent and robust design review processes for NSW. A new Design Review Guide will provide guidance to support the establishment of project-specific and council design review panels and clarify thresholds and processes for incorporate design review into planning assessment processes. The SEPP will promote early engagement in the design review process to minimise amendments and reduce approval timeframes. The Design and Place SEPP will not change provisions for design excellence.

Impact on councils

How will local character be impacted by the new Design and Place SEPP?

Local character and context considerations are integral to good design. The Design and Place SEPP will apply a principle-based approach to ensure that design outcomes properly consider local character. Care will be taken to align the SEPP with existing local character guidelines and planning instruments, including local environmental plans and development control plans.

What support will be available to councils to implement the SEPP?

An implementation plan is in development to support State and council assessment planners to apply the Design and Place SEPP. Support will include guidance, assessment tools, and capacity building for assessment teams. More detail about supporting material will be provided during the public exhibition of the SEPP.

Consultation and milestones

When will the Design and Place SEPP come into effect?

The Design and Place SEPP is scheduled to come into effect by the end of 2021 or early 2022. An implementation plan and transition period will simultaneously come into effect to help councils and industry effectively integrate the SEPP into their planning processes.

Who will be consulted about the Design and Place SEPP?

Collaboration and consultation are instrumental to the success of the Design and Place SEPP. We are collaborating across the Department to develop the SEPP, with input from State agencies and consultants. Councils, professionals, industry groups and the public will have various opportunities to provide feedback on the new policy.

Early engagement with industry peak bodies from August to October 2020 helped guide the drafting of the [Explanation of Intended Effect for a New Design and Place SEPP](#). This is now on public exhibition until 28 April 2021 and we welcome your feedback. Targeted workshops for all stakeholders have been held during the public exhibition.

Following this exhibition period, the Design and Place SEPP will be drafted, taking on the submissions received. An industry advisory group has also been established. The draft SEPP will go on public exhibition later in 2021 and further feedback sought then.

© State of New South Wales through Department of Planning, Industry and Environment 2020. The information contained in this publication is based on knowledge and understanding at the time of writing (December 2020). However, because of advances in knowledge, users should ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate departmental officer or the user's independent adviser.