

Environmental Planning and Assessment (Design Principles and Considerations) Direction 2022

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Public Spaces, in pursuance of section 9.1 of the *Environmental Planning and Assessment Act 1979*, give the following direction.

Minister for Planning and Public Spaces

Dated:

Name of Direction

- (1) This direction is the Environmental Planning & Assessment (Design Principles and Considerations) Direction 2022.

Objective

- (2) The objectives of this direction are to:
 - (a) ensure the design principles and design considerations set out in the *State Environmental Planning Policy (Design and Place)* [insert date] are considered early in the planning process,
 - (b) ensure the objectives of the Urban Design Guide published by the department in [insert date] are considered early in the planning process,
 - (c) integrate good design processes into planning and development to create places that support the health and well-being of the community and to achieve better built forms and aesthetics of buildings, streetscapes and public spaces by providing consistent urban design guidance that supports place-based approaches for precinct planning and development,
 - (d) to ensure planned precincts receive the appropriate design evaluation from Design Review Panels and that advice received is considered and integrated.

Where this direction applies

- (3) This direction applies to all planning authorities.

When this direction applies

- (4) This direction applies when a planning authority prepares a planning proposal that will affect land greater than 1 hectare in area and within:
 - (a) an existing or proposed residential, commercial, mixed use or industrial zone, or
 - (b) any other zone in which residential development is permitted or proposed to be permitted.

What a relevant planning authority must do if this direction applies

- (5) A planning authority must ensure a planning proposal:

- (a) takes into account and demonstrates consistency with the design principles and design considerations set out in the *State Environmental Planning Policy (Design and Place)* [insert date],
 - (b) is consistent with the objectives of the Urban Design Guide published by the Department in [insert date],
 - (c) demonstrates how it responds to Country and how it has been informed by contributions from Aboriginal stakeholders of the land, where they have been provided,
 - (d) is referred to the relevant design review panel for advice concerning the design response.
- (6) A planning proposal must, in relation to land to which this direction applies:
- (a) give effect to any relevant residential density, connectivity and open space criteria and guidance as referenced in the Urban Design Guide.

Consistency

- (7) A planning proposal may be inconsistent with the terms of this direction only if the planning proposal authority can satisfy the Secretary of the Department of Planning, Industry and Environment (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:
- (a) justified by a strategy which:
 - (i) gives consideration to the objective of this direction,
 - (ii) identifies the land, which is the subject of the planning proposal, and
 - (iii) is approved by the Secretary of the Department of Planning, Industry and Environment (or an officer of the Department nominated by the Secretary), or
 - (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or
 - (c) in accordance with the relevant Regional or District Plan, prepared by the Department of Planning, Industry and Environment or the Greater Sydney Commission, which gives consideration to the objective of this direction, or
 - (d) of minor significance, or
 - (e) contrary to the terms of any reservation, covenant or restriction applying to the relevant open space land.