

Planning legislation updates 2017
 NSW Department of Planning and Environment
 GPO Box 39
 Sydney NSW 2001

Re: Review of the draft Environmental Planning and Assessment Bill 2017
Submission by Health Promotion, Northern Sydney Local Health District

Thank you for the opportunity to comment on the draft Environmental Planning and Assessment Bill 2017. The following comments have been compiled by the Northern Sydney Local Health District (NSLHD) Health Promotion staff.

Much of our Health Promotion work in Northern Sydney Local Health District (NSLHD) relates to the critical role the Planning system plays in supporting the health and well-being of our population. The built environment is a major determinant of health, shaping our daily physical activity, social interaction, safety and access to healthy food, services, education and jobs. As such, our position is that human health and well-being must be a fundamental priority for any contemporary Planning system.

KEY RECOMMENDATIONS:

1. “Health and wellbeing” must be an explicit objective of the Bill

We note the inclusion of an objective in the draft Bill relating to “good design”. Although the terminology “good design” is somewhat vague in its intention, this objective (as it is written) may have some potential to encourage people-centred and place-based design, which can have health benefits.

However “good design” alone does not sufficiently address healthy planning principles, which emphasise connectivity between people, places and uses. Healthy planning not only creates great places, but great walking and cycling routes, access to essential services such as public transport and parenting facilities, access to healthy food and drinking water and active connections to other great places.

To ensure that healthy planning principles are authorised and systematically implemented across the state it is essential that an objective is included “to promote health and wellbeing”.

Sample wording for this objective could include:

1. *“To promote the health and wellbeing of all communities across NSW”*

Or if there is a practical requirement to limit the number of objectives and maintain the current “good design” intention, an alternative (more explicit and comprehensive) objective could include the wording:

2. *“To promote health, wellbeing and quality in the design and planning of the built environment”*

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2. Embed health considerations throughout the strategic planning system

In addition to health being made explicit in the objectives of Planning Bills in other Australian states (such as Tasmania and South Australia), health & wellbeing is now explicitly referenced and embedded throughout the NSW Planning system.

Our regional plans have health and wellbeing priorities (eg A Plan for Growing Sydney, Direction 3.3: *Create Healthy Built Environments*); The current draft District Plans reference health and wellbeing throughout (eg Liveability Priority 5: *Facilitate the delivery of safe and healthy places*) and Local Environment Plans include explicit health objectives (eg Pittwater LEP objectives “To protect and promote the health and well-being of current and future residents of Pittwater” and “to facilitate the use of public transport and facilitate walking and cycling”).

This prioritisation of healthy planning throughout the NSW Planning system is partly in-response to the previous Planning Bill (2013), which included an explicit objective promoting human health and wellbeing.

It is therefore now logical and necessary that the new Planning Act contains an explicit health and wellbeing objective, to justify the priorities and provisions within existing strategic plans and instruments, and to authorise the integration of healthy planning and design consistently across NSW.

Other mechanisms to embed health considerations throughout the Planning system and to operationalise the health and wellbeing objective include:

2.1 Local Strategic Planning Statements to include health

We support the preparation of local planning statements and recommend that the requirements (part 2) are expanded to include or identify “relevant health and wellbeing considerations”.

We also encourage local planning statements to address broader infrastructure plans such as the NSW Long Term Transport Masterplan. This could provide a more cohesive operational link between land use and transport planning, and better integrate the provision of green space, active transport networks and socially connected communities.

2.2 Planning panels to require healthy built environment expertise

We note that the Bill recommends the provision for interdisciplinary representation on the Planning Assessment Commission (Division 2.2, cl.2.8(3)), members of Sydney district and regional planning panels (Division 2.2, cl.2.13(3)) and Local Planning Panels (Division 2.2, 2.18(3)). We recommend that “healthy built environment” experts be added to each list of appropriate expertise using clause 2.8(3) of the Bill.

2.3 Standard template DCP to include health

We recommend that a 'healthy planning and design' model provision be included in the standard template DCP.

2.4 Health Impact Assessment

We recommend that State Significant Development (or equivalent) become a trigger for the requirement of Health Impact Assessment.

2.5A 'Health & Wellbeing' State Environmental Planning Policy

Subsequent to this review we recommend the preparation of a 'health and wellbeing' SEPP. This SEPP could provide the necessary detail and context to translate the 'health and wellbeing' objective to be implemented locally in a meaningful way. A 'Health & Wellbeing' SEPP could replace and improve upon the existing Section 117 Direction 3.4; the previous draft SEPP 66 (integrating land use and transport); and current health related provisions in other SEPPs and directions.

Thank you again for the opportunity to submit the above recommendations.



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