



# ***A New Planning System for NSW***

Submission on the Green Paper

14 September 2012

Never Stand Still

Faculty of Built Environment

Healthy Built Environments Program



THE HEALTHY BUILT ENVIRONMENTS PROGRAM

## **Introduction**

The Healthy Built Environments Program (HBEP) welcomes the opportunity to comment on the NSW Government's Green Paper: *A New Planning System for NSW*.

The HBEP is an innovative collaboration that brings the built environment and health together. The Program is situated in the City Futures Research Centre, Faculty of the Built Environment at the University of NSW (UNSW). The HBEP receives its core funding from the NSW Department of Health. It is directed by Associate Professor Susan Thompson, and supported by a team of inter-disciplinary partners from across the health and built environment professions working in the public, not-for-profit and private sectors. The Program fosters cross-disciplinary research, delivers education and workforce development, and advocates for health as a primary consideration in built environment plan, policy and decision-making. It brings the combined efforts of researchers, educators, practitioners and policy makers from the built environment and health sectors to the prevention of contemporary health problems.

The Program's website has more information about the integration of human and environmental health considerations with the built environment. It also provides links to useful resources, many of which present evidence for the inclusion of specifically focused health policies, provisions and actions in the urban planning process.

See: <http://www.be.unsw.edu.au/programmes/healthy-built-environments-program/about>

For questions about this submission please contact Associate Professor Susan Thompson, Director, Healthy Built Environments Program. Email: [s.thompson@unsw.edu.au](mailto:s.thompson@unsw.edu.au); Phone: 9385 4395.

## **Acknowledgments**

In preparing the HBEP's submission, the work of Mr Andrew Wheeler, HBEP Research Assistant, is gratefully acknowledged.

## The Built Environment and Health

It is now well accepted that there are significant physical and mental health benefits from built environments that support active lifestyles, access to fresh, nutritious food, and opportunities for communities to be socially connected in safe and well designed public spaces. These environments are also recognised as environmentally sustainable. In the long term, the economic and social burden of chronic disease will be reduced. Research and practice evidence to support healthy built environments is mounting both internationally and within Australia. The HBEP has published a systematic and comprehensive literature review which brings together much of the salient research on the built environment and health (Kent et al. 2011). The primary aim of the Review was to establish an evidence base to support the development, prioritisation and implementation of healthy built environment policies and practices. Further, the Review identifies gaps in the evidence to inform future research directions. The focus of the Review is on the key built environment interventions or domains that support human health. These are:

1. The Built Environment and Getting People Active
2. The Built Environment and Connecting and Strengthening Communities
3. The Built Environment and Providing Healthy Food Options

These built environment domains address three of the major risk factors for contemporary chronic disease, namely:

- Physical inactivity
- Social isolation
- Obesity.

The full Literature Review can be downloaded from the HBEP's website:

<http://www.be.unsw.edu.au/programs/healthy-built-environments-program/literature-review>

A series of fact sheets summarising the key points from the Review can also be downloaded:

<http://www.be.unsw.edu.au/programs/healthy-built-environments-program/fact-sheets>

**The evidence in these documents affirms planning's fundamental role in creating healthy built environments. Such environments must be a principal outcome of the new Planning System for NSW.**

## Comments on the Green Paper

The Green Paper is an important step towards the delivery of a new Planning System for NSW. The HBEP makes the following comments in relation to the Green Paper, as well as the development of the White Paper and draft legislation, both due for release in late 2012.

### 1. The purpose of planning

The Green Paper needs to reinforce, in greater detail, the *purpose* of planning – which is to create a better society. This necessitates providing the community with environments where everyone can live full, healthy and happy lives. Planning policies, and the decisions which stem from them, have the potential to influence how people use and relate to their surroundings in both positive and negative ways. A greater emphasis on delivering positive social outcomes is warranted in the Green Paper.

### 2. Evidence based strategic planning and community participation

The HBEP welcomes the Green Paper's focus on evidence based strategic planning and believes this provides a strong basis for the Government to address health and wellbeing in the new Planning Act. As it stands, the Green Paper does not address human health issues in sufficient detail. This is concerning given the overwhelming evidence on the social *and* economic benefits of built environments that promote healthy behaviours, such as walking and cycling (see Kent et al. 2011). Physical inactivity, for example, is the fourth most significant preventable cause of illness and premature death for Australians (Australian Institute of Health and Welfare 2012). Physical inactivity is contributing to the State's burgeoning healthcare costs, and is one of the main factors behind the current epidemic of overweight and obesity. The new Planning Act should encourage and support active living by advocating well-connected and walkable environments with appropriate local destinations and essential services such as public transport. Alongside this, the Act must also promote other characteristics of healthy built environments, including adequate greenspace and opportunities for people to access healthy food.

The HBEP also welcomes the Green Paper's focus on up-front community participation, but notes that more detail is required on how effective community participation will actually be achieved. This includes coverage of issues such as community engagement methods and processes, timing in relation to the planning process, funding and resourcing, and performance indicators and reporting (see for example, Sarkissian 2008; Marshall et al. 2012). Comprehensive community participation will

also add to the evidence base for strategic planning, as communities identify the characteristics of the built environment that most significantly impact upon their health and overall quality of life. It is essential that participatory processes be conducted with rigour and in an equitable way so that everyone has the opportunity to participate in setting the strategic direction for their neighbourhood.

### **3. Health and wellbeing as a principal purpose and key objective of the new Planning Act**

In light of planning's ability to support human health through the design of the built environment, 'promoting human health and wellbeing' should be listed as a principal purpose and key objective of the new Planning Act.

Including health and wellbeing as a key objective of the new Act is justified on many levels. A 'Goal' of the NSW State Plan – *NSW 2021: A Plan to Make NSW Number One* (2011) – is to 'Keep people healthy and out of hospital' (p. 23). In order to achieve this goal, the State Plan lists 'reducing behaviours and lifestyle risk factors that lead to chronic diseases' (p. 23) as a 'Priority Action'. Such an action can, and should, be facilitated by planning healthy built environments. This can be achieved through the new Planning Act.

Further justification for including health and wellbeing as an objective of the new Planning Act is found at the national level. In Australia's National Urban Policy – *Our Cities, Our Future* (2011) – the argument is made that planning has a central role in facilitating and supporting preventative health approaches. This point has been picked up in international planning legislation. Recently, the UK Government released their *National Planning Policy Framework* (2012), which lists 'promoting healthy communities' (see Appendix One) as one of 13 overarching objectives. The UK policy framework is used as an exemplar to inform the Green Paper – see *A Review of International Best Practice in Planning Law: for the NSW Department of Planning* (Stein 2012) – and provides further justification for the inclusion of health and wellbeing as an explicit objective of NSW's new Planning Act.

### **4. Health and wellbeing as part of key policies and plans in the new Planning Act**

Health and wellbeing should also feature in key policies and plans in the new Planning Act. The HBEP believes the current policy framework at both the National and State level warrants a stand-alone NSW Planning Policy (NSWPP) on community health and wellbeing. This will complement and

underpin the objectives of the new Act as well as higher-order policies, including the NSW State Plan and National Urban Policy. Further, specific health and wellbeing actions and objectives must be present in Regional Growth Plans, Sub-Regional Delivery Plans and Sectoral Strategies, ensuring that health issues are addressed at all levels of the policy and plan making process. The specific issues covered in these policies and plans will depend on regional and local context, but will likely cover areas such as physical activity, social connectivity, healthy food, safety, environmental sustainability and climate change. The HBEP encourages the Government to define health, and health-related, terms in these key policies and plans. Some suggested definitions include:

- *Health*: a state of complete physical, mental and social wellbeing and not merely the absence of disease or infirmity (World Health Organization [WHO] 1946).
- *Healthy Design*: the aesthetic, physical and functional qualities of the built environment (relating to both land use patterns and the transportation system) that support health as part of everyday living (Kent et al. 2011).
- *Healthy Planning*: the systematic integration of healthy design into the planning system: legislation, controls, policies, plans, guidelines and assessment of development proposals.
- *Quality of Life*: quality of life and wellbeing encompasses mental and physical health, happiness and life satisfaction for individuals and supportive social relationships in communities (Department of Infrastructure and Transport 2011a).
- *Liveability*: the degree to which a place supports quality of life, health and wellbeing (Department of Infrastructure and Transport 2011b).
- *Ecological Sustainability*: is a balance that integrates (a) protection of ecological processes and natural systems at local, regional, State and wider levels; and (b) economic development; and (c) maintenance of the cultural, economic, physical and social wellbeing of people and communities (Queensland Government 2012).

The HBEP is part of a NSW Healthy Planning Expert Working Group (see Appendix Two). This group has been established to offer assistance to the Government in relation to healthy planning matters, including the drafting of key policies and plans in the new Planning Act. We look forward to assisting the NSW Government in doing this work.

## **5. Health representation on governance and planning bodies**

The ability of the new Planning System to support human health through the planning and design of the built environment will rely heavily on the make-up of governance and planning bodies. The

Government should ensure that Health is represented on the proposed Chief Executive Officer's Group and as a 'key stakeholder' on Regional Planning Boards. Representation through other planning bodies such as the Planning Assessment Commission, Joint Regional Planning Panels, and Independent Hearing and Assessment Panels will facilitate open communication between planning and health representatives, aiding progress towards achieving the Planning Act's health objectives.

## **6. Enhancing State Significant Development Assessment**

The HBEP supports the retention of State Significant Development (SSD) Assessment but recommends that the Government replaces the term Environmental Impact Assessment (EIA) with Comprehensive (or Integrated) Impact Assessment, to more accurately reflect the content of EIAs. The HBEP strongly believes that the Director General's Requirements should continue to address health and social impacts.

## **7. Exercising care with code and merit assessment**

The HBEP is concerned that extending complying development may inhibit progress made to date at the development application stage in addressing health and social planning issues, such as the quality of the public domain, crime prevention and safety. It is therefore critical that state-produced codes, as well as Local Land Use Plans, adequately address health.

## **8. On-going monitoring, evaluation and review processes**

On-going monitoring, evaluation and review processes will need to be carefully built into the Planning System so that it responds to emerging trends and issues as they arise. This will require regular engagement with planners, associated professionals, the private sector, local communities and other key stakeholders. As stated previously, the NSW Healthy Planning Expert Working Group will be available to provide support and expert input as the Government undertakes such processes.

## Summary

This submission from the Healthy Built Environments Program, The University of New South Wales, makes the following key points:

1. The Green Paper needs to, in greater detail, reinforce the *purpose* of planning – which is to create a better society. This necessitates providing the community with environments where everyone can live full, healthy and happy lives.
2. The Green Paper’s focus on evidence based strategic planning provides a strong basis for the Government to list ‘promoting human health and wellbeing’ as an explicit objective of the new Planning Act.
3. Health and wellbeing must feature in key policies and plans in the new Planning Act. The current policy framework at both the National and State level warrants a stand-alone NSW Planning Policy on health and wellbeing.
4. It is essential that Health is represented on governance and planning bodies such as the proposed Chief Executive Officer’s Group and Regional Planning Boards.
5. Monitoring, evaluation and review processes will need to be carefully built into the Planning System so that it responds to emerging trends and issues as they arise.
6. A NSW Healthy Planning Expert Working Group has been established to provide support and expert input as the Government transitions to a new Planning System for NSW.



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## **Appendix One: UK National Planning Policy Framework – Health Objective**

REF: <http://www.communities.gov.uk/publications/planningandbuilding/nppf> (pp. 17-19)

### **8. Promoting healthy communities**

69. The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this, local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning. Planning policies and decisions, in turn, should aim to achieve places which promote:
- opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;
  - safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
  - safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.
70. To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:
- plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
  - guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
  - ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and
  - ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.
71. Local planning authorities should take a positive and collaborative approach to enable development to be brought forward under a Community Right to Build Order, including working with communities to identify and resolve key issues before applications are submitted.
72. The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
- give great weight to the need to create, expand or alter schools; and
  - work with schools promoters to identify and resolve key planning issues before applications are submitted.

73. Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.
74. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
  - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
75. Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.
76. Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period.
77. The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:
- where the green space is in reasonably close proximity to the community it serves;
  - where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
  - where the green area concerned is local in character and is not an extensive tract of land.
78. Local policy for managing development within a Local Green Space should be consistent with policy for Green Belts.

## **Appendix Two: NSW Healthy Planning Expert Working Group – Agency Representation**

Centre for Health Equity Training Research and Evaluation, University of New South Wales
Danny Wiggins Planning, Facilitation and Education Services
Healthy Built Environments Program, University of New South Wales
Local Government Association of NSW and Shires Association of NSW
National Heart Foundation of Australia (NSW Division)
Northern Sydney Local Health District
NSW Commission for Children and Young People
NSW Police
NSW Premier's Council for Active Living
Office for Ageing
Planning Institute of Australia (NSW Division)
South Western Sydney and Sydney Local Health Districts

NOTE: This group was formed at the PCAL/HBEP Health and Wellbeing Planning Forum held on 8<sup>th</sup> August 2012.



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