



Mr Michael Lennon
Chair, State Planning Commission
Via email: DPTI.PlanningEngagement@sa.gov.au

Dear Mr Lennon,

The Australian Institute of Architects - SA Chapter has undertaken a review of the Draft Planning and Design Code – Phase Two and Three. The Institute represents over 700 members who, through the practice of their profession, will utilise the Planning and Design Code and the documents associated PDI Act. Our members are highly invested in working with government to develop and deliver a consistent and efficient planning system that supports improved outcomes for our built environment and urban realm.

The key observation that we can make at this time is that the document is very challenging to review in its current form, as it is intended for implementation using a digital platform that is not yet available. Until this digital platform is operational the document is unwieldy, repetitive and difficult to read.

This significantly limits the ability to review the content in relation to:

- Intent and consistency
- Operability
- Assessment of its ability to deliver improved outcomes in relation to time taken to assess applications and the quality of the built outcomes that will result.
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It also makes it onerous to conduct scenario testing, which would enable the Institute to assess the Code's effectiveness in delivering an efficient, unambiguous and legible planning system. We consider scenario testing to be the most effective means of trialling the Code and would be happy to participate in this way once the ePlanning portal is operational.

At present the Institute makes the following high-level observations regarding the structure of the Code:

- There are inconsistencies and errors throughout the document that need to be addressed. This has been noted in the review by the Commission.
- Language in the Code is frequently open ended and subjective, with Performance Outcomes not supported by Deemed to Satisfy (DTS) criteria in numerous cases. This raises questions about the capacity of the ePlanning Portal to assess Code Assessed Development in relation to core objectives identified in the PDI Act and State Planning Policies, such as design quality, which have limited or no associated DTS criteria.

In addition to this structural feedback we have concerns regarding the Code's effectiveness in delivery of the key strategic objectives, which were identified in the Expert Panel on Planning Reform's ***The Planning System We Want*** report and are reiterated in the PDI Act and the State Planning Policies (SPP). While these high-level documents identify laudable principles, we cannot identify how these principles will be applied using the Code to the assessment of 'simple' development, which makes up the majority of applications. Without application of the SPPs to a wider range of developments, it is unrealistic to expect that the Code will deliver quality, consistency and community confidence, which are core objectives of the planning review process.



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It is also our concern that design quality will only be meaningfully applied to large scale development and projects of high value. This undermines the application of design quality in an inclusive manner, with vulnerable and lower income members of our community less likely to benefit from the Principles of Good Design, which are stated in the PDI Act.

Finally, we are aware of the Local Design Review Scheme currently under development. We consider robust and well managed Local Design Review undertaken by suitably qualified and experienced people to be an integral mechanism for improving design quality and the only effective way to realise this core objective of the PDI Act. We also note that projects that undergo design review, at State or Local level, should not be able to be amended post-approval, without being referred to the design review body for consideration. This will ensure that design quality is maintained through to construction and not 'value managed' out of the project, as currently occurs on numerous projects.

In conclusion, The Institute strongly advocates for implementation to be postponed until:

- the ePlanning system is developed to a point that permits testing for coding errors, intent and operability
- the Local Design Review system is established.

This should be followed by a suitable review and consultation period.

If this does not occur, we have significant concerns regarding the impact of implementation on assessment timeframes, which we believe will result in uncertainty for applicants and delays in approvals. This is likely to have a negative effect on the construction sector, which is already experiencing stress.

**Planning Reform Committee
Australian Institute of Architects – SA Chapter**