

18 August 2020

Department of Planning, Transport and Infrastructure  
Via email: [DPTI.ODASAconsultation@sa.gov.au](mailto:DPTI.ODASAconsultation@sa.gov.au)

Dear Sir / Madam

### **Local Design Review Scheme for South Australia – for Consultation**

Council wishes to thank the Department of Planning, Transport and Infrastructure and the Office for Design and Architecture SA for the opportunity to comment on the Local Design Review Scheme. It is acknowledged that the objective of the Scheme is to provide an assessing authority the opportunity to establish its own design panel, a joint panel with other councils or procure a panel from an independent provider on a need's basis.

In principle, the notion of providing more detailed design review ahead of submitting an application for assessment is reasonable. Council's Planning and Development Unit already undertakes a design review process on certain development proposals to inform the assessment and seek improved design outcomes. Typically, this process has been used for developments such as buildings of three or more storeys where they have large site frontages to public roads and the need to carefully consider bulk and scale and has involved the engagement of a qualified architectural consultant on case by case basis.

Council also offers project developers assistance through its Technical Working Group to provide more technical advice on development proposals such as stormwater management, waste management, traffic management, etc.

The City of Charles Sturt has taken the opportunity to review the consultation guide and considers that there are several matters which require further consideration. As currently drafted, Council would be reluctant to undertake a local design review process under this Scheme. The following highlight some of the issues for consideration:

- The proposed system is overly complex. It involves a number of processes and costs including establishing a review panel, managing and reviewing proposals with agendas and minutes plus record keeping and annual review of the process and outcomes. This will be resource intensive at a stage when an application has not been formerly submitted and is simply seeking some initial design advice.



- A key issue with the draft Scheme is that it is purely on a voluntary basis for the proponent to take up. Relevant assessment authorities under the Code will not be able to initiate the design review process. The Scheme needs to provide some incentive to having a development proposal critiqued to encourage a better design outcome.
- The take up for a design review process is proposed at a pre-lodgement stage. This requirement is most likely to avoid imposing additional time delays on a formal assessment process. Unless ongoing discussions are being held between the proponent and the relevant assessing authority how does the initiation of a design review process occur before lodgement of a formal application is made? The initiation of a design review process should also be able to be considered once a development proposal is formally lodged and regulations prepared for additional assessment times to address this process.
- The Scheme's objectives should be broader than reviewing the quality of a design. The Scheme should ensure that the panel has the expertise and experience to consider all relevant elements including the designs functionality and its conformity to the relevant planning policy. This will enable an earlier critique on critical planning elements such as car parking provisions, prescribed setbacks, waste management, on-site storage facilities, at an early stage so as not to seek critical amendments to the design at the formal development stage.
- The Guidelines outline that the scope of a design review trigger will be based on a set class of development proposed in the Code which will need to be agreed by the Commission. As a minimum a design review process would be beneficial for larger developments, including residential development of multiple dwellings or mixed-use development greater than 3 storeys, commercial development based possibly on a floor-area, location (eg. arterial roads) and a certain building height or a proposal affecting a heritage place.
- With the Scheme only provided as a pre-lodgement process it is unclear how the design review process is funded before receipt of a formal development application fees. Associated costs include the expert panel's time, the resources in preparing the agenda and minutes and potentially acquiring the venue.
- The Scheme Guidelines refers to councils registering a local design review to provide advice which is then considered by the Assessment Manager or Council Assessment Panel. Under the *PDI Act*, Councils are not a relevant planning assessment authority. Part 5.4. part 3 of the scheme requires Council to do a concurrence check of the design advice against the application submitted to the relevant authority and advise of any inconsistencies. This action is unnecessary and should be removed from the scheme. Provided the applicant submits the design advice with their application the relevant authority can review what has been submitted against that advice.

- The Scheme outlines that design review panels members must complete an induction program that is in accordance with guidelines provided by the South Australian Government Architect before they can be involved in Local Design Review under the Scheme. It is unclear who conducts the induction program, what are the associated costs and who bears the training costs?
- The Scheme requires the council responsible for a local review panel to undertake an annual evaluation on the impacts and benefits of the design review process in a format determined and provided to the Government Architect. This again raises the issue of costs and resources in preparing this annual evaluation.
- The Scheme outlines that should a council seek to establish a design review panel it must be registered through the Chief Executive of DPTI and this registration is for a period of 3 years. The fees will be determined under the PDI Regulations 2019. It is unclear what is gained by the assessing authority through this registration fee, which is required to be renewed after three years.

Thank you once again for the opportunity to provide feedback on the above Scheme.

Please don't hesitate to contact Jim Gronthos, Senior Policy Planner on [REDACTED] or Julie Vanco, Manager Planning and Development on [REDACTED] should you wish to discuss this matter in further detail.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Sutton', with a stylized flourish at the end.

**Paul Sutton**  
Chief Executive Officer