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The Office for Design and Architecture SA
Plan SA
E. DPTI.ODASAConsultation@sa.gov.au

Re: Response from SA Young Planners to the Draft Local Design Review Scheme

Dear ODASA,

Thank you for the opportunity to provide feedback to the documents currently on consultation.

This document is written as a submission in response to the community consultation of the Draft Local Design Review Scheme (the Scheme). It has been prepared by members of the South Australian Young Planners network committee (SAYP), a sub-divisional committee of the Planning Institute of Australia (PIA), the views expressed here are those of the SAYP committee involved in preparing the policy submission and are intended to both actively engage as part of the community consultation on the Scheme to make the most of this opportunity to develop a resilient sustainable future and to champion the concepts of accessibility of new policies so that professionals who have only a handful of years' experience will still be able to easily and effectively navigate through the legislative environment in which the Planning Industry will interact with as it's professionals strive to champion an inclusive and sustainable future. This document is written as a response to a discussion paper that was drafted by the authors of this paper, the responses provided by the SAYP are summarised under each of the drafted questions, each of which focus on each of the sections outlined in the Scheme.

Who are Young Planners?

A young planner is a student or graduate of a planning or planning related degree with up to 5 years post graduate experience. PIA strongly supports the role Young Planners play in the future of the profession and of the Institute. PIA has had a network of Young Planners that promote, support and represent Young Planners since March 1996. This network operates in each state and territory across Australia. At a state/territory level young planner groups:

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- Arrange social and information sessions and activities.
 - Support young planners at Divisional levels.
 - Promote the role of young planners within the planning profession.
 - Foster links between PIA and Universities.
 - Promote student and graduate membership of PIA.
 - Promote interaction between young planners, especially between student and graduate planners.
 - Contribute to community consultation and provide policy responses to proposed policies, reforms or action plans at the local, state and national levels.
 - Promote the planning profession as a whole.
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Structure of the Scheme

The SAYP support the idea of providing local governments with the ability to provide proponents with the opportunity to seek design advice regarding development applications they may be considering, this would reduce the barrier for proponents to participating in the Development Application process and fostering greater diversity in the marketplace, while also allowing for a greater degree of consideration of local situations and provide local communities with greater outcomes.

Overall the SAYP finds that the Draft Local Design Review Scheme (the Scheme) is clearly laid out and is easily understandable by Young Planners, however we also believe that improvements could be made by including more details and clarity about how the Scheme is expected to operate, how it will be accessed by proponents and how design advice will be delivered.

Q1. Based on Section 1.3 of the Scheme (Principles of Design Review), are there any changes or additions you would suggest? Does any more detail need to be included here?

As this section is part of the introduction to the Scheme, the principles listed here are largely aspirational and easily recognised in regards to Planning and Sustainability, however having clearer explanations of how the Principles of Design Review will be met, will in turn provide clarity on how the Scheme will be able to provide benefit to the proponent, councils and the local community.

Of each of the listed principles in the Scheme, the following were highlighted as areas that could be improved:

- Independent (and Transparent) – Providing a description on how the Design Panel is expected to provide design advice that supports the public’s best interests (and how they will show they have taken into account the public’s best interest) will go a long way to providing a resilient system.
- Accountable – This principle also highlights some of the others listed (Independent and Transparent), overall there is not very much indication in the documents provided in the community consultation about how the Scheme will ensure that the Design Review Panel remains accountable. It appears that it is mostly left up to councils to provide direction for this principle and while most councils will strive to meet it, what kind of systems does the Scheme have to ensure that this principle is implemented consistently?
- Timely – The Scheme does not appear to have established specific time frames that the Design Panel has until it is required to provide design advice. How will this be managed to ensure that development proposals/ the proponent will gain this advice in a timely manner prior to going to the Relevant Authority for the application process? (Possibly include the mention of the 10 business days mentioned in Section 5.2 *Provision of Design Advice* in this section)
- Objective – Does the term “reasoned and objectives principles” refer to the other principles listed in Section 1.3? Also providing some kind of outline as how to maintain objectivity when working with designs may prove important as when working with designs it is often difficult to move past stylistic tastes and subjective opinions

Q2. Based on Section 1.4 of the Scheme (Principles of Good Design), these principles are included as requirements under Section 59 of the Act. Does any more detail need to be included here?

Similar to what was outlined in the response to Section 1.3, each of these principles are easily recognisable in relation to Planning, of each of the listed principles the one that was highlighted as an area of improvement was:

- Inclusive – How will the Scheme take into account aspects such as Disability Inclusion Action Plans and regional plans, expertise from local community groups who are able to provide knowledge of lived experiences that relate to design (e.g. disability access or needs of multicultural groups) and greater community engagement to better inform design?

Q3. Section 1.5 (Objects of the Scheme) refers to the objectives of the Scheme and how it has been designed to support the Development Application and assessment process. Do the objectives addressed here adequately address the requirements of the Act and the Development Application process?

This section is clearly laid out and is easy to understand, it communicates what the Scheme aims to achieve in terms that are much clearer than in Sections 1.3 and 1.4.

Q4. Referring to Section 2 (Establishing Design Review), this section outlines how the Scheme will interact with the Development Application process and the roles of all stakeholders involved. Are the roles, responsibilities and requirements of each stakeholder and request for review under the Scheme adequately explained in this section?

Section 2.1 simply states that the Scheme is available for any class of development specified by the Planning and Design Code. However including more information on where more information about the different classes of development under the Planning and Design Code as part of this section would likely make the Scheme more accessible.

On a related note, there is not much guiding policy regarding design in the Planning and Design Code. It would also be helpful if the Scheme would be able to consider design guidance (even if it's general guidance advice) on developments related to the use of shipping containers and tiny homes, which are an emerging trend many communities are interested in and Relevant Authorities receive enquiries for – will the Scheme consider developments that are smaller in nature, which may also require design review due to their emerging nature?

Q5. Section 3 (Preparing for Design Review) outlines how the proponents are required to engage with the relevant authority and information they must provide if they wish to engage with the Scheme. Are the requirements of submitting and engaging with the Scheme clear and easily interpreted?

Section 3 provides a list of tasks that need to be completed in order for a proponent's request for a design review be accepted, as if it were some kind of checklist. This makes it much clearer as to what the requirements are, Section 3.1 states the requirement of the Chief Executive Officer of the Relevant Authority to provide proponents with the form required to initiate and the information required to complete a request on the SA Planning Portal, this information could be made clearer.

As the information being provided on how to complete a request for a design review is being supplied by each council who choose to participate in the Scheme, it would be beneficial to provide councils with guidance and a standard template of information to ensure that variation between local government areas do not result in confusion on how the Scheme operates. As mentioned in the response to Section 2, providing clarification on the classes of developments may be considered for design advice under the Scheme (reiterated for this section), would benefit users in all roles and responsibilities.

Q6. Section 4 (Undertaking Design Review) outlines the roles of the relevant authority and the designated Design Panel in reviewing proposed developments once the design review process has been accepted. Are the requirements of the Designated Entity, Design Panel and Design Panel Chair clearly stated and easily interpreted?

Sections 4.1 (a) and 4.2 provide descriptions of the roles and responsibilities around the formation and operation of the Design Panel, however it is not clear as to how the Designated Entity will ensure a “suitable Design Panel” is established. How will the Scheme ensure that this process remains in line with the principles and objectives outlined in Sections 1.3, 1.4 and 1.5? How will the Design Panel remain Independent, Accountable, Objective and Transparent? Is this the responsibility of the Relevant Authority to enforce?

Q7. Section 5 (Design Advice) outlines the requirements of the Design Panel and Design Panel Chair in providing the proponent with advice, to allow for informed decision-making leading into the Development Application process. Are the requirements of the Design Panel Chair and Designated Entity clearly stated and easily interpreted?

It is not clear what is meant in Section 5.4.3 “The council should undertake a concurrence check of the proponent’s response to the design advice and the lodged development application before assessment, and alert the relevant authority of discrepancies” is designed to mean, does this require the relevant authority to lodge records with the SA Planning Portal? And in general what records does the council need to complete a concurrence check?

Q8. Referring to all of the documents provided for consultation regarding the Scheme, are there any final comments or recommendations?

Much of the Scheme is written in a way that it is easily interpreted, however with some further changes including addressing the items above, the Scheme will be more accessible to proponents and other professionals (especially for those that are not as familiar with the Planning and Design Code and related legislation). Further revision of the Scheme will provide greater clarity for proponents who decide to access the Scheme and will provide greater clarity and accountability for the Design Panel to provide proponents with objective and practical design advice.

SAYP are looking forward to continuing collaboration with the Office for Design and Architecture South Australia during implementation of the new Local Design Review Scheme and future community consultations.

Yours sincerely
SA Young Planners