

06 August 2020

Office for Design and Architecture South Australia
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Attention: Brad McCormack



Dear Brad

LOCAL DESIGN REVIEW SCHEME CONSULTATION

Thank you for the opportunity to provide feedback on the proposed Local Design Review Scheme process.

The intent of the proposed Local Design Review Scheme outlined as part of the current public consultation process is to provide a consistent approach to design review by local government, recognising that many Councils do not provide design review advice as part of the development assessment process. The intent is highly valid and definitely supported.

A key element of the planning reform process was the introduction of the Planning and Design Code and a stated 'focus on design'. As City of Prospect has previously advised the State, the focus on design does not appear to have manifested itself as detailed design policy within the Code. This is a challenge for any design review scheme.

Council has previously provided comment on the Planning and Design Code Discussion Paper and the draft Planning and Design Code with a number of consistent comments provided to the State on design issues. A summary of those comments are outlined below:

- One of the original intentions of the planning reform process was to achieve better design outcomes in our urban areas. The draft Code does not have this strong design focus which is of concern to Council. We question how good design is going to be achieved with limited policy addressing this issue.
- The new planning system and the messages from the Planning Commission, DPTI and Minister have raised expectations of improved design outcomes. The draft Planning and Design Code has not lived up to this intent with strong planning policy that focuses on quality outcomes and design that adequately recognizes and protects existing character.
- Council previously provided comment that design examples will be an important element of the Planning and Design Code to assist designers, planners and community to design and assess future development. Use of appropriate language and examples will assist in ensuring that all stakeholders can understand and use the Code. This has not been delivered as part of the draft Code.

While the proposed Local Design Review Scheme process represents an attempt to address the need to consider design issues under the new Planning and Design Code, based on the information presented to date (for consultation) it does not fully address Council's previous comments on the need for a greater design focus within the Planning and Design Code.

As you are aware, City of Prospect currently has its own Design Review process that involves Council planners referring a development application to our independent design reviewer for comment, with those comments passed onto the applicant and also presented to CAP. In most instances the design review process operates as a 'value add' and leads to amendments to proposal plans by applicants and a better design outcome.

The proposed Local Design Review Scheme will involve the establishment of a Design Review Panel, the need to appoint a Chair of the Panel, formal meetings, preparation of both agendas and minutes and potentially multiple meetings. All of this activity will come at a cost to Council and on the face of it, the cost will be considerably higher than the current process. In addition, this process will cease when a development application is lodged, providing Council planners no design review input should plans/designs change as part of the development assessment process, which they commonly do as part of the assessment against the provisions of the Development Plan. We see this as a significant weakness of the scheme and it presents challenges in how to deal with the original/ early advice once an amended version gets to the CAP for decision.

While there is some reference to a fee for design review, this fee has not yet been set and is unlikely to cover Council's cost in establishing and administering a Local Design Review Scheme. It is also likely that Council would continue to obtain design advice as part of the development assessment process, where required, meaning that the Local Design Review Scheme process is an additional expense to Council and its residents.

The introduction of the Local Design Review Scheme is described as part of the focus on design in the new planning system, which on the face of it we would commend, however despite having a state-wide Planning and Design Code to provide consistent planning policy, the approach put forward in the draft Scheme by the places all responsibility on Local Government.

If the State Government is committed to consistency of design advice and access to design services, it is unclear as to why the existing state design review process undertaken by the Office for Design and Architecture SA is not being extended, rather than creating a whole new design review process that shifts the cost to Local Government. An expanded state design review scheme that deals with the consistent policy contained in the state-wide Planning and Design Code would provide a better service to communities without imposing an additional cost on them, via the Local Design Review Scheme process.

Council discussed the matter at its July meeting and wanted to also reinforce the following feedback:

- Lodging Local Design Review prior to lodging a development application is not always effective and the process should not be restrictive on timing of design advice,
- Ceasing Local Design Review once development application is lodged is not supported as Local Design Review must also cover the final version of an application so as to inform the final decision
- Due consideration of Local Design Review should be a 'must' at the time of determining a development application

Should you wish to discuss this matter any further, I encourage you to contact our Manager of Development Services, Scott McLuskey at any time.

Yours sincerely

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

Nathan Cunningham
Director Community & Planning

CC State Planning Commission