



Australian Institute of  
Landscape Architects

**21 August 2020**

## **Response to the Draft Local Design Review Scheme by the Australian Institute of Landscape Architects, South Australian Chapter**

### **Preface**

The Australian Institute of Landscape Architects, South Australian Chapter (AILA SA) extends its appreciation to the State Government for the ongoing opportunity to provide feedback and expertise to inform the Planning Reform in South Australia, specifically on the Draft Local Design Review Scheme.

The Australian Institute of Landscape Architects represents the growing national advocacy body representing 3,700 active and engaged landscape architects across Australia, including over 300 in South Australia.

Our members are committed to creating a better Australia that acknowledges the benefits that natural systems can provide for our physical and mental health and the role that good design plays in creating vibrant and liveable cities and neighbourhoods.

Our members work across private practice, government, and academia from policy and strategy through design and documentation, to delivery, maintenance and operations.

AILA SA has provided feedback on several Discussion Papers over the reform period.

[Click here](#) to review AILA SA's ongoing advocacy to support the Planning Reform in SA, and this forms part of our final submission.

We will continue to advocate well-designed neighbourhoods and affordable living are critical elements associated with enhancing South Australia's economic competitiveness as we move into our new planning system.

### **Introduction**

AILA SA supports the principles of Design Review as outlined in the Consultation Guide and welcomes the extension and inclusion into the Planning and Design Code reforms underway.

### **AILA SA's Response**

AILA SA undertook a series of Roundtables with our members and State Executive, and we have summarised the questions and comments that form the basis of our submission.

Given the importance of the Draft Local Design Review Panels (LDRP) with the new Planning and Design Code (the Code), AILA SA welcomes the announcement recently that the State Government will delay going live with the new system.

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AILA SA are strong supporters of the current Capital City Design Review Panel and we support the intent of Design Review being made available to all South Australian local councils.

Our comments are based on a better understanding and appreciation of the draft proposal, and can be summarised in three broad categories:

1. **Strategy and intent of LDRPs**
2. **Limitations/assumptions LDRPs**
3. **Operations of LDRP**

## **1. Strategy and intent of LDRPs**

The largest area of commentary focused on the broad integration of the LDRPs into the new Code.

AILA SA wishes to clarify and seek clearer confirmation of the following:

1. Promoting the use of Design Review and how it adds value and improves community outcomes – this could be strengthened and made more explicit.
2. Stronger alignment of why Design Review is important to development outcomes – to answer the ‘so what?’ question of Design Review from proponents.
3. Community involvement in Design Review – the current Capital City Design Review process is not public, so clarifying why this is a preferred model is critical to alleviate community concerns.
4. How LDRPs fit into the new Code – this is unclear and the optional nature of LDRPs could be an issue for both councils and proponents, as well as recognition that the process of Design Review is noted or accepted in the assessment process.

### **Recommendations**

#### **Recommendation 1.1 – LDRPs must be promoted as a method of achieving better outcomes**

*AILA SA recommends more advocacy on LDRPs and Design Review advocacy to ensure broader acceptance of why it exists and why it is important.*

#### **Recommendation 1.2 – Design Review must be positioned as a method of achieving better outcomes**

*AILA SA support Design Review and recommend the principles are strongly advocated for in the new LDRP process.*

*This will foster greater awareness across the development sector and create improved development outcomes.*

## **2. Limitations/assumptions of LDRPs**

AILA SA has been briefed on the role and function of LDRPs by DPTI and ODASA and we appreciate the time taken to ensure we understand how it is proposed to function.

AILA SA has a number of comments on the limitations and assumptions of the LDRP process. These are summarised as follows:

1. Design Review is optional: the system is optional and places the onus on the proponent to engage, which means many will simply not chose to engage in the process as it is outside the formal assessment process.

2. LDRPs are optional: the system is proposed to be optional for councils which may mean many simply chose not to establish an LDRP. This is a risk for Design Review entirely.
3. Design review is not tested at a regional/local level: The ODASA support is crucial to establishing the principles outside of Adelaide and specifically at a local level using local professionals as normal practice – this will lead to continual innovation and achieving better development outcomes.
4. Size of Panels: AILA SA does not support the proposed structure of the panels – the potential for a LDRP with one panel member does not achieve the principles of Design Review – it is a subjective review from one professional perspective. We recommend a minimum size or quorum of 3 panel members and up to 5 for more complex proposals ensuring a cross section of professionals from planning, urban design, architecture and landscape architecture.
5. Membership requirements: AILA SA questions the 10 year experience minimum and suggests it would limit the pool of people with abilities to provide Design Review. We recommend a minimum 7 years experience.
6. Membership requirements: AILA SA recommends that changes to the requirements to include a 'Registered Landscape Architect' under clause 2.4.5 as part of Chair requirements.
7. Councils may chose not to establish a LDRP: Many councils may simply chose not to establish a LDRP which creates potential issues between council areas – if one council has a LDRP and the adjacent council does not, proponents may make decisions on development based on the assessment pathways, regardless of whether they understand the benefits of Design Review or not.

## **Recommendations**

### Recommendation 2.1 – Design Review is reconsidered as part of pre-lodgement

*We recommend a mechanism is developed to include Design Review pre-lodgement which would assist identifying and shaping better outcomes, making it easier for the development assessment process to consider the LDRP advice.*

### Recommendation 2.2 – LDRPs are supported as a core part of the assessment process

*We recommend LDRPs are either supported as mandatory or identified clearly as part of the pre-lodgement process and subsequent referral process (optional) to ensure better outcomes as well as ensuring Design Review adds value.*

### Recommendation 2.3 – Supporting regional Design Review

*We recommend LDRPs are supported initially by ODASA in the regions and smaller councils to ensure LDRPs are established and supported to ensure the benefits to the community of Design Review.*

### Recommendation 2.4 – LDRP Size

*We recommend a minimum size of 3 people for LDRP and a maximum pool of 5. This will remove the potential of an LDRP of 1 which in effect is not Design Review.*

### **3. Operations of LDRPs**

AILA SA has concerns with the establishment and support for LDRPs across South Australia as proposed.

In summary:

1. Councils have to establish, fund and operate LDRPs: this is a major risk for many outer, smaller and regional councils who simply do not have the funds, staff or processes to establish, fund and operate a LDRP. Many may simply chose not to engage with Design Review. With council budgets very tight, this is a serious concern.
2. Lack of mechanisms for referrals: the current proposal does not allow for formal referrals nor does the LRDP advice form part of the development assessment process. This is a major risk to Design Review as many will simply see it as optional and not required.
3. Membership: A better understanding of the Planning and Design Code for all LDRP members is essential however it may not appear to be a requirement – advice provided in one forum could be at odds with the P+D Code, for example.
4. Funding for LDRPs: AILA SA is concerned that the onus on councils to fund the LDRP is an added dis-incentive to their operations, as well as the potential for user pays which further removes the incentive to use Design Review to achieve better outcomes. We recommend LDRPs are part funded through ODASA and consideration given to provide ODASA with more resources to properly administer and run LDRPs.

#### **Recommendations**

##### **Recommendation 3.1 – Consider LDRP as part of the pre-lodgement or assessment process**

*We recommend a review of the approach to ensure Design Review is valued and establishes LDRPs in every council. The proposed approach may lead to many councils choosing to disengage and ignore Design Review as it is funded and established by them.*

##### **Recommendation 3.2 – Consider referrals or a mechanism to incorporate Design Review**

*We recommend LDRPs are included as part of a referral process (non-statutory) to assist proponents and councils resolve design issues; or consider prelodgement referrals to assist with improvements leading to better outcomes.*

##### **Recommendation 3.3 – Supporting regional Design Review**

*Ensure LDRP members are aware of the P+D Code and indeed confirm/establish knowledge of the Code is mandatory.*

##### **Recommendation 3.4 – Government funding to assist Councils establish and maintain LDRPs**

*We recommend State Government funding assistance to establish and maintain LDRPs in the current environments.*

### **Summary**

AILA SA supports the establishment of Local Design Review Panels to positively contribute to raising the quality of development in South Australia.

We have outlined our responses with 10 recommendations on the proposed LDRPs.

In our submission on the Planning and Development Code, we noted and reinforce that funding is required to manage the new LDRP system.

AILA SA strongly advocates for the upskilling of planning and design professionals involved in the non-statutory and assessment process as the new Planning and Design Code is implemented.

This needs to be in all areas relating to the development of both built and natural environments, to ensure there are champions within the government to advocate for high quality design outcomes.

This will be critical to support the State in achieving targets as set out in the 30 Year Plan for Greater Adelaide.

We are supportive of the process to date and trust our feedback is taken on board and incorporated as the LDRPs are developed.

We thank you once again for the opportunity to provide comment and for your engagement during the process.

If there are any aspects of our feedback, recommendations and commentary that require clarification or further discussion please do not hesitate to contact Sally Bolton, State Chapter Manager, or myself.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Daniel Bennett', with a horizontal line extending to the right.

**Daniel Bennett**  
**AILA SA State President**  
Registered Landscape Architect #1183  
Fellow, AILA