

BETTER METHODS



NSW STATE DESIGN REVIEW PANEL

Overview of the pilot design review program
for state significant projects

GOVERNMENT
ARCHITECT
NEW SOUTH WALES



The Government Architect NSW acknowledges the traditional custodians of the land and pays respect to Elders past, present and future. We honour Australian Aboriginal and Torres Strait Islander peoples' unique cultural and spiritual relationships to place and their rich contribution to our society. To that end, all our work seeks to uphold the idea that if we care for country, it will care for us.

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Who is this document for?

This document has been developed as a general guide to the NSW State Design Review Panel (NSW SDRP) pilot program and is intended to inform planning consultants, assessment planners, NSW SDRP panel members, project proponents, design teams and other design review participants, as well as the community, about the program's objectives, its mechanisms and intended benefits.

For detailed definitions, please see GANSW Glossary of Terms.

Cover: OVG Victorian Design Review Panel.
Image Eamon Gallagher.

GANSW and good design

Good design creates useable, enjoyable and attractive places for people and it can be measured objectively. Good design offers social, environmental and economic benefits, and builds on these benefits over time, continually adding value.

The Government Architect NSW (GANSW) is committed to embed design skills and mechanisms to support decision-making about the quality of our built environment. To achieve this, GANSW has produced a suite of policies, guidelines and practical tools to assist all participants in the built environment sector to deliver good design.

‘Better Placed – an integrated design policy for the built environment of NSW’ establishes a baseline of what is expected to achieve good design, across all projects in NSW, and outlines seven objectives for good design.

GANSW aims to promote good quality design for all projects. To that end, the NSW SDRP is a process intended to lift the quality of design across all State Significant projects that undertake design review by the SDRP.

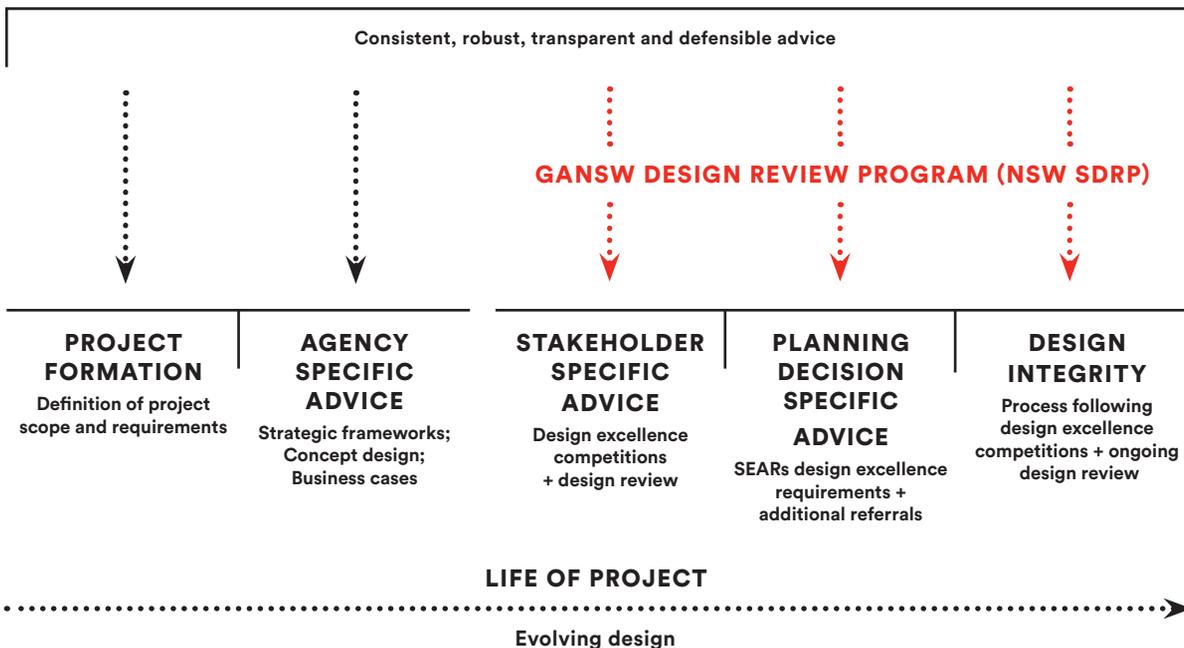
For more information about Better Placed, you can download a copy from our website: ga.nsw.gov.au

NSW State Design Review Panel

The *NSW Environmental Planning and Assessment Act* (EP&A Act) has recently been amended, enshrining good design in NSW Government policy, it now includes the following new object: “(g) to promote good design and the amenity of the built environment”.

The NSW State Design Review Panel (NSW SDRP) pilot program has been established to deliver on the intent of the revised EP&A Act, as well as implementing the principles and ambitions of **Better Placed**. The pilot will test the design review process as a way to provide a consistent, state-wide approach to reviewing the design quality of State Significant projects.

GANSW ROLE



The role of design review

Design review is an internationally tried and tested process to improve the quality of design outcomes in the built environment. In Australia design review has been demonstrated to be a valuable and time saving process for state determined projects in Victoria and South Australia over the past five years.

Design review panels have been running in NSW since the 1990s and were originally introduced to support the successful delivery of projects related to the Sydney Olympics. Since then, at local government level, design review panels formed in response to the introduction of SEPP 65 and the Apartment Design Guide have had tangible positive impacts on the quality of the built environment, and NSW processes have informed the development of many design review programs across Australia.

GANSW is involved in many design review panels, both at local government level and for state government agencies, however until now there has not been a service available to provide coordinated and consistent design review for State Significant projects. The NSW SDRP pilot program will address this inconsistency.

Experience in NSW, in other states and internationally tells us that, for design review to be effective and efficient, it must be delivered using a robust and defensible process and offer consistently high standards in the quality of its advice.

Design review is recognised to be effective in raising design standards and aspirations, and in giving confidence to decision-makers. By offering progressive certainty during pre-approval stages through cumulative advice, design review supports both proponents and decision-makers to achieve a better quality built environment.

Existing design review processes in NSW

Design continues throughout the lifespan of a project, from feasibility studies and concept through to construction and delivery. Across NSW there are a variety of established mechanisms to support good design such as Design Excellence Competitions and design review for certain types of projects. Different mechanisms are appropriate at different stages of the design process, and are most useful when they respond to the scale, site, type and complexity of the project.

Design advisory panels, design excellence panels, and others currently exist in many local government areas, often in the form of SEPP 65 panels (referring to the State Environment Planning Policy No 65 – Design Quality of Residential Flat Development).

SEPP 65 refers to the Apartment Design Guide (ADG), which recommends the establishment of design review panels at a local level to review buildings that fall under SEPP 65 as part of their assessment. Part 5 of the ADG provides guidelines and templates for design review and encourages councils to use their DRP for other significant local projects such as planning proposals and local infrastructure.

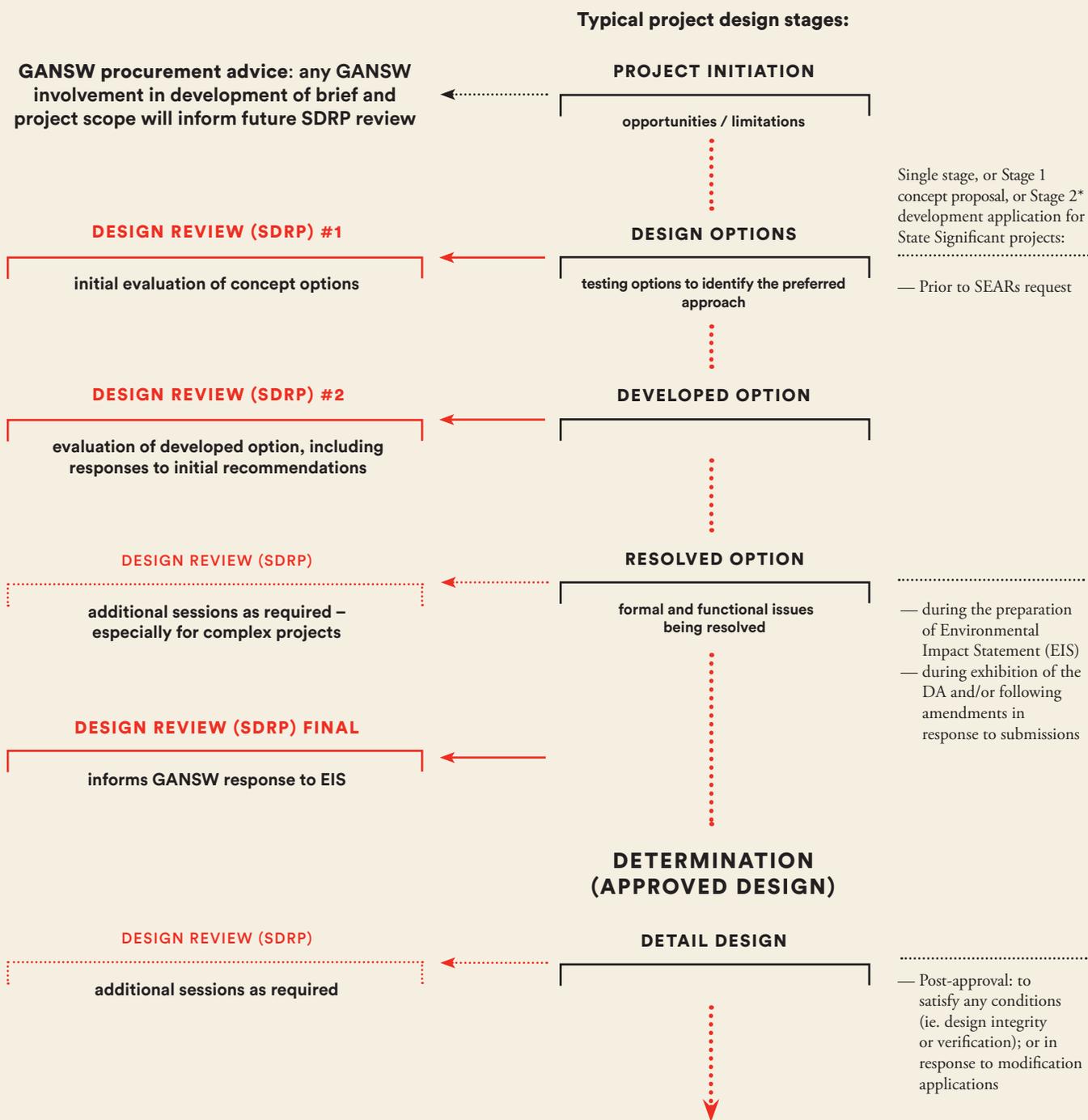
At a state level, specific large scale projects (such as Metro) have established a DRP to provide continuous design advice for the life of the project. Some agencies, such as Transport, and authorities such as SOPA (Sydney Olympic Park Authority) have also established internal design review to provide advice on projects.

What are State Significant projects?

Some types of development are deemed to have State significance due to the size, economic value or potential impacts that a development may have. Known as State Significant Development (SSD) or State Significant Infrastructure (SSI), these are identified in the State and Regional Development SEPP. The consent authority for development deemed State Significant is the Minister for Planning, or their delegate, rather than the local authority.

For more information about the State and Regional Development SEPP, please visit: <https://www.legislation.nsw.gov.au/#/view/EPI/2011/511>

INDICATIVE SEQUENCE OF DESIGN REVIEW (SDRP)



***Where a Stage 1 Concept Proposal has undergone SDRP review process, later Stages are likely to progress more quickly through subsequent SDRP process (where required).**

The NSW State Design Review Panel pilot program

On behalf of the Department of Planning and Environment (DPE), GANSW is piloting a 12-month design review program through the NSW State Design Review Panel – NSW SDRP – which will demonstrate and test opportunities to lift the design quality of the built environment across the state, as well as ways to streamline the assessments process for State Significant projects.

The SDRP is convened by the GANSW and comprises a pool of 40 independent and expert members who will be called upon to form panels. Each of the SDRP sessions will be chaired by the Government Architect or their representative. Local councils will be requested to nominate a member of the panel pool (or other suitably qualified and independent professional) to be their representative on each panel.

The NSW SDRP provides independent and impartial advice on the design quality of development proposals to the Chair, whose recommendations will be provided to both applicants and decision makers.

By raising critical issues in formally structured sessions with key stakeholders present, the NSW SDRP will help proponents to make well-informed decisions about the design development of proposals. It will also help in coordinating and streamlining approval processes by providing confidence to the consent authority and assessing officers on the design quality, rigour and value of significant projects.

The processes and operations of the SDRP pilot program have been established in line with local and international design review best practice.

Design review and design excellence

Review by the SDRP will not replace a statutory requirement for a design competition where this exists. Design competitions play a specific role in elevating good design through enabling the comparative evaluation of multiple design responses to the same criteria. Where a project is required to undertake a design competition this process will replace the SDRP.

Where a project is being reviewed by the NSW SDRP the panel will evaluate the design quality of the proposal by reviewing it against the objectives of **Better Placed** and the requirements of relevant Environmental Planning Instruments (EPIs) or other specific guidelines.

A member of the assessment team will be invited to attend all design review sessions to provide planning information to the panel and to inform their assessment of the lodged proposal.

For more information about the scope of the NSW SDRP review, please see the panel members' Terms of Reference which can be downloaded from our website: ga.nsw.gov.au

What is design excellence?

Design excellence as a term usually describes a requirement or expectation of a project that it will achieve a level of design quality that is above and beyond the usual. Design excellence implies a level above 'good design'.

Design excellence is often used interchangeably with good design when referring to an aspiration for high quality design in a project generally. But in the planning system, design excellence usually has specific statutory definitions, outlined in EPIs, that refer to both a required process and the expected standard of the outcome.

For more information about participating in the NSW SDRP pilot program, please contact GANSW – government.architect@planning.nsw.gov.au or phone 02 9860 1464

The role of the NSW SDRP in the NSW planning system

The SDRP pilot program will be available to proponents and the consent authority for State Significant projects to seek design advice from GANSW during the early stages of design. This feedback during pre-approval stages aims to promote improvements to the design quality of projects when changes can be made easily, rather than after a development application has been lodged.

Early review provides both proponents and decision-makers a degree of progressive certainty and supports better outcomes.

During the pre-approval stage, the Department of Planning and Environment (DPE) assessments team in consultation with GANSW will recommend projects to undertake design review.

For more detail about the projects which will be reviewed by the NSW SDRP, please see the Terms of Reference – available for download on the website: ga.nsw.gov.au

Principles of Good Design Review

For design review to bring benefits to everyone, it must offer consistently high standards in the quality of the advice it offers. These high standards are summarised as eleven principles of good design review to which the panel members must adhere:

1

Independent

Good design review is independent. It is conducted by people who are separate from the project promoters, decision-makers or any other parties that may have an interest. The Panel acts as an independent body to provide advice free from any potential conflict of interest. It offers impartial advice which is not influenced by the client, the local authority or the design team and is based solely on the design quality.

2

Accountable

The Panel records and explains the advice it gives and is transparent about potential conflicts of interest. The members are bound by the codes of conduct applicable to their profession.

3

Expert

The Panel must be comprised of a diverse range of individuals with an equally diverse variety of professional skills and backgrounds. They are experts who are highly competent in their fields and can appraise schemes objectively. Members must be registered with relevant professional bodies (in their home state).

4

Advisory

The Panel does not make decisions, but offers impartial advice to decision-makers that will lead to improvement of schemes reviewed. The Panel will help assess designs from a broader perspective and identify any fundamental weaknesses while supporting decision-makers to construct a strong design-based argument in order to resist poorly designed schemes.

5

Accessible

Findings must be clearly expressed in language that decision-makers and clients can understand and use. Local residents, action groups and the media are likely to be interested in the Panel's views. Design review staff and Panel members should be prepared for scrutiny of their work, so the process needs to be as transparent as possible.

6

Proportionate

Design review is used where projects are significant enough to warrant the investment needed to provide the service (taxpayer-funded or otherwise). Other methods of appraising design quality should be used for less significant projects.

7

Timely

Review takes place as early as possible in the life of a design – ideally at concept design stage for a building or a masterplan – because this is when changes can be made with minimal time and cost implications. The Panel feedback is communicated through the GANSW recommendations quickly so that these can be incorporated into the project.

10

Improves quality

The Panel constructively seeks to raise the quality of all design-based projects. When reviewing design quality, it considers how schemes will realise best value from public investment.

8

Objective

The Panel appraises projects ‘in the round’, according to reasoned, objective criteria. It is not influenced by the stylistic tastes of individual Panel members. The Panel can assess a scheme within the widest context of good practice and exemplars from further afield. It offers an objective critique of the quality of the design, whatever its style. The expert advice given by the Panel is unbiased and free of subjectivity.

11

Consistent

Every effort is made to maintain the same Panel members throughout the life of the project. This ensures consistency of comments as the project evolves.

9

For public benefit

Design review is focused on outcomes for people. It evaluates how a building or place can better meet the needs of the people using it and of anyone who is affected by it.

NSW SDRP panel membership

Recruited through an open tender process, the NSW SDRP pool of panel members is comprised of a cross-section of built environment and design professionals, working throughout NSW and across Australia. Members of the panel pool are registered with relevant professional bodies (in their home state) and are bound by respective codes of conduct. Additional panel members may be recruited if required, including specialist experts where the complexity of a proposal warrants specialised knowledge to support the SDRP evaluation.

For each proposal, GANSW will select panel members from the pool whose expertise is relevant to the project type and scale.

Local council representation

GANSW will invite local councils to nominate an appropriately qualified and independent professional to be their representative on relevant SDRP project panels. This may be an individual who is already a member of a local design review panel.

Confidentiality and Conflicts of Interest

All information relating to any proposal being reviewed by the SDRP is communicated to panel members and review attendees in confidence. Upon lodgement of an application, the final GANSW recommendations and advice, informed by the NSW SDRP, will be made publicly available.

All panel members must adhere to DPE policy – Managing Interests and Disclosing Conflicts of Interest. Panel members will be required to advise GANSW immediately of any conflicts of interest arising in relation to projects which are scheduled for review by the panel. Where it is determined that a conflict of interest exists, the panel member will not be required to attend any review session relating to that project.

Funding and fees

The SDRP pilot program will be funded by the Department of Planning and Environment.

Projects with an estimated Capital Investment Value (CIV) over \$150m will require a specially tailored SDRP program in consultation with the proponent to address their anticipated complexity, including specialist assessments to support panel evaluation, and project or site-specific panel formation. Any additional costs will therefore be determined on a case-by-case basis.

Pilot program timeline

The SDRP pilot program will run from April 2018 through to April 2019. Feedback from participants measuring the efficacy of the program will be sought throughout the pilot period to determine the potential for an ongoing program of design review for State Significant projects.

Guidelines for project teams participating in the SDRP program are available on our website: ga.nsw.gov.au

Design Review in Australia

The Government Architects' Network of Australia (GANA), has anticipated how important design will be to achieve high performance built environments and infrastructure in our country. This is why GANA as a network has committed to supporting a Design Review model that is conceived to respond to our national and state policies and which provides a consistent way of promoting good quality design.

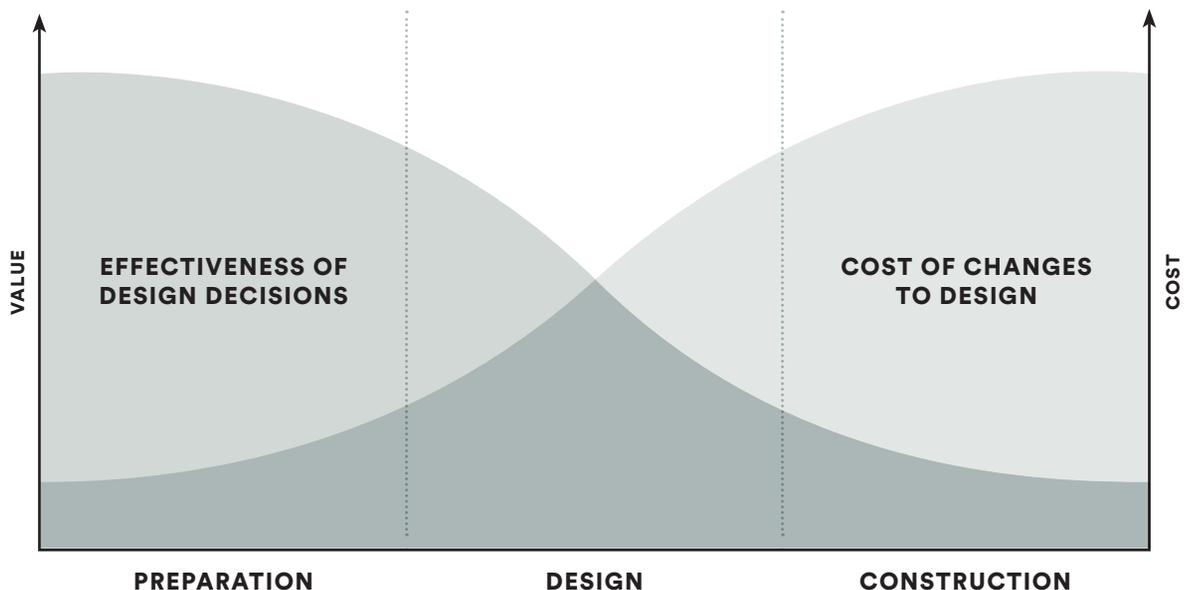
Demand for design review is on the rise across Australia, with state-based design review panels operating in Victoria and South Australia since 2011, as well as being proposed for adoption in Western Australia and the Australian Capital Territory, based on successful pilot programs. At the same time, similar panels have proliferated at a local government level, leading to some inconsistencies in the status, scope and approach to providing advice.

Processes like design review enable governments – across all three levels - to develop and test opportunities for delivering high performance built environment and infrastructure outcomes.

In Victoria, 65% of survey respondents “agreed the [Design Review] panel process improved the confidence of decision-making authorities in relation to project approval.

— Office of the Victorian Government Architect, Victorian Design Review Panel: Key Achievements 2012-2014.

Design review is most effective when undertaken early in the life of a project when design changes are less costly, both in terms of time and money. (Adapted from the Office of the Victorian Government Architect diagram)



Design objectives for NSW

Seven objectives define the key considerations in the design of the built environment.



Better fit
contextual, local
and of its place



Better performance
sustainable, adaptable
and durable



Better for community
inclusive, connected
and diverse



Better for people
safe, comfortable
and liveable



Better working
functional, efficient
and fit for purpose



Better value
creating and
adding value



Better look and feel
engaging, inviting
and attractive

The role of the Government Architect is critical in helping deliver good design and planning outcomes across all projects in NSW. This strategic advisory role provides an opportunity to work across government, the private sector and the community to improve social, environmental and economic outcomes for NSW and its communities.

The Government Architect is charged with championing the Better Placed initiatives and supporting government agencies and local government to create and deliver high quality architecture and design outcomes.

Find out more
ga.nsw.gov.au