Local Design Review Code Amendment

Section 121 of the *Planning, Development and Infrastructure Act 2016* (the Act) enables the Minister for Planning and Local Government (the Minister) to establish a design review scheme, where a person who is considering undertaking types of development specified in the Planning and Design Code (the Code) may apply to a design panel for design advice.

In February 2021, the Minister approved the Local Design Review Scheme to come into effect on 1 July 2021. This followed extensive public consultation on the draft Scheme that occurred in 2020.

The Local Design Review Scheme provides a consistent state-wide approach for councils to establish their own design panels and provide Design Review for locally assessed development proposals.

The proposed Local Design Review Code Amendment is now required to give effect to the Scheme by enabling councils to specify classes of development to be eligible for Local Design Review in their area. This process of specifying eligible classes of development would occur when a council registers under the Local Design Review Scheme. Proponents of the eligible classes of development will then be able to apply to that council to participate in Local Design Review.

Section 2.3 of the Scheme details the registration process for councils. Specifically, section 2.3.4 of the Scheme requires that an application for registration be made to the Chief Executive in the approved form and include any specified information. It is proposed that this registration form include a method for councils to specify their eligible classes of development. A list of development classes that the Chief Executive may consider would be provided to help guide participating councils when making their selection.

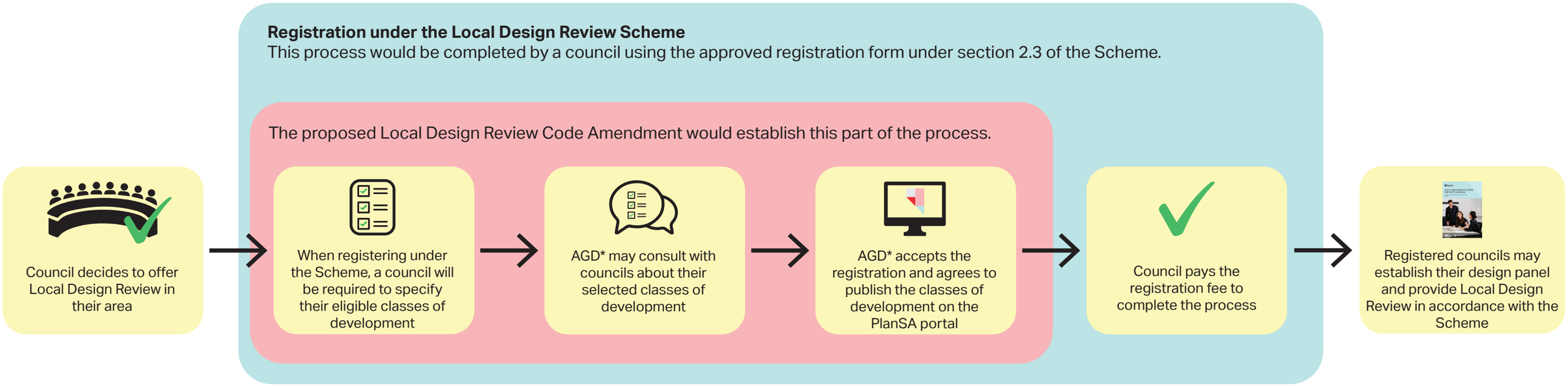
The process map below illustrates the process that would be established by the proposed Local Design Review Code Amendment.

The proposed Code Amendment provisions are provided below.

(1) Development within the ambit of subclause (2) is specified as a class of development for the purposes of section 121(1) of the Act.

(2) Development that is—
- *(a) within the area of a council that has determined to make design review available in its area by participating in the scheme determined by the Minister for the purposes of section 121 of the Act; and*
- *(b) a form of development that is—*
  - *i. either restricted development or performance assessed development that has been selected by the council as a class of development for the purposes of this clause; and*
  - *ii. specified by the Chief Executive by a notice published on the SA planning portal for the purposes of this clause.*

(3) A council may from time to time vary the classes of development applying in its area under this clause by a further notice published by the Chief Executive on the SA planning portal at the request of the council.



*AGD: Attorney-General's Department

OFFICE FOR DESIGN + ARCHITECTURE SA