



# Frequently Asked Questions



## Local Design Review Code Amendment

### **Q    What is 'Design Review'?**

**A** Design Review in South Australia is a pre-lodgement service that supports high-quality design outcomes, improves access to independent design expertise and assists with informed decision-making during development assessment.

During Design Review, an independent panel of built environment experts review the design quality of a development proposal before it is lodged for assessment. The role of a Design Review panel is not to redesign development proposals, but rather to identify and discuss opportunities to encourage high-quality design with the proponent.

Design Review provides proponents with the opportunity to obtain independent design advice from the panel to assist with design development. The design advice is also provided to the relevant authority for consideration during development assessment.

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### **Q    What is the purpose of the Local Design Review Scheme?**

**A** 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 Scheme aims to:

- support high-quality design
  - improve access to independent and expert design advice early in the planning and design process
  - support consistent and informed planning decisions
  - facilitate collaboration between allied professionals
  - support the planning system to meet objects and principles in the *Planning, Development and Infrastructure Act 2016*.
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**Q    What is the purpose of the Local Design Review Code Amendment?**

**A** The proposed Local Design Review Code Amendment seeks to amend the Planning and Design Code to give effect to the Local Design Review Scheme.

The proposed Amendment would enable a council to specify certain classes of development to be eligible for Local Design Review in their area. This process would occur when that council registers to participate in the Scheme.

Proponents of the eligible classes of development will then be able to apply to the council to participate in Local Design Review and seek design advice on their development proposal.

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**Q    What can I influence by providing feedback on the Local Design Review Code Amendment?**

Your feedback can influence the provisions that are proposed for inclusion in the Planning and Design Code.

Providing feedback on this Code Amendment will not influence:

- the Local Design Review Scheme, including any associated operational matters
- the Principles of Good Design as they appear in the Scheme and in the State Planning Policies
- any further amendments to the *Planning, Development and Infrastructure Act 2016*, Planning and Design Code or Scheme other than those proposed in this consultation.

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**Q    Once the Code Amendment is endorsed, will the Local Design Review Scheme be mandatory?**

**A** Local Design Review under the Scheme will be optional for councils to make available and voluntary for proponents to participate in.

This is consistent with section 121(2) of the *Planning, Development and Infrastructure Act 2016*, which states that 'a person who is considering the undertaking of development to which this section applies may apply to a design panel for advice'.

Mandatory Local Design Review is not currently being considered.

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**Q     How much will Local Design Review cost?**

**A** The costs associated with Local Design Review will vary between councils, independent providers and proponents.

There are two fees in relation to the Local Design Review Scheme that are set by the State Government. These are the registration fee (for councils and independent providers) and the proponent application fee, which were published in the Government Gazette on 3 June 2021 (No. 40, pp. 2051-2070).

**Registration fee**

Section 2.3.4(d) of the Scheme requires participating councils and independent providers to pay a fee when they register to establish a design panel and upon renewal (three-yearly).

This fee has been set as:

- \$550 for councils (including groups of two or more councils)
- \$320 for independent providers

This fee will be used by the State Government to cover the cost of training council staff and design panel members in order to undertake Local Design Review. It also covers the provision of guidance material, including forms and templates that will be maintained and updated by the Office for Design and Architecture SA.

**Proponent application fee**

Section 121(3)(c) of the PDI Act provides participating councils with the opportunity to charge proponents to participate in Local Design Review as a method of cost recovery.

This fee has been set as:

- \$100 plus the reasonable costs of the design panel to provide advice on the application

Criteria that may assist councils to determine the 'reasonable costs' could include:

- panel member remuneration
- the number of panel members engaged per Design Review session
- how many times the panel meet in relation to one development proposal
- the complexity of the development proposal.

Some councils may wish to consider waiving all or part of this fee in order to encourage proponent participation in Local Design Review.

**Ongoing costs**

Ongoing operational costs would be set and managed by each council and independent provider. This would include paying panel members for their time spent undertaking Design Review and preparing design advice.

**Q    Will Local Design Review apply to 'deemed to satisfy' proposals?**

- A    No. The provisions proposed in the Local Design Review Code Amendment would limit eligibility to forms of development that are classified as 'restricted' or 'performance assessed'.
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**Q    How do I apply to participate in the Local Design Review Scheme once the Code Amendment is endorsed?**

- A    If you are a council or independent provider interested in providing Local Design Review, please contact the Office for Design and Architecture SA who will assist you with registration.

If you are a proponent interested in applying to participate in Local Design Review, the service will need to be available in the area where you wish to undertake development. If you are not sure, you may wish to contact your local council to discuss the service and the potential for it to become available.

Please note that registering under the Scheme and applying to participate in Local Design Review will only be available once the Local Design Review Code Amendment is adopted.

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**Q    Will guidance material be available to help me learn more?**

- A    Yes, a comprehensive Guide and training program will be provided to staff from participating councils and design panel members. The Guide will contain helpful information and templates to ensure the Scheme is well established from the outset, able to meet demand and is delivered consistently across the state.
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