

Joondalup Design Review Panel Local Planning Policy

Responsible Directorate: Planning and Community Development

Objective: To outline the role of the Joondalup Design Review Panel and planning proposals to be considered.

1. Authority:

This policy has been prepared in accordance with Schedule 2, Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* which allows the local government to prepare local planning policies relating to planning and development within the Scheme area.

2. Application:

This policy applies to planning proposals in the City of Joondalup as outlined in this Policy.

3. Definitions:

“**planning proposal**” means an application or proposal intended to become an application for consideration against the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* or *Local Planning Scheme No. 3*.

4. Statement:

The City of Joondalup recognises the importance of assessing design quality and outcomes as part of the planning process. The Joondalup Design Review Panel provides independent performance-based design advice to inform planning decisions on large scale planning proposals. This advice is used to assist applicants in refining and enhancing the design of planning proposals and to inform planning decisions. The aim of the design review is to ensure that large scale planning proposals are designed to have a greater positive impact on their locality and maximise their contribution to the built environment.

5. Details:

5.1. Role and purpose of the Design Review Panel

- a. To provide independent, impartial, expert advice on the design quality of eligible planning proposals to developers, local government officers and decision makers.
- b. The Joondalup Design Review Panel is advisory only, with no decision-making function.

5.2. Proposals to be referred to the Design Review Panel

5.2.1. Referral prior to the lodgement of a planning proposal:

- a. A planning proposal that meets one or more of the following criteria is required to be referred to the Design Review Panel:
 - i. All Multiple Dwelling developments;
 - ii. Grouped Dwelling developments of five or more dwellings;
 - iii. New commercial and/or mixed use developments, excluding additions to existing buildings that due to their scale do not significantly impact the street or adjoining properties as determined by the City;
 - iv. Mandatory Joint Development Assessment Panel proposals, excluding applications for site works and/or infrastructure;
 - v. Optional 'opt-in' Joint Development Assessment Panel proposals, excluding additions to existing buildings that do not significantly impact on the street or adjoining properties as determined by the City;
 - vi. Any amendment to a Joint Development Assessment Panel approval, which would benefit from a review by the Design Review Panel as determined by the City.
- b. The following planning proposals may be referred to the Design Review Panel where it is determined by the City that they will benefit from design review:
 - i. Structure plan (new or amendment to)
 - ii. Activity centre plan (new or amendment to)
 - iii. Local development plan (new or amendment to)
 - iv. Local planning policy (new or amendment to)
 - v. Amendment to *Local Planning Scheme No. 3*
- c. Proposals to be referred to the Design Review Panel in accordance with 5.2.1 shall be at the applicant's cost, unless the proposal is being prepared by the City. The fee is included in the City's *Schedule of Fees and Charges*.
- d. Pre-lodgement matters to be referred to the panel must be provided to the City a minimum of three weeks prior to the next scheduled meeting of the panel to allow for pre-assessment of the proposal by the City.
- e. Pre-lodgement referrals shall include all items listed on the associated Application for Development Approval Checklist, excluding relevant Development Application forms and Development Application fees.

5.2.2. Referral after lodgement of a planning proposal:

- a. Planning proposals listed under 5.2.1. will be referred to the Design Review Panel where it meets one or more of the following criteria:
 - i. The planning proposal was not referred prior to lodgement;
 - ii. The planning proposal is substantially different from that previously referred to the Design Review Panel prior to lodgement and has not responded to the recommendations from the Design Review Panel, as determined by the City;
 - iii. The planning proposal has not adequately addressed the recommendations from the Design Review Panel and would benefit from further review, as determined by the City;
- b. Other planning proposals may be referred to the Design Review Panel where it is determined by the City that they would benefit from review.
- c. Planning proposals required to be referred to the Design Review Panel under 5.2.2a. shall be at the developers cost, unless being prepared by the City. The fee is included in the City's *Schedule of Fees and Charges*.
- d. Information submitted as part of a condition of development approval may be referred to the Panel Chairperson or delegate to ensure the design quality of the proposal is maintained

5.3. Matters to be considered by the Design Review Panel

- a. In providing any advice and recommendations, the Design Review Panel shall consider design matters relating to:
 - i. The relevant planning framework
 - ii. The 10 Design Principles provided in *State Planning Policy 7: Design of the Built Environment*.

5.4. Operation of the Design Review Panel:

The Design Review Panel shall operate in accordance with the Joondalup Design Review Panel Terms of Reference endorsed by Council.

Creation Date: October 2020

Amendments: Not applicable

Related Documentation:

- *Local Planning Scheme No. 3*
- *Joondalup Design Review Panel Terms of Reference*
- *Schedule of Fees and Charges*

JOONDALUP DESIGN REVIEW PANEL TERMS OF REFERENCE

1. DEFINITIONS

Council	Council of the City of Joondalup
Financial interest	has the same meaning as the <i>Local Government Act 1995</i> .
Panel	means the Joondalup Design Review Panel.
Planning proposal	means an application or proposal intended to become an application for consideration against the provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or <i>Local Planning Scheme No. 3</i> .
Proximity interest	has the same meaning as the <i>Local Government Act 1995</i> .

2. ROLE OF THE PANEL

The role of the panel is:

- To provide independent, impartial, expert advice on the design quality of eligible planning proposals to developers, local government officers and decision makers.
- To be advisory only, with no decision-making function.

3. MATTERS TO BE CONSIDERED

Planning proposals to be considered by the panel are as outlined in the *Joondalup Design Review Panel Local Planning Policy*.

4. STATUS OF ADVICE

The panel is advisory only and does not have a decision-making function. The panel advises on the design quality of proposals with reference to the ten design principles from *State Planning Policy 7: Design of the Built Environment* as well as the local planning framework. Decision makers will have due regard to the design review advice and recommendations in making a decision on a planning proposal.

5. MEMBERSHIP

5.1 The Chief Executive Officer or their delegate shall be the Presiding Member of the panel meetings.

5.2 The panel pool shall comprise a maximum of 10 other members with appropriate skills and qualifications and substantial experience in one or more of the following:

- Architecture
- Landscape architecture
- Urban design
- Sustainability and environmental design
- Planning
- Transport planning
- Accessibility
- Civil and/or structural engineering

5.3 Members of the panel shall be registered with their respective professional bodies.

5.4 One member of the panel shall be the Chairperson for the purpose of leading the design discussion and providing the final design advice to the City. A Deputy Chairperson shall also be selected from the panel to lead the design discussions where the Chairperson is absent from a meeting.

5.5 An Elected Member of the City is not eligible for appointment as a member of the panel.

5.6 With the exception of the Presiding Member, City officers are not eligible to be members of the panel.

5.7 Terms of Appointment

Appointments to the panel shall be by a decision of Council following public advertising seeking formal Expressions of Interest (EOI).

Council may appoint a pool of up to 10 persons to serve on the panel, however each panel meeting shall comprise a maximum of six members.

Membership is for a two-year period in line with Council elections. After this two year term, all individuals must stand down. The process of appointment for the subsequent two year period will follow Council elections. Members can serve more than one term.

5.8 All members are required to abide by the City of Joondalup Code of Conduct.

6. ROLES AND RESPONSIBILITIES

6.1 Presiding Member

The Presiding Member is responsible for:

- The administration of the panel meetings;
- Inducting panel Members and briefing them regarding panel operations;
- Setting and communicating the meeting agenda;
- Circulating the draft minutes to the panel Chairperson for review;
- Circulating the final comments that result from the design review to the owner and proponent.

6.2 Panel Chairperson

The panel Chairperson is responsible for:

- Leading the design review discussion;
- Facilitating interactive and collaborative discussion and participation of all parties, including all panel members;
- Reviewing meeting minutes and liaising with other panel members in order to provide a final set of design advice to the City following each panel meeting.
- Briefing decision-makers through the preparation of a briefing note and/or attendance at the State Administrative Tribunal where a matter is referred for consideration, as required.

6.3 Panel Members

The panel members are responsible for:

- Attending meetings when required;

- Providing design advice which aligns with the state and local planning framework; and
- Reviewing minutes and providing feedback to the panel Chairperson on the design advice when required.

7. MEETINGS

7.1 Meetings of the panel shall be convened monthly, or as required. Where no proposals are required to be considered by the panel in any given month, the meeting shall be vacated.

7.2 Additional meetings may be convened by the City, where more planning proposals are received than can be considered by the panel at a scheduled meeting, in order to meet report deadlines for Council or Development Assessment Panel meetings.

7.3 Panel members for each meeting shall be selected based on the expertise required for the proposals being considered at a particular meeting. The Presiding Member shall determine the final panel members to attend each meeting.

7.4 A panel meeting cannot proceed unless there is a quorum of four panel members.

7.5 The City shall prepare an agenda for the panel meeting, including:

7.5.1 Preliminary assessment of the proposal against the relevant statutory framework; and

7.5.2 An indication of aspects of the proposal requiring comments from the panel.

The agenda shall be distributed to all panel members at least five working days prior to the panel meeting.

7.6 Meetings are not open to members of the public (excluding proponents).

7.7 Minutes summarising the agreed actions, and relevant comments and recommendations from the panel are to be prepared by the City, reviewed by the panel Chairperson and provided to the applicant within 10 working days of the meeting occurring.

7.8 Conflict of interest

If a member has an interest in the matter on receipt of the agenda for a meeting, then that member is required to declare the interest prior to the forthcoming meeting so that it can be noted. Where appropriate and possible, alternative panel members may be appointed for the meeting.

Any member that has a financial or proximity interest in a matter shall excuse themselves from the meeting room and not participate in the consideration of that item during the meeting.

7.9 Panel members who are regularly unavailable to attend panel meetings or are unable to complete the term of appointment may be replaced at the discretion of Council.

8. REMUNERATION

8.1 All panel members are to invoice the City for their attendance at meetings.

8.2 The panel members are to be paid in accordance with the City's *Schedule of Fees and Charges*.

8.3 The Presiding Member will not be remunerated for attendance.

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Criteria	State Government Design Review Guide	Current Joondalup Design Reference Panel	Proposed Joondalup Design Review Panel	Comments
Application types	<p>Mandatory review:</p> <ul style="list-style-type: none"> Commercial development (DAP threshold) Multiple dwellings of 10 or more Activity Centre Plans and structure plans. <p>Optional LG review:</p> <ul style="list-style-type: none"> <i>Commercial development (under DAP threshold)</i> <i>Multiple dwellings <10</i> <i>Commercial development (low threshold)</i> <i>Detached grouped dwelling</i> <i>Other as determined</i> 	<p>Mandatory review:</p> <ul style="list-style-type: none"> All new building development in City Centre, except single houses, grouped dwellings and multiple dwellings of less than 10. Major extensions existing buildings in city centre that impact the streetscape. Multiple dwellings and grouped dwellings of five or more. New commercial and mixed use buildings. <p>Other development that has potential to impact streetscape or as determined by the Director.</p>	<p>Mandatory review:</p> <ul style="list-style-type: none"> Multiple dwellings Grouped dwellings of five or more. New commercial or mixed use buildings, excluding additions to existing buildings that are not considered to impact on the street or adjoining properties. All mandatory DAP applications, excluding applications for site works. All opt-in DAP applications, except extensions to existing buildings that do not impact on the street. <p>Optional review:</p> <ul style="list-style-type: none"> Structure plans, activity centre plans, local development plans, policies and scheme amendments that are considered to benefit from design review. Other planning proposals where determined appropriate by the City. Information submitted as part of a condition of planning approval (e.g. a schedule of colours and materials) may be referred to the Panel Chairperson or delegate. Amendments to an approved application that falls within the above list where those amendments are considered to significantly alter the development. 	<p>The types of applications to be referred to the panel is proposed to be expanded to better align with the Design Review Guide.</p>
Number of meetings	<p>Three meetings:</p> <ul style="list-style-type: none"> Pre-lodgement Post lodgement Building permit stage 	<p>One meeting – post lodgement.</p>	<p>One meeting – pre lodgement.</p> <p>Possible subsequent meeting post lodgement where:</p> <ul style="list-style-type: none"> the submitted proposal differs greatly from what was reviewed by the panel and the changes are not in response to feedback provided. The planning proposal was not referred pre-lodgement. The planning proposal in the opinion of the City would benefit from further review. 	<p>Proposed to require mandatory pre-lodgement referrals of applications, with the possibility to be referred post-lodgement in certain circumstances.</p> <p>Rather than an application being referred at the building permit stage, it is recommended that the option be included in the policy to allow for information submitted as part of a planning condition (eg. schedule of colours and materials or landscaping plan), be reviewed by the panel to ensure the integrity of feedback provided by the panel has been carried through to the development stage.</p>
Meeting cycle	<p>At discretion of local government – fortnightly, monthly, quarterly</p>	<p>Monthly. Additional meetings able to be scheduled as required.</p>	<p>Monthly. Additional meetings able to be scheduled as required.</p>	<p>Recommended that the current meeting cycle be maintained.</p>

Criteria	State Government Design Review Guide	Current Joondalup Design Reference Panel	Proposed Joondalup Design Review Panel	Comments
		Monthly meeting may be vacated where there are a no items for review.	Monthly meeting may be vacated where there are a no items for review.	
Panel membership	<p>Include representatives with expertise in:</p> <ul style="list-style-type: none"> • Architecture • Landscaping • Urban design • Heritage • Sustainability and environmental design • Accessibility • Transport planning • Planning • Public art • Civil and/or structural engineering <p>Quorum: Not less than 4 but no more than 6 members.</p>	<p>Chairperson: CEO or nominee</p> <p>1 x member of Australian Institute of Architects</p> <p>1 x member of Planning Institute of Australia</p> <p>1 x member of Australian Institute of Landscape Architects</p> <p>Quorum: 3</p>	<p>Presiding member: CEO or nominee</p> <p>Chairperson: Technical member</p> <p>Include representatives with expertise in:</p> <ul style="list-style-type: none"> • Architecture • Landscape architecture • Urban design • Sustainability and environmental design • Planning • Transport planning • Accessibility • Civil and/or structural engineering <p>Each meeting to include members appointed by Council, with the expertise selected for each meeting able to vary depending on the type of applications that are to be reviewed.</p> <p>Quorum: 4.</p>	<p>It is recommended that the panel membership be expanded to better reflect the model of the Design Review Guide. This will provide flexibility in ensuring the relevant expertise is provided relative to the nature of application that is being reviewed.</p>
Panel member fees	<p>Office of Government Architect recommends:</p> <ul style="list-style-type: none"> • Members \$200 - \$250 per hour up to a maximum of 3 hours per meeting with up to 60 mins paid preparation time for each review. • The Chair is remunerated at a higher rate, typically \$250 - \$300 to a maximum of three hours for the meeting (duration capped) plus one hour for preparation, plus the time taken to review minutes and clarify elements with other panel members, plus allowances for attendance at DAP/Council meetings. 	<p>\$750, being a \$250 fixed fee for technical panel members.</p>	<p>Typically, \$1,700 per meeting being:</p> <p>Chairperson: \$500</p> <p>Other panel members (three members): \$400 each.</p>	<p>It is proposed to increase the cost of panel member fees to reflect the current market rate for panel members.</p> <p>The proposed Panel member fees are comparable to other local governments (refer to report).</p>
Meeting format	<p>Overview from City staff and panel pre-discussion (10 minutes)</p> <p>Welcome and introductions (2 minutes)</p> <p>Applicant presentation (10 minutes)</p> <p>Panel questions (5 minutes)</p> <p>Panel discussion (10 minutes)</p>	<p>Overview from City staff and panel pre-discussion (5 minutes)</p> <p>Applicant presentation (10 minutes)</p> <p>Panel questions/discussion (15 minutes)</p>	<p>Overview from City staff and panel pre-discussion (5 minutes)</p> <p>Welcome and introductions (2 minutes)</p> <p>Applicant presentation (10 minutes)</p> <p>Panel questions (5 minutes)</p> <p>Panel discussion (10 minutes)</p>	<p>Proposed to adopt the meeting format outlined in the Design Review Guide.</p>

Criteria	State Government Design Review Guide	Current Joondalup Design Reference Panel	Proposed Joondalup Design Review Panel	Comments
	Chairperson confirms advice and recommendations (3 minutes)		Chairperson confirms advice and recommendations (3 minutes)	
Meeting Agenda and Minutes	<p>Agenda: Templates provided to give basic overview of development.</p> <p>Minutes: Feedback from the panel collated against the 10 design principles of SPP7 and recommendations provided.</p>	<p>Agenda: Report on each development proposal includes overview, background, key assessment details and summary of issues.</p> <p>Minutes: Summary of all feedback received from the panel members with limited structure against the current planning framework.</p>	<p>Agenda: Maintain current agenda format</p> <p>Minutes: Adopt Design Review Guide format to collate panel feedback and provide minutes as an attachment to Council and JDAP reports.</p>	<p>Proposed to maintain the City's current report agenda and templates as this provides greater context and assessment of the proposal, giving valuable information to panel members ahead of the meeting.</p> <p>Proposed to adopt the style of minutes in accordance with the Design Review Guide as it aligns with <i>State Planning Policy 7.0 – Design of the Built Environment</i>.</p>
Applicant cost	\$0, although acknowledges that local governments may need to fund their panel.	\$0	<p>\$575 for pre-lodgement</p> <p>\$1,150 for post-lodgement where not previously referred.</p> <p>\$575 for subsequent referrals</p>	It is proposed to introduce a fee for design review to assist with the costs of operating the panel.
Timeframes, minutes etc.	Recommended within 10 working days	No set timeframe but is generally within 5-10 business days.	Minutes to be finalised and feedback provided to the applicant within 10 working days.	Proposed to formalise the timing for minutes to be consistent with the Design Review Guide recommendation of 10 working days.