

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 7.0: 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, reviewing minutes, providing the final design advice to the City and briefing decision-makers where required. A Deputy Chairperson shall also be selected from the panel to undertake the roles and responsibilities of the Chairperson where the Chairperson is unable to fulfil their roles and responsibilities.

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.

5.9 Members are precluded from participating in State Administrative Tribunal matters on behalf of an applicant in instances where the City of Joondalup (or its representative) is the respondent or involved in the matter in some other capacity.

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 Deputy Chairperson

The panel Deputy Chairperson is responsible for undertaking the roles and responsibilities of the panel Chairperson in instances where the panel Chairperson is unable to fulfil their roles and responsibilities.

6.4 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 per meeting as follows:

8.2.1 Panel Chairperson: \$500

8.2.2 Panel members: \$400

Attendance of panel members at the State Administrative Tribunal is subject to a mutually agreed hourly rate.

8.3 The Presiding Member will not be remunerated for attendance.

Joondalup Design Review Panel (JDRP)

Nomination Form

The City is seeking expressions of interest for membership of the Joondalup Design Review Panel (JDRP).

The purpose of the JDRP is to provide independent performance-based design advice to inform planning decisions on a variety of planning proposals. This advice is used to assist applicants in refining and enhancing the design of planning proposals and to inform planning decisions.

Design advice will need to consider the relevant planning framework and the 10 Design Principles as provided in *State Planning Policy 7.0: Design of the Built Environment*.

To nominate, please complete the nomination form below.

Note: Prospective nominees must ensure they have read and agree to the Terms of Reference before applying. The Terms of Reference is provided with this nomination form.

For further information, please contact Planning Services on 9400 4100 or via email at info@joondalup.wa.gov.au

Your Details:
Note: This information will be treated as confidential and will not be published in any document or report on the outcomes of the consultation.
Name:
Occupation/Profession:
Address:
Suburb:
Phone:
Mobile:
Email:
<input type="checkbox"/> I am a member of, or eligible for, registration with an appropriate professional body or organisation in Western Australia
<input type="checkbox"/> I have appropriate qualifications and demonstrated expertise in my professional body (Please provide copies of relevant qualifications)
I have read, understood and agree to the Terms of Reference associated with the Joondalup Design Review Panel.

Addressing the Selection Criteria
Please complete the selection criteria below to outline your suitability to become a panel member of the Joondalup Design Review Panel.
Please demonstrate your expertise in design review, design critique or the provision of strategic advice on design quality issues:
Please demonstrate your knowledge or understanding of the State’s Planning Framework, relevant City of Joondalup policies, development controls and design issues in the local area:
Why do you believe you are suitable for a position on the Joondalup Design Review Panel?

Please submit your nomination form by the closing date of **to be confirmed**

Thank you for nominating for the Joondalup Design Review Panel.

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 	One meeting – post lodgement.	<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	At discretion of local government – fortnightly, monthly, quarterly	Monthly. Additional meetings able to be scheduled as required.	Monthly. Additional meetings able to be scheduled as required.	Recommended that the current meeting cycle be maintained.

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.

JOONDALUP DESIGN REFERENCE PANEL – COMMUNITY CONSULTATION SUBMISSIONS		
Policy element	Submitters Comment	City Comment
Objective	<ul style="list-style-type: none"> Consider including in objectives a point to ensure that advice is consistent with objectives and intent of City's policies and strategies. 	<ul style="list-style-type: none"> Covered within Part 4 of the Terms of Reference which references consideration of the local planning framework.
3 Definitions	<ul style="list-style-type: none"> The planning proposal should include the composition of the design review panel, how members are appointed, qualifications of members, how much they are paid, how often they meet. 	<ul style="list-style-type: none"> Included within the terms of reference.
5.1 Details	<ul style="list-style-type: none"> Expand definitions of "Independent", "Advisory" and "Impartial". Expert advice needs to be in context of COJ and its communities. Suggest inclusion of paragraph that the DRP is purely advisory, comments are not binding and are provided on a without prejudice basis. Suggest inclusion of matters to be considered by panel that the DRP does not report on compliance with the scheme however may be requested to examine proposals against the background of the provisions of LPS3, the regs and LPP's. 	<ul style="list-style-type: none"> Further clarification would be superfluous. Both the draft LPP and Terms of Reference make clear that the JDRP provides independent performance based advice to assist in refining and enhancing the design of proposals and informing planning decisions. Reference to Local Planning Framework under 'Matters to be considered' is enough in ensuring that the panel examines proposals against the background of LPS3 and relevant LPP's.
5.2 Proposals to be referred to the Design Review Panel	<ul style="list-style-type: none"> The draft LPP contains some provisions which are not aligned to the prevailing approaches used by other local governments and the intent advocated by the WAPC's Design Review Guide in terms of proportionality and design thresholds. Multiple Dwellings – WDRP trigger is for >10 dwellings. The draft LPP proposes all multiple dwellings – further consideration should be given to: <ul style="list-style-type: none"> What scale or complexity of development warrants independent design advice to achieve better outcome (i.e. a 2 dwelling maisonette typology may not benefit proportionate to the time and cost involved) The intended benefits of the WAPC's Medium Density policy which will provide guidance to smaller scale MD proposals which will be instructive and may obviate the need for DRP referral. Grouped dwelling referrals of >5 dwelling being referred is not supported given that: <ul style="list-style-type: none"> MD Policy is likely to avoid some of the poor outcomes which currently occur with MD policy will require additional consideration to internal amenity. The DRP process will have limited value given the DTC arrangements will satisfy design principles and that proponents are likely to seek DTC solutions. Recommend trigger for Grouped dwellings be >10 dwellings with the proviso being that in some circumstances, where local context dictates lower development yields may have a greater potential to impact existing amenity, then a grouped dwelling of between 5-10 dwellings be referred. Proposals to be referred are broad and cover all the suitable types of proposals for review. We are particularly encouraged to see structure plans, activity centre plans, LDP's, LPP's and relevant scheme amendments are included. Recommend adding in "Any proposal which would benefit from a review by the JDRP as deemed appropriate by the Planning Director or Manager" – consideration would need to be given to who pays in this instance. 	<ul style="list-style-type: none"> The types of planning proposals to be presented to the panel have been included as part of the strategy by Council to better manage the impacts of urban infill within Housing Opportunity Area's. The thresholds add greater integrity to the approval process which has been subject to criticism by the community within HOA's. The draft Medium density policy is currently out for consultation until the 16 April 2021. It is considered that once adopted and used as an assessment tool, the City will be in a better position to gauge whether the policy provides better built form outcomes to warrant a change to the types of DA's referred. Section 5.2.2.b. refers to referral after lodgment of "other planning proposals that may be referred to the Design Review Panel where it is determined by the City that they would benefit from review."
5.2.1.c. and 5.2.2.c. Introduction of fee for presentation to the panel	<ul style="list-style-type: none"> Cost of the operation should be met by the applicant. As there appears to be assumptions on costs, we would like to see a review of the fee structure in 12 months. Abbreviated DRP process for Grouped or Multiple Dwellings up to 3 storeys, under ten units, with a smaller panel and reduced costs in the order of 60% of a full panel review. A combined DRP panel with Wanneroo for example may facilitate timely scheduling of meeting and applications. Design review processes should be centrally funded with no cost to proponents. 	<ul style="list-style-type: none"> Fees are proposed to be included within the Schedule of Fees and Charges and can be reviewed annually through budget preparation. An abbreviated DRP process would require partial costs to be covered by the City. Introduction of fees in other local government panels has still seen the operation of successful design review.

	<ul style="list-style-type: none"> Typically full and partial cost-recovery models detract from the success of the process as any additional cost is a disincentive and works against early engagement. 	
Other		
Remuneration	<ul style="list-style-type: none"> The draft LPP does not specifically reference remuneration, however note from Council agenda that the City aims to increase remuneration with is encouraged as it will improve the likelihood that experienced, and appropriately skilled reviewers will nominate. We would caution against a set fee as for remuneration as this can result in either underpayment or overpayment. Recommend the chair remuneration include additional time for assisting to finalise reporting for each review. 	<ul style="list-style-type: none"> Proposed remuneration fees have been included within the Terms of Reference. Remuneration fees are intended to be reviewed in 2023 following completion of the two-year appointment and adjusted at that time prior to further expression of interest processes undertaken. Should the expression of interest process identify concerns from potential panel members with regard to remuneration, the City and Council may be able to review and amend the terms of reference as appropriate.
Panel membership	<ul style="list-style-type: none"> Details on the composition and legibility for membership should be included in the policy for the sake of good governance and transparency. Responsibilities should be detailed. There should be an independent non-industry person who is responsible for ensuring that assessments are on balance for the “public good” considering the context and environs within which they are being proposed. The full EOI process that the City aims to undertake will have greater capacity to appoint and effective Design Review Panel. Consideration should be given to stipulating members that are always required for assessment. Shouldn't limit the maximum amount of members. There should be a limit to the number of terms a panelist may sit. The Joondalup Design Review Panel should include an expert in the field of road safety and traffic impacts to ensure that the City's Towards Zero Road Safety Action Plan is adhered to as well as Clause 67(t) of the Planning and Development (Local Planning Schemes) Regulations 2015 which indicates that due regard should be given to the amount of traffic likely to be generated by developments, particularly in relation to the capacity and safety of the road network in the locality and probable effect on traffic flow and safety. 	<ul style="list-style-type: none"> Details on legibility is contained within the Terms of Reference. Panel members are required to have an understanding of the local planning framework and design issues within the local area. Given remuneration expenses a maximum number of panel members is required. Terms a panel member can sit is not proposed to be mandated and multiple terms should not impact on the level of advice provided. Panel members are being sought through the expression of interest process in the area of transport planning.
Conflicts of Interest	<ul style="list-style-type: none"> Concern regarding to what extent independent advice can be provided given the nature of the planning and development industry in Perth. Members should also be retired from their respective professions so they are not afraid to make recommendations that could offend people that could negatively affect their job or business. Measures must ensure that the “expert” is not compromised in some way or may have a perceived or real conflict of interest on the matter. There is an in-built propensity for bias towards supporting rather than refusing developments. Modify COI to ensure alternate panel members are appointment if there is a COI. A panelist of the JDRP may not appear as a witness on behalf of a proponent at any third party tribunals or committees to ensure advice is independent of any COI at a subsequent third party tribunal or arbitration. 	<ul style="list-style-type: none"> Recommendations made by the panel are done so subject to the code of conduct, with any interest in a matter declared, allowing them to participate to the extent that the interest allows them to remain partial. The terms of reference have been modified to include reference to participation of panel members at the State Administrative Tribunal.
Meetings	<ul style="list-style-type: none"> Consideration ought to be given to mandating certain so-called categories of “expertise” as being present at meeting of these panels. For buildings then the architect is essential: qualified with the appropriate level of experience. Critical expertise ought to be mandated as being present, on a category by category basis. Meetings should be open to the public for openness and transparency. Suggested increases to allocated time slots within meeting of the panel. Those most aggrieved by proposals should be allowed to address the panels...consider a proposal not only from the proponent's perspective but also from third parties affected by them. 	<ul style="list-style-type: none"> The Presiding Chair will determine what panel members are required for each meeting. Mandating this may result in attendance of unnecessary panel members. It is noted however that certain areas of expertise may be called upon more often than others. Meetings are closed to the public to ensure commercial confidentiality is maintained. Consultation allows for community participation in relation to a proposal. Allocated time slots as outlined within the design review guide and comparison table (Attachment 4) are a guide only and are not required to be strictly adhered to.
Review	<ul style="list-style-type: none"> Panels have operated since 16 June 2009 so there ought to be a body of evidence to be able to properly assess the merits or otherwise of these panels. Are they in existence because they provide a mechanism to achieve outcomes that would not be justified otherwise? 	<ul style="list-style-type: none"> The JDRP has operated since 2009, and in 2020 alone provided advice on over 25 planning proposals.

	<ul style="list-style-type: none"> • Within the policy there ought to be a commitment to an independent review of the process and outcomes to ensure that it is working not only for the benefit of the applicant but also for the community as a whole. • It would be good to have observational evidence that trust in regards to the make-up, process and advice of the panels is founded on evidence. 	<ul style="list-style-type: none"> • The introduction of the design review guide by the WAPC is a direct reflection of how imperative design review is in the planning assessment process. • The panel operates in the context of the local planning framework and members are aware of design issues within the local area. They work to ensure the design is of the benefit of the community. • The Design Review Guide which provides guidance on the operation of the panel and the City's commitment to align with this should be sufficient evidence to ensure that the process and advice is provided for the benefit of all.
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