

JOONDALUP DESIGN REVIEW PANEL TERMS OF REFERENCE

1. DEFINITIONS

- Council Council of the City of Joondalup.
- Financial interest has the same meaning as the *Local Government Act 1995*.
- 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 *Planning and Development (Local Planning Schemes) Regulations 2015* or *Local Planning Scheme No. 3*.
- Proximity interest has the same meaning as the *Local Government Act 1995*.

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 Director Planning and Community Development 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. Where both the Chairperson and Deputy Chairperson are unable to attend a meeting, the Director Planning and Community Development may appoint a Panel Member to undertake the roles and responsibilities of the Chairperson.

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

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

5.7.2 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.

5.7.3 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 (including the Presiding Member).

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

7.8.1 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.

7.8.2 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. DESIGN ADVICE OUTSIDE OF PANEL MEETINGS

8.1 Planning proposals may be referred to a panel member for design advice outside or in lieu of a panel meeting at the discretion of the Presiding Member or their delegate.

8.2 Where a planning proposal has been referred to a panel member for their design advice outside or in lieu of a panel meeting, the panel member is to acknowledge the request for design advice within three days of receipt and is to state whether they agree to provide the design advice.

8.3 Where a panel member agrees to provide design advice on a planning proposal outside or in lieu of a panel meeting, the panel member shall provide that advice within seven days of agreeing to provide the advice, or another time as agreed with the Presiding Member or their delegate.

8.4 Panel members may be requested to attend State Administrative Tribunal proceedings in relation to a planning proposal for which they have previously provided design advice to the City.

8.5 Panel members shall provide design advice in accordance with Clause 5.3 of the *Joondalup Design Review Local Planning Policy*.

9. REMUNERATION

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

9.2 The panel members are to be paid per meeting as follows:

9.2.1 Panel Chairperson: \$250 per hour, including one hour meeting preparation.

9.2.2 Panel members: \$200 per hour, including one hour meeting preparation.

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

9.3 The Presiding Member will not be remunerated for attendance.