

## **1. Introduction**

This Policy is to facilitate the provision of independent expert advice to the Council, City's Administration and proponents on the design and site planning of specified development proposals. This shall include, but not be limited to, architectural and urban design elements/sustainability, amenity and landscape architecture.

### Purpose of Design Review

Design review, particularly when undertaken early has multiple benefits for a range of stakeholders including the delivery of quality development outcomes, a reduction in time and cost through early identification of issues, and progressive certainty for design teams provided through collaborative resolution of planning and design issues.

Design review undertaken by suitably qualified and independent experts provides confidence and empowers decision makers to better meet the needs and expectations of the community. Design review can also support Local Authorities in their role as clients, helping them secure high quality design.

Wherever possible, proponents are encouraged to seek the advice of the Design Review Panel from the earliest possible stages of conceptual design.

## **2. Policy Application**

This Policy applies to the administration and operation of the Design Review Panel.

## **3. Policy Objective**

The objective of this Planning Policy is to provide guidelines for the selection and appointment of members to the Design Review Panel involved with the assessment of development applications and to facilitate an improvement in the urban design and built form outcomes.

## **4. Policy Statement**

### 4.1 Design Review Panel

- 4.1.1 The Design Review Panel (the Panel) provides expert and technical advice to proponents, City Officers and Council in relation to the design of buildings and other related matters. The Panel performs an advisory function and does not make decisions on applications.
- 4.1.2 Panel members either collectively or individually are not authorised to speak on behalf of the City or provide comment to the media in respect of any item under consideration.
- 4.1.3 The Panel (or its members) is not to provide advice directly (outside of the process of formal design review) to a proponent or Council Member in respect of any item under consideration.
- 4.1.4 The Panel is to provide comments and advice to City Officers to assist in the formulation of recommendations to the Council on particular applications for planning approval, or in determining applications under delegated authority.
- 4.1.5 The Panel shall only deal with matters which have been referred to it by the Chief Executive Officer or the Council.
- 4.1.6 The Panel is not a Committee established pursuant to section 5.8 of the Local Government Act 1995.

## **5. Membership**

- 5.1 The Panel is to comprise of up to five (5) design professionals appointed by the Chief Executive Officer to fulfil the requirements outlined in the Policy.
- 5.2 Selection Criteria for membership on the Panel include but are not limited to the following:
- (a) Skills and experience in the interpretation, analysis and application of local government planning mechanisms such as planning schemes, structure plans, activity centre plans, local development plans, strategies and policies. An understanding of the composition, character and desired built form of the City of Rockingham is highly desirable.
  - (b) Possession of relevant qualifications, expertise or experience in architecture, town planning, urban design or other applicable design professions.
  - (c) Demonstrated expertise in Design Review, design critique or the provision of strategic advice on design quality issues. The ability to analyse, evaluate and offer objective and constructive feedback on complex design quality issues.
  - (d) Eligibility for membership to the Royal Australian Institute of Architects, the Planning Institute of Australia or other relevant professional associations as determined by the Chief Executive Officer. Panel members should be highly regarded amongst their professional and reputable design review peers.
- 5.3 Elected Members of the City of Rockingham and City Officers are not eligible for appointment to the Panel.
- 5.4 The term of appointment of a Panel Member will be for a maximum of two (2) years. Appointment for additional terms may be approved by the Chief Executive Officer.
- 5.5 The Chief Executive Officer may terminate the appointment of a Panel member prior to expiry of their term if it is considered that the member is not providing a positive contribution to the intended function of the Panel or if the member has not demonstrated a satisfactory level of attendance at Panel meetings.
- 5.6 A Panel member may resign at any time. The resignation must be in writing in the form of a letter or email addressed to the Director, Planning and Development Services stating their intention to resign from the Design Review Panel.

## **6. Referral Requirements**

- 6.1 Referral of proposals is strongly encouraged to occur prior to lodging a formal Development Application. Development proposals that fall within the following categories will be referred to the Panel for comment:
- (a) Non-residential development which, in the opinion of the delegated officer, is likely to have a significant impact on the City;
  - (b) Residential development which, in the opinion of the delegated officer, involves a substantial departure from the applicable maximum height standards identified by the Scheme or Policy;
  - (c) Residential development which comprises 10 or more dwellings;
  - (d) Residential development which, in the opinion of the delegated officer, involves a substantial departure from the Deemed-to-Comply provisions of the Residential Design Codes;

- (e) Development which in the opinion of the delegated officer, is contentious, likely to be of significant community interest or involves unusual or unconventional design elements;
  - (f) All Joint Development Applications must be referred to the Panel for a design review; and
  - (g) Any Development applications and Joint Development Assessment Panel applications, which, as a result of public consultation, are the subject of opposition on relevant planning grounds.
- 6.2 Referral of applications in the above categories is required regardless of whether the application is to be determined by a Joint Development Assessment Panel, Council or by an officer acting under delegated authority.
- 6.3 Other planning matters in the following categories may be referred to the Panel where it is considered that the City would benefit from Panel members input:
- (a) Proposed planning or design studies including structure plans, planning strategies, policies, precinct plans, design guidelines or amendments to the City's Town Planning Scheme No. 2;
  - (b) Any other matter relating to, but not limited to, the design of buildings or places or any issue relating to sustainable design.
- 6.4 The Panel will examine design elements of development applications and other planning proposals having regard to the statutory context of the particular proposal including the provisions of the City's Town Planning Scheme No. 2, the Residential Design Codes and relevant Local and State Planning Policies.

## 7. Joint Development Assessment Panel Application Referral Requirements

- 7.1 To ensure that development is of a high quality and standard, proponents are encouraged to seek preliminary design advice from the Design Review Panel prior to lodging a formal JDAP application. Applications should be submitted in accordance with Planning Procedure 1.22 – Design Review Panel.

## 8. Terms of Reference

- 8.1 To provide the City and proponents with independent expert advice on urban design, architecture, landscape design, sustainability and heritage in relation to proposals referred to the Panel for consideration.
- 8.2 To act in an advisory capacity on specified proposals with respect to matters including, but not limited to:

1. Context and Character

*Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.*

The distinctive characteristics of a local area include its prominent natural and built features, the overall qualities of its built environment, significant heritage elements, as well as social, economic and environmental conditions.

Good design responds intelligently and sensitively to these factors, interpreting rather than replicating existing features and enhancing the identity of the area, including the adjacent sites, streetscape and neighbourhood.

Good design also responds positively to the intended future character of an area. It delivers appropriate densities that are consistent with projected population growth, and are able to be sustained by existing or proposed transport, green networks and social infrastructure.

Consideration of local context is particularly important for sites in established areas that are undergoing change or identified for change.

2. Landscape Quality

*Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.*

Good landscape design protects existing environmental features and ecosystems, enhances the local environmental context and regenerates lost or damaged ecosystem functionality, where possible. It balances consideration of environmental factors such as water and soil management, ground conditions, solar access, microclimate, tree canopy, habitat creation and preservation of green infrastructure with social, cultural and economic conditions.

Good landscape design employs hard and soft landscape and urban design elements to create external environments that interact in a considered manner with built form, resulting in well-integrated, engaging places that contribute to local identity and streetscape character.

Good landscape design provides optimal levels of external amenity, functionality and weather protection while ensuring social inclusion, equitable access and respect for the public and neighbours.

Well-designed landscape environments ensure effective establishment and facilitate ease of long term management and maintenance.

3. Built Form and Scale

*Good design provides development with massing and height that is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.*

Good design achieves an appropriate built form by responding to its site, as well as surrounding built fabric, in a considered manner, mitigating negative impacts on the amenity of neighbouring properties and public realm.

Good design considers the orientation, proportion, composition, and articulation of built form elements, to deliver an outcome that is suited to the building's purpose, defines the public domain, respects important views, contributes to the character of adjacent streetscapes and parks, and provides a good pedestrian environment at ground level.

4. Functionality and Build Quality

*Good design meets the needs of users efficiently and effectively, balancing functional requirements to deliver optimum benefit and performing well over the full life-cycle.*

Designing functional environments involves ensuring that spaces are suited to their intended purpose and arranged to facilitate ease of use and good relationships to other spaces. Good design provides flexible and adaptable spaces, to maximise utilisation and accommodate appropriate future requirements without the need for major modifications.

Good build quality is achieved by using good quality and robust materials, finishes, elements and systems. Projects should be well-detailed, resilient to the wear and tear expected from its intended use, and easy to upgrade and maintain.

Good design accommodates required services in an integrated manner, without detriment to the overall design outcome.

5. Sustainability

*Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.*

Sustainable buildings utilise passive environmental design measures that respond to local climate and site conditions by providing optimal orientation, shading, thermal performance and natural ventilation. Reducing reliance on technology for heating and cooling minimises energy use, resource consumption and operating costs over the whole life-cycle of the project.

Other sustainable design measures include the use of sustainable construction materials, recycling, material re-use, harnessing of renewable energy sources, appropriate water management. Good design considers the ease with which sustainability initiatives can be maintained and managed.

Sustainable landscape and urban design adheres to established principles of water-sensitive urban design, and minimises negative impacts on existing natural features and ecological processes, as well as facilitating green infrastructure at all project scales.

6. Amenity

*Good design optimises internal and external amenity for occupants, visitors and neighbours, contributing to living and working environments that are comfortable and productive.*

Good design provides internal rooms and spaces that are adequately sized, comfortable and easy to use and furnish, with good levels of daylight, natural ventilation and outlook.

Delivering good levels of internal amenity also includes the provision of appropriate levels of acoustic protection and visual privacy, adequate storage space, and ease of access for all.

Well-designed external spaces provide welcoming, comfortable environments that are universally accessible, with effective shade as well as protection from unwanted wind, rain, traffic and noise. Good design mitigates negative impacts on surrounding buildings and places, including overshadowing, overlooking, glare, reflection and noise.

7. Legibility

*Good design results in buildings and places that are legible, with clear connections and memorable elements to help people find their way around.*

Good urban design makes places easy to navigate, with recognisable routes, intersections and landmarks while being well-connected to existing movement networks. Sightlines are well-considered, with built form responding to important vantage points.

Within buildings, legibility is served by a clear hierarchy of spaces with identifiable entries and clear wayfinding. Externally, buildings and spaces should allow their purpose to be easily understood, and provide clear distinction between public and private spaces.

Good design provides environments that are logical and intuitive, at the scale of building, site and precinct.

8. Safety

*Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.*

Safety and security is promoted by maximising opportunities for passive surveillance of public and communal areas and providing clearly defined, well-lit, secure access points that are easily maintained and appropriate to the purpose of the development.

Good design provides a positive, clearly defined relationship between public and private spaces and addresses the need to provide optimal safety and security both within a development and to adjacent public realm.

Designing for safety also involves mitigating any potential occupational safety and health hazards that might result from a development during its construction, maintenance and operation.

9. Community

*Good design responds to local community needs as well as the wider social context, providing buildings and spaces that support a diverse range of people and facilitate social interaction.*

Good design encourages social engagement and physical activity in an inclusive manner, enabling stronger communities and improved public health outcomes.

In residential developments, good design achieves a mix of dwelling types, providing housing choice for different demographics, living needs and household budgets, and facilitating ageing-in-place.

10. Aesthetics

*Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.*

Good design resolves the many competing challenges of a project into an elegant and coherent outcome. A well-conceived design concept informs all scales, from the articulation of building form through to materiality and detail, enabling sophisticated, integrated responses to the complexities of local built form and landscape character.

In assessing design quality, consideration of aesthetics should not be limited to style and appearance; it should also account for design integrity, creativity, conceptual coherence and cultural relevance in a proposal.

**9. Operations**

9.1 Meetings of the Panel are held when required.

9.2 A Panel meeting cannot proceed unless a quorum comprising a minimum of three members is present.

9.3 City officers are not members of the Design Review Panel.

9.4 The City will provide a Support Officer who will be responsible for providing administrative support to the Panel including the preparation and distribution of Agendas, notice of meeting and business papers, recording of notes and contacting alternative Panel members as required covering an absence.

- 9.5 Notice of meetings is to be given by way of distribution of agendas to each Panel member 1 week in advance of the meeting date.
- 9.6 Items listed on the agenda are to be accompanied with a package of information including minimum drawing requirements, information relating to the preliminary assessment of the proposal against relevant statutory criteria and an indication of any particular aspects of the proposal requiring the Panel's comment.
- 9.7 Meetings of the Panel are not open to the public.
- 9.8 The Director, Planning and Development Services or Manager, Statutory Planning shall convene the meeting, while the Design Review Panel Chair will manage and facilitate the interactive design review, discussions and identify the key recommendations for reporting.
- 9.9 All design reviews are to include a proponent presentation, with the client and design team present.
- 9.10 Having reviewed the proposal, the Panel members are to provide comments or advice in response to the particular matters requiring their comment, together with any other comments or advice the Panel wishes to provide.
- 9.11 Proceedings at the Panel meeting are to be recorded in the form of a Design Review Report. The report shall document the advice and recommendations made by the Panel. Draft reports are to be circulated to all members for comment to be finalised by the Chair. Final reports will be subsequently circulated to the full Panel.
- 9.12 Design Review Reports will be included (in full) in any subsequent report on the particular development application or proposal under consideration.
- 9.13 Items considered at the meeting will not be formally voted upon. The Design Review Report will record consensus agreement on actions and any points of agreement/disagreement. The report will not reflect verbatim discussion on issues or matters discussed during debate prior to consensus agreement being reached. At the end of each meeting, the City Officers will read out the agreed actions and any points of agreement to the meeting to ensure they accurately reflect the consensus view.

**10. Code of Conduct**

- 10.1 Each member of the Panel is required to observe the City of Rockingham Code of Conduct.
- 10.2 The Chief Executive Officer, or their nominee, is available to provide any assistance or guidance concerning the Code or any matters of interest.

**11. Conflict of Interest**

- 11.1 Where a member of the Panel has a financial interest (as defined by the Local Government Act 1995) in a matter to be considered by the Panel, the member must disclose the interest to the convenor of the meeting (in writing) and must not participate in or be present during any discussion on the matter.
- 11.2 Where a member of the Panel has an impartiality interest in a matter to be considered by the Panel (an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest arising from kinship, friendship or membership of an association), the member must disclose the nature of the interest to the convenor of the meeting, prior to any discussion on the matter.

**12. Confidentiality**

- 12.1 Proceedings of a meeting of the Panel and details of any proposal before the Panel are to remain confidential unless such details are disclosed in an authorised manner by a City Officer to the proponents or presented in a report which is available to the public.

**13. Financial**

- 13.1 A sitting fee is payable to each member of the Panel for attendance at a Panel meeting. The sitting fee will be reviewed annually.
- 13.2 When a member of the Panel is required to appear on the City's behalf as an expert witness at the State Administrative Tribunal, the member is to be paid at the mutually agreed hourly rate between the member and Chief Executive Officer, which is consistent with the qualifications, experience and professional status of the member.

**14. Authority**

This Planning Policy has been adopted by the Council under clause 8.9 of Town Planning Scheme No.2 and whilst it is not part of the Scheme and does not bind it in respect of any application for planning approval, due regard will be given to the provisions of the Policy and the objectives which the Policy is designed to achieve.

**15. Interpretations**

For the purposes of the Planning Policy, the following term shall have the following meaning:

Delegated Officer means: Director, Planning and Development Services or Manager, Statutory Planning.

**16. Delegation**

Nil

**17. Adoption**

This amended Planning Policy was adopted by the Council at its ordinary Meeting held on 22 August 2017.