

LPP/14 Design Review Panel**1.0 Citation**

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations). This Policy may be cited as Local Planning Policy 14 – Design Review Panel (LPP/14).

2.0 Purpose

The purpose of this Policy is to set out the administration of the Design Review Panel.

3.0 Objectives

The objective of this Policy is to facilitate an improvement in the design quality of proposals and built form outcomes in the Town of Port Hedland (Town).

4.0 Applications subject of this Policy**4.1 Application**

- (a) This policy applies to the following development or works at the Town's discretion:
- (i) South Hedland Centre and its entry statement;
 - (ii) workforce accommodation, hotels or motels;
 - (iii) new developments in the Port Hedland West End Improvement Scheme No.1 area;
 - (iv) grouped and multiple dwelling developments with twelve or more dwellings;
 - (v) mixed use developments;
 - (vi) community infrastructure;
 - (vii) any development eligible for consideration by the Joint Development Assessment Panel; and
 - (viii) proposals or applications that the Town considers would benefit from guidance on the review or input due to the site or location, size of the development, use, community impact or would otherwise benefit from independent design review.

4.2 Exemptions

Proposals that fall within the categories in 4.1(a)-(g) that the Town does not consider would benefit from independent design review are exempt from this policy.

5.0 Policy provisions**5.1 Status and role**

- (a) The Design Review Panel provides independent, expert design and technical advice to proponents, Town Officers and Council in relation to the design quality of development and other related matters.



- (b) The Design Review 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.
- (c) The Design Review Panel is to provide comments and advice to Town officers to assist in the formulation of recommendations to the Council on particular applications for development approval, or in determining applications under delegated authority.

5.2 Membership

- (a) The Director of Regulatory Services or their delegate will be the Presiding Member of Design Review Panel meetings, and shall convene the meeting ensuring it is run in an orderly and proper manner and within the timeframes set by the Design Review Panel under clause 5.3 (i).
- (b) One member of the Design Review Panel shall be the Chairperson of the Panel for the purpose of managing and facilitating interactive design review, discussions and identifying key recommendations for reporting.
- (c) The membership of a sitting Design Review Panel shall be drawn from a pool of up to ten members.
- (d) Selection criteria for membership on the Design Review Panel shall include, but not be limited to:
 - (i) demonstrated knowledge of the composition, character and desired built form for the Town of Port Hedland;
 - (ii) experience in effective design review or provision of design advice, or the ability to analyse, evaluate and report on complex design issues.
 - (iii) Possession of relevant qualifications, expertise and experience in the following disciplines:
 - 1.0 urban design;
 - 2.0 landscape architecture;
 - 3.0 architecture;
 - 4.0 civil engineering and/or hydrology; and
 - 5.0 sustainability.
- (e) Design Review Panel members are appointed by the Director Regulatory Services following an invitation to join a panel request. Any nominations with respect to the request for quote will be referred to the Director Regulatory Services for consideration.
- (f) Membership is for a three year period (one term), although the Director Regulatory Services may reappoint any member and members can serve more than one term.
- (g) Following selection of the panel members, the Town may arrange an induction and site visit for any panel members that are not familiar with Hedland locality.
- (h) The Director Regulatory Services may terminate the appointment of any member of the Design Review Panel prior to the expiry of the term of office, including where:



- (i) the Town considers that the member is not making a positive contribution to the Design Review Panel;
- (ii) the member is found to have breached the Town's Code of Conduct or in a serious contravention of the Local Government Act 1995;
- (iii) a member's conduct, actions or comments brings the Town into disrepute.

Notification of termination of appointment shall be in writing and be effective immediately.

- (i) A panel member may resign at any time in writing in the form of a letter to the Director Regulatory Services.
- (j) Where a vacancy in the Design Review Panel occurs, eligible persons shall be drawn from previous nominations for the Design Review Panel, and shall be presented to the Director Regulatory Services for selection and approval. Failing this, the process is set out in item 3.5 above should be followed. The term for any new appointment is up to the three year date previously determined by the Director Regulatory Services, irrespective of how long that time remaining is.
- (k) The attendance and/or participation of all Design Review Panel members for each proposal to be assessed is not essential. Panel membership will be composed based on the required expertise and the nature of the proposal and the issues to be considered.
- (l) A person who is currently employed by, or who is an Elected Member of the Town of Port Hedland, is not eligible for appointment as a member of the Panel.

5.3 Meetings

- (a) Meetings of the Design Review Panel shall be convened when required by the Town and may include any or all of the following, at the Town's discretion:
 - (i) pre-lodgement referral of developments at the concept stage;
 - (ii) post-lodgement referral of developments as part of the development application assessment process; or
 - (iii) at the building permit stage.
- (b) Design Review Panel meetings are not open to the public and will be held by way of videoconference. Site inspections are not required, unless the Town determines otherwise.
- (c) A Design Review Panel meeting cannot proceed without a quorum of the following present:
 - (i) the Director Regulatory Services, or their delegate, in the role of the Presiding Member;
 - (ii) one member of the Design Review Panel, in the role of the Chairperson; and



- (iii) at least one other member of the Design Review Panel.
- (d) Design Review Panel meetings at the building permit stage may either proceed to a meeting under clause 5.3(c) above, or be referred to one panel member for independent advice.
- (e) The Town will provide a support officer who will be responsible for providing administrative support to the Panel including preparation and distribution of agendas, notice of meeting, recording of notes, contacting alternative panel members as required to cover an absence, ensuring that Panel advice is distributed to the proponent as approved by the Presiding Member and other administrative matters.
- (f) The proponent or applicant is required to provide the information pursuant to clause 5.4 before a meeting is convened. The Town will set a meeting within 14 days of the information being received.
- (g) Notice of meetings is to be given by way of distribution of agendas, drawings and other relevant material to each panel member one week in advance of the meeting date.
- (h) The Town shall prepare an agenda for the Design Review Panel meeting, including:
 - (i) preliminary assessment of the proposal against the relevant statutory planning framework; and
 - (ii) an indication of aspects of the proposal requiring comments from the Design Review Panel meeting.
- (i) The proponent may present plans and relevant information relating to a proposal at the Design Review Panel meeting for a maximum duration of 10 minutes, or other time agreed by the Design Review Panel. The following matters may be included in presentations:
 - (i) the aspirations of the proposal, as well as a contextual understanding of the site and how the project sits within and relates to its surroundings; and
 - (ii) how the proposal addresses:
 - 1.0 relevant development requirements, including rationale for any variations to these; and
 - 2.0 design principles of State Planning Policy 7 – Design of the Built Environment.
- (j) The Design Review Panel is to provide advice and recommendations on proposals, having regard for matters contained in clause 5.5 of this policy.
- (k) Reporting summarising the agreed actions, and relevant comments and recommendations from the Design Review Panel are to be prepared by the Town for review by the Chairperson, and approved by the Presiding Member, and provided to the proponent or applicant within 10 working days of the meeting occurring.

5.4 Information



- (a) The Town strongly encourages proponents to engage in design review at the concept stage prior to the lodgement of a proposal. With respect to pre-lodgement at the concept plan stage the proponent shall provide the following:
 - (i) development details;
 - (ii) design quality statement outlining how the proposal responds to the ten principles outlines in clause 5.5 of this policy;
 - (iii) context and site analysis that has informed the design proposal;
 - (iv) site plan;
 - (v) floor plan;
 - (vi) elevations of the proposal in its surrounding context;
 - (vii) sections of the proposal in context; and
 - (viii) 3D images or visualisations.
- (b) With respect to the development application assessment stage the applicant must provide the following:
 - (i) all information required in the Town's planning application checklist;
 - (ii) supporting documentation, such as perspective drawings and reports or certifications addressing discretionary matters.
 - (iii) design quality statement outlining how the proposal responds to the ten principles at clause 5.5 of this policy or, for developments undergoing a further review, a statement of how the Design Review Panel's previous comments have been addressed.
- (c) With respect to the building permit stage, the applicant must provide a statement of how the design quality of the proposal is consistent with the approved development application and any relevant conditions related to design.

5.5 Design Principles

The Design Review Panel will take into consideration the design principles set out in State Planning Policy 7.0 Design of the Built Environment (Appendix 1).

5.6 Financial

- (a) A fee is payable to each member of the Panel for preparation and attendance at a Panel meeting. The fee will be reviewed annually.
- (b) When a member of the Panel is required to appear on the Town'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 Director Regulatory Services, which is consistent with the qualifications, experience and professional status of the member.

5.6 Conflict of Interest



- (a) 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 Design Review Panel, the member must provide written disclosure of the interest to the convenor of the meeting and must not participate or be present during any discussion on the matter.
- (b) Where a member of a panel has an impartiality interest in a matter to be considered by the Design Review Panel, as defined by the *Local Government Act 1995*, the member must disclose the nature of the interest to the convenor of the meeting, prior to any discussion on the matter.

5.8 Confidentiality

Proceedings of a meeting of the panel and details of any proposal before the Design Review Panel are to remain confidential unless such details are disclosed in an authorised manner by an officer to the proponent or applicant, or presented in a report which is available to the public.

5.10 Code of Conduct

All panel members are required to abide by the Town's Code of Conduct.

Relevant legislation	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
Delegated authority	Nil
Business unit	Town Planning and Development
Directorate	Regulatory Services

<i>Governance to complete this section</i>			
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