



POLICY

TITLE:	DESIGN ADVISORY COMMITTEE AND ASSESSMENT OF SIGNIFICANT DEVELOPMENTS	CODE:	LP.06
PURPOSE or OBJECTIVE:	<ul style="list-style-type: none"> To detail the types of development proposals that will be referred to the Design Advisory Committee (DAC); Outline the information to be provided by the applicant to enable an assessment by the DAC, and the requirement for the applicant to address the advice provided by the DAC; Outline the matters to be considered by the DAC in providing advice to the applicant and the City on the design quality of the development; and To detail relevant administrative requirements in relation to the operation of the DAC. 		
REFERENCE DOCUMENTS:	Planning and Development (Local Planning Scheme) Regulations section 2 part 2 Town Planning Scheme No. 40 clause 2.7.13		

POLICY STATEMENT

This policy sets out the parameters for assessment of significant developments within the City of Canning to optimise land use and design quality outcomes.

1. Scope

This policy applies to applicants, the City’s officers and DAC members in relation to all proposals for significant development that are to be determined by a Delegated Officer of the City, the Council or an external decision making authority.

2. Definitions

Unless otherwise defined, words and expressions in this policy are as defined in Appendix 1 of the City of Canning Town Planning Scheme No. 40 (the City’s Scheme), the *Planning and Development Act WA 2005* or the Residential Design Codes of WA (R-Codes), or as defined below:

<i>Delegated officer</i>	an officer of the City’s Statutory Planning Services business unit who, under the City’s Delegations Register, has authority to make a determination or recommendation on the proposed development or planning proposal.
<i>Design review assessment</i>	verbal and/or written advice provided by the DAC in the format specified in this policy.
<i>Development Advisory Committee (DAC)</i>	a specialised group of consultants selected by the Council in the manner and for the purposes specified in this policy, which provides professional and technical advice to the City’s officers and the Council.
<i>DAC primary member</i>	DAC members, including the Chair and Deputy Chair, who are invited to attend a DAC meeting.
<i>DAC alternate member</i>	DAC members who may be invited to attend a DAC meeting if a DAC primary member is unavailable for the scheduled DAC meeting.
<i>Significant development</i>	any proposed development (being those listed in Table 3A of the City’s Town Planning Scheme No. 40), where at least one of the following criteria applies: (1) multiple dwelling and mixed use developments that comprise 25 or more units; or

	<p>(2) development that is three storeys or more in height; or</p> <p>(3) development, not of the kind referred to in items (1-2) above, but which, in the opinion of the delegated officer, is:</p> <ul style="list-style-type: none"> • of a complex or contentious nature; • likely to be of significant interest to the community; • involves unusual or unconventional design elements; or • is likely to benefit from referral to the DAC.
<p><i>Written planning advice</i> (Pre-Application Requests)</p>	<p>the provision of written advice from the City's Statutory Planning Services business unit in response to an application for written planning advice on a preliminary development proposal submitted by a property development company or an individual.</p>

3. Information to be provided by the applicant

- (1) In order to gain maximum benefit from a design review assessment the applicant is advised to provide as much information as possible, including, but not limited to, the following:
- (a) plans and elevations that are legible and to scale, and include appropriate details including, but not limited to, dimensions, a north point, site and finished floor levels;
 - (b) supporting documentation, such 3D images or perspective drawings and reports/certifications addressing discretionary matters (if available);
 - (c) statements addressing how the development achieves the relevant design principles listed in Part 5 of this policy;
 - (d) a statement on how the DAC's previous comments have been addressed (for developments undergoing a further review);
 - (e) a completed Request for Written Planning Advice form or Application for Development Approval form; and
 - (f) payment of the applicable fee for Written Planning Advice or Application for Development Approval as per the City's Schedule of Planning Fees and Charges.
- (2) The above-mentioned information is to be submitted to the City at least 10 days prior to the DAC meeting date, to be advised by the City's relevant delegated officer.

4. Presentation by the applicant to the DAC

In a maximum 10 minute presentation, or longer as agreed by the DAC, the applicant is to present plans and provide relevant information for the development proposal, including:

- (1) The aspirations of the project, as well as a contextual understanding and how the project sits within and relates to its surroundings; and
- (2) How the development addresses relevant development requirements, including any variations to 'deemed-to-comply' provisions and the design principles outlined in Part 5 of this policy.

5. Format for DAC design review advice

The summary of design review comments and recommendations from the DAC are to be provided to the applicant in verbal and/or written format having regard to the following:

- (1) Design principles;
 - (a) character – a place with its own identity,
 - (b) continuity and enclosure – where public and private spaces are clearly distinguished,
 - (c) quality of public realm – a place with attractive and well-used outdoor areas,
 - (d) ease of movement – a place that is easy to get to and move through,
 - (e) legibility – a place that is easy to navigate,
 - (f) adaptability – a place that can change easily,
 - (g) diversity – a place with variety and choice,
 - (h) Response to site and context,
 - (i) overall design quality and functionality,
 - (j) appropriateness of materials and finishes,
 - (k) resource efficiency,
 - (l) public art (where applicable),
 - (m) advice in relation to a Structure Plan or local planning policy, if applicable, and
 - (n) general comments.
- (2) Design assessment;
 - (a) design strengths, and
 - (b) how can the proposal be improved.
- (3) Recommendation (select 1 or a combination of the below);
 - (a) the design is supported, or

- (b) the design is supported and is of sufficiently high quality to meet relevant scheme provisions in relation to discretionary matters, such as density and plot ratio bonuses or building height, or
- (c) the design is supported subject to the following conditions, or
- (d) the design is not supported, or
- (e) as the design is at concept stage only, the plans have not progressed to a stage where a recommendation can be provided.

6. Implementation of DAC design review advice by the applicant and City

- (1) A development proposal lodged for a design review by the DAC and/or determination by the responsible decision making authority is to be prepared by the applicant with due regard to the design principles outlined in Part 5(1) of this policy, and where applicable previous DAC design review advice.
- (2) In making a determination or recommendation on a development proposal, the City's officers will have due regard to the provision of this policy and the DAC design review advice.

7. DAC terms of reference

(1) Context

- (a) The City's Statutory Planning Services business unit is responsible for processing requests for written planning advice (Pre-Application Requests) and Applications for Development Approval (DAs). The provision of written planning advice for Pre-Application Requests is checked and issued by the City's Delegated Officers. Determination of DAs is made by the responsible decision-making authority, subject to relevant State Government Instrument of Delegation and/or the City of Canning Instrument of Delegation. Responsible authorities may include the Western Australian Planning Commission (WAPC), Metro Central Joint Development Assessment Panel (JDAP), the City of Canning Council or Delegated Officer.
- (b) Processing of Pre-Application Requests and DAs must occur in accordance with the relevant statutory planning requirements. This includes assessing and providing advice on Significant Developments as per the format specified in this policy.
- (c) Clause 2.7.13 of the City's Town Planning Scheme No. 40 (the City's Scheme) identifies that the City may establish Advisory Committees and that any recommendation or position of such a Committee should be given due regard in the decision making process.
- (d) The DAC is established under the powers of the City's Scheme and is not a Committee established pursuant to Section 5.8 of the *Local Government Act 1995*.

(2) Objectives

The DAC will be a key source of advice to the Council, City Officers and applicants in relation to the assessment of Significant Developments, as per the format specified in this policy.

(3) Governance

(a) Role of the DAC

- (i) The DAC is established for the purposes of this policy; to provide design assessment feedback on development proposals.
- (ii) The DAC provides professional and technical advice in a formal manner, to the City's officers and the Council. The Committee performs an advisory function only and does not make decisions on or approve applications.

(b) Role of the Individual Members

Each member brings to the role a wealth of experience and a capacity to add significant value to the opportunities and challenges facing the Canning community, particularly as it relates to the quality of the built form environment.

(c) Membership

- (i) Membership will comprise of a panel of up to five (5) external members.
- (ii) The City will seek to engage external members so that each DAC meeting will consist of three (3) members from the panel.
- (iii) The nominated Chair and Deputy Chair will be invited to all DAC meetings, whereby the third panel member will be selected by the Chair as detailed in Part 7(d)(ii) of this Policy.
- (iv) The City will seek to engage external members who have an appropriate architecture, landscape architecture or urban design qualification with:
 - particular experience and expertise in one or more of the areas of: urban and regional planning, urban design, energy efficient building design and sustainable development; and
 - relevant skills and experience to provide independent expert advice.
 - skills and experience in design and design review of major development of the kind and scale which the DRP will be required to review.
 - eligibility for membership to the relevant professional association.

- (v) In addition to the above, the Chair is to have extensive skills in design review, facilitating and directing professional meetings, ability to provide direct advice in a collegial and courteous manner and ability to integrate a range of views and comments.
 - (vi) A person who is currently employed by the City of Canning or who is an elected member of the Canning Council is not eligible for appointment as a member of the DAC.
- (d) Chair and Deputy Chair
- (i) The Chair and Deputy Chair will be appointed by the Council.
 - (ii) The Chair or Deputy Chair (where acting in the role of Chair) is authorised to select the third DAC primary member from the DAC membership panel for a particular DAC meeting. In selecting the third DAC primary member the Chair is to give consideration to the:
 - Type of development with respect to the skills, expertise and knowledge of the External Member; and
 - Frequency of an External Member's attendance at previous meetings, involving the subject development.
- (e) DAC Support
- (i) The City's officers are not members of the DAC and do not have any voting rights.
 - (ii) The City's Manager Statutory Planning or Delegated Officer will be responsible for:
 - arranging for administrative support for the DAC, including preparation and distribution of the agenda, notice of meeting and business papers, recording of the minutes, arranging the meeting venue, refreshments and coordinating any presentations;
 - contacting an alternative DAC member if a primary DAC member is unavailable for the scheduled meeting; and
 - emailing DAC members in certain circumstances requesting feedback in relation to minor alterations to plans or subsequent questions / clarifications from the applicant as a result of feedback issued by the DAC at a formal meeting.
- (f) Term of Office
- (i) The term of appointment for any new member shall be two (2) years.
 - (ii) A member may be nominated for re-appointment upon the expiry of their term.
 - (iii) Should a vacancy occur during the term of office, the process to fill the causal vacancy will follow the normal process for appointments.
- (g) Resignation
- A DAC member may resign at any time. The resignation must be in writing in the form of a letter or email addressed to the Manager Statutory Planning stating their intention to resign from the DAC. Resignations will be acknowledged by the Manager Statutory Planning.
- (4) Meetings
- (a) Scheduled Monthly and Special Meetings
- (i) The DAC will meet monthly or special meetings may be convened to deal with specific issues.
 - (ii) A scheduled monthly meeting will be limited to a maximum of three hours duration unless the DAC resolves to extend the meeting to a particular time or the completion of business.
 - (iii) The location, date and starting time for meetings will be advised on the agenda.
- (b) Attendance and quorum
- (i) The quorum for each meeting will be no less than two (2) DAC members. If a quorum is not present within 30 minutes of the time appointed for the commencement of the meeting, the meeting shall lapse.
 - (ii) The three primary members, including the Chair, Deputy Chair and Third Member selected by the Chair, will be invited to attend a DAC meeting. Where a primary member is unable to attend a meeting, subject to sufficient notice being given, the City's Manager Statutory Planning Services, in liaison with the Chair, will invite an alternate member.
 - (iii) A member who is unable to attend a particular meeting is to advise the DAC Support and Chair in advance of the meeting date.
 - (iv) A member who will be absent from more than three successive meetings is to apply in writing the DAC Support and Chair for a leave of absence.
 - (v) DAC meetings are not open to members of the public.
 - (vi) The City's Manager Statutory Planning or Delegated Officer will attend the meeting to provide a briefing to the DAC members on each proposal for consideration, identifying any particular aspects upon which comments and advice are required.
 - (vii) The DAC Support officer will attend the meeting to record the minutes.
 - (viii) The applicant and their architect, and other relevant specialist involved in the design, will be invited to present their proposal to the DAC at the relevant part of the meeting.

- (c) Agendas and Minutes
 - (i) The DAC Support will email a copy of the agenda, development plans and supporting documentation to DAC members at least five (5) working days prior to the date of the meeting.
 - (ii) Each meeting shall be properly recorded by the taking of Minutes by the DAC Support in the format specified in this policy, along with any other relevant comments and recommendations.
 - (iii) The Minutes will record consensus agreement on actions and any points of agreement/disagreement. They will not reflect verbatim discussion on issues or matters discussed during debate prior to consensus agreement being reached. At the end of each meeting, following departure of the applicant(s), the Chair will read out the agreed actions and any points of agreement to the meeting to ensure they accurately reflect the consensus view.
 - (iv) The Minutes will be checked and approved by the Chair and distributed to all members and the applicant within five (5) working days after the date of the meeting.
 - (v) The Minutes will be provided to the applicable responsible decision-making authority, with a summary of whether the application has addressed the relevant issues or matters.
- (5) Code of Conduct
 - (a) Each member of the DAC is required to observe the City of Canning Code of Conduct.
 - (b) Members should act in a professional and responsible manner with the information they obtain as a DACs require openness and honesty to function well.
 - (c) Members should feel free to express their opinions and views without fear of recrimination. It is therefore important that members respect each other (often despite differences) and work together to create an open and trusting atmosphere.
 - (d) It is essential for members to accept collective responsibility, and remain loyal to decisions of the DAC, even where they may not have agreed with the final decision.
- (6) Confidentiality and Privacy

Members may have contact with confidential or personal information retained by Council. If so, members are required to maintain the security of any confidential or personal information and not access, use or remove any information, unless the member is authorised to do so.
- (7) Conflict of Interest
 - (a) All members need to be aware that any conflict of interest needs to be recognised. On receipt of the agenda, if a member has an interest in the matter, then the member is required to declare the interest and a replacement alternate member will be called to fill in for that item or meeting. The minutes of the meeting will record the declaration and note the vacancy during discussion. Once the matter has concluded, the Chair will invite the member back into the meeting. If a member is unsure whether they have an interest in a matter, they are encouraged to raise the issue with the Senior City Officer in attendance at the meeting.
 - (b) Any person who has a financial and proximity interest in a matter shall exclude themselves from the room and not participate in that part of the meeting.
- (8) Operational Funding and Remuneration
 - (a) The DAC is to provide advice in response to the requirements of this policy, which is a statutory planning instrument.
 - (b) The City operational budget contains funds for engaging members of the DAC.
 - (c) Members shall be paid an hourly sitting fee for attendance at DAC meetings (to a maximum of 3 hours per sitting). The sitting fee shall be based on the duration of the meeting. The fee is to be reviewed annually, in conjunction with the annual review of the City's Schedule of Fees and Charges.
 - (d) The fee for out of meeting costs (initial review of proposal, site visit and travel commitments), shall be set at 1.5 hours (at the hourly sitting fee rate) for each listed DAC meeting, unless accentuating circumstances require additional time and payment and this is agreed to by the City prior to the work being undertaken.
 - (e) The Chair will be paid an additional hour (at the hourly sitting rate) outside of the meeting to accommodate for their additional responsibilities.
 - (f) If a member of DAC appears on the City's behalf as an expert witness at the State Administrative Tribunal or to assist in the presentation of the City's recommendation to a Joint Development Assessment Panel, the member is to be paid at an agreed hourly rate consistent with the qualifications, experience and professional status of the member.
- (9) Media Protocol

Members are not to speak to the media in their capacity as DAC members. In accordance with the City's Media Policy, the Mayor is the only person permitted to speak to the media on behalf of the Council.

GOVERNANCE REFERENCES

Statutory Compliance	<i>Planning and Development Act 2005; Planning and Development (Local Planning Schemes) Regulations 2015; and Town Planning Scheme No. 40.</i>
Process Links	<i>D15/141161 - Request for Written Planning Advice form; and D14/269894 - Application for Development Approval form</i>

POLICY ADMINISTRATION

Directorate		Officer Title	Authority to Approve
Planning and Regulation		Director Planning and Regulation	Council
Version	Decision Reference	Synopsis	Delegation No: N/A
1	OCM 27/03/2012 (CF-016-12)	Final adoption of Local Planning Policy SRS234 - Site Analysis Reporting and Design Review Process for Significant Developments.	
2	OCM 19/04/2016 (PR-015-16)	Adopted for the purpose of advertising.	
3	OCM 21/06/2016 (PR-023-16)	Policy Adopted.	