

Environment, Planning and Sustainable Development Directorate**To:** Minister for Planning

Tracking No.: 23/110118

Date: 21 May 2024**From:** Executive Group Manager, Planning and Urban Policy**Subject:** National Capital Design Review Panel – Expression of Interest**Critical Date:** In the normal course of business**Critical Reason:** For noting only

- DDG, Planning and Sustainable Development 28/05/24

RecommendationsThat you **note** the information contained in this brief.**Noted / Please Discuss**Chris Steel MLA  27/6/24

Minister's Office Feedback

Background

1. The National Capital Design Review Panel (NCDRP) is a joint initiative by the ACT Government and the National Capital Authority (NCA) to provide independent and expert design advice to government, designers and developers for building, infrastructure and public domain proposals prior to submission of development applications.
2. Under the supervision of the ACT Government Architect (Catherine Townsend) and the NCA's Chief Planner (Andrew Smith), the NCDRP provides design advice to decision makers, developers and their design teams.
3. The design review process is managed by the NCDRP Secretariat within the Planning and Urban Policy Division, Environment, Planning and Sustainable Development Directorate (EPSDD).
4. The NCDRP supports decision-makers in delivering high quality, inspiring development and public spaces to meet the needs of the broader community and to ensure integration with the surrounding environment.
5. Design review provides the opportunity for independent and expert peer review of development proposals to help to achieve the best possible design outcomes for buildings, infrastructure and public places across Canberra.
6. The design review process provides key benefits to stakeholders that includes:
 - a. Community – enhanced design quality of development proposals that result in increased amenity for occupants, neighbours and the broader community and provide further confidence in the development assessment process.
 - b. Developers – reduction in risk, time and potential costs by identifying issues early in the design process to gain a level of certainty with a proposal before investing in detail design and development application.
 - c. Design professionals – receiving early recommendations for change when it is most useful and more easily implemented. Design review is also an opportunity to gain support for innovative design intentions.
 - d. Government – ensuring that design quality is important by promoting independent expert advice for development proposals. Ultimately, design review panels help to enrich the design industry with fresh perspectives and advice arising from the professional examination of projects through peer review.
7. Design review panel members are selected from an existing pool of experts identified for their skills, expertise and record of achievement in one or more professional fields relevant to planning, design and development.
8. The panel is composed to achieve a balanced representation of skills and experience in professions including Architecture, Landscape Architecture, Planning, Urban Design and Civil Engineering. A minimum of three and a maximum of five panel members attend each NCDRP session.
9. Where a specific skill set is required, additional panel members are called in on an as-needs basis. These may include advice from fields such as heritage, education, sustainability and environmental services, universal design, structural engineering and

transport.

10. The panel considers each project in terms of surrounding context and character, built form and scale, density, sustainability, landscape, amenity, safety, housing diversity and social interaction, and aesthetics.
11. When proponents genuinely engage with the design review panel's advice, design review will streamline the development assessment process by enabling issues to be identified at an early stage, thereby aiming to reduce the risks that can be associated with the planning process.
12. The *Design Principles for the ACT* supports consideration of projects by the NCDRP and provides guidance for proponents when preparing for review. The *Design Principles for the ACT* have been benchmarked against best practice from design review panel documentation across Australia and New Zealand, including the principles outlined in the NSW Government's State Environment Planning Policy (SEPP 65) and WA's Design Review Manual.
13. The *Design Principles for the ACT* is available at <https://www.planning.act.gov.au/about/national-capital-design-review-panel>.
14. The design review process is also informed by the National Capital Plan, the Territory Plan 2023 and associated design guides where applicable including but not limited to the Housing Design Guide, Urban Design Guide, City Centre Urban Design Guide, and the Biodiversity Sensitive Urban Design Guide.
15. The NCDRP has been in operation since September 2017. In October 2019, following amendments to the *Planning and Development Act 2007* it became a requirement to engage NCDRP for prescribed developments (see extract from Planning (General) Regulation 2023 at Attachment A). This requirement has carried over into the new *Planning Act 2023*.
16. Since September 2017 the NCDRP has reviewed 162 major projects over 242 design review panel sessions to-date.

Issues

17. With the commencement of the new planning system, and the maturity of the NCDRP process, it is timely to refresh the panel membership, broaden the pool of expertise, and list the panel membership publicly to support transparency.
18. To achieve this, an Expression of Interest (EOI) process to establish a pool of approximately 25+ professionals with the required skills and demonstrated expertise to serve on the NCDRP is proposed to be advertised in mid-2024.
19. The EOI, as a request for tender seeks to engage individuals with expertise in Architecture, Landscape Architecture, Urban Planning, Urban Design and specialist expertise in areas such as heritage, transport infrastructure, sustainability, civil engineering, master planning, health and education facilities planning and design.
20. To ensure national reach, the EOI will be advertised via multiple channels including through industry organisations (e.g. Australian Institute of Architects, Australian Institute of Landscape Architects), government websites (Employment Directory, banner advertisements) targeted emails, eNewsletters and social media (Twitter, LinkedIn,

Facebook). The advertisements will direct all interested parties to EPSDD and to the Tenders ACT procurement portal.

21. The EOI process also presents an opportunity to promote the ACT's recent planning reforms and the emphasis on design quality in the built environment.

Financial Implications

22. There are no new financial implications arising from this brief. EPSDD has received funding for the operation of NCDRP.

Consultation

Internal

23. The NCDRP Secretariat has consulted with EPSDD's Communications branch in relation to the promotion of the EOI request for tender process.
24. The NCDRP Secretariat has also consulted with the ACT Government Architect for the preparation of this process.

Cross Directorate

25. EPSDD's Planning and Urban Policy Division has engaged Major Projects Canberra's (MPC) Infrastructure Delivery Partners Group for the preparation of the procurement package and for the operations of the EOI request for tender process.
26. MPC Infrastructure Delivery Partners Group will provide the necessary procurement services on a cost-recovery basis.

External

27. Consultation on the procurement process has been undertaken with the relevant officers at the NCA.

Work Health and Safety

28. There are no work health and safety issues arising from this brief.

Benefits/Sensitivities

29. Undertaking the EOI request for tender process provides the opportunity to further promote the NCDRP and to attract new and additional panelists from across Australia.
30. The establishment of a pool of panel members also allows for the ongoing efficient management of panel members for the design review process.
31. Since the establishment of the formal NCDRP the community and industry have generally expressed support for the design review process acknowledging the benefits of good design such as greater consideration for public amenity. Some industry organisations have expressed concern about a perceived increase to development application processing times due to the design review process.

Communications, media and engagement implications

32. The announcement of the EOI request for tender process may attract some media attention.
33. A communications plan has been developed for the promotion of the EOI request for tender process. This includes advertising the EOI through a media release, industry

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organisations, government websites, targeted emails, eNewsletters and social media throughout the tender period.

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Attachments

Attachment A - Planning (General) Regulation 2023

Part 4 Significant development

Division 4.1 Design review panel

11 Development proposals requiring design review panel consultation—Act, s 100 (1)

The following development proposals are prescribed:

- (a) a proposal for a building with 5 or more storeys;
- (b) a proposal to increase the floorspace of a shop by more than 2 000m² if the proposed shop is fully or partly located within 1 or more of the following:
 - (i) a residential zone;
 - (ii) a commercial zone;
 - (iii) a community facility zone;
 - (iv) a parks and recreation zone.