

# Queensland Urban Design and Places Panel

## Terms of reference

## Background

The Queensland Government has endorsed the Queensland Urban Design and Places Panel (the 'panel') to advise state and local governments on urban design and place making policy, as well as design aspects of major property development and infrastructure projects in Queensland.

As populations become increasingly urbanised, there is renewed emphasis on the importance of urban design enhancing quality of life and supporting the broader economic growth of cities, towns and places. The quality and identity of places is also critical to attract increasingly mobile workers and businesses. Developing innovative strategies to sustain urban growth, guided by sound principles in urban design, can create places that people will be drawn to, and inspired by, into the future.

The panel is intended to champion high quality urban design and help foster a holistic approach to land use and infrastructure planning to create and support economically sustainable, vibrant and adaptable urban places for people in Queensland. The panel's charter is therefore to assist good urban design as a means of facilitating greater prosperity for the broader Queensland community.

## 1 Purpose

- 1.1 The terms of reference set out the role, function, membership and conduct of the panel.

## 2 Role

- 2.1 The panel is a non-statutory advisory body with a state-wide remit.
- 2.2 The panel advises the Queensland Government departments and agencies, local governments and project proponents.
- 2.3 The panel is established to:
- 2.3.1 Provide project specific and general advice to the Queensland Government on urban design, planning, architecture, landscape architecture, sustainability and built environment issues, specifically in relation to:
- (a) major property development and urban infrastructure projects in Queensland<sup>1</sup>
  - (b) state government buildings and infrastructure projects
  - (c) on the request of the relevant local government, private sector development proposals
  - (d) implementation or other impediments/opportunities to achieve robust, well designed urban environments.
- 2.3.2 Facilitate leading practice urban design policy development through the state government.
- 2.3.3 Assist the government in promoting community and industry awareness of the nexus between achieving sustainability, prosperity and good urban design and built environment issues. The panel will also facilitate linkages between community expectations and government urban policy initiatives.

## 3 Function

### 3.1 Project specific advice

- 3.1.1 The Minister responsible for Planning, may direct the panel to review and provide advice on government or private projects, priority urban areas and places and other projects as required which may enhance economic development through good urban design and quality public realm outcomes in Queensland. Ministers and Directors-Generals may request, through the Minister responsible for Planning, the panel review and provide advice on projects within their portfolio.
- 3.1.2 Local government may request, through the Minister for Planning, the panel review and provide advice on government or private projects, or priority urban areas and places.
- 3.1.3 The panel may, at its own discretion and with approval of the chair and Minister for Planning, identify, review and provide advice on government or private projects, or priority urban areas and places. Projects are required to meet the criteria set out in 3.1.4.

<sup>1</sup> This may include state, local or private sector projects referred to the Queensland Urban Design and Places Panel in accordance with these terms of reference

- 3.1.4 Specific projects considered by the panel shall be of state or regional significance and generally fall under one or more of the following criteria:
- (a) adjacent to or will impact on a significant civic or green space (planned or existing), a major river or place of cultural heritage significance
  - (b) have a strong spatial relationship with major existing or proposed infrastructure, in particular transport, health, education, cultural or entertainment facilities
  - (c) a significant community facility or major infrastructure such as transport, health, education, cultural or entertainment, public recreation, civic space
  - (d) propose to create new streets and/or revitalise existing streets in an urban context
  - (e) designs for new government-funded facilities and major infrastructure (including government buildings or facilities, railway buildings, station works and pedestrian overbridges), within 800 metres of all existing or future rail, light rail or busway stations.
- 3.1.5 The primary objectives of project specific reviews by the panel include to:
- (a) ensure government policy on urban design and planning is adequately and appropriately considered in relation to achieving sustainability and prosperity for Queensland
  - (b) assess the urban design merits of the development in the context of facilitating community prosperity
  - (c) recommend appropriate urban design improvements if necessary
  - (d) identify and support development with significant urban design merits and advise of appropriate mechanisms government may use to facilitate timely delivery of such projects.

## 3.2 Advocacy and general advice

- 3.2.1 The panel, assisted by the secretariat and in consultation with the Minister for Planning, shall identify and prioritise its activities in relation to general advice aimed at assisting the government to actively promote economic development through good urban design practice.
- 3.2.2 The panel can review and advise on matters of urban design where it relates to policy, program or research of the state.
- 3.2.3 The Minister for Planning may seek the advice of the panel on specific urban design and planning issues.
- 3.2.4 A local government may request, through the Minister responsible for Planning, for the panel to advise on matters of urban design.

## 3.3 Secretarial and technical support

- 3.3.1 The Department of Infrastructure, Local Government and Planning will provide the secretariat support for the panel including services to support the function and operation as outlined in the 'Operational Guidelines'.
- 3.3.2 Operational funding is provided through the Department of Infrastructure, Local Government and Planning through the secretariat.

- 3.3.3 Funding for investigations and consultants where required is funded separately from the Office of the State Government Architect. The panel is not to commission any investigations or consultants in its own right.

## 3.4 Reporting

- 3.4.1 The panel will report to the Minister for Planning on an annual basis providing information on the undertakings and project reviews of the panel.
- 3.4.2 The panel may be required to report by exception where requested to by the Minister for Planning on matters of significance in a timely manner.

# 4 Membership

## 4.1 Determination of membership

- 4.1.1 The membership will be determined following an expression of interest process to facilitate members with a high level of qualification and experience in selected professional fields.
- 4.1.2 A balance across a range of professional disciplines is required, however it is acknowledged that on some projects a unique skill set or regional knowledge is required. A person is eligible for appointment as a member of the panel only if the person:
- 4.1.2.1 has extensive knowledge of and experience in one or more of the following:
    - (a) architecture, landscape architecture or urban design
    - (b) land use, transport or infrastructure planning
    - (c) social planning or community development
    - (d) the construction or development industries
    - (e) sustainability, heritage, conservation, ecology, natural resource or environmental management
  - 4.1.2.2 has other knowledge and experience the government considers appropriate
  - 4.1.2.3 possesses the relevant skills and experience to provide independent expert advice.

## 4.2 Appointments

- 4.2.1 Appointments are made by the Minister for Planning.
- 4.2.2 Membership will include the Queensland Government Architect as the chair.
- 4.2.3 All members will be subject to a fixed term up to two years to ensure on going operation of the panel and determined at the time of appointment by the Minister for Planning.
- 4.2.4 There is no limit on members for renomination. However, as a general principle the panel will rotate approximately one third of its membership every three years.
- 4.2.5 Members may resign from the panel in writing to the Minister for Planning.

- 4.2.6 Results of any expression of interest process will remain current for a period of 12 months.
- 4.2.7 Any remuneration awarded to panel members is to be approved by cabinet in accordance with the *Remuneration Procedures for Part-Time Chairs and Members of Queensland Government Bodies*.
- 4.2.8 With the approval of the Minister for Planning, the chair may co-opt an additional temporary member for the review of a specific project where it is considered that additional expertise is warranted.

### 4.3 Meetings

- 4.3.1 Membership will be drawn from a skills-based pool of 18 members which includes the chair. When sitting, the panel will consist of at least three members.
- 4.3.2 Membership will be determined on a project by project basis, at the discretion of the chair taking into consideration the issue/s to be discussed, experience, member availability and skill sets required.
- 4.3.3 Panel members may not appoint a proxy.

### 4.4 Remuneration

- 4.4.1 Remuneration is in accordance with *Remuneration Procedures for Part-Time Chairs and Members of Queensland Government Bodies*, in the category of Regulation, administration and advice, Level 2. Rates are currently set at \$400 where a meeting and/or preparation is greater than four hours, and 50 per cent (\$200) where a meeting and/or preparation is less than four hours.

## 5 Conduct

### 5.1 Conduct and disclosure<sup>2</sup>

- 5.1.1 Members must act lawfully and with honour, integrity and professionalism.
- 5.1.2 The Code of Conduct of the Department of Infrastructure, Local Government and Planning applies to members of the Queensland Urban Design and Places Panel insofar as they use public resources or have access to official information.
- 5.1.3 If a member of the panel becomes aware that they have a conflict of interest in relation to a matter before the panel, the member must disclose the issue giving rise to the conflict to the panel.
- 5.1.4 Unless the panel otherwise directs, the member must not:
  - (a) take any further part in the consideration of the matter
  - (b) be present when the panel considers the issue.

<sup>2</sup> For the purposes of section 6.1, 'members' refers to members of the Queensland Urban Design and Places Panel and other invited observers.

- 5.1.5 A failure to disclose a conflict of interest may result in consequences including but not limited to:
- (a) referral of the matter to the Crime and Corruption Commission
  - (b) providing grounds for dismissal from the panel
  - (c) the re-review and reconsideration by the panel of the matter under consideration or any recommendations made in relation to the matter.
- 5.1.6 For the purposes of this section, a member has a conflict of interest about an issue if the member has an interest, financial or otherwise, that could conflict or be perceived to conflict with the proper performance of the member's duties. A conflict of interest may be identified by the member as: actual, perceived, potential, which may be either pecuniary or non-pecuniary.
- 5.1.7 The chair, in consultation with the secretariat and/or Minister for Planning, may be required to actively manage conduct and disclosure of business to the panel. Where confusion arises, the chair can exercise decision making powers in consultation with the Department of Infrastructure, Local Government and Planning's Ethics and Integrity Branch.
- 5.1.8 Members of the panel are not to use or disseminate project proponent's intellectual property (IP) unless authority has been sought and given by the IP owner.

## 5.2 Confidentiality<sup>3</sup>

- 5.3.1 The panel is an independent entity and is entitled to make advice, endorsed by the panel, available to the public. However, the panel is required to have all advice noted by the Director-General responsible for Planning before it can be made public as some advice may be sensitive in nature.
- 5.3.2 Requests to exercise confidentiality or undertake probity agreements by the Director-General responsible for Planning must be adhered to by the panel and its members. All advice made public by the panel must include a statement noting it is the view of the panel only and not endorsed government policy.
- 5.3.3 Members (in their capacity as a panel member) must not communicate with the media on the business of the panel or the nature of any advice made by the panel. The chair is responsible for any media communications in consultation with the department's media team and the Minister for Planning.
- 5.2.4 The panel acknowledges that any advice provided to the state government, local governments and project proponents may be acted on.

## 6 Alteration to terms of reference

- 6.1 The terms of reference for the panel may be amended at the direction or with the agreement of the Minister for Planning.
- 6.2 Proposals for alteration, amendment or addition to the terms of reference shall be given to the secretariat and considered by the panel prior to approval of the Minister for Planning.

<sup>3</sup> For the purposes of section 5.2, 'members' refers to members of the Queensland Urban Design and Places Panel and other invited observer.