# TERMS OF REFERENCE

## 1. AIMS

The purpose of the Design Review Panel is to provide independent and impartial expert design advice to the City of Vincent.

## 2. OBJECTIVES

The Objectives of the Panel are to make recommendations and provide advice to the City of Vincent on the architectural and design aspects of any development proposal, which has been referred to the Panel.

Development proposals referred to the Panel shall include:

2.1 Proposals that are considered by the Executive Support to be significant because of their size or the uses they support;

2.2 Proposals that are considered by the Executive Support to be significant because of their site;

2.3 Proposals that are considered by the Executive Support to be significant because of their community impact;

2.4 Proposals that the Executive Support considers would benefit from design review by the Panel; and

2.5 Any City project, scheme amendment, structure plan, policy, precinct plan, local development plan, design guidelines or other strategic document that the Executive Support considers would benefit from design review by the Panel.

The Design Review Panel is not a decision-making body and is not a committee for the purposes of the *Local Government Act 1995.*

## 3. MEMBERSHIP

3.1 The Design Review Panel shall consist of persons with skills and qualifications in Architecture, Urban Design, Landscape Architecture, Heritage Conservation and Sustainable Design.

3.2 The Design Review Panel shall be appointed by Council.

3.3 The Design Review Panel shall be appointed for a term of two years.

## 4. EXECUTIVE SUPPORT AND PANEL CHAIRPERSON

4.1 The Executive Director Strategy and Development or a delegate shall be the Executive Support of the Design Review Panel meetings for the purpose of the administration of the meeting and the coordination and review of the advice provided to the proponent and owner.

4.2 A member of the Design Review Panel shall be the Panel Chairperson for the purpose of leading the design discussion and providing the final design advice to the City.

## 5. ROLES AND RESPONSIBILITIES

5.1 Executive Support

The Executive Support is responsible for:

- The administration of the Panel meetings;
- Inducting Panel Members and briefing them regarding panel operations;
- Setting and communicating the meeting agenda and a summary of the City's advice to the proponent and owner;
- Recording comments made at the meeting and summarising these at the conclusion of each item;
- Circulating the draft minutes to the Panel Chairperson for review;
- Circulating the final comments that result from the Design Review Process to the owner and proponent;
- Conducting an annual review of outcomes with elected members and panel members; and
- Ensuring the Panel operates in accordance with Advisory Group Policy and Code of Conduct at all times.

5.2 Panel Chairperson

The Panel Chairperson is responsible for:

- Reviewing applications prior to attendance at the Panel Meeting;
- Leading the design review discussion;
- Facilitating interactive and collaborative discussion and participation of all parties, including all Panel Members, all relevant local government attendees and the proponent;
- Reviewing meeting minutes and liaising with other Panel Members in order to provide a final set of design advice to the City following each Panel meeting; and
- Briefing decision makers on the design advice from the Panel when required.

5.3 Panel Members

The Panel Members are responsible for:

- Attending meetings when required;
- Reviewing applications prior to attendance at the Panel Meeting;
- Providing design advice which aligns with the state and local planning framework and reflects their area of expertise; and
- Reviewing minutes and providing feedback to the Panel Chairperson on the design advice when required.

## 6. PANEL MEETINGS

6.1 Development proposals referred to the Panel should be presented to three design review meetings, with two of these prior to formal lodgement of the development proposal with the City, and one design review meeting following lodgement. Additional meetings may be requested at the discretion of the Executive Support.

6.2 If no design review meetings have taken place prior to formal lodgement of a proposal referred to the Panel, the applicant may be requested to agree to a time extension in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for the processing of the planning application, to enable at least two design review meetings are undertaken.

6.3 Design Review Panel meetings shall be scheduled at a minimum of one a month, and occur as required.

6.4 An agenda for the design review meeting with plans and a summary of the City's advice to the proponent shall be distributed five working days prior to the design review panel meeting.

6.5 Proponents will be encouraged to present their proposal to the Design Review Panel, with the owner and their designers present, at an arranged time during the scheduled meeting.

6.6 During meetings Panel Members are permitted to seek clarification from proponents.

6.7 Panel Members shall provide design advice aligned with the 10 Design Principles contained within State Planning Policy 7.0 – Design of the Built Environment, as well as the relevant state and local statutory planning framework.

6.8 During the meeting the Executive Support or delegate shall record comments and read these back to the Panel at the conclusion of the item. The comments will be sent to the Panel within three days for review and to the owner and/or proponent within seven days.

6.9 A sitting panel of four Panel Members shall be selected to attend each design review meeting.

6.10 A minimum of two Panel Members are required to attend a design review meeting for the Panel Meeting to proceed.

## 7. DESIGN ADVICE OUTSIDE OF PANEL MEETINGS

7.1 Development proposals may be referred to a Panel Member for design advice outside of a Panel Meeting.

7.2 Where development proposals have been referred to a Panel Member for design advice outside of a Panel Meeting, the Panel Member is to acknowledge the request for design advice within three days of receipt and is to state whether they agree to provide the design advice.

7.3 Where a Panel Member agrees to provide design advice on a development proposal outside of a Panel Meeting, the Panel Member shall provide that design advice within seven days of agreeing to provide that advice.

7.4 Panel Members may be requested to attend State Administrative Tribunal proceedings in relation to a development proposal they have previously provided design advice to the City on.

7.5 Panel Members shall provide design advice aligned with the 10 Design Principles contained within State Planning Policy 7.0 – Design of the Built Environment, as well as the relevant state and local statutory planning frameworks.

## 8. REMUNERATION

8.1 All Panel Members are to invoice the City for their attendance at meetings.

8.2 The Panel Chairperson is to be paid:

8.2.1 $300 per hour, capped at a maximum of three hours, for attendance at each Panel meeting, including preparation and review of all proposals prior to the Panel meeting, review of the minutes after the Panel meeting, discussion with Panel Members regarding the minutes and final advice and the provision of the final design advice from that meeting to the City;

8.2.2 $200 per hour, capped at a maximum of two hours, for design advice on a revised development proposal referred to the Panel Chairperson separate from Panel Meetings; and

8.3 The Design Review Panel Members are to be paid:

8.3.1 $250 per hour, capped at a maximum of three hours, for attendance at each Panel meeting, including preparation and review of all proposals prior to the

Panel meeting, review of the minutes after the Panel meeting and discussion with Panel Chairperson regarding the minutes and final advice; and

8.3.2 $200 per hour, capped at a maximum of two hours, for design advice on a revised development proposal referred to the Panel Member separate from Panel Meetings.

8.4 State Administrative Tribunal – Panel Chairperson and Members are to be paid:

a) $200 per hour, capped at a maximum of four hours, for attendance at a State Administrative Tribunal mediation, including preparation prior to the mediation; and

b) $200 per hour, for attendance at a State Administrative Tribunal hearing, including preparation prior to the proceeding.

8.5 The Executive Support will not be remunerated for attendance.

8.6 No additional fee is to be paid to the Design Review Panel unless authorised by the Chief Executive Officer.

8.7 Design Review Panel Members are considered to be engaged by the City as contractors.

## 9. CODE OF CONDUCT

9.1 All Design Review Panel Members shall abide by the City's Code of Conduct.

## 10. CONFLICT OF INTEREST

10.1 All Panel Members shall declare any financial, proximity and/or impartiality interests in accordance with the City's Code of Conduct following the receipt of a request for design advice or a Panel Meeting Agenda and prior to agreeing to provide the design advice or the start of the Panel Meeting. The Executive Support will determine whether the Panel Member or Chairperson may: participate in the Panel Meeting; or leave the meeting whilst the item, for which a conflict of interest was raised, is discussed.

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| **Commencement Date:** | 19 September 2017 |
| **Amended:** | 1 May 2018, 19 May 2020, 17 May 2022 and 23 April 2024 |
| **Review Date:** | 23 April 2028 |