

# CITY OF SUBIACO

## LOCAL PLANNING POLICY 7.1

### Design Review Panel Terms of Reference

#### ADMINISTRATIVE

Version	Date	Comment
1.0	9 June 2020	Adoption
2.0	24 February 2026	Reviewed
3.0	26 May 2026	Reviewed

#### AUTHORITY

- Planning and Development Act 2005 (**PD Act**)
- Planning and Development (Local Planning Schemes) Regulations 2015 (**LPS Regulations**)
- City of Subiaco Local Planning Scheme No. 5 (**Scheme** or **LPS 5**)

#### STATUTORY BACKGROUND

This local planning policy (the **Policy**) is made pursuant to Schedule 2, Part 2, Division 2 of the LPS Regulations relating to local planning policies.

The City of Subiaco Design Review Panel (**the Panel** or **DRP**) is established as a body with which the City may consult in assessing planning proposals and other related matters under the provisions of LPS 5.

Clause 3A(1) in Schedule 1 of the City's LPS 5 prescribes that the Local Government may appoint a DRP for the purpose of considering and advising the Local Government with respect to applications and/or planning documents. The decision maker shall have due regard to any recommendations from the Panel. The Panel does not have a decision-making function.

The Subiaco DRP does not constitute a committee as defined under Part 5 Division 2 Subdivision 2 of the *Local Government Act 1995*.

#### PURPOSE

This Policy provides a general framework for the City of Subiaco's DRP, including the membership, scope and remuneration of the Panel as well as the conduct of meetings.

#### APPLICATION

The following proposals will generally be referred to the Panel for review:

- All planning proposals that meet the requirements to be determined by a Development Assessment Panel (DAP) under the *Planning and Development (Development Assessment Panels) Regulations 2011*, except for any Form 2 application to amend or extend the term of approval unless the amendment involves design changes.
- All planning proposals involving the construction of, or substantial redevelopment of, buildings of four storeys in height or greater.
- All planning proposals subject to assessment under the Residential Design

Codes Volume 2 - Apartments, involving five (5) or more residential units, or where review of the panel is considered appropriate.

- Any planning proposal that has significant strategic planning impacts in terms of the implementation of a strategic planning objective, the scale of the development, or is considered by the City to be significantly different from the predominant and expected pattern of land use within the locality.
- Any relevant draft strategic planning instrument referred by the Manager Planning Services or Council.
- Any other matter as determined by the Manager Planning Services or Council.

## **POLICY**

### **1.0 Objectives**

- 1.1 Provide independent and impartial recommendations to the City on the architectural and design aspects of a planning proposal, including strategic planning initiatives, or related matters;
- 1.2 Improve the design quality and functionality of new development within the City, to support the objectives and intent of the City's policies and strategies;
- 1.3 Provide expert advice to City Officers to assist in recommendations to Council or DAP on applications for development approval, or in determining proposals under delegated authority.

### **2.0 Definitions**

2.1 The following terms are defined for the purpose of this Policy:

**Chair:** means the Chairperson appointed by Council for the City's Design Review Panel

**DAP:** means the Metro Inner Development Assessment Panel as defined in the DAP Regulations.

**DAP Regulations:** means the *Planning and Development (Development Assessment Panels) Regulations 2011*

**LG Act:** means the *Local Government Act 1995*

**LGDRM:** means the *Local Government Design Review Manual* published by the WAPC

**Panel Member:** means a regular member of the City's Design Review Panel

**SAT:** means the State Administrative Tribunal of Western Australia

**Specialist Member:** means a member of the City's Design Review Panel that has expertise in a specialist field of design

**SPP 7.0:** means *State Planning Policy 7.0 – Design of the Built Environment*

**WAPC:** means the *Western Australian Planning Commission*

2.2 All other terms, words and expressions used in this policy have the same meaning as they have in the Scheme or relevant planning framework.

### **3.0 Membership**

3.1 All Panel members will be appointed by resolution of Council, and will include:

- (a) A maximum of six members
- (b) A maximum of two specialist members
- (c) A person appointed as Chair

3.2 The specialist members will be invited to provide technical feedback at Panel meetings as necessary.

3.3 The Chair will preside at Panel meetings. If the Chair is unavailable to attend a meeting, the Chair is required to nominate an acting Chair as soon as reasonably practical and advise the City accordingly.

3.4 Panel Members shall have appropriate qualification(s) and experience in one or more of the nominated areas as set out in the LGDRM.

3.5 Members of the Panel will be sourced through a public process of expressions of interest. All expressions of interests shall include a professional profile addressing the selection criteria detailed in the LGDRM.

3.6 In considering diversity of the panel, City officers will strive for balanced gender representation in seeking and considering expressions of interest received, as well as local knowledge of Subiaco in providing a recommendation to Council for appointment.

3.7 A person who is currently employed by the City of Subiaco or who is an Elected Member of the Subiaco Council is not eligible for appointment as a member of the Panel.

3.8 The expression of interest period for appointment of DRP members should not occur over December and January.

3.9 The term of office for Panel members will be two years and existing members are eligible for reappointment. Council may extend the term of a current Panel member by up to six months.

3.10 Council may terminate the appointment of any member of the Panel prior to the expiry of the term of office.

3.11 Notwithstanding clause 3.9, the maximum consecutive term of a Panel Member (including Chair and Specialist Member), shall not exceed four (4) years. The consecutive term shall commence from the appointment of the panel in 2026 and not apply retrospectively.

### **4.0 Panel Meetings**

4.1 The Panel will generally meet once per month on the 3rd Wednesday of each month. Additional meetings may be called for urgent matters or where deemed necessary as determined by the Manager Planning Services.

4.2 A minimum of four members is required to constitute a quorum. A Panel meeting cannot proceed unless a quorum is present.

4.3 Meetings of the Panel are not open to the public. Panel members may request to attend the meeting via electronic means, however will generally be expected to attend the meeting in person.

4.4 All Panel Members shall declare any financial, proximity and/or impartiality interest.

4.5 Each proposal for consideration at a Panel meeting shall be allocated 50 minutes, with the standard meeting format and structure contained in

### **Attachment 1.**

- 4.6 The Panel shall provide feedback during the meeting that aligns with the 10 principles of design set out in SPP 7.0, including the strengths and weaknesses of the proposal.
- 4.7 The Panel recommendation(s) should include one or a combination of the following statements:
  - (a) The design is supported and is of significantly high quality to achieve design excellence.
  - (b) The design is supported and is of high quality.
  - (c) The design is acceptable.
  - (d) The design is acceptable subject to conditions.
  - (e) The design is not supported, giving clear reasons.
- 4.8 Administrative support to the Panel will be provided by City Officers, inclusive of minute taking.
- 4.9 A copy of the minutes of the meeting are provided to the DRP Chair for review and approval to ensure they reflect the advice of the Panel.

### **5.0 Design Advice Outside of Panel Meeting**

- 5.1 Proposals may be referred to the Chair or other Panel Members outside of a DRP Meeting, at the discretion of the Manager Planning Services where:
  - (a) the scale of the proposal does not warrant review by the whole Panel.
  - (b) the matter involves the clearance of condition(s) for a development approval.
- 5.2 Panel members may be requested to attend Council, SAT and DAP meetings or any other relevant proceedings, in relation to a planning proposal for which they have previously provided design advice to the City.

### **6.0 Financial**

- 6.1 Panel Members shall be paid \$275 per hour inclusive of GST up to a maximum of three hours meeting time, or part thereof. The Chairperson shall be paid an additional \$100 per meeting. Members shall invoice every three months, at the beginning of June, September, December and March.
- 6.2 Panel members shall be entitled to a maximum of 30 minutes of remuneration at the rate specified in 6.1 above, for each item on a DRP meeting agenda and preparation of notes prior to the meeting.
- 6.3 Panel Members shall be paid a mutually agreed rate per item for design advice on a planning matter referred to a Panel member separate from Panel Meetings in accordance with the City's Purchasing Policy.
- 6.4 Where a member of the Panel is requested to attend a Council, SAT or DAP meeting or any other relevant proceeding, the member is to be paid at a mutually agreed hourly rate consistent with the qualifications, experience and professional status of the member and appointed through the City's Purchasing Policy.
- 6.5 Should a proposal be presented to more than three Panel meetings, the applicant will be charged a fee of \$1,650 per hour inclusive of GST, at the discretion of the Manager Planning Services.

**Attachment 1 – Template for DRP Meeting Agenda**



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**AGENDA**  
**SUBIACO DESIGN REVIEW PANEL**

**DATE**  
**TIME**  
**VENUE**           Level 2, 388 Hay Street, SUBIACO  
**FILE REF**

**ATTENDANCE**

Panel Members

City Staff

Applicants

**APOLOGIES**

- 1. MEETING OPEN AND WELCOME BY PRESIDING MEMBER, ATTENDANCE AND APOLOGIES**
- 2. FORMALISATION OF NOTES FROM PREVIOUS MEETING**
- 3. UPDATE BY MANAGER PLANNING SERVICES**
- 4. DECLARATIONS OF INTEREST**
- 5. ITEMS AND PROPOSALS FOR CONSIDERATION BY PANEL**

**5.1 PROPOSAL 1 –**

*Sequence:*

- *Staff overview and DRP initial discussion (5 mins)*
- *Applicant presentation (10 mins)*

- **Panel feedback to applicant (30 mins)**
- **Scoring against principles of design (5 mins)**

<b>Design review report and recommendations</b>				
Local government				
Item no.				
Date				
Time				
Location				
Panel members	•			
Local government officers				
Proponent/s				
<b>Briefings</b>				
Development assessment overview				
Technical issues				
<b>Design review</b>				
Proposed development				
Property address				
Background				
Proposal	•			
Changes since last DRP				
Key issues/recommendations	-			
Chair signature				
<b>DR2 – Development assessment overview</b>				
Proposed development				
Street address				
Applicant / owner				
Reported by				
Assessment summary:				
<b>Key objectives/standards of planning policies relevant to this proposal</b>				
	<b>Required</b>	<b>Permitted</b>	<b>Proposed</b>	<b>Assessment</b>
Design Element	-			
Key issues / Areas for consideration	•			
<b>DRP Scores</b>				
	Supported			
	Pending Further attention			
	Not supported			
	Insufficient information to evaluate			
	DRP Meeting 1:		DRP Meeting 2:	
Context and character				
Landscape quality				

Built form and scale		
Functionality and build quality		
Sustainability		
Amenity		
Legibility		
Safety		
Community		
Aesthetics		

<b>Design review report and recommendations</b>		
<b>Design quality evaluation</b>		
		<i>Supported</i>
		<i>Pending further attention</i>
		<i>Not supported</i>
		<i>Insufficient information to evaluate</i>
<b>Principle 1 - Context and character</b>		<i>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</i>
		a.
<b>Recommendations:</b>		1.
<b>Principle 2 - Landscape quality</b>		<i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</i>
		a.
<b>Recommendations:</b>		1.
<b>Principle 3 – Built form and scale</b>		<i>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</i>
		a.
<b>Recommendations:</b>		1.
<b>Principle 4 - Functionality and build quality</b>		<i>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.</i>
<b>Recommendations:</b>		1.
<b>Principle 5 - Sustainability</b>		<i>Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.</i>
		a.
<b>Recommendations:</b>		1.
<b>Principle 6 - Amenity</b>		<i>Good design optimises internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.</i>
		a.
<b>Recommendations:</b>		1.
<b>Principle 7 - Legibility</b>		<i>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.</i>
		a.

<b>Recommendations:</b>	1.
Principle 8 - <b>Safety</b>	<i>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</i>
	a.
<b>Recommendations:</b>	1.
Principle 9 - <b>Community</b>	<i>Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.</i>
	a.
<b>Recommendations:</b>	1.
Principle 10 <b>Aesthetics</b>	<i>Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</i>
	a.
<b>Recommendations:</b>	1.

**Meeting closed:**

**Next meeting date:**