



State Design Review Panel

Terms of Reference

The terms of reference for the State Design Review Panel of the Western Australian Planning Commission.

Adoption Date: 01/05/2024

Committee Title	State Design Review Panel
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Effective Date	01/07/2024
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The Western Australian Planning Commission (WAPC) is established under the *Planning and Development Act 2005* to provide independent advice to the Government on integrated land use planning and development, and to facilitate the preparation, implementation and delivery of state planning policies, strategies and plans through its functions and statutory decisions. Schedule 2 of the Act provides for the WAPC to establish committees to support it in delivering its functions.

1. PURPOSE

The State Design Review Panel (SDRP) was established by the WAPC to enhance the quality of our built environment through the provision of independent, professional advice regarding the design quality of significant development proposals and projects. This advice enables informed decision making and supports the delivery of good design outcomes that provide social, environmental and economic benefits to all Western Australians.

2. OBJECTIVES, SCOPE & FUNCTIONS

The key objective of the SDRP is to support implementation of State Planning Policy 7.0: Design of the Built Environment (SPP 7.0) through:

- provision of advice to proponents (including government agencies) on built environment design quality matters and opportunities to align significant development proposals with SPP 7.0, to inform design development pre-lodgment; and
- provision of advice to the WAPC and other decision makers on the design quality of lodged significant development proposals and projects, in accordance with SPP 7.0, to support design assessment and statutory decision making.

SDRP advice is typically sought by government agencies or statutory decision-makers on significant development applications and State significant public works proposals. SDRP advice may also be sought in relation to other development proposals and built form-based planning instruments where these are considered to have strategic significance, and other matters as required by the WAPC.

Provision of design review advice (other than at the request of the WAPC) is subject to the approval of the Chairperson of the WAPC on the advice of the Government Architect (Chair of the SDRP), based on the criteria outlined below.

3. DURATION

The SDRP is a standing committee of the WAPC and is established indefinitely.

4. AUTHORITY, ACCOUNTABILITY & DECISION-MAKING

The SDRP has been established as an advisory committee under Schedule 2 of the *Planning and Development Act 2005*.

The Committee is established as an expert and multidisciplinary advisory pool of members from which project design review panels (sub-committees) are formed. The Committee and its project panels are authorised to provide independent design advice to proponents and decision makers based on SPP 7.0 and to make recommendations on design through the Chair to the WAPC but do not have delegation to make decisions or to represent the WAPC. Planning decisions will be made by the responsible authority under the *Planning and Development Act 2005* and/or other legislation.

The Committee must operate in accordance with the *Western Australian Planning Commission Regulations 2024* and the Commission's Governance Manual which contains its Policies, Procedures and Code of Conduct (including its Conflict of Interest and Confidentiality requirements). An SDRP

Probity Plan has been prepared that aligns with these requirements and elaborates on how conflicts of interest are managed.

5. MEMBERSHIP & ATTENDANCE

The SDRP comprises:

- The Government Architect as Chair of the SDRP;
- A pool of 70-80 highly experienced, multi-disciplinary built environment professionals from industry, government and academia with demonstrated expertise in effective design review from which individual design review project panels will be constituted. Member expertise may relate to:
 - Architecture
 - Landscape Architecture
 - Urban design
 - Aboriginal engagement and designing with country
 - Planning
 - Heritage
 - Sustainability (including environmental design, systems ecology, urban water expertise)
 - Accessibility and universal design
 - Public and population health
 - Transport planning
 - Civil, structural and services engineering
 - Public art

Between 1 and 4 members of the pool with architectural expertise and extensive experience in design review may be appointed as Deputy Chair/s of the SDRP.

The positions of Principal Associate to the Government Architect be appointed as ex-officio Deputy Chairs of the SDRP.

Appointment to the SDRP pool is through a public advertising process and will be for a term of up to five years, more usually four years, with half the pool renewing every two years. Selection criteria are outlined in Attachment 1.

Members shall have a clear understanding of their authority, responsibility and accountability and have the appropriate skills necessary to fulfil their role on the SDRP.

6. MEETINGS, OPERATION & SUPPORT

Referrals

Referral to SDRP for design review can be initiated by the WAPC, commissioning government agency or statutory approval authority. Acceptance to the SDRP programme requires approval from the WAPC Chairperson on the advice of the Government Architect (SDRP Chair), with consideration given to the following factors:

- **State or Regional Importance:** The project is of significance to the State or a particular region (refer WAPC Operational Policy for guidance)
- **Location:** the project is located in an area that has particular importance and/or sensitivity, whether this be historic, environmental, or relating to a particular character or use
- **Prominence:** the project is situated on a prominent site, with high levels of public visibility and/or political sensitivity
- **Complexity:** there are complex challenges to overcome that require a sophisticated design response
- **Precedence:** the project establishes a precedent for a type of development within an area.

Other considerations such as the capacity of the Committee and the prospects for an improved design outcome may also be taken into account. If a proposal has already undergone design review at local government level it is preferable that the SDRP does not provide further advice, as the opinion of a properly constituted local design review panel constitutes expert opinion in its own right; however the advice of the statutory decision maker should be sought before deciding which panel (if any) should be utilised.

Project design review panel constitution

Individual project design review panels of three (3) to seven (7) pool members will be constituted by the SDRP Chair based on the complexity of the project under review and its key design issues, taking into account member expertise, availability and conflicts of interest.

Design review sessions will be chaired by the Chair of the SDRP (ie Government Architect). Where necessary to support delivery of the function in a timely fashion or manage a conflict of interest, the Chair of the SDRP may, with the approval of the Chairperson of the WAPC, nominate a Deputy SDRP Chair to act for them in chairing specific project panels.

Design Review sessions and reporting

SDRP design review sessions will be:

- Held as required.
- Held at a venue approved by the Chairperson - generally within the offices of the Department of Planning Lands and Heritage. In person attendance is preferred however the option to attend virtually *may* be provided at the discretion of the project design review panel Chair.
- Conducted generally in accordance with the WAPC's Design Review Guide .
- Supported by a staff member/s of the Department of Planning Lands and Heritage who will:
 - Provide at least 5 business days notice of meetings.
 - Circulate agendas and papers at least 5 business days prior to a meeting.
 - Circulate minutes endorsed by the Chairperson of the project design review panel within 14 days of a meeting and refer a copy of these to the WAPC.
 - Undertake record keeping in accordance with the Department's policies and procedures.

A design review report is also issued to the referral body and proponent within 14 calendar days after review (or as required to facilitate statutory processing times), unless otherwise agreed by the SDRP Chair. Design review reports capture the panel feedback provided and can include dissenting views. These reports represent confidential advice to the proponent and referral body, however the final design review report can be released by the decision maker as part of a public consultation and/or development assessment process. Design review reports are approved for issue by the Chair of the project design review panel with all final design review reports requiring the approval of the SDRP Chair.

When appointed to a project design review panel, every effort should be made by members to attend all meetings. Where a member/s is unable to attend or participate in a meeting, a substitute alternative SDRP member will be selected by the SDRP Chair.

Member Remuneration

SDRP members will receive sitting fees based on a rate determined by the Minister for Planning on advice from the Public Sector Commission. Fees will be paid for either a half or full day. If a member is engaged to chair a design review session, the member will be paid at the rate set for the SDRP Chair.

Travel allowances for Members will be considered in line with the Guidelines for Official Travel by Ministers, Parliamentary Secretaries and Government Officers and applicable policy. Members who are also hold positions which are paid from public monies (including full time – and potentially part time - State and Local Government employees will not be remunerated, in accordance with Premier's Circular 2023/02 (or any revision).

Panel members should advise the WAPC (via DPLH staff) immediately if their employment circumstances change, including to/from a public sector role.

7. ENDORSEMENT AND REVIEW

These Terms of Reference were established by resolution of the WAPC on 3 April 2019 and updated as outlined below. They will be subject to review every 5 years or earlier if so resolved by the WAPC.

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May 2024	P Rodic	Align to standard, introduce deputies	3.0	01/05/2024
August 2024	A D'Costa	Introduce Principal Associate as ex-officio Deputy Chairs	4.0	14/08/2024

ATTACHMENT 1: SDRP MEMBER SELECTION CRITERIA

- Professional qualifications, expertise and experience that relates to design review of the built environment, and that will contribute to the purpose and objectives of the State Design Review Panel
- Ability to critically analyse, evaluate and provide clear and constructive feedback on complex design quality issues
- Knowledge and understanding of State Planning Policy 7.0: Design of the Built Environment, specifically the 10 Design Principles
- Communication skills of a high level, both written and verbal. It is expected that Panel members are able to communicate with a wide range of stakeholders
- Knowledge and understanding of probity requirements, including conflicts of interest and confidentiality
- Diversity in representation (refer State Government Boards and Committees: Classification and Appointment Guidelines or successor documents).