

<b>TITLE:</b>	<b>DESIGN REVIEW PANEL</b>
<b>ADOPTED:</b>	29 September 2022
<b>REVIEWED:</b>	OMC 30 May 2024 – Pages 10 –16
<b>ASSOCIATED LEGISLATION:</b>	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015 Shire of Broome Local Planning Scheme No 7 (LPS7)
<b>ASSOCIATED DOCUMENTS:</b>	
<b>REVIEW RESPONSIBILITY:</b>	Director Development Services
<b>DELEGATION:</b>	Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.
<b>APPLICATION</b>	This policy applies to the LPS7 area.

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## Objectives:

1. To ensure the administration of the Shire of Broome is consistent with the process outlined by the State Government Design Review Guide.
2. To provide an independent evaluation process for proposals and processes that impact the design quality of the built environment.
3. To facilitate an improvement in urban design and the quality of the built environment within the Shire of Broome.
4. To assist in the formulation of recommendations to the Council and the Joint Development Assessment Panel, or in the determining of applications under delegated authority.

## Definitions:

“**Design Review**” means an independent and impartial evaluation process in which experts on the built environment assess the design of a proposal.

**“Design Review Guide”** means the Department of Planning, Lands and Heritage’s *Design Review Guide – Guidance for local governments to set up and operate design review processes*.

**“Major Development”** is defined as:

- 10 or more grouped or multiple dwellings;
- Mixed use developments incorporating a residential component with an estimated construction cost of more than three million dollars (\$3,000,000); and
- Commercial Developments within all zoned and reserved land except for the Service Commercial, Industry and Light & Service Industry zones with an estimated construction cost of more than three million dollars (\$3,000,000).

**“Panel”** means a selected panel of experts who undertake a design review of a development proposal or the implementation of a new or amended document which forms part of the local planning framework.

**“Scheme”** means the Shire of Broome Local Planning Scheme No. 6.

**Policy:**

1.0 Membership

- 1.1. The Panel is to comprise a pool of up to five (5) design professionals, appointed by the Director of Development Services to fulfill the requirements outlined in this Policy.
- 1.2. The Panel shall be appointed as per the recommendations contained within Section 5 of the Department of Planning, Lands and Heritage’s Design Review Guide.
- 1.3. The term of appointment of a Panel Member will be for a maximum of three (3) years. Appointment for additional terms may be approved by the Director of Development Services.
- 1.4. The Director of Development Services may terminate the appointment of a Panel member prior to expiry of their term if it is considered that the member is not providing a positive contribution to the intended function of the Panel or if the member has not demonstrated a satisfactory level of attendance at Panel meetings.
- 1.5. One member of the Panel shall be the Chairperson of the Panel for the purpose of managing and facilitating interactive design review, discussions, identifying key recommendations for reporting. The Chairperson will also be responsible for minute taking of each meeting.
- 1.6. Where a vacancy in the Panel occurs, eligible persons shall be drawn from previous nominations, and shall be presented to the Director of Development Services for selection and approval. Failing this, the Shire shall seek additional expressions of interest in accordance with clause 1.2 above.

- 2.0 Items to be Referred to the Panel
- 2.1 Development applications and pre-application development submissions for Major Development.
- 2.2 Non-major development proposals may be referred to the Panel for review at the discretion of the Director of Development Services, with the prior agreement of the proponent.
- 2.3 Strategies, policies, master plans, local development plans, structure plans, precinct structure plans, local planning schemes and amendments or other matters relating to the strategic and statutory local planning frameworks that have the ability to inform the future built form within the Shire.
- 3.0 Operational requirements
- 3.1 Panel meetings will follow the meeting procedures, roles and responsibilities recommended by the *Design Review Guide*.
- 3.2 The Panel will take into consideration the design principles set out in State Planning Policy 7.0 Design of the Built Environment
- 3.3 A Panel meeting cannot proceed unless a quorum comprising a minimum of two panel members is in attendance.
- 3.4 Notes of the Panel meeting should be maintained and reported in accordance with Clause 6.6 of the Design Review Guide.
- 3.5 Proponents are encouraged to request the Shire to refer proposals to the Panel early in the design concept stage, prior to the submission of a development application. Several referrals to the Panel may be required depending on the complexity of the proposal.
- 3.6 Panel meetings are to be held at the Shire of Broome Administration Centre. Where proponents and Panel Members are unable to attend in person or are not locally based, the meeting shall be undertaken by video teleconference.
- 4.0 Fees
- 4.1 A fee is payable to each member of the Panel for preparation and attendance at a Panel meeting.
- 4.2 If the Director of Development Services requests a Panel member to appear on the Shire's behalf as an expert witness at the State Administrative Tribunal, the member is to be paid at a mutually agreed hourly rate between the member and the Shire.

5.0 Conflict of Interest

5.1 Where a member of the DRP has a financial interest (as defined by the Local Government Act 1995) in a matter to be considered by the Panel, the member must disclose the interest to the convenor of the meeting (in writing) and must not participate in or be present during any discussion on the matter.

5.2 Where a member of the Panel has an impartiality interest in a matter to be considered by the Panel (an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest arising from kinship, friendship or membership of an association), the member must disclose the nature of the interest to the convenor of the meeting, prior to any discussion on the matter.

5.3 A person who is currently employed by, or who is an Elected Member of the Shire, is not eligible for appointment as a member.

6.0 Confidentiality

6.1 Proceedings of a meeting, supporting information, agendas and minutes of any proposal presented to the Panel are to remain confidential unless such details are disclosed in an authorised manner by an officer to the proponent or applicant, or presented in a report which is available to the public.

7.0 Code of Conduct

7.1 All Panel members are required to review and agree to the Shire's Code of Conduct.

**SHIRE OF BROOME LOCAL PLANNING SCHEME No. 7 (LPS7) – LOCAL PLANNING POLICIES**

This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.

Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 of the deemed provisions of LPS7 have been completed.