



## TERMS OF REFERENCE - March 2021

### INNER WEST ARCHITECTURAL EXCELLENCE & DESIGN REVIEW

#### PANEL

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## 1. Purpose

- a. The purpose of the Architectural Excellence & Design Review Panel (the Panel) has been established to provide Inner West Council with independent expert advice and expertise on urban design, architectural quality and excellence. The advice will inform the assessment of certain predevelopment applications, development applications, master plans, development control plans and planning proposals for promoting exceptionally high-quality architecture and urban design, and for improving sustainability, vibrancy, liveliness and the character of the Inner West Council area.
- b. The Terms of Reference sets out the way in which the Panel will operate.

## 2. Scope

- a. The Panel will be requested to provide advice on the following:



### Referral Threshold

(i)	All SEPP 65 applicable development;
(ii)	Larger boarding houses, major commercial buildings, or significant public domain projects;
(iii)	Significant proposals such as master plans, development control plans, urban design strategies, planning proposals; and
(iv)	Any other matter at the discretion of the Manager, Development Assessment (North).

- b. The Panel will provide independent and impartial advice in response to matters referred that meet the above threshold with regard to urban design, architectural quality and design excellence
- c. The role of the Panel is advisory only.
- d. The Panel members are legally constituted pursuant to individual terms of appointment between the Council and its members to supply advisory services to the Council.
  - (i) Members of the Panel are required to comply with these Terms of Reference.
  - (ii) The Panel has no power or authority, whether by delegation, agency or otherwise to exercise any function, right, duty or power of the Council, where under a statute or other law, in any other capacity.
- e. Advice provided by the Panel will not seek to diminish the role of the architect but will introduce design expertise to constructively review the design considering the following (where relevant):
  - (i) Design Quality Principles as set out in schedule 1 of State Environment Planning Policy No 65 - Design Quality of Residential Apartment Development;
  - (ii) Objectives outlined in ['Better Placed - an integrated design policy for the built environment of NSW'](#)



- (iii) Any relevant state, local plans, policies and guidelines, including but not limited to the Local strategic Planning Statement, Local Environment Plans, Development Control Plans, urban design strategies and the like. Such documents are to be specified by the Council when convening the Panel to review any proposal or project.

### 3. Members

- a. Council will engage external Panel members who are highly recognised in their profession and who:
  - (i) Have a demonstrated experience and knowledge of urban design, landscape architecture and/or architecture;
  - (ii) Possess the relevant skills and experience to provide independent expert advice; and
  - (iii) Meet the core selection criteria as set out in Part 5 of the Apartment Design Guide.
- c. Council will appoint a minimum of 4 external Panel members and two internal Panel members.
- b. For each application that the Panel considers where State Environmental Planning Policy No 65–Design Quality of Residential Apartment Development is applicable, the panel will be made up of:
  - a. three external members, one of who will chair the meeting; and
  - b. one Council officer as the Panel Co-ordinator. The Panel Co-ordinator is responsible for administration of the Panel, including the co-ordination of a chairperson for each meeting.
- c. External Panel members will be engaged for a term of two years pursuant to State Environmental Planning Policy No 65–Design Quality of Residential Apartment Development, renewable by agreement. At the end of the tenure period panel members may be invited to accept reappointment. Additional panel members will be recruited as required.



- d. Where a matter is to be considered by the panel that does not constitute an application where State Environmental Planning Policy No 65–Design Quality of Residential Apartment Development is applicable the panel will be made up from:
  - a. Two external members; and
  - b. One internal member who will chair the meeting
- e. If an external member resigns from the Panel during the initial term, Council may appoint a replacement member who has similar expertise and skills.
- f. External Panel members will be paid fees for attending the Panel meetings in accordance with their terms of appointment.
- g. Councillors cannot be appointed as panel members

#### 4. Conduct and Disclosures

- a. Members must act lawfully and with honour, integrity and professionalism and abide by Council’s Code of Conduct, the Terms of Reference, Terms of Appointment and Statement of Business Ethics.
- b. Members who have a pecuniary or non-pecuniary interest in any matter with which the Panel is concerned must disclose the nature of the interest as soon as practicable.
- c. A member who has a pecuniary interest or a significant non-pecuniary interest in a matter with which the Panel is concerned must not be present at any meeting of the Panel at which the matter is being discussed or considered. A significant non-pecuniary interest generally relates to interests of close family relations, close business or friendships or strong affiliations with an organisation, sporting body or club.
- d. A member who has a non-pecuniary interest in a matter with which the Panel is concerned where the interest is not significant and does not present a conflict of interest must declare the interest to the meeting and advise the meeting why it is not significant and why it therefore does not present a conflict of interest.



- e. A disclosure about a non-pecuniary interest where the Panel member is in attendance, must be recorded in the minutes of the meeting.

## 5. Role of the Chair

- a. The Chair is responsible for clarifying and summarising the Panel's comments, all issues and subsequently providing written advice, informed by the Panel's expertise (in the format provided by the Council), to the Panel Co-ordinator within 14 days of the meeting.
- b. The responsibilities of the Chair include:
  - a) Ensuring the meetings operate in an orderly and timely manner, follow the agenda and adhere to the allocated time frames;
  - b) That the Panel provides advice and recommendations consistent with the Terms of Reference; and
  - c) The Panel report represents a single, majority view.

## 6. Meeting Procedures

- a. Meetings of the AEDRP will be convened by the Panel Co-ordinator in consultation with the Panel members. Where possible a schedule of location, dates and times will be prepared and distributed to the Panel members for potential meeting dates for a six (6) month period.
- b. Panel members will be provided with architectural plans and any other supporting documents necessary to understand the application by electronic means, a minimum of 48 hours before the meeting (excluding weekends and public holidays).
- c. In scheduling the agenda for a meeting, the Panel Co-ordinator and Chair will discuss whether a site inspection is appropriate and whether Panel members should undertake the site inspection at their own convenience prior to the meeting or whether the meeting should commence on site.



- d. The proponent's architect may be invited by the Panel to attend the meeting to present, observe, discuss and answer questions. Other Council staff may attend the meeting as observers. The relevant planning officer will be requested to provide a brief of the application including relevant key planning instruments at the commencement of the meeting. Additionally, they should be available to answer any questions from the Panel.
- e. Each session will typically comprise:
  - i. Site Inspections (where appropriate);
  - ii. Briefing to panel members;
  - iii. Presentation from architect presenting the proponents scheme (generally limited to 30 mins)
  - iv. Panel questions
  - v. Review of proposal by Panel
  - vi. Chair Summary of advice
- f. The agenda may include up to 5 agenda items where a whole day is scheduled.
- g. The Panel Co-ordinator / internal member is responsible for arranging minute taking at the Panel meetings. The short minutes will include the following:
  - (i) Attendance;
  - (ii) Apologies;
  - (iii) Declarations of Interest;
  - (iv) Record of all recommendations made by the Panel, including the justification for the Panel's position, and with sufficient detail to inform any recommended design changes.
- h. Meeting minutes will be reviewed and approved for circulation to the appointed Panel members by the Panel Chair. Panel minutes will be reviewed and adopted by electronic means.
- i. Should a proposal be before the Panel for the second review, then every effort will be made by Council to include the same Panel members, or it will be ensured at least one Panel member is repeated.



- j. Should meetings need to be postponed or cancelled a minimum of one (1) week shall be given to the Panel.

## 7. Review

- a. The terms of reference and operation of the Panel may be reviewed by Council's Development Assessment Manager from time to time in consultation with the Panel members.

### Version

Version	Date	Authorised
1	March 2021	RJ