

Local Planning Policy 1.3: Design Review Panel

ADOPTION DATE: 28 June 2016 (DV16.91)

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AUTHORITY: *Planning and Development (Local Planning Schemes) Regulations 2015*

INTRODUCTION

Integrating design in the planning framework is a key component of achieving good design outcomes. Design review is a mechanism for integrating qualitative design assessment of proposals in the planning process. Design review assists in the development of strategic planning proposals, and in the assessment of performance-based outcomes.

PURPOSE

The purpose of this Policy is to:

- provide a framework for the role and operation of the Town's Design Review Panel (DRP), including the criteria in which proposals are to be referred for design review to ensure the delivery of high-quality built form outcomes consistent with *State Planning Policy 7.0: Design of the Built Environment* (SPP7.0).
- set out the Terms of Reference for the Design Review Panel (**Appendix 1**).

APPLICATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as *Local Planning Policy 1.3: Design Review Panel* (LPP1.3).

This Policy applies to all planning and development proposals within the Town of Cambridge that meet the referral criteria outlined in provision 1 of the Policy, including proposals referred at the Town's discretion.

OBJECTIVES

The key objectives of the DRP are to:

- a) Improve the design quality and functionality of new development within the Town through the provision of independent expert advice to the Council, Town and to proponents on the design of specific development proposals, applications and planning matters;
- b) Ensure the heritage, character and natural features of the area are protected and reflected in new development; and
- c) Facilitate greater awareness of built environment design quality matters and the benefits that may be realised through a constructive design review process.

DEFINITIONS

For the purposes of the Town's DRP, the following definitions apply:

Financial interest A member has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

Proximity interest A person has a proximity interest in a matter if the matter concerns:

- a proposed change to a planning scheme affecting land that adjoins the person's land; or
- a proposed change to the zoning or use of land that adjoins the person's land; or
- a proposed development (as defined in section 5.63(5) of the *Local Government Act*) of land that adjoins the person's land.
- Land (the proposal land) adjoins a person's land if:
- the proposal land, not being a thoroughfare, has a common boundary with the person's land; or
- the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
- the proposal land is that part of a thoroughfare that has a common boundary with the person's land.

A reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

Impartiality interest A member is considered to have an interest in a matter if the member has:

- financial, commercial or professional interest in a project, its client and/or its site; or
- a personal relationship with either the site or an individual or group involved in the project, where that relationship prevents the member from being objective.

POLICY

1. Proposals to be referred to the Design Review Panel

Unless excluded, planning proposals that meet either of the following criteria are to be referred to the DRP:

- a) Development proposals that are 4 or more storeys in height (above natural ground level).
- b) Development proposals comprising 10 or more grouped dwellings.

- c) All proposals with a multiple dwelling component.
- d) Development located within the Town Centre zone.
- e) Development of a property on the State Register of Heritage Places, on the Town's Heritage List or in a designated Conservation Area established under the *Local Planning Scheme No. 1*, unless the proposal excludes a works component or does not require development approval under the *Local Planning Scheme No. 1*.
- f) Works undertaken by the Town if required by the Chief Executive Officer or Director of Planning.
- g) Other proposals, or planning related matters, which in the opinion of the Town, would benefit from obtaining the DRP's comments, where appropriate, including and not limited to:
 - Studies relating to specific areas or precincts;
 - Local planning policies;
 - Design Guidelines;
 - Standard and Precinct Structure Plans;
 - Planning strategies;
 - Local Development Plans;
 - Proposed amendments to the Local Planning Scheme; and
 - Any other matters related to the design of buildings.
- h) The Town may use the [Design Review Eligibility Matrix](#) to assist in determining whether a specific proposal should go through the design review process, receive design advice, or if no review or advice is needed.

2. Proposals excluded from referral to the Design Review Panel

- a) Single houses.
- b) Warehouses.
- c) Industrial development.
- d) Public works undertaken by a public authority other than the Town.
- e) Proposals eligible for referral to the State Design Review Panel or any other design review panel.

3. Design Advice

- a) Design advice may be sought where design review may not be appropriate or practical, but design advice can still be valuable, in the opinion of the Town.
- b) This may include where specific elements of a proposal that would benefit from specialised input, where appropriate, including but not limited to the development of design guidelines, local planning policies or Standard and precinct structure plans.
- c) Design advice is to be provided by an appropriately qualified individual such as an Estate Architect, or an appropriately qualified professional procured by the Town.

Local Planning Policy 1.3: Design Review Panel - Document Control	
Version	Decision to Adopt/Amend
1.	28/06/2016 Ordinary Council Meeting DV16.91
2.	26/03/2019 Ordinary Council Meeting DV19.29
3.	24/09/2019 Ordinary Council Meeting DV19.124
4.	28/10/2025 Ordinary Council Meeting 15.3.1

APPENDIX 1: DESIGN REVIEW PANEL TERMS OF REFERENCE

PURPOSE

The Town of Cambridge Design Review Panel (DRP) was established on 1 March 2017 to provide independent, expert advice regarding the design quality of development proposals identified in *Local Planning Policy 1.3: Design Review Panel* and in other circumstances in relation to any major development or other proposal required by the Council or any relevant Local Planning Scheme provision.

AUTHORITY, ACCOUNTABILITY, AND DECISION MAKING

STATUS OF ADVICE

The Town's Design Review Panel is advisory only and does not have a decision-making function. The Panel advises on the design quality of proposals against the Design Principles in *State Planning Policy 7.0: Design of the Built Environment* (SPP7.0) and supporting State Planning Policies, with reference to the Town's *Local Planning Scheme No. 1* and other relevant provisions in the Town's local planning framework. The advice is not a planning assessment or a technical or compliance assessment against the Australian Standards or National Construction Codes.

Outside of the design review processes under this Terms of Reference, members of the Panel shall not provide advice directly to an applicant, landowner, Elected Member or member of the public in respect to any proposal under consideration at a Design Review Panel meeting.

MEMBERSHIP

1. Composition

- a) The DRP shall comprise a pool of a minimum of eight experienced, multi-disciplinary built environment professionals with the majority of pool members having demonstrated expertise in effective design review.
- b) Council may appoint one or more members as a Panel Chair or Deputy Chair.
- c) The Panel pool shall comprise of members with professional qualifications and experience in the following essential disciplines:
 - Architecture
 - Landscape Architecture
 - Urban Design
- d) In addition to the essential disciplines, the pool may contain members with professional qualifications and experience in the following optional disciplines:
 - Planning
 - Heritage architecture
 - Aboriginal cultural heritage
 - Sustainability (including environmental design, systems ecology, urban water expertise)
 - Accessibility and universal design

- Transport planning
 - Public art
 - Civil, structural and services engineering
 - Economic and retail
 - Aboriginal engagement and designing with country
 - Public and population health
- e) A person who is currently employed by, or who is an Elected Member of the Town of Cambridge, is not eligible for appointment as a member of the Panel.
- f) Individual project Design Review Panels of a minimum of three (3) pool members, including the Session Chair, will be constituted by the Town based on the complexity of the project under review and considering member expertise, availability and any declared conflicts of interest.
- g) Design review sessions will be chaired by the Panel Chair or by a pool member who has been appointed as a Session Chair.

2. Selection Criteria

Applicants for the Town's DRP will be assessed against the below selection criteria in accordance with the process outlined in the [Local Government Design Review Manual](#).

Panel Members

- Appropriate professional qualifications and expertise in the built environment including relevant specific project work.
- Where relevant, evidence or demonstrated eligibility for registration with an appropriate professional body or organisation.
- The ability to work constructively and collaboratively in a multi-disciplinary team.
- An understanding of the State's Planning Framework, relevant local government policies and development controls.
- The ability to analyse, evaluate and offer objective and constructive feedback on design quality issues of complex development applications and strategic planning matters (this may be evidenced through board, practice or panel experience, or other means of peer review, including publications and relevant educational experience).
- Knowledge and understanding of probity requirements including conflicts of interest and confidentiality.
- High-level written and verbal communication and negotiation skills and the ability to communicate clearly with design, development and planning professionals.
- An understanding of the local context and key issues.

Additional criteria for Chairs

- Ability to lead and facilitate meetings, including time management and strong verbal communication skills.
- Ability to manage strong or conflicting views in meetings.

- Highly developed written communication skills.

3. Appointment

- a) Appointment to the DRP pool is through a public advertising process seeking formal Expressions of Interest (EOI) for panel membership in accordance with the selection criteria outlined in this Terms of Reference and [Local Government Design Review Manual](#).
- b) Following the EOI period, an appropriate selection panel will assess applicants against the selection criteria and recommend members for appointment on the DRP.
- c) In some instances, interviewing applicants may be required to confirm appropriate design review expertise, particularly when considering the appointment of the Chair or Deputy Chair.
- d) A report with the selection panel's recommendations for member appointment to be presented to Council for endorsement, and appointment by the Chief Executive Officer.
- e) Appointment to the DRP pool will usually be for a term of two years effective from the date of the Town's receipt of written acceptance of the appointment.
- f) Following the appointment of the DRP, a Member Induction may be scheduled by the Town.
- g) Panel pool members may be selected from a Design Review Common pool established by the State, where available.
- h) Where necessary, Council may extend the term of appointment for up to 12 months without further advertising.
- i) The Town may terminate the appointment of any member of the pool prior to the expiry of the term of office if it is considered that the member is not providing a positive contribution to the intended function of the Panel, if the member has not demonstrated a satisfactory level of attendance at meetings, or where there is a breach of the Code of Conduct or other legislative requirements.
- j) In the event that a pool member resigns their membership, has their appointment terminated, or is unable to continue to serve due to other unforeseen circumstances prior to the expiry of their term of office, the Town may appoint a replacement pool member with equivalent qualifications and expertise to serve for the remainder of the original member's term of appointment.
- k) Following appointment to the pool but prior to sitting on a project panel, it is the responsibility of each pool member to ensure they have completed any mandatory training required under the *Local Government Act 1995* (including code of conduct) and any other training identified by the Town and that all conflict of interest requirements (including declaration and management plans) have been identified and provided to the Town as required by the *Local Government Act 1995*.

MEMBER RESPONSIBILITIES

PANEL MEMBERS

- a) Have the appropriate skills necessary to fulfil their role on the Panel.
- b) Maintain the professional development, standards, and requirements of their profession (where required) during the term of their appointment.
- c) Have a clear understanding of their authority, responsibility and accountability as stated in these Terms of Reference and relevant legislation.
- d) Observe the Town's Code of Conduct.
- e) Provide independent, fair and reasonable professional advice relative to the SPP7.0 Design Principles and relevant State and local planning schemes and policies.
- f) Treat all discussions and information about applications with sensitivity and confidentiality.
- g) Are not to provide advice outside of a DRP meeting directly to a proponent, Elected Members or any other external party in respect of any matter under consideration at a DRP meeting, unless directed otherwise by the Town.
- h) When invited to form a Panel for a project review, declare any financial, proximity or impartiality interests to the nominated local government officer and the Panel Chair as soon as practical and prior to the meeting for the record. Where a financial interest exists, the member is not permitted to participate in any part of the meeting dealing with that item and a replacement pool member may be required.
- i) Are not authorised, either collectively or individually, to speak on behalf of the Town or provide comment to the media.
- j) Are to provide notice as soon as practical to the Town of their inability attend a meeting.
- k) Read and ensure that they are familiar with all information provided prior to the session and prepare key points for discussion in advance.
- l) Request additional information prior to the review session, in accordance with the advised procedures, if required.
- m) Respond to and comment on material presented, providing clear and constructive feedback.
- n) May be required to attend site visits, meetings with Town staff or consultants, Committee, Council, Development Assessment Panel or State Administrative Tribunal meetings as necessary.

CHAIR AND DEPUTY CHAIR/S

The appointed Chair and Deputy Chair/s will have extensive experience in design review and facilitation, and a proven ability to draw meaningful conclusions from the collective views expressed. Responsibilities include:

- a) Liaising with the nominated local government officer about the operation of the Session Panel including advice regarding additional briefing material or requirements.
- b) Welcoming and introducing the Session Panel members, proponents and any observers present in the meeting.

- c) Ensuring that the review session agenda is followed.
- d) Facilitating interactive discussion and participation between Session Panel members, key local government attendees and proponents.
- e) Ensuring that discussions remain focused on the project being reviewed and that advice relates to matters covered by the SPP 7.0 Design Principles, and any relevant State and local planning policies and schemes.
- f) Ensuring consistency of Panel advice between reviews.
- g) Summarising the view of the Session Panel at the conclusion of the meeting
- h) Managing any dissenting views from Panel members where they may occur, ensuring there is sound reasoning when a dissenting view is expressed and that it is accurately captured in reporting.
- i) Compiling the Design Review Report post meeting in consultation with the Town's officers ensuring that the content is in line with the review discussion and the form follows the standardised reporting template.
- j) Briefing decision makers on Panel advice if required.

MEETINGS, OPERATION AND SUPPORT

ELIGIBILITY FOR REVIEW

Referral to the Town's DRP is determined by the Town and will generally be in accordance with the criteria outlined in *Local Planning Policy 1.3: Design Review Panel*.

DESIGN REVIEW SESSIONS AND REPORTING

The Town will provide administrative support to manage the scheduling, preparation and coordination, of review sessions.

Reviews will be based on the 10 Design Principles from SPP 7.0 and undertaken in accordance with the model process outlined in the [Local Government Design Review Manual](#).

Design Review Panel reports will generally follow the template provided on the [State Government website](#) and be issued within **[7] calendar** days of the design review session, unless otherwise advised by the Town.

FREQUENCY AND TIMING OF MEETINGS

Review sessions will be held on an as required basis but can be scheduled at any time in response to urgent matters. Advice of a scheduled review session, the agenda and information associated with each proposal shall be provided to panel members one week (7 days) prior to the intended review session date.

Meetings may run for up to three hours and a maximum of three project design reviews will be undertaken at each meeting.

REMUNERATION

Panel Members: \$200 per hour

Panel Chair: \$250 per hour

Should a member of the Panel appear for the Town as an expert witness at the State Administrative Tribunal, the member will be paid at a mutually agreed hourly rate consistent with the qualifications, experience and professional status of the member.

PROPONENT FEES

The Town will fund the first three DRP meetings for a proposal. Following the initial Town funded DRP meetings, the proponent shall reimburse the Town for the sitting fees of DRP members for all subsequent DRP meetings in accordance with the remuneration rates as outlined in these Terms of Reference.