

## Report to the Future Melbourne Planning Committee

Agenda item 6.2

### Draft City of Melbourne Design Excellence Program 2030

19 November 2019

**Presenter:** Emma Appleton, Director City Strategy

#### Purpose and background

1. The purpose of this report is to seek Future Melbourne Committee's endorsement of the Draft City of Melbourne Design Excellence Program 2019-2030 (The Program) (Attachment 2) to proceed to consultation.
2. Annual Plan Initiative (API) 8.21 seeks to progress implementation of City of Melbourne's design excellence program and commitment to high quality urban design. This project builds upon API 8.13 and the focus on high quality urban design from Planning Scheme Amendment C308 (Central City and Southbank Urban Design). The Program comprises four key components; Leadership, Awards, Design Review and Design Competitions.
3. This initiative responds directly to recommendations in the Planning Panels Victoria Report for Amendment C308, which highlighted the need for ongoing Government investment in processes to support high quality design and development, beyond establishing minimum standards.
4. In preparing the Program, research was undertaken into a range of tools and processes to elevate the quality of public and private development within the municipality. The methodology included detailed benchmarking of local, national and international design excellence programs, in addition to a review of current Council processes which focus on the quality of new development in the municipality. This research is detailed in a series of discussions papers including:
  - 4.1. Design Review Processes Discussion Paper (Attachment 3)
  - 4.2. Design Advocacy Discussion Paper (Attachment 4)
  - 4.3. Competitive Design Policy Research, by Ethos Urban (Attachment 5)
5. Targeted consultation has been undertaken with stakeholders including peak development industry bodies, government stakeholders and design and planning institute representatives.

#### Key issues

6. Recent large scale, high profile development has not met the expectations of design quality befitting of Melbourne's reputation as a creative, liveable city. While Amendment C308 seeks to establish minimum design standards, parallel processes that support a culture of design excellence through a combination of policy and advocacy measures are needed to consistently improve development outcomes.
7. Partnership with Victorian Government agencies in developing and implementing the Program will be critical to ensuring success.
8. The proposed Design Excellence Program has future resourcing and financial implications for Council to implement the proposed Design Review and Design Competition Processes. There is an opportunity for the implementation of a series of low cost initiatives in the first year, with a view to evaluating their success before proceeding with medium and long term initiatives in a staged manner.
9. Evidence from research undertaken demonstrates that investment in design quality can enhance the long term value and international competitiveness of cities. Through promoting design excellence, the Program will:
  - 9.1. realise Council Goals by enhancing the attractiveness of Melbourne to residents, businesses and visitors and cementing our city brand and identity as a design capital,(and)
  - 9.2. support the design and creative industry in Melbourne and Australia
10. The Program is currently progressing through a series of early initiatives, including:
  - 10.1. the new Urban Design Award category in the Melbourne Design Awards, and
  - 10.2. heightened engagement with the Emerging Architecture Award through the Australian Institute of Architects Victorian Chapter.

**Recommendation from management**

11. That the Future Melbourne Committee recommends Council:
  - 11.1. Endorses the Draft City of Melbourne Design Excellence Program 2019-2030 for consultation.
  - 11.2. Authorises the General Manager Strategy, Planning and Climate Change to make any further minor editorial changes to the document if required, prior to release.

**Attachments:**

2. Supporting Attachment (Page 4 of 237)
3. Design Excellence Summary Document (Page 5 of 237)
4. Design Review Processes Discussion Paper (Page 29 of 237)
5. Design Advocacy Discussion Paper (Page 58 of 237)
6. Competitive Design Policy Research, by Ethos Urban (Page 76 of 237)

**Supporting Attachment**

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**Legal**

1. It is noted that the broader Design Excellence Program does not have legal implications. however the Competitive Design Policy would if pursued.

**Finance**

2. All costs incurred in FY19-20 will be covered by existing budget of \$80,000. Detailed costings and an implementation plan have not yet been prepared, however it is anticipated that the Program will require resourcing and other operational costs to implement a proposed Design Review and / or Design Competition Processes. Resourcing and Operational costs for FY20-21 and beyond will form part of the annual budget process. There is an opportunity for the implementation of a series of low cost initiatives in the first year, with a view to evaluating their success before proceeding with medium and long term initiatives.

**Conflict of interest**

3. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a direct or indirect interest in relation to the matter of the report.

**Health and Safety**

4. In developing this Program, no Occupational Health and Safety issues or opportunities have been identified.

**Stakeholder consultation**

5. Targeted consultation has been undertaken with stakeholders including peak development industry bodies, government stakeholders and design and planning institute representatives.

**Relation to Council policy**

6. The following Council plans and policies are relevant:

Council Plan 2017-21 Goal 8 – A City Planning for Growth specifically; Champions high quality design in buildings, street and public spaces, as the basis of a healthy, safe and people-friendly environment.

Melbourne Planning Scheme's Municipal Strategic Statement (MSS), specifically clause 21.06-1 Urban design:

- Objective 1: To reinforce the City's overall urban structure.
- Objective 5: To increase the vitality, amenity, comfort, safety and distinctive City experience of the public realm.
- Objective 6: To improve public realm permeability, legibility and flexibility.
- Objective 7: To create a safe and comfortable public realm.

**Environmental sustainability**

7. The Program will have positive environmental effects by encouraging high quality design that can individually and cumulatively contribute to the public realm. The Program also has an emphasis on the use of high quality building materials to ensure the built form has longevity with minimal deterioration over time in order to reduce building material waste through replacement.

**DESIGN EXCELLENCE  
PROGRAM  
2019–2030  
NOVEMBER 2019  
DRAFT**





# A CITY PLANNING FOR GROWTH

Melbourne will be a leader in planning for growth and technological advancement. We will guide and influence the future development of the city for the benefit of all city users and in a way that values and celebrates its historical and cultural identity.

## Acknowledgement of Traditional Owners

The City of Melbourne respectfully acknowledges the Traditional Owners of the land, the Boon Wurrung and Woiwurrung (Wurundjeri) people of the Kulin Nation and pays respect to their Elders, past and present.

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October 2019 - Draft for Discussion - Revision 3

Cover Image: Garden Building by NMBW Architects for RMIT University. Built by Lendlease.

Photo by Peter Bennetts

## Disclaimer

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# DESIGN EXCELLENCE IN THE CITY OF MELBOURNE

The design of Melbourne's buildings, streets, and public spaces has a significant impact on the City's attractiveness to residents, businesses and visitors.

In recent decades Melbourne has developed a strong identity and reputation for high urban quality and design innovation. This period of consistent design investment has greatly improved the function, amenity and attractiveness of the City. As the City continues to transform in physical form and density, it is critical that we extend this high expectation of quality to all future projects within both emerging precincts and established areas.

To realise this ambition, new buildings and urban spaces should demonstrate innovation, creativity, and an authentic response to their time and place. They should aspire to be generous to the public realm and contribute to what in time will become our future heritage.

A culture of design excellence cannot be created overnight. It requires design champions across the community, industry, academia and various levels of government who understand the value of design and will advocate for and demand its achievement.

## What is design excellence?

'Design excellence' is a multi-faceted accolade used to describe projects that demonstrate exceptional standards of architecture, landscape architecture, and urban design.

Design excellence is measured by the function, liveability, sustainability and public contribution of our buildings and urban spaces. Design excellence can be achieved in projects of any scale and value and is not limited to high cost or iconic buildings.

The measurement of excellence requires careful evaluation by multi-disciplinary teams comprising industry experts. Independent juries and review panels are well placed to provide this role. Platforms such as awards, design competitions and design review panels empower this peer-to-peer evaluation and are critical to the feedback loop of design excellence.

Design Excellence is a concept that represents a broader aspiration to enhance the quality of the built environment, but is also introduced within this Program as a specific planning tool or policy threshold, in order to enable the realisation of best practice.

## City of Melbourne Design Excellence Program 2019-2030

The Design Excellence Program 2019-2029 comprises short, medium and long term initiatives to foster a culture of excellence in the built environment. The program is intended to be implemented through internal process improvements along with new development planning processes.

The program proposes new approaches alongside a re-affirmed commitment to existing initiatives to support the procurement and delivery of the highest quality outcomes in private and public projects.

## Fostering design excellence

The City of Melbourne has an important leadership role, as demonstrated through the following key areas of influence:

- Investment in public projects to demonstrate best practice;
- Advocacy for best practice process; and
- Policy to enable design iteration and testing

While the City can lead with its own public projects, up to 80% of investment in the municipality occurs through private development. To influence a broader spectrum of development, a co-ordinated effort is required across government, community and the design and development industry.

The community has a strong role to play as the primary users and custodians of the urban realm. Cities with a strong design culture are underpinned by an engaged and demanding public with high expectations for design quality. Through design education and engagement there is significant opportunity to further empower the community as vocal advocates.

The design and development industry are the primary producers of the built environment and recognise the value of design quality to attract investment. At its best the industry demonstrates innovation and creativity in responding to complex development challenges. Platforms that promote healthy competition, reward and incentivise innovation can support the achievement of design excellence and lead to improved financial returns.

**“Design Excellence is both a process and an outcome, a way of thinking and a result of making. Good design outcomes result from good processes.”**

Better placed (2017)  
Government Architects New South Wales



Barangaroo House, Sydney by Collins and Turner for LendLease. Built by Lend Lease. Awarded the AIA NSW Commercial Award in 2018, and commendation at the AIA National Awards 2018. Photo: Rory Gardiner

# THE VALUE OF DESIGN TO MELBOURNE

Good design is integral to the attractiveness, liveability and prosperity of Melbourne. As an internationally renowned design capital, Melbourne is a significant exporter of design services, reinforcing the importance of the city as a design laboratory. Promoting design excellence benefits social, physical and environmental outcomes in the city and supports a thriving creative economy.

## Enhancing liveability

The quality of our urban environment, including the spaces between buildings, landscapes, and public space has a profound impact on the liveability of a city for people of all ages and incomes. Investment in a high quality public realm can improve the attractiveness of active transport modes such as walking and cycling, and contribute substantially to our physical health and well being.

## Attracting and retaining talent

Numerous studies demonstrate the quality of a city's buildings and public realm is a key determinant in choosing which city to live, work, study, or visit. With increasing competition between global cities for talent in the knowledge economy, the quality of our urban environment is critical to our desirability as a destination.

## Supporting creative industries

A successful Design Excellence Program can empower designers by elevating the value of design for potential clients, customers and investors. A strong design culture recognises and promotes good designers, and provides emerging talent with a platform to showcase new and fresh ideas.

## Building city brand and identity

Buildings of outstanding quality and character have an enduring legacy, and influence the image and culture of a city. Buildings such as the Sydney Opera House or Federation Square contribute significant cultural and economic value, and provide a strong sense of place and belonging. Their preservation and value garners significant public interest.



# \$87

million annual economic benefit from active transport public realm investment in the Hoddle Grid<sup>1</sup>



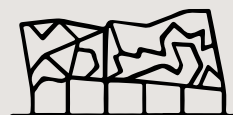
# 85%

of participants in a European study identified **"Quality of Living Environment"** as most important in choosing where to live <sup>2</sup>



# 85,000

designers employed in Victoria's creative industries generating **5 billion** in annual revenue<sup>3</sup>



# 2.8

million people visited Federation Square in 2018<sup>4</sup>

<sup>1</sup> Transport Strategy 2030 (2019) - City of Melbourne

<sup>2</sup> Spot On (2018) - Vereniging Deltametropool TU Delft

<sup>3</sup> Premier Design Awards Victoria (2018)

<sup>4</sup> Melbourne's Top Attractions (2018) - Department of Economic Development, Jobs, Transport and Resources



Whitlam Place by Freadman White and Anon Studio for Marcelo Donati. Built by Visioneer. Awarded the AIA VIC Multiple Residential Award in 2019. Photo: Tom Ross

# SHAPING THE WORLD'S MOST LIVEABLE CITY

## What are we currently doing to elevate design?

The City of Melbourne is committed to investing in the design of high quality streets and open spaces, as well as flagship civic buildings such as Council House 2 or Docklands Library. It is important that the City continues to lead by demonstrating best practice as both designer and client. However in the context of a rapidly growing population there is an increasing need for policy and processes to better influence the design quality of private development.

The primary methods to improve the quality of design outcomes in private development currently include:

- Expert urban design advice to assist applicants to achieve high quality outcomes in development proposals.
- A strong policy base, including a new Urban Design Policy in the Central City and Southbank and accompanying Central Melbourne Design Guide.

In addition, the City of Melbourne works closely with other key government stakeholders responsible for the assessment and delivery of major projects and precincts within the municipality including the Department of Environment, Land, Water and Planning, the Department of Jobs, Precincts and Regions, Development Victoria, the Victorian Planning Authority and the Office of the Victorian Government Architect. The City of Melbourne also collaborates with a range of Councils across Victoria to elevate discussions around design quality.

### Design Review in the planning process

Through the development assessment process, the City of Melbourne works closely with design teams, planners, developers and the community to advocate for high quality development outcomes that enhance the public realm. Dedicated officers across the disciplines of Urban Design, Architecture and Landscape Architecture provide written referral advice as well as attend meetings and workshops to aid the decision making process. Significant improvements to developments can be achieved through this iterative process of design review. This program aims to further strengthen this process.

### The Central Melbourne Design Guide

Urban Design in the Central City and Southbank (Amendment C308) was informed by a comprehensive review of the urban design provisions within the Planning Scheme for the first time since 1999. The new planning provisions aim to recalibrate the policy to provide stronger direction on the design of development with a particular focus on the experience of the City at eye level. The new provisions and associated Design Guide aim to influence urban design outcomes through raising minimum expectations of design quality, and visually communicating the City's design aspirations.

## What key challenges influence private development in Melbourne?

Melbourne's Planning Scheme is predominantly performance based and relies on intensive project by project negotiation. This presents a number of challenges to ensuring high quality outcomes on a consistent basis. Some of these challenges include:

- The absence of an overarching Urban Design or Architecture Policy at a State level
- Fragmentation of decision making across a number of government agencies
- Lack of certainty and consistency in decision making where the planning scheme is unclear
- Inconsistent definition of design expectations and subsequent erosion through legal interpretation
- Lack of specific resources and skills to administer design excellence processes such as competitions

For each of these challenges, there are a range of opportunities to both improve existing processes and implement new methods to elevate design excellence as a key policy expectation in Victoria.

## How can the Program build upon existing initiatives?

While Amendment C308 is expected to raise the bar on minimum design standards and enable more successful outcomes through design review processes, it does not currently include mechanisms to trigger or incentivise design excellence. The Design Excellence Program is intended to complement and extend the policy objectives of Amendment C308. This will be achieved by establishing policies and processes that support the innovation and creativity required to achieve design excellence.



Council House 2 by Design Inc and City of Melbourne for the City of Melbourne. Built by Hansen Yuncken. Awarded the AIA National Sustainable Architecture Award in 2007. Photo: Diana Snape

# DEVELOPING THE PROGRAM

The City of Melbourne's Design Excellence Program consists of four key components: **Leadership, Awards, Design Review** and **Competitive Design**.

## Leadership

Design leadership sets clear policy expectations and provides encouragement to industry and the public through direct engagement along with consistent advocacy and messaging through media and communications.

## Awards

Design awards judged by esteemed jurors recognise the achievement of design excellence. This inspires the industry to aspire to achieve the highest standards of design and provides a positive feedback loop for clients and design teams.

## Design review

Design review panels elevate the consideration of design within planning and procurement processes. Design review enables peer-to-peer assessment by design experts whose knowledge, experience and industry credibility provide leverage to support high quality outcomes.

## Competitive design

Design competitions enable the testing of new ideas and promote innovative solutions. Competitions can provide a platform for the emergence of new talent through younger practices, while generating public interest in a wide array of project types.

## Integrated approach

The Design Excellence Program is informed by extensive research. This includes analysis of best practice, targeted stakeholder consultation, and testing a series of early initiatives. This is summarised in a series of discussion papers including:

- Appendix A: Design Review Processes Discussion Paper (City of Melbourne)
- Appendix B: Design Advocacy Discussion Paper (City of Melbourne)
- Appendix C: Competitive Design Policy Research (Ethos Urban)

The research also highlights the importance of an integrated program which co-ordinates the four key components as part of a consistent program. Each component is less effective in isolation.

## Best practice

The City of Melbourne's existing processes were benchmarked against best practice locally, nationally and internationally, with consideration for how initiatives have been integrated into an overall program and with a focus on how they might translate into Victoria's unique regulatory context.

From the analysis within each of the three discussion papers, the consistent theme of strong, effective and evident leadership at an organisational and Councillor level emerged as pivotal to a successful program.

## Stakeholder consultation

The City of Melbourne's engagement and partnership with State Government agencies and industry stakeholders is critical to delivering a successful design excellence program. In the past year, the City of Melbourne has consulted the following agencies and organisations:

- State Government (Office of Victorian Government Architect and Department of Environment, Land, Water and Planning, Creative Victoria, Development Victoria)
- Design Industry leadership (Australian Institute of Architects, Australian Institute of Landscape Architects, Planning Institute of Australia)
- Peak body organisations (Urban Development Institute of Australia, Property Council, Victorian Planning & Environmental Law Association)
- Government Agencies in New South Wales (City of Sydney, City of Parramatta, and Government Architect New South Wales).

## Early initiatives

The following early initiatives were undertaken as part of the research phase:

- Establishment of an internal Design Review Panel, for a trial review of a major precinct development.
- Observation and documentation of a voluntary private design competition.
- The launch of a new Urban Design Award as part of the refresh of the Melbourne Awards
- Active engagement with the AIA Victorian Chapter Enduring Architecture Award including presentation of the award by the Lord Mayor.



QT Hotel Melbourne by Candalepas Associates for Event Hospitality and Entertainment. Built by Built. Shortlisted for the AIA Victoria Commercial Architecture Award in 2017. Photo: Brett Boardman



Alex Hotel, by Spaceagency for Cicero Management. Built by Built. Awarded the AIA WA Awards for Commercial Architecture in 2016. Photo: Anson Smart

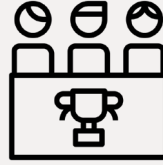
# PROGRAM COMPONENTS



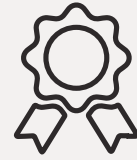
**Leadership**



**Design Review**



**Competitive  
Design**



**Awards**

Key recommendations have been developed under each of the four program components. In addition to these recommendations, there are a series of more detailed short, medium and long term opportunities contained within the following pages, which are derived from the findings contained within the Discussion Papers.

## Key recommendations



**1**

Establish a **Design Excellence Committee** to act as advocates for design in industry, academia, and public organisations.



**2**

Promote design excellence through a City of Melbourne **Urban Design Award**.



**3**

Engage more closely with **Industry Awards** to align with the Design Excellence Program.



**4**

Establish an **independent Design Review Panel** to review projects of local significance.



**5**

Prepare a City of Melbourne **competitive design policy and guidelines** for voluntary competitions.



**6**

Explore the pathways to integrating **mandatory design competitions** for strategic sites.

# LEADERSHIP



“Dedicated and determined leadership is required to create places with consistently good design quality.” - Commission for Architecture and Built Environment (CABE)

## The value of design leadership

Leadership leverages the City of Melbourne’s prominent public voice as advocate, client and planning authority. Leadership can ensure:

- Increased public and industry **awareness** of the value and importance of design excellence.
- Consistent messaging through media and communications can raise the **design literacy** and expectations of the community and industry
- Demonstrated commitment to design excellence through the modelling of **best practice** through City of Melbourne projects.

## How does the City of Melbourne show leadership in design?

The City of Melbourne advocates for high quality design outcomes through investment in demonstration projects, design strategies, design-led precinct plans, and the provision of design advice through the development assessment process.

Councillors are champions of high quality design through their participation in the media and at public events, including the presenting of industry design awards. This level of leadership has been critical in raising public awareness and interest.

Officers have established relationships with the Office of the Victorian Government Architect (OVGA) and State Government agencies through individual projects and working groups. However, there are no formalised and ongoing channels of engaging with government, industry, academia, and community on achieving design excellence.

## How can the City of Melbourne show greater leadership in design?

To show great leadership, the City of Melbourne could establish a Design Excellence Committee, formalising relationships with professional design institutes (AIA, PIA, and AILA), government agencies, academia, peak bodies, and the community. This would function similarly to existing external committees advising on matters as diverse as accessibility and parks and gardens. This could also extend to advocacy for the establishment of design-focused committees within built environment industry organisations which do not currently have this function.

### Design Excellence Committee

A Design Excellence Committee would provide a platform for the City of Melbourne to explore a range of design challenges and opportunities shared with key stakeholders and the community to promote the Design Excellence Program. In turn the Committee would be empowered as design champions to influence major city shaping projects led by the City of Melbourne and/or large State Government projects.

### Training and upskilling

Further training in the value of design and design literacy will be undertaken with key decision makers across government in the areas of Planning, Transport, and Engineering. Potential to extend training to the broader community and industry will be explored. This can include workshop sessions, presentations and walking tours, which have proven to be successful and engaging training models.

### Public Events

Opportunity exists for further engagement with and support for established Melbourne design calendar events including the National Gallery of Victoria Design Week, MPavilion, Melbourne Open House, Robyn Boyd Foundation. These industry organisations have a significant role to play in elevating design conversation in Melbourne.

## Key Recommendation

1

### Design Excellence Committee

Establish a Design Excellence Committee to act as advocates for design in industry, academia, and public organisations.

#### Short-term opportunities

- Plan steps to establish a Design Excellence Committee to include Councillors, design professionals (institutes, such as AIA, AILA, PIA), OVGA, and members of the general public.
- Commence meetings in second half of the 2019-2020 financial year.
- Advocate for a Victorian design and architecture policy integrated within the State planning framework.
- Establish a range of design training initiatives to enhance design literacy.
- Engage with design calendar events to raise awareness of the Program.



# AWARDS



Awards provide the opportunity to celebrate and reward design excellence and grow awareness of good design in a manner that supports Council's strategic ambitions.

## The value of design awards

Design awards are a key advocacy tool for promoting the achievement of design excellence. They provide the opportunity to:

- Present a platform for **peer-to-peer endorsement** of excellence through an independent expert jury panel
- **Reward** completed projects that demonstrate the highest standards of architecture, urban design and landscape architecture
- **Recognise** the wide range of project members including designers, developer, and client for their role
- Increase **design awareness** and design literacy amongst the industry and general public
- Serve as best practice examples and **case studies** for design excellence to influence future projects

## What are we currently doing?

The City of Melbourne has historically sponsored or financially contributed to the following industry awards:

- Australian Institute of Architects (AIA) Victorian Chapter Awards including the Melbourne Prize and Enduring Architecture Award.
- Australian Institute of Landscape Architects (AILA) Awards

Officers have contributed to these Awards as jurors over an extended period of time. The City of Melbourne also hosts a number of existing industry awards however none of these have a focus on the built environment.

## What would a successful awards program for the City of Melbourne look like?

The research highlights that there is value in introducing new City of Melbourne design awards to complement the existing industry awards, however these would be best placed as part of an existing Awards program rather than as a stand-alone Design Awards. This approach offers a high impact and cost effective opportunity to leverage an existing well regarded Awards program.

A review of the City of Melbourne's current contribution to the industry awards is recommended to ensure that awards support the organisation's strategic interests. This would include the consideration of a building's contribution to the public realm in addition to other functional and aesthetic attributes.

The components of a successful awards program are:

- A well resourced program development including clear governance, and media engagement
- Limiting the number and breadth of award categories to maximise impact
- A clear framework to guide jury deliberation and project briefing/site visit process tied to strategic policy ambitions
- A transparent and consistent assessment process, including clarity in submission and assessment criteria
- The selection of prominent, industry recognised and independent expert jury
- High profile event promotion, marketing and media to maximise the industry and public presence of an awards program
- The publication and broad dissemination of winners, commendations or short-listed projects to serve as case studies that influence future projects

## Case Study - City of Port Philip Design and Development Award

The City of Port Phillip has hosted an independent design award since 1998, which was refreshed in recent years. Some of the key components of the awards program include:

- Integration with Melbourne Design Week and hosted at the National Gallery of Victoria to attract industry and media interest.
- Strong alignment with the submission and judging methods of design industry award methods such as the AIA Victorian Chapter Awards.
- Engagement of high profile independent design experts alongside elected Councillors to form the jury panel.
- Increased focus on pre-event industry media as well as high quality printed media and information booklets in the form of case studies.
- Limited, dedicated administrative resources to manage the awards program.



A new Urban Design category will be added to the 2019 Melbourne Awards, which will be awarded at the high profile Gala event by a mixed jury of design industry, community and business representatives.

## Key Recommendations

2

### City of Melbourne Design Awards

Promote design excellence through a City of Melbourne Urban Design Award

3

### Institute Awards

Engage more closely with Industry Awards to align with the Design Excellence Program

#### Completed actions

- Established a new category for Urban Design within the Melbourne Awards, including input on submission and assessment criteria along with recommendations for expert jurors from the design industry.
- Engagement with AIA Enduring Architecture Award including expert advice to the jury and presentation of the winner by the Lord Mayor.

#### Short-term opportunities

- Review award categories, assessment criteria and jury deliberation process.
- Solicit external media and promote award winners as exemplars of Design Excellence.

# DESIGN REVIEW



“[Design Review] gives design intelligence a public airing, allowing the complexity and rigour of designing to be openly discussed and, as a result, better understood”.

- Geoffrey London, former Victorian Government Architect

## The value of design review

Design review is a process of critical review by multi-disciplinary design experts to elevate the design quality of projects before and during the planning approval process.

The Victorian Planning Provisions comprise complex discretionary provisions which require interpretation. Development planners work with design experts to assess whether projects have met the performance-based standards and objectives, as well as recommend improvements where possible.

An independent Design Review Panel offers value beyond in-house design expertise by providing access to independent cross-disciplinary design professionals to evaluate and advocate for design quality. Independent status removes any perception of conflict and ensures the integrity of the process.

Early engagement provides the best opportunity to increase the quality of a design proposal. Pro-active workshops at a pre-application stage can allow a more collaborative conversation and save developers time and money later in the process.

Design review panels provide the following benefits:

- **Review** of complex development proposals through a specialist design lens.
- Depth of **experience** and **breadth of knowledge** to complement in-house design skills.
- Opportunity to **challenge and improve** the design brief.

## What are we currently doing?

The City of Melbourne currently undertakes design review across a range of scales with a primary focus on private development as part of the development approval process. Design review often begins at the pre-application stage and can involve a number of reviews over the life of the development assessment process. The design review process is iterative and collaborative, with urban designers working with project architects to achieve the best outcome.

The recent development of Amendment C308 and the Central Melbourne Design Guide has assisted the framing, consistency and clarity of design advice and enabled better design outcomes through negotiation. The design requirements contained within the Guide will carry even more weight once formally included in the Melbourne Planning Scheme.

## Case Study - City of Sydney Design Advisory Panel (DAP)

Since 2007, the City of Sydney has utilised an expert design panel to provide independent expert advice on development projects, design competitions and policy proposals. Key components of DAP include:

- Clear integration with the development assessment process.
- A small pool of 9-12 design experts with membership refreshed every 2 years to ensure intimate knowledge of policies, design objectives and physical context.
- The Terms of Reference ensures the panel refers to relevant policies in formulating advice and recommendations.
- The DAP submit reports to the Planning and Development Committee and the Central Sydney Planning Committee, providing transparency for the public.

City of Melbourne urban designers provide design review for 'state significant' projects (over 25,000sqm in floor area) where the Department of Environment Land Water and Planning (DELWP) is the Responsible Authority. Officers also contribute to Major State Projects through the Office of the Victorian Government Architect (OVGA) Design Quality Team review process.

The OVGA currently provides independent review of a limited number of state significant projects through the Victorian Design Review Panel. However there is a large amount of locally significant projects that don't benefit from independent, expert review.

## What would a successful design review process for the City of Melbourne look like?

To complement the existing internal design review and Victorian Design Review Panel, it is recommended that an Independent Design Review Panel is established to review locally significant projects for the City of Melbourne.

Establishing an Independent Design Review Panel sends a strong message to the public and industry that design quality is important to the municipality and could strengthen achievement of design excellence in locally significant projects.

Considerations that are key to a successful design review process include:

**‘Triage’ and referral** - The Major Projects meeting within the City of Melbourne provides an opportunity for the development planner and technical experts to identify ‘red flags’ in proposals. This existing process can be used to resolve major planning issues in the first instance and if required refer a proposal for review to the Independent Design Review Panel or VDRP depending on scale and importance.

**Establish clear thresholds** to determine when projects of local significance require referral to a panel. Thresholds such as, scale, value, significant sites, project type (e.g. heritage, student accommodation) and strategic importance should be established and made public. Clear thresholds provide clarity and certainty as to where Independent Design Review is required, and ensures the type of review is tailored to the needs of the project.

**Integrate design review with development approval processes** - In the performance based Victorian planning context, design review has the most impact when integrated with the development assessment process. The review achieves impact through its leveraging of policy and guidelines.

The Terms of Reference for an Independent Design Review Panel should include the relevant planning provisions that the panel must have regard to (for example the Central Melbourne Design Guide or specific Design and Development Overlay requirements). This will ensure advice and recommendations from the panel are framed by the provisions of the planning scheme and can be drawn upon by planners in making a decision.

## Key Recommendations

### 4

## CoM Design Review Panel

Establish an independent Design Review Panel to review projects of local significance.

### Short-term opportunities

- Establish panel infrastructure, including Terms of Reference and panel selection criteria.
- Select expert, independent panel members through a public tender and undertake a 6 month pilot.
- Work with the OVGA to strengthen the Victorian Design Review Panel process and ensure any new panel provides a complementary role.

### Medium-term opportunities

- Review lessons from pilot and assess options for a long term permanent Panel process.

# COMPETITIVE DESIGN



Design competitions can facilitate design excellence through enabling the independent testing of alternative design ideas.

## The value of design competitions

Design competitions are common for government procurement worldwide. However, they are less common for private development, with the notable exception of New South Wales where competitions are increasingly used as a key part of the planning assessment process to enable Design Excellence. Design competitions can:

- **Enhance global competitiveness** through high quality design outcomes within the private realm.
- **Disrupt the practice of templating** precedent of previous approvals and elevate contemporary ideas and innovation.
- Provide Council with more opportunity to **Influence the project brief** and shape the City in a pro-active manner.
- **Test assumptions**, broaden outlook and maximise opportunities prior to implementing built work.
- **Support emerging design practices** and increase the diversity of practices working in complex capital city scale projects.
- **Provide certainty** (cost and time) through the project delivery for both Council and proponent.

## What are we currently doing?

In Victoria, design competitions are not common for private developments and the few that occur are voluntary. While Amendment C270 introduced a Floor Area Uplift provision for design competitions, this has not been utilised to date. In recent years, the Australian Institute of Architects (AIA) and the Office of Victorian Government Architect (OVGA) have published guidelines on competitions, articulating a set of principles for good practice in the conduct of design competitions in Victoria, however this has not led to an increase in AIA endorsed competitions.

## What would a successful competitive design process for the City of Melbourne look like?

The introduction of officially sanctioned design competitions to Melbourne should be a staged process. The simplest place to start is the Capital City Zone (CCZ) where there is an established Floor Area Uplift system. These areas involve high development costs which justify expenditure on design competitions. Further, limited third party notice and review provisions could allow for a more streamlined process.

The research undertaken suggest three potential approaches for design competitions in Victoria. These include:

- **Voluntary Pathway Competitions** - Initiated and funded by the applicant for the purpose of exploring alternative ideas. The applicant would source their own jury and the outcome would have no official planning status. Guidelines are required to advocate for best practice.
- **Mandatory Competitions with Incentives** - Precinct planning controls with density limits such as Floor Area Ratio provisions (for example the Central City or Arden) could be amended to introduce a requirement for design excellence, triggering a formal competition. Competition costs would be born by the proponent and tied to a specific capped bonus. Independent jurors would consider proposals and make a recommendation to the Planning Authority.
- **Alternative Pathway Competitions** - Where a site specific amendment is proposed, a trigger could be introduced requiring a formal design competition. This format would be funded by the applicant seeking the amendment. The competition would not have a binding effect on the Planning decision.

The following elements are key to build trust and mitigate risk between the consent authority and proponent, to ensure a successful competition:

- **A Competitive Design Policy** is necessary to outline the purpose, status, trigger, timing, management, and cost of a competition. The policy should advocate for diverse practices, emphasising minimum requirements for local and emerging practices to avoid bias toward international practices. This should have a formal status in the Melbourne Planning Scheme.
- **Tailored incentives** are critical to the uptake and success of competitions. Competition costs include payment of architects, jurors, holding cost and administration fees associated with the length of the process. In order to offset the cost and time of the competition it is imperative that the uplift in development yield or height fairly exceeds the relative cost of the competition. A tailored approach could make competitions on smaller sites more viable and cost effective.

- **Brief formulation and approval** is necessary to guide the design responses by competing teams. A comprehensive model brief should be established by City of Melbourne, to be modified for each project by applicants, and endorsed by the consent authority to legitimise the process.
- **Public oversight and transparency** is necessary to ensure robustness and transparency of any competition. To ensure independence this should be separate from the consent authorities.
- **Competition manager** A formalised design competition process requires a clear and consistent competition framework, including negotiation of the brief and probity considerations. An independent manager funded by the proponent can bring expertise and rigour to administering of competitions, with adequate oversight from the City of Melbourne.

### Case Study - City of Sydney Competitive Design Policy

The City of Sydney (CoS) has a systematic, mandatory requirement for design competitions for projects above a threshold scale, height or site area. The Sydney model comprises:

- Mandatory competitions for development over 55m in height in the central city (or 25m in height outside the central city), on a site over 1,500m<sup>2</sup> or with a capital value over \$100M. Uplift comprises a 10% increase in height or floor area, and can include a Heritage Floorspace discount.
- Mandated or elective competitions within the CoS typically progress through a two-stage planning approval process comprising the approval of an outline building envelope (or reference design), then the brief approval and design competition, followed by a second stage detailed development application.

## Key Recommendations

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### Competitive Design Policy

Prepare a City of Melbourne competitive design policy and guidelines for voluntary competitions

6

### Mandatory Competitions

Explore the pathways to integrating mandatory design competitions for strategic sites

#### Medium-term opportunities

- Undertake further research and engagement with key stakeholders.
- Prepare a draft Competitive Design Policy in consultation with the AIA.

#### Long-term opportunities

- Incorporate amendments to the Planning Scheme or update the Schedule of Floor Area Uplifts within the Capital City Zone to trigger design competitions above pre-determined thresholds.



Franklin Street Student Accommodation, by Bates Smart for Iglu. Built by Hacer. Awarded High Commendation ThinkBrick 2019. Photo: City of Melbourne

# IMPLEMENTING DESIGN EXCELLENCE

The City of Melbourne's Design Excellence Program 2019-2030 is a long term commitment to elevate design quality. Its implementation will be phased incrementally, beginning with a series of pilot initiatives over the short-term.

## Next steps

In order to further understand the resource and cost implications of the Program, a Costing and Implementation Plan will be prepared for the ten year period from 2019 to 2030.

Engagement and partnerships will be critical to the success of a Design Excellence Program. The engagement process will be used to project champions across stakeholder groups within government, industry and the community. This will also include testing of implementation options and staging of initiatives including funding opportunities.

## Pilot initiatives

The following pilot initiative is recommended in the short-term to test and evaluate key program components:

- The City of Melbourne Design Review Panel

## Medium to long term implementation

Upon the completion of the pilot initiative, a full review will be conducted to evaluate its success, and identify areas for improvement. Further review will continue to be conducted on a regular basis to refine processes.

Incremental additions to staff and resourcing will be required to ensure long term success as the program grows. This resourcing need will increase following any introduction of a planning scheme trigger for competitive design, which will require an immediate commitment of resources proportionate to the number of competitive design processes anticipated across the City.

The long term vision is to establish an on-going team of at least four full-time staff who will manage a robust Design Excellence Program that includes a Competitive Design Policy and Independent Design Review Panel that is integrated within the Planning Scheme. This team will both administer the Design Review and Competitive Design components but also lead the Leadership and Advocacy aspects to ensure integration across the program.

## How to contact us

### Online:

[melbourne.vic.gov.au](http://melbourne.vic.gov.au)

### In person:

Melbourne Town Hall - Administration Building  
120 Swanston Street, Melbourne  
Business hours, Monday to Friday  
(Public holidays excluded)

### Telephone:

03 9658 9658  
Business hours, Monday to Friday  
(Public holidays excluded)

### Fax:

03 9654 4854

### In writing:

City of Melbourne  
GPO Box 1603  
Melbourne VIC 3001  
Australia



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CITY OF MELBOURNE



## **API 8.13 Design Excellence Program**

### **Design Review Processes Discussion Paper**

July 2019

API 8.13: Extend City of Melbourne's commitment to high quality urban design through advocacy, internal design review and investigation of design competitions on significant sites.

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## Executive Summary

An integral process within a Design Excellence Program (API 8.13) is design review. Design review is a process of critical review by design experts to elevate the design quality of projects before and during the planning approval process.

This paper investigates current design review processes at the City of Melbourne in the context of best practice examples and established design review processes, such as the Victorian Design Review Panel (VDRP) within the Office of the Victorian Government Architect (OVGA). It also explores the potential to establish a City of Melbourne Design Review Panel including key principles for its future operation. The purpose of this report is to:

- Investigate the potential to implement new design review processes within the City of Melbourne as part of a broader Design Excellence Program.
- To explore whether a Design Review Panel is a valuable pursuit for City of Melbourne that will contribute to elevating the quality of development.
- Evaluate whether a Design Review Panel offers a good return on investment, having regard to resource implications.

Through our research, including desktop review, benchmarking studies and stakeholder engagement, we have identified best practice examples and ideas to improve design review processes across all project scales. We synthesized several of the key issues and best practice standards into criteria that will help evaluate options to establish a City of Melbourne Independent Design Review Panel.

The research shows that Independent Design Review Panels are one of a range of tools to deliver independent, impartial advice on design. A City of Melbourne Design Review Panel could influence a number of projects, and would be one of a number of tools drawn from the Design Excellence Program to raise the quality of design across multiple project scales and types.

Design review is a key part of the development application process. The research reveals that design review processes have the most impact when they have an embedded role in the respective planning and policy contexts. With respect to the operation of a design review panel, the most effective outcomes result when there are clear terms of reference and integration with the development assessment process. It is through this integration that design advice is able to achieve the greatest leverage and influence, and provide clarity and certainty for applicants on the matters being considered.

This discussion paper finds that there is a need for multiple tiers of design review to have the greatest impact both on the quality of private development and fostering a strong design culture within the City of Melbourne. The key recommendations are:

- **Day-to-Day Design review**  
Continue to provide design advice service in-house as part of planning application process, prioritising early engagement where possible.
- **Independent Design Review Panel (City of Melbourne)**  
Establish an independent Design Review Panel that is integrated with the planning process to review projects of *local significance* (Council as Responsible Authority)
- **Victorian Design Review Panel (OVGA)**  
Continue to work with the OVGA to ensure tailored integrated advice for projects of *State significance*.

Resource and Governance

A key component to an effective, efficient Independent Design Review Panel is the dedication of internal resources to administer and document the panel recommendations. In addition, there will be costs involved for the payment of sessional expert panel members. This cannot be accommodated within the current structure and resourcing of the Urban Strategy Branch and requires further consideration of the resource, cost and governance implications.

## What is the Value of Design Review?

Evaluating the design of buildings, infrastructure, landscapes and public spaces is an important part of the design process.

Design review is an essential component of a performance-based planning framework. The Victorian Planning Scheme is not codified and contains complex discretionary provisions. Flexible controls need to be applied with rigour and consistency to determine where standards could be appropriately varied or should be enforced. Specialist design review can assist in negotiating this framework to ensure the best fit for a project in response to its specific context.

Design review is a critical part of the development approval process and elevates the quality of design by:

- Providing specialist review of complex development proposals through a multi-disciplinary lens.
- Assisting planners in the development assessment process to determine if a project has met the required standard or performance measure.

### The value of Independent Design Review Panels

The Commission for Architecture and the Built Environment (CABE), and later the Design Council in the UK have been champions for the value of design review in the development process. Within Australia, there are several established design review panels, at Local and State Government levels, which are directly descended from the CABE model.

An analysis of these existing design review panels and processes reveals they feature the following benefits:

- Provides a **depth of experience** and **breadth of knowledge** from independent experts.
- **Challenges and improves** the design brief.
- **Maximises influence** – inadequate schemes or major red flags can be identified at an early stage, when major changes can be made with minor effort and cost.
- **Provides confidence and certainty** to architects and the design team, developers, and planners that they have the best independent expert advice.
- **Minimises time delays** for planning applications by identifying and resolving complex issues early in the design phase.
- **Supports good design and innovation.** Positive schemes can be identified and used as a benchmark of design excellence.
- Communicates to the community and industry that design is important and helps to foster a **culture of design excellence**.
- **Continued learning** for everyone involved in the process.

## Design Review at the City of Melbourne

The City of Melbourne currently provides design review across a range of project scales, primarily concerning private developments, as part of the development approval process. Other design review includes projects by other public agencies where the City of Melbourne is a partner or key stakeholder.

Design review often begins at the pre-application stage and can involve a number of reviews over the life of the development approval, particularly for major applications. The design review process is iterative and collaborative. City of Melbourne planners and urban designers typically work with the project team to achieve the best outcome.

In evaluating the design quality of proposals, two key mechanisms are currently at play:

- Assessment against relevant planning policy and regulations. These set the basic standards required and are both compliance-focused and include judgements about discretionary / qualitative aspects of proposals; and
- Provision of advice and input based on judgements regarding non-regulatory / qualitative aspects of proposals, in the context of policy, stated values or generally agreed objectives. This can occur at both the project's inception and during the formal assessment process, and assists with preliminary negotiations and achieving high quality built form outcomes for the city.

While assessment for compliance, undertaken by development planners, is critical and provides clarity as to minimum requirements, it offers limited guidance on the qualitative aspects of proposals. The latter – whether as a component of development assessments or as advice/commentary – are critical, but are more susceptible to perceptions (and the reality) of inconsistency. Despite advice being provided by subject matter experts, advice on these more judgement-based aspects of proposals is prone to being regarded as 'subjective', and therefore more open to dispute or challenge. At the same time, it is typically more aspirational and is the most effective mechanism for advancing the quality of proposals and achieving enduring positive outcomes for the city.

Design review plays an important role in proposals of all types and scales. Typically design review processes are proportionate to the scale and complexity of the proposal. Existing thresholds, based on floor area, are established to determine the Responsible Authority for development applications. Where the floor area exceeds 25,000 sqm, the Minister for Planning is the Responsible Authority. The City of Melbourne is the Responsible Authority for planning applications under 25,000 sqm of floor area. The existing methods of design review at the City of Melbourne are categorised below:

### *Design Review Workshop (Internal)*

**Scale:** Small scale planning application (generally 1-3 storeys).

**Example:** Signage application, infill heritage dwelling, townhouse development.

**Decision/governance:** Delegated authority: City of Melbourne (unless threshold objections met).

The Urban Design and Design Review (UDDR) Team along with Development Planning have weekly 'Design Review Workshop' sessions for review of small-scale planning applications. It involves a one hour meeting with Development Planning, and 1-2 urban design officers to offer verbal design review of planning applications. This addresses the high volume of comparatively small applications, and ensures a structured, consistent complement to formal requests for written urban design advice from the UDDR Team.

### *Formal Design review referrals from Development Planning (multiple areas within the City of Melbourne)*

**Scale:** All scales, under 25,000 sqm, generally 4 storeys or above.

**Example:** office development, apartment development.

**Approval:** Delegated authority: City of Melbourne (unless threshold objections met or policy provisions exceeded).

The UDDR team provides written urban design advice to these referrals. On average the UDDR team provides approximately 123 formal design reviews per year. In 2017-18, 147 urban design reviews were undertaken. Undertaking a formal design review consumes a considerable amount of resources and time and is not factored into the cost of a planning application. The average time spent for an urban designer to review a typical application is approximately 20 hours. With approximately 123 reviews per year, this equates to approximately 2460 hours of staff time per annum (this excludes time spent by other areas of Council).

A typical planning application of this scale follows the process described below:

- A pre-application meeting is requested by the applicant to the Development Planning Team.
- Ideally plans are submitted by the applicant prior to the meeting. The development planner can then determine which referral areas are required to attend the pre-application meeting.
- Once a planning application is formally lodged, the development planner will refer it to the relevant referral area/s (subject matter experts).
- Referral comments are sought by email or Service Request (SR), by the responsible development planner and are often completed concurrently, and in isolation by urban design professionals, along with other technical specialists such as open space planners, traffic and sustainability.
- Comments are provided to the planner as written 'Urban Design Advice' organised around critical aspects such as response to context, massing and public interfaces or for small applications advice may also take the form of emailed notes.
- The advice and recommendations are usually forwarded to the applicant and a meeting between the applicant, development planner and urban designer occurs to discuss the referral advice.
- This can involve several subsequent rounds of design review and meetings until the outstanding issues are resolved and the Council, as the Responsible Authority is satisfied.
- The development planner will generally include a summary of all referral comments in their Delegate Report to either grant or refuse a permit. The Delegate Report is attached to the Future Melbourne Committee report and becomes publically available.

Since the drafting of the Central Melbourne Design Guide, the UDDR team use the guidelines as a basis for providing design advice in the Central City and Southbank. This reference ensures greater consistency across design reviews. As the Guide also includes design objectives and principles embedded in the Planning Scheme, advice is consequently strengthened with a 'statutory weight'.

City Lab is currently undertaking an Organisational Plan Initiative (OPI) entitled 'Reimagine City of Melbourne's Statutory Planning Service' on behalf of the Development Planning Team. This project aims to recommend procedural improvements to enhance the user experience of the planning process for applicants, submitters, the general public and CoM employees. The project will have implications for design referrals as a key component of the development assessment process. The preliminary findings focus on greater emphasis on pre-application workshop processes and the importance of ensuring certainty from the outset alongside the need to address administrative burdens associated with existing operating software. These changes are likely to involve more UDDR resources at the early stage of planning application, but may streamline advice and reduce timeframes later on.

#### *State Significant Development Application - Ministerial Referrals (City of Melbourne and DELWP)*

Ministerial referrals are initiated when proposals meet the threshold of above 25,000 sqm of GFA. These proposals are considered to be of State significance and the Minister for Planning becomes the Responsible Authority. The Department of Environment Land Water and Planning (DELWP) refers the application to City of Melbourne as one of its prescribed referral authorities listed under the *Planning and Environment Act 1987*. The City of Melbourne Development Approvals team then refers the application to the relevant internal areas for comment, such as urban design.

Of the 147 design reviews undertaken over the 2018- 2019 financial year, 35 (23 per cent) were ministerial referrals. City of Melbourne works with DELWP over the life of these applications and provides advice from a range of technical specialist areas. Continuing to build strong relationships and processes with the State Government (DELWP and OVGA) is crucial to effective design review.

Applications that are deemed state significant or are located on strategically important sites can be discretionally referred to the Victorian Design Review Panel (VDRP) for independent, expert review.

A typical planning application/ referral process between DELWP and City of Melbourne involves:

- A joint weekly pre-application meeting between DELWP and City of Melbourne, applicants and the design team. Projects that would benefit from going to the VDRP are usually identified during the pre-application process and referred to the OVGA by DELWP.
- Opportunity for City of Melbourne to contribute to the RFI letter.
- Several rounds of review and meetings in conjunction with DELWP and the applicant/project team.
- A planning report, prepared by the City of Melbourne development planner to DELWP consolidating all referral advice and a Delegate Report with a recommendation to support or refuse a planning application.
- Contribution to the formulation of conditions to be included on a permit and follow-up comments to determine if conditions are met.
- For most major planning applications Council's recommendation is presented at FMC to be endorsed by Council.

*Major Projects Design Review (City of Melbourne via Future Melbourne Committee and DELWP)*

**Scale:** Major projects (usually referred by DELWP)

**Example:** Application for a new commercial tower with over 25,000 sqm GFA.

**Approval:** Future Melbourne Committee provides a recommendation to the Minister for Planning either as an 'interested party' or 'recommending referral authority' depending on the geographic context.

An existing City of Melbourne Major Projects meeting typically occurs once a week across different referral areas. It aims to provide a 'One City of Melbourne' view on projects at an early or critical stage. This was established to provide more coordinated, consistent design advice across Council, which is then compiled by a single development planner to form a consolidated report. Major Projects meeting provides an appropriate forum to discuss complex projects, and identify any contentious issue or major 'red flags' at an early stage. It is generally at the discretion of the development planner to initiate major projects to be reviewed during the session.

There is an opportunity to use this existing forum to identify projects that would benefit from a review by an external, independent panel. This could be used for projects of state significance to be reviewed at the VDRP and for projects of local significance that could be reviewed by a City of Melbourne independent Design Review Panel.

### Design Review Statistics

City of Melbourne record all planning applications received each year. For the 2018-19 financial year, there were 649 development only applications and 58 use and development applications lodged. Of the 707 applications received, a total of 147 (21 per cent) received urban design review.

Planning applications where the Minister is the Responsible Authority formed 35 (or 23 per cent) of the total design referrals received by the City of Melbourne during this period. Of the 35, 10-12 projects were reviewed by the VDRP. The VDRP reviews approximately 60 projects across Victoria per year.

Despite some level of design review being undertaken for most major applications, there is a significant shortfall with 135 proposals not benefitting from independent expert review.

## Discussion

The City of Melbourne provides cross-disciplinary, in-house design review and advice to improve public realm and building outcomes. Beneficial aspects of the current approach to design review within City of Melbourne are:

- The type of design review is tailored to the scale of project.
- Opportunity to review a proposal through a cross-disciplinary lens (urban design, landscape, traffic engineering and architecture) to enrich the design quality.
- Development planner is the central repository of all referral comments and consolidates these into a delegate report to support a decision.

However the increasing volume of large scale applications means that there are a growing number of state and locally significant proposals which aren't benefitting from independent design review. The statistics on design review reveal that City of Melbourne is the Responsible Authority for a large quantity of planning applications. Although City of Melbourne already undertakes design review for these projects, independent review by a panel of experts would provide specialist and technical skills to complement the skills of City of Melbourne designers to achieve design excellence.

A multi-tiered approach is required to improve design review across all scales. Improvements to internal day-to-day review have been incremental and are ongoing. Over the last three years we have seen a marked improvement to developments coming through the system. The Central Melbourne Design Guide had assisted the UDDR Team in framing design advice and negotiating better design outcomes. A clear link between local design policy and objectives helps to formulate design and could frame discussions for a City of Melbourne Independent Design Review Panel. Negotiating better design outcomes is easier if design review can be linked to a decision making framework, such as the planning scheme. This is currently missing from the way advice is handed down from the VDRP for decision-makers to use.

A City of Melbourne Independent Design Review Panel would not replace or duplicate the role of the VDRP, but provide a platform for projects of local significance to be independently reviewed. An Independent Design Review Panel offers additional value by involving tailored selection of independent design professionals to evaluate and lift the quality of a project. In any design review process, early intervention provides an opportunity to increase the value and quality of a design proposal.

## Recommendations

- Prioritise early engagement with design review where possible.
- Work closely with City Lab to ensure a strong alignment between the current 'Reimagine City of Melbourne's Statutory Planning Service' and interventions into the design review process.
- Develop a threshold table, with additional categories, to identify an appropriate design review process that reflects the scale and type of project to be reviewed. Work with DELWP and OVGA to establish a trigger to initiate a design review process for specific sites, locations, and types.
- Undertake further research to understand the cost and resource implications of a City of Melbourne Independent Design Review Panel.
- Undertake further stakeholder engagement with DELWP and OVGA.
- Pilot a City of Melbourne Independent Design Review Panel, where expert design advice is provided for projects of local significance where City of Melbourne is the Responsible Authority.
- Establish clear thresholds and processes to determine how projects of local significance are referred to a panel. Thresholds such as project type, i.e. heritage, or student accommodation, could be

established to trigger which projects should be referred to a City of Melbourne Independent Design Review Panel.

- Use the weekly Major Projects meeting as a 'triage' to resolve major issues; if these cannot be resolved then an independent review of the project should be referred to the above mentioned panel. The scale, location, and context of the project will determine an appropriate design review process (i.e. VDRP or City of Melbourne Independent Design Review Panel).

## Benchmarking Design Review Panels

There are several established design review panels across Australia and internationally that provide a relevant benchmark for consideration. We identified successful components of the design review panels at a local, State, and International level to understand how a design review panel could be implemented at the City of Melbourne.

We included the OVGA operation of the VDRP as a comparison across States, but also to highlight any gaps that could be improved in existing design review processes and the relationship between City of Melbourne and the State Government.

The Design Review Panels we investigated were:

- Office of the Victorian Government Architect (OVGA), Victorian Design Review Panel (VDRP)
- City of Auckland, Auckland Urban Design Panel (AUDP)
- Office for Design and Architecture South Australia (ODASA)
- Office of the Government Architect Western Australia (OGAWA), State Design Review Panel (SDRP)
- Office of the Government Architect New South Wales (GANSW), State Design Review Panel (SDRP)
- City of Sydney's (Cos) Design Advisory Panel (DAP).

Our framework for comparing these various panels was based on the following key questions:

- What is the scope of the design review panel?
- What triggers a design review panel to take place?
- What is the composition of the panel?
- What are the resource and cost implications?
- How is the discussion framed?
- How is the advice used in decision making?

### Scope of the Panel

The OVGA is nested within the Department of Premier and Cabinet. The VDRP is an advisory service run by the OVGA and reviews projects that are significant because of their site, context or complexity, or because they establish a precedent for new development in that place. The OVGA provide review to a range of public and private projects including capital works projects, and broader planning initiatives, including urban renewal areas such as Fisherman's Bend and major public infrastructure projects. The VDRP generally review projects of state significance.

AUDP reviews both public and private projects and has separate panels and Terms of Reference to distinguish between private development applications and public projects. An internal panel was established to review significant public realm projects being led by Auckland City Council.

In South Australia, the ODASA design review panel provides independent evaluation of both private and public projects of significance to South Australia.

In Western Australia the SDRP review public projects for significant or strategic public works, infrastructure projects and other major development proposals. Private projects are referred to the panel for consideration by statutory decision makers.

The GANSW recently piloted a SDRP for both public and private projects that are of State significance.

CoS established the DAP in 2007 to provide independent advice on significant urban design, architecture and landscape architecture projects intended to be undertaken by the City and the public sector. The DAP is closely linked to the development approval process, however the scope of the panel also extends to CoS public realm projects, the procurement of design services, and the development of the CoS planning policies including Local Environmental Plans (LEP) and Development Control Plans (DCP).

#### What triggers a Design Review Panel to take place?

Review taken at the pre-application stage is consistently seen as the most effective timing for Design Review Panel input as major design changes can be made easily with minor time and cost implications to the project.

In Victoria, applications for a review by the VDRP is made directly to the OVGA by the project proponent or applicant, however many of the projects are referred by government departments or local authorities during the pre-application or planning application processes. OVGA prioritise reviews based on the ability to improve outcomes. Priorities are made based on significance (public benefit, government investment and, cultural or environmental significance) and influence (project aspiration process stage/ability to change direction). The suitability of projects is at the OVGA's discretion.

In Auckland, a review is triggered by the Council officer in consultation with the AUDP chair. There is no legislation that determines if a design review panel should take place. A key decision to undertake a review is whether the design process would benefit and added value could be added to the project. Triggers typically include; transformational projects, major infrastructure projects, masterplans for any new development, development that infringe planning controls, such as the Unitary Plan.

In SA, a design review panel is triggered by projects that meet a certain threshold in terms of cost, size and importance. For example, projects with a value of over \$10 million or more can trigger a review by the Panel. Projects at the discretion of the State Coordinator General can also be called in if there are above \$5 million for certain project types, such as purpose-built student accommodation, and commercial and retail uses that exceed the thresholds.

In WA, any major project can be referred to the SDRP, but it is at the discretion of the Government Architect to determine which projects are reviewed. This is based around several factors, such as location (i.e sensitive, environmental, heritage), prominence (project is situated on a prominent site with high levels of visibility or political sensitivity), complexity (complex challenges to overcome that require a sophisticated design response), and if the project establishes a precedent for a type of development with an area.

In NSW, development of a certain size, economic value or potential impacts that a development may have are referred to as State Significant Development (SSD) or State Significant Infrastructure (SSI), these are identified in Schedule 2 to the State Environmental Planning Policy (SEPP). This lists specific sites, locations, and project types with an associated pathway for design excellence (both design review and design competitions). A design review panel may be triggered if a project meets any of the below criteria:

- Any project referred to the Government Architect by the Minister of Planning or their delegate.
- All projects subject to the Secretary's Environmental Assessment Requirements (SEARs).
- All projects on Government-owned land that anticipates public use or impact the public domain.

Independent design review panels operated by local governments are common in NSW. The CoS identifies both design review panels and design competitions as processes to meet its design excellence requirements. The **CoS DAP** has been in operation since 2007 and identifies project types and thresholds within the Terms of Reference.

#### What is the composition of the panel?

All the panels draw from a pool of independent experts ranging from nine (DAP) to 62 (OVGA) members. Panel members are selected to review certain projects based on their experience and specialist design skills.

A mix of backgrounds and disciplines are selected for each project to provide a breadth of knowledge and depth of experience.

Design Review Panels established at the state level have a similar structure. They are all chaired by the State Government Architect and draw from a pool of experts engaged on a 2-3 year contract. Each panel session draws 3-5 members from the pool of experts, selected at the discretion of the Government Architect. The panels generally sit once a month with 3-4 projects reviewed over the course of a day. The AUDP meet with a higher frequency and review 1-2 projects in each sitting. WASDRP meet fortnightly and review several projects over a sitting.

GANSW State SDRP includes up to 5 panel members with 1 member nominated by a local authority as their representative. The DAP have a smaller pool of experts with a minimum of 3 and no more than 9 permanent members. An independent panel chair and deputy chair is appointed.

#### Panel Operation, Resources and Costs

Many of the Design review panels operate in a similar way during the panel session with the Panel Chair briefing the panel, followed by a presentation by applicant, and discussion by the panel. However some pre and post panel review steps vary.

The VDRP is funded by the Victorian Government. The design review function in each state generally sits under the Government Architect and is funded by the respective state government with dedicated resources to administer the panel. All panel members are paid for their preparation time and sitting fees. NSW GA panel member fees are \$1000 for half day and \$ 1800 for a full day, this excludes travel time and preparation costs. The VDRP members are paid approximately \$ 1500 per day (inclusive of sitting and preparation time).

The VDRP is operated by a dedicated team of three built environment professionals who undertake important preparatory work ahead of each panel session. This work is critical to ensure panel members' time is used effectively and the session runs efficient and focussed. This involves assessing each application for review, meeting key stakeholders, undertaking site visits, preparing written briefings on each project, answering panel member questions prior the session, coordinating panel sessions and briefing the panel chair and members prior to the review. Following the review, the team prepares the written advice, signed by the chair.

The Auckland design review process is closely linked to the development approval process. The statutory planner and urban designer are closely involved in each step, such as briefing the panel, reviewing documentation, providing a summary of key issues. Auckland City Council has a fully resourced team to undertake design review, which is supplemented by Council urban designers and planners. Auckland Council funds the operation of the panel, including the payment of the Panellist fees, and provides administrative support. Council urban designers and planners charge their time to the applicant for the preparation of cover sheets, panel meeting attendance, and post panel follow up discussions with the applicant. Once a planning application has been lodged, the cost of any post-lodgement panel sessions is charged directly to the applicant.

The ODASA model places an emphasis on the pre-application stage and up to three design reviews can occur prior to a planning application being lodged. Pre-lodgement advice can replace the need for internal referrals to urban designers once a planning application is received.

In NSW the SDRP and DAP are free to applicants. However planning application fees are much higher in NSW and time frames for assessment longer than the Victorian statutory timeframes. For some sites it may be mandatory to go through a design review panel as an alternative to a design competition to achieve 'design excellence'. The CoS have an established Design Excellence team, responsible for running competitive design processes and the operation of the DAP. This includes payment of four full time positions a year to operate the competitive design process. The external DAP panel members must also be paid a separate sitting fee above this.

### How is the Design Review discussion framed?

Design advice and recommendations should be delivered in a format that the decision maker can easily consider and ideally framed around policy or a consistent set of agreed criteria or guidelines.

The VDRP discussion is informed but not guided by the Victorian planning framework. For many projects it reviews, the planning scheme does not apply. Briefing materials prepared for each panel include key local and state policies and plans which are relevant for consideration by the panel members. Key stakeholders such as DELWP and City of Melbourne can raise key questions for the panel members to address in their review; including an assessment against the appropriate planning policy. The focus of the panel discussion is informed by the pre-briefings and guided by the chair but is intended to be an open, peer review of design quality.

Auckland City Council adopts consistent criteria to assess all applications. These criteria are drawn from the Auckland Plan, local plans and policies, Te Aranga Maori Design Principles, specific urban design frameworks for local places, and best practice urban design principles. The panels considers, land use (through the assessment of activities or mix of activities), sustainability, universal access, building form and mass, building layout, articulation of the facade, materials, landscaping, ground floor layout and relationship to the public realm, green infrastructure and internal and external amenity impacts for residential developments.

ODASA The design review panel is framed by the 'Principles of Good Design'. The high level principles such as 'context', 'durability', 'inclusivity', 'performance' amongst others inform the evaluation of proposals during the review session.

WA SDRP The design principles outlined in State Planning Policy 7 - Design of the Built Environment form the basis of the panel's advice. The design review process makes an assessment on how well the proposal meets the good design principles outlined in the policy.

The NSW SDRP was established to deliver the principles and design objectives of 'Better Placed' and to provide a consistent, state-wide approach to reviewing the design quality of State significant projects. The Panel evaluates projects against the Objectives for Good Design as defined by 'Better Placed'. A residential proposal must also be assessed against the design quality principles identified in SEPP 65 (State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development). In the case of any proposal that is subject to the Education SEPP, the design quality principles identified in the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 will form the basis of design quality evaluation in addition to the objectives outlined in 'Better Placed' and the 'Design Guide for Schools.' The panel will also consider any relevant local, state or national plans, policies and guidelines such as LEP, DCP, urban design strategies. The relevant documents are specified by the GANSW when briefing Panel.

The terms of reference of the DAP outline the Advisory Panel must have regard to the City's adopted policies, such as Sustainable Sydney 2030, LEP and DCP (amongst others).

### How is the Advice Used?

The role of the panellists across all those reviewed is to provide advice. The advice is typically delivered in a way that supports an improved design – it is not a workshop or an opportunity to re-designing work presented. The panellists do not have a decision-making function. Decision-makers are to give 'due regard' to the advice and recommendations in their assessment of development applications. The panels are established to provide independent advice to project proponents and planning authorities and not take on the role of the decision maker.

After a VDRP, the panel discussion is summarised into a letter of advice, issued within 10 working days of the panel taking place. All parties in attendance receive a copy of the advice.

The majority of state design review panels (SA, WA, and NSW) and recommendations are drawn from how the proposal meets the relevant objectives and policies. However, NSW is the only jurisdiction that embeds design

quality into planning decision through the *Environmental Planning and Assessment Act*, which includes an objective on design quality and amenity.

ODASA – The Planning, Development and Infrastructure Act 2016 contain principles of high-quality design. Changes to the South Australian planning system in 2012 included the introduction of a statutory referral to the Government Architect (Chair) for certain development applications assessed by the State Commission Assessment Panel (SCAP). The recommendations from the Design Review Panel inform the referral to the SCAP by the Chair. The SCAP places significant weight on this advice in helping to raise the standard of design in South Australia.

GANSW – the Act has been updated to include a reference to trigger design review panels for certain projects. Good design can be measured and assessed against standards and guidelines set by the Government. For example, SEPP 65 enables good design by establishing a consistent approach to the design and assessment of apartments and the way councils assess them.

DAP – There is clear integration with the development approval process. The City of Sydney DAP produces advice sheets in addition to meeting minutes. These can be included in reports to decision making committees, such as Council's Planning and Development Committee and the Central Sydney Planning Committee.

### Discussion

Several successful components of design review emerged from the benchmarking exercise. It is clear that independent design review panels can lift the design quality of both private development and projects led by government. Projects led by City of Melbourne should receive the same level of independent design review and scrutiny as private development to promote a culture of design excellence.

The benchmarking confirmed that design review panel reviews undertaken early in the process such as at the pre-application stage are the most effective in informing design changes in a manner that can be taken on board with limited time and cost implications to a project.

The benchmarking showed that design review panels ubiquitously comprise independent experts with high expertise and credentials. This leverages the profile of these experts to influence project outcomes but equally ensures adequate separation from decision-makers. This offers impartial advice which is not influenced by the client, the local authority or the design team. Although panel members do not have decision making powers, it is imperative that advice and recommendations are formulated in a way that can be implemented and the RA can rely upon in their assessment and decision.

Panel advice should be informed by and respond to the context of the relevant planning framework to give the advice greater weight in planning decisions. This is done successfully by ODASA, GANSW, OGAWA, and Auckland where the advice is framed by principles of good design that are documented in published guidelines and embedded within their respective planning system. The Terms of Reference of the DAP makes specific reference to relevant policies for the panel to consider in making their recommendations, cognisant of the role of planning policy in providing leverage to secure design outcomes. While expert members of the VDRP are briefed on planning matters, the reports are aimed at influencing the project team rather than integrating with decision making processes. It is felt that this lack of utilisation of policy as 'hooks' to contextualise design advice weakens the effectiveness of the Panel's advice on planning application decisions. A clear Terms of Reference listing the relevant sections of the planning scheme or design policies that the panel must have regard to and utilise as positive leverage (such as the Central Melbourne Design Guide) is critical to frame the panel considerations. This should be reinforced in the report which should be drafted in a way that enables ease of use by decision makers. If a City of Melbourne Independent Design Review Panel is to be pursued, then a clearer link must be established between design policy, guidelines, the design review discussion and resulting written advice to ensure it has the desired effect with the development assessment process.

The CoS DAP is a comparative model to understand how a design review panel operates at a local government level. The relationship of the DAP to the GANSW is worth investigating further. One clear benefit of the DAP is a smaller pool of experts to ensure a more intimate knowledge of the city and the relevant design objectives within the CoS SEPP and LEP.

The WA SDRP is a useful precedent to explore the relationship between state and local panels. The majority of metropolitan local government areas in metro have established a Local Design Review Panel. Local authorities without a panel can access the State Design Review Panel when demand for the review of state projects is low. There is also the opportunity to review significant local projects where mutually agreed with a local government until a local panel is operational, or on an as needs basis. Considering the high demand for the VDRP and the high amount of locally significant City of Melbourne projects this is not considered a viable option. It is also difficult to anticipate when demand will be low for state significant projects and therefore provides no certainty for local projects seeking design review. For this to work in Victoria, the OVGA would need to provide this service to 79 local government areas. This would require increased resources, additional funding and could create an administrative burden to the OVGA. There is an opportunity for the OVGA to streamline the process for local governments, and create model templates, guides, and Terms of Reference to aid local governments to establish their own independent design review panels, assisted by the OVGA. The City of Melbourne could show leadership in this area by developing a pilot process in collaboration with the OVGA.

### Recommendations

- Investigate if the OVGA could review more projects of state significance through the VDRP.
- Advocate to the OVGA to develop processes for local governments interested in establishing independent design review panels.
- Model a City of Melbourne Independent Design Review Panel for projects of local significance on the successful City of Sydney DAP approach, integrated with the development approval process.
- Investigate the cost and resource implications of a fully funded and operated City of Melbourne Independent Design Review Panel.
- If a panel is supported, establish a small pool of experts to sit on the Panel. Refresh membership every 2 years.
- Establish definitions, criteria and thresholds . to determine whether projects of local significance require referral to a panel. Thresholds such as, scale, value, significant sites, project type (e.g. heritage, or student accommodation), placed-based plans, or site specific amendments should be developed and made public.
- Advocate for a trigger to include the OVGA as a statutory referral authority (or planning pathway) to give greater weight to the advice and recommendations provided by the VDRP. Work with the VDRP to strengthen their Terms of Reference to reflect planning integration.

## Design Review Panels in the Planning Process

The research to date, including benchmarking, interviews with stakeholders, and literature published by CABE, OVGA, and GANSW all point to the value of design and design review processes. Part of an effective design review process is determining the criteria in which proposals can be tested against. Design review is closely linked with the development application process and responds to the planning and policy context of the respective state or local government.

In the UK, design review was embedded in the National Planning Policy Framework (NPPF Clause 129). This enables local authorities to establish their own design review panels, but critically provides statutory weight to the advice of the panel, in addition to the potential for 'veto' rights to refuse a project of low design quality. This national platform proved highly successful in 'normalising' design review process within the UK context. Although CABE in its original form is defunct, there remains a strong legacy culture of design review panels including local authority led. It is important to understand the legacy of CABE as it has directly influenced the more recent adoption of formalised design review panel processes within New South Wales, South Australia, Western Australia and Victoria.

To better understand the policy and planning context for design review in the City of Melbourne, the integration and alignment of design guidance and the policy context for NSW and Victoria are compared and discussed below.

### New South Wales Planning Context

GANSW recently published the design document 'Better Placed' this establishes principles and guidance to support good design in NSW. The NSW SDRP was established to deliver to principles and ambitions of 'Better Placed'. This provides a consistent, state-wide framework for reviewing the design quality of State significant Projects.

'Better Placed' is multi-pronged approach. It not only outlines the value of design and provides clear principles to assess design against at a State level, it enables effective design processes to be established and supported in the planning system. This integration between policy, statutory processes, and design review processes distinguishes it from other States.

'Better Placed' integrates high level design objectives with development approval processes by:

- Making reference to the objectives of 'Better Placed' in design review processes and submissions by applicants.
- Making reference to 'Better Placed' in NSW's District Plans and Regional Plans.
- Embedding good design and 'Better Placed' early in the conception, scoping and briefing stages of project development when design can add most value.

In NSW Local Environment Plans (LEP) include provisions that require the decision-maker to consider design excellence as part a planning application process. This requires the decision-maker to determine that a development exhibits design excellence in order to support the application. Design excellence can be achieved for certain proposals if a design competition or design review panel (such as the DAP or SDRP) is utilised

'Better Placed' also led to amendments in the *Environmental Planning and Assessment Act 1979* to embed 'good design an amenity' as an objective of planning in NSW. This elevates design to be considered and balanced against other objectives and sends a message that 'good design and amenity' is an equal priority for government.

## Victorian Planning Context

In the Victorian context, the planning framework operates at a state and local level through the Victorian Planning Provisions, supported by other strategic planning guidelines. Planning schemes include a range of both mandatory and discretionary controls used to assess development proposals. Mandatory requirements may be assessed by a development planner, however discretionary or performance-based requirements identify design objectives to be met without prescribing how to achieve them. This requires experienced design professionals to evaluate the merit of proposals against the performance-based requirements to determine if a proposal achieves the design objective.

### *The role of VCAT and the right of appeal*

VCAT plays a major role in reviewing planning decisions. Once a planning decision is appealed, VCAT will only review the application based on merit against the relevant provisions in the planning scheme and decide whether the proposal is 'acceptable' on balance. Design considerations are a subset of many layers of planning policy and regulation to be considered for every planning application. If a project can meet a range of other objectives of the planning scheme, such as urban consolidation, or housing affordability, then matters of design quality are sometimes set aside. When design advice is not aligned to the design objectives for Victoria it does not hold any statutory weight in VCAT determinations.

### *State Planning Policy*

While there are several high level urban design objectives within the Victorian Planning Provisions, there is a gap in an overarching policy which clearly states the Government's position on design.

Clause 15 - Urban Design sits within the SPPF of all planning schemes. It outlines high level design objectives. There is a reference to the policy document '*Urban Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017)*.' This document provides detailed objectives, strategies and guidelines for assessing urban design proposals in both the public and private realms. These guidelines are published on DELWP webpage. However, as these guidelines are a reference document they sit outside the planning scheme and therefore carry no statutory weight in decision making.

Plan Melbourne makes several references to design excellence and state design review processes. Policy 4.3.1 is to promote urban design excellence in every aspect of the built environment. This outlines the role of independent, expert design review in improving the quality of design outcomes for significant developments. The policy direction also outlines that more sophisticated design capabilities, will aid local government to assess and advise throughout the development approval process. Within the 5 year Implementation plan there are several actions associated with this policy.

These include: Action 55 – Excellence in built environment design “Promote excellence in how Victoria’s built environment is designed and constructed by:

- Embedding design review in the assessment of significant development projects to ensure the highest possible design outcomes are achieved on major public- and private-sector projects.

This will apply to:

- Significant government or funded (including local government) projects
- Projects that impact on places on the Victorian Heritage Register
- Significant private-sector projects referred by local government
- Strengthening design understanding and capabilities within all levels of government.”

Action 57 – urban design advisory service to local government “Partner with local government to establish a three-year pilot urban design advisory service, modelled on the successful heritage advisory service”

In 2018 the Victorian Government committed \$10m to further work on apartment design quality, including the formulation of an advisory panel.

#### City of Melbourne Policy context

City of Melbourne seeks to achieve design excellence in its own projects, and has consistently advocated and influenced high quality outcomes in projects by others. This is supported by local policy (MSS, 22.01 'Urban Design in the Capital City') Development Plan Overlays, and Design and Development Overlays. In February 2018, Amendment C308 Urban Design in the Central City and Southbank, and its accompanying visual guide, the Central Melbourne Design Guide, was endorsed by the Future Melbourne Committee. The aim of this Planning Scheme Amendment is to raise the bar on the design quality of private development, with a particular emphasis on the quality of ground floor interfaces and human-scale experience of Melbourne's streets and laneways.

As of July 2019, City of Melbourne is currently working through the Amendment C308 Panel Report. This follows a period of extensive public consultation and review by members of Planning Panel Victoria. City of Melbourne officers are currently working with the Department of Environment, Land, Water and Planning (DELWP) in considering the Panel recommendations and assessing changes to the policy document and guide accordingly. A revised version of the policy and guide will then be presented to the Future Melbourne Committee for endorsement before being presented to the Planning Minister for consideration of adoption.

Whilst not yet an adopted Amendment to the Planning Scheme, C308 and the Guide has had a significant influence in the way UDDR team conduct both written and verbal urban design advice. Officers regularly make explicit references to C308 policy provisions, highlighting its status as an endorsed Council position. Proponents are encouraged to refer to examples and diagrammatic illustrations within the Guide to ensure a closer alignment of expectations.

#### Discussion

Development approvals are assessed using the relevant planning framework. In the performance based Victorian planning context, design review has the most impact when integrated with the development approval process. The review achieves impact through its leveraging of state and local policy.

There is currently a gap in Victoria between the policy framework and design review processes, limiting its potential effectiveness. The Terms of Reference for an Independent Design Review Panel should include the relevant planning provisions that the panel must have regard to (for example the Central Melbourne Design Guide or specific Design and Development Overlay requirements). This will ensure advice and recommendations from the panel are framed by the provisions of the planning scheme and can be drawn upon by planners in making a decision.

#### Recommendations

- Utilise Amendment C308 to provide a robust policy platform that informs the Terms of Reference for effective Design Review.
- Advocate for amendments to the *Planning and Environment Act 1987* to embed good design as an objective of planning in Victoria.
- Advocate for introduction of State Policy which elevates the importance of good design and design excellence.
- Advocate for the integration of design review panels within the development assessment process.
- Explore the integration of a 'pathway' or other policy triggers to enable consideration by a Design Review Panel as a process.

- Identify requirements for design review for sites of strategic importance where design excellence is demanded. Design review panels established for strategically identified sites, which are identified through place based work. i.e catalyst sites.
- Identify within the City Vision, MPS, and local area structure plans where a City of Melbourne Independent Design Review Panel is appropriate.

## Stakeholder Discussions and Interviews

We have undertaken formal and informal stakeholder engagement through the design Excellence API. Discussions with industry groups through stakeholder workshops, representatives from key professions such as AIA, AILA and PIA revealed that:

- Design review undertaken by independent panels is supported by the industry.
- Design review is a critical process to create leverage with a client. Hearing advice from multiple experts helps the client to see the value in design.
- It is frustrating when the bar is not lifted, even after several rounds of the same advice.
- Design review can be too 'tame' and not critical enough to be useful. Clear recommendations need to be made in design advice.
- C308 is a useful design tool because it can be linked to policy.
- Timing is critical – sometimes panels occur too late in the process. Design review adds most value when it is undertaken early in the process.

Discussions with key government (DELWP, DV, OVGA, and VPA) stakeholders revealed that:

- There is a risk that design review panels can be seen as 'road blocks' in development application timelines.
- The 'Design Quality Team' (DQT) approach is sometimes favoured over the VDRP as it is less formal and more collaborative.
- VDRP is not bound by a regulative framework and comments are handed down as advice only.
- It could be problematic to share the design experts with council led panels because of contract conditions.
- If expert panel members were shared, then this should become an additional service offered by the OVGA to all Councils.

Additional discussions with the OVGA revealed:

- A preference to work with City of Melbourne and not duplicate a design review panel.
- South Australia sets a good precedent because it is mandated and linked to planning process.
- The role of the chair is important, as they can filter for unconstructive advice.
- There are a range of design review tools that could be adapted for City of Melbourne purposes.
- Independence is important as there is no vested interest and advice is impartial. An independent panel de-risks the advice from Councilor agendas.
- A design review panel is often triggered too late in the process.

In February 2019 officers within the UDDR interviewed the GANSW to understand how the Better Placed policy was integrated with the newly established SDR. The key observations were that:

- The 'Better Placed' policy was being used in design review, but design review discussion didn't strictly follow the objectives.
- 'Better Placed' was being used in the creation of briefs for design competitions.
- Design competitions are used in conjunction with other design excellence processes, such as a design review panel. A design review panels could be an alternative design excellence process to a design competition.
- If a project was subject to a design competition, it could subsequently become a candidate for a design review panel at a later stage.
- This is where the City of Sydney and the GANSW would work together to review a project initiated by the City of Sydney.
- Design review panels get the best results when linked to planning policy or triggered by legislation.

Since undertaking the benchmarking study, we have also interviewed the City of Parramatta, the City of Sydney, and the Government Architect NSW as part of the broader Design Excellence Program. These interviews provided an insight in to the how the both the City of Sydney and Parramatta undertook design review in conjunction with their competitive design process and the relationship to the State Government. The City of Sydney use their DAP hand-in-hand with their competitive design process. The City of Sydney also operate the DAP as a separate independent review process from the GANSW for projects of local significance.

#### Interview with Matthew Carmona

In early 2019, we undertook an interview with Matthew Carmona, an internationally renowned expert in design review and design review panels. The key lessons from his experience were that:

- There is no evidence that internal design review panels work, an independent panel is the key.
- A Terms of Reference should outline the relevant planning requirements for the panel to consider.
- A design review panel should be transparent and politically independent.
- The panel should be administered by the planning authority rather than a third party.

#### Discussion

Stakeholder discussions revealed support for the OVGAs DQT as this embedded a collaborative approach with greater team member knowledge of the context and had greater influence over the project brief.

There were concerns around the duplication of roles and design review panels between the VDRP and a City of Melbourne Independent Design Review Panel. The discussions also outlined that there was a lack of precedent for municipal-led design review panels in Melbourne, but were commonplace in other parts of the country, such as South Australia. There is an opportunity for City of Melbourne to work closely with the OVGA and draw from their extensive experience and knowledge to establish an Independent local design review panel. This would have a focus on projects of local significance and would not duplicate the role of the VDRP panel in reviewing state significant projects.

#### Recommendations

Many of the ideas and recommendations from the stakeholder workshops overlap with the findings of the desktop analysis and benchmarking studies. The key elements that resulted from the interviews which have not been captured elsewhere include:

- The OVGA structure increasingly using DQT in addition to VDRP. Ensure clarity around when DQT and VDRP are used.
- Avoid duplication of state significance with VDRP by only reviewing projects of local significance.
- Establish a consistent state-wide approach and processes for local design review panels, supported by the OVGA.
- Trial a City of Melbourne Independent Design Review Panel as a pilot in partnership with OVGA.
- Advocate to the State with other inner metro councils through the Inner Metro Councils Working Group.

## Pilot internal Design Review within the City of Melbourne

In 2016, the Organisation Plan Goal 44 identified the establishment of an internal City Design Review Panel. This was trialled in 2017. The purpose was to address major project planning applications and larger, more complex, sensitive project proposals.

This proposal was for a formalised, structured design review panel and process, with a clearly identified City of Melbourne owner. It would be used for the evaluation of qualitative aspects of large, significant and sensitive projects to advance design quality in a way that is robust, accountable and clear, to ensure strong, clear advice is provided to management, Council and the community. The City Design Review (CDR) proposed to remove duplication, streamline responsiveness, increase efficiency and ensure transparency, consistency and coherence in the strength and quality of design advice.

In relation to planning assessments, it was proposed that design review be engaged to enable expert, efficient and effective design input at the early stages of negotiation on projects. This would highlight design concerns early in order to support high quality outcomes. Additionally this would extend the established strong culture of customer service and facilitation through the pre-planning process.

A similar approach would apply to those projects where City of Melbourne is a partner or key stakeholder for a project being delivered by an external agency. The review process would provide early, clear and transparent feedback to assist in advancing design quality, and advice to City of Melbourne to assist in decision-making.

In relation to large or significant projects where design solutions are produced or procured internally, CDR would advance the quality of outcomes through increased exposure to an efficient, expert forum, informed by advance technical review.

This process was trialled in 2017 with a mock panel established by members of the Urban Strategy Branch for a site in Fishermans Bend. This involved:

- 90 minute session with 8 attendees.
- Briefed by a team member, with a presentation and background material.
- 2 full working days of the team member's time in preparation and a further 1 full working day writing a review.
- The review provided valuable broad advice, but limited detailed guidance on planning matters.
- The City of Melbourne Design Review report was not used in subsequent planning negotiations in the assessment process.
- The process was informal and lacked an impartial chair who managed time and discussion.
- Limited transparency of the process to applicants and the design team.
- No involvement of independent experts from outside of the City of Melbourne

### Discussion

The trial was inefficient from a time perspective and didn't have the intended effect or influence on project outcomes. An internal design review panel adds administrative time and a resource burden without any clear benefit beyond existing day-to-day design review processes. There is limited evidence to support the value of internal design review panels beyond internal specialist referral advice. As highlighted through research, transparency of the process to all parties involved is key factor. Importantly, an internal design review panel report has no status or visibility for external parties such as design teams and applicants.

### Recommendations

- Do not proceed with an internal design review panel.

## Evaluating Design Review Process

From the evaluation of our own internal processes, benchmarking study, review of design review panels in the planning process, and stakeholder engagement, there are some emerging gaps between our current design review processes and best practice. This research has helped to identify best practice principles which we have used as evaluation criteria to assess options for a design review panel. A summary of each option is described below.

### 1. City of Melbourne Internal Design Review Panel

- This option would involve an internal design review and panel membership across key areas of Council, such as Urban Sustainability, City Design, and Urban Design and Design Review.
- This approach was trialed as an internal review panel in 2017 by the Urban Strategy Branch (discussed above).
- We have assessed this option against the evaluation criteria to understand how it meets best practice principles of design review identified below.

### 2. City of Melbourne Independent Design Review Panel (Locally significant projects)

- This option would use a small panel of independent design experts.
- The panel would only review projects of local significance where City of Melbourne is the Responsible Authority.
- Provides an opportunity for approximately 24 projects to be reviewed over the course of a year.
- The panel would be fully funded and operated by the City of Melbourne.

### 3. Victorian Design Review Panel (State significant projects)

- This is not an option, but an assessment of how the existing VDRP addresses the evaluation criteria. This was undertaken to understand any existing gaps and opportunities to work with the OVGA to improve processes for projects of state significance.

## Evaluation Criteria

The following provides a summary of best practice criteria for design review based on the above discussions and recommendations:

**Independent** – The panel members should be independent. Impartial advice that is removed from the planning process de-risks the decision and makes it less susceptible to political agendas. Design review should be conducted by people who are separate from the project, decision-makers, or any other parties that may have an interest.

**Expert and Objective** - The panel members should be expert and experienced in their field and be able to appraise schemes objectively. The Panel must assess the proposal based on reasoned, objective criteria. It offers an objective critique of the quality of the design, whatever the architectural style. The expert advice given by the Panel is unbiased and free of subjectivity.

**Multidisciplinary** - The panel should comprise individuals from a variety of professional backgrounds. Mixed disciplines across all design professions is important to provide specialist insight into projects above the skills on the responsible authority.

**Timely** - Ensure design review occurs early in the design and development process. Design review has most influence early in the process when ideas are flexible and open to change. A mechanism to clearly identify which sites are subject to design review should be identified.

**Transparent** - The panel's Terms of Reference, membership, and processes should be publically available. The panel discussion should include all relevant parties including the design team, developer/client, along with key stakeholders and decision makers.

**Advisory** - An advisory role is important to separate the roles of advisor from decision maker; however the advice should be formulated in a way that the decision maker can use. Advice that is based on professional judgment but framed by principles of good design (ODASA, GANSW, DAP, WA) has proven to be successful because recommendations carry greater statutory weight.

**Continuity and consistency** – The same panel members should be maintained throughout the life of the project to provide consistency to the project.

**Accessible** - Findings must be clearly expressed in language that decision-makers and clients can understand and use.

#### Evaluating Options for a Design Review Panel

The above evaluation criteria was used to compare each option (refer to Table 1). The results and preferred option are discussed below.

#### **Option 1 - City of Melbourne Internal Design Review Panel**

Developing an internal City of Melbourne Design Review Panel is not the preferred option.

Best practice principles outline that an 'independent voice' is a critical component of design review; this option would draw on in-house design professionals and does not add value above the current processes. Further, this option does not allow visibility of the design review process to external parties, and the design debate does not benefit the design team or the client. This process would become resource intensive, without any great impact above the current day to day design review processes.

#### **Option 2 – City of Melbourne Independent Design Review Panel (local significance)**

This is the **preferred option**.

Although the OVGA provide a valuable service of providing expert independent design review, there is a large gap in the amount of projects they are able to review over a year and the amount of design reviews undertaken on a day-to-day basis by City of Melbourne.

There is significant opportunity to bring in design review panel which is managed, funded and run by the City of Melbourne to review projects of local significance. An independent panel would have external, independent members. The advice would be transparent and would accompany planning decisions and recommendations made to Council.

The estimated implementation for a 6 month pilot phase would require the creation of a new Design Excellence Officer role (Class 6, FTE 0.5) in addition to honorarium payment for panel members, in addition to the resource implications of establishing administrative processes and terms of reference. Further resource implications are detailed below.

#### **Option 3 – Victorian Design Review Panel (existing)**

The existing VDRP panel process offers independent, expert advice for development applications of state significance. However is limited in the amount of City of Melbourne projects of local significance it can review per year. The research shows that as the VDRP is advisory only and does not frame advice using against the planning framework unless specifically requested. For applications within the City of Melbourne, there has been a gap between how the advice is handed down to be used in assessment against the provisions of the planning scheme.

Key Recommendations

- Do not pursue internal design review panel.
- **City of Melbourne Independent Design Review Panel (local projects)** Pilot an Independent Design Review Panel that is integrated with the planning process to review projects of *local significance*.
- **Victorian Design Review Panel (OVGA)** Continue to work with the OVGA to ensure tailored integrated advice for projects of *state significance*.

## Resourcing a City of Melbourne Independent Design Review Panel

The resourcing and financial implications of establishing an Independent Design Review Panel relate to the operation of the panel, payment of panel members and administrative support. The Urban Strategy Branch could not support a successful Independent Design Review Panel with current staff and funding.

A new role would need to be created for a Panel Coordinator. Alternatively, a Design Excellence Officer position could be created to lead the Design Excellence Program. This would include responsibilities and tasks relating to City of Melbourne Independent Design Review Panel (including a panel coordinator).

The implementation of the pilot phase would comprise the following:

### Stage 1 - Implement Pilot Independent Design Review Panel (6 months):

- Advocating to the OVGA and other stakeholders, such as the Inner Metropolitan Council's Working Group.
- Establish Terms of Reference, administrative processes and select a limited panel of 5-6 members.
- Implement a pilot comprising 6 sessions over a six month period to review a total of 12 projects (2 projects per session).
- Honorarium payment for panel members
- Creation of a new Design Excellence Officer role (Class 6, FTE 0.5) for the 6 month duration of the pilot. The Design Excellence Officer role will be shared between the pilot and drafting a competitive design policy.

### Stage 2 – Establish Independent Design Review Panel (ongoing)

- Review and report on the outcomes of the pilot.
- Select an annual panel of 9-12 members and undertake 12 sessions per year to review a total of 24 projects.
- Ongoing honorarium payment for panel members for a full yearly cycle; and
- Maintenance of an ongoing Design Excellence Officer Role (Class 6, FTE 0.5).

The panel discussion and recommendations would effectively become the formal urban design advice and inform Council's position. Some resourcing would be required to finalise the advice and recommendations, however this would replace formal urban design advice that the UDDR Team currently prepare. The panel discussion would be integrated with the development approval process, therefore would be no need for urban designers to translate the advice to be used in the development assessment process. This task could be undertaken within the existing structure of the UDDR Team. Further work is required to understand the resource and governance implications and to measure the benefit of an Independent Design Review Panel to projects of Local significance within the City of Melbourne. A pilot implementation would enable testing of these implications to inform any ongoing program.

## Conclusions

To complement the existing internal design review and OVGA Design Review Panel, it is recommended that an Independent Design Review Panel is established to review locally significant projects for the City of Melbourne. Establishing an Independent Design Review Panel sends a strong message to the public and industry that design quality is important to the municipality and could provide additional design focus for locally significant projects to strengthen achievement of design excellence.

The UDDR Team assess a significant amount of design referrals a year, with many of these being of local significance. Over the last three years there has been a dedicated focus to providing consistent review. Establishing an Independent Design Review Panel at City of Melbourne will focus on projects of local significance and will complement our in house design skills to lift the design quality of these proposals adding weight and expert input from experienced professionals.

The findings of this discussion paper have identified where other design review improvements could be made in parallel to implementing an Independent Design Review Panel for City of Melbourne. A multipronged approach is recommended to improve design review processes at all scales of development. The Major Projects meeting within the City of Melbourne provides an opportunity for the development planner and technical experts to identify 'red flags' in proposals. This existing process can be used to resolve major planning issues in the first instance and if required refer a proposal for review to the Independent Design Review Panel or VDRP depending on scale and importance.

The role of the OVGA is important to continue to review projects of State significance. A City of Melbourne Independent Design Review panel will not duplicate the role of the VDRP as the purpose of the panel would be to review projects of local significance. The VDRP would continue to play a role in reviewing projects of state significance where the Minister for Planning is the Responsible Authority.

## Appendix A – Comparison of options for a Design Review Panel

| Options   | Scope                    | Triggers  | Independent /advisory  | Expert /Multidisciplinary   | Accountable /transparent  | Timely  | Advisory (Integration with planning)   | Continuity and consistency   | Cost and resource implications   | Benefits   | Issues   |
|---|--------------------------|---|--|---|---|---|--|--|--|--|--|
| City of Melbourne Design Review panel (run internally)  | Both private and public. | <p>Projects of local significance where Council are the RA.</p> <p>Projects that require review because of their size, value, or type (i.e. Heritage).</p> <p>Council led public realm projects.</p> <p>Determined through Major Projects – recommendation.</p> | <p>No</p> <p>The chair and panel members would be internal to City of Melbourne and therefore not separate from decision making process.</p> | <p>No</p> <p>Limited to in-house design skills which may not cover the breadth and depth of projects that require specialist technical skills.</p>  | <p>No</p> <p>The design review panel would occur behind closed doors.</p> <p>The applicant and designers would have no visibility of the discussion or benefit directly from the design advice.</p>             | <p>Maybe</p> <p>If additional funding could be secured.</p> | <p>Yes</p> <p>C308 used as a basis for the panel discussion.</p> <p>Clear recommendations made in line with C308 or other relevant local planning provisions are important for the advice to be useful and accessible.</p> | <p>Maybe</p> <p>Without dedicated resources, consistency and continuity of the panel members and chair could be problematic.</p> | <p>Needs to be properly funded and resourced.</p> <p>This would have resourcing impacts if it was run from the UDDR team.</p> <p>Design experts from across Council would also need to dedicate time towards monthly panel sessions.</p> | <p>Quick to establish.</p> <p>Develop s in house skills of designers and planners.</p> <p>Funding for experts is not required.</p>   | <p>No independence.</p> <p>No access to experts to resolve specific issues.</p>  |
| City of Melbourne Independent Design Review Panel<br><br>(run with an Independent chair and Panel of experts) | Both private and public. | Projects of Local significance where Council are the RA.  | <p>Yes</p> <p>Panel members and chair would need to be external to City of Melbourne to be impartial and removed from decision making.</p>   | <p>Yes</p> <p>Would draw form approximately 10 experts (based on the DAP model). With members refreshed every 2 years.</p> <p>This provides a more intimate - knowledge of the City of Melbourne.</p> <p>This number could be expanded after the 6 month pilot.</p> | <p>Yes</p> <p>The whole project team would be part of design review panel.</p> <p>Design advice would be attached to Councillor reports and made publically available at the time of the planning decision.</p> | Yes   | <p>Yes</p> <p>Clear recommendations made in line with C308 or other relevant local planning provisions.</p>  | <p>Yes</p> <p>A smaller pool of experts (10) would ensure consistency of advice and knowledge across Council policies.</p>       | <p>New roles would need to be created for a Panel Coordinator/Design Excellence Role and funding of panel members.</p>   | <p>Higher volume of independent review of major projects.</p> <p>Consistent one City of Melbourne view.</p> <p>Does not duplicate OVGA as it only reviews applications where Council is the Responsible Authority.</p> | <p>High cost implications for the amount of applications per year for Council.</p> <p>Further investigation into pilot is required to evaluate benefits.</p> |

|                               |                          |   |   |  |  |   |  |   |  |  |   |
|-------------------------------|--------------------------|---|---|--|--|---|--|---|--|--|---|
| Victorian Design Review Panel | Both private and public. | Projects of State Significance where the Minister for Planning is the RA.<br><br>Referred through pre-application process | Yes<br><br>Existing panel members and chair are external to City of Melbourne and are removed from decision making. | Yes<br><br>A Panel of 62 experts can be drawn upon across multiple disciplines and specialist areas. | The design team and client are present at the panel.<br><br>Advice is generally not made public. | Yes<br><br>Advice is provided within 10 days of the panel to the applicant. | No<br><br>Advice is currently not framed by the provisions of the planning framework or urban design policy. | Yes<br><br>The same experts are generally available for multiple reviews to provide continuity of advice. | No cost or resourcing impacts above usual. | Voluntary (free) to applicants make design review accessible to design teams.<br><br>OVGA has established training and processes in place. | Advice is not currently framed by planning and design policies and make it difficult for decision makers to rely upon in assessing planning applications.<br><br>Only a small proportion of the City of Melbourne planning applications receive review. |
|-------------------------------|--------------------------|---|---|--|--|---|--|---|--|--|---|



## **API 8.13 Design Excellence Program**

### **Design Advocacy Discussion Paper**

August 2019

API 8.13: Extend City of Melbourne's commitment to high quality urban design through advocacy, internal design review and investigation of design competitions on significant sites.

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**Figure 1:** The Melbourne Awards, a high profile business and community event hosted by the City of Melbourne, represents a unique opportunity to integrate design awards to a broader community forum.

## Executive summary

Design awards are a key advocacy tool for promoting design excellence. They provide an opportunity to reward completed projects that industry leaders (the judges) deem to have demonstrated the highest standards of architecture, urban design and landscape architecture. Awards provide an opportunity for public advocacy which can capture the attention of a broad audience including the design and development industry as well as the community. They offer the opportunity to grow design awareness and the design culture of the City in a way that supports Council's strategic ambitions to promote design excellence. A more design-literate community will lead to an elevated expectation of quality of our developers and designers.

The design awards process offers Council an opportunity free from the procedural constraints of the planning process to draw attention to projects that demonstrate design excellence. If paired with case study publications and a communication strategy this can provide prestige and support for the project. This also translates to a commercial benefit in the form of free marketing which can assist in elevating the reputation of the development, designer and client and assist in attracting investors and building occupants. A successful awards program can enable Councils to leverage their public profile as supporters of Design Excellence and potentially achieve a high impact relative to the level of investment required.

The following paper builds upon research into options for Design Advocacy undertaken in the *Synthesis Report* as part of Amendment C308 in 2018. The research explores the potential to use design awards to position the City of Melbourne as a leader or 'design champion' and elevate the quality of private development in the City. The City of Melbourne does not presently host an independent urban design awards program. Therefore the research has focused upon the lessons from the content, logistics and relative success of comparable design award programs in addition to a rating or points system for design review. The paper is structured as follows:

- Investigation of a broad range of peak design industry awards to understand how they operate, including the composition of the jury, the assessment criteria and recent winners. This has also included a survey of City of Melbourne's contribution to these awards through individual officer contributions or donations;
- Investigation of the opportunities that might exist within the City of Melbourne's existing awards programs to integrate a new urban design category;
- Benchmarking of local, interstate and international municipal awards, using a comparative methodology to understand the scope, jury composition, and relative media exposure.
- Evaluation of a series of point score or self-assist checklists to understand their effectiveness and potential application in the City of Melbourne.

The findings on other awards programs have been structured in the form of discussion and recommendations. The recommendations provide particular guidance about an optimal form and content of an awards program.

The research concludes that creating new design awards as part of the existing Melbourne Awards program, as well as a revamped engagement with the Australian Institute of Architects (AIA) Victorian Chapter Awards offers a significant opportunity for advocacy with limited financial or resource implications. However, another key finding is the need for any program to be part of a feedback loop between design policy and current design review practice to ensure that an awards program can lead to a raising of the bar on subsequent development proposals submitted to the City. In this sense it is advantageous that the awards program can be linked to the Central Melbourne Design Guide but also situated within an integrated, long term Design Excellence Program.

In the short term, recommendations have been implemented as a 'pilot' phase comprising the following:

- A new award in the 2019 Melbourne Awards for Urban Design Excellence, with a view to expanding this to an optimal form with two to three categories in subsequent years.
- A more active engagement with the Enduring Architecture Award through the 2019 (AIA) Victorian Chapter Awards, which is to be presented by the Lord Mayor in July 2019 and capitalised upon with media and communications around the event.

Evaluation of the success of the pilot phase will be used to inform and improve future awards programs.

## Industry Design Awards

The Victorian AIA Victorian Awards and AILA Awards are the key industry awards for the architecture and landscape architecture professions. The City historically sponsored the Melbourne Prize and currently contributes financially to the Enduring Architecture Award within the Victorian AIA Victorian Awards and also sponsors the AILA Awards. The City also historically played host to the RVIA Victorian Street Architecture Medal between 1929 and 1954.

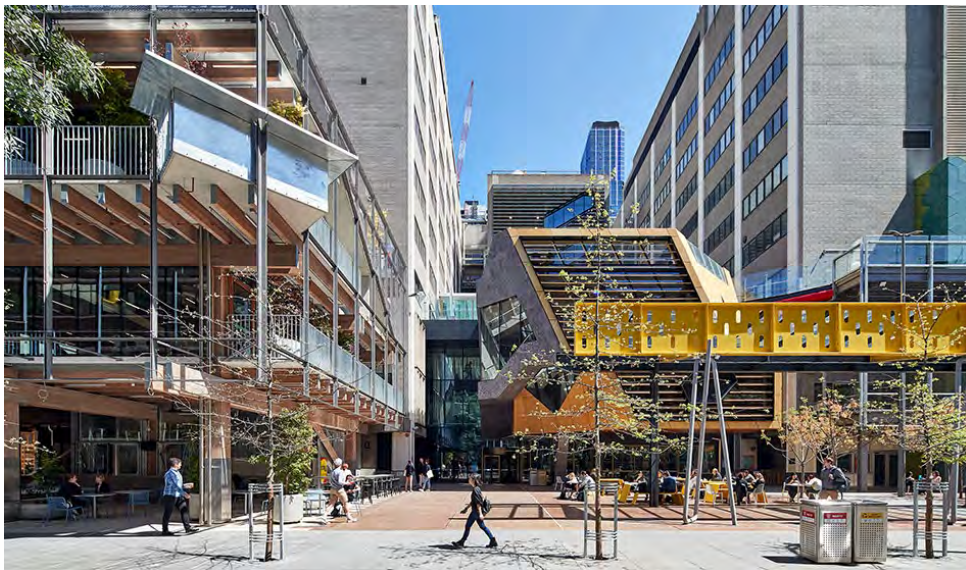
Individual officers have contributed to the Victorian Architecture or Landscape Architecture Awards as jurors over an extended period of time providing direct advocacy for good design and exposure to the industry of the City's design agenda. Current Officers who have contributed include Emma Appleton (National Jury, AILA Awards), Rob Adams (AIA Victorian Awards – The Melbourne Prize & Urban Design), Meredith Gould and Roger Beeston (AIA Victorian Awards – Heritage) and Mark Allan (AIA Victorian Awards – The Melbourne Prize). Additional officers who have contributed to the AIA Victorian Awards over time include Shelley Penn, David Pryor, Stephen Thorne, Pru Sanderson, Ralf Pfeleiderer and Jane Homewood.

### AIA Victorian Chapter Awards – The Melbourne Prize

The Melbourne Prize was initiated by the City of Melbourne as an advocacy measure to embody the ambitions of the 1985 Strategy Plan to enliven the city centre with a mix of uses and high quality design. The refurbishment and activation of the Meyers Place Bar by Six Degrees in 1993 was the first recipient, as an example of activating a service lane outside of business hours. The City of Melbourne both financially supported, presented and provided jurors to the award. The City's involvement in the award was discontinued after 2001. Subsequently the award was supported by the Victorian Government and requires a \$20,000 per annum investment, reflecting its prestige. The award remains a highly important 'named' prize which honours projects of metropolitan significance. Since the City of Melbourne's relationship with the award finished, the award is no longer limited to projects within the City of Melbourne. Recent winners have been largely limited to public and institutional work, with no representation from private development.

Recent winners within the City of Melbourne include:

- (joint winner) New Academic Street, RMIT University | Lyons with NMBW Architecture Studio, Harrison and White, MvS Architects and Maddison Architects (within City of Moreland and City of Melbourne respectively)
- 2016 NGV ARCHITECTURE COMMISSION: Haven't you always wanted...? | M@ STUDIO Architects jointly with Tanderrum Bridge | John Wardle Architects and NADAAA in collaboration (both within City of Melbourne)



**Figure 2:** RMIT New Academic Street – the 2018 joint winner of the Melbourne Prize.

It is noted that projects which win The Melbourne Prize or any other award in the State level AIA awards are automatically considered for the National Awards along with other State level awards around the country, providing additional exposure and a higher platform for acknowledging design excellence beyond what could be achieved at a municipal level.

#### AIA Victorian Chapter Awards – The Enduring Architecture Award

The Enduring Architecture Award recognises structures over 25 years old that remain important in a contemporary context. This recognises projects for contributing to the civic legacy of the City, preferencing long term investment in design quality over architectural fashion. This specifically rewards projects with ambitions which exceed the time cycles of speculative development. The City of Melbourne has contributed around \$10,000 each year to the award in 2012, and between 2014 and 2019. The City does not currently contribute jury members to the award selection process, nor publicise the contribution to the award through media channels. Enduring Architecture was selected as the sponsored category as it supports the delivery of buildings and public spaces which are most likely to 'sustain a city into the future, due to their ongoing aesthetic, functional and cultural relevance'. Recent award winners in the City of Melbourne are limited to public or institutional works, with no representation from private development.

Recent winners within the City of Melbourne include:

- Yarra Footbridge at Southbank | Cocks Carmichael Whitford
- University South Lawn Underground Car Park by Loder and Bayly in association with Harris, Lange and Associates



**Figure 2:** The Yarra Footbridge or 'Evan Walker Bridge' demonstrates an example of a structure completed in 1992 which was considered to have stood the test of time as an enduring design contribution to the City.

### RVIA Street Architecture Medal - Victorian Architecture Medal

The Victorian Street Architecture Medal was introduced in 1926 by The Royal Victorian Institute of Architects (RVIA) as an award for the design of a building of exceptional merit and ran until 1954. At that time, buildings were judged on their 'urban propriety and architectural etiquette'; the building had to front a street, road, square or court to which the public had access and it was expected to have a civic character, offering its architectural qualities to the greater public realm of the city. The discontinuation of the award in 1954 reflected a shift in industry direction.

Of interest is the composition of the Jury for the RVIA Street Architecture Medal which would comprise of 11 members, including representation from the public works authority and art community in addition to architects appointed by the RAIA. This broader engagement outside of the Architectural profession demonstrates the importance placed on the medal and emphasis on broader public engagement. The display of the medal on a property was and remains a very visible accolade for primarily commercial buildings.

Today's Victorian Architecture Medal is awarded annually and is selected by the Jury Chairs from the field of Named Award winners, the top award in each category. The criteria for selection of the Victorian Architecture Medal reflects the sentiment expressed by the original Victorian Street Architecture Medal for which a buildings relationship and contribution to the public realm was a strong consideration. The Victorian Architecture Medal is a descendant of the Street Architecture Medal, and is selected from the recipient of 'named awards' within each of the categories. The specific relationship to 'street architecture' has reduced, however the award is still concerned both with the private and public realm.



**Figure 3:** Buckley and Nunns Store in Bourke Street, The Victorian Street Architecture Medal Winner of 1934 (left) and the 2018 joint Victorian Architecture Medal Winner – RMIT New Academic Street (right)

### AIA New South Wales Chapter Awards – City of Sydney Lord Mayor’s Prize for Design Excellence

The City of Sydney sponsors an annual Lord Mayor’s Prize as part of the AIA New South Wales Chapter Awards and is unique in the Australian context. The Award was established in 2013 as an initiative led by the City of Sydney, and developed in collaboration between the Institute and City of Sydney staff. The Prize was incorporated in the same year the Competitive Design Policy (2013) was adopted, as part of the broader Design Excellent Strategy and can be entered only by projects within the municipal boundaries which have been entered into the main NSW Architecture Award program. The Prize was established to award a built project that “improves the quality of the public domain through architectural or urban design excellence”, emphasising the possibility for architecture as a form of place making in the City. The prize is focused on development projects but may also be for, or include large scale public art.

As an award which is not formally part of the AIA awards process, the Prize is distinct in that the City of Sydney Lord Mayor selects the winner from a shortlist of relevant entries. The shortlist is prepared by the City of Sydney Director of City Planning, Development and Transport, Graham Jahn AM. The shortlist or ‘finalists’ are published in the lead up to the award ceremony concurrently with the AIA awards. One prize is granted by the Lord Mayor at the ceremony, and the remaining finalists receive a Commendation. The award is highly regarded within the Industry, and is considered comparable to a category winner or ‘named’ award, such as the Melbourne Prize in the Victorian context.

Recent winners include:

- 2018 Barangaroo Ferry Wharf | Cox Architecture
- 2017 (joint winners) Tramsehds Harold Park | Mirvac Design, and Kensington Street Precinct | Tonkin Zulaikha Greer Architects.

### Australian Institute of Landscape Architecture (AILA) Awards

The City of Melbourne contributes \$5000 per year to the Australian Institute of Landscape Architecture as part of a corporate partner sponsorship. While this is not specifically tied to the Awards, it provides a corporate presence at the awards through promotional material associated with sponsors. The AILA Awards jury unusually comprises a single panel across all categories, in contrast to the AIA format. The City of Melbourne has a high number of public realm projects delivered in-house by the City Design Studio which are frequently submitted for awards. This limits the ability to contribute jurors as it would constitute a conflict.

Noting the City Design Studio model, most, if not all public realm projects in the City of Melbourne are procured and designed as part of the Capital Works Program. If private firms are engaged, these tend to be limited to documentation assistance. Consequently, it would not be strategically advantageous to further emphasise a Landscape Awards program unless this incentivises or encourages design investment and innovation from the private development sector.

While the City of Melbourne contribution to AILA is positive and should continue, it is clear that there is a need to increase the advocacy and incentives for innovation in private landscapes internal to developments consistent with the ambition of the Greening our City Action Plan (GOCAP) project. This is where the primary gap in quality and submissions is most obvious. Accordingly it will be important for any awards program within the City of Melbourne to incorporate a component relating to private landscape elements or green infrastructure more broadly, but to limit this to non-City of Melbourne assets.

### Premiers Design Awards

The Victorian Premier's Design Awards were established in 2012, and continues the legacy of the *Victorian Design Awards*, which had been running since 1996. The Premier's Design Awards recognise and reward Victorian design businesses that display excellence in using design to enhance productivity, business outcomes and to shape a better environment and society. The Design Awards cover a broad base of design including products, spaces and experience, which includes Architecture, and Urban Design.

The awards are administered by an independent organisation Good Design Australia, and adopt a two stage process, with a shortlisting process followed by further detailed evaluation. Jurors include independent designers across a range of disciplines, including business strategy, business owners and respected local and international designers. A number of built environment panellists were included in the 2018 jury including Mike Horne of Turf Design Studio, Fred Holt of 3XN, Elaine Lu from Lim and Lu and Stephanie Little from Chenchow Little Architects.

One specific category focuses on Architectural Design, however a winner of any thematic category is also eligible for the Victorian Premier's Design Award of the Year.

The 2018 winner was not in the City of Melbourne, however the 2018 finalists within the City of Melbourne with an urban design component include:

- Banksia Tower New Quay | McBride Charles Ryan Architects
- The Stables VCA Faculty of Fine Arts and Music | Kerstin Thompson Architects

### Discussion

From a survey of recent AIA Victorian and National Chapter Awards, it is clear that private development within the City of Melbourne is underrepresented in commendations or winners. Despite the boom in construction (70 towers completing or commencing works between 2013-2017 in the Hoddle Grid and Southbank) there has been a comparably limited number of awarded projects. Recent winners have been limited to public realm projects or large scale institutional projects with strong representation from Melbourne University and RMIT. This contrasts strongly to the City of Sydney, where a high proportion of awarded projects have come from within the municipal boundaries, with a strong representation from private development in addition to public works. A key driver here is the Competitive Design Process, with compelling data from UNSW that 75% of projects that have been through a City of Sydney competition since 2007 have won industry awards. In the 2018 NSW Chapter Awards, 13 private projects and 4 public projects received awards or commendations.

The City of Melbourne is the only municipality in Victoria which currently contributes financial support to the AIA and AILA Awards programs. The contribution to these award programs offers an opportunity for the City of Melbourne to support design excellence in a public forum, and provide visible support for the peak industry bodies for Architecture, Landscape Architecture and Urban Design.

The current support for the Emerging Architecture Award is positive with a particular focus on the City's 'future heritage', and rewarding buildings which have proven themselves to be of enduring value to the City. However it is challenging that the award is not limited to the City of Melbourne municipal boundaries. It is felt however that the Enduring Architecture Award does not maximise the strategic ambitions of the Design Excellence Program to reflect contemporary development occurring within the municipality.

Discussions with AIA around additional awards categories reveals a strategic focus to restrict the total number of awards within the program, so that each award has a higher level of prestige. It is felt that a Lord Mayor's Prize for Design Excellence is a strong idea which is clearly integrated with the City of Sydney's strategic objectives, and positions the Lord Mayor as a leader and advocate for high quality design. The limitation of the award to the municipal boundary is also advantageous.

While there is little strategic advantage in extending financial support to a specific AILA Award category beyond the current sponsorship commitment for the Ceremony, City of Melbourne could play a stronger role in using the awards to publicly promote desirable outcomes for private realm landscape. Additionally a new award focused on private realm landscape could form part of a future Municipal awards program.

Contribution of jurors and stronger association with any awards program supported by the City is an important opportunity to demonstrate leadership. While the City has a strong history of jury contribution and presentation of awards through the Melbourne Prize, this appears to have dropped off in recent years. The lack of consistent contribution of Jury members reduces the opportunity for the City to publicly engage with industry debate around design and be 'visible' in design discourse.

#### Recommendation

- In the short term, investigate the opportunities to work with the AIA Victorian Chapter Award to ensure a greater alignment between the Enduring Architecture Award and the strategic interests of the City.
- Investigate opportunities in the short term to focus the Enduring Architecture Award to projects within the municipal boundaries of the City of Melbourne.
- Engage with the AIA Victorian Chapter in the medium term to determine if an Award could be tailored to an area of specific strategic interest to the City with an equivalent City of Melbourne Lord Mayor's Prize, as a contemporary incarnation of the RVIA Street Medal. To avoid creating additional award categories, this could replace and refine the Melbourne Prize, and be focused within the municipal boundaries. Seek to redirect sponsorship towards this Award to reflect the City's strategic interests.
- In conjunction with DELWP, seek to influence award criteria for Residential or Commercial Awards which reflect urban design excellence, in particular at the interface with the public realm.
- Advocate for further information in the Enduring Architecture Award (and any subsequent sponsored award) citation and media around 'good clients' and the total design team contribution, rather than simply the architects. This is particularly imperative given the factors that result in a durable building include both the investment in quality of the original construction but also the ongoing management of maintenance.
- Advocate for the City of Melbourne's contribution of sessional jury members to AIA Victorian Chapter Jury panels for a number of categories of strategic interest to increase industry visibility and a positive voice outside of a regulatory role.
- Engage closely with Media and Communications to further broadcast the City of Melbourne's contribution and commitment to acknowledgement of Design Excellence through the AIA Victorian Chapter Awards.
- Continue to support AILA with corporate sponsorship, however focus on an initiative rewarding private landscape within developments to incentivise / encourage innovation and investment in greening the City consistent with the objectives of GOCAP.

## Other Awards Programs in the City of Melbourne

A number of awards programs exist within the City of Melbourne which reward innovation across sustainability, business, non profit and other sectors. A number of the more high profile award events in the City of Melbourne calendar include:

- The Melbourne Awards
- Cityswitch Awards
- Women in Business Awards
- Lord Mayor's Small Business Commendations
- Key to the City
- Honorary Freeman or Freewoman
- Melbourne Roll of Honour
- Freedom of Entry

The majority of these awards programs focus on the achievements of individuals and businesses, and do not have a focus on design or development. The Cityswitch Awards however have implications for the design industry as they encourage innovation in building performance and sustainability, while the Melbourne Awards are worth further exploration due to their high profile and opportunity for integration of design categories into the future.

### Cityswitch Awards

The Cityswitch Awards are supported and hosted by the City of Sydney, City of Melbourne, North Sydney Council, City of Adelaide, City of Perth, NSW Office of Environment and Heritage and the City of Unley. Cityswitch is both an advocacy forum and awards event, offering a repository for business information, cases studies and resources. Signatories to Cityswitch benefit from being included on a register of businesses, which enables peer to peer sharing as well as 'green' marketing. Award recipients are typically building owners or tenants who invest in a 'switch' in energy and waste management, as well as evidence of investment in social sustainability, and subsequent behavioural change.

Cityswitch has direct spatial and architectural implications, particularly in workspace and office design, due to the relationship between design and environmental performance. The City of Melbourne's contribution to Cityswitch is positive, and the focus on the design and environmental performance of workplaces is an important contribution which sits outside of the influence of the Melbourne Planning Scheme.

### The Melbourne Awards

A Melbourne Award is the City of Melbourne's highest accolade and most prominent awards event. For over a decade, these awards have provided the City of Melbourne with a platform to celebrate the achievements of people and organisations whose passion and commitment have helped make Melbourne one of the most liveable cities in the world. The awards celebrate significant contributions in the areas of sustainability, community, multiculturalism and strengthening Melbourne's profile. The Awards are hosted in the form of a Gala Event with a black tie dinner, significant media attention and broad attendance from the Melbourne community. Attendees can vary from 300-600 people per year. The 2018 award categories within the Melbourne Awards include:

- Sustainability Award - Corporation
- Profile Award – Corporation / Community
- Multiculturalism Award – Corporation / Community
- Community Award - Corporation / Community
- Melbournian of the Year

Award partners beyond the City of Melbourne in 2018 included Spotless Catering, Channel Seven, Victorian Chamber of Commerce and Industry, 3AW, Finsbury Green, Ernst and Young, Epicure, Lifestyle Melbourne and Macquarie Sports Radio. The event costs approximately \$500,000 to run, befitting of its high profile.

External jurors are selected from across prominent Melbourne institutions and engaged in a voluntary capacity. The judging process, following registration from applicants includes an online scoring process, a vetting breakfast to derive a shortlist, followed by interviews with short listed candidates. A separate jury panel operates for each award category; however these are located under a single chairman who can determine the winner if a jury panel is divided.

The Events Team undertook a review of the Melbourne Awards in early 2019 leading to a restructure of the program and categories to align with Council's Goals. The Urban Design team discussed the possibility of including a new category relating to design as part of the restructure. The new Melbourne Awards structure was launched in May 2019 with a single Urban Design Award as a pilot phase.

The new Urban Design Award criteria includes 5 key questions including:

- How has the project / design strengthened Melbourne's reputation at a local, national or global level?
- Has the project achieved a successful outcome?
- Does the project demonstrate innovation in sustainability?
- Does the project demonstrate innovation in spatial design, land use, or financing which foster social sustainability?
- What will be the civic legacy of the project to the City of Melbourne?

Under each question a series of 12 sub questions have been developed by Urban Design to help frame these questions, and provide the terms of reference for the assessment by the Jury. A jury has been selected with a number of esteemed industry representatives including Amy Muir - Muir Architecture and the AIA Victorian Chapter President, Martin Hook – Dean of RMIT School of Architecture and Urban Design and Tim Leslie – Open House Melbourne and Bates Smart Studio Director. At the time of this paper a series of 12 projects have been registered by June 7, with final submissions due July 12. Judging will take place through September with finalists announced in October and the Awards Gala Ceremony on November 16.

### Discussion

The integration of design awards into an existing public event, which is not specific to the design industry offers an opportunity to capture a broader audience. As the most public facing component being investigated in the Design Excellence Program, this opportunity allows for an opportunity to contribute to the strengthening of the design literacy and culture of our community, outside of the potential echo chamber of an industry awards event. This approach offers a cost effective opportunity to leverage existing Media and Events commitments around an existing Awards program. Rather than introduce an additional stand-alone awards program there is an opportunity to integrate with the Melbourne Awards, an existing, successful awards program with an existing public profile and media strategy that can be built upon.

While the pilot phase of the 2019 Melbourne Awards will comprise a single Urban Design award category, there is a risk of perpetuating the image of the 'sublime' singular building or project, over a series of awards which reward a range of outcomes in the City. A single award invariably favours project scale and impact, over the demonstration of excellence at the small scale, which is a key focus of the Central Melbourne Design Guide. A number of award categories might allow targeted focus on strategic areas of interest including heritage, small scale infill development and larger scale commercial, residential or institutional development. Equally, recognition of finalists in the form of a commendation category enables an opportunity to publicly acknowledge the pursuit of excellence in projects which are not the final award recipient.

### Recommendation

- Do not progress a stand-alone City of Melbourne urban design awards program.
- Co-ordinate with Events Melbourne to integrate a single Urban Design and Architecture Award initially in 2019, but advocate for a number (2-4) of strategically important Urban Design and Architecture categories into the Melbourne Awards in future years.
- Ensure jury are highly regarded in their field and drawn from the fields of architecture, landscape architecture and urban design to reflect a multi-faceted approach, and emphasis on urban integration over 'object' focused awards. Also consider integration of other design advocates including cultural and arts representatives outside of the traditional built environment sphere.
- Ensure that any award is not solely focused on the design architect, but reflects the multi-faceted team structure required to deliver complex projects, including developer, builder, architect and any consultants key to the achievement of design outcomes. A broader conception of the project team should be rewarded and publicised for the achievement of design excellence.
- Review the categories annually to ensure that they reflect strategic interests at the time (for example student accommodation, heritage, GOCAP, office development etc)
- Engage with Media to actively promote existing industry awards within the design and development community where a project within the City of Melbourne has been acknowledged. This can provide advocacy for the achievement of design excellence outside of a City-led design awards program.

### Existing Municipal Awards Programs

A number of municipalities run in-house design awards programs both locally, interstate and internationally. In the Melbourne context this includes Bayside City Council, City of Whitehorse, City of Boroondara, City of Port Phillip and the City of Knox (inaugural awards commencing in 2019). A number of these have been in operation since the late 1990s. A select number of municipal award programs have been explored to understand their structure, jury composition, award categories and media impact. Programs reviewed include:

- Port Phillip
- Whitehorse
- Gold Coast
- Vancouver

A comparison of these examples is provided at Appendix A.

In understanding the effectiveness of municipal design awards programs, the City of Whitehorse has helpfully undertaken a review entitled *Building a Better City Design Awards Review*, in 2011. Further, the City of Port Phillip undertook a similar review in 2015 before they relaunched their awards program in 2018.

A number of key findings which arose from the City of Whitehorse Review of their previous annual awards program included:

- There was a consistent lack of nominations and a lack of quality nominations across all categories with the annual award model.
- As a result of the above, poor quality nominations were being automatically accepted and risk the rewarding of projects which do not exhibit design excellence.
- The judging criteria did not reflect current built environment issues and industry best practice.
- The number and composition of the judging panel was excessive and unwieldy, with a high level of Council representation (as distinct from independent jurors)
- The awards program does not have a significant profile in the community or industry media, both leading up to and following the award event.
- Organising and facilitating awards requires dedicated resources and appropriate assessment skills.

- A dedicated budget is required to facilitate the award event, print media and payment of jurors.

As a result of these findings, Whitehorse, consistent with a number of the surveyed municipal awards shifted to a bi-annual event model with a reduced number of categories to elevate the quantity and quality of entrants per category, while reducing the relative annual resource and budget constraints. Further, program management shifted to the relevant Council business area with the skills to publicise and organise public events, and away from Urban Strategy, whilst maintaining oversight and expert content input from a range of work areas within Council. In order to maximise the public interest in the event and subsequent media, the Awards ceremony was integrated with Sustainable Living Week.

The City of Port Phillip Design and Development Award revamp similarly sought to improve the standing and effect of their program. Following an internal review process requested by Councillors, Port Phillip elected to continue their awards program, and implemented a series of changes as follows:

- Integration of the Awards event with Melbourne Design Week and partnering with the National Gallery of Victoria.
- Hosting of the event by a high profile entertainer, with the event hosted as a significant event at the NGV Pavillion, highlighting the importance of a thematically relevant and inspiring venue.
- Stronger alignment with the process with existing design industry award methods such as the AIA Victorian Chapter Awards.
- Engagement of high profile independent architectural experts (Shelley Penn and Donald Bates), alongside elected Councillors to form the jury panel.
- Development of clear key selection criteria for each award category to ensure consistency and transparency in jury decisions.
- Increased focus on pre-event industry media as well as high graphic quality printed media and information booklets in the form of case studies.
- Transparency around judging and printed information in the winner booklet.
- Increased budget for venue hire, judges and printed material coupled with dedicated staff time from an administrative office within Strategic Planning.

The 2018 event achieved significant media interest and presence relative to other municipal awards and generated strong awareness within the design industry.

### Discussion

It is apparent that municipal level design awards are commonplace in Victoria, to a greater degree than other Australian states. The widespread uptake of Awards programs around Melbourne is testament to the perception that they are an effective tool to elevate design quality in private development. From available literature as well as interviews with staff they are accepted as a method both to recognise the achievement of good design, but also provide a valuable opportunity to educate Councillors and Council staff through project visits and engagement with expert jurors, providing a feedback loop between policy and built outcomes.

A significant unknown factor with any awards program remains the lack of direct evidence around the impact of awards on the quality of built form outcomes observed at the planning application phase. There is limited evidence to support the notion that a stand-alone awards program can elevate design quality without supporting policy and processes. Other potential drawbacks or limiting factors to the success of a design awards program include:

- It does not immediately translate to elevated expectations through planning assessment unless tied to policy improvement.
- It relies on a longer time frame of cultural change and is difficult to measure the direct impact following implementation.
- There may not be suitable projects delivered in each calendar year which are deserving of award.

- There is a risk of duplication and creation of ‘awards for awards sake’ which diminishes their value relative to more prestigious industry awards.

While awards send a strong message to the industry around expectations of what is meant by design excellence, it must be part of a suite of approaches to improve design excellence including design policy to influence development proposals through converting soft advocacy to ‘what will or won’t achieve planning support’. Accordingly, the recent adoption of the Central Melbourne Design Guide offers a significant opportunity to tie any awards program directly back to policy ambitions for future development applications, maximising the potential effectiveness of the new policy. Provisions within the Guide can be integrated within the assessment criteria and jury deliberations to provide consistency and clarity. Teamed with the other elements of the Design Excellence Program (Design Review and Design Competitions) there is a significant opportunity to complete the ‘feedback loop’ between a requirement to achieve excellence, and the ability to reward it when achieved in built projects.

It is important to distinguish between the strategic ambitions of each Council and the primary development type they are seeking to influence. It is also important to note that a number of middle and outer suburban Councils have low representation of development projects in other Industry Awards Programs due to their scale and profile (for example villa unit or low-rise apartment style development). The City of Melbourne is a peculiar context due to the high volume of development, the relative capital investment in each individual development and the predominance of Registered Architects designing buildings.

The key considerations for a successful, effective awards program include:

- Program development, governance and resourcing
- The number and breadth of award categories
- The transparency and clarity of the judging criteria
- The transparency of the short listing process
- The selection of the jury and relative independence of members
- The framework to guide the jury deliberation and project visit process
- Submission and judging processes
- Event promotion, marketing and media
- Publication of winners, commendations or shortlisted projects in an accessible permanent format to provide a case study or educational information

#### Recommendations

- Noting the volume of construction within the City of Melbourne relative to other municipalities, commence an annual award event integrated with the existing Melbourne Awards program, with a review period after two years to determine whether a reduction to a bi-annual version is warranted if the number of quality projects is insufficient.
- Consider the opportunity to co-locate the Melbourne Awards with a major public event or festival such as Open House, Melbourne Design Week or other calendar events to maximise public interest. Host the event in a thematically relevant and inspiring venue, held in high regard by the design industry.
- Limit the award categories to a select number of development categories, to maximise the impact of a reduced number of awards, and minimise duplication with existing Industry Awards.
- Avoid the introduction of award categories which do not contribute to Council’s strategic ambitions, or where existing awards provide adequate coverage (for example, single dwellings or heritage additions).
- Implement an independent jury, and limit Council Officer input to the pre-selection, briefing and technical assistance process. This will heighten the perceived independence and therefore credibility of the award.

- Seek opportunities for engagement of Councillors, either through project visits to shortlisted projects, or exposure to juror deliberations, whilst maintaining the independence of the jury. This would assist in elevating design education for Councillors, and understanding where and when design excellence has or hasn't been achieved.
- Ensure independent design jurors are paid befitting of their time contribution and expertise and to support the design industry with ethical employment practices. If jurors are unable to be paid, then it is important that jurors are drawn from existing Institutions where contribution would be an extension of existing non-profit advocacy work (for example the Office of the Victorian Government Architect, the AIA, AILA, NGV, Open House Melbourne etc).
- Ensure resources from City Design and Urban Strategy are allocated to contribute to the briefing and pre-selection process for any awards event. It is not expected that any additional dedicated staff would be required to administer an awards program.
- Ensure that the correct Council business area with appropriate skills hosts and manages the event; in this instance Events Melbourne, with content and technical support from Council Officers.
- Ensure that the 'case study' effect of awarded projects is maximised through on-line publication and social media posts outlining the jury determination and providing explanation of how design excellence has been achieved.
- Engage with industry and mainstream media to maximise the impact of the awards as a positive voice for design advocacy. Engage prior with industry media outlets such to understand how to maximise readership of online content. Emphasise at all opportunities the broader Design Excellence Program messaging with clear briefing of Councillors, to act as design champions and avoid any perception of the awards as a standalone event.

## Point Score System and integration with Awards

### Point Score System

The *Promoting high quality Urban Design outcomes in the Central City and Southbank - Synthesis Report*, (January 2018) documented the research which led to Amendment C308. This document includes investigation of benchmark 'supporting processes' including checklist and point score systems. A number of examples were surveyed including the Maribyrnong Good Design Standard and various versions of the Building for Life Standard (Design Council, 2018), as two examples. Since this research the City of Moreland has released a Design Excellence Scorecard.

Key details of this City of Moreland process include:

- It is a voluntary tool
- The scorecard is not integrated within the Moreland Planning Scheme and will not be part of any future planning scheme amendment
- The process is undergoing a 12 month trial and reporting period
- The process is tied to an offer of additional pre-application meetings without charge
- Dedicated resourcing to the application including a Co-ordinator or Senior Planner
- Guaranteed decision by Council Officers, rather than Council, saving 4-6 weeks

The scorecard aims to augment provisions within Local Policy and Rescode, however also incorporates a number of additional ambitions relating to Accessibility, ESD, Design and materials and Community Benefit (affordable housing), the majority of which sit outside of the planning scheme.

Drawing upon the reviewed examples, there appears to be a number of variations of point score or checklist process available including:

- Articulation of design ambitions in a graphic form which is accessible to a broad range of proponents
- An integrated planning assessment process which ascribes a value or score to policy ambitions
- A supporting self-assess approach which is required to be submitted by proponents as part of the planning process, but without any statutory weight.
- Checklists which underpin the criteria the selection or assessment criteria for an award.

## Discussion

Set within the broader design excellence program, it is important that the term 'design excellence' is tied to processes which enable *the highest standard of architecture, urban design and landscape architecture*. From the stakeholder feedback for the Central Melbourne Design Guide and as part of API 8.13 it was clear that the design industry perceives any public facing checklist or point score system negatively as an oversimplification or codification of design. It is felt that a checklist is not an adequate tool to support a holistic design process befitting of a design excellence outcome.

It is important to acknowledge the regulatory difference between the UK context where Building for Life is implemented and successful. The planning system in Victoria is highly litigious and the exercise of discretion in the assessment process is limited to matters which can be considered through the Melbourne Planning Scheme. From discussion with Development Planners at Maribyrnong and within the City of Melbourne Development Planning Team, documents outside the Planning Scheme are seen to be of limited value at best, and as a confusing addition to the assessment process at best. There is evidence in the Maribyrnong trial that applicants tend to over exaggerate their compliance with self-assess processes and accordingly the submission is not taken seriously. As a result an otherwise high quality and well-intended publication fell out of favour with the planners due to a lack of faith in its effectiveness as a tool to assist assessment and negotiation.

Where scorecards / checklists sit outside of the statutory planning framework, there is little evidence to suggest that this will be effective in the Victorian context. Such a system of 'informal guidance' creates ambiguity for applicants and has proven to be ineffective at the Tribunal. It is also noted that a number of the outlined benefits in the Moreland Scorecard are standard practice currently within the City of Melbourne, particularly the level of applicant and urban design team engagement throughout a planning process, involvement of seniors, and free pre-application process. For such a method to be effective in the City of Melbourne, the economic reward for developers would need to be proportionate to the cost of adhering to the checklist requirements. Process guarantees would not be of sufficient monetary value. It is noted that the process also appears to be aimed primarily at residential development, whereas the City of Melbourne deals with a broader spectrum of development type.

It is felt that the Design Guide as an integrated planning tool (Incorporated Document) fulfils the role of what is intended with a number of guideline and checklist documents and to produce an additional point score system outside of the planning scheme would have a limited effect on the delivery of design quality.

There is a good opportunity to convert the provisions of the Design Guide into a series of weighted point score elements which could be valuable for the assessment of whether minimum standards of Design Quality have been achieved, before awarding a project for Design Excellence. However the Award should not be limited to such categories alone and should encompass a broader range of criteria aimed at evaluating Design Excellence, as distinct from the achievement of a minimum standard of quality.

## Recommendations

- Do not proceed with a checklist or point score system as part of the planning assessment process, which creates ambiguity and adds work for Statutory Planners without any demonstrable benefit.
- Carefully ensure that the distinction between minimum Design Quality and the achievement of Design Excellence (the highest standards of urban design, architecture and landscape design) are retained.
- Implement a weighted point score system as part of any design awards program to ensure that a minimum standard of Design Quality is achieved. This should be teamed with broader criteria to determine whether the project exceeds minimum objectives and achieves a standard of Design Excellence.

## Governance & resourcing

It is important to acknowledge that any awards program will have implications both in terms of staff resourcing but also in terms of the cost of the event and payment of experts.

The key financial implications of an awards program comprise:

- Payment of jurors to undertake site visits, deliberation and attendance at the Awards Event
- Marketing, print and digital material to promote the awards, including advertising in Industry and Public media outlets
- Design awards brochures / postcards and other collateral
- Award frames / trophies etc
- Venue hire and catering
- Advertising
- External event host

With the awards integrated into a Melbourne Awards program there would not be any cost to Urban Strategy, however based on the research for a standalone program from a range of municipalities the cost would be between \$20,000-\$60,000.

Additional dedicated staff would not be required to deliver an urban design awards program integrated with the Melbourne Awards, noting the existing skillset within the team and the benefit of a well-resourced Events Melbourne team with considerable experience in delivery high profile events. The time required from staff within the Urban Strategy Branch could be managed within existing workloads, as an extension of the commitment to Design Review processes. This time consumption would need to be acknowledged however in the planning for Annual Plan Initiatives and Branch Plan Initiatives.

## Conclusions

It is clear that a design awards program, within a broader Design Excellence Program offers an opportunity for Council to promote the achievement of the 'highest standard of architecture, urban design and landscape architecture'. The award enables Council to leverage its significant public profile to promote exemplary projects with a limited direct repercussion for resourcing. In this sense it represents an excellent return relative to the modest level of required investment.

In direct response to stakeholder feedback, the project aims to complement the emphasis on elevating minimum expectations of design quality through Amendment C308 towards a focus on rewarding innovation and experimentation, which cannot be forced through codes or regulation. It achieves this through creating a platform for esteemed industry representatives as independent jurors to determine the winner based on a current understanding of what constitutes best practice in response to a given context and project type.

Any implementation of a design awards program must consider the range of target audiences from developers, to designers and the community. It is important that the jury findings, case studies and marketing material is tailored in such a way to avoid jargon and best describe how a project has achieved design excellence to the broadest possible audience.

However, the research reveals that an awards program can only have an effect on the quality of private development if it is integrated within a broader media and advocacy campaign which maximises the value of winners and shortlisted projects as case studies, which provide a feedback loop between 'reward' and 'advocacy'. Further, the recent adoption of the Central Melbourne Design Guide offers a platform to connect policy ambition with award criteria to frame jury deliberations. This ensures that Council as a 'design champion' has a clear and consistent message around expectations of design. Teamed with the other elements of the Design Excellence Program (Design Review and Design Competitions) there is a significant opportunity to complete the 'feedback loop' between a requirement to achieve excellence, and the ability to reward it when achieved in built projects.

## Appendix A – Comparison of municipal awards programs

| Municipal Award Program                    | Year commenced       | Frequency  | Sponsors / Partners  | Budget   | Jury structure  | Award categories   | External media exposure   |
|--|----------------------|------------|--|--|---|--|---|
| Port Phillip Design and Development Awards | 1998 (reviewed 2015) | Biannually | NGV provided event venue                                       | \$58,000 (including staff time, event hosting and jury payment)        | Two external architects and 3 Councillors (on rotation)   | Residential Dwelling (multiple), Multi-unit and mixed use development (multiple), Place making, Non residential development (multiple), public art, interior fit-out   | Architecture AU (3000 hits), Australian Design Review, Green Magazine, Business Group websites, Landscape Australia, Architects websites, Developers and Builders websites, National Gallery of Victoria website, Planning News |
| Whitehorse Built Environment Awards        | 1998 (reviewed 2011) | Biannually | None   | \$20,000 (including event hosting and jury payment and not staff time) | External urban designer and heritage advisor, Archicenter manager and 8 Council members.                                    | Best New Dwelling, Medium Density (3 units or less), New Medium Density (4 units or more), Best New Apartment Building (4 storeys or more), Best New Commercial / Institutional Building, Best Landscape Design, Best Exterior Renovation, Environmental Sustainability Award – Residential, Environmental Sustainability Award – Commercial, Best Heritage Development, Mayors Award. | Architects websites, Builders, Developers websites, Green Magazine, BDAV website, Herald Sun.   |
| Gold Coast Urban Design Awards             | 1998                 | Biannually | PIA, AIA, AILA, Landscape Australia, UDAL, 91.7 ABC Gold Coast | Unavailable  | Independent panel from the fields of architecture, planning, landscape architecture, urban design and development industry. | Excellence in Urban Design Award , Helen Josephson Award for Urban Design Leadership, Urban Design Award, Special Mention, Unbuilt Category  | The Weekend Edition, Architecture AU, Landscape Australia, Courier Mail, City of Goldcoast News, Architects Website, Developers and Builders Website  |
| City of Vancouver Urban Design Award       | 2014                 | Biannually | None   | Unavailable  | Independent panel from the fields of architecture , development and landscape architecture.                                 | Small, medium and large scale residential building, commercial building, government and institutional building, innovation, outstanding sustainable design, landscape, public space and infrastructure, urban elements, special jury award.  | Architectural Institute of British Columbia, Developers and Builders Website, Design Quarterly, Canadian Architect, Huffington Post, Vancouver Sun  |

# ETHOS URBAN

## Competitive Design Policy Research

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Council

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**CONTACT**

Larry Parsons      Director      lparsons@ethosurban.com      +3 9419 7226

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This document has been prepared by:

This document has been reviewed by:



Tania Crisafi      11/06/2019



Larry Parsons      12/06/2019

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ACN 615 087 931 Pty Ltd.  
 ABN 13 615 087 931 Pty Ltd.  
 www.ethosurban.com  
 8/30 Collins St, Melbourne  
 VIC 3000 t 61 3 94197226

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# 1.0 Executive Summary

Architectural design competitions are intended to open up the field of participants, generating public interest in the project and support innovation. Competitions are an effective opportunity to develop professional skills within government and provide developers with new options. Competitions can help test assumptions, broaden outlook and maximise opportunities prior to implementing built work.

Design competitions are common for government procurement worldwide. Architectural design competitions offer government an alternative way to seek high quality design as a major selection criterion for a project. However, they are less common or less formalised for private developments, with the notable exception of Central Sydney where competitions form part of the planning approval process.

“Historically competitions have been a regular and successful method for procuring significant projects. Today many European countries such as Belgium, Denmark, Switzerland, France and Germany require or encourage projects over a certain size – especially public projects – to be procured through design competition. In places where there is a strong design culture, competitions are the norm and help to create quality architecture and improve the built environment, while leading to the export of design services internationally” (Office of the Victorian Government Architect, 2018).

In Sydney, mandatory design competitions were introduced in 2000. Sydney is singular in requiring private proponents to run design competitions. The intention sought for the introduction of competitions, led by the former Lord Mayor Frank Sartor, was to increase the quality of development, break the monopoly of a small number of large architectural firms that were designing a number of major projects in the city, compensate for a lack of design expertise among the City of Sydney staff, increase certainty for developers, and reduce the number of successful

court appeals against the City of Sydney's planning decisions (Freestone, Davison, Hu & Baker, 2015).

The recent introduction of Amendment C270 to the Melbourne Planning Scheme on 23 November 2016 was a significant review of the built form controls for the first time in approximately 20 years. As part of the suite of changes, a plot ratio (Floor Area Ratio) was reintroduced, including an ability to go beyond a Floor Area Ratio of 18:1 subject to providing a commensurate public benefit. The options available within the “How to Calculate Floor Area Uplifts and Public Benefits” (DELWP, November 2016) includes, amongst others, a competitive design process. However, this option has not been pursued in applications lodged to date.

The introduction of officially recognised design competitions to Melbourne should preferably be a staged learning process. The simplest place to start is the Capital City Zone (particularly the Hoddle Grid and Southbank). These central areas involve high development costs which justify expenditure on a design competition, but even more importantly they are areas with very limited third party notice and review (thus avoiding competition outcomes being challenged at the Victorian Civil and Administrative Tribunal) and have an established Floor Area Ratio and uplift system (to enable measurable incentivisation of design competitions).

Due to public funding limitations, most competition costs would need to be borne by the applicant, as in Sydney, hence the need for associated incentives. Public oversight would be necessary to ensure robustness and transparency and this should be independent of the two responsible authorities involved in permit approval (Council and DELWP). The logical basis for an overseeing agency, who already manage an endorsed list of potential jurors and technical advisors (through the Victorian Design Review Panel) is the OVGA, though their agreement

and adequate resourcing would be required.

A defined process should be established to set the purpose, status, trigger, timing and management of the design competition, as well as apportioned costs and guarantees post competition.

Initially three design competition formats could be considered and, as they are not mutually exclusive, could function simultaneously. The three options are as follows:

#### *Mandated Competitions with Offsets*

The Capital City Zone, which includes the Floor Area Ratio (FAR) provisions, could be modified to add a requirement for an endorsed design competition for all applications in the General Development Areas (DDO10) with a FAR in excess of the base 18:1. The Ministerial Guidelines 'How to calculate Floor Area Uplifts and Public Benefits' could be reviewed and reinforced to clarify and further support this type of design competitions.

An additional provision could be added regarding the central city's Special Character Areas (DDO2, DDO40, DDO60 and DDO62) to require a design competition when any preferred maximum FAR is to be exceeded. The design competition would effectively provide the Responsible Authority with guidance in the use of its discretion in approving additional yield above the preferred base with independent reassurance that design excellence is being met. In this case no incentive needs to be provided.

To extend the mandated competition process beyond the Central City would require variation to the planning scheme to clarify or introduce robust yield and uplift provisions other than height (which is not a good bonus due to its potential amenity impacts). These are easily introduced where the zoning is

Capital City (CCZ) as the head of power includes appropriate provisions. Additionally, limitation of third party notice and review is advisable to avoid the overturning of competition based approvals through the Tribunal.

#### *Alternative Pathway Competitions*

The Central City now includes mandatory provisions regarding street wall height and setbacks of upper levels to control inappropriate built form outcomes that were beginning to have a cumulative impact on both private and public realm amenity. Some stakeholders such as the Property Council, contend there are limited cases (due to specific site context) where some variation of mandatory controls may be appropriate. Occasionally Incorporated Documents have been approved to enable these variations.

An endorsed design competition may be a valid way of providing an 'alternative pathway' to test non-compliant options. All costs, potentially including those of the overseeing agency, should be covered by the applicant seeking the amendment.

#### *Voluntary Competitions*

There is little likelihood that an applicant led or informal design competition outcome can reasonably be forced upon the Responsible Authority, particularly if undertaken in a voluntary manner. Design competitions will likely always entail a degree of good faith and discretionary consideration by the Responsible Authority. At most, the competition overseeing agency (potentially the OVGA) could be made a 'Recommending Referral Authority' to provide some legal weight to their advice.

Therefore, it is logical to accept that voluntary design competitions, which might not strictly meet all of the endorsed competition rules (a less restrictive format might even be agreed), are a valid

process which can be pursued outside of the planning scheme. As has been stated, a competition can validly choose a team rather than a fixed design.

In all cases, competition conditions, decisions and entries should be made public to promote their educational aspect and to support maximum transparency. Likewise, the number of short-listed competitors and the extent of their deliverables should be tailored as far as possible to avoid an exploitative imposition on participants.

#### *Matters for Resolution to Limit Risk*

In order for any competition process to achieve design excellence outcomes a clear and consistent framework must be addressed, including:

- Establishing and funding an overseeing unit or agency, particularly if the OVGA is not an alternative, noting that general administration can be organised and funded through applicants (as in Sydney).
- Ensuring competition briefs are robust and cover both design and process matters. Formulation of model briefs can assist but the independent overseeing agency remains critical.
- Couching the competition role correctly within the planning system to avoid both abuse and legal challenges. Generally speaking this limits applicability to areas with established yield and uplift provisions, as well as limitation on third party notice and review.
- Introducing a Design Excellence Policy into the Melbourne Planning Scheme via amendments to Local Policy such as Clause 22.01 (Urban Design Policy within the Capital City Zone) where the Competition Policy could be referenced as a background document. It is noted that you cannot reference a background document within a Design and Development Overlay as it does not

conform with the Ministerial Direction Form and Content of Planning Schemes (dated 9 April 2017).

- Avoiding the use of competitions to undermine the planning scheme fundamentals. In particular any 'alternative pathway' process would need to be carefully prescribed.
- Appreciating the real cost to applicants, architects and the overseeing agency, to maintain a balance between improved outcomes and viability.
- Recognising issues early and reviewing. All new processes take time (Sydney is close to 20 years old), so review and reporting is crucial, as is persistence.

## 2.0 Drivers for Design Excellence

The City of Melbourne's Annual Plan 2018-2019 initiated a 'Design Excellence Strategy' comprising of a series of distinct and interrelated components which address advocacy, incentives, regulation and training as follows:

- Advocacy, Training and Design Awards Program
- Internal and External Design Review Processes
- Design Competitions on Significant Sites

A competitive design process is a complimentary process to realising design excellence by providing a clear and effective design-led planning framework, which seeks to create:

- Enhanced global competitiveness through high quality design outcomes within the private realm,
- An opportunity to disrupt the practice of templating precedent of previous approvals,
- An opportunity to trigger innovation, demanding best practice through partnership and healthy competition,
- Contemporary ideas are elevated, demanding best practice for designers to be competitive,
- Support emerging practices and increase the diversity of practices represented in the Capital City context,
- Council's opportunity to influence the project brief and better shape the City in a pro-active manner,
- Cost certainty through the project delivery for both Council and the developer,
- Bringing together public and private interests,
- Provision of incremental, progressive certainty to project proponents.

The policy research focuses on aspects of the design competition stream of the Design Excellence Strategy.

## 3.0 Literature Review

A literature review was undertaken as part of this research, a full list of articles reviewed can be found at Appendix A.

The literature revealed the following:

### ***The Reason for Design Competitions in Sydney***

- Design competitions have been in operation in the Sydney CBD since 2000.
- The intention sought for the introduction of competitions, led by the former Lord Mayor Frank Sartor, was to increase the quality of development, break the monopoly of a small number of large architectural firms that were designing a number of major projects in the city, compensate for a lack of design expertise among the City of Sydney staff, increase certainty for developers, and reduce the number of successful court appeals against the City of Sydney's planning decisions (Freestone, Davison, Hu & Baker, 2015).

### ***Design Excellence***

- Good design focus to the public realm is accepted as an important dimension in planning and development processes (Freestone, Davison, Hu & Baker, 2015).
- Design competitions since their introduction in 2000 in the City of Sydney have represented a significant improvement on the status quo and has led to a generally raising of the standing in CBD development.
- The statutory system usually specifies the Central Sydney Planning Committee (CSPC) as the consent authority for determining permit applications, which causes the CSPC to be the arbiters of 'design excellence'.
- There is little argument about what 'good' urban design is and how it is best pursued (Davison, Freestone, Hu & Baker, 2017)

- Urban design intervention has increasingly been embraced by state authorities in recent decades as a means of attracting economic investment and helping cities gain competitive advantage (Davison, Freestone, Hu & Baker, 2017)
- The new role of urban design is an outcome of economic development rather than the quality of the built environment (Davison, Freestone, Hu & Baker, 2017)

### ***Jury & Regulation***

- Design control refers to a range of activities through which the permission to proceed with a development may be granted or refused by the consent authorities. There is an inherent ability for consent authorities to exercise influence over design quality, though the planning approval process is problematic for the following reasons:
  - Planning officers and politicians have the final say about whether approval for a proposed development should be granted, however control in the design process is differentially distributed across numerous public and private agents, developers, investors, architects, engineers and utility providers exercise degrees of control over decision making;
  - Lack of agreement of what constituted good urban design and how it is best pursued. There is typically objections from architects being overruled on design considerations by planners with little design training, and the over-prescriptive design control, limits creativity, which leads to mediocre outcomes (Davison, Freestone, Hu & Baker, 2017)
- The process of selecting architects for a design competition is a co-operative one with the developer canvassing the shortlist with City of Sydney. Whilst CoS cannot specify which architects will be on the list, developer and

planning consultants who were interviewed believed that where the City's approach to influencing the designers was not 'telling you who to use' but to suggest designers that a developer 'may want to consider' (Freestone, Davison & Hu, 2019). The CoS preferences were usually accommodated in an effort to increase the likelihood of a straightforward approval process "[developers] see the advantage of being inclusive of council's objectives because it helps the relationship and their brand as a developer in the city. But also I think – again, [it] goes back to the objective certainty. Getting certainty of support from the council....[the City] not being obstructionists" (Davison, Freestone, Hu & Baker, 2017)

### **Cost & Time**

- The main criticism of mandated design competitions are concerns regarding their cost and effects in lengthening planning approval times (Davison, Freestone, Hu & Baker, 2017)
- The quantitative results from the analysis of projects demonstrated that the median time between approvals was in the order of 17 months, and there were a diversity of entrants and winners. There were multiple ways which the development application process varies with the competition occurring between the two stages. Retrospective or amended Stage 1 development application (DA) were sometimes lodged concurrently with the Stage 2 DA application to accommodate changes which emerged from the competition process. There were also multiple development applications at the same site, sometimes based on the same competition design and sometimes based on multiple competitions, where the causes for this including matters like substantial detail design changes or change of ownership of the site. There were also instances which substituted a planning

proposal (the statutory process for changing LEP controls) in place of a Stage 1 DA and included frequent variations to approved Stage 2 DA's where some variations included substantial changes, for instance, removing a heritage facade which was initially meant to be preserved (Freestone, Davison, Hu & Baker, 2015).

### **Competition Depth**

- Design competitions tend to lead to less dialogue between developer and architect than there would normally be in a relationship established through direct hiring and dilutes the ability to work closely with the client to understand their drivers and to align the design response to the project aspirations (Davison, Freestone, Hu & Baker, 2017)
- The quality of outcomes has little to do with the formal format of the competition process and much more to do with the case-by-case selection of architects and jurors (Davison, Freestone, Hu & Baker, 2017)
- Best design outcomes result from competitions undertaken with genuine commitment from the developer, rather than seeing the competition as simply another obstacle that they must overcome in order to gain planning approval (Davison, Freestone, Hu & Baker, 2017).
- The redistribution of decision-making is expanded with the involvement of the City in the development of the competition brief allows them to establish design expectations early, and before developers are financially committed to any particular design (Davison, Freestone, Hu & Baker, 2017).

**Matters for Further Consideration**

Key matters which are unresolved from the literature review include:

- Whether design competitions deliver design excellence or merely provide superior outcomes to that which would have otherwise been delivered
- The extent of competition-winning designs which have subsequently won professional awards as an external validation of their quality.
- The appropriateness of a 10% increase in Floor Space Ratio (FSR) to cover the costs of staging a design competition but the financial return on that 10% bonus is significantly more on a larger project than a smaller project.
- Appropriate compensation of the architectural firms for their participation in the design competition
- Transparency of information on competitions from selection of participants and jurors to publication of alternative designs.
- How the public benefit is ultimately leveraged through competitive processes (not measurable)
- How the process assists with reducing conflict in decision making (not binding on consent authority)
- Whether design outcomes resulting from a design competition would also be achieved through direct engagement between client and architect.
- The amount of uptake of a design competition when it is not mandated by the Local Area Plan (appears to be limited)
- The interaction with competition outcomes is complex and varied.

## 4.0 Comparative Research

Following is an overview of the competitive design process within New South Wales and how these processes are integrated within the planning framework at both State and Local level. Three alternative frameworks are explored:

- City of Sydney;
- City of Parramatta; and
- Government Architect of NSW.

### 4.1 Design Excellence in the Sydney Metropolitan Area

Local Environmental Plans (LEPs), prepared for each Local Government Area, are the primary mechanism of regulating design excellence through the development assessment process. The Standard Template LEP instrument was introduced in 2006 as a means of standardising local planning provisions across NSW. The Standard Template LEP does not contain any mandatory provisions or any optional provisions relating to design excellence or competitive design processes.

Whilst there are no formal requirements for Council's to adopt design excellence provisions in their LEPs, a number of Local Government Areas (LGAs) have proceeded to include provisions that require the consent authority to consider design excellence as part of the development assessment process. Within the Sydney metropolitan area, 18 LEPs have elected to introduce a design excellence provision within the LEP (see Figure 1). A number of these LEPs only require consideration in specific areas, such as town centres. In general, these provisions require a consent authority to determine that a development exhibits design excellence in order to grant consent to the application. In considering design excellence, the consent authority is required to consider a range of issues, including:

- whether a high standard of architectural design,

materials and detailing appropriate to the building type and location will be achieved;

- heritage issues and streetscape constraints,
- the relationship of the development with other buildings (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
- bulk, massing and modulation of buildings,
- street frontage heights,
- environmental impacts such as sustainable design, overshadowing, wind and reflectivity,
- the achievement of the principles of ecologically sustainable development,
- pedestrian, cycle, vehicular and service access, circulation and requirements,
- the impact on, and any proposed improvements to, the public domain;

Competitive design processes are included within the LEP framework in addition to provisions requiring the consideration of design excellence. A design competition may be one way of demonstrating that a development achieves design excellence. Of the thirty-nine (39) standard template LEPs, seven (7) mandate a competitive design process for specific development. The requirement for a competitive design process is limited to development that is either of a specific scale (height, site area, development cost) or located in a specified location.

Five (5) of the LEPs that mandate a competitive process also allow for a competitive process to be undertaken should the proponent elect to conduct one. Where a competitive design process is non-mandatory, three LEPs provide for an allowance of additional floor space and/or building height above the existing controls as an incentive for carrying out a competitive design process.

The standard template LEPs containing requirements for competitive design processes are shown in Figure 2.

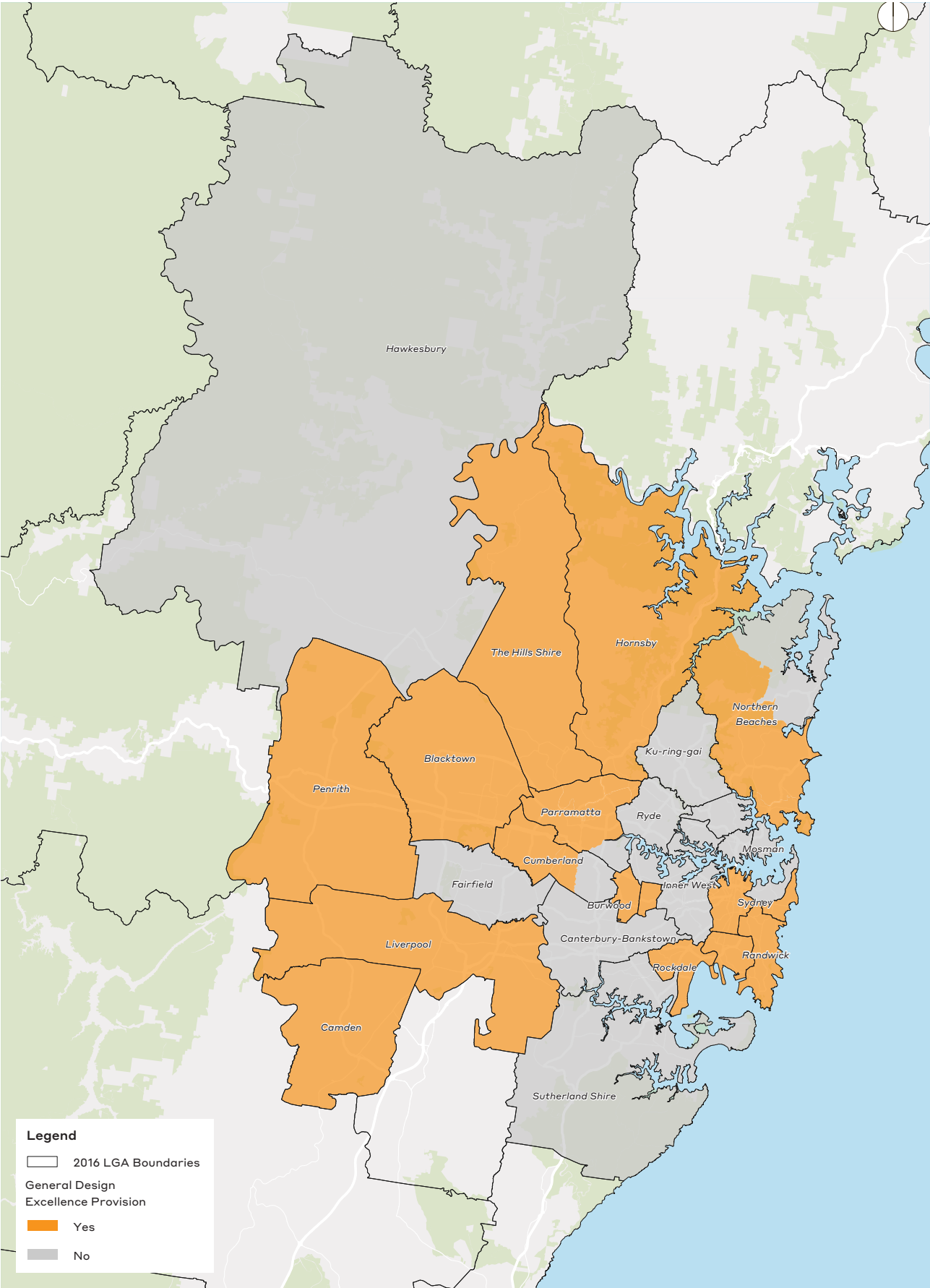


Figure 1. Standard template LEPs containing design excellence provisions

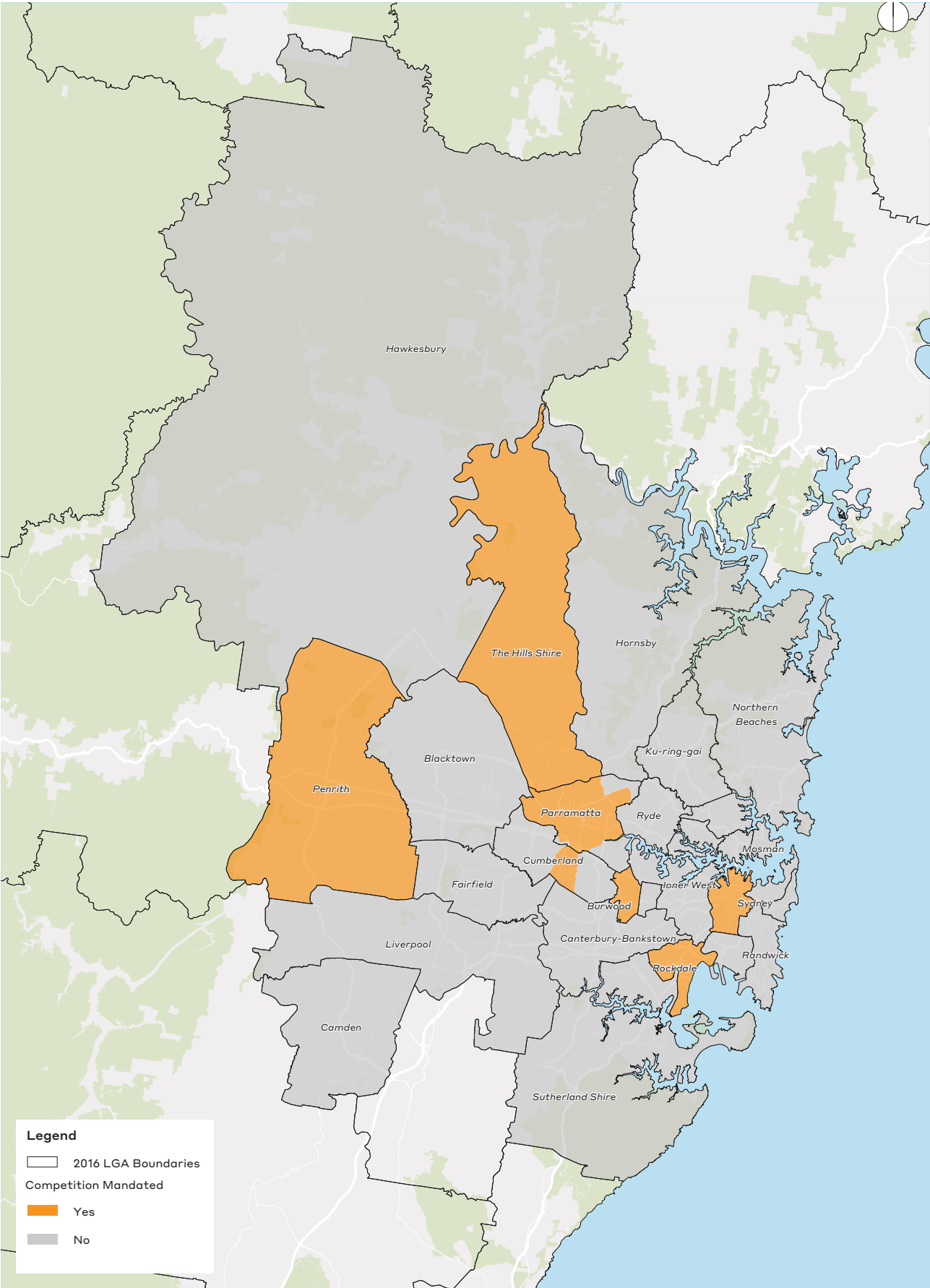


Figure 2. Standard template LEPs establishing competitive design processes

## 4.2 Design Excellence in City of Sydney

Design Excellence within the City of Sydney is utilised due to it forming part of the legislative framework with the Competitive Design Policy outlining the brief which supports the process. These matters are discussed in turn below.

### Legislative Framework

The *Sydney Local Environmental Plan 2012* establishes the requirement for specific development to undertake a competitive design process, prior to the approval of a detailed development application for the project. The relevant provision is contained within clause 6.21 of the LEP, which provides:

#### 6.21 Design excellence

*(1) The objective of this clause is to deliver the highest standard of architectural, urban and landscape design.*

*(5) Development consent must not be granted to the following development to which this clause applies unless a competitive design process has been held in relation to the proposed development:*

*(a) development in respect of a building that has, or will have, a height above ground level (existing) greater than:*

*(i) 55 metres on land in Central Sydney, or*

*(ii) 25 metres on any other land,*

*(b) development having a capital investment value of more than \$100,000,000,*

*(c) development in respect of which a development control plan is required to be prepared under clause 7.20,*

*(d) development for which the applicant has chosen such a process.*

The above provision establishes the thresholds for both mandatory competitive design processes as well as establishing an opportunity for a proponent to elect to conduct a design competition where one is not mandated. In addition to establishing the requirement for a competitive process, this clause also establishes an incentive in relation to competitive design processes, which allows a project up to 10% additional floor space or building height above the existing planning controls where a competitive design process has been carried out:

*(7) A building demonstrating design excellence:*

*(a) may have a building height that exceeds the maximum height shown for the land on the Height of Buildings Map by an amount, to be determined by the consent authority, of up to 10% of the amount shown on the map, or*

*(b) is eligible for an amount of additional floor space, to be determined by the consent authority, of up to 10% of:*

*(i) the amount permitted as a result of the floor space ratio shown for the land on the Floor Space Ratio Map, and*

*(ii) any accommodation floor space or community infrastructure floor space for which the building is eligible under Division 1 or 2.*

*(9) In this clause:*

**building demonstrating design excellence** means a building where the design of the building (or the design of an external alteration to the building) is the winner of a competitive design process and the consent authority is satisfied that the building or alteration exhibits design excellence.

**competitive design process** means an architectural

*design competition, or the preparation of design alternatives on a competitive basis, carried out in accordance with the City of Sydney Competitive Design Policy.*

Council has the legislative power to waive the competition requirement in specific circumstances or where it deems a process to be 'unreasonable or unnecessary'. A design competition may not be required when it:

- involves only alterations or additions to an existing building, and
- does not significantly increase the height or gross floor area of the building, and
- does not have significant adverse impacts on adjoining buildings and the public domain, and
- does not significantly alter any aspect of the building when viewed from public places.

### Learnings from Practice

There are a number of implications of the drafting of this clause that have resulted in the legal precedent that requires a site-specific development control plan to be prepared for any project required to or electing to conduct a competitive design process in order to be eligible for the additional floor space or building height. The requirement for a site-specific development control plan is most commonly achieved by way of a Concept DA (also referred to as a Stage 1 DA), resulting in a two-stage approval process, with the competitive design process carried out between the two planning applications (see Figure 3).

## Stage 1A DA, Competitive Design Process, Stage 2 DA Timeline

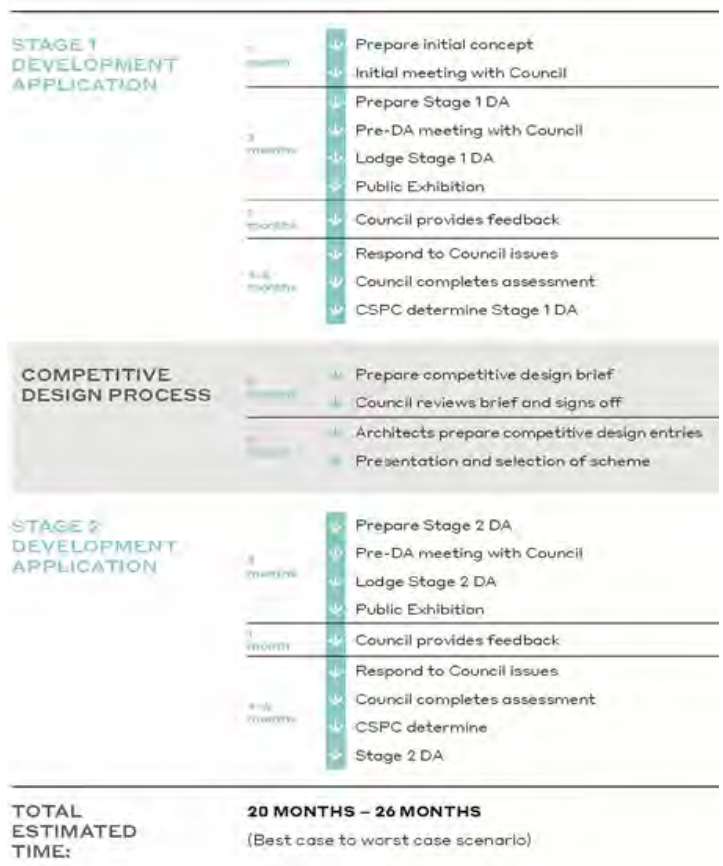


Figure 3. Overview of planning approval process incorporating a competitive design process

## Competitive Design Policy

The *City of Sydney Competitive Design Policy* (the CoS Policy) was adopted by Council on 9 December 2013 and prescribes the procedures and requirements for all competitive design processes conducted in accordance the LEP. In summary, the CoS Policy sets out:

- The requirement for a Design Excellence Strategy to be prepared and approved as part of a site-specific development control plan (or Concept DA).
- The three types of competitive process that can be carried out, namely:
  - An open architectural design competition;
  - An invited architectural design competition; and
  - An invited competitive design alternatives process.
- The process for preparing the Competition Brief which must be endorsed by the consent authority prior to the commencement of the competitive process regardless of the type of process. It is noted that where endorsement of the brief can not be achieved and the proponent elects to proceed with a competition without this, there is significant planning risk on the detailed DA and it is unlikely that the Court would grant consent on appeal because the competition had not been conducted in accordance with the CoS Policy. In practice no one proceeds without an endorsed brief.
- The requirements for establishing a competition jury. It is noted that the CoS policy refers to both juries and selection panels (depending) on type of competition and for ease of reference we have referred to juries throughout the report.
- The minimum number of competitors that are required for each type of process.

- awarding the winning entry of a competitive process.
- The process for requesting additional information should a decision not be reached by the jury/ developer.
- The requirements and timing for the preparation of a Competition Report documenting the process, confirming the selection of the winning entry including the reasons that winner was selected, and any recommendations for design development from the jury.
- The process for ensuring that the design integrity of the winning entry is maintained.

The CoS Policy establishes that a competitor must be a person, corporation or firm registered as an architect in accordance with the NSW Architects Act 2003 or, in the case of an interstate or overseas competitor, eligible for registration with their equivalent association. Whilst not expressly stated in the CoS Policy, competitors can also be made up of a number of persons/corporations/firms working in partnership for the competition. In practice, Council encourage competitors to be a range of emerging, emerged and established firms, and where international competitors are invited, Council seek 50% of the competitors include a local partner.

A comparison of the three types of competitive processes established through the CoS Policy is presented in Table 1.

**Table 1** – Comparison of competitive design processes within the City of Sydney

| Process Element  | Open Competition   | Invited Competition  | Competitive Alternatives  |
|--|--|--|---|
| <b>Matters prescribed by the Policy</b>                        |  |  |   |
| Invitation process   | Public notification of an EOI; all respondents given the competition brief   | Developer invites competitors, with advice from City of Sydney   | Developer invites competitors, with advice from City of Sydney  |
| Number of competitors  | All respondents can participate; usually is shortlisted to a minimum of 5  | Minimum of 5   | Minimum of 3  |
| Jury Name  | Jury   | Jury   | Selection Panel   |
| Number of jurors   | Minimum 4; maximum 6   | Minimum 4; maximum 6   | Not stipulated  |
| Jury composition   | 50% of the jury is nominated by consent authority<br>50% by developer<br>The jury must include a majority of registered architects.<br>If the competitive process includes a heritage listed building, one member of the jury must be a qualified heritage consultant. | 50% of the jury is nominated by consent authority<br>50% by developer<br>The jury must include a majority of registered architects.<br>If the competitive process includes a heritage listed building, one member of the jury must be a qualified heritage consultant. | Selection panel nominated by developer<br><br><i>Note: In practice, the selection panel is made up of representatives nominated by the proponent and Council.</i> |
| Requirement for an observer on behalf of the consent authority | Yes  | Yes  | Yes   |
| Competition timeframe  | Minimum 28 days  | Minimum 28 days  | Minimum 28 days   |
| Shortlisting   | Jury decision via majority vote<br>If no winner selected, jury may recommend refinements to 1 or more schemes  | Jury decision via majority vote<br>If no winner selected, jury may recommend refinements to 1 or more schemes  | If no winner selected, developer may recommend refinements to 1 or more schemes   |

| Process Element  | Open Competition   | Invited Competition  | Competitive Alternatives   |
|--|--|--|--|
| Incentive/Bonus  | Up to 10% additional height or floor space above that permitted under the relevant controls. Note – this is subject to Council assessment of the Stage 2 detailed DA<br><br>A reduction of up to 1000m <sup>2</sup> of Heritage Floor Space where a competition is held. | Up to 10% additional height or floor space above that permitted under the relevant controls. Note – this is subject to Council assessment of the Stage 2 detailed DA<br><br>A reduction of up to 1000m <sup>2</sup> of Heritage Floor Space where a competition is held. | Up to 10% additional height or floor space above that permitted under the relevant controls. Note – this is subject to Council assessment of the Stage 2 detailed DA<br><br>No reduction in Heritage Floor Space |
| Notification/advertising requirements  | The competition must be publicly notified and call for expressions of interest.<br><br>The consent authority may require an exhibition of the competition entries.   | The AIA is to be notified of commencement of the process.<br><br>The consent authority may require an exhibition of the competition entries.   | The AIA is to be notified of commencement of the process.  |
| Determination of winner  | By jury  | By jury  | By developer   |
| Reporting requirement  | Competition Report submitted within 14 days of reaching a decision   | Competition Report submitted within 14 days of reaching a decision   | Competition Report submitted prior to the relevant detailed DA   |
| <b>Matters not prescribed but common practice</b>  |  |  |  |
| Number of competitors  | Unclear due to lack of open competitions   | 6-7  | 4  |
| Competition timeframe  |  | 6-8 weeks  | 4-6 weeks  |
| Overall process timeframe (including preparation and endorsement of brief and final reporting) |  | Up to 6 months   | Up to 4 months   |
| Requirement for a competition manager  |  | Yes  | Yes  |
| Technical advice   |  | Yes  | Yes  |

## Competition Brief

The CoS Policy requires that the competition brief for all competitive processes be prepared in accordance with the Model Brief though in practice endorsed briefs are generally more sophisticated and have evolved over time. The Model Brief includes standardised requirements for competition procedures and objectives for both open/invited competitions and design alternative processes and a copy is provided at Appendix B. It aims to ensure that the design excellence requirements of the consent authority are balanced with the proponent's objectives and establish procedural fairness for all competitors. Items required through the Model Brief include:

- Introduction and general information
- Site description and key features
- Previous relevant development consents (the site and surrounding)
- Competition objectives
  - Design objectives
  - Planning objectives
  - Commercial objectives
- Competition procedures, including:
  - Type of process
  - Requirements for the brief
  - Requirements for competitors
  - Obligations of impartial observer
  - Obligations of the jury
  - Obligations of the developer
  - Technical assistance
  - Communications and questions
  - Closing date and lodgement of submissions
  - Disqualification

- Assessment and decision
- Appointment of the winning architect
- Announcement
- Care of materials
- Competition fee
- Return of documents
- Presentation and submission requirements
- Selection criteria

The proponent prepares the competition brief, adopting the key headings and requirements of the Model Brief. The competition brief is accompanied by a range of technical inputs that provide both background information to competitors as well as additional information in relation to the competition objectives. In our experience, a competition brief requires 1-2 months to prepare.

The competition brief must be endorsed by Council prior to the commencement of the competition. Whilst the CoS Policy states that the consent authority must provide reasons for not supporting the brief within 14 days, in our experience the timeframe to have the brief endorsed by Council staff ranges significantly from project to project but is generally in the range of 1-3 months.

## Technical Advisors

Whilst not addressed in the CoS Policy, in practice a significant number of 'competitive process' include technical advice. Technical disciplines are dependent on the specifics of the competition and the site. They generally include quantity surveyor, planning, structural engineering, building services, ESD, heritage (if required), traffic (if required) and wind (if required). This advice is paid for by the proponent and is provided in three separate ways:

- Technical input into the competition brief;

- Technical advice and/or mid-point review with competitors; and
- Technical review and advice to the jury based on the final competition submissions.

The level of technical advice provided within a competition is directed by the competition brief. Technical advice is limited to high level review and consistency with the brief and technical

advisors cannot direct design solutions during the competition process.

In addition to the above, competitors are free to seek independent technical advice during the competition process at their own cost.

### Competition Process

In practice, a project completes the following program for a competitive process.

**Table 2 –** City of Sydney Competition Program (typical)

| Week   | Milestone / Competition Process   |
|--|---|
| 3-6 months (including brief and approval)        | Selection of competitors and agreement from Council.<br>Selection of jury members – Council-nominated and proponent-nominated.<br>Preparation of Competition Brief and endorsement of Brief by Council.   |
| Week 1   | <b>Commencement Date:</b> Brief issued to competitors<br><br>Competitor Briefing Session & Site Visit (mid week 1): Introduction to the competition and site visit for competitors<br><br>Working time  |
| Week 2   | Working time  |
| Week 3   | Working time  |
| Week 4<br>(Mid-Point Review Submission Optional) | Working time<br><br><b>Mid Point Review Submission (end week 3):</b><br>Competitors are encouraged to submit via the Design Competition Manager (DCM), plans and area schedule for preliminary planning compliance, service requirements, structural design and cost planning review ahead of the Mid-Point Review Session. |
| Week 5<br>(Mid-Point Review Workshop Optional)   | Working time<br><br><b>Mid Point Review Session (mid week 4):</b> each Competitor will be allocated up to one (1) hour to have their submissions reviewed by the Technical Panel.<br><br>Working time   |
| Week 6   | Working time<br><br><b>Jury/Selection Panel Briefing Session &amp; Site Visit (mid week 6):</b> Introduction to the competition and site visit for competitors  |
| Week 7   | Working time  |
| Week 8   | Working time<br><br><b>Final Submission (end week 8)</b>  |
| Week 9   | Technical Review  |
| Week 10  | <b>Presentation &amp; Jury Assessment Days</b><br>Technical advisors present summary of assessment to Jury.<br>Competitors present schemes to Jury.<br>Jury assessment and decision.  |

| Week    | Milestone / Competition Process  |  |
|---------|--|--|
|         | Second Round Required <sup>1</sup>   | No Second Round  |
| Week 12 | <b>Additional Information Letter issued to shortlisted competitors (max 2) within 14 days of presentation day</b>  | <b>Decision made within 14 days of presentation day</b>  |
| Week 14 | Working time   | <b>Competition Report:</b> submitted to Council within 14 days of decision of winner.<br><b>Announcement:</b> All competitors to be notified within 14 days of decision of winner. |
| Week 15 | Working time   |  |
|         | <b>Second Round Submission</b> (21 days from letter)   |  |
| Week 16 | Technical Review   |  |
| Week 17 | <b>Second Round Presentation Day</b>   |  |
| Week 19 | <b>Decision made within 14 days of presentation day</b>  |  |
| Week 21 | <b>Competition Report:</b> submitted to Council within 14 days of decision of winner.<br><b>Announcement:</b> All competitors to be notified within 14 days of decision of winner. |  |

<sup>1</sup> Under the CoS Policy, the jury may be unable to reach a decision and request that two competitors submit additional information to clarify and address the jury's concerns. This is commonly referred to as a second round submission or short list.

### Summary of City of Sydney Competition Framework

The requirement for design competitions within the City of Sydney is established as a mandatory and elective process under the Sydney LEP 2012 (and other policies applying to the LGA). Competitive processes are mandated for development that exceeds height, value and/or site area thresholds. All projects to undertake a competitive process (mandated or elective) within the City of Sydney are required to go through a two-stage planning approval process to establish a building envelope and a design excellence strategy that must be approved as part of the first stage. The competition is completed following the approval of the building envelope and strategy, and the winning design is progressed to a detailed DA (Stage 2).

The CoS Policy establishes the framework and procedures for all competitive processes and sets out three types of processes, namely an open design competition (rarely utilised), an invited architectural design competition (encouraged for complex projects), and an invited design alternatives process (undertaken on smaller or less complex projects). In our experience, there is a preference from proponents to utilise the design alternatives process as this requires fewer competitors and allows for a proponent to nominate the majority of selection panel members. In practice though, in recent years the two processes have been hybridised somewhat. Also the 1,000m<sup>2</sup> Heritage Floor Space discount which includes an increased value has made full competitions more palatable. So increasingly the full competition is being chosen for these reasons within the City of Sydney. Despite this preference, there is an ongoing push to encourage proponents to undertake an invited competition, particularly on complex projects. The recently released Guideline for Site Specific Planning Proposals establishes that any project amending the planning controls is required to

undertake an invited competition not an alternatives process.

The CoS Policy also establishes the requirements for the competition brief and provides a Model Brief. The CoS Policy and the Model Brief have not been reviewed since their adoption in 2013 and 2012 respectively. The requirements within a competition brief have increased significantly beyond that specified in the model brief through practice. Additionally, the Model Brief does not prescribe standard submission requirements and therefore these change from process to process though the Council has been trying to guide standard submission requirements. In our experience, the endorsement of the competition brief can often be a major uncertainty for a proponent both in content requirements and in timeframes. Although the CoS Policy prescribes that the consent authority must provide reasons for not endorsing a brief within 14 days of it being submitted, our experience is that this process generally takes in the order of 1-3 months. There are minimal opportunities for proponents to refute inclusions or requirements given that the consent authority must endorse the brief prior to the competition commencing. Further, there are no opportunities for legal appeal as the competition process sits outside of the development assessment framework. It is noted that this is advantageous for Council but challenging for applicants due to the lack of certainty and potential holding costs.

In the case of *Stamford Property Services Pty Ltd v City of Sydney & Anor [2015] NSWLEC 1189* Commissioner Pearson found that due to the definition of 'competitive design process' within clause 6.21 of the Sydney LEP, only a competition conducted strictly in accordance with the CoS Policy could be deemed to fulfil the requirements of this clause. This has resulted in a number of potentially unintended outcomes, including:

- The CoS Policy prescribes that a design excellence strategy must be approved by a consent authority as part of a Stage 1 DA or site-specific DCP. This means that any project that may not otherwise be required to undertake the two-stage planning approval process is now required to if a competition is elected.
- Where endorsement of the brief can not be achieved and the proponent elects to proceed with a competition without this, there is significant planning risk on the detailed DA and it is unlikely that the Court would grant consent on appeal because the competition had not been conducted in accordance with the CoS Policy. In practice no one proceeds without an endorsed brief.
- There is an uncertain planning risk where a minor departure from the CoS Policy occurs, such as extension to mandated time frames, even if these departures are agreed to by Council. A judicial review could be commenced (by a third party) on the validity of a detailed DA consent where the CoS policy was not strictly accorded with.

## 4.3 Design Excellence in City of Parramatta

### Legislative Framework

Unlike the City of Sydney, the *Parramatta Local Environmental Plan 2011* (Parramatta LEP), sets out a number of provisions relating to design excellence in particular areas of the LGA. Clause 7.10 prescribes the design excellence requirements for development within the Parramatta City Centre:

#### 7.10 Design Excellence—Parramatta City Centre

(1) *The objective of this clause is to deliver the highest standard of architectural, urban and landscape design.*

...

(5) *Development consent must not be granted to the following development to which this clause applies unless a competitive design process has been held in relation to the proposed development:*

(a) *development in respect of a building that has, or will have, a height above ground level (existing) greater than 55 metres,*

(b) *development on a site greater than 1,000 square metres and up to 1,800 square metres seeking to achieve the maximum floor space ratio identified on the Floor Space Ratio Map, where amalgamation with adjoining sites is not physically possible,*

(c) *development having a capital value of more than \$10,000,000 on a "Key site" identified on the Key Sites Map,*

(d) *development having a capital value of more than \$100,000,000 on any other site,*

(e) *development for which the applicant has chosen such a process.*

...

(9) *In this clause:*

#### **building or alteration exhibits design excellence**

*means a building where the design of the building (or the design of an external alteration to the building) is the winner of a competitive design process and the consent authority is satisfied that the building or alteration exhibits design excellence.*

*competitive design process means an architectural design competition carried out in accordance with procedures approved by the Secretary of the Department of Planning and Environment.*

Notably, the definition of 'competitive design process' in the Parramatta LEP is different to that of the Sydney LEP. In practice, this allows for a competition to proceed in line with the specific design excellence policy or a tailored procedure approved by the Secretary of Planning, arguably allowing a greater level of flexibility than the Sydney LEP definition.

The Parramatta LEP establishes a similar incentive framework for projects that undertake a competition process within the Parramatta City Centre:

(8) *If the design of a new building, or an external alteration to an existing building, is the winner of a competitive design process and the consent authority is satisfied that the building or alteration exhibits design excellence, it may grant development consent to the erection of the new building, or the alteration to the existing building, with:*

(a) *in any case—a building height that exceeds the maximum height shown for the land on the Height of Buildings Map or an amount of floor space that exceeds the maximum floor space ratio shown for the land on the Floor Space Ratio Map (or both) by up to 15%, or*

*(b) if the proposal is for a building containing entirely non-residential floor space in Zone B4 Mixed Use—a building height that exceeds the maximum height shown for the land on the Height of Buildings Map or an amount of floor space that exceeds the maximum floor space ratio shown for the land on the Floor Space Ratio Map (or both) by up to 25%.*

There are additional design competition requirements established under clause 6.12, applying to land identified as “Parramatta North Urban Renewal Area” and “Telopea Precinct”:

#### **6.12 Design excellence**

*(1) The objective of this clause is to ensure that development exhibits design excellence that contributes to the natural, cultural, visual and built character values of Parramatta.*

*(2) This clause applies to development involving the erection of a new building or external alterations to an existing building on land identified as “Parramatta North Urban Renewal Area” and “Telopea Precinct” on the Key Sites Map.*

...

*(5) Development consent must not be granted to the following development to which this clause applies unless an architectural design competition that is consistent with the Design Excellence Guidelines has been held in relation to the proposed development:*

*(a) development in respect of a building that is, or will be, higher than 55 metres above ground level (existing),*

*(b) development having a capital value of more than \$100,000,000,*

*(c) development for which the applicant has chosen to have such a competition.*

Similar to the City of Sydney framework, there is the legislative ability for the consent authority to waive the requirement for a design competition in specific circumstances.

#### **Competition Brief**

The City of Parramatta operates a Template Brief. This document contains all competition policies and procedures for competition processes. The Template Brief also establishes the post-competition requirement for a ‘Design Integrity Assessment’ where the jury review the draft DA plans ahead of lodgement to confirm that all jury recommendations have been incorporated into the detailed design. The design integrity process also applies to Construction Certificate stages of the project delivery as well as any subsequent modifications to the approved development.

The City of Parramatta remains the lead author of the competition brief for all competitions within their jurisdiction. A template brief is available to proponents and the proponent or their consultant complete the template to Council’s satisfaction. A copy of the Template Brief is provided at Appendix C. The Template Brief addresses a similar range of items to that of the City of Sydney Model Brief, including:

- Introduction and competition objectives
- Site details and characteristics
- Previous relevant development consents and planning proposals (the site and surrounding)
- Objectives for the proposal
  - Design excellence
  - Design objectives
  - Planning objectives (including commercial objectives)

- Competition procedures, including:
  - Proponent details and obligations
  - Competition manager
  - Competition entry
  - Competition details
  - Processes for amending the competition brief
  - Mid point review
  - Competition jury requirements and obligations
  - Technical assistance (jury and competitors)
  - Communication protocols
  - Closing date and lodgement of submissions
  - Disqualification
  - Jury assessment and decision
  - Appointment of the winning architect
  - Post-competition review
  - Care of materials and insurance
  - Return of documents
  - Copyright
  - Confidentiality
  - Post-competition processes
- Submission requirements

the competition is completed based on the following program however can be extended to a 6-week working program (see Table 3).

Our review suggests that standard template has incorporated a number of components from the City of Sydney Model Brief whilst also incorporating procedures that are now common practice in the City of Sydney but not included in the Model Brief such as mid-point reviews and competition managers.

### **Competition Process**

All competition procedures are prescribed in the Template Brief and in practice these processes are adhered to with only minor departures. In general,

**Table 3 –** Parramatta Competition Program (typical)

| Week                  | Milestone / Competition Process  |
|-----------------------|--|
| 1-2 months            | Selection of competitors and agreement from Council.<br>Selection of jury members – Council-nominated and proponent-nominated.<br>Preparation of Competition Brief and endorsement of Brief by Council |
| Week 1                | Endorsed Design Competition Brief issued to Competitors<br>Briefing session for each Competitor  |
| Week 2                | Working time   |
| Week 3                | Mid-point review   |
| Week 4                | Jury briefing session<br>Final Submissions   |
| Week 5                | Technical review of entries.<br>Presentation by Competitors to Jury and Jury deliberation session  |
| Week 7                | Decision made  |
| Week 8                | Jury Report submitted to Council   |
| Prior to DA lodgement | Design integrity review  |

### Summary of the Parramatta Framework

The requirement for design competitions in the City of Parramatta is established as a mandatory and elective process within identified location in the LGA, as prescribed by the Parramatta LEP 2011. Unlike the City of Sydney framework, a two-stage planning process does not apply within the Parramatta LEP 2011. Notwithstanding this, a number of projects undertake a Planning Proposal to amend the built form controls and a competitive design process follows the planning proposal (if required).

The Parramatta Template Brief establishes the policies and procedures for all competitive processes within the LGA. Although Council remain the lead author of the brief, the brief requires a significant level of input from the proponent and their consultant team. In our experience, the timeframe for endorsement of the competition brief is shorter

than the City of Sydney and in the order of 1-2 months.

The Parramatta Template Brief incorporates similar attributes and requirements to the City of Sydney Model Brief but also includes items that are common practice but not included in the Model Brief, such as mid-point reviews and technical advice to both competitors and the jury. The Parramatta Template Brief also establishes post-competition design integrity assessment procedures ahead of detailed DA submission, for any future modification applications and for construction certificate stages of the project delivery.

## 4.4 Design Excellence and the Government Architect of New South Wales

### Legislative Framework

There is not a standalone legislative framework under which the draft Government Architect (GA) Design Excellence Competition Guidelines apply. However the draft Government Architect Guidelines apply to the following types of competitive processes:

- Where the GA Guidelines are directly referenced, or where the Director General's Design Excellence Guidelines are referenced (Note: Once adopted the draft GA Guideline will replace the Director General's Guidelines);
- Where a local Council has chosen to adopt the GA Guidelines; and
- Where the Minister for Planning is the consent authority (i.e. for State significant development) and a local competition policy does not apply.

The draft GA Guidelines do not apply where a local Council has adopted its own design excellence policy (such as the City of Sydney and the City of Parramatta).

### Competitive Design Policy

The draft GA Guideline establishes procedures and requirements for both State significant projects (where the Minister for Planning is the consent authority) and local projects. The level of involvement of the Government Architect differs between each type of project.

A comparison of the three types of competitive processes established through the GA Guidelines is presented in Table 4. Consistent with the CoS Policy, the draft GA Guideline also establishes the requirement for a design excellence strategy to be prepared and endorsed by the consent authority. Notably, the draft GA Guideline requires this

strategy as part of a Concept DA or site-specific DCP only where one is required, thereby avoiding the reverse requirement for a Concept DA in the event of a design competition being undertaken. However, approval of a strategy is required prior to the commencement of the competition.

Similar to the CoS Policy, The draft GA Guideline provides that competitors (or entrants) can be a team. However, the draft GA Guideline permits the team to be made up of qualified architects, urban designers and/or landscape architects and does not mandate the requirement for participants to be registered architects. Teams may also be multidisciplinary but are not required to include specialist consultants such as planners, QS, ESD consultants and the like. An independent Competition Advisor is required for all State significant projects and recommended for all local competitions. Additionally, the draft GA Guidelines establish that technical advice can be provided to competitors and/or the jury for any type of competition process.

**Table 4 –** Comparison of competitive design processes within the draft GA Guideline

| Process Element                       | Invited Single Stage  | Invited by EOI (two stage)  | Open Competition  |
|---------------------------------------|---|---|---|
| Number of competitors                 | 3-5   | Stage 1: Open EOI<br>Stage 2: 3-5   | Stage 1: Open<br>Stage 2: 3-5   |
| Competition timeframe                 | Minimum 28 days   | Minimum 28 days   | Minimum 28 days   |
| Assessment process                    | Jury  | Stage 1: Proponent<br>Stage 2: Jury   | Stage 1: Jury<br>Stage 2: Jury  |
|                                       | <p>Jury made up of 3 or 5 members depending on complexity:</p> <ul style="list-style-type: none"> <li>- 1 nominated by the proponent;</li> <li>- 1 nominated by the local government; and</li> <li>- 1 nominated by the GA.</li> </ul> <p>A jury with 5 members includes an additional nominee from both the proponent and the local government.</p> <p>Jury members must not:</p> <ul style="list-style-type: none"> <li>- have a pecuniary interest in the development</li> <li>- be an owner, shareholder or manager associated with the proponent or proponent's companies</li> <li>- be a staff member or councillor with an approval role in the Council.</li> </ul> <p>If State Significant – GA or their nominated representative must chair the jury and endorse the jury selection.</p> <p>If local – GA must endorse the jury composition.</p> |   |   |
| Determination of winner               | By jury   | By jury   | By jury   |
| Reporting requirement                 | <p>If State Significant – Competition Report prepared by the proponent, signed by the jury and submitted to the GA</p> <p>If local – Competition Report prepared by the consent authority and signed by the jury.</p> <p>No timeframes prescribed.</p>  |   |   |
| Notification/advertising requirements | None  | None  | Public exhibition of entries following the competition is recommended   |
| Observers                             | Yes – observers may be part of the proponent team, stakeholders, representatives of the consent authority, researchers, or others as permitted by the Competition Advisor   | Yes – observers may be part of the proponent team, stakeholders, representatives of the consent authority, researchers, or others as permitted by the Competition Advisor | Yes – observers may be part of the proponent team, stakeholders, representatives of the consent authority, researchers, or others as permitted by the Competition Advisor |

### Competition Brief

The draft Government Architect (GA) Guidelines prescribe matters to be included in the competition brief, however the Government Architect does not have a Model Brief. Given GA Guidelines have been used in Parramatta for some time the brief recommended looks very similar to Parramatta's 'template brief'. The proponent is required to prepare the brief and Government Architect must endorse the competition brief prior to the commencement of the competition. Where the Minister is not the consent authority, the competition brief must also be endorsed by the consent authority. There are no prescribed timeframes in relation to the review and endorsement of the brief by the Government Architect.

### Competition Process

An overview of the competition process under the draft GA Guideline is reproduced at Figure 4. As this draft Guideline is new, only a small number of competitions have been completed in accordance with this process and we can not provide an accurate guide as to the total timeframes. There is an existing decision guideline regarding design excellence guidelines that such competitions have been run under to date. The draft Guideline does not mandate critical timeframes for any components of the competition process.

### Summary of the Government Architect competition process

The draft Government Architect Guidelines were released in 2018 and have not yet been finalised. A very limited number of competitions have been completed under these guidelines at this stage. In our limited experience under this Guideline, the competition brief sign-off process is generally 4-6 weeks. Our overall view is that the GA Guidelines provide a baseline process for competitions where a local authority does not already operate a design competition policy. A number of the key features of the City of Sydney framework are apparent in these guidelines.

|  |  | COMPETITION TYPE   |   |  |
|--|--|--|---|--|
|  |  | TYPE A   | TYPE B  | TYPE C   |
| STEP 1                                   | DESIGN EXCELLENCE COMPETITION STRATEGY | A Design Excellence Competition Strategy (the Strategy) is required in every instance. The Strategy will nominate the Competition Type, combination of types or in the case of No Competition will outline the process for achieving Design Excellence without the benefit of a competitive design process   |   |  |
| STEP 2                                   | DEVELOPING THE BRIEF                   | Prepare a detailed Brief with all required supporting documentation  | Prepare a Competition Brief AND an EOI document which clearly sets out the aims of each stage of the Type B Competition | Prepare Competition Briefs for each of the Open and Invited Stages of the Type C Competition.  |
| STEP 3<br>Competition Review and Judging | OPEN CONCEPT DESIGN COMPETITION        |  |   | STAGE 1: Open National or International Competition for a Design Concept or Strategy, often Anonymous  |
|  | OPEN EXPRESSION OF INTEREST (EOI)      |  | An open Expression of Interest asking for a proposed Design Team and demonstration of capability                        | The Competition Jury should verify the capability of all shortlisted teams before proceeding. Additional information may be requested from some or all teams |
|  | INVITED DESIGN COMPETITION             | An invited list of 3-5 Design Teams are asked to prepare a proposal  | STAGE TWO: 3-5 Design Teams chosen to present a more detailed proposal on the basis of their EOI                        | STAGE TWO: 3-5 Design Teams chosen to present a more detailed proposal on the basis of their Design Concept or Strategy                                      |
| STEP 4                                   | COMPETITION REPORT                     | The Jury compiles a Competition Report which may:<br>—award a winner and confirm the Design Excellence of that scheme,<br>—award a winner but ask for further development to achieve design Excellence or<br>—declare that Design Excellence has not been achieved and is not possible with the proposed schemes.<br>The Jury's recommended actions to be undertaken from this point should be clear in the Report |   |  |
| STEP 5                                   | FINAL COMPETITION REPORT               | The Jury confirms that Design Excellence has been achieved in a Final report.  |   |  |
|  | POST COMPETITION PROCESSES             | As set by the Strategy, ensure Design Excellence is maintained through regular review by the Competition Jury or through a Design Excellence Assessment prior to DA lodgement  |   |  |

Figure 4. Design Competition Process in accordance with the draft Government Architect Guideline  
Source: NSW Government Architect

## 4.5 NSW Summary

In NSW, design excellence assessment and competitive design processes are facilitated through the Local Environmental Plan framework, establishing the relevant development assessment planning controls for all development applications. Of the 39 standard template LEPs, seven mandate a competitive design process for specific development. This report has presented the framework and process for two of these LEPs being the *Sydney Local Environmental Plan 2012* (City of Sydney) and

*Parramatta Local Environmental Plan 2011* (City of Parramatta), as well as the framework and process established by the NSW Government Architect. A comparison of the key metrics of these processes is presented in Table 5.

**Table 5** – Comparison of key metrics for competition processes in NSW

| Key Metric                                 | City of Sydney   | City of Parramatta  | NSW Government Architect   |
|--|--|---|--|
| Number of competitors                      | 3-6  | 3-6   | 3-5  |
| Competition Brief                          | Based on Model Brief<br>Prepared by proponent<br>Endorsed by consent authority | Based on Template Brief<br>Authored by Council<br>Input by proponent<br>Endorsed by consent authority                                     | Requirements specified in the Guideline<br>Prepared by proponent<br>Endorsed by GA and consent authority |
| Assessment process                         | Jury/Selection Panel<br>Proponent members permitted                            | Jury/selection panel<br>Proponent members permitted<br>City of Parramatta representative and Government Architect representative required | Jury<br>Proponent cannot be on jury  |
| Decision Maker                             | Jury <sup>1</sup>  | Jury  | Jury   |
| Competition Working Time                   | 6-8 weeks  | 4-6 weeks   | Minimum 28 days  |
| <b>Overall Timeframe</b>                   | <b>4-6 months</b>  | <b>2-5 months</b>   | <b>3-5 months</b>  |
| <b>Overall Planning Approval Timeframe</b> | <b>24-36 months</b>  | <b>9-18 months</b>  | <b>Varies</b>  |

<sup>1</sup> Whilst the CoS Policy nominates that the Developer selects the winner of a design alternatives process, in practice this decision must align with the recommendation of the selection panel that evaluated the entries.

## 4.6 Design Competitions in Victoria

### Legislative Framework

The *Planning and Environment Act 1987* (the Act) is the primary legislation which sets out planning control for the State of Victoria, and the planning scheme sets out the way land may be used or developed in each municipality. The planning scheme is a legal document, prepared and approved under the Act. The Act also provides for the Victoria Planning Provisions, a template document of standard state provisions from which all planning schemes are derived.

The purpose of the Act is to establish a framework for planning the use, development and protection of land in Victoria in the present and long-term interests of all Victorians.

The objectives of planning in Victoria are set out in the Act. They are:

- a. to provide for the fair, orderly, economic and sustainable use and development of land;
- b. to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;
- c. to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- d. to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;
- e. to protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community;
- f. to facilitate development in accordance with the objectives set out in paragraphs a), b), c), d) and e);

fa. to facilitate the provision of affordable housing in Victoria [recent addition];

g. to balance the present and future interests of all Victorians.

There is no specific reference to design excellence, whereas the NSW *Environmental Planning and Assessment Act 1979* includes an objective to “promote good design and amenity of the built environment”.

The Act provides for a single instrument of planning control for each municipality, the planning scheme, which sets out the way land may be used or developed. The planning scheme is a legal document, prepared and approved under the Act.

The planning system and planning schemes in particular, are important tools that enable land use strategies to be implemented and effect positive change to the built environment. However, the planning system alone cannot provide for all desired outcomes.

The drive to implement an increasing range of outcomes through planning schemes (such as local policies that address social issues) is challenging the traditional scope of planning and its relationship to other regulatory systems. This is particularly so given that not all controls about the use and development of land are controlled by planning schemes. Legislation other than the Act can have a significant regulatory impact on use and development, such as the *Building Act 1993*, the *Heritage Act 2017*, the *Liquor Control Reform Act 1998* and the *Prostitution Control Act 1994*. The introduction of any new planning provision must therefore be considered in the context of the wider landscape of available legislation, so that conflict and duplication is not created.

The VPP contains provisions which should be utilised to guide development. Typically, most of the built form provisions (i.e. detailed commentary on built form elements) are contained within overlays to the planning scheme, although there are instances where this is also contained within the zone.

Within the Melbourne Planning Scheme, built form controls (outside of specific controls associated with heritage, public acquisitions, environmental audit etc) are contained within:

- Clause 37.04- Capital City Zone
- Clause 43.02- Design and Development Overlay
- Clause 43.03- Incorporated Plan Overlay
- Clause 43.04- Development Plan Overlay
- Clause 51.01- Specific Sites and Exclusions

The provisions include application requirements, which could potentially include a design competition in certain cases.

It is advised that Floor Area Ratio's (FARs) sit within Schedule 1, 2 and 3 of the Capital City Zone (which operates as a value sharing mechanism) and within Schedules 2, 40, 60 and 62 of the Design and Development Overlay (which operates as a built form tool).

The inclusion of the FAR within the Capital City Zone as a value sharing mechanism is supported within its drafting to mandate the requirement and any conditions required by the schedule to this zone. It also supports the notion of public benefits extending to matters which are not built form related including affordable housing and strategic land use (i.e. commercial office).

The FAR within a Design and Development Overlay

is supported where the head of power refers to plot ratio. However, the provisions of a DDO should relate directly to built form, rather than process, value sharing or incentivisation.

It is advised that there is no specific Design Excellence Policy within the Victoria Planning Provisions and this should be introduced into the Melbourne Planning Scheme via amendments to Local Policy such as Clause 22.01 (Urban Design Policy within the Capital City Zone) where the Competition Policy could be referenced as a background document. It is noted that you cannot reference a background document within a Design and Development Overlay as it does not conform with the Ministerial Direction Form and Content of Planning Schemes (dated 9 April 2017).

### **Australian Institute of Architects Architectural Competitions Policy**

The purpose of this policy (adopted in 2015) is to clearly articulate a set of principles and performance requirements that represent the Australian Institute of Architects' position on good practice in the conduct of architectural design competitions in Australia.

The policy is complemented by guidelines and model conditions for an architectural competition. Both the policy, guidelines and model conditions carefully articulates configuration, key participants, the competition process, and outlines when and why the Institute endorses competitions. To date the guidelines have not led to AIA endorsed competitions.

### **Architectural Design Competitions OVGA Publication**

In 2018 the Office of the Victorian Government Architect released a publication titled "Architectural Design Competitions: A Guide for Government"

which seeks to provide guidance and advice to government organisations on how to enable high-quality design outcomes through architectural design competitions. It is to assist government organisations to get the most out of using a competition as a procurement method and is therefore not tailored to private developments.

### **Effect of the Introduction of Design Competitions to the Victoria Planning Provisions**

#### *Amendment C270 to the Melbourne Planning Scheme*

Over the past 20 years, Melbourne has experienced significant growth in the number and density of new developments in the central city. There had not been a significant central city built form update since 1999. Most of the existing provisions were more than 30 years old and are no longer adequate for the current scale and density of development.

In September 2015, the Minister for Planning announced a review of Melbourne's Central City built form and introduced interim controls to manage development outcomes while the review was underway and permanent controls were being developed.

The Department of Environment, Land, Water and Planning led the Central City Built Form Review in partnership with the City of Melbourne, and with input from the Office of the Victorian Government Architect.

The documentation generated by the review provided the basis for the new planning controls, which were prepared as a planning scheme amendment and underwent public exhibition and an independent planning panel process.

The new planning controls were introduced in November 2016 and importantly include the

reintroduction of Floor Area Ratio with a base of 18:1 and uplift or bonus provisions requiring the delivery of a commensurate public benefit. Ministerial guidelines were also produced to guide the consistent and transparent application of this benefit and the associated uplift. One of the benefits is the undertaking of an endorsed design competition, so the trigger for promoting design excellence already exists, if only within the development areas of the Central City (Hoddle Grid and Southbank). As the legal 'head of power' prescribing the Floor Area Ratio was introduced as part of the Capital City Zone, it could be extended to other areas such as City North and Fishermans Bend with similar zoning.

### **Key Findings from the Planning Framework for Design Competitions**

There is no specific reference to design excellence within the Act.

The VPP contains provisions which should be utilised to guide development which could including a design competition in certain circumstances, however it is noted that there is no specific Design Excellence Policy.

A Design Excellence Policy which would outline the purpose, status, trigger, timing management, cost and guarantees following a competition is anticipated to be considered a background document which could be referenced in the Melbourne Planning Scheme (MPS).

It is noted that there are limitations to where this can sit within the MPS for consistency with the Ministerial Direction Form and Content of Planning Schemes.

To date, there has been no uptake of the AIA endorsed competitions, or pursuit of a design competition under the Uplift Guidelines introduced via Amendment C270.

### Flinders Street Station Competition 2012-13

The international design competition for redeveloping the historic Station block between Flinders Street and the Yarra River, was promoted by then Premier Ted Baillieu with a well-prepared process costing government a reported \$600,000 plus significant prize money totalling \$1 million, but ultimately no guarantee to proceed with the works. The process was managed by the State Government agency Major Projects Victoria with oversight from the Office of the Victorian Government Architect under Geoffrey London, with Andrew Mackenzie of CityLab as the professional competition advisor plus a technical advisor (to provide input on commercial delivery) and a probity advisor.

The jury was composed as follows:

- Chair – Geoffrey London, Victorian Government Architect
- Rob Adams – City of Melbourne, City Design
- Peter Lovell – Heritage
- Gillian Miles – Department of Transport
- John Curtis – Lawyer, Freehills
- Cassandra Fahey – Architect
- Caroline Bos – Urban Planner, UN Studio
- George Calombaris – Restaurateur

The brief released on 29 June 2012 was comprehensive with 52 specific requirements, including technical input from the Department of Transport (as ultimate client), from Planning and Heritage. The State Government organisers provided survey plans as well as an interactive 3D model for scenario testing. As an open competition, not limited by geography nor experience, there were 117 initial entries providing a prescribed outline response presented as 'blind' entries. In October 2012 the jury short-listed six finalists:

- Ashton Raggatt McDougal
- John Wardle and Grimshaw Architects
- HASSELL and Herzog de Meuron
- NH Architecture
- Velasquez, Pineda and Medina (group of students)
- Zaha Hadid and BVN Architecture

These six finalists went through a second phase including 10 weeks of design development from April 2013 including separate sessions with the government advisors and the jury, prior to the final presentation and jury deliberation in July 2013, which included an appraisal of wider economic value (according to the Infrastructure Australia cost benefit process). HASSELL with Herzog de Meuron's proposal for iconic rows of white barrel vaults was the unanimous winner of the official jury prize, but interestingly a parallel Peoples' Vote favoured the students Velasquez, Pineda and Medina who proposed a park over the station roof.

With the change of Premier and then a change of government in late 2014, the new Treasurer Tim Pallas abandoned the project and its estimated \$2 billion price tag. In the press he declared the competition "nothing more than a drawing project".

An estimate, in [urban.com.au/opinion/2014/09/08](http://urban.com.au/opinion/2014/09/08), calculated the value of the work put in by all 117 participants (including further development by the 6 finalists) was \$11.6 million, well beyond government investment of \$1.6 million (reported in Herald Sun).



Figure 5. Winning competition entry from HASSELL with Herzog & de Meuron



Figure 6. People's Choice winner by Velasquez, Pineda & Medina

### CBUS 447 Collins Street Competition 2014

When CBUS acquired the 27-storey National Mutual Plaza (with façade problems) they decided to undertake an invited design competition while proceeding with the demolition. An initial 12 expressions of interest were whittled down to four finalists, each being a prominent local firm partnered with an international star architect:

- Hassell with Bjarke Ingles Group (BIG) from Copenhagen
- Fender Katsalidis with Skidmore Owings Merrill from Chicago
- Bates Smart with Snohetta from Oslo, and
- Woods Bagot with SHoP from New York.

There was a requirement placed on the Demolition Permit by the City of Melbourne to provide a 474m<sup>2</sup> public open space on the corner of Collins and Market Streets, although much smaller than the former (2,800m<sup>2</sup> privately-owned) National Mutual Plaza, and the brief contained a substantial program with a mix of uses including office, residential and hotel. Neither the City of Melbourne nor the Minister for Planning (via his Department) were formally involved, although the Government Architect was a panel member.

The short-listed entrants were each paid to undertake an 8-week design process with workshops and the eventual winning designers were Woods Bagot with SHoP. However, the design was then further developed before presentation to the Responsible Authority (being the Minister for Planning with advice from Council). The proposal was found to overshadow the Yarra River, so was redesigned to reduce this impact, which included a complete change to the tower form. The final design still did not meet the Interim (and mandatory) C262 Built Form Controls introduced in mid-2015, particularly street setbacks, so required a planning scheme amendment in the form of an incorporated

document. The key aspects of the proposal which finally achieved support were the mix of uses, the provision of extensive arcade links through the site and the potential to open up to a partially closed Market Street (a current Council project).

The building which takes the form of two linked slabs is designated as Collins Arch but is colloquially known as 'Pantscraper'. It has been observed that the competition may have partly been used to alleviate Council's unhappiness with the loss of a significant (if poorly laid-out) National Mutual Plaza within a densely populated area of the grid. As noted, the major area of open space will be on public land in Market Street and the envelope does not comply with current built form controls (especially setbacks and overshadowing).

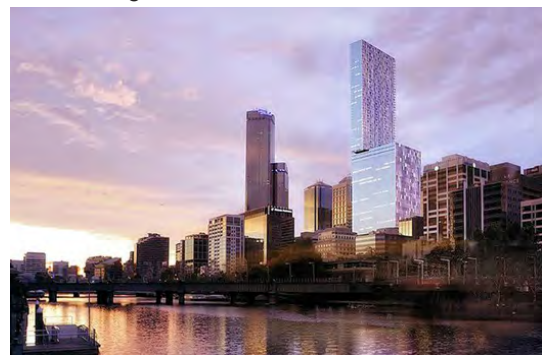


Figure 7. Original Competition Design (SHoP with Woods Bagot), overshadowed Yarra River)



Figure 8. Amended design Collins Arch (SHoP with Woods Bagot)

### Beulah 118 City Road Competition 2018

Upon purchasing the BMW Showroom at 118 City Road, Southbank (corner of Southbank Boulevard), the developers Beulah International announced an open design competition with an ambitious brief. The brief included a comprehensive program of uses including retail, office, hotel and apartments totalling over 250,000m<sup>2</sup> of GFA, for the 6190m<sup>2</sup> site, representing a Floor Area Ratio of up to 40:1, when the Planning Scheme has a base FAR of 18:1.

The first stage in April 2018 consisted of an EOI open to any Australian architects (with international partners if desired) where just the team composition and experience was presented, leading to a short-listing of 6 teams by the organisers and not the jury. These participants each received an honorarium of \$100,000 to develop their design proposal, with the competition documentation stating the intention to appoint the winner.

The competition advisor was Ross Clark and the jury was comprised as follows:

- Chair – Jill Garner, Victorian Government Architect
- Adelene Teh – Executive Director, Beulah International
- Jiaheng Chan – Managing Director, Beulah International
- Prof. Thomas Kvan – Melbourne University
- Marc-Heinrich Werner – CEO, BMW Australia
- Cameron Bruhn – S+Editor, Architecture Media
- John Gollings – Architectural Photographer

The teams developed detailed designs by mid-July 2018 with a mid-stage review and jury presentation in May. Judging (including final presentations) took place in July with a public announcement in early August. The design proposal was accompanied by

a separate fee proposal which was considered by the developer in confirming the jury's 'provisional winner'. The formal announcement was a large scale 'symposium' with presentations by each of the international star architects, paid entry and an introduction by the Treasurer Tim Pallas.

The chosen teams, all with international partners, were as follows:

- Cox Architecture with UN Studio (Amsterdam)
- Fender Katsalidis with BIG (Copenhagen)
- Architectus with Coop Himmelb(l)au (Vienna)
- Elenberg Fraser with MAD (Beijing, New York & LA)
- Woods Bagot with MVRDV (Rotterdam)
- Conrad Gargett with OMA (Rotterdam)

None of the proposals were able to fully meet both the requirements of the extensive brief and the planning scheme (C270 controls). The outcomes were in some cases provocative ideas seeking special consideration. All teams put in a tremendous amount of work with technical advisors and lavish presentations including physical models and international visits, potentially well beyond the scope of the \$100,000 honorarium. The winner was Cox with UN Studio, with two twisted towers up to 356m high, making it Australia's tallest building (and above the PANS-OPS flight paths control height).



Figure 9. Competition winner by Cox Architecture with UN Studio

### Summary of learnings

Without any specific requirement for design competitions in the Planning Scheme, Victoria nevertheless has a recent history of experimentation in the space. Public projects have always been a particular focus, with the 1996 international competition for Fed Square being the notable example. Having been shortlisted as one of the five finalists Lab Architecture Studio, unknown at the time, produced an innovative outcome which although initially controversial has genuinely proven itself with the wider public, to the extent that the precinct was recently listed on the Victorian Heritage Register.

In 2018, the Office of the Victorian Government Architect issued 'Architectural Design Competitions: a guide for government', outlining best practice in utilising competitions as part of the procurement process for government projects.

Some developers have also employed self-managed competitions to choose a designer for significant central city developments. Some of these have been quite informal 'expressions of interest' and others very structured, although none have enjoyed official public endorsement and some have received criticism from architects in terms of poorly rewarded investment of competitor resources.

While government project competitions in Victoria have a robust history, with comprehensive briefs and due process leading to innovative outcomes, the limited number of private developer competitions have been less formal with regular appearance of the larger practices.

Built form controls were substantially discretionary prior to 2015 (prior to the C262 interim controls followed by the 2016 C270 permanent controls), so it was generally unnecessary to seek amendment of the planning scheme. From 2016 onward, competitions have been directed at 'an alternate pathway', that is, making a case for proposals that are technically prohibited by the planning scheme.

To an extent this was the case of 447 Collins Street, and also in the case of 118 City Road. To this end, competitions have been run in the public eye, which may be educational but also promotes a focus on marketing. This contrasts with Sydney's more confidential process.

The Government Architect has participated in private competitions, but we understand that Council and the Department have avoided any involvement in such competitions because they are likely to be the responsible or referral authority. The consequence was clear at 447 Collins Street where the winning design had to be substantially changed at planning permit stage. We understand 118 City Road is under development, but the competition proposal exhibited significant non-compliance with the planning scheme.

In both cases, the private competitions were relatively quick (under 6 months). Beulah employed a two-stage selection process with a broader EOI to efficiently shortlist, whereas CBUS was via limited invite. Even so the architects involved have, at their own discretion, invested in excess of likely prizes or honorariums. Guaranteeing a commission would be the most equitable outcome but this is challenging and uncommon.

Melbourne Planning Scheme Amendment C270 (23 Nov. 2016) introduced the option for a floor area uplift if the applicant undertook an endorsed design competition (generally according to Australian Institute of Architects guidelines). As with all other uplift options, the value of the uplift was tied to the cost of its provision. In this case the total cost of running the competition, including all administration and associated costs, with an anticipated range of \$1-2M. This has not proved of interest to any applicant to date, which may indicate a need to increase the incentive either in value or process terms. The Minister's Floor Area Uplift Guidelines sit outside of the Planning Scheme and can be updated as required to facilitate this.

## 5.0 Case Study Review

### 5.1 60 Martin Place, Sydney

Sydney is the prime user of design competitions so a focus on this jurisdiction has been undertaken.

Three case studies have been analysed and provide commentary on the following: overview, pre-competition, competition, post-competition, and key observations. These case studies have been chosen to demonstrate a varied context and also to demonstrate the differences in the process for consideration based on a central city application, a renewal area application and in Parramatta which has recently introduced design competitions to their Local Environmental Plan (LEP) (the Melbourne Planning Scheme equivalent).

A summary of the case studies are found within Section 5.1-5.3 inclusive, with the details of the project in Appendix D.

|                             |   |
|-----------------------------|---|
| Project                     | 60 Martin Place, Sydney   |
| Proponent                   | Investa   |
| Development Summary         | 33 storey commercial office building (44,599m <sup>2</sup> of floor area)           |
| Competition type            | Invited design alternatives process (City of Sydney)                                |
| Competition program         | Total 11.5 weeks<br>Initial 6 week working time<br>Additional information requested |
| Key planning issues         | Heritage, overshadowing, ESD  |
| Planning approval timeframe | Approximately 3 years. 2013-2016  |

#### Overview

The competitive design process for 60 Martin Place was completed in 2014, following Council endorsement and Gateway determination of a site-specific planning proposal to amend the Sydney LEP, accompanied by a site-specific DCP. The site is located at 58 - 60 Martin Place, Sydney and 197 Macquarie Street, in the centre of the Sydney CBD. The site contained a 28 storey commercial office building on 60 Martin Place, which breached the overshadowing controls protecting solar access to Martin Place. The site also contained St Stephen's Uniting Church, listed on the State Heritage Register. The church is predominately sandstone apart from a central spire. The design of the church can be described as inter-war Gothic style.

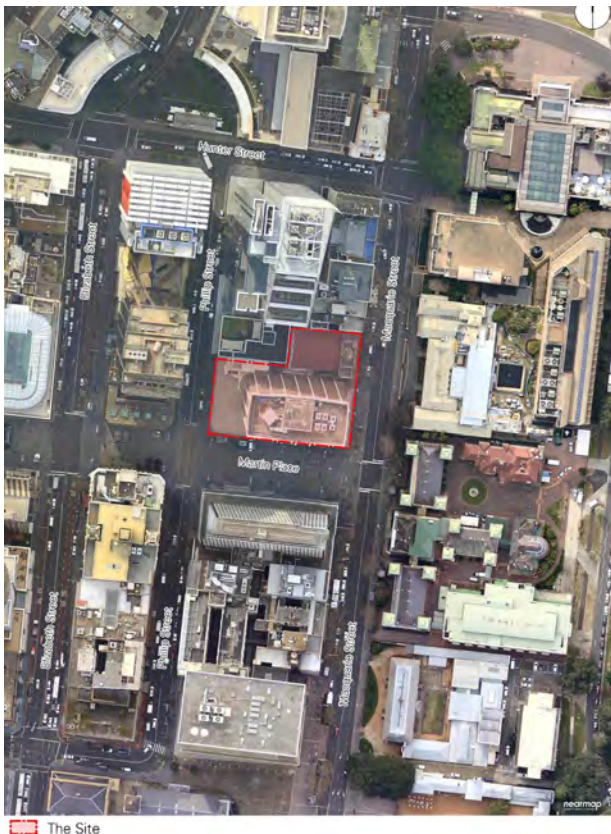


Figure 10. 60 Martin Place Site Plan



Figure 11. Winning Scheme by HASSELL. Perspective from corner of Macquarie Street & Martin Place

### Key Observations

This case study demonstrates the overall competition process for the Sydney CBD where an amendment to the planning controls is pursued. This case study also highlights the inclusion of international firms within the competition framework.

The fundamental observation of this competition is how the competitive framework can respond to significant heritage items and deliver alternative design options.

This case study saw a scenario where the selection panel were unable to reach a decision following the first round of presentations and therefore requested additional information from the top two entries. This shows how the competition program can extend where a jury or panel is unable to reach a decision.

## 5.2 One Sydney Park - 205-215 Euston Road, Alexandria

|                             |   |
|-----------------------------|---|
| Project                     | One Sydney Park   |
| Proponent                   | HPG   |
| Development Summary         | Eight mixed use buildings comprising a total of 390 residential apartments, ground level retail and community uses (43,573m <sup>2</sup> of floor area) |
| Competition type            | Invited design alternatives process (City of Sydney)  |
| Competition program         | Total 6 weeks<br>4 weeks working time<br>No additional information requested  |
| Key planning issues         | Landscaping, ESD, impact on existing trees, public views, residential amenity   |
| Planning approval timeframe | Ongoing. 2016-present   |



Figure 12. Aerial perspective of 205-215 Euston Rd, Alexandria

Source: Turf Design Studio

### Overview

The competitive design process for One Sydney Park was completed in 2017, following the approval of a Concept DA relating to the redevelopment of 205-215 Euston Road, Alexandria. The site is located on the boundary of Sydney Park, being a major regional park within the inner suburbs of Sydney. The broader area of Alexandria is undergoing a period of transition in development including the introduction of a mix of commercial, industrial and some residential uses. The site is surrounded by a diverse range of land uses with higher density residential to the north of Sydney Park, industrial/commercial uses to the east and lower density residential to the west in the areas of Enmore and Marrickville. The site's locational context is shown in Figure 12.



Figure 13. Competition winner Silverser Fuller + MHNDU and Sue Barnsley Design. Perspective from Euston Road



Figure 14. Competition winner Silverser Fuller + MHNDU and Sue Barnsley Design. Perspective from Sydney Park

### Key Observations

This competition demonstrated how the competition process can be employed on urban renewal sites not within the CBD area. The limitations of the competition process as observed through this project include:

- The volume of revisions of the competition brief required to achieve consent authority endorsement;
- The complexity of transitioning from a competition scheme to a detailed design for DA submission, demonstrated in the >6 month delay between competition and DA submission;
- The jury selected the scheme the same day as all presentations where there was a clear winner awarded in a timely manner;
- A competition-winning scheme alone is not justification to vary planning controls or the approved Concept DA. This places significant planning approval risk on the project where the competition winning scheme departs from the Concept DA.

The requirement for competitors to be a partnership of an architectural practice and a landscape designer shows that the make-up of competitors can be driven and adapted by the specific site characteristics. In this case, this partnership related to the consent authority's objectives to manage the interface of the site with Sydney Park but overall enriched the competition process and ensured that landscape design was an integral part of the architectural solution for the site.

### 5.3 3 Parramatta Square, Parramatta

|                             |   |
|-----------------------------|---|
| Project                     | 3 Parramatta Square, Parramatta   |
| Proponent                   | Parramatta City Council   |
| Development Summary         | 16 storey commercial office building  |
| Competition type            | Open Expressions of Interest followed by an Invited architectural design competition (City of Parramatta) |
| Competition program         | Total 16 weeks<br>8-10 weeks working time<br>Two firms shortlisted to provided additional information     |
| Key planning issues         | Public domain interface, planning compliance, urban design  |
| Planning approval timeframe | Approximately 2 years. 2016-2017  |

#### Overview

The competitive design process for 3 Parramatta Square was completed in 2016. The site sits within the Parramatta Square urban renewal precinct, comprising an entire 3-hectare city block located in the centre of the Parramatta CBD immediately adjacent to the main railway station and bus interchange. Parramatta City Council has worked over a period of more than a decade to acquire and amalgamate land to form the precinct alongside existing civic buildings including the Parramatta Town Hall and former council offices and library. Working alongside development partner Walker Corporation, the precinct is earmarked for a range of commercial, residential and civic buildings centred around a new public space to anchor the renewal of Sydney's Central City.

The location of the 3 Parramatta Square site's context within the future precinct is illustrated in Figure 15.

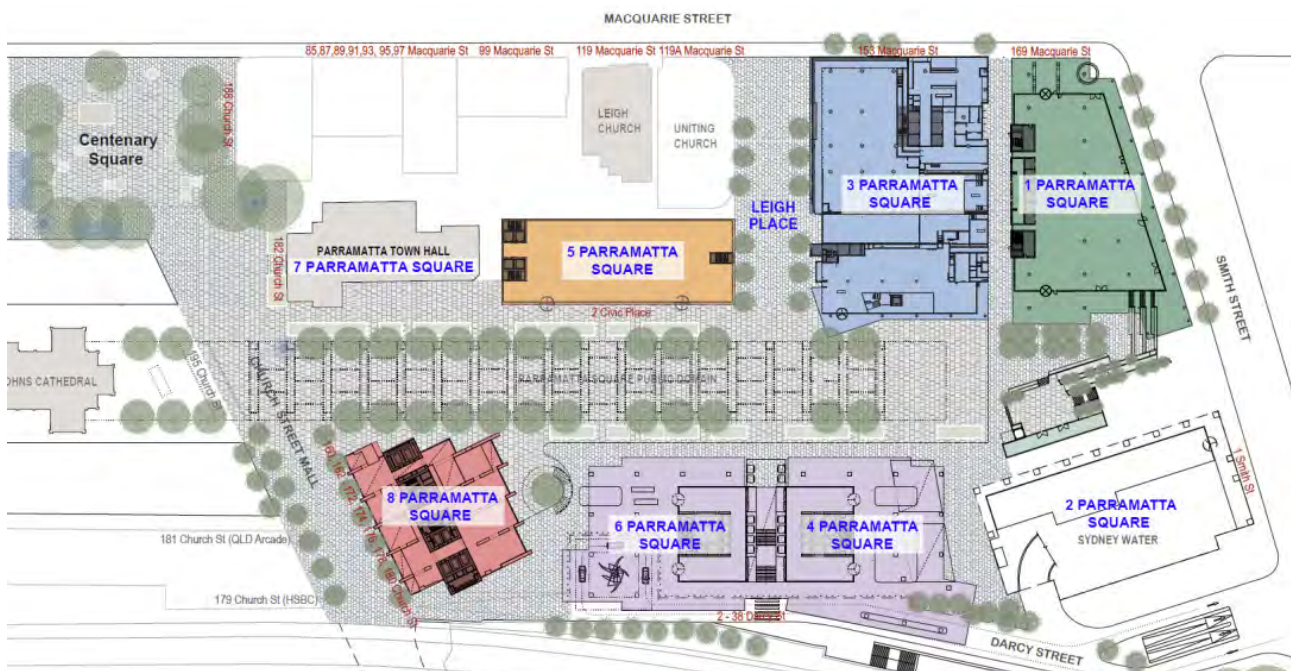


Figure 15. 3 Parramatta Square site context  
Source: Parramatta City Council



### Key Observations

Parramatta Square presents how a competition can be managed when the proponent is a public authority. The jury was also made up of public officials rather than independent industry experts, departing from the general jury composition of competitions within the City of Sydney. Notwithstanding the reduced number of competitors, the jury were still unable to reach a decision and elected to shortlist two competitors requesting further refinements.

Figure 16. Winning scheme Johnson Pilton Walker. Perspective from Maquarie Street  
Source: Parramatta City Council

## 5.4 Summary of Case Studies

Each of the case studies above are based on invited competitive process where the winner has been selected by a jury/selection panel. Although the context, objectives and timeframes of each process differ, the competition has been seen to deliver 'design excellence' that meets the objectives of the respective planning controls and the brief.

Both case studies within the City of Sydney demonstrate the length of the planning approval process for large or complex projects and the requirement for the two-stage planning approval with a competition in between. Although both City of Sydney case studies had a brief prepared in accordance with the Model Brief, the endorsement of the brief took some time and required numerous revisions. In comparison, the competition brief for 3 Parramatta Square was resolved quickly however it is noted that there were efficiencies gained due to a number of other competitions conducted for Parramatta Square at that time, with a number of design principles already agreed.

Each case study has a varying number of competitors, ranging from 3 to 6. Our view is that the results of the 3 Parramatta Square competition are not compromised by a smaller number of competitors. The number of competitors did not prevent the jury from short listing two competitors to request additional information from. Each case study includes a different make up of competitors. The 60 Martin Place example shows how showcase international architects are required to partner with a local firm through the competition process though notably an Australian architect still won the competition, where as One Sydney Park provides an example where a competitor can be a multi-disciplinary partnership in order to respond to the unique characteristics of the project.

The competition entries for each case study were evaluated by a jury/selection panel. This is

common practice, even within the City of Sydney design alternatives process which does not strictly require a panel to adjudicate. The composition of the jury in each case differed. Both City of Sydney examples involved juries where representatives of the proponent were included. In our view, the inclusion of proponent representatives on the jury does not compromise the integrity of the competitive process and in fact can bring alternative insight to the assessment of design excellence. In the case of 3 Parramatta Square, all jury members were employees of public authorities but these employees were not directly related to the assessment or determination of a future development application for the project.

## 6.0 Stakeholder Workshops

### 6.1 Government Agencies

A series of targeted meetings were conducted with key stakeholders. The sessions discussed Council's broader Design Excellence Strategy including:

- general advocacy,
- training and design awards programs,
- internal and external design review processes, and
- design competitions on significant site.

All of which provided an opportunity to understand Council's overarching piece of work and its relationship with this research around competitive design competitions.

There was also discussion regarding Council's Amendment C308 (Design Guide) and that has undergone independent review by Planning Panels Victoria and that this is seen as a complementary function of the broader agenda for Council.

A workshop was conducted with government agencies on 20 March 2019, including representatives from Department of Environment, Land, Water and Planning (DELWP), Office of the Victorian Government Architect (OVGA), Victorian Planning Authority (VPA), Creative Victoria (CV) and Development Victoria (DV).

*Reflection on design excellence:*

- Appreciated that good clients assist in the achievement of design excellence as they are committed to its eventuality.
- Supported the notion that the design competitions may assist in the involvement of emerging practices.
- Acknowledged that Design Quality Teams (DQTs) is more valued than the Victorian Design Review Process (VDRP) due to the detailed involvement throughout the process. The attributes should be captured in any potential design competition.

*Juries and Regulation:*

- There must be a clear framework established which provides clarity regarding various options for a design competition, the design brief, referral process to a design review panel, jury selection, selection of shortlisted entrants, and clear timeframes for decision making to ensure there is confidence in decision makers. The process should be tied to a particular process and form of engagement.
- Outlined the merit of having a jury having ongoing involvement in the matter for review, including post planning permit issue.
- The regulatory framework should provide for a clear framework for engagement, including where 'bonuses' are offered for additional yield and/or height.
- There was an indication of a preference to

## 6.2 Professional Institutes

utilise the existing panel members at OVGA with the administration of terms to clarify a design competition process.

- Acknowledged that the Planning Policy Framework (PPF) is not explicit about design excellence and it whether the planning schemes should acknowledge this in some way. It was noted that there was a draft architecture policy which did not make its way into the PPF.

### *Cost and Time:*

- The statutory process includes fairly tight timeframes currently and that the pursuit of a design competition needs to ensure this is appealing in order to ensure it is pursued.
- Clarification of the impacts of design competition on third party notice and review, including the proponent who can also challenge the outcomes of any decision made, particularly if it forms part of the statutory process.

### *Competition Depth/ Process:*

- Supported the notion that the design competitions may assist in the involvement of emerging practices.
- Noted that the process must be dynamic to respond to the evolving context, rather than only being focused on delivery.

A workshop was conducted with industry institutes on 20 March 2019, including representatives from Australian Institute of Architects (Victorian Chapter) (AIA), Planning Institute of Australia (Victoria) (PIA) and the Australian Institute of Landscape Architects (ALIA).

### *Reflection on design excellence:*

- Understood that the design excellence strategy is intended to lift the bar of design quality.
- Recommended that the design excellence strategy utilise Universities as advocates for design quality.
- Queried whether design excellence should be a State government led proposition (i.e. top-down approach).

### *Juries and Regulation:*

- Queried that if a design competition is mandated, how do you relate it to design excellence in a measurable way, which raises the issue of how design excellence is accounted for within the planning process.
- The jury selection including practicing architect is critical. The potential to expand the panel members at OVGA to include practicing architects would be useful.
- A clear framework and/or guidelines must be established to provide clarity regarding participants including international architects and small/medium practices.
- Noted the importance of clear guidance for jury selection should be made to also ensure this is consistently applied.
- Highlighted the importance of timing of involvement of a jury as the most substantial degree of influence is exercised through early intervention.
- Outcomes including ensuring that the qualities of the process are followed through the process, i.e. embedded in permit conditions.

## 6.3 Peak Industry Bodies

### *Cost and Time:*

- Noted the importance of the funding arrangements for the introduction of design competitions is critical, including an ability to draw upon independent experts.
- Acknowledged that potentially undertaking the strategic work upfront to limit third party appeal rights may be an incentive worth pursuing.
- Recommended including incentives to speed up the application process to ensure its utilised.
- Acknowledged that there is a timeframe risk to the design team as it is shifting their reimbursement.

### *Competition Depth/ Process:*

- The main advantage of a design review panel is to leverage better outcomes with the client.
- The quality of the design review process includes the quality of the report which accurately reflects the discussion of the review. Ensuring that the outcomes of the review are appropriately captured is very important including clarity of interpretation for other parties following review.
- Design competitions may require novation to occur prior to town planning approval, rather than after. Queried whether this imposes an unreasonable amount of detail required within a design competition where entrants may not be successful in being awarded the project.

A workshop was conducted with peak industry bodies on 21 March 2019, including representatives from Property Council of Australia (Victorian Division), Urban Development Institute of Australia (Victoria) (UDIA), and Victorian Planning and Environmental Law Association (VPELA).

### *Reflection on design excellence:*

- Queried whether design quality is an issue and whether design excellence policy is required. If the system is generating outcomes that are not satisfactory, does it require design excellence to be prescribed within the planning system.

### *Juries and Regulation:*

- Design excellence requires commitment on both sides (proponent and authority) and it should be tied to threshold processes, and provide clarity and certainty to all parties.
- If the design competition were imposed within the planning process there should be clarity of process including the degree (if any) of political decision making within the process which can undermine certainty.
- Raised the importance of consistency of officers administering the process.
- Raised concerns regarding Councillor intervention and what that means for certainty.
- Prefaced that a process of review should be in place.

### *Cost and Time:*

- Emphasises that time is critical to project cost and that any proposed design review process should be significantly lengthen current permit application timeframes.
- Consideration of the removal of third party notice and review should be explored to incentivise its uptake (if not mandated).

### *Competition Depth/ Process:*

- Design excellence if it is a process which sits outside the planning process, what occurs when there is a discrepancy between the 'winner' and the preferred outcome by the authority.

## 6.4 Independent Professionals - Design Competition Managers

Discussions were also held with independent design competition managers to understand from their perspective what the benefits and disbenefits of the process are.

Comments from Andrew Mackenzie- Citylab.com.au on 5 April 2019 were sought.

*Andrew Mackenzie has been a writer, curator, editor and publisher on art and architecture for over twenty years.*

*He is director of the architectural consultancy City Lab, which provides advice in relation to design competitions and other forms of competitive design services procurement.*

*He was the design competition manager for Flinders Street Station Design Competition in 2012-13.*

His comments include:

*Reflection on design excellence:*

- The mandatory Sydney process (for larger projects) is good at eliminating bad design but does not guarantee design excellence. One of the key contributors to excellent design outcomes is a fruitful relationship between client and architect and it has been this way throughout history. A mandatory competition process, by its nature, can have the effect of interrupting the open interaction and mutual learning that occurs between a good architect and long-standing and supportive client. A design excellence process should find ways to accommodate existing 'happy marriages' without inserting potentially unnecessary competitive processes, which are in any case, easily gamed.
- Andrew says that in an effective design competition "you are really getting a team not a design", naturally with enough evidence of the

team's ability to perform. Design development continues long after the competition has been settled. The structure and evaluation of a competition should evaluate process and ability to respond to a brief/engagement, more than a single design solution, noting that competition proposals undergo significant revision, post-competition.

- *Juries and Regulation:* "There's nothing more important than the jury" and Andrew tries to ensure there is one jury member 'outsider' to challenge established local thinking and relationships. He agrees utilising the existing vetted OVGA Panel as a base is a no-brainer. In terms of competition regulation (most notably as it relates to AIA endorsement, while valuable, if this becomes too onerous for the client, it will limit competition uptake. Competition guidelines and principles should be developed and established in full and genuine acknowledgement of the wider procurement, contracting and delivery environment, which is an increasing challenge to thorough, thoughtful design outcomes. Competitions must be viable within this existing ecology, and not imagined to be given special protective status by professional institutions.
- *Cost and Time:* The time and cost of a competition is not such an imposition as it may seem, because all projects should have a tight brief, involve fees and time for an architect to develop a concept and the competition generally provides a range of developed ideas for a similar overall cost. The aggregate billable hours contained within competitor submissions (only very partially recovered through fees and prizes), represent a significant and often under-costed investment in the ultimate design quality of the process.
- *Competition Depth:* It is inefficient to require 5 or 6 fully developed competition proposals supported by a team of technical advisors, and smaller firms find it challenging to meet the resourcing cost. Andrew believes a more open EOI process

with targeted deliverables, and eligibility criteria focussed on design quality as much as scale and capacity, can be used to short-list to as few as two competitors who prepare a well-paid, in-depth proposal. Competitions that require overly technical requirements (such as responding to a detailed building performance brief that specifies down to push-plates and GPOs) have the effect of removing attention from workshopping and resolving core design principles of a project, and instead rushing to a preferred design proposal, which is then extensively specified and costed.

Comments from Ross Clark- [whywhathow.com.au](http://whywhathow.com.au) on 8 April 2019 include:

*Ross Clark is the founder of WhyWhatHow who's experience extends across strategic level advice in business performance and leadership, process improvement, strategic and operational planning, systems implementation, people management, program delivery, succession planning and project and change management.*

*Ross has previously works for the Architect Institute of Australia and was the Victorian Chapter Manager and was the design competition manager for the 118 City Road Beulah Competition in 2017.*

His comments include:

*Reflection on design excellence:*

- Ross has had experience of the Sydney competition process in its early days and has worked for and with the AIA in Victoria including the drafting of their Competition Policy, Guidelines and Model Conditions.
- In terms of Sydney and a mandatory competition process, Ross is of the view that it can certainly achieve “designs that are less average”, but there

is limited proof that it has achieved true excellence in any consistent manner. There is a perception of a certain sameness of participants, which may be driven by the selection process and capacity to resource the significant commitment Sydney competition work entails.

- Ross sees one useful aspect of design competitions is a public exhibition or presentation of the outcomes, which not only offers a degree of transparency but also serves to positively promote design excellence and the value of robust investigation to a wider audience.
- *Juries and Regulation:* Ross agrees that utilising the existing vetted OVGA Panel could form a basis for a jury. However, he strongly supports the inclusion of at least one ‘top end’ or eminent practitioner jury member and / or an outsider not within the local circle. In terms of competition regulation, Ross noted in particular that there must be commitment to proceeding with the project through the ‘winning’ designers.
- *Competition Process:* Ross sees competitions as a way to test the waters and not a way to guarantee regulatory approvals. Therefore a ‘light touch’ outcome may be preferable to seeking a full-blown detailed and tested design proposal. However, participant selection based on capability alone, rather than the design ideas offered, excludes newcomers who may have fresh ideas. Ross noted the importance of assessing collaboration within teams, particularly in the case of multi-disciplinary groups. Also, an interim presentation to the jury part way through the process can efficiently channel the designers and avoid aborted work.

## 7.0 Summary of Findings

As seen through the case studies and stakeholder feedback presented in this report, design competitions encompass a range of objectives which are reflected in their varied format and outcomes. This section summarises the findings by discussing the different competition aspects and potential recommendations relevant to Melbourne.

### 7.1 Purpose of Competition

#### 7.1.1 Achieve Design Excellence (within Planning Scheme parameters)

Design competitions are seen as one way to achieve design excellence through independent testing of alternative ideas. The Sydney planning scheme (the LEP) does this by formally requiring a competitive design process in specified circumstances. However, even if a project has been through an endorsed design competition process it is not automatically deemed to have satisfied the 'design excellence' requirement until the final permit is approved (Stage 2 DA). The competition winner may not always satisfy other aspects of the planning scheme and a permit could still be refused (or conditionally approved) by the Responsible Authority. There is therefore no absolute certainty for the applicant and the winning design could be modified for other reasons (as happened in Melbourne with the unendorsed competition winner for 447 Collins Street).

#### 7.1.2 Enable Innovative Outcomes (alternative pathway to Planning Scheme)

Design competitions are also seen as a way to promote innovative design outcomes which are non-conforming with the planning scheme. As the Melbourne Planning Scheme now contains certain mandatory controls (particularly in relation to

yield, heights and setbacks), where an 'alternative pathway' to facilitate design solutions, which were not anticipated but which may be valid despite not meeting these fixed rules, could be pursued. The Sydney competition process sometimes encompasses this with a competition requiring a change to the Local Environmental Plan (equivalent to the planning scheme for the area). In Melbourne, the private competition of 447 Collins Street required a planning scheme amendment.

#### 7.1.3 Educational Process (Developer and Public)

Design competitions have a strong educational role potential where all involved are exposed to new ideas. They can include public exhibition as a required outcome (either physical or on-line), which also ensures a degree of transparency. Sydney is not known for this, but the Flinders Street Station design competition generated positive feedback with its 'public vote' and, despite its commercialisation, the 118 City Road presentation created a lot of interest and discussion. The AIA Design Competition Guidelines recommend public exhibition of the entries.

## 7.2 Status of Competition

### 7.2.1 Mandated

In order to assure consistent undertaking of competitions some form of mandated process is advisable. Central Sydney does this with a relatively low threshold for triggering a competition. In order for this to be a reasonable demand, at the same time Sydney offers an uplift in development yield or height to compensate. Sydney has also created a rigorous competition process to ensure a high degree of robustness and consistency in the outcomes as would be expected from a mandated process. Nevertheless, there is no guarantee of a permit issuing and the Sydney system relies on robust policy and sophisticated Council oversight.

### 7.2.2 Incentivised

Due to the resource costs associated with design competitions, some form of incentive is often warranted. Fast-tracking would be an incentive, but by its nature the competition process generally adds rather than lessens time invested. In Sydney, competitions can run up to a year because even though the competition itself may be limited to 4-6 months, prior negotiation of the brief and participating architects may take much longer. In contrast, the unendorsed Melbourne competitions were finalised in under 6 months. Therefore, a development yield incentive is a preferable mechanism, so long as it is measurable in an equitable manner. In Sydney, a development subject to a competitive design process may be allowed to exceed the maximum building height by up to 10% or may be allowed to increase in floor space by up to 10%, as well as a potential reduction of up to 1000m<sup>2</sup> in Heritage Floor Space (effectively an uplift or bonus of 1000m<sup>2</sup>). There is no particular logic for the 10% uplift, which may favour larger projects, bearing in mind not all competition costs are proportional to size.

The reintroduction of Floor Area Ratios in Central Melbourne with uplifts above an established base, allow yield incentives to be applied. Where there is no base yield (outside the Central City), the discussion centres on height bonuses which are problematic since height limits should have been set to support local amenity (shadowing, visual domination, contextual fit) and any relaxation calls them into question. Establishing the quantum of uplift requires careful consideration and review, to avoid arbitrary rewards. The Ministerial Guidelines for Floor Area Uplifts in Central Melbourne, place values on distinct uplifts based on their cost to the applicant, including design competitions. These guidelines sit outside the planning scheme and can be reviewed annually to further incentivise design competitions if desired.

### 7.2.3 Voluntary

When the applicant makes their own choice to undertake a design competition, less control and less reward may be appropriate. This involves cases where the applicant is genuinely seeking design alternatives for sound market reasons or where they are investing in justification material to support consideration of non-conforming proposals (an 'alternative pathway'). This is a common approach in Melbourne, though almost all Sydney competitions are formally framed. The voluntary competition sits outside of the planning scheme and is really 'background information', which is not to reduced its potential value.

## 7.3 Triggers of Competition

### 7.3.1 Project Size

The most common trigger for establishing the need for a design competition is project size. In Central Sydney, the triggers are comprehensive with all buildings over 55m height, on a site over 1,500m<sup>2</sup> (which require a Development Control Plan) or of a capital value over \$100M, requiring a competitive design process. Project value is more difficult to verify, so height or yield is more manageable. In Central Melbourne, the Floor Area Ratio (FAR) provides one possible trigger as the Planning Scheme generally considers projects with a FAR in excess of 18:1 are above the norm and require the provision of commensurate public benefits. FAR is a relatively appropriate measure of building impact as it measures the amount of building being accommodated on each square metre of site, with higher yields having potentially higher visual and amenity impacts.

### 7.3.2 Project Location

Size is not always the best measure of design impacts and project significance. Some sites are particularly sensitive due to their location, either because of their broad visibility or their special (often heritage) context. Central Sydney identifies sites requiring a specific Development Control Plan as needing a design competition and Parramatta does specify particular locations. In the Central Melbourne context, the planning scheme identifies Special Character Areas where development potential is controlled. Projects exceeding the preferred building height (where not mandatory) or the modified requirement (specified as a FAR) could be subject to a design competition.

### 7.3.3 Project Non-compliance

Where a project proposes aspects (especially yield, height or setbacks) that are not compliant with

the planning scheme, then a design competition is a useful path to test alternatives. Some design competitions in Sydney have led to the subsequent amendment of the Stage 1 Development Approval (generally setting the building envelope) to enable the winning design to proceed. In Melbourne the two recent private competitions reviewed, proposed envelopes which went beyond the planning scheme parameters. In the case of 447 Collins Street this resulted in a planning scheme amendment introducing an Incorporated Document effectively exempting the site from certain planning scheme requirements and locking in the specific project plans. A design competition could be a required prelude to any consideration of a planning scheme amendment, without guaranteeing its subsequent approval.

## 7.4 Timing of Competition

### 7.4.1 Prior to Application

Traditionally design competitions have sat outside of the planning scheme as one aspect which can inform the decision of the Responsible Authority. Legally there is doubt that the responsible authority (the Minister or Council as applicable) could delegate their decision-making powers to a jury which is neither elected nor part of the public service, even if they wanted to. To legitimise the competition jury, it could potentially be formally incorporated as a 'Recommending Referral Authority' whose views the Responsible Authority would have to consider without them being determining. This would also give the jury status if the competition outcome was challenged at the Tribunal.

In Melbourne competitions have been used informally as an up-front means of illustrating design alternatives and providing evidence to convince the Responsible Authority to support challenging planning decisions. Naturally such competitions are not determining and even if supported by the responsible authority's decision may be challenged by objectors with third party rights (limited in Central Melbourne), or if the responsible authority's approval is conditioned and the applicant seeks its review at the tribunal.

### 7.4.2 Between Envelope and Final Approval

To ensure greater certainty, the formal establishment of a maximum building envelope prior to the competition is utilised. In Sydney a two-stage development approval (DA) process has become almost universal to encompass this. The Stage One or Concept DA legally approves a building envelope which is then the subject of the design competition. This either limits the designers' room to move with a focus on internal layout and façade design, or may require a subsequent amendment of the Stage One DA permit to change the approved

envelope (potentially possible but time-consuming). The Victorian Planning Scheme currently lacks mechanisms to facilitate a two-stage approval except via the application of a development plan (under a Development Plan Overlay), which could be site specific. However, such two-stage processes are complex and can add substantially to the project approval timeframe.

## 7.5 Management of Competition

### 7.5.1 Brief Formulation

It is generally accepted that a good design outcome is facilitated by a good project brief. The Sydney competition process places considerable emphasis on a comprehensive brief, which is based on a tested template or model brief, with specific details then agreed between the applicant and the Responsible Authority. The model brief assures consistency and certainty of process for all parties. However, the brief preparation and approval can take months of negotiation. Apart from matters concerning the project program and site context, the brief should guarantee a robust administrative program.

The Australian Institute of Architects Competition Guidelines include comprehensive conditions that must be met to achieve AIA endorsement. These recent guidelines are not applied in Sydney and the complexity of the requirements has generally dissuaded applicants from seeking AIA endorsement elsewhere. If Melbourne were to embark on a formal competition program, a standardised competition briefing process including a model brief or brief types would have to be developed and tested.

### 7.5.2 Competition Manager

Any formalised design competition process demands a consistent competition framework, including negotiation of the brief and equitable management of the actual competition. This requires a preferably independent agency with adequate resourcing to take charge of competition management. In Sydney, much of the day-to-day competition management is handled by private consultants acting on behalf of and funded by the applicant. However, the City of Sydney also has a dedicated team of four staff in its Design Excellence Unit overseeing the competitions on their behalf, including review of the Stage One DA, negotiation of the brief, endorsing participants and jury, observing the competition without actively

participating (to avoid any conflicts with their subsequent responsible authority status) and providing final sign-off.

The Melbourne planning process is complicated by dual responsible authority status according to project size (with the Minister considering applications greater than 25,000m<sup>2</sup> GFA, although Council remains a Recommending Referral Authority). Therefore, a third party would be best placed to oversee competitions, even if the applicant's consultants undertook most of the background and administrative tasks. The Office of the Victorian Government Architect, who already manage the Victorian Design Review Panel has potential to oversee this process but would require agreement and adequate resourcing. If the OVGA is not a viable manager then a separate unit within Council, would need to be set up and funded. This unit might more generally manage Design Excellence, so long as it avoided direct involvement with statutory approvals.

### 7.5.3 Participant Selection

One of the aims of design excellence and a driver for the initial introduction of competitions in Sydney, is to provide opportunities for a wider range of designers to participate in what is an often-limited field of players. Sydney allows for open competitions, a limited EOI with short-listing or direct invites. In all cases there are generally 3-5 final participating teams. In practice, open competitions are rare and the applicant generally provides a list of architectural teams for short-listing by Council.

Commentary by competition advisors interviewed has emphasised the value of a two-stage participant selection, provided the initial short-listing is through an EOI process limited to outline ideas and/or basic details of team composition and capability. The work involved in preparing a full competition entry and the

quantum of competition fees (if realistically funded), suggests limiting subsequent design development to short-listed 3-5 participants. Alternatively, there may be merit in creating a pre-approved panel of interested competition participants who could even opt for particular project types and should include emerging practices. Short-listing could also be guided by a provision to include local and emerging practices, potentially in association with larger or international firms. The case studies in this report commonly include mixed teams who have effectively contributed new ideas.

The point has been made that a competition is as much about selecting an appropriate team as it is about selecting a specific design, particularly if, as in the current Melbourne context, the design will need to evolve through a full permit approval process. In fact, the point was made that competitions tend to divorce architects from a potentially positive interaction with their client if not managed in an interactive way with mid-competition feedback and workshops.

#### **7.5.4 Jury Selection and Advisors**

It is critical that the jury has the necessary skills to analyse and recommend on the competition entries. In Sydney, and according to project complexity, 4-6 jury members are nominated, half by the proponent and half by Council (except in the less formal "design alternative" process), with jury members to have proven design or construction expertise and to include a majority of registered architects.

In the case of Melbourne, it would seem sensible and efficient to draw from the existing government-endorsed list of design review panellists managed by the OVGA, even if their terms of engagement were modified.

A further point of interest is the use of specialist advisors to inform the jurors and give confidence to all parties that the winning entry is buildable within its proposed form and budget. Technical advisors are common in Sydney competitions, but come at a cost and are fuelling demands for more resolved architectural designs even at the early competition stage. Balancing the degree of detail required is crucial to an efficient competition process.

## 7.6 Cost of Competition

### 7.6.1 Applicant Costs

Design Competitions involve costs of three types, the prizes and/or honorarium for the participating architects, the administration fees including venue, jury and technical advisor costs and finally the less tangible but potentially significant cost of any extra time added to the approval process. In Sydney, all of these are borne by the applicant and in Melbourne any formalised competition process would assumedly also rely on applicant funding.

The AIA recommends that short-listed entrants be paid an honorarium (a payment made without recognising any obligation on the part of the giver) apart from the winner's prize. Typically, five teams would need to be paid between \$70-120,000 each to minimally cover their costs, so with prizes the total bill exceeds \$1M for a typical project Central City project. Though we have not seen documented costs, anecdotal Sydney experience indicates that competition administrative costs regularly exceed \$100,000 with a growing number of technical advisors on top of this. Additional holding costs on a large project can be hundreds of thousands of dollars per month (though it is hard to separate competition time from time spent in design development required without a competition).

All in all, total costs can exceed \$2M, which aligns with the reported 118 City Road direct costs of \$1.6M. Melbourne's current Ministerial Floor Area Uplift Guidelines foresee a bonus of between \$1-2M for holding an endorsed design competition but allow for documentation to justify the actual figure. If Sydney's 10% bonus were applied to a Melbourne proposal of say 40,000m<sup>2</sup> GFA and valuing the extra 10% of floor area (4,000m<sup>2</sup>) at a conservative 10% of Gross Realisation Value (according to the Uplift Guidelines), this would represent a bonus value of \$2M to \$3.6M. The range is due to variation in GRV across the city from \$5,000 to \$9,000/m<sup>2</sup> (that is: 4,000m<sup>2</sup> x 10% of \$5,000 = \$2M to 4,000m<sup>2</sup> x 10%

of \$9,000 = \$3.6M). It is therefore probable that the 10% bonus is more than sufficient to cover competition costs in the Melbourne case, even without adding the Heritage Floor Space discount common in Sydney.

### 7.6.2 Public Agency Costs

Any formalised competition process requires rigorous public oversight as in Sydney, even if all direct competition costs are passed on to the applicant. The cost of resourcing the City of Sydney's Design Excellence Unit, which oversees competitions there, is unknown but it is serviced by four professional staff. Any Melbourne competition overseer would require a commensurate budget, even if limited to Central City applications. Four staff with associated administrative costs could represent \$1M per annum, although, as noted above, the team might also perform broader Design Excellence promotion and reporting.

## 7.7 Guarantees Post Competition

### 7.7.1 Follow-up Review

The benefit of a design competition relies on maintaining the winning design qualities through the approval and implementation process. Follow-up design review can be incorporated into the process. The City of Sydney encompasses this through its 'design integrity' policy and panel. Parramatta does this via specific permit conditions. Ideally the same jury would undertake the follow-up reviews which could be prior to planning permit issue and again prior to building permit issue, as well as if any significant changes are proposed thereafter.

### 7.7.2 Incorporated Document

Planning permits for large projects routinely rely on significant permit conditions to be satisfied post permit issue with consequent variation in the building design. This introduces risk that conditions compliance is not robust (hence the above recommendation for follow-up review), but also the risk of the applicant varying or over-turning permit conditions through the Victorian Civil and Administrative Tribunal (the Tribunal).

One way to more tightly secure a particular design outcome with its set of plans is to introduce it as an Incorporated Document through a planning scheme amendment (in Victoria). An Incorporated Document cannot be challenged at the Tribunal by the applicant, but is difficult to change (requiring a further planning scheme amendment) which makes it inflexible for the applicant in a potentially changing market. It does allow for certain planning scheme controls to be 'turned off' (such as height or setbacks) therefore facilitating the 'alternative pathway' noted above. However, Incorporated Documents are not typical and are considered to be less transparent and threaten the integrity of the planning scheme.

### 7.7.3 Legal Agreement

If the competition design includes particular aspects, such as uses or architectural characteristics not normally controlled by the planning scheme, another option to provide more security of their implementation is the execution of a registered legal agreement between the applicant and the Responsible Authority, known as a Section 173 Agreement in Victoria. The agreement needs to be voluntary, but can include almost any aspect of the project, its timing and its continuing use or maintenance.

Both Incorporated Documents and legal agreements are quite heavy-handed measures to 'lock in' competition outcomes, with potentially adverse impacts on development flexibility, so should be applied sparingly and with care.

## 8.0 Recommended Implementation

### 8.1 Initial Scope

The formal introduction of design competitions to Melbourne should preferably be a staged learning process. The simplest place to start is the Capital City Zone (particularly the Hoddle Grid and Southbank). These central areas involve high development costs which justify expenditure on a design competition, but even more importantly they are areas with very limited third party notice and review (thus avoiding competition outcomes being challenged at the Tribunal). These Central City areas also have an established FAR and uplift system (to enable measurable incentivisation of design competitions). Competitive design processes might later be extended to other areas with more complex issues.

The number of short-listed competitors and the extent of their deliverables should be tailored as far as possible to avoid onerous competition costs. However, public funding limitations oblige most competition costs to be borne by the applicant (as in Sydney), hence the need for associated uplifts or offsets.

Public oversight would be necessary to ensure robustness and transparency and this should be independent of the two responsible authorities involved in permit approval (Council and DELWP). The logical basis for an overseeing agency, who already manage an endorsed list of potential jurors and technical advisors (through the Victorian Design Review Panel) is the OVGA. Naturally the OVGA's agreement and adequate resourcing would be required and it would be more robust if they were made a Recommending Referral Authority for the triggered applications. This agency would be the guarantor of a standardised competition brief and administrative process (including selection procedures) to assure consistency and certainty. There might also be a requirement for public exhibition of competition entries and determinations to facilitate education and transparency.

If the OVGA were not the overseeing agency, Council would need to set up and fund a specific unit of around four staff which might also manage Design Excellence matters more generally.

The Sydney two-stage approval with a competition occurring only after the development fundamentals (such as envelope) have been established, provides legal certainty but limits the scope for exploring more radical design outcomes.

Initially three design competition formats could be considered. As they are not mutually exclusive, they could function simultaneously under an overarching process as described above:

## 8.2 Mandated Competitions with Offsets

The Melbourne Planning Scheme, and in particular the Capital City Zone, which includes the FAR provisions, could be modified to add a requirement for an endorsed design competition for all applications in the general Design and Development Areas (DDO10) with a floor area ratio in excess of the base 18:1. That is, all applications seeking a floor area uplift and required to provide a commensurate public benefit must undertake a competitive design process. The associated Ministerial Guidelines 'How to calculate Floor Area Uplifts and Public Benefits' could be reviewed and reinforced to clarify and further support design competitions.

An additional provision could be added regarding the central city's Special Character Areas (DDO2, DDO40, DDO60 and DDO62) to require a design competition when any preferred maximum floor area ratio is to be exceeded. The design competition would effectively provide the Responsible Authority with guidance in the use of its discretion in approving additional yield above the preferred base, with independent reassurance that design excellence was being met.

To vary the Melbourne Planning Scheme to introduce a specific two-stage approval process with the aim of facilitating competitions around an agreed Stage 1 envelope is probably a complicating step. It might be pursued at some later date if it was decided that the envelope should be fixed prior to the competition (and bearing in mind the commentary in the previous section regarding its limitation on 'outside-the-box' proposals).

To extend the mandated competition process beyond the Central City would require variation to the planning scheme to clarify or introduce robust yield and uplift provisions other than height (which is not a good bonus due to its potential amenity impacts). These are easily introduced where the zoning is Capital City (CCZ) as the head of power

already includes appropriate provisions. Additionally, limitation of third party notice and review is advisable to avoid the overturning of competition-based approvals through the Tribunal.

### 8.3 Alternative Pathway Competitions

The Melbourne Planning Scheme for the Central City now includes mandatory provisions regarding street wall height and setbacks of upper levels to control inappropriate built form outcomes that were beginning to have a cumulative impact on both private and public realm amenity. Some stakeholders such as the Property Council of Australia, contend there are cases (due to specific site context) where some variation of mandatory controls may be appropriate.

Occasionally Incorporated Documents have been approved to enable these variations, but such planning scheme amendments are politically challenging and require strong justification. Requiring an endorsed design competition as a precursor to such applications may be a valid way of providing an 'alternative pathway', with all costs, potentially including those of the overseeing agency, to be covered by the applicant seeking the amendment.

### 8.4 Voluntary Competitions

While design excellence and competition provisions introduced into the planning scheme can secure robust design competitions, the Responsible Authority (Minister or Council) will likely always have the ultimate call in a democratic legal system. The competition overseeing agency (such as the OVGA) might be made a 'Recommending Referral Authority' to provide some legal weight to their advice, but design competitions will likely always entail a degree of good faith and discretionary consideration by the responsible authority.

Therefore, if the outcome is not 100% guaranteed by undertaking an endorsed competition, it is logical to accept that voluntary design competitions, which might not strictly follow the endorsed format, are a valid process which can be pursued outside of the planning scheme. As has been stated by a prominent competition advisor interviewed, a competition can validly choose a team rather than a fixed design and has its place in promoting design excellence.

## 8.5 Matters for Resolution to Limit Risk

In order for any competition process to achieve design excellence outcomes a clear and consistent framework must be addressed, including:

- Establishing and funding an overseeing unit or agency, particularly if the OVGA is not an alternative, noting that general administration can be organised and funded through applicants (as in Sydney).
- Ensuring competition briefs are robust and cover both design and process matters. Formulation of model briefs can assist but the independent overseeing agency remains critical.
- Couching the competition role correctly within the planning system to avoid both abuse and legal challenges. Generally speaking this limits applicability to areas with established yield and uplift provisions, as well as limitation on third party notice and review.
- Introducing a Design Excellence Policy into the Melbourne Planning Scheme via amendments to Local Policy such as Clause 22.01 (Urban Design Policy within the Capital City Zone) where the Competition Policy could be referenced as a background document. It is noted that you cannot reference a background document within a Design and Development Overlay as it does not conform with the Ministerial Direction Form and Content of Planning Schemes (dated 9 April 2017).
- Avoiding the use of competitions to undermine the planning scheme fundamentals. In particular any 'alternative pathway' process would need to be carefully prescribed.
- Appreciating the real cost to applicants, architects and the overseeing agency, to maintain a balance between improved outcomes and viability.
- Recognising issues early and reviewing. All new processes take time (Sydney is close to 20 years old), so review and reporting is crucial, as is persistence.

Table 6 – Recommended Suite of Competition Options

|                       | Purpose  | Initial Trigger  | Management*   | Funding           | Status  |
|-----------------------|--|--|---|-------------------|---|
| Mandated with Offsets | To ensure design excellent for significant applications            | Proposals > FAR 18:1 in DDO10 areas of Central City                      | Oversight & Jury: Expanded OVGA/VDRP Panel as Recommending Referral Authority   | Government funded | Competition will consider appropriate public benefits/uplifts as well as design excellence. |
|                       |  |  | Participants; EOI from endorsed list; shortlisted for design development by 3-5 (including emerging practices)                    | Applicant funded  |   |
|                       |  | Proposals > Discretionary FAR in Special Character Areas in Central City | Oversight & Jury: Expanded OVGA/VDRP Panel as Recommending Referral Authority   | Government funded | Formal recommendation to RA   |
|                       |  |  | Participants; EOI from endorsed list; shortlisted for design development by 3-5 (including emerging practices)                    | Applicant funded  |   |
| Alternative           | To support a request for a site specific planning scheme amendment | Proposals non-compliant with mandatory built form provisions             | Oversight & Jury: Expanded OVGA/VDRP Panel with informal advice<br>Participants: 3-5 agreed from endorsed list (applicant and RA) | Applicant funded  | Further information for RA, but not binding on RA decision                                  |
| Voluntary             | To consider alternative ideas                                      | Applicant interest   | Oversight & Jury: Applicant sourced<br>Participants: 3-5 selected by applicant  | Applicant funded  | No official weight  |

\* Venue, Administration, Technical Advisors funded by applicant

NOTE: Comparative details of competition process are summarised in Section 7.0.

## Appendix A: Literature Review List of Resources

- *City of Sydney Competitive Design Policy (2013)*

[http://www.cityofsydney.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0004/128065/Competitive-design-policy-adopted-09-December-2013.pdf](http://www.cityofsydney.nsw.gov.au/__data/assets/pdf_file/0004/128065/Competitive-design-policy-adopted-09-December-2013.pdf)

- *Design Competitions and the "Design Dividend" in Central Sydney, Professor Robert Freestone (UNSW), Ms Sarah Baker (UNSW), Dr Gethin Davison (UNSW), and Dr Richard Hu (UC) (2017)*

<http://sustainability.asn.au/blog/competitive-design-central-sydney/>

- *The Regulation of Design Excellence: Design Competitions in Sydney, Professor Robert Freestone (UNSW), Ms Sarah Baker (UNSW), Dr Gethin Davison (UNSW), and Dr Richard Hu (UC) (2015)*

<http://apo.org.au/system/files/63238/apo-nid63238-50261.pdf>

- *The impacts of mandatory design competitions on urban design quality in Sydney, Australia, Dr Gethin Davison, Professor Robert Freestone, Dr Richard Hu & Ms Sarah Baker (2017)*

<https://www.be.unsw.edu.au/sites/default/files/upload/research/programs/The-impacts-of-mandatory-design-competitions-on-urban-design-quality-in-Sydney-Australia.pdf>

- *Thou Shalt Have a Design Competition, the benefits of design excellence policy in Sydney, Helen Day (2016)*

<http://archvicmag.com.au/2016-spring/thou-shalt-design-competition/>

- *The Role of Design Competitions in Shaping Sydney's Public Realm (2017)*

<http://global.ctbuh.org/resources/papers/download/3410-the-role-of-design-competitions-in-shaping-sydneys-public-realm.pdf>

- *Symposium: Design Excellence, Competitiveness and Global Sydney, UNSW, JBA, NSW Government & NSW ARB (2016)*

[http://ga200plus.org/library/event/document/final\\_sml\\_161026\\_primer\\_\\_unsw\\_design\\_excellence\\_symposium.pdf](http://ga200plus.org/library/event/document/final_sml_161026_primer__unsw_design_excellence_symposium.pdf)

## Appendix B: Model Brief City of Sydney

**CITY OF SYDNEY**

**MODEL COMPETITIVE DESIGN PROCESS BRIEF**

August 2012

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## INTRODUCTION

### Introduction:

*Sydney Competitive Design Policy 2012* makes reference to the City's Model Competitive Design Process Brief, developed in consultation with the Australian Institute of Architects (AIA). This document is the Model Competitive Design Process Brief. To facilitate the use of the Model Competitive Design Process Brief, this document has been drafted with a number of options regarding text and prompts to help guide the developer in preparing a complete Competitive Processes brief, for any form of design competition envisaged by the City of Sydney Competitive Design Policy 2012.

### Options:

Options for appropriate text are provided depending on whether it is intended to undertake:

- an architectural design competition; or
- preparation of competitive design alternatives; or
- an open competition; or
- an invited competition.

Where these options occur, they are shown in *italics and red*. One alternative should be deleted, ie: *open OR invited* to leave the relevant alternative.

Note that juries are not required as part of the competitive design alternatives process, therefore reference to juries has been shown in *italics and red* because it should be deleted when a competitive design alternatives process is undertaken.

### Text:

This pro forma also includes sections where details relevant to the particular competition site are to be inserted. These locations are indicated by instructive text in parenthesis and highlighted in blue, ie: (name).

### Instructions and notations:

The intention of these instructions and other notations throughout the pro forma is to assist the developer in completing the brief. The instructions are not to form a part of the completed brief. The electronic version of the brief (provided as part of this package) does not include the instructions and notations, but does include the text options and prompts.



## 1.0 GENERAL INFORMATION

- 1.1** The purpose of this *Architectural Design Competition OR Competitive Design Alternatives Process* is to select the highest quality architectural and urban design solution for the development of (name and address of the site).

- 1.2** ***Invited competition***  
(Name) is the developer of this Architectural Design Competition or Competitive Design Alternatives Process and has invited (number of competitors) architectural firms to prepare design proposals for the site. The developer is the owner of the site or a person acting on behalf of the owners of the site.

OR

- 1.2** ***Open competition***  
(Name) is the developer of this Architectural Design Competition. It is an 'open' competition which has been publicly notified by calling for 'expressions of interest'. All qualified respondents are invited to participate. The developer is the owner of the site or acting on behalf of the owner of the site.

- 1.3** The City of Sydney has reviewed this brief and has recommended this *Architectural Design Competition or Competitive Design Alternatives Process* on (date).

- 1.4** This *Architectural Design Competition or Competitive Design Alternatives Process* was notified to the Australian Institute of Architects (AIA) on (date) for its information.

- 1.5** The competitive design process will not fetter the discretion of the Consent Authority since the Consent Authority will not form part of the judging process

An '**Invited**' Architectural Design Competition or Competitive Design Alternatives Process will be between the architectural practices selected by the developer.

A minimum of **five** competitors must submit entries for the Architectural Design Competition to be valid

A minimum of **three** competitors must submit entries for the Competitive Design Alternatives Process to be valid

An '**Open**' competition is where the developer publicly notifies the architectural design competition and requests expressions of interest. When held, 'open' architectural design competitions are to be initiated by a call for expressions of interest, notified in the local and national press. The call for expressions of interest shall describe the form and purpose of the architectural design competition; state any prizes to be awarded and the minimum submission requirement for a valid expression of interest.

## 2.0 SITE DESCRIPTION

### 2.1 Site details

- 2.1.1 (Site location and orientation)
- 2.1.2 (Site area)
- 2.1.3 (Site context)
- 2.1.4 (Site history) etc.

**Note:** This section should discuss issues such as site location (ie: street address, site boundaries), its area and boundary dimensions and context i.e. Adjoining land developments on site and in the vicinity, etc. A location plan and site plan should be included.

**Note:** The developer may organise a site visit for each entrant.

### 2.2 Specialist site characteristics

- 2.2.1 (Heritage items)
- 2.2.2 (Other matters) etc.

**Note:** This section should refer to any other relevant matters relating to the site that are not covered in 2.1 or 2.3 eg. heritage items, building elements to be retained, flooding etc.

### 2.3 Site ground conditions

- 2.3.1 (List)

**Note:** This section should address contours, gradient, any contamination, fill present, etc.

|   |   |
|---|---|
| <p><b>3.0 EXISTING DEVELOPMENT APPLICATIONS</b></p> <p><b>3.1 Relevant existing approvals relating to the site</b><br/>(Approval descriptions, including: the development application number; and the date of approval)</p> <p><b>3.2 Relevant existing approvals relating to adjoining and or nearby sites</b><br/>(As above)</p> <p><b>3.3 Relevant development applications lodged but not yet determined for the site and adjoining nearby sites</b><br/>(As above and including the status of the subject application)</p> <p><b>3.4 Any other relevant information</b><br/>(List any further relevant issues not already covered in the brief so far)</p> | <p><b>Note:</b> All relevant and current approvals for the subject site and for adjoining and/or nearby sites. In particular this section must refer to the Stage 1 development application approval which establishes the Design Excellence Strategy for the Stage 2 design (unless this is established via a site specific DCP – see section 4.1) These are to be attached to the brief as an appendix.</p> <p><b>Note:</b> Information regarding approvals may be obtained by contacting the City's CBD Service Centre on 9265 9333.</p> |
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## 4.0 OBJECTIVES FOR THE PROPOSAL

### 4.1 Design objectives

The design objectives for this *Architectural Design Competition or Competitive Design Alternatives Process* are to:

**4.1.1** Stimulate imaginative architectural and urban design proposals that achieve design excellence as defined in Clause 6.21(4) of the *Sydney Local Environmental Plan 2012*.

**4.1.2** Respond to the approved Design Excellence Strategy which forms part of the *site-specific DCP OR approved concepts stage development application (Stage 1 development application)*.

**4.1.3** (Specific design objectives for the site);

### 4.2 Planning objectives

The planning objectives for this *Architectural Design Competition or Competitive Design Alternatives Process* are that the proposal should:

**4.2.1** Comply with the statutory framework of:-

- *Sydney Local Environmental Plan 2012 OR (relevant Local Environmental Plan)*
- *Sydney Development Control Plan 2012 OR (relevant Development Control Plans)*, and
- Relevant City of Sydney and applicable State plans and policies;

These documents can be viewed on the City of Sydney website at:

[www.cityofsydney.nsw.gov.au](http://www.cityofsydney.nsw.gov.au)

**4.2.2** Any instances of non compliance must be justified against the objectives and strategic direction of the controls.

**4.2.3** (Specific planning objectives for the site)

**4.2.4** Complement the City of Sydney's:-

- street improvement programme
- public domain improvements
- local safety strategy initiatives, and
- traffic initiatives.

**Note:** Specific design objectives relating to the site should be mentioned in this section of the brief.

**Note:** The endorsed Design Strategy will define:

- the location and extent of each competitive design process;
- how architectural design variety is to be achieved across large sites; and
- options for distributing any additional floorspace which may be granted by the Consent Authority for demonstrating design excellence through a competitive design process.

The endorsed Design Excellence Strategy must be provided to entrants with the brief.

**Note:** The developer should also provide competitors with a Council – approved conservation management plan (cmp) for sites that include a heritage item. This part of the brief should require competitors to have due regard to the conservation guidelines within that cmp.

**Note:** Specific planning objectives relating to the site should be mentioned in this section of the brief.

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| <p><b>4.3 Commercial objectives</b><br/> The commercial objectives for this <i>Architectural Design Competition or Competitive Design Alternatives Process</i> are:</p> <p><b>4.3.1</b> (Gross floor area, and or net lettable area, FSR, floor plate, uses and percentage of each use;</p> <p><b>4.3.2</b> Market research;</p> <p><b>4.3.3</b> Configuration requirements;</p> <p><b>4.3.4</b> Plant;</p> <p><b>4.3.5</b> Detailed accommodation areas;</p> <p><b>4.3.6</b> Parking;</p> <p><b>4.3.7</b> Servicing;</p> <p><b>4.3.8</b> Access;</p> <p><b>4.3.9</b> Estimated project budget and construction costs;</p> <p><b>4.3.10</b> Construction methodology; and</p> <p><b>4.3.11</b> Other objectives, if any, nominated by the developer).</p> | <p><b>Note:</b> Commercial objectives should include all the developer's requirements for the site. The adjoining headings are indicative only.</p> |
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## 5.0 COMPETITION PROCEDURES

### 5.1 *Architectural Design Competition OR Competitive Design Alternatives Process* entry

5.1.1 This *Architectural Design Competition OR Competitive Design Alternatives Process* is an *invited OR open* competition.

5.1.2 Each competitor in this *Architectural Design Competition OR Competitive Design Alternatives Process* must be a person, corporation or firm registered as an architect in accordance with the *NSW Architects Act 2003* or, in the case of interstate or overseas competitors, eligible for registration.

### 5.2 *Architectural Design Competition OR Competitive Design Alternatives Process* Brief

This brief sets out:

- the basis for participation; and
- the responsibilities of the developer and the duties of the jury, in accordance with the Design Excellence provisions of *Sydney Local Environmental Plan 2012*, *Sydney Development Control Plan 2012* and the *City of Sydney Competitive Design Policy*.

### 5.3 *Competitive design alternatives: Impartial observer*

5.3.1 *This competitive design alternatives process will be overseen by an impartial observer appointed by the City of Sydney.*

**OR**

### 5.3 *Architectural design competition: the competition jury*

5.3.1 *The competition jury comprises between four (4) and six (6) jurors, half of whom will be selected by the consent authority (at least one (1) of those must be a representative of the consent authority's Design Advisory Panel) and half selected by the developer. The developer will supply the Consent Authority with his preferred juror list and the consent authority will contact them directly for appointment;*

#### **Competitive Design Alternatives:**

The Competitive design alternatives process requires an impartial observer nominated by the City. The impartial observer is to be present at:

- the briefing of the competitors;
- any further information briefings;
- the submission of the entries;
- and
- jury discussions.

All information and responses sent to the competitors and jurors are also to be copied to this observer.

**Note:** Architectural Design Competitions require a jury comprising specific nominees. The composition of the jury should represent the public interest, be appropriate to the type of development proposed and include persons who have expertise and experience in the design and construction professions and industry, including a majority of

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| <p>5.3.2 <i>The nominees of the City of Sydney are: (list nominees);</i></p> <p>5.3.3 <i>The nominee/s of the developer are: (list nominee/s);</i></p> <p>5.3.4 <i>The jury chair is: (list nominee);</i></p> <p>5.3.5 <i>If one of the above jurors has to withdraw prior to the completion of the competition process, another juror of equivalent credentials will be appointed by whoever originally appointed that juror.</i></p> <p><b>5.4 Architectural design competition: <i>Juror's obligations</i></b></p> <p><i>In accepting a position on the jury, jurors agree to:</i></p> <ul style="list-style-type: none"> <li><i>- have no contact with any of the competitors or developer in relation to the site and the Architectural Design Competition from their time of appointment until the completion of the process other than during presentations of the submissions;</i></li> <li><i>- evaluate entries promptly in accordance with the timetable;</i></li> <li><i>- abide by the requirements of the Architectural Design Competition brief</i></li> <li><i>- consider advice provided by the consent authority</i></li> <li><i>- refrain from introducing irrelevant considerations in addition to, or contrary to those described in the Architectural Design Competition brief, or contrary to the statutory framework;</i></li> <li><i>- make every effort to arrive at a consensus in the selection of a winner;</i></li> <li><i>- submit a report explaining their decisions</i></li> <li><i>- sign a statement confirming they have read and understood the juror's obligations and agree to respect those obligations for the duration of the Architectural Design Competition (Refer to Attachment (insert number): Letter for the appointment of juror.)</i></li> </ul> <p><b>5.5 Architectural design competition: <i>Developer's obligations</i></b></p> <ul style="list-style-type: none"> <li><i>- The developer agrees to have no contact with the jury members or elected Councillors in relation to the site and the Architectural Design Competition from their time of appointment until the completion of the process;</i></li> </ul> | <p>registered architects with urban design expertise.</p> <p>The Jury must select a jury Chair.</p> <p>The primary function of the Chair is to ensure that the jury's deliberations proceed in a fair and orderly manner.</p> <p>After a winner is selected, the Chair supervises the writing of the jury report.</p> <p><b>Note:</b> If deemed necessary by jury</p> |
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*- If the Consent Authority is informed by a juror that they have been contacted by the developer or a competitor in relation to the site or the Architectural Design Competition, then the process may be terminated.*

## **5.6 Architectural design competition: Technical assistance**

5.6.1 The jury may seek independent technical assistance, if required.

5.6.2 The technical advisers will:

- be strictly limited to only providing technical advice to the jury; and

## **5.7 Communications and questions**

5.7.1 Competitors should not communicate verbally regarding clarification of the *Architectural Design Competition OR Competitive Design Alternatives Process*, with:

- the developer;
- *jurors; or*
- *technical adviser(s).*

5.7.2 Competitors should submit any questions in writing to the developer in accordance with the Competition procedures.

5.7.3 Questions should be sent to the developer no later than *14 days OR (date)* before the close of the *Architectural Design Competition or Competitive Design Alternatives Process*

5.7.4 Answers to these questions will be compiled and sent to all competitors without revealing the source of the questions.

## **5.8 Closing date for submissions**

5.8.1 Submissions must be lodged with the developer not later than *(time and date)*.

5.8.2 It is the sole responsibility of the competitor to ensure actual delivery to the developer by the deadline.

## **5.9 Lodgement of submissions**

5.9.1 Competitors shall lodge their submissions in a sealed package, to the developer, at the following address *(address)*.

members, consultation with technical experts such as engineers, etc., is acceptable, to ascertain the 'buildability' of entries. .

**Note: Developers** should allow a minimum of 28 days for the preparation of Architectural Design Competition or Competitive Design Alternatives Process entries. A longer period is generally preferred.

### **Architectural Design Competitions**

The consent authority will convene the presentation of entries as soon as possible following the lodgement date. However, the consent authority will allow a minimum of 7 days from lodgement of entries until the presentation of the entries, so as to allow the jury to familiarise themselves with the entries

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| <p>5.9.2 The package should be labeled (state the proposed development)<br/><i>Architectural Design Competition OR Competitive Design Alternatives process.</i></p> <p>5.9.3 The Council Officer nominated as the project manager by the Consent Authority must be present when the submissions are opened.</p> <p><i>5.9.4 In an Architectural Design Competition, those additional materials received which exceed the submission requirements will not be considered by the jury</i></p> <p><b>5.10 Disqualification</b></p> <p>5.10.1 Submissions that fail to meet a significant number of the competition procedures may be disqualified, in particular, where:</p> <ul style="list-style-type: none"> <li>- the submission is received after the lodgment time and date;</li> <li>- the submission is contrary to the objectives of the City of Sydney planning controls;</li> <li>- the submission is not submitted in accordance with the submission requirements, as stated by the developer in the brief; and or</li> <li>- <i>in an Architectural design competition a competitor attempts to influence the decision of the jury.</i></li> </ul> <p>5.10.2 <i>In an Architectural design competition The Jury will determine any disqualifications.</i></p> <p><b>5.11 Architectural design competition: Jury assessment and decision</b></p> <p><i>5.11.1 A minimum of five competitive submissions are to be considered</i></p> <p><i>5.11.2 A copy of the submissions will be distributed to the sub-committee members at least one week prior to the convened sub-committee meeting, a site inspection will be carried out for them, and the consent authority will provide a summary of planning compliance.</i></p> | <p>The consent authority will provide administrative and secretarial services for the recording of the jury proceedings and co-ordinate preparation of the Architectural Design Competition Report.</p> <p><b>Note:</b> The presentation of entries should be a formal gathering where there is strict protocol. The entrants will not question or enter conversation with the jurors unless specifically requested by a juror.</p> <p><b>Note:</b> Grading means first, second, third, etc.</p> <p><b>Note:</b> Redesigns must also be re-costed by the proponent's chosen quantity surveyor.</p> <p>The consent authority will co-ordinate preparation of the Architectural Design Competition Report.</p> |
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| <p>5.11.3 <i>The competitors must present their entry to the jury in person. The presentation must be no longer than 30 minutes followed by questions from the jury.</i></p> <p>5.11.4 <i>Each competitor's submission may be graded by the jury according to the criteria in Attachment (insert number) to this brief.</i></p> <p>5.11.5 <i>If, in the jury's opinion a better design could be attained by the top two entrants, then the jury list the design issues of the schemes and request that entrants redesign their entry. Competitors must represent the entry within 21 days of the initial presentation. Upon completion of the second presentation to the jury, the jury will rank the competition submissions (first and second).</i></p> <p>5.11.6 <i>The jury is expected to reach a decision on whether to request a redesign within 14 days and will submit a jury report (referred to as the Architectural Design Competition Report) to the developer, within 14 days of its decision.</i></p> <p>5.11.7 <i>The jury's decision will be via a majority vote. Unanimous agreement is not required.</i></p> <p>5.11.8 <i>The jury's decision will not fetter the discretion of the consent authority in the determination of any subsequent development application.</i></p> <p>5.11.9 <i>The jury may grade the designs in order of merit. They may recommend that none of the entries exhibit design excellence and thus end the Architectural Design Competition.</i></p> <p>OR</p> <p><b>5.11 Competitive Design Alternatives Process : Assessment and decision</b></p> <p>5.11.10 <i>A minimum of three competitive submissions are to be considered</i></p> <p>5.11.11 <i>A copy of the submissions will be provided to the Consent Authority at least one week prior to the convened presentation of alternatives.</i></p> <p>5.11.12 <i>The competitors must present their entry in person. The presentation must be no longer than 15mins followed by questions.</i></p> | <p>Insert relevant control documents and clauses if those listed have not been adopted.</p> <p><b>Note:</b> The winning architect is the 'master architect'</p> |
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5.11.13 *Each competitor's submission may be graded according to the criteria in Attachment (insert number) to this brief.*

5.11.14 *If, in the opinion of the developer a better design could be attained by the top two entrants, then a list of the design issues of the schemes will be compiled and those entrants will be requested to redesign their entry. Competitors must represent the entry within 21 days of the initial presentation. Upon completion of the second presentation, the developer will rank the competition submissions (first and second)*

5.11.15 *A decision on whether to request a redesign will be made within 14 days. A report (referred to as the Competitive Design Alternatives Report) will be submitted to the Consent Authority prior to the submission of the relevant development plan application or development application.*

5.11.16 *The decision will not fetter the discretion of the consent authority in the determination of any subsequent development application.*

## 5.12 Appointment of the architect of the preferred proposal

5.12.1 The developer shall appoint the architect of the winning entry as selected *by the jury*. Full design and documentation of the winning proposal should then occur. The architectural commission is expected to include:

- preparation of a DA;
- preparation of the design drawings for a construction certificate;
- preparation of the design drawings for the contract documentation; and
- continuity during the construction phases through to the completion of the project;

for the preferred design to ensure at design continuity and excellence of the winning proposal are maintained

The winning architect is expected to be appointed by (insert date).

An indicative program for construction is as follows (insert program).

**Note:** To ensure that all participants are paid in a timely manner, the City of Sydney prefers that fees should be lodged in trust with the AIA before the brief is endorsed by the Consent Authority.

**Note:** Open competitions will not pay a competition fee, but award prize money only.

The winning architect may work in conjunction with other architectural practices but must retain control over design decisions.

- 5.12.2 In the event that the developer decides not to proceed with the architect of the winning entry, or the developer limits the architectural commission outlined above in Item 5.10.1, the developer will:
- provide the Consent Authority with written reasons for this decision; and
  - *restart the Architectural Design Competition OR restart the Competitive Design Alternatives Process.*

### **5.13 Announcement**

- 5.13.1 *The Architectural Design Competition OR Competitive Design Alternatives Process* results will be made public within 21 days of the appointment of the winning competitor.
- 5.13.2 The developer will advise competitors in writing of the decision.

### **5.14 Care of material and insurance**

- 5.14.1 It is each competitor's responsibility to wrap, ship, mail or deliver by other means, their submission, ensuring timely and intact arrival. The developer disclaims any responsibility for any loss or damage during transit.
- 5.14.2 No liability shall be attached to the developer regarding the submissions, whilst in the possession of the developer. All reasonable care shall be taken to maintain the submissions in good condition, but a limited amount of 'wear and tear' is inevitable. Competitors are advised to make copies of their submissions, so as to retain a copy of their work.
- 5.14.3 Responsibility for insuring submissions rests solely with competitors.

### **5.15 Competition fee**

- 5.15.1 A competition fee of (amount) shall be

paid to each competitor for participating in this *invited Architectural Design Competition OR Competitive Design Alternatives Process*. Prize money of (amounts for first, second and third) shall be paid to the winners of the *Architectural Design Competition or competitive design alternatives process*. All competition fees and/or prizes are to be lodged in trust with the Australian Institute of Architects (AIA) prior to the competition date unless an alternative arrangement to guarantee fee payment has been negotiated between the competitors and the developer.

- 5.15.2 Upon receipt of evidence that a comprehensive competition submission has been lodged, the AIA shall release the agreed fee to the competitor. Upon receipt of evidence of the final grading of the competitors, the AIA shall release the agreed prizes to the respective competitors.

## **5.16 Return of documents**

- 5.16.1 The developer retains the right to hold submissions for a period of up to six (6) months from the closing date of the *Architectural Design Competition OR Competitive Design Alternatives Process*. The developer shall retain the winning submission(s). Other submissions shall be returned to the owner(s).
- 5.16.2 Competitors shall be notified by letter of the date on which submissions will become available for collection.

## 6.0 PRESENTATION MATERIAL – SUBMISSION REQUIREMENTS

### Presentation material for competitor's submissions

The submission must be clear and concise, with a preference for design information over graphic presentation.

#### 6.1 Drawings and graphics

6.1.1 Each competitor's submission shall generally consist of:

- Local context sketch plan (1:5000);
- Streetscape elevations (1:500 or 1:200)
- Aerial photograph (1:1000 or 1:2000)
- Existing site plan (1:500)
- Analysis (1:500)
- Sketch concept plan (1:500). On larger sites this must locate new streets, public domain improvements, building form and massing
- Ground floor plan including the relationship to the public domain
- typical plans, elevations and sections including a typical parking floor (1:500 or 1:200);
- 3-D massing or modulation study;
- 2 no. computer or hand-generated perspective(s) or photomontage(s) of the proposal; and
- A materials or image board.

6.1.2 The above material should be presented on a maximum of five (5) presentation panels, A1 in size, mounted on 5mm foam board and laminated. In addition, ten (10) bound A3 sized copies of the board should be provided.

6.1.3 Where proposals include alterations and additions to existing buildings, an additional copy of the existing floor plan and existing street elevations must be provided on trace at the scale

**Note:** Names of competitors are to be clearly visible on entries.

**Note:** The number, size, scale, and type of drawings must be specified and kept to a reasonable minimum. In general, scales should be set as small as possible as a guide to competitors of the level of detail that is expected, whilst remaining consistent with the objectives and design intent of the competition.

**Note:** Each plan, elevation and section is to include at least three properties on each side of the site or 50m in each direction, whichever is the lesser. Sections cutting through the front and rear boundaries must include the site across the road and the site behind it.

**Note:** Refer to the Appendix 2 of the "Residential Flat Design Code" by Planning NSW for detail of what must be included within each drawing.

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| <p>6.1.4 Presentation material may be printed, photocopied, photographed, or reproduced in any manner chosen by the competitor.</p> <p>6.1.5 Presentation material must be of a quality suitable for public exhibition.</p> <p><b>6.2 Statement of intent</b></p> <p>6.2.1 In addition to 6.1 above, each entry should include a design statement addressing the proposal's approach, the response to the brief's objectives and the manner in which design excellence is achieved. It must include a schedule showing the uses, percentage and numbers of each use the indicative FSR, gross floor area and construction methodology.</p>  |  |
| <p><b>6.3 Statement of compliance</b></p> <p>6.3.1 Each submission must also include a statement prepared by a suitably qualified person indicating the proposal's compliance with the objectives of and the controls embodied within the planning framework, primarily, <i>Sydney Local Environmental Plan 2012</i>, <i>Sydney Development Control Plan 2012</i>, any adopted site specific or master planning DCP, the endorsed Design Excellence Strategy, and relevant state planning policies.</p> <p><b>6.4 Construction Costs</b></p> <p>6.4.1 Each submission must include the estimated construction cost. The entries will all be costed by the developer's chosen quantity surveyor. It may also include a discussion on how the design is an economically feasible development option.</p> <p><b>6.5 Heritage</b></p> <p>6.5.1 When a site is located within a conservation area, or in the vicinity of a heritage item each submission must include a heritage impact statement.</p> |  |

## **6.6 Model of the proposed schemes**

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- 6.6.1 If the site is located within central Sydney, each submission should also include a model at a scale of 1:500, capable of fitting into the City of Sydney's model, located at level 2 of Town Hall House.
- 6.6.2 To ensure compatibility of the proposed scheme with the model base, competitors should liaise with the City of Sydney's Model Making Unit (telephone: 9265 9360).
- 6.6.3 If the site is not on the City's model, then provide a model with a 200m radius around the site suitable for insertion of the competition entry's model.

**Attachment (insert number): Assessment Criteria Checklist**

| Evaluation Criteria  | Weighting | Competitor 1 | Competitor 2 | Competitor 3 | Competitor 4 | Competitor 5 |
|--|-----------|--------------|--------------|--------------|--------------|--------------|
| 1) Compliance with Planning Brief <ul style="list-style-type: none"> <li>○ LEP 2012</li> <li>○ DCP 2012</li> <li>○ SEPP 65</li> <li>○ other applicable planning policies</li> </ul>  | 20%       |              |              |              |              |              |
| 2) Compliance with Commercial Brief <ul style="list-style-type: none"> <li>○ development budget</li> <li>○ marketability</li> <li>○ FSA</li> <li>○ Floor plate area</li> <li>○ FSR</li> <li>○ Use</li> <li>○ Parking</li> <li>○ etc</li> </ul>       | 20%       |              |              |              |              |              |
| 3) Compliance with Design Brief <ul style="list-style-type: none"> <li>○ urban design</li> <li>○ public domain</li> <li>○ architectural design</li> <li>○ internal planning and amenity</li> <li>○ ESD</li> <li>○ heritage</li> <li>○ etc</li> </ul> | 40%       |              |              |              |              |              |
| 4) Buildability <ul style="list-style-type: none"> <li>○ construction methodology</li> <li>○ structural design</li> <li>○ services</li> <li>○ ESD</li> <li>○ etc</li> </ul>  | 20%       |              |              |              |              |              |
|  | 100%      |              |              |              |              |              |

**Attachment (insert number): Architectural Design Competition - Template letter for the appointment of juror**

(date)

Our Ref:

File No:

PID No:

(name and address of invited juror)

**Architectural Design Competition for (address of the site)**

Dear Sir/Madam

The City of Sydney in conjunction with (name) the developer of (address of the site) would like to cordially invite you to sit on the jury for an Architectural Design Competition of the above mentioned site.

A juror's obligations throughout the competition process are as follows –

In accepting a position on the jury, jurors agree to:

- have no contact with any of the competitors or developer in relation to the site and the Architectural Design Competition from their time of appointment until the completion of the process other than during presentations of the submissions;
- evaluate entries promptly in accordance with the timetable;
- abide by the requirements of the Architectural Design Competition brief (attached)
- consider advice provided by the consent authority
- refrain from introducing irrelevant considerations in addition to, or contrary to those described in the Architectural Design Competition brief, or contrary to the statutory framework;
- make every effort to arrive at a consensus in the selection of a winner;
- submit a report explaining their decisions
- sign a statement confirming they have read and understood the juror's obligations and agree to respect those obligations for the duration of the Architectural Design Competition.

If you would like to be appointed to the jury please fill out the following pro-forma and return to (name and address of City of Sydney contact). If you have any questions regarding the process contact (name and contact details of City of Sydney contact) to discuss.

Yours Sincerely

xxxx

.....  
**PROFORMA**

I, ..... have read and understood the juror's obligations (listed above) and agree to respect those obligations for the duration of the Architectural Design Competition.

Signed:..... Date:.....

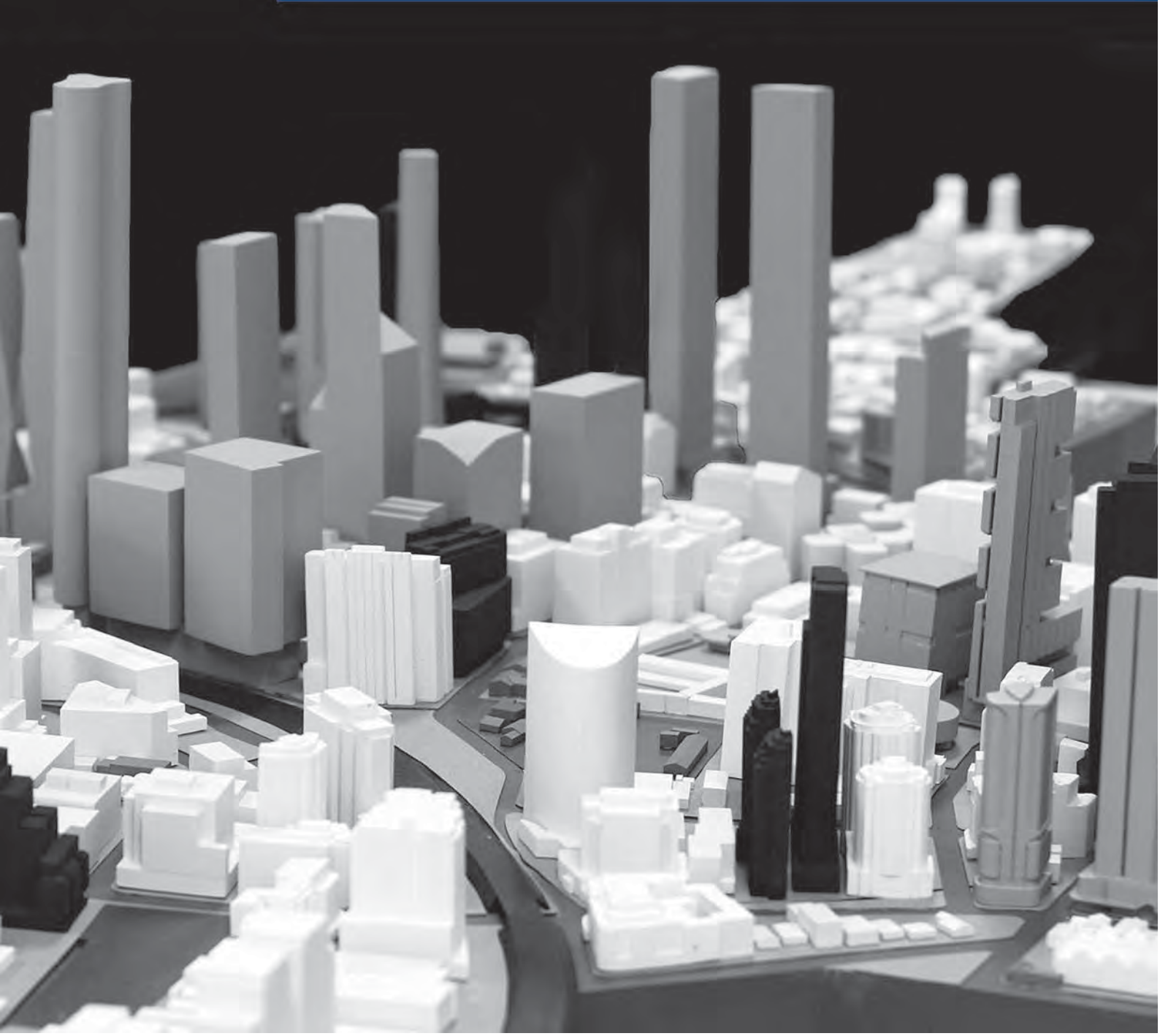
## Appendix C: Model Brief City of Parramatta

# DESIGN EXCELLENCE COMPETITION BRIEF

City of Parramatta



[insert site address/description here]



## Acknowledgement

Prepared by City Plan Strategy and Development for the City of Parramatta Council

## Table of Amendments

[illegible]

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## Summary

### Purpose and Structure of the Model Brief

With City of Parramatta Council experiencing an ever increasing number of Architectural Design Competitions, it has become clear that there is a need to establish a series of guidelines to provide a framework for the Developer (hereon referred to as the "Proponent") or Proponent's Representative in preparing the Architectural Design Competition Brief.

The intent is to ensure procedural fairness for competitors and to ensure that the design excellence requirements of City of Parramatta Council are appropriately balanced with the objectives of the Proponent.

As will be discussed below, this Model Brief includes four (4) categories of text, each colour-coded for ease of reference:

- **Black text:** *Information generally to remain within the final completed Brief (with the exception of this section which is to be removed from the final brief).*
- **Grey text:** *this comprises text which may or may not be included depending on the particulars of the site and competition format. If this text is not relevant or if only one of the "options" is chosen, all remaining irrelevant text may be deleted from the final completed Brief.*
- **Red text:** *Part 2 of the Model Brief includes various sections that will need to be completed/updated to reflect the site and proposal's particulars. These are identified in the Model Brief as instructive red text in square parentheses, i.e., [enter site location], which are to act as a "prompt" for the relevant information to be completed.*
- **Blue text:** *the blue text is informative and consists of notes to assist the author of the final Brief in populating the relevant sections. These instructions are not to form part of the completed brief issued to Council for endorsement and are to be **removed** from the final document.*

*Note: Remove this section ("Purpose and Structure of the Model Brief") of the Brief before finalisation*

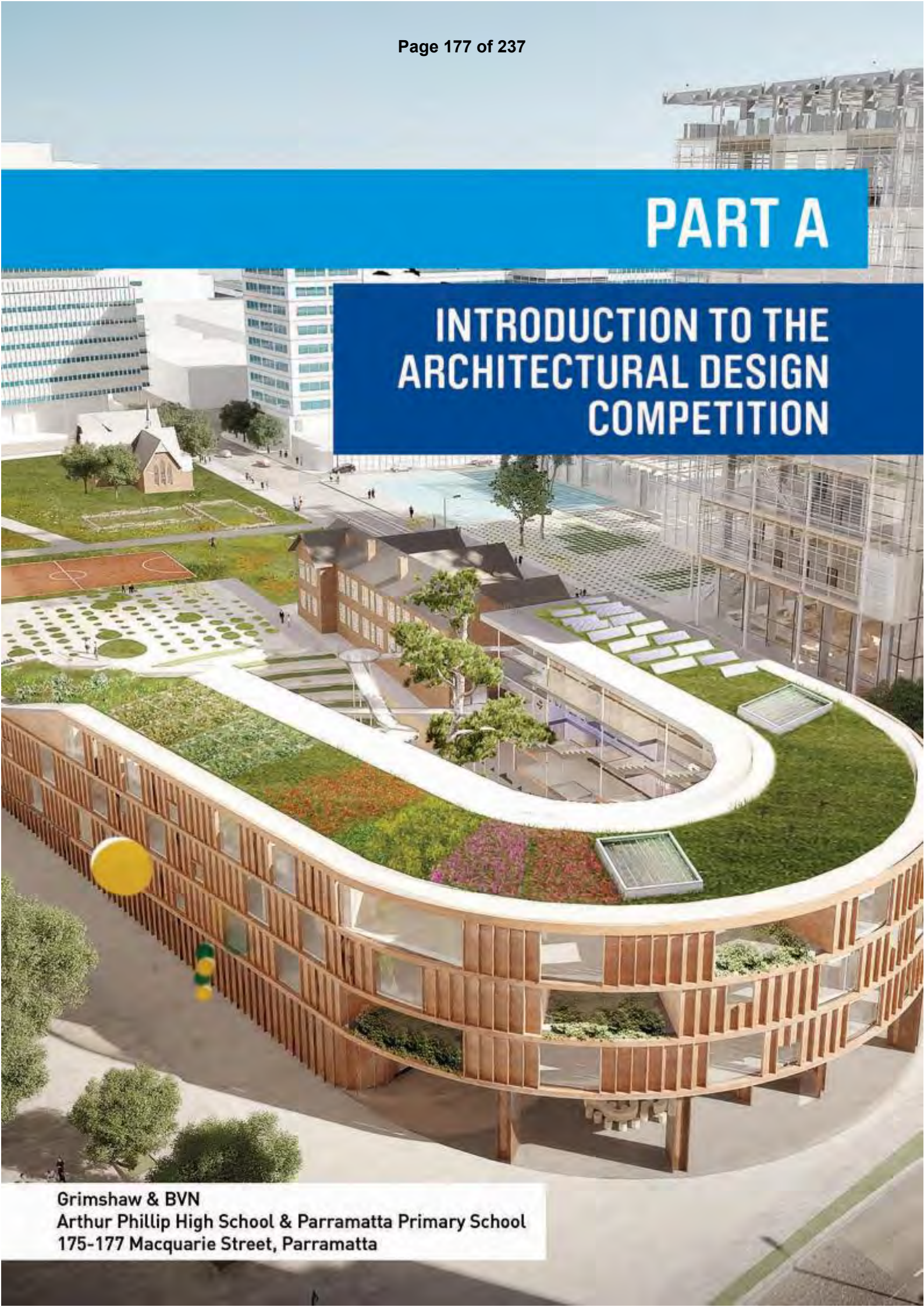
## Competition Summary

|  |  |
|--|--|
| Site Address                                 | [insert site address]  |
| Site Legal Description                       | [insert Lot/DP details]  |
| Project Name                                 | [insert project name]  |
| Competition Type                             | [insert either "open" or "invited" Architectural Design Competition]   |
| Proponent                                    | [insert Proponent name]  |
| Competition Manager                          | [insert Competition Manager + contact details]   |
| CoP Competition Co-ordinator                 | Mr Guy Pinkerton<br>Ph: (02) 9806 5262, Email: gpinkerton@cityofparramatta.nsw.gov.au<br>In his Absence, Mr Najeeb Kobeissi<br>Ph: (02) 9806 5304, Email: nkobeissi@cityofparramatta.nsw.gov.au  |
| Architectural Design Competition Competitors | [insert list of Competitors]   |
| Competition Fee                              | [insert competition fee to be paid to Architects]  |
| Technical Advisors                           | <ul style="list-style-type: none"> <li>• [Town Planner]</li> <li>• [Urban Design]</li> <li>• [Archaeologist]</li> <li>• [European Heritage]</li> <li>• [Aboriginal Heritage]</li> <li>• [Structural Engineering]</li> <li>• [Mechanical and Electrical Engineering]</li> <li>• [Quantity Surveying]</li> <li>• [Hydraulic and Fire Services]</li> <li>• [Wind Engineering]</li> <li>• [Façade Engineering]</li> <li>• [Lift Engineering]</li> <li>• [Flood Engineer]</li> <li>• [Other]</li> </ul>   |
| Jury Members                                 | City of Parramatta Council - City Architect – Kim Crestani<br>NSW Government Architect – Peter Poulet or his nominee<br>[Jury member - Proponent]  |
| Key Competition Dates                        | <ul style="list-style-type: none"> <li>• [insert date] – List of Competitors endorsed by CoPC</li> <li>• [insert date] - COPC endorsed Design Brief issued to Competitors;</li> <li>• [insert date] - Briefing session for each Competitor (optional);</li> <li>• [insert date] - Lodgement date for Proposals to Competition Manager;</li> <li>• [insert date] - Midpoint check in</li> <li>• [insert date] - Proposals issued to CoPC by Competition Manager (Note: to be minimum 2 weeks before presentations);</li> <li>• [insert date] - Proposals issued to Jury by Competition Manager (Note: to be minimum 2 weeks before presentations);</li> <li>• [insert date] - Presentation by Competitors to Jury;</li> <li>• TBA - Final deliberation by jury and recommendation made to Proponent;</li> <li>• TBA - Jury report issued to CoP for endorsement; and</li> <li>• TBA - Formal appointment of successful Competitor.</li> </ul> |
| Site Area                                    | [insert site area] m <sup>2</sup>  |
| Maximum PLEP 2011 FSR with bonus             | [insert maximum FSR]:1   |
| Maximum GFA                                  | [insert maximum GFA] m <sup>2</sup><br>[insert maximum GFA] m <sup>2</sup> and % for each land use element   |
| Maximum PLEP 2011 Building Height            | [insert maximum building height] metres  |

|                               |   |
|-------------------------------|---|
| Voluntary Planning Agreement? | [yes or no]   |
| Construction Budget           | [insert construction budget]  |
| Maximum Apartments            | [insert maximum number of units]  |
| PDCP 2011 Apartment Mix       | <ul style="list-style-type: none"> <li>• 3 bedroom 10% - 20%</li> <li>• 2 bedroom 60% - 75%</li> <li>• 1 bedroom 10% - 20%</li> </ul> |

# PART A

## INTRODUCTION TO THE ARCHITECTURAL DESIGN COMPETITION



Grimshaw & BVN  
Arthur Phillip High School & Parramatta Primary School  
175-177 Macquarie Street, Parramatta

## PART A - Introduction to the Architectural Design Competition

### A1. Background

This Architectural Design Competition Brief relates to [insert address], which is owned by [insert owner].

Parramatta Local Environmental Plan 2011 (PLEP 2011) is the primary statutory document guiding growth and development in the Parramatta LGA. The PLEP 2011 includes provisions to ensure that development exhibits design excellence that contributes to the natural, cultural, visual and built character values of the LGA.

Clauses 6.12 (Parramatta North Urban Renewal Area) and 7.10 (Parramatta City Centre) of the PLEP 2011 require, in certain circumstances, that an Architectural Design Competition be undertaken prior to the determination of the relevant Development Application (DA).

The subject site and proposed development meets the threshold requirements in Clause [insert relevant clause: either 6.12 or 7.10] of the PLEP 2011 and therefore, is subject to the requirement to undertake a competitive design process before consent can be granted to the development.

There are two (2) different forms of Architectural Design Competitions that can be undertaken, including:

- (a) an 'open' architectural design competition; or
- (b) an 'invited' architectural design competition.

The subject competitive design process will be undertaken as an [insert competition type, endorsed by Council: open or invited competition].

[Insert number of consortium teams/individual Competitors] have been selected by the Proponent to participate in the Architectural Design Competition.

*Note: Insert the following, only if entries in the competition are prepared by "teams"*

Due to the importance of this project, a collaborative approach to the Architectural Design Competition is considered to be an effective means of achieving design excellence and architectural variety.

The purpose of this document is to provide a Brief to the architects / urban designers / landscape architects that will participate in the Architectural Design Competition for the abovementioned site.

This Brief provides an outline of the project objectives and competition process, the Proponent's expectations, and information to assist Competitors in preparing their proposal submissions.

## A2. Competition Objectives

The key objectives of this Architectural Design Competition are:

- To ensure that the highest standard of architectural, urban and landscape design is delivered to the Parramatta LGA; and
- To ensure that development exhibits design excellence that contributes to the natural, cultural, visual and built character values of Parramatta.

Site and development specific objectives that are required to be addressed in the Architectural Design Competition entries are set out in Part C of this Brief.

### A2.1 Competition Format

Details regarding the type, process and requirement of this competitive design process is provided in Part D of this Brief. Set out below, however, is a summary:

- The purpose of this Architectural Design Competition is to select the highest quality architectural and urban design and landscape solution for the development of the site, compatible with the objectives set out in Part C of this Brief;
- This competition will be an [invited or open] Architectural Design Competition, with [Three (3) consortium teams OR three (3) Competitors];
- Each Competitor is required to be led by a registered architect with demonstrated relevant expertise in high quality architecture, urban design and landscape architecture;
- The competition entries will be judged by a Jury panel comprising three (3) members, representing the Proponent, the Department of Planning and Environment (or their nominee) and CoPC; and
- The competitive design process will not fetter the discretion of the Consent Authority since the Consent Authority will not form part of the judging process.

### A2.2 Reference Documents

This Brief has been prepared in accordance with the requirements of the Director General's Design Excellence Guidelines and CoPC's Design Excellence Competition Guidelines. Its objectives are to ensure:

- Council's design excellence requirements are balanced with the Proponent's objectives; and
- Procedural fairness for Competitors.

This Brief contains details regarding the following information:

- A detailed description of the site;
- A detailed description of relevant information or documentation including any relevant planning history;
- Competition type;
- Competition objectives;
- Full details for the conduct of the competition process; and
- The fees offered to participants in the competition.

A copy of the Director General's Design Excellence Guidelines and CoPC's Design Excellence Competition Guidelines can be found in Part F of this Brief.

*Include any additional relevant reference documents in the above list*

#### A2.2.1 Project Information Package

Each Competitor will be provided with the following information, which is annexed to this Brief:

*Note: remove items not relevant from the list below*

- Template letter for the appointment of Jurors
- Template invitation letter to Architects/Competitors
- Planning Proposal Project Documentation including Draft VPA (if relevant)
- Current site survey
- Planning compliance criteria
- Parramatta Council's Digital 3D Model Requirements
- Any relevant council resolution
- 

*Note: List any other documents / material required and relevant to the site.*

### A2.3 Brief Endorsement

This Brief has been reviewed and endorsed by City of Parramatta Council (CoPC) on **[insert date]**.

*Note: Where the competition relates to a site which is the subject of a Planning Proposal (PP) Council will not endorse a Brief until the PP has received a "Gateway Determination" from the Department of Planning and Environment.*

# PART B

## SITE DETAILS



Tony Caro Architecture, Aleksander Design Group & Order Architects  
5-7 Parkes Street, Parramatta

## PART B - Site details

### B1. Site Address

The site is located at [insert address].

### B2. Legal Description

The site is legally described as Lot [insert lot] in Deposited Plan [insert DP].

OR

The site comprises multiple lots as set out in the table below.

Table 1 Lot Descriptions

| Lot          | Deposited Plan |
|--------------|----------------|
| [insert lot] | [insert DP]    |
| [insert lot] | [insert DP]    |
| [insert lot] | [insert DP]    |
| [insert lot] | [insert DP]    |

### B3. Site Characteristics

#### B3.1 Site Area and Measurements

The site has an area of [insert site area] m<sup>2</sup> and boundary dimensions as follows:

Table 2 Boundary Dimensions

| Boundary | Distance (m)               |
|----------|----------------------------|
| North    | [insert boundary distance] |
| South    | [insert boundary distance] |
| East     | [insert boundary distance] |
| West     | [insert boundary distance] |

#### B3.2 Existing Buildings and Structures

[Insert description of existing improvements on the site]

#### B3.3 Easements or Restrictions

[Insert any relevant information regarding easements and/or restrictions]

*Note: if relevant, this section may include reference to any land reservation acquisition provision relevant to the site under the PLEP 2011.*

#### B3.4 Topography and Vegetation

[Insert description of topography of the site and any existing and/or significant vegetation]

#### B3.5 Vehicular Access

[Insert description of any existing vehicular access arrangements]

#### B3.6 Special Site Characteristics

*Note: insert special site characteristics as relevant. Include additional special characteristics if relevant to the site. Delete sections that are not relevant.*

**B3.6.1 Archaeology**

[insert text if relevant]

**B3.6.2 European Heritage**

[insert text if relevant]

**B3.6.3 Aboriginal Heritage**

[insert text if relevant]

**B3.6.4 Contamination**

[insert text if relevant]

**B3.6.5 Ecology**

[insert text if relevant]

**B3.6.6 Drainage & Flooding**

[insert text if relevant]

**B3.6.7 Acid Sulfate Soils**

[insert text if relevant]

**B3.6.8 Geotechnical**

[insert text if relevant]

**B3.6.9 Traffic & Transport**

[insert text if relevant]

**B3.6.10 Views**

[insert text if relevant]

**B3.6.11 Key Elements of Public Domain**

[insert text if relevant]

## **B4. Site Analysis**

*Note: the site analysis should be plans and sections to scale and document the important elements of the city surrounding the site including (but not necessarily limited to);*

*Context to include where publicly available relevant buildings recently approved, under construction or constructed,*

*Street grid and circulation,*

*Subdivision pattern,*

*Building footprint and use,*

*Building heights,*

*Circulation,*

*Building edge and setback conditions,*

*Effect on adjacent sites developability.*

*Easements or restrictions*

*Flow paths, ponds and other water retaining features*

Attached to this Brief is a considered and detailed urban design analysis of the site.

## **B5. Surrounding Area**

[Insert description of the site's context and surrounding area]

## **B6. Site Images**

The following are a series of images of the existing improvements on the site.

[Insert images]

## **B7. Surrounding Context Images**

The following area a series of images of the existing developments surrounding the site.

[Insert images]

## **B8. Relevant Existing Development Approvals**

### **B8.1 For the Site**

[Insert details of any relevant existing Development Approvals for the site]

### **B8.2 The surrounding Area**

[Insert details of any relevant existing Development Approvals for adjacent sites or sites within the direct vicinity]

## **B9. Planning Proposals**

### **B9.1 For the Site**

[Insert details of any relevant Planning Proposal for the site, including status e.g. post gateway, post exhibition]

### **B9.2 The surrounding Area**

[Insert details of any relevant Planning Proposal for sites within the vicinity that should be considered, including their status]

## **B10. Voluntary Planning Agreement**

*Note: Only include this section if there is a VPA applicable to the site. If applicable, set out the details of any legal & financial obligations of the Proponent when the site is developed. This may require the delivery of items such as public domain improvements, through-site links, provision of public spaces (parks, plaza), community facilities etc. A copy of the VPA should accompany the Brief as an annexure.*

# PART C

## OBJECTIVES FOR THE PROPOSAL

SJB  
14-20 Parkes Street, Parramatta

## PART C - Objectives for the Proposal

*Note: the objectives for the proposal and particularly, the design objectives, are fundamental in ensuring that the design solutions proposed exhibit design excellence. Below are a series of generic objectives. These should be embellished based on the site's context, characteristics and relevant statutory and non-statutory planning framework.*

### C1. Overview

The overarching purpose of this competitive design process is to deliver the highest standard of architectural, urban and landscape design in accordance with the objectives set out in the following sections of this Brief.

### C2. Design Excellence

The design excellence objectives for this Architectural Design Competition are effectively those set out throughout this section of the Brief. High level design excellence objectives to be considered in the preparation of a competition entry are sourced from the PLEP 2011 and are set out below:

- The design of the development will promote a high standard of architectural design, materials and detailing appropriate to the building type and location;
- The form and external appearance of the development will improve the quality and amenity of the public domain;
- The planning and envelope treatments will provide high quality responses to promote passive design, enhanced occupant amenity, energy efficiency and mitigation of the heat island effect;
- The development will not detrimentally impact on key view corridors;
- The development will not detrimentally impact on land protected by solar access controls established in the Parramatta Development Control Plan;
- The development effectively responds to the constraints, risks and opportunities associated with flooding and rainwater management;
- The development will appropriately and positively respond to:
  - the suitability of the land for development;
  - existing and proposed uses and use mix;
  - any relevant heritage issues and streetscape constraints;
  - the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form, in particular the Apartment Design Guide for residential buildings;
  - bulk, massing and modulation of buildings;
  - street frontage heights;
  - environmental impact in terms of overshadowing, acoustics; visual privacy; wind, reflectivity;
  - Ecologically Sustainable Development objectives;
  - pedestrian, cycle, vehicular and service access, circulation and requirements;
  - the impact on, and any proposed improvements to, the public domain;
  - the [insert special character area if relevant] special character area; *delete if the site is not located in a special character area*; and
  - the interface at ground and street level between the development and the public domain.
- The development will promote design excellence and integration in the urban design and landscape design solution.

*Note: Insert any additional site specific objectives in the list above if relevant*

### C3. Design Objectives

#### C3.1 Overview

The design objectives for this Architectural Design Competition are to:

- Stimulate imaginative architectural and urban design proposals that achieve design excellence.
- Respond to the site's context and the constraints and opportunities of the site.
- Deliver a high standard of architecture and urban design as well as materials and detailing appropriate to the building type and location.
- Deliver a proposed form and external appearance that will improve the quality and amenity of the public domain.
- Allow for the incorporation of public art;
- Maintain a positive relationship with adjoining sites and surrounding buildings.
- Achieve best practice heritage conservation outcomes;

- Achieve best practice flooding and rainwater management outcomes;
- Achieve best practice Ecologically Sustainable Development outcomes; and
- Ensure the outcome is financially feasible and buildable.

*Note: Insert any additional site specific objectives in the list above if relevant*

### C3.2 Building Form

The key objectives in terms of building form are as follows:

- [List objectives specifically relevant to the site]

### C3.3 Height and Street Frontage Heights

- Departures from DCP2011 are required to be justified.
- The height of the building MUST include to the top of any structure (including plant and equipment) unless plant and equipment can be accommodated within an acceptable architectural roof feature.

The key objectives in terms of building height and street frontage heights are as follows:

- [List objectives specifically relevant to the site]

### C3.4 Materials and Finishes

The key objectives in terms of materials and finishes are as follows:

- [List objectives specifically relevant to the site]

### C3.5 Pedestrian Amenity & Movements

The key objectives in terms of pedestrian amenity and movement are as follows:

- [List objectives especially relevant to the site]

### C3.6 Vehicular Access, Loading and Parking

The key objectives in terms of vehicular access, loading and parking are as follows:

- [List objectives especially relevant to the site]

### C3.7 Structural and Geotechnical Objectives

The key objectives in terms of structural and geotechnical matters are as follows:

- Minimise the impacts of the any excavation works.
- Satisfy structural adequacy and constructability requirements in the design of the development.
- To facilitate the buildability of the project.

*Note: Insert any additional site specific objectives in the list above if relevant*

### C3.8 Wind

Key wind engineering considerations include:

- Provide a built form that limits downdrafts;
- Introduce strategic interventions in the street scape to ameliorate adverse wind effects;
- Create a comfortable walking environment for pedestrians; and
- Maximise the amenity of private open space including balconies and wintergardens.

To address those objectives a Wind report, prepared by a qualified engineer shall be provided in the following circumstances:

- For buildings above 50m in height: Provide a wind report prepared by a qualified engineer detailing how the design meets the wind engineering objectives.
- For buildings above 150m in height: Provide a wind report prepared by a qualified engineer detailing how the design meets the wind engineering objectives, accompanied by an 3D electronic model of the building to support testing of wind effects by Council.
- 

Wind reports are to use historical wind data from Bankstown Airport as the basis for analysis

- [List any additional relevant/specific design objectives]

*Note: wind objectives may relate to facade design and/or pedestrian wind comfort*

### C3.9 Flooding and rainwater Management Objectives

Key flooding and rainwater management objectives include:

- appropriate assessment, acceptable to Council, of flood risks, flood hazard and affectation of the site from both mainstream (river) and overland flow (rainfall) events.

- a legitimate design response, acceptable to Council, that minimises risks and hazards to people and property for occupants and those in the building surrounds/public domain from both mainstream (river) and overland flow (rainfall) events.
- successful integration of flooding and rainwater design responses with other urban design and architectural solutions
- achievement of beneficial rainwater and stormwater outcomes, including in regard to rate of stormwater discharge, water quality, landscape design, other environmental factors and resource use

Specific flooding and rainwater management considerations include:

- The Flood Planning Level for the development is to be the higher of the 1% AEP flood levels from mainstream (river) and overland flow (rainfall) events plus 500mm freeboard. (Note this may vary around the site.)
- Habitable floors, all access to basement car parks and other flood-sensitive uses shall be set at a minimum of the applicable Flood Planning Level.
- Buildings surrounded by “high hazard” flood waters in a 1% AEP event cannot be developed unless failsafe, all-weather emergency access to and from adjoining higher land is provided.
- Council requires additional measures for events greater than the Flood Planning Level up to the Probable Maximum Flood (PMF), including the provision of safe shelters/refuges for occupants and the public above the PMF and additional flood protection for basement car parks.
- The building is not to adversely affect flood behaviour, including flood conveyance and significant loss of flood storage, at least to the Flood Planning Level.
- Rainwater management is to be integrated with other aspects of the architectural and landscape design to optimise rainwater capture, stormwater runoff quantity and quality, flooding protection and other environmental benefits.

- [List objectives specifically relevant to the site]

•

## C4. Planning Objectives

### C4.1 Statutory and Non-Statutory Framework

The planning objectives for this competition are to ensure that the proposal:

- Complies with the statutory framework of:
  - State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development and the Apartment Design Guide;
  - State Environmental Planning Policy No. 55 - Remediation of Land;
  - State Environmental Planning Policy (Infrastructure) 2007;
  - Parramatta Local Environmental Plan 2011 including any site specific provision, as amended by the Planning Proposal;
  - Parramatta Development Control Plan 2011; if a draft/endorsed DCP applies to the site, reference here;
  - NSW Floodplain Development Manual 2005.
  - Other relevant and applicable State plans and policies; and
- Justifies any instances of non-compliance against the objectives and strategic direction of the applicable control.
- Addresses any relevant Council resolutions in relation to the site.

*Note: if there are any Council resolutions, annex these to this Brief*

**Annexure 5** to this Brief sets out the key compliance criteria set out in the PLEP 2011.

*Note: if the site is subject to the provisions of a current (but not formally gazetted Planning Proposal), reference in this section and include an additional table after the PLEP 2011 compliance table in Annexure 5 with the proposed amended development standards in the current Planning Proposal. Note that Council requires that any Planning Proposal must have at least received a ‘Gateway’ determination.*

### C4.2 Non-Compliances

All entries must comply with any applicable State Environmental Planning Policy.

All entries must comply with PLEP 2011, excepting any amendments foreshadowed by a formal Planning Proposal, including any supporting Development Control Plan, which has been endorsed by Council and must have at least received a “Gateway Determination” from the Department of Planning and Environment.

*Note: If this is applicable, details are provided at Section 9 of this Brief*

An entry must not:

- Rely upon clause 4.6 of PLEP 2011 to vary a development standard beyond the height/floor space bonuses achievable under the design excellence provisions of that Plan; or
- Otherwise, trigger the need for Planning Proposal.

For the sake of equity, all entries must also comply with PDCP 2011. However, competitors are permitted to also identify opportunities for a "non-conforming" scheme which varies from PDCP 2011, provided it is demonstrated to the Jury how:

- The relevant objectives are achieved, notwithstanding the variation;
- The variation adds value by resulting in a better outcome, in terms of both planning and design excellence; and
- How the objectives in Part C of this Brief are better satisfied by the non-conforming scheme.

*[Include any additional commentary where relevant].*

### C4.3 Landscape and Public Domain Objectives

The landscape and public domain objectives for this Architectural Design Competition are as follows:

*[Include the landscape and public domain components associated with the proposal] Include a reference design for the public domain refer to City of Parramatta Council Public Domain Guidelines*

[https://www.parracity.nsw.gov.au/\\_data/assets/pdf\\_file/0006/92562/Public\\_Domain\\_Guidelines.pdf](https://www.parracity.nsw.gov.au/_data/assets/pdf_file/0006/92562/Public_Domain_Guidelines.pdf)

- Note: Drop off zones or indented parking is not permitted in the public domain.

### C4.4 Heritage Objectives (if relevant)

*[Include if any heritage issues are associated with the site]*

The heritage objectives for this Architectural Design Competition are to:

- Achieve best practice outcomes that showcase the heritage features of the site,
- Recognise and incorporate features or details which acknowledge wider heritage values, both European and Aboriginal;
- Minimise impacts on all local and State heritage items in the vicinity of the site; and

*Note: Insert any additional site specific objectives in the list above if relevant*

### C4.5 Ecologically Sustainable Development and Environmental Performance

The ESD objectives for this Architectural Design Competition are stated as Priority Objectives and Secondary Objectives.

Priority Objectives are considered an essential aspect of any Design Excellence submission.

Priority Objectives are:

- [\[all building types\]](#) Building envelopes and façade articulation that are expressive and achieve high levels of solar protection and minimise reflected heat into public areas.
- [\[all buildings\]](#) Planning and facades that provide high levels of natural light and offer high levels of amenity to occupants.
- [\[residential buildings\]](#) Planning and designs that provide optimal natural ventilation and winter sun access that improves upon the minimum guidelines of the Apartment Design Guide.

Secondary Aims are:

- [\[all buildings\]](#) Integration of solar power in area(s) of high sun exposure.
- [\[all buildings\]](#) To accommodate best practice energy and water efficient building services.
- [\[all buildings\]](#) High levels of pedestrian amenity through shade and moderation of wind.
- [\[all buildings\]](#) Use of materials and finishes that minimise environmental impact, human and eco-toxicity in sourcing and manufacture.
- [\[all buildings\]](#) Increase canopy and vegetation cover, using native indigenous and low water use species.
- [\[all buildings\]](#) Reduced reliance to mechanical ventilation to car parking by planning for passive air movement and reduced reliance on mechanical ventilation.
- [\[all buildings\]](#) Promote active transport, provide ample cycle storage and [\[commercial buildings only\]](#) end of trip facilities.
- [\[all buildings\]](#) Provide future proofing in the design to allow future connection capacity to battery storage, vehicle charging, district thermal and recycled water networks.
- [\[all buildings\]](#) Integration of Water Sensitive Urban Design with building architectural and landscape design and functions.

- [\[commercial buildings\]](#) Achieve a level of 3rd party building certification that demonstrates best practice ecological sustainability.

#### C4.6 Sustainable Transport

To support the reduction of car trips and encourage the use of sustainable transport, all proposals are to consider the inclusion of car share parking spaces consistent with Section 3.6.1 of the Parramatta Development Control Plan 2011.

Note that with any future Development Application, written evidence is to be provided with that DA demonstrating that offers of a car space to car share providers have been made together with the outcome of the offers or a letter of commitment to the service.

#### C4.7 Public Art

All proposals are to incorporate public art, consistent with the requirements of Parramatta Development Control Plan 2011, to the value of no less than 0.05% of the construction budget.

[\[Include if any public art is to be associated with the site\]](#)

#### C4.8 Commercial Objectives

The commercial objectives for this Architectural Design Competition are set out below:

#### C4.9 Bonus FSR and Building Height

All Competitors are to strive to achieve the maximum building height and floor space ratio for the site and development.

*Note: Only include the following if relevant to the site/proposal under Clause 7.10(8) of the PLEP 2011*

This should include any bonuses available for development that achieves design excellence under Clause 7.10(8) of the PLEP 2011 which is set out below:

- a building height that exceeds the maximum height shown for the land on the Height of Buildings Map or an amount of floor space that exceeds the maximum floor space ratio shown for the land on the Floor Space Ratio Map (or both) by up to 15%; OR
- if the proposal is for a building containing entirely non-residential floor space in the Zone B4 Mixed Use— a building height that exceeds the maximum height shown for the land on the Height of Buildings Map or an amount of floor space that exceeds the maximum floor space ratio shown for the land on the Floor Space Ratio Map (or both) by up to 25%.

#### C4.10 Net Lettable Area

The total Net Lettable Area (including all saleable retail and commercial spaces) is to be maximised within the allowable GFA and the total is to be calculated using the Property Council of Australia definition.

*Note: The above will only be relevant where there is a commercial/retail component to the development.*

#### C4.11 Land Use

The Proponent desires the following uses to be incorporated into the development:

- [\[insert permissible land uses\]](#)

#### C4.12 Construction Budget

All participants must undertake their design with regard to the construction allowance in the development feasibility of \$[\[insert construction budget\]](#) million (+ GST). This is based upon a construct only building contract (allowing for full trade, preliminaries and profit but excluding design fees).

The proponent will provide technical assistance to participants, including the services of a Quantity Surveyor.

Participants are advised that each design proposal will then be reviewed by an independent Quantity Surveyor. Draft concept plans for the purpose of undertaking costings will be provided by Competitors by a specific date nominated by the Proponent. This information will be made available to the Jury.

*Note: The Proponent may wish to nominate a date above or advise the Competitors at a later date by written correspondence.*

#### C4.13 Construction Methodology

Buildability will be a key factor in the assessment of design proposals.

Each submission will be reviewed by a Structural Engineer and the Proponent's in-house team of construction experts. This information will be made available to the Jury.

*Note: Insert any additional site specific objectives in the list above if relevant*

#### C4.14 ESD Methodology

Each submission will be reviewed by the Proponent's in-house experts. This information will be made available to the Jury.

#### C4.15 Other Relevant Commercial Objectives

The design (including the public domain) is to be functionally efficient to operate and maintain so as to keep running and maintenance costs at a minimum.

The design is to be functionally efficient, maximise natural lighting and maximise the view potential from each level.

*Note: Insert any additional site specific objectives in the list above if relevant*

### C5. Other Project Objectives (if relevant)

A summary of the key project objectives based on the findings of these preliminary studies is set out below:

*Note: Insert any additional site specific/project objectives as relevant*

# PART D

## COMPETITION PROCEDURES

Woods Bagot  
88 Church Street, Paramatta

## PART D - Competition Procedures

### D1. Proponent

The Proponent of the Design Competition is [insert Proponent name].

[Insert company name]

[Insert address]

[Insert phone number]

### D2. Competition Manager

The Competition Manager is the Proponent's Representative and is:

[Insert name]

[Insert position]

[Insert address]

[Insert phone number]

All specific queries and communication must only be directed to the Competition Manager by email through [Insert email address]. Absolutely no contact shall be made with the Jury. However, the CoPC Competition coordinator may, on behalf of the Jury, contact a competitor to request further particulars after the presentations, in order to assist the jury in its deliberations.

### D3. Competition Entry

This competition is an invitation-only OR open competition.

Each Competitor must be a person, corporation or firm registered as an architect in accordance with the NSW Architects Act 2003 or, in the case of interstate or overseas Competitors, eligible for registration.

Where a team participating in competition includes overseas firms, that team must be led by an Australian firm. If that team is the successful entrant, then both the Australian firm and internal firm must be commissioned for the duration of the project.

To ensure the highest quality of design integrity throughout the design excellence process, all Competitors must have demonstrated experience in projects of a similar nature, scale and capital investment value. A range of architects are to be invited into competitions and at least one (1) Competitor in each competition must have previously won an industry award or been recognised for a building of similar scale and program.

A list of proposed Competitors from the Proponent must be endorsed by CoPC to ensure that these requirements are satisfied.

### D4. Competition Details

The competition will involve a minimum of three (3) Competitors who each will present their urban design / scheme, including plans, renders and photomontages.

Smaller architectural and landscape firms are encouraged to partner with larger firms to create "consortium" teams, particularly for larger sites, masterplan sites and proposals that will comprise multiple buildings.

Consideration of any relevant concept approval, and planning, structural, cost and environmental concerns as well as the objectives set out in Part C of this Brief will be taken into account in the consideration of each submitted entry.

Each competitor will present their architectural, urban design and landscape schemes.

### D5. Architectural Design Competition Brief

#### D5.1 Objectives of the Brief

This Brief sets out:

- The basis for participation; and
- The responsibilities of the Proponent and the duties of the Jury, in accordance with the Design Excellence provisions of the PLEP 2011, the Director General's Design Excellence Guidelines and Council's Design Excellence Competition Guidelines. Note that Addendums may be issued by the Proponent.

## D5.2 Amendments to the Brief

Any amendments to this Brief must be endorsed by CoPC and issued to all Competitors with an explanation of the amendments made.

## D6. Mid-Point Review

A mid-point review is not mandatory but is recommended to ensure that the progress of each Competitor's scheme can be monitored and feedback provided accordingly to ensure that all requirements of this Brief and particularly, the proposal objectives, are adequately satisfied in the final submission.

The Proponent's technical advisors may be present to provide feedback to the Proponent on the schemes.

The Jury is not to attend the mid-point review.

*Note: This section is to be included if the Proponent requests a mid-point review.*

## D7. Competition Jury and Requirements

The competition Jury comprises three (3) members. One (1) Juror each will be nominated by the NSW Department of Planning and Environment (delegated to the Office of the Government Architect), CoPC and the Proponent.

Jury members are to be registered architects with substantial knowledge and skill in reviewing large scale city buildings and quality architectural projects.

Competitors or their intermediaries must not communicate with Jury members in relation to this competition. All communication must be through the Competition Co-ordinator (refer Part D.2).

Jury members will have no pecuniary interests in the development proposal or involvement in the approval processes.

Jury members are not to comprise any staff members or councillors with an approval role in Council's development assessment process.

The competition Jury Chair will be nominated by the Jury members.

The competition Jury members are as follows:

**Table 3 Competition Jury members**

| Organisation  | Representative   |
|---|--|
| City of Parramatta Council  | City Architect – Kim Crestani                              |
| NSW Department of Planning and Environment, delegated to the Office of the Government Architect, or their nominee | NSW Government Architect – Peter Poulet<br>Or his nominee. |
| Proponent's Nominee   | [insert representative]                                    |

If one of the above Jurors has to withdraw prior to the completion of the competition process, another Juror of equivalent credentials will be appointed by whoever originally appointed that Juror.

## D8. Juror's Obligations

In accepting a position on the Jury, Jurors agree to:

- Have no contact with any of the Competitors in relation to the site and the Architectural Design Competition from their time of appointment until the completion of the process other than during presentations of the proposals, or where it is deemed necessary to request further work and/or additional presentations;
- Evaluate entries promptly in accordance with the timetable;
- Abide by the requirements of the Architectural Design Competition Brief;
- Consider advice provided by the Consent Authority and technical advisors;
- Inspect the site as required;
- Refrain from introducing irrelevant considerations in addition to, or contrary to those described in the Architectural Design Competition Brief, or contrary to the statutory framework;
- Make every effort to arrive at a consensus in the selection of a winner and within four (4) weeks of the competition presentations. This may include caveats on design amendments to be made before design excellence is declared by the Jury;

- If a consensus cannot be met, the decision is to be made by majority vote;
- Submit a report explaining their decisions no more than four (4) weeks after the competition presentations. This report may be prepared by another party, such as the Proponent's Representative. In such a case, the report must be signed by each Juror validating the findings of the report and endorsed by CoPC;
- Provide written certification that the design for any subsequent DA lodged for the development is substantially the same as the winning design and exhibits design excellence at the following hold points;
  - During the pre-lodgement stage
  - During the Development Application stage
  - Prior to issue of the Construction Certificate
  - Prior to issue of the Occupation Certificate
  - Prior to lodgement of any Section 96 which modifies the design
- Sign a statement confirming they have read and understood the Juror's obligations and agree to respect those obligations for the duration of the Architectural Design Competition (refer Appendix 1).
- 

## D9. Proponent's Obligations

### D9.1 General Obligations

The Proponent agrees to have no contact with the Jury members or Consent Authority members outside of the process described in this Brief in relation to the site and the Architectural Design Competition from the time of Brief endorsement until the completion of the final Jury Report.

### D9.2 Competition Fee

The Proponent shall pay a competition fee to each of the (minimum) three (3) Competitors described at section 5.4 above.

The fee for each competition participant will be **[Insert fee]**.

The Proponent shall ensure that all Competitors are paid before the schemes are submitted.

The Competition Manager is to confirm, in Writing to the City of Parramatta Council, within 2 weeks of the allocated date of the design competition presentation date, that the architects' submissions have been received and the Architects have been paid in full.

COP reserves the right to postpone the date for the Design Competition Presentations if the proponent has not provided evidence, to the satisfaction of the Manager, that the participating Architectural firms have been paid

In addition to the above fee, the Proponent will pay the fees, before the schemes are submitted, of the nominated quantity surveyor who will prepare the commercial analyses of each Competitor's design and any other nominated technical advisors listed in Part D.9.

### D9.3 Payment of Jury Members

The Jury Members nominated by the Proponent and CoPC shall be reimbursed by the Proponent. The Proponent, or Proponent's Representative will contact these members directly, agree an appropriate remuneration rate and engaged on a time basis.

The Office of the Government Architect will be responsible for reimbursing its nominated Jury member.

### D9.4 Payment of Technical Advisors for the Jury and Competition Participants

As noted below, technical advisers may be appointed to provide assistance to either or both the Jury and Competitors. The Proponent, or Proponent's Representative will contact these advisors/consultants directly, agree an appropriate remuneration rate and engage on a time basis.

### D9.5 Administration Costs

The Proponent is required to pay all out of pocket design competition fees to CoPC.

The Proponent is also required to pay a fee of \$7,500 (excl GST) per submission to CoPC for administrative costs associated with running the competition for individual buildings. For example, a competition with three (3) submissions will require the Proponent to pay CoPC \$22,500 (excl GST). Proposals that include multiple buildings for larger sites may attract a higher administration fee. The Proponent is to make his/her own enquiries with Council as to the exact fee payable to CoPC.

CoPC will invoice the Proponent for this fee at the time of endorsement of the brief.

## D10. Technical Assistance for the Jury

Technical advisers will be appointed to provide technical assistance / advice to the Jury as may be requested by it. The provision of such assistance will in no way reduce the responsibility of the Jury to the Proponent.

The technical advisers will be bound to secrecy and shall not be empowered to exclude any submission, and shall be limited to providing advice to the Jury.

The following Technical Advisors may be called upon by the Jury for further consultation:

*Note: Insert the name and contact details of the relevant technical advisors in the following table. Delete those that are not relevant to the site and/or proposed development.*

**Table 4 Technical Advisors**

| Discipline                            | Technical Advisors                   |
|---------------------------------------|--------------------------------------|
| Town Planning                         | [insert technical advisor's details] |
| Urban Design                          | [insert technical advisor's details] |
| Archaeologist                         | [insert technical advisor's details] |
| European Heritage                     | [insert technical advisor's details] |
| Aboriginal Heritage                   | [insert technical advisor's details] |
| Structural Engineering                | [insert technical advisor's details] |
| Mechanical and Electrical Engineering | [insert technical advisor's details] |
| Quantity Surveying                    | [insert technical advisor's details] |
| Hydraulic and Fire Services           | [insert technical advisor's details] |
| Wind Engineering                      | [insert technical advisor's details] |
| Facade Engineering                    | [insert technical advisor's details] |
| Lift Engineering                      | [insert technical advisor's details] |
| Flood Engineering                     | [insert technical advisor's details] |

## D11. Technical Assistance for Competition Participants

The Proponent will also make available the consultants noted in Part D.9 above to each Competitor and will pay for these consultancy services directly, to a maximum of 3 hours of advice, per discipline, per Competitor.

All requests for technical advice shall be made to the Competition Manager.

## D12. Communications, Questions and Competitor Briefings

Competitors should submit any questions in writing to the Competition Manager in accordance with the Competition procedures. Answers will not be given orally.

Questions may be sent to the Competition Manager up to the competition close date.

Answers to these questions will be compiled and sent to all Competitors without revealing the source of the questions.

Competitors may request up to three (3) meetings with the Proponent limited to an initial briefing at the start of the competition, halfway and three quarters through the competition.

Competitors must not contact each other, or the media.

## D13. Closing Date for Proposals

The competition shall commence upon the issuance of the Architectural Design Competition Brief to Competitors.

Proposals for this Architectural Design Competition must be lodged with the Competition Manager not later than **[insert closing time and date]**. The Competition Manager must issue the proposals to COPC no less than two (2) weeks before the presentations.

It is the sole responsibility of the Competitor to ensure actual delivery to the Proponent by the deadline.

## D14. Lodgement of Proposals

*Note: Allow a minimum period of 28 days for the preparation of proposals by entrants.*

Competitors shall lodge their proposals in a sealed package labelled "**[Insert address]**, Architectural Design Competition", to the Competition Manager, at the following address:

- **[Insert name]**
- **[Insert position]**
- **[Insert address]**

Additional materials received which exceed the submission requirements (as set out in Part E of this Brief) will not be considered by the Jury.

## D15. Disqualification

At the discretion of the Jury, proposals that breach competition procedures may be disqualified, in particular where:

- The submission is received after the lodgement time and date identified in the Brief; or
- The submission is not submitted in accordance with the submission requirements, as stated in this Brief; or
- A Competitor is found to be ineligible; or
- A Competitor may reasonably be expected to have an unfair advantage through access to privileged information; or
- In an Architectural Design Competition, a Competitor attempts to influence the decision of the Jury. The Competition Manager may confer with the Jury relating to disqualification, but this decision shall be final and no correspondence shall be entered into.

In an Architectural Design Competition, the Jury will determine any disqualifications.

## D16. Jury Assessment and Decision

### D16.1 Details of the Jury Meeting

The Competitors must present their entry to the Jury in person. The presentation must be no longer than 30 minutes followed by questions from the Jury for a period of 15 minutes. The presentation may include basic plans, renders and photomontages.

*Note: For larger sites comprising multiple buildings, the 30 minute presentation may be extended to 45 minutes plus 15 minutes for question time.*

In scheduling the time of the presentations, the Competition Manager is to ensure that there is to be a minimum 15-minute break in between presentations.

Design Competition Presentations are held once a month at CoPC (third Wednesday of the month).

The Competition Manager is to contact CoPC's Competition Co-ordinator to co-ordinate a presentation date and time (contact details can be found in the "Competition Summary" at the commencement of this Brief).

The date of the Competition presentation will be within 14 days after the competition closes.

The venue for the Competition presentation will be held at City of Parramatta Council premises.

CoPC will have a town planner representative in attendance at all Competition presentations.

The Competition Manager is to ensure that an attendance sheet is to be filled out by all attendees at the presentation.

### D16.2 Jury Assessment and Decision

A minimum of three (3) competitive proposals are to be considered in the Architectural Design Competition.

A copy of the proposals will be distributed to the Jury members at least two (2) weeks prior to the convened Jury meeting, a site inspection will be carried out for them, and the Competition Manager will provide a summary of planning compliance.

Observers of the Proponent and CoPC will be permitted to attend the presentations and/or mid-point review. As noted above, the Jury is not to attend the mid-point review.

The Proponent or their representative may choose to make a submission to the Jury; however, any such proposals will not fetter the discretion of Jury members or diminish their responsibilities as described in Part D.7.

The Jury is expected to reach a decision within 14 days and will submit a Jury report (referred to as the Architectural Design Competition Report) to the Proponent.

The Jury's decision will be via a majority vote. Unanimous agreement is not required but consensus is encouraged.

The Jury's decision will be communicated to the proponent via the *Design Excellence Competition Jury Report*. This will be prepared by the Proponents Competition Manager.

The Jury's decision will not fetter the discretion of the Consent Authority in the determination of any subsequent development application.

The Jury may:

- Nominate a winning scheme on the basis that 'design excellence' has been achieved - with or without the requirement for further design development and hold points;
- Recommend that none of the schemes achieve design excellence but with further work, recommended by the Jury, there is the potential for a scheme to achieve design excellence; or
- Recommend that none of the entries exhibit design excellence and thus end the competition.
- Request further information from two or more competitors to assist them in their deliberations

### D16.3 Announcement

There is no guarantee that the winner will be announced on the day of the presentations.

The winner of the Architectural Design Competition will be announced as soon as possible, but within 4 weeks of the presentations.

The Proponent will advise all Competitors of the decision verbally, and then in writing.

The Architectural Design Competition results will be made public within 21 days of the Jury's decision.

### D16.4 Request for Review

In the event that;

- the Jury does not reach a decision;
- the Proponent is not satisfied with the nomination;
- the Proponent wishes to make a substantive modification;
- CoPC considers the project submitted for approval (or as subsequently modified) to be substantially different, or
- CoPC indicates it will not grant consent to the design nominated, either the proponent or CoPC may request that the Jury reconvene and make a recommendation as to what further competitive processes or requirements would be necessary to permit an alternative or revised design to satisfy the design excellence provisions of the PLEP 2011.

The Jury shall make such recommendation as it sees fit within 28 days of such a request.

The cost of such review shall be born by the Proponent.

## D17. Appointment of the Architect of the Winning Scheme

The appointment of the winning entrant is likely to be on the basis of the Proponent's standard contract for engagement of consultants.

The Proponent shall appoint the architect/or team of the winning proposal as selected by the Jury. Full design and documentation of the winning proposal should then occur. It is assumed that all competitor's fees for the entire architectural commission as set out above will have been pre-agreed by the Proponent.

The architectural commission is to include:

- Preparation of a DA;
- Preparation of the drawings for the Construction Certificate;
- Preparation of the drawings for the contract documentation; and
- Continuity during the construction phases through to the Occupation Certificate.

The Proponent is required to proceed with the winning proposal nominated by the Jury and is not to limit the architectural commission outlined above. If in exceptional circumstances the winning Competitor/Architect cannot proceed with the commission, the Proponent will generally be required to restart the Architectural Design Competition unless CoPC agrees to a replacement Competitor/Architect. In such circumstances, which are entirely within the discretion of CoPC, CoPC in association with the Office of the Government Architect will reconvene the competition Jury to obtain sign-off on any amended design by the replacement Competitor/Architect.

## **D18. Post-Competition Review**

The Jury, or their nominee, is to monitor design excellence and integrity at key project milestones including the following:

- During the pre-lodgement stage
- During the Development Application stage
- Prior to issue of the Construction Certificate
- Prior to issue of the Occupation Certificate
- Prior to lodgement of any Section 96 which modifies the design

The main role of the Jury during this post-competition phase will be to provide certification that the design at different stages through the subsequent approval and construction process is substantially the same and retains the design excellence exhibited in the winning submission.

In the event that the Jury is not able to be reconvened during the post-competition review phase, a Panel is to be established to monitor design excellence at the milestones identified above. The Panel is to be provided with a copy of the signed Jury Report and is to comprise three (3) members including one (1) CoPC representative, one OGA representative or their nominee and one (1) representative of the Proponent. The Panel is to be endorsed by CoPC prior to commencing the post-competition review.

If the Panel is not established, this certification must be provided by the Jury.

## **D19. Care of Material and Insurance**

It is each Competitor's responsibility to wrap, ship, mail or deliver by other means, their submission, ensuring timely and intact arrival. The Proponent disclaims any responsibility for any loss or damage during transit.

No liability shall be attached to the Proponent regarding the proposals, whilst in the possession of the Proponent. All reasonable care shall be taken to maintain the proposals in good condition, but a limited amount of 'wear and tear' is inevitable. Competitors are advised to make copies of their proposals, so as to retain a copy of their work.

Responsibility for insuring proposals rests solely with Competitors.

Competitors must sign the Declaration Form to respect conditions and procedures governing this competition.

The Declaration Form is the invitation letter sent to each architect. Once completed, it should be placed in a plain envelope and forwarded with the Competitor's submission.

Proponent may retain all material submitted by the Competitors and use it at its discretion after payment of the competition fee.

## **D20. Return of Documents**

The Proponent retains the right to hold all proposals for a period of up to six (6) months from the closing date of the Architectural Design Competition. The Proponent shall retain the winning submission(s). Other proposals shall be returned to the owner(s).

Competitors shall be notified of the date on which proposals will become available for collection.

## **D21. Copyright**

Copyright for each submission shall remain in the ownership of the original authors.

The Proponent and the Consent Authority shall have the right to display, photograph or otherwise duplicate or record all proposals for publication, publicity or other such purposes. Any such reproductions shall acknowledge the copyright owner and further use of such designs shall be negotiated between the parties to the agreement on such terms.

Execution of the Declaration Form shall be deemed as legal permission for the Proponent to publish the Competitors' designs. The Proponent will seek to involve Competitors in any such media releases. Generally, no compensation shall be made for such reproduction or publication.

## D22. Confidentiality

The Proponent, observer(s) and competition Jurors shall observe complete confidentiality in relation to all proposals received, prior to a decision in relation to the competition that is made public.

## D23. Post Competition Processes

### D23.1 Confirmation of Design Excellence

The Proponent is to ensure that once all competitors are notified that the jury is also simultaneously notified.

Where practical and feasible, the following processes shall be completed within four weeks of the presentations:

- The Jury will provide comments, and any caveats.
- A Jury report (see Jury Report Template) is completed by the proponent or their representative.
- The Jury report is reviewed by the Jury and signed by all members of the Jury
- The Jury report is sent to City of Parramatta Council for review
- Upon finalisation of the Jury report, the Office of the Government Architect will acknowledge design excellence by sending a letter to City of Parramatta Council.
- Council will subsequently formally notify the proponent of the awarding of design excellence and any associated development bonuses. This notification will include the final Jury report.
- No media releases shall be issued by the proponent until it has received the final Jury report.

### D23.2 Integrity of Design Excellence post competition

To ensure that the quality of winning design is maintained through all development approval stages and construction the Jury will review the design at the following stages:

- During the pre-lodgement stage
- During the Development Application stage, when the following information will be required:
  - Key cross sections, partial plans and partial elevations through external walls, balconies and other key external details. These drawings are to be fully annotated at a scale of 1:50, or if necessary 1:20, showing details, materials, finishes and colours, so that the details and materiality of the external facades are clearly documented.
  - Revised 3D photomontages.
- Prior to issue of the Construction Certificate
- Prior to issue of the Occupation Certificate
- Prior to lodgement of any Section 96 which modifies the design

The Architectural Competition winning architects shall be retained during the construction process to ensure the retention of the design intent, regardless of whether the site is on sold.

All members of the jury or a majority of jurors must be reconvened to discuss the findings and/or direction of the jury.

The venue for these reviews is negotiable.

# PART E

## COMPETITION SUBMISSION REQUIREMENTS



Manuelle Gautrand Architecture, DesignInc & Lacoste + Stevenson  
5 Parramatta Square, Parramatta

## PART E - Competition Submission Requirements

*Note: The below requirements are to be noted as "minimum" submission requirements. These may be embellished and/or extended depending on the site, the development and the Proponent's requirements.*

### E1. General Requirements

The proposal submission must be clear and concise, with comprehensive design information to complement and explain the graphic presentation.

A proposal must not nominate works of any kind which are beyond the boundaries of the site.

Proposals are to comply with the following requirements. Competitors are advised to carefully study these requirements and strictly adhere to them. Failure to meet these requirements may, at the discretion of the Competition Manager, result in the disqualification of the submission.

All Competitors shall submit at least one (1) conforming design which is in accordance with the requirements of the relevant statutory and non-statutory planning controls.

If a Competitor considers that a scheme that is not generally in accordance with the relevant development control plan (PDCP 2011) better meets the urban design, planning, architectural design and development objectives for the site, then the Competitor may still submit this scheme in addition to a conforming scheme. **Compliance must be achieved with the PLEP 2011.** All schemes will be fully considered by the Jury providing they are accompanied by all reasonable information justifying any relevant non-compliance.

Eight (8) copies of all submission documents shall be provided, except where otherwise noted as below.

### E2. Drawings and Graphics

Each Competitor's submission shall consist of the following:

- Site and location plan – 1:1000.
- Contextual analysis – any scale with a scale bar included.
- A series of sketches that explain the design evolution process.
- Plans, elevations sections and typical levels for the scheme (scaled 1:200 on A3, elevations and sections can be provided at 1:400 on A3 – scale bar to be included).
- Ground floor street sections (scaled at 1:50)
- Details on façade treatment including a detailed analysis of materials and finishes (scaled at 1:50).
- Mid-winter shadow analysis between the hours of 9am and 3pm (hourly intervals). The shadow analysis should include sun-eye view perspectives.
- A full extent of the ground floor plan including the landscape elements in scale 1:1000 on A3 plus minimum 4 areas of special interest in scale 1:100 (on A3) demonstrating interface with street frontages and any potential non-residential component(s) including the relationship to the public domain.
- Landscape / Public Domain Plan demonstrating the treatment to the setback areas, communal open space and publicly accessible open space areas (1:100)
- 3-D computer model (please note that Competitors may also provide a physical model, however, this is not compulsory). Attached to this Brief is Council's format requirements for the model. Models are required at a scale of 1:1000.
- 1-2 computer generated photomontage(s), the location of which must be taken from the following viewpoints:

**[insert clear site plan showing the locations of 3D views to be taken from]**

*Note: The purpose of the above image is to ensure that all 3D views are taken from the same angles to enable accurate comparative analysis between the schemes.*

Each submission shall include the following (floor by floor) area schedules:

- Gross Floor Area ("GFA") using the definition in the PLEP 2011;
- Net Lettable Area ("NLA") using Property Council of Australia's definition; and
- Number of Residential Apartments.
- A concise report articulating:
  - how the proposal responds to this Brief;
  - how the proposal responds to the principles and objectives of the masterplan;
  - the design approach taken for each tower and the public domain, and key elements in the master planning for the site;
  - discuss the mix of uses and their integration;

- address the structural nature of the proposal in light any potential structural issues;
  - commentary on how the design is an economically feasible option and an analysis of the scheme's buildability and cost effectiveness;
  - how the proposal satisfies the planning controls (SEPP65, ADG, Parramatta LEP, site specific DCP);
  - demonstrate how the priority ESD objectives have been incorporated and which of the secondary ESD objectives are provided; and
  - the manner in which design excellence is achieved, having regard to the key matters for consideration under Clause 6.12 OR Clause 7.10 of the PLEP 2011
- A separate fee proposal from each Competitor is to be provided with the submission to the Proponent but is not to be included in the competition package.
  - Architects must not provide more information than requested above. An A3 booklet of a minimum 40 pages and maximum 90 pages (either landscape or portrait) is acceptable and consecutively numbered.

*Note: For larger and more complex sites a maximum 150 pages*

## **E2.1 Technical Requirements for Documentation**

- Material for submission to the Proponent shall be provided within A3 bound copies (8 copies) and CD or USB (6 copies) containing ALL submission documentation.
- Presentation material must be of a quality suitable for public exhibition.
- Names of Competitors are to be clearly visible on entries.
- Each plan, elevation and section is to show the relevant adjacent context.
- All presentations will be held at the offices of either CoPC or the Office of the Government Architect.

## **E3. Statement of Design Intent**

Each entry should include a design statement addressing the following:

- The proposal's approach;
- The response to the objectives set out in this Brief;
- The manner in which design excellence is achieved;
- A schedule showing the uses, percentage and numbers of each use the indicative FSR, gross floor area and construction methodology; and
- If relevant, a response to the ten (10) design quality principles in SEPP 65.

## **E4. Statement of Compliance**

Each submission must also include a statement prepared by a suitably qualified person indicating the proposal's compliance with the objectives of the controls and guidelines embodied within the planning framework, primarily, the PLEP 2011, the PDGP 2011, any adopted site specific or master planning DCP, and relevant State planning policies, including (but not limited to), State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development and the Residential Apartment Design Guide.

## **E5. Detailed Area Schedule**

Each submission shall include the following (floor by floor) area schedules:

- Gross Floor Area ("GFA") using the definition from the PLEP 2011; and
- Nett Lettable Area ("NLA") using Property Council of Australia's definition.
- A schedule is also required to be submitted showing the uses, percentage and numbers of each use the indicative FSR, gross floor area and construction methodology / buildability.

## **E6. Quantity Surveyor's Cost Advice**

Each submission must include the estimated construction cost. The entries will all be costed by the Proponent's chosen quantity surveyor.

## **E7. Physical and Digital Model Requirements**

A 3-D computer model is required to be submitted. The model is to be prepared in accordance with Council's requirements which are set out in Appendix 7.

Please note that Competitors may also provide a physical model, however, this is not mandatory.

## **E8. Anonymity**

Names of Competitors are to be clearly visible on entries.

# PART F

## REFERENCE DOCUMENTS

Bates Smart  
8 Parramatta Square, Parramatta

## PART F - Reference Documents

### **Parramatta Local Environmental Plan 2011 and Development Control Plan 2011**

[http://www.parracity.nsw.gov.au/build/forms\\_and\\_planning\\_controls/Parramatta\\_LEP\\_and\\_DCP](http://www.parracity.nsw.gov.au/build/forms_and_planning_controls/Parramatta_LEP_and_DCP)

### **Department of Planning Director General's Design Excellence Guidelines**

<http://www.planning.nsw.gov.au/~media/Files/DPE/Guidelines/director-generals-design-excellence-guidelines-2011.ashx>

### **City of Parramatta Council Design Excellence Competition Guidelines**

[http://www.parracity.nsw.gov.au/\\_data/assets/pdf\\_file/0007/75274/ParramattaCouncilDesignExcellenceCompetitionGuidelines.pdf](http://www.parracity.nsw.gov.au/_data/assets/pdf_file/0007/75274/ParramattaCouncilDesignExcellenceCompetitionGuidelines.pdf)

### **City of Parramatta Council Public Domain Guidelines**

[http://www.parracity.nsw.gov.au/\\_data/assets/pdf\\_file/0006/92562/Public\\_Domain\\_Guidelines.pdf](http://www.parracity.nsw.gov.au/_data/assets/pdf_file/0006/92562/Public_Domain_Guidelines.pdf)

### **City of Parramatta Council City Centre Laneways Policy**

[http://www.parracity.nsw.gov.au/\\_data/assets/pdf\\_file/0009/86166/COPC\\_Lanes\\_Policy.pdf](http://www.parracity.nsw.gov.au/_data/assets/pdf_file/0009/86166/COPC_Lanes_Policy.pdf)

*Note: Reference any other relevant material here including any Council resolutions relevant to the site/proposal*

# ANNEXURES

**APPENDIX 1**  
TEMPLATE LETTER FOR THE  
APPOINTMENT OF JURORS

**APPENDIX 2**  
TEMPLATE INVITATION LETTER TO  
ARCHITECTS

**APPENDIX 3**  
PLANNING PROPOSAL PROJECT  
DOCUMENTATION INCLUDING DRAFT VPA

**APPENDIX 4**  
SITE SURVEY & ANALYSIS

**APPENDIX 5**  
PLANNING COMPLIANCE CRITERIA

**APPENDIX 6**  
PARRAMATTA COUNCIL'S DIGITAL 3D  
MODEL REQUIREMENTS

## **Appendix 1: Template Letter for the Appointment of the Juror**

[Date] Our Ref: [insert] File No: [insert] PID No: [insert]

[Name and address of invited juror]

**Architectural Design Competition** for [insert address].

Dear Sir/Madam,

City of Parramatta Council in conjunction with [insert Proponent's name] (the Developer and Proponent of this project) would like to cordially invite you to sit on the Jury for an Architectural Design Competition of the above mentioned site.

A Juror's obligations throughout the competition process are as follows. In accepting a position on the Jury, Jurors agree to:

- Have no contact with any of the Competitors in relation to the site and the Architectural Design Competition from their time of appointment until the completion of the process other than during presentations of the submissions;
- Evaluate entries promptly in accordance with the timetable;
- Abide by the requirements of the Architectural Design Competition Brief (attached);
- Consider advice provided by the Consent Authority and technical advisors;
- Refrain from introducing irrelevant considerations in addition to, or contrary to those described in the Architectural Design Competition Brief, or contrary to the statutory framework;
- Make every effort to arrive at a consensus in the selection of a winner and within two (2) weeks of the competition presentations. This may include caveats on design amendments to be made before design excellence is declared by the Jury;
- Submit a signed report explaining their decisions no more than four (4) weeks after the competition presentations. This report may be prepared by another party, such as the Proponent's Representative. In such a case, the report must be signed by each Juror validating the findings of the report and endorsed by CoPC;
- Sign a statement confirming they have read and understood the Juror's obligations and agree to respect those obligations for the duration of the Architectural Design Competition; and
- Provide written certification that the design for any subsequent DA lodged for the development is substantially the same as the winning design and exhibits design excellence.

If you would like to be appointed to the Jury, please fill out the following pro-forma and return to (name and address of contact to be advised). If you have any questions regarding the process, contact (name and contact details of Council contact) to discuss.

Yours Sincerely,

[insert signature]

.....

I, ..... have read and understood the Juror's obligations (listed above) and agree to respect those obligations for the duration of the Architectural Design Competition.

Signed:..... Date:.....

## Appendix 2: Template Invitation Letter to Architects

[Date] Our Ref: [insert] File No: [insert] PID No: [insert]

[Name and address of invited Architect]

**Architectural Design Competition** for [insert address].

Dear Sir/Madam,

[Insert Proponent's name] pleased to advise that your practice has been selected to take part in the Architectural Design Competition for [insert address].

The Architectural Design Competition is scheduled to commence on [insert date] and concluded at [insert date]. Dates and times for the formal presentation of your design submission will be confirmed at a later date by the Competition Manager.

The Architectural Design Competition Brief, endorsed by CoPC on [insert date], is attached to this letter.

We would ask that you review this Brief and confirm your acceptance of the terms and conditions contained therein and confirm your practice's participation in the competition, by way of signing and returning the base of this letter to the undersigned.

[Insert Proponent's name] appreciates the interest shown by your practice in this competition and we look forward to receiving your acceptance to participate.

Yours Sincerely,

[insert signature]

[Insert name of Competition Manager]

.....

#### **Declaration Form**

I/We hereby confirm that we have read the Architectural Design Competition Brief dated [insert date], and agree to be bound by the terms and conditions contained therein. Further, by signing below, we confirm our practices participation in the Architectural Design Competition for [insert address].

Name of Practice: \_\_\_\_\_

Signature of authorised representative: \_\_\_\_\_

Name of authorised representative: \_\_\_\_\_

Date: \_\_\_\_\_

*Note: If Competitors are to comprise consortium teams, the above declaration form is to be signed by both architectural practices*

## **Appendix 3: Planning Proposal Project Documentation including Draft VPA (if relevant)**

## Appendix 4: Site Survey & Analysis

## Appendix 5: PLEP 2011 Quantitative Planning Compliance Criteria

Please note that the following tables provide the key quantitative provisions from the PLEP 2011.

| PLEP 2011 Clause Reference                                      | Corresponding Development Standard  |
|---|---|
| 4.3 Height of buildings   | [insert maximum height of buildings]  |
| 4.4 Floor space ratio   | [insert maximum FSR]  |
|   |   |
| 7.2 Floor space ratio (Parramatta City Centre)                  | [insert standard if applicable]   |
| 7.3 Car parking (Parramatta City Centre)                        | [insert standard if applicable]   |
| 7.4 Sun access  | [insert relevant sun access plane controls specified for that land in section 4.3.3 of the Parramatta Development Control Plan]   |
| 7.7 Development on land at Church and Early Streets, Parramatta | [insert standards if Brief refers to this site]   |
| 7.8 Development on land at 160–182 Church Street, Parramatta    | [insert standards if Brief refers to this site]   |
| 7.9 Development on land at 189 Macquarie Street, Parramatta     | [insert standards if Brief refers to this site]   |
| 7.10 Design excellence (Parramatta City Centre)                 | <p>(8) If the design of a new building, or an external alteration to an existing building, is the winner of a competitive design process and the consent authority is satisfied that the building or alteration exhibits design excellence, it may grant development consent to the erection of the new building, or the alteration to the existing building, with:</p> <p>(a) in any case—a building height that exceeds the maximum height shown for the land on the Height of Buildings Map or an amount of floor space that exceeds the maximum floor space ratio shown for the land on the Floor Space Ratio Map (or both) by up to 15%, or</p> <p>(b) if the proposal is for a building containing entirely non-residential floor space in Zone B4 Mixed Use—a building height that exceeds the maximum height shown for the land on the Height of Buildings Map or an amount of floor space that exceeds the maximum floor space ratio shown for the land on the Floor Space Ratio Map (or both) by up to 25%.</p> |

## Appendix 6: City of Parramatta Council Digital 3D Model Requirements

### Design Competition 3D Model Acquisition

#### Model Format

The format of the model to be supplied to City of Parramatta Council should be a basic (.3DS). The size of the file should not exceed 5MB. A SketchUp File must be provided as well to check for consistency of data and detect possible corruption of the 3ds file.

1. Trimble Sketch Up (.skp)
2. General 3D format (.3ds)

#### Model Coordinates

The model must be orientated to north and centred to (0,0,0) coordinates.

- X – Axis: 0
- Y – Axis: 0
- Z – Axis: 0
- Model orientated to North Facing

#### Model Unit of Measure

Modelling units must be set in Meters (m), within 2 decimal places 00.00m

- Meters (m)

#### Model Details

Elements that are to be shown in the model should be, massing / shrink wrap of the building, with floor plates and all faces in the model normalised.

- Defining Features of Building
- Cadastre Outline
- Floor Plates
- No Window Mullins
- No Sun Shading Devices
- Ground Plane Extends to Site Boundary
- All faces in the model to be **Normalised**

Elements in the model that should be **EXCLUDED**:

- All internal elements or modelling
- Duplicated line work
- Gaps or missing elements
- Camera positions deleted



(Faces in Blue = Not Normalised)

(Faces in White = **Normalised**)

### Model Textures

Textures in the model must be sizes of powers of two, the format of the textures is to be (.jpg) (.png) (.tiff) and (.tga). All textures used in the model must be provided with the exception of colours.

- 512 x 512 pixels (preferred texture size)
- 1024 x 1024 pixels
- 2048 x 2048 pixels
- 4096 x 4096 pixels

### Design Competition 3D Model Acquisition Checklist

- SketchUp File (.skp)
- General .3ds File (.3ds)
- Model North facing
- Model centred to 0,0,0
- Model Unit (Meters) & 2 Decimal Places 00.00m
- Model with Defining Features of the Building Shown
- Cadastre Outline
- No Window Mullions
- No Sun Shading Devices
- Floor Plates
- Faces in model all normalised
- Model texture supplied (if applicable)

## Appendix D: NSW Case Studies

## 60 Martin Place, Sydney

|                             |   |
|-----------------------------|---|
| Project                     | 60 Martin Place, Sydney   |
| Proponent                   | Investa   |
| Development Summary         | 33 storey commercial office building (44,599m <sup>2</sup> of floor area)           |
| Competition type            | Invited design alternatives process (City of Sydney)                                |
| Competition program         | Total 11.5 weeks<br>Initial 6 week working time<br>Additional information requested |
| Key planning issues         | Heritage, overshadowing, ESD  |
| Planning approval timeframe | Approximately 3 years. 2013-2016  |

### Overview

The competitive design process for 60 Martin Place was completed in 2014, following Council endorsement and Gateway determination of a site-specific planning proposal to amend the Sydney LEP, accompanied by a site-specific DCP. The site is located at 58 - 60 Martin Place, Sydney and 197 Macquarie Street, in the centre of the Sydney CBD. The site contained a 28 storey commercial office building on 60 Martin Place, which breached the overshadowing controls protecting solar access to Martin Place. The site also contained St Stephen's Uniting Church, listed on the State Heritage Register. The church is predominately sandstone apart from a central spire. The design of the church can be described as inter-war Gothic style.



Figure 17. 60 Martin Place Site Plan

## Pre-Competition

In July 2014, a site-specific planning proposal was lodged with the City of Sydney to amend the planning controls applying to 60 Martin Place. The amended controls aimed to establish a building envelope on the site which allows for a feasible redevelopment without generating undue environmental or amenity impacts in the site context. The amended planning controls facilitated a building envelope to the same height as the existing building and requiring that the redevelopment of the site demonstrated no additional overshadowing to Martin Place at key planning control times.

## The Competition

The competition brief was negotiated with Council over a 3 month timeframe with a number of revisions requested by Council ahead of endorsement. Key objectives of the competition brief included:

- Planning:

- No part of the building is to project beyond the identified building envelope to ensure no additional overshadowing on the following key locations as identified by the City of Sydney Council:
  - Martin Place between 12:00pm and 2:00pm on 14 April;
  - The Domain in accordance with The Domain sun access plane (refer Clause 6.17 of the SLEP2012); and
  - The forecourt of Hyde Park Barracks, as regulated by the maximum building envelope.
- Provide a new landmark building in the Martin Place Precinct, contributing to the revitalisation of Martin Place as the commercial, civic and

commemorative heart of Sydney;

- The floor plate of the tower element should be configured to optimise internal amenity, with flexibility in the final layout and the capturing of views to the east, south and west;
  - The cantilever element across the northern edge of the tower should be designed as an integrated element with the entire redevelopment and must be sympathetic to St Stephen's Uniting Church and its setting and provide maximum space around the steeple;
  - Manage potential wind effects and enhance pedestrian comfort in active areas of the redevelopment;
  - Provide the opportunity to activate a predominant portion of the Martin Place, Macquarie Street and Phillip Street frontages;
  - Enhance the appearance and contribute to the ongoing conservation of St Stephen's Uniting Church where possible.
- Design:
    - Produce a feasible and commercially viable design that is attractive to prospective commercial and retail tenants and owners.
    - Stimulate imaginative architectural and urban design proposals that achieve design excellence as defined in Clause 6.21(4) of the Sydney LEP 2012;
    - Respond to the site's unique and high profile context and the constraints and opportunities of the site itself (including heritage);
    - Optimise opportunities for ecologically sustainable design;
    - Enhance the appearance and setting of St Stephen's Uniting Church; and
    - Contribute to the prominence of Martin Place as the commemorative, civic and commercial heart of Sydney, as well as

the prominence of Sydney generally as a leading competitive, global city.

- Improve the quality and amenity of the public domain, promoting active frontages to the majority of street frontages and integrating the building entries with the Martin Place plaza.
- Provide an innovative design solution to the varied levels of Martin Place and illustrate how the building will seamlessly connect to the plaza. The experience of pedestrians should be enhanced along Martin Place.
- A pedestrian link from Martin Place Train Station concourse to Martin Place needs to be maintained through the site in a similar form to the existing access point. Opportunities to optimise the benefits of this link should be explored and the design should be in accordance with relevant TfNSW standards.
- Proposals must have regard to construction methodology issues such as buildability, relationship to existing rail infrastructure and project staging.
- The street alignment of Martin Place, Macquarie Street and Phillip Street is to be maintained and emphasised in the redevelopment of the podium.
- The orthogonal grain of the Martin Place Precinct should be maintained through providing a podium element which responds to the existing built form of significant buildings within Martin Place and also those adjacent along Macquarie Street.
- The setbacks above the podium must reflect and respect the civic scale of the site and respond to the adjacent RBA Building and St Stephen's Uniting Church, as per the site specific DCP envelope.
- The cantilever element should be designed as an integrated element with the entire

redevelopment and must be of sympathetic scale to St Stephen's Uniting Church;

- Maximise outlook to high level views where possible.
- Maximise the internal amenity of the commercial levels in regard to daylight penetration and ventilation.
- The new building needs to positively contribute to the character of Martin Place and with adjacent buildings and the heritage significance of the broader locality
- Commercial:
  - A premium grade commercial office development, as defined by the Property Council of Australia.
  - Base building to achieve a minimum of 6 Star Green Star, Green Building Council of Australia "Design" and "As-built" rating, and also targeting a 6 Star NABERS energy rating (with a minimum 5 Star rating required).
  - Optimise the floor space ratio within the development up to the maximum possible permissible FSR of 13.75:1 (45,990m<sup>2</sup> accounting for the existing Church floor area and incorporating the potential 10% bonus floor space for the achievement of design excellence).
  - Maximise the height of the new building up to the allowable height of the maximum building envelope.
  - Each participant is encouraged to pursue the additional 10% of floor space bonus within the context of Clause 6.21 of Sydney LEP 2012, which is awarded at the discretion of the Consent Authority for undertaking a competitive process and achieving design excellence (i.e. a floor space ratio of 13.75:1).
  - Maximise the total Net Lettable Area (NLA)

and Gross Lettable Area Retail (GLAR) for the development. A minimum combined NLA of 38,000m<sup>2</sup> is to be achieved.

- Provide commercial floor plates that demonstrate the highest possible degree of efficiency (NLA/GFA ratio).
- Minimise the number of structural columns on a typical floor and maximise the penetration of natural light into the building as well as the opportunity for views.
- Provide an entry lobby (or lobbies) to the building which provides an entry statement and presence for the new, premium grade, commercial office development.
- Onsite parking is to be consistent with the maximum allowable parking rates applicable under the Sydney LEP 2012

The following six architectural firms, some in conjunction with international partners, were invited to submit design proposals for competition:

- HASSELL
- Architectus with PLP Architecture
- Francis-Jones Morehen Thorp (FJMT)
- Fitzpatrick and Partners with Tonkin Zulaikha Greer (TZG)
- Johnson Pilton Walker (JPW) with NBBJ
- Bates Smart with Thomas Phifer and Partners

The competition process was conducted over a four (4) week period. A selection panel of five (5) members was established, made up of three proponent-nominated members and two Council-nominated members.

Following the Round 1 submissions and presentations, the selection panel compiled a list of items requiring further clarifications for two shortlisted proponents, namely:

- Architectus with PLP; and
- Hassell

These Architects were asked to submit the clarifications and present their responses to the selection panel. Following the evaluation of the second round submissions, the selection panel nominated Hassell as the preferred scheme listed the following strengths of the scheme:

- The overall form and massing which results in the creation of a new landmark building at a premier address.
- The simplicity of the plan and the flexibility it offers.
- The introduction of the atrium to the north and the light it will bring into the building.
- The ground plane, particularly the creation a new through site link, the atrium, and the retail offered to all street frontages, contributing to the revitalisation of Martin Place.
- The legibility and directness of entries to both Martin Place and Macquarie Street.
- The sympathetic response and integration provided to St Stephen's Uniting Church which provides significant benefit to the Church.
- The use of materials – masonry base of sandstone, the modulation of the glass tower with composite stone blades, and the use of mesh to the service core.
- The ESD achievements and innovative systems which could be provided in the new building.

The selection panel outlined a number of design refinement recommendations to be addressed in the detailed DA, including:

- The entries off Martin Place should be reworked to reduce the level changes and make the outside/inside movement as accessible as possible. There

is even the potential to access the lifts from the lower as well as the upper ground floor.

- The soffit treatment to the northern stepped façade needs careful consideration. The use of black marble or its visual equivalent proposed in the revised scheme may appear too heavy or dominant when seen from the street.
- The mesh screens to the south façade of the service core need consideration both in terms of their density and the proposed colour treatment as part of the overall composition.
- The sandstone to the podium is strongly supported, but needs careful consideration in terms of stone selection and detailing.

### Post-Competition

The competition concluded in February 2015 and a detailed DA was prepared based on the competition-winning scheme. The detailed DA was lodged with Council in April 2015 and granted deferred commencement consent by the CSPC in October 2015 following a 6-month assessment process. The deferred commencement conditions were satisfied and the consent activated in February 2016.



Figure 18. Winning Scheme by HASSELL. Perspective from corner of Macquarie Street and Martin Place

### Key Observations

This case study demonstrates the overall competition process for the Sydney CBD where an amendment to the planning controls is pursued. This case study also highlights the inclusion of international firms within the competition framework.

The fundamental observation of this competition is how the competitive framework can respond to significant heritage items and deliver alternative design options.

This case study saw a scenario where the selection panel were unable to reach a decision following the first round of presentations and therefore requested additional information from the top two entries. This shows how the competition program can extend where a jury or panel is unable to reach a decision.



Figure 19. Winning Scheme by HASSELL. Perspective from corner of Phillip St & Martin Place

## One Sydney Park - 205-215 Euston Road, Alexandria

|                             |   |
|-----------------------------|---|
| Project                     | One Sydney Park   |
| Proponent                   | HPG   |
| Development Summary         | Eight mixed use buildings comprising a total of 390 residential apartments, ground level retail and community uses (43,573m <sup>2</sup> of floor area) |
| Competition type            | Invited design alternatives process (City of Sydney)  |
| Competition program         | Total 6 weeks<br>4 weeks working time<br>No additional information requested  |
| Key planning issues         | Landscaping, ESD, impact on existing trees, public views, residential amenity   |
| Planning approval timeframe | Ongoing. 2016-present   |

### Overview

The competitive design process for One Sydney Park was completed in 2017, following the approval of a Concept DA relating to the redevelopment of 205-215 Euston Road, Alexandria. The site is located on the boundary of Sydney Park, being a major regional park within the inner suburbs of Sydney. The broader area of Alexandria is undergoing a period of transition in development including the introduction of a mix of commercial, industrial and some residential uses. The site is surrounded by a diverse range of land uses with higher density residential to the north of Sydney Park, industrial/commercial uses to the east and lower density residential to the west in the areas of Enmore and Marrickville. The site's locational context is shown in Figure 20.



Figure 20. Aerial perspective of 205-215 Euston Road, Alexandria  
Source: Turf Design Studio

## Pre-Competition

On 22 June 2017, Council approved a Concept DA (D/2016/989) for demolition of existing buildings and concept approval for eight mixed use buildings 4-6 storeys in height, including basement car parking at 205-225 Euston Road, Alexandria. An excerpt of the approved concept envelope plans is provided at Figure 14.

The Concept DA permitted a departure from the maximum building height in order to facilitate an improved development outcome for the site by decreasing the appearance of bulk and scale when the development was viewed from Sydney Park. Given the site's interface with Sydney Park, landscape and preservation of existing trees was a critical assessment issue in the Concept DA.

The site's frontage to Euston Road is currently undergoing road widening to a six lane road as part of the new M5 – St Peters Interchange stage of the Westconnex project. Therefore the amenity of residential dwellings fronting this street was questioned in the Concept DA assessment and ultimately the buildings facing Euston Road were not approved for residential uses in the concept DA. Therefore any residential use would need to be demonstrated in the competition and subsequent detailed DA to be capable of achieving the relevant acoustic and ventilation requirements of the NSW ADG.

As part of the Concept DA approval, the CSPC endorsed the design excellence strategy for the project, facilitating the following competitive design process as per the CoS Policy:

- A competitive design alternatives process
- A minimum of four competitors
- Competitors ranging from emerging, emerged and established architectural practices that will either

be a person, corporation or firm registered as an architect in accordance with the NSW Architects Act 2003 or, in the case of interstate or overseas competitors, eligible registration with their equivalent association.

- Appointment of an independent competition process manager
- A selection panel to be made up of a total of six (6) members:
  - Three City nominated members, one which must have Landscape expertise; and
  - Three Proponent Representatives, one of which may be the Chairperson
- A technical panel providing advice to competitors and the jury, including:
  - QS
  - Planning
  - ESD
  - Flood
  - Acoustic
- ESD targets above the state-mandated minimum requirements.
- The objective of the competition to pursue 10% additional building height above that prescribed by the LEP.

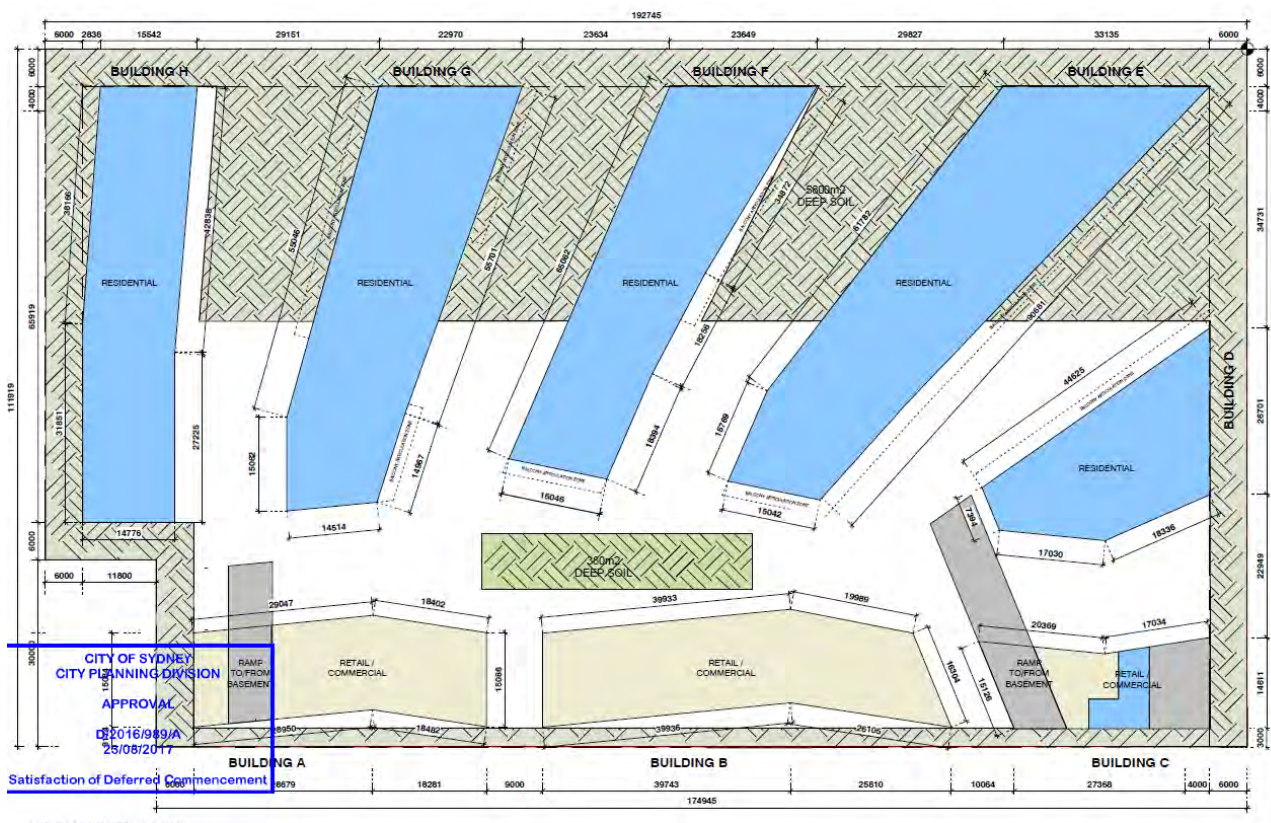


Figure 21. Approved concept plan (Ground Level) for 205-225 Euston Road, Alexandria

Source: Issued by City of Sydney Council

## The Competition

Following the approval of the Concept DA, the proponent advanced the endorsed design excellence strategy. The competition brief, prepared by the competition manager on behalf of the proponent, was negotiated with Council over an approximate 3 month period and nine revisions were made during the

process to endorsement. The key objectives of the competition brief included:

- Planning:
  - Locations within the building envelopes where additional height could be located;
  - Clear identification of minimum boundary setback requirements

- Design:
  - create building, landscape and public domain within the site that achieves design excellence;
  - respond to the site's unique landscape context having regard to constraints and opportunities;
  - ensure landscape design complements the existing landscape features of the site;
  - appropriately address the relationship between the site and Sydney Park + WestConnex, including provision of pedestrian and cycle connections;
  - provide innovative design solutions to resolve site conditions with regard to acoustic, noise and pollution to deliver high quality amenity appropriate to uses;
  - mitigate visual impact of development in relation to Sydney Park;
  - fully integrate landscape addressing interface with Sydney Park and ensure contiguous landscape into the interior of the site;
  - provide appropriate landscape threshold to all site frontages to visually screen building development from adjacent public domain and Sydney Park;
- Landscape:
  - Diverse, varied and inherently functional communal open spaces
  - Design concepts for all park edges, ensuring safety and security are considered alongside the integration of landscape with the park
  - Robust and easily maintainable green roofs, green walls and planted balcony edges to support the aesthetic, ecological, functional and environmental outcomes of the site
  - A planted buffer to Euston Road that benefits both the development and the pedestrian environment, including large trees wherever possible
- Opportunities for water reuse from within the site and wetlands precinct within Sydney Park
- Potential opportunities within proposed setbacks to support the existing bush restoration areas along the boundary of the site
- Co-location of deep soil with new, large scale tree planting and useable communal open space.
- Throughout the site appropriate tree planting ranging from small to large trees in accordance with Objectives 40 and 4P of the Apartment Design Guide (ADG);
- integrate with water sensitive urban design and water quality management;
- Commercial:
  - Comply with a construction cost of \$168 million
  - Specified product typologies including:
    - 2 storey garden terrace homes (target of 3 bedrooms) are envisaged on ground floor planes within the "finger" buildings.
    - Locate a portion of larger apartments at the upper levels of the development advantaged by views.
  - Submission entries are to have regard to construction methodology and staging, of construction including access and buildability.
  - The design is to demonstrate an efficient structural design. Minimisation of structural transfers and cantilevers is preferred. Designs with innovative and practical solutions, rational structural grids, floor plate flexibility are encouraged.

The Proponent invited four (4) competitors, being partnerships of architectural firms and landscape

architects, to prepare design alternatives in response to the Brief. The competitors who were invited to participate in the process were selected based on their reputation and experience for high quality design and landscape design experience. The four (4) selected competitors were (in alphabetical order):

- Architectus + Turf Design Studio
- MAKE + ASPECT Studios
- Silvester Fuller + MHNDU and Sue Barnsley Design
- Woods Bagot + McGregor Coxall

The competitive process involved a series of briefings, meetings, and presentations, which helped the competitors in the creation of their schemes, and assisted the Selection Panel and the Proponent in their review and assessment of the four design alternatives presented. The chronology of the key events is outlined in Table 7.

**Table 7** – Chronology of competition events

| Date                                  | Event   |
|---------------------------------------|---|
| 30 August 2017                        | Competitive Process Commencement –Brief Finalised and Circulated to Competitors |
| 4 September 2017                      | Briefing Session and Site Visit   |
| 25 September 2017                     | Site visit for Selection Panel  |
| 25 September 2017                     | QS Meeting – Silvester Fuller + MHNDU   |
| 26 September 2017                     | QS Meeting - Make   |
| 27 September 2017                     | Lodgement of Final Submissions  |
| 28 September 2017 –<br>4 October 2017 | Technical Advisor Review Period   |
| 3 October 2017                        | Presentation Material Submission closing date                                   |
| 5 October 2017                        | Presentation Day to Selection Panel   |
| 5 October 2017                        | Recommendation of Selection Panel   |
| 10 October 2017                       | Notification to Competitors   |
| 22 November 2017                      | Competitive Design Alternatives Report  |

The Selection Panel selected Silvester Fuller + MHNDU and Sue Barnsley Design as the winner of the Competitive Design Alternatives Process, for the following reasons:

- The scheme demonstrates a strong relationship between the architects and landscape architect, and the Panel encourages this relationship to continue.
- The overall landscape concept and extent of deep soil planting
- The ground plane and sub-ground arrangement of the scheme, with its arrival sequence and vehicle entry, provided a new proposition for this typology.
- The treatment to the eastern building as a wall to Euston Road which has the potential to balance acoustic impacts with ventilation to the apartments.
- The finger buildings proposed are slimmer than Stage 1 DA envelopes, and so present slimmer edges to the park.
- The unit plans and layout generally exhibit a high level of amenity.
- Low proportion of circulation space with a low number of apartments per core
- The consideration given to the incorporation of the internal design of stairs, including hold open fire doors to encourage use of stairs as an alternative to lifts
- Faceting of the façade gives the flexibility to resolve the interface issues (such as privacy) between buildings.
- The façade design allows view corridors for a greater number of residents.
- The use of water in the public plaza and incorporation of pool to the Euston Road building.
- The amenity offered by, and the number of opportunities for, retail and communal uses.

- Maximising the use of open urban space, including opening up the northern area of the site.
- The potential to integrate the landscape with that of Sydney Park.

The following issues were noted by the Panel as needing further development as the design progresses:

- The need for environmental input and review of the scheme, particularly in relation to western facing glass.
- The interaction of the basement with the water table is a significant issue and the basement depth should be reviewed – noting the potential for varying ceiling heights.
- The Euston Road screen requires further investigation and review of the reflective qualities/ impact and practicalities of the glass façade given the location and context.
- The investigation of opportunities for the use of masonry to the street frontage in place of glazing, to give a more robust and contextual response.
- The façade design and treatment of the Euston Road building as it addresses the plaza is to be clarified, noting the points above.
- Rethinking the Euston Road setback to allow the incorporation of trees – with consideration of the WestConnex requirements.
- The need to bring the building envelope into line with the applicable built form controls and Stage 1 DA – including building height of the finger buildings.
- Clarification and resolution of the floor to ceiling heights on the lower levels of the building, with mixed uses.
- Further consideration of the quality and amenity of the apartments located in the north-eastern corner of the site, with the potential to connect the two buildings located there.

- Further consideration of the waste strategy including servicing and storage to the cores of each building, and associated vehicle movements through the basement.
- Consideration to be given to the site lines and potential queuing for vehicle access into and out of the site from Euston Road.
- The complexity of the material treatment and detailing, and the desire for this to be simplified and refined.
- The development of a site wide management and service system for the landscape, including public/private areas (walls and balconies), the communal rooftop, and the urban farm above the Euston Road building.
- Further consideration is required for the landscaping of the plaza areas, in particular the integration of soft landscape.
- Exploration to increase the extent of natural light to the lobby/foyer areas of the Euston Road building.

The following items were identified as fundamental to the success of the scheme which were recommended to be retained as the design develops:

- Access to light and sense of openness to the vehicle arrival and underground street.
- The extent of deep soil zones in between the building fingers.
- The site layout, with slender buildings to the park – which in turn allows for the extent of deep soil to be maintained
- Limiting of the use of security treatments and/or fencing to diminish the sense of openness within the lower ground floor and to Sydney Park.
- The efficient circulation space/corridors throughout the scheme.

The Panel believed that the Silvester Fuller + MHNDU and Sue Barnsley Design scheme is capable of achieving design excellence following the resolution of the matters outlined above.



Figure 23. Competition winner Silvester Fuller + MHNDU and Sue Barnsley Design. Perspective from Euston Road



Figure 22. Competition winner Silvester Fuller + MHNDU and Sue Barnsley Design. Perspective from Sydney Park

## Post-Competition

The competition formally concluded in December 2017 and the project has now progressed to the detailed DA stage. A detailed DA was lodged with the City of Sydney in August 2018, more than six months after the conclusion of the competition. This demonstrates the complexity and timeframe associated with translating a competition scheme into a DA submission, addressing the relevant jury recommendations as well as preparing the relevant supporting technical studies for the DA.

The competition-winning scheme included a number of variations to the planning controls, including a further increase in building height and a departure from the setbacks approved in the Concept DA. The jury report indicated the need for these to be addressed in the detailed design of the project, however a number of these non-compliances are a direct result of the design approach of the competition scheme and are difficult to amend without compromising the design integrity of the scheme or without significant changes to the development yield.

The detailed issues are currently being assessed as part of the Council assessment of the detailed DA, including:

- The impact of varying the LEP height control and the acceptable level of variation;
- The setbacks between buildings within the site, including compliance with the NSW ADG;
- The upper level setbacks of buildings fronting Sydney Park;
- The use and treatment of the landscape roof areas and green wall planting, including the maintenance of the landscaping;
- The alternative natural ventilation mechanism to achieve natural ventilation and acoustic privacy to dwellings affected by Euston Road.

## Key Observations

This competition demonstrated how the competition process can be employed on urban renewal sites not within the CBD area. The limitations of the competition process as observed through this project include:

- The volume of revisions of the competition brief required to achieve consent authority endorsement;
- The complexity of transitioning from a competition scheme to a detailed design for DA submission, demonstrated in the >6 month delay between competition and DA submission;
- The jury selected the scheme the same day as all presentations where there was a clear winner awarded in a timely manner;
- A competition-winning scheme alone is not justification to vary planning controls or the approved Concept DA. This places significant planning approval risk on the project where the competition winning scheme departs from the Concept DA.

The requirement for competitors to be a partnership of an architectural practice and a landscape designer shows that the make-up of competitors can be driven and adapted by the specific site characteristics. In this case, this partnership related to the consent authority's objectives to manage the interface of the site with Sydney Park but overall enriched the competition process and ensured that landscape design was an integral part of the architectural solution for the site.



Figure 24. Competition winner Silverster Fuller + MHNDU and Sue Barnsley Design. Aerial perspective

## 8.6 3 Parramatta Square, Parramatta

|                             |   |
|-----------------------------|---|
| Project                     | 3 Parramatta Square, Parramatta   |
| Proponent                   | Parramatta City Council   |
| Development Summary         | 16 storey commercial office building  |
| Competition type            | Open Expressions of Interest followed by an Invited architectural design competition (City of Parramatta) |
| Competition program         | Total 16 weeks<br>8-10 weeks working time<br>Two firms shortlisted to provided additional information     |
| Key planning issues         | Public domain interface, planning compliance, urban design  |
| Planning approval timeframe | Approximately 2 years. 2016-2017  |

### Overview

The competitive design process for 3 Parramatta Square was completed in 2016. The site sits within the Parramatta Square urban renewal precinct, comprising an entire 3-hectare city block located in the centre of the Parramatta CBD immediately adjacent to the main railway station and bus interchange. Parramatta City Council has worked over a period of more than a decade to acquire and amalgamate land to form the precinct alongside existing civic buildings including the Parramatta Town Hall and former council offices and library. Working alongside development partner Walker Corporation, the precinct is earmarked for a range of commercial, residential and civic buildings centred around a new public space to anchor the renewal of Sydney's Central City.

The location of the 3 Parramatta Square site's context within the future precinct is illustrated in Figure 25.

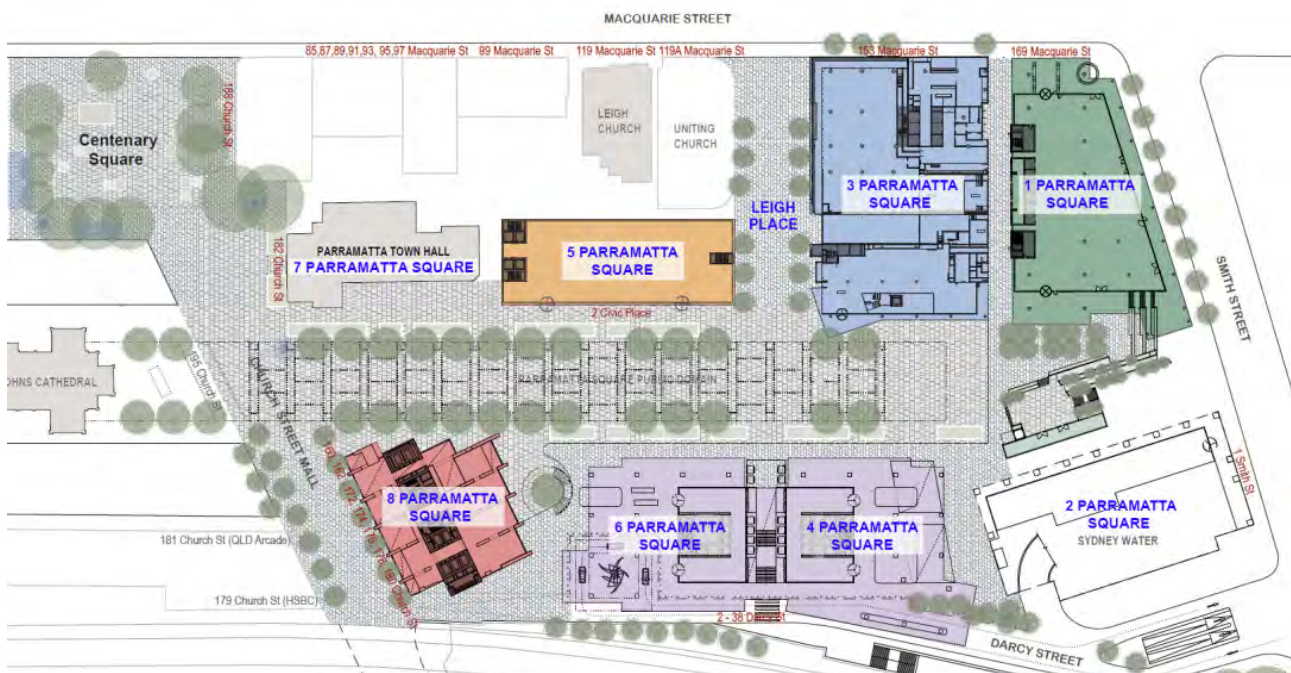


Figure 25.3 Parramatta Square site context  
Source: Parramatta Council

## Pre-Competition

The masterplan for the Parramatta Square precinct was developed iteratively by Parramatta Council over a period of several years which had divided the site into five discrete development blocks located around a central public square. The masterplan was developed by Council, but never formalised through any planning approval\* in order to provide flexibility to adapt and change in response to changing market conditions and architectural design responses.

Parramatta City Council had established design excellence guidelines for certain types of development within the Parramatta CBD and broader local government area which established high-level processes and requirements for a competitive process to occur. Architectural design competitions were conducted separately for each of the identified development blocks as these were progressively released for development. The competition for 3 Parramatta Square was one of the last competitions held for the precinct, occurring immediately after the competition for the adjacent 5 Parramatta Square site, providing the competitors with a high-level of contextual understanding for this development plot.

Parramatta Council undertook an open Expressions of Interest process in early-2015 in order to select architectural firms to participate in the competition phase. Entrants were required to be registered with the NSW Architects Registration Board and have experience with similarly-scaled commercial office buildings. Following the EOI, the architects were selected by Council's property division in consultation with the City Architect

## The Competition

The brief was developed quite quickly over a compressed period of several weeks, as both Council

and Ethos Urban had been responsible for the management of the competition for the adjacent 5 Parramatta Square in the period immediately prior to the commencement of the competition process for 3 Parramatta Square.

The competition brief adopted the objectives and principles established through Council's vision for the Parramatta Square precinct for a global, smart, green and connected precinct:

### Global

- Defining the identity and character of the Parramatta Square
- A design quality that attracts attention and recognition on an international scale
- A Grade office space that is commensurate with Parramatta's role as an international CBD
- A demonstration of excellence in all aspects of planning, design, development, management and construction
- Contemporary, inspired and inventive, and expressive of its time and place

### Smart

- Demonstrates Parramatta as a smart city
- Uses materials and designs that highlight smart city concepts
- Addresses the smart city strategy and Parramatta Square technology masterplan
- Is adaptive to the future and incorporates smart technology
- Generates more power than it uses and is adaptable to future alternate power generation and storage technologies, as well as other emerging technologies

\* It was superseded by the Civic Place masterplan which was statutorily included in the LEP

#### *Green*

- A demonstration of world-leading sustainability principles by achieving '5 Star' Green Star rating
- Designed for longevity and ease of maintenance
- Adaptable and able to cope with changing demands over time
- A great space where people will want to work and a be inspired with a sense of belonging

The competitive process involved a series of briefings, meetings, and presentations, which helped the competitors in the creation of their schemes, and assisted the Proponent and Jury in their review and assessment of the three design alternatives presented. The chronology of the key events is outlined in Table 7.

#### *Connected*

- Promote pedestrian permeability between Parramatta Square and the broader CBD, as well as between individual buildings and spaces within the precinct
- Integrated and harmonious public and private spaces
- Visually connected with, and open to, its immediate surroundings including the Parramatta Square public domain and pedestrian laneways
- Responsive to the site and the wider CBD context
- Accessible to the whole community
- Recognises and acknowledges the importance of a dynamic living Aboriginal culture
- Safe for users, visitors and workers

These objectives were further refined in the competition brief into project-specific objectives reflecting the functional brief, development objectives, planning objectives and design objectives.

Three architectural firms were selected from the open Expressions of Interest process to compete in this competition:

- Architectus;
- Bates Smart; and
- Johnson Pilton Walker.

Table 8 – Chronology of competition events

| Week | Title                                  | Key Actions   | Key Dates     |
|------|--|---|---------------|
| 0    | Issue of Competition Brief             | Competition Brief Issued  | 6 April 2016  |
| 1    | Initial Briefing                       | <ul style="list-style-type: none"> <li>Briefing Session and Site Visit</li> <li>Individual briefings</li> </ul>   | 13 April 2016 |
| 3-4  | Mid-Point Check-In                     | <ul style="list-style-type: none"> <li>Competitors have opportunity to meet the facilitator and ask any questions/clarifications</li> <li>Competitors have opportunity to meet with Parramatta City Council's property development department, planning department and refer questions to Council's quantity surveyor, project manager and ESD consultant.</li> </ul> | 20 April 2016 |
| 6    | Final Submissions Due                  | <ul style="list-style-type: none"> <li>Competitors submit final scheme to Proponent in accordance with this brief</li> </ul>  | 4 May 2016    |
| 7    | Presentation of Final Schemes          | <ul style="list-style-type: none"> <li>Competitors present to the Assessment Panel</li> </ul>   | 11 May 2016   |
| 10   | Additional Information Submitted       | <ul style="list-style-type: none"> <li>Two shortlisted competitors provide additional information requested by Jury</li> </ul>  | 31 May 2016   |
| 11   | Presentation of Additional Information | <ul style="list-style-type: none"> <li>Technical Advisor Review Period</li> </ul>   | 6 June 2016   |
| 16   | Competition Winner                     | <ul style="list-style-type: none"> <li>Presentation Material Submission closing date</li> </ul>   | 13 July 2016  |

The Jury comprised two nominees from the applicant (Council's Property Division) and one nominee each from the City of Parramatta Council and the Office of the NSW Government Architect, as outlined below:

- Olivia Hyde – Director of Design Excellence, Office of the NSW Government Architect. Nominee from the Office of the NSW Government Architect.
- Kim Crestani – City Architect, City of Parramatta Council. Nominee from the Consent Authority.
- Bob Nation AM – Principal of Nation Architects & Design Director of Barangaroo Delivery Authority. Nominee from the Applicant.

- Barry Mann – Director of Property & Significant Assets, City of Parramatta Council. Nominee from the Applicant.

Barry Mann, as representative of the City of Parramatta Council, was nominated by the Jury members as the Chairperson.

Following the presentation of schemes at the end of the original competition program, the Jury determined to shortlist two of the competitors: Bates Smart and Johnson Pilton Walker (JPW) and request that they develop and further clarify their competition schemes for further assessment. Following the receipt of this information from the



Figure 26. Winning scheme Johnson Pilton Walker. Perspective from Macquarie Street

competitors and further deliberation, the Jury determined to select JPW as the winner of the competitive process for the following reasons:

- The north-south linkages through create a hierarchy of linkages and access through the site from Parramatta Square to Macquarie Street and provide legible permeability.
- The ground plane expresses a strong relationship with Parramatta Square as it is a legible, clear space and will allow for clear and logical paths of travel.
- The dual cores provide good separation between public and private commercial uses of the building, providing delineation between these uses.
- The third entrance on the western façade creates a strong axial relationship with the new laneway to the west and ties in with the existing street pattern.
- Open café forecourt to the south-eastern portion of the building will provide a breakout space and an extension to Parramatta Square that will have a successful relationship with the Western Sydney University building at 1 Parramatta Square. The Jury notes that the usability of this space is dependent on detailed design in regards to wind, lighting, etc.
- The scheme mediates between the unmodulated rectilinear form of 1 Parramatta Square and the sculptural form of 5 Parramatta Square.
- The exposure of building elements created through the modulation of the façade creates opportunities for green spaces and usable open air areas which must be maintained in the design.
- The diaphanous shrouded screen on the roof of the building for screening building plant/equipment should be further explored.
- The simple structural approach to the building allows for manipulation of the façade surface and is considered a successful design component.

- The atrium needs to be a minimum width of 13m and glazing to the western façade must be retained.
- The materiality of the façades and soffits must be maintained.
- The closed cavity system with triple low-e coating is to be retained for the northern and western façades with a high performing triple low-coated double glazed system for the other façades.

#### Key Observations

Parramatta Square presents how a competition can be managed when the proponent is a public authority. The jury was also made up of public officials rather than independent industry experts, departing from the general jury composition of competitions within the City of Sydney. Notwithstanding the reduced number of competitors, the jury were still unable to reach a decision and elected to shortlist two competitors requesting further refinements.



Figure 27. Winning scheme Johnson Pilton Walker. Concept sketch

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