

**From:** [Rory Toomey](#)  
**To:** [Sophy Purton](#)  
**Subject:** RE: DIP and terms of reference for CBP  
**Date:** Friday, 28 August 2020 4:26:25 PM  
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Hi Sophy

The only remaining concern is around the proposed turnaround time for minutes.

*The target time frame to provide written commentary from the DIP to the Proponent and architect is a maximum of 5 working days from the date of the meeting.*

It is often impossible for executive level staff at GANSW to turnaround an advice letter review in 2 days due to other commitments.

Given the design team are present for the delivery of panel comments and recommendations, the minutes' main function is to record and confirm advice that was provided verbally.

Notwithstanding the above, since the wording is 'target time frame' and working days is stipulated you may choose to keep it as is but understand the turnaround time may be impacted by the Chair's availability at the time.

That's all. Otherwise good to distribute.

Thanks for the opportunity to comment.

Best

**Rory Toomey**

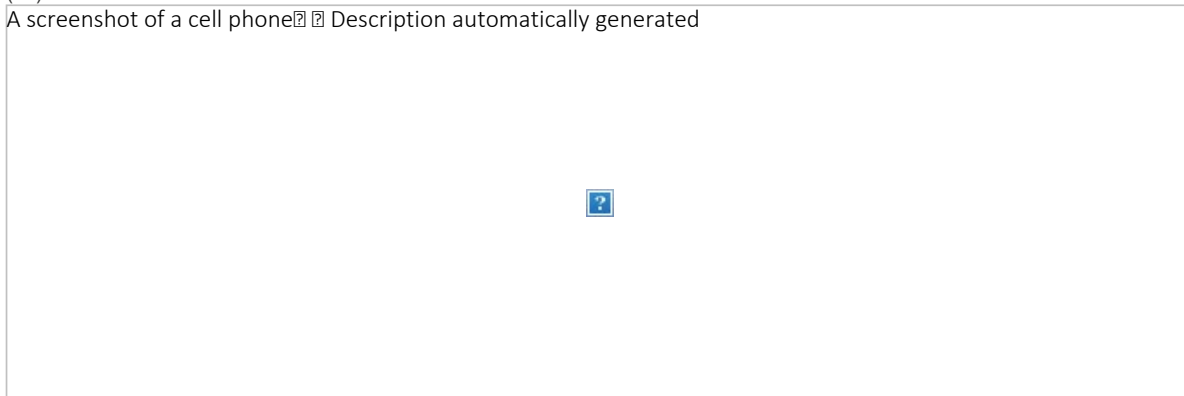
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**From:** Sophy Purton <[spurton@urbis.com.au](mailto:spurton@urbis.com.au)>

**Sent:** Friday, 28 August 2020 4:15 PM


**To:** Rory Toomey <[Rory.Toomey@planning.nsw.gov.au](mailto:Rory.Toomey@planning.nsw.gov.au)>

**Subject:** RE: DIP and terms of reference for CBP

Great thanks Rory.

**SOPHY PURTON**

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# Terms of reference

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## Appendices

**Appendix A** – Architectural Design Excellence Competition Jury Report

## Preamble

The Design Integrity Panel will form an integral part of the design progression and resolution for the redevelopment of 241-249 Wheat Road, Cockle Bay, known as Cockle Bay Park (the Site).

In May 2019, the Cockle Bay Park project achieved planning approval through the New South Wales Government, as a State Significant Development (SSD No. 7684). This planning approval is for a Stage 1 Concept Proposal which established the core functional use, built form envelope and controls relevant to the site.

Following the Concept Approval, a Competitive Design Process (the Competition) was successfully undertaken, by the Proponent. The Competition concluded with Henning Larsen and its co-collaborators being selected as the winner of the Competition and the appointed Design Architect, for the reasons outlined in the endorsed Architectural Design Excellence Competition Jury Report (Jury Report), dated 10 March 2020 (**Appendix A**).

Prior to the lodgement of a Stage 2 (Detailed) DA and in accordance with Condition A16 of the Concept Approval, the Proponent is to establish a Design Integrity Panel (DIP).

This document sets out the Terms of Reference for the Cockle Bay Park DIP process and its constituent members.

### 1. Purpose

The role of the DIP is to provide independent, expert and impartial design advice to ensure the achievement of design excellence, having regard to the requirements of the Concept Approval, built form controls and, the Jury Report.

The DIP will review the design refinements against the development areas outlined in section 4.3 of the Jury Report, as well as ensure that the design excellence qualities, as outlined in section 4.2 of the Jury Report, are maintained and that the refined scheme, which will form the detailed development application, achieves design excellence.

As set out in the Jury Report, the DIP will provide advice on the scheme prior to the lodgement of any future development application(s) and will be retained during the assessment and post approval stages (i.e. through the satisfaction of any relevant conditions of consent relating to design and/or materiality, or substantial modifications. The DIP process will support the Proponent and Department of Planning, Industry and Environment (DPIE) to ensure design excellence is achieved.

The role of the DIP is advisory only, so far as to ensure that the recommendations set out under Section 4.3 of the Jury Report are satisfactorily addressed and subsequently endorsed by the DIP. In accordance with section 1.5 of the Jury Report, written endorsement from the DIP is to be submitted with the Stage 2 Development Application.

## 2. Scope of review

During review sessions, DIP members will provide independent and impartial advice relating specifically to the identified development areas under section 4.3 of the Jury Report, with an emphasis on achieving design excellence. The DIP Managers, in collaboration with the Chair, will prepare a summary of advice and recommendations, immediately after the DIP sessions. The summary will be circulated to the Panel for comment and validation. The Chair will be Paulo Macchia, the appointed nominee from the GANSW.

The DIP's advice is to be guided by the 10 measures of success outlined in the Competition Brief and the recommendations of the endorsed Jury Report.

The Panel will also have due regard to the Environmental Planning and Assessment Act 1979 (**EP&A Act**) and the Concept Approval (SSD 7684).

## 3. Who forms the DIP

As per Condition A16 of the Concept Approval, the DIP includes four members, with three of those members being from the Competition jury with one member from each of the Proponent, Government Architect and local authority.

The DIP members are:

1. Paulo Macchia (Chair) – DPIE / GANSW representative
2. Graham Jahn – Local authority representative
3. Tony Caro – Proponent representative
4. Kate Luckcraft – SDRP Proponent Nominee

## 4. Panel management

The Proponents appointed DIP Manager, Urbis, will convene the DIP and will determine the appropriate location of the review sessions and meeting frequency. Urbis, will provide secretariat support to the DIP for the delivery of the process, including assistance with any summaries of advice, meeting minutes (Refer to Section 6 of this ToR) and the final DIP endorsement. These functions will be overseen and endorsed by the GANSW.

## 5. Role of the chair

The Chair is responsible for clarifying and summarising the DIP's comments on all issues and subsequently providing advice, informed by the DIP's expertise, to the Proponent Team. A key function of the Chair is to seek a consensus amongst the DIP at the conclusion of each DIP meeting, and prior to the issue of any recommendations or advice. The DIP Managers will prepare the summary of advice, in collaboration with the Chair, prior to circulating to the Panel for their comment and validation.

## 6. Meetings & advice

The DIP program will occur over a 16 week period, from mid-September 2020 to mid-December 2020.

Each session will comprise:

- Briefing to DIP members
- Presentation from Henning Larsen
- Interactive Panel and Architect Q&A
- Panel discussion
- Written summary of advice (Chair and DIP Manager only)

The Panel will be afforded the opportunity to review, comment and validate the written summary feedback prior to issuing to the Proponent and Henning Larsen. The target time frame to provide written commentary from the DIP to the Proponent and architect is a maximum of 5 working days from the date of the meeting.

## 7. Review session attendance

Henning Larsen will present the Proponent's proposal to the DIP.

To streamline these sessions, 1 week prior to the presentation, and through the DIP Managers, the Design Architect will circulate their presentation along with an agenda of key items for discussion.

Key stakeholders will also be invited to attend the review session as observers and may be invited to present and brief the DIP on specific issues relating to their respective disciplines, at the discretion of the Chair.

## **8. Dealing with potential conflict interest**

Panel members will be required to advise the DIP manager immediately of any potential conflicts of interests that may arise. These will be dealt with in consultation with the GANSW.

All DIP members must adhere to the responsibilities and obligations set out under the formal letter of engagement (under separate cover).

## **9. Confidentiality**

All information relating to the DIP program and design review is communicated to the DIP members and review attendees in the strictest confidence. Upon lodgement of an application, the final DIP written endorsement will be made publicly available during the Stage 2 DA assessment exhibition period.

## **10. Panel member remuneration**

Panel member remuneration will be agreed between the Proponent and the Panel member, prior to engagement. The fee will be determined by the number of review sessions they are required to attend.