

600-660 Elizabeth Street, Sydney

Selection Panel and Design Review Panel (including Design Integrity Panel)

Terms of Reference

1.0 Introduction

These Terms of Reference relate to the 600-660 Elizabeth Street, Sydney (the Project) and provide guidance to the members of the following panels relevant to the design process for the development:

- Selection Panel – for the Portion 2 competitive design alternatives and Portion 1 Expression of Interest process.
- Design Review Panel (the Panel) – for the whole of site.

Bridge Housing is the Project developer (Proponent on behalf of Land and Housing Corporation).

The Terms of Reference have been prepared in accordance with the endorsed Design Excellence Strategy dated 30 June 2023, which sets out the variety of design excellence processes being undertaken to maximise the amount of diverse housing that can be delivered on the site while still achieving design excellence. The overall approach to design excellence for the development comprises tailored processes for each portion of the site.

The design excellence processes to be undertaken are as follows:

1. A single-building competitive design alternatives process for the market and key worker housing building, with three (3) invited competitors, in accordance with the City of Sydney Design Excellence Policy and the site-specific Design Guide.
2. An invited Expression of Interest (EOI) process comprising five (5) invited respondents for the design of the community facility building.
3. Direct appointment of the Executive Architect (Hayball) to design the affordable housing buildings and as the Executive Architect co-ordinating the site-wide approach.
4. Direct appointment of the Executive Landscape Architect (Aspect Studio) from the competitive EOI and RFT winning consortium, to design all landscaped areas of the site.

As per the endorsed Design Excellence Strategy, an overarching Selection Panel has been appointed for the competitive design alternatives process for Portion 2 of the site and EOI process for Portion 1. The majority of this Selection Panel will also form a site-wide Design Review Panel for the overall development.

While ordinarily a Design Integrity Panel (DIP) would be formed to advise on the integrity of the development's design being maintained, the various design processes applying to the site requires a bespoke solution where the Panel also plays the role of the DIP. Importantly, the Panel will be associated with the delivery of the site in its entirety.

These Terms of Reference have been developed in consultation with GANSW. The Terms of Reference are structured as follows:

1.0 Introduction – Overview of the Terms of Reference.

2.0 Role of the Panels – Outline of the purpose and scope of the Panel.

3.0 Panel Composition and Responsibility – Outline of the Panel membership and responsibilities of Panel members.

4.0 Meeting Schedule – Summary of the anticipated Panel meeting schedule.

5.0 Meeting Procedures – Outline of the procedures for Panel meetings.

2.0 Role of the Panels

The role of the Panels is to evaluate, review and advise on the architectural and landscape design of the development of the site. This includes all portions of the site which make up the project, generally described as:

- **Portion 1:** Community Facility
- **Portion 2:** Market and Key Worker Housing
- **Portion 3:** Social Housing
- **Portion 4:** Bridge Affordable, Specialist Disability Housing (SDA NDIS) and commercial floor space
- **Site-wide landscaping:** All site landscaping, including public domain areas, pedestrian links, outdoor residential communal open spaces and rooftop areas (such as green roofs)

A summary of the role for each panel is outlined below.

Selection Panel

The Selection Panel will be responsible for assessing the market and key worker housing competitive design process entries and selecting a winning architect. Following completion of the Competitive design process, the Selection Panel will endorse an Architectural Design Competition Report that:

- identifies any key features of the design that are required to be retained to achieve design excellence; and
- identifies design aspects that require further design development relevant to the achievement of design excellence.

The Selection Panel will also be responsible for reviewing and evaluating the non-price component of the EOJ responses for the community facility.

A briefing session outlining the role and responsibilities of the Selection Panel for these processes was held on Thursday, 14 September 2023.

Design Review Panel

The Design Review Panel (DRP) will ensure there is a coherent approach to achieving design excellence across the whole site given the variety of processes are being undertaken for the separate portions described above.

The DRP will provide advice to the design team prior to the lodgement of any future State Significant Development Application (SSDA) and will be retained during the assessment and post approval stages to review any substantial amendments made to the design as required by any terms of approval or as determined by the Consent Authority.

The primary purpose of the DRP is to provide advice to the design team on design matters in the pursuit of design excellence. The DRP will advise as to whether the integrity of the development's design resulting from the competitive design process for Portion 2 (and design intent) has been maintained after the various design processes have been completed and ensure that design quality continues throughout the design development of the project.

Specifically, the role of the DRP is to review the project design as a whole (i.e. all portions) to provide advice to design team and the consent authority on the potential of the project to achieve design excellence in the context of the development's design intent. The DRP may also consider changes to, or developments of, the design in response to policy changes that seek to optimise the delivery of affordable homes in an effective way.

In considering the design integrity of Portion 2: the market and key worker housing building, the DRP should ensure that the recommendations set out in the Architectural Design Competition Report are addressed and achieved in the design. In this respect, the DRP will have regard to the overall project objectives, as well as the requirements of the Design Excellence Strategy (dated 30 June 2023), Competition Brief (dated 5 September 2023), and the Architectural Design Competition Report.

The advice of the Panel should encompass, as necessary:

- The objectives of the development, as expressed in the Design Guide, Competition Brief and Expression of Interest Brief.
- The potential of the development submitted for approval, in the opinion of the panel, being capable of achieving design excellence.
- The retention of design integrity throughout the duration of the development.

Notwithstanding the above, the Panel cannot issue advice or recommendations that are binding. The Panel cannot authorise any expenditure, works or consultancies – and are advisory in nature. Design excellence will be determined by the consent authority.

The Panel will take the place of any separate design review panel (such as the State Design Review Panel) in the ongoing design and development of the project.

3.0 Panels Composition and Responsibility

The DRP will comprise a quorum of the members from Selection Panel associated with the EOI process for Portion 1 and competitive design process for Portion 2. For the integrity process, continuity of panel members will occur on the DRP and the panel will be composed of design practitioners in the disciplines of architecture, urban design and landscape architecture. In this context, however, the non-practitioner nominated by Bridge Housing on the Selection Panel will be replaced by a practising architect on the Panel.

Specifically, the separate panels will comprise:

Name	Title	Nominee
Selection Panel (for design competition and EOI process)		
Paulo Macchia FRAIA	Director Design Governance – GANSW	GANSW nominee – Chair
Ingrid Mather	Senior Director – JMD Design	GANSW nominee
Graham Jahn AM LFRAIA	Director of City Planning Development & Transport – City of Sydney	City of Sydney nominee
Emily Wombwell	Studio Director – SJB	Proponent nominee
Daniel Khong	Director – Capella	Proponent nominee
Design Review Panel		
Paulo Macchia FRAIA	Director Design Governance – GANSW	GANSW nominee – Chair
Ingrid Mather	Senior Director – JMD Design	GANSW nominee
Graham Jahn AM LFRAIA	Director of City Planning Development & Transport – City of Sydney	City of Sydney nominee
Emily Wombwell	Studio Director – SJB	Proponent nominee
Liz Westgarth	Managing Director – Hassell	Proponent nominee

Should a member of the DRP not be available to participate, the original agency who nominated them shall propose a replacement. Any replacement panellists must be approved by the consent authority.

At least three members (or their alternatives) are required to form a quorum for the DRP. The quorum of the DRP should reflect the same ratio of Proponent / consent authority nominated jurors (i.e. a proportion of 2 x Proponent and 3 x consent authority/City of Sydney).

Selection Panel responsibilities

Panel members are to:

- Represent the public interest.
- Be appropriate to the type of development and context of the site.
- Include persons who have expertise and experience in the design and construction professions and industry.
- Include a majority of registered architects with urban design and architectural expertise and experience.
- Include only persons who have expertise and experience in the development, design and construction professions and related industries.

In accepting a position on the Selection Panel, the panel members agree to:

- have no contact with any of the Competitors in relation to the site and the competitive process from their time of appointment until the completion of the Process other than during presentation of the submissions;
- evaluate submissions promptly in accordance with the competitive process timetable;
- abide by the requirements of the Brief;
- consider planning or other technical advice provided by GANSW;
- refrain from introducing irrelevant considerations in addition to, or contrary to the statutory framework relevant to the site and to those described in the Brief;
- make every effort to arrive at a consensus in the selection of a winner;
- prepare a report explaining their decisions; and
- sign a statement confirming they have read and understood the Panel member's obligations and agree to respect those obligations for the duration of the Competitive Design Alternatives Process.

Selection Panel Chair Responsibilities

The chairperson of the Selection Panel will be nominated by GANSW and will have expertise in architectural design and be a recognised advocate of design excellence. The primary function of the Chair is to ensure that Selection Panel deliberations proceed in a fair and orderly manner.

In coordination with the Competition Manager, the Chair shall at the conclusion of Selection Panel deliberations, supervise:

- letters of notification to the winning and unsuccessful Competitors;
- the writing of Selection Panel comments to be included in the Competitive Design Alternatives Process Report; and
- review and endorsement of the final Competitive Design Alternatives Process Report as prepared by the Proponent.

DRP member responsibilities

The following responsibilities are mandated for DRP members:

- Make every effort to reach a consensus on design advice and progress to achieve the objectives of the project while retaining design integrity.
- Refrain from introducing irrelevant considerations or contrary to the statutory framework.
- Consider any technical advice provided.
- Evaluate material promptly and make every effort to attend and participate in Panel meetings.
- Review and endorse Panel meeting minutes and advice promptly.

- Declare any real or perceived conflicts of interests that may arise as part of their role. Any potential conflicts, whether real or perceived, will be dealt with in consultation with the GANSW.
- Continue to respect and adhere to the responsibilities and obligations set out under the Selection Panel Engagement signed as part of the original Design Competition, including the strict confidentiality requirements.

DRP Chair Responsibilities

The Panel will be chaired by a representative of the GANSW, or if necessary, an Alternate Chair to be nominated by the Chair. The Panel chair will be Paulo Macchia FRAIA.

The role and responsibilities of the Chair (or Alternate Chair) include:

- To chair the Panel meetings.
- To review and confirm the agenda for Panel meetings.
- Provide guidance towards a consensus view (acknowledging a consensus is not required to be achieved, just a majority) amongst Panel members and ensure clarity of advice, including any differences of opinion amongst Panel members.
- To confirm the draft written advice with the other Panel members, present at the meeting, and ensure the final advice is distributed to all attendees (including the design team and invitees) and any absent Panel members within five (5) working days of the Panel meeting.
- To confirm if a desktop review of material is an acceptable means of convening the Panel (in-lieu of a formal meeting).
- To resolve any dispute involving the Panel and its operation under these Terms of Reference.

Invitees / Observers

The following representatives (up to 2 x per organisation) will be invited to attend the Panel meetings as observers:

- A member of the DPE.
- A member of GANSW.
- Representatives of City of Sydney.
- Representatives of Bridge Housing and Land and Housing Corporation.
- Members of the technical consultant team engaged for the project.

Invitees are not Panel members and will not participate in closed session deliberations of the Panel. Where advice is sought by invitees, such as technical consultant team members, this will be at the discretion of the Panel.

5.0 Meeting Procedures

Standard Meeting Agenda

The standard meeting agenda for Panel meetings will include:

- Confirmation of written advice from the preceding Panel meeting.
- Update on any outstanding matters.
- Presentation and discussion on particular design matters, including response to past advice.
- Panel review and verbal advice.
- Forward agenda.

A draft agenda will be circulated to the Panel Chair ten (10) working days prior to and key milestones/meetings.

A final agenda will be circulated to the Panel and attendees at least five (5) working days prior to any meeting.

Presentation Material

Presentation material prepared by the design team will inform all Panel meetings. Presentation material will be circulated to the Panel and attendees at least five (5) working days prior to the meeting.

Meeting Format

The format of each Panel meeting will reflect the standard meeting agenda, and meetings will ideally be held in-person at Ethos Urban offices (Level 4, 180 George Street, Sydney). Where in-person attendance is not able to be achieved, an alternate method will be required (such as video conference – to be confirmed by the Panel Chair).

The time to be set aside for each meeting shall not exceed three (3) hours unless otherwise agreed with the Panel. This will allow for resolution of administrative matters, presentations by the design team, discussions, and formulation of advice by the Panel (which may be in closed session) and the provision of verbal advice.

The Panel Secretariat will prepare minutes of the meeting and will distribute to Panel members within two (2) working days of the Panel meeting.

Panel Advice

The main deliverable of the Panel is written advice to be provided to the design team and Proponent following each meeting. This advice will be prepared by the Panel Secretariat (Ethos Urban) and will be issued within five (5) working days of the Panel meeting.

Prior to lodgement of the SSDA, a short report outlining the Panel process and key outcomes will be prepared for endorsement by the Panel. This report will include confirmation that, in the opinion of the Panel, the project is capable of achieving design excellence. The Panel will also confirm that the design for Portion 2: the market and key worker housing building, retains or is an improvement upon the design excellence qualities exhibited in the competition winning submission.

Secretariat Services

Secretariat services for the Panel will be provided by Ethos Urban. These services will include:

- Distributing the agenda and presentation material at least five (5) working days prior to a meeting.
- Ongoing administrative functions and scheduling of Panel meetings, including confirmation of required attendees for meetings, coordinating times amongst attendees, organising venue and refreshments.
- Review of presentation material to ensure alignment with agenda.
- Management and close out of open agenda items.
- Attendance and minuting of the Panel meetings, including liaison with the Proponent and the Panel Chair to confirm and finalise the minutes.
- Following any Panel meeting, the preparation of draft written advice for review by the Chair prior to distribution to all attendees within five (5) working days of the meeting.

- Preparation of the short-form report outlining the Panel process and key outcomes prior to lodgement of a SSDA for the project.

General

For the ease of Panel members and efficiency in the provision of Panel advice, a SharePoint webpage will be established for the duration of the project. All material related to the functions of the Panel, including these Terms of Reference, meeting agendas, presentation material, draft and final Panel advice, etc. will be uploaded to this SharePoint webpage. All Panel members will have access to the SharePoint webpage.

Attachment A - Meeting Schedule (Version No. 2)

Meeting Requirements

The table below outlines the Panel meetings at key milestones, meeting schedule and the content of each meeting. Where necessary and agreed by the Panel, GANSW and Proponent, additional meetings may be scheduled.

Meeting	Content	Schedule	Panel
1. Briefing: Review of proposed site-wide concept design prepared by Hayball and Aspect Studios. This will focus on the site-wide intent, and the design for Portions 3 and 4. This meeting will be held concurrent with the Competition Briefing for the competitive design process for Portion 2: the market and key worker housing.	General site-wide concept design presentation Briefing on competitive design process Discussion of the administrative matters informing the procedures of the Panel	14 September 2023	Selection Panel and DRP
2. Competitive design process presentation and deliberations	Presentations by Competitors followed by deliberation	23 October 2023	Selection Panel
3. EOI deliberations	Deliberation of EOI responses	17 October 2023	Selection Panel
4. SSDA Pre-lodgement: Prior to lodgement of the SSDA. Focus to be on the design of the project as a whole, and evaluation of design development and resolution of key matters from the competitive design process for Portion 2.	Meeting # 1 Public domain, social and affordable housing	Week of 20 November 2023	DRP
	Meeting # 2 Community Facility and Marker/Key Worker Housing Building	Week of 4 December 2023	DRP
	Meeting # 3 Whole precinct and key matters refinement	Week of 29 January 2024	DRP
5. Development Assessment During assessment of the SSDA, the Panel may be required to issue advice if deemed necessary by the Consent Authority.	As required subject to matters raised during assessment.	To be determined by the Consent Authority.	DRP
Other Requirements for a Panel Meeting			
1. Condition of the SSD Consent: Following determination of the SSDA, additional advice from the Panel may be required by a term of approval.	As relevant to the condition of the SSD Consent.	To be determined by any future term of approval.	DRP
2. Modifications	As relevant to the modification.	To be determined by the Consent Authority.	DRP

Meeting	Content	Schedule	Panel
<p>As deemed necessary by the Consent Authority, the Panel will provide advice on any modification of the SSD Consent.</p> <p><i>Note: The Consent Authority may seek advice from the Panel Chair regarding matters for review.</i></p>			
<p>3. Proponent requests during the Design Process: The Proponent may request advice from the Panel throughout the design development process leading up to the submission of an SSDA, or in relation to any subsequent proposal to modify the approved built form.</p>	<p>As relevant to the advice requested from the Proponent.</p>	<p>To be determined by the Proponent.</p>	<p>DRP</p>