

Bank Street Park
Blackwattle Bay / Tjerruing

SSD-53386706

Appendix L

Design Excellence Strategy (INSW)



December 2023

Bank Street Park, Blackwattle Bay

DESIGN EXCELLENCE STRATEGY

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1. Overview

Bank Street Park is a 1 hectare waterfront public space located to the north of the Blackwattle Bay precinct. After the new Sydney Fish Market, it will be the first piece of public domain delivered in the Blackwattle Bay precinct.

'Design Excellence' refers to the highest standard of architectural, urban and landscape design as well as a structured process to support world class design. Infrastructure NSW is committed to design excellence throughout the design, planning approval and delivery processes in all their projects, including Blackwattle Bay. This is evidenced in the award-winning design for the new Sydney Fish Market.

This Design Excellence Strategy (Strategy) establishes the framework within which Infrastructure NSW will deliver design excellence for Bank Street Park. This includes:

- Using the substantial design work and stakeholder feedback received through the State Significant Precinct Process (SSP) as a solid foundation for the design.
- Developing a design brief for the Bank Street Park which reflects the views of a broad cross section of government and local stakeholders (as identified through the SSP process), as well as the core objective of achieving design excellence.
- Ensuring that Designing with Country is integrated into the design of the Park in a holistic, cohesive manner.
- Ensuring opportunities for Public Art are embedded in the project brief.
- Utilising a competitive design tender process to ensure a world class design team and concept design is procured, including an interactive discussion process with preferred candidates centred on how they will achieve design excellence.
- Seeking guidance and advice from the State Design Review Panel (or members of) at all phases of the project.
- Implementing a robust design review process to ensure that design excellence is maintained throughout the design development process through to project completion.

2. Background

2.1 Blackwattle Bay

The Blackwattle Bay Precinct is a 10ha area of largely Government owned land on the western edge of the Pyrmont Peninsula. The urban renewal of the precinct is a priority for the NSW Government, with the new Sydney Fish Market under construction at the head of Blackwattle Bay.

The vision for the urban renewal of Blackwattle Bay is:

- Reconnecting the harbour, its surrounding neighbourhoods and the city
- Showcasing Sydney's living culture and stories of Country, and
- Building an inclusive and iconic waterfront destination that celebrates innovation, diversity and community.

New planning controls for the whole precinct are currently being considered by the Department of Planning and Environment (DPE). If approved, the new controls will allow for the development of Blackwattle Bay as a vibrant, mixed-use community and provide for around 2,000 new residents and 5,500 new jobs, creating a vibrant 24/7 economy. The precinct will include:

- A continuous waterfront promenade – the missing link in an otherwise 15km foreshore walk from Woolloomooloo to Rozelle
- New active transport connections to bring the neighbourhood closer to the harbour through new and improved pedestrian and cycling links
- Improved public transport options and minimised vehicle usage strategies including:
- Minimising car parking spaces with limited on-street parking
- Opportunity for buses to service through site link
- Connections to the existing light rail
- Access to the future Sydney Metro West Station in Pyrmont
- New parks and public space with 30,000sqm of new open space
- New Sydney Fish Market at the heart of Blackwattle Bay.

A critical part of the precinct is high quality public domain, including a series of parks and open spaces connected by a world class foreshore promenade. Bank Street Park is the first to be developed in the Blackwattle Bay Precinct, outside of the new Sydney Fish Market.

When completed, the network of open spaces will embody all aspects of local history and culture to create a unique sense of place, richness and community togetherness around the waterfront, offering visitors the opportunity to return regularly.

2.2 Bank Street Park

Bank Street Park is approximately 1 hectare and is situated at the north of the Blackwattle Bay Precinct, surrounding the southern pylon of the Anzac Bridge. It is currently occupied by a range of existing structures and facilities, including:

- Vacant buildings at 1-3 Bank Street
- Dragon boat storage and launching facilities at 5-19 Bank Street
- Landside marina buildings at 5-19 Bank Street.

The vision for the future Bank Street Park has been established through extensive community consultation, including two rounds of statutory exhibition associated with the SSP Study. The vision statement, which will be tested and confirmed through additional stakeholder engagement, is:

Bank Street Park provides a high quality, vibrant setting that encourages social interaction, community and recreation. The proposal seeks to enhance existing uses with additional sporting facilities opening the area to the wider community and recreational user.

Generous connections to the water will support rowing and dry boat storage areas as well as casual water's edge recreation. There is an opportunity for programmed events that optimise the harbour location and offer improved facilities for existing recreational organisations.

Bank Street open space also responds to local community needs, providing all ages play spaces including basketball, climbing walls, play equipment and skate park.

1-3 Bank Street is an important extension to the Bank Street Park. The existing masonry fabric has potential to be retained and new building forms introduced. The landside components of the existing marina (storage, waste and office space) could be relocated here freeing up the open space. A creative arts hub with a ground level cafe can provide an active node at corner of the open space. Public amenities and facilities could also be incorporated here.

2.2.1 Objectives

Design excellence is enshrined in the objectives for the park, which are to:

1. Ensure the living cultures of First Nations people and European heritage contribute to shaping of the place
2. Expand the range of recreational, community and cultural facilities within the Precinct
3. Maintain and enhance the connection to water through view, uses and activities
4. Deliver a place for everyone that is inviting, unique in character, socially inclusive and affordable
5. Achieve design excellence and deliver a world class harbour foreshore
6. Identify opportunities for the most efficient use of available space to maximise public benefits
7. Ensure designs demonstrate value for money.

3. Planning Requirements

The draft design and planning controls proposed for the Blackwattle Bay precinct have a strong focus on achieving design excellence in both the private and public domain. While these are still being finalised by DPE, the following sections summarise the current proposals.

3.1 Proposed statutory controls

Planning controls relating to design excellence have been proposed for incorporation into the Sydney Local Environmental Plan 2012 (SLEP 2012) for the Blackwattle Bay precinct. These provisions state that development consent must not be granted to development unless the consent authority is satisfied that it exhibits design excellence. While the provisions apply to future buildings, they are also relevant when considering the public domain.

In determining whether design excellence has been achieved, consideration must be given to the following matters:

- a. *whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,*
- b. *whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,*
- c. *whether the proposed development detrimentally impacts on view corridors,*
- d. *how the proposed development addresses the following matters—*
 - i. *the suitability of the land for development,*
 - ii. *the existing and proposed uses and use mix,*
 - iii. *any heritage issues and streetscape constraints,*
 - iv. *the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers, existing or proposed, on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,*
 - v. *the bulk, massing and modulation of buildings,*
 - vi. *street frontage heights,*
 - vii. *environmental impacts, such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,*
 - viii. *the achievement of the principles of ecologically sustainable development,*
 - ix. *pedestrian, cycle, vehicular and service access and circulation requirements, including the permeability of any pedestrian network,*

The provisions also require that a design competition is undertaken for development:

- with a height greater than 25m
- having a capital investment value of more than \$100M
- for which the applicant has chosen such a process.

3.2 Draft Design Code

The draft Design Code outlines a design excellence process for the public domain, which complements the process for built form in the SLEP 2012. Clause 3.2 states that the design excellence process for public domain will include:

- two rounds of community engagements:
- a competitive tendering process to procure a high-calibre design team, and
- regular design presentations to a design excellence panel¹.

It also states that the initial embellishment of the public domain will be subject to a statutory planning approval process. Infrastructure NSW will seek approval for the Bank Street Park via State Significant Development application from the DPE, as the project will exceed the capital investment threshold of \$10 million on land identified as being within the Blackwattle Bay precinct.

¹ It is anticipated that this will be State Design Review Panel, or members of the panel. These details are currently being finalised by DPE as part of their assessment of the SSP Study for Blackwattle Bay.

4. Proposed Path to Design Excellence

Infrastructure NSW is seeking to achieve design excellence and high quality design in the Bank Street Park. This will be achieved by:

- A detailed design brief for the Park which maintains design excellence as a key requirement for the design development of the space.
- Procurement of a world-class design team and concept design using a competitive tendering process, with invitees selected based on their pre-qualification on the Government Architect NSW Strategy and Design Scheme, and recognition through industry awards (including AILA).
- Undertaking a two-stage procurement process, where shortlisted designers attend an interview focussed on designing with Country, design excellence and innovation.
- Having two members of the State Design Review Panel participate in the interview and provide expert advice to the tender review panel in their evaluation of the designers.
- Involving (preferably the same) members of the State Design Review Panel through the concept phase of the project, prior to development application stage, to guide the development of concept options and the identification of a preferred option.
- Seeking and addressing the formal advice of the State Design Review Panel during the development application phase of the project.
- Focussing on engagement with First Nations and the holistic integration of Designing with Country into the design of Bank Street Park.
- Careful, considered consultation with the community, to ensure that the design of the park delivers on what the community wants and needs.
- Including contractual obligations for the appointed design team and contractor to maintain design excellence from concept through design development to completion.
- Inclusion of public art principles into the design of Bank Street Park.

5. State Design Review Panel

Infrastructure NSW is proposing to include the expertise of the State Design Review Panel at all phases of the project, including the tender evaluation and concept development phases, which the panel would not typically be involved in. In addition, the State Design Review Panel will have a formal role in the project once it reaches development application phase (design development).

Two members of the State Design Review Panel have been engaged by Infrastructure NSW to provide expert design advice during the tender evaluation of the lead designer of the park. This includes one member with a landscape architecture background and another with a First Nations focus (see section 6.1.3).

Infrastructure NSW also propose to engage the services of these same panel members throughout the concept development phase of the project, to provide advice and input to the design team in developing a preferred concept option for the park.

Once the project commences the State Significant Development process, the State Design Review Panel will have a formal role in reviewing and advising on the project at key milestones. It would be beneficial if the same panel members involved in the early phases of the project were also involved in the development application phase. This would be discussed and agreed with GA NSW at the appropriate time.

6. Ensuring Design Excellence through Procurement

The process to procure the lead design consultant for the Bank Street Park was developed in discussion with GA NSW and represents the most appropriate method of achieving design excellence, given the extensive design and consultation undertaken for the site to date.

6.1 Competitive Tender Process

A competitive tender process is being undertaken to identify the lead design consultant for the Bank Street Park. A range of tendering options were considered, and this was identified as the appropriate approach given the significant design and consultation already undertaken.

The initial engagement will take the project to Preferred Concept stage. It will be at Infrastructure NSW's discretion whether they also engage the consultant to undertake design development.

6.1.1 Design Brief

The design brief has been developed with a focus on:

- Achieving design excellence, including a world class foreshore promenade
- Connecting and designing with Country and First Nations engagement, with a dedicated First Nations Design Advisor required as part of the design team
- Providing for public art, with a commitment to 1% of capital costs being allocated to public art, in accordance with City of Sydney's standard practice
- Consistency with the Draft Design Code, which has been through two rounds of public consultation.

The scope also includes a benchmarking exercise to identify exemplars of harbourfront open space, and the development of a design evaluation tool to guide selection of the preferred concepts. Concept designs will be developed in accordance with any future plans or design strategies prepared for the broader Blackwattle Bay Precinct.

6.1.2 Selection of Tenderers

A total of six consultancies were approached to provide a response to the RFT. These were selected based on the following criteria:

- Accreditation on the Government Architect NSW Strategy and Design Scheme
- Having received an industry award (including AILA) award for a recent project
- Previous experience, with a particular focus on innovation.

6.1.3 Tender Evaluation

The tender evaluation plan places a strong focus on design excellence, with a two-stage evaluation process proposed:

Stage 1: Shortlisting

Stage 1 will involve shortlisting 2-3 of the 6 tenderers, based on their written response. GA NSW will sit on the Tender Evaluation Panel for Stage 1, which also includes two representatives from Infrastructure NSW and one from Place Management NSW.

Evaluation criteria for Stage 1 have been developed in consultation with GA NSW and include:

1. Capacity for creative and innovative design, including:
 - approach/philosophy to ensuring a creative and innovative design outcome, including examples

- evidence of recognition for a creative and innovative design outcome/s (awards, publications, exhibitions, competitions)
 - example/s of design decisions that indicate lateral thinking.
2. Capability and experience, including:
- capability and experience in Government projects
 - experience in designing exemplar public realm in the last 5 years
 - examples of projects where Connecting with Country and/or First Nations input has been incorporated into the design of a project
 - ability to lead multi-disciplinary teams to deliver complex design projects, with examples from the last 5 years
 - capability and experience in stakeholder engagement, particularly for sensitive/high profile projects in the last 5 years.
3. Approach and methodology, including the following specific criteria:
- how the Tenderer proposes to embed design excellence in all aspects of the Project.
 - how the Tenderer proposes to reflect the Connecting with Country Framework for Tjerruung Blackwattle Bay in the design process.
 - key risks, challenges and opportunities and how these will be managed.
 - the proposed quality assurance process to be utilised for the Project.
4. Team and team structure.

Stage 2: Interview

Stage 2 will involve an interview (in person) for shortlisted tenderers. The focus of the interview will be on approaches to design excellence, designing with Country and innovation.

Two members of the State Design Review Panel have been engaged to attend the interview and provide expert advice to the tender evaluation panel. These members are:

- Oi Choong, with a focus on landscape architecture and design excellence
- Craig Kerslake, with a focus on Designing with Country and design excellence.

The expert advice will be considered by the tender evaluation panel in identifying a preferred tenderer.

7. Ensuring Design Excellence during the Design Process

7.1 Concept Options

The lead design consultant for the park will prepare a minimum of three concept options for testing with the community and other stakeholders.

These design options will be evaluated using a project specific evaluation tool that will be developed early in the project. The evaluation tool will have a strong focus on design excellence.

A Preferred Concept Option will be developed based on the outcomes of the evaluation and the stakeholder feedback received.

As outlined in section 5, two members of the State Design Review Panel are proposed to be engaged by Infrastructure NSW to provide expert design advice during the concept development phase. Their advice will

help guide the important early phases of the project and will support the formal role of the State Design Review Panel once a development application for the project is lodged.

7.2 Community Engagement

The Draft Revised Design Code for Blackwattle Bay requires two rounds of community engagement for all public domain projects in Blackwattle Bay.

Infrastructure NSW have engaged Cred Consulting to develop and implement a stakeholder engagement strategy for Bank Street Park. The strategy will include two key stages of consultation.

The first stage is proposed to be undertaken in September 2022 and will be seeking input from the community and key stakeholders to confirm the vision for Bank Street Park.

The second stage of consultation will be a comprehensive process to test the concept options developed by the lead designer.

Infrastructure NSW is also developing a specific approach to First Nations engagement for the Project, in line with the Connecting with Country Framework prepared for Blackwattle Bay.

7.3 Design Development

Design excellence will be promoted throughout design development by:

- Emphasising that design excellence in the public domain is a statutory consideration under the Draft Revised Design Code.
- Requiring the design team to pursue their design vision based on Infrastructure NSW's functional requirements.
- Articulating the role of the lead designer with responsibility for:
 - Preparing appropriate material to support a State Significant Development (SSD) application for the design including all required information to lodge the application
 - Attendance at meetings with the State Design Review Panel during design development as required
 - Representing the project in meetings with the community, authorities and stakeholders, as required
 - Providing a lead role in ensuring design integrity is maintained throughout the design process
 - Providing any documentation required to Infrastructure NSW verifying the original design intent has been achieved at completion.
- Inclusion of Infrastructure NSW's Design Objectives that establish clear, consistent and rigorous objectives and principles to achieve design excellence outcomes for the project, referencing the following key documents:
 - Draft Revised Design Code for Blackwattle Bay (2022)
 - Connecting with Country Framework
 - NSW Government's 'Better Placed' – Design Objectives (2017)
 - NSW Government's 'Local Character and Place Guideline' (2019)
 - Sydney Local Environmental Plan 2012 (SLEP 2012) - Clause 6.21 Design Excellence
 - NSW Government Architect's Draft Design Excellence Guidelines (2018)
 - Future precinct wide design strategies and plans, as they are developed

Throughout the design development process, it is anticipated that the State Design Review Panel will:

- Provide guidance and advice to Infrastructure NSW and the design team
- Review and evaluate the design to ensure design excellence is realised
- Ensure the design integrity is maintained and / or enhanced through design development and not impacted if there are any major design changes.
- Assess concepts against the design objectives for Bank Street Park.

8. Contractor Procurement & Delivery

It is anticipated that the contractor procurement should attract competitive bids from well qualified contractors. It is anticipated that the contractor will be engaged in a design & construct style agreement.

A design & construct engagement will mean that design responsibility will be novated to the delivery contractor at some stage. To ensure Infrastructure NSW's design excellence objectives remain at the forefront of the design development during the construction and pre-construction phases, the appointed design team will remain on the project in either the capacity of a technical advisor to Infrastructure NSW or as a novated lead design consultant for the successful contractor.

Sufficient design visibility, controls, and review processes will be included in the design & construct agreement to ensure Infrastructure NSW's design excellence objectives are achieved.