

beam

## Design Excellence Strategy

79-81 Queens Road and 2-8 Spencer Street, Five Dock

Prepared for DPG Project 37 Pty Ltd

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Beam Planning acknowledge that Aboriginal and Torres Strait Islander peoples are the First Peoples and Traditional Custodians of Australia. We pay respect to Elders past and present and commit to respecting the lands we walk on, and the communities we work with.

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Director



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# 1.0 Introduction

## 1.1 Overview

The Design Excellence Strategy has been prepared by Beam Planning on behalf of DPG Project 37 Pty Ltd (Develotek) (**Proponent**). The Strategy has been prepared in anticipation of a future State Significant Development Application (**SSDA**) for a mixed-use retail and residential development, comprising 15% infill affordable housing (the **Proposal**) at 79-81 Queens Road and 2-8 Spencer Street, Five Dock (the **site**).

The overall intent of these Design Excellence Strategy is to inform the parameters of a future competitive design process (**architectural design competition**) for the site and Proposal.

The Design Excellence Strategy has been prepared:

- Having regard to feedback provided by GANSW
- Having regard to the Government Architect's *Design Competition Guidelines* (September 2023), in particular **Section 2.1** and **Section 2.2**, and defines:
  - The location and extent of the competitive design process;
  - The type of competitive design process to be undertaken (being an invited architectural design competition); and
  - The number of designers involved in the process.

The proponent has elected to carry out a single **invited architectural design competition** with a minimum of three (3) invited design teams.

To ensure that the development of the site proceeds in a timely manner, it is envisaged that the competitive process will begin as soon as practical after the endorsement of the Design Competition Brief by the NSW Government Architect in consultation with the City of Canada Bay Council.

## 1.2 Relevant Background

### 1.2.1 Kings Bay Precinct

The Kings Bay Precinct in Canada Bay is located between the established activity centres of Burwood (located approximately 1km to the southwest) and Five Dock (1km to the east). It spans both sides of Parramatta Road to the north and south, bounded by Queens Road and Kings Road to the north, and Dalmar Street, Grogan Street, and Wychbury Avenue to the south.

The Kings Bay Precinct is undergoing a significant transformation, guided by the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS), a NSW Government initiative aimed at revitalizing the Parramatta Road corridor. The precinct is envisioned as a new residential and mixed-use urban village, with an active main street, strong links to the open space network along Sydney Harbour, and a focus on sustainability. The population of the Kings Bay Precinct is projected to increase to 5170 people by 2050, from 2740 people in 2023, with the number of dwellings also expected to increase from 1410 in 2023, to 2510 in 2050.

The planning history of the precinct includes:

- PRCUTS: Was released to provide a statutory framework for the transformation of the Parramatta Road corridor.
- Development of the Master Plan: PRCUTS along with other relevant studies and plans were consolidated to create a comprehensive master plan for the Kings Bay Precinct, guiding future built form and the urban environment.
- Amendments to Planning Controls: Amendments to the Canada Bay Local Environmental Plan (LEP) 2013, Development Control Plan (DCP), and contributions plan were gazetted to align with the vision for the precinct.
- Release of Street Design Guideline: Publication of a street design guideline to provide clear direction on the design, arrangement, and materiality of the public domain within the precinct.

### 1.2.2 Area 17 and the Develotek Site

The Canada Bay Local Environmental Plan (Canada Bay LEP 2013) and Canada Bay Development Control Plan (Canada Bay DCP) provide specific controls for areas comprising multiple properties in the Kings Bay Precinct. The subject site is located within Area 17. The Develotek site comprises the majority of Area 17, and includes 2-8 Spencer Street and 79-81 Queens Road, Five Dock (refer to green outline **Figure 1**).

The site is legally described as Lots 17, 20, and 21 in section 3 of DP1117, Lot 18 in DP651570 and Lot 1 in DP540151, and has an area of approximately 3,151m<sup>2</sup>. It is currently occupied by 1-2 storey buildings and is used as a vehicle sales and hire premises.

The owner of 10-12 Spencer Street (refer to red outline in **Figure 1**) does not wish to sell or redevelop their land at the current point in time. Therefore, to facilitate the redevelopment of the Develotek site, Develotek have recently lodged a Planning Proposal with City of Canada Bay Council, seeking amendments to the Canada Bay LEP 2013. The objective of the Planning Proposal is to exclude 10-12 Spencer Street from Area 17 of the Kings Bay Precinct and prescribe new planning controls without the requirement to consolidate the site, whilst ensuring that any future development on both sites will still meet and achieve the desired built form and public domain outcome identified for the site under Section K20 of the Canada Bay DCP.

The design competition will only relate to the Develotek site but will need to have regard to the future redevelopment of 10-12 Spencer Street and provide for future basement vehicular access. The Design Competition will run concurrently with the assessment of the Planning Proposal to allow the future SSDA to be lodged in approximately 6 months once the Planning Proposal has been endorsed by the City of Canada Bay Council.



**Figure 1** Site Aerial

### 1.2.3 Site Specific Controls

The subject site has the following key controls under the Canada Bay LEP 2013:

- Part MU1 Mixed Use Zone and part RE1 Public Recreation (along William Street)
- An Incentive FSR of up to 3:1 (Note: Clause 8.9 provides for an additional 5% FSR is allowed if the proposal achieves certain sustainability requirements and the development will not adversely impact adjoining land or the amenity of the neighbourhood, considering visual bulk and overshadowing)
- An Incentive Height of up to 67m over the MU1 part of the site and 2.5m over the RE1 zoned land

In order to achieve the incentive height and FSR the consent authority must be satisfied the requirements in clauses clause 8.4-8.8 are met. These clauses require a minimum site area of 4,096m<sup>2</sup> for Area 17 as well as the following setback:

- an 8m wide setback on land that fronts William Street, Five Dock, and
- a 3m wide setback on land that fronts Queens Road, Five Dock and land that fronts Spencer Street, Five Dock,

It is acknowledged that the Competition site has a site area less than the required minimum outlined above due to the exclusion of 10-12 Spencer Street, however, as mentioned above, a Planning Proposal has been lodged with the City of Canada Bay Council to deal with the constraints relating to the site area.

Figure 2 below illustrates the form envisaged under the Canada Bay DCP for Area 17.

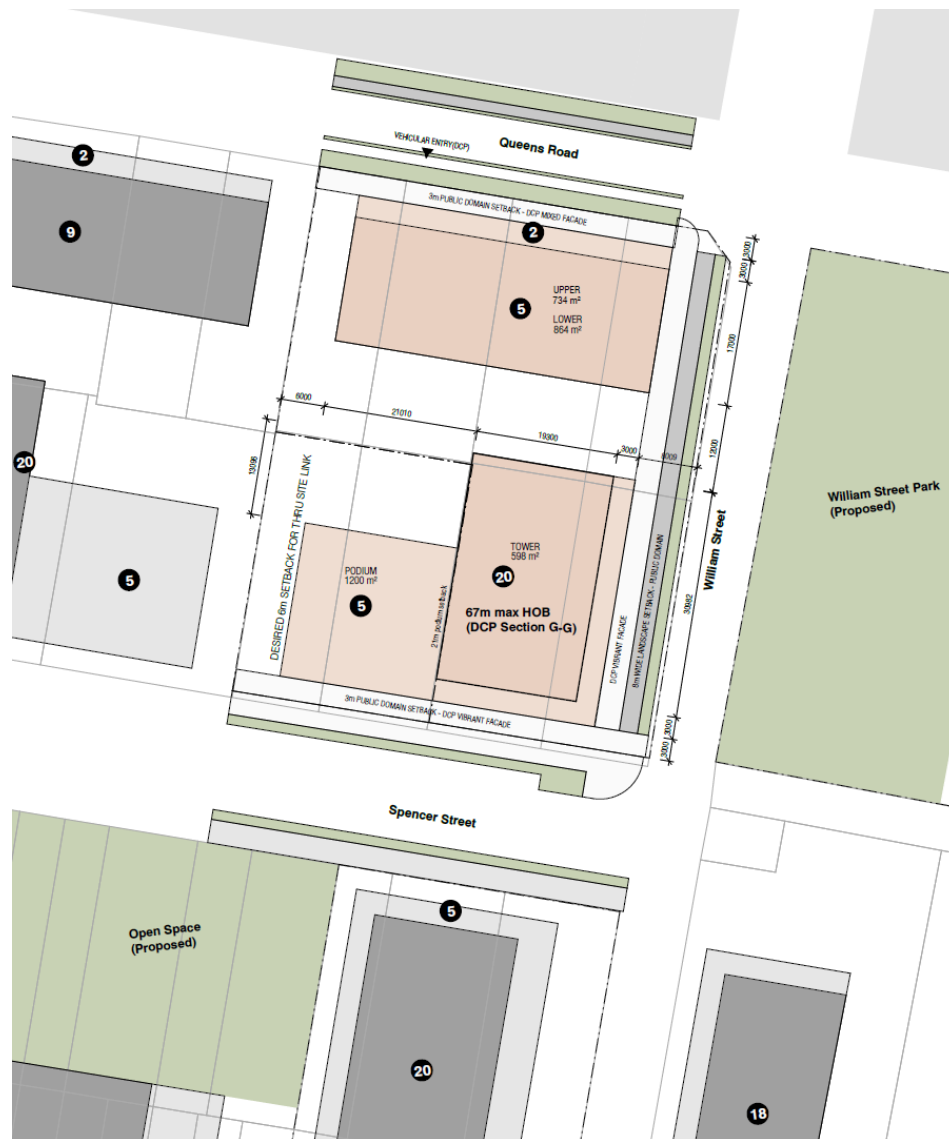


Figure 2 DCP envelope for the site

### 1.2.4 Infill Affordable Housing

A key priority for the NSW Government is tackling the housing crisis by facilitating the increased supply of social and affordable housing for low-income households and essential workers. On 14 December 2023 the NSW Government implemented in-fill affordable housing reforms to encourage private developers to boost affordable housing and deliver more market housing. The reforms included a FSR bonus of 20–30% and a height bonus of 20–30% for projects that include at least 10-15% of gross floor area (GFA) as affordable housing.

This proposal will seek approval for the 15% affordable housing in return for the 30% increase in FSR and height in accordance with the Infill Affordable Housing Division of the State Environmental Planning Policy (Housing) 2021.

### 1.2.5 Planning Pathway

Section 26A In-fill affordable housing of the State Environmental Planning Policy (Planning Systems) 2021 states that the following is State Significant Development (SSD):

- (1) *Development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies if—*
  - (a) *the part of the development that is residential development has an estimated development cost of—*
    - (i) *for development on land in the Eastern Harbour City, Central River City or Western Parkland City in the Six Cities Region—more than \$75 million, or*
    - (ii) *...*
  - (b) *the development does not involve development prohibited under an environmental planning instrument applying to the land.*

As the proposed development will meet the above criteria it will be a State Significant Development.

### 1.2.6 Proposed Development

The detailed SSDA will seek development consent for a detailed development for a mixed-use retail, commercial, and residential development generally consistent with Part K of the Canada Bay DCP, and will include:

- Demolition of all existing structures on site
- Construction of a part 5 storey, part 25 storey shop top housing development comprising a GFA of 13,872 m<sup>2</sup>.
- Construction of public domain upgrades
- Associated infrastructure upgrades and diversions

### 1.2.7 Requirement for an Architectural Design Process

Clause 6.14 of the Canada Bay LEP 2013 identifies the site within the “Design Excellence Area”. Development within this area, involving the a building higher than 28m or 8 storeys, or both, must not be granted development consent unless –

- (a) *a competitive design process is held in relation to the development, and*
- (b) *the consent authority takes into account the results of the competitive design process.*

Accordingly, the Proposal will be the subject of a competitive design process.

## 1.3 Objectives of the Design Excellence Strategy

### 1.3.1 General objectives

The general objectives of this strategy are to:

- Establish a methodology for the Proponent to implement a competitive design process for the development of the site, incorporating the principles of the Government Architect’s *Design Competition Guidelines* (September 2023).
- Ensure that the competitive design process works within the framework of the approved Design Excellence Strategy.
- Confirm the number of architectural practices to participate in the competitive process and how these will be selected.
- Establish the process for the selection of a competition jury.
- Set out the approach for establishing a Competition Brief that ensures:
  - The Consent Authority’s design excellence requirements are balanced with the Proponent’s objectives.
  - The achievement of design and architectural diversity.
  - Procedural fairness for design teams.
- Ensure sustainability initiatives and ecologically sustainable development targets are defined and developed through the design competition, detailed design development and construction phases through to completion of the project.

- Ensure that design integrity is continued in the subsequent detailed development proposal, through construction phase, and through to the completion of the project.

### **1.3.2 Design Objectives**

- To ensure that the highest standard of architectural, urban and landscape design is delivered for the proposal in accordance with Clause 6.14 of the Canada Bay LEP 2013.
- To ensure that development exhibits design excellence that contributes to the natural, cultural, visual and built character values of Five Dock, and where appropriate celebrates the industrial character of Kings Bay.
- To ensure the parameters and extent of the competition facilitates delivery of an activated and high quality public domain along Spencer Street, William Street, and Queens Road, with a specific focus on the proposal taking advantage of its relationship with the proposed William Street Park.
- To promote a high standard of podium and tower façade design, materials and detailing along the Spencer Street, William Street, and Queens Road frontages with design parameters within the Design Competition Brief to support this.
- To promote a form and apartment layouts that maximise solar access and amenity within the site and on surrounding development.
- To ensure the development provides integrated servicing and access for the development block and minimises the impacts of parking.
- To consider and respond to infrastructure and flooding constraints.

## 2.0 Design Excellence Strategy

### 2.1 The location of extent of the competitive design process

A single Invited Design Competition is proposed to be undertaken and is intended to apply to the site outlined in red in **Figure 1** and comprise the following elements:

- The 25-level tower, including ground floor retail, communal areas, and apartments.
- The 5-level podium and public domain/street frontage along Spencer Street, William Street, and Queens Road (fronting the site).

### 2.2 The Type of Competitive Design Process to be Undertaken

The Proponent has elected to conduct a single **Invited Architectural Design Competition** for the project as required by the Government Architect's *Design Competition Guidelines* (September 2023). The process is to be undertaken prior to the lodgement of a Detailed SSDA for the site's development, in concurrence with the assessment of the Planning Proposal. This will allow the Detailed SSDA to be lodged in approximately 6 months once the Planning Proposal has been endorsed by the City of Canada Bay Council and recommended for Gateway Determination.

The Invited Architectural Design Competition will be conducted primarily in accordance with the Government Architect's *Design Competition Guidelines*. Endorsement of the Competition Brief is required by the NSW Government Architect following a review of the brief by the City of Canada Bay, prior to commencement of the Design Competition.

### 2.3 Selection of Design Teams

The Proponent will undertake an Invited Design Competition with a minimum of three (3) invited Design Teams. The selection of the invited Design Teams will be determined by the Proponent in consultation with GANSW, as follows:

- A Design Team may be a single person or firm, or a number of firms working in partnership, constituted of a principal/lead architect supported by an executive architect(s); and
- Each Design Team is required to be led by a registered architect with demonstrated relevant expertise in high quality architecture, urban design and landscape architecture.
- Each Design Team must comprise of a registered landscape architect with demonstrated relevant expertise in high quality open space and public domain, urban design and landscape architecture.

When shortlisting Design Teams, the Proponent should consider the following:

- Diversity of experience and approach across teams will facilitate a range of responses to the competition brief and ensure the best value from the competition process.
- The applicant must be confident they can work with any of the selected Design Teams through to the completion of the development, should they win.
- Prior experience of the relevant project type should not be the only selection criteria. Experience in projects of equivalent complexity will ensure a more diverse selection.
- Design Teams should demonstrate the capacity to deliver the project, within their own organisation or by partnering with other practices.

### 2.4 Establishment of the Competition Jury

The Competition Jury will comprise three (3) members. The Jury will have the following composition, in accordance with Section 2.3 of the *GANSW Design Competition Guidelines* (September 2023).

- One (1) member nominated by the Proponent.
- One (1) member nominated by the City of Canada Bay Council, who is **not** a staff member or councillor with an approval role in the development assessment process.
- One (1) member nominated by the GANSW. This member will act as Chair.

Jury members are to:

- Represent the public interest.
- Have relevant design expertise and be recognised advocates for design excellence.
- Complete a confidentiality agreement and maintain the confidentiality of the competition process.
- Include only persons who have expertise and experience in the design and construction professions and related industries.
- Include at least two (2) registered architects with urban design experience.
- The Jury's decision will be via a majority vote.
- The decision of the Jury will not fetter the discretion of the Consent Authority in its determination of any subsequent development application associated with the development site that is the subject of the competitive design process.
- 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 Chairperson of the Jury is to:

- Have expertise in architecture and urban design and be a recognised proponent of design excellence in NSW.
- Formally convene the jury.
- Ensure discussions are relevant to the competition brief and project.
- Approve the attendance of observers during jury presentations and design integrity panel sessions.
- Provide the final endorsement of the competition report.

In the event a majority vote is not reached or for any situation outlined above, either the proponent or the Consent Authority may request that the Jury reconvene and make a recommendation (within a timeframe to be determined by the proponent) as to what further competitive processes or requirements would be necessary to permit an alternative or revised design to satisfy the design excellence provisions.

## 2.5 Competition Brief

The Competition Brief will be prepared by the competition manager on behalf of the Proponent who will liaise with the City of Canada Bay Council, DPHI and the Government Architect in relation to its preparation, with final endorsement obtained from the NSW Government Architect prior to commencement of the design competition. In establishing the Competition Brief, the Proponent will ensure that:

- All details regarding the conduct of the Design Competition are contained within the Competition Brief.
- The Competition Brief and appended documents are reviewed by the City of Canada Bay Council, DPHI and endorsed by the NSW Government Architect prior to its distribution to Design Teams, Competition Jury and technical advisors.
- The Competition Brief is to be prepared having regard to Section 3.2 of the GANSW *Design Competition Guidelines* (September 2023).

The Competition Brief is to include the following with respect to the competition details:

- Description of the competition process
- The names of the Design Teams, including all collaborators
- Key dates, including:
  - design response period start date and submission deadline
  - site visits and briefings
  - mid-point reviews
  - jury presentation days
  - issuing of the competition report
  - announcement of the competition winner
- Names and qualifications of all jurors and the jury chair
- Detailed description of the design integrity process
- Relevant Design Excellence considerations in any applicable EPIs and alignment with the competition design brief

- Fees to be paid to each of the Design Teams and, as appropriate, the awarding of any prizes, commissions, or bonuses to winning Design Teams
- Identity of the applicant
- Name and contact details of the competition manager

The Competition Brief is also to include the following with respect to the design brief:

- Vision and principles for the development
- Estimated Development Cost
- Planning framework and relevant controls, including draft or pending EPIs that may influence the project
- Proposed uses, gross floor areas and floor space ratios
- Functional and technical brief
- Details of environmentally sustainable design (ESD) targets and other benchmarks or standards that are to be achieved
- Site information including a detailed site survey, flood and traffic studies and any relevant supporting reports or policies
- The endorsed design excellence strategy

The Competition Brief will ensure that the consent authority's design excellence requirements are balanced with the Proponent's objectives, the process will promote design excellence and architectural diversity, and that procedural fairness for Design Teams is achieved.

The Competition Brief will set out specific timelines for each milestone for the Design Competition as nominated by the Proponent, and will confirm the project budget and need for the competition entries to adhere to the prescribed budget, including a mid point check-in involving a quantity surveyor review and upon completion of the competition.

## 2.6 Competition Report

Following the completion of the competitive design process, and when competition submissions have been assessed and a winner selected, a Competition Report is to be prepared and submitted to the Government Architect. The Report is to be endorsed prior to the lodgement of any Detailed Development Application for the winning scheme by the Government Architect.

The Competition Report is to include and detail:

- A summary of the competitive process and include a copy of the endorsed Brief
- The Jury's assessment of the design and merits and demerits of each submission
- The nomination of one design response as the winner of the competition and the winning design team for the purposes of design integrity
- A statement that the winning design response has the potential to achieve design excellence
- The rationale for the choice of the winning design and the qualities and attributes that must be retained to achieve design excellence
- Areas that require further design development to achieve design excellence
- Any ongoing requirements of the design integrity process
- A statement confirming the competition process has been carried out in accordance with requirements of the relevant Environmental Planning Instrument

## 3.0 Design Integrity

The design team of the winning scheme of the competitive design process, as determined by the Jury, will be appointed as design team for the subsequent Detailed SSDA and will perform this role until completion of the project.

The role of the design team will include the following:

- preparation of drawings for the future detailed SSDA;
- preparation, or oversight and final endorsement of, drawings for a construction certificate;
- preparation, or oversight and final endorsement of, drawings/material for contract documentation; and
- continuity of design leadership through construction to occupation certificate.

It may be the Applicant's intention for the winning design team to work in association with other architectural practices in the development of the Proposal, notwithstanding, the winning design team will retain a leadership role over design decisions.

### 3.1 Design Integrity Panel

Following the competitive design process, a quorum of the original jury members will form the Design Integrity Panel (DIP). The DIP will be made up of the 3 members of the competition jury. The DIP will be convened by the applicant with assistance from the competition manager, with membership approved by the chair.

The DIP will then review the design to ensure the key design excellence attributes noted in the competition report are retained or improved upon through the development of the design, and that areas noted as requiring further design refinement are appropriately addressed. The DIP will review at the following stages:

- Lodgement of the Detailed SSDA.
- Lodgement of the Response to Submissions as part of the Detailed SSDA
- Lodgement of any significant design modification following the Detailed SSDA's determination.

The DIP will ensure that the design integrity of the winning scheme has been maintained, will review the project throughout design development, and ensure the recommendations identified in the Competitive Design Process Report for the winning scheme are implemented.

Each meeting of the DIP should be documented in a Design Integrity Report. The Report should include a statement confirming that the design retains or improves upon the design qualities exhibited in the competition-winning submission and retains the potential to achieve design excellence. The report should specify whether further DIP sessions are recommended. Specific reference to advice and recommendations from the competition report and earlier DIP meetings should be made in each subsequent design integrity report to ensure all matters are addressed.

The competition report and design integrity reports are submitted to the consent authority with the DA and may inform the assessment of the planning application.

# GOVERNMENT ARCHITECT NEW SOUTH WALES

7 March 2025

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Senior Planner  
Beam Planning  
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**PROJECT:** 79-81 Queens Road and 2-8 Spencer Street, Five Dock  
Mixed use development with affordable housing  
(SSD-78287462)

**RE:** Design Excellence Strategy - GANSW endorsement

CC:  
Shannon Anderson  
Manager, Statutory Planning  
City of Canada Bay Council  
[shannon.anderson@canadabay.nsw.gov.au](mailto:shannon.anderson@canadabay.nsw.gov.au)

Dear Sarah,

I am writing regarding the Design Excellence Strategy submitted for the above project. Throughout the development of the Strategy, we note that a consultation process has occurred including the Competition Managers, GANSW, DPHI and City of Canada Bay Council. We further confirm that comments from all stakeholders have been considered in developing the final endorsed Strategy.

Please accept this letter as confirmation of GANSW endorsement of the Design Excellence Strategy, version nominated below:

- 250120\_DES\_Spencer St and Queens Rd Five Dock – Final.pdf

Please note the endorsement of this Strategy does not fetter the consent authority in the assessment of any future development application.

We look forward to progressing the competitive design process with the project team in consultation with DPHI and Council. Feel free to contact me if you would like to discuss this further ([rory.toomey@planning.nsw.gov.au](mailto:rory.toomey@planning.nsw.gov.au)).

Sincerely,



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