

HARBOURSIDE

Design Integrity Panel Terms of Reference

These Terms of Reference (**ToR**) have been prepared in accordance with the development consent for the approved Concept Development Application (**DA**) (SSD-7874) for the redevelopment of Harbourside Shopping Centre. In accordance with Condition A24 of the approved Concept DA, these Terms of Reference outline the following:

- The role of the Design Integrity Panel (**the Panel**) is to review and advise on design development to ensure the achievement of design excellence, complying with the requirements of this consent, built form controls and design guidelines (as endorsed by the Planning Secretary).
- That the Panel will review and provide advice prior to the lodgement of any future Development Application(s), and be retained during the assessment and post approval stages to review any substantial amendments made to the design.
- Governance arrangements including meeting frequency, secretariat functions, dispute resolution and deliverables.

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1. Purpose 2. Scope of Review 3. Who Sits on the Panel 4. Panel Management 5. Role of the Chair 6. Meetings and Advice 7. Panel Attendance 8. Dealing with Interests 9. Confidentiality 10. Panel Member Remuneration	<p>The Design Integrity Panel (the Panel) will form an integral part of the design resolution for the redevelopment of Harbourside Shopping Centre (Harbourside) at 2-10 Darling Drive, Sydney (the site).</p> <p>On 25 June 2021, Mirvac (the Proponent) secured development consent to a State Significant Development Application (SSDA) (SSD-7874) for the redevelopment of Harbourside Shopping Centre. This planning approval is for a Concept Proposal which established the planning and development framework for the site including land uses, the built form envelope and other broad parameters along with the approval for the first stage of works (demolition).</p> <p>Following approval of the Concept SSDA, a Competitive Design Process (Competition) was successfully undertaken by the Proponent. The Competition concluded with Snøhetta + Hassell being selected as the winner of the Competition and the appointed Design Architect for the development. The reasons for Snøhetta + Hassell being selected as the winning Competitor is outlined in the endorsed Architectural Design Competition Jury Report (Jury Report), dated 9 December 2021 (included at Appendix A). Prior to the lodgement of any future Development Application(s) and in accordance with Condition A23 of the approved Concept SSDA (SSD-7874), the Proponent is required to establish the Panel.</p> <p>This document sets out the Terms of Reference for the Harbourside Design Integrity Panel process and its constituent members.</p>
Appendices Appendix A – Harbourside Architectural Design Competition Report	

<p>1. Purpose</p> <p>The role of the Panel is to provide independent, expert, and impartial design advice to areas located within the Competition site boundary to ensure the achievement of design excellence having regard to the requirements of the endorsed <i>Design Excellence Strategy</i> (dated 8 February 2021), the requirements of the approved Concept DA and built form control, and the Jury Report.</p> <p>The Panel will review the design refinements against the development areas outlined in Section 4.2 of the Jury Report and ensure that the design excellence qualities (similarly outlined in Section 4.2 of the Jury Report) are maintained.</p> <p>As set out in the Jury Report, the Panel 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. to review any substantial amendments made to the design). The design integrity process will support the Proponent and Department of Planning and Environment (DPE) to ensure design excellence is achieved.</p> <p>The role of the Panel is advisory only to ensure that the recommendations set out under Section 4 of the Jury Report are satisfactorily addressed and subsequently endorsed by the Panel. In accordance with Section 1.5 of the Jury Report, written endorsement from the Panel is to be submitted with the Detailed Development Application(s) (for the Main Works and Public Domain SSDAs).</p> <p>2. Scope of Review</p> <p>During review sessions, Panel members will provide independent and impartial advice relating specifically to the identified development areas under Section 4.2 of the Jury Report, with an emphasis on achieving design excellence.</p> <p>Immediately following each Panel review session, the design integrity manager (Urbis) will prepare a summary of the advice and recommendations.</p>	<p>This summary will be circulated to the Panel for comment within two (2) working days following the DIP review meeting.</p> <p>The DIP Chair will validate the review session summary within three (3) working days following its circulation to the Panel.</p> <p>The Chair will be Paulo Macchia, the appointed nominee from the DPE/GANSW. The Panel's advice is to be guided by the recommendations of the endorsed Jury Report.</p> <p>The Panel will also have due regard to the <i>Environmental Planning and Assessment Act 1979 (EP&A Act)</i> and the Sydney Local Environmental Plan 2012 (SLEP 2012).</p> <p>3. Who Sits on the Panel</p> <p>As per Condition A23 of the development consent for the approved Concept DA (SSD-7874), the Panel must comprise at least three members of the Competition Jury being one nominee from each of the Applicant, Government Architect, and local authority.</p> <p>If the original Jury members are not available, Section 1.5 of the Jury Report confirms that suitable alternatives may be nominated and agreed in writing by the consent authority (in consultation with GANSW).</p> <p>The DIP members are:</p> <ul style="list-style-type: none"> ▪ Paulo Macchia (Chair) – DPE / GANSW Nominee ▪ Graham Jahn AM – Local authority nominee ▪ Tony Caro – Proponent nominee ▪ Kate Luckraft – Proponent nominee <p>4. Panel Management</p> <p>The Proponents appointed design integrity manager (Urbis) will convene the Panel, the frequency of submissions, and conduct management of sessions in person at Level 8, 123 Pitt Street, Sydney (or 200 George Street, Sydney) (unless stated otherwise).</p>
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Urbis will provide secretariat support to the Panel 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 Panel endorsement in writing.

These functions will be overseen and endorsed by the Government Architect of NSW (**GANSW**).

6. Role of the Chair

The Chair is responsible for clarifying and summarising the Panel's comments on all issues and subsequently providing advice, informed by the Panel's expertise, to the Proponent Team.

A key function of the Chair is to seek a consensus amongst the Panel at the conclusion of each Panel meeting, and prior to the issue of any recommendations or advice. The design integrity manager (Urbis) will prepare the summary of advice, in collaboration with the Chair, prior to its validation.

7. Meetings and Advice

The design integrity program will occur over a 36-week period, from February 2022 to September 2022. Each session will be scheduled to occur four weeks apart across this programme. Each session may focus on the same or different components of the development than the previous meeting, as necessary.

Each session will comprise:

- Briefing to Panel members
- Presentation from Hassell + Snøhetta
- Interactive Panel and Architect Q&A
- Panel discussion
- Written summary of advice (Design Integrity Manager)

8. Panel Attendance

Snøhetta + Hassell will present the Proponent's proposal to the Panel.

To streamline these sessions, Snøhetta + Hassell will circulate their presentation along with an agenda of key items for discussion at least five (5) working days prior to the presentation (through the design integrity manager).

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

8. Dealing with Interests

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

All Panel 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 design integrity programme and design review is communicated to the Panel members and review attendees in the strictest confidence. Upon lodgement of the Detailed SSDAs (for Main Works and Public Domain), the final Panel written endorsement will be made publicly available during the Detailed SSDA 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 that Panel members are required to attend.