

Infrastructure NSW

Sydney Fish Market Project

Design Integrity Process

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1. Introduction

A State Significant Development Application (SSD 8925) for the new Sydney Fish Market (new SFM) was approved by the Minister for Planning on 12 June 2020. The conditions of consent for SSD 8925 contain a requirement in relation to design integrity at condition B4 as follows:

Prior to the commence of works, a Design Integrity Process shall be endorsed by the Planning Secretary, after consultation with the Government Architect NSW and Council, for ongoing design review by the Design Review Panel or a Design Integrity Panel constituted by the Design Excellence Strategy.

The Design Integrity Process as set out in this document will ensure design continuity and excellence of the new Sydney Fish Market's approved design scheme is maintained throughout the development process. The Design Integrity Process has drawn on the:

1. Objectives and intent of Design Excellence from Better Placed (Implementing Good Design) and City of Sydney Competitive Design Policy
2. Design Governance Framework (May 2016) used to appoint the design team and guide the development of the design with oversight from the Design Review Panel. In accordance with the Design Excellence Strategy (Attachment C) the selected design team of the competitive selection process – 3XN with BVN and Aspect Studios - is to continue overseeing the design quality of the project and retain a key integrated role over design decisions ensuring the ongoing integrity of the design through delivery.
3. Design Excellence Report prepared by 3XN Architects and approved as part of the EIS Documents for SSD-8925. A copy of the Design Excellence Report can be found on DPIE's major projects website <https://www.planningportal.nsw.gov.au/major-projects/project/10421> titled 'A3-Vol – Appendix 2 – Architecture and Public Domain Design'.

2. Initiatives to ensure Design Integrity

The approach to achieve ongoing design integrity must ensure that key elements and principles of the selected design are not diminished while recognising the need to retain some flexibility for the contractor to apply industry knowledge and to accommodate functional changes that may be required to ensure fitness for purpose. To achieve this balance the following initiatives have been developed to support ongoing design integrity through the delivery process;

Procurement – The contractor for the main works, Multiplex, has been appointed following a two-stage competitive tender process under a Design and Construct contract. The tender documents included a significantly developed design (approximately 80% of design completed client side) which has been progressed by the design team (3XN, BVN, Aspect) in conjunction with the end users of the facility with Design Review Panel oversight. This well-developed design limits the scope for the contractor to implement design changes, while allowing room for the contractor to apply industry smarts to details such as the design of services, construction methodology and program. That is, how the building is constructed; not what is constructed.

Functional Requirements – The Agreement for Lease with the head tenant (Sydney Fish Market Pty Ltd) sets out detailed functional requirements that have to be met setting a highly prescriptive scope that needs to be achieved.

Governance – Project Governance arrangements include a Project Control Group and Steering Committee with senior representation from INSW, DPC and Treasury NSW.

Coordination with Blackwattle Bay Master Plan - As it is developed the Blackwattle Bay Master plan and sub-precinct master plans will be co-ordinated with the new SFM design. As the new SFM design has received Development Consent and construction is due to commence shortly the future development on the existing SFM site will need to consider the interfaces and connections to the new SFM.

Design Integrity Panel (DIP) – To ensure design oversight continuity, the DIP will include representatives from the existing Design Review Panel. In differentiation to the Design Review Panel the DIP will not include representatives from Infrastructure NSW (the delivery agency) nor from Sydney Fish Market (the tenant). Terms of Reference for the DIP are included in Attachment A

Principal's Architect - To maintain continuity and protect the original design concept, INSW will retain 3XN as Principal's Architect and have mandated that Multiplex engage BVN and Aspect Studio as their Documenting Architect.

1. 3XN' will be retained by INSW and engaged to review the contractors design in accordance with the Design Excellence Report and provide recommendation to INSW at the following hold points:
 - a. Tender submission review (complete)
 - b. Design studies relating to design elements noted in the Development Consent as requiring resolution with the Design Integrity Panel and/or approval by the Design Integrity Panel or Planning Secretary
 - c. Approved for Construction (AFC) documentation

- d. Design amendments requiring planning approval (providing written advice on conformance of the amendments with the Design Requirements (key architectural details) as per the process set out in Attachment D)
 - e. Any variations to the Design Requirements (key architectural details) as set out in the main works tender that would have a significant bearing on the design concept as determined by INSW
 2. 3XN will also provide documentation required by the Consent Authority verifying the design intent has been achieved at completion.
 3. To ensure compliance with planning approvals and design integrity:
 - a. A program of regular design review points shall be instituted to enable and support the Principal Architect review, assessment and consequent design amendments be made in a timely manner to meet the construction program.
 - b. 3XN shall undertake regular site inspections through construction to delivery and also attend to the following;
 - c. A regime of off-site inspections will be established for manufacture of Glulam components, façade, and Retail floor columns prior to delivery; and
 - d. All key elements of the project including façade, roof, promenade stair, and Glulam components will have a prototype prepared for review and approval by INSW and 3XN prior to construction
 4. The Principal's Architect will retain the ability to request review by the DIP if they believe the Design Requirements are at risk of not being met.
 5. Principal's Landscape Architect – INSW will appoint a registered landscape architect to work with 3XN in reviewing the contractors plans for landscape and public realm. As with the Principal's Architect the Landscape Architect will be engaged to review the contractors design in accordance with the Design Excellence Report and provide recommendation to INSW at the following hold points:
 - a. Design studies relating to design elements noted in the Development Consent as requiring resolution with the Design Integrity Panel and/or approval by the Design Integrity Panel or Planning Secretary
 - b. Approved for Construction (AFC) documentation
 - c. Design amendments requiring planning approval

The Principal's Landscape Architect will undertake regular site inspections and off-site inspections as deemed required by INSW.

Attachment A – DIP Terms of Reference

OBJECTIVES

The role of the New Sydney Fish Market Design Integrity Panel is to:

- Provide clear independent, expert and impartial advice in relation to the achievement of design excellence;
- Ensure design continuity and excellence of the new Sydney Fish Market’s approved design scheme is maintained throughout the development process;
- Provide advice and inform the project team on aspects of project delivery that will assist in the achievement of design excellence; and
- Assess the design at regular intervals to interrogate decision-making to ensure design solutions do not diminish the key architectural details.

Note: The Panel’s role does not include budget or cost management for the project or assessment of heritage and community consultation issues. The Panel’s role is focused on ensuring design integrity is retained throughout all aspects including value management exercises.

MEMBERSHIP

A Design Integrity Panel be formed for the new SFM, consisting of the following membership:

Representation	Member
Office of the Government Architect	Paulo Macchia (Chair)
City of Sydney	Graham Jahn
Department of Planning	Ben Hewett
Independent (Landscapes)	Oi Choong

A quorum of three members is required for a meeting. Members may nominate alternate officers from their agency subject to approval from the Chair.

The Panel will be responsible for ensuring the continued design integrity of the SSDA approved design via review inclusive of key items as per the SSDA conditions of consent and at main milestones.

Design review by DIP shall include the following specific deliverables:

- review and assist in the resolution of items a) to i) of SSDA condition B5 as per Attachment B.
- review and provide endorsement of the Landscape design, including the elements described in items a) to d) of SSDA condition B7 as per attachment B.
- review and provide approval as required by all relevant SSDA conditions.
- review and provide timely comment on design amendments requiring planning approval that would have a significant bearing on the Design Requirements (key architectural details).
- provide independent review of the contractor’s design at design milestones including 100% AFC documentation

- review the design and delivery progression to confirm alignment with the original 3XN design intent on a bi-annual basis following the issue of a Crown Building Works Certificate until Practical Completion

In addition to the above deliverables it is expected the DIP will be convened when it is called upon by INSW or the Principal's Architect where INSW or the Principal's Architect believes the Design Requirements are at risk of not being achieved.

ROLES AND RESPONSIBILITIES OF DIP PERSONNEL

DIP Chair

The representative of the Government Architect is the DIP Chair. Where the Chair is unavailable, the Government Architect will nominate an alternate DIP Chair. The responsibilities of the DIP Chair are as outlined in the Terms of Reference include:

- Chair the DIP meetings;
- Welcoming and introducing the panel, proponents and any observers present in the meeting;
- Ensuring that the meeting agenda is followed, and time is well-managed;
- Ensuring new DIP participants / observers have been inducted into panel operations;
- Facilitating interactive discussion and the participation of all design integrity panel members, key local government attendees and proponents, enabling solutions to be brokered collaboratively;
- Ensuring that advice is informed by the relevant State and local policies and schemes;
- Clearly synthesising and summarising the consensus view of the panel at the conclusion of the meeting; and
- Reviewing and endorsing the draft advice / recommendations post meeting.

Panel Members

Panel members are required to;

- Provide independent, fair and reasonable professional advice;
- Treat all discussions and information about applications with sensitivity and confidentiality;
- Respond to and comment on material presented, providing clear and constructive feedback;
- Disclose any conflicts of interest for the record.

Administration

The Design Advisor nominated by GANSW will be responsible for;

- Assisting INSW in scheduling meetings and co-ordinating attendance of members
- Formulating meeting agendas
- Compiling notes from the DIP meetings.
- Liaising with Chair and panel members regarding final advice

- Issuing final advice notes to INSW within 5 days following a meeting.

AUTHORITY

In Scope

The DIP is advisory (except in relation to items in the SSDA conditions where its approval is explicitly required) and its recommendations are to guide INSW in ensuring design excellence of the new Sydney Fish Market.

Out of Scope

The DIP cannot authorise any expenditure, works or consultancies. Where advice or recommendations of the DIP have a commercial or legal impact on either the Agreement for Lease between INSW and SFM Pty Ltd or the GC21 Contract with the builder the Project Steering Committee will maintain ultimate discretion over the adoption of DIP recommendations.

MEETING CADENCE

It is expected most meetings will be required within the first 6 to 12 months of establishment up until lodgment of the AFC documents by the builder. In this period meetings will be scheduled no more regularly than monthly. Following lodgment of AFC documents meetings will be held bi-annually or as required for special meetings (subject to a minimum of one (1) months notice).

The recommended meeting duration for each meeting is 120 minutes, excluding a pre-briefing and panel caucusing. A longer duration can be allowed for complex matters, as required.

Attachment B – Extract of Design Integrity section from SD 8925 Notice of Determination

DESIGN INTEGRITY

- B4. Prior to the commencement of works, a Design Integrity Process shall be endorsed by the Planning Secretary, after consultation with the Government Architect NSW and Council, for ongoing design review by the Design Review Panel or a Design Integrity Panel constituted by the Design Excellence Strategy.
- B5. As part of the Design Integrity Process, the following shall be resolved with the Design Review Panel:
- (a) The frontage to Bridge Road comprising the servicing areas to the west shall be treated with materials, artwork, directional signage, lighting and/or heritage interpretation measures to reduce the visual impact of the inactive frontage.
 - (b) A detailed exhibition space strategy. The strategy must include information regarding the different uses of each space located on the ground floor of the building facing Bridge Road, Blackwattle Bay and Eastern Promenade.
 - (c) Opportunities for light penetration to the water within public domain areas. The landowner is encouraged to continue consultation and engagement with local universities regarding ongoing marine habitat opportunities
 - (d) A detailed Public Domain Plan shall be submitted to the Design Review Panel. The Public Domain Plan shall detail the proposed landscaping, lighting, street furniture, play equipment and treatment along Bridge Road for shared areas (including weather protection and shading for coach users). The flooding and the water sensitive urban design devices for the western and eastern plaza areas (overland flows, pits, bio-retention devices, tree pits and the like) shall not obstruct equitable access and shall seek to be integrated into the public domain and enhance use and enjoyment of such space, to the greatest extent possible.
 - (e) Detailed drawings of the roof cassettes, including operability (if proposed).
 - (f) Detailed drawings of street level carpark entries, access ramps, service and waste management areas to ensure that all surfaces to these areas are treated in materials equal to the standard of the principle building façade to achieve a high-quality interface with the public domain.
 - (g) The enclosure of the undercroft area beneath the western promenade to manage safety and security.
 - (h) Detailed drawings incorporating the wind mitigation measures identified in the Pedestrian Wind Environment Study by Windtech, May 2019 or any alternative solutions prepared by Windtech.
 - (i) A Final Signage and Wayfinding Strategy.
- Final design details are to be submitted to and approved by the Planning Secretary prior to the issue of the relevant Crown Building Works Certificate. A copy of the final design details are to be submitted to Council for information. Details demonstrating compliance with these requirements are to be provided to the Certifier.
- B6. The Applicant must ensure 3XN (Principles Architect) and BVN and ASPECT (Nominated) are engaged in the design documentation phase to ensure the integrity of the design quality of the approved development is maintained through the construction phase to completion of the building works. The design team is to:
- (a) prepare the design drawings for a Crown Building Works Certificate;
 - (b) prepare the design drawings for the contract documentation;
 - (c) maintain continuity of consultants and design integrity during tender and construction phases through to completion of the project;
 - (d) provide any documentation required by the Minister verifying the design intent has been achieved at completion; and
 - (e) attend all meetings that pertain to design issues with the community, authorities and other stakeholders, as required.

LANDSCAPE DESIGN

B7. Prior to the issue of the relevant Crown Building Works Certificate, amended plans and details drawn to scale, and technical specification, by a registered landscape architect shall be submitted to and endorsed by the Design Review Panel. Amended plans are to include:

- (a) revise tree species in the Urban Park and waterfront promenade to medium to large shade tree species, selected to provide a landscape and visual connection to Wentworth Park. The chosen trees species must have a minimum height of 12 metres with a canopy spread of 8 metres at maturity. Any change to these minimum requirements is to be approved by the Design Review Panel.
- (b) submit plans with levels and details to confirm the Bridge Road works mitigate any impacts on existing heritage fig trees and the park wall.
- (c) amended plans and sections for Bridge Road "Green Promenade" design to demonstrate integration of a cycleway, rationalised pedestrian dwelling areas, furniture and movements between vehicle drop off and SFM, and rationalise streetlights to provide a row of new street trees.
- (d) all new trees to be minimum 400L pot size at installation. Submit details for trees on slab details with the soil depth and soil volume compliant with the Sydney Landscape Code.

The final amended plans are to be submitted to and approved by the Planning Secretary.

B8. Prior to the issue of the relevant Crown Building Works Certificate, a detailed landscape design including plans and details drawn to scale, and technical specification, by a registered landscape architect must be submitted to the Planning Secretary for approval. These documents must include:

- (f) details of earthworks and soil depths including finished levels and any mounding. The minimum soil depths for planting on slab must be 1000mm for trees, 450mm for shrubs and 200mm for groundcovers, excluding mulch and drainage layers. Soil volume for trees on slab to comply with Sydney Landscape Code. Any change to these minimum requirements is to be approved by the Design Review Panel.

SCHEDULE OF MATERIALS

B55. A physical material sample board which specifies all proposed external materials, finishes and colours, (including visible rainwater goods and services) keyed to each building elevation must be prepared in consultation with the Design Review Panel and submitted to the Planning Secretary prior to the relevant Crown Building Works Certificate being issued. The materials and samples board must:

- (a) Include evidence regarding warranties, durability, methodology and evidence of prior successful use in proximity to seawater (where relevant)
- (b) not include generic material or colour descriptions or use terminology such as 'or similar' and must be prepared in consultation with the Council.

ENVIRONMENTAL SUSTAINABILITY

B57. The Applicant shall ensure the detailed design of the development incorporates the environmental sustainability objectives, measures and initiatives outlined in the Ecologically Sustainable Development Report, prepared by Wood and Grieve, dated 26 September 2019. Any changes to the specific initiatives will be required to be approved by the Design Review Panel. The sustainability targets shall not be reduced through the design, construction and operational phases, including:

- (a) a 30% reduction target in greenhouse gas emissions from operations
- (b) a 45% reduction target in potable water consumption

(c) a landfill diversion rate at 90% for construction and demolition waste and 80% for operational waste

Details demonstrating compliance

Any changes to the design team or the deliverables outlined above must be approved by the Design Review Panel and notified to the Planning Secretary.

Details demonstrating compliance with this requirement are to be provided to the Certifier.

Attachment C – Design Excellence Strategy (GA NSW 17/09/2018)



**THE NEW SYDNEY FISH MARKET
DESIGN EXCELLENCE STRATEGY
17 09 2018**

BACKGROUND

In collaboration with UrbanGrowth NSW Development Corporation (UrbanGrowth), the Government Architect NSW (GA NSW) has developed the design excellence strategy for this state significant project. The strategy outlines a series of key processes that support design quality from project inception to occupation.

City of Sydney (CoS) has a significant and on-going role within the strategy. As a major stakeholder it is jointly involved with UrbanGrowth and GA NSW in: the ongoing provision of design advice, selection of the lead design team and membership in the Design Review Panel. Refer to the list of processes below for the extent of collaboration with CoS.

The strategy was prepared in 2016 and draws on many of the principles and intent of the Director General's Design Excellence Guidelines (Department of Planning and Environment, 2011) and the Competitive Design Policy (CoS, 2013). The strategy incorporates the key elements of design review, design integrity, diversity of design teams and the use of design within a competitive process.

The following processes comprise the new Sydney Fish Market design excellence strategy:

1. Scenario testing to establish the preferred site
2. An Urban Design Framework for Blackwattle Bay
3. A reference design for the preferred site
4. Selection of the lead design team by using design within a two-stage competitive design tender process*
5. Design Review Panel*
6. Design integrity beyond Development Application*
7. Integration with the Blackwattle Bay master planning process*

Note: * denotes collaboration with City of Sydney

1. SCENARIO TESTING TO ESTABLISH THE PREFERRED SITE

UrbanGrowth have tested various design led scenarios that support the proposal's head of the Bay location. This process involved establishing and testing differing detailed architectural schemes at a number of locations in Blackwattle Bay and across the Bays Precinct. The schemes (prepared by Allen Jack + Cottier) and supporting technical studies enabled an understanding of the Sydney Fish Market's future requirements and tested these requirements against the contextual constraints and opportunities of the various locations. The process focused the collaboration between UrbanGrowth and the Sydney Fish Market, enabling evaluation of the scenarios across criteria of staging, viability, connectivity, logistical and spatial requirements, continuity of commercial and cultural identity, and suitability with land uses in the immediate locality. The process was supported by design advice from GA NSW, learnings from the Sydney Harbour Foreshore Authority Masterplan (2005) and UrbanGrowth's understanding of development opportunities across the Bays Precinct.

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2. AN URBAN DESIGN FRAMEWORK FOR BLACKWATTLE BAY

GA NSW has provided advice and guidance to UrbanGrowth in the establishment and strategic application of an Urban Design Framework (UDF) for Blackwattle Bay. Allen Jack + Cottier have prepared the UDF, which supports both the new Sydney Fish Market design and the concurrent Blackwattle Bay master planning process through:

- comprehensive site analysis, that places the project vision, objectives and opportunities in the context of the wider locality.
- Incorporating wider stakeholder requirements and major infrastructure initiatives beyond the immediate requirements of a specific project.
- Integrating physical development issues (e.g the public domain & connectivity) with community well-being, environmental and economic strategies.
- Establishing urban design principles and considerations that guide decision making in the master planning process.
- helping community and stakeholders understand these urban design principles relative to the overall, vision and development opportunities for Blackwattle Bay.

In this context the UDF assists to coordinate and support strategic decision making and the design process for all development within Blackwattle Bay.

3. A REFERENCE DESIGN FOR THE PREFERRED SITE

A reference design was prepared by Allen Jack + Cottier to further test the compatibility of a new market facility at the preferred site. The reference design established a preliminary functional brief and an ensuing schematic design, to test in detail the spatial and urban design implications of the identified scope at the head of the Bay. In testing the facility's future requirements relative to its context, the reference design provided integration of contextual design challenges and opportunities provided by Blackwattle Bay and its wider locality.

The process enabled a greater level of stakeholder engagement and served to validate the working assumptions of the scenario testing, further demonstrating the preferred site's viability. Importantly the reference design provided a meaningful tool for comparison and appraisal of future design work and the subsequent competitive process to select a lead design team. As a member of the Design Directorate GA NSW provided UrbanGrowth with advice on the reference design process.

4. SELECTION OF THE LEAD DESIGN TEAM BY USING DESIGN WITHIN A COMPETITIVE PROCESS

UrbanGrowth and GA NSW collaborated to establish a specialised two stage competitive selection process endorsed by CoS. The first stage required an open registration of interest with selection criteria focused on design capability, methodology and project experience. The second stage tested the design expertise of six prospective design teams through design focused submissions and inter-active sessions. GA NSW led this unique approach to procurement. GA NSW chaired the Evaluation Committee, which included representation from CoS, UrbanGrowth, an independent architect and the existing Sydney Fish Market's commercial & technical consultant.

The process provided diversity of design thinking and methodologies in a competitive environment. This 'the *team not the scheme*' approach required prospective teams to present their understanding of the project and its contextual challenges, relative to their design approach. This resulted in 3XN with BVN and Aspect Studios being selected as the preferred design team.

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5. DESIGN REVIEW PANEL

GA NSW in conjunction with UrbanGrowth has established a formal design review process to support the project. The process raises design standards and aspirations for the project, giving confidence to UrbanGrowth and its stakeholders by offering progressive certainty of design quality during the pre-approval stage and beyond.

The Design Review Panel (DRP) in its advisory role provides continuity of independent, formal design review to UrbanGrowth and the lead design team, throughout the phases of concept design, design development and development application. The DRP is chaired by GA NSW and includes representation from:

- Government Architect NSW (Independent & Chair)
- City of Sydney (Independent)
- UrbanGrowth NSW
- Sydney Fish Market's commercial & technical consultant

6. DESIGN INTEGRITY

Beyond the development application, a design integrity process will enable the project to retain the design excellence exhibited in the concept and development application phases. The process includes:

- continuity of the design team (as recommended by GA NSW)
- continuity of the DRP
- agreement on the project's design excellence qualities

The methodology for design integrity process is yet to be finalised and will be subject to collaboration between UrbanGrowth, GA NSW and CoS. It is anticipated that the finalised process will align with many of the design integrity principals and objectives of the CoS Competitive Design Policy (2013).

7. INTEGRATION WITH THE BLACKWATTLE BAY MASTER PLANNING PROCESS

To foster integration between the new Sydney Fish Market design and the future master planning of Blackwattle Bay, both projects are guided by the following GA NSW endorsed initiatives:

- The Blackwattle Bay Master Plan Design Advisory Group - GA NSW and UrbanGrowth have jointly established an advisory group to guide the preliminary master planning work of Francis-Jones Morehen Thorp (fjmt). The Design Advisory Group provides continuity of independent design advice across the master planning process for Blackwattle Bay, serving to positively inform the design process for the new Sydney Fish Market. The Group is chaired by GA NSW, with representation by CoS and an independent architect.
- The Blackwattle Bay Urban Design Framework – This document establishes guiding urban design principles and considerations for the precinct and serves as part of the brief for the new Sydney Fish Market.
- UrbanGrowth Design Directorate (from 2015 – 2017). The Design Directorate provided independent strategic review and advice to all projects within UrbanGrowth. Chaired by the NSW Government Architect, both projects were supported by periodic advice across urban design, architecture, planning, development and landscape architecture.



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Attachment D - Design Amendment flow chart

Design Integrity – New SFM Main Works SSDA Modifications

25/02/21

