

# ETHOS URBAN

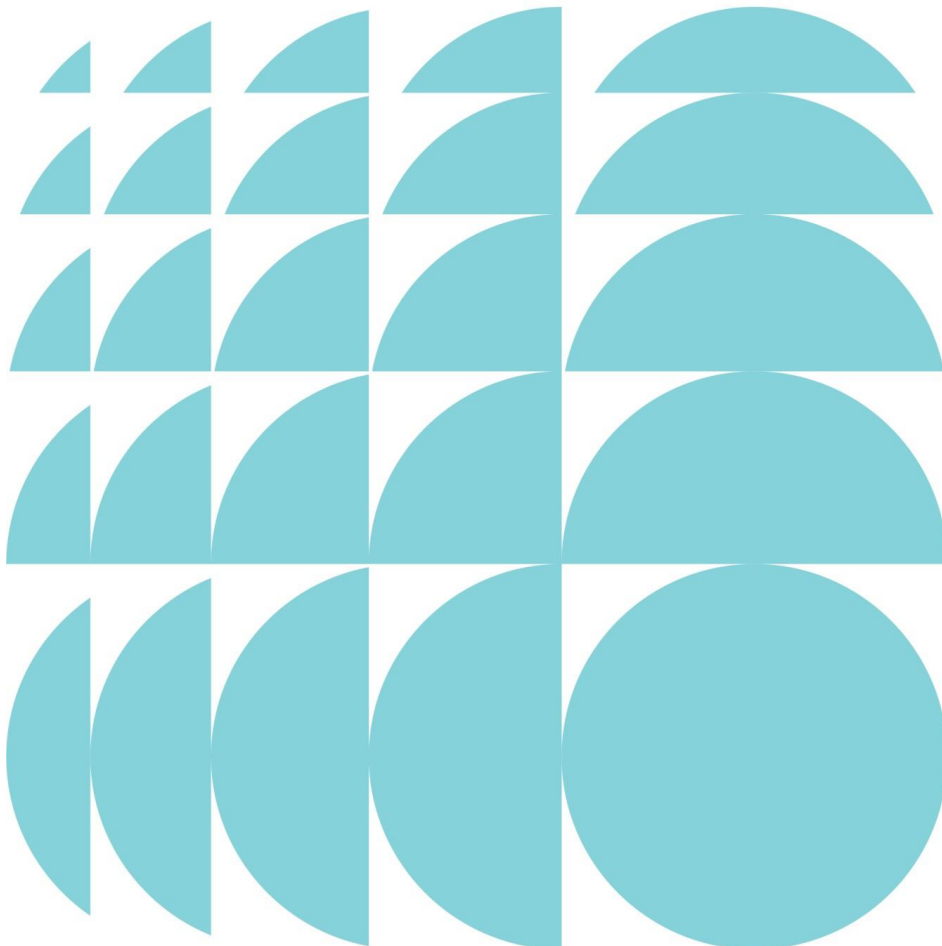
## Design Excellence Strategy

50-52 Phillip Street, Sydney

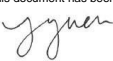

Submitted to the Department of Planning, Industry  
and Environment

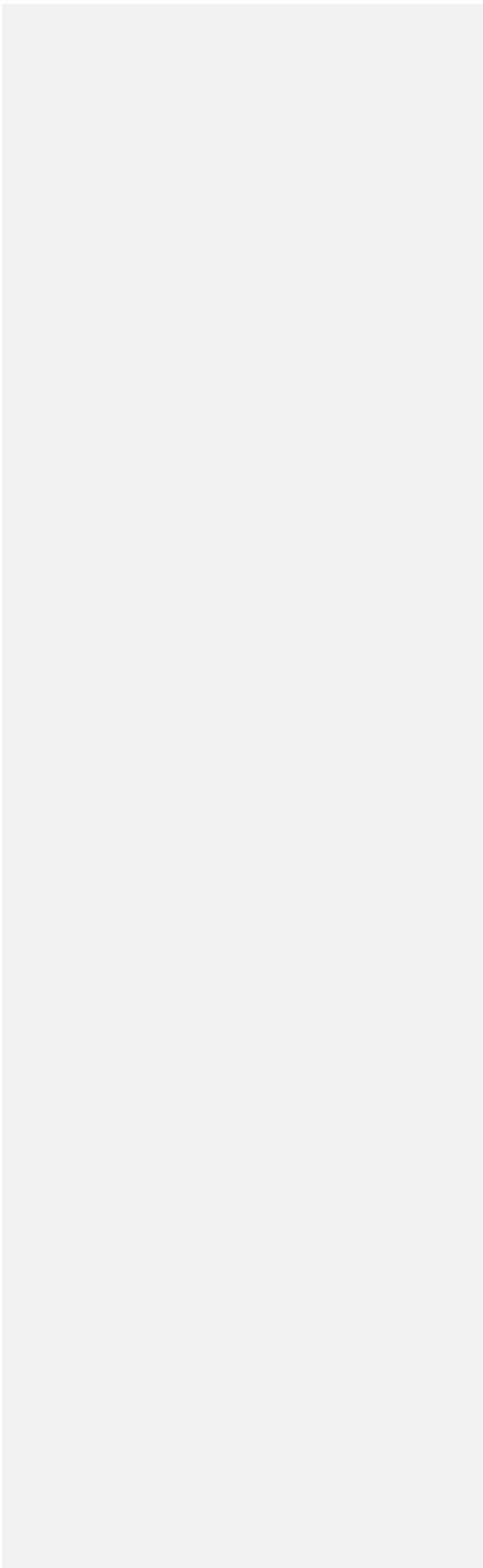
On behalf of Built Development (Phillip St) Pty Ltd

24 March 2021 | 2200462



DOCUMENT CONTROL (Note: This document control is for CoS internal purposes during the review of the strategy below. DELETE THIS DOCUMENT CONTROL BOX ON APPROVAL OF FINAL STRATEGY The strategy must be approved in writing by the City of Sydney prior to the commencement of a competitive process			
Revision	Date issued	Author	Notes
Rev01	XX.XX.XX	Ethos	Brief received by CoS
Rev02	280421	COS	COS Internal review MI & AM

CONTACT			
Brendan Hoskins	Associate Director	bhoskins@ethosurban.com	9956 6962
Reproduction of this document or any part thereof is not permitted without prior written permission of Ethos Urban Pty Ltd.			
This document has been prepared by:			
			
Jethro Yuen	24/3/2020	Brendan Hoskins	24/3/2021
Reproduction of this document or any part thereof is not permitted without written permission of Ethos Urban Pty Ltd. Ethos Urban operates under a Quality Management System. This report has been prepared and reviewed in accordance with that system. If the report is not signed, it is a preliminary draft.			
VERSION NO.	DATE OF ISSUE	REVISION BY	APPROVED BY



# Contents

1.0	Overview	2
1.1	Overview	2
1.2	Objectives of the Design Excellence Strategy	2
2.0	Design Excellence Strategy	3
2.1	Objectives of the Competitive Design Process	3
2.2	The location and extent of the competitive design process	3
2.3	The type of competitive design process to be undertaken	5
2.4	Selection of Competitors	5
2.5	Establishment of the Selection Panel	5
2.6	Competition Brief	5
2.7	Technical advisors	6
2.8	Proposed allocation of up to 10% additional floor space	6
2.9	Options for distributing floor space within the building envelope	6
2.10	Ecologically Sustainable Development Targets	6
3.0	Competitive Design Alternatives Report	6
4.0	Design Integrity	7

## Figures

Figure 1	Site aerial	4
Figure 2	Maximum Building Envelope for 50-52 Phillip Street, Sydney	4

## 1.0 Overview

### 1.1 Overview

This Design Excellence Strategy ([Strategy](#)) has been prepared by Ethos Urban on behalf of Built Development (Phillip St) Pty Ltd (the Proponent). It supports a Stage 1 Concept State Significant Development (SSD) Development Application (DA) for the redevelopment of a new mixed-use hotel and branded residential building at 50-52 Phillip Street, Sydney.

This Strategy has been prepared having regard to both the *Government Architect NSW (GA NSW) Design Excellence Guidelines (Draft, May 2018)* (the GA NSW Guidelines) and the *City of Sydney Competitive Design Policy 2013* (Competitive Design Policy). Furthermore, the *City of Sydney COVID Competition Protocols (Rev 01 05.05.20)* and the GA NSW *Draft proposed modifications to design excellence processes in response to COVID-19 (dated 14 April 2020)* (COVID guidelines) have been referenced as necessary, reflecting the context of this Strategy in the COVID-19 recovery phase.

In accordance with [Section 2.4.4.2](#) of the GA NSW Guidelines, as the City of Sydney has [its own](#) design excellence competition policy, the future competitive design process will be undertaken in accordance with that policy ~~and the subsequent amendments to that policy associated with the COVID guidelines~~.

As required under clause 1.2 of the Competitive Design Policy [and Section 3.3 of Sydney Development Control Plan 2012 \(SDCP 2012\)](#), this ~~Design Excellence~~ Strategy defines:

- The location, ~~context~~ and extent of the competitive design process.
- ~~The objectives of the competitive design process.~~
- The type of competitive design process to be undertaken.
  - An architectural design competition, open or invited, or
  - The preparation of design alternatives on a competitive basis.
- The number of designers ~~teams~~ to be involved in the process.
- Whether the competitive design process is pursuing additional [building](#) height or floor space.
- Options for distributing any additional floor space or [building](#) height which may be granted by the consent authority for demonstrating design excellence through a competitive design process.
- Target benchmarks for ecologically sustainable development.

~~The Proponent has elected to carry out an invited competitive design alternatives process with a minimum of three (3) invited competitors.~~

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 determination of the Stage 1 SSD DA and the endorsement of the [Competition Brief](#) by the GA NSW Office.

### 1.2 Objectives of the Design Excellence Strategy

The objectives of this strategy are to:

- Establish a methodology for the Proponent to implement a competitive design process for the redevelopment of the site.
- Ensure that the competitive design process works within the framework of this approved Design Excellence Strategy.
- Confirm the number of architectural practices to participate in the competitive design process and how these will be selected.
- Establish the process for the selection of a [Jury Selection Panel](#).

**Commented [M1]:** The City's COVID protocols have since been updated. The protocols now dated October 2020 largely reflect the May 2020 version. A copy of the updated protocols have been attached to the referral comments.

This paragraph is also in conflict with the one above. In accordance with the GA NSW Guidelines, the competitive design process should be undertaken in accordance with the City of Sydney's Competitive Design Policy.

**Commented [M2]:** Update the reference from Section 1.2 of GA NSW Guidelines to Section 2.4 of the Guidelines 'When to use these Guidelines'.

**Commented [M3]:** Please note the GA NSW COVID guidelines do not amend the City of Sydney Competitive Design Policy. The draft strategy has been amended accordingly.

**Commented [M4]:** This can be deleted here. It duplicates information under section 2.4 Selection of Competitors' in this strategy

It should also be noted, as an alternatives process has been selected, the detailed development application would not be able to seek a reduction in heritage floor space in accordance with Clause 6.11(2) of *Sydney Local Environmental Plan 2012*.

Also refer to comments pertaining to competitive design process type under section 2.3 of this document.

**Commented [M5]:** Recommend updating the Strategy with consistent reference to the type of competitive design process. It currently uses competition and competitive design process interchangeably.

- Set out the approach for establishing a Competition Brief that ensures:
  - The relevant design excellence requirements are balanced with the Proponent's objectives.
  - The achievement of design and architectural diversity.
  - Procedural fairness for competitors.
- Ensure sustainability initiatives and ecologically sustainable development targets are defined and developed through the competitive design process, 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 to the construction phase and completion of the project.

## 2.0 Design Excellence Strategy

### 2.1 Objectives of the Competitive Design Process

An outline of the objectives for the competitive design process is provided below. These objectives will be described in more detail in the Competition Brief:

- Create a luxury mixed-use hotel redevelopment, with branded residential units at the upper levels contributing to an appropriate mix of uses in Central Sydney.
- Create a development that achieves good design and amenity within the surrounding context and built environment.
- Respond to the site's unique context having regard to the constraints and opportunities of the site, its heritage and its surrounds.
- Maximise opportunities afforded by the approved building envelope.
- Celebrate the heritage building on the site and ensure the significance of this building is not impacted by the future building above.
- Create a high-quality internal planning outcome and enhance amenity for future occupants.
- Maximise orientation of rooms and apartments to the iconic views of the Sydney CBD and Sydney Harbour.
- Maintain a positive relationship with the adjoining and surrounding buildings.
- Respond to the public amenity of the building's surrounds, and contribute to this amenity where possible.
- Provide a high-quality addition to the Sydney CBD skyline including the façade composition, building materials, colours and textures, and building articulation.
- Provide an Ecologically Sustainable Design which is achievable within the construction budget and is measurable and manageable by future owners.

### 2.2 The location and extent of the competitive design process

The site of the proposed mixed-use tower is located at 50-52 Phillip Street, Sydney. The site is legally described as Lots 31 and 32 in DP984186 and Lot 33 in DP1141812 (50 Phillip Street) and Lot 1 in DP448584 (52 Phillip Street).

The site has a total area of approximately 1,726m<sup>2</sup>. A single competitive design process is proposed to be undertaken and is intended to apply to the whole site as illustrated in **Figure 1** and is to be guided by the envelope illustrated at **Figure 2**.

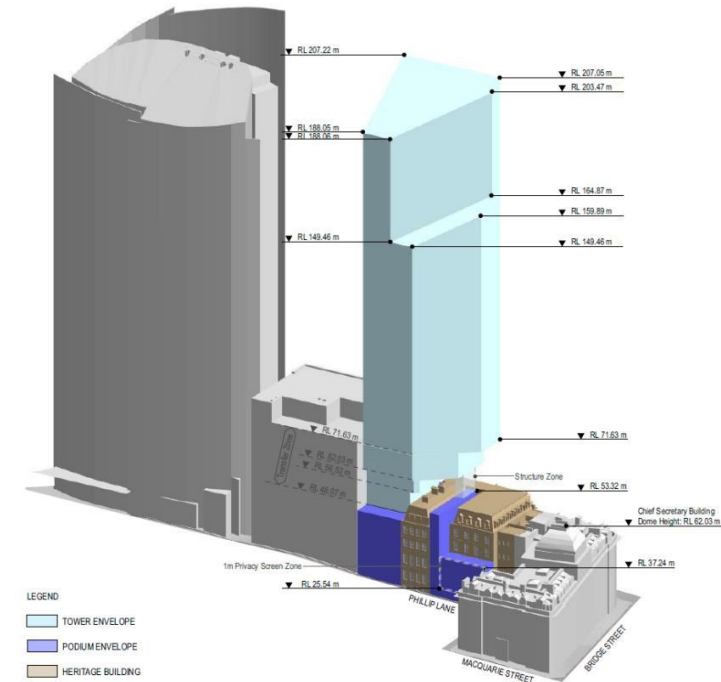
**Commented [M16]:** Typically, these project objectives are not included in design excellence strategies and are more appropriately included in the Design Brief.

**Recommendation:** The objectives are asked to be deleted from Strategies as it's more appropriate for the brief to include this text.

**Commented [M17]:** The reference design should not be included as part of the Design Excellence Strategy. The Strategy should refer to the consent which (once approved), establishes the building envelope.



**Figure 1** Aerial with site outlined in red  
Source: Nearmap, Ethos Urban



**Figure 2** Maximum Building Envelope for 50-52 Phillip Street, Sydney  
Source: FJMT

**Commented [M18]:** The reference design (building envelopes) should not be included as part of the Design Excellence Strategy. The Strategy should refer to the consent which (once approved), establishes the building envelope.

## 2.3 The type of competitive design process to be undertaken

The Proponent has elected to conduct a single **Invited Competitive Design Alternatives Process** for the project as defined under the Policy. The process is to be undertaken prior to the lodgement of a detailed Stage 2 SSD DA for the redevelopment of the site as planned under the Stage 1 SSD DA.

The Competitive Design Alternatives Process will be conducted primarily in accordance with the Policy and Competitive Design Model Brief, ~~however it will also draw on efficiencies supported within the City of Sydney Competition Protocols COVID 19, dated 6 July 2020 and the GA NSW COVID guidelines.~~ Endorsement of the Competition Brief will be required by the GA NSW prior to commencement of the competitive design process.

## 2.4 Selection of Competitors

The Proponent will undertake an Invited Competitive Design Alternatives Process with a **minimum of three (3) invited competitors**. The selection of the invited competitors will be determined by the Proponent in consultation with the GA NSW, as follows:

- A Competitor 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).
- Competitors must include be a range of emerging and established ~~local, interstate or international architects-~~ firms.
- Include a majority of local firms as lead Design Architect.
- ~~A minimum of 50% of Competitors must include Australian firms as the principal/lead.~~
- The gender diversity of Competitors will be considered to achieve greater female representation.
- A Competitor will either be a person, corporation or firm registered as an architect in accordance with the *NSW Architects Act 2003*, or, in the case of interstate or overseas competitors, eligible for registration with their equivalent association.

## 2.5 Establishment of the Jury Selection Panel

~~The Selection Panel will comprise a minimum of three (3) and a maximum of six (6) Selection Panel members. The Selection Panel will be appointed by the Proponent.~~

The jury is to be comprised of:

- Two (2) members nominated by the consent authority (or the local authority\* where the consent authority is the Minister or their delegate), one of which must also be a member of the State Design Review Panel; and
- Two (2) members nominated by the proponent; and
- The Government Architect NSW (Jury Chair) or their nominee.

or

At least one (1) of the above members is to have heritage expertise.

~~\*The Draft Government Architect's Design Excellence Competition Guidelines (on exhibition May 2018) specifies that the local authority nominate 2 jurors where the consent authority is the Minister or their delegate.~~

The Jury Selection Panel members are to:

- Represent the public interest.
- Be appropriate to the type of development proposed.
- Have no pecuniary interest in the development proposal or involvement in approval processes
- Include only persons who have expertise and experience in the design and construction professions and ~~industry related industries.~~
- Include a majority of registered architects with urban design expertise.

**Commented [MI9]:** Having regard to the scale of the development and prominence of the building's location, the City strongly recommends that the development be subject to an architectural design competition with a minimum of 5 competitors.

**Commented [MI10]:** Suggest deleting reference to the COVID protocols under Section 2.3. Both documents have been referenced earlier in the Design Excellence Strategy.

It is recommended this sentence is deleted as shown in strikethrough text.

**Commented [MI11]:** Having regard to the scale of the development and prominence of the building's location, the City strongly recommends that the development be subject to an architectural design competition with a minimum of 5 competitors.

Where an Architectural Design Competition is undertaken a minimum of 5 Competitors would be required to participate.

**Recommendation:**  
Amend the Strategy as follows:

The proponent will undertake an invited competitive process with a **minimum of five (5) ~~three (3) invited~~ Competitors/design teams** to participate.

**Commented [MI12]:** The requirement for heritage expertise is in accordance with the City's Policy where there is a heritage item under Schedule 5 of SLEP 2012

**Formatted:** Font: Italic



The chairperson of the Jury will have expertise in architecture and urban design and be a recognised advocate of design excellence.

The City will nominate an observer(s) to verify that the competitive process has been followed appropriately and fairly.

The Jury's decision will be via a majority vote and will not fetter the discretion of the consent authority in its determination of any subsequent DA associated with the site that is the subject of this competitive process.

In the event the detailed development application is delegated to the City of Sydney Council for assessment and determination, the competition shall be in accordance with Provision 3.2 of the City of Sydney Competitive Design Policy.

## 2.6 Competition Brief

~~The Competition Brief will be prepared by the Proponent who will liaise with the Department of Planning, Industry and Environment (including the GANSW) for endorsement of the Competition Brief prior to commencement of the competitive design process.~~ In establishing the Competition Brief, the Proponent will ensure that:

- All details regarding the conduct of the competitive design process are contained within the Competition Brief and no other document.
- The Competition Brief and appended documents are reviewed and endorsed in writing by the GA NSW Office prior to its distribution to Competitors, the jury Selection Panel and technical advisors.
- The Competition Brief is to be generally in accordance with the City's Model Competitive Design Model Brief and the Policy and is to be approximately 30 pages in length (excluding the Competition procedures).
- ~~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 Competitors is achieved.~~

**Commented [M13]:** As noted below in point 2, the Brief is to be endorsed by GA NSW office prior to its distribution to Competitors.

Suggest deleting to avoid duplication.

**Commented [M14]:** Specifying number of pages in a Brief is not needed in the Strategy.

## 2.7 Technical advisors

Technical advisors will be engaged by the Proponent to provide technical information and input into the Competition Brief; provide advice to the Competitors, the Proponent and the Selection Panel during the competitive design process; provide technical assessment of the final submissions; and present to the Selection Panel on their relevant disciplines.

**Commented [M15]:** Recommend deletion of entire section. The role of Technical advisors and Technical Advisor obligations is addressed under a Competition Brief.

## 2.8 Proposed allocation of up to 10% additional floor space

The future building will be pursuing up to 10% additional floor space under clause 6.21(7) of the *Sydney Local Environmental Plan 2012* (Sydney LEP 2012), the distribution of which will be explored through the competitive process and is to be consistent with the consent and relevant provisions of Sydney LEP 2012 and Sydney DCP 2012 and the Policy. Any additional floor space pursued under clause 6.21 of the Sydney LEP 2012 or the like must not result in a breach of exceed the maximum height floor space control permitted for the site.

The Stage 1 SSD DA supports a building envelope that can accommodate the maximum permissible Floor Space Ratio (inclusive of the 10% additional floor space).

Nothing in this document is to be taken as an approval or endorsement of the potential additional floor space available under clause 6.21(7)(b)(i) of Sydney LEP 2012.

## 2.9 Options for distributing floor space within the building envelope

The distribution of the additional floor space is to be considered by the Competitors in the competitive design process and must be consistent with provisions and building envelope contained in the Stage 1 SSD DA.

## 2.10 Ecologically Sustainable Development Targets

The resulting building the subject of the competitive design process is to achieve the following minimum ecologically sustainable development (ESD) targets:

- 4-Star NABERS Energy with a Commitment Agreement certification.
- Exceed NCC 2019 Section J energy benchmarks with a bespoke façade and services system design.
- Exceed BASIX Requirements for the NCC Class 2 component of the Project.
- Design in line with Australian Best Practice Environmental Initiatives, using externally recognised frameworks.
- Design to a 4-Star NABERS Water for Hotels Performance, to demonstrate WSUD principals are met.

ESD targets and sustainability initiatives will be carried through the competitive design process, design development, construction, and through to completion of the project to deliver an exemplar of environmentally sustainable development.

**Commented [M16]:** Section to be updated based on comments from the City's Sustainability officer

## 3.0 Competitive Design Alternatives Report

Following completion and award of the competitive design process, the Competition Manager will prepare and submit to the Department of Planning, Industry and Environment a Competitive Design Alternatives Report. This Report is to be provided prior to the submission of the detailed Stage 2 SSD DA.

The Competitive Design Alternatives Report shall detail:

- The competitive design process and include a copy of the endorsed Competition Brief.
- The Selection Panel's assessment of the design and merits of each submission.
- The rationale of the choice of the preferred design which clearly demonstrates how this best exhibits the capability to achieve design excellence and consistency with the approved Design Excellence Strategy.
- Any further recommended design amendments relevant to the achievement of design excellence.

The Report is to be endorsed and signed by all Selection Panel members.

**Commented [M17]:** Recommendation: Suggest deleting. This level of detail is not typically within the design excellence strategy. The details regarding the requirements of the Competitive Design Alternatives Report are addressed under the Competitive Design Process Brief

## 4.0 Design Integrity

The architectural firm of the winning scheme as selected by the Jury through the competitive design process, is to be appointed by the Proponent as the Design Architect for the project and will perform this role until the completion of the project.

To ensure design continuity and excellence of the winning scheme is maintained throughout the development process, as a minimum the Design Architect is to: The role of the Design Architect will include at a minimum the following:

- Prepare a Development Application for the preferred design.
- Prepare the design drawings for a construction certificate for the preferred design.
- Prepare the design drawings for the contract documentation.
- Maintain continuity during the documentation and construction phases through to the completion of the project.
- Provide any documentation required by the Consent Authority verifying the design intent has been achieved at completion; and
- Attend all meetings that pertain to design issues with the community, authorities and other stakeholders, as required.

The winning architect may work in association with other architectural practices but is to retain a leadership role over design decisions.