ETHOS URBAN

Revised Competitive Design Process Waiver

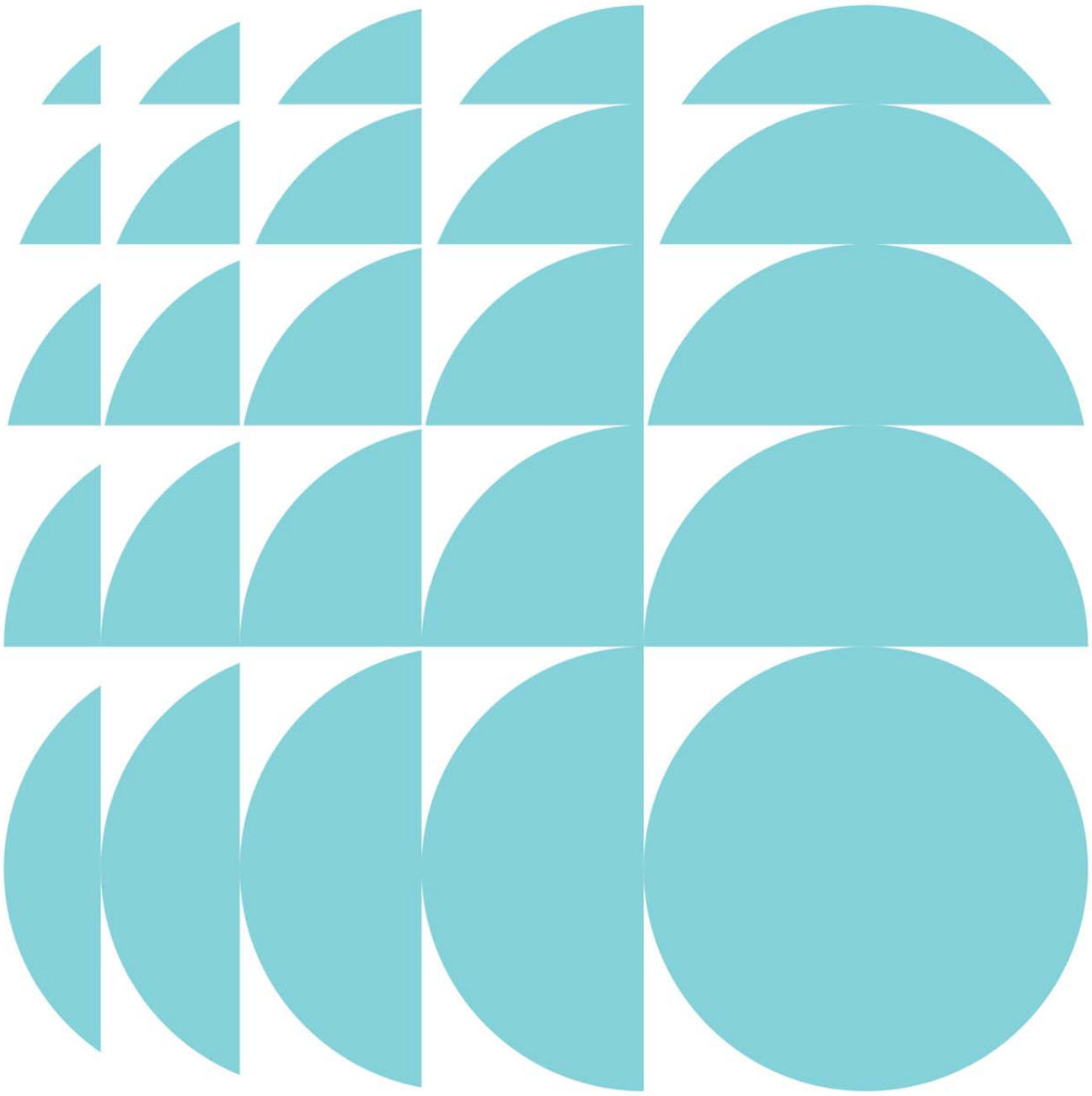
Response to Submissions

Sydney Metro Martin Place Station Precinct

Submitted to NSW Department of Planning and Environment

On behalf of Macquarie Corporate Holdings Pty Ltd

07 September 2017 | 15879



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Executive Summary

This report sets out why a requirement under Clause 6.21(5) of the *Sydney Local Environmental Plan 2012* (Sydney LEP 2012) to undertake a standard competitive design process is both **unreasonable and unnecessary** in the circumstances of the State Significant Development Application (SSD 17_8351) submitted by Macquarie Corporate Holdings Pty Ltd (Macquarie) for two Over Station Development (OSD) commercial towers connected to and above the northern and southern entrances of the yet to be constructed Martin Place Metro Station, in accordance with the discretion available to the consent authority under Clause 6.21(6).

Martin Place is one of seven new stations to be constructed as part of the 'Sydney Metro' (Stage 2) project - a new standalone rail network being implemented by the NSW State Government in order to modernise Sydney's rail network so that is can grow and meet the city's population and needs of customers into the future. The OSD component forms a crucial part of the overall Sydney Metro Martin Place Station Precinct (Precinct[1]).

Enhanced design outcome through integrated design

The integrated solution proposed by Macquarie provides the opportunity to achieve a design outcome which delivers the highest standard of architectural, urban and landscape design, in accordance with the core objective of Clause 6.21 of the Sydney LEP 2012.

The simultaneous design and construction of the different but interconnected OSD and station components will ensure an excellent and coordinated design outcome, providing the framework for delivering a project of the highest standard of architectural, urban and landscape design. In this instance, the benefits achieved through this integration would not otherwise be possible if the station and OSD elements are separated and the requirement to undertake a competitive design process for the OSD is imposed. The justification for and benefits of the integrated design are set out in this report.

In addition to the essential technical and structural efficiencies afforded through design integration, the proposed approach also permits the following design improvements:

- A fully integrated architectural treatment to the exterior of the buildings, providing seamless continuity and integration in the design, materials and composition, resulting in an improved urban design outcome and contribution to the public domain.
- The integrated station and OSD allows for a design that would offer natural light down to the platform level, improved access and connectivity for customers throughout the station precinct, with significantly more public concourse space.
- Macquarie's inclusion of 9-19 Elizabeth Street within the Precinct provides a larger site and frees up space below ground to integrate the project. It also provides an enhanced customer experience through the introduction of additional high-quality retailing. The ground levels would be similarly activated with retail, providing a holistic design solution for the Precinct, and a convenient east-west through-site pedestrian link between Elizabeth and Castlereagh Streets.

[1] The Precinct comprises:

- 50 Martin Place, 9 – 19 Elizabeth Street, 8 – 12 Castlereagh Street, 5 Elizabeth Street, 7 Elizabeth Street, and 55 Hunter Street (North Site);
- 39 – 49 Martin Place (South Site); and
- Martin Place (that part bound by Elizabeth Street and Castlereagh Street).

- The inclusion of Macquarie's 50 Martin Place headquarters within the Precinct allows an all-weather underground public concourse to be built beneath the building. This publicly accessible and convenient north-south walkway will connect pedestrians from Martin Place to Hunter Street, with the potential for future north-south connections through to Bligh Street or O'Connell Street. The concourse will also help disperse pedestrian traffic in and around the Precinct in what will become one of the busiest stations in the Sydney rail and Sydney Metro networks.
- Once the tunnelling and excavation is completed, Macquarie would begin constructing the station and OSD in one line whilst delivering on Transport for NSW's[2] (TfNSW) performance requirements.
- Enhanced architectural opportunities and benefits for the Sydney Metro station, including (most importantly) the ability to create grand civic-scaled station entrances that are fully coordinated with the OSD infrastructure above and below ground.

Why a competitive design process would be unreasonable

In summary, **the requirement to undertake a competitive design process is considered unreasonable because of an array of site-specific circumstances that apply to the overall proposal**.

A competitive design process can only apply to the SSD (Stage 2 detailed design) and not the Metro station, which forms part of an existing and separate approval pathway for Critical State Significant Infrastructure (CSSI). The Sydney LEP 2012 competitive design provisions do not apply to the approved Sydney Metro project, including the station, lower levels of the OSD and public domain surrounding.

If an integrated design solution is to be achieved there is insufficient time to recommence from scratch the design process for the architecture of the OSD buildings. The integrated design must be 40% complete for submission for consideration to the Configuration Control Board (CCB) 2 milestone in October 2017. The CCB2 gateway is a requirement of the Rail Assurance process (a process adopted by TfNSW to ensure that the asset is safe and fit for purpose). Excavation of the North Site is due to commence in January 2018, and if the Macquarie Unsolicited Proposal (USP) is accepted by the NSW State Government in the first quarter of 2018, then the demolition and excavation of the additional Macquarie-owned property at 9-19 Elizabeth Street can continue within the excavation timeframe for Sydney Metro.

Any design competition beyond submission for CCB2 in October 2017 would mean either:

1. It was constrained to only the design of the facades above Level six (being the lowest level associated with the station), or
2. The integrated solution would need to be abandoned, as the station and OSD are decoupled, and treated as two separate projects, with delivery of the OSD component following well after the station.

This second option is far less satisfactory for all parties, and would have significant adverse impacts in terms of design excellence, extended construction and disruption to the City.

[2] TfNSW established a specialised delivery office established Sydney Metro (to manage the planning, procurement and delivery of the Sydney Metro network).

A competitive design process for the OSD component is considered unreasonable because it would:

- Apply primarily to the 'skin' or façade of some of the podium levels, with the lower 'station box' (i.e. the built form extent of the approved station above/below ground) podium levels and the station itself all to be designed and delivered together as part of the station (CSSI) contract, which does not cover OSD. A partial façade-only competition is considered tokenistic at best, would unnecessarily add process, time and cost and destroy the integrity of the integrated design solution.
- Extend duration of design work for the OSD, as a design competition cannot be held until the Stage 1 SSD application is approved, and the USP Stage 3 process is completed. By this point (the end of first quarter 2018) significant station design is complete, and the design competition would be effectively limited to the façade of the OSD towers as any competition cannot accommodate changes to important design elements, including structure and services zones, and cannot impact any elements of station design.
- Likely yield a sub-optimal design outcome compared to the design excellence strategy proposed by Macquarie for the Martin Place Station Precinct, given the integrated station and OSD site-specific circumstances.
- Unreasonably require considerable time and resources being spent on a design competition for the OSD component which:
  - Allows limited scope for design as a result of the need to 'lock in' significant design elements of the ground, below ground and lower podium levels, as well as the tower cores and structures penetrating within and beyond the 'station box'. The station design elements need to be confirmed well in advance (specifically by CCB2 submission in October 2017), as required as part of the Rail Assurance process and scheduled milestones.
  - Would be the subject of an extremely complicated brief for competitors, given the proposed OSD is one part of a specialised and complex building, that will be largely informed by the committed technical requirements of the Sydney Metro station.
  - Would likely result in a design response taken for the station and OSD components which would potentially be more disjointed and conflicted if a different design team was employed for the OSD component following a design competition.

Critically a design competition would unreasonably constrain the opportunity to deliver a fully integrated station and OSD solution within the required Sydney Metro delivery timeframe, and prevent the unique benefits that such an integration provides. In Essence, a design competition could not be completed in time to allow the necessary integration with the station and meet the contractual obligations between the parties to guarantee completion of an integrated station and OSD project by the beginning of 2024.

Why a competitive design process would be unnecessary

The requirement to undertake a competitive design process is considered unnecessary because:

- The approach for design review and development adopted to date for the project has been robust and has included independent design advice from the Sydney Metro Design Review Panel (DRP).
- The proposed Design Excellence Framework (which outlines Macquarie's approach to how design excellence will be addressed at each stage of the planning and development process, refer to **Appendix A**) will ensure future detailed proposals can meet the statutory obligations under the Sydney LEP 2012 for 'design excellence', namely that the buildings can exhibit design excellence in accordance with Clause 6.21(3) having regard to the matters in Clause 6.21(4).
- The opportunity to achieve the highest standard of architectural, urban and landscape design for the Precinct is significantly enhanced under Macquarie's proposal through the inclusion of 9-19 Elizabeth Street and 50 Martin Place, and the additional underground concourse this permits.
- The proposed Design Excellence Framework is consistent with the recently released "*Better Placed An integrated design policy for the built environment of New South Wales*" prepared by the NSW Office of the Government Architect (OGA).
- Macquarie's vision for a best practice workplace requires an iterative design process that necessarily involves interaction with and collaboration between the design team and the proponent, as well as numerous transport and other stakeholders, early in the process, and that work is well advanced to meet the delivery time frame.

A revised Design Excellence Framework has been provided in **Appendix A,** which outlines how design excellence will be addressed at each stage of the planning and development process to satisfactorily achieve an excellent design outcome.

1.0 Introduction

An Environmental Impact Statement (EIS) was prepared in support of a State Significant Development Application (SSD DA 17_8351) for a Stage 1 Concept Proposal for two OSD commercial towers above the northern and southern entrances of the yet to be constructed Martin Place Metro Station. The proponent, Macquarie, will be required to deliver the Sydney Metro station as a pre-requisite to delivering the OSD towers, in the event of its USP being successful.

As part of the Stage 1 SSD DA, endorsement is sought for an alternative design excellence process in place of a 'competitive design process' (or a design competition), typically undertaken to satisfy the requirements of Clause 6.21(5) of the Sydney LEP 2012 for large developments in Central Sydney. The alternative process proposed as part of the Stage 1 SSD DA:

- recognises the unique circumstances of this SSD project, whereby the approved Critical State Significant Infrastructure (CSSI) Metro station works are intricately linked to the OSD from a design, construction, functionality, and delivery perspective; and
- was prepared to ensure that the final design outcome is capable of achieving design excellence as required by clause 6.21 of the Sydney LEP 2012.

This report addresses the design excellence related issues raised during the exhibition of the Stage 1 DA, in particular those submissions prepared by the NSW Office of the Government Architect (OGA) and the City of Sydney Council (Council). It sets out the circumstances and justification for a waiver of the standard requirement for a competitive design process (design competition).

Such a waiver to undertake a competitive design process is open to the consent authority to grant under the provisions of Clause 6.21(6) of the Sydney LEP 2012.

1.1 Report Structure

The report is supported by the detailed studies and reports appended, and is structured as follows:

- **Section 1.0** establishes the context for the granting of a waiver including the design excellence matters for consideration in the OGA and Council submissions received in relation to SSD 17_8351.
- **Section 2.0** discusses how Macquarie's vision for the Precinct provides the opportunity to achieve a design outcome that delivers the highest standard of architectural, urban and landscape design, in accordance with the objective of Clause 6.21(5) of the Sydney LEP 2012, and demonstrates that the proposal advances design excellence notwithstanding the waiver.
- **Section 3.0** discusses why a competitive design process would be unreasonable in view of the unique design, construction, functionality, and delivery requirements of the proposal.
- **Section 4.0** discusses why a competitive design process would be unnecessary in view of the robust alternative design excellence approach specifically developed for this unique project. This section also discusses opportunities for certain components of the development to be the subject of competitive design processes.
- **Section 5.0** demonstrates how the proposed waiver operates, and how the proposal will achieve its statutory obligations under the Sydney LEP 2012 for 'Design Excellence'.

The proponent seeks to secure agreement in principle for the proposed design excellence process, as a reasonable and necessary alternative to the standard design competition approach. The objective of the alternative process is the same; namely *"to deliver the highest standard of architectural, urban and landscape design*[3]*"*.

1.2 Government Architect Advice and City of Sydney Council Submission

The EIS and accompanying documents that comprised the Stage 1 SSD DA were placed on exhibition for a period of 30 days inclusive between 1 June 2017 and 30 June 2017. During the exhibition period submissions were received from the OGA and Council that raised issues relating to design excellence. These issues are summarised below:

- OGA:
  - Support for the building envelopes as articulated in the Stage 1 concept proposal.
  - The final design proposal must resolve a contextually appropriate response informed by consolidated design principles, and to the satisfaction of the site-specific Design Review Panel.
  - Recommended condition: *Identify opportunities for a competitive design excellence process that appropriately balances the Secretary's design excellence requirements with the proponent's objectives and which achieves design excellence and architectural diversity.*
  - Recommended condition: *Submission of Terms of Reference, including consolidated design principles as well as proposed governance and membership for the site-specific Design Review Panel.*
- Council:
  - The competitive design process waiver should not be granted.
  - The proposed waiver does not meet the cumulative tests in the Sydney LEP 2012 which permit the waiver where it is unreasonable or unnecessary.
  - The influence of a DRP to exercise the equivalent design excellence control and outcome that the tension of a competitive design process delivers is not proven.
  - The delivery of the Sydney Metro station cannot be compromised by a design competition for the OSD in any case.

1.3 Proposed Waiver

Macquarie is seeking in-principle approval for an alternative process to design the future OSD buildings. This is to ensure maximum transparency with regard to the proponent's intentions, and to address the considerable complexities of delivering the ultimate development solution within the construction timeframe established by the Sydney Metro CSSI project already approved.

The proponent acknowledges that the consent authority will need to be satisfied that the development (specifically the proposed OSD towers) will exhibit "design excellence" in accordance with the provision of Clauses 6.21(3) and (4) of the Sydney LEP 2012, at the time it considers the relevant Stage 2 SSD DA/s.

[3] The objective of the design excellence clause – refer Clause 6.21(1) of Sydney LEP 2012 or **Appendix B**.

The waiver requested is expressly permitted by Clause 6.21(6) of the Sydney LEP 2012, which states:

*"(6) A competitive design process is not required under subclause (5) if the consent authority is satisfied that such a process would be unreasonable **or** unnecessary in the circumstances **or** that the development:*

(a) involves only alterations or additions to an existing building, and

(b) does not significantly increase the height or gross floor area of the building, and

(c) does not have significant adverse impacts on adjoining buildings and the public domain, and

(d) does not significantly alter any aspect of the building when viewed from public places."

(Our emphasis in bold underlined text)

This clause also allows the consent authority to exercise its discretion to not require a competitive design process when either:

- that process would be unreasonable in the circumstances; or
- that process would be unnecessary in the circumstances; or
- the proposed development satisfies the four (4) terms in Clause 6.21(6)(a) to (d).

These criteria are discrete tests and not cumulative tests.

2.0 Enhanced Design Outcome through Integrated Design

This section of the report discusses why the integrated solution proposed by Macquarie provides the opportunity to achieve a design outcome which delivers the highest standard of architectural, urban and landscape design, in accordance with the core objective of Clause 6.21 of the Sydney LEP 2012.

The simultaneous design and construction of the different but interconnected OSD and station components will ensure an excellent and coordinated design outcome, providing the framework for delivering a project of the highest standard of architectural, urban and landscape design. In this instance, the benefits achieved through this integration would not otherwise be possible if the station and OSD elements are separated and the requirement to undertake a competitive design process for the OSD alone is imposed, for the reasons set out in this report.

2.1 Macquarie's Proposal

The Stage 1 SSD DA seeks approval for building envelopes for two proposed OSD commercial office towers and the maximum gross floor area (GFA) and land uses for each tower. The commercial office OSD towers will be located immediately above and integrated with the approved Martin Place Metro Station. Macquarie will be delivering the station as a pre-requisite to the development of the OSD towers, in the event its USP bid be successful.

As part of this, the Martin Place OSD is intricately interrelated with the Sydney Metro station at Martin Place as already approved, in a host of respects, including the shared building structure (column locations and loadings, structural cores, shared walls on multiple levels above and below ground), the station planning and design including concourses, entries and customer circulation, services and fire safety, shared access for vehicles and loading facilities, and public domain works. The structural integration also sets the location of the office tower lift cores and structural grids.

Macquarie's proposal provides the opportunity for a more integrated solution, through the inclusion of land which it owns at 9-19 Elizabeth Street, and its headquarters at 50 Martin Place. This land does not form part of the approved 'reference' scheme developed by TfNSW for Martin Place Metro Station as approved with CSSI project 15_7400. These opportunities would be lost as a result of Macquarie not proceeding.

The Macquarie scheme will provide the following benefits:

- A fully integrated architectural treatment to the exterior of the buildings, providing seamless continuity and integration in the design, materials and composition of the facades, from below ground to the top of the OSD towers, resulting in an improved urban design outcome and contribution to the public domain.
- The integrated station and over-station development allows for a design that would offer natural light down to the platform level, improved access and connectivity for customers throughout the station precinct, with significantly more public concourse space.
- Macquarie's inclusion of 9-19 Elizabeth Street provides a larger site and frees up space below ground and within the station to integrate the project and provide an enhanced customer experience. The ground level can also be better activated with retail and other uses, providing a holistic design solution for the precinct, and convenient east-west pedestrian through-site link between Elizabeth and Castlereagh Streets.

- The inclusion of Macquarie's 50 Martin Place headquarters allows an all-weather underground public concourse, to be built in the space beneath the building. This free and convenient north-south walkway will connect pedestrians from Martin Place to Hunter Street, with the potential for a future underground connection to Bligh Street or O'Connell Street. The concourse will also help disperse pedestrian traffic in and around the Precinct, in what will become one of the busiest stations in the Sydney CBD.
- Once the excavation is completed, Macquarie would begin constructing the station and OSD in one line whilst also delivering on TfNSW's performance requirements, reducing the overall construction period, and resultant disruption.

2.2 Interrelationship Between the Metro Station and OSD

The Martin Place Metro Station and proposed OSD are subject to two different classifications of development (CSSI and SSD), each with different statutory approval requirements that influence how the Precinct will be delivered as one integrated development. The different requirements under the *Environmental Planning and Assessment Act 1979* (EP&A Act) are as follows:

- The Sydney Metro station is subject to an existing approval and is not bound by any Local Environmental Plans (LEPs). This is of particular relevance in that the 'design excellence' requirements under the Sydney LEP 2012 are not applicable to the station works, including street level public domain works and the lower podium levels.
- The detailed design of the OSD buildings that are located above the 'station box' jump slab levels (that is above approximately Level six in both buildings[4]) are, however, subject to the 'design excellence' requirements of the Sydney LEP 2012. These works are classified as SSD, to which the provisions of the Sydney LEP 2012 apply.
- This means that any future design competition would not have the scope to consider, and would be constrained by, the CSSI components of the development that comprise all aspects of the public domain; station entries; structural elements including building grids, column loadings and building infrastructure to enable the construction of future OSD; spaces for future lift cores, access, loading dock including vehicle parking, end of trip facilities and building services; and the approved Martin Place Metro Station envelope that includes the podiums up to approximately six storeys above ground.
- This overlap, that would be excluded from any design competition, intrinsically links the OSD and Sydney Metro station at critical points in the design. Each Metro station under the CSSI approval is required to take into account, and make physical provision for, the likely requirements associated with possible future OSD. The OSD is therefore a critical consideration in the detailed design and delivery of the stations, such that together they can provide a fully integrated and world-class transport experience.
- As a result of the Macquarie proposal for the Martin Place Station Precinct being fully integrated, the program of the development is dictated by a 'line-wide' delivery program, such that the integrated station and OSD will need to both be operational in accordance with the Sydney Metro program.

[4] As advised by Macquarie.

There are evidently unique challenges created by the integration of the Metro station and proposed OSD. However, there are also substantial benefits to this design approach that would not otherwise be possible if the design process was split and delayed by the requirement to undertake completely new design via a competitive design process, commencing from scratch.

Figure 1 below provides an illustration of the interrelationship between the Metro station and OSD classifications as either SSD or CSSI.

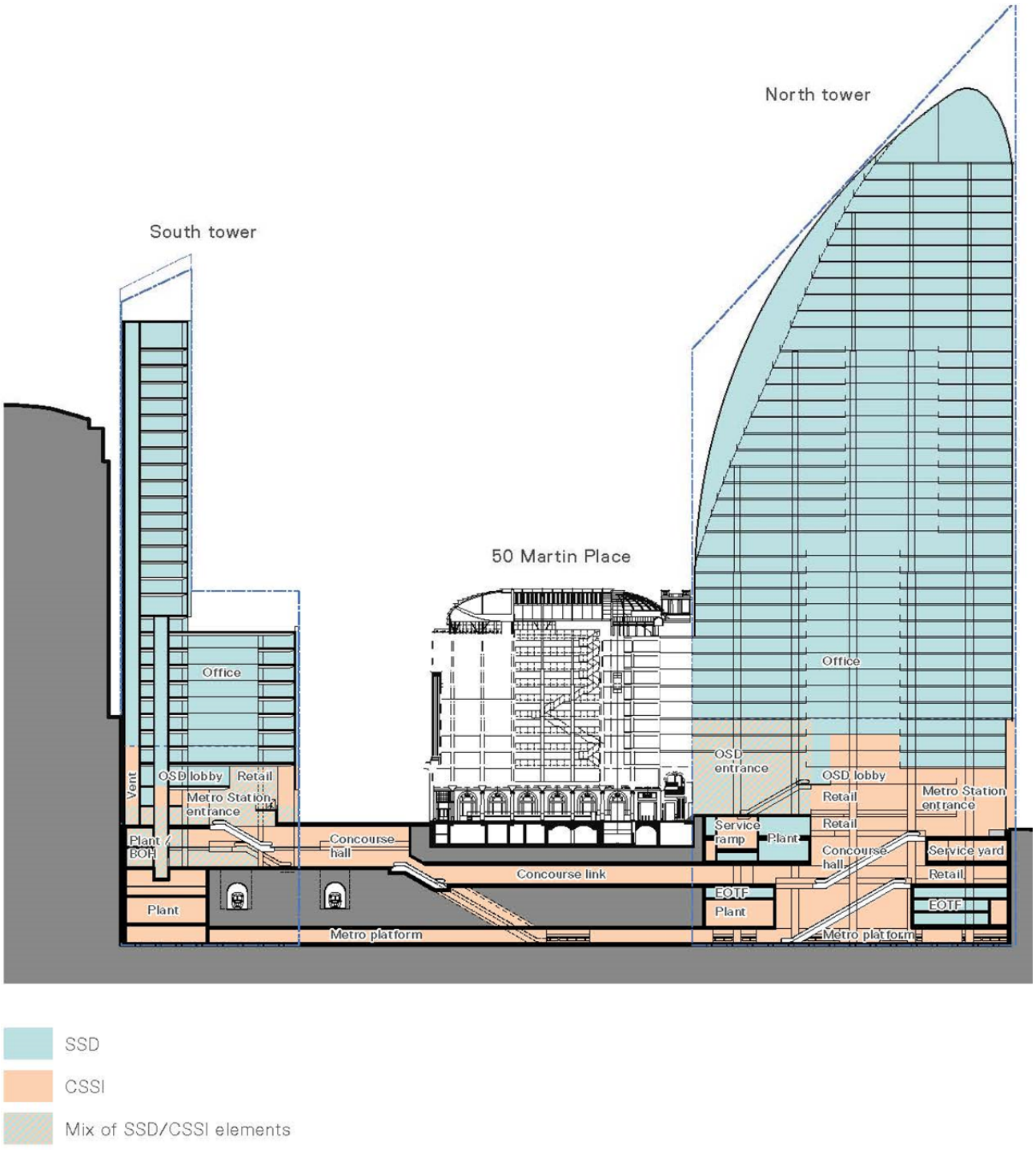


Figure 1 – Indicative built form showing CSSI / SSD integration– sectional diagram

Source: Grimshaw

2.3 Timing for the Integrated Design Solution

As outlined in **Section 2.2**, Martin Place Metro Station is one component in the larger Sydney Metro project which has been classified as CSSI. As a single component of the larger project, the delivery of the Martin Place Metro Station must meet all the 'line wide' Sydney Metro design requirements and not jeopardise the delivery of the overall Sydney Metro project. A key governance element of the Sydney Metro project is its design and safety assurance process.

The assurance process is a gateway system where the station design must pass through key milestones known as Configuration Control Board (CCB) 'gates'. This process, mandated by TfNSW/Sydney Metro, has set deadlines for each 'gate' that must be met in order to deliver on the NSW State Government's commitment to open the Sydney Metro by 2024. At each gate, the design of the station is presented to ensure safety in design is reached. The diagram below provides a summary of the program from design through to operation for the Martin Place Station and the Sydney Metro (Stage 2 – City & Southwest Chatswood to Sydenham) network. It reinforces again that there are intricate processes involved with the CSSI that impose obligations on the design of the OSD which do not facilitate a typical competitive design process to occur.

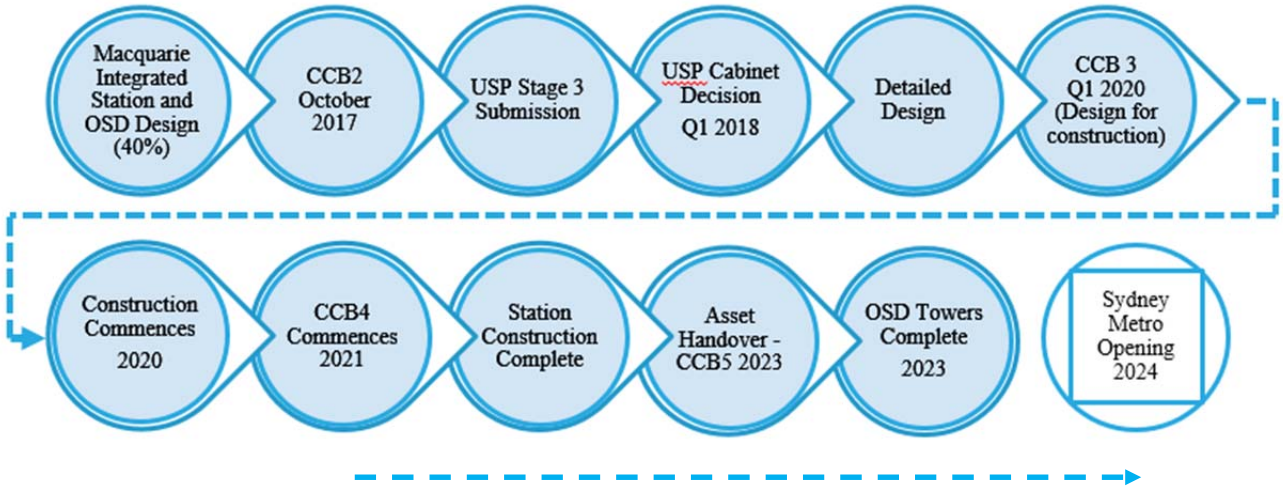


Figure 2 - Longer term rail assurance program

2.4 Unique Benefits of the Proposed Integrated Design Approach

Due to the fundamental interrelationship of the detailed design of the station and the OSD that sits above and within the 'station box', it is essential that the design of the two components be closely and carefully coordinated.

The simultaneous design of the interconnected OSD and station components will also ensure an excellent and improved design outcome. In addition to the essential technical and structural efficiencies afforded through design integration, as discussed in **Section 3.1**, the proposed approach also permits the following design improvements:

- Significant public domain renewal and enhancement opportunities, below ground and at ground level, particularly in Martin Place, Hunter, Elizabeth and Castlereagh Streets and enhanced activation of the ground plane.

- Enhanced architectural opportunities and benefits for the Metro station, including (most importantly) the ability to create grand civic scaled station entrances, and natural light penetration.
- Structure and building services that are comprehensively integrated, whereby convergent areas of station and OSD elements can be created to support an enriched urban outcome including:
  - A number of rail safety critical station systems, such as power supply, tunnel ventilation, smoke extraction and cold water supply, require areas of rail infrastructure to penetrate the typical interface line between OSD ground level and station below-ground. As such, dedicated areas for station services can exist above ground to facilitate the ongoing safe operation of these systems.
  - Retail areas below ground can be serviced from the OSD above, removing any burden or complexity on the future operator of the station infrastructure.
- Clearer and more legible street level functions achieved through opportunities to better organise and combine functions, and through-site links.
- A more sensitive and nuanced integration of the station entrances into the major civic spine at Martin Place, and the important civic spaces at the north (Chifley Square and Richard Johnson Square).

Macquarie's proposal therefore optimises the functionality of the precinct as a whole, including connectivity between station entrances, public spaces and the OSD, passenger and civic areas and office lobbies, as well as leading commercial office design.

2.5 TfNSW Metro Station References Scheme

Planning approval for Stage 2 of the Sydney Metro project was granted by the Minister for Planning on 9 January 2017. This included a concept for the Martin Place Metro Station 'box' with a transfer slab above ground level to allow future OSD to be constructed at a point in the future, following the station's completion. This scheme is identified in the EIS referenced in the CSSI approval, extracts of which are provided below.

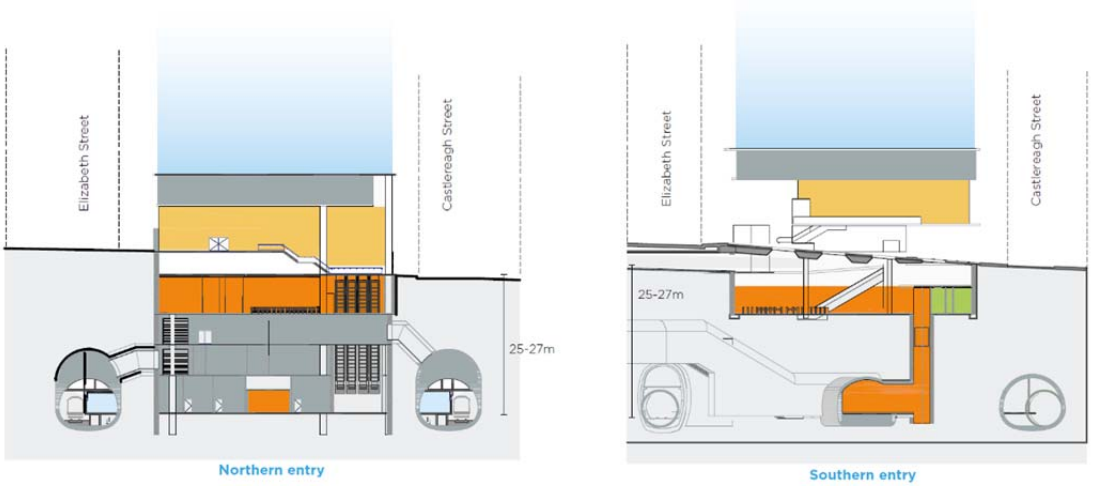


Figure 3 – Martin Place Station Reference Scheme - Cross Section

Source: TfNSW

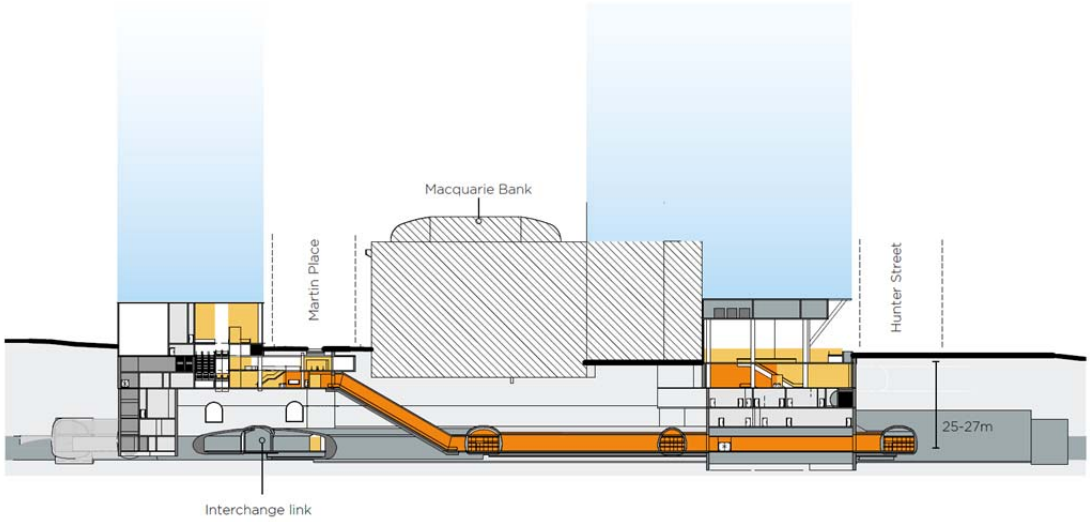


Figure 4 – Martin Place Station Reference Scheme - long section

Source: TfNSW

Figure 5 - Martin Place Station Reference Scheme - South building Station entrance (artist's impression)

Source: TfNSW

Figure 6 - Martin Place Station Reference Scheme - North building Station entrance (artist's impression)

Source: TfNSW

The 'reference scheme' shown above, by virtue of the separation of the two elements, would result in a less integrated design outcome. Furthermore:

- The Martin Place Metro station footprint, in particular for the North Site, is smaller and more constrained without the inclusion of the land owned by Macquarie at 50 Martin Place and 9 – 19 Elizabeth Street. This limits opportunities to enhance the customer experience, provide street activation and sense of arrival into the CBD, and less pedestrian connectivity;
- The standard delivery approach involves completion of the station up to the transfer slab and then the subsequent sale of the air rights and later design and construction of the above OSD towers, pushing the commencement of the OSD to 2024 and completion well beyond 2024 as illustrated in **Figure 12** and lengthening the overall construction period.

For the reasons explained in **Section 3** and **4** of this report, the requirement to undertake a competitive design process would unreasonably constrain the opportunity to deliver a fully integrated station and OSD solution within the required timeframe and risk realising the unique benefits that such a solution provides.

2.6 Further benefits of the Macquarie Scheme

Additional to those noted earlier, Macquarie's proposal provides a number of further opportunities and benefits:

- enhanced opportunities for integration as a result of the inclusion of 9-19 Elizabeth Street within the concept (compared with the TfNSW reference scheme);
- additional retail opportunities as a result of the unpaid concourse and site area, providing increased activation throughout the precinct;
- undergrounding plant areas (the TfNSW reference scheme locates more plant above ground);

- OSD end of trip facilities being more holistically designed for within the 'station box';
- potential building quality increase from 'A Grade' to 'Premium Grade' (Macquarie scheme) and the potential increase in sustainability initiatives from 5-star to 6-star Green Star (Macquarie scheme);
- additional street activation with elevated building lobbies providing more activation and design opportunities with the increased street frontage; and
- certainty of outcome given the commitment for completion at the time of the Sydney Metro opening and the need to house Macquarie's combined operations within the OSD.

3.0 Design Competition Waiver *(Why a Design Competition is Unreasonable)*

This section of the report describes why imposing a requirement to undertake a competitive design process for an integrated proposal after the determination of the Stage 1 Development Consent would be unreasonable in the circumstances, having regard to the unique design, construction, functional, and delivery requirements.

In the case of an integrated proposal, the competitive design process would take place only after any decision to proceed with the Macquarie USP (expected first quarter 2018), impacting on the timing of completion of an integrated design.

The requirement to undertake a competitive design process is considered unreasonable because of an array of site-specific circumstances that apply to the overall proposal, meaning such a process would:

- Unreasonably constrain the opportunity to deliver a fully integrated station and OSD solution within the required timeframe and achieve the whole of Precinct vision.
- Yield a sub-optimal outcome compared to the design excellence strategy proposed by Macquarie for the Martin Place Station Precinct, given the integrated station and OSD's site-specific circumstances.
- Effectively apply only to the 'skin' or façade treatment of the OSD, from above approximately Level six in both buildings. This is because the lower 'station box' podium levels and the station itself are all to be designed and delivered together as part of the station (CSSI) contract, which does not cover OSD. The façade treatment alone, whilst important to the exterior presentation of the buildings, cannot reasonably be isolated from the vast majority of the architectural and engineering design that sits behind it, and a design competition for this element alone is considered tokenistic at best and not expected to add any value to the design outcome.
- unreasonably require considerable time and resources being spent on a design competition that:
  - allows limited scope for a design competition (to effectively the facades only) as a result of the need to 'lock in' significant design elements of the below ground and some of the podium levels, as well as the tower cores and structures penetrating within the 'station box' as part of the station design ahead of the design competition (specifically by CCB2 submission in October 2017);
  - would involve an extremely complicated and restrictive brief for competitors, given the proposed OSD is one part of a specialised and complex building, that will be largely informed by the technical requirements of the Metro station; and
  - would result in an approach and design response that is potentially more disjointed and conflicted if a different design team was employed for the OSD component following a design competition.

3.1 Complex, Highly Technical and Integrated Design

A requirement to undertake a competitive design process **would be unreasonable in the circumstances as such a process would jeopardise the design and delivery of the proposal given its highly complex and integrated nature.**

Summary:

- A design competition would inhibit the achievement of an overall integrated design outcome.
- To seek to fully integrate the station and OSD design after a design competition would impact on the Sydney Metro delivery program. This is an unacceptable risk to the Sydney Metro project.
- It is imperative that the OSD architectural team are fully conversant with the station design and delivery process. The Macquarie design team has been deeply involved with this complex process for a period of over 18 months.
- There is precedent for issuing waivers for complex and highly technical SSD projects.

1. The CSSI documentation and approval anticipates that the design of the Metro stations will make provision for OSD requirements within the 'station box'. Such provision for OSD would include building foyers and entrances, lift wells and service cores, end of trip facilities, loading areas and so on. The exterior walls (and therefore facades) of the station box' however necessarily comprise part of the Station contract.
2. Due to Macquarie's unique proposal to deliver Martin Place Metro Station (CSSI development) and the OSD towers (the SSD development) at the same time, full and final design integration of what is effectively one building must be achieved early enough in the design process. Any design competition that, by the very nature of the dual statutory approval processes (CSSI and SSD) can only apply to the OSD towers component, would be unreasonable. Not only would it risk the achievement of an overall integrated design outcome for the Precinct, it would also potentially delay delivery. Further details of the timing consequences of undertaking a design competition, after receipt of a Concept / Stage 1 DA consent and in the event of approval of Macquarie's final USP, are addressed further in **Section 3.3**.
3. Such a process would be unreasonable bearing in mind the complex, highly technical and integrated nature of the proposed concept, for the following reasons:
   - Significant elements of the ground, below ground and podium levels, as well as the tower lift cores and structures penetrating within the 'station box', establish structural column locations for the OSD and will already have been 'locked in' as part of the station design in order to meet the timeframe for delivery of the Metro.

     The Tunnel and Station Excavation (TSE) contract was let in June 2017 including co-ordination with Macquarie Martin Place Station requirements, with structural and other engineering designs progressing relentlessly in-line with the strict delivery requirements and timetable for the integrated station and OSD. **This has occurred as part of the 'Rail Design Assurance Process' that obliges the station and rail infrastructure designers to work in collaboration with the designers of future buildings above the station for design coordination purposes.**
   - There is therefore limited, if any, scope for a design competition, and little opportunity for a design competition that other major architects capable of delivering such a significant and technically demanding project would be willing and reasonably able to participate in.
4. The early design work, including the integration, has already resulted in a superior design outcome for the station and a much more sophisticated understanding of the needs of the OSD above, as discussed in **Section 2**. The ultimate detailed design solution will reflect an intricate knitting together of various components of the station and the OSD. That design work is progressing and has been overseen by the independent Sydney Metro DRP over the course of numerous meetings, since October 2016.

The figures below demonstrate the structural and servicing integration of the Metro station below and the OSD above.

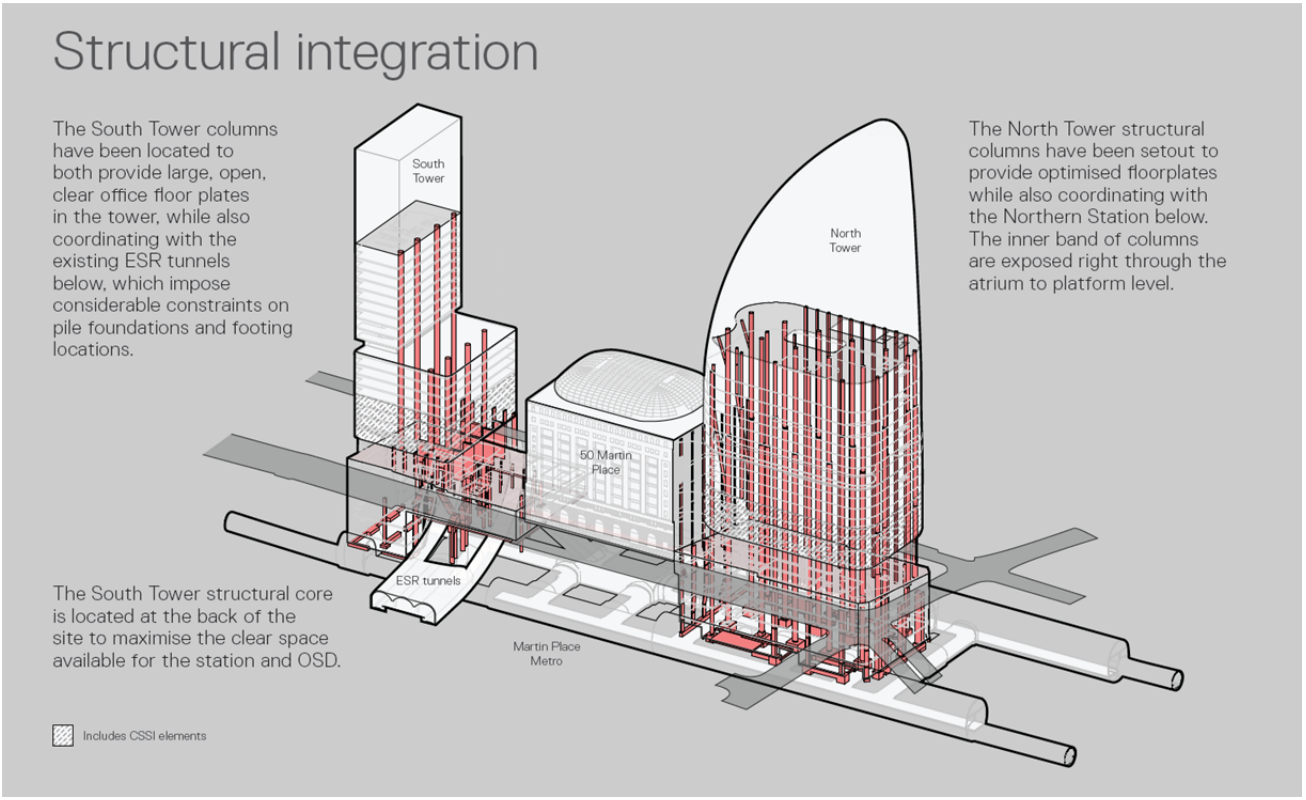


Figure 7 – Structural integration

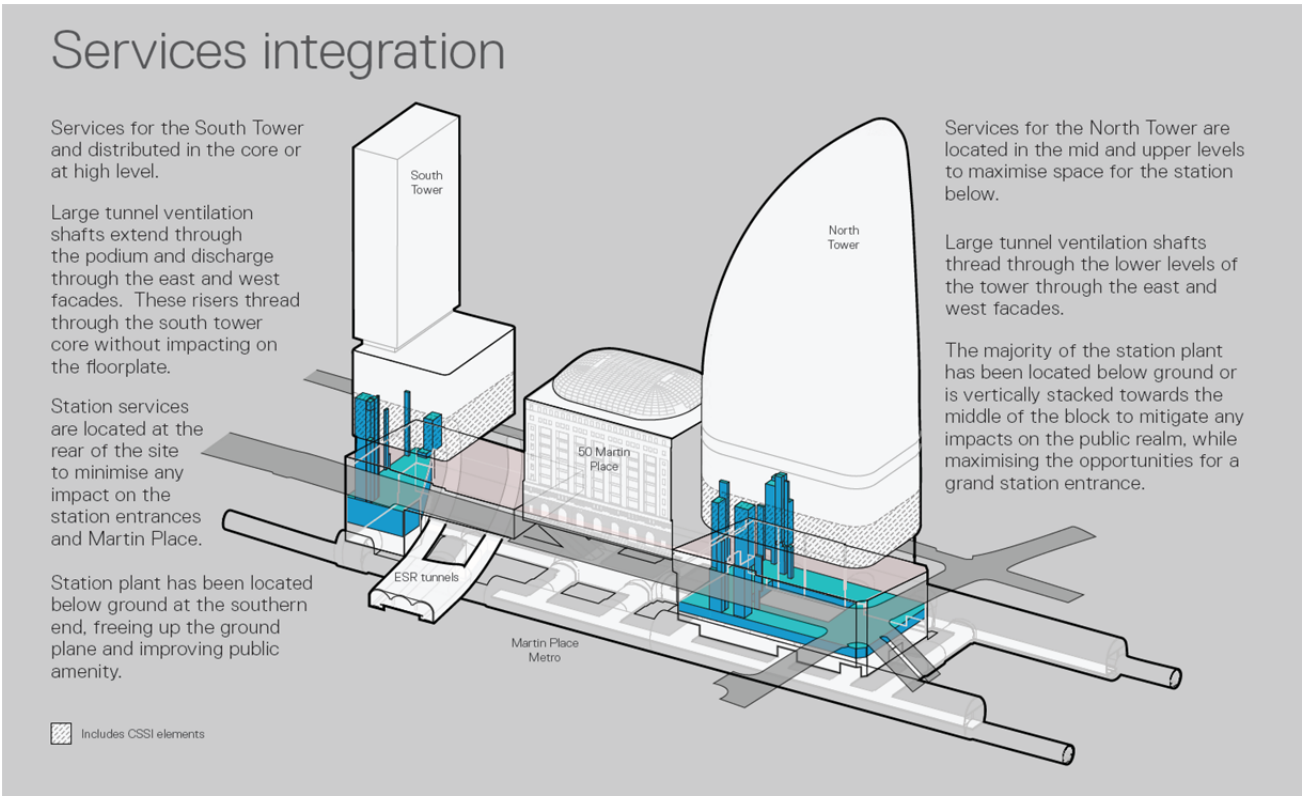


Figure 8 – Services integration

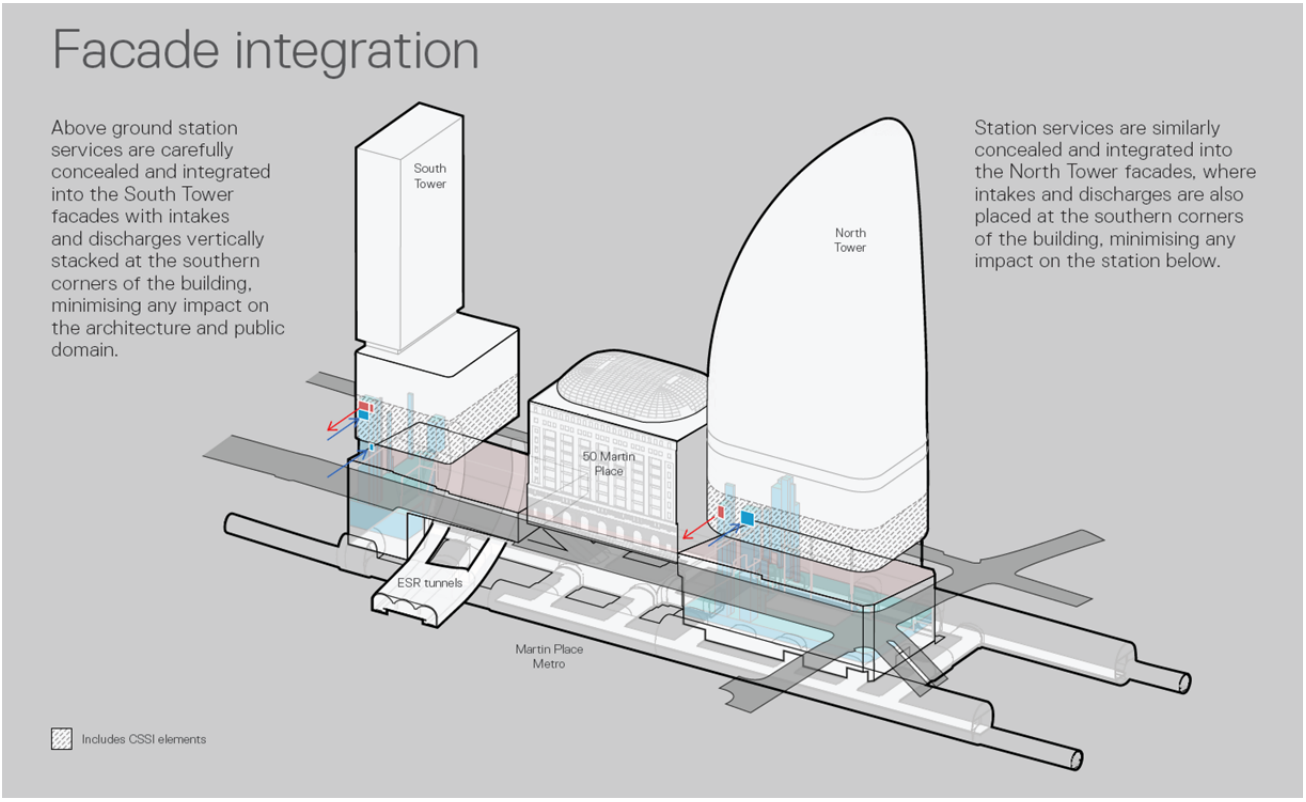


Figure 9 – Façade integration

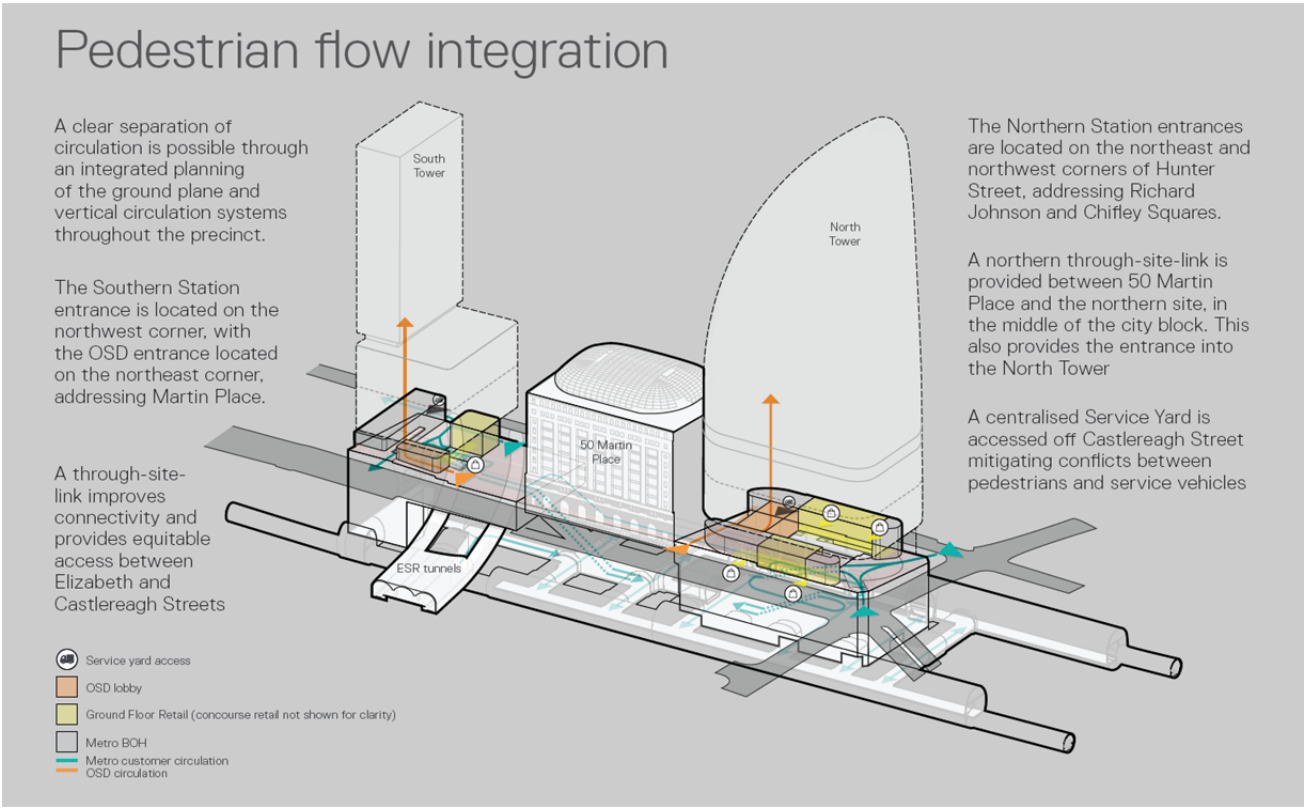


Figure 10 – Pedestrian flow integration

5. A design competition would place an unacceptable burden on competitors (and increased risk to the project) in the event of failure to adequately comprehend the complex technical requirements of the Metro station, and potentially impact adversely upon that design.
   - The proposed OSD is one part of a specialised and complex building that will be largely informed by the technical requirements of the Metro station. The future detailed design of the OSD will require substantial coordination and input from both the Macquarie design team and the technical project delivery office within TfNSW (Sydney Metro).

     The Macquarie design team has been working closely on the detailed design of the CSSI Station components and consulting with Sydney Metro for over 18 months, and the station design is already largely resolved under the terms of the CSSI consent.

     This knowledge is deep and critical, and cannot be transferred easily or within the available time constraints to new and uninitiated designers not having the benefit of this unique and detailed project-specific experience.
   - The design objectives, brief, approach and design responses taken for the Station and OSD components could potentially be more disjointed and conflicted if a different design team was employed for the OSD component at a later date.
6. There is precedent for waivers being granted with regards to Clause 6.21 of the Sydney LEP 2012, when concerning highly technical and complex buildings that by their nature require specialised design teams and a lengthy and iterative design process. For example, a waiver was granted for the extension and upgrades to St Vincent's Private Hospital Sydney in 2015, which has noticeable parallels to the characteristics of the subject application:
   - This waiver was founded in the technical requirements for designing a hospital that requires substantial ongoing design iteration and feedback from the client and specialist consultants. It recognised that the best possible designs are born from a creative partnership between the architect and users that develops over time through collaboration and built trust. A design competition would not facilitate this.
   - The building envelopes developed were founded on very specific functional, resource, spatial and the connectivity needs of the proposed use and context of the site. In effect, this meant the potential for design variation was limited. The architect had undertaken approximately 18 months of extensive collaboration and design review leading up to the building envelopes that were subsequently proposed. The architect also continued to explore a range of design options in order to achieve the best outcome from both a functional and aesthetic perspective through the detailed design development stage.

3.2 Sydney Metro Program Requirements and Rail Safety Assurance

Strict Program Requirements and Delivery Date

For an integrated proposal, a requirement to undertake a competitive design process **would unreasonably jeopardise the potential to deliver the critical infrastructure in conjunction with an integrated station and over station development, as scheduled, by impacting the design process.**

Summary:

- Macquarie's proposal would be required to be delivered in accordance with the Station Delivery Deed and Project Delivery Agreement between the NSW State Government and Macquarie (to be agreed to by October 2017 as part of final Stage 3 USP submission), and the terms of the CSSI application with a strict timeframe for construction and delivery.
- In order to meet these requirements, all elements of the OSD, to the extent that they integrate with the station, must be fully reviewed and assessed under a Rail Safety Assurance Process during its design, construction and operation. To deliver an integrated design with a design competition would result in delays to the station design process and Sydney Metro delivery program.

1. The Metro station must be delivered in accordance with the Premier's Priorities for NSW[5] and the terms of the CSSI approval, which take into consideration the structure set by below ground requirements, assurance and pedestrian modelling. Macquarie's integrated OSD proposal would be required to be delivered in accordance with the Station Delivery Deed and Project Delivery Agreement between the NSW Government and Macquarie. This includes the lower podium levels referred to previously, including their façade treatments. Key Sydney Metro program dates which Macquarie are required to meet for the station design are:
   - CCB2: October 2017
   - CCB3: Q1 2020

   In terms of program requirements, an integrated fitout of the north tower is required, with Macquarie requiring this timing to enable occupation of the north tower by 2024 (which aligns with lease expiries for Macquarie's current premises).
2. All elements of the Sydney Metro infrastructure will undergo the Asset Standards Authority (ASA) Rail Safety Assurance processes in accordance with ASA standard TS 20001. The purpose of Rail Safety Assurance is to provide demonstrable safety deliverables and evidence to confirm that the railway assets are designed, can be constructed, commissioned, operated and maintained to an acceptable level of safety. An indicative process chart for the Rail Safety Assurance process and key dates for milestones within that process are provided in the figures below.
3. As a result, any impacts associated with the integrated nature of the OSD on the Station must be fully reviewed and assessed for Rail Safety Assurance concurrently with the station.
4. Time to allow for a competitive design process for an integrated proposal would result in delays and undermine the integrated design and Rail Safety Assurance Process for the Sydney Metro delivery program.

The figure below illustrates the rail assurance process and required timeframe of this process.

[5] Refer to the following link for details of the Premier's Priorities: https://www.nsw.gov.au/improving-nsw/premiers-priorities/

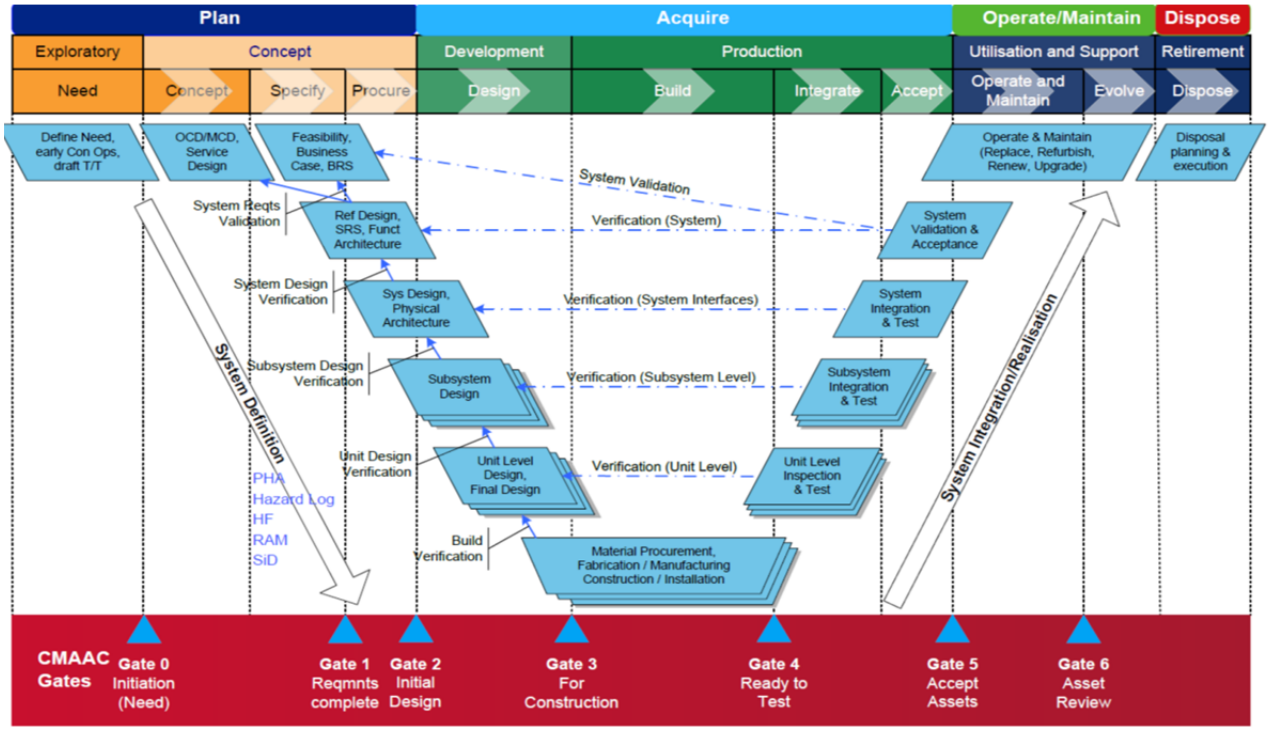


Figure 11 – Rail Safety Assurance Process

Source: Arup

Rail Safety Assurance Process and Key Dates

Requirements for Gate 0 2015 - Explore need for infrastructure

- Define need
- Early concept of operations

Requirements for Gate 1 2016 - Specify concept

- Options concept design / master concept design
- Feasibility
- Business case
- Business requirements specification

Requirements for Gate 2 October 2017 - Procurement for Martin Place Station

- Reference design
- System requirements schedule
- Functional architecture design
- Preliminary system design
- Physical architecture design
- System requirements validation
- System design verification
- Preliminary subsystem design

Requirements for Gate 3 Q1 2020 - Martin Place Station design development to construction

- Subsystem design
- System design verification
- Unit level design
- Unit design verification
- Final design
- Build verification

Requirements for Gate 4 2021 - Build to commissioning

- Construct and install system

Requirements for Gate 5 2023 - System integration and asset acceptance

- Unit level inspection and testing
- Subsystem integration and testing
- System integration and testing
- System validation against business case and acceptance

Requirements for Gate 6 2024 - Operation and maintenance

- Performance review of operation of asset

3.3 Extended Duration of Construction and Completion of OSD and Station

Integrated and Concurrent Delivery

A requirement to undertake a competitive design process **would be unreasonable in the circumstances as such a process would constrain the opportunity to realise the benefits of a consolidated construction window and concurrent delivery of Station and OSD.**

Summary:

- Enabling the concurrent delivery of the Station and OSD will reduce the overall construction timeframe for the transport and business precinct and thereby the duration of construction impacts to surrounding properties and public spaces.
- Integrated and concurrent delivery of Station and OSD gives certainty of completion by 2024.

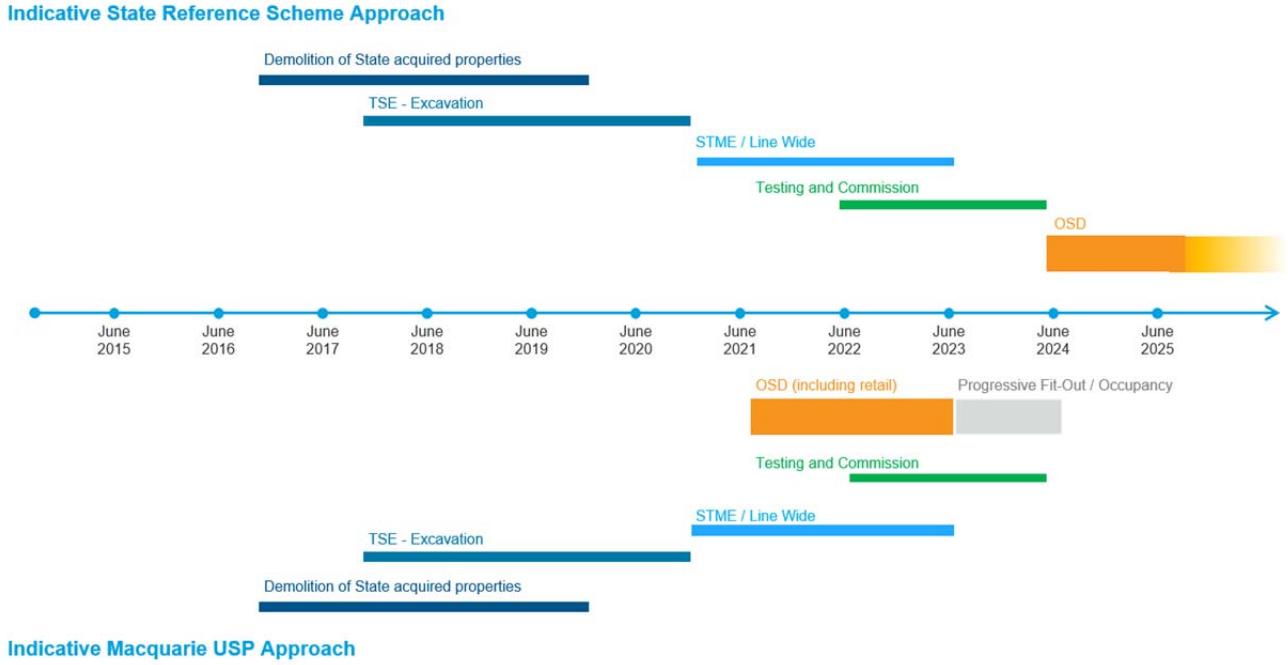


Figure 12 – Comparative timelines for delivery of the Precinct

The Sydney Metro delivery program began in quarter one 2017 with the demolition of TfNSW acquired properties required to be demolished to facilitate the construction of stations and tunnel excavation. Following demolition, tunnel and station excavation (TSE) is due to commence in quarter one 2018. TSE works will continue until approximately the end of 2020. Station and tunnel construction (STME Line Wide) is to commence later in 2020 with testing and commissioning of the system then to commence in 2022, ready for the operation of the Sydney Metro in 2024.

As shown in **Figure 12** above, an integrated proposal allows for the construction of the OSD concurrent with the construction of the Station at Martin Place. With an integrated proposal, construction of the OSD can commence in mid-2021 and be completed in 2024. Whereas if the Station is separate to the OSD, in the indicative TfNSW Reference Scheme OSD construction would not begin until 2024 at the completion of the station with an approximate 2 year construction period to 2026. As such, an integrated proposal and concurrent delivery of Station and OSD reduces the overall construction period, and its associated impacts, by approximately 2 years.

1. The integrated development will be designed and constructed as one building and, critically, scheduled to be completed at the same time as the Sydney Metro commences operations in 2024. This provides a unique opportunity within a consolidated window of time.

   A design competition process would prevent an integrated design fully completed in 2024, and there is insufficient time for a segregated OSD design competition which redesigned the towers from scratch to achieve completion of the OSD by 2024. A design competition for the segregated OSD design is only the very beginning of the design delivery process. Once a preferred design is selected from amongst the competitors it will be necessary to fully develop the design concept, subject it to the Sydney Metro DRP iterative process (as required by its Terms of Reference), go through TfNSW sign-off, prepare the Stage 2 DA application/s, obtain development consent, satisfy any conditions of consent, further develop the detailed design, prepare and have certified the construction documentation and satisfy all associated contractual matters in time to commence construction by the required date.

2. The concurrent delivery of the station and OSD reduces the overall construction timeframe, thereby reducing the duration of construction impacts to surrounding properties and public spaces. This will be achieved through the Rail Assurance Design process and structural / services design process running in parallel with the design of the OSD. There are also real benefits in having a single contractor involved in the delivery of the station and OSD, in terms of site understanding, building stakeholder/business/community relationships, design/construction efficiencies etc.

   Without the proposed integrated design and delivery approach, the opportunity for a consolidated construction program would be lost, extending the critical program requirements and associated disruptions within the Sydney CBD.

3. The requirement to undertake a design competition would delay construction commencement by at least 1 year, meaning Macquarie would be unable to fit-out and occupy the north tower in 2023 (in time for its lease expiry in Q1 2024) as required.

3.4 Benefits of Integrated Design of Station and OSD

Integrated Design

A requirement to undertake a competitive design process **would be unreasonable in the circumstances as such a process would eliminate the ability of the applicant to adhere to TfNSW Compliance Control Board (CCB) requirements and Program for the design and delivery of the Sydney Metro.**

Summary:

- An improved outcome will be achieved by Macquarie's proposal including delivery of the Station and OSD on an integrated basis
- Key TfNSW Program milestones will be fully met by Macquarie's proposal
- Technical, customer centred and public domain outcomes will be able to be achieved on an integrated basis by Macquarie's proposal.

3.4.1 Design Integration

TfNSW and Macquarie have the opportunity to deliver the Martin Place Metro Station and OSD on an integrated basis. In order to achieve an integrated design and delivery of the Station and OSD Macquarie is required to work within TfNSW strict Program for the delivery of the Sydney Metro City & Southwest line.

Figure 13 below shows the Sydney Metro demolition, excavation and construction program and the Sydney Metro milestone and program requirements Macquarie are required to meet to deliver the integrated proposal as part of the Sydney Metro program. For an integrated Station and OSD proposal to be delivered in accordance with Sydney Metro's program, the design of the station and integral OSD elements (to 40% and 30% design respectively) is required to be submitted for consideration for CCB2 in October 2017.

The Metro delivery milestones that Macquarie are required to meet for the integrated proposal are:

- October 2017 – Macquarie design for Configuration Control Board (CCB) 2 consideration

  TfNSW require Macquarie to submit for consideration 40% of the design of the Station and 30% design of the integrated elements of the OSD in October 2017 for CCB 2 to confirm Macquarie's Station design for Martin Place fully complies with the future operation requirements of the Sydney Metro system as a whole

- Q1 2018 – Inclusion of Macquarie scheme sites into the Tunnelling, Station and Excavation package

  TfNSW require Macquarie to complete 40% of the design of the Station and 30% of the integrated elements of the OSD in October 2017 to include the required variations with the TSE Contractor appointed by TfNSW to accommodate the inclusion of 9-19 Elizabeth Street and the pedestrian link below 50 Martin Place.

- Q2 2018 – Commencement of demolition of 9-19 Elizabeth Street and excavation commencement on the Macquarie scheme as part of the Tunnelling, Station and Excavation (TSE) package.

Figure 13 also shows the impacts of undertaking an OSD design competition against the Sydney Metro program milestones. The OSD design competition would not be undertaken until the end of the first quarter in 2018 in the event the Macquarie USP being successful. Due to the submission for consideration of the CCB2 in October 2017 and the integration of the station with the OSD, the design competition would be limited to an OSD façade (technically above Level six) competition.

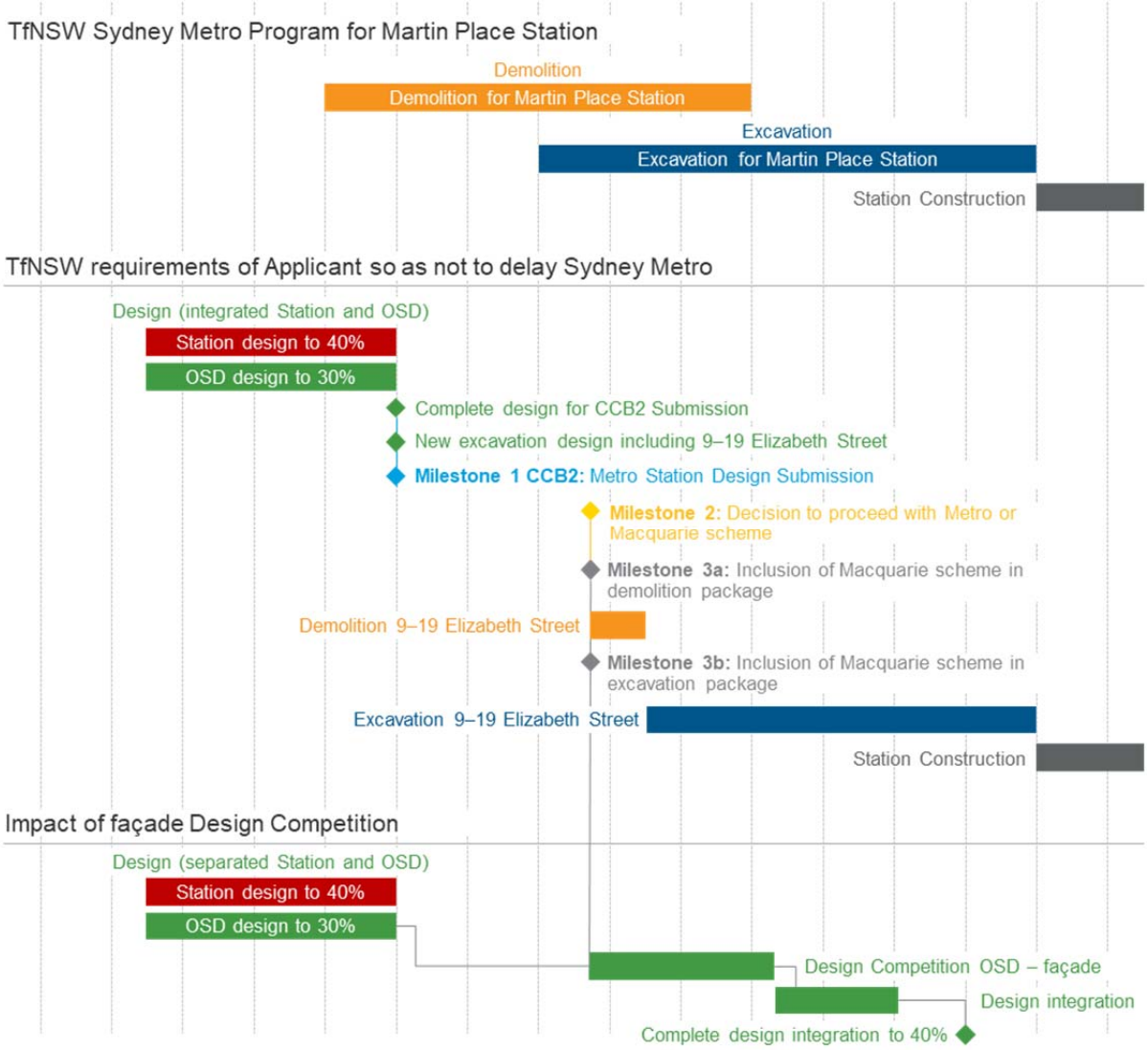


Figure 13 – Design programs

3.4.2 Integrated Design Outcomes

Macquarie's Martin Place Metro Station and OSD have been designed to achieve integrated outcomes across multiple technical disciplines, including structural, services, and pedestrian flow as depicted in **Figure 14**.

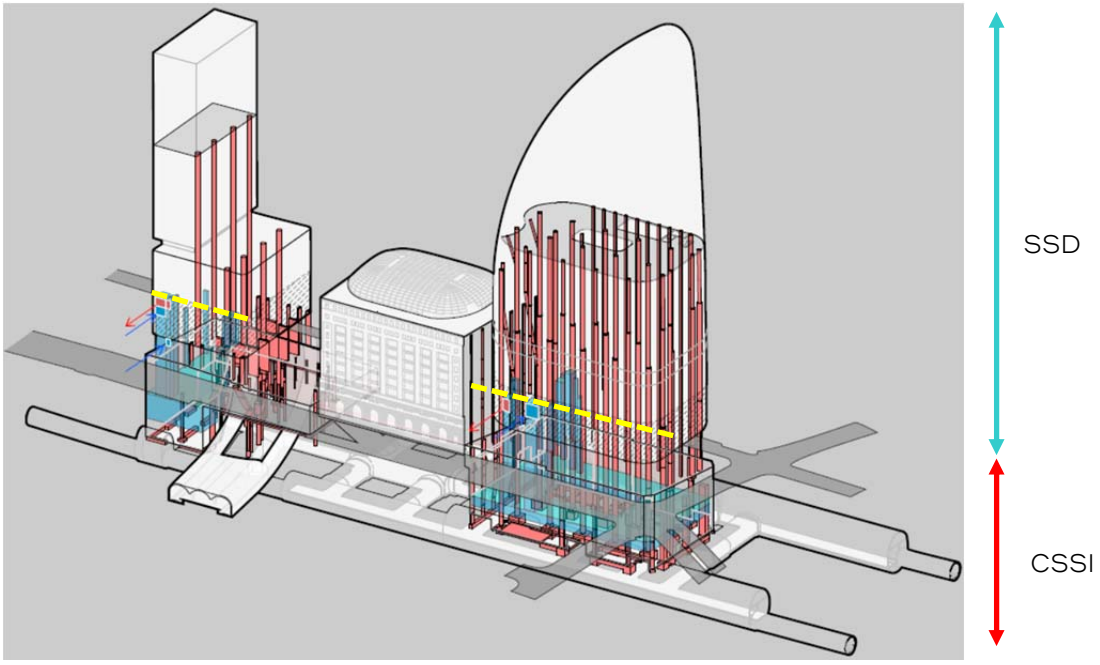


Figure 14 – Station and OSD integrated structure and services

A design competition cannot be held until the Stage 1 SSD application is approved and the USP Stage 3 process is completed. By this point (that is by the end of the first quarter of 2018) significant station design is complete, and the design competition would be effectively limited to the façade of the OSD towers. The scope of the design competition cannot accommodate changes to important design elements, including structure and services zones, and cannot impact any elements of station design. The design of the OSD and the station would need to be independent and could therefore not be significantly integrated, resulting in a less coordinated and cohesive design.

Macquarie's integrated design for the Station and OSD has been directed by Urban Design Principles for the built form, including a determined design approach to reinforce the street wall and the distinctive attributes of this block on Martin Place as depicted in **Figure 15**.

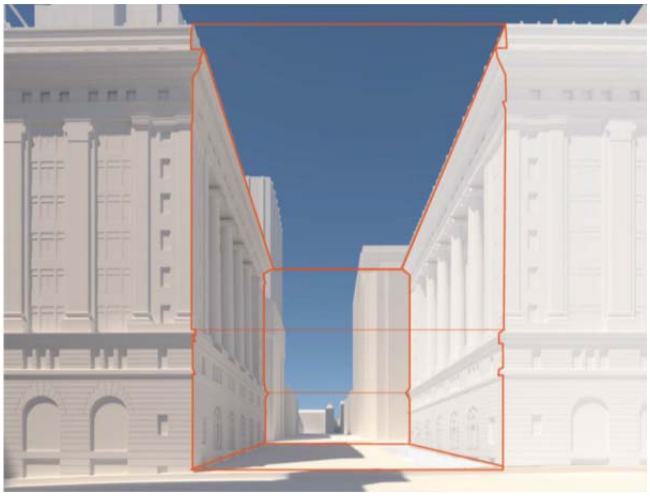


Figure 15 – Direct Response to 50 Martin Place

The design of the South Tower is inextricably linked and a direct response to 50 Martin Place which extends well beyond the indicative CSSI level of the Reference Design of the Station as depicted in **Figure 16** and **Figure 17** below.

Figure 16 – Design benefits of integrated Station and OSD

Source: Grimshaw

Figure 17 – Design constraints of isolated Station and OSD

Source: TfNSW

The integration of the Station and OSD design will also deliver enhanced customer centred outcomes for Martin Place Station. Customers will experience improved site connectivity and an improved orientation and connection from the OSD through to the Station concourse.

These technical, architectural and public domain outcomes can only be achieved within TfNSW's Program through Macquarie's **design in parallel** of both the Station and the OSD.

3.4.3 Constrained Design Competition and Reduced Benefit

The introduction of a Design Competition, following Stage 1 DA determination, would result in the de-coupling of the design of the station and OSD leading to reduced benefits when compared to the potential outcome under an integrated process. Any such competition would be severely constrained by the level of design development already undertaken to adhere to TfNSW CCB2 requirements and Sydney Metro Program. It would as noted previously and by necessity, be limited to façade design undermining the integrated outcome currently being achieved. Such a constrained competition is unlikely to garner the genuine interest of architects of the calibre required for the success of the scheme, resulting in a process that delivers no additional benefit.

4.0 How Design Excellence will be Delivered *(Why a Design Competition is Unnecessary)*

This section of the report describes why imposing a requirement to undertake a competitive design process after issuing a Stage 1 development consent would be unnecessary in the circumstances, having regard to the Design Excellence Framework proposed to guide the design of the proposed buildings.

The requirement to undertake a competitive design process is considered unnecessary because:

- The DRP approach for design review and development adopted to date has been robust and effective in constantly challenging the design team and improving the design, and it is proposed to carry this forward.
- The proposed Design Excellence Framework will ensure future detailed proposals can meet the statutory obligations under the Sydney LEP 2012 for 'design excellence', namely that the Stage 2 development can exhibit design excellence in accordance with Clause 6.21(3), having regard to the matters in Clause 6.21(4).
- The opportunity to achieve the highest standard of architectural, urban and landscape design for the Precinct is significantly enhanced under Macquarie's proposal through the inclusion of 9-19 Elizabeth Street, 50 Martin Place, and the additional underground concourse.
- The proposed Design Excellence Framework is consistent with the recently released (August 2017) "Better Placed" design policy for NSW prepared by the Office of the Government Architect.
- The majority of the future office space is being designed for the end user (Macquarie) rather than as a speculative office development project. Macquarie has demonstrated a total, genuine and prior commitment to design excellence, and vision for a best practice workplace. The 'client as a user and patron' is highly unusual and brings an additional perspective and design excellence imperative to reinforce Macquarie's global reputation for excellence.

The Design Excellence Framework (refer **Appendix A**) represents a more comprehensive, interactive and critical design process, than would otherwise occur once a competition 'winner' was selected. The design competition process, compared to the design development by the Macquarie Team to date is a very short and less rigorous process that will only deliver a concept design. The proposed Framework, on the other hand, sets out a more thorough process where critical review and input of design ideas can be exchanged between the design professionals on the Macquarie team and independent design experts external to Macquarie. The Framework is underpinned by the following key elements:

- **A team of leading architects, engineers and design advisors,** with deep knowledge and extensive experience, including in the design, documentation and delivery of major rail stations and commercial development.
- **Consolidated urban design, heritage and Metro Design Principles,** which will help guide future design propositions for the Precinct;
- **An independent Design Review Panel** – the on-going involvement of the Sydney Metro DRP (Macquarie's preferred approach), or a sub-committee of the Sydney Metro DRP. The DRP will provide a continuum of independent design advice throughout the design and construction of the project;

In addition Macquarie is proposing a Competitive Design Program for a number of detailed design elements (other than for architectural design), to foster innovative design solutions, and support emerging design industries, organisations and talented individuals. This program is currently being prepared and will be submitted as part of the Stage 2 development application/s.

4.1 Robust Design Review and Development Process to Date

Design Development and Review Process

A requirement to undertake a competitive design process would be **unnecessary given the robust design review and development process undertaken to date.**

Summary:

- The design review process to date has involved the rigorous testing of options for land use, building heights, envelopes and form, articulation and integration, with regard to the specific and complex parameters set for the station and the Precinct.
- A design competition is only one possible process and means of achieving design excellence, but in this case, is simply less capable of mastering the breadth and depth of considerations that have been taken into account throughout the detailed design process to date.

1. The design of the proposal has evolved over a period of more than 18 months, through a robust review process since October 2016 involving:
   - the Macquarie appointed project architects that comprise the core Project Design Team (Grimshaw, JPW, and Tzannes);
   - Other design advisors independent of the core Design Team;
   - the regular review by the independent, Government appointed Sydney Metro Design Review Panel chaired by the NSW Government Architect; and
   - project engineers (primarily Arup), in collaboration with Sydney Metro and TfNSW, providing essential technical advice and expertise on the station infrastructure.
2. The design process to date has involved frequent design feedback in the form of weekly and monthly meetings. A breakdown of these meetings is provided below.

Table 1 – Design process meetings and feedback

Meeting	Feedback
Design Team Meeting (weekly)	Design and technical workshop between architects and engineers
Design Coordination Meeting (weekly)	Feedback on progress from design teams and discussion on significant design items
Design Charrette (weekly)	Workshop session to review design progress and discuss key design issues
Urban Design Review (monthly)	Workshop session to review design ideas and options against urban design principles and provide urban design advice
Heritage Review (bi-monthly)	Workshop session to review design ideas and options against heritage principles and provide heritage advice
Macquarie Group Presentation (monthly)	Presentation of design thinking and design updates for review and feedback with reference to project vision and objectives
Arup Project Review Meeting (weekly)	To review engineering aspects of the project

Meeting	Feedback
Arup Intra-Disciplinary Design Review (weekly)	Coordination status of the Arup design internally within each discipline
Rail Assurance Review Meeting (weekly)	To ensure that the correct process for assurance and deliverables for CCB are being developed by Arup
Sydney Metro Design Review Panel (monthly)	Review, critique and advise on the application of the design objectives to key design elements, including over station development proposals, including but not limited to: place making, activation, architecture, heritage, urban design, landscape design and artistic elements
Sydney Metro Customer Experience Workshop (weekly)	Forum to discuss the upholding of the customer experience throughout all public areas of the Metro System
Sydney Metro Trains, Systems, Operations, Maintenance Linewide Contractor Technical Coordination Committee Workshop (weekly)	Metro Operator forum to interact and formally approve the operational requirements of the Transport System
Sydney Metro Tunnel Ventilation & Fire, Life Safety Coordination (weekly)	To specifically focus on the design aspects of Tunnel Ventilation and Fire and Life Safety, in particular maintaining safe operations of the railway and the interface between Railway Infrastructure and OSD
Sydney Metro Linewide Working Group (weekly)	To specifically focus on the design aspects of linewide systems to be provided throughout the station, particularly the requirement to interface between station and linewide systems and the requirements of the State to be housed within the station box
TfNSW Technical Review Meeting (weekly)	Technical Review for the below ground development with State/TfNSW
TfNSW Transport Interchange Workshop (weekly)	To assist in the intermodal integration of transport systems within the Martin Place Development. This forum looks to establish the Transport requirements for inter-modal interchanges, in particular between Sydney Trains and Sydney Metro
TfNSW Major Projects & Infrastructure Operator Forum (weekly)	Forum to formally acknowledge and review the TfNSW, Metro and Operator requirements for the Martin Place Station Development, including the technical review of Metro room data sheets, room schedules and equipment requirements

3. Design excellence is founded in processes that embrace uncertainty and diversity, and can filter inputs and reviews to continually refine design outcomes. The process to date illustrates that the design development methodology has been neither linear nor direct, but has required a multitude of attempts, iterations, reviews, feedback and the testing of proposals.
4. To date, six (6) Sydney Metro DRP presentations have been completed. These initially focused on the station design but have since expanded in scope to also encompass the OSD and integration of the tower elements. It is proposed that these meetings continue on a monthly basis up to lodgement of the Stage 2 DA/s, around mid-2018 (and beyond as required).
5. Other regular meetings and review processes include Metro operator forums, customer experience workshops, transport interchange workshops, line-wide working group meetings, Tunnel Ventilation and Fire / Life Safety Coordination meetings, Rail Assurance Review Meetings and intra-disciplinary design reviews.
6. These processes have informed the various preliminary options for land use, heights, bulk and scale, building form and articulation, and integration, having regard to specific and complex parameters set by the Rail Safety Assurance protocols/standards, and the need to coordinate the station and OSD structural requirements, pedestrian movement and building services.

7. Accordingly, a requirement to undertake a competitive design process (specifically a design competition) would be unnecessary given the robust design process undertaken to date, which is on-going and will continue via the proposed DRP process (see **Section 4.2.3** for more detail).

A design competition is one process and means of achieving design excellence, but in this case is less capable of exploring in depth the myriad of complex considerations that have been tackled throughout the design process to date.

4.2 Design Excellence Framework

The Design Excellence Framework (refer **Appendix A)** outlines how design excellence will be achieved and safeguarded throughout the design process going forward**. It therefore demonstrates that undertaking a design competition is unnecessary to achieve design excellence for this unique project.**

1. This alternative process, as set out in the Design Excellence Framework at **Appendix A**, involves a range of tried and tested methods to achieve design excellence, demonstrating that a design competition for the OSD towers is unnecessary in the circumstances. The key methods to be used include:
   - Engagement of the nominated world class and highly experienced core Design Team, and appointment by Macquarie of other urban design and heritage advisors to provide advice and guidance throughout the planning and design development phase, and the appointment of Clive Wilkinson Architects to guide the design of the interiors, and external world class workplace and retail designers.
   - Continued oversight by the Government appointed expert Sydney Metro DRP (Macquarie's preferred approach) or by a sub-committee of that Panel. If a subcommittee is instigated, it is critical that the chairman and other key members of the DRP subcommittee are also members of the Sydney Metro DRP. This is to ensure continuity of the advice to date and for full and proper integration of the OSD and station components.
   - The adoption of Precinct-specific Design Principles that will help guide the Design Team and Sydney Metro DRP (or DRP sub-committee). These principles (to be endorsed by the DRP) have been prepared following a rigorous urban design study by Tzannes and heritage study by TKD Architects and input from Howard Tanner. The relevant provisions of the 'Sydney Metro City and Southwest Chatswood to Sydenham Design Guidelines' (the Metro Design Guidelines) will also continue to apply to the integrated project.
   - Consultation and engagement at appropriate points with key stakeholders, such as TfNSW, Council, OGA and Heritage Council of NSW.

   In addition Macquarie is proposing a Competitive Design Program, which includes opportunities for the competitive design of some elements of the project that are not the architectural or engineering design of the buildings or station.

   Each of these is discussed in greater detail below.

4.2.1 Leading Architects, Engineers, and Design Advisors

Design Diversity and the Calibre of Design

A design competition **is unnecessary having regard to the capabilities of the proposed design team to deliver design diversity and the best possible outcome for the site.**

Summary:

- The three architectural firms, urban and interior designers and heritage architects allow for a diversity of design experience, ideas, approaches and outcomes, commensurate with the intent of a design competition.
- The combined skills and expertise ensure the best possible design outcome is achieved for the Precinct, at a level equal to or better than what may be achieved through a design competition.

1. The proposed Design Excellence Framework (**Appendix A**) relies on the same core expert Design Team, of architects Grimshaw, JPW, and Tzannes, with engineering design by Arup. This core Design Team will be retained throughout the project to deliver continuity and assurance of design excellence from inception to final opening.
2. To ensure architectural diversity, Grimshaw in collaboration with Tzannes are responsible for designing the OSD for the South Site and JPW are responsible for designing the OSD for the North Site. TKD architects are responsible for overseeing heritage-related issues. Arup are responsible for the engineering design of all buildings, and including the station component. This team has been working intensely and closely for over 18 months and have developed a very deep knowledge and understanding of the complexities of the project.
3. Grimshaw is also responsible for the architectural design of the Metro station and, along with Arup of ensuring the station and OSD components are fully integrated. Arup is also responsible for the main services in what is effectively one building, and for the engineering aspects of the railway station.
4. All members of the Design Team are working closely with the Sydney Metro design team to ensure an excellent design outcome for what will be one of the flagship stations in the Sydney Metro network.
5. The three architectural firms allow for a diversity of design, and the advantage of combining skills and capacities to ensure the best possible design outcome is achieved for the Precinct, commensurate with the intent of a design competition. The skills and experience of the Design Team is greater than the sum of its parts, and all firms are demonstrably of a very high calibre in terms of their architectural design expertise, as expected by the proponent Macquarie.
6. Weekly design charrettes conducted to date with the Design Team (bringing together the relevant core team and specialists) have ensured robust testing of design integrity and potential design solutions.
7. The Design Team will develop the design of the OSD within the envelopes proposed in the Stage 1 SSD application, through to the final building design for which consent will be sought in the detailed Stage 2 application/s. The continuity of the Design Team benefits the integrity of the design, and ensures design excellence is translated through to the buildings' construction.
8. It is unnecessary, therefore, to undertake a design competition in view of the highly qualified and skilled architectural firms engaged, and their proven ability to deliver design excellence at a level equal to or better than what may be achieved through a design competition.

Design Team Credentials

9. Grimshaw is an international, award-winning architectural firm with unique project experience in delivering critical transport infrastructure and workplace projects across the globe. Grimshaw is a recognised industry leader in the management of complex urban transit projects. The practice's transport portfolio is complemented by extensive experience in commercial development including 333 George in Sydney, 664 Collins in Melbourne, St Botolph Building and Lloyds TSB Headquarters in London and Ludwig Erhard Haus in Berlin.

10. JPW is an award-winning architectural firm that has unparalleled recent experience in the Precinct, having delivered the highly acclaimed adaptive reuse of 50 Martin Place, Sydney. Working for Macquarie as the owner occupier JPW's design re-established 50 Martin Place as a landmark building with the support and endorsement of the NSW Heritage Council, Council and Sydney's citizens, to create a contemporary and highly sustainable workplace that respects the original heritage character and quality of the building.

11. JPW's design approach and award-winning abilities to deliver heritage sensitive architecture places them in a unique position to facilitate the best possible outcome for the North Site. Their experience and relationship with the Macquarie Bank also means they are uniquely suited to understanding and meeting the exacting workplace requirements of the occupant client.

12. The engagement of multiple architectural firms ensures there is an appropriate balance of diversity in design (commensurate with the intent of a design competition) whilst addressing the need for highly technical experience in delivering the rail station within set time constraints.

Other Design Advisors

13. To provide additional design rigour and strength to the urban design and heritage aspects of the proposal, Macquarie has directly appointed, independent of the architectural and engineering Design Team, Alec Tzannes of Tzannes Associates as urban designer, and Howard Tanner as heritage advisor. Tzannes and Tanner have worked together on the proposed Design Principles. TKD Architects are also appointed as specialist heritage advisors' due to their considerable experience in the adaptive reuse of major heritage buildings (including for 5 Martin Place and 50 Martin Place).

14. These advisors were tasked with preparing urban design and heritage principles to guide the architectural and engineering members of the design team throughout the design process. They also critically evaluate the design and feed advice back to the team at key milestones, particularly with respect to achieving excellence in urban design and heritage terms.

Accordingly, **a design competition is unnecessary having regard to the capabilities of the proposed Design Team and other specialist advisors to deliver design diversity and the best possible design outcome for the site.**

4.2.2 Consolidated Urban Design, Heritage and Metro Design Principles

Guiding Design Principles

A set of guiding Design Principles has been prepared taking into account the urban design and heritage studies specifically undertaken for this Precinct, and the Metro Design Guidelines. The Design Principles will help guide the Design Team and the project-specific DRP with the objective of delivering the highest standard of architectural, urban and landscape design.

Summary:

- The Design Principles will guide the detailed design of the OSD elements as well as how they integrate with the station integration and public domain.
- The Design Principles are set out in the proposed Design Excellence Framework (**Appendix A**).

1. Alec Tzannes (urban design advisor) and Howard Tanner (heritage advisor) and TKD Architects have together recommended a set of Design Principles specific to the subject Precinct. These will supplement the relevant provisions of the Sydney Metro Design Guidelines, which will carry forward.
2. The Integrated Design Principles establish a more detailed layer of guidance for future development on the North and South Sites in particular, but also address the surrounding and intervening public domain.
3. Together, these Principles are intended to:
   - guide the detailed design of the OSD, maintain the heritage significance of the identified heritage items and, where relevant, minimise or mitigate potential adverse heritage impacts; and
   - supplement the Sydney Metro Design Guidelines with respect to the design of the interface between the station and its surrounds, including the station entries, landscaping and other public domain elements.

The Design Principles (to be approved under the Stage 1 SSDA and endorsed by the DRP) are a special and Precinct-specific response that have been developed to establish a more detailed layer of guidance for future development on the North and South Sites, as part of the proposed design excellence framework. **These principles will help ensure the highest standard of architectural, urban and landscape design will be achieved for the future buildings.**

4.2.3 Design Review Panel

Independent Review

The independent Sydney Metro DRP (or sub-committee of that DRP) is proposed to continue the DRP's work on this project and provide on-going regular feedback on the detailed design of the buildings as this evolves. **DRPs are a tried and tested method for achieving excellent design outcomes,** and are widely adopted on numerous SSD and other projects.

Summary:

- Design Review Panels have been previously implemented for technically complex and unique State Significant projects.
- The Consent Authority and the community can be confident that a DRP is a proven process for delivering an excellent design outcome consistent with the objective of Clause 6.21 of the Sydney LEP 2012.

Form and Purpose of the DRP

1. The Design Excellence Framework proposes to continue the independent design review process involving the Sydney Metro DRP (Macquarie's preferred position) or a delegated 'sub-committee' of that Panel. The Sydney Metro DRP is already operating as required under the terms of the CSSI consent.
2. The DRP forms a major component of the overall Framework to ensure design excellence is achieved. The DRP (or sub-committee) will participate in the design development of the scheme as developed to date through its review and regular feedback of the proposal as it emerges over the remainder of 2017, up to lodgement of the Stage 2 SSD DA/s and ultimately through the construction and delivery phase . The same DRP reviews the station and OSD design concurrently. A considerable advantage of this approach is that:
   - A more integrated design outcome is achieved;
   - It ensures a strong continuity of advice from that already provided to date;
   - the DRP interacts with the design team regularly and early enough in the process to more fully contribute to the design as it emerges and develops over time;
   - a detailed record of the feedback and how the Design Team has responded has already been setup/established, and will continue to be updated.
3. Subject to DRP endorsement it is anticipated the Panel will consider how the proposal addresses:
   - the technical and other requirements for an integrated station and OSD;
   - a seamless and integrated built form and public domain outcome;
   - innovative, human centred design;
   - optimal integration of the Metro station and OSD interface;
   - enhancement of the public domain – pubic amenity and activation of public space;
   - realisation of the Design Principles and the achievement of design excellence;
   - pedestrian movements and public transport interchange; and
   - a design that satisfies relevant DDA and Safer by Design standards.

Precedents

4. A design competition is unnecessary in view of the tried and tested ability of DRPs to deliver excellent design outcomes for major projects, as evident in the adoption of DRPs in relation to State significant development across NSW. In this regard, the proposed design excellence process is neither unusual nor unreasonable in the context of SSD in NSW. It is noted that the Macquarie project represents a more complex and integrated approach to infrastructure than those identified below.

Select Examples

5. SSI 7400, being the CSSI Sydney Metro approval, which commits the proponent to establishing a DRP to oversee and advise on key integrated infrastructure between the station and OSD, the structure of the transition, and the functionality and accessibility of the station and public domain areas. Establishing this DRP recognises the highly specialised and technical nature of this project that requires consistent input from experts on the design, functionality, buildability and the delivery timetable of infrastructure, and integration with the OSD.
6. SSD 6751 (The Sandstone Precinct), relating to the development of a tourist and visitor accommodation on Bridge Street in the Sydney CBD, which established a site-specific DRP under the Stage 1 consent (Condition B2) comparable with what is being sought as part of this application. The intent of this DRP was to oversee the design development of certain future applications that require the panel's endorsement. The panel was established from experts with experience in heritage conservation, and the functionality and commerciality of tourism accommodation projects, making them uniquely qualified to oversee the ongoing design and development of the proposal.
7. SSD 5752 and SSD 5878, relating to the development of the Sydney International Convention, Exhibition and Entertainment Precinct (SICEEP), which established a DRP during the tender phase of the development under Infrastructure for NSW to inform the design development of the preferred proponent. This DRP was chaired by the NSW Government Architect and supported by two other specialist architects to provide design advice and recommendations to be incorporated into the final design. Certainty of outcome and time pressures were amongst the drivers for adopting a DRP. The DRP continued to play a crucial role in championing design excellence for the SICEEP project through the staged delivery of Darling Square.
8. MP 06_0171, relating to Central Park and the former Carlton United Brewery site, established a Design Integrity Panel (Condition A3) to oversee the design schemes for architectural firms appointed to specific areas of the site. The panel oversaw the schemes being developed and provided input through the design development and documentation phases of the projects to ensure the integrity of the original design was carried through to construction, thereby safeguarding design excellence on the site. Central Park has received numerous National and International awards.
9. SSD 6475, relating to a new University of Newcastle building known as 'NeW Space', which established a DRP in place of a formal design competition. This alternative process acknowledged the extensive and costly selection and design iteration process previously undertaken by the University, and recognised that a formal competition was not necessary to achieve design excellence and innovation in those circumstances. The panel reviewed concept designs and the design development of the project, which included further input from three other specially constituted panels; Technical Evaluation Panel, Commercial Evaluation Panel, and Concept Design Evaluation Panel. The design was thereby subject to rigorous design evaluation across panels of professionals with expertise in the areas of technical, commercial and concept design.

4.2.4 Macquarie's Competitive Design Excellence Program

Opportunities for Competitive Design Processes

Macquarie supports the exploration of competitive design opportunities for elements of the OSD that are not the architectural design of the buildings and do not unduly compromise the delivery of the integrated Station and OSD.

Summary:

- A Precinct of this size and magnitude has many design elements that can be considered independent of the engineering and architectural design of the buildings. Macquarie has nominated several elements that may be designed through competitive processes.
- A support structure is being developed by Macquarie to foster and curate up-and-coming design companies and allow the general public to participate in the final design.

1. A project of this magnitude has many design elements beyond architecture and engineering that need to be considered, and will be essential to delivering a great place. Macquarie is committed to exploring these design opportunities to support local emerging and established design industries and organisations, and foster innovative design solutions in support of design excellence proposals.
2. The design elements that could be subject to the program, without compromising key milestones, have been identified by Macquarie and are set out in Section 2.4 of the Design Excellence Framework in **Appendix A**.
   - Macquarie is developing a competitive design process and program that guarantees procedural integrity and supports open participation from designers and the community. This process has been framed to be generally consistent with what is expected from a typical open design competition, and will be overseen by a specially appointed steering committee.
3. Macquarie is currently developing mechanisms to assist designers across a number of fields comprising administration and marketing support; proofing and business cases; office or studio space including providing for the necessary technology; equity to support staff and prototype development; and personal support through networking and relationships, mentoring, and leadership and program management. In this, Macquarie will foster the next generation of designers and seek to address the problem that many start-up companies fail due to lack of support.
4. This innovative and unique process is outlined in Section 2.4 of the Design Excellence Framework, and will be developed further for submission as part of the Stage 2 DA/s. It demonstrates how competitive design, albeit at the smaller scale, will be supported by this project.

4.2.5 Consistency with the "Better Placed" design policy for NSW

Consistency with the OGA's Design Excellence Initiatives

The proposed alternative Design Excellence Framework directly responds to, and is consistent with, the recently adopted "Better Placed" design policy for NSW prepared by the Office of the Government Architect (OGA), that supports the use of DRPs when addressing complex State Significant projects.

1. The proposed alternative Design Excellence Framework is consistent with the "Better Placed – An integrated design policy for the built environment of New South Wales" released by the Office of the Government Architect in August 2017 (the Design Policy).
2. The Design Policy recognises that design review is a tried and tested method of promoting good design, and that it *"... offers independent, impartial and expert advice on the design of buildings infrastructure, landscapes and public spaces*." It also acknowledges that for large projects design review is best done by panels.
3. It is recognised by many, including the NSW Land and Environment Court, that a design competition is one mechanism for achieving design excellence, but this is not the only, nor always the most appropriate, option. This has particularly been the case for achieving design excellence on complex or highly technical State Significant projects (refer to the list of SSD projects in section 4.2.3 of this report).

4.2.6 Macquarie's Vision for Best Practice Workplaces

World's Best Practice Workplace

Macquarie's vision for world's best practice workplaces contributes to the already unique and complex nature of the proposal, further supporting the Design Excellence Framework with its increased ability for an iterative design process.

1. An important 'big picture' factor in delivering an excellent outcome is Macquarie's commitment to the on-going success of the Precinct and the Sydney business community through occupying the North Site OSD immediately on completion and potentially the South Site OSD under medium and longer-term growth options. At the macro and micro scale this helps draw the world's best talent to Sydney – which is key to Sydney's future success as a competitive and innovative global city.
2. The proposed integrated design approach will also comprise a tailor-made approach to internal spaces for Macquarie as the principal future occupant. A design competition may jeopardise Macquarie's vision for world's best practice workplace, and as such is considered unreasonable in these circumstances.
   - Macquarie is a world leader in the realisation of workplaces, having pioneered the concept of Activity Based Working at its 1 Shelley Street (Sydney) project and in its offices at Ropemaker Place, London. Macquarie's commitment as an organisation to creating great workplaces is reflected in the numerous awards received over the years for its projects. The detailed design of the OSD will reflect this approach, and aims to set a new international benchmark for design, innovation, enterprise, wellbeing and sustainability, befitting their future international headquarters.

- Macquarie as the owner/occupier has specific requirements to achieve its vision for the precinct, contributing to the already unique and complex nature of the proposal. The development of a 'bespoke building' for such a sophisticated end-user will benefit from an iterative design approach and genuine creative partnership between the architects and users; a relationship that necessarily develops over time.

3. Design competitions for large commercial buildings typically address the needs of the speculative developer, but rarely deal with an owner/occupier of this nature. Competitions usually assume generic floor plates that benefit future marketability when looking for a range of tenants, and assume internal fit-outs can be completed at a later stage. This approach does not embody the desired integrated approach to the proposal, and would not adequately capture the unique requirements and vision of the proponent occupier.

5.0 Consistency with Clause 6.21 Design Excellence of Sydney LEP 2012

This section describes how the proposed waiver to undertake a competitive design process operates, and how the proposal will achieve its statutory obligations under the Sydney LEP 2012 for 'Design Excellence'.

Satisfying the objective of Clause 6.21

1. The stated objective of Clause 6.21 of the Sydney LEP 2012 is to *"deliver the highest standard of architectural, urban and landscape design"*, deemed to be design excellence.
2. This objective will be achieved through the robust design excellence approach proposed in the revised Design Excellence Framework specifically developed for this project (refer to **Appendix A**).
3. Macquarie is committed to the alternative process nominated as part of this application and outlined in the revised Design Excellence Framework, and is willing to be held to this process as a condition of consent. The intent of the Design Excellence Framework is to facilitate the achievement of the highest standard of design, and thereby achieve the objective of Clause 6.21 of Sydney LEP 2012.

Granting of a Waiver

4. Clause 6.21(4) requires that the consent authority consider a number of factors in determining whether a development exhibits design excellence. Clause 6.21(5) requires a competitive design process to be held if the proposed development is greater than 55 metres in height in Central Sydney (amongst other triggers). Whilst the proposed development would normally trigger the requirement for a competitive design process, Clause 6.21(6) goes on to say that:

   (6) A competitive design process is not required under subclause (5) if the consent authority is satisfied that ***such a process would be unreasonable or unnecessary in the circumstances*** *or that the development…*

5. It is clear from subclause (6) that the Sydney LEP 2012 provides flexibility with regards to the design process to ensure development exhibits design excellence. It recognises that a blanket requirement for each and every development to undertake a competitive design process is not always reasonable or necessary.
6. As the Stage 1 SSD DA does not seek consent for "…*development involving the erection of a new building or external alterations to an existing building on land to which this Plan applies*", Clause 6.21 does not technically apply to the subject Stage 1 Concept DA.
7. However, Clause 6.21 will apply at the time a Stage 2 DA is considered, when an application is made for the ***construction of a building***; by which stage the proposed building is already designed. This is reinforced by Clause 6.21(4) that sets out what the consent authority must take into account in order to be satisfied that the proposed development exhibits design excellence.
8. Accordingly, only when the consent authority is duly satisfied that the development exhibits design excellence, can it formally exercise its discretion under Clause 6.21(6) of the LEP to waive the requirement for a 'competitive design process' (design competition). Therefore, this application seeks approval in principle for the alternative process by which to design the future OSD buildings.

9. The proponent therefore seeks, as a condition of development consent for the Stage 1 SSD DA, that:

    (a) The alternative Design Excellence Framework (**Appendix A**) prepared by Ethos Urban (formerly JBA) and dated September 2017 is adopted in-principle; and

    (b) The Design Excellence Framework must be followed in developing the detailed design of the OSD buildings, the subject of the Stage 2 DA/s.

Means of Achieving Design Excellence

10. A 'competitive design process' is defined in the Sydney LEP 2012 as being an architectural design competition, or the preparation of design alternatives on a competitive basis, carried out in accordance with the *City of Sydney Competitive Design Policy*. This policy outlines the objectives and provisions of the competitive design process.

11. **Objectives:** The proposed alternative process (within the revised Design Excellence Framework in **Appendix A**) will achieve the objectives of the *City of Sydney Competitive Design Policy*, by:
    - Fully taking into account the station's structure, services and technical design requirements, which are largely resolved and will soon be finalised, as part of the Rail Design Assurance Process, and to meet critical deadlines for the commencement of works.
    - Ensuring that the proposed design excellence process forms part of an adopted strategy (the Design Excellence Framework in this instance), which can be confirmed and secured through a condition of consent.
    - Setting out a process that appropriately balances the requirements for design excellence with the objectives of Macquarie as the proponent for the OSD, and TfNSW, as the proponent of the Martin Place Station, and taking into consideration the unique circumstances of the proposal.
    - Detailing the process for independent expert design (noting that the design of the station component is largely committed and cannot be compromised).
    - Adopting mechanisms to ensure Design Team retention and on-going DRP design reviews to safeguard design integrity through the development stages.

12. **Provisions:** The proposed Design Excellence Framework ensures that the design development and review process generally follows the provisions of the Council policy not specifically pertaining to a competition, including:
    - the timing of the design review process prior to a Stage 2 DA;
    - the requirement for an adopted strategy outlining the process for design development, how design variety is to be achieved, and opportunities for testing design alternatives; and
    - the mechanisms for safeguarding design integrity.

Accordingly, the Consent Authority can be satisfied that:

- a requirement to undertake a competitive design process (i.e. a design competition) is, in this case, both unreasonable ***and*** unnecessary in the circumstances, and that a waiver of this process is capable of being granted; and
- that the proposed Design Excellence Framework will ensure the future buildings can be designed to achieve the over-riding objective to deliver the highest standard of architectural, urban and landscape design, satisfy the tests sets out in Clause 6.21(4) of the Sydney LEP 2012 and therefore exhibit design excellence.

6.0 Conclusion

This report sets out why a standard competitive design process is demonstrably both **unreasonable *and* unnecessary** in the circumstances relevant to Macquarie's proposal for the Martin Place Station Precinct. The Stage 1 SSD DA 17_8351 has sought a waiver of the requirement to undertake a competitive design process, and seeks to secure agreement in principle for the design excellence process set out in the Design Excellence Framework (**Appendix A**) as a reasonable alternative to the standard design competition approach.

This report has:

- established the context for the granting of a waiver including the vision for the Precinct and the design excellence matters for consideration in the OGA and Council submissions received in relation to SSD 17_8351;
- justified why a competitive design process would be unreasonable in view of the unique dynamics and interplay between the design processes of the station and its integration with OSD;
- justified why a competitive design process would be unnecessary in view of the alternative design excellence approach specifically developed for this unique project and the robust design development process employed to date; and
- described how the proposed waiver to undertake a competitive design process operates, and how the proposal is capable of achieving its statutory obligations under the Sydney LEP 2012 for 'Design Excellence', and deliver a development of the "highest standard of architectural, urban and landscape design".

Ultimately, the nature of this design competition waiver request is so unique that there are no precedent arising given the type of project and its circumstances are once in a generation.

Appendix A. Revised Design Excellence Waiver

Ethos Urban

ETHOS URBAN

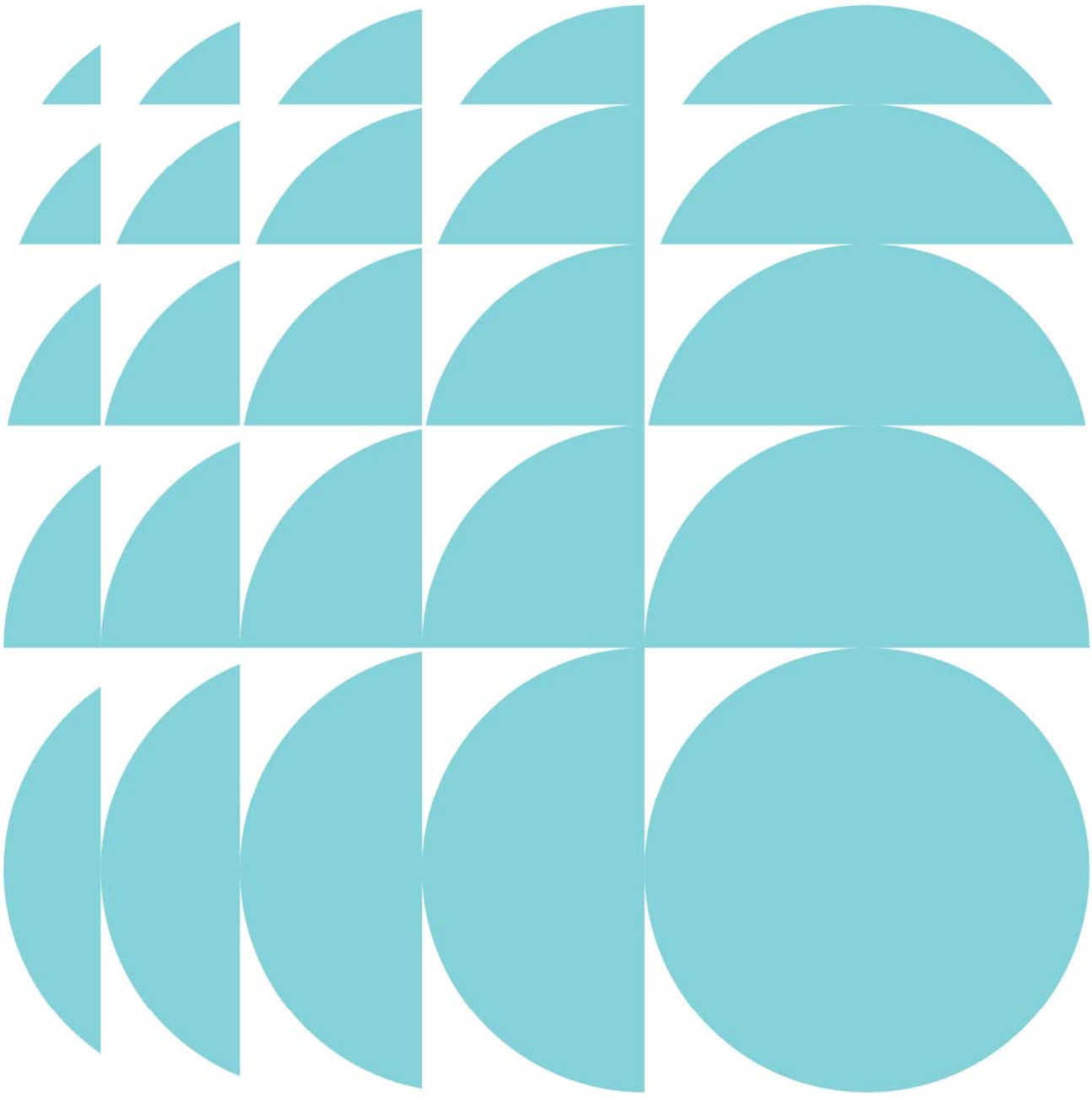
Revised Design Excellence Framework

Sydney Metro Martin Place Station Precinct

Submitted to NSW Department of Planning and Environment

On behalf of Macquarie Corporate Holdings Pty Ltd

7 September 2017 | 15879



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Figures

Attachments

A Martin Place Design Excellence Process Flowchart
Ethos Urban

B Over Station Development Design Principles
Tzannes, Tanner and Sydney Metro

C Sydney Metro DRP Subcommittee Details
Ethos Urban

D Competitive Design Opportunities Program
Macquarie

1.0 Introduction

This revised Design Excellence Framework (Revised Framework) has been prepared by Ethos Urban (formerly known as JBA) on behalf of the proponent, Macquarie Corporate Holdings Pty Limited (Macquarie). It supports a staged State Significant Development (SSD) Development Application (DA) for the Sydney Metro Martin Place Station Precinct (the Precinct) project (SSD 17_8351). The project involves the creation of a world class transport and employment precinct at Martin Place, in the heart of the Sydney CBD.

Following the exhibition of the Stage 1 SSD DA, advice from the NSW Office of the Government Architect (OGA) was provided to the NSW Department of Planning and Environment ('Department'), and an issues letter from the Department has been provided to Macquarie in relation to the proposed Design Excellence Framework. The Government Architect recommended that consideration be given to the following as conditions of consent:

- "Identify opportunities for a competitive design excellence process that appropriately balances the Secretary's design excellence requirements with the proponent's objectives and which achieves design excellence and architectural diversity;
- Submission of Terms of Reference, including consolidated design principles as well as proposed governance and membership for the site-specific Design Review Panel, as endorsed by GANSW."

The Department has requested that the applicant:

- "Review the Design Excellence Framework to identify additional opportunities for a competitive process which would achieve design excellence consistent with the objectives of Clause 6.21 of Sydney Local Environmental Plan 2012 (SLEP 2012). The Framework should deliver a robust, coordinated and independent design excellence process, having regard to the advice of the Government Architect NSW and comments provided by City of Sydney Council.
- Provide the meeting notes from all occasions when the proposal has been presented to a design review panel, together with commentary on how the issues raised by the panel have been addressed in the proposal and/or justification where changes have not been made.

In order to address these comments, the previously proposed Design Excellence Framework has been amended. The Revised Framework has been prepared in consultation with the OGA following the exhibition period of the Stage 1 SSDA. The Revised Framework, in accordance with the Secretary's Environmental Assessment Requirements (SEARs):

- Demonstrates how the proposed development will set about achieving design excellence;
- Articulates the proposed design excellence process, including how design excellence is achieved at each stage of the planning process:
- Includes opportunities for competitive design excellence processes (other than the architectural design of buildings);
- Identifies how comments from the NSW Government Architect have been addressed;
- Identifies the process for regular independent design review with a project specific Design Review Panel, as recommended by the Government Architect, including an outline of the role and function of the panel, a draft Terms of Reference and proposed governance arrangements;

- Details the uniqueness of the project and how the proposed design excellence process best responds to these unique circumstances.

Figure 1 (refer also **Attachment A**) graphically summarises the overall design excellence framework proposed.

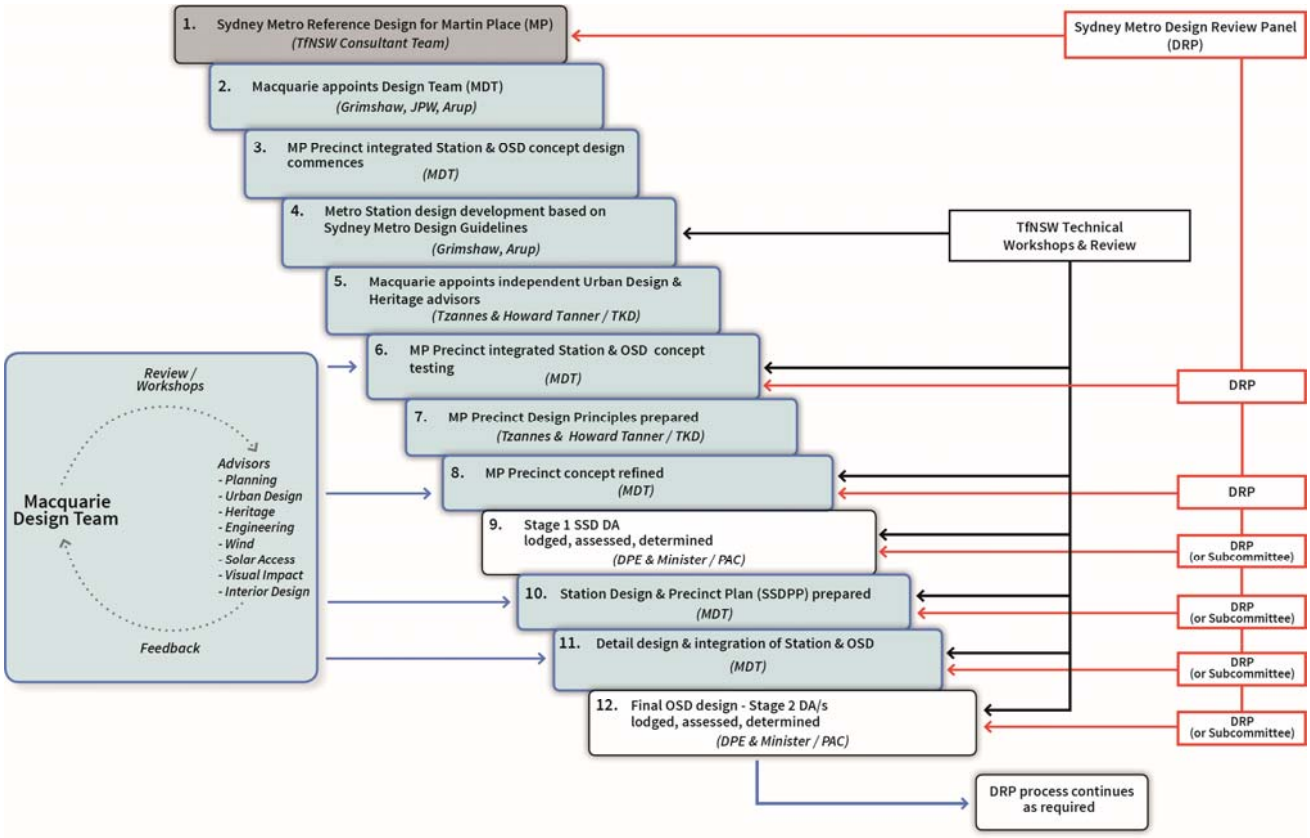


Figure 1 – Proposed Martin Place Excellence Process

Source: Ethos Urban

2.0 Design Excellence Approach

Macquarie is committed to a Design Excellence Framework and process which is robust and will ensure that the proposed buildings will exhibit design excellence, whilst also delivering a world class, integrated transport and employment precinct at Martin Place. A combination of proven techniques is proposed to ensure design excellence can be achieved.

This Framework sets out techniques which include a clear and iterative process where critical review and input of design ideas can be exchanged between the design professionals on the Macquarie team and independent design experts external to Macquarie.

This approach is consistent with that adopted in other areas of Sydney, and other major SSD projects in Sydney and beyond. By following this Framework and its design development process, the Secretary of the Department, the community and the consent authority for the Stage 1 and Stage 2 SSD applications can have confidence that a design outcome which exhibits design excellence will be achieved, as required by clause 6.21 of the *Sydney Local Environment Plan 2012* (LEP).

Clause 6.21 of the LEP provides that the consent authority must ultimately form the opinion that the future buildings exhibit design excellence. The objective of Clause 6.21 is *'to deliver the highest standard of architectural, urban and landscape design'*. The LEP sets out a ***process***, namely a competitive design process that, if followed, is deemed to satisfy the 'design excellence' provisions of the LEP. It also provides that a waiver of that process is available if the consent authority is satisfied that it is unreasonable ***or*** unnecessary in the circumstances.

The alternative Design Excellence process, as set out in this Framework document, revolves around three main techniques/elements:

1. the selection of an expert Design Team
2. an independent, expert Design Review Panel (DRP), and
3. the adoption of Design Principles that will guide the design development and assist the DRP in its deliberations.

In addition, Macquarie is preparing for submission as part of the Stage 2 DAs a Competitive Design Opportunities Program.

Macquarie's Commitment to Design Excellence

Macquarie is committed to achieving true design excellence in the broadest sense, including in urban design, environmental design and sustainability, architectural design, engineering ingenuity, industrial design, digital design and workplace and experience design as well as place-making and positive community outcomes.

Macquarie is a world leader in the realisation of workplaces, having pioneered the concept of collaborative working including Activity Based Working (ABW) at its 1 Shelley Street project. Macquarie's commitment as an organisation to creating great workplaces is reflected in the numerous awards received over the years for its projects.

Macquarie's strong commitment to achieving design excellence is further evidenced by its award-winning redevelopment of the Company's flagship heritage building at 50 Martin Place (see **Figure**

2). The result, with its respectful modernisation of Sydney's architectural and commercial heritage and an inspired and innovative workplace, has been recognised by numerous awards, including the prestigious Harry Seidler Award for Commercial Architecture in 2015.

The Design Excellence approach adopted for the Martin Place Precinct follows an independent and robust design excellence process that includes the selection of a world-class team that have a demonstrated capability to achieve excellence in the design of transport, infrastructure, customer centred design and commercial buildings within a heritage setting.

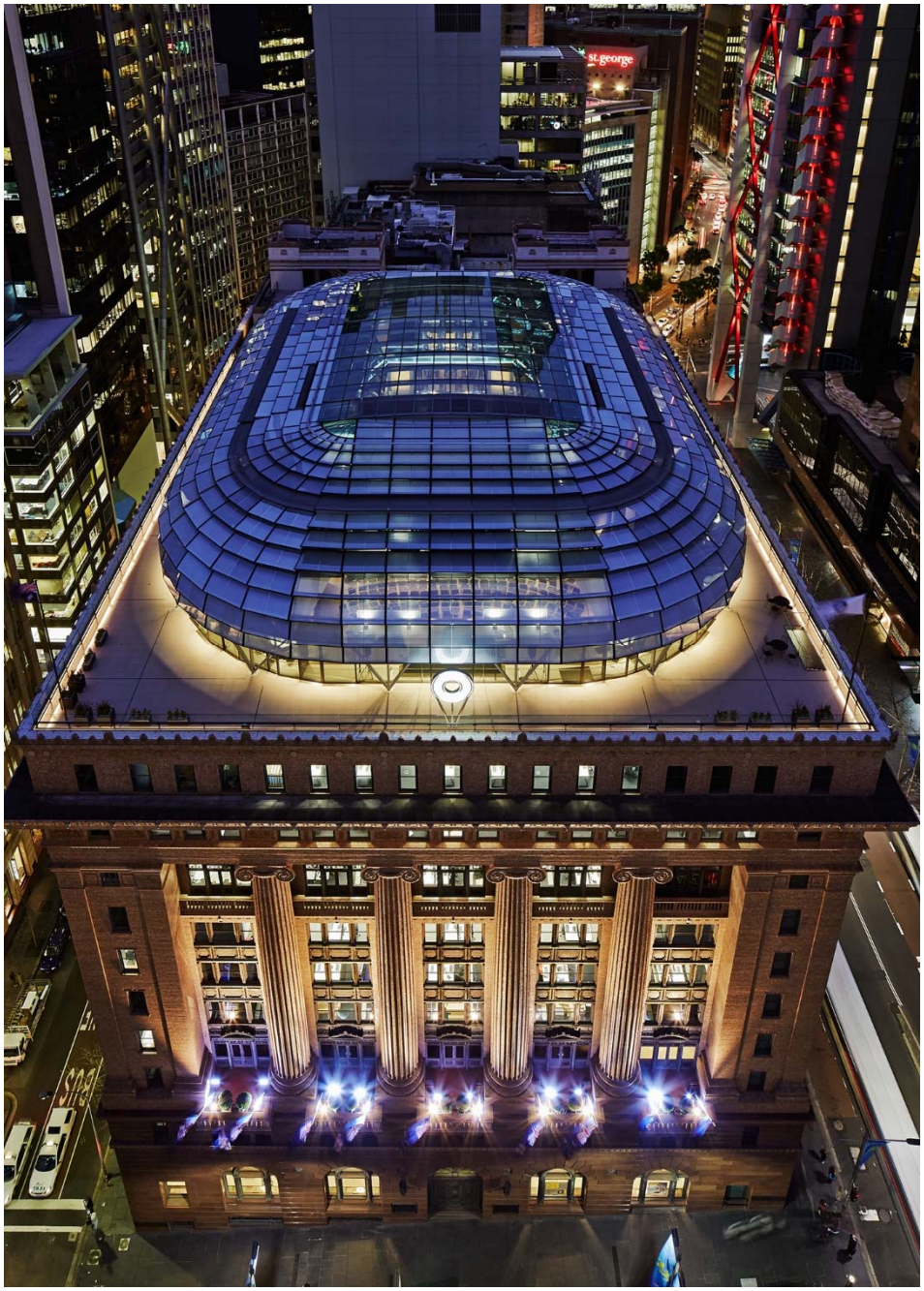


Figure 2 – 50 Martin Place

2.1 The Design Team

The Macquarie Design Team assembled to deliver the project comprises experts with deep knowledge and extensive experience, including in the design, documentation and delivery of major rail stations and commercial development. The chosen team have undertaken projects which have demonstrated global best practice, including the award-winning refurbishment of 50 Martin Place, and the development of 1 Shelley Street.

The principal members of the Design Team are Grimshaw, JPW and Tzannes Associates, as the architects in association, and Arup engineers. These firms have a long and demonstrated capacity to deliver such a specialised and highly technical project, whilst achieving an excellent level of design.

In terms of the design of the Over Station Development (OSD) towers and to ensure architectural diversity, Grimshaw and Tzannes are responsible for designing the OSD for the south site and JPW are responsible for designing the OSD for the north site (refer to **Figure 3**).

Grimshaw is also responsible for the architectural design of the Metro station along with Arup, and ensuring the station and OSD components are fully integrated. Arup is also responsible for the main services across the Precinct, and for the engineering aspects of the railway station.

All members of the team are working closely with the Sydney Metro design team to ensure an excellent design outcome for what will be one of the flagship stations in the Sydney Metro network.

Figure 3 – Martin Place Station Precinct Site Plan

The expertise and experience of the Macquarie Design Team members nominated have been submitted in the earlier version of the Design Excellence Framework, submitted as Appendix I of the Stage 1 SSD DA, and in the Revised Competitive Design Process Waiver document prepared by Ethos Urban (dated September 2017), Appendix G of the Response to Submissions report.

Macquarie's Design Excellence Framework relies on the same Design Team, (of Grimshaw, JPW, Tzannes and Arup), being retained throughout the project to deliver continuity and assurance of design excellence, from inception to final opening.

2.1.1 Other Design Advisors

To provide additional design rigour to the urban design and heritage aspects of the proposal Macquarie has appointed Alec Tzannes as urban design advisor and Howard Tanner as heritage advisor.

TKD are also appointed as specialist heritage advisors due to their considerable experience in the adaptive reuse of major heritage buildings (including for 5 Martin Place and 50 Martin Place).

These advisors have been tasked with preparing the urban design and heritage principles to guide the architectural and engineering members of the design team throughout the design process. They will also provide on-going advice as the design progresses. This includes critically evaluating the design and providing feedback to the Design Team at key milestones, particularly with respect to achieving excellence in urban design and heritage outcomes.

Clive Wilkinson Architects (CWA), from Los Angeles, California are also providing valuable insight throughout the design process on workplace design, to ensure the interior spaces in particular are focussed on the 'human community' (i.e. the user) and are flexible to adapt to the changing social, cultural and functional needs of the office users. Retail design advice is also being provided by specialist consultants, ARC Architects.

George Kembel and John Kembel, of Boulder, Colorado-based d.global will advise and support customer-centred design explorations, working closely with an internal Macquarie team to identify opportunities to further enrich the design of the Precinct. George Kembel is the co-founder of the d.school at Stanford University in Palo Alto, California; his brother John is an entrepreneur, innovation and customer experience design specialist who helped shape the strategic direction of the d.school as a member of the founding strategy board and faculty.

2.2 Design Review Panel

A Design Review Panel (DRP) has already been established by the NSW Government for the Sydney Metro project as a requirement of the Critical State Significant Infrastructure (CSSI) consent for Sydney Metro City & Southwest – Chatswood to Sydenham[1].

The Sydney Metro DRP is responsible for providing advice to the Sydney Metro design team on, amongst other matters, the design of the new stations on the approved network, and on the OSD at each of those stations.

[1] Refer Condition E100 of the CSSI consent dated 9 January 2017

Section 2.2.1 of the original Design Excellence Framework prepared by JBA and dated May 2017 suggested (at page 14) that the DRP for the Martin Place Station and OSD could be either:

- The DRP as constituted under the terms of the Sydney Metro Consent (the Sydney Metro DRP); or
- A project specific panel under delegation from the Sydney Metro DRP.

The Government Architect has supported the creation of a new site-specific DRP for this Precinct[2]. Macquarie's preferred position is for the existing Sydney Metro DRP to continue for the project (for both the station and OSD components), for the reasons set out in this Framework. If, however, a new Precinct-specific DRP is to be established then we understand that it would need to be a formally constituted subcommittee of the Sydney Metro DRP for legal and practical reasons. Further details of the DRP are set out below, or in the case of a Sydney Metro DRP Subcommittee in **Attachment C** of this Revised Framework.

To satisfy the legal requirements of the CSSI conditions of consent, it is necessary for the Sydney Metro DRP to be retained for the Station, overall Precinct, and integration with the OSD component.

It is recommended that the Sydney Metro DRP continue with its design review role on the project's OSD component, primarily because:

- the significant knowledge of the Martin Place Station Precinct project, (including the OSD component) embedded in the Sydney Metro DRP;
- the critical importance of continuity of advice, and the momentum of the design development process that is mid-stream;
- the complexity of the design integration between all components of the project (including station and OSD) and the delivery program;
- overall administrative efficiency of having "One Panel" throughout and elimination of communication and 'sign-off' processes between the two panels, particularly as there will need to be a majority of common panel members; and
- the conditioning of the CSSI consent (and Preferred Infrastructure Report) for the Sydney Metro City & Southwest, which links the Sydney Metro DRP to the OSD, once it has completed its separate statutory approvals (the Stage 1 DA) process (see section 2.2.1 below for more details).

Whilst a Sydney Metro DRP Subcommittee is not Macquarie's preferred option, further details of a Subcommittee are outlined in **Attachment C**.

Draft Terms of Reference for the DRP (or Subcommittee) are provided in this Revised Framework. These will need to be confirmed by the Sydney Metro DRP. For more details refer to **Section 2.2.2** of this Framework.

2.2.1 Governance

The Sydney Metro CSSI consent requires (at condition E100) that a Design Review Process be established, and this has occurred. The Terms of Reference of the Sydney Metro DRP (current

[2] Government Architects submission on SSD 8351, dated 28 June 2017

version dated 29 March 2017) also includes, as a responsibility of that panel, consideration of the OSD elements.

The Chatswood to Sydenham Submissions and Preferred Infrastructure Report (SPIR) which forms part of the CSSI Application, and is called up by Condition A1 of the consent, identifies that the Sydney Metro DRP's responsibilities would be extended to the OSD components, after the OSD (Stage 1) approvals process. It states (at page 16):

> *"It is also intended that the Design Review Panel process, to be established for this project, would be extended following the separate assessment process to apply to the over station developments, including the interface with the metro station elements and (subject to approval) the future built form of the over station development elements".* (p. 16)

The Sydney Metro DRP currently provides feedback to the Design Team on the Station and OSD design, and has done so since October 2016.

It is critical to the successful achievement of design excellence for such a complex and deeply integrated project that the detailed design is carefully managed, and that if a DRP Subcommittee is adopted it is fully conversant with both the Station and OSD elements, the extent to which the design is already committed, and the single construction management and delivery time frames. Accordingly, if adopted, a DRP Subcommittee will need to communicate regularly with and provide advice to the Sydney Metro DRP due to its responsibilities for the Station (including lower podium levels and public domain).

Meetings

It is proposed that the Sydney Metro DRP (or Subcommittee) continue to meet regularly, preferably on a monthly basis, to review the design of all components up to lodgement of the Stage 2 DAs. As a minimum, it is recommended that the DRP hold four meetings prior to the lodgement of the Stage 2 DAs (if not more or as required), and one after lodgement and before a Construction Certificate is issued.

An agenda is to be prepared by the DRP Secretariat in consultation with the Chair, and circulated to the DRP members at least four days prior to the meeting. The standard agenda should include:

- Review of minutes from last meeting.
- Discussion and feedback on the Project.
- Agreed actions going forward.
- Forward agenda.

Minutes and Written Feedback

A record of minutes and/or a schedule of action items is to be kept of each meeting.

The Chair will be responsible for co-ordinating the consolidated written feedback of the DRP to the Design Team (via the schedule of action items or advice sheets as considered necessary). The written feedback shall be issued in a timely manner and no later than one week after each DRP meeting.

A 'working document' including all meeting minutes, action lists and advice sheets, and how the Design Team has responded, is to be kept by Macquarie and submitted as part of the Stage 2 SSD DAs.

Indicative Schedule of Meetings

Meetings between the Macquarie Design Team and the Sydney Metro DRP have already taken place on 17 October 2016, 11 April 2017, 22 May 2017, 6 June 2017, 18 July 2017, and 22 August 2017 and the next Sydney Metro DRP meeting is scheduled for 19 September 2017.

The indicative draft schedule of future dates for future Sydney Metro DRP meetings over the remainder of 2017 are:

- 19 September 2017
- 10 October 2017
- 21 November 2017
- 19 December 2017

It is recommended that the Sydney Metro DRP (or Subcommittee) continue to review and advise on the OSD component until construction certification is issued for the development, or as required after that to advise on design issues arising from any Section 96 applications to modify the development consents.

Other Working Group Relationships

If a DRP Subcommittee is adopted it is expected that combined meetings with the Sydney Metro DRP may be required from time to time.

Other Operational Matters

The DRP is expected to provide verbal advice and comments at the meetings. The panel members may be expected to review material circulated prior to the meeting and to review and confirm written advice, minutes and action lists. The DRP may provide formal feedback on particular items when requested by a presenter.

Deliberations will occur in closed session following any presentations, and may include any invitees as relevant. Feedback from the deliberations will be provided to the Design Team as soon as practical, either as recorded in the minutes, or in more detailed Advice Sheets attached to the minutes.

All DRP discussions, and any material identified as confidential that is provided before, during or after the meeting, are to be treated as confidential. Panel members (and advisors) will be required to sign confidentiality agreements and conflict of interest statements A conflict of interest register will be retained and updated as required.

2.2.2 DRP Terms of Reference

Role and Objectives

The role of the DRP (or Subcommittee) will be to provide independent, high level advice on design related matters for the purpose of achieving design excellence. That advice may be provided to the

Macquarie Design Team, TfNSW as the proponent of the Sydney Metro, and to relevant government agencies such as the Department of Planning and Environment.

The objectives of the DRP (or Subcommittee), with respect to the Martin Place precinct, should be included in an amendment to the DRP's Terms of Reference. The objectives are:

- To provide independent, high-level, design advice for the Sydney Metro Martin Place Station Precinct.
- To advise on the implementation of the OSD Design Principles for the Martin Place Station Precinct.
- To help ensure 'design excellence' is achieved.

It is proposed to carry forward all relevant Sydney Metro DRP Terms of Reference, and it is recommended these be expanded to include specific terms for the Martin Place Station OSD Component. The relevant Sydney Metro DRP Terms of Reference that will be carried over are to:

- Refine and endorse design objectives for place making, public realm and urban and heritage integration.
- Review, critique and advise on the application of the design objectives to key design elements, including over station development (OSD) proposals, including but not limited to:
  - place making
  - activation
  - architecture
  - heritage
  - urban design
  - landscape design
  - artistic elements.
- Review (and endorse) Station Design and Precinct Plans.
- Advise on potential design refinements and improvements as appropriate.
- Review the OSD designs to facilitate the achievement of design excellence.
- Reflect the Sydney Metro values of safety and wellbeing, collaboration, integrity, innovation, excellence and achievement.

In addition to the Sydney Metro DRP Terms of Reference, the following Precinct Specific "Terms" are proposed:

- Advise on the application of the Precinct's OSD Design Principles (see **Attachment B**).
- Reflect the project's objectives for innovative, human centred design.
- Advise on design responses to the relevant DDA and Safer by Design standards.
- Advise on compliance with design-related conditions of all approvals (for the CSSI and SSD applications).
- Review design and confirm design integrity is retained in any s96 modifications to the SSD approved plans, and construction drawings for the OSD (if necessary).

The DRP's (or Subcommittee's) Terms of Reference for the Martin Place Station Precinct would also need to take into account the constraint that a binding commitment is required, between Sydney Metro and Macquarie, which recognises the status of the agreed design at the date the Precinct-Specific Terms of Reference are finalised. For example, that the concept design phase is adopted and therefore locked in. In other words, it would need to clearly recognise as a given constraint the 'adoption of the design decisions to date'.

Authority

The DRP is advisory and its recommendations are not binding. The DRP cannot authorise any expenditure, works or consultancies, and all meetings and discussions are confidential. It is proposed that the authority of the DRP be set out as an addendum to the Sydney Metro DRP's Terms of Reference (dated 29 March 2017).

2.3 Consolidated Urban Design, Heritage and Metro Design Principles

The OGA has recommended that the proposed urban design and heritage principles and Sydney Metro Design Guidelines be simplified and consolidated. The three sets of guidelines directly relate to the Precinct and its future redevelopment, taking into account design, heritage and specific Sydney Metro Station requirements. These principles and the studies that support them have helped to inform the consolidated core Design Principles for the Martin Place Station Precinct OSD, as set out in **Attachment B**.

2.4 Macquarie's Competitive Design Excellence Opportunities

This section identifies opportunities for competitive design excellence processes to be pursued by Macquarie.

A project of this magnitude has many design elements beyond the architectural and engineering design of the buildings that collectively contribute to a great place. Accordingly, Macquarie has identified a number of initiatives for competitive design opportunities that will foster innovative design solutions, and support emerging design industries, organisations and talented individuals.

The Competitive Design Opportunities Program outlined below will be developed further as part of a Design and Public Art Strategy to be submitted with the Stage 2 Detailed DAs for the Precinct.

The objectives of the Competitive Design Opportunities Program are:

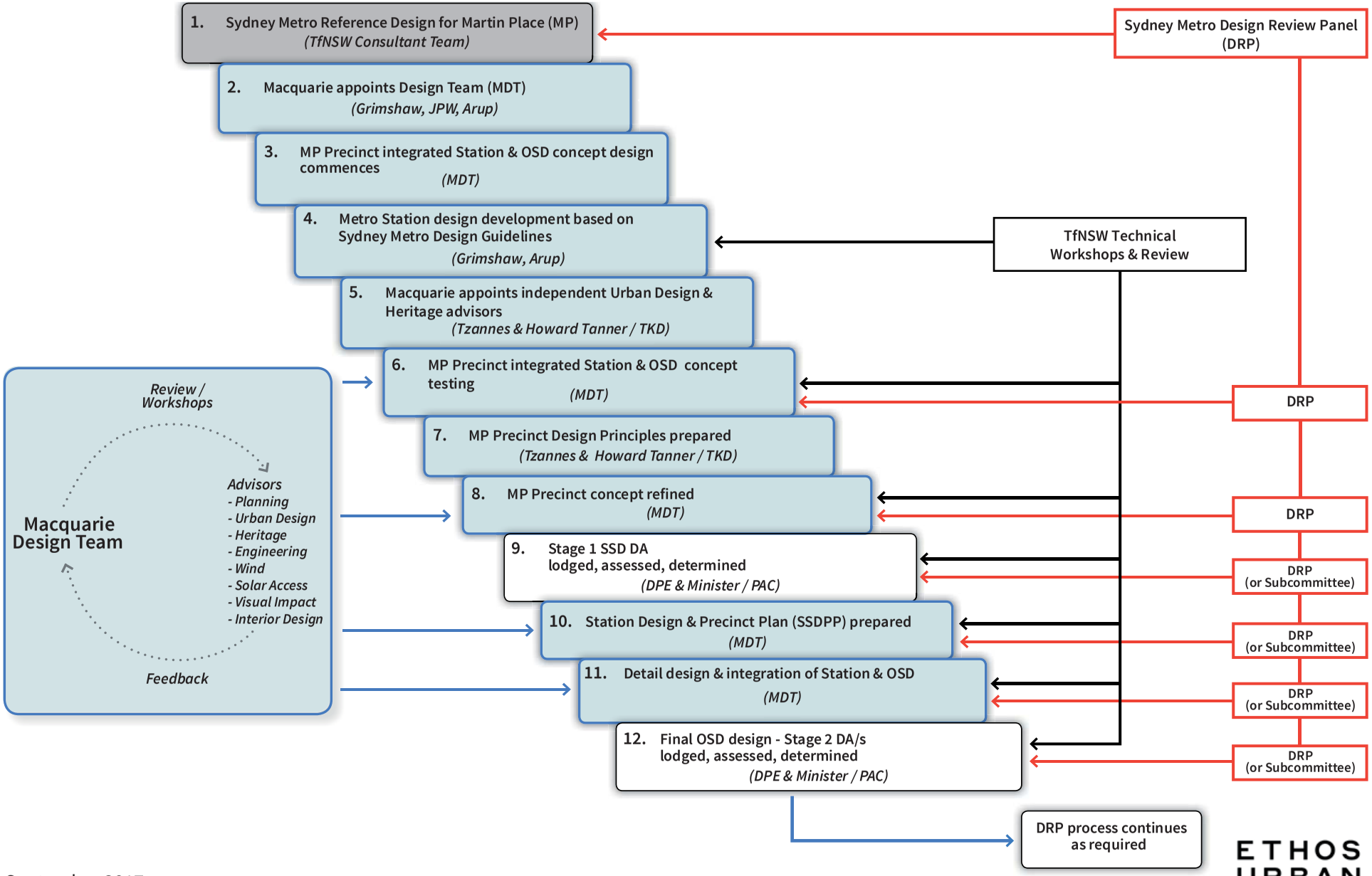
- To create great design outcomes.
- To support and foster the design / creative industries.
- To help develop emerging talent and start-up organisations.
- To leave an increased awareness and legacy of design for future generations.
- To strengthen the Precinct 'brand'.
- To encourage public engagement in design through participation in the selection process.

Further details of the proposed program are provided in **Attachment D**.

Attachment A. Martin Place Design Excellence Process Flowchart

Ethos Urban

MARTIN PLACE DESIGN EXCELLENCE PROCESS



September 2017

ETHOS URBAN

Attachment B. Over Station Development Design Principles

Tzannes, Tanner, and Sydney Metro

Tzannes

Sydney Metro
Martin Place Station Precinct
SSDA
Key Design Principles
(Over Station Development)

Prepared for
Macquarie Corporate Holdings Pty Limited
September 2017

Martin Place Precinct - Key Design Principles
(Over Station Development)

Movement

1. Enhance the relationship of George Street and Martin Place through to Macquarie Street as a unique pedestrian orientated experience.
2. Create a legible, easy to use integrated transport interchange including appropriate scaling of public domain for predicted pedestrian movements.
3. Maximise connectivity to the street grid for station egress at corners (Fig.1).
4. Provide pedestrian through site links between Elizabeth and Castlereagh Streets on both sites (Fig.2).

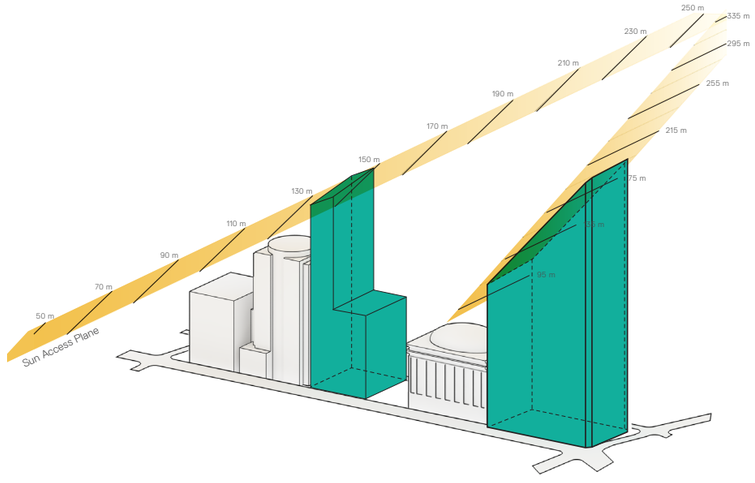


Fig. 3 _ Envelopes conform to Sun Access Planes
(Sydney Local Environmental Plan 2012)

Public Domain

1. Conform to the Sydney Local Environmental Plan 2012 Sun Access Plane for Hyde Park and Martin Place (Fig. 3).
2. Improve ground plane amenity on Martin Place, Elizabeth, Castlereagh and Hunter Streets.
   - Wind impacts to meet relevant public domain standards appropriate for use and proposed activity.
   - Investigate the potential to improve daylight levels to Martin Place.
3. Public Domain Activation
   - Active frontages are to be maximised and to be located as a minimum in the locations noted in the Sydney Development Control Plan 2012 part 3.2.3 (Fig.4).
4. Subterranean connection to be a desirable public destination (Fig.5).

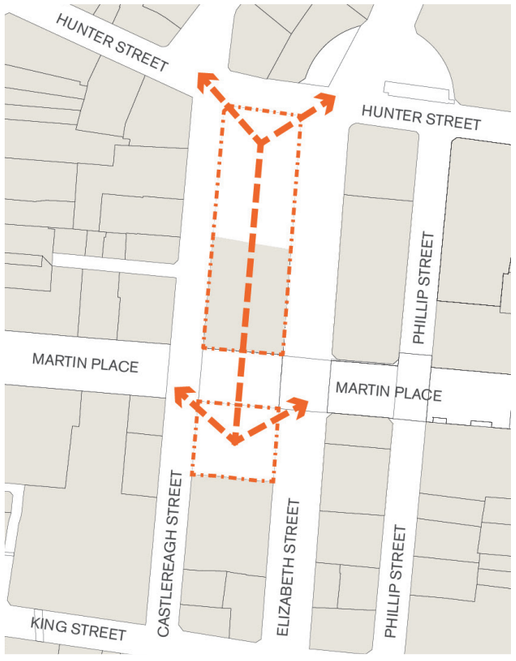


Fig. 1 _ Station egress at street corners

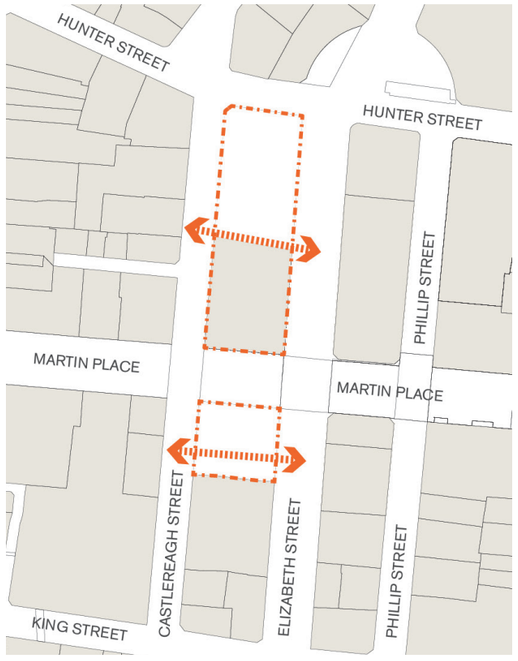


Fig. 2 _ Through site links

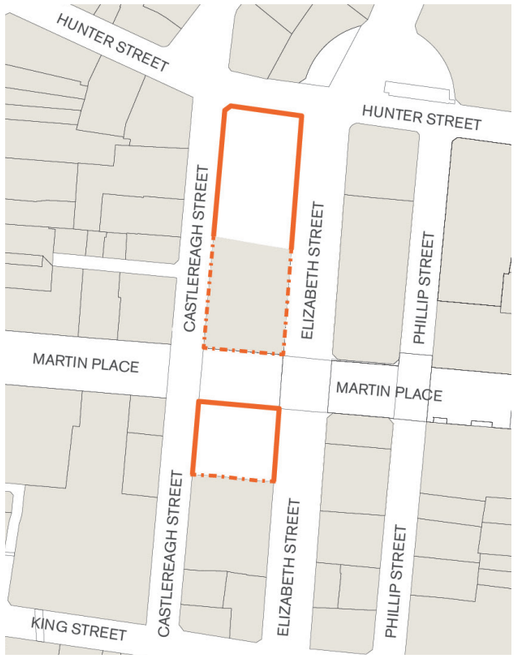


Fig. 4 _ Active frontages

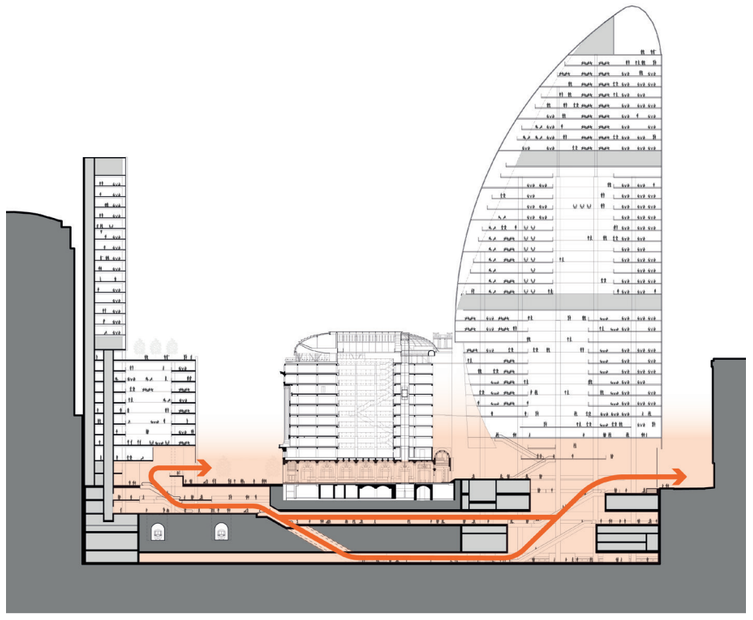


Fig. 5 _ Subterranean connection

Martin Place Precinct - Key Design Principles
(Over Station Development)

Built Form

1. Reinforce the streetwall and the distinctive attributes of this block on Martin Place (Fig.6).
2. Enhance built form relationships on Hunter Street (Fig.7).
   - The setback of the built form on Hunter Street is to generally align with the predominant setback of adjoining conditions to the east.
3. Maintain and enhance the streetwall character of Elizabeth and Castlereagh Streets (Fig.8 and 9).
   - Recognise the aligned height between 50 Martin Place and the former Qantas House (68-96 Hunter Street) on Chifley Square.

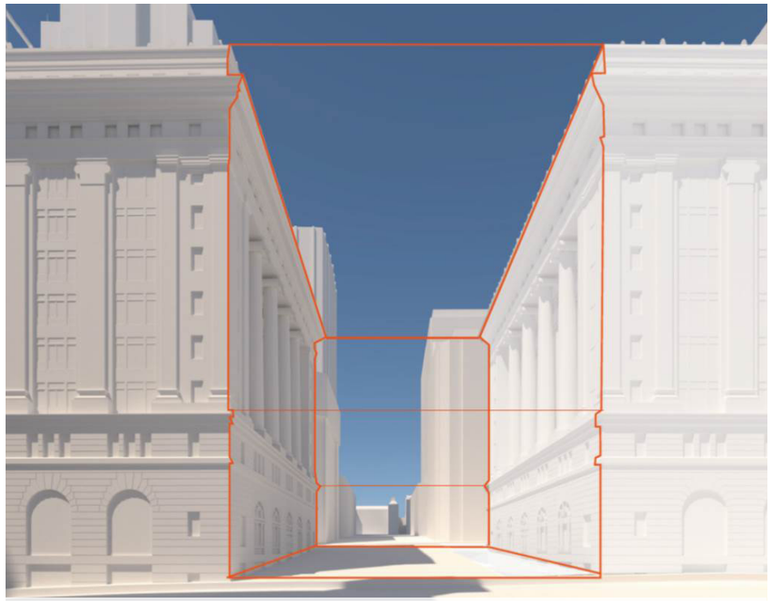


Fig 6 _ South Site direct response to 50 Martin Place

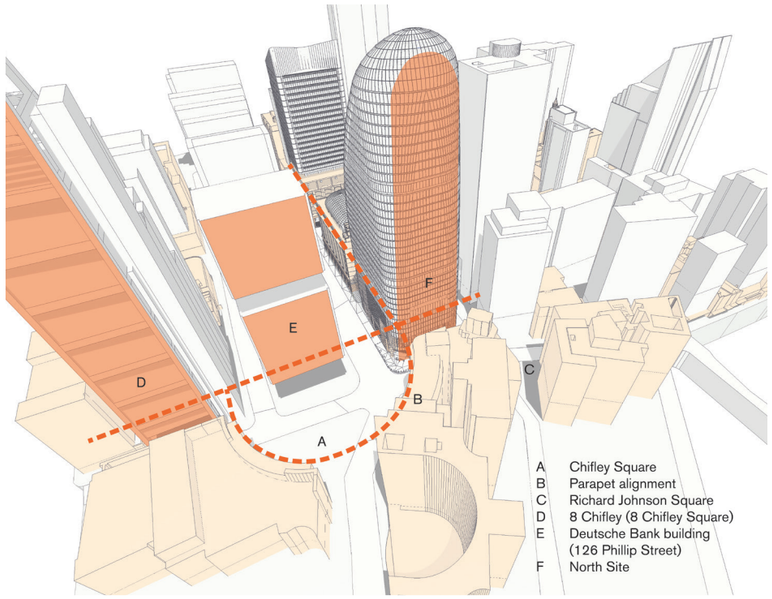


Fig 7 _ North Site Hunter Street built form relationships

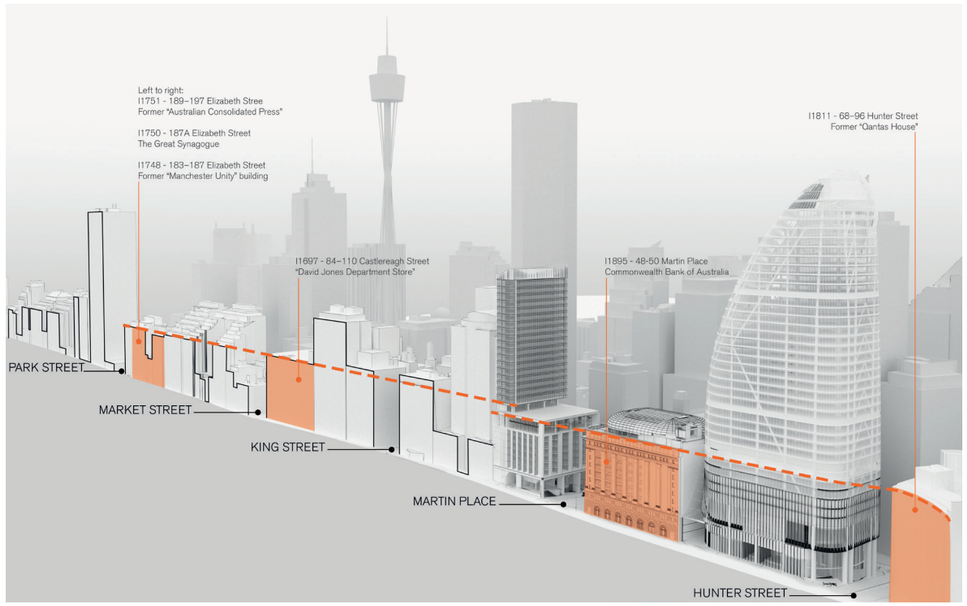


Fig 8 _ Elizabeth Street streetwall (heritage items)

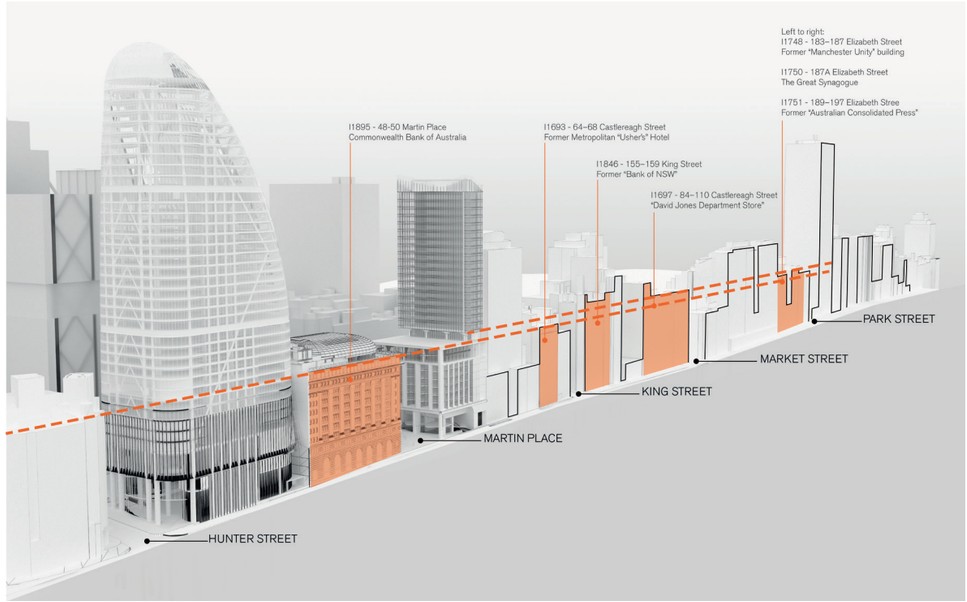


Fig 9 _ Castlereagh Street streetwall (heritage items)

Martin Place Precinct - Key Design Principles
(Over Station Development)

Built Form Continued

4. Establish defining thresholds to the Martin Place Station Precinct (Fig.10).
   - The tower form of the North and South Sites to have a zero setback to Elizabeth and Castlereagh Streets to establish a distinctive character at threshold locations.
5. Maximise development potential and density (Fig.11).
   - Gross Floor Area should be maximised within the proposed Stage 1 State Significant Development Development Application envelopes, allowing for appropriate built form and façade articulation.

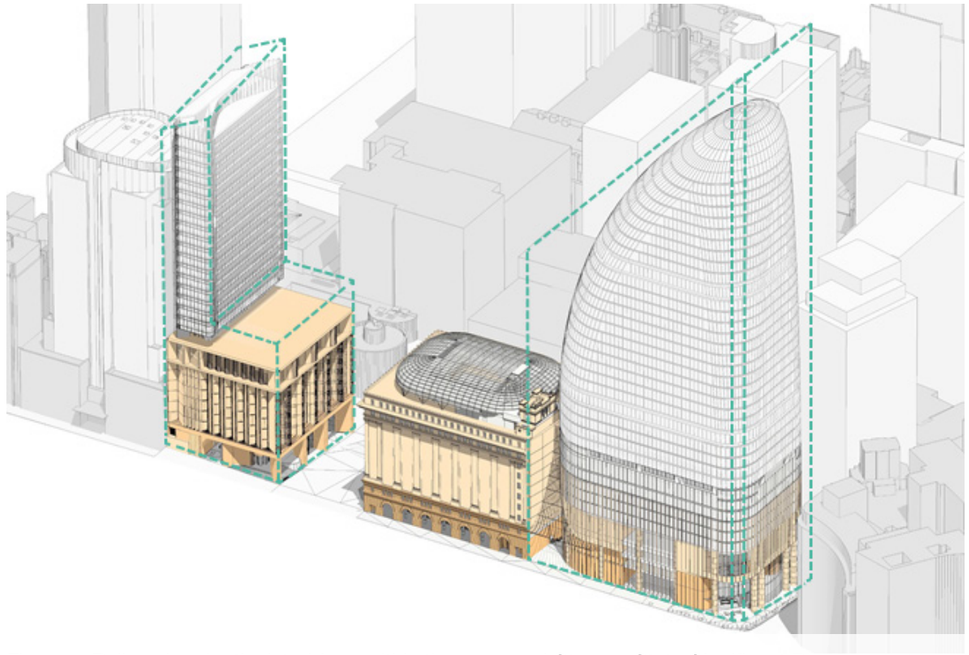


Fig 11 _ Relieved and articulated form within the proposed Stage 1 State Significant Development Development Application envelopes

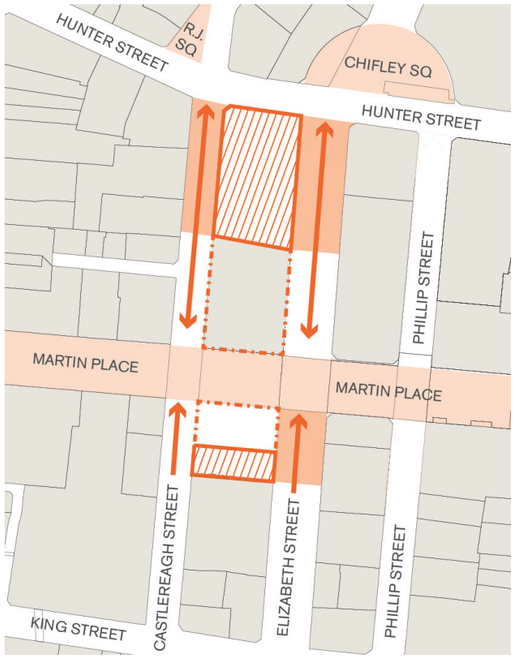


Fig 10 _ Defining thresholds

6. Podium Streetwalls
   - The buildings are to have zero setbacks for their podiums to match the predominant street alignment (Fig.12).
   - Proposed streetwall heights are to relate to the heritage building at 50 Martin Place and former Qantas House (68-96 Hunter Street).
   - The podium/tower relationships are to be clearly differentiated through means such as facade articulation, colours and materials. On the South Site this differentiation is to be further reinforced by a pronounced recess between the tower and the podium, and setback from the Martin Place alignment.
   - The proposed design of the northern tower is to respond to the 'reverse podium' alignment of 8 Chifley (8 Chifley Square) and the Deutsche Bank building (126 Phillip Street).

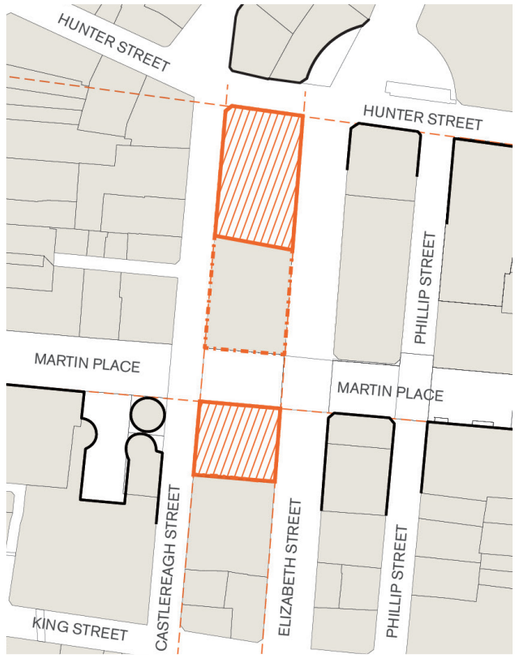


Fig 12 _ Podium streetwall alignments

Martin Place Precinct - Key Design Principles
(Over Station Development)

Built Form Continued

7. Tower Setbacks

- Zero setback to Hunter Street for the North Site to align with the towers adjacent to the east along Hunter Street (Fig.7).
- Zero setback to Castlereagh and Elizabeth Streets to enhance urban significance of Martin Place and Chifley Square (Fig.10).
- The South Site tower to be setback from Martin Place and visually separated from the podium.

8. Streetwall Articulation (Fig.13)

- For the South Site, building façades, particularly addressing Martin Place, are to respond to the articulation, principal datum lines, solid to void ratio and materiality of 50 Martin Place.
- The façades on the North Site are to respond to the articulation, principal streetwall height or other key datum lines of 50 Martin Place and the former Qantas House, and the 'reverse podium' alignment of 8 Chifley (8 Chifley Square) and the Deutsche Bank building (126 Phillip Street).
- The architectural form and expression of the building on the North Site should allow 50 Martin Place to be understood as a distinct and independent architectural element.
- The building on the North Site should allow the historic north-east and north-west lift overrun towers of 50 Martin Place to be understood visually as distinct forms.

9. Materiality

- The materiality of the podium of the South Site building is to respond to the materiality of 50 Martin Place.
- The materiality of the South Site tower is to respond to its context in the city skyline, to support its articulation from the building's podium and to form a cohesive, distinctive precinct with the North Site tower.

Fig 13 _ Streetwall articulation

Tzannes

Prepared by	Tzannes Pty Ltd.
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Attachment C. Sydney Metro DRP Subcommittee Details

Ethos Urban

Attachment C: Sydney Metro DRP Subcommittee Details

If a new design review panel is to be passed the responsibility for the OSD component then this would necessitate a delegation by the Sydney Metro DRP of its functions. This is best done to a Precinct-specific subcommittee of the Sydney Metro DRP, hereafter referred to as the DRP Subcommittee. The DRP Subcommittee would need to work closely with and report to the Sydney Metro DRP. This is essential for consistency of advice, efficiency of process and so as not to adversely impact on the Sydney Metro Station delivery, or satisfaction of its consent conditions.

To ensure sufficient communication and consistency of advice between the Sydney Metro DRP (and what it is advising on other stations) and the new DRP Subcommittee it is essential that there are common panel members, including the Government Architect as the common Chair of both panels. It is also essential that the DRP Subcommittee provide feedback to the Sydney Metro DRP.

Membership

If a Sydney Metro DRP Subcommittee is to be established, then its membership should be based on the model used for the Sydney Metro. Accordingly, it is recommended that a DRP Subcommittee:

- be chaired by the NSW Government Architect, due to his role as Chair of the Sydney Metro DRP (for co-ordination reasons).
- comprise three members in addition to the Chair who are experts in one or more of the fields of architecture, urban design, heritage, and station design, of which
  - two should be sitting members of the Sydney Metro DRP (in addition to the Government Architect), with expertise in commercial office development. One of these members is to be the Deputy Chair; and
  - one independent design expert (agreed to by the OGA, TfNSW, and Macquarie)

The Chair, with the concurrence of TfNSW and Macquarie, may approve changes to the DRP Subcommittee membership, including extensions to appointments and alternate members. A panel member wishing to resign from the DRP Subcommittee must do so in writing.

Consistent with the terms of Condition E100 of the CSSI consent technical advisors, for example from the NSW Office of Environment and Heritage, and an advisor from the City of Sydney Council may also be invited to attend DRP Subcommittee meetings as required.

Secretariat

It is proposed that in the case of a DRP Subcommittee, it be supported by secretariat services provided by Ethos Urban (formerly JBA). Those services will include:

- Arranging the DRP Subcommittee meeting dates.
- Confirming the agenda with the Chair and distributing it to members, and coordinating presenters.
- Circulating meeting agendas, minutes, action lists, relevant papers.
- Booking meeting rooms and facilities, providing refreshments etc

Attachment D. Competitive Design Opportunities Program

Macquarie

Attachment D: Competitive Design Opportunities Program

1.0 End of Trip Facilities and 'Street Furniture and Fittings'

A state of the art End of Trip Facility including bike racks, lockers, change areas and showers. This will be a facility that services the whole Precinct including the tenants of the North and South Tower, the retail customers and the Metro Customers. This mix of users makes the proposed facility a unique opportunity, and will be important initiative in achieving a high Green Star rating for the project.

Other opportunities arise for furnishing the public spaces, such as seating, tables, kiosks, umbrellas, light fittings, railings etc. These may be internal public spaces (unpaid concourse) or external (street) public spaces.

Opportunities for a competitive design process:

- Interior Design / Architecture – design of the End of Trip Facility – approximately 2,500m² plus in area.
- Industrial Design – design a bike rack, multiple bike racks.
- Industrial Design – public space / street furniture and fittings.

2.0 Art/ Landscape / Lighting Design

A public art experience that Macquarie helps to curate potentially built around the Macquarie collections theme of 'The Australian landscape and its psyche'. There is also potential alignment with the State and City Council to focus on emerging talent.

The proposed development offers a unique opportunity to create a vertical urban landscape enriched by art, story-telling and physical landscapes. Macquarie is already committed to including planting and landscapes as a key component of a broader sustainability aspiration for the Precinct.

Opportunities for competitive design process:

- A collaboration with the indigenous community to acknowledge country and heritage (this may work in the areas described below).
- Commissioned art works for key areas in the Precinct:
  - Sculpture in the South Station Hall.
  - Relief sculpture or applied artwork in the atrium of the North Station Hall.
  - Reinstatement of the Tom Bass sculpture (collaboration with the family of the artist).
  - Relief sculpture or applied artwork at the entrance to the South Station Hall (through-site link).
  - Sculpture in the commercial lobby to the North Tower.
- Landscape design for key landscape areas in the Precinct. Macquarie is currently working with Sue Barnsley to create an overall masterplan for the site. We have the opportunity to invite emerging landscape design firms to look at specific areas. This could include:

  - The atrium in the North Station Hall.
  - The ground levels of the North Tower.
  - The podium level terraces in both the North and South Towers.
  - Working with the indigenous community – edible garden that could be used for educational purposes.
- Lighting design and digital / illuminated art, interactive digital art, including for internal public spaces and potential for external (façade) illumination.

The organisers of the Macquarie's Art Collection are keen to replace 'Space', the existing exhibition space in the ground floor of 9-19 Elizabeth Street. This provides scope for an excellent new venue for art competitions (for example, the. Emerging Art Prize), and for regular exhibitions.

3.0 Education Design / Exhibition Design

Explore the opportunity to create an educational program that leverages the assets of the Precinct and wider cultural institutions, such as the State Library, AGNSW, Australian Museum. The program could be linked to indigenous culture, early Sydney history, architecture and engineering, sustainability, financial literacy etc.

Macquarie currently has a "Macquarie Exhibition" in the ground floor of 50 Martin Place. This has been curated in collaboration with the National Museum of Australia in Canberra. Macquarie also collaborates with the State Library.

Opportunities for a competitive design process

- Exhibition design – redesign / reposition the current Macquarie Exhibition to make full use of the Martin Place Precinct and cultural institutions.
- A competition to design and develop a digital/virtual overlay for the Precinct to encourage people to take virtual tours of the city. Physical features within the Precinct could become an introduction and departure point for the various tours. Examples:
  - An indigenous artwork as a starting point for a tour of significant indigenous sites in the CBD.
  - The Tom Bass sculpture as a starting point for a tour of Sydney CBD's most popular public art installations.
  - The Macquarie Exhibition as a starting point for a tour of Sydney at the time of Lachlan Macquarie's tenure as Governor.

The virtual tours could encourage people to make the most of the Precinct's location and amenity, developing the Precinct's reputation as an excellent departure point for walking / cycling and connections to the public transport infrastructure. The objectives of the competition could be:

- To build the Precinct's reputation as a visitor / tourist / educational destination.
- Encourage use of public transport and amenities.
- Help inject life into the city, particularly on weekends.
- Increase knowledge of Sydney's heritage and origins.

4.0 Workplace Design for Co-work Hub

A co-working space in the base of the North Tower (potentially an expanded Level 2) to accommodate social enterprise. Macquarie currently hosts and supports an area called 'The Bulb' in 9-19 Elizabeth Street. The Bulb offers space to start-up organisations that operate in the NGO / Social Enterprise sector. Tenants are charged for the space on a 'break even' basis. The workspace is managed by the Macquarie Foundation, Australia's largest corporate foundation.

Opportunities for a competitive design process:

- Workplace design – an innovative co-working space for social enterprise start-ups / social entrepreneurs.

5.0 Managing the Competitive Design Opportunities Program

The Competitive Design Opportunities Program looks to recognise many fields of art and design and its success will be recognised through the number of ideas that end in commercial 'winning designs' and new products or companies created.

Key elements of the program are likely to include:

- Finalisation of the "Design Elements" to be the subject of competitive processes (in association with the DRP if appropriate).
- Open Program to allow broad participation through RFP / EOI processes.
- Governance and administrative support by Macquarie, with oversight by the DRP Subcommittee or nominated delegate.
- Shortlists selected by expert 'jury' or juries.
- Shortlisted participants will be offered a range of support programmes from financial support, mentoring, prototyping through to office space and marketing support, as necessary.
- Open public engagement on shortlisted 'finalists' through interactive and social media.
- Jury to recommend the winning design based on agreed criteria and public feedback.
- Support to develop and launch the winning product or artwork.
- Developed product included in the final Precinct development.

Support

Many start-up companies fail due to lack of support across many fields. There is a number of distinct ways in which this Competitive Design Opportunities Program can support and develop up-and-coming design teams.

Included in **Table 1** below are suggested ways in which Macquarie and its network can support the creation and curation of great design outcomes.

Table 1 – Competitive Design Opportunities

TECHNICAL	**Analysis** ▪ Business case writing ▪ Financial analysis ▪ Sensitivity analysis	**Risk Management** ▪ Risk practices and mitigations ▪ Risk offloading	**Marketing** ▪ How to promote the product ▪ How to package and sell the product
	Program Management ▪ Project management disciplines and protocols ▪ Time management ▪ Expectation management	**Proposal Writing** ▪ Support in writing business cases	
OPERATIONS	**Introduction to MGL Network** ▪ Networking and relationships ▪ Contacts with the broader business community	**Design Thinking** ▪ Introduction to Stanford University D-thinking ▪ Empathy and human centred design	**Leadership Training** ▪ Development of individuals
	Mentoring Program ▪ Align business professionals to support the participants ▪ Access to business coaches		
FINANCIAL	**Equity** ▪ Funds investment and part ownership by MGL	**Seed Funding** ▪ Funds invested to start and support the project ▪ Small support funding	**Incubator Space** ▪ Studio production site ▪ Access to others ▪ Innovation generator
ADMINISTRATIVE	**Technology Support** ▪ PCs ▪ Printing ▪ Wi-Fi ▪ 3D printers	**Administrative Support** ▪ General administration support ▪ Print support ▪ Meeting rooms	**Office Space** ▪ Places to work ▪ Presentation space ▪ Meeting rooms

Governance

- The Competitive Design Opportunities Program would have a fully committed resource, paid for by Macquarie and tasked with administering the program and managing the budget.
- Oversight will be provided by a Steering Committee chaired by Macquarie, but comprising industry experts and could include a representative from the DRP or its delegate.
- For each of the elements to be the subject of a competitive design process the Steering Committee will ratify a competition brief, including assessment criteria, and establish a jury to select the shortlist of 'finalists'.

The jury will include a member of the Steering Committee.

Appendix B. Clause 6.21 Design Excellence, Sydney LEP 2012

NSW Legislation Website

Sydney Local Environmental Plan 2012

6.21 Design excellence

(1) The objective of this clause is to deliver the highest standard of architectural, urban and landscape design.

(2) This clause applies to development involving the erection of a new building or external alterations to an existing building on land to which this Plan applies.

(3) Development consent must not be granted to development to which this clause applies unless, in the opinion of the consent authority, the proposed development exhibits design excellence.

(4) In considering whether development to which this clause applies exhibits design excellence, the consent authority must have regard 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,

(x) the impact on, and any proposed improvements to, the public domain,

(xi) the impact on any special character area,

(xii) achieving appropriate interfaces at ground level between the building and the public domain,

(xiii) excellence and integration of landscape design.

(5) Development consent must not be granted to the following development to which this clause applies unless a competitive design process has been held in relation to the proposed development:

(a) development in respect of a building that has, or will have, a height above ground level (existing) greater than:

(i) 55 metres on land in Central Sydney, or

(ii) 25 metres on any other land,

(b) development having a capital investment value of more than $100,000,000,

(c) development in respect of which a development control plan is required to be prepared under clause 7.20,

(d) development for which the applicant has chosen such a process.

(6) A competitive design process is not required under subclause (5) if the consent authority is satisfied that such a process would be unreasonable or unnecessary in the circumstances or that the development:

(a) involves only alterations or additions to an existing building, and

(b) does not significantly increase the height or gross floor area of the building, and

(c) does not have significant adverse impacts on adjoining buildings and the public domain, and

(d) does not significantly alter any aspect of the building when viewed from public places.

(7) A building demonstrating design excellence:

(a) may have a building height that exceeds the maximum height shown for the land on the Height of Buildings Map by an amount, to be determined by the consent authority, of up to 10% of the amount shown on the map, or

(b) is eligible for an amount of additional floor space, to be determined by the consent authority, of up to 10% of:

(i) the amount permitted as a result of the floor space ratio shown for the land on the Floor Space Ratio Map, and

(ii) any accommodation floor space or community infrastructure floor space for which the building is eligible under Division 1 or 2.

(8) Nothing in this clause permits a consent authority to grant development consent to the following development:

(a) development that would result in any building on land projecting higher than any sun access plane that is taken to extend over that land by operation of Division 3, or

(b) development that results in any building causing additional overshadowing of a kind specified in Division 3, or

(c) development that results in any building on land in Area 1 or Area 2 on the Height of Buildings Map having a height greater than the height of the building that was on the land at the commencement of this Plan.

(9) In this clause:

building demonstrating design excellence means a building where the design of the building (or the design of an external alteration to the building) is the winner of a competitive design process and the consent authority is satisfied that the building or alteration exhibits design excellence.

capital investment value has the same meaning as in the *Environmental Planning and Assessment Regulation 2000*.

competitive design process means an architectural design competition, or the preparation of design alternatives on a competitive basis, carried out in accordance with the City of Sydney Competitive Design Policy.