

Attachment A13

**Design Excellence Strategy – Prepared by
Proponent**

Design Excellence Strategy

*41 & 43-49 Mountain Street,
Ultimo*

Urbis staff responsible for this report were:

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Acknowledgment of Country

Urbis acknowledges the Traditional Custodians of the lands we operate on. We recognise that First Nations sovereignty was never ceded and respect First Nations peoples continuing connection to these lands, waterways and ecosystems for over 60,000 years. We pay our respects to First Nations Elders, past and present.

Urbis is committed to incorporating our respect for First Nations cultures, peoples and storytelling in our work across the Country. We are proud to have partnered with Darug Nation artist, **Hayley Pigram**, and to profile her artwork – **Sacred River Dreaming**.



The river is the symbol of the Dreaming and the journey of life. The circles and lines represent people meeting and connections across time and space. When we are working in different places, we can still be connected and work towards the same goal.

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Contents

1	Overview	5
1.1	Objectives of the Design Excellence Strategy	6

2	Design Excellence Strategy	7
2.1	The location and extent of the competitive design process	7
2.2	The type of competitive design process to be undertaken	7
2.3	Requirements for a competitive design process	8
2.4	Selection Panel	8
2.5	Proposed allocation of bonus floor space / building height	8

3	Target Benchmarks for Ecologically Sustainable Development	9
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4	Design Integrity	10
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	Disclaimer	11
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1 Overview

This Design Excellence Strategy (**Strategy**) has been prepared by Urbis Ltd (**Urbis**) on behalf of Evolution MIT Services Pty Ltd as trustee for Apt Hold Trust 2 (**the Proponent**) in support of a Planning Proposal and Development Control Plan amendments to introduce a new maximum building height and maximum floor space (FSR) controls for 41 & 43–49 Mountain Street, Ultimo.

The Strategy has been prepared in accordance with Clause 1.2 of the City of Sydney Competitive Design Policy December 2020 (adopted by Council on 14 December 2020) and section 3.3.2 of the Sydney Development Control Plan 2012, this Design Excellence Strategy defines:

- a) *The location and extent of each competitive design process;*
- b) *The type of competitive design process to be undertaken:*
 - i. *an architectural design competition, open or invited; or*
 - ii. *the preparation of design alternatives on a competitive basis.*
- c) *The number of designers involved in the process;*
- d) *How fine grain and contextually varied architectural design variety is to be achieved across large sites;*
- e) *Whether the competitive design process is pursuing additional floor space or height;*
- f) *Options for distributing any additional floor space area or building height which may be granted by the consent authority for demonstrating design excellence through a competitive design process;*
- g) *The target benchmarks for ecologically sustainable development.*

The proponent has elected to carry out an invited competitive design alternatives process as the competitive design process associated with the development with a minimum of three (3) invited competitors.

It is envisaged that the competitive process will begin as soon as practical after the endorsement of the Planning Proposal at the Central Sydney Planning Committee and the endorsement of the competition brief by the City of Sydney.

Note: *It is not expected that this Design Excellence Strategy represents an approval from the consent authority for a departure from the relevant SEPPs, Sydney Local Environmental Plan 2012 (Sydney LEP 2012) or Sydney Development Control Plan 2012 (Sydney DCP 2012) controls (as amended by the Planning Proposal for 41 & 43–49 Mountain Street). Where there is any inconsistency between this Strategy and the relevant SEPPs, LEP or DCP (as amended by the 41 & 43–49 Mountain Street), the relevant SEPPs, LEP or DCP (as amended) prevail.*

1.1 Objectives of the Design Excellence Strategy

The objectives of this strategy are to:

- Establish a methodology for the Proponent to implement the 'invited' competitive design alternatives process for the development of the site, prepared in accordance with the City of Sydney's Competitive Design Policy (2020).
- Enable the competitive process to operate within the framework of this Design Excellence Strategy.
- Confirm the number of architectural practices to participate in the invited competitive design process.
- Set out the approach for establishing a Competitive Design Process Brief that ensures:
 - The City of Sydney's design excellence requirements are balanced with the Proponent's objectives.
 - Achievement of design excellence and architectural diversity.
 - Procedural fairness for Competitors participating in the competitive processes.
- Set out the requirements for the proposed competitive design process for the site.
- Consider the approach for the assessment, decision making and dispute resolution within the competitive design process in accordance with the City of Sydney's Policy 2020.
- Ensure sustainability initiatives and ecologically sustainable development targets are defined and developed through the Competition, detailed design development and construction phases through to completion of the project.
- Provide that design integrity is continued in the subsequent detailed development, through to the construction phase and to the completion of the project.

2 Design Excellence Strategy

2.1 The location and extent of the competitive design process

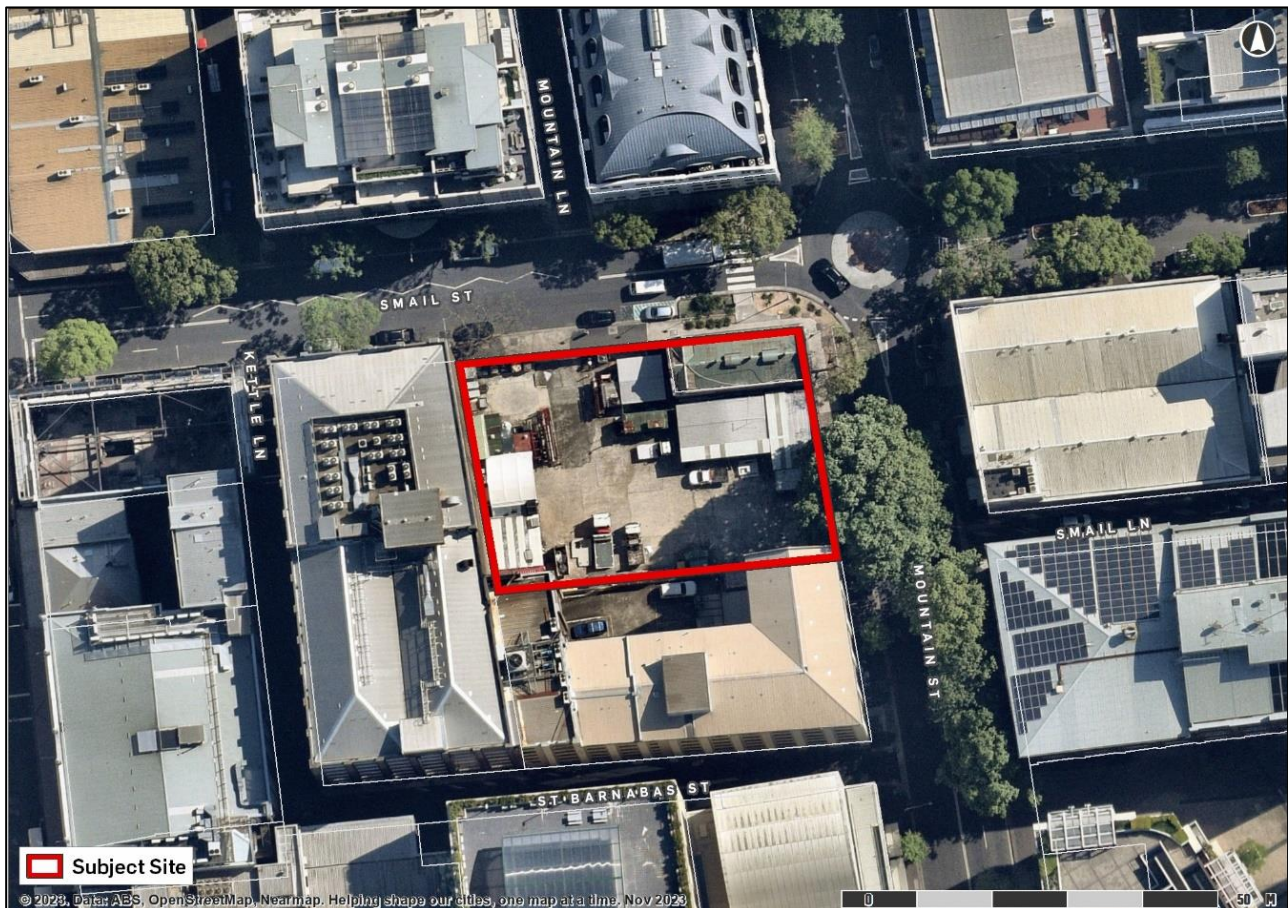
The site is located at 41 & 43–49 Mountain Street, Ultimo. It is legally described as Lot 1 in DP191928 and Lot 21 in DP5567 and has an area of approximately 1,441sqm.

The site is a rectangular shaped landholding. It has a 46.3m frontage to Smail Street to the north and a 31.7m frontage to Mountain Street east.

The site is predominantly vacant (with some existing sheds/demountable structures utilised by Ausgrid services) and with a single storey State and local heritage listed substation at the corner of Mountain Street and Smail Street. The renewal of the site seeks to adaptively re-use the heritage substation.

The competitive design process will apply to the entire site area, as outlined in 'red' in **Figure 1**.

Figure 1 Location and extent of the competitive process (aerial photograph of the site)



Source: Urbis

2.2 The type of competitive design process to be undertaken

In accordance with Section 1.2(2) of the City of Sydney *Competitive Design Policy December 2020*, the Proponent will undertake the following design excellence strategy for the redevelopment of the site:

- Undertake an 'invited' Competitive Design Alternatives Process for the site that will inform the future detailed Development Application (DA).

- Appoint a minimum three (3) competitors to participate.
- Each competitor in a competitive process must be a person, corporation or firm registered as an architect in accordance with the NSW Architects Act 2003 or, in the case of interstate or overseas competitors, eligible for registration with their equivalent association.
- Include a majority of competitors as local architectural firms.

2.3 Requirements for a competitive design process

In preparing the Competition Brief the Proponent, as per Section 2.3 of the Policy, will ensure that:

- All details about the conduct of the competitive process are contained within the Competition Brief and no other document.
- The Brief and appended documents have been reviewed and endorsed by the City prior to commencement of any associated competitive process and its distribution to Competitors; and
- The Brief is to be generally in accordance with City of Sydney's Model Competitive Design Process Brief and the Policy.

2.4 Selection Panel

In establishing a Selection Panel (Panel) for the competitive design alternatives process, the Proponent confirms the following:

- The Panel is to comprise a total of four (4) members.
 - Two (2) members nominated by the Proponent.
 - Two (2) members nominated by the City of Sydney Council.
- Selection Panel members are to:
 - Represent the public interest.
 - Be appropriate to the type of development proposed.
 - Include only persons who have expertise and experience in the design and construction professions
 - and industry; and
 - Include a majority of registered architects with urban design experience.
- The Chairperson of the Selection Panel will have expertise in architecture and urban design and be a recognised advocate of design excellence.
- The City of Sydney will nominate an impartial observer(s) to verify that the Competition design process has been followed appropriately and fairly.
- The Panel decision will be via a majority vote, should a majority vote not be achieved, the Panel Chair will make the casting vote. The decision of the Panel will not fetter the discretion of the Consent Authority in its determination of any subsequent state significant development applications associated with the development site that is the subject of the competitive process.

2.5 Proposed allocation of bonus floor space / building height

The development is not permitted to an additional 10% of floor space or building under SLEP 2012 as a result of undertaking a competitive design process in accordance with the proposed site-specific provisions under the Planning Proposal.

The Planning Proposal and Draft DCP amendments support a building envelope that can accommodate the maximum site specific permissible FSR and building height.

3 Target Benchmarks for Ecologically Sustainable Development

The Brief is to include the ecologically sustainable development (ESD) targets and design measures for the development as nominated in the supporting ESD Report.

ESD targets and sustainability initiatives will be carried through the design competition, design development and construction stages to completion of the project to deliver the ESD targets.

4 Design Integrity

The architect of the winning scheme, as selected by the Selection Panel, will be appointed by the Proponent as Design Architect.

To ensure design continuity and excellence of the winning scheme is maintained throughout the development process, as a minimum the Design Architect is to:

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

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

Disclaimer

This report is dated 23 September 2025 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Evolution MIT Services Pty Ltd as trustee for Apt Hold Trust 2 (**Instructing Party**) for the purpose of Design Excellence Strategy (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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and communities
for a better future.**