

Transport Oriented Development: Design Competition Exemption Pathway Advisory Note

This advisory note gives information about the design competition exemption pathway where an LEP requires a design competition in a Transport Orientated Development (TOD) accelerated precinct.

Background

The TOD Program, announced in December 2023 as part of the broader NSW housing response, will deliver a large volume of new dwellings in areas that leverage existing transit infrastructure investment, reflecting the NSW Government’s commitment to supporting growth around transport hubs.

To support the TOD Program and streamline the delivery of dwellings in the Accelerated TOD Precincts, the Department has introduced a design competition exemption pathway.

This advisory note provides information to assist applicants, architects and local government on the process and criteria to obtain a design competition exemption in an Accelerated TOD Precinct.

Where are design competitions required?

Across the seven TOD accelerated precincts, 3 precincts have requirements to undertake a competitive design process if a development meets certain thresholds (e.g. key site, building height, number of storeys). The table below provides a summary of these requirements.

TOD Accelerated Precinct	Environmental Planning Instrument (EPI)	Design Competition Requirements
Bella Vista and Kellyville	<u>Clause 8.6 – Bella Vista and Kellyville Station Precincts – The Hills Local Environmental Plan 2019</u>	A competitive design process is required for a building that is, or will be, higher than 66 metres or 20 storeys (or both)
Macquarie Park	<u>Clause 6.13 – Ryde Local Environmental Plan 2014</u>	A competitive design process is required for a building that is identified on the Design Excellence Map and is, or will be, higher than 45 metres or 13 storeys (or

		both), or has an estimated development cost of more than \$5,000,000
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What is the design competition exemption pathway?

The design competition exemption pathway is an alternative design excellence pathway. It will ensure design excellence is achieved by requiring applicants to engage award-winning architect(s) and promote architectural diversity, both in experience and approach, for development sites that include multiple buildings.

To obtain a design competition exemption in an accelerated TOD precinct, applicants will need to meet the criteria in the table below.

Criteria to obtain a design competition exemption
<ol style="list-style-type: none"> 1. Each nominated Architect must be a person, corporation or firm registered as an Architect in accordance with the Architects Act 2003 (NSW) or, in the case of interstate Architects, eligible for registration with their equivalent association. 2. Each nominated Architect must have demonstrated experience in delivering design excellence by being the recipient of a Royal Australian Institute of Architects award or commendation in Multiple Housing or Public Projects categories within 10 years from the date of application for the competition exemption. 3. To ensure architectural diversity across development sites that include multiple buildings, no more than 2 buildings are to be designed by each nominated Architect.

How to request a design competition exemption

1. Applicants are required to submit a written request for a design competition exemption to Government Architect NSW (GANSW) demonstrating how they meet the criteria. The request should be addressed to Abbie Galvin, NSW Government Architect at government.architect@planning.nsw.gov.au.
2. Where the request satisfies all criteria, GANSW (on behalf of the Planning Secretary) will confirm in writing that a competitive design process is not required. The confirmation should be included when requesting SEARs, submitting a DA or EIS or undertaking any other planning process.
3. Where a design competition exemption is approved, projects will be required to undertake design review through the State Design Review Panel (SDRP) pre-lodgement, with a maximum of

2 review sessions required, or through council's local design review panel if council is the consent authority.

Find out more

For further information on the design competition exemption pathway for TOD accelerated precincts, see our frequently asked questions on the [Department's website](#) or contact the GANSW team via email: government.architect@planning.nsw.gov.au
