
Blackwattle Bay: Shaping Sydney's waterfront future



Call for Expressions of Interest
Development partner opportunity

Closing date 19 August 2024



ACKNOWLEDGEMENT OF COUNTRY

In revitalising Blackwattle Bay, we pay our respects to the Traditional Custodians of its land and waters: the Wangal and the Gadigal. Their collective story is interwoven with the landscapes and waters of Sydney Harbour where Blackwattle Bay is located. These stories and connections have influenced and will continue to influence our approach to urban renewal in and around the area.

Markings of Country

Artwork by Dennis Golding



Dennis Golding is a Kamilaroi/Gamilaraay artist from the northwest of NSW. Born and raised on Gadigal land in Redfern, Sydney, through his mother Dennis also has ancestral ties to Biripi country situated along the mid-north coast of NSW.

Dennis' artwork, Markings of Country, is used throughout communication materials relating to Blackwattle Bay and its future. Drawn from topographical and natural patterns from the landscapes and waters of Sydney Cove, it references coastal sandstone, waterholes and streams. Pathway lines created from the past lead into the future, while rock-like clusters represent the people and clans of this Country.

Left Dennis Golding
Right Markings of country by Dennis Golding



Open for opportunity



Open for all

As Minister for Lands and Property, it is my privilege to open invitations to partner with Infrastructure NSW on the redevelopment of the existing Sydney Fish Market development site. Representing a generational opportunity to define the city's waterfront future, the site will reopen the foreshore for the people and communities of Sydney.

Totalling 3.6ha, the mixed-use development site will provide much-needed housing supply, while unlocking the economic and social potential of the area. In addition to creating thousands of jobs, all the ingredients for a 24-hour economy will be present, while waterside parks and promenades connect to the new Sydney Fish Market, Barangaroo, the Opera House and beyond.

Open for all, the precinct will be progressively designed with decarbonisation, multi-modality and Connection to Country front of mind. Public benefits have already been committed to ensure the delivery of the open spaces, community facilities and cycleways, comprising more than half of the wider Blackwattle Bay precinct.

We welcome expressions of interest from forward-thinking developers that share our commitment to collaboration and co-leadership, and have the expertise, capability and scale to deliver this vital component of the wider Blackwattle Bay precinct.



A stylized black ink signature of The Hon. Stephen Kamper, written in a cursive script.

The Hon. Stephen Kamper,
Minister for Lands and Property



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The
Opportunity

1.0

1.1 Overview

Blackwattle Bay is a once-in-a-generation urban renewal project that will redefine Sydney's waterfront future in a vision that brings together community, culture and Country.

Reopening a hidden part of Sydney Harbour to the city for the first time in over 100 years, Blackwattle Bay will anchor the experience of Sydney's Western Harbour and deliver significant economic benefits to the people of NSW.

With the iconic development of the new Sydney Fish Market already underway, the NSW Government is seeking an experienced development partner to transform the existing Sydney Fish Market site into a world-class waterfront destination as part of the broader Blackwattle Bay Precinct.

To deliver upon this vision, Infrastructure NSW is seeking a development partner to collaboratively partner with. This Information Memorandum provides an overview of the project and the procurement process to select such a developer.

EOI closing date

Interested parties who would like to participate in this EOI process are invited to submit a response in the form set out in the returnable schedules by no later than **12pm AEST on 19 August 2024**.



The precinct

The 10.4ha precinct has been rezoned to enable its transformation into a connected, vibrant and diverse mixed-use community. Multimodal and sustainable, the precinct will provide the public with over 3.4ha of open space, including waterside parks like Bank Street Park. A generous 1.1km continuous promenade will also be delivered, forming the final link in a 15km harbourfront walkway.



The development site

Current zoning entitlements
136,423sqm of gross floor area is permissible. This is comprised of a minimum non-residential component of 62,727sqm and up to 73,696sqm of residential floor space.

Proposed amendment to planning controls

Infrastructure NSW is progressing an amendment to the planning controls to create further flexibility in land use mix. The proposed changes are to remove the minimum non-residential floor space control that applies to the site.

1.2 Development Site

The 3.6ha Development Site is currently occupied by the existing Sydney Fish Market. The Development Site sits within the Blackwattle Bay Precinct on the western edge of the Pyrmont Peninsula, near Rozelle Bay, Jones Bay and White Bay.

The Development Site is bounded to the east by Bank Street, to the south by Pyrmont Bridge Road, to the west by Blackwattle Bay and to the north by privately owned land. The Western Distributor is located east of the site, providing access to the Anzac Bridge to the north.

The Development Site is located in the City of Sydney local government area. It will be serviced by the new Pyrmont Metro Station and a potential new ferry stop, in addition to two existing light rail stations (Fish Market and Wentworth Park).

The Development Site is surrounded by several iconic Sydney attractions, presenting an ideal opportunity to create a vibrant local community and a new world-class destination for visitors.



1.3 Blackwattle Bay Precinct Overview

Blackwattle Bay State Significant Precinct

The Blackwattle Bay State Significant Precinct rezoning was finalised in December 2022. The planning controls for the precinct enable:

- Transformation of the waterfront industrial and commercial precinct into a vibrant mixed-use precinct with:
 - around 97,500sqm of residential gross floor area (GFA) allowing for approximately 1,200 apartments with a population of around 2,400 residents.

– approximately 100,000sqm of commercial and retail GFA allowing for approximately 5,600 new jobs.

- New buildings ranging from 6 storeys to 35 storeys in height.
- Nearly 3.4ha of new interconnected parks and public space, including a 30m wide foreshore promenade linking Glebe Island Bridge and the new Sydney Fish Market, and completing the harbour foreshore walk around the Pyrmont Peninsula.
- A sustainable precinct that requires development to meet high sustainability criteria and demonstrate design excellence.
- Contributions towards and provisions for infrastructure, including community and cultural uses and affordable housing.

Site

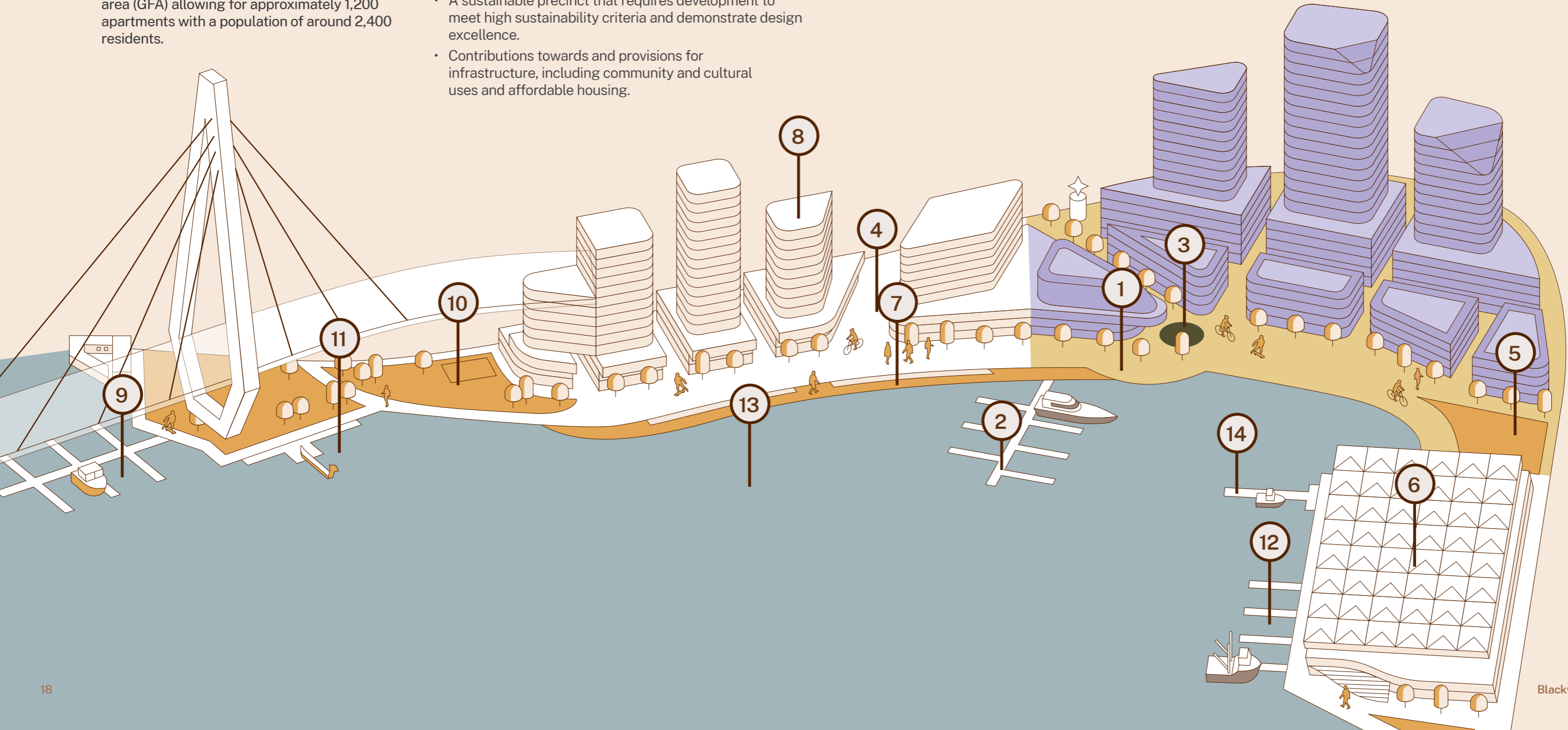


Development Site

- Promontory
- Corporate charter marina

Precinct highlights:

- Gathering circle
- Miller Street Reserve
- Sydney Fish Market Urban Park
- New Sydney Fish Market
- Overwater boardwalk
- Mixed-use (private owned)
- Day charter marina
- Bank Street Park
- Dragon boat storage and launch
- Fishing fleet wharf
- Potential future marina
- Potential ferry stop



1.4 Opportunity summary

DEVELOPMENT SITE

3.6ha

development site

136,423^{sqm}

of mixed use
gross floor area

250m

of 30m wide world-class
waterfront promenade

<500m

to Sydney Metro, ferry,
bus, cycle, light rail and
walking routes

5 star

Green Star community
and building rating target



PRECINCT HIGHLIGHTS

\$150m

of public infrastructure throughout the Blackwattle Bay
Precinct (approximately)

3.4^{ha}

public open space

>\$600m

economic benefit
for NSW

1.1km

waterfront promenade

6m+

visitors p.a. from New
Sydney Fish Market

1.5 Key information

ITEM	DESCRIPTION	SECTION
Purpose of Call for EOI	The purpose of this EOI process is to select a shortlist of potential development partners to proceed to the second stage of the procurement process – Request for Proposals.	Section 1
Project	Redevelopment of the Development Site, achieving the proposed Project Vision and Project Objectives outlined in Section 2.	Section 2
Project vision	The urban renewal of the Blackwattle Bay Precinct will reconnect the harbour, its surrounding neighbourhoods, and the city; showcasing Sydney’s living culture and stories of Country; building an inclusive and iconic waterfront destination that celebrates innovation, diversity, and community.	Section 2
Project objectives	<p>The objectives of the project are to deliver:</p> <ul style="list-style-type: none"> • A continuous public foreshore • A high-quality public domain • Commercial benefits • A destination precinct • An accessible precinct • Affordable and diverse housing • A sustainable precinct • Social infrastructure. 	Section 2
Development Site	An approximately 3.6-hectare site located in Blackwattle Bay.	Section 3

ITEM	DESCRIPTION	SECTION
Selection criteria	<p>Respondents to this Call for EOI will be assessed against the following criteria:</p> <ul style="list-style-type: none"> • Demonstrated capability and experience to deliver mixed-use urban renewal projects of similar scale and complexity to the Project. • Respondent’s mandate and commitment to environmental, social, and corporate governance. • Vision, objectives, alignment and demonstrated understanding of Infrastructure NSW’s Project Objectives. • Acceptable proposed commercial structure, risk allocation and commercial terms. • Financial capacity to deliver the Project. 	Section 5
Closing time for questions	12pm AEST on 12 August 2024.	Section 5
EOI Closing Time	12pm AEST on 19 August 2024.	Section 5
EOI response lodgement	<p>To express interest, complete the returnable schedules and any required supporting documentation by the EOI Closing Time.</p> <p>Submissions are to be lodged in the form set out in the returnable schedules.</p>	Section 5
Contact with Infrastructure NSW	<p>All enquiries in relation to this Call for EOI should be directed to xsfm.procurement@infrastructure.nsw.gov.au</p> <p>The Respondent is to use the Q&A function within the Data Room for any questions or clarifications on the process or opportunity.</p>	Section 5

1.6 Procurement process

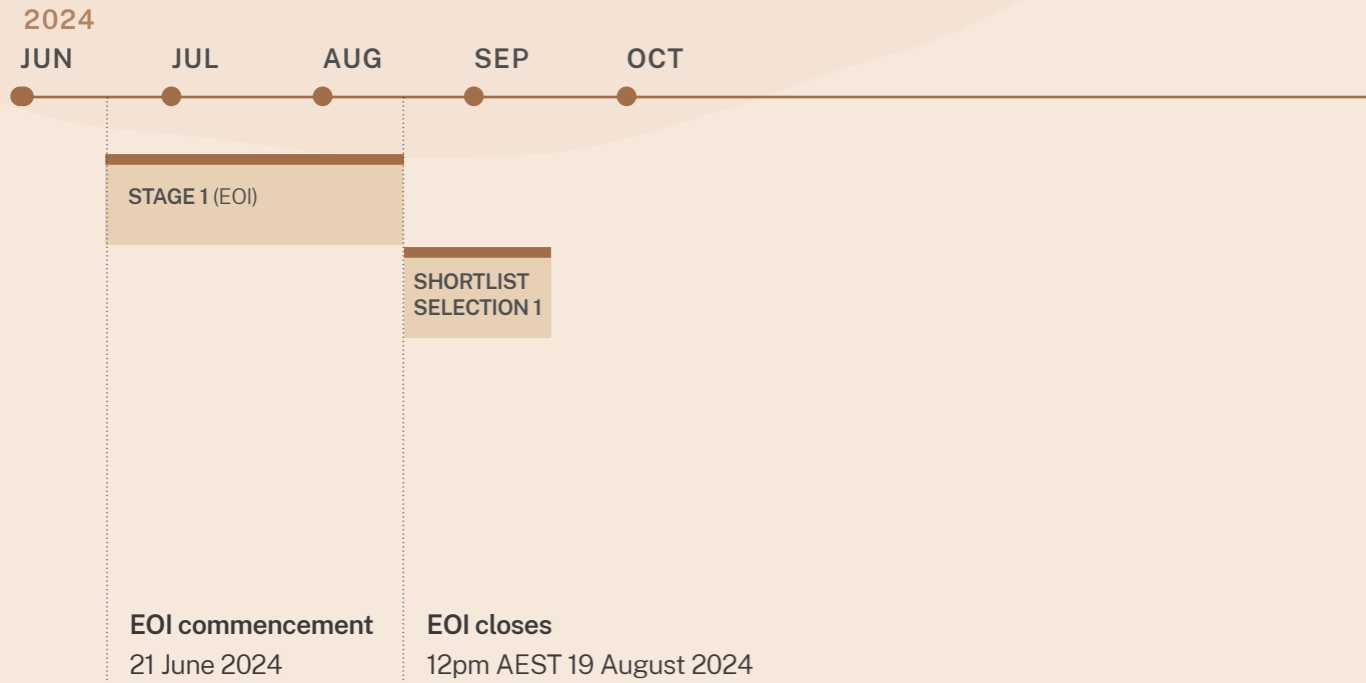
Infrastructure NSW is conducting a two-stage procurement process to select a developer

STAGE 1 ➤ **Call for Expression of Interest**
to select a shortlist of up to four (4) suitably qualified parties who will be invited to Stage 2 of the process.

STAGE 2 ➤ **Request for Proposal (RFP)**
to select a preferred developer to enter formal transaction documents for the delivery of the project.

Indicative procurement process timeline

(subject to change)



The background features a series of thick, wavy, concentric lines in shades of brown and yellow, creating a sense of depth and movement. The lines are layered, with some appearing more prominent than others, and they curve across the frame.

The Vision

2.0



The urban renewal of Blackwattle Bay will open up a greater harbourside experience, bringing many benefits to its communities and visitors, as well as local economies and businesses.

2.1 Historic context



Pre-1788

The area now known as Blackwattle Bay was once a rich provider for the Wangal and Saltwater People who were its Traditional Custodians. With fresh water in creeks and sandstone rock pools as well as coastal mangroves and mud flats, the cove was a place to gather a diversity of shellfish by hand as well as on canoes. Cockles, periwinkles, whelks, limpets and rock oysters are all likely to have been caught at the site. Some would have been cooked on canoes, over a small flame, while others could be fashioned into hooks.

This site usage is extrapolated from knowledge of practices by the Saltwater Peoples throughout the Sydney harbour basin. Blackwattle Bay's heritage is difficult to interpret with certainty: rock shelters and culturally significant artworks were destroyed by quarrying; opportunities for maritime archaeology have been lost due to the dredging of the bay and subsequent industrial uses; and Wangal culture and traditions were decimated by smallpox and successive colonial and federal policies.



1788-1880s

From 1788, the area began to be called Blackwattle by European colonists and was considered the extremity of the city. However, as Sydney grew, the pristine natural waterways and fertile marshlands of Blackwattle Bay were transformed into a centre of industry.

In the 1820s and 30s, tanneries, piggeries and slaughterhouses began to arrive in the area and, over the coming decades, would reduce the land to an unpleasant swamp. By the 1870s, following complaints, this foreshore land was infilled to create Wentworth Park.

While a causeway and wooden bridge had been built in the 1850s, the waterways of the area weren't developed beyond wooden jetties for some years. However, the dredging of the swamp and construction of a seawall allowed for the creation of the deepwater wharves: vital logistical additions for timber merchants, coopers and shipwrights. The site of today's fish market was reclaimed during this time, and an early tenant was the Blackwattle Iron Works.



1890s-1950s

During the 1890s, the eastern side of the bay was mostly home to timber merchants and sawmills, although iron merchants and ore treating works also operated. In the early years of the new century, coal, oil and blue metal were added to the mix: with Pyrmont's famed sandstone quarries just to the south and White Bay Power Station across the cove, it was very much a place of heavy industry.

Like the quarries, the timbers imported and processed at Blackwattle's yards also shaped Sydney's homes, in prefabricated timber cottages that could be ordered from catalogues.

During this period, the Glebe Island Bridge was upgraded and the wharves grew in scale and number, eventually totalling 15. It made the area an ideal base for wartime operations and supply, with the area around the precinct used by the Royal Australian Navy, US Army and wool stores.

SOURCES

- Appendix 23 - Heritage Impact Statement, City Plan Services, 2017
- www.pyrmonthistory.net.au, accessed, November 2023
- Heritage Interpretation Plan, City Plan Services, 2021

2.2 Current land use



The Sydney Fish Market

The Sydney Fish Market arose from the 1949 Co-operation Act establishing legislation to permit fishing co-operatives along the coast. By the mid 1960s a Fish Marketing Authority was in place, headquartered at Blackwattle Bay. At that time fish were sold using the voice auction system: assistants held up samples of fish so prospective buyers could inspect the product before shouting out their bidding price.

After various extensions and expansions, a new market and shops were built south of Gipps Street in the 1980s and a computerised system introduced. Today, the market is the largest of its kind in the Southern Hemisphere and the third largest seafood market in the world in terms of variety. In addition to seafood traders, it is home to cafés, restaurants, a baker, butcher, greengrocer and gourmet deli, as well as a cookery school.

SOURCE

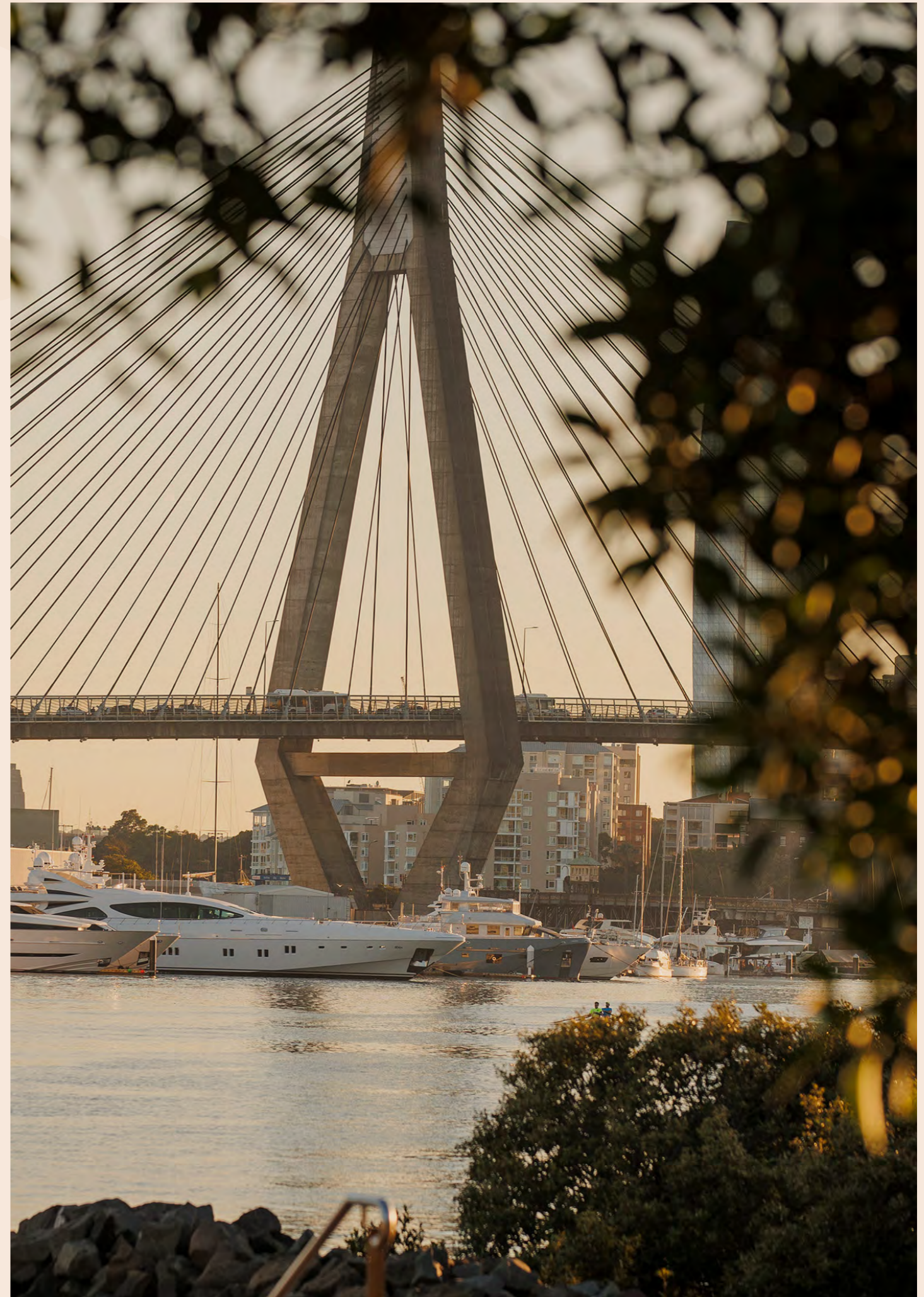
Above. <https://blackwattlebay.org.au/>



Boating and community uses

A range of pleasure and tourism cruises operate out of the Blackwattle Bay precinct, including large-scale entertaining vessels and charter yachts. One of the operators, Tribal Warrior is an Indigenous social enterprise that also runs cultural cruises, and represents current day First Nations usage within the precinct.

Around 22 dragon boat clubs train out of Blackwattle Bay at the northern end of the precinct. The club trains throughout the week, including training and regattas on the weekend.



2.3 Precinct future

The Blackwattle Bay precinct will be an iconic waterfront destination, providing over 1,200 new homes, approximately 5,600 new jobs, plus parks, green spaces and new cultural and recreation opportunities for everybody to enjoy.

The relocation of the Sydney Fish Market to the new facility under construction and funded by the NSW Government unlocks approximately 3.6 hectares of harbourside land less than 1km from the CBD for renewal.



Vision statement

Blackwattle Bay will reconnect the harbour, its surrounding neighbourhoods, and the city; showcasing Sydney's living culture and stories of Country; building an inclusive and iconic waterfront destination that celebrates innovation, diversity, and community.

2.4 Precinct ambitions

Public spaces

More than half the site will be open and accessible to the public



A green harbourside

3.4ha of new open spaces on the waterfront



A sustainable precinct

Targeting Net Zero Carbon by 2041, with future development to deliver socially and environmentally sustainable outcomes and a 5 Star Green Star Communities rating



A direct boost to the NSW economy

Approximately 5,600 new jobs, >\$600m total economic benefit to NSW and attracting an estimated \$3 billion of public and private capital investment



Connection to the water

A 30m wide waterfront promenade will complete the missing link to an otherwise 15km foreshore walk from Rozelle Bay to Woolloomooloo



A vibrant 24-hour mixed-use precinct

Creating jobs and homes surrounded by a working harbour, waterside parks, cafés, restaurants and retail in an easily accessible location



A renewed tourist destination

The new Sydney Fish Market will be the biggest fish market in the Southern Hemisphere. It will offer a variety of fresh seafood, restaurants, cafés, bars, and specialty food retailers in a market hall setting



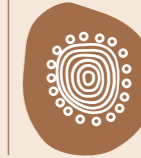
Design excellence

High quality architecture for buildings and open space will be achieved across the precinct



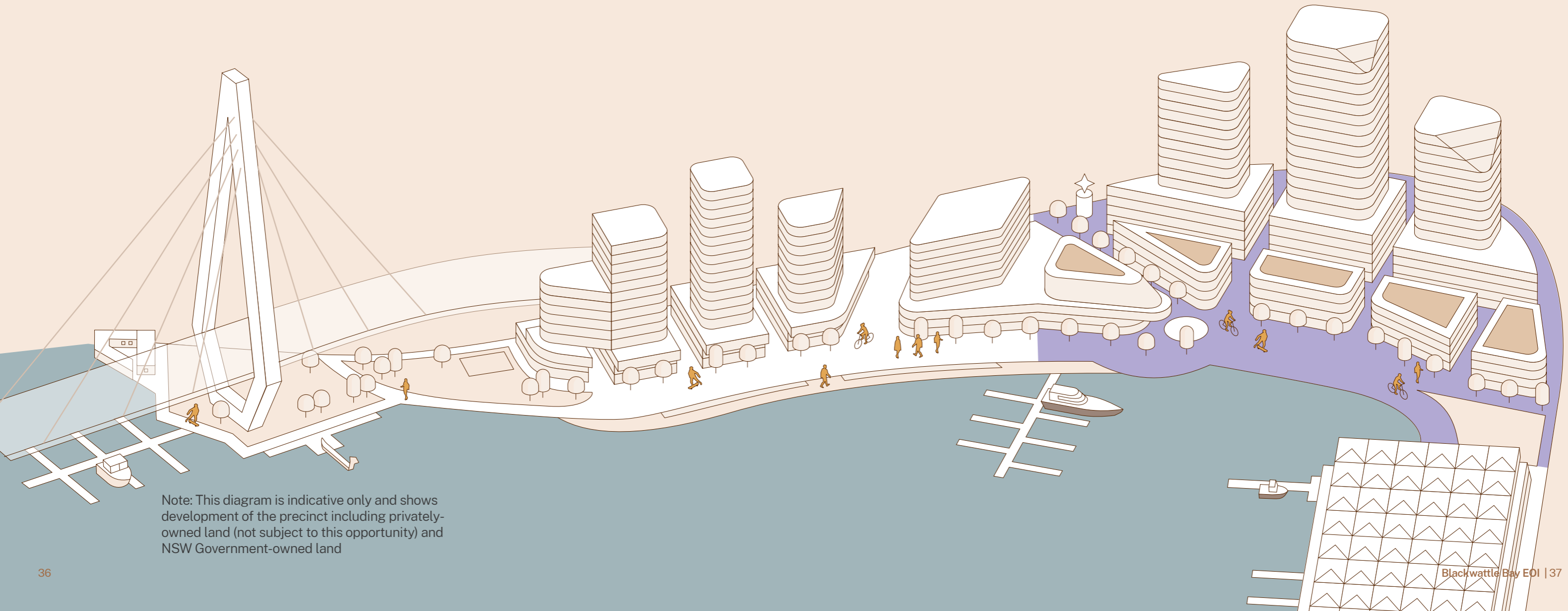
Connection with Country

The renewed precinct will recognise and celebrate the lands and waters of Blackwattle Bay as well as its Traditional Custodians and cultures



Integrated transport to the CBD and beyond

Multiple modes of transport accessible within 500m including Sydney Metro, light rail, bus, ferry and active transport links



Note: This diagram is indicative only and shows development of the precinct including privately-owned land (not subject to this opportunity) and NSW Government-owned land

2.5 The new Sydney Fish Market

The new Sydney Fish Market is currently under construction. Set to be the biggest fish market in the Southern Hemisphere, and estimated to attract 6 million visitors a year, it will offer a variety of fresh seafood, plus restaurants, cafés, bars and specialty food retailers.



2.6 The new Bank Street Park



This CGI was prepared for early consultation in Feb 2023.

Infrastructure NSW is leading the design and delivery of Bank Street Park. Surrounding the southern pylons of the Anzac Bridge, this new waterfront park will be a safe, inviting, inclusive and adaptable space that celebrates First Nations culture, maritime history and its iconic location.

Infrastructure NSW has lodged the State Significant Development Application (SSD-53386706) for the delivery of Bank Street Park and envisages delivery in 2025-2026.

The new park will include:

-  Outdoor multipurpose court
-  Inclusive play space
-  Outdoor fitness station
-  Access for recreational water craft
-  Storage for dragon boats and kayaks
-  Public amenities
-  Marina operations space and café



Temporary Bank Street Park Pop-up, opened October 2023

The site will form the heart of Blackwattle Bay's renewal as a sustainable community, rich in culture, innovation, and architectural excellence.



2.7 Project objectives

There are eight key objectives for the project. Respondents are required to demonstrate how the objectives will be fulfilled or exceeded.

1

A continuous public foreshore

Deliver a continuous public foreshore promenade which is activated, connected and resilient, linking Blackwattle Bay to Pyrmont Track in Glebe to Pyrmont

2

A high-quality public domain

Deliver design excellence in the built form and public domain that links Blackwattle Bay to Pyrmont and integrates with the surrounding area

3

Commercial benefits

Optimise financial and economic benefits to NSW while balancing risk and precinct outcomes

4

A destination precinct

Provide a diverse range of land and water-based uses that are complimentary to the New Sydney Fish Market and drive Blackwattle Bay's contribution to global Sydney

5

Accessible precinct

Improve transport access to the surrounding area and ensure diverse visitor needs are effectively managed

6

Affordable and diverse housing

Deliver housing affordability and diversity consistent with government policy

7

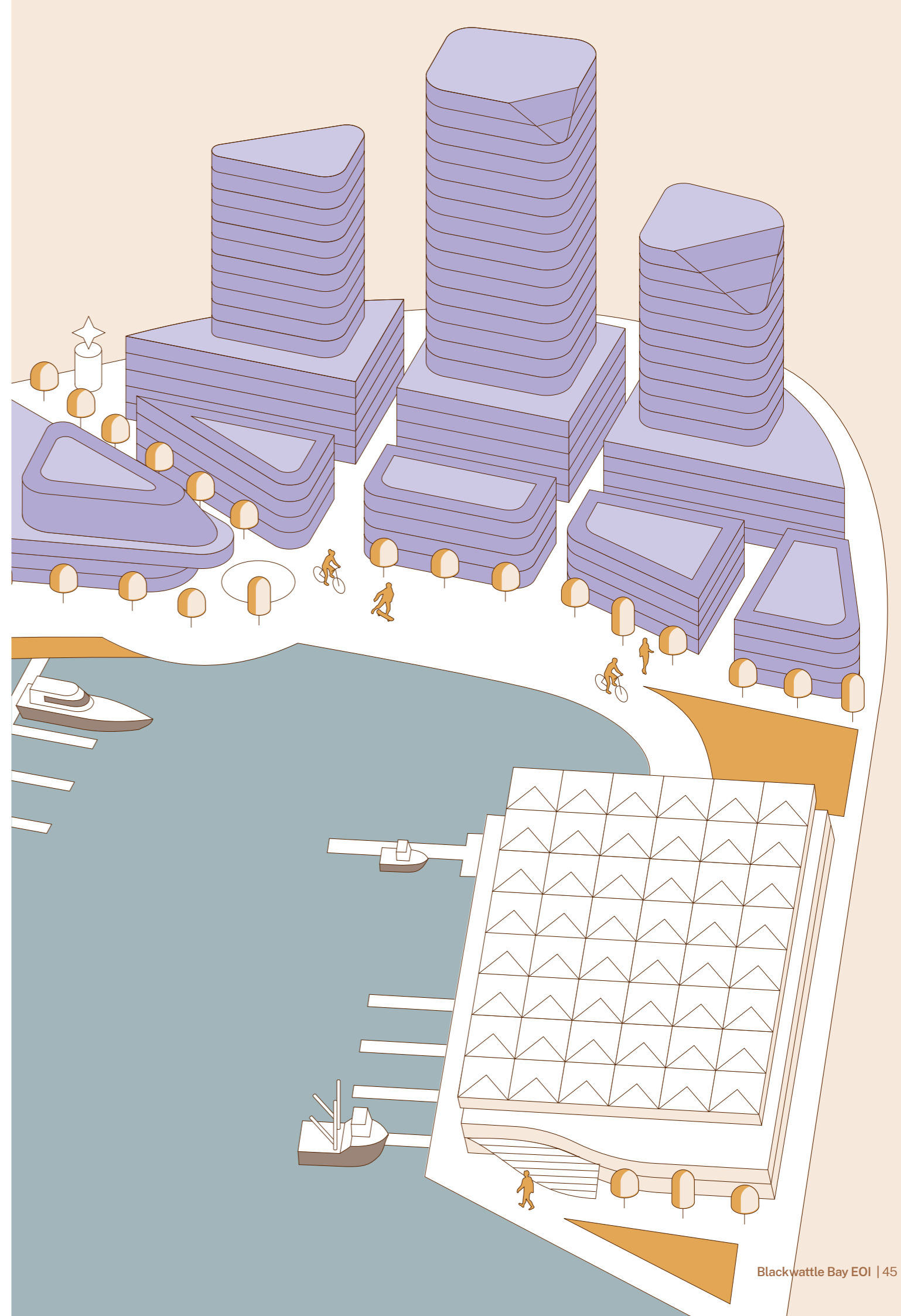
A sustainable precinct

Implement sustainable initiatives that add to the resilience and liveability of the area including improved water quality in Blackwattle Bay

8

Social infrastructure

Provide social infrastructure, including community facilities, recreation and open space to support the needs of the overall population



2.7.1 Designing for Country

Consultation with Traditional Custodians, stakeholders, local community and landowners is continual and ongoing. Urban renewal is a long process, and we value the feedback received over the years.

Local voices have influenced plans for the precinct since planning began, and the surrounding communities of Pyrmont, Ultimo and Glebe have been actively engaged with the Bays Precinct for many years.

Connecting with Country is integral to every phase of development. The aims for Blackwattle Bay are to:

- Provide opportunities for collaboration and co-leadership with Aboriginal and Torres Strait Islander peoples in major developments.
- Maintain and enhance the social, cultural and economic presence of Aboriginal and Torres Strait Islander peoples, organisations and businesses in the area.
- Ensure development maintains and contributes to the precinct having a place of belonging and pride for Aboriginal and Torres Strait Islander peoples.
- Design public spaces to acknowledge Country and create opportunities for local Sydney Traditional Custodians to share their stories of Country with visitors.

Through consultation and design, the developer will deliver an urban renewal that delivers these objectives for the benefit of Aboriginal and Torres Strait Islander people.



2.7.2 Diverse and affordable housing

Development on the site should deliver a diversity of housing types and contribute to increased housing supply. Located above the commercial and retail uses that activate the streets, residential apartments will ensure the evening and weekend vibrancy of Blackwattle Bay.

A mix of dwelling sizes and tenures should be provided, as well as housing that is flexible, encourages diversity and caters for the needs of the existing and future resident population.



2.7.3 Sustainability

Environmental Sustainability Framework

An Environmental Sustainability Framework will be developed, outlining outcomes for the precinct. Through the Framework, sustainability initiatives that add to the resilience and liveability of the precinct will be delivered.

Green Star Certification

The project has been registered with Green Star Communities and is targeting a minimum 5 Star Green Star rating.

Blackwattle Bay Design Guidelines

Sustainability objectives and requirements are outlined in the Design Guidelines and include:

- A commitment to a Net Zero carbon precinct by 2041.
- Sustainability targets for Green Star, BASIX, NABERS and other equivalent standards.
- Providing precinct-scale utilities.
- Waste management initiatives.
- Water management initiatives.





The Development Site

3.0

3.1 Statutory planning

Infrastructure NSW-Led Amendment to Planning Controls

Infrastructure NSW is progressing an amendment to the planning provisions to provide greater flexibility in the land use mix. This will provide flexibility during the RFP to propose a land use mix that responds to the local area while also achieving the Government’s strategic objectives. A copy of the relevant documents outlining the proposed amendment are provided in the data room.

Voluntary Planning Agreement

A Voluntary Planning Agreement (VPA) is being negotiated between Infrastructure NSW and Department of Planning, Housing and Infrastructure (DPHI). A copy of the draft VPA is contained in the data room.

PLANNING OVERVIEW

Relevant local environmental plan	Sydney Local Environmental Plan 2012 (Sydney LEP)
Consent authority	Minister for Planning for development which has a capital investment value >\$10 million and is State Significant Development. City of Sydney Council for all other development requiring consent under Part 4 of the <i>Environmental Planning & Assessment Act 1979</i> .
Zoning	Part MU1 Mixed Use Part RE1 Public Recreation
Maximum building height	Varies between RL 32.9- and RL 141
Maximum gross floor area	The total maximum gross floor area of the development site is 136,423m ² . The development site is comprised of land described as Area 16 and Area 17 under the Sydney LEP. Area 16 has a maximum gross floor area of 7,132m ² . Area 17 has a maximum gross floor area of 129,291m ² .
Land use mix	Land on Area 16 is required to be 100% non-residential floor space, and land on Area 17 is required to be a minimum of 43% non-residential floor space. Infrastructure NSW is currently progressing an amendment to the planning controls to amend the land use mix and enable increased residential floor space.
Design excellence	A design excellence process is outlined in the Blackwattle Bay Design Guidelines and will apply to future buildings and public domain. A competitive design process is required for buildings with a height above ground level greater than 25m or a capital investment value >\$100 million in accordance with cl 6.21D of the Sydney LEP. No height or FSR bonuses are applicable.
Affordable housing	An affordable housing contribution of 7.5% of total floor space of residential and commercial development is required. This can be satisfied by onsite delivery or monetary contribution in accordance with the City of Sydney Affordable Housing Program.
Solar access protection	Development on the site is required to comply with the overshadowing controls outlined in cl 6.18 of the Sydney LEP. This requires no additional overshadowing to Bank Street Park, Sydney Fish Market Urban Park, Wentworth Park and Glebe Foreshore during specified time periods. The Design Guidelines also includes sunlight to public space controls for the promontory and foreshore promenade.
Car parking provisions	Residential car parking spaces are to be provided in accordance with the rates set out in cl 7.5 of the Sydney LEP and are as follows: (i) for each studio dwelling – 0.1 spaces, and (ii) for each 1 bedroom dwelling – 0.3 spaces, and (iii) for each 2 bedroom dwelling – 0.7 spaces, and (iv) for each 3 or more bedroom dwelling – 1 space, Commercial car parking spaces are to be provided at a rate of 1 space per 1,100sqm of gross floor area.

^ The above should be read with the Blackwattle Bay Design Guidelines.

Commercial Framework

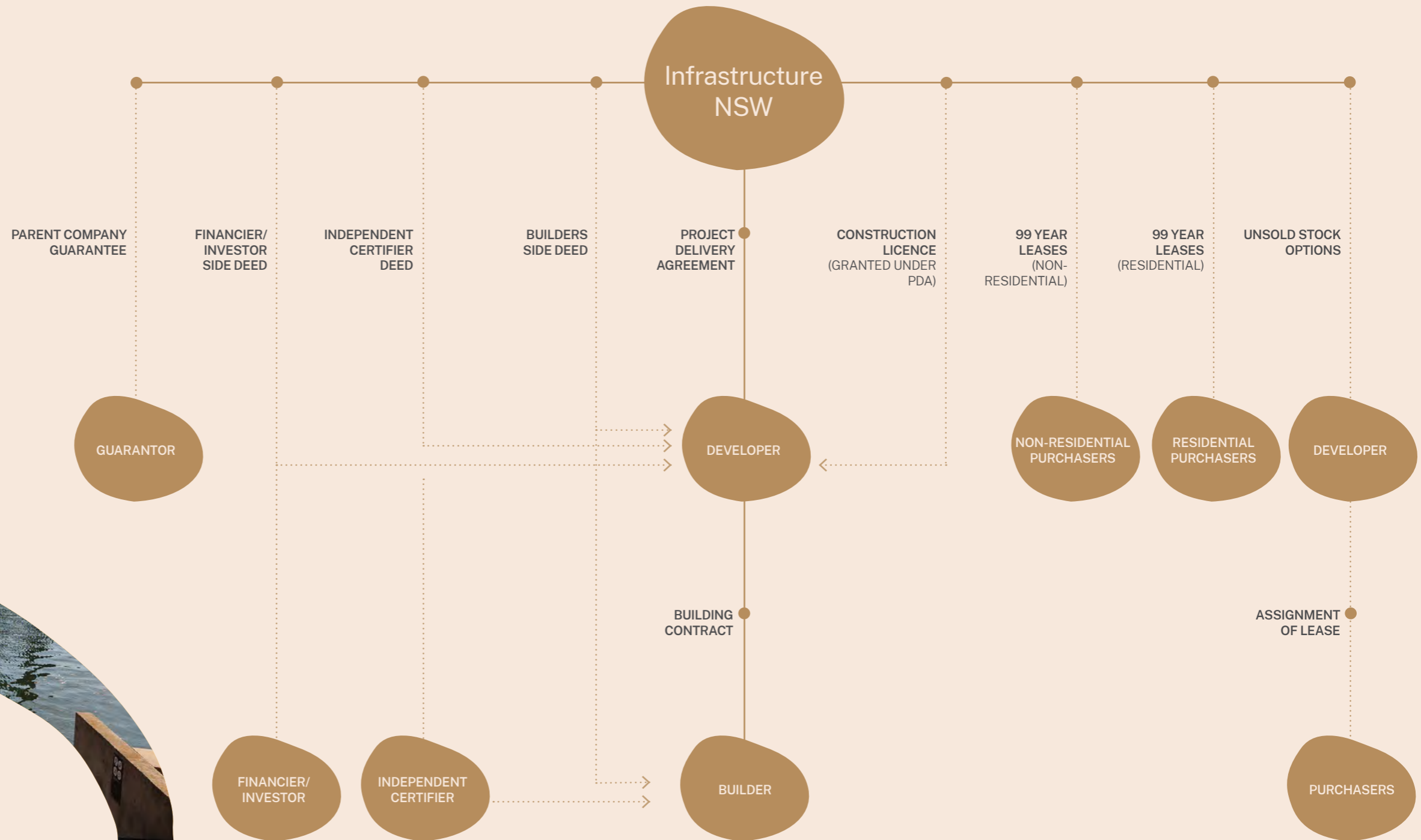
4.0

4.1 Commercial Structure

It is proposed that a Project Delivery Agreement (PDA) and typical ancillary documents will be entered into by Infrastructure NSW, the successful developer, and relevant parties in respect of the delivery of the Project. **

Infrastructure NSW intends to provide a construction licence and the completed development will be long-term leasehold.

The diagram shown outlines the indicative structure.



** Note. In accordance with the Terms and Conditions of the EOI, this process does not result in the grant of development rights to any party. Subject to conditions precedent, development rights will be granted to a Successful Proponent in subsequent stages of this procurement process. These include the completion of the new premises lease and an eight-week decommissioning period on the Development Site. Further details will be made available at RFP.



4.2 Commercial principles and risk

A terms sheet outlining the proposed commercial principles between Infrastructure NSW and the preferred developer is contained in the data room.

In the EOI response, Respondents are required to provide feedback on the proposed commercial terms, including a mark-up of the proposed terms sheet.

In recognition of the complexity associated with precinct renewal projects of this nature, Infrastructure NSW is proposing short-listed parties will have the opportunity to “bid back” various commercial elements (such as delivery program) to provide flexibility and ensure the project objectives are achieved.

Risk framework

The proposed risk allocation for the project is set out in the draft terms sheet in the data room.



Development Bid Process

5.0

5.1 EOI process

Interested parties are invited to submit an EOI response in the form set out in the returnable schedules by no later than the closing time.

Questions and Answers

Questions from respondents must be submitted through the data room.

Infrastructure NSW will respond without disclosing confidential, bid-specific information, and without identifying the party raising the question. This process is overseen by the external probity advisor.

Lodgement

All EOI responses must be lodged before the closing time, which is 12pm (AEST) on 19 August 2024.

Infrastructure NSW reserves the right to extend the closing time or accept a late response in accordance with the Terms and Conditions.

Notification

Infrastructure NSW will notify all respondents of the outcome of the EOI process and advise those who have been shortlisted for the Stage 2 – RFP process. Infrastructure NSW will offer debriefings with successful and unsuccessful respondents.

Evaluation criteria

EVALUATION CRITERIA

Demonstrated capability and experience to deliver mixed-use urban renewal projects of similar scale and complexity to the Project.

Respondent's mandate and commitment to environmental, social, and corporate governance.

Vision, objectives, alignment and demonstrated understanding of Infrastructure NSW's Objectives.

Acceptable proposed commercial structure, risk allocation and commercial terms.

Financial capacity to deliver the Project.

Probity and Participation

6.0

6.1 Probity and participation

Probity

The Probity Advisor is Gerald Kohn from Procure Group:

Name: Gerald Kohn
Phone: 0415 965 409
Email: gkohn@procuregroup.com.au

The Probity Advisor’s role during the EOI stage and RFP stage includes:

- i. ensuring the procedures adopted for the receipt and evaluation of EOIs and RFPs are fair and equitable, monitoring the EOI stage and RFP stage (including evaluation and any interaction) and providing independent validation of this to Infrastructure NSW
- ii. providing guidance to Infrastructure NSW as to how probity issues can be resolved; and
- iii. monitoring communications and interactions that occur between recipients or respondents and any representatives of Infrastructure NSW in respect of the Project during the EOI stage and RFP stage.

The Probity Advisor is not part of the Evaluation Panel. The Probity Advisor is an independent observer of the evaluation process and will not be involved in the evaluation of any EOI or RFP.

Infrastructure NSW Advisors

In addition to the Probity Advisor, the advisors (“Infrastructure NSW Advisors”) set out below have been appointed as key advisors to assist Infrastructure NSW in relation to the project.

ADVISOR	INVOLVEMENT
Ashurst	Legal Advisor
E3 Advisory	Transaction Manager and Commercial Advisor
Flux Consultants	Sustainability Advisor
JBS&G Australia	Contamination Advisor
Procure Group	Probity Advisor
ZSI	Transaction Manager and Commercial Advisor

For probity purposes, Infrastructure NSW Advisors are subject to exclusivity arrangements in favour of Infrastructure NSW, which limit or exclude their engagement in respect of the procurement process by others without the express approval of Infrastructure NSW. These exclusivity arrangements also apply to related parties of Infrastructure NSW’s Advisors.

The list of advisors set out above is not an exhaustive list of every Infrastructure NSW Advisor in relation to the project. Accordingly, respondents should make their own enquiries as to whether an entity or any of its related parties, are currently, or have previously, been engaged by Infrastructure NSW on any basis in relation to the project.

Respondents must not engage or seek to engage an Infrastructure NSW Advisor or any of its related parties in relation to the project without Infrastructure NSW’s prior written approval, which may be given or withheld at Infrastructure NSW’s absolute discretion. Further, no individual who is currently engaged by, or on behalf of, Infrastructure NSW in connection with the project may be a team member for any respondent.

Participation issues

Infrastructure NSW wishes to protect the probity and competitiveness of the procurement process.

The respondent should include in its response to the returnable schedules the information required in order to identify any issues that may adversely impact upon the probity or competitiveness of the procurement process, and to allow Infrastructure NSW to assess the measures proposed by the respondent to ensure that there are no such impacts.

Potential probity issues

The respondent should identify in the returnable schedules any potential probity issues which it is aware of. Respondents should contact the probity advisor to discuss any issues arising.

For each potential probity issue, the respondent must disclose the procedures and arrangements which have been, or will be, implemented to ensure that the potential probity issue does not adversely affect the competitiveness or probity of the procurement process.

Infrastructure NSW will consider each potential probity issue on a case-by-case basis. Infrastructure NSW may, at its discretion, request changes to the procedures or arrangements proposed by the respondent and/or require the procedures or arrangements to be documented in a probity deed.

No individual may be a team member for more than one respondent for the project.

Infrastructure NSW may exclude a respondent from the procurement process if a potential probity issue which has arisen in relation to the respondent is not addressed to Infrastructure NSW’s satisfaction.

