

Job no SY210065

1 December 2022

David Springford
TOGA
Level 5, 45 Jones Street
Ultimo NSW 2007

Dear David

TOGA Central – Fire risk assessment of project dependency on the adjacent developments

We have prepared this fire risk assessment relating to the project dependency on the adjacent developments in response to a comment received from TfNSW on 31 October 2022 on the SSD DA Fire engineering statement prepared by Warringtonfire – document number WARR-FE-REP-00000001 rev A dated 25 July 2022.

TfNSW made the following comment and recommendation:

‘Comment

It is noted that the proposed egress strategy uses adjacent allotments and buildings that share common mall space on basement level 1 and lower ground level. This requires adjacent developments to be constructed as per current concept in order to comply. There is no guarantee that the adjacent developments would be completed at the same time as Toga development. It is advised that a fire safety assessment needs to be developed in consultation with TfNSW.

Recommendation

It is requested that the applicant undertake fire risk assessment as part of the applicant’s response to submissions to identify fire safety risks associated with dependence of the adjacent developments, action items and anticipated mitigation measures for the identified risks.’

Identified risk

The fire stairs serving the building discharge at ground level on the northern face of the heritage building – see Figure 1. Toga Central relies on a path of egress along the upper carriageway ramp connecting the fire stair discharge location to Lee Street. The path of egress is outside Toga’s development boundary and is located on Lot 116/DP1078271, which falls within Atlassian’s development site of Western Gateway Precinct Block A. Toga’s development is dependent on the completion of works on the Block A site and will rely on a legal right of access to the strip of land along the northern frontage of the existing heritage building. The reliance on Atlassian to hand back this area could delay the completion of Toga’s development.

Risk mitigation

The risk associated with the easement on the Atlassian site is considered extremely low given the following mitigating circumstances:

- Atlassian’s works have already commenced and provided the project programme is maintained, they will complete works approximately 18 months earlier than Toga.
- The existing Toga site benefits from an easement over Lot 116/DP1078271. This easement provides access to the existing Adina Hotel, provides for light and air and provides for awnings and projections over the boundary.
- Existing operation of the Toga site is already impacted by the Atlassian works. Toga’s existing Adina Hotel relies on access through the upper carriageway ramp on Lot 116/DP1078271. The existing Adina Hotel has been closed for business and will remain

closed for the duration of the Atlassian works. The commercial impact of this closure has been agreed under an adjoining owner agreement. The reliance of Toga's design proposal on the same area of land therefore does not pose a new or additional risk to the use of the Toga site.

- The Atlassian leasehold over the carriageway portion of Lot 116/DP1078271 will be surrendered to the state under Atlassian's Unsolicited Proposal (USP). In surrendering the leasehold, the upper carriageway will become public land in effect. The public nature of the upper carriageway, with the existing easement benefitting the Toga site will preserve the Toga site's legal access to Lot 116/DP1078271 for the purpose of the egress to the public street.

Toga Central - Reliance on Adjoining Owners for Egress

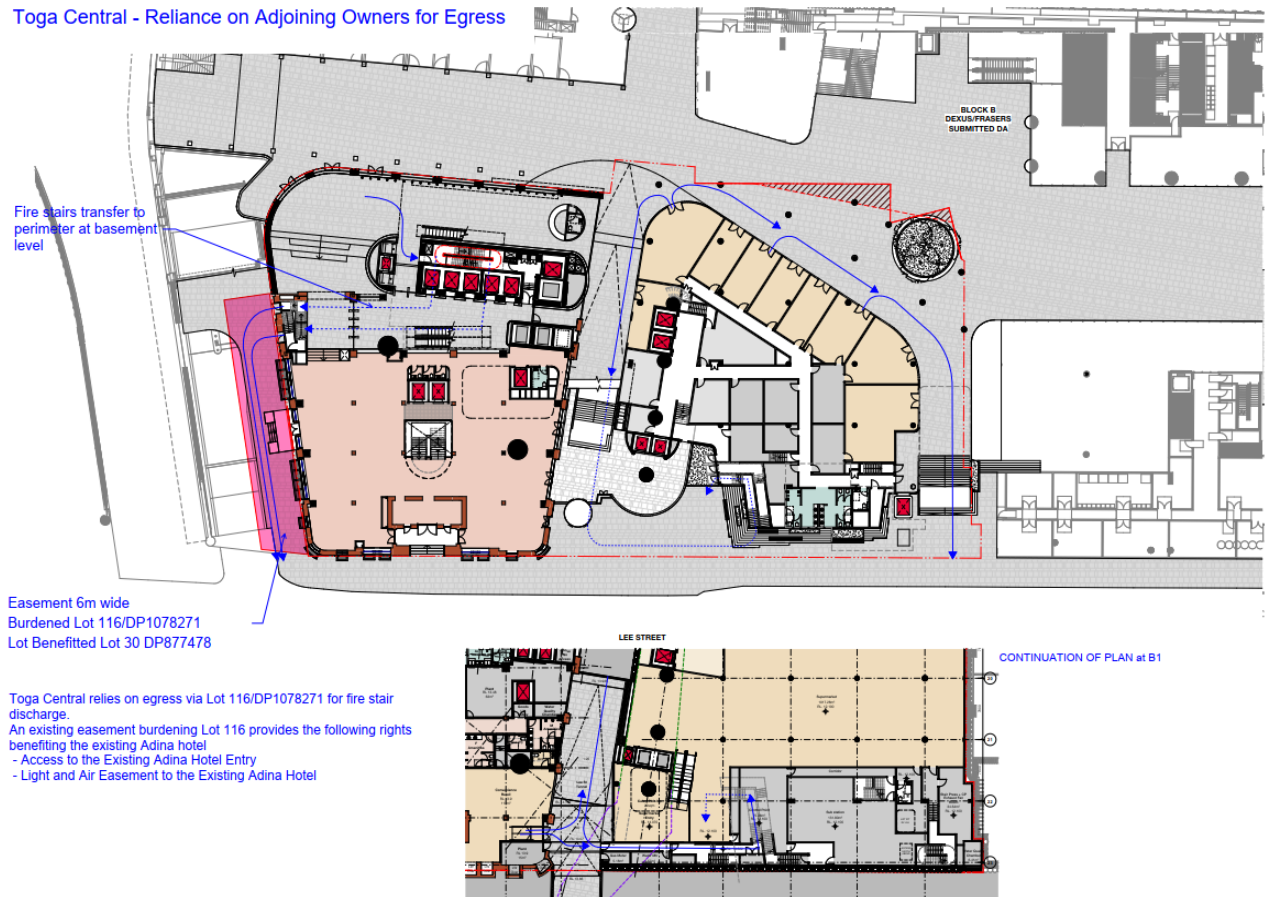


Figure 1 Toga Central's reliance on Lot 116/DP1078271

Conclusion

We have reviewed the RTS design documentation and note that, apart from the fire discharge nominated above, no other access on adjoining developments is required to achieve compliance with the NCC. The proposed performance solution nominated in the SSD DA Fire engineering statement prepared by Warringtonfire for the performance-based egress strategy relates to the end case where all adjacent lots are complete and other exits may be available.

Please contact me on (02) 9211 4333 if you have any questions.

Yours sincerely

G. Stanistreet

Genevieve Stanistreet

Senior fire safety consultant

Warringtonfire