

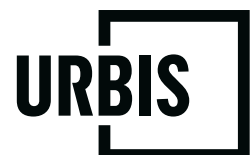


SUBMISSIONS REPORT

TOGA Central

SSD-33258337

Prepared for
TOGA CENTRAL DEVELOPMENT PTY LTD
20 December 2022



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1. INTRODUCTION

This Submissions Report relates to the TOGA Central development at 2-8A Lee Street, Haymarket (**the site**). On behalf of TOGA Central Development (the applicant), this Submissions Report has been prepared to address the matters raised by public agencies, the local Council, the community and other relevant stakeholders throughout the public exhibition period.

The State Significant Development Application (**SSDA**) was lodged with the Department of Planning and Environment (**DPE**) in August 2022 (SSD-33258337). The SSDA was placed on public exhibition for 28 days between Tuesday 30 August to Monday 26 September 2022.

The DPE issued a letter to the applicant on 28 October 2022 requesting a response to the comments raised during the public exhibition period for SSD-33258337.

This Submissions Report has been prepared in accordance with the DPE *State Significant Development Guidelines – Preparing a Submissions Report (Appendix C) November 2021* (**the Guidelines**).

Overall, the project received a low number of public submissions, and the majority of public submissions received were in support of the proposed development. While the City of Sydney (**Council**) and some government agencies provided comments on the application, none formally objected to the project. This provides a strong level of support for the project, noting however that some areas of the project have required further refinement following the public exhibition period.

This Submissions Report provides an analysis of the submissions received, outlines further engagement with stakeholders which has occurred following public exhibition, a formal response to the submissions, and an overview of some amendments to the project (as lodged) which final approval is now sought within SSD-33258337.

1.1. EXHIBITED PROJECT

The SSDA was submitted to the DPE to seek development consent for the redevelopment of the site. The proposal includes tourist related accommodation with a capital investment value of \$77,525,924 that is located within an environmentally sensitive area of State significance (the State heritage listed 'Sydney Terminal and Central Railway Stations Group'). It is noted the total cost of works for the construction and operation of the development (including the commercial component) is \$383,124,649.

The application was therefore submitted to the DPE for assessment and determination by the Minister of Planning and Public Spaces under section 4.38 of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**). As the applicant has made a reportable political donations disclosure within the 2 years prior to lodgement of the application, it is noted the application will be referred to the Independent Planning Commission (**IPC**) for determination.

The SSDA seeks consent for the conservation, refurbishment and adaptive re-use of the former Parcels Post building, construction of a 45-storey tower above and adjacent to the existing building, and delivery of significant public domain improvements at street level, lower ground level and within Henry Deane Plaza.

The exhibited project sought development consent for:

- Site establishment and removal of 22 trees within Henry Deane Plaza and along Lee Street.
- Site preparation works including basement de-watering and demolition of contemporary additions to the fPPb and public domain elements within Henry Deane Plaza.
- Conservation work and alterations to the fPPb for retail premises, commercial premises, and hotel and motel accommodation. The adaptive reuse of the building will seek to accommodate:
 - Commercial lobby and hotel concierge facilities,
 - Retail tenancies including food and drink tenancies and convenience retail with back of house areas,
 - Four levels of co-working space,
 - Function and conference area with access to level 7 outdoor rooftop space, and
 - Reinstatement of the original fPPb roof pitch form in a contemporary terracotta materiality.

- Provision of retail floor space including a supermarket tenancy, smaller retail tenancies, and back of house areas below Henry Deane Plaza (at basement level 1 (RL12.10) and lower ground level (RL 16)).
- Construction of a 45-storey hotel and commercial office tower above and adjacent to the fPPb. The tower will have a maximum building height of RL 202.28m, and comprise:
 - 10 levels of hotel facilities between level 10 – level 19 of the tower including 204 hotel keys. A glazed atrium and hotel arrival is accommodated adjacent to the fPPb, accessible from Lee Street.
 - Two levels of amenities including a pool, gymnasium and day spa to operate ancillary to the hotel premises.
 - 22 levels of commercial office space between level 23 – level 44 of the tower accommodated within a connected floor plate with a consolidated side core.
 - Rooftop plant, lift overrun, servicing and BMU.
- Provision of vehicular access into the site via a shared basement, with connection points provided to both Block A (at RL 5) and Block B (at RL5.5) basements. Primary access will be accommodated from Block B at 14-18, 20-24 and 26-30 Lee Street, Haymarket. Within the site, four basement levels in a split-level arrangement will accommodate:
 - Car parking for 106 vehicles, plus four car share spaces and five loading bays.
 - Hotel, commercial and retail and waste storage areas.
 - Plant, utilities and servicing.
- Provision of end of trip facilities and 165 employee bicycle spaces within the fPPb basement, and an additional 72 visitor bicycle spaces within the public realm.
- Delivery of a revitalised public realm across the site that is coordinated with adjacent development, including an improved public plaza linking Railway Square (Lee Street), and Block B (known as 'Central Place Sydney'). The proposal includes the delivery of a significant area of new publicly accessible open space at street level, lower ground level, and at Henry Deane Plaza, including the following proposed elements:
 - Provision of equitable access within Henry Deane Plaza including stairways and a publicly accessible lift.
 - Construction of raised planters and terraced seating within Henry Deane Plaza.
 - Landscaping works within Henry Deane Plaza.
- Utilities and service provision, including decommissioning and removal of existing substation and provision of two substations at basement level 1 and level 8.

Refinements to the proposed development made since the exhibition period is outlined in **Section 3** of this Submissions Report.

1.2. SUPPORTING DOCUMENTATION

This Submissions Report is supported by the following technical reports and documentation.

Table 1 Supporting Documentation

Appendix	Report	Prepared By
Appendix A	Submissions Register	Urbis
Appendix B	Updated Mitigation Measures	Urbis
Appendix C	List of Plans for Approval	Urbis
Appendix D	Revised Architectural Plans	Bates Smart

Appendix	Report	Prepared By
Appendix E	RTS Design Statement	Bates Smart
Appendix F	Design Integrity Endorsement	Design Integrity Panel, Bates Smart
Appendix G	Revised Heritage Impact Statement	Urbis
Appendix H	Response to Built Heritage Submissions	Urbis
Appendix I	Precinct Conservation Management Plan	TfNSW
Appendix J	Updated Block C Conservation Management Plan	Urbis
Appendix K	Response to Heritage Conservation Submissions	APEX
Appendix L	Specification for External Heritage Conservation Works	APEX
Appendix M	Revised Schedule of Conservation Works – Internal	Urbis Heritage
Appendix N	Heritage Interpretation RTS Response Statement	Freeman Ryan Design
Appendix O	RTS Public Domain and Landscaping Statement	Arcadia
Appendix P	Revised Landscape Plans	Arcadia
Appendix Q	Addendum Wind Statement	RWDI
Appendix R	Amended Traffic Report, including revised swept paths and Green Travel Plan	Stantec
Appendix S	Revised Noise and Vibration Assessment	Renzo Tonin
Appendix T	Addendum Arborist Statement	Ecological
Appendix U	Supplementary Pedestrian Modelling Statement	ARUP
Appendix V	Addendum Waste Statement	SLR
Appendix W	Revised Public Art Strategy	TILT
Appendix X	Interim Advice Letter	HEC
Appendix Y	Revised Remediation Action Plan	Douglas Partners
Appendix Z	Revised Detailed Environmental Site Investigation	Douglas Partners
Appendix AA	Addendum Flood Statement	Northrop
Appendix BB	Revised HAIA	Urbis
Appendix CC	Revised ACHAR	Urbis
Appendix DD	Fire Risk Assessment	Warrington

Appendix	Report	Prepared By
Appendix EE	Basement Clarification Statement	Robert Bird Group
Appendix FF	Geotechnical Comment on Proposed Basement	Douglas Partners
Appendix GG	Revised Civil Plans	Northrop
Appendix HH	Addendum Visual Impact Assessment	Urbis
Appendix II	Statement on Landowners' Consent	TfNSW
Appendix JJ	Letter of Support	Atlassian

2. ANALYSIS OF SUBMISSIONS

This section provides a summary of the submissions received including a breakdown of respondent type, nature/ position and number of submissions received.

The SSDA was publicly exhibited between Tuesday 30 August to Monday 26 September 2022. There were 12 submissions received from public agencies and the local Council, and 13 submissions received from members of the public (including adjacent landholders) and community organisations. All submissions were managed by DPE, which included registering and uploading the submissions onto the 'Major Projects website' (SSD-33258337).

2.1. ANALYSIS OF COUNCIL AND GOVERNMENT AGENCY SUBMISSIONS

A total of 12 submissions were received from Government Agencies during the public exhibition of the SSDA. It is noted the City of Sydney submission was uploaded twice, however has been counted as one submission.

Submissions made by Government Agencies were each allocated a reference number by Urbis when analysing the submissions. Notwithstanding this, as they have been identified by organisation name these have been used in discussion and identification of issues. The following agencies made submissions during the exhibition period:

- City of Sydney Council,
- Heritage NSW,
- Heritage Council,
- NSW Environment Protection Authority (**EPA**),
- Environment and Heritage Group (**EHG**),
- DPE Water,
- Sydney Water,
- Sydney Metro,
- TfNSW,
- TfNSW – Sydney Trains,
- Fire and Rescue NSW (**FRNSW**), and
- Civil Aviation Safety Authority.

In addition, on 28 October 2022 the DPE issued a Request for Information letter which identified a number of matters in Schedule 1 of the letter which requires a proponent response.

2.1.1. Summary of Key Issues

Of the 12 submissions received by Government Agencies, all submissions commented on the proposal. A summary of these has been prepared as a submissions matrix and is available from Urbis upon request. The 'comments' are genuine requests by agencies for the DPE to further consider aspects of the application or request additional information and have been considered individually in **Section 4.3** due to the technical nature of the comments.

2.2. ANALYSIS OF PUBLIC AND COMMUNITY ORGANISATION SUBMISSIONS

Overall, 13 submissions from members of the public and community organisations were received during the exhibition period, including:

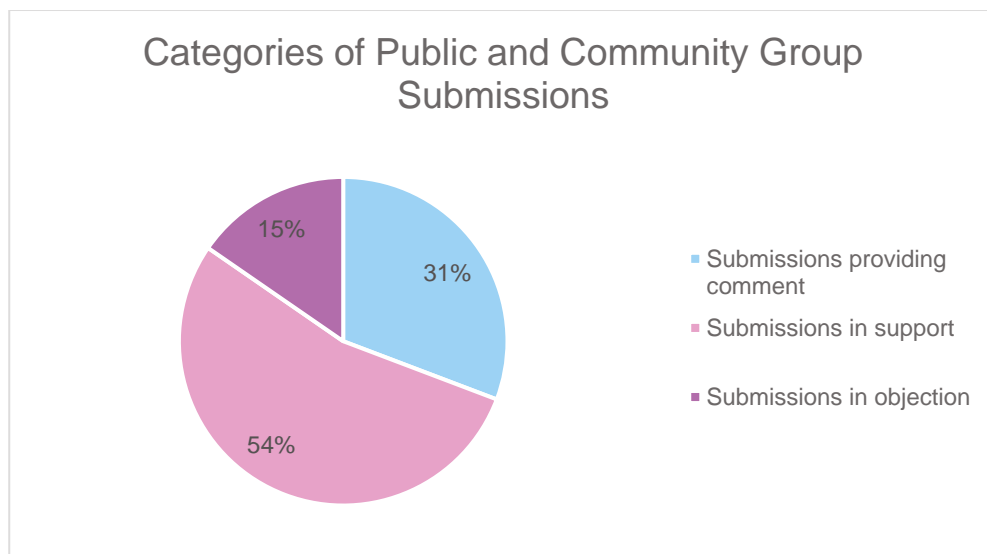
Table 2 Overview of public and community organisation submissions

Parameter	Number of Submissions Received
Total public (including landholder) and community organisation submissions	13 (with 1 duplication)
Submissions in support	7
Submissions in objection	2
Submissions providing comment	4

This is illustrated in **Figure 1**. All submissions received from public and interest groups were unique submissions, with no-proforma submissions received. It is noted that two submissions were received from Central Place Sydney (one requesting an extension of time until the full submission was prepared), bring the total number of submitter count to 12.

Of the submissions that provided locational addresses, seven submissions were received from within the local area (<5km), two submissions from the regional area (5 – 100km), and one submission from the broader community (>100km, on the NSW and Queensland border). The remaining submissions did not provide addresses.

Figure 1 Analysis of public submissions received during exhibition of SSD-33258337



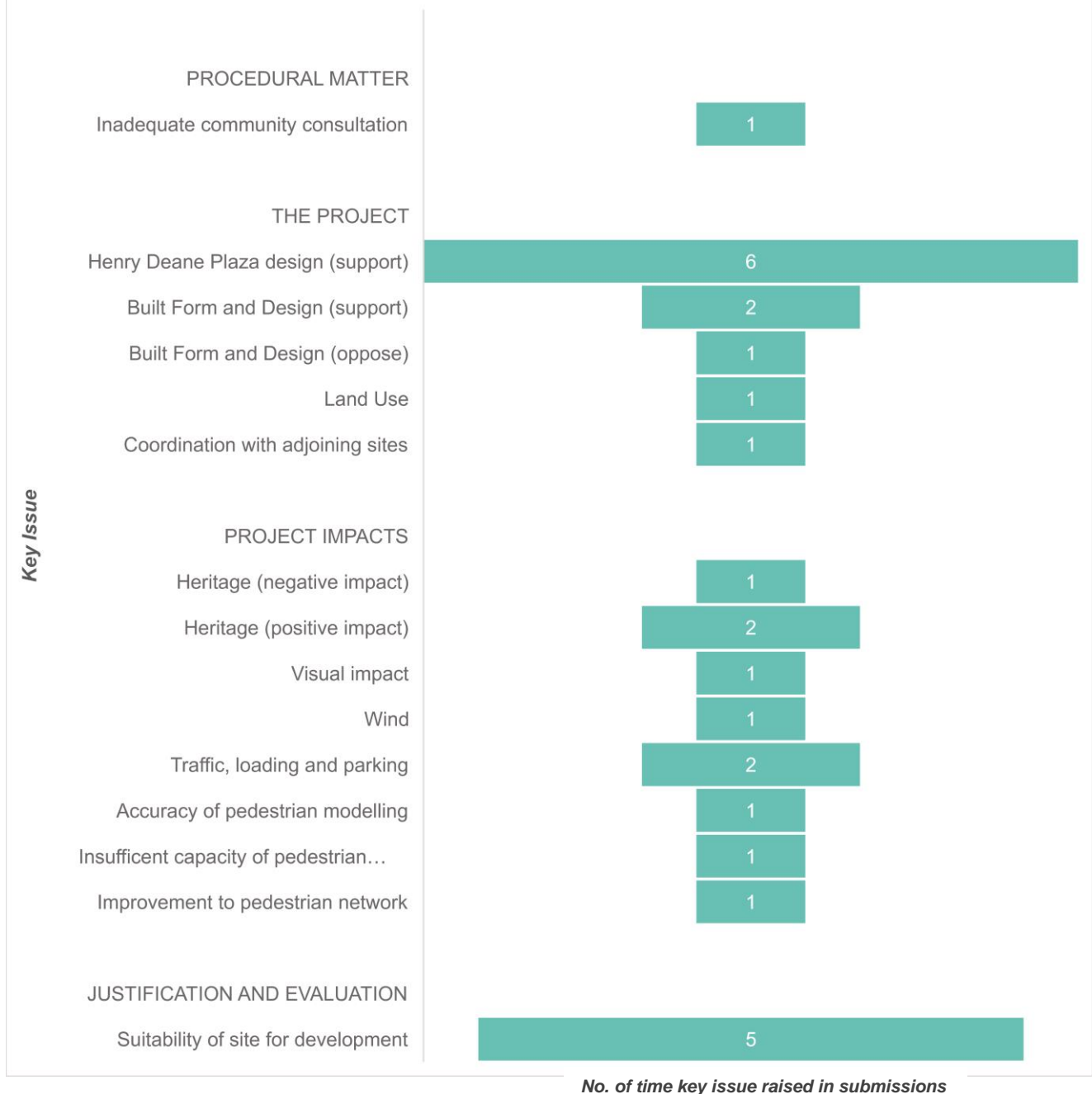
2.2.1. Summary of Key Issues

Urbis have reviewed and analysed the key issues identified in the public (including adjacent landholders) and community organisation submissions.

In accordance with the DPE "Preparing a Submissions Report" Guidelines, issues raised have been categorised in a systemic and impartial way to enable a clear response to each key issue. This includes analysis of submissions by category (for example, the project, impacts, etc.) and key issues (for example, amenity, parking, etc.).

The category and key issues are identified in the graph below, illustrating the number of times an issue was raised across all of the submissions.

Analysis of Key Issues Raised in Public and Community Organisation Submissions



A response to the key issues raised in these submissions is provided in **Section 4.4**. It is noted that the majority of the submissions were positive and in support of the proposal and did not request any amendments to the design or operation.

3. ACTIONS TAKEN SINCE EXHIBITION

In response to the key issues raised within the submissions, minor design refinements and clarifications have been made to the proposed development since public exhibition. A number of additional amendments are proposed in response to ongoing design development for the project.

This section summarises the changes that have been made to the project since its public exhibition. It also outlines the additional assessment undertaken to respond to the concerns raised with the public agency, organisation and public submissions outlined in **Section 2**.

3.1. FURTHER CONSULTATION

Since the public exhibition of the SSDA between Tuesday 30 August to Monday 26 September 2022, the Applicant undertook further consultation with a number of key authorities as outlined in **Table 3**.

Table 3 Summary of additional engagement

Authority	Date	Summary
Design Integrity Panel (DIP)	13 September 2022	<p>A post-exhibition meeting with the DIP was held on 13 September 2022 to provide an update on the resolution and ongoing development of the public domain design at ground and lower ground levels. Feedback was sought from the DIP to seek confirmation that the design excellence of the scheme is maintained alongside the ongoing development of the public domain design and integration with the adjacent sites in the broader Western Gateway sub-precinct.</p> <p>The DIP session was held via Microsoft Teams and was attended by key members of the Bates Smart and Arcadia team, the Proponent, Urbis as the DIP manager, and a member of the development team for the adjacent site, Central Place Sydney.</p> <p>The DIP provided advice on the alignment and location of the glazed cylindrical lift at the Lee Street entrance, and the central landscaped oculus, the public domain materiality, and the Lee Street central stair. The DIP recommendations are outlined in the DIP Session 4 Panel Advice dated 21 September 2022 and provided in the Design Integrity Endorsement at Appendix F.</p>
	23 November 2022	<p>A design package to respond to the DIP Session 4 Panel Advice was issued to the DIP on 23 November 2022.</p> <p>As outlined in the Design Integrity Endorsement Letter at Appendix F, the DIP confirm the refinements shown in the Architectural Plans respond appropriately to previous Session 4 DIP comments, subject to ongoing coordination and consultation between TOGA and the Dexu Frasers Consortium on the public domain design of Henry Deane Plaza, and design development to ensure the lower ground ceiling to maximise light and animation in the space below.</p> <p>Additionally, an information package was issued to the DIP on 23 November 2022 to notify the DIP of the proposed</p>

Authority	Date	Summary
		<p>amendment to the fPPb void. Resolution of the internal voids was an item raised by the Jury in the Competition Jury, and the former design (as lodged) was supported and endorsed during the DIP Session 1 on 22 March 2022.</p> <p>Similarly, the DIP Desktop Review Endorsement Letter at Appendix F confirms the DIP support the reconfigured atrium on the ground floor and roof levels.</p>
UTS	12 October 2022	<p>TOGA met with the UTS campus planning and property team to discuss the TOGA SSDA. As stated in the UTS submission, UTS are very supportive of the technology and innovation precinct. The discussion mainly focused on understanding the pedestrian modelling assumptions and any proposed changes to the travel path of students and campus staff.</p> <p>TOGA has committed to engaging further with UTS in the early 2023 and to keep them up to date with public domain development.</p>
Heritage NSW	22 November 2022	<p>Urbis Heritage consulted with Heritage NSW on the necessary consultation process following the update to the ACHAR. Heritage NSW advised an additional 14-day notification to the RAPs was necessary due to the updates of the report, including a changed recommendation to allow for the preparation of an Aboriginal Cultural Heritage Management Plan (ACHMP) to guide archaeological investigations of potential natural soils at the site.</p>
Registered Aboriginal Parties	28 November 2022	<p>Following the receipt of submissions from Heritage NSW, Urbis were made aware of additional geotechnical investigation undertaken at the subject area. The geotechnical investigation concluded that alluvial soils were present in five of the boreholes, located within Henry Deane Plaza. This resulted in a changed recommendation and update to the ACHAR. Urbis provided the ACHAR to the RAPs an additional 14-day period for comment between 28 November - 12 December 2022. It was noted to the RAPs that the updates do not include an alteration of the assessment of cultural significance for the subject area, nor do they contradict previous comments received by RAPs during prior stages of consultation.</p> <p>One comment was received during this period, as outlined in the ACHAR at Appendix CC. The comment noted there were no issues raised with the results of the additional geotechnical investigations.</p>
Dexus (Atlassian)	Ongoing	<p>TOGA and Dexus Atlassian have a regular fortnightly project liaison group meeting that is intended to manage obligations</p>

Authority	Date	Summary
		within the Adjoining Owners Agreement and provide a forum for coordination of interface areas.
Dexus-Frasers (Central Place Sydney)	Ongoing	Since the SSDA submission, TOGA and CPS have been engaged in weekly design meetings to resolve and coordinate the public domain and interface between the two properties. While some minor coordination and detailing is outstanding the public domain design is predominately agreed between the parties and is reflected within this Submissions Report.
Sydney Water	9 December 2022	<p>A meeting was held with the Sydney Water case manager Duncan Laurie and various technical officers from within Sydney Waters engineering and networks teams. The meeting discussed:</p> <ul style="list-style-type: none"> ▪ Coordination with neighbouring owners to ensure that connection points to Sydney Water assets were being resolved in conjunction with adjoining owners works ▪ Potential impacts of TOGA's design proposal on access and maintainability for Sydney Water assets ▪ TOGA's preferred approach for upgrading incoming potable water feed from the north in conjunction with Atlassian Central (fed from George St to the North) <p>All items were considered to be resolvable with further design development and Sydney Water engagement and via the S73 and Building Plan approval processes that will be carried out prior to issue of a Construction Certificate.</p>
City of Sydney Public Art Advisory Panel (PAAP)	8 November 2022	<p>TOGA and the public art consultant TILT presented the revised Public Art Strategy (provided at Appendix W) to the City of Sydney PAAP on 8 November 2022.</p> <p>The PAAP was principally interested in TOGA's intent to take a lead role in coordinating a unified approach to the public domain design, including landscape design, designing with country, heritage interpretation and public art across the Western Gateway sub-precinct.</p> <p>The PAAP were interested in TOGA's ongoing consultation with the adjoining owners within the Western Gateway sub-precinct and TOGA provided an update to the PAAP that Arcadia had now been engaged on the adjoining sites to facilitate a coordinate a unified public domain. The Panel encouraged continuing strategic alignment between the Western Gateway sub-precinct owners, including investigation of an holistic precinct approach to positioning of public art and distribution of public art budgets. Minutes of the meeting are appended to the Public Art Response at Appendix W.</p>

Authority	Date	Summary
Heritage Council	5 October 2022	<p>TOGA, Dexu (Atlassian) and CPS presented a coordinated Heritage Interpretation Strategy to the Heritage Council. The presentation outlined the interconnectedness between the heritage interpretation, public art, landscape design and Connecting with Country across the sub-precinct.</p> <p>This demonstrates the ongoing coordination across the three sites.</p>
TfNSW	Ongoing	<p>Ongoing consultation with TfNSW throughout the design development process.</p> <p>Feedback from TfNSW has focused primarily on the public domain and emphasizing the primary role of Henry Deane Plaza as a forecourt to development within the Central Station precinct, including the future OSD. The importance of maintaining clear desire lines east-west from Lee Street through to the OSD level is critical to TfNSW as the landholder of the precinct.</p> <p>In the presentation of the final Landscape Plans to TfNSW, it was noted:</p> <ul style="list-style-type: none"> ▪ TfNSW were encouraged to see the coordination of levels, stairs and DDA access provision with the adjoining owners within the WGP ▪ The larger 'laneway' opening on Lee St was positively received. ▪ The developed 'oculus' design, offering permeability and landscape in the lower level was considered by TfNSW to be a positive development of the design. ▪ TfNSW observed DDA access to the upper plaza is now provided via a lift near Lee St. Level access to the plaza within the CPS site further to the South, provides an alternative DDA compliant access point to the Plaza. TfNSW raised no concern with the approach. ▪ TfNSW emphasized that the primary role of the Plaza is to provide a "forecourt" to the OSD development and the Western Gateway Precinct buildings. To fulfill that role, TfNSW wanted to greater emphasis placed on the primacy of the East West connection from Lee St to the OSD. The placement of trees and soft landscape should be strategically positioned to avoid pedestrian obstructions and view obstructions to this primary axis. They felt the tree canopy placement needed further refinement to maintain a clear axial corridor.

3.2. REFINEMENTS TO THE PROJECT

The following table summarises the minor refinements and clarifications proposed since public exhibition and in response to submissions made, and as a result of further engagement with DPE.

Importantly, these refinements are changes that fit within the limits set by the project description. These refinements do not change what the application is seeking consent for, and therefore a formal amendment to the proposal is not required.

3.2.1. Summary of Changes to Architectural and Landscape Plan

Table 4 Design Refinements to Proposed Development

Location	Proposed Refinements
Basement Level 4	<ul style="list-style-type: none"> Basement extent reduced General update to layout of car parking spaces and service rooms Relocation of retail and supermarket goods lift
Basement Level 3	<ul style="list-style-type: none"> Additional loading bay provided General update to layout of car parking spaces and waste, service and back of house (BOH) rooms Relocation of retail and supermarket goods lift
Basement Level 2	<ul style="list-style-type: none"> Additional end of trip facilities and bicycle storage added General update to layout of car parking spaces and waste, service and BOH rooms Relocation of retail and supermarket goods lift, and fire pump room
Basement Level 1	<ul style="list-style-type: none"> Supermarket entry and layout adjusted Relocation of retail and supermarket goods lift, and egress stairs General update to layout of substation, BOH and takeaway food and drink premises added to supermarket area Lee Street tunnel gradient adjusted from 1:14 to 1:20
Lower Ground (and Henry Deane Plaza lower ground, Lee Street)	<ul style="list-style-type: none"> Additional retail tenancy added below Henry Deane Plaza Escalators removed and a void above the landscaped oculus created Relocation of public lift to improve sightlines and visibility of accessible access Lee Street stairway to the lower ground level (RL16) widened Hotel BOH areas and storage below Henry Deane Plaza adjusted Fire stairs updated in response to layout changes Lee Street tunnel gradient adjusted from 1:14 to 1:20 Lower commercial lobby lowered from RL17.25 to RL16.75 Revision to shape of fPPb internal feature stair Removal of western stair within fPPb Paving and re-levelling to align with adjacent sites for a portion of land extending to the east of the site (the Devonshire Street tunnel)
Ground level (and Henry Deane Plaza)	<ul style="list-style-type: none"> Escalators removed and void above landscaped oculus created Lee Street stairway to the upper ground level public domain (RL 21) widened Public domain lift increased to service RL 21 Public domain levels adjusted

Location	Proposed Refinements
	<ul style="list-style-type: none"> ▪ Update to landscaping design ▪ Commercial lobby lowered from RL 21 to RL20.5, and hotel arrival lowered from RL21 to RL20.8 ▪ Revision to shape of fPPb internal feature stair ▪ Relocation of kitchens and retail goods lift in fPPb ▪ Removal of western stair within fPPb
Level 2 – Level 5	<ul style="list-style-type: none"> ▪ Plant room simplified and internal risers consolidated ▪ Extent of eastern void reduced ▪ Update to design of DDA bathroom and core access
Level 6	<ul style="list-style-type: none"> ▪ Plant room simplified ▪ Extent of eastern void reduced ▪ Update to design of DDA bathroom and core access
Level 7	<ul style="list-style-type: none"> ▪ Revision to shape of fPPb roof void above the internal feature stair ▪ Update to layout of substation design
Level 10 – Level 19	<ul style="list-style-type: none"> ▪ Hotel floor to floor height reduced from 3.2m to 3.1m
Level 20	<ul style="list-style-type: none"> ▪ Reduction in extent of hotel void
Level 21	<ul style="list-style-type: none"> ▪ Reduction in extent of hotel void ▪ Fit-out detail of hotel wellness space removed (to be assessed as part of future hotel use and fit-out DA) ▪ Pool widened
Level 22	<ul style="list-style-type: none"> ▪ Reduction in extent of hotel void ▪ Fit-out detail of hotel wellness space removed (to be assessed as part of future hotel use and fit-out DA)
Level 45 (lower)	<ul style="list-style-type: none"> ▪ Structural columns in southern pill removed ▪ Louvre screening to southern pill provided
Level 45 (upper)	<ul style="list-style-type: none"> ▪ Roof to southern pill removed
Roof	<ul style="list-style-type: none"> ▪ Reduction in height of the parapet on southern pill from RL192.21 to RL191.21 ▪ Reduction in height of the parapet on eastern pill from RL195.51 to RL194.36 ▪ Reduction in height of the parapet on north-western pill from RL202.28 to RL201.28 ▪ Reduction in height of lift overrun and machine room from RL197.58 to RL195.98
Landscaping	<ul style="list-style-type: none"> ▪ Tree removal reduced from 22 trees to 20 trees, through retention of two street trees along Lee Street (Tree '21' and '22' in the Arborist Report) ▪ Additional landscaping added to the 'return' between southern pill and Lee Street stair ▪ Update to landscaping species

Refer to the Schedule of Changes (in the RTS Design Report at **Appendix E**) and revised Architectural Plans (**Appendix D**) and revised Landscaping Plans (**Appendix P**) for further details on the design refinements made since public exhibition. The list of Plans for final approval is provided at **Appendix C**.

3.2.2. Consent for Operation

3.2.2.1. Hotel

It is clarified that consent for the operation of the hotel, retail premises and ancillary premises including the recreational tenancies at level 21 and level 22 (spa and gym) do not form part of this consent.

The fit-out of tenancies is typically undertaken as complying development under Part 5A of the *State Environmental Planning Policy (Exempt and Complying Development Codes)*. However, as the site is located within the State heritage listed 'Sydney Terminal and Central Railway Station Group' and is identified as a local heritage item ("Former Parcels Post Office including retaining wall, early lamp post and building interior") in Schedule 5 of the Sydney LEP 2012, it is anticipated that Part 5A will likely not apply to the development.

Accordingly, a separate development application lodged to City of Sydney Council will be prepared to seek consent for the fit-out of the hotel, retail premises and ancillary premises, once the detailed operational needs of the future operator is known. As the fit-out works will inform the operation of the hotel, consent for the operation of the hotel, retail premises and ancillary premises will also form part of this future application.

3.2.2.2. Commercial Premises

This application seeks consent for the operation of the commercial premises from level 2 – level 5 and level 23 – level 44. Consistent with the above, a separate development application lodged to City of Sydney Council will be prepared to seek consent for the fit-out of the commercial premises.

3.2.3. Revision to Site Boundary

This application seeks to revise the site boundary to include an additional portion of land at the eastern and south-eastern corner of the site. This change will result in an update to the site description for the purposes of the SSDA. The site is located at 2 & 8A Lee Street, Haymarket and is legally described as:

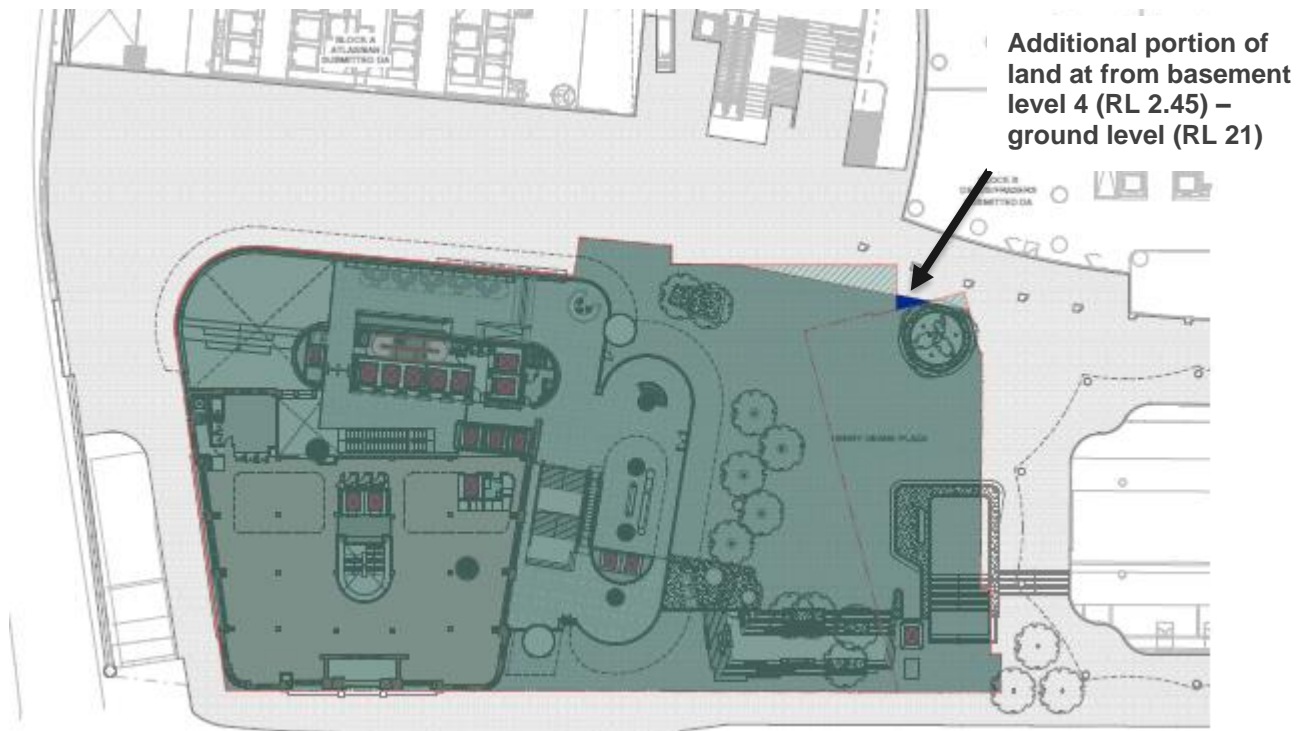
- Lot 30 in Deposited Plan 880518,
- Lot 13 in Deposited Plan 1062447,
- A portion of Lot 14 in Deposited Plan 1062447, and
- A portion of Lot 12 in Deposited Plan 1062447.

The additional portion of land is illustrated in **Figure 2** and includes the land described in **Table 5**.

Table 5 Summary of additional land

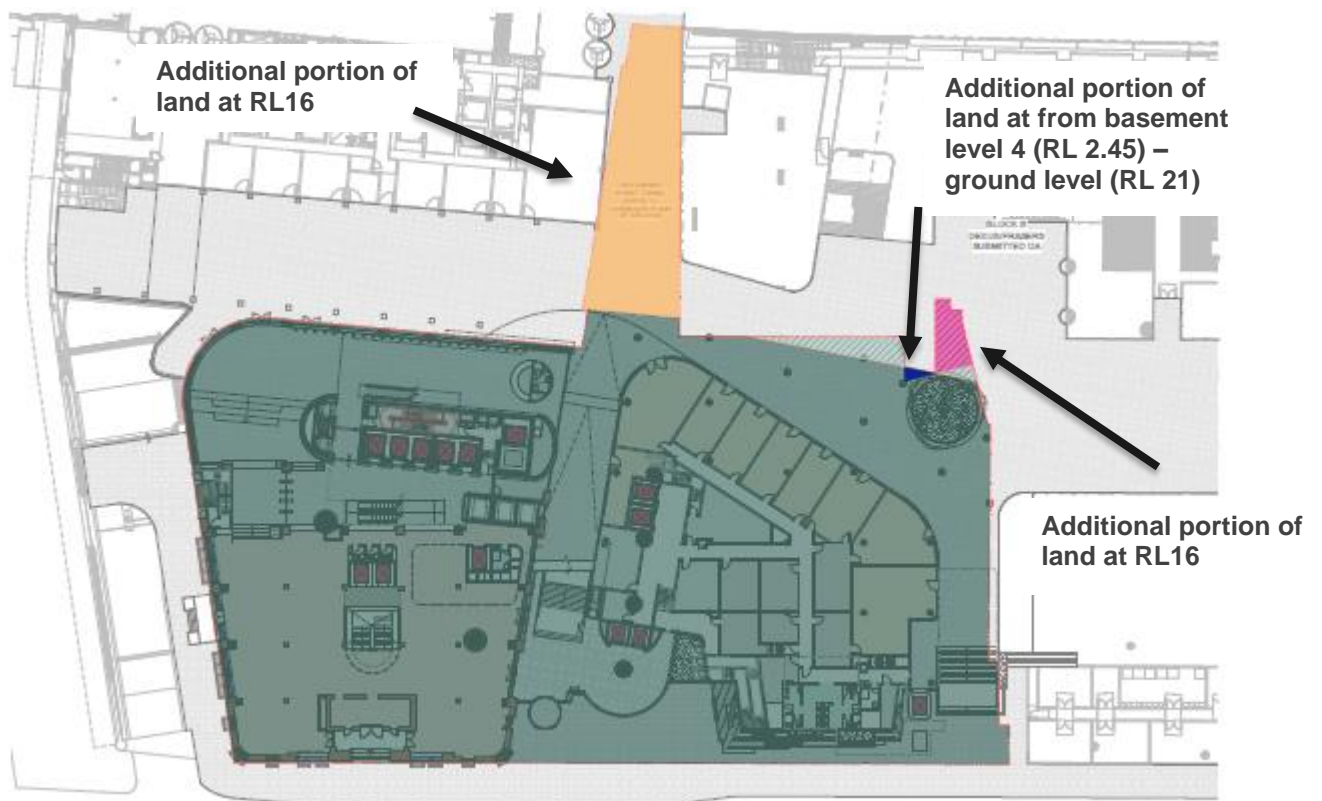
Location of land	Lot and DP	Description
A portion of land at lower ground (RL16)	Lot 13 in DP 1062447	This land is located on the eastern boundary of the site, extending east towards the Central Station entrance. This land is a part of the existing Devonshire Street tunnel. Identified in yellow in Figure 2.
A portion of land at lower ground (RL16)	Lot 13 in DP 1062447	This land is located on the eastern boundary of the site, extending east towards the Dexu Frasers lot. Identified in pink in Figure 2.
A portion of land from basement level 4 (RL 2.45) – ground level (RL 21)	Lot 12 in DP 1062447	This land is located on the south-eastern corner of the lot boundary and is a triangle shaped portion of land adjacent to the 'zig zag' lot boundary. Identified in blue in Figure 2 and Figure 3.

Figure 2 Identification of additional land at RL21



Source: Bates Smart

Figure 3 Identification of additional land at RL16



Source: Bates Smart

The proposed works to this portion of land is illustrated in the Architectural Plans and Public Domain Plans. In summary, the works proposed to this land includes alignment to the finished floor levels to coordinate with the surrounding land holdings (to a level of RL16.10 – RL16.40) and public domain works to construct this area within the City of Sydney Granite Unit Paving.

Further discussion of lot boundaries is provided in **Section 4.2.1.1**.

3.2.4. Building Height and Floor to Floor

The revised Architectural Plans seek to reduce the floor-to-floor height of the hotel levels (level 10 – level 19) from 3.2m to 3.1m. This will result in a minor refinement at the tower crown to reflect the reduction in the maximum height of rooftop plant and services.

The revised maximum building height for the proposal is RL201.28 (45 storeys). This is a reduction of 1m from the previously proposed maximum building height of RL202.28 (45 storeys).

3.2.5. Public Domain and Landscaping

The urban design and landscaping proposal for Henry Deane Plaza has been refined following the public exhibition of the application. The key amendments are outlined in the table above and illustrated in the comparison in **Figure 4**.

Notably, the refined Henry Deane Plaza provides integrated levels to align with the development on Block A and Block B, a simplified and accessible interface with Lee Street, an increase to the width of the Lee Street stairs to 23m, and greater daylight penetration to the lower ground level through a void above the landscaped oculus at RL16 (with escalators removed) and setback of the RL21 slab to create a laneway that is open to the sky providing access from Lee Street to lower ground.

In regard to landscaping, the proposal now seeks to retain the two existing street trees along Lee Street adjacent to the fPPb (known as 'Tree 21' and 'Tree 22' in the SSDA submission) and prune these trees to enable access to the fPPb western façade to facilitate conservation work and construction activities. The planting selection has also been revised to provide a greater proportion of Cabbage Palm trees in key locations to enhance canopy coverage and shading.

Figure 4 Henry Deane Plaza design



Source: Bates Smart

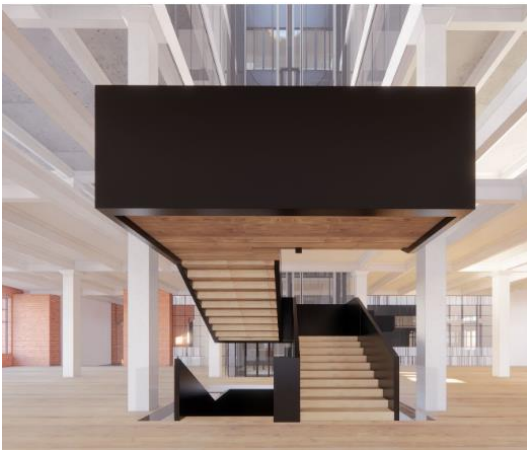
3.2.6. Refinement of Internal Voids in fPPb

The design of the atria of the former Parcels Post building (fPPb) has been further developed since the SSDA submission. The central atrium has been rationalised to match the shape of the void on the floors above, thereby providing a more consistent expression throughout the building and acknowledging the existing structure of the heritage building.

The roof of the central atrium at the level 7 terrace has also been adjusted to match this design, providing a simplified overall expression in better alignment with the original heritage building. This also supports additional daylight penetration to the lower levels.

A comparison of the previously submitted void configuration and the proposed void configuration is provided in **Figure 5**.

Figure 5 Comparison of proposed design configuration of internal fPPb void



Picture 1 Void as per lodged SSDA



Picture 2 Design as per RTS submission

Source: Bates Smart

3.2.7. EoTF, Bicycle Parking and Loading

The refined proposal seeks to respond to concerns raised by the City of Sydney, TfNSW and the Department to ensure sufficient bicycle parking, end of trip facilities (EoTF) and loading bays are provided within the development. The refined proposal seeks to increase the provision of loading spaces, EoTF and bicycle parking in accordance with the table identified below. These refinements relate to basement level 1 and basement level 2.

Table 6 Refinement to loading, bicycle parking and EoTF

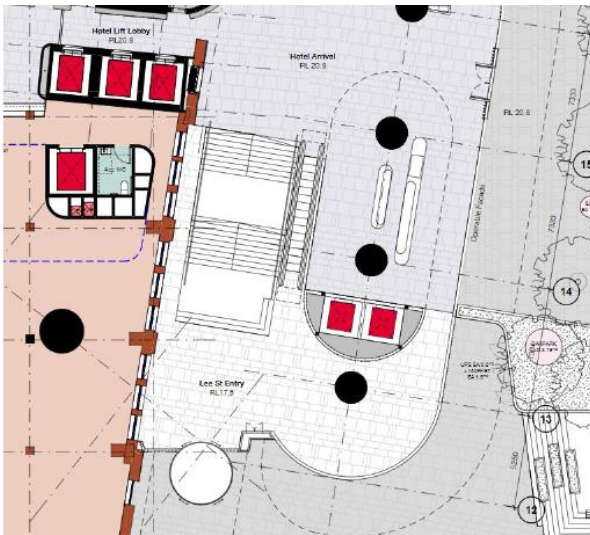
Component	Lodged SSDA	RTS for SSDA
Loading	Five loading bays, including: <ul style="list-style-type: none"> Two MRV bays Two SRV bays One smaller van and ute space 	Six loading bays, including: <ul style="list-style-type: none"> Two MRV bays Two SRV bays Two smaller van and ute spaces
Staff bicycle parking	165 employee bicycle parking spaces	223 employee bicycle parking spaces
Visitor bicycle parking	72 bicycle parking spaces	72 bicycle parking spaces
End of trip facilities	138 lockers and 22 showers on basement level 1	223 lockers and 28 showers for employees on basement level 1 and basement level 2

3.2.8. Southern Atrium Stairway

In response to commentary received from Council and the DPE, the southern atrium stairway has been offset by 900mm from the southern façade of the fPPb to provide greater curtilage to the heritage fabric, and specifically the two former bronze framed shopfronts located on the northern end of the façade. The refinement allows the stair to be entirely separate from the southern façade, as illustrated in **Figure 6**.

Additionally, the floor level for the hotel arrival space has been reduced in height from RL 21 to RL 20.8 to further reduce the overall length and height of the stairwell in order to minimise this visual and heritage impact. Refer to further discussion in the Heritage Response at **Appendix H**.

Figure 6 Proposed refinement of southern atrium stairway



Picture 3 RTS Ground floor plan

Source: Bates Smart



Picture 4 Photomontage of offset stair

Source: Bates Smart

3.3. UPDATE ON RELATED DEVELOPMENT

3.3.1. Block A: Atlassian Central

3.3.1.1. SSD-10405

In August 2022, construction of the adjacent Atlassian Central site commenced. This provides further certainty to the proposed interface between Block A and Block B. For the purposes of this assessment, it has been assumed that Atlassian Central will complete construction in accordance with the latest plans submitted within SSD-10405 at the time of writing.

A number of modification applications are currently under assessment by the DPE for Block A, including:

Table 7 Current applications for Block A

Application	Summary	Impact on TOGA SSDA
SSD-10405-Mod-2	<p>A modification application was lodged in May 2022 for minor modifications to the internal configuration of the development within the Basement Levels, Inwards Parcels Shed, and the 'OSD' level above the Inwards Parcels Shed. The application also includes modifications to conditions of consent to increase construction hours and amend the wording of conditions to clarify construction stages for certain works to be undertaken.</p> <p>A key change to the public domain levels includes the addition of an escalator between lower ground and upper ground level, which will support greater pedestrian circulation within Henry Deane Plaza.</p>	No impact on interface or coordination with the TOGA site.
SSD-10405-Mod-3	<p>A modification application was lodged in July 2022 for</p> <ul style="list-style-type: none"> ▪ Tower Restacking resulting from structural design development. ▪ Habitat Design changes including the extension of Level 4 in each habitat to the facade. ▪ Provision of timber fire protection throughout tower. ▪ Façade design development of YHA north atrium. ▪ Crown façade design development. 	No impact on interface or coordination with the TOGA site.
SSD-10405-Mod-4	<p>A modification was lodged on 14 December 2022 for minor modifications to basement level 1, YHA lobby level, upper link zone skylights, DDA access lift within the public domain, and materiality of jack arches within the lower ground link zone.</p> <p>The application seeks to delete the trafficable glass skylights within the Upper Link Zone and increase the size of the void along the western edge of the link zone and for the new voids to be integrated with the landscaped area. They will be open to the</p>	<p>The modification seeks to amend the approved design along the Block A western boundary (at the TOGA / Atlassian interface).</p> <p>The amendment to the Atlassian plan will change the interface zone along the site boundary, specifically in relation to the</p>

Application	Summary	Impact on TOGA SSDA
	sky and non-trafficable which will improve the sunlight penetration into the lower link zone.	<p>proposed fPPb awning and landscaping.</p> <p>The revised Architectural Plans and Landscape Plans has been informed by the Atlassian MOD 4 plans, ensuring alignment between the two developments in this location.</p>

3.3.1.2. Subdivision Registration

To facilitate the Atlassian development, TOGA committed to the subdivision of Lot 13 being part of the TOGA leasehold. The subdivision has occurred with the creation of separate titles for Lot13A and Lot13B. TOGA has signed a surrender deed of their leasehold rights for Lot13A returning the land to TfNSW. The surrender deed currently sits with TfNSW to countersign before being registered with the Land and Register Services.

3.3.2. Block B: Central Place Sydney – D/2021/251

Since the lodgement of the proposed SSDA, it is noted that the development application for the adjacent Central Place Sydney development (D/2021/251) was granted a deferred development consent by the Central Sydney Planning Committee on 20 October 2022.

The determination of this application has allowed for greater coordination and certainty in aligning the design, materiality and levels of Henry Deane Plaza and the lower ground level as this extends across the two site boundaries, as reflected in the revised Architectural Plans (**Appendix D**) and Revised Landscape Plans (**Appendix P**).

Whilst the deferred development consent required design modifications to the 'Connector building' and height of the tower under condition A1 of the consent, this does not impact the interface with the proposed TOGA development. As such the amended design for the TOGA development included with this Submissions Report has been coordinated with the documentation listed in Condition A3 of the consent.

4. RESPONSES TO SUBMISSIONS

4.1. SUMMARY

This section of the Submissions Report details the key issues raised in submissions made by Government agencies, members of the public (including landholders) and community groups during the exhibition period for the EIS, as well as the most recent request for information from the DPE dated 28 October 2022.

The content of each submission has been carefully reviewed and captured. The discussion below sets out the key issues raised by category and provides a response to the submission issues. Where the response relies on the assessment of technical matters by the project team, a summary is provided, direction is provided to the supporting technical document for a full analysis of the issue.

4.2. RESPONSE TO DEPARTMENT RFI LETTER

The following section provides a response to each key area of comment of the Department's RFI letter. Whilst extracts from the letter have not been provided in full in this Submissions Report, the submission responds to each matter raised.

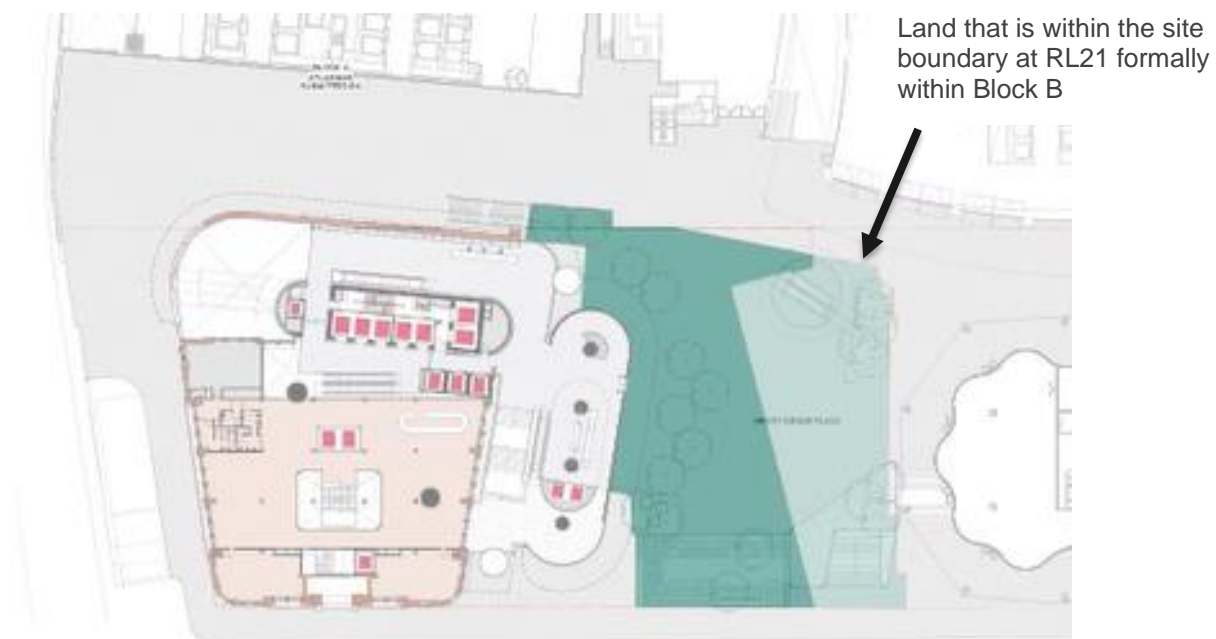
4.2.1.1. Development Boundary and Owners Consent

TfNSW have provided a letter (**Appendix II**) confirming preparation of the formal Landowners Consent is underway and is to be provided prior to determination. Should there be any further queries or concerns with this, it is requested that the DPE consult directly with TfNSW.

In regard to the lot boundary, it is noted the site has a number of complex stratum site ownership arrangements that are to be resolved in a future subdivision and lot re-alignment process. The lot boundary and site ownerships within the site are discussed in **Section 3.2.2**. In response to the location of works within the adjacent site, the following is noted:

- The proposal seeks to provide public domain and landscaping works that are located above RL21 and are formally outside of the TOGA ownership Block C boundary. This land falls within the 'Block B' Dexus-Frasers boundary and is identified in pale green in **Figure 7**. This land is included within the site boundary for the purposes of the SSDA to enable the delivery of a coordinated public domain. The work proposed in this area includes landscaping, public domain stairs / bleachers for seating, lighting and re-paving.

Figure 7 Location of land at RL21

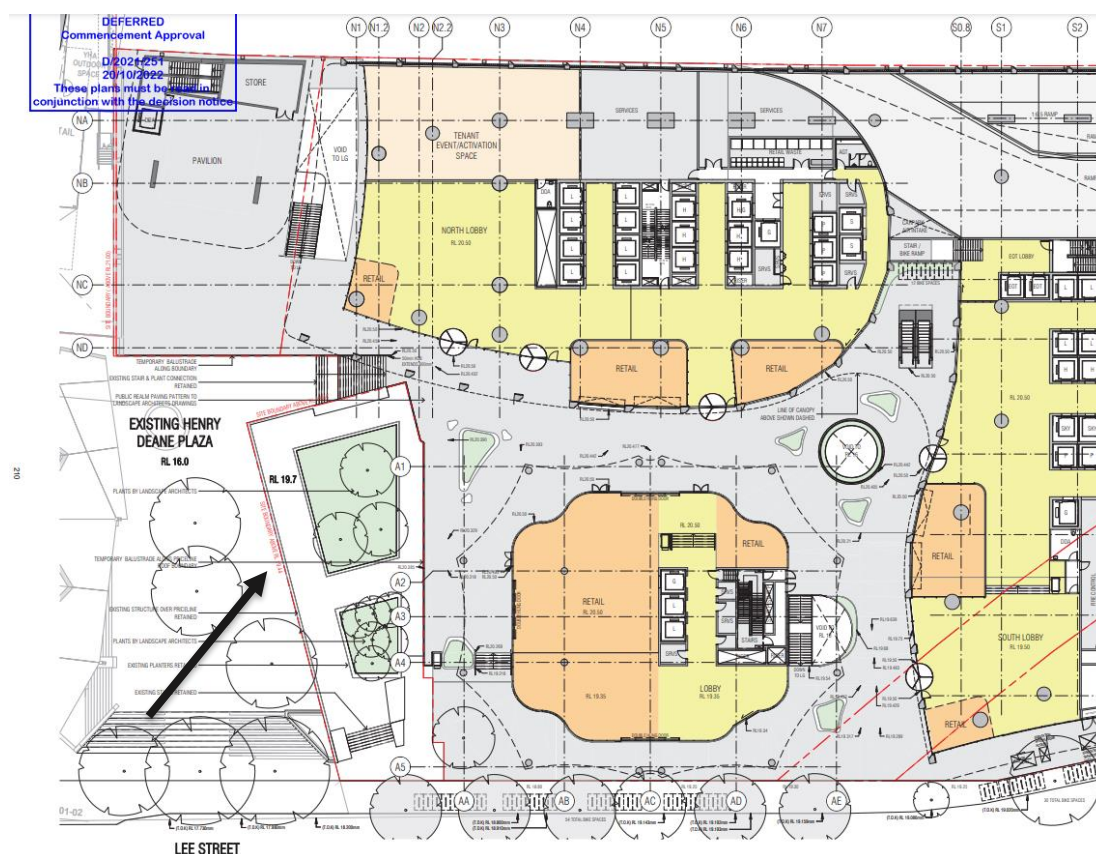


Source: Bates Smart

The owner of the land within the development boundary 'above RL 21' is TfNSW. The primary leaseholder is the Dexu-Frasers Consortium. The TfNSW landowners' consent letter (to be provided prior to determination) will confirm consent for the construction of building works on both the Block C and Block B land. This will be supplemented by a confirmation letter from the Block B leaseholders, the Dexu-Frasers Consortium, confirming consent is provided to construct on their leasehold land above RL21.

- It is noted that the approved public domain plans for D/2021/251 (Central Place Sydney) includes interim landscaping works within this portion of land (refer **Figure 8**). The Central Place Sydney DA was lodged before the TOGA SSDA and well before certainty in the design of this parcel of land was coordinated and refined.

Figure 8 Extract of approved plans D/2021/251



Source: FK + SOM

Condition 9b of D/2021/251 (Central Place Sydney) identifies that “Any buildings, structures, landscaping, works, or alterations forming part of potential future Day 2 or Day 3 alternative development scenarios” are not approved under the consent.

This application seeks consent for the ‘final scenario’ in which both the Central Place Sydney development and the TOGA development is constructed (also known as the “Day 2” scenario in D/2021/251). As such, it is the intention that in the final scenario where both these development proposals proceed, the scope of works identified in the TOGA Architectural Plans override the stamped plans under the Central Place Sydney DA.

It is noted that in the final state, the future boundary rationalization and coordination of design will resolve the complexities at this interface to achieve the coordinated public domain. As illustrated in the render prepared by Virtual Ideas (**Figure 9**) of the view from Central Place Sydney across to the TOGA development, there will be a seamless integration between the two sites in the final scenario.

Figure 9 Integration of Henry Deane Plaza across the lot boundary



Source: Virtual Ideas

- The escalator structure has been removed as part of the revised Architectural Plans. Additionally, the landscaped oculus has been re-aligned to fall within the TOGA site boundary. As identified above, landowners' consent for works within this portion of land from the landholder TfNSW and a confirmation letter from the leaseholder Dexus-Frasers Consortium will be provided prior to determination.
- The Architectural and Landscape Plans identify the 'revised lot boundary' below RL21. The simplification of the south-eastern corner will provide a diagonal lot boundary rather than the current 'zig-zag' lot alignment. The basement of the proposed development follows the alignment of the revised lot boundary. Whilst subdivision and lot-realignment will form part of a separate development application submitted to Council, the revised lot boundary is provided on the plans for information.
- Notwithstanding, it is noted there is a small 'triangle' of land that currently sits within the Block B site boundary, which TOGA seek to develop from basement level 4 (RL 2.45) – ground level (RL 21). This land has now been included within the site description (refer **Section 3.2**). Landowners' consent for works within this portion of land from the landholder TfNSW and a confirmation letter from the leaseholder Dexus-Frasers Consortium will be provided prior to determination.
- It is envisioned that the public domain will be managed and maintained under a Precinct Management Plan with all three adjoining landowners contributing costs to maintain the precinct to a consistent and high standard. The details of the Precinct Management Plan will be negotiated through 2023.

A response to the submission received by the Dexus-Frasers Consortium regarding the lot boundary overlap is provided in **Section 4.4.2**.

4.2.1.2. Heritage

South-eastern corner

The design of the south-eastern corner and structural interface has been the subject of extensive analysis, design refinement and review by key stakeholders. As discussed in the Design Report (**Appendix E**), Heritage Response (**Appendix H**) and Heritage Impact Statement (**Appendix G**), the eastern pod is a structural necessity for the proposed development to reinforce the overall structure of the tower itself.

The location of the structure on the south-east corner of the fPPb is the most suitable position for this, given:

1. The eastern façade has been extensively altered and no original fabric is discernible except at the northern and southern ends of the facade. Parcel lifts were introduced in c. 1915 and a later extension was constructed c.1969 (and was subsequently removed). Additionally, Styrofoam filled vinyl embellishments were installed on the east elevation to replicate the appearance of carved sandstone but have been substantially compromised by birds, and a number of windows to the east façade have been replaced with aluminium windows. The majority of the façade therefore has been modified or reconstructed, in contrast to the northern, southern and western facades which have retained more physical fabric from the original construction phase. This is discussed further in Section 6.8.1.2 of the EIS and the Heritage Impact Statement.
2. The eastern façade was originally a simpler façade, lacking the circular windows and symmetry of the northern and southern facades and the high level of detail of the main entry on the western facade. The proposal seeks to retain these original and highly significant details.
3. The new tower structure is setback to the south and east of the former Parcels Post building allowing the heritage building to be fully appreciated from the north and west, and clearly visually delineated from the new fabric. The substantial setbacks from the northwest corner and the adoption of a splayed tower form (approx. 13m minimum setback) would retain the visual prominence of the most significant facades when views from George Street and Pitt Street.
4. The location of the structure of the new building to the south-east of the fPPb is directly informed by the permitted planning controls. The *Sydney Local Environmental Plan 2012 (SLEP 2012)* and Western Gateway Design Guide (**WGDG**) setback controls inform the offset of the tower envelope from the principal fPPb façades through the required setback controls from the north-east and south-west corners of the fPPb. The core cannot be located further east of the fPPb to provide further separation between the corner due to the minimum 12m setback control to a building on Block A.
5. The positioning of the tower structure on the south-eastern extent of the site ensures the south-western corner of the site remains free of structure. This is critical due to the high level of pedestrian movement, interface with Lee Street and Henry Deane Plaza, high visibility from Broadway, and heritage sightlines to Marcus Clarke building that inform the design of this corner.

The above considerations have informed the design of the proposal and specifically the location of the structural core on the south-east corner of the fPPb.

Notwithstanding the above, Bates Smart have ensured the treatment of the southeast corner is sensitive, retains as much original fabric as possible, and minimises unavoidable heritage impact. Visibility from sightlines approaching from the east was also a key consideration during this process.

This approach has been developed in consultation with the DIP, specifically in response to feedback provided in the DIP Session 2 (20 May 2022) and DIP Session 3 (14 June 2022). Bates Smart presented a number of options for the detailing of the south-east corner and interface with the structural core. These options are illustrated in **Figure 10** and further discussed in the Design Report (**Appendix E**) and revised Heritage Impact Statement (**Appendix G**).

Figure 10 Options for detailing of south-east corner



Picture 5 Option 1 (proposed)



Picture 6 Option 2



Picture 7 Option 3

Source: Bates Smart

The proposed design that was endorsed by the DIP incorporates the return of the existing quoining and façade detail on the south façade, to the east façade. This results in the appearance of the façade as a rational, finished façade within the context of the development and retains the symmetry of the facade. Options 2 and 3 did not achieve this level of resolution and were not supported by the DIP.

Further, the DIP also supported maintenance of unrendered brickwork on the inside face of the wall to the point where it intersects the new hotel lift core. This brickwork return would ensure that the southern façade has sufficient depth to be legible as part of the structure behind.

As a result, despite the partial demolition of the south-eastern corner of the fPPb, the appearance of this corner will be reinstated to contribute to a more sophisticated, interpretive understanding of the original massing and scale of the fPPb. Further discussion of the endorsement of the south-eastern corner resolution by the DIP is provided in the Design Integrity Panel Endorsement submitted with the SSDA.

In summary, Urbis Heritage consider it appropriate to concentrate the intervention to the eastern façade given the extent of change and level of significance of the eastern elevation. Whilst this will result in an impact on fabric of high significance, Urbis Heritage considers the impact to be an acceptable outcome given the resolution of the design in interpreting the original fabric, the substantial retention of the northeast corner and the lack of contribution that the southeast corner makes to the visual context of the Devonshire Street Tunnel and Henry Deane Plaza.

Internal demolition

The extent of proposed internal demolition has been revised in response to the City of Sydney submission. As outlined in **Section 3.2**, the central atrium (and level 7 roof) has been rationalised resulting in a reduction in the size of this internal void and extent of internal demolition. The width of the void between Grids I - K along the main building core has also been reduced. The amendments to the void will ensure that natural daylight is penetrated throughout the building.

Additionally, the proposed risers, stair and lift previously located on the western internal façade have been relocated to the eastern portion of the floor plate to allow for full retention of the existing floor plate on the western portion of the floor plate.

The extent of internal demolition is supported by Urbis Heritage in the Heritage Response (**Appendix H**) which notes that the removal of the floor plate in some sections will not change the character of the internal

spaces or have an adverse heritage impact. The proposed revision as part of this RTS also minimises the scale of insertions in accordance with CMP Policy 61.

As discussed in **Section 3.1**, the revised design of the internal voids has also been supported by the DIP in their post-lodgement review of the scheme.

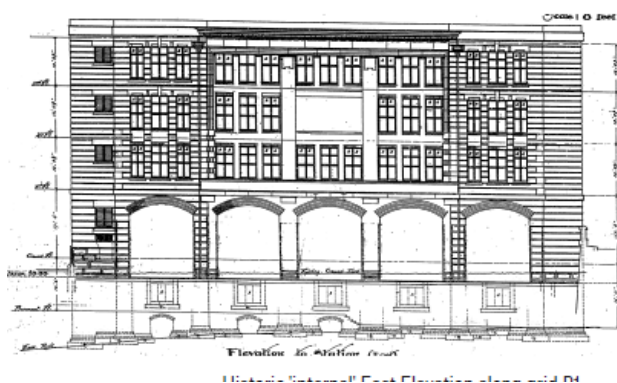
Rear yard retaining wall

The new openings within the rear yard retaining wall are retained within this Submission Report. The development proposes three entryways and full-length windows within the openings to connect the Atlassian lower ground link zone and the TOGA lower commercial lobby. These openings are consistent with the original historical function of this space in passing parcels onto the platform, and the size of the large format openings is consistent with the proportions of the original openings (refer **Figure 11**).

Whilst the proposal does seek additional openings than the original (which had at least two), the additional openings are supported by Urbis Heritage due to the creation of a viable pedestrian link and a significant contribution to the quality of this public domain area (particularly noting the high level of pedestrian movement in the 2056 + 15% future scenario).

Regarding the proportions, the proposed openings adopt a squared top rather than the original arches. This is proposed to ensure the openings are read as a new intervention (particularly to the south where no openings were originally located), and that the openings are sympathetic to the new vaulted ceilings within the lower ground link zone.

Figure 11 Comparison of original historic openings and proposed openings in rear yard wall



Picture 8 Original historic openings (east elevation)

Source: Bates Smart Design RTS Report



Picture 9 Photomontage of proposed openings

Source: Bates Smart

Atrium stair location

The design has been revised to provide a greater offset of the proposed atrium stair from the southern façade of the fPPb. A 900mm offset is provided to allow for greater visibility and curtilage to the bronze framed shopfronts.

The floor level for the hotel arrival space has also been reduced in height from RL 21 to RL 20.8 to further reduce the overall length and height of the stairwell.

4.2.1.3. Design Excellence

The Design Integrity Panel provided full endorsement for the proposed scheme and confirmed the design retains the fundamental elements of design excellence and resolves areas requiring further resolution as identified in the Competition Report on 14 June 2022.

The items identified in Section 3.3 of the Commentary and Advice letter dated 14 June 2022 were identified by the DIP for consideration by the proponent, not as matters to be resolved in order to achieve design excellence. TOGA and Bates Smart have considered these three items and a response is provided.

Table 8 Response to DIP General Commentary

General DIP Commentary	Response
The eastern façade of the building adjacent to the Atlassian development currently presents as the 'rear' of the building. There may be an opportunity to make this a more considered elevation through development of a public art or more considered design solution on this facade.	<p>Public Art consultant TILT and Bates Smart have considered this recommendation, however, have not proposed this as a location of public art due to the limited visibility of this façade from the public domain (as a result of the awning and core placement). The locations in the Public Art Strategy within Henry Deane Plaza will be more visible and prominent in the public domain, allowing for greater appreciation than the eastern tower facade.</p> <p>Further, it is noted the eastern façade cladding is a highly articulated surface and contains a playful pattern of circular shaped extrusions. This will provide visual interest to the few viewpoints that have visibility of this façade.</p>
The detailing of the windows of the eastern elevation requires further resolution.	Window details will be further explored in the detail design (Construction Certificate) stages, to integrate the framing without undermining the overall facade expression and retaining the elegant expression of the facade.
Exploration of the proposed materiality of the lift core cladding as a black to bronze finish, rather than a cool toned black to purple as currently presented in the photomontages is recommended.	<p>Bates Smart have considered options for the materiality of the lift core cladding. Whilst a black to bronze finish was considered, it was determined that this lighter colouring results in a more prominent tower façade that overwhelms the heritage item. The proposed materiality provides for a darker, more recessive expression. This colouring is also the result of a mix between the red tone of the fPPb brick face and black, allowing for alignment with the heritage item.</p> <p>The proposed colouration is considered the most sympathetic to the heritage building whilst achieving a unification across the three pills.</p>

4.2.1.4. Setbacks

An updated setback diagram is provided in the RTS Design Report at **Appendix E** and extracted at **Figure 12**.

As per clause 6.53(8A)(c) of the SLEP 2012, the new building has a setback of 5m from the north east and south west corners of the existing building and 12m from the building on Block A. The setback distance has been measured to the building wall, in accordance with the definition of a 'setback' in the Standard Instrument LEP:

building line or **setback** means the horizontal distance between the property boundary or other stated boundary (measured at 90 degrees from the boundary) and—

- (a) a building wall, or
- (b) the outside face of any balcony, deck or the like, or
- (c) the supporting posts of a carport or verandah roof,

whichever distance is the shortest."

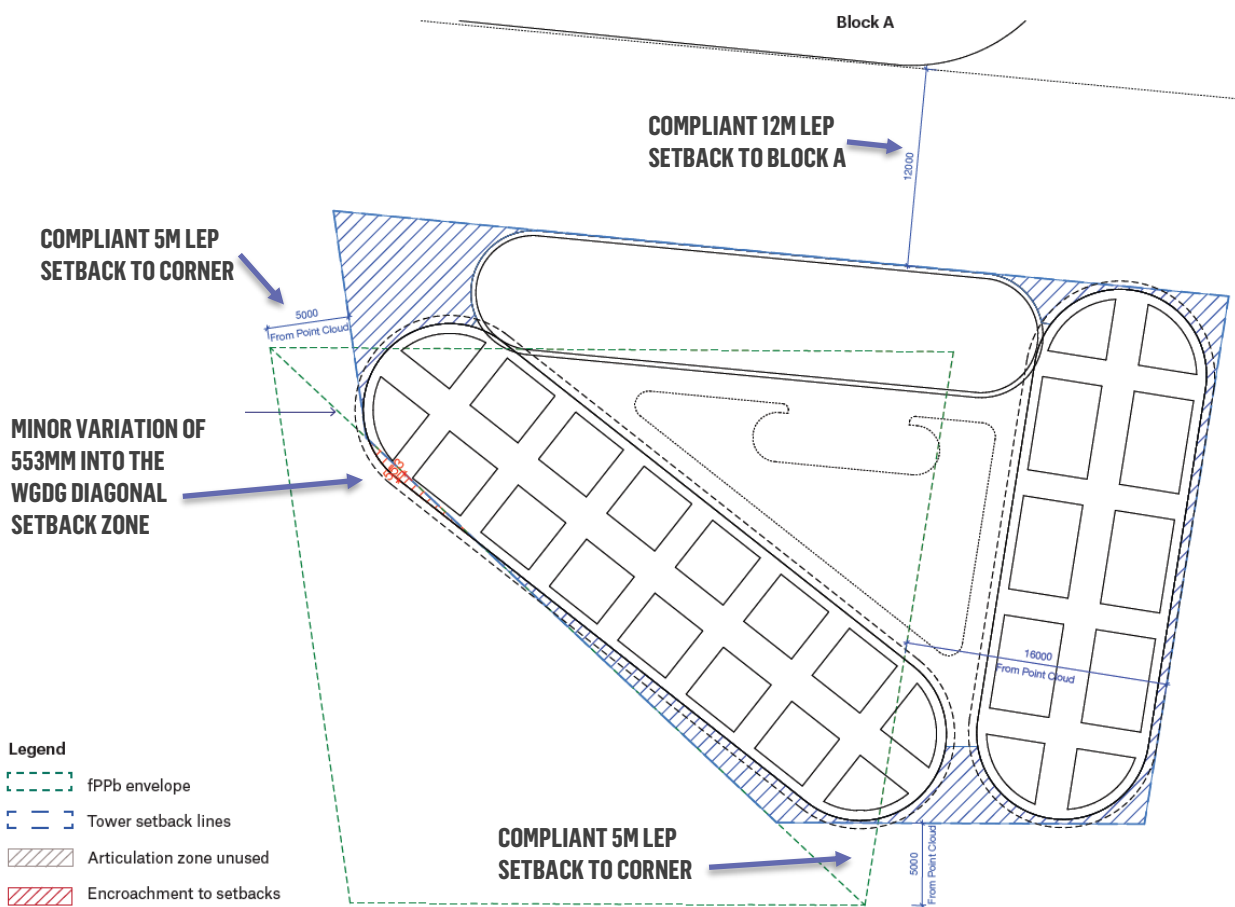
It is noted that the following articulation and solar shading devices are not counted when measuring the setback to the building wall in accordance with the above LEP definition:

- Solar shading devices located on the northern and southern pills, which are not defined as a wall, the outside face or any balcony or the like, or a supporting post.
- An awning provided at the level 2 eastern elevation (with a width of 2.75m).

This interpretation is further supported by the Apartment Design Guide (whilst noting this does not apply to the proposed commercial land use), which states that the “building line” is the predominant line formed by the main external face of the building. Similarly, the WGDG further adopts this approach of excluding projections from the measurement of the building line setback for the fPPb (refer section 3.1.2 (13d)) – “The minimum 5m setback from the north-east and south-west corners of the fPPb must be measured parallel to the north and west facades respectively of the fPPb and should be calculated from the average of the substantive façade face, excluding projections and cornices”.

Accordingly, there is no variation to the planning controls outlined in clause 6.53 of the SLEP 2012 required to permit the proposed development as the building wall does not extend into the setback zone required under the SLEP 2012.

Figure 12 Setback diagram



Source: Bates Smart

In regard to the WGDG setback provisions, section 3.1.2 requires the tower form to be located south of a chamfered setback that aligns with a diagonal line from the north-east corner and south-west corner of the fPPb. The proposal seeks to vary this provision to allow for a minor 553mm intrusion of the building wall into the diagonal setback zone on the northern pill.

This variation to the WGDG provision as:

- The extent of the variation is extremely minor in the context of the tower floor plate. The variation measures 0.553m in depth and 2.06sqm in area. This area will not be visually discernible from viewpoints within the public domain or from surrounding higher vantage points within existing buildings or the OSD level.

- The expression of the tower form in three distinct pill forms results in an area of unused articulation located south of the diagonal line, as identified in the blue crosshatch in **Figure 12**. Specifically, the northern pill is setback 2.06m from the diagonal line. The total area of the unused articulation in the envelope is 154sqm. As such when considered overall, the substantive proportion of the tower envelope will be located south of the diagonal line in accordance with the intent of the control.
- The well-considered positioning of the tower form will ensure the fPPb retains its visual prominence when viewed from George Street and Pitt Street, and that a clear visual delineation between new and existing fabric is provided. Refer to further discussion in the revised Heritage Impact Statement (**Appendix G**).

A response to the outstanding areas of the WGDG and Sydney DCP 2012 (**DCP**) (albeit not an applicable requirement to sites in the Western Gateway or SSD applications) is provided in the following table.

Table 9 Additional planning assessment

Policy	Provision	Response
WGDG	3.2.1(9)(f) Development must demonstrate how visual connections between the core heritage buildings (former Parcels Post building, former Inwards Parcel Shed and broader Central Railway site) are preserved, or if this cannot be achieved, demonstrate heritage interpretation measures.	<p>Urbis has assessed the impacts on the visual catchment of the fPPB in the Visual Impact Assessment (VIA) (this is addressed in sections 5.3 and 5.4 of the HIS).</p> <p>Visual appreciations of the historical link between the fPPB, former Inwards Parcel Shed and greater Central Railway group have been considered during development of the design. The historic significance of the fPPB and its place in the greater Central Railway group has been highlighted as a key theme (known as Lines of Communication) in the Heritage Interpretation Strategy submitted with the SSDA.</p> <p>It is acknowledged that the eastern tower core will partially obscure views to the eastern façade of the fPPB from the Inwards Parcels Shed, however the façade will remain partially visible from the more prominent north-eastern corner. Notwithstanding, this provides the opportunity for the historic visual link to be returned through the incorporation of a series of window bays (a minimum of three windows) in the eastern façade.</p> <p>The Heritage Interpretation Strategy also notes the potential for the use of a combination of double-sided graphics and small-scale showcases in this area that may assist in the conveyance of historical information and imagery alongside existing views via the window bays. This will be further explored during detailed design.</p>
	3.2.1(9)(h) Address the recommendations of a precinct-wide Conservation Management Plan (CMP), the preparation of which needs to be informed by Heritage NSW.	The revised Heritage Impact Statement (Appendix G) provides an assessment of the development against the policies of the precinct-wide Conservation Management Plan (CMP) (Appendix I), and the revised Block C CMP (Appendix J) also addresses these recommendations.
DCP	Section 4.4.8.1 – Section 4.4.8.3	The fit-out and operation of the hotel will be subject to a separate application. Section 4.4.4.8 (1) – (6) relate to detailed matters pertaining to the management and operation

Policy	Provision	Response
		<p>of the hotel, and the internal design and fit-out of the hotel rooms. This SSDA does not seek consent for these items.</p> <p>Notwithstanding this, it is noted the proposed hotel development is self-contained and does not have common access ways with adjoining properties.</p> <p>The proposed hotel is a major investment for TOGA and will be a premier hotel offering. Hotel staff will be onsite 24/7 to manage the site, and all relevant management plans will be prepared in consultation with the operator.</p>

4.2.1.5. Public Domain

Public Domain

As discussed in **Section 3.2.5**, a revised Public Domain and Landscaping Plan has been prepared by Arcadia and Bates Smart. The public domain plan greatly improves upon the coordination, resolution and refinement of the public domain since the initial lodgement of the SSDA. Specifically, this includes:

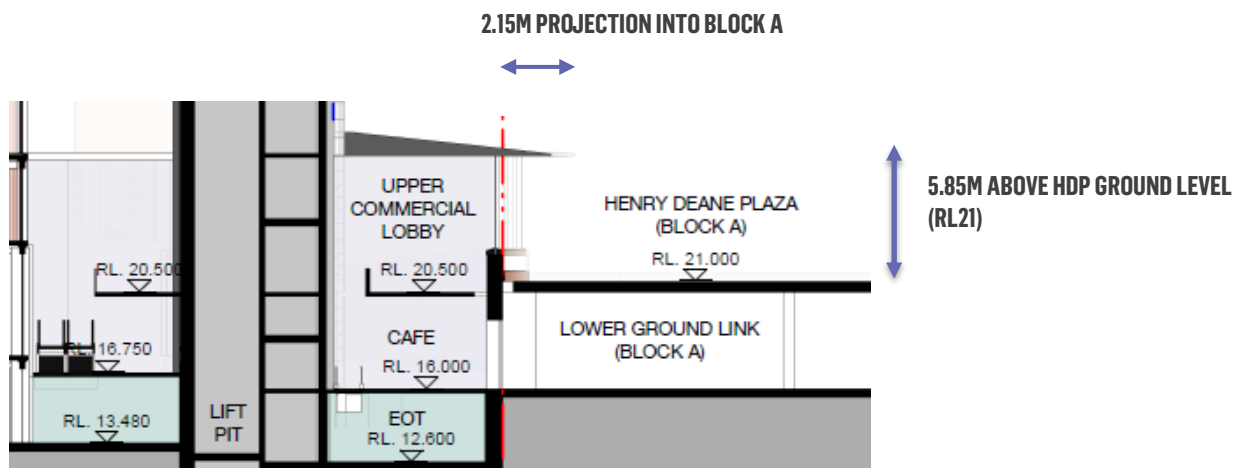
- Alignment between the levels proposed in the TOGA site and those approved on the adjacent Central Place Sydney. This has resulted in a refinement to the Civil Plans and stormwater management, which has also been updated in response (refer revised Civil Plans at **Appendix GG**).
- The revised upper plaza levels (developed in conjunction with Central Place Sydney) are lower than the SSDA proposal and will provide a gentler stair transition from Lee Street to the upper plaza and improved site lines between Lee Street and the plaza.
- Equitable access from Lee Street to lower ground and ground floor plaza levels. At ground level, access from Lee Street (at RL 17.8) is provided to Henry Deane Plaza (at RL20.5 – RL21) via the landscaped stair and a slight gradient entering into the site. Access from Lee Street is provided via the publicly accessible lift and open stair down to the lower ground level (RL16).
- Coordinated materiality is proposed to ensure a consistent design throughout Henry Deane Plaza. The development will utilise City of Sydney streetscape paving along Lee Street at RL17.5, and granite unit paving within Henry Deane Plaza, and the Atlassian and Central Place Sydney developments to achieve coordination across the public realm. Refer to revised Landscape Plans at **Appendix P**.
- The space between the southern pill and the Lee Street stairs now provides a planter, linking the upper and lower planter into a common expression. This will also improve the safety of this space through discouraging use and access to this space.
- The enlarged opening between Lee Street and the lower ground level at RL 16 will provide improved daylight access and ventilation to the lower ground level, as well as enhancing view corridors and natural wayfinding cues for pedestrians travelling through to the lower level and Devonshire Street tunnel from Lee Street.

Awnings

The proposal incorporates an awning along the eastern elevation of the new building to provide wet-weather and wind protection to pedestrians within Henry Deane Plaza. The eastern awning extends 2.15m beyond the Block C eastern boundary, into the Atlassian land, and has a height of 5.8m above Henry Deane Plaza ground level (RL21) and the Atlassian upper link zone (RL21).

Refer to extract of the Section Plan at **Figure 13**.

Figure 13 Extract of Section Plan



Source: Bates Smart

As discussed in **Table 7**, a modification application (SSD-10405-Mod-4) has been lodged by Atlassian with the DPE to amend the landscaping and public domain design of the interface zone between the Atlassian and TOGA block boundaries. Specifically, the modification application involves the removal of the proposed upper link trafficable skylights, increase in the size of the void along the western edge of the Atlassian link zone and integration of the landscaping with the new voids. The revised Architectural Plans have been developed alongside and are informed by the Atlassian MOD 4 plans. This has ensured coordination between architectural and landscape elements.

TOGA has been regularly engaging with Atlassian and Dexus-Frasers Consortium throughout the preparation of the SSDA and this Submissions Report to confirm acceptability of the interface zones. A letter of support from Vertical First (the registered landholders of the Atlassian site), confirming support of the proposed TOGA SSDA is provided at **Appendix JJ**.

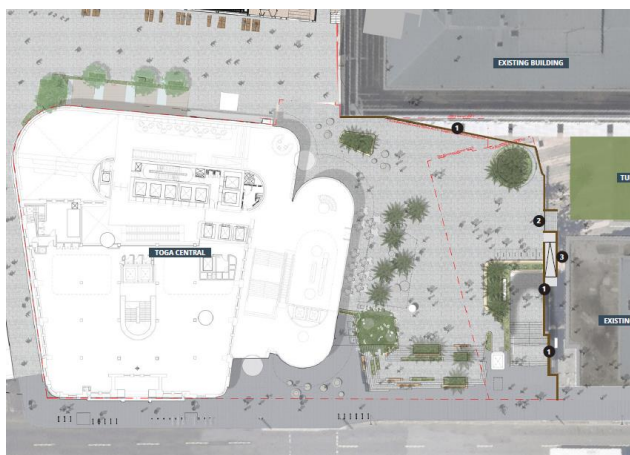
Interface

The Landscape Plans illustrate the design of the public domain in the interim scenario (in the event Central Place Sydney is not developed). In this scenario, the following elements are provided:

- An interim brick wall with a vertical face and safety balustrade on the south-eastern site boundary (to resolve level differences),
- Interim stairs and an interim ramp from RL 16 up to the new Henry Deane Plaza level at RL21.

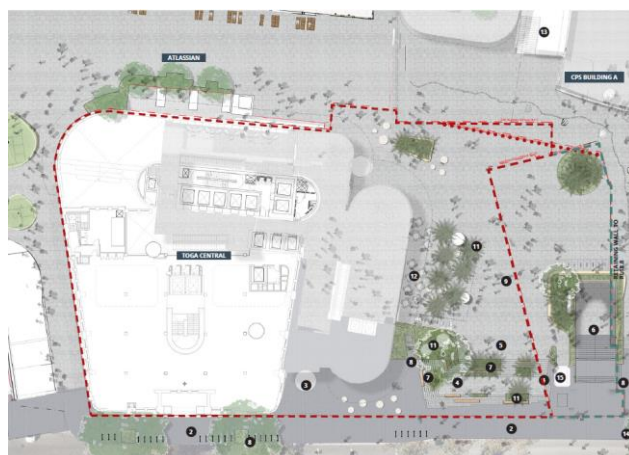
A comparison of the interim and final public domain interface with adjoining blocks is provided in **Figure 14**.

Figure 14 Comparison of interim and final Henry Deane Plaza



Picture 10 Interim public domain plan

Source: Arcadia



Picture 11 Final public domain plan

Source: Arcadia

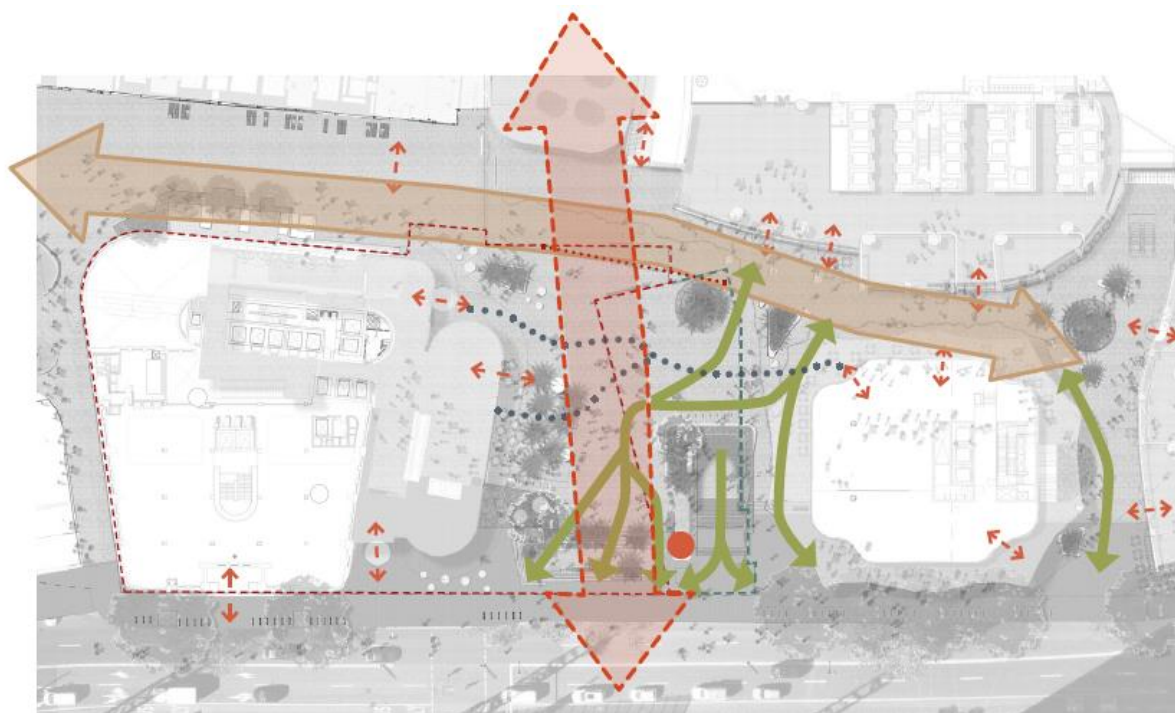
Canopy Coverage

The site has an existing canopy coverage of 16.9% (707sqm). The proposal has a total canopy coverage of 6.4% (266sqm). The reduction in canopy coverage is a result of the change in site constraints, levels of Henry Deane Plaza, and the vision of TfNSW for Henry Deane Plaza as a forecourt to surrounding development with strong east-west and north-south pedestrian movement corridors and desire lines.

Ongoing consultation with TfNSW (refer **Section 3.1**) has confirmed that TfNSW's intent for the design of Henry Deane Plaza is to prioritise pedestrian movement corridors, with landscaping forming a secondary role to this. The key corridors prioritised in the public domain and landscaping design is illustrated in **Figure 15**. In light of this, the reduced canopy coverage is considered acceptable given the change in the primary role of Henry Deane Plaza in the broader context of the Central Station precinct redevelopment.

This proposed design and landscaping provision responds to the TfNSW Publicly Accessible Space strategy and TfNSW's broader vision for the precinct.

Figure 15 Access and movement patterns across the sub-precinct



Source: Arcadia

The existing Henry Deane Plaza is located on deep soil, allowing the growth of large canopy (endemic) trees. The proposed Henry Deane Plaza design is located on a structure above the proposed basement, which limits the depth of the planting zones and plant species that can be accommodated on the site. Notwithstanding this, the landscape design of Henry Deane Plaza seeks to provide consolidated locations of deep soil to accommodate a number of trees within the plaza. A soil depth of 246m³ and 33.7m³ is provided within the central area to support Cabbage Tree palms and Port Jackson figs. All soil depths comply with the requirements of the City of Sydney Landscape Design Codes and provides 150m³ per tree.

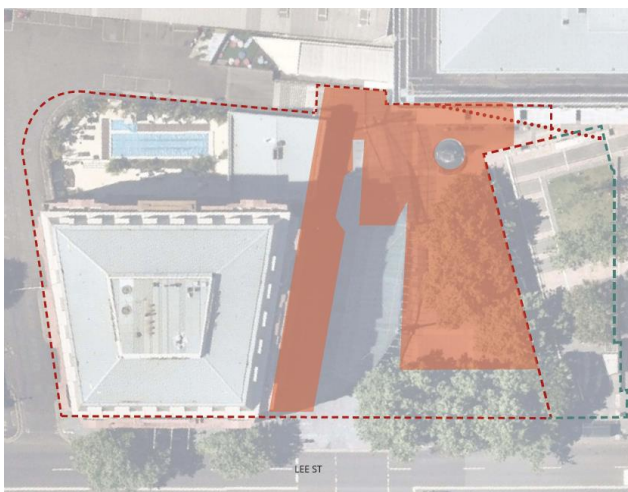
Arcadia consider the proposed canopy cover provides an appropriate balance between place making and environmental comfort across summer and winter months, considering the extent of the plaza that is in shadow during the morning period (9am – 12pm) (refer to Shadow Plans submitted with the SSDA) and shadow created by tree canopy coverage. The location and number of trees further support the provision of a clear and trafficable path of travel for high levels of pedestrian volumes moving through to the Central Station transport node, future OSD at Central Station, and adjoining sites. Refer to discussion in Landscape Statement at **Appendix O**.

The proposed planting species within the plaza has been revised to provide Cabbage Tree palms in key locations to deliver greater canopy coverage and shade than the originally submitted SSDA. Additionally, the proposal seeks to retain the two existing Lee Street trees located outside of the fPPb. Pruning is proposed to accommodate construction access to the building, however Ecological confirm the pruning will not impact the health of the tree (refer revised Arborist Statement at **Appendix T**).

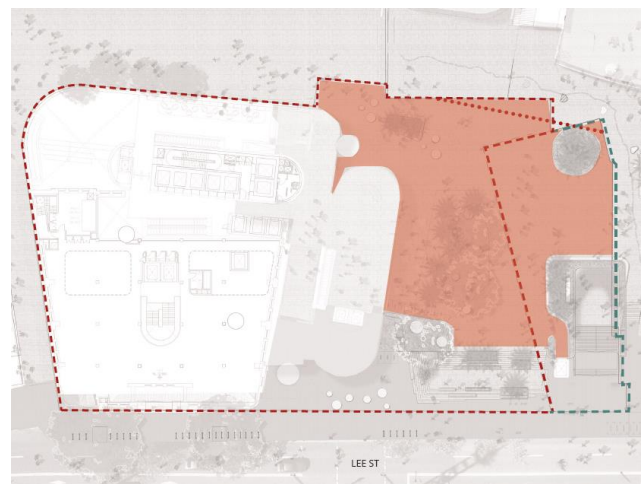
Open Space Comparison

The proposal will increase the area of publicly accessible open space within Henry Deane Plaza from 1058.9sqm to 1129.8sqm (refer **Figure 16**). This will provide a more consolidated and usable area of open space, significantly improving the amenity and usability of this space for the public.

Figure 16 Comparison of open space in Henry Deane Plaza



Picture 12 Existing area of open space



Picture 13 Proposed area of open space

Source: Arcadia

4.2.1.6. Wind Impact

A Wind Addendum Statement is provided at **Appendix Q**.

The DPE has requested clarification on the impact of mitigation measures on wind safety exceedances at points 10, 11 and 74. These areas are located on the south-eastern corner of the development. As a result of the proposed awning which extends on the eastern and south-eastern interface of the development, RWDI has confirmed this awning will capture the redirected winds and keep these above the ground level, thereby resolving the marginal exceedances identified at this corner location. The proposed awning extension as recommended by RWDI is also illustrated in the Wind Addendum Statement.

It is further confirmed that the wind modelling undertaken by RWDI and presented in the submitted Wind Report (specifically 'Configuration 1') incorporates the additional wind mitigation measures required by condition D4 of the Atlassian SSDA (SSD-10405).

4.2.1.7. Additional Visual Impact Assessment

Urbis have undertaken a visual impact assessment of the three additional locations requested by the DPE (**Appendix HH**). The location of these three additional views is identified in **Figure 17**.

Figure 17 Identification of additional view locations



Source: DPE

This assessment and the requested renders are provided in the VIA at A summary of the assessment is outlined in the following table:

Table 10 Summary of additional visual impact assessment

Location	Visual Impact Assessment
Lee Street tunnel exit (close view)	<ul style="list-style-type: none"> ▪ The foreground composition will be replaced by elements of the proposal. ▪ The tower of the Marcus Clarke building is obstructed from view by proposed roof form, with a highly constrained view of the George Street facade remaining between the fPPB and southern proposed pill form. ▪ However, the change to the existing view primarily consists of public open space (Henry Deane Plaza). This change will allow for more visual permeability across the plaza to surrounding features such as the Marcus Clarke building due to the Plaza becoming raised above Lee Street instead of the currently sunken plaza. ▪ The expansive and open nature of the adjoining public plaza at this new RL will create new and additional opportunities to view the surrounding heritage buildings which is a 'down-weight' or positive outcome in relation to the impact rating. ▪ Overall rating: Low - Medium
Existing plaza at Central Place Sydney (close view)	<ul style="list-style-type: none"> ▪ The form, function and spatial arrangement of the plaza will change significantly to include open and expansive pedestrian areas, low raised planter beds and seating and clear-stemmed palm planting. The physical changes visually expand the space and increase visual permeability in views to the north-west, north and north-east.

Location	Visual Impact Assessment
	<ul style="list-style-type: none"> While the proposed built form alters the visibility of the fPPb from this location, clear views of the building remain possible from the north and west along Lee, George and Pitt Streets. Overall rating: Low – Medium
Broadway, on the western side of George Street	<ul style="list-style-type: none"> The lower and mid parts of the proposed tower are visible cantilevered above the fPPb in upward views. The projected cantilevered built form is spatially separated from the heritage item so that its form, scale and visual prominence remain distinct. The visual effects on the streetscape and mid-ground are low, but visual effects in upwards views towards the proposal are high. However, the tower will be seen in the context of an approved tower cluster. Overall rating: Low – Medium

Urbis conclude the additional visual assessment of the three locations will not result in a change from the findings in the existing VIA (submitted with the SSDA) which concluded that in distant views the proposed development will appear as a slim tower form within a cluster of other tower forms which collectively create a new contemporary landmark at the southern gateway to the Sydney CBD. It is considered the extent of visual effects is acceptable in the immediate and wider visual context.

4.2.1.8. Traffic, Transport and Access

Basement Layout and Parking

The basement layout (particularly the loading dock) has been revised to improve operation of this area and to reduce the need for manoeuvring. A detailed design review and vehicle swept paths of the basement layout under both interim and end-state layouts are included in Appendix A of the revised Traffic and Transport Assessment has been prepared by Stantec (**Appendix R**). The basement plans for each scenario, together with detailed discussion is also included in the TIA.

Bates Smart has also included basement integration plans to illustrate the scenarios, at the Design Response (**Appendix E**).

The proposed design has been revised to incorporate:

- One additional loading bay (to a total of six),
- 58 additional bicycle parking spaces (to a total of 223),
- 85 additional lockers (to a total of 223), and
- 14 additional showers (to a total of 28).

The application seeks consent for 106 car parking spaces, consistent with the maximum rates for office, hotel and retail uses permitted under Part 7 of the SLEP 2012. This total includes five accessible spaces. Electric vehicle infrastructure will also be provided to support the future provision of EV charging of up to 50 per cent of commercial parking spaces. Level two or higher chargers will be fitted to all car share bays. The basement plans have been revised to ensure the dimensions of all car parking spaces are in accordance with the relevant standards.

Additionally, four car share spaces and nine motorcycle spaces are provided.

The provision of 223 employee bicycle parking spaces and 72 visitor bicycle parking spaces is in accordance with the DCP requirements for employee bicycle spaces. Whilst the application does not comply with the DCP requirements for visitor spaces, this is deemed appropriate as:

- A precinct-wide approach to bicycle parking has been adopted to ensure the provision of spaces aligns with the anticipated existing and future demand.

- The quantum and location of bicycle parking must provide an appropriate balance between delivering a quality and functional public domain. As discussed in **Section 3.1 and Section 0**, it is a key objective (as directed by TfNSW) that pedestrian desire lines are maintained across the plaza, from Lee Street to the OSD and from future Central Square to the south.
- The site is located directly adjacent to Central Station, and most users will travel to the site by public transport (as reflected in the mode share targets).
- The bicycle parking provision aligns with the known active and travel demand in the area.

As discussed in the revised Traffic and Transport Assessment (**Appendix R**) Stantec consider this provision of bicycle parking appropriate.

The Green Travel Plan and the Traffic and Transport Assessment has been amended to revise the mode share targets for the proposal. This reflects the greater use of public transport and bicycle, and a reduced private car usage. Stantec note that the revised mode share targets are accurate for the proposed hotel land use. The hotel land use generates different travel mode shares when compared with commercial buildings, with a need for some on-site parking provision and facilities to allow for drop off/ pick up activity (uber, taxi, intermittent coach). Hence, the target mode share differs slightly from the other commercial buildings within the sub-precinct.

Further discussion on suitability of loading bays and parking arrangement is provided in the response to the City of Sydney comments in **Table 12**.

Cumulative Service Impact

The revised Traffic and Transport Assessment considers the cumulative traffic impact of all sites within the sub-precinct. The proposed TOGA development is anticipated to account for 20% of the total future generated traffic within the sub-precinct (89 trips).

The SIDRA Intersection modelling completed by Stantec for the Lee Street and Regent Street intersection demonstrated that the intersection would continue to operate well (at a Level of Service B), with appropriate capacity to accommodate traffic associated with development of the whole precinct.

Furthermore, additional assessment of the queuing impact on Lee Street has been undertaken in accordance with the Guide to Traffic Management Part 2: Traffic Theory (Austroads, 2008). Stantec consider there will be little risk of any queuing on Lee Street, as the entry is expected to accommodate between one to two cars yet has a capacity to accommodate more than three vehicles.

Minor traffic volumes through this intersection would not materially change the overall intersection operation. Stantec consider that traffic volumes of less than 2 vehicles per minute through this intersection would not materially affect intersection operation. With less than two vehicles expected to arrive to site under interim and end-state scenarios, the queuing impacts would be nominal and able to be readily accommodated as part of the CPS design. Loading dock management protocols, including use of an online booking system (such as MobileDock) would also ensure that vehicles arrive and depart to a defined schedule. This minimises any such 'peak effects' and spreads the arrival and departure profiles. Vehicles arriving outside of their booking time would generally be denied access, with protocols in-place to allow them to turnaround on-site and exit in a forward direction.

The basement loading bays reserved in the Atlassian basement for the Adina Hotel are not relied upon for the ongoing operation of the proposed development. These provisions are required for the existing Adina hotel and retail (i.e., in the event that Block C is not developed). Following the redevelopment of the proposal, these spaces will be transferred back to Atlassian and utilised by the Atlassian development.

The three pick-up / drop-off spaces in Lee Street are relied upon for the existing Adina Hotel (i.e., in the event that Block C is not developed). As part of the future operation of the development, it is proposed that these spaces would be utilised as part of the coach pick up and set down strategy (in the short-term solution, prior to any future pedestrianisation of Lee Street). This is discussed further in the revised Traffic and Transport Assessment.

Ambulance Avenue driveway

It is noted the Ambulance Avenue existing driveway will be closed in the final scenario and converted to public domain at street level.

It is understood that a potential connection from underneath the new Central Square may be provided in the future to the Western Gateway basement (as outlined in the *Central Precinct Urban Design Framework*, July 2022) allowing for Ambulance Avenue to be pedestrianised.

4.2.1.9. Use and Operation

Level 7 terrace

The level 7 external terrace is a flexible commercial space. The space will be used as an outdoor breakout space connected to the Business Club. The operator will curate and manage the space so it is accessible for casual use as a bookable function space.

This space is used as a break-out space (weather permitting) to accommodate patrons and will provide attractive amenity for occupants of the building. A dedicated kitchen or bar is not proposed for this space, though events on the terrace may be served by level 6 facilities.

This area will not operate as an independent food and beverage facility.

The terrace has a total area of 458sqm and a maximum of 200 patrons are assumed to utilise this rooftop space at one time.

The fit out of the commercial components (including the terrace extension) will be subject to a separate development application which will assess these components in further detail.

Supermarket

The proposal seeks consent for a large-format retail premises at basement level 1. This area is currently identified as accommodating a supermarket, a form of retail premises, due to the location of the premises within close proximity to a high level of foot traffic along the Devonshire Street tunnel and the suitability of this space in accommodating a large floor plate with back of house servicing.

However, should the future market demand for a supermarket in this location not eventuate, there is the opportunity to utilise the space as an alternative form of a retail premises in accordance with demand. This will be determined in response to the retail tenant demands at the time of leasing and will be clarified within a future retail use and fit-out DA.

Hotel back of house

The revised Architectural Plans (**Appendix D**) have been updated to clarify and label all hotel back of house areas. As demonstrated on the GFA plans, the non-habitable back of house rooms and storage areas below ground and at lower ground have not been calculated as GFA, however hotel offices and management spaces are included.

Fit-out and Use

As outlined in **Section 3.2.2**, this SSDA:

- Seeks consent for the operation of the commercial premises from level 2 – level 5 and level 23 – level 44.
- Does not seek consent for the fit-out of the commercial premises. This will be subject to a separate development application lodged to City of Sydney Council.
- Does not seek consent for the operation or fit-out of the hotel, retail premises and ancillary premises including the recreational tenancies at level 21 and level 22 (spa and gym).

4.2.1.10. Construction impact

Proposed construction hours

The proposed construction hours are as per the City of Sydney “*Code of practice: construction hours and noise in the city centre*” guidelines for projects in the city centre, and are as follows:

- Monday to Friday: 7am – 7pm
- Saturday: 7am – 5pm

There is no extension of construction hours proposed beyond Council’s recommended hours.

NVA

A revised Noise and Vibration Assessment (**NVA**) is provided at **Appendix S**.

The NVA includes project specific noise management levels (**NML**) for the site in accordance with the EPA's Interim Construction Noise Guidelines. The noise assessment indicates that the noise levels during the excavation and construction stages are likely exceed the construction NMLs, when working near the eastern and southern boundaries of the site. Exceedances are predicted for hammering, sawing and rock breaking operations, when they occur near any site boundary during the early morning period of 7am-8am.

The NVA also considered the cumulative construction noise impact on surrounding receivers, noting the site's location in the sub-precinct. Renzo Tonin have assessed the likely program of works and note that there is a likelihood for concurrent construction activities to occur with both the Atlassian and Central Place Sydney developments. As such, because there is potential for cumulative noise impacts as a result of the subject proposal combined with other future concurrent construction projects, Renzo Tonin recommend mitigation and management measures are implemented in order to minimise cumulative impacts. These measures are detailed in Section 9.3.1 of the NVA and the Mitigation Measures at **Appendix B**.

On balance, it is considered that given the dense urban nature of the immediate surrounding area, some noise exceedances to hotel / commercial properties during construction are unavoidable. This impact will be mitigated through implementation of the noise mitigation measures outlined in the NVA, and through preparation and implementation of the detailed NVA as a condition of development consent.

Cumulative traffic impacts

Cumulative traffic impacts will be managed through ongoing coordination and consultation between Block A, Block B and Block C. As outlined in **Section 3.1**, the leaseholders regularly consult and this will continue through the construction period. Further measures for the management of cumulative traffic impacts will be outlined in the detailed CTMP to be prepared as a condition of development consent prior to issue of a Construction Certificate.

4.2.1.11. Groundwater and water licensing

A response to DPE Water queries on the proposal is provided in **Table 13**.

The development achieves the minimum baseload pollutant levels in water quality as outlined in XX and the Integrated Water Cycle Management Plan prepared by Northrop and submitted in the SSDA package.

Table 11 Reduction in water pollutant levels

WGDG Requirement	Proposal
Baseline and annual pollutant load for litter and vegetation larger than 5mm by 90%	95.1% reduction
Baseline and annual pollutant load for total suspended solids by 85%	85.6% reduction
Baseline and annual pollutant load for total phosphorous by 65%	79.8% reduction
Baseline and annual pollutant load for nitrogen by 45%	66.7% reduction

Northrop confirm that "Litter and Vegetation Larger than 5mm" is classified as Gross Pollutants, and as such, the development satisfies the WGDG requirement.

4.2.1.12. Contamination

Additional groundwater sampling and testing is to be carried out immediately before or during the dewatering at the site, in order to assess the quality and suitability of the groundwater for discharge. During post-approval consultation with the dewatering authorities such as Natural Resources Access Regular (NRAR), Water NSW and / or Sydney Water/Council, additional dewatering criteria will be provided. As this criterion may differ from those outlined in the Detailed Environmental Site Investigation (DSI) and Remediation Action Plan (RAP), it is considered more appropriate to conduct this testing at a later stage.

An interim advice letter prepared by Harwood Environmental Consultants, a Site Auditor, is provided at **Appendix X**. The interim advice letter confirms and concludes that the DSI and RAP are appropriate and practicable for the site and development application at this stage of development.

Additional data gap investigations are required following demolition of existing elements of Henry Deane Plaza and below ground retail tenancies and an update to the RAP to include the schedule of works, hours of operation and site contact details is required following determination. However, Harwood Environmental Consultants confirm this additional final review can occur following determination as a condition of development consent.

4.2.1.13. Other

Development contribution

During 2019 TOGA commenced a process with the NSW Government Architect and the State Design Review Panel in coordination with Block's A and B of the Western Gateway Sub-Precinct. This process led to the rezoning of Block's A and B in August 2020 while Block C was delayed with further consideration being given to the interaction of the former Parcel Post Building as a heritage item and the news towers proposed for the precinct. This process concluded with a rezoning of Block C in October 2021, 14 months behind Blocks A and B.

Concurrently, in December 2019 TOGA was accepted into Stage 2 of the NSW Government's Unsolicited Proposal program, the basis of this offer was that TOGA would deliver critical connection points and public spaces to ensure that the Western Gateway sub-precinct has a key address and interface with the future Central Precinct development as a world class innovation precinct. The works committed to by TOGA would be delivered as 'works in kind' and returned to State Ownership on completion of the works. TOGA also committed to a cash contribution of 1% of the total cost as outlined in section 61 of the City of Sydney Act 1988 and the Central Sydney Development Contributions Plan 2013 at the time of the USP submission. As such, the full package of contributions offered by TOGA as part of this development will exceed the value of 3% of the total cost of development.

As a result of the delay experienced by TOGA and an amendment to the section 61 of the City of Sydney Act 1988, which increased the relevant local contributions to 3%, the viability of paying both the 3% in cash and delivering the works in kind under the USP is unachievable. TOGA is seeking a consistent treatment of contributions in the Western Gateway sub-precinct to ensure that the precinct is developed in a consistent and high quality manner.

TOGA is seeking a development consent condition that maintains its current agreement with the NSW Government to provide a cash contribution of 1% of the total cost of development and deliver the works in kind necessary to provide a fully coordinated and world class public plaza.

Additional information

The Architectural Plans (**Appendix D**) have been updated to include a drawing reference number within the Area Schedule Plan.

A copy of the precinct Conservation Management Plan is provided at **Appendix I**.

4.3. RESPONSE TO AGENCY SUBMISSIONS

4.3.1. City of Sydney Council

The following table provides a response to each key recommendations of the Council's submission. It is noted a number of issues raised in the Council submission has also been previously raised and addressed in response to the DPE RFI letter (**Section 4.2**). To avoid duplication, this report references the previous response and relevant appendices as required.

Table 12 Response to City of Sydney recommendations

Agency	Recommendation	Response
City of Sydney	<p>1. Coordination with adjoining development sites</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • In assessing this SSD, DPE must ensure that the Toga Central development is fully coordinated and consistent with the plans for Central Place Sydney by Dexu Frasers, which is nearing determination. • The applicant is to clarify the need and intent for the supermarket in Basement Level 01, given its close proximity to the supermarket proposed in the Central Place Sydney development, which is further along in the planning process. 	<p>Since lodgement of the SSDA, Bates Smart and Arcadia have further developed and refined the Architectural Plans and Landscape Plans to ensure there is integration and coordination across the development blocks, and in particular the design for Central Place Sydney. This has involved regular design coordination meetings between TOGA and Dexu-Frasers Consortium (refer Section 3.1).</p> <p>Additionally, the Central Place Sydney DA has been determined allowing for coordination based upon the approved public domain design. Further discussion of the proposed refinements to achieve this coordination is provided in Section 3.2.5.</p> <p>TOGA's response on the suitability of the proposed supermarket on the site is provided in Section 4.2.1.9. Should a supermarket not be found to be viable on the site (and/or on the adjacent site), it is anticipated that the tenancies could be utilised as other retail premises or other uses (such as a recreation facility (i.e. a gym)). Any alternative uses would be explored at the time of leasing and not at this early stage of the proposal, given it is TOGA's intention to deliver a supermarket on the site.</p>
	<p>2. Design of the public domain</p> <p>2.1. Accessibility</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • The proposal must be amended to provide allowance for a ramp on the Lee Street frontage and include clear wayfinding. Any amended design must meet the requirements of the City's Inclusive and Accessible Public Domain Guidelines. 	<p>The Council submission recommends the proposal be amended to provide allowance for a ramp on the Lee Street frontage and include clear wayfinding.</p> <p>The revised Public Domain and Landscaping Design incorporates a substantially developed approach to the accessibility of the ground and lower plaza level. In coordination with Central Place Sydney, the design incorporates a public accessible lift connecting the upper and lower plaza levels and the Lee St level.</p> <p>The public lift will be complemented by accessible (on-grade) ramp access provided within the adjacent Central Place Sydney (DA/2021/251). Collectively, the precinct designs offer multiple</p>

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		<p>points of accessible access to ensure universal paths of travel for all people. As such, an additional ramp within the TOGA site is not required due to the publicly accessible lift, Lee Street stairs, and ramp providing access from Lee Street into Henry Deane Plaza.</p>
	<p>2.2 Coordination of Henry Deane Plaza Recommendations:</p> <ul style="list-style-type: none"> • The Landscape Plans for Henry Deane Plaza must be updated so that the design and detailing are consistent with the Central Place Sydney Landscape Plans. As submitted, these plans vary significantly. The Landscape Plans submitted with the SSD are conceptual, incomplete and have insufficient detail to properly assess the proposed landscaping and public domain works at lower and upper ground levels. • The levels on the Toga Central Landscape Plans and those shown on the Central Place Sydney Landscape Plans do not match. The plans must be updated to ensure the correct levels are shown across the development. • The Architectural and Landscape Plans for Toga Central must clearly indicate the design and detail for the Day 2 stage of Henry Deane Plaza. 	<p>Revised Landscape Plans is provided in Appendix P. These plans demonstrate alignment in both the levels and the concept design. The Dexu-Frasers Consortium and TOGA will continue to coordinate through further design development to achieve a consistent and coordinated outcome.</p> <p>Additionally, this Submissions Report includes an additional portion of land at lower ground level extending east towards the Devonshire Street tunnel. It is proposed to re-level this land to ensure consistent levels across the sub-precinct is achieved. This coordination is demonstrated in the coordinated precinct plan of Henry Deane Plaza in the Landscape RTS Response at Appendix O.</p> <p>Refer to discussion of interim landscape solution in Section 4.2.1.5</p>
	<p>2.3 Urban Design issues Recommendations:</p> <ul style="list-style-type: none"> • The extent of the BOH at RL 16 from the Lee Street entry should be reduced to elongate the stair further east and to allow inclusion of a ramp. This will increase views into the plaza and make the stair more generous and easier to access. • The hard vertical edges should be reduced to be no more than 1 metre in height and landscaped terraces and 	<p>The design of the retail tenancies and back of house areas at lower ground has been revised to provide clearer sightlines into and from the plaza at key access points along the Lee Street frontage (stairway and lift).</p> <p>A ramp on the TOGA site is not considered to be required, given the Central Place Sydney site provides a ramp from Lee Street to the plaza.</p> <p>At the RL 21 Henry Deane Plaza level, internal seating and planter walls are proposed to connect with the public domain and ground plan creating a cohesive public domain palette.</p>

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	<p>informal seating areas should be added instead.</p> <ul style="list-style-type: none"> • The visual aperture from Lee Street up to the plaza level must be increased through the removal of vertical walls. • The geometry should be relaxed to respond to the varying building and street alignments within the context. • A direct line of sight is to be created to the future OSD walkway. • The materiality should be reconsidered to avoid using the same material as the heritage item. • Materiality of the public domain should be clarified. 	<p>The layout of the plaza has been revised in consultation with feedback from the DIP (refer Section 3.13.1) and the Central Place Sydney design. This ensures clear sightlines and movement corridors are maintained across the plaza, including to and from the OSD level, to the Western Walk, and to the adjoining development sites.</p> <p>The materiality of Henry Deane Plaza has been reviewed and coordinated with the adjoining site to ensure a cohesive material palette. The granite paving has been refined to four granite pavers including the CoS Austral black which will be developed into a cohesive paving pattern during design development.</p>
	<p>2.4 Public domain plan details</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • Details regarding the extent of new paving treatments and transitions between public and private land, or transitions to different paving treatment are required. • Although a section of bike racks is shown, very little other street furniture is indicated. Further details are to be provided. • No new street trees are proposed on the public domain plans, in contrast to the adjacent developments, which would lead to an inconsistent street frontage. The proposed removal of street trees are not supported, as discussed in Section 5 below. • Details regarding the pedestrianised treatment on the northern side of Toga Central are required. • The stairs that lead up to Henry Deane Plaza have been built to the edge of the property boundary. This does not allow for the installation of tactiles and handrails inside the 	<p>The RTS Landscape Design Report (Appendix O) has been revised to incorporate additional detail of paving treatments, street furniture and transitions between the two adjacent sites.</p> <p>The application seeks to retain the two existing street trees adjacent to the fPPb. The provision of street trees directly adjacent to the Lee Street stairs is not considered a good public domain outcome, as the dense canopy of these trees would obstruct view lines and pedestrian connectivity from Lee Street through to the OSD level. The proposed removal of these trees and replacement with new planting within Henry Deane Plaza will create the opportunity to provide tree species that are endemic to place, align with a broader sub-precinct vision and significantly enhance the plaza character.</p> <p>Details on the pedestrian treatment to the north of the fPPb are contained in approved Atlassian public domain plans.</p> <p>Ongoing refinement during the design development phase will be undertaken to ensure compliance with the City of Sydney Street Design Code.</p>

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	<p>property boundary. The steps must be set back to allow for these items.</p> <ul style="list-style-type: none"> • More generally, the public domain needs to demonstrate compliance with the City of Sydney Street Design Code and technical specifications. 	
	<p>3. Heritage</p> <p>3.1 Demolition of external facades</p> <p>Recommendation:</p> <ul style="list-style-type: none"> • The City does not support the extent of demolition to the eastern façade and recommends amending the design to allow for the retention of the south-eastern corner of the building, which is of exceptional heritage significance. This may require the eastern pod to be relocated further eastwards and be made parallel to the eastern facade. 	<p>A response on the heritage impact on the south-east corner of the fPPb is provided in Section 4.2.1.2 of this Submissions Report and the Heritage Response Statement at Appendix H. It is noted that the eastern pod cannot be relocated further to the east due to the required setback of 12m from the Block A Atlassian development in accordance with sub-clause 6.53(8A) of SLEP 2012.</p>
	<p>3.2 Internal demolition</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • The internal demolition of floor fabric for the void located between Grids A-B and I-K is not supported by the City. • A heritage asset construction methodology should be provided to establish mitigation measures to limit any risks to the internal columns and finishes and to avoid adverse impacts. The Heritage Impact Statement should also address this risk 	<p>Discussion of the proposed revisions to the extent of internal demolition of the fPPb and the heritage impact of this demolition is provided in Section 4.2.1.2 of this Submissions Report and the Heritage Response Statement at Appendix H.</p> <p>A specific heritage asset construction methodology can be prepared as a condition of development consent which includes a review of the current proposed construction methodologies and details mitigation measures to limit potential risks to the internal columns and finishes.</p>
	<p>3.3 Demolition and disruption to interior configurations</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • The amount of internal demolition and subsequent fragmentation of each level of the former Parcel Post building should be reduced. To conserve the character and spatial integrity of each floor level, it is recommended that: • Consideration should be given to whether the proposed escalators and 	<p>Discussion of the suitability of the size, number and proportion of the rear yard retaining wall is provided in Section 4.2.1.2 of this RTS and the Heritage Response Statement at Appendix H.</p> <p>The decorative sandstone arch to Ambulance Avenue will be retained where possible with additional elements incorporated in the future Heritage Interpretation Plan prepared by Freeman Ryan (which will contain more developed detail than the current Strategy). The future plan may also propose devices which interpret the former function of the rear yard, with consideration for the</p>

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	<p>the lift core comprising three lifts servicing up to Level 19 between Grids K and L would be better relocated into the southern pod from a heritage perspective.</p> <ul style="list-style-type: none"> • The extent of insertions between Grids A and B should be minimised. • A specific heritage asset construction methodology should be required to review the current proposed construction methodologies and to detail mitigation measures to limit potential risks to the internal columns and finishes. 	<p>interpretation devices being developed throughout the precinct.</p>
	<p>3.4 Demolition of the former rear yard and retaining wall</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • The original portions of the retaining wall of the rear yard should be retained and conserved. • The high relief decorative sandstone arch should be retained and conserved. • To retain the heritage significance and historic character of the rear yard and to retain an interpretation of its associations, the number of openings and the size of openings should be substantially reduced. • The Interpretation Strategy should be expanded to include specific interpretation of the former function of the rear yard. 	<p>Discussion of the suitability of the proposed demolition of the former rear yard is provided in Section 4.2.1.2 and the Heritage Responses at Appendix H.</p> <p>The decorative sandstone arch to Ambulance Avenue will be retained where possible with additional elements incorporated in the greater Heritage Interpretation Plan to be developed by Freeman Ryan (which will build upon and develop the Heritage Interpretation Strategy). The future Interpretation Plan can propose devices which interpret the former function of the rear yard, with consideration for the interpretation devices being developed throughout the precinct.</p>
	<p>3.5 External conservation works</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • The proposal should take full advantage of the opportunity to conserve the building to the highest level of excellence. All significant building elements, spaces and fabric, both internally and externally should be 	<p>Apex have prepared a response in regard to the Schedule of External Conservation Works (Appendix K).</p> <p>In summary, Apex state the schedule generally details all required repairs to deteriorated façade elements (including sandstone, brick, steel framed windows, timber and bronze work) in order to preserve as much of the original heritage fabric as possible.</p>

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	<p>retained and conserved in accordance with the CMP, including Policy 13.</p> <ul style="list-style-type: none"> • The Schedule of Conservation Works should be expanded to ensure the inclusion of all defective exterior fabric including all sandstone, brick, steel framed windows, timber and bronze work. • A comprehensive programme of salt analysis of the masonry should be undertaken to identify areas that require desalination, and the Schedule of proposed conservation works expanded accordingly. The recommended processes of desalination should be specified. • The Schedule of Conservation Works should be expanded to conserve early post office signage on the principal western and northern facades. • The Schedule of Conservation Works should be expanded to include the reversal of unsympathetic alterations to the facades. Reconstructive works advised by the CMP including the interpretive reinstatement of traditional bronze swing doors, side lights and transom to western entry based on the original drawings and reconstructive works to northern and southern shopfronts should be included. • The schedule should be accompanied by a Specification of Works to ensure all fabric is carefully conserved in accordance with best practise. • The schedule should be accompanied by detailed architectural drawings to clearly identify the scope and location of work, and that to ensure that details such as sandstone and brickwork detailing, and bronze and steel window framing, where reconstructed, are accurately replicated. • A programme of costed heritage asset cyclic maintenance works should be 	<p>The Apex specification includes a requirement for salt analysis across the building facades, concentrating on areas below horizontal features that are likely to trap salts, and subsequent desalination. Apex consider there is little evidence to suggest that widespread deterioration has occurred as a result of salt ingress, and the areas most likely to be at risk of salt ingress are those directly below unprotected horizontal ledges.</p> <p>The Specification for Heritage Works has been updated to include conservation of early post office signage on the principal western and northern facades.</p> <p>The western entry will be reinstated and the significant original fabric of the shopfronts of the south facade such as stallboard lights, toplights and steel framing will be retained and conserved. Where the shopfronts are no longer required, the stallboard lights will be reinstated to original detail as per CMP Policy 38. The eastern most bay of the southern façade will be retained and appear as an entrance.</p> <p>Detailed drawings can be prepared as a Condition of Consent which will ensure the ground floor fenestration matches the original in terms of proportions, profile and materiality. Drawings of the entries and shopfronts will be prepared in line with documentary evidence.</p> <p>The Specification of Works is provided Appendix K. The Specification includes detailed Architectural Plans of the external elevations.</p> <p>Preparation of a programme of costed heritage asset cyclic maintenance works can be undertaken as a condition of development consent, prior to issuance of a Construction Certificate.</p>

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	developed alongside the Schedule to capture works that may not be necessary now but will be in the future.	
	<p>3.6 Internal conservation works</p> <p>Recommendations:</p> <p>It is recommended that the Internal Schedule of Conservation Works be expanded to include the following as a minimum:</p> <ul style="list-style-type: none"> • Stucco repairs to the original columns and moulded detailing of the column capitals. • Investigation to determine whether original fabric remains concealed by later fitouts and finishes. This should include as a minimum: <ul style="list-style-type: none"> - Investigation of the ground floor public space to determine whether the original terrazzo floor with mosaic decoration remains extant beneath the current tiled floor finish. - The basement level to determine whether original columns remain extant, currently covered by fitouts. If original fabric remains, the schedule should be expanded to include conservation of such fabric, consistent with CMP Policies 59 and 60. 	<p>The Schedule of Conservation Works for the fPPB interior has been updated by Urbis (refer Appendix L) with regard to the extent of recommended appropriate repairs to known significant heritage fabric. This includes, but is not limited to, undertaking stucco repairs to original columns and moulded detailing to the column capitals. There is minimal significant internal fabric remaining within the fPPB as of 2022.</p> <p>Additional investigations will be undertaken as part of the construction process.</p> <p>Refer to further discussion in the Heritage Response at Appendix H.</p>
	<p>3.7 Connection between the fPPB and the proposed additions</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • The stair within the atrium adjacent to the southern pod should be offset from the southern facade of the fPPB by a considerable distance to allow for greater visual curtilage around the two former bronze framed shopfronts maintaining visibility to them and their ability to function. • The plaza levels could be modified to be lower to reduce the overall length of 	<p>The design has been revised in response to these comments, as outlined in Section 3.2.</p> <p>Specifically, the stair within the atrium adjacent to the southern pod has been further offset from the southern facade of the fPPB by 900mm. This will allow the stair to be entirely separate to the southern façade.</p> <p>Additionally, the floor level for the hotel arrival space has been reduced in height from RL 21 to RL 20.8 to reduce the overall length and height of the stairwell.</p>

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	<p>the stair. The extent of the proposed atrium westwards along the southern facade could then be reduced.</p> <ul style="list-style-type: none"> • The architectural detailing of the new atrium and its connection to the facade of fPPB will need to be carefully considered to limit interference into heritage fabric including the horizontal sandstone cornice and vertical faces of the building. As the podium will limit views to the southern facade of the fPPB, the type of glazing within the atrium will also need to carefully considered to achieve a high level of clarity whilst satisfying Section J of the BCA. • Significant original fabric of the shopfronts of the south facade such as stallboard lights, toplights and steel framing should be retained and conserved. Where the shopfronts are no longer required, the stallboard lights should be reinstated to original detail as per CMP Policy 38. The eastern most bay of the southern facade should be retained as (or appear as) an entrance in accordance with the original design intent as per CMP Policy 39. 	<p>Construction drawings for interface between the new atrium and the southern façade of the building will be reviewed by Urbis prior to the issue of a Construction Certificate. These are to include overall location of interface in relation to significant sandstone detailing and window levels, flashings, fixings (type, number and location), and samples for the proposed glass.</p> <p>Refer to further discussion in the Heritage Response at Appendix H.</p>
	<p>3.8 Heritage interpretation</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • The HIS should be revised to consider the role and function of the building as the former Parcel Post building and its relationship with the whole of the Central Railway Group. • The interpretation strategies within the HIS should include more pertinent locations relating to the building itself. Interpretation should be located on each facade, within the building on each level and in the more frequented space such as lift lobbies. • The HIS should acknowledge significant elements to be retained, exposed and interpreted in accordance 	<p>A Revised Heritage Interpretation Strategy is provided at Appendix N.</p> <p>The revised Heritage Interpretation Strategy includes greater emphasis to the relationships that existed between the Parcels Post Office and other buildings in the Central Station precinct, such as the inward and outwards parcels facilities, the subterranean system of tunnels at the station, the station's platforms and nearby department stores. By communicating to visitors the fPPb's significance as a node in the vital railway and postal networks, the significance of these networks to the nation's economic development will be appreciated.</p> <p>The Heritage Interpretation Strategy has proposed locations for interpretation that maximise their exposure to and impact on visitors, taking into account the circulation patterns throughout the site. This will be further developed within the Heritage</p>

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	<p>with the CMP. Where development or works are proposed, there is a significant opportunity to reinterpret the original character of the place by stripping back the contemporary fitout and retrieving the open character of the spaces. There is also an opportunity to reinterpret known original finishes in a contemporary manner.</p>	<p>Interpretation Plan, developed following determination.</p> <p>Freeman Ryan confirm that the theme 'A very fine building' within the Strategy will be revised to highlight retained and re-exposed heritage fabric to a greater extent.</p>
	<p>3.9 Mitigation measures</p> <p>Recommendation</p> <ul style="list-style-type: none"> • The mitigation measures relating to Built Heritage should include heritage interpretation and informing the Public Art on the site. 	<p>The revised Heritage Impact Statement has been updated to incorporate additional mitigation measures (refer Appendix G).</p>
	<p>3.10 Archaeology</p> <p>Recommendation:</p> <ul style="list-style-type: none"> • If any Aboriginal remains are encountered, works should immediately cease and the National Parks and Wildlife Service of the Office of Environment and Heritage should be contacted for further advice, in accordance with Section 91 of the National Parks and Wildlife Act 1974. An appropriately qualified archaeologist and members of the Metropolitan Local Aboriginal Land Council (MLALC) should also be contacted to assess the nature, extent and significance of the identified object(s) and/or sites 	<p>The revised HAIA (Appendix BB) has been updated to incorporate this recommendation.</p> <p>A complete list of the Mitigation Measures is provided at Appendix B.</p>
	<p>4. Landscaping</p> <p>4.1 Greening of the site</p> <p>Recommendations</p> <ul style="list-style-type: none"> • A canopy cover plan is to be provided that clearly shows the percentage of proposed canopy target. • The use of palms and Hills Weeping Figs are not appropriate in this location and not supported by the City. The proposal should introduce broad 	<p>Discussion and justification for the proposed landscaping design is provided in Section 4.2.1.5.</p> <p>The revised Landscaping Plans substitutes Cabbage Tree palms in key locations to enhance canopy coverage and shading. The Ficus microcarpa var. hillii (Hills Weeping Fig) have been removed from the planting design.</p> <p>Vertical planting in the tower is not part of the landscaping concept for this site. The landscaping design focuses on the provision of planting and</p>

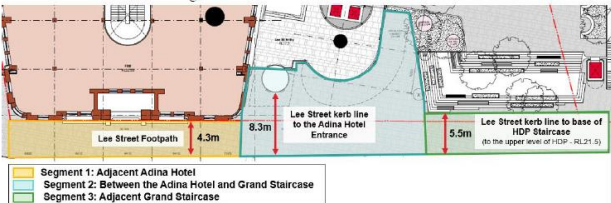
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	<p>canopy tree plantings that are more suitable in the proposed conditions.</p> <ul style="list-style-type: none"> • Integrated greening and green roofs are to be provided to the tower. The Level 7 rooftop terrace must also include adequate landscaping. • Clarification is required regarding the design and amenity of the proposed pool. It is queried whether having tower columns running through the pool is appropriate and useable for all people. 	<p>amenity at the Henry Deane Plaza level to provide the greatest access and enjoyment to visitors.</p> <p>Landscaping at the level 7 terrace is not proposed in this submission. The detailed design and resolution of this space will be subject to a separate use and fit-out DA.</p> <p>Within this submission, the pool design has been slightly refined to provide a larger pool width (from 7.5m width to 9m width) to improve usability and circulation around the structural columns. The columns are a structural necessity to support the tower.</p>
	<p>4.2 Landscape drawings</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • The Landscape Plans must show the full Plaza extent and must include legends, levels, (RL, SSL, TW), grading, surface finishes, lighting, planting design and all other elements to demonstrate a coordinated and complete design. • While the Landscape and Public Domain Report includes details of the proposed landscaping and describes aspects of the Plaza design, this information needs to be captured in the Landscape Plans. A comprehensive landscape drawing set for the whole development proposal is needed to confirm that the landscape design is feasible, buildable, that plaza levels work, and to allow the City to provide relevant landscape conditions. • All planting in steps and planters set down in the plaza slab are to be designed with soil depth and soil volume to support the healthy growth of trees and comply with the Landscape Code. • A full review of the upper ground level grading must be undertaken to ensure equitable access is provided for all users to pavements and plaza that comply with AS1428 and the City's 	<p>A revised Landscape Plan set has been prepared by Arcadia to respond to these comments (refer Appendix O) and discussed in the RTS Landscape Package at Appendix O.</p> <p>The Landscape Plan set includes the relevant details as requested by Council.</p> <p>Arcadia confirm all plant soil depths in steps and planters provide sufficient soil to support healthy planting in accordance with the Landscape Code. Details of the planter and steps is provided in the Section Plans provided in the RTS Landscape Package at Appendix O.</p> <p>The revised public domain design has been updated to ensure the proposed levels achieve equitable access for all users. The design conforms with the Australian Standards AS1428.</p> <p>The revised Landscape Plan set seeks to include an additional portion of land at the entrance to the Devonshire Street tunnel entry (RL 16). The works in this area include releveling to achieve a consistent grade connection to the Atlassian site (proposed levels between RL16.20 – RL16.40, increasing marginally towards Central Station), and paving in the special granite paving – consistent with the remaining Henry Deane Plaza.</p>

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	<p>Inclusive and Accessible Public Domain Policy and Guidelines.</p> <ul style="list-style-type: none"> • Resolution of the levels in the publicly accessible plaza and provision of an equitable and dignified access from the street to the precinct and towers is required. • Details of the design of the Devonshire Street tunnel entry are required. 	
	<p>4.3 Wind</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • Wind mitigation methods must not rely on trees and landscape. If wind mitigation measures are required, this is to be integrated into the building design and further wind tunnel testing is to be provided. • The tower awning is to be designed having regard to the landscape design. 	<p>The Wind Report does not rely upon trees and landscaping for wind mitigation.</p> <p>The two configurations modelled by Wind Tech include the existing site, CPS and Atlassian (Configuration 1) and the proposed development, CPS and Atlassian (Configuration 2).</p> <p>This testing was carried out without the inclusion of any landscaping elements within or around the site. The inclusion of landscaping as a mitigation method is recommended in order to achieve enhanced comfort within and around the precinct beyond the stipulated walking comfort criteria.</p> <p>As confirmed in the Wind Addendum Statement at Appendix Q, the design achieves minimum compliance around the precinct within the Configuration 2 testing without reliance on landscaping. It is noted that all areas are within the stipulated wind comfort criteria, and wind impacts will not exceed the Wind Comfort Standard criteria for sitting, standing, and walking use at any location based on the intended use of these areas.</p> <p>The Landscape Design (Appendix O) has been updated to slightly relocate the Cabbage Palm to ensure there is no conflict with the south-eastern awning.</p>
	<p>5. Tree management</p> <p>5.1 Tree removal – 5.2 Replacement tree planting</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • The removal of Trees 18-22 are not supported by the City. Design 	<p>Tree 18, 19 and 20 cannot be retained as the trees will be directly impacted by the development. The current location of these tree conflicts with the proposed Lee Street stair to RL 21 and the stair down to RL16, which are key features of the public domain design and are essential in supporting pedestrian movement and access across the site. The proposed development cannot be feasibly set back from the boundary to enable the trees to be</p>

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	<p>modifications are recommended to allow for their retention.</p> <ul style="list-style-type: none"> • A more detailed assessment of impacts to Trees 21 and 22 is required. Reference should be made to Clauses 3.3.4 of Australian Standard 4970 Protection of trees on development sites (2009). • An increase in the soil volume on the site is required. The Arborist Report and the Landscape Plans need to be modified to ensure sufficient soil depth and volume is provided. • The Landscape Report is to be updated to clearly show the percentage of proposed canopy coverage and outline adequate soil volumes. 	<p>retained in place without very significant impact to the layout and efficiency of the basement design.</p> <p>This is further discussed in the RTS Landscape Response at Appendix O.</p> <p>The proposal has however been revised to retain Tree 21 and Tree 22 on Lee Street. To permit construction access to the building to conduct necessary façade repairs and support construction of the tower structure above, it is proposed to prune Tree 21 and Tree 22.</p> <p>As discussed in the revised Arborist Statement at Appendix T, the trees will be subject to a low impact (<10% canopy encroachment) from the proposed access lift zones required during the construction phase. Given these trees have been pruned in the past and have a slight phototropic lean away from the building, less than 10% of the total canopy is required to be pruned, and therefore, the trees are able to be retained despite the proposed pruning. Additional mitigation measures for the trees are proposed in the Updated Mitigation Measures at Appendix B.</p> <p>The proposed landscape design complies with the soil depth required by the City of Sydney Landscape Design Codes (150m³ per tree). The total proposed canopy coverage is 9.2% of the site area (384sqm).</p>
	<p>6. Transport and access</p> <p>6.1 Parking</p> <p>Recommendation:</p> <ul style="list-style-type: none"> • The extent of car parking proposed is not supported due to the site location and extremely high connectivity that is offered. It is recommended that the number of car spaces be significantly reduced to be similar to surrounding ratios like the Central OSD. • The 4 car share bays and 9 motorcycle spaces should be reduced to match a revised car parking provision. • Detail of charging facilities for electric vehicles should be provided. It is recommended that 50% of commercial 	<p>The proposal seeks to deliver 106 parking spaces (including five accessible spaces), four car share bays and nine motorcycle spaces across three split levels. This is in accordance with the maximum parking rates permitted under the SLEP 2012.</p> <p>The layout and circulation are suitable for the anticipated volumes with boom gates and/ or security roller shutters to provide the necessary level of security.</p> <p>The basement car park will provide appropriate systems, infrastructure and space allocation for the installation of electric vehicle charging facilities. Electric vehicle infrastructure will be provided to support the future provision of EV charging of up to 50% of commercial parking spaces. Level 2 or higher chargers will be fitted to all car share bays.</p>

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	parking spaces are to be capable of supporting electric vehicle charging, 25% of visitor parking bays have Level 2 or higher chargers fitted and all car share bays should have Level 2 or higher chargers fitted.	
	<p>6.2 Vehicle access</p> <p>Recommendation:</p> <ul style="list-style-type: none"> • The issues of concern outlined above relating to the connection with the Atlassian site are to be addressed and further information submitted. • Further information about the connection to the Dexu Frasers site in the end state is required. • Clarity on how the vehicle parking is to be accessed in the interim is required. 	<p>The application includes three basement connection points into the adjoining sites in the <u>final scenario</u>, as follows:</p> <ul style="list-style-type: none"> ▪ A bicycle ramp and stair at basement level 1 (RL11.675), on the northern site boundary (Atlassian). This will be used to provide bicycle access to the EoTF. This access point was the former access into the Adina basement (identified as the 'Day 1' solution in the Atlassian SSDA). ▪ A vehicular connection at basement level 3 (RL5), on the eastern site boundary (Atlassian). This will be used to provide access for service vehicles. ▪ A vehicular connection at basement level 3 (RL5), on the south-eastern site boundary (CPS). This will be used to provide access for vehicles. <p>The application includes two basement connection points into the adjoining sites in the <u>interim scenario</u>, as follows:</p> <ul style="list-style-type: none"> ▪ A bicycle ramp and stair at basement level 1 (RL11.675), on the northern site boundary (TOGA). This will be used to provide bicycle access to the EoTF. ▪ A vehicular connection at basement level 3 (RL5), on the eastern site boundary (Atlassian). This will be used to provide vehicular access (entry and exit) for vehicles and service vehicles in the interim scenario. In the interim scenario, the Atlassian dive ramp which is located to the north of the TOGA site will provide access into the Atlassian basement (and on to TOGA) from Lee Street. <p>During the interim scenario, the access arrangements on the northern site boundary (bicycle at basement level 1 and cars at basement level 3) will require the shared use of this space by cyclists and drivers. This will be managed by the future tenants as appropriate.</p> <p>Refer to further discussion in the Design Response Statement at Appendix E.</p> <p>TOGA has been regularly engaging with Atlassian and Dexu-Frasers Consortium throughout the preparation of the SSDA and this Submissions</p>

Agency	Recommendation	Response
		<p>Report to confirm acceptability of the interface zones. A letter of support from Vertical First (the registered landholders of the Atlassian site), confirming support from the Atlassian development is provided at Appendix JJ.</p>
	<p>6.3 Mode share targets</p> <p>Recommendation:</p> <ul style="list-style-type: none"> • The target mode shares are not supported and must be revised to reduce reliance on private vehicles and increase walking and cycling targets. This is to be supported by providing less car parking and more bicycle parking on the site. 	<p>The mode share targets have been revised to reflect the greater use of public transport and bicycle, and a reduced private car usage. Stantec consider the revised mode share targets are accurate for the proposal.</p>
	<p>6.4 Loading and servicing</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • The servicing provision is insufficient and must be increased. The proposal should consider consolidation strategies. • Clarification is required regarding whether the calculation of servicing requirements have considered waste vehicles. • Clarification is required regarding the locations for the SRV bays on both the swept paths and the basement plans. 	<p>The application has been revised to incorporate an additional loading bay, to provide a total of six loading bays. Stantec consider this appropriate as:</p> <ul style="list-style-type: none"> ▪ Based upon an empirical assessment of hotel, commercial and retail (F&B) uses, the proposal is considered to require a minimum of five onsite loading bays. The proposed provision complies with this recommendation. ▪ It is estimated each bay can accommodate 25 vehicles per day. As such the six loading bays could facilitate 150 service vehicles based on an average 20-to-30-minute stay and a 12-hour operational period. ▪ A detailed loading dock management plan will be implemented with an online booking system to manage use of the loading bays. An overview of the plan is appended to the revised Traffic and Transport Assessment at Appendix R. <p>The calculation of servicing requirements has considered waste vehicles.</p> <p>The location of the SRV is identified in the revised Architectural Plans at Appendix D and the updated Swept Paths appended to the Traffic and Transport Assessment at Appendix R.</p>
	<p>6.5 Pedestrian comfort</p> <p>Recommendation:</p> <ul style="list-style-type: none"> • Additional details regarding pedestrian numbers and the space provided for pedestrians are requested and 	<p>An Origin-Destination matrix of future pedestrian flows was appended to the Pedestrian Modelling Assessment submitted with the SSDA. Together with the pedestrian route choice (splits) outlined in Section 4.4 of the Pedestrian Modelling Assessment, this provides sufficient information on</p>

Agency	Recommendation	Response
	<ul style="list-style-type: none"> Compliance with the Walking Space Guide is to be demonstrated. 	<p>the pedestrian numbers and routes modelled by ARUP.</p> <p>ARUP have prepared an additional assessment based upon the NSW Walking Space Guide (WSG). The WSG aim is for all footpaths to achieve at least LoS C. The WSG provides a framework for assessing footpaths within the built environment.</p> <p>ARUP have provided an assessment of the Lee Street footpath adjacent to the Adina Hotel and Lee Street footpath adjacent HDP staircase (refer Appendix U). ARUP consider the WSG is not appropriate for assessment of fully pedestrianised and high pedestrian volume interchange and thoroughfare areas (such as Henry Deane Plaza), instead relying upon the Fruin methodology undertaken and submitted with the SSDA.</p> <p>The assessment demonstrates the level of service (LoS) of Lee Street will range from LoS E outside the fPPb western elevation, and LoS A to the south of this.</p>  <p>LoS E LoS A LoS A</p> <p>The LoS E outside the fPPb is unchanged from the existing LoS, due to the location of the existing heritage building which cannot be further setback to provide for greater footpath circulation.</p> <p>ARUP note the potential future pedestrianisation of Lee Street will greatly assist with pedestrian mobility in this area, allowing all areas to operate at a LoS A.</p>
	<p>6.6 Bicycle parking</p> <p>Recommendation:</p> <ul style="list-style-type: none"> The target mode share for cycling must be increased to meet surrounding development and a minimum of 223 spaces provided along with end of trip facilities. 	<p>The application has been amended to provide 223 employee bicycle parking spaces.</p> <p>The revised Traffic and Transport Assessment increases the anticipated mode share target for bicycles to 3%, due to the proposed land uses. Stantec consider the mode share targets for the mixed-use development will differ from surrounding commercial developments, due to the inclusion of</p>

Agency	Recommendation	Response
		the hotel which has different travel modes (such as pick, up drop off, taxi, coach, etc).
	<p>6.7 Construction traffic management plan</p> <p>Recommendation</p> <ul style="list-style-type: none"> • A CTMP should be required by condition of consent. The City's standard requirements for CTMP's should apply, in particular: no articulated vehicles, no reversing and no use of local roads for haulage unless there is no other option. <p>The use of Lee Street should only be prior to any pedestrianisation needed as part of Central Square.</p>	<p>Preparation of a detailed CPTMP in consultation with TfNSW can be prepared as a condition of development consent, prior to issuance of Construction Certificate.</p> <p>Whilst TOGA have similarly proposed within the CTMP that all service vehicles will forward in and forward out of the site, there may be circumstances where TOGA require reversing and / or road closures for activities such as tower crane erection and other limited critical works. Prior to completion of these works, TOGA will consult with and request an approval from TfNSW through the appropriate processes.</p> <p>Similarly, the CMP submitted with the SSDA identifies a work zone along the Lee Street frontage (work zone 1 and 2). The site is extremely constrained and there is no other option to accommodate this area for a proportion of the construction program, in particular until the podium and tower superstructure is completed, and the top of the podium is completed.</p> <p>Whilst Council and TfNSW are contemplating future changes to the operation of Lee Street, it is understood there is no committed timing to this pedestrianisation. As such, TOGA are unable to account for this when preparing the construction program.</p>
	<p>7. Waste management</p> <p>7.1 Waste storage arrangements - 7.3 Interim waste storage areas</p> <p>Recommendations</p> <ul style="list-style-type: none"> • Space must be provided to store two days generation of all streams. As part of Sustainable Sydney 2030-2050 plan, the City is limiting truck movements to ease road congestion. As such, waste collections should ideally be limited to a maximum 3 x weekly for all waste streams. • The Architectural plans are to clearly show the proposed layout of bins within 	<p>The revised Architectural Plans (Appendix D) have been revised to include additional information on the waste storage area, including clear identification of the space for retail, commercial and hotel waste, spatial allocations, bulky waste and problem waste storage areas, and indicative layout of the storage rooms. This identification demonstrates there is sufficient area within the waste rooms to accommodate a reasonable range of waste management system options. Additionally, the Plans include a doorway width of 1.5m, which SLR confirm is sufficient to accommodate the transfer of waste receptacles.</p> <p>Further detail on the location of bins on the hotel and commercial levels, tenant-specific servicing requirements and the need for interim waste storage</p>

Agency	Recommendation	Response
	<p>storage areas with the bins correctly scaled, distinguishing between sizes (eg 240L, 660L, 1100L).</p> <ul style="list-style-type: none"> • Additional design considerations should be shown on the plans in relation to: <p>O Ensuring adequate door width for the size of the bins; and</p> <p>O Back of house requirements for the location and storage of additional waste storage and waste handling equipment to be used, e.g. glass crushers, compactors, balers, tugs/trolleys, glass crushers and any other equipment.</p> <ul style="list-style-type: none"> • Identify space dedicated for storing bulky waste and problem waste for recycling (see Guidelines for Waste Management in New Developments 2018 for minimum requirements). • A bin for each waste stream (waste, recycling and food waste) is to be centrally located on each commercial office and hotel floor (clearly mark on the plans). Details on the changeover/servicing and maintenance of these bins is to be outlined within the waste management plan. 	<p>areas will be resolved as part of the future use and fit-out DA(s) for the hotel and commercial uses.</p> <p>SLR have provided further justification on the proposed daily collection of waste at the site (refer Waste Management Addendum Statement at Appendix V). In summary, SLR consider the daily collection suitable as:</p> <ul style="list-style-type: none"> ▪ The City's Guidelines for Waste Management in New Developments do not specify a maximum of three collections per week and does not specify particular waste collection frequencies. ▪ The Guidelines state that where more than 50 L per day of seafood, poultry or meat are generated, collection should be daily. Based upon the waste generation rates for retail premises in the City's Guidelines, SLR estimate 2000L of hotel food waste and 2,900L of retail and commercial food waste could be generated. The daily collection of this waste is sufficient to mitigate potential health risks of odour and vermin. ▪ Daily collection is not unusual and is not inconsistent with the City's Guidelines for Waste Management in New Developments. Daily waste collection is currently undertaken at the following commercial and mixed-use developments: <ul style="list-style-type: none"> – ISPT commercial development located at 363 George Street, Sydney, – Lendlease mixed-use development at Darling Square, and – Food and beverage tenancies in the Rocks and Darling Harbour. <p>As such, the Waste Management Plan as submitted with the SSDA is considered to provide an appropriate solution to waste management on the site.</p>
	<p>8. Public art</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • The above issues are to be addressed by the proponent. • The City recommends that the applicant attend the City's Public Art Advisory Panel meeting on 8 November 2022 to discuss the plan. 	<p>TILT have prepared a revised Preliminary Public Art Plan (Appendix W).</p> <p>The Plan has been amended in response to the commentary received from Council and further consultation with the landholders of the adjoining development blocks, Atlassian and the Dexu-Frasers Consortium. This includes greater consideration of the cultural history of the site and the broader sub-precinct, discussion of the coordinated approach to Connecting with Country across the sub-precinct and the broader Central Station precinct and connecting with the Heritage</p>

Agency	Recommendation	Response
		<p>Interpretation Strategy prepared by Freeman Ryan and submitted with the SSDA.</p> <p>The proposed location for public art is within Henry Deane Plaza, with complimentary locations, such as the eastern facade, the glass facade and concrete soffit which have been considered and may be available to artists for further exploration. The coordination of the public domain with the adjacent sites (refer Revised Landscape Plans at Appendix O) will ensure a coordinated outcome is achieved.</p> <p>The procurement strategy for public art is to commission a primary artwork or series of artworks under limited tender by an Indigenous or non-Indigenous artist and a secondary series of artworks under limited tender by a First Nations interdisciplinary artist or creative team.</p> <p>The revised Preliminary Public Art Plan includes a new budget for public art, valued at 0.5% of the construction budget (\$1.9 million). This is consistent with the public art budget approved on the Atlassian and Dexu-Frasers sites, and the Central Sydney Planning Strategy (which applies to our site) which identifies <i>“a rate for contribution to public art linked to capital investment value, generally in the order of 1 per cent for moderate sized projects sliding to 0.5 per cent for very large projects”</i>.</p> <p>Given the significance of the site and quantum of publicly accessible open space delivered in Henry Deane Plaza, the provision of public art at 0.5% of the CIV value is appropriate for this site.</p> <p>It is noted the identification of the 1.5% public art budget within the July 2022 Cultural Capital strategy for the remainder of sites within the Central Precinct SSP applies to the remainder of the Central Precinct, not the sub-precinct which has already advanced within the planning system. These documents also have not been formally adopted at the time of writing.</p> <p>The revised Preliminary Public Art Plan was presented to the City of Sydney Public Art Advisory Panel on 8 November 2022 (refer to minutes appended to the Public Art Response at Appendix W). Within this meeting, it was noted TOGA will take a lead role in coordinating a unified approach to the public domain design, including landscape design,</p>

Agency	Recommendation	Response
		<p>designing with country, heritage interpretation and public art.</p> <p>TOGA has commenced productive dialogue with the adjoining owners within the sub-precinct and will continue to engage with these landholders to ensure public art is coordinated across the adjoining sites.</p>
	<p>9. Contamination</p> <p>Recommendation:</p> <ul style="list-style-type: none"> The DESI and RAP must be reviewed by a NSW EPA Accredited Site Auditor and include a Section B Site Audit Statement or letter of interim advice issued by the Auditor certifying that the RAP is practical and the site will be suitable after remediation for the proposed use before any consent is granted. 	<p>A Site Auditor has reviewed the DESI and the RAP (refer Appendix X). In response to the commentary received from the Site Auditor, the DESI and RAP has been revised (refer Appendix Z and Appendix Y). Confirmation that these responses satisfy the recommendations of the Site Auditor can be provided to the DPE if required.</p>

4.3.2. Government Agencies

The following table provides a summary comment of the response received from the Government Agencies.

Table 13 Response to Government Agency submissions

Agency	Summary of Comment	Response
EPA	EPA has no comment on this proposal and no further consultation is required.	Noted.
	EPA recommends that you consult with City of Sydney Council who will be the appropriate regulatory authority for the proposed development under the POEO Act if approved.	Consultation with City of Sydney has been ongoing throughout the DA preparation and assessment.
FRNSW	FRNSW submit no comments or recommendations for consideration, nor any requirements beyond that specified by applicable legislation.	Noted.
EHG	EHG has no further comments in relation to biodiversity.	Noted.
	The assessment should be updated to include flood impact maps to demonstrate the potential downstream impact.	The Addendum Flood Statement at Appendix AA provides flood impact maps. The flood impact maps demonstrate that stormwater will be directed towards the Sydney Water pipe, resulting in only minor localised impacts. Northrop consider this

Agency	Summary of Comment	Response
		suitable due to the isolate nature of the impact, the low magnitude, and the low depth relative to internal floor levels.
	<p>The proposed development includes a recommendation for a flood emergency response plan to be developed.</p> <p>EHG recommends that the NSW States Emergency Service and Sydney City Council are consulted regarding any emergency management issues and plans.</p> <p>The flood emergency response plan should give specific attention to the potential for rare flooding events, including the flooding of the lower ground floor level and the basement levels, such as via the connected Atlassian building.</p>	<p>Noted. Consultation with NSW SES and Council during preparation of the Flood Emergency Response Plan can be included as a condition of development consent, prior to issuance of Occupation Certificate.</p> <p>However, Northrop note NSW SES does not typically provide commentary on individual developments and refers to a set of guiding principles.</p>
	<p>Due to the reliance on flood protection measures employed by the neighbouring Atlassian building, the implementation of these should form a consideration in granting any occupancy certificate for the subject site.</p>	<p>Noted. Given construction works of the Atlassian building is currently underway, it is intended that the occupation of the proposed development will occur following completion of the Atlassian construction works.</p> <p>Completion of the Atlassian flood protection measures prior to occupation of the TOGA site can be included as a condition of development consent.</p> <p>In the event the Atlassian building does not complete construction prior to the occupation of the TOGA site, it is requested the condition allow for interim flood protection measures.</p>
Heritage Council	<p>Although our preference is for the new tower to be freestanding and the cantilevered component to be externally supported, we acknowledge the site constraints and structural engineering design limitations have ultimately shaped the design outcome.</p>	Noted.
	<p>We support the interior and exterior schedule of conservation works to the former Parcels Post Office building as</p>	Noted.

Agency	Summary of Comment	Response
	detailed in the documents prepared by Urbis and Apex Diagnostics.	
	The EIS proposal identifies the future potential to reinterpret the original western entry from early architectural plans. We support this initiative because it will enhance the setting and actively engage with the community.	Further discussion of the reconstruction of previously removed original shopfronts and the western entrance is provided in the Heritage Response Statement at Appendix H .
	We strongly advocate for ground plane considerations and public realm integration to result in a design outcome that maximises open public access complemented by heritage sympathetically designed food and beverage concepts to invite the public in. This approach should maintain all original entrances where possible.	The integration of the proposed ground plane and public domain design with the adjacent sites is a key objective of this development proposal. The design achieves links and relationships across the sub-precinct to support pedestrian movement and public engagement with the history of this area. The proposed design retains original entrances to the north, south and west to achieve this activation at the ground plane.
	We do recommend that the original internal spatial layout and configuration be recognised for its heritage significance and a corresponding policy be included to reinstate these, where feasible.	Urbis Heritage have revised the Block C CMP (Appendix J) to acknowledge that the original open plan spatial quality has some significance. A new policy has been included which acknowledges the significance of the spatial quality, however, allows sympathetic interventions to facilitate the reasonable use of the building subject to heritage advice.
	<p>We have requested TOGA to work with the neighbouring stakeholders, Atlassian and Dexu Frasers to jointly present on the precinct wide heritage interpretation strategy. We commend TOGA's efforts to date and look forward to the scheduled presentation at our 5 October 2022 Heritage Council meeting.</p> <p>We strongly encourage continued engagement with Western Gateway Sub-precinct and Central Precinct stakeholders in the development and progress of the precinct-wide heritage interpretation.</p>	<p>TOGA has continued to work collaboratively with the adjoining stakeholders of Block A and Block B to achieve coordination on the proposed sub-precinct heritage interpretation. Discussion of the outcome of the presentation to Heritage Council is outlined in Section 3.1.</p> <p>TOGA will continue to work with adjoining landholders throughout detailed design development to achieve a good heritage outcome on the site.</p>
	To achieve good heritage outcomes, we recommend that the Historical Archaeological Impact Assessment could benefit from further	<p>The HAIA has been revised in accordance with these comments. The revised HAIA concludes:</p> <ul style="list-style-type: none"> Greater discussion of potential remains from the Benevolent Asylum. Whilst these remains are

Agency	Summary of Comment	Response
	<p>consideration of the management of State significant archaeology. For example, in the event that remains of the Benevolent Asylum were uncovered, such options could include archaeological preservation in situ (avoidance/ redesign), appropriate mitigation measures and interpretation opportunities.</p> <p>The recommendations outline that 'Heritage NSW should be notified if the find is identified as a relic, through the submission of a Section 146 notification'. Under Section 146 of the Heritage Act 1977 (the Act), Heritage Council of NSW should be notified if either known or likely/possible relic(s) are discovered. Section 146 of the Act is not switched off by the Environmental Planning & Assessment Act 1979. In addition, the definition of a relic provided in Section 2.1.1 has been superseded and the document should be updated to reflect this.</p>	<p>unlikely to occur within the site, some resources may be retained in the form of structural remains in the north-eastern portion of the site and would be considered of State significance.</p> <ul style="list-style-type: none"> ▪ A revision to recommendation 1 (unexpected finds procedure) to reflect the requirements of Section 146 of the Heritage Act. This is included in the summary of amended mitigation measures (Section 5.2). ▪ The current definition of a 'relic' in response to recent legislation changes.
Heritage NSW	<p>The ACHAR identified that the proposal area has been heavily modified with variable depths of fill. Across the Central Precinct State Significant Precinct (SSP) there are several areas that have been identified to contain or potentially contain intact sand deposit despite high levels of past disturbances. These areas include the adjacent State Significant Development (SSD) proposal for Atlassian Office and Hotel Development, and the upgrade works at Central Station. While the ACHAR notes that potential for such material to be present within the project area is nil-low based on the level of past disturbance, the Remediation Action Plan (Douglas Partners, July 2022) does identify alluvial sands in four bore holes (BH1003A, 1004A, 1005, 1007, 2002).</p>	<p>Urbis Heritage have undertaken a review of the Geotechnical Investigation, which notes that alluvial soils were present in five of the boreholes, located within Henry Deane Plaza. The retention of natural soils across the subject area indicates that, despite heavy ground disturbance, potential exists for Aboriginal objects to occur where natural soils are intact.</p> <p>Accordingly, Urbis Heritage have updated the ACHAR, including a changed recommendation to allow for the preparation of an Aboriginal Cultural Heritage Management Plan (ACHMP) to guide archaeological investigations of potential natural soils at the site. The updated ACHAR has been provided to RAPs for a 14-day comment period between 25 November – 9 December 2022. This approach has been undertaken in consultation with recommendations from Heritage NSW.</p> <p>Refer to ACHAR at Appendix CC.</p>

Agency	Summary of Comment	Response
	Please provide greater explication on nature of these sediments, how they may relate to the adjacent Tuggerah landform, and the likelihood of these sediments to contain Aboriginal objects. As standard practice, Heritage NSW requires the identification of PADs and subsurface testing of those deposits to establish their archaeological significance prior to any project approval.	
Sydney Metro	Based on this review, Sydney Metro is of the view that the proposed development would have negligible impacts on the Sydney Metro - City & Southwest Line rail corridor.	N/A.
TfNSW (Sydney Trains)	TfNSW (Sydney Trains) requests the Department consider imposing the conditions as listed in Attachment A. It is requested that these conditions remain as worded and are not amended without consultation with TfNSW (Sydney Trains).	<p>The TOGA site is located further west of the Central Station railway and is not directly located on the corridor.</p> <p>As such it is requested that only relevant conditions of consent applicable to sites, noting that the site is located greater than 30m away from the Central Station platforms and TfNSW considers a separation distance of 30m “low impact”. This is further discussed in the Rail Infrastructure Report prepared by ARUP and submitted with the SSDA.</p>
TfNSW	<p><u>Provision of Bicycle Parking and Facilities</u></p> <p>Recommendation</p> <p>It is suggested that the applicant provides bicycle parking and associated facilities in accordance with the relevant council standards.</p>	<p>The proposal has been amended to increase the provision of bicycle parking. This includes an additional 58 bicycle parking spaces, to provide a total of 223 employee bicycle parking spaces. This is consistent with the requirements of the DCP.</p> <p>The provision of 223 employee bicycle parking spaces within the basement will be complemented by 72 visitor bicycle parking spaces in the public domain. Justification for the provision of 72 visitor bicycle parking spaces, instead of the recommended DCP provision of 130 spaces, is provided in the revised Traffic and Transport Assessment at Appendix R.</p> <p>Specifically, it is noted that the coordination of bicycle parking provision across the public domain is essential. As the adjacent Atlassian and Central Place Sydney public domain will deliver a combined total of 430 bicycle parking spaces, when including the proposed spaces, the precinct will</p>

Agency	Summary of Comment	Response
		provide more than any current and anticipated future demand.
	<p><u>Provision of Freight and Servicing Recommendation</u></p> <p>It is requested that the applicant provides additional loading bays in accordance with councils standards. This could be achieved by converting some of the car parking spaces to loading bays for the same reasons outlined above regarding the bicycle parking requirements.</p>	<p>The proposal has been amended to increase the provision of loading bays. This includes an additional one loading bay, to provide a total of six loading bays onsite.</p> <p>Justification for the provision of six loading bays, instead of the recommended DCP provision of 22 loading bays, is provided in the revised Traffic and Transport Assessment at Appendix R.</p>
	<p><u>Systems and Safety Engineering and Assurance Recommendation</u></p> <p>It is requested that the applicant prepares the following documents in consultation with TfNSW as part of the applicant's Response to Submissions:</p> <ul style="list-style-type: none"> • Assurance and Governance Management Plan (A&GMP) including TAO requirements • Systems Engineering Management Plan (SEMP) • Safety Assurance Management Plan (SAP) • Project Safety Hazard Log (PSHL) • Project Risks Report 	<p>TOGA consider the preparation of these documents can be undertaken as a post-approval condition of development consent completed prior to issuance of Occupation Certificate.</p> <p>It is noted these documents are requirements under the Unsolicited Bid Proposal (an ongoing process between TOGA and TfNSW) and are being provided as part of this separate process.</p> <p>TOGA will commit to producing all relevant Systems and Safety Engineering Assurance documents in consultation with TfNSW, however, the relevance of these documents to the SSDA assessment process is questioned.</p>
	<p><u>Pedestrian Movement Recommendation</u></p> <p>It is requested that the applicant re-design the pedestrian connection at or near the mouth of the Link Zone in consultation with TfNSW to minimize the congestion as part of the applicant's response to submissions and agree with TfNSW in relation to the proposed measures.</p>	<p>The pedestrian connection at the mouth of the Link Zone, this area is located within the Block A development boundary and is not within TOGA's design control.</p> <p>Notwithstanding this, TOGA is currently working with TfNSW and adjoining owners of Block A and Block B to resolve the pedestrian flows within the precinct and any interfacing issues. In particular, TOGA will work with TfNSW to agree appropriate mitigations in design development for a precinct-wide solution for the junction of the Link Zone, Devonshire Street tunnel and the Lee Street tunnel.</p>

Agency	Summary of Comment	Response
	<p><u>Fire Engineering Assessment</u></p> <p>Recommendation</p> <p>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.</p>	<p>A Fire Risk Assessment prepared by Warrington Fire is provided at Appendix DD.</p> <p>Whilst TfNSW's comment that there is no guarantee that the Atlassian development will be completed at the same time as the TOGA development, it is noted that Atlassian construction works has commenced in October 2022 (refer Section 3.3.1) and on current program these works will be completed 18 months prior to TOGA.</p> <p>An existing easement over Lot 116/DP1078271 (the Atlassian site to the immediate north, where fire access is proposed to be provided from) already provides access into the TOGA site (the existing Adina hotel). This easement will not be impacted as part of the proposal.</p> <p>Furthermore, the Atlassian leasehold over the carriageway portion of Lot 116/DP1078271 is to be surrendered as part of the separate Unsolicited Bid Proposal (USP). Following this surrender, the upper carriageway will become public land. 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.</p>
	<p><u>Green Travel Plan</u></p> <p>It is noted that a Preliminary Green Travel Plan (GTP) has been prepared as part of the development application. This report needs further detail on proposed initiatives and strategies to encourage sustainable travel choices and associated outcomes.</p> <p>Suggested Conditions of Consent</p> <p>Prior to the issue of the Occupation Certificate, the Applicant shall prepare a detailed Green Travel Plan to the satisfaction of TfNSW.</p>	<p>Noted. Preparation of a detailed Green Travel Plan in consultation with TfNSW will be undertaken as a condition of development consent, prior to issuance of Occupation Certificate.</p>
	<p><u>Transport Access Guide</u></p> <p>It is advised that a Transport Access Guide would inform residents, employees and visitors of the travel choices available to them. This should</p>	<p>Noted. Preparation of a Transport Access Guide in consultation with TfNSW will be undertaken as a condition of development consent, prior to issuance of Occupation Certificate.</p>

Agency	Summary of Comment	Response
	<p>include information about public transport connectivity, end of trip facilities, and local pedestrian and cycling connections.</p> <p>Suggested Conditions of Consent</p> <p>Prior to the issue of the Occupation Certificate, the Applicant shall prepare a Transport Access Guide (TAG) in consultation with TfNSW.</p>	
	<p><u>Construction Pedestrian and Traffic Management</u></p> <p>It is advised that:</p> <ul style="list-style-type: none"> • The arrival and departure of construction vehicles should be limited during commuter peak periods of 7am-10am and 3pm-7pm in consultation with TfNSW; • All vehicles are required to move in a forward-in and forward-out direction at all times. TfNSW would not support reversing movements from proposed loading and lifting zones onto Lee Street; and • There is an existing Clearways in front of the proposed development on Lee St and as such it cannot be used as the loading zone in future. <p>Suggested Conditions of Consent</p> <p>Prior to the issue of any Construction Certificate or any preparatory, demolition or excavation works, whichever is the earlier, the Applicant shall:</p> <ul style="list-style-type: none"> • Prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with TfNSW. 	<p>TOGA are unable to accept the restriction on construction vehicles arriving and departing during commuter peak periods. Restriction on the delivery times will impact the overall duration of the project and the current methodology. The restriction of the deliveries to commuter peak periods would result in a reduction of working hours from 10 hours to 5 hours, resulting in a 50% reduction in productivity and a significant extension to the construction program.</p> <p>As such, it is proposed that the arrival and departure of construction vehicles will occur between 7am – 5pm Monday – Friday and Saturday 7am – 1pm.</p> <p>In regard to forward in and forward out movement for construction vehicles, TOGA accept this condition and note that this is similarly reflected within the CTMP. However, it is noted there may be circumstances where TOGA require reversing and / or road closures for activities such as tower crane erection and other limited critical works. Prior to completion of these works, TOGA will consult with and request an approval from TfNSW through the appropriate processes.</p> <p>TOGA are unable to accept the retention of the existing clearway along Lee Street. The CMP submitted with the SSDA identifies a work zone along the Lee Street frontage (work zone 1 and 2). The site is extremely constrained to the north (the Atlassian construction site and upper carriageway zone), the east (Atlassian construction zone) and south (existing Dexus buildings, and subsequently Dexus construction activities), Dexus's existing buildings (or construction activities). As such, there is not alternative location for the work zone other than along the Lee Street frontage for a proportion</p>

Agency	Summary of Comment	Response
		<p>of the construction program, in particular until the podium and tower superstructure is completed, and the top of the podium is completed.</p> <p>Preparation of a detailed CPTMP in consultation with TfNSW can be prepared as a condition of development consent, prior to issuance of Construction Certificate.</p>
	<p><u>Freight and Servicing Management</u></p> <p>It is noted that:</p> <ul style="list-style-type: none"> • An overview of Loading Dock Management Plan is included in the Traffic Report; and • The Traffic Report states the following: <p>“This loading provision is appropriate and able to service the anticipated daily and peak loading demands. A detailed loading dock management plan should be implemented with an online booking system also able to ensure appropriate use across the day and week.”</p> <p>Suggested Conditions of Consent</p> <p>Prior to the issue of any Construction Certificate, the Applicant shall prepare a Freight and Servicing Management Plan in consultation with TfNSW. This plan shall ensure that any potential traffic and safety impacts associated with the loading dock operation are mitigated.</p>	<p>Noted. Preparation of a Freight and Servicing Management Plan in consultation with TfNSW will be undertaken as a condition of development consent, prior to issuance of Construction Certificate.</p>
	<p><u>Coach Pick up and Set down Management</u></p> <p>It is advised that:</p> <ul style="list-style-type: none"> • A coach zone for private uses on Lee Street is not supported by TfNSW; • All new developments should not rely on on-street parking or loading zones. Kerb side restrictions can be changed at any time and the development 	<p>Noted. Preparation of a Coach Pick-Up and Set-Down Management Plan will be undertaken in consultation with TfNSW as a condition of development consent, prior to issuance of an Occupation Certificate.</p> <p>It is requested this is delayed until Occupation Certificate, given the coach management relates to occupation of the site and not construction works.</p>

Agency	Summary of Comment	Response
	<p>should not rely on current kerb side restrictions to service the site; and</p> <ul style="list-style-type: none"> • A Coach Pick and Set down Management Plan needs to be prepared to ensure the operation of the proposed development would have minimal impact on the operation of the surrounding transport network and the safe and orderly movement of people and luggage between the site and suggested coach bay. <p>Suggested Conditions of Consent</p> <p>Prior to the issue of the Construction Certificate, the applicant shall prepare a Coach Pick and Set down Management Plan in consultation with TfNSW to demonstrate that the proposed coach parking areas have spare capacity to accommodate the forecast coach demand generated by the proposed development. The final plan shall be submitted for the endorsement of TfNSW,</p>	
	<p><u>Impacts on Adjoining Structures and Services</u></p> <p>Suggested Conditions of Consent</p> <p>Prior to the issue of the Construction Certificate, the applicant shall undertake a detailed analysis, in consultation with TfNSW, in relation to flooding and drainage, and geotechnical to assess the impacts on the adjoining road network, properties, services and tunnels and to propose mitigation measures to the satisfaction of TfNSW.</p>	<p>Noted. Preparation of a detailed flood and drainage analysis will be undertaken in consultation with TfNSW as a condition of development consent, prior to issuance of an Construction Certificate.</p>
	<p><u>Protection of Sydney Trains / TAHE Easements</u></p> <p>Recommended conditions of consent</p> <p>Prior to the issue of the Construction Certificate, the applicant shall prepare a report to document the Sydney Trains / TAHE easements located</p>	<p>TOGA do not consider this condition reasonable.</p> <p>There is no corresponding condition or obligation within the Block A or Block B development consents (refer Section 3.3). Given the TOGA site is located further west of the rail corridor than the adjoining sites, this condition to be satisfied prior to</p>

Agency	Summary of Comment	Response
	within the TOGA property and submit the report for the of endorsement Sydney Trains.	issue of a Construction Certificate is not considered reasonable to apply to the TOGA site.
	<p><u>Protection of CBD Rail Link (CBDRL) Corridor</u></p> <p>Recommended conditions of consent</p> <p><i>Refer to TfNSW submission.</i></p>	No comment on conditions as currently drafted. It is noted the applicant will have an opportunity to review draft conditions prior to determination.
DPE Water	<p>Groundwater entitlement</p> <p>The proponent will need to demonstrate prior to determination that groundwater entitlement can be acquired from the Sydney Basin Central Groundwater</p> <p>Source before commencing the work. There has been significant demand for entitlements within this source so obtaining this water poses a risk to the project.</p> <p>Recommendation – Post approval</p> <p>The proponent must ensure sufficient water entitlement is held in a WAL to account for the maximum predicted take for each water source prior to take occurring.</p>	Water access shares for the Sydney Basin Central Groundwater Source are currently available via a Controlled Allocation Order 2022. TOGA has submitted an offer under this allocation order to acquire water access entitlement sufficient for the worst case predicted inflows. Following acquisition of shares either under this allocation or other markets, TOGA will obtain a Water Access Licence sufficient for the predicted take.
	<p>Groundwater impacts</p> <p>2.1 Recommendation – Post Approval</p> <p>That the Construction Environmental Management Plan (CEMP) and Water Management Plan (WMP) include the requirements described in Attachment B.</p>	<p>TOGA offer the following comments on the requirements outlined in Attachment B of the DPE Water submission:</p> <ul style="list-style-type: none"> TOGA has submitted an offer for water access shares under the recent Controlled Allocation Order 2022. A Water Access Licence will be obtained by TOGA as a condition of consent, as outlined above. Regarding DPE Water's comment that the groundwater take of less than 3ML/year may require the basement structure to be watertight <u>cannot be accepted</u> by TOGA. As outlined in the Basement Clarification Statement prepared by Robert Bird Group (Appendix EE), a drained basement is the only feasible technical solution for the development as: <ul style="list-style-type: none"> The adjacent (Block A and Block B) basements are drained basements. RBG state a drained basement connected with a tanked basement is unprecedented. As the development will integrate with the adjoining

Agency	Summary of Comment	Response
		<p>drained precinct basement, a drained basement on the site is the only available solution.</p> <ul style="list-style-type: none"> – To provide an appropriate level of stability a positive connection to the founding rock material will be required. – Tanking the basement means the enclosing structure will need to be designed to resist hydrostatic pressures. This will require the walls and slabs of the basement to be designed as hydrostatic elements. This increases the structural demand and hence the size and reinforcement of these elements. This will increase the required excavation and contributes significant cost, complexity, and embodied carbon to the development. <p>This is further supported by the Geotechnical Comment on Proposed Basement prepared by Douglas Partners (Appendix FF), which notes:</p> <ul style="list-style-type: none"> – The original groundwater modelling conducted in June 2022 did not account for a drained basement on Block B. The presence of a drained basement on the Block B site would further reduce the inflow into the Toga basement and therefore the predicted inflows for the Toga site would be less. – As TOGA has already applied for water access shares under the Controlled Allocation Order 2022, Douglas Partners expect that there will be sufficient groundwater entitlement to support a Water Access License associated with the proposed drained basement. – If groundwater inflows are greater than predicted then measures will be taken to comply with the approval conditions. <p>In conclusion, Douglas Partners consider the proposed TOGA drained basement can be constructed without impacting surrounding groundwater systems and property.</p> <p>Conditioning of a limit to the extractions of 3ML/ year and tanking the basement cannot be accepted by TOGA and is not necessary for the proposal.</p>
	<p>Construction phase monitoring programme and content</p> <p>Recommended condition of consent</p>	<p>Following completion of the dewatering activity TOGA will submit a completion report to DPE Water.</p> <p>No comment on the proposed monitoring conditions. It is noted the applicant will have an opportunity to review draft conditions prior to determination.</p>

4.4. RESPONSE TO COMMUNITY ORGANISATION AND PUBLIC SUBMISSIONS

4.4.1. Community Organisations

Table 14 Response to submissions received from Community Organisations

Group	Summary of Comment	Response
National Trust	<p>Broad range of heritage concerns raised including:</p> <ul style="list-style-type: none"> The parcels post office is locally listed by the City of Sydney (Item #I855). It is also included as part of the State Listed Sydney Terminal and Central Railway Stations Group (SHR #01255). This should allow protective measures for the site, however the proposed development does very little to conserve these significant qualities. The scale of the proposal overwhelms the historic Parcels Post Building. It removes views to and from the building, overshadows it, and changes its readability from an important element of Central Station and Railway Square to a diminished footnote in the area. The proposal involves significant demolition to the Parcels Post Building, with a full two-thirds of the east façade set to be demolished, including the entire south-east corner with its complex concave and convex brick curves. The Heritage Impact Statement does not properly assess the negative effects of this development upon the building. It supports large scale demolition when, in the opinion of the National Trust, there is no need for the extent of demolition (particularly to the external elevations) to facilitate a proposed new addition. The documentation for this development is inconsistent, with the extent of demolition not accurately shown. The Visual Impact Analysis is misleading in its representation of visual impact. 	<p>A detailed response to each of the key areas of objection of the National Trust submission is provided in the Urbis Built Heritage Response at Appendix H.</p> <p>In summary, the retention of the landmark qualities of the fPPb has been a key driver of all stages of design development including the rezoning proposal and this SSDA.</p> <p>The well-considered massing has been the subject of substantial consultation with the Design Review Panel, City of Sydney, Heritage NSW, the Competition Jury and the DIP, and has been informed by the precinct and site-specific WGDG. The intent to concentrate the mass to areas of less significance seeks to minimise heritage impact to the fPPb. Specifically, the eastern façade is of less heritage significance and contains reconstructed fabric – and thus the changes are concentrated to this façade. The impact on the south-eastern corner is assessed in Section 4.2.1.2 and considered appropriate.</p> <p>The scale of the envelope is consistent with the planning provisions and when contextualised in the broader sub-precinct, is suitable.</p> <p>The Urbis Heritage Response and the HIS (Appendix G) acknowledges that whilst there is some impact on the qualities of the fPPb, the proposal has its genesis in a broad strategic vision for the precinct which acknowledges the need to reconcile heritage precincts with transformational change. Urbis Heritage note that the redevelopment will ensure the fPPb remains utilised, and within the centre of an evolving precinct, creating a positive heritage outcome.</p>

4.4.2. Landholder Submissions

Table 15 Response to submissions received from Landholders

Group	Summary of Comment	Response
Central Place Sydney	<p><u>Wind</u></p> <p>Toga will be responsible for ensuring that on completion of Toga Central, the wind conditions in the precinct are not worsened in the public domain and on Lee Street. Any proposal delivering an outcome that is worse than the existing comfort and safety conditions or the conditions that are anticipated on completion of Blocks A and B would not be supported.</p>	<p>As discussed in the Wind Addendum Statement (Appendix Q), the assessment of the pedestrian wind conditions demonstrates that in the final developed scenario, wind conditions are not worsened within the public domain and on Lee Street.</p> <p>The inclusion of the proposed TOGA development alongside Atlassian and Central Place Sydney will shift strong winds at the intersection of Lee Street and Little Regent Street and the northern part of the Central Station platform (both that exceed the safety criterion) to a localised exceedance at the south-eastern corner of the development. This is proposed to be managed through the proposed awning, resulting in the resolution of these marginal exceedances and a safe pedestrian outcome.</p>
	<p><u>Landscaping and Public Domain Report</u></p> <p>The DPE should be made aware that whilst this design is located on the Consortium's land, it is not supported by the Consortium. However, the Consortium is working closely with Toga and the City of Sydney Council to agree the best urban outcome for the plaza and public domain areas across the various landholdings and has confidence that a successful outcome can be reached.</p> <p>We acknowledge that the best outcome is not defined by lot boundaries, however, highlight that consideration must be given to the volumes of pedestrian movements entering and exiting Central Station which is one of the busiest railway stations in Australia. Furthermore, the staging of the three Western Gateway Sub-precinct developments needs to be taken into account, to ensure adequate pedestrian access is provided as each development is completed.</p>	<p>Since lodgement of the SSDA, ongoing consultation and design development of Henry Deane Plaza has occurred to ensure the design achieves a coordinated and successful outcome. Details of this consultation is provided in Section 3.1.</p> <p>Formal landowners' consent for the works along the boundary interface will be provided by TfNSW prior to determination of the application. This will be supplemented by a confirmation letter from the Block B leaseholders, the Dexus-Frasers Consortium, confirming consent is provided to construct on their leasehold land above RL21. This will be provided to the DPE prior to determination.</p> <p>The Preliminary CMP submitted with the SSDA provides a framework for the management of impacts during the construction period, and in particular the management of pedestrians throughout the works. Maintaining commuter access to Central Station during construction works is a key objective of the Preliminary CMP. The</p>

Group	Summary of Comment	Response
		<p>Preliminary CMP will be developed with a Detailed CPTMP to be prepared prior to issuance of Construction Certificate.</p> <p>TOGA will continue to consult with the adjoining landholders to ensure impacts of construction and any concurrent construction activities are mitigated.</p>
	<p><u>Transport</u></p> <p>The shared entry and basement access will be managed by a Dock Master with an Operational Plan to ensure the traffic movements are managed during peak hours of the day for all users of the shared entry ramp.</p> <p>Given the intense use of the consolidated entry and basement ramp provided by the Central Place Sydney development, Toga Central's use of the service entry road and basement ramp will require all hotel guests and car share users (who are not familiar with the Operational Plan) to utilise a hotel valet service or concierge, provided by Toga, to park and/or retrieve these vehicles when accessing the Central Place Sydney basement.</p>	<p>TOGA has engaged extensively with CPS and discussed access opportunities and the overarching need for all sites to ultimately access the precinct via a single access at the southern end. This consultation will continue throughout the construction and operation of the development.</p> <p>It is noted that the TOGA loading and service vehicles will occur within the TOGA site, and not in the Central Place Sydney Integrated Distribution Facility (IDF). As such, the consultation will focus upon the access and egress points within the Central Place Sydney site – which has been designed with the intent to provide a single access point into the shared basement in accordance with the WGDG.</p> <p>The traffic volumes, including service vehicles was detailed, with overall volumes not materially changing the function of the consolidated access driveway. Details on interim (via Atlassian ramp) and end state scenarios were also included in the TIA.</p> <p>Loading dock management strategies would also be committed to manage service vehicle arrivals and departures, and to mitigate the effects during peak periods. The efficiency and effectiveness of loading dock management systems have significantly improved in recent years. Booking systems (such as MobileDock) adequately manage the logistics of some of the largest city precincts around the world. Barangaroo International Towers provides close to 100 loading bays which are accessed via a single access ramp. The delivery demands of the Toga Central site will be low both in total</p>

Group	Summary of Comment	Response
		volumes and when compared with those estimated as part of CPS.
UTS	To date there has been limited engagement by Toga with UTS in relation to its plans.	An additional consultation session with UTS was held on 11 October 2022. The outcome of this session is discussed in Section 3.1 .
	<p>There are a range of concerns in terms of the pedestrian modelling and reporting supporting the application, including:</p> <ul style="list-style-type: none"> • The modelling being limited in its extent; • Whether Fruin is the best and appropriate method; • Reliance on the Central Walk West being in place, however there remains uncertainty around its actual delivery and timing; • It does not consider the future end state of the entire Central Station Precinct being delivered (800,000sqm+); and • There is limited consideration of future increases in people movement associated with future development surrounding the precinct, such as Powerhouse, UTS plans for the redevelopment of its Site 5, and other development to be facilitated and unlocked through the City of Sydney's Central Sydney Planning Strategy. <p>UTS has concerns around the accuracy of the future capacity of pedestrian movement corridors being reported and the lack of coordination and assessment of cumulative impacts associated with all the major proposals in the precinct.</p> <p>As the site is located at the gateway and entry point to the Lee Street Tunnel and connecting Goods Line, there is considered to be sufficient nexus and increase in demand generated for a broader and holistic review of mitigation measures. It is unlikely if the subject proposal is approved, that there would be future plans to come back again and further improve such pedestrian infrastructure prior to commencement.</p>	<p>The concerns of UTS regarding the future pedestrian volumes in the precinct are noted, however several of these concerns relate to the broader assumptions on future pedestrian demands within the Central Station precinct, and are not relevant to the TOGA development.</p> <p>The Pedestrian Modelling Analysis prepared by ARUP and submitted with the SSDA responds to criteria and forecasted pedestrian demands established by TfNSW at the 2056 + 15% scenario. It is TOGA's understanding this criterion accounts for major developments in the surrounding precinct, including the Central Station OSD. Further information on the assumptions of the pedestrian requirements can be provided by TfNSW.</p> <p>TOGA welcomes further engagement with stakeholders and TfNSW to ensure the design for the precinct responds to appropriate future projections for pedestrian demands.</p> <p>Further discussion of the pedestrian movement modelling is provided in the Addendum Pedestrian Modelling Statement at Appendix U.</p>

Group	Summary of Comment	Response
	UTS supports the provision of co-working space within the podium/existing heritage building, and in the spirit of supporting a tech and innovation precinct suggests investigations are made around provision of a portion of this space as subsidised rent for start-ups and the like.	Noted. To be considered by TOGA as part of the future use, management and leasing of the co-working space.
	The design approach to ensuring a seamless design outcome across surrounding developments and the transition within Henry Deane Plaza is supported. The importance of this critical space cannot be overstated.	Noted. TOGA agree with the critical importance of ensuring Henry Deane Plaza provides a coordinated and successful public outcome.

4.4.3. Public Submissions

Submissions in support of the proposal

Seven submissions received from members of the public were in support of the proposal. Within these submissions, it was noted the proposal would revitalise the Central Station area, create a 'hub' in close proximity to a major transport corridor, deliver a new hotel in the area, and create employment opportunities as part of Tech Central. There was also a strong desire for the redevelopment of Henry Deane Plaza, noting the current lack of amenity and perceived sense of safety within this space.

In response to these submissions, TOGA welcomes the feedback and is committed to delivering upon these key public benefits and improvements.

Submissions objecting to the proposal

One submission received objected to the proposal. The submission raised concern with the partial demolition of the heritage item, provision of a tower above the item, and government mismanagement of heritage items in NSW.

In response, the following is noted:

- New planning controls for the site have recently been introduced to permit additional development on the site within a tower footprint. The proposal is wholly compliant with the planning provisions contained within the SLEP 2012 and achieves a high degree of compliance with all relevant controls of the WGDG.
- Demolition of heritage fabric has been reduced as much as possible. The proposal seeks to demolish intrusive contemporary additions to the fPPb such as the 1998-1999 roof addition, upper two floors and aluminium windows to ensure the historical significance of the building can be appreciated. Whilst some elements of original fabric are proposed to be removed, this is predominately concentrated on the eastern façade (which has been extensively altered with very limited original fabric discernible) and will allow for the location of the necessary tower structures and core to be setback behind the existing building and reduce its overall visibility.
- The proposed tower incorporates substantial setbacks from the northwest corner, adopts a splayed form and a minimum 12.6m vertical separation above the heritage item to mitigate impacts of scale ensure the heritage item can be read independently.
- Government management of heritage buildings is not a relevant consideration for this application.

Refer to further discussion in the Revised Heritage Impact Statement (**Appendix G**).

5. EVALUATION OF THE PROJECT

5.1. ASSESSMENT OF REFINED PROPOSAL

This section provides an assessment of the amended design against the relevant statutory planning framework including the relevant Acts, environmental planning instruments, draft environmental planning instruments, and development control plans as required under section 4.15 of the EP&A Act.

The assessment is limited to those aspects of the design that have been amended in response to submissions and as part of ongoing design development, as set out in **Section 3.2** of this report.

Table 16 Assessment of refined proposal

Consideration	Proposal
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	<p>Potential sources of contamination exist at the site will be managed in accordance with the Remediation Action Plan prepared by Douglas Partners.</p> <p>The revised Remediation Action Plan and the Interim Site Audit Statement prepared by Harwood Environmental Consulting confirms that site remediation can be achieved on the site to a condition suitable for the proposed development.</p>
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	<p>As the site contains land shown as “Zone B” on the rail corridors map and involves penetration of ground to greater than 2m (existing), the application has been referred to TfNSW for comment. This consultation has been undertaken with Sydney Trains, Sydney Metro and TfNSW throughout the design development process and as part of the notification of the SSD.</p> <p>No change is proposed to the access and parking arrangements of the proposal, therefore the assessment and conclusions of the EIS in this regard remain applicable. A response to the matters identified by the relevant rail authorities is provided in Section 4.3.2.</p>
<i>Sydney Local Environmental Plan 2012</i>	<p>The assessment against the relevant controls of the SLEP 2012 provided in the EIS remains applicable to the proposed development, in addition to the following updates:</p> <p><u>Clause 4.3 and Clause 6.53(6)</u></p> <p>The development has a proposed height of RL 201.8m.</p> <p>The height illustrated on the height of building map is 35m. Notwithstanding this, clause 6.53(6c) permits the height of building to exceed this height, but only if the height of the building will not exceed RL 211.9 metres. The development is therefore compliant with the provisions of clause 4.3 and clause 6.53(6) of the SLEP 2012.</p> <p><u>Clause 6.21D</u></p> <p>The refined proposal was presented to the DIP on 13 September and a subsequent information package issued to the DIP on 23 November 2022. The Panel are satisfied with the level of resolution and design development of the scheme and believe the design as presented continues to maintain the design integrity of the competition winning scheme. This was confirmed by the DIP Chair on 19 December 2022.</p> <p>The Panel support the design, subject to consideration of the items raised in the feedback.</p>

Consideration	Proposal
WGDG	<p><u>3.1.1 Publicly accessible managed space</u></p> <p>The revised public domain and landscape design has been updated to ensure consistency with the design intent and requirements of the Western Gateway Publicly Accessible Space Strategy.</p> <p><u>3.1.3 Design excellence</u></p> <p>The DIP provided full endorsement for the proposed scheme and confirmed the design retains the fundamental elements of design excellence and resolves areas requiring further resolution as identified in the Competition Report on 14 June 2022.</p> <p>The DIP have confirmed the changes to the proposed development (relating to the void) do not impact the integrity of the scheme.</p> <p><u>3.1.7 Views and vistas</u></p> <p>Additional assessment of the visual impact of the development has been undertaken by Urbis and is provided at Appendix HH. Urbis consider the extent of visual effects is acceptable in the immediate and wider visual context.</p> <p><u>3.3.3. Vehicular access and parking</u></p> <p>TOGA has committed to the provision of EV charging of up to 50 per cent of commercial parking spaces.</p> <p><u>3.4.2 Water management</u></p> <p>The development complies with the water quality baseload pollutant levels as discussed in Section 4.2.1.11.</p>
Sydney DCP 2012	<p><u>3.7.2 Drainage and stormwater management</u></p> <p>Due to the change in the levels of the public domain sought in this Submissions Report, revised Civil Plans has been prepared by Northrop and are provided at Appendix FF.</p> <p><u>3.9.1 Heritage Impact Statements</u></p> <p>A revised Heritage Impact Statement has been prepared by Urbis and is provided at Appendix G.</p> <p>The revised HIS confirms the development is suitable from a heritage perspective subject to the recommendation measures outlined in the report.</p> <p><u>3.11.6 Service vehicle parking</u></p> <p>The loading dock has been amended to incorporate an additional loading dock, to provide a total of six loading bays. The suitability of this is discussed in the revised Traffic and Transport Assessment and in Section 4.2.1.8.</p>
Environmental Impacts	<p>As outlined throughout this report and as annexed, additional technical information has been prepared to address key issues and community concerns regarding environmental impacts. The additional information relates to the following potential environmental impacts:</p> <ul style="list-style-type: none"> Heritage

Consideration	Proposal
	<ul style="list-style-type: none"> ▪ Wind ▪ Parking and loading ▪ Noise and vibration (during construction) ▪ Visual Impacts ▪ Groundwater and soil contamination <p>The additional technical information accompanying this report demonstrates that all environmental concerns have been considered in the design of the proposal and any potential adverse impacts can be appropriately managed or mitigated.</p>
Social and economic impacts	<p>The proposed amendments do not compromise the assessment of the social and economic impacts provided in the EIS. In this regard, the amended proposal is likely to generate a positive impact to the community through recognition of local Aboriginal culture and heritage, adaptively reusing a local heritage item and interpreting the historical significance for public benefit, creating job opportunities, and deliver increased access to services and facilities.</p> <p>The changes to the character of the area continue to align with the broader strategic vision for the area and can be adequately managed by the mitigation measures set out in the EIS.</p>
Public interest	<p>The public interest assessment for the refined proposal remains as per the assessment outlined in the EIS. The benefits of the development greatly outweigh any adverse impacts and as such, the development is in the public interest.</p>
Suitability of the site	<p>The refinements proposed within this Submissions Report do not change the suitability of the site for the development as outlined in the EIS.</p> <p>The proposal will allow the delivery of employment generating floor space on the site, which is permissible with consent and consistent with the B8 Metropolitan Zone objectives. Further, there are no significant environmental constraints that would limit the proposal from being developed at the site.</p>

5.2. SUMMARY OF AMENDED MITIGATION MEASURES

Amended mitigation measures have been introduced following the additional assessment undertaken by consultants in this Submissions Report package.

The following summarises the additional mitigation measures for the proposal. A complete list of the mitigation measures for the proposal is provided at **Appendix B**.

Table 17 Summary of additional mitigation measures

Consultant Report	Summary of Additional Mitigation Measure	Reference
Historical Archaeological Impact Assessment	Update to Unexpected Finds Procedure to reflect current legislation.	Appendix BB

Consultant Report	Summary of Additional Mitigation Measure	Reference
Aboriginal Cultural Heritage Assessment Report	An Aboriginal Cultural Heritage Management Plan (ACHMP) should be developed for the subject area in consultation with Registered Aboriginal Parties (RAPs). This ACHMP should include provision for the field investigation of Aboriginal archaeological potential and natural soils within the subject area. This could include monitoring, test and/or salvage excavation at the site. The ACHMP should be submitted to Heritage NSW for approval prior to the commencement of works.	Appendix CC
Revised Arboricultural Impact Assessment	<p>Tree protection measures for Trees 21 and 22 are outlined in the Revised Arboricultural Impact Assessment (at Appendix T and include:</p> <ul style="list-style-type: none"> ▪ Type A or Type B hoarding or containment screening should be a minimum height of 1800 mm. ▪ Boards and padding used for trunk and branch protection must be strapped to the trees, not screwed or nailed. ▪ Under the direction of the project arborist, any small branches that are flexible enough, are recommended to be tied back, as opposed to being pruned. ▪ Where pruning is unavoidable, it must be specified by the Project Arborist in accordance with AS 4373. <p>Implementation of the tree management plan provided in Section 5 of the Revised Arboricultural Impact Assessment:</p> <ul style="list-style-type: none"> ▪ Signage ▪ Tree protection fencing ▪ Crown protection ▪ Trunk and branch protection ▪ Ground protection ▪ Soil moisture 	Appendix T
Interim Site Auditor Advice Letter	<ul style="list-style-type: none"> ▪ Completion of the data gap analysis following demolition, and update to the RAP where required. The Interim Advice Letter from the Site Auditor notes this be undertaken until consent is provided for the demolition of the site. ▪ Update of the RAP to include the schedule of works, hours of operation and Site contact details. ▪ A final revision of the RAP should be provided to Auditor for review and approval of the 'final' remediation areas. 	Appendix X
Revised Noise and Vibration Assessment	Measures to mitigate and manage cumulative noise impacts:	Appendix S

Consultant Report	Summary of Additional Mitigation Measure	Reference
	<ul style="list-style-type: none"> ▪ Reasonable endeavours to coordinate work between construction sites (adjacent owners), to minimise cumulative noise impacts, where feasible and reasonable (i.e. to ensure that the same sensitive receivers are not impacted on multiple consecutive nights from different projects without consideration of appropriate respite for these receivers). ▪ Additional feasible and reasonable at-source mitigation when there is the potential for cumulative construction impacts, where programming is not practical to avoid cumulative noise impacts. ▪ Community consultation to gauge key noise impacts and issues and identify any unknown impacts from concurrent or consecutive sets of constructions works ▪ Consideration of cumulative construction noise impacts during the development of noise mitigation and management measures for the worksites as part of their respective CNVIS/CNVMP, including 	

The refinements include additional measures to ensure any previously known and assessed impacts will be appropriately managed and mitigated where relevant. On this basis, the proposed development is appropriate for the site and approval is recommended, subject to appropriate conditions of consent.

6. CONCLUSION

This Submissions Report has considered the submissions received from government agencies, landholders, community organisations and members of the public during the exhibition of the EIS for TOGA Central.

Following consideration of the submissions, the applicant has:

- Provided additional information as requested.
- Undertaken further consultation with key stakeholders and agencies.
- Revised the public domain and landscaping design for Henry Deane Plaza to achieve greater coordination, alignment (specifically on RLs) and consistency across the public domain and adjacent sites. This has also enabled the retention of two street trees along Lee Street.
- Increased the bicycle parking and loading provision.
- Refined the internal works to the fPPb and southern atrium stair to ensure a sympathetic heritage outcome is achieved.
- Resolved inconsistencies in the landscape and built form interface between Block A and Block C.
- Reduced internal floor to floor heights, resulting in an overall reduction in building height of 1 m (to RL201.28 (45 storeys)).
- Responded to detailed matters identified by the Design Integrity Panel.
- Demonstrated that, subject to the various mitigation measures recommended by the specialist consultants, the proposal does not have any unreasonable impacts on adjoining properties or the public domain in terms of traffic, social and environmental impacts.

The proposed development as refined is considered appropriate for the location, is in the public interest, will deliver a positive outcome and has significant planning merit. This SSDA should therefore be supported by the Minister and the Independent Planning Commission.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

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