

30 September 2022

Our Ref: R/2022/15
File No: 2022/457196
Your Ref: SSD-33258337

Thomas Piovesan
Department of Planning and Environment
via Planning Portal

Dear Thomas,

Advice on Environmental Impact Statement – Toga Central – SSD-33258337

Thank you for your correspondence dated 25 August 2022 inviting the City of Sydney (the City) to comment on the Environmental Impact Statement (EIS) submitted for the Toga Central development at 2-8A Lee Street, Haymarket.

The State Significant Development Application relates to Block C within the Western Gateway sub-precinct and seeks consent for adaptive re-use of the former Parcel Post building (fPPB), construction of a 45 storey tower above and public domain works at street level, lower ground level and within Henry Deane Plaza.

While the City does not object the redevelopment of the site, concern is raised over the **coordination of the development with adjoining development sites**, being the Atlassian development to the east (SSD 10405) and the Dexu Frasers development known as Central Place Sydney to the south (Council DA ref D/2021/251). The three development sites within the precinct all include public domain works and therefore integration between the proposals is essential. **As submitted, the SSD for Toga Central does not provide adequate coordination with adjoining sites, particularly regarding the design and treatment of Henry Deane Plaza and its interface with Central Place Sydney.**

It is essential that this centralised forecourt, which integrates the surrounding tower forms in the precinct, demonstrates design excellence. In order to achieve this, **the City recommends that the public domain elements proposed under this SSD be subject to a deferred commencement approval or ideally form part of a separate development application to be assessed by the City.** This would allow the public domain to be assessed holistically and could involve the establishment of a working group across the proponents to ensure consistency and design excellence are achieved.

The following specific comments are provided for your consideration.

1. Coordination with adjoining development sites

The Toga site shares a boundary with the Central Place Sydney development to the south, which is being developed by Dexu Frasers and is subject to a separate development application currently under assessment by the City (D/2021/251). It also shares a boundary with the Atlassian development site to the east.

As the assessment of Central Place Sydney under D/2021/251 is nearing determination, it is essential that the Toga Central development is consistent with the plans for Central Place Sydney.

It is also noted that the plans for Toga Central include a 1,077sqm supermarket in Basement Level 01 which is accessed from the Lee Street tunnel. A large supermarket is also proposed in the Central Place Sydney development in the same basement level (Basement 1). It does not appear that these supermarkets are proposed to be integrated, as they are separated by the back

of house areas on the Toga site. It is unclear why two large supermarkets are required in such close proximity to one another. Clarification on this is requested.

Recommendations:

- 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 Dexus 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.

2. Design of the public domain

Several issues are identified regarding the design and coordination of the public domain. It is noted that given the complexities of the issues raised below in terms of design and materiality, the City recommends that the public domain for the entire Western Gateway and the future over station development, should become a single design task and preferably assessed by the City.

2.1 Accessibility

One of the principles identified for Henry Deane Plaza in the Landscaping and Public Domain Report is to 'Create a space that is welcoming with equitable access and has a cohesive composition of elements.'

In direct conflict with this principle, one of the fundamental issues with the proposed design of the public domain is that it fails to provide inclusive, universal, and dignified access for all people.

The documents accompanying the EIS identify the east-west connection between Lee Street and the over station development as a key people movement corridor. However, the frontage along Lee Street is defined by a large extent of stairs, which **only caters for able bodied people**. This is outlined in Figure 1 below.



Figure 1: Access and movement plan showing the primary east-west movements relying on the proposed stairs down to Lee Street with no equitable access provided (Landscaping and Public Domain Report)

This is an extremely poor outcome for such a vital transport hub and pedestrian thoroughfare and is not supported by the City.

The design must be amended to provide allowance for a ramp to ensure an equitable and universal access route at this key east-west movement corridor and also provide clear wayfinding from Lee Street to the public space above.

Recommendations:

- 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.

2.2 Coordination of Henry Deane Plaza

The EIS acknowledges Henry Deane Plaza as the 'missing piece' that will complete the composition between the Atlassian, Central Place Sydney and Toga Central developments within the existing Central Station precinct.

However, there is a lack of coordination and consistency between the Landscape Plans submitted for Toga Central and those submitted for the Central Place Sydney DA (D/2021/251) which is currently under assessment by the City, despite both sets of Landscape Plans being prepared by the same Landscape Architect.

The Landscape Plans accompanying the EIS are conceptual and incomplete, and the levels do not match those shown on the Landscape Plans for Central Place Sydney.

It is essential that the design of Henry Deane Plaza is fully coordinated between the Toga and Dexus Frasers proposals.

Recommendations:

- 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.

2.3 Urban Design issues

The proposed public domain lacks the gravitas of the former Parcel Post Building (fPPB) and the tower in terms of scale, materiality, detailing and generosity. It does not read as a grand public space or square, which is a missed opportunity in this central location. Specifically, the following issues are raised:

Geometry of primary forms - The geometry of the primary forms, including the stairs and lift structures, is aligned to Lee Street and its orthogonal form does not relate to any of the adjacent buildings. The geometry should be revised to be less formal and attempt to reconcile the varying geometries of the buildings which form the enclosure of the plaza.

Geometry of the stairs - The geometry of the stairs from Lee Street up to RL 21 do not respond to pedestrian desire lines and peak flow. The principal issue is the width and generosity of the stairs along Lee Street and the protrusion/ break caused by the vertical elements (walls enclosing the BOH functions of Basement level 1). These vertical walls create dead ends at both the upper

(RL 21) and lower (RL 17) levels. The extent of floor space on the RL 16 level is excessive and contributes to this issue. Redesigning the stairs to be in an east-west direction (and the inclusion of a ramp as noted above) would improve the visibility of the upper level and offer a clear sightline to the future over station development connection.

Wayfinding - There is an issue with wayfinding for pedestrians in the Devonshire Tunnel trying to navigate their way out to Lee Street. When travelling west through the tunnel, the exit to Lee Street requires a left hand turn with no direct line of sight to the street, which is significantly poorer outcome when compared to the existing condition. This is a fundamental problem for such a key pedestrian movement thoroughfare and must be adequately resolved.

Materiality - The paving treatment between adjoining sites must be resolved to ensure consistency. The Landscape and Public Domain report is not specific regarding the proposed materials for the public domain. The report provides a choice of 15 different granite paving options and 3 different wall options (brick, granite and concrete). The use of red brick should be reconsidered to avoid using the same material as the fPPB.

Recommendations:

- 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 informal seating areas should be added instead.
- 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.

2.4 Public domain plan details

The submitted public domain plan does not include information that would ordinarily be expected to be represented. The following recommendations are provided.

Recommendations:

- 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 property boundary. The steps must be set back to allow for these items.
- More generally, the public domain needs to demonstrate compliance with the City of Sydney Street Design Code and technical specifications.

3. Heritage

The proposed development is centred on the former Parcels Post building, which is listed as an item of local significance in the Sydney Local Environmental Plan 2012 (SLEP 2012) known as the 'Former Parcels Post Office including retaining wall, early lamp post and building interior' (1855). It also forms part of the 'Sydney Terminal and Central Railway Stations Group' on the State Heritage Register (SHR 01255).

The following comments are provided regarding the heritage impacts of the proposal.

3.1 Demolition of external facades

The proposal involves extensive demolition of the eastern facade beyond that which occurred in 1998-99, which will reduce it to three facades and will have an adverse impact on the heritage significance of the building **and is not supported by the City**. While the altered section of the eastern facade is graded as being of moderate significance in the Conservation Management Plan (CMP) prepared by Urbis, the south-eastern curved corner is of exceptional significance.

Recommendation:

- 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.

3.2 Internal demolition

The proposed internal demolition of floor fabric for the void between Grids A-B and I-K (the eastern-most void) **is not supported** as it has no historical basis, removes fabric of moderate significance, removes the spatial appreciation of each floor and reduces the useable space of the building. The western-most void is supported as it is reasonably consistent with historic additions that incorporated a central light well.

The demolition of fabric for the internal voids creates potential risk for damage to significant detailing of the stucco of the columns because of the proximity of the edge of the columns to the zone of demolition. A heritage asset construction methodology should be provided to outline mitigation measures to limit potential risks to internal columns and finishes.

Recommendations:

- 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.

3.3 Demolition and disruption to interior configurations

The submitted Heritage Interpretation Strategy (HIS) states that the podium strategy is to minimise the intervention into original fabric of the fPPB and to retain as much of its existing structure as possible.

It is acknowledged that the proposed location of the two structural columns within the fPPB has been carefully considered and their introduction will not interrupt the presence of original structural components. However, the quantum of all proposed insertions and voids into the fPPB (in addition to the two columns) results in excessive demolition and fragmentation of the interior spaces and erodes the internal spatial configuration and historic character. The quantum is such that the proposal is inconsistent with CMP Policy 61.

Of particular concern is the quantum of insertions proposed within the building between Grids A and B (see Figure 2 below), which reduces the floor plates to a fragmented series of passageways. The plant room, column, void and lift core result in almost total demolition of the floor plates in this area

In particular, the proposed escalators are not supported as they alter the historic character of the building. Additionally, the demolition of fabric raises concerns of the potential risk of damage to significant internal detailing of the stucco of the internal columns.

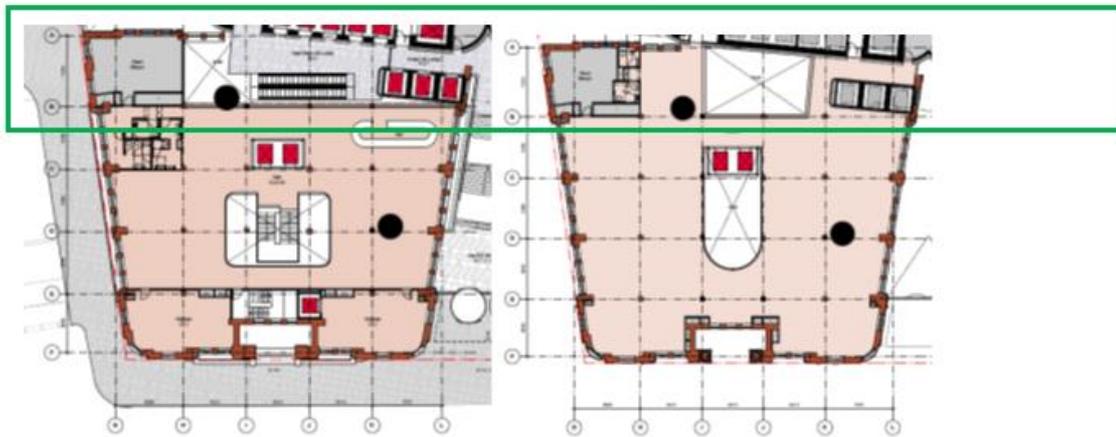


Figure 2: Ground floor plan (left) and Levels above ground level (right) with area of concern outlined in green

Recommendations:

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 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.
- 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.

3.4 Demolition of the former rear yard and retaining wall

The recreation of the historical connection between the fPPB and the former Parcels Shed is supported. However, the quantum and extensive size of openings in the retaining wall of the rear yard is not supported as it would result in the loss of fabric and historic character. The extent of the proposed opening is excessive and beyond that envisaged in CMP Policy 87.

The alterations are too large and numerous to be considered sympathetic. Rather than facilitating connections, the space would become a throughfare, losing its definition, sheltered contained character and ability to interpret its former function and use. The loss of association and

interpretation is contrary to CMP Policy 88. Further, there is no detail as to whether the proposed work is consistent with CMP Policy 89.

The original arched openings to the former vehicle docks on the eastern façade should be retained and conserved or interpreted to the greatest extent feasible as per CMP Policy 40.

Recommendations:

- 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.

3.5 External conservation works

Given the scale of the proposal, the proposed conservation of the building must be to the highest quality. This includes all the actions of conservation as defined by the Australian ICOMOS Burra Charter.

Recommendations:

- 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 retained and conserved in accordance with the CMP, including Policy 13.
- 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 developed alongside the Schedule to capture works that may not be necessary now but will be in the future.

3.6 Internal conservation works

Recommendations:

It is recommended that the Internal Schedule of Conservation Works be expanded to include the following as a minimum:

- 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:
 - 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.

3.7 Connection between the fPPB and the proposed additions

The proposed atrium connecting the southern pod to the fPPB will have a negative impact on the visual appreciation of the building.

The proposed raised levels of the southern pod that align with the Henry Deane Plaza result in two of the three original significant shopfront openings of the ground floor (between Grids B and D) being visually covered by the stair down to the Lee Street level. A narrow void is provided between the stair and the two shopfronts. This inadequate visual curtilage has negative impacts on the appreciation and setting of the fPPB.

Recommendations:

- 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 the stair. The extent of the proposed atrium westwards along the southern facade could then be reduced.
- 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 be 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.

3.8 Heritage interpretation

The HIS identifies four key themes for interpretation. A key theme that has not been included is 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 HIS fails to identify key actions related to the retention, conservation and restoration of significant fabric, spaces and relationships within the site. As noted in CMP Policy 99, this is the highest form of interpretation.

Recommendations:

- 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 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.

3.9 Mitigation measures

Recommendation

- The mitigation measures relating to Built Heritage should include heritage interpretation and informing the Public Art on the site.

3.10 Archaeology

The archaeological potential of the site is considered to be low to moderate, noting that the site has been disturbed for the development of the subject building as well as various works to the landscape. However, there is still potential for both Aboriginal and historical archaeological deposits to be present in areas with less disturbance and under the existing impact footprint.

Recommendation:

- 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.

4. Landscape

4.1 Greening of the site

The City has adopted a vision for a sustainable future, known as '[Sustainable Sydney 2030-2050](#)'. One of the key elements of this vision is to achieve a minimum overall green cover of 40% (which is the NSW Government's own target), including 27% tree canopy cover by 2050.

The EIS identifies a key development objective as combatting urban heat island effects. However, this is not reflected in the design, which comprises extensive pavements and minimal new canopy trees that are suitable for this location.

The proposed canopy cover is limited to palms and three *Ficus microcarpa* var. *hillii* (Hills Weeping Fig) in planters located on structure. The palms in particular are not considered efficient in providing meaningful tree canopy in accordance with the required targets.

Further, the Hills Weeping Figs are not appropriate for this location. These trees are a very large species with an extensive buttress root system and are more suitable for planting in open parkland areas where there are fewer limitations to the development of good root architecture

and less potential for damage to structures and pavements. The use of this species is not supported by the City.

A more appropriate selection of broad canopy trees that are suitable for growing on structure are to be provided. The expansive plaza space could readily achieve inclusion of several broad canopy trees that are suitable for growing in planters, set down in the slab with sufficient soil volume to meet the requirements of the Sydney Landscape Code. Broad canopy trees can significantly improve the amenity of a civic space by providing shade and relief, help clean the air, cool the ambient temperatures and improve biodiversity. The inclusion of broad canopy trees in this new location, being Sydney's major transport hub, would also aid wayfinding, create a place to gather and meet and provide vital health and wellbeing benefits for people.

The proposed tower does not include any integrated biophilic greening and green roofs that could contribute to greening. There is no landscaping within the building and no communal amenity shown on the Level 7 rooftop terrace. This outcome is not supported for such a highly prominent and significant development. The City strongly recommends that the development be required to contribute greening in both the plaza and the tower itself.

It is also noted that the hotel pool and wellness centre plans suggest there are tower columns running through the pool and no amenity is shown in this area. This is to be clarified. It is queried whether having tower columns running through the pool is an appropriate outcome for the amenity and useability of this space for all people.

Recommendations

- 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 canopy tree plantings that are more suitable in the proposed conditions.
- 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.

Further details on the proposed tree removal and replacement planting are provided under Point 5.

4.2 Landscape drawings

The Landscape Drawings do not include sufficient detail and appear to be conceptual only. They do not show adequate detail relating to planting design, surface finishes, levels and grading or lighting. The soil depths and volumes also appear to be insufficient.

Recommendations:

- 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 Inclusive and Accessible Public Domain Policy and Guidelines.
- 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.

4.3 Wind

The Wind report prepared by RWDI discusses wind tunnel test results that were carried out at 1.5m above pedestrian accessible areas. A reliance on landscaping on the podium, tower and rooftop levels to mitigate winds is not supported, as trees and landscape on upper levels that are wind impacted can fail and are difficult to replace post construction. Any mitigation measures should be completely integrated into the architectural design of the building and wind tunnel testing should be provided to confirm the design is safe for use.

Additionally, it is noted that the tower awning at ground level appears to dissect proposed palm canopies, suggesting that the building design is not coordinated with the landscape.

Recommendations:

- 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.

5. Tree management

The Arboricultural Impact Assessment (AIA) outlines that 22 trees are located within and immediately adjoining the site. All of these trees are proposed for removal, as shown in Figure 3 below.

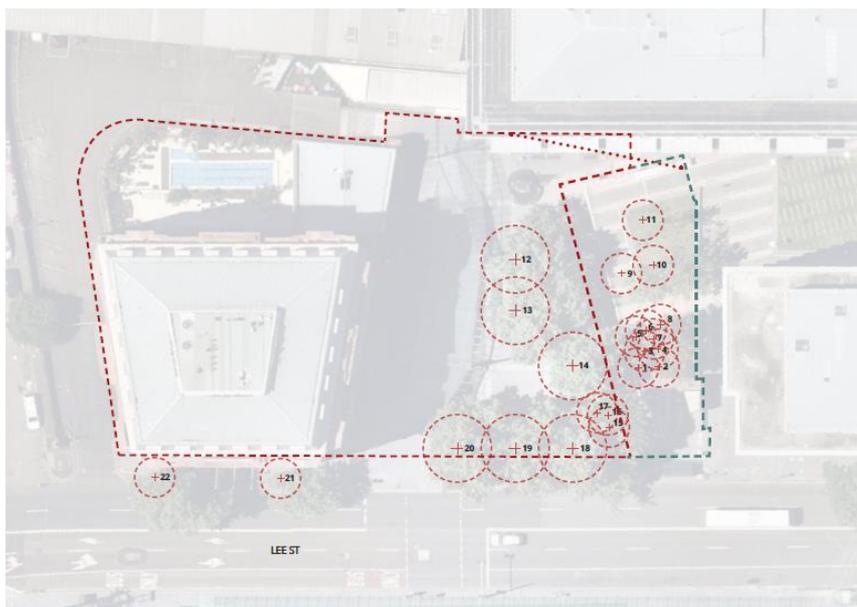


Figure 3: Proposed tree removal plan (Landscaping and Public Domain Report)

5.1 Tree removal

The City has no objections to the removal of Trees 1-17 as these trees will be directly impacted by the footprint of the proposed development.

However, the City does not support the removal of Trees 18-22 (*Platanus x acerifolius* - London Plane Trees), which are noted as being of high retention value in the AIA.

Trees 18-20 are located adjacent to the Lee Street frontage in an area that is to be retained as public domain. The location of the trees adjacent to a site boundary generally makes tree retention more feasible than trees located centrally within the site.

Trees 21 and 22 are street trees located within the Lee Street road reserve. The Landscape Report outlines that these trees are proposed for removal as they will limit construction access and are not a suitable species due to being constrained between the heritage facade and the road. The City does not agree with these assertions. The trees have developed a slight phototropic lean away from the building and have been pruned early in their development for building and pedestrian clearances. With additional pruning works and protection, construction access is achievable. The crowns of the trees are not restricted on the roadside, and it is commonplace for street trees to have an asymmetrical crown form to accommodate a building on one side. Therefore, the removal of these large, healthy community assets is not supported by the City.

Further, the AIA does not provide an adequate assessment of the impacts on Trees 21 and 22. The Report notes that Trees 21 will be subject to a 'medium impact' and Tree 22 will be subject to a 'high impact' with no further details provided on what these impacts are. A more detailed assessment of impacts (noting that the existing heritage building within the Tree Protection Zones is to be retained) is required.

Trees 21 and 22 are street trees and together with Trees 18-20, they form a row of single species along the Lee Street frontage which provides significant shade and amenity to the site. They also provide the existing context for the frontage of the heritage building behind. It should also be noted that the existing street trees (also *Platanus x acerifolius* - London Plane Trees) adjacent to the Dexu Frasers site are proposed to be retained, maintaining the continuous row of healthy, mature trees along the Lee Street frontage.

The removal of high Retention Value trees should be avoided wherever possible, particularly where their location does not substantially restrict development. Design modifications are recommended to allow for the retention of Trees 18-22.

5.2 Replacement tree planting

Replacement tree planting is proposed within the site to compensate for the loss of amenity and canopy resulting from the removal of these trees. However, no details of proposed soil volumes have been provided. Based on a review of the soil depths provided in the Soil Zone Plan and species selection within the Soft Works Plan, the soils depths and volumes appear to be significantly insufficient.

To ensure the successful establishment and longevity of new trees, on structure planting must adhere to the minimum soil depths and soil volumes outlined within City of Sydney Landscape Code Volume 2 (pg 37). This will be critical to the success of providing sufficient greening and canopy cover to this precinct.

As mentioned under Point 4 above, the use of Hills Weeping Figs is not supported in this location as they are unsuitable for planting on structure.

Recommendations:

- The removal of Trees 18-22 are not supported by the City. Design modifications are recommended to allow for their retention.

- 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.

6. Transport and access

6.1 Parking

The proposal includes 106 car spaces (including 5 accessible), 4 car share bays and 9 motorcycle spaces. This equates to the maximum parking allowable under the SLEP 2012.

The proposed provision of parking is strongly opposed as it is excessive in this location, being directly adjacent to Central Station. This also contributes to congestion as Central will be an incredibly dense precinct and private vehicle use is the lowest priority for use of space. Combined with the unprecedented connectivity that the location offers, particularly once the Sydney Metro line is delivered, the City expects to see substantially reduced parking rates.

As a comparison, the Central Over Station Development (OSD) is proposing commercial parking rates of 1 per 2000sqm GFA, which if applied to this site would allow for 14 commercial spaces rather than the 56 spaces proposed. Similarly, Bays West, which even with the Metro station will have significantly lower public transport accessibility compared to the subject site, is proposing 1 space per 1000sqm GFA, which would allow for 26 commercial spaces.

The 4 car share bays and 9 motorcycle spaces are supported in principle, however should be reduced to match the revised parking provision.

The SSD should also provide detail on the provision of charging facilities for electric vehicles.

Recommendation:

- 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 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.

6.2 Vehicle access

The development is proposing to use a loading zone on Lee Street for coach activities. The Transport Study recognises the desire for Lee Street to be pedestrianised. The City would support Lee Street for use by coaches in the short term before this pedestrianisation takes place.

Further information about the connection via Atlassian site is required. There are several issues of concern:

- The Atlassian plans do not show a breakthrough to the Toga site near the Atlassian turntable as shown in the Transport Study Figure 27. While this is understandable since

the Atlassian SSDA was lodged well before Atlassian would have had certainty about what Toga was planning, the applicant should provide evidence that Atlassian are aware of and agree to the Toga scheme as proposed.

- The Atlassian plans show access from their driveway into the existing Adina hotel basement in the “Day 1” scenario (Figure 10 in [Atlassian Transport Study](#)). Page 6 of the Architectural Plans for Toga seems to imply that this connection is maintained (in addition to the vehicle connection via the turntable) and that this connection lands in the end of trip facility area. The applicant should provide more detail about how this connection is to work and again show evidence that Atlassian are aware of and agree to the proposal.

Similarly, the applicant should provide further information about the connection to the Dexu Frasers site (Block B) in the end state. The Planning Statement transport study for Block B, published in 2019, was undertaken before there was certainty about what Toga were proposing for a basement layout. The applicant should provide evidence that Dexu Frasers are aware of and agree to the Toga scheme as proposed.

The applicant should also provide clarity on how the private vehicle parking is to be accessed in the interim scenario. Figure 26 and Figure 27 of the Transport Study are inconsistent and confusing. Figure 27 shows private vehicle access via the Toga loading dock, however Figure 26 shows a mail room between the loading dock and private vehicle parking which would make this impossible.

Recommendation:

- 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.

6.3 Mode share targets

The target mode shares are not supported. They should reflect the ambitions of similar developments in the precinct, namely Central OSD and Atlassian. Both these developments are aiming for an almost car-free mode share of 1% and are planning for and encouraging a cycling mode share of 5-7.5%. Toga is urged to meet similar targets by providing less private vehicle parking and more bicycle parking.

Target mode share for employees and visitor trips	Car	Walk	Cycle
Central OSD	1%	10%	7.5%
Atlassian	1%	5%	5%
Toga	4%	8%	2%

Recommendation:

- 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.

6.4 Loading and servicing

5 service vehicle spaces are proposed (2 MRV and 3 SRV). The SDCP 2012 would require 22 spaces and the TfNSW Urban Freight Forecasting Tool would require 18.

The servicing provision is well below what the City recommends and is not supported. It is also not clear if the first principle calculations of servicing requirements have considered waste vehicles.

There are two main reasons for providing more space for servicing. Firstly, servicing rates are minimums while private parking rates are maximums. It follows then that all servicing requirements should be met before providing any private parking. In this case, the applicant is proposing the maximum possible private parking while providing much less than the minimum servicing requirement, which is not acceptable.

Secondly, providing less than the required amount of servicing space often means that vehicles use nearby on street loading spaces to make up for the shortfall (although the City considers this an undesirable outcome). However, in this case there are no nearby loading zones that could be used and so failing to provide adequate loading simply means the building won't be able to function as required.

The proposal should consider consolidation strategies to reduce vehicle movements, including offsite delivery consolidation, waste contract consolidation and procurement led consolidation.

The swept paths shown in the appendix assume different locations for the SRV bays than is shown in the basement plans. This should be clarified.

Recommendations:

- 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.

6.5 Pedestrian comfort

The applicant should provide detail about the pedestrian numbers expected to be using the key routes shown in Figure 22 and 23 and demonstrate that the space provided meets at least Level of Service C according to TfNSW's Walking Space Guide.

Recommendation:

- Additional details regarding pedestrian numbers and the space provided for pedestrians are requested and compliance with the Walking Space Guide is to be demonstrated.

6.6 Bicycle parking

Applying the DCP rates would give a requirement for staff/ employee parking of 223 spaces. However, the proposal only includes 165 spaces. **This is strongly not supported.** The target mode share of 2% cycling is not ambitious enough and adequate facilities should be provided to encourage cycling to work, ideally meeting a 5-7.5% target in line with surrounding development. All 223 Class 2 spaces required under the DCP for employee bike parking should be provided, along with the corresponding end of trip facilities.

Recommendation:

- 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.

6.7 Construction traffic management plan

If the proposal is to be supported by DPE, the City recommends a condition of consent requiring the proponent to submit a CTMP to the local authority for approval prior to the commencement of work on the site.

Recommendation

- 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. The use of Lee Street should only be prior to any pedestrianisation needed as part of Central Square.

7. Waste management

7.1 Waste storage arrangements

As an A-grade state significant development, it is expected that the waste storage arrangements of the development demonstrate top tier performance and shows more foresight than what is currently proposed. Further consideration should be given to future-proof the building for improved resource recovery such as onsite organics processing. To achieve optimal resource recovery, space should also be provided for additional waste streams, such as soft plastics, to be stored in the waste storage area.

7.2 Waste collection

The Waste Management Plan submitted should be far more sophisticated and sustainable than requiring seven day a week collection. Seven day a week collection for four waste streams equates to 28 traffic movements per week in the relatively tight loading dock. It is not clear to what extent this was considered when preparing the traffic report.

7.3 Interim waste storage areas

The proposal should set aside space on the retail, hotel and supermarket level for interim waste storage areas for waste and recycling MGBs to be held within the floor of these tenancies until taken down to the basement waste room. While there is possibility for interim waste areas within the perimeters of the supermarket, additional space should also be made available within the hotel and retail areas for interim waste storage.

Recommendations

- 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 storage areas with the bins correctly scaled, distinguishing between sizes (eg 240L, 660L, 1100L).
- Additional design considerations should be shown on the plans in relation to:
 - Ensuring adequate door width for the size of the bins; and
 - 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.

- 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.

8. Public art

The Preliminary Public Art Plan submitted with the EIS, prepared by Tilt, does not meet the City's requirements for public art at this stage of the development. The following comments are provided.

- The first Guiding Principle, 'First Nations', states that "Public art by First Nations artists may have a tangible presence in the public domain and be a point of distinction for Toga Central." Given the significance of the site and the overarching Connecting with Country framework prepared by Balarinji for the Central Precinct SSD, it is important for the applicant to acknowledge parallel public art projects by First Nations artists being planned and produced across the precinct. It is recommended that an effective consultation plan be prepared and included in the revised Preliminary Public Art Plan to engage with First Nations community members on the development of projects within the development and across the precinct, so as not to create duplication or conflicting narratives within the precinct.
- The Vision and Themes expressed in the plan appear to be the basic aims of public art and do not provide any direction or draw from the history and significance of the site or future aspirations. It is recommended that Tilt refer to the Freeman Ryan Heritage Interpretation Strategy for themes that may guide the development of public art and artists briefs. eg. The Lie of the Land, A Very Fine Building, Lines of Communication and Connecting Country. While the plan notes that coordination between the development of public art and heritage interpretation is important, this is not evident as the Preliminary Public Art Strategy does not reflect any considerations of the themes from the Heritage Interpretation Strategy or vice versa.
- The proposed public art locations identified in the Plan are largely in the public domain that appears to be delivered by three developments, being Toga, Atlassian and Dexus Frasers. The Plan does not clarify how the public domain will be integrated or coordinated. It is also unclear who will manage and maintain the public domain and artworks in the future. The strategy notes that the entire ground plane will be available for artists to make proposals, however the illustrations on Page 13 indicate the public domain scheme is not being coordinated with the adjacent Dexus Frasers site. Evidence of coordination with the adjacent development sites should be established and provided in a revised Preliminary Public Art Plan.
- The public art budget of \$1.5m should be increased to be commensurate with the scale and significance of the development and in line with international best practice. It should reflect the aspirations of the Cultural Capital Public Art Strategy for the Central SSD precinct which indicates that public art budgets should be equivalent to 1.5% of the cost of construction. As such, the public art budget should be significantly increased to reflect the CIV (i.e. approximately \$6 million).
- It is very unclear whether the design of the building or public art opportunities in the Preliminary Public Art Plan are supported by the Aboriginal community in the consultation undertaken for the Connecting with Country Framework by Cox Inall Ridgeway. The public art opportunities in the plan do not appear to respond to the frameworks Design Outcomes or Design Prompts or the Government Architect's Connecting with Country principles. This should be addressed and amended in a revised Preliminary Public Art Plan.

- The Connecting with Country Framework makes a significant observation that all proponents within the Central precinct need a coordinated approach to Connecting with Country, but this is lacking in the plan. The plan notes, "From an Aboriginal worldview and concept of space, the sites across Central Precinct are not disconnected. Song lines, Aboriginal highways, culture, heritage, stories, lore, and history mapped across these sites connect them to each other" and further, that "Stakeholders suggested that all developers in Central Precinct form an Indigenous Advisory Committee to oversee and implement a Precinct wide approach to Connecting with Country". The applicant should indicate how the development will facilitate this, and for the public art to be developed to have a meaningful impact at a significant entry to the Western Gateway precinct.
- The Preliminary Public Art Plan should be amended and presented to the City of Sydney's Public Art Advisory Panel on Tuesday 8 November 2022, to receive the Panel's advice as Atlassian and Dexu Frasers public art consultants have done previously.

Recommendations:

- 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.

9. Contamination

Recommendation:

- 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.

In summary, the City has identified a number of issues with the SSD that **must be resolved prior to determination**. The SSD as submitted provides poor coordination with surrounding sites, particularly in relation to the public domain. Additionally, the City has key concerns relating to equitable access, greening of the site and canopy cover and excessive car parking provided in this key transport interchange and thoroughfare. It is essential that the issues outlined in this letter are addressed in order for the proposal to be supportable. Further, the City recommends that the public domain elements within the precinct form part of a separate development application to be assessed by the City.

Should you wish to speak to a Council officer about this advice, please contact Samantha Kruize, Senior Planner on 9265 9333 or at skruize@cityofsydney.nsw.gov.au.

Yours sincerely,



Andrew Thomas
A/Director
 City Planning | Development | Transport