

Mr Thomas Piovesan  
Senior Planning Officer  
Key Sites Assessments  
Department of Planning and Environment  
GPO Box 39  
Sydney NSW 2001

Dear Mr Piovesan

**TOGA Central (SSD-33258337) - Notice of Exhibition**

Thank you for your correspondence via the Major Projects Portal on 25 August 2022, requesting Transport for NSW (TfNSW) to review and comment on the above.

In preparing this letter, TfNSW has consulted internally across the transport cluster including Sydney Trains. The resultant feedback is provided in attachments as follows:

- **Attachment A:** Items to be addressed as part of the applicant's Response to Submissions (RtS); and
- **Attachment B:** Suggested Conditions of Consent to be imposed for the above development application (which will be further refined following review of the RtS).

It is requested that the applicant consults directly with TfNSW in relation to the comments raised. The TfNSW team will interface with the Transport cluster as necessary to communicate queries and consider any further material forwarded from the applicant.

If you require clarification regarding the attached, please don't hesitate to contact Para Sangar, Senior Transport Planner, Land Use Planning and Development on 0466 024 892.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Mark Ozinga".

7/10/2022

**Mark Ozinga**  
Senior Manager, Land Use Planning and Development  
Customer Strategy and Technology

Objective Reference CD22/04944

## **Attachment A: Items to be addressed as part of the Response to Submissions (RtS)**

### **Provision of Bicycle Parking and Facilities**

#### **Comment**

It is noted that:

- The proposed development would be provided with a total of 237 bicycle parking spaces, 138 lockers and 22 showers. However, the Traffic and Transport Assessment (Traffic Report) prepared to support the development application states that the proposed development is required to provide a total of 353 bicycle parking spaces, 353 lockers and 36 showers based on the Council's DCP 2012; and
- The Traffic Report states that provision of bicycle parking and facilities as per the DCP 2012 does not consider the site's location immediately adjacent to the largest and busiest rail interchange where there is a heavy reliance on travel by train and bus.

It is advised that the number of bicycle parking and facilities proposed on site is substantially lower than the required number of bicycle parking and facilities as per Sydney DCP 2012.

#### **Recommendation**

It is suggested that the applicant provides bicycle parking and associated facilities in accordance with the relevant council standards. It appears that one way that this could be achieved is by converting some of the car parking spaces to bicycle parking. The amount of car parking could be reduced due to the high level of public transport accessibility.

### **Provision of Freight and Servicing**

#### **Comment**

It is noted that

- The proposed development would be provided with a total of 5 loading bays (3xB99 spaces and 2xMRV spaces). However, the Traffic Report states that the proposed development is required to provide up to 22 loading spaces based on the Council's DCP 2012; and
- A total of 106 car parking spaces would be provided for the proposed development at a location where high level of public transport services are available.

It is advised that;

- The number of loading bays proposed on site is substantially lower than the required number of loading bays as per Sydney DCP 2012; and
- Site loading and servicing demands generated by the site should occur on-site as outlined in Sydney DCP 2012 Section 3.11.13 and rates specified Schedule 7.8,

#### **Recommendation**

It is requested that the applicant provides additional loading bays in accordance with council 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.

## **Systems and Safety Engineering and Assurance**

### **Comment**

It is noted that Systems and Safety Engineering or Assurance documents have not been prepared as part of the development application.

### **Recommendation**

It is requested that the applicant prepares the following documents in consultation with TfNSW as part of the applicant's Response to Submissions:

- Assurance and Governance Management Plan (A&GMP) including TAO requirements - This management plan should also present how the project will meet the needs of TfNSW Asset Management Branch and which entities will assure all works, as per the TAO framework;
- Systems Engineering Management Plan (SEMP) - The SEMP will present the process, procedures and methodologies to capture and manage project requirements, process, technical, safety, etc. The SEMP will also capture how Reliability, Maintainability, Availability (RAM) data, obsolescence, test, commissioning and handover activities and systems integration management that will be undertaken throughout the project lifecycle. The project requirements database template needs to be supplied;
- Safety Assurance Management Plan (SAP) - The SAP should present how the project will manage safety related activities throughout the project lifecycle and how residuals risks will be handed over the asset owners or operator / Maintainer, presenting the hazards and associated mitigations or controls. The SAP and or SEMP will present how any interfaces with rail operations and assets will be managed, with respect to requirements, hazards and risks both operational and during construction phases and rail safety;
- Project Safety Hazard Log (PSHL) - The development of the PSHL needs to be documented in the SAP and the PSHL template needs to be supplied; and
- Project Risks Report - All key project risks and how TOGA intend to mitigate and manage the risks throughout the project need to be documented.

## **Pedestrian Movement**

### **Comment**

From the results of the Pedestrian Modelling it is noted that

- The modelling omits the Link Zone stair in the vicinity of the North-East corner of the TOGA site to test performance of the Link Zone and the node junction of the Link Zone, Devonshire Street Tunnel, Henry Deane Plaza and Lee Street Tunnel. Results show that the node is non-compliant mainly due to the high level of conflicting multi-directional pedestrian movements and the design of the node; and
- Pedestrian movement conflicts have been identified within the lower ground node at the junction of the Link Zone, Devonshire Street Tunnel, Henry Deane Plaza, and Lee Street Tunnel. This is a non-compliance to TfNSW requirement and therefore any design interventions or additional work will be required to mitigate the cause.

## **Recommendation**

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.

## **Fire Engineering Assessment**

### **Comment**

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

### **Recommendation**

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

## **Attachment B - Suggested Conditions of Consent**

### **Green Travel Plan**

#### **Comment**

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. It is advised that the implementation of a Green Travel Plan could be an effective measure to reduce travel demand generated by private vehicle movements and reallocate, through encouragement and various other methods and programs, these trips towards other modes of transportation.

#### **Suggested Conditions of Consent**

Prior to the issue of the Occupation Certificate, the Applicant shall prepare a detailed Green Travel Plan to the satisfaction of TfNSW.

The plan should outline how to increase the mode share of public transport and active transport for all staff and visitors. The plan shall be prepared in consultation with TfNSW. This plan shall include a mechanism to monitor the effectiveness of the measures in the plan.

The plan shall be reviewed and updated annually in consultation with the aforementioned stakeholders and provide an Implementation Strategy that commits to specific management actions, including operational procedures to be implemented along with timeframes.

The plan (reviewed annually and updated as necessary) shall be implemented by the Applicant for the life of the development.

All documents submitted should be via [development.sco@transport.nsw.gov.au](mailto:development.sco@transport.nsw.gov.au).

### **Transport Access Guide**

#### **Comment**

It is advised that a Transport Access Guide would inform residents, employees and visitors of the travel choices available to them. This should include information about public transport connectivity, end of trip facilities, and local pedestrian and cycling connections

#### **Suggested Conditions of Consent**

Prior to the issue of the Occupation Certificate, the Applicant shall prepare a Transport Access Guide (TAG) in consultation with TfNSW.

The TAG should be implemented and maintained by the operators of the premises and be made available to staff, guests, clients, customers and visitors at all times. The report shall be submitted to and approved by Council prior to the issue of an Occupation Certificate for the site/use. The Transport Access Guide is to include (but not be limited to) the following:

- Information regarding lack of off-street car parking and passenger pick-up and set-down areas at the development site;
- Suitable nearby drop-off/pick-up locations;
- Identification of areas where drop-off/pick-up is prohibited and instruct visitors to avoid use of these areas; and
- Suitable nearby Taxi Zones.

## **Construction Pedestrian and Traffic Management**

### **Comment**

It is noted that:

- A Preliminary Construction Traffic Management Plan has been prepared as part of the development application;
- The Traffic Report states that construction vehicle access will be provided via Lee Street. Loading/ unloading will occur on Lee Street given site constraints. A works zone application will be made to the relevant authorities prior to commencement of works; and
- Several construction projects, including the Sydney Metro City and Southwest Project, are likely to occur at the same time as this development. The cumulative increase in construction vehicle movements from these projects could have the potential to impact on general traffic and public transport operations within the CBD, as well as the safety of pedestrians and cyclists particularly during commuter peak periods.

It is advised that:

- 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.

### **Suggested Conditions of Consent**

Prior to the issue of any Construction Certificate or any preparatory, demolition or excavation works, whichever is the earlier, the Applicant shall:

- Prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with TfNSW.

The CPTMP needs to specify matters including, but not limited to, the following:

- A description of the development;
- Location of any proposed work zone(s), Lee Street is not a suitable location;
- Details of crane arrangements including location of any crane(s);
- Haulage routes;
- Proposed construction hours;
- Predicted number of construction vehicle movements and detail of vehicle types, noting that vehicle movements are to be minimised during peak periods;
- Details of specific measures to ensure the arrival of construction vehicles to the site do not cause additional queuing on public roads;
- Details of the monitoring regime for maintaining the simultaneous operation of buses and construction vehicles on roads surrounding the site;
- Pedestrian and traffic management measures;
- Construction program and construction methodology;

- A detailed plan of any proposed hoarding and/or scaffolding;
  - Consultation strategy for liaison with surrounding stakeholders, including other developments under construction;
  - Any potential impacts to general traffic, cyclists, pedestrians and light rail and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works;
  - Cumulative construction impacts of projects including Sydney Metro City and South West. Existing CPTMPs for developments within or around the development site should be referenced in the CPTMP to ensure that coordination of work activities are managed to minimise impacts on the surrounding road network; and
  - Proposed mitigation measures. Should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMP.
- Submit a copy of the final plan to [development.sco@transport.nsw.gov.au](mailto:development.sco@transport.nsw.gov.au) for TfNSW endorsement; and
  - Provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and TfNSW to resolve issues relating to traffic, public transport, freight, servicing and pedestrian access during construction in real time. The Applicant is responsible for ensuring the builder's direct contact number (via [development.sco@transport.nsw.gov.au](mailto:development.sco@transport.nsw.gov.au)) is current during any stage of construction.

## **Freight and Servicing Management**

### **Comment**

It is noted that

- An overview of Loading Dock Management Plan is included in the Traffic Report; and
- The Traffic Report states the following:  
*"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."*

### **Suggested Conditions of Consent**

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. The applicant shall submit a copy of the final plan to TfNSW for endorsement. The Plan needs to specify, but not be limited to, the following:

- Details of the development's loading and servicing profile, including the forecast loading and servicing traffic volumes by vehicle size, frequency, time of day and duration of stay;
- Details of freight and servicing facilities that may be required either within the subject site or other sites in the immediate vicinity which adequately accommodate the forecast demand of the development so as to not rely on the kerbside restrictions to conduct the development's business;

- Details of measures to manage any potential traffic and safety impacts of the loading docks operation in particular potential queuing on public roads and potential conflicts between freight vehicles accessing the loading dock and transport users accessing the Central Station and/ or other pedestrians accessing the facilities within the Central Station Precinct.
- The details of alternate loading zones to redirect vehicles due to extensive queuing at the access to loading dock;
- Management of incidents at the access to the loading dock; and
- Loading dock management details including measures to minimise freight and service vehicle movements during peak periods.

The Freight and Servicing Management Plan shall be implemented by the Applicant following the issue of the Occupation Certificate.

### **Coach Pick up and Set down Management**

#### **Comment**

It is noted that the Traffic Report states the following:

*“There is a real opportunity to make better use of the available space along Lee Street in the future (as discussed in Section 4.1.3). Such an area, when combined with potential use the bus designated areas on Pitt Street north of the site (and potentially the Western Forecourt fronting Central Station) would directly cater for expected hotel activity together with some commercial drop-off and pick-up activity.*

It is advised that:

- 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 should not rely on current kerb side restrictions to service the site; and
- 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.

#### **Suggested Conditions of Consent**

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,



## **Impacts on Adjoining Structures and Services**

### **Comment**

The following items need to be analysed in detail to assess the impacts of the development on the adjoining structures and propose mitigation measures.

- Flooding and drainage - Compliance is only achieved on the basis of Atlassian building being completed as currently proposed as identified in Appendix II – Flood Risk Assessment. Section 4.6 and 4.8 and Table 6 identifies works required by others to be compliant. This leaves a risk in the case that the Atlassian development does not proceed prior to this development; and
- Geotechnical - Appendix JJ Geotechnical Report notes in Section 10.1 Geotechnical issues needing consideration including maintaining stability of adjoining structures including services and tunnels as well as excavation-induced movement adjacent to Lee Street.

### **Suggested Conditions of Consent**

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.

## **Protection of Sydney Trains / TAHE Easements**

### **Comment**

Central Station is located in close proximity to the proposed development. Sydney Trains and TAHE easements need to be protected during the construction and operation of the proposed development. There should be appropriate easements over the TOGA land for all TAHE / Sydney Trains services that currently run through the property, e.g. drainage.”

### **Suggested Conditions of Consent**

Prior to the issue of the Construction Certificate, the applicant shall prepare a report to document the Sydney Trains / TAHE easements located within the TOGA property and submit the report for the endorsement of Sydney Trains:

## **Protection of CBD Rail Link (CBDRL) Corridor**

### **Comment**

The site is located within the future CBD Rail Link (CBDRL) corridor identified under the State Environmental Planning Policy (Transport & Infrastructure) 2021 (T&ISEPP). Pursuant to the provisions of Clause 2.101 of the T&ISEPP, TfNSW is required to take into consideration the likely effect of the proposed development on the CBDRL corridor.

## **Suggested Conditions of Consent**

### **General Conditions**

- All structures which are proposed for construction or installation, or which are constructed or installed, in connection with the approved development that have a potential impact on the CBD Rail Link (CBDRL) must be designed, constructed and maintained in accordance with design criteria specified by the Transport for NSW (TfNSW);
- The design and construction of the basement levels, foundations and ground anchors for the approved development are to be completed to the satisfaction of TfNSW;
- The Applicant must make allowances that are to be agreed with TfNSW in the design, construction and maintenance of the approved development for the future operation of railway tunnels in the vicinity of the approved development, especially in relation to noise, vibration, stray currents, electromagnetic fields and fire safety;
- The design and construction of the foundations and ground anchors (if any) for the approved development are to be completed to the satisfaction of TfNSW. An accurate plan/CAD model should be included for the proposed foundations, to enable verification against the CBDRL alignment model. The foundation design and any encroachment into Exclusion Zone 4 and beyond must comply with the limitations of the Structure Exclusion Zones as required by TfNSW;
- No modifications may be made to the approved design without the consent of TfNSW;
- The Applicant must provide access by representatives of TfNSW upon request to the site of the approved development and all structures on that site during all stages of the development;
- TfNSW, and persons authorised by it for this purpose, are entitled to inspect the site of the approved development and all structures to enable it to consider whether those structures on that site have been or are being constructed and maintained in accordance with these conditions of consent, on giving reasonable notice to the principal contractor for the approved development or the owner or occupier of the part of the site to which access is sought;
- Copies of any certificates, drawings or approvals given to or issued by TfNSW must be delivered to Council for its records; and
- All TfNSW costs associated with review of plans, designs and legal must be borne by the Applicant.

### **Prior to the Issue of the Construction Certificate**

- The Applicant should consult with TfNSW to confirm the timing of the each construction certificate and associated documentation and activities prior to preparation of requested documentation.
- The Applicant should provide the information to TfNSW for review and endorsement.
- The Principal Certifying Authority (PCA) is not to issue the relevant Construction Certificate until received written confirmation from TfNSW that the following conditions have been complied with.

- Prior to issue of any Construction Certificate, the Applicant shall address the adverse effects of the approved development on the CBD Rail Link (CBDRL) identified in State Environmental Planning Policy (Transport & Infrastructure) 2021 (T&ISEPP). The Applicant must provide the following for TfNSW review and endorsement:
  - Geotechnical Report - Geotechnical Report should demonstrate that suitable consideration has been given to the settlements and ground movements that are likely to occur during the future construction of the CBDRL. This shall be confirmed via an appropriate ground/structure interaction analysis, either calculations or finite element modelling;
  - Structural Assessment - The structural report needs to demonstrate compliance with the TfNSW protection criteria. Consideration of the ground movements predicted under the geotechnical analysis need to be considered. Issues including construction methodology, foundation design, shoring system, debonding and possible ground movements need to be addressed in the report;
  - Structural Drawings - The structural drawings should include sections and plan drawings detailing founding levels, storm water retention basin and drainage invert levels, and the use of any ground anchors. The drawings should demonstrate compliance with the TfNSW requirements;
  - Acoustic and Vibration Assessment - An acoustics assessment needs to be undertaken for the potential impact of construction and operation of a future CBDRL on the development in accordance with the requirements as set out in Section 9.3 of the Sydney Metro Underground Corridor Protection Guideline and the referenced document Development Near Rail Corridor and Busy Roads – Interim Guideline, Department of Planning, NSW Government 2008; and
  - Electrolysis Report - All structures must be designed, constructed and maintained so as to avoid damage or other interference, which may occur as a result of stray electrical currents, electromagnetic effects from future railway operations.
- Make allowances that are to be agreed with TfNSW in the design for the future construction of railway tunnels in the vicinity of the approved development;
- Consult with TfNSW including preparation of a detailed regime for consultation with and approval by, TfNSW for the excavation of the site and the construction of the building foundations (including ground anchors) for the approved development, which may include geotechnical and structural certification in the form required by TfNSW;
- Provide detailed survey information to TfNSW, to confirm the property boundaries are consistent with the setting out on the CBDRL drawings;
- Provide to TfNSW drawings, reports and other information related to the design, construction and maintenance of the approved development; and
- Address such other matters that TfNSW considers is appropriate.
- The Applicant is to submit a report to TfNSW demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads -Interim Guideline". All structures must be designed, constructed and maintained so as to avoid any damage or other interference, which may occur as a result of air-borne noise, ground-borne noise and vibration that may emanate from the (future) rail corridor construction and rail operations to the proposed development. The Applicant must incorporate in the development all the measures recommended in the report.

#### Prior to the Issue of the Occupation Certificate

Prior to the issue of any Occupation Certificate, as-built drawings certified by a Registered Surveyor shall be submitted to TfNSW and Council by the applicant. The Principal Certifying Authority is not to issue the Occupation Certificate until the written confirmation received from TfNSW that this condition has been satisfied.