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URBIS

SECTION 4.55(1A) MODIFICATION REPORT - ATLASSIAN CENTRAL DEVELOPMENT

Section 4.55(1A) Application to
modify SSD-10405 | 8-10 Lee Street,
Haymarket

Prepared for
VERTICAL FIRST
3 October 2025

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director	Andrew Harvey
Associate Director	Danielle Blakely
Associate Director	Holly McNamara
Project Code	P0053337
Report Number	FINAL

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1. INTRODUCTION

This report has been prepared by Urbis on behalf of Vertical First Pty Ltd (**Vertical First**) in support of a Section 4.55(1A) application to modify Development Consent SSD-10405 for the Atlassian Office and Hotel Development at 8-10 Lee Street, Haymarket (the **Atlassian Central Development**). This modification is known as “MOD 11”.

The modification application seeks consent for the following modifications:

- Remove the crown event space skyfold door and replace with full height wall.
- Remove stair void for crown event space stair at level 35-36 and include air supply plenum at level 36.
- Replace the crown event space mezzanine balustrade with full height wall.
- Remove stair between levels 35 and 37, and shift stair void one structural bay to the south.
- Remove stair void at level 38.

The application has been prepared in accordance with the *Environmental Planning and Assessment Act 1979* (**EP&A Act**), the *Environmental Planning and Assessment Regulations 2021* (**the Regulations**) and the Department of Planning, Housing and Infrastructure (**DPHI** - formerly the Department of Planning and Environment) *State Significant Development Guidelines – Preparing a Modification Report 2021*, having regard to the category of modification and scale of the proposed changes.

This letter is accompanied by the following documentation:

- Updated Project Description prepared by Urbis (**Appendix A**).
- Design Report and Architectural Plans prepared by SHoP and BVN (**Appendix B**).
- BCA Statement prepared by Phillip Chun (**Appendix C**).
- Access Statement prepared by MGAC (**Appendix D**).
- Fire Engineering Statement prepared by Holmes Australia (**Appendix E**).
- Structural Statement prepared by TTW (**Appendix F**).
- Design Integrity Panel Endorsement Letter (**Appendix G**).

2. BACKGROUND

2.1. ATLISSIAN CENTRAL STATE SIGNIFICANT DEVELOPMENT

The Atlassian Central Development is the catalytic project for the creation of TechCentral which will transform the Western Gateway Sub-precinct into a new technology and innovation precinct to support and grow the Australian technology and innovation industry.

The Atlassian Central Development is located within the Central State Significant Precinct, which recognises the value and significance of the Precinct to realise the New South Wales Government's aim to establish a globally competitive precinct for technology and innovation.

The State Significant Development (**SSD**) application sought approval for:

- Partial deconstruction and reconstruction of the Inwards Parcels Shed and associated structures at ground and lower ground level for conservation and adaptive reuse.
- Demolition of existing structures.
- Construction of a 39-storey tower above the reconstructed Inwards Parcels Shed including (as previously modified):
 - 8,200sqm of tourist and visitor accommodation GFA,
 - 63,540sqm of commercial office GFA,
 - 2,498sqm of retail / food and drink GFA within the Inwards Parcel Shed and basement levels.
- Basement parking, servicing, and end of trip facilities.
- Hard and soft landscaping.
- Subdivision and stratum subdivision of the site.

Consent was granted for SSD-10405 on 15 October 2021 subject to conditions.

2.2. PREVIOUS MODIFICATIONS

Since the original approval of SSD-10405, ten modification applications have been submitted to address minor design changes required as a consequence of design development and to respond to the Conditions of Consent. These modifications are summarised in the following table below:

Table 1 Previous Modifications to SSD-10405

Application	Modifications	Determination
Mod 1	A minor modification to the basement retaining wall design, amendment to the definition of construction/building works and administrative amendments to various Conditions in Section C and Part E.	17 August 2022
Mod 2	Minor design changes, changes to respite periods and amendment to construction staging and the timing of construction certificates.	9 December 2022
Mod 3	Design changes including restacking of the tower structure, habitat design changes, facade modifications, and increasing the GFA.	12 December 2022
Mod 4	Minor modifications to basement level 1, YHA lobby level, upper link zone skylights, DDA access lift within the public	14 April 2023

Application	Modifications	Determination
	domain, and materiality of jack arches within the lower ground link zone.	
Mod 5	Design amendments to the YHA bedrooms, tower crown levels and Ambulance Avenue Wall arches.	9 June 2023
Mod 6	Retail and public art amendments including: ▪ Deletion of the Adina goods lift and add a new retail goods lift ▪ Combine retail tenancies at lower ground level ▪ Minor changes to gross floor area ▪ Changes to public art conditions	2 November 2023
Mod 7	Redesign of Inwards Parcel Shed roof and southern stair, amendments to the OSD pavilion and landscaping and tower façade and internal amendment to Basement to OSD level and YHA levels.	25 October 2024
Mod 8	Design amendments to the façade of the urban room, changes to the materiality of the tower Level 1 soffit design, and the reinstatement of the upper ground level retail tenancy.	25 October 2024
Mod 9	Minor internal and external alterations to tower crown levels, including introduction of Level 35 event space.	29 January 2025
Mod 10	Minor amendments to construction hours to allow for internal fitout works and design amendments to building light, landscape planters and cupboard doors.	Under assessment by DPHI

Each of these modifications has been approved, with the exception of Modification 10 which is still before DPHI for assessment.

3. PROPOSED MODIFICATION

This Section 4.55(1A) application will form the eleventh modification, and proposes to modify SSD-10405 as summarised in the following subsections:

3.1. CROWN EVENT SPACE AMENDMENTS

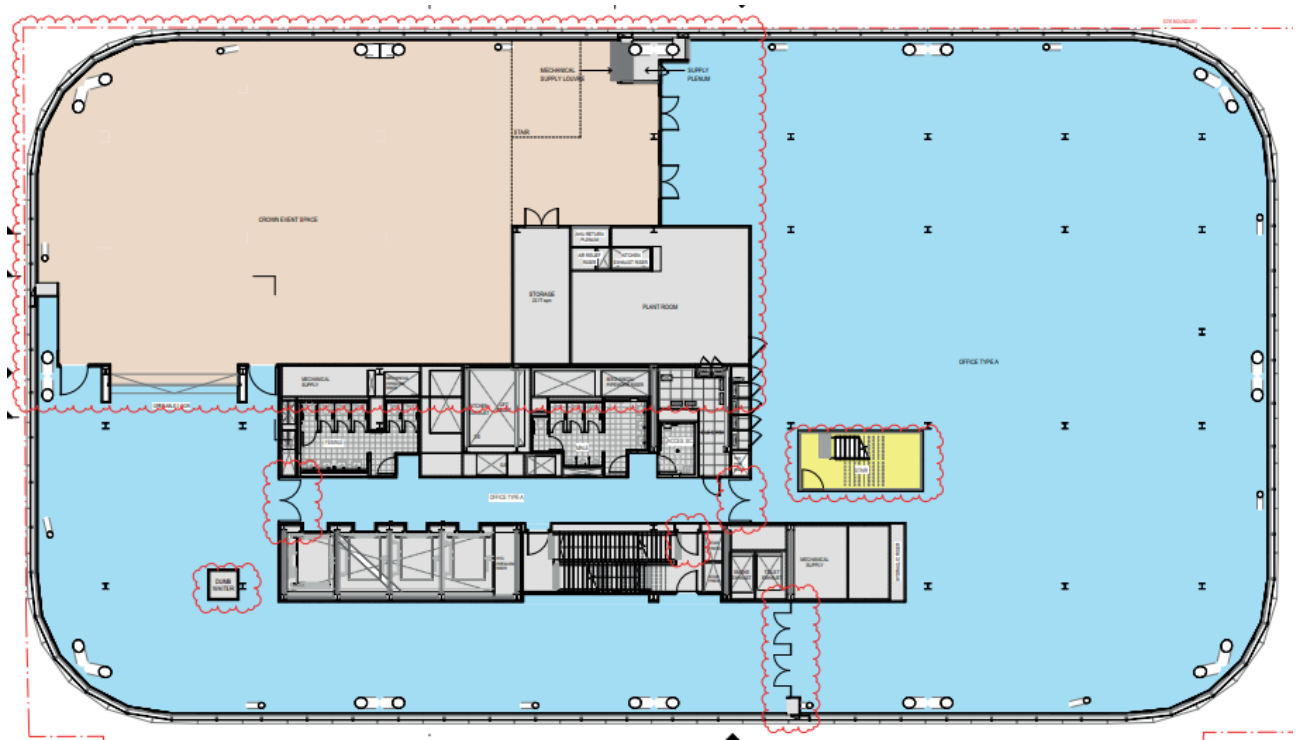
Following the approval of the crown event space under Mod 9, the project design team have continued to refine the design of the space to ensure it meets operational requirements. To this end, minor amendments are now proposed to certain elements of the space as follows:

- Replacement of skyfold door with full height wall. This is to allow the future flexibility for the entry to the event space and for compliance as a fire-rated wall.
- Replacement of crown event space mezzanine balustrade with full height wall to enable this space to function separately to the crown event space itself.
- Deletion of crown event space stair void at level 35-36 as a stair in this location is no longer required, and inclusion of air supply plenum at level 36 to allow for increased ceiling heights to level 35 below.

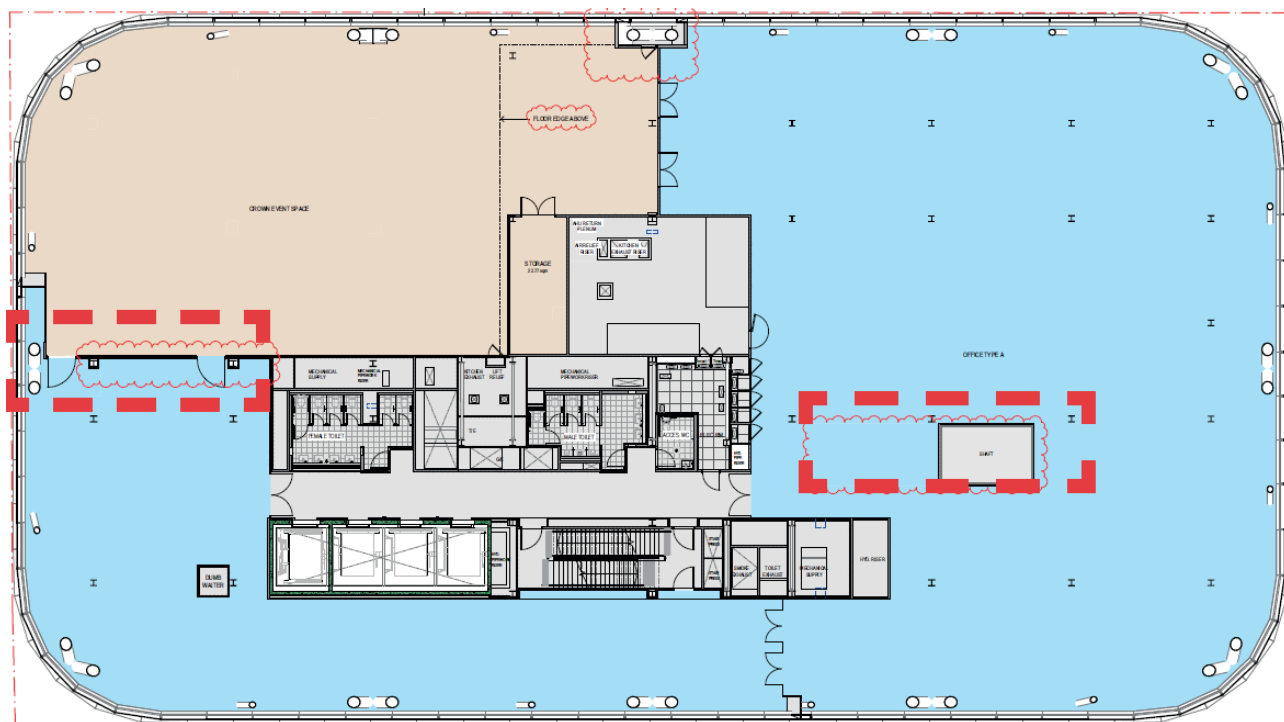
It is noted that the replacement of crown event space mezzanine balustrade with full height wall will result in an internal wall setback approximately 1m from the internal face of the façade. This has been designed to ensure there will not be a material impact to the visual impact of the façade in this location from the exterior.

At levels 35 and 36 the office space stair is proposed to be removed, and the stair void moved one structural bay to the south. The structural bay will be fully enclosed. This is because an internal stair is no longer required in this location, and to future-proof a space for a stair should one be required in the future. **Figure 1** displays the proposed amendments at levels 35 and 36.

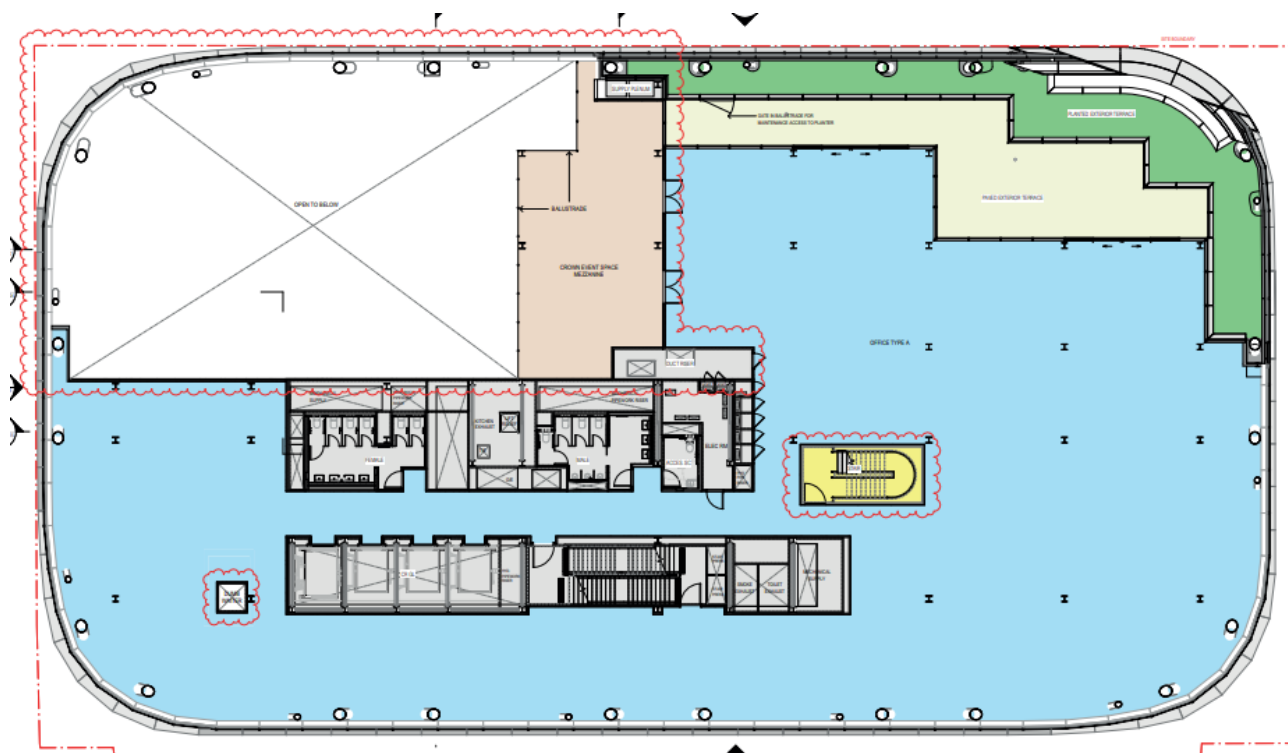
Figure 1 Proposed Crown Event Space Amendments on Level 35 and 36



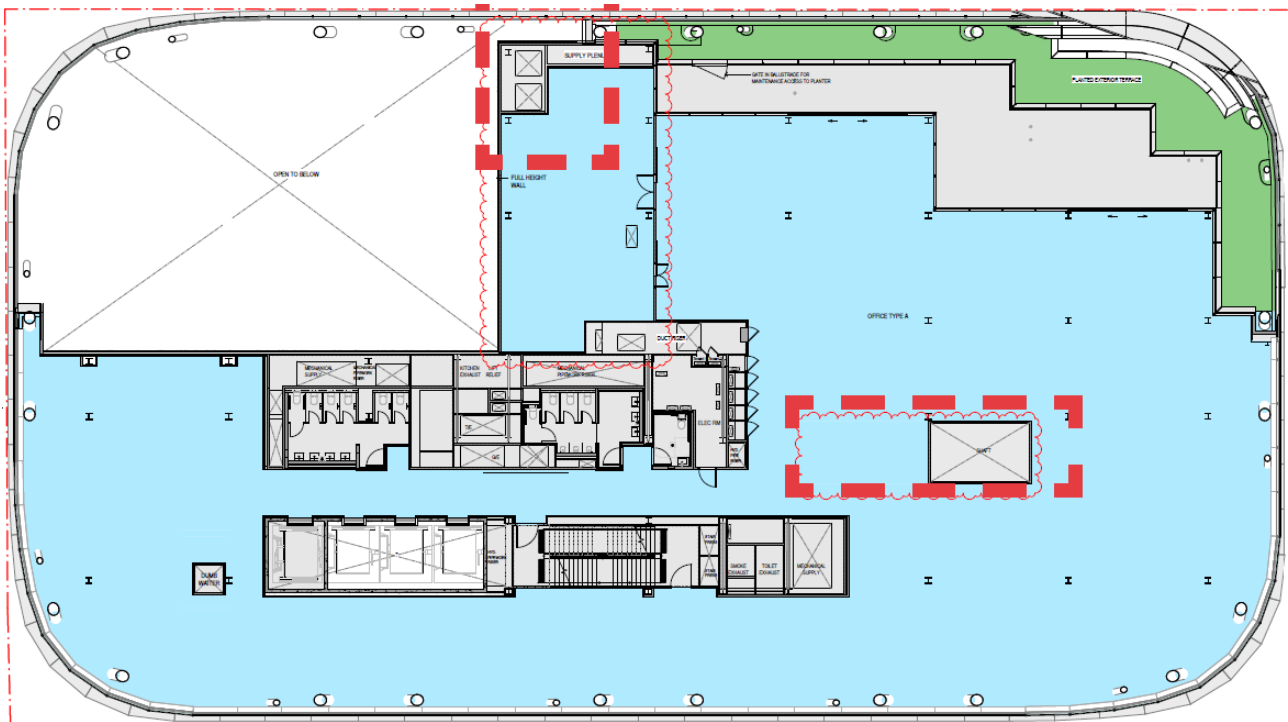
Approved Level 35 Plan



Proposed Level 35 Plan



Approved Level 36 Plan



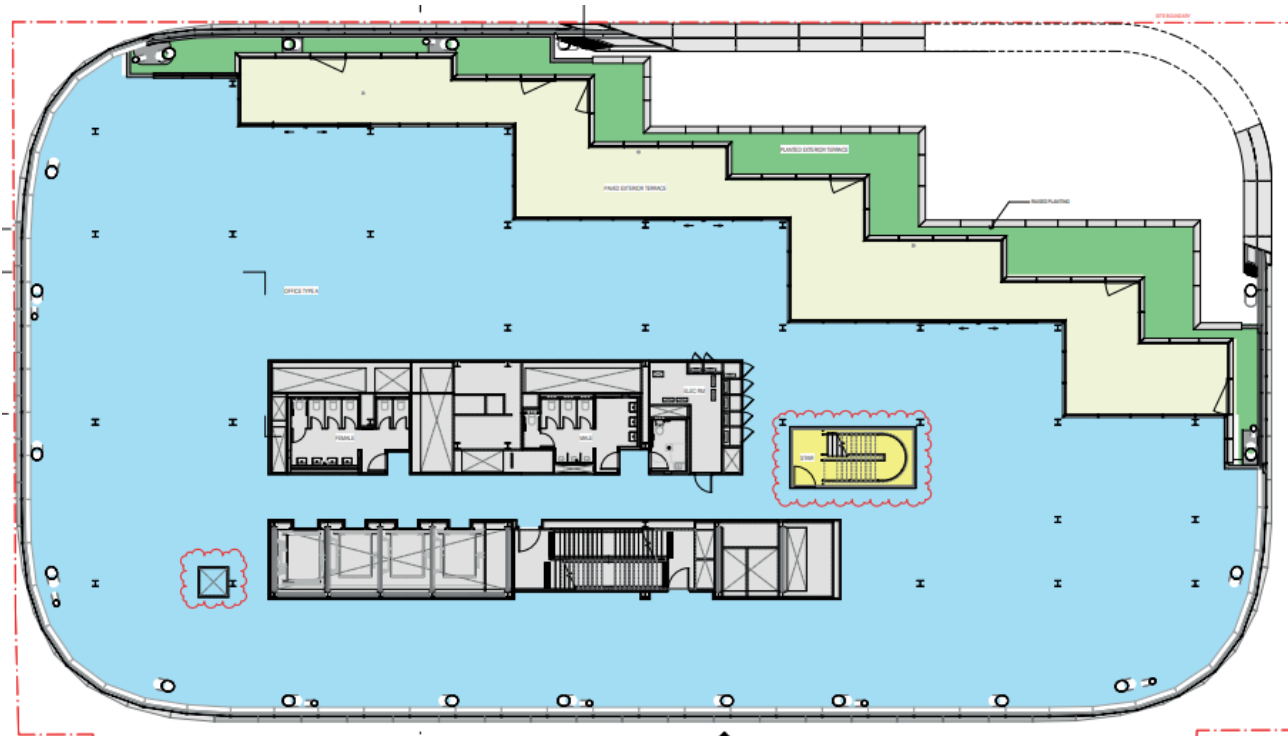
Proposed Level 36 Plan

Source: SHoP BVN

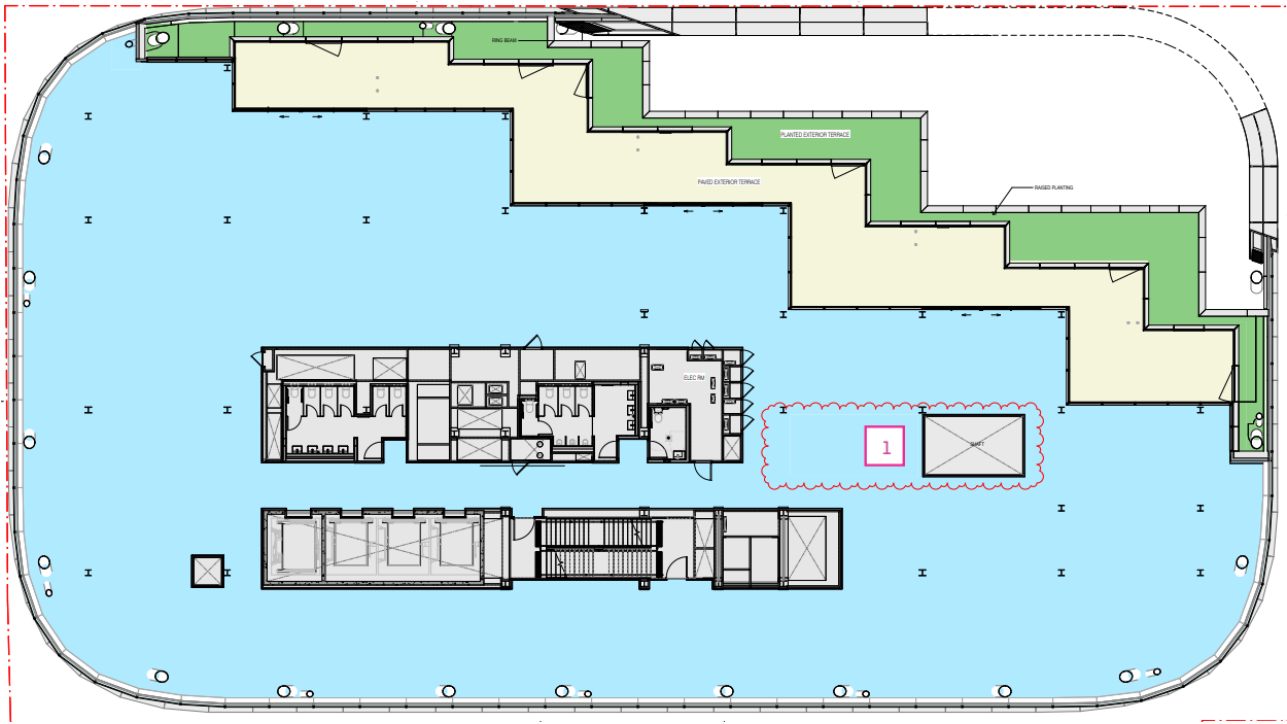
3.2. LEVELS 37 & 38 AMENDMENTS

Similar to levels 35 and 36, it is proposed to remove the office space stair at levels 37 and 38. This is because an internal stair is no longer required in this location. At level 37, it is also proposed to move the stair void one structural bay to the south. The structural bay will be fully enclosed. This is to future-proof a space for a stair should one be required in the future.

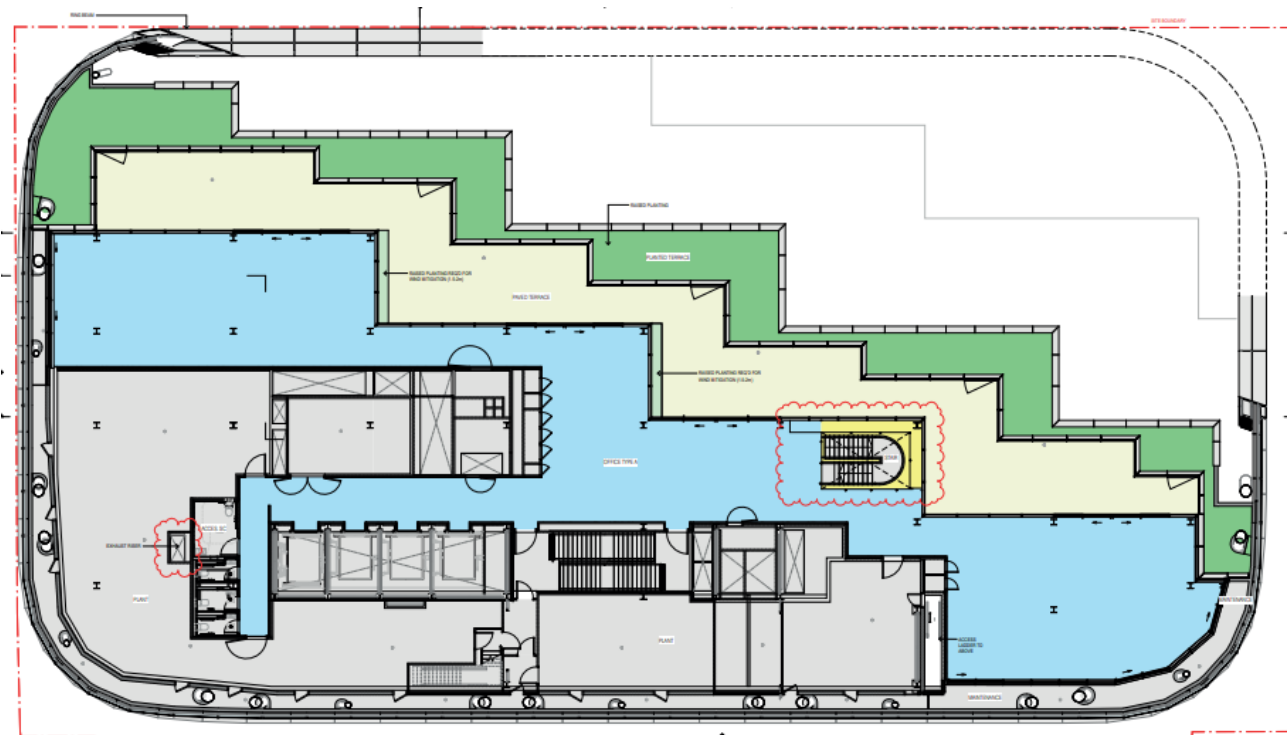
Figure 2 Approved and Proposed Level 37 and 38 Floor Plans



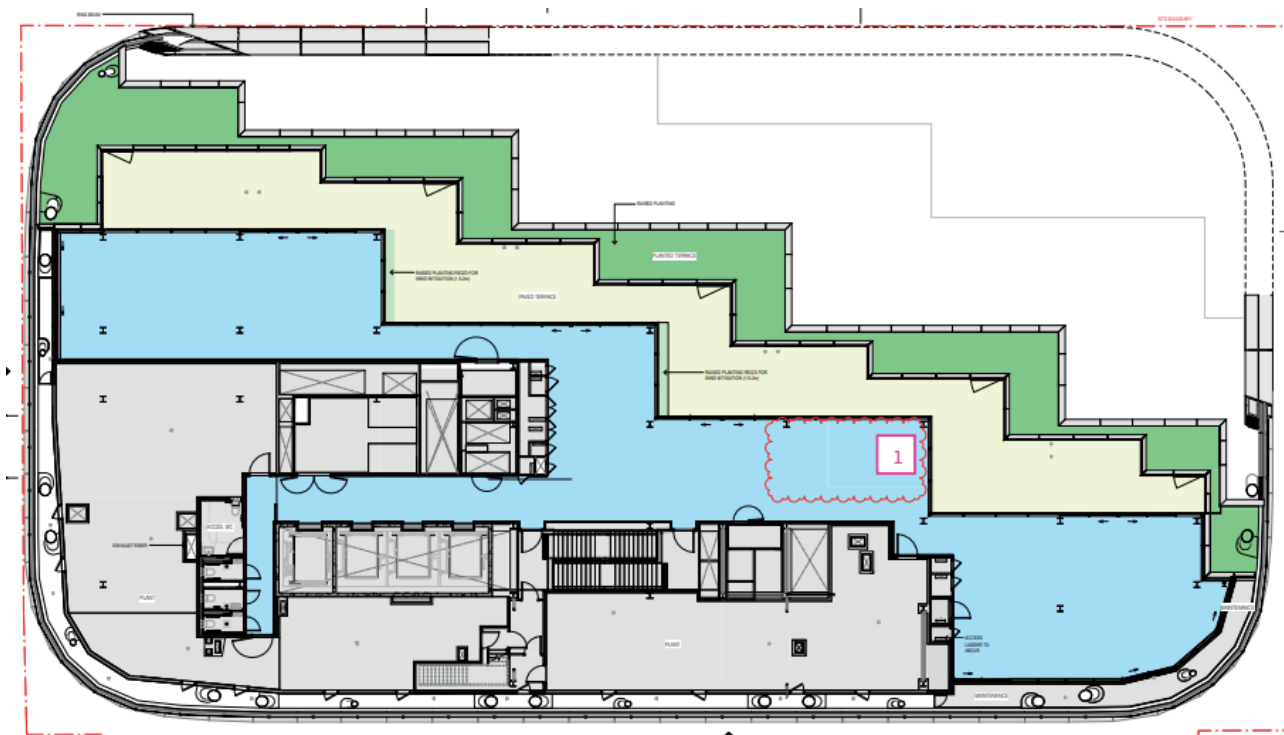
Approved Level 37 Plan



Proposed Level 37 Plan



Approved Level 38 Plan



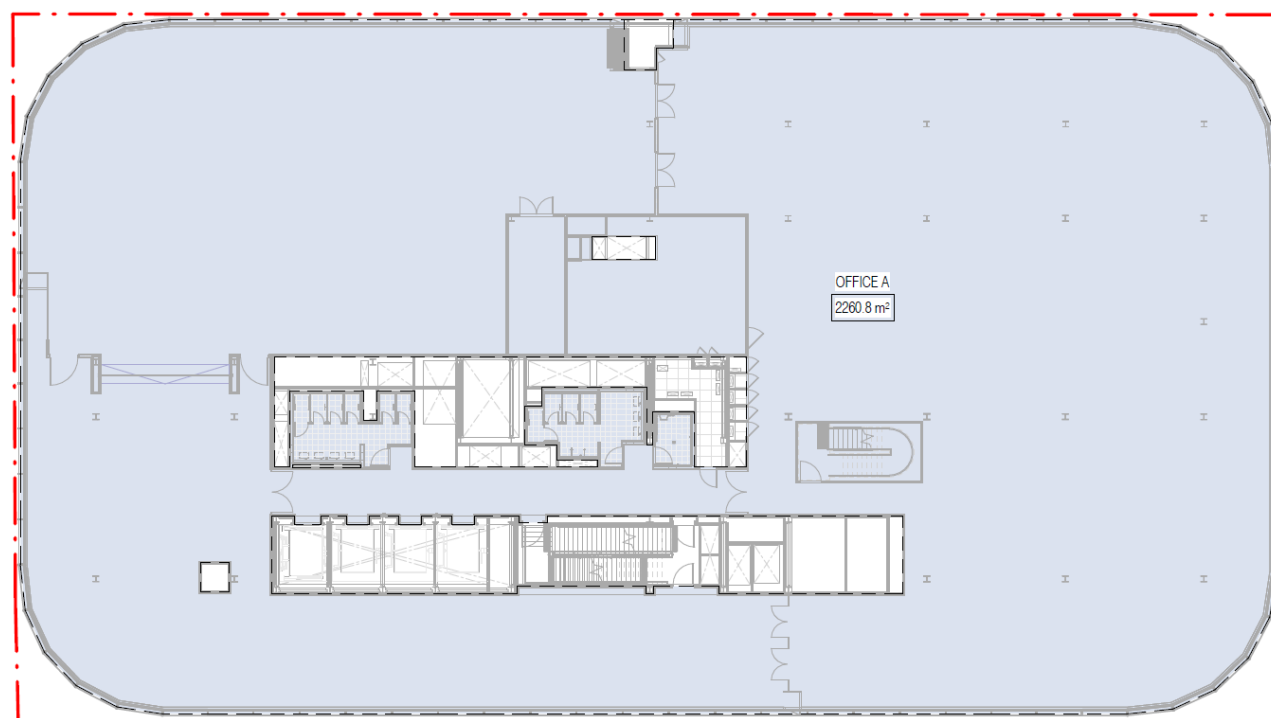
Proposed Level 38 Plan

Source: ShoP BVN

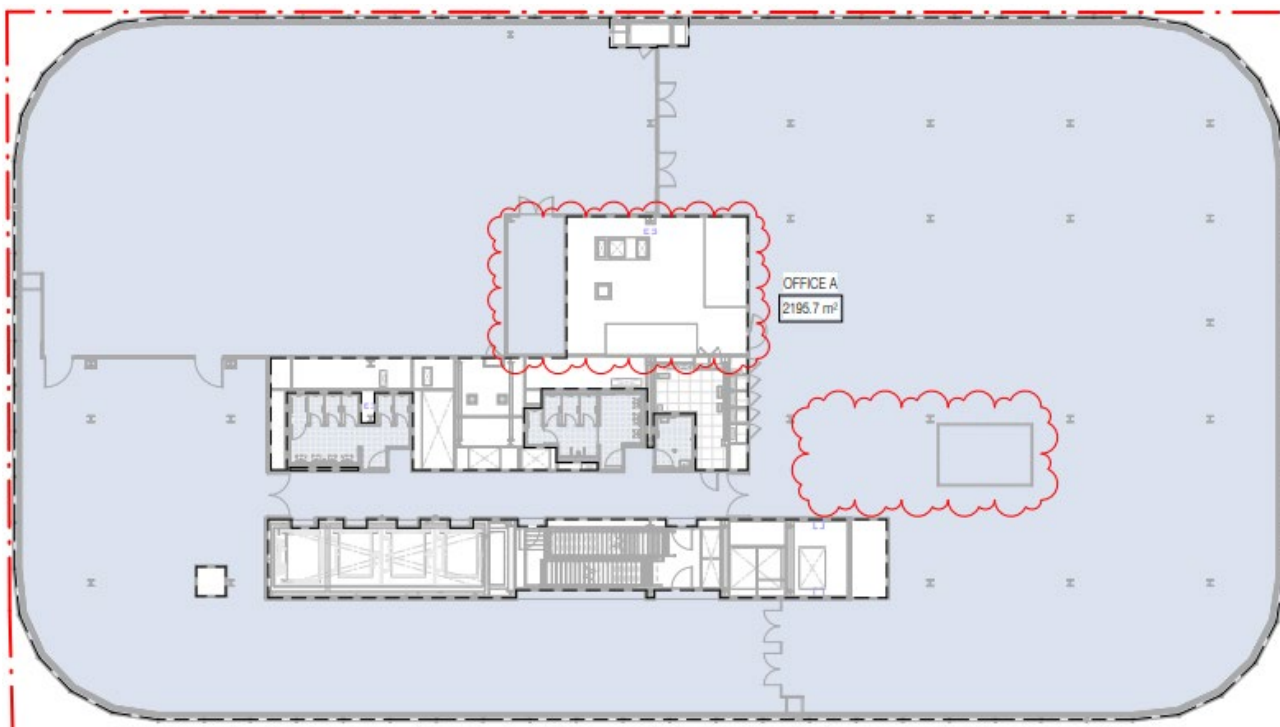
3.3. CHANGES TO GFA

The proposed minor amendments described in the above sections results in minor changes to the approved GFA. Overall, a 72m² decrease in the approved GFA at the site is proposed as part of this Modification. This is primarily due to the level 35 plant room mistakenly being identified as GFA in Modification 9. This is proposed to be corrected in this Modification, with the plant room being removed from the GFA area.

Figure 3 Level 35 plant room – GFA change



Approved Level 35 GFA Plan



Proposed Level 35 GFA Plan

Source: ShoP BVN

3.4. MODIFICATIONS TO CONDITIONS OF CONSENT

3.4.1. Condition A2

In order to accommodate the proposed modifications described above, it is proposed that the following plans replace the previously approved versions set out in the table under **Condition A2**.

Architectural plans prepared by <i>BVN Architecture / ShoP Architects</i>			
Plan No.	Rev	Name of Plan	Date
DA-10B-T35-01	9	General Arrangement Plan Tower Level 35	29.09.25
DA-10B-T36-01	13	General Arrangement Plan Tower Level 36	29.09.25
DA-10B-T37-01	12	General Arrangement Plan Tower Level 37	29.09.25
DA-10B-T38-01	11	General Arrangement Plan Tower Level 38	05.08.25
DA-10D-XXX-04	4	Section E-W – Mod 11	28.07.25
DA-11D-XXX-16	3	Crown Section – N-S – Section 1 - Mod 11	29.09.25
DA-11D-XXX-19	1	Crown Section – N-S – Section 2 - Mod 11	28.07.25
DA-11D-XXX-23	3	Crown Section – E-W – Section 4 - Mod 11	05.08.25
DA-11D-XXX-24	1	Crown Section – E-W – Mod 11	28.07.25

4. SECTION 4.55(1A) ASSESSMENT

DPHI may modify a development consent by way of an application made under Section 4.55(1A) of the EP&A Act if satisfied that the amendment is of '*minimal environmental impact*' and the development remains '*substantially the same*' as originally approved.

The proposed modifications have been assessed in accordance with section 4.55(1A) of the EP&A Act in the following sections of this correspondence.

4.1. MINIMAL ENVIRONMENTAL IMPACT

The proposed modifications are considered to result in minimal environmental impact for the following reasons:

- The proposed modifications do not add any additional height, bulk, or scale to the development, do not alter the operation or capacity of the building and do not alter the overall high quality architectural expression of the development.
- The modifications are minor in nature and will not adversely affect the perceived visual appearance of the tower façade. The proposed internal modifications will not create any additional bulk or scale to the development.
- The proposed amendments to the crown events space are to ensure that this space functions optimally. Similarly, the removal of the internal office stairs is to respond to the functional requirements of this space, and allow for future-proofing. These elements will not be visible from the public domain and do not present any environmental impacts beyond those of the approved building form.
- The proposed modifications maintain the high-quality design of the building, are consistent with the design intent for the building and will contribute to the amenity of the public domain.

The development as proposed to be modified will therefore not result in any additional environmental impacts beyond those assessed and approved under SSD-10405.

4.2. SUBSTANTIALLY THE SAME DEVELOPMENT

The proposed modifications will result in a development that is substantially the same as that approved under SSD-10405 for the following reasons:

- The nature and essence of the development remains the same as originally approved, being an office and hotel development with basement parking, servicing and EOT facilities.
- The proposed modifications do not generate any additional building height. The proposed changes are wholly contained within the approved building envelope.
- The proposed modifications maintain the originally approved scale and location of the building facade, internal layouts and servicing equipment, however, ensure that the operational requirements of the tenant can be accommodated without impacting the approved building form.
- The proposal will continue to deliver the same mix of land uses within the building, being commercial office space and tourist and visitor accommodation, with lobby and retail uses located at upper ground and lower ground levels. The proposed modification will result in a minor change to the approved GFA, and will not materially impact the overall building form.
- The modifications are minor in nature and contain detail which has only been contemplated as the design process evolves towards construction, but in principle seeks to deliver the building as approved.
- The proposed modifications do not alter the approved access or parking arrangements.
- The proposed modifications will not diminish the high quality architectural and landscape expression of the approved development.
- The modifications will not result in any detrimental impact on surrounding land uses or the road network.

Accordingly, the proposed modifications can be assessed as a modification to the original development in accordance with Section 4.55 of the EP&A Act.

4.3. PUBLIC NOTIFICATION AND SUBMISSIONS

In accordance with Section 4.55(1A)(c) of the EP&A Act, the consent authority can undertake any relevant notification of the proposed modification in accordance with the regulations and any development control plan.

Should submissions be received the matters raised will be considered during the assessment process.

5. SECTION 4.15 ASSESSMENT

The application has been assessed in accordance with the relevant matters for consideration listed in Section 4.15 of the EP&A Act.

5.1. ENVIRONMENTAL PLANNING INSTRUMENTS

The proposed modifications have been assessed in accordance with the relevant State and local environmental planning instruments, including:

- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *Sydney Local Environmental Plan 2012*
- *Western Gateway Sub-precinct Design Guide 2021*
- *Sydney Development Control Plan 2012.*

The development as modified will continue to comply with the relevant provisions as summarised below:

5.1.1. State Environmental Planning Policy (Planning Systems) 2021

The Atlassian Central development is classified as SSD as it falls within the requirements of Clause 13(2) of Schedule 1 of the *State Environmental Planning Policy (Planning Systems) 2021 (SEPP PS)*, being a development on a State Heritage Listed site, of which the 'tourist related' component of the development has a CIV of exceeding \$10 million.

The proposed modifications will result in substantially the same development as that approved and will still meet the requirements of Clause 13(2) of Schedule 1 of SEPP PS.

5.1.2. State Environmental Planning Policy (Transport and Infrastructure) 2021

The *State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP)* requires development 'in or adjacent to rail corridors' to include consultation with rail authorities throughout the approvals process. This was undertaken as part of the original approval and will continue as part of this modification process.

As the development includes more than 10,000sqm of commercial GFA, it is classified as traffic generating development. The original approval included a referral to NSW Roads and Maritime Authority (now part of TfNSW). However, as the proposed modification will result in a minor decrease in GFA due to the removal of the level 35 plant room from the GFA measure, and will not increase on-site parking of the originally approved Atlassian Central development, the modification will not have any impact on the surrounding road network.

5.1.3. State Environmental Planning Policy (Resilience and Hazards) 2021

The requirements of *State Environmental Planning Policy (Resilience and Hazards) 2021 (SEPP R&H)* were assessed as part of the original consent under the now repealed provisions of SEPP 55. The proposed modifications will not result in any change to the undertaking of the Remediation Action Plan (**RAP**) which will be undertaken to ensure the site is made suitable for the uses contained in the Atlassian Central development.

The proposed modification will not require any additional disturbance of soil on the site beyond that already assessed under the original consent.

5.1.4. State Environmental Planning Policy (Biodiversity and Conservation) 2021

The site is located within the Sydney Harbour Catchment and therefore *State Environmental Planning Policy (Biodiversity and Conservation) 2021 (BC SEPP)* applies to the development. The original application was assessed against each of the relevant planning principles and considered consistent in the now repealed *Sydney Regional Environmental Plan (Sydney Harbour Catchment)* which have now been adopted in Chapter 10 of the BC SEPP.

The proposed modifications will not alter the exterior of the building form and therefore will continue to be consistent with the planning principles in Clause 10.10 of the BC SEPP.

5.1.5. Sydney Local Environmental Plan 2012

The *Sydney Local Environmental Plan 2012 (SLEP 2012)* is the principal planning instrument applying to the site. Sydney LEP 2012 contains the land use zoning, height and GFA control for the site, as well as several specific controls including Clause 6.53 Western Gateway Sub-precinct.

The proposed modifications do not alter the approved uses within the building, or the design of the external built form which has been designed and assessed to be consistent with the SLEP 2012 controls. A minor change to the approved GFA is proposed through the minor internal amendments. Therefore, the development as proposed to be modified remains compliant with the SLEP 2012 development standards and suitable for the subject site.

5.1.6. Western Gateway Sub-Precinct Design Guide

In accordance with Clause 6.53(4) of SLEP 2012 the *Western Gateway Sub-precinct Design Guide (the Design Guide)* was prepared in July 2021. The Design Guide provides design guidance for developments within the Western Gateway Sub-precinct. It contains objectives and design guidance for future development, including on the Atlassian Central site, which is referenced in the Design Guide as Block A.

The Design Guide was endorsed in July 2021 and considered in the assessment of the originally approved development. The development as proposed to be modified will continue to satisfy the key guidelines as summarised below.

Table 2 Western Gateway Sub-Precinct Design Guide

Ref	Guideline	Consideration
3.1	Place and Destination	Consistency with the Place and Destination objectives including wind, design excellence, public spaces, building massing, solar access and views will remain unchanged.
3.2	People and Community	The proposed modifications have been considered with regards to the heritage significance of the site. The modifications relate to minor internal works in the uppermost levels of the building. The modifications will not have any impact to the exterior or visual appearance of the development. The modification is therefore not expected to have impact on nearby heritage items.
3.3	Mobility	The proposed amendments will maintain a high quality, integrated, permeable and accessible pedestrian network that gives priority to current and future pedestrian movement. The proposed amendments will not have any impact on pedestrian and cyclist movements and connections.
3.4	Sustainability	The proposed modifications will not alter the sustainability, environmental performance, or water management of the Atlassian

Ref	Guideline	Consideration
		Central development. The modifications have been designed in accordance with the ESD strategy for the overall building.

5.1.7. Sydney Development Control Plan 2012

The proposed modifications do not result in any inconsistencies with the provisions of the *Sydney Development Control Plan 2012* (**Sydney DCP 2012**) already assessed under SSD-10405.

5.2. DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

There are no draft Environmental Planning Instruments relevant to the subject modification application.

5.3. PLANNING AGREEMENT

No planning agreements are relevant to this proposal.

5.4. REGULATIONS

The application has been prepared in accordance with the relevant provisions of the *Environmental Planning and Assessment Regulation 2021*.

5.5. LIKELY IMPACTS OF THE DEVELOPMENT

The proposed modifications have been assessed considering the potential environmental, economic and social impacts as outlined below:

Architectural & Built Form: The proposed modifications are contained within the approved building envelope. The minor amendments are proposed to ensure the functionality of the crown event space and future flexibility of the office space, reflecting the key design principles for the development and will result in a high amenity office environment. The proposed amendments contribute to a rationalised design and will not have any perceived visual impact from the public domain. The proposed internal amendments will ensure the functionality of the office and event space and provide a rationalised servicing design.

Heritage: The proposed modifications have been considered with regards to the heritage significance of the site. The modifications relate to internal works at the uppermost levels of the building and are therefore not expected to have a significant on nearby heritage items.

BCA and Access: A BCA Statement and Access Statement have been prepared to support this modification. These reports confirm that the modifications can achieve compliance with the provisions of the BCA and DDA.

Fire Engineering: A Fire Engineering Statement has been prepared by Holmes Australia which confirms that compliance with the relevant fire engineering regulations can be achieved through a range of performance solutions. These performance solutions have been deemed acceptable by Holmes Australia and can be readily accommodated without significantly affecting the buildings layout.

Amenity: As there are no changes proposed to the overall building envelope, the proposed modifications will not result in any additional impacts relating to overshadowing, building separation or views beyond those assessed under SSD-10405. The proposed amendments will maintain the amenity of the development and its occupants.

Economic and Social: The development as proposed to be modified will result in the same positive economic and social outcomes as previously approved under SSD-10405.

5.6. SUITABILITY OF THE SITE

The site is considered highly suitable for the development as modified for the following reasons:

- The land uses contained within the development will remain unchanged and are permissible within the SP5 Metropolitan Centre zone. The development will be an anchor building within the new TechCentral Precinct and will support the long-term development of an innovation precinct in central Sydney.
- The modifications will not have any impact on the heritage significance of the site.
- The overall built form will remain unchanged from the originally approved development, with the proposed modifications being within the approved building envelope, maintaining a high quality of architectural design. It is therefore considered that the development as modified continues to sit comfortably in its context.
- The modifications will maintain a high standard of amenity for future users of the building.
- The proposed modifications use building materials which are consistent with the sustainability objectives of the original building, which respect the heritage significance of the site and complement the public art contribution to the public domain.
- The existing transport and service network servicing the site will not have greater pressure or demand due to the changes proposed in this modification application.

The modifications do not propose significant amendments or a change of use to the approved development that would make it unsuitable for the site. The development as modified will remain suitable for the site for the reasons stated in the original approval of SSD-10405.

5.7. SUBMISSIONS

It is acknowledged that submissions arising from the public notification of this application will need to be assessed by DPHI.

5.8. PUBLIC INTEREST

The modified proposal is considered to be in the public interest for the following reasons:

- The proposed modifications are consistent with relevant State and local strategic plans and complies with the relevant State and local planning controls.
- No adverse environmental, social or economic impacts will result from the proposed modifications.
- The uses within the building are permissible with consent and are consistent with the zone objectives and will remain unchanged from those originally approved.
- The proposed modifications will ensure the functionality of the approved crown event space and future flexibility for the office space.

6. CONCLUSION

The proposed modifications have been assessed in accordance with Section 4.55(1A) and Section 4.15 of the EP&A Act and are considered appropriate as summarised below:

- The proposal is of minimal environmental impact.
- The proposal is substantially the same development.
- The proposal satisfies the applicable planning controls and policies.
- The social and economic impacts are acceptable.
- The proposal remains suitable for the site.
- The proposal is in the public interest.

Having considered all relevant matters, we conclude that the proposed modifications are appropriate for the Site and approval is recommended, subject to appropriate conditions of consent.

APPENDIX A UPDATED PROJECT DESCRIPTION

The following table provides a consolidated detailed description of the modified project. Changes to the numerical description as a result of the proposed modifications are shown in **red text**.

Table 3 Proposed Development Numerical Overview (as modified)

Project Element	Summary of the Project		Description
Site Area	3,764 m ² (including 277sqm of air rights that apply from RL 40)		
Proposed GFA	Commercial Premises		
	<i>Office Premises</i>	61,288 m² <i>Reduction of 72m² from 61,360m²</i>	This space would accommodate Atlassian's Global Headquarters, which would accommodate up to 3,860 jobs for both the Atlassian business and may provide floorspace for technology and innovation startups. This space would be on Levels 7-39 of the proposed new office tower.
	<i>Lobby/Retail/Food and Drink Premises</i>	2,425 m ²	The Lower Ground, Upper Ground, and Parcels Shed roof levels will also provide space for expansive lobby, retail, food and beverage and other potential uses which integrate with the ground plane.
	Tourist and Visitor Accommodation		
	Backpackers Accommodation	7,976 m ²	This space would accommodate 5 plus mezzanine of accommodation for the Railway Square YHA. This space would be on Levels 1-6 of the new tower.
	Shared Area		
	<i>Basement</i>	459 m ²	Basement Level 1 includes end of trip facilities for both the commercial and tourist and visitor accommodation uses within the building. These fall within the definition of GFA under the Sydney LEP.
	<i>Shed Roof / OSD</i>	409 m ²	The Shed Roof / OSD includes the OSD pavilion.
	Total GFA	72,546 m² <i>Reduction of 72m² from 72,618m²</i>	The proposed GFA for the development comprises a mix of land uses and is below the LEP maximum GFA for the Site.
Building height / storeys	RL 197.9m / 39 storeys		The proposal sits below the maximum building height of RL 200.2m and the sun access plane for Prince Alfred Park.
Loading and servicing bays	2 x Medium rigid vehicle bays 3 x Small rigid vehicle bays 4 x Van / courier bays		The proposal servicing areas will support but Atlassian and the YHA, as well as provide a single servicing space required for the operation of the Adina Hotel.

Project Element	Summary of the Project	Description
	1 x Medium rigid vehicle bay for the Adina Hotel	
Bicycle parking	336 EOT plus 30 for visitors	The proposal will provide bike parking for both workers and visitors to the site.
Hotel Beds	Approximately 492 beds	Room configurations vary from queen/twin rooms to 6-bedroom dormitory rooms.

DISCLAIMER

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