



To: The Independent Planning Commission

RE: State Significant Development Applications Locomotive Workshop Australian Technology Park, Eveleigh SSDA 17 8517 - Bays 1-4a, and SSDA 17 8449 – Bays 5-15

REDWatch made a written objection to the above SSDAs while on exhibition. Many of the issues we raised were not adequately addressed in the RtS nor the DPE Assessment Report. We suspect this is because the unique nature of the heritage of this site, and the unique obligations on its owner are outside the usual issues assessed when dealing with a heritage building.

In this assessment, there is a heritage covenant put in place by the NSW government when the site was sold. There are fixed and movable heritage collections that need to be interpreted, maintained and displayed under a range of heritage plans and mechanisms.

In our view, the IPC in making a determination, in the absence of an approved heritage interpretation plan that deals with all these matters needs to assess if it is appropriate for this development to proceed. Mirvac knew they had significant heritage obligations that needed to be integrated into this development. It is not acceptable that Mirvac should push for the HIP to be approved before issuing of the occupation certificate and after fit out DAs. The stage 2 HIP, and how Mirvac will handle their heritage obligations in this space should have been assessed alongside their SSDAs. How else can a determination be made that the SSDAs are appropriate and meet both the built environment and heritage obligations for the site under development.

We know Mirvac want to get on with their development but we are appalled that they have argued that to speed up the Stage 2 HIP will impact on the quality of the HIP. In our view the reverse is more likely, the pushing through of the approval potentially impacts on the quality of the HIP if it limits what the HIP can do by precluding options at the Development Approval stage.

Mirvac knew when they bought the site that they also had heritage obligations. The bringing forward of the SSDAs without the accompanying Stage 2 HIP is of their choosing. This is not something that has been sprung on them at the last minute that they were not aware of.

Our fear is that the heritage impacts are of such great significance and complexity that they have not been properly assessed. The IPC in their determination need to make sure that all these issues are properly assessed. This development is not just about a sympathetic development within a heritage building like Mirvac's Tramsheds development where there were no heritage collections or no statutory interpretation requirements. This development has many more heritage obligations that need to interact with the heritage building to ensure the heritage obligations are met and the collections and places are properly interpreted. The SSDA approval should not trump the heritage.

In our view it is open to the IPC to decide that the development does not proceed until it can be assessed alongside the Stage 2 HIP. If the Commission does not go that far it should condition the development so that the SSDA approval does not undermine the ability of the Stage 2 HIP to fulfil its heritage requirements for the site. A condition that the IPC assesses if any wind back of SSDA approval conditions is required when a stage 2 HIP is produced may be appropriate.

Background and Outstanding issues

Below we have detailed some of our concerns that were initially raised in our submission for the exhibition that relate to heritage that we believe were not adequately assessed by the proponent in the RtS nor by DPE in their assessment report but that relate to our IPC submission.

Any redevelopment of the heritage listed Locomotive Workshop and its heritage protected collections and active heritage activities, needs to deal with the entire state heritage listed package. These DAs deal primarily with a development within a heritage listed building and deal in a much lesser manner with the fixed and movable heritage contents, the heritage activities and statutory plans that come with the building and which need to be comprehensively dealt with by any redevelopment proposal.

When Mirvac purchased the Australian Technology Park, which included the Locomotive Workshops, it entered into covenants to ensure community access through the site (along part of the route now proposed to the loading bay) and to protect and deal with the heritage items that came with the site. These covenants were pushed for by the community following a threats analysis of the sale undertaken by the City of Sydney Council. The Positive Covenant – Heritage states in part:

The Proprietor will comply with the Heritage Act 1977 as amended, consolidated or replaced from time to time in relation to all items identified in the State Heritage Register listings applicable to the Land as at the date of this covenant, and (unless otherwise agreed by the Heritage Council in writing) without limitation, must:

1. *comply with all obligations under and by virtue of Section 170 and Section 170A of the Heritage Act 1977 (as if the proprietor was a government instrumentality for the purposes only of complying with those sections);*
2. *comply with the Australian Technology Park heritage documents, namely the:*
 - a. *Conservation Management Plan 2014-2019 (attached to this covenant) (CMP);*
 - b. *Heritage Asset Management Strategy 2013-2018 (attached to this covenant) (HAMS);*
 - c. *Moveable Collection Management Plan 2015-2020 (attached to this covenant) (MCMP),*

*(collectively the **Heritage Documents**), all on the basis that any variations, modifications, deletions or additions to any Heritage Documents must be endorsed by the Heritage Council of New South Wales (**Heritage Council**) and that all Heritage Documents must be updated and endorsed within five years of the date of the previous endorsement.*

In the words of the CMP:

The Eveleigh Locomotive Workshops Machinery Collection is listed in the State Heritage Register for the contribution it makes to the significance of Eveleigh Locomotive Workshops. The Collection comprises selected examples of the machines and equipment installed in the Workshops at the time that it closed and includes individual items dating from the late nineteenth century through to the mid-twentieth century. (page 57)

Mirvac is required under the covenant to act as if it were a government instrumentality in looking after this equipment and is required to have an approved plan for managing the collection.

In the State Heritage Listing for the Locomotive Workshop Building the listing assesses Integrity/Intactness as *Bays 1 and 2 are largely unchanged from their mid-20th Century configuration*. This relative intactness is the reason that Bays 1 and 2 are currently set aside for heritage uses. They are currently two of 6 bays that have no mezzanine or obstruction to scale of the original bays. The current DA proposes to transform the current Exhibition Hall (Bays 10 – 13) into

offices. This will leave Bay 1 & 2 as the only location where the original industrial grandeur of the industrial bays could still be experienced by a visitor to the site. An important element of Bays 1 and 2 is the operating blacksmiths and the CMP recognises the important role they play.

The current Locomotive Workshop CMP, with which Mirvac is under the covenant to comply, sets out the expectation for Bays 1 and 2 when it states that: *Consultants were engaged by ATPSL to review the present display situation in Bays 1 and 2 and propose a public display interpretation strategy for this area, in accordance with the broad intentions of the 1996 Management Plan. (page 63)*

REDWatch goes into this detail to show that when Mirvac purchased the site in 2016 it entered into arrangements to preserve and manage not only a heritage building, but also its highly important machinery collection, its active heritage and the important heritage Bays 1 and 2.

REDWatch in its submission to DPE argued that the incursion of the proposed loading dock for the proposed developments into Bays 1 and 2 stands to ruin the outstanding heritage significance of Bays 1 and 2.

REDWatch submitted that Under Section 79C of the EP&A Act that Bays 1 and 2 are not a suitable site for the loading bay development proposed due to their high heritage significance. We further submitted that the development of the loading bay will likely have a detrimental impact on the ability of Bays 1 and 2 to provide the heritage experience and interpretation the site needs to tell the story of Eveleigh and its industrial and social history, now and into the long term future.

REDWatch contends that Bays 1 and 2 are so important (as shown by the state heritage listing and the heritage documents) and the damage done to the interpretation of this dedicated heritage space so great, that the loading bay in Bays 1 and 2 is not in the public interest because of its impact upon the heritage bays.

A supermarket is needed by Mirvac to fulfil their undertakings to provide low cost access to food for CBA employees who will frequent the new buildings on the site. We do not object to the supermarket per se if Mirvac could have found another location for it and its loading bay, but we do object to the main loading bay for the SSDAs in the highly heritage significant Bays 1 and 2.

What is preserved in the heritage bays and in the heritage listed collections at Eveleigh is there for future generations, not just for us. These SSDA proposals also raise issues of intergenerational equity. If parts of Bays 1 and 2 are allowed to be sliced off from heritage uses for commercial uses, (be it loading bay or the proposed commercial spaces), it makes it likely that these spaces will be lost to heritage use into the future. This is especially so now the site is in commercial rather than government hands.

The history of the ATP has seen consistent gradual erosion of heritage, either through neglect of parts of the moveable heritage or through the spaces for heritage interpretation being squeezed into smaller areas to increase the site's commercial yield.

In line with ESD objective of the EP&A act we submit that the ESD principle of intergenerational equity should apply alongside the precautionary principle and ask that this proposal be assessed with these principles in mind. The state heritage listing and the CMP are there to preserve and interpret an important state collection for both the present and future generations. Mirvac makes much in its proposal of how the development can be removed without impacting upon the building's heritage; however that question has also to be asked for Bays 1 and 2. Is it likely that if parts of these heritage bays are monetarised for non-heritage purposes they will ever return to spaces used to

interpret the site's collections and history? If this erosion of heritage space is allowed it deprives future generations of its use to understand Australia's industrial and social history.

The Heritage Impact Statement makes it very clear what is driving the proposed redevelopment in Bays 1-4A. In the words of the HIS:

The key impacts in Bays 1-4a relate to the cumulative impact of the chosen retail anchor – the supermarket, its associated loading dock and travelator. (HIS page 6) ... As a result, every effort has been made by the design team to reduce, offset and mitigate the cumulative impacts of introducing a supermarket, and its ancillary requirements, into Bays 1-4, where possible. (HIS page 7)

REDWatch submits that the heritage interpretation should not be about mitigating the impact of the commercial development. REDWatch submits that any redevelopment of the Locomotive Workshop has to also deal equally with the moveable heritage, the heritage interpretation space of Bays 1 and 2 as well as the heritage interpretation across the Locomotive Workshops and the broader Eveleigh Railyards. Commercial development should not trump the heritage elements that Mirvac under the covenant are obliged to honour.

While the HIS makes many mentions of Mirvac's desire to encourage Cultural Heritage Tourism, the SSDAs do not detail how it might develop the heritage Bays 1 and 2 to provide a Cultural Heritage Tourism attractor. REDWatch submits that this DA is not just about commercial uses for the site with heritage deliverables as offsets. REDWatch submits that the SSDAs should equally address the potential of the collection and the spaces to deliver a best practice heritage experience that will attract Cultural Heritage Tourism which is strengthened by the site's central location with public transport access close to other tourist offerings. Heritage Cultural Tourism is very different to providing people with an incidental heritage experience when they come to do their shopping

Mirvac has argued that heritage is not currently a drawcard to the site. Regrettably, we agree. Over the time since the Workshops stopped their original rail functions, there have been many proposals for heritage interpretation however very few have ever seen anything implemented unless it was to increase the commercialisation of a part of the site. These SSDAs provide an opportunity to get heritage properly interpreted and to deliver on the heritage potential and aspirations for this site.

There is a danger however, that like earlier proposals, it will not come to actuality if they are not protected in the SSDAs' consent conditions. REDWatch hence submits that heritage deliverables be specifically conditioned in the final consents for these SSDAs.

REDWatch does not oppose the heritage possibilities raised in the proposal, we simply want to see the proposals for the heritage assets developed in their own right as a heritage attractor within the wider development rather than using the current approach of heritage interpretation mitigating the proposals impacts. We do not want to see the heritage possibilities being eroded by the proposed primacy of the commercial retail development.

We want Bays 1 and 2 to be the main heritage interpretation space on the site delivering best practice heritage interpretation. The site is about telling the Eveleigh heritage stories. Mirvac purchased the site knowing it had heritage obligations that could not be pushed into a corner to get greater commercial yield from the site. It is pushing that envelope to get the best commercial yield possible and with the community and heritage specialists, REDWatch is pushing back to maintain heritage spaces, interpretation and to protect the heritage future of the site.

It seems likely given the Assessment Report that the loading bay will proceed. The loading bay already has a significant impact on heritage interpretation in Bays 1 & 2. It separates the massive

Davy Press from its furnace and relocates the overhead crane that linked both together. It also left no room for placing other tools and items used in this vicinity in proximity to these items.

If there is to be a loading dock off the end of Bays 1 & 2 this should not be the Trojan horse by which the heritage potential of bays 1 & 2 are further eroded. Mirvac have proposed that other commercial uses be allowed in Bays 1 & 2 and this pre-empts this space being used for interpretation as should be required in the yet to be developed stage 2 Heritage Interpretation Plan. In the absence of the Stage 2 HIP REDWatch asks that the commission not pre-empt the HIP outcomes be allowing non-heritage uses in Bays 1 & 2.

The stage 2 HIP needs to address the challenge of how Bays 1 and 2 can be used as a drawcard for Cultural Heritage Tourism. Based on the initial application this proposal should retain the heritage blacksmiths but also include a resourced heritage repository as well as at least one active display and interpretation space for regularly changing heritage displays. REDWatch welcomes the proposed condition of a financial plan to avoid the possibility that heritage display may become static rather than be actively curated. Our view is that active displays requires a minimum of four (4) displays a year in this space.

From a Heritage perspective, REDWatch submits the key issues that need to be assessed in these SSDAs are:

1) **How does the proposal deal with the heritage fabric of the building?** – While some concerns have been raised, the proposal seems to address most of these issues with the exception of a proposed loading bay in Bays 1 and 2 and a travelator connecting the supermarket to the Building 2 car park which raises major concerns about how this might impact upon the unique subterranean structure of the workshops.

2) **How does the proposal deal with the active heritage uses as represented by the Blacksmiths?** We support the proposal that the blacksmith space be continued and activity increased. However, the introduction of other retail uses into Bays 1 and 2 raises concerns of possibly conflicting incompatible uses being introduced that could threaten the ongoing operation of the active blacksmiths. In REDWatch's view any retail use in this space should be conditioned to be related heritage purposes or to supporting or complimenting the heritage activities in Bays 1 and 2. The SSDA should also be conditioned so that the proposed opening up of the central corridor can be closed to provide sound, smell and particulate separation between the noise and grit of blacksmithing, and the requirements for a supermarket and food handling. The resolution of the potentially conflicting uses proposed needs to be conditioned so that the operation of the blacksmith space is not impaired in the case of conflicting uses. Under no circumstances should the proponent be allowed to address conflicting uses by erecting a barrier within Bays 1 and 2 to endeavour to confine the blacksmiths impact to half of Bays 1 and 2.

3) **How does the proposal deal with the moveable heritage collection?** – As we have said the state heritage listing at the Locomotive Workshops is not just about the building but about the significant collection of industrial machinery that Mirvac inherited responsibility for as part of the site purchase. How these items will be accessible and used to tell the story of the processes, people and social history of the site is as crucial as how the DA deals with the heritage building fabric. How the machinery collection is used for interpretation needs to be on table before a final assessment is made to avoid the possibility that the difficulties of dealing with the size or aspects of the machinery collection would see them sidelined in the push for maximum commercialisation of the space they should otherwise occupy. There is an indication in the SSDA that some material will be put into

storage rather than displayed all the time at the site – this was a concern raised when the site was sold. There was a strong community view that all equipment in the collection needed to remain accessible. REDWatch supports the heritage items being placed in their original bays or locations to tell the story of Eveleigh, its workers and the manufacturing processes. Assemblages must be interpreted together to tell their stories and must not just be used as industrial age sculptures. REDWatch does not support parts of the heritage collection not being publically accessible.

4) How does the proposal deal with the heritage space in Bays 1 and 2 which are available to tell the story of Eveleigh? While the active area seems safe in the short term the balance of Bays 1 and 2 has been set aside for a loading bay to service the site and the supermarket and for two retail spaces. The proposal has a major impact on the interpretation of the Davy Press and oven, and leaves little ground level space to tell the Eveleigh heritage story and to create a heritage drawcard. While the heritage story should be told across the site it is not an alternative to a dedicated heritage space in Bays 1 and 2. We have covered aspects of this issue above in some detail.

5) How does the proposal deal with the social and labour heritage of the site? For some time Heritage practitioners have been arguing that there needs to be a centre at Eveleigh, which can act as a repository for worker and social history for Eveleigh. We welcome the indication in the current proposal that this might be possible, however note that there is no real detail or commitment to such a repository contained in the current proposal. There is no clear plan in the proposals for how the social and labour heritage will be interpreted. This has to be covered in the Stage 2 HIP and nothing in the consents should limit the possibilities for options to be explored in the Stage 2 HIP.

This DA will determine the future of Heritage at the Locomotive Workshop. It will determine if the Heritage potential is tapped so people with a heritage interest will want to come to the site for its heritage interpretation or if the heritage becomes primarily the ‘public art’ sculpture backdrop for the new commercial and retail precinct. There is much more at stake here than in the redevelopment of a heritage building, here there is active heritage, the machinery and a heritage dedicated space that need to be also appropriately handled in the DA. The question for us all is – Has this DA done that or does the balance between commercialising space and the heritage deliverables need to be adjusted? REDWatch is arguing that the heritage aspects need to be revisited and dealt with in their own right rather than as an offset to the impact of the retail uses proposed.

We have focused on the crucial heritage issues raised by the SSDAs and we trust that the issues raised will be addressed in the final approval and its conditions.

Yours Faithfully

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REDWatch is a residents and friends group covering Redfern Eveleigh Darlington and Waterloo (the same area covered historically by the Redfern Waterloo Authority). REDWatch monitors government activities in the area and seeks to ensure community involvement in all decisions made about the area. More details can be found at www.redwatch.org.au.