

Our Ref: 17068
Council Ref: D538-18

3 December 2018

17068

The Secretariat
NSW Independent Planning Commission,
Level 3, 201 Elizabeth Street,
SYDNEY NSW 2000

Attention: Matthew Todd Jones

Dear Matthew

**LOCOMOTIVE WORKSHOP, AUSTRALIAN TECHNOLOGY PARK
SSD 8517 and SSD 8449
HERITAGE POSITIVE COVENANT**

On behalf of Mirvac Projects Pty Ltd (Mircac), we write to provide a copy of the Heritage Public Positive Covenant, as requested by the Commissioners in your email of 30 November 2018.

Accordingly, we attach the following documents:

- The Heritage Public Positive Covenant, and
- Attachments B and C from the Heritage Response Report prepared by Curio Projects that were submitted as Attachment E and Attachment D within the Response to Submissions packages for SSD 8517 and SSD 8449 respectively. These documents provide a policy by policy assessment of how each aspect of the development complies with the Australian Technology Park Conservation Management Plan policies.

Importantly, we refer the Commissioners to Section 2.23- Heritage management documents of the Heritage Response Report that directly addresses how the development complies with the requirements of the Heritage Public Positive Covenant.

For ease of reference, we provide the following extract from Section 2.23 of the Heritage Response Report.

“Attachment B and Attachment C provide a summary overview of how the proposed redevelopment of the Locomotive Workshop for Commercial and Retail purposes complies with the principles and policies of the CMP.

The proposed retention, ongoing conservation and interpretation of the moveable heritage collection is consistent with the S170 register requirements, as well as the draft Moveable Collection Management Plan (MCMP). Safe storage of moveable heritage items and relocation for interpretation and storage purposes is also commensure with the policies of the CMP, the HAMS and the MCMP.

To date, all requirements of the Heritage Asset Management Strategy (HAMS) have been complied with, including the initial critical repair and conservation works to the external Locomotive Workshop Boilers, undertaken by Mircac’s specialist heritage contractors and Urbangrowth in 2017 to a value of more than \$1million dollars. As part of the Retail HIS works, it is noted that the Davy Press and Forges will continue to be conserved insitu and will have improved interpretation, in the form of digital and physical interpretation, as well as interpretative lighting.

It is important to note, however, that the ongoing conservation and maintenance works outlined in the HAMS relate to general ongoing cyclical maintenance works and therefore, are not a part of the proposed SSDA adaptive reuse works for which the applicant is required to seek development approval.

The RTBU appear confused as to the future heritage interpretation concepts for the site.”

In addition, we note that on review of Section 170A of the *Heritage Act 1977*, Mirvac (as Proprietor), has and continues to ensure that the items and land to which the State Heritage Register applies are maintained with due diligence in accordance with the State Owned Heritage Management Principles that apply to the Site. This can also be concluded by virtue that the NSW Heritage Office support the development proposed under SSD 8517 and 8449.

It is important to note that the Heritage Public Positive Covenant also notes that the existing Conservation Management Plan (2014-2019), Heritage Asset Management Strategy 2013-2018 and Moveable Collection Management Plan 2015-2020 are to be complied with on the basis that any variations, deletions or additions to any Heritage Documents listed must be endorsed by the Heritage Council of NSW.

Conditions contained within the draft Development Consents for SSD 8517 and 8449 include requirements to this effect.

Thank you for the opportunity to respond in regard to this matter.

Yours sincerely,



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