

Attention Matthew Todd Jones
Independent Planning Commission

By EMAIL ipcn@ipcn.nsw.gov.au

Dear Mr Todd Jones

**Re Locomotive Workshop Australian Technology Park SSD 8517 and
SSD 8449**

Please find following some additional comments and suggested draft conditions of consent for the Locomotive Workshops State Significant Development Applications.

I have include the speaking notes from 30 November's Public Hearing and appreciate the attention of the Commissioners and officers of the Commission on that day.

Please do not hesitate to contact me at julietsuich@gmail.com should you require anything further.

Kind regards

Juliet Suich

Public Hearing speaking notes (appended below)

Additional comments

- HAMS 2013 – 2018 is now out of date and should be updated prior to any consent for the use of spaces containing elements of the moveable collection.
- CMP2013 is in force until 19/3/19 and should be updated prior to any consent for the Locomotive Workshops
- The proposed development has not achieved compliance with Conservation Policies 2.5, 2.8 and 2.9 CMP 2013 which state:
 - *Conservation of heritage significance of the former Eveleigh Locomotive Workshops, the Machinery Collection and Eveleigh Railway Workshops as a whole should be central to future decisions about the place including its interpretation*
 - *2.8 The authenticity of the former Locomotive Workshops as an industrial place should be respected and embraced. This includes tangible (structures, machinery, etc.) and intangible (social significance, etc.) aspects. (See also Policy Objective 4—Physical Conservation of Buildings, Policy Objective 5—Physical Conservation of the Machinery Collection, Policy Objective 9—Community Consultation and Policy Objective 10-Interpretation.)*
 - *2.9 Key aspects of the site that demonstrate the former use of the Locomotive Workshops should be retained and interpreted, including movable heritage, building components, power sources and use of Bays 1 and 2 for blacksmithing*
- The proposed development has not achieved compliance with Conservation Policy 1.3 CMP 2013, which states *The S170 Heritage and Conservation Register and the Management Plan for Movable Items should be updated to reflect changes to the Machinery Collection and to guide its future conservation.*
- The proposed development has not achieved compliance with Conservation Policy 1.3 CMP 2013, which states *“The effectiveness of the CMP should be monitored on an ongoing basis.*
 - *Action: The owner of the site should review and update this CMP every five years.*
 - *Action: Specific policies within the CMP should be reviewed and updated in light of new circumstances, including changes to the management or ownership of ATP.”*

- The proposed development has not achieved compliance with Conservation Policy 1.7 CMP 2013, which states: *“The strong community attachment to the heritage significance of the ATP site should be acknowledged through regular consultation on changes to the site and its management. (Specific policies for community involvement and consultation are contained in Policy Objective 9.)”*
- No assessment of the proposed development against the ATPSL Heritage Project Management Policy, July 2011 has occurred. Systematic recording of the proposed storage, deaccessioning, disposal or display of the elements of the Collection has not been provided. The proposed development has not achieved compliance with Conservation Policies 1.13 – 1.16 of CMP 2013, which state:
 - *1.13 Systematic recording should be maintained as part of the management of the site’s heritage significance.*
 - *1.14 Decisions about the place should be documented and records kept for future reference.*
 - *1.15 Records relating to works undertaken at the site should be safely stored for future reference, both at the site and elsewhere.*
 - *1.16 Planning for all projects that have a heritage component should be in accordance with the ATPSL Heritage Project Management Policy, July 2011, or as amended.*
- The proposed development is not consistent with the publically available draft Public Positive Covenants which can be viewed here:
 - <http://www.redwatch.org.au/RWA/statesignificant/atp/sale/160219pch/view>
 - <http://www.redwatch.org.au/RWA/statesignificant/atp/sale/160219pca/view>

In relation to the transcript of interview with the proponent:

- The Commission should clarify the veracity of the statement at page 11:
 - *The blacksmith, it's a fairly noisy operation through here, but there's no evidence of him doing things in there and no one is really signing up for his classes, and he's kind of trying to make this thing work quite well as an institution. Along the back there's a very narrow excess all the way through here, which means that you can do some local delivery of goods and so on through here, but you can't bring large vehicles or vans down along the back. And 20 that's hard up against the big parking bay for kind of sick trains. I think that's where they put trains down there for recent servicing.*
- The Commission should clarify the proponent's exact intentions for the Collection. Is reversibility an adequate justification for the effect of removal and storage of tools and equipment? :
 - *Page 14 Can we re-use some of the elements as decorative items, some of the pieces which would otherwise just get stored up and tagged – they can be re-used for seating components and structure and some rather interesting kind of retail experiences, so these are the concepts prepared by Buchans, who have been helping with the retail experience for the project.*
 - *Page 16 - That's right. And even into the life of its building during tenancies and things. If some of the gantries, for instance, need to be removed to 30 make the building workable, but they're all put into the building and reused elsewhere, but they can be put back.*
- The Commission should clarify– which 'enthusiasts' have been consulted on all the details:
 - *Page 15 There's lots of consultation with Heritage Division, and also all the enthusiasts and so on as we go on and get approval for all the individual bits and pieces and all the detail that we're adding to the project.*
- The Commission should clarify how retail fit-out guidelines can be enforced through the life of the development –
 - *Page 27 - From a heritage perspective with the supermarket going into the 30 Loco, my initial concern was my goodness, that could be Coles, you know, with big glass glazing and that kind of thing, and then we – what we've developed with the retail guidelines and with the way the format is, it's very much – has a look and a feel of a traditional marketplace-style supermarket and something quite beautiful within the space, so that – you don't – we didn't want people to travel from the 35 beauty of bays 1 and 2 into something that felt like a modern supermarket.*

In relation to the transcript of interview with the DPE:

- The Commission should clarify the exact number and timing of truck movements proposed through the innovation Plaza loading dock, including consideration of current and projected pedestrian and cycle numbers and peak times
 - Page 7 MR PILTON: *Do we know how many trucks they expect every day?*
30 MS DICKSON: *We don't have that detail at the moment.*
MR McNAMARA: *We can take that on notice.*

The Commission should clarify ongoing truck and vehicle movement arrangements and likely vehicle numbers along Locomotive Street associated with Channel 7 and Global TV, Railcorp and the Large Erecting Shop

- Page 16 MR PILTON: *Just a quick query. Is this open to traffic, Locomotive Street, all day? I just notice there's a turning circle right up the end here.*¹⁵
MR ROBERTS: *That's how it currently operates.*
MR PILTON: *Yes. That's what I'm just - - -*
20 MR ROBERTS: *It predominantly services the Locomotive Workshop.*

Summary of Actions requested at the Public Hearing:

1. With regard to the consideration of submissions contained in the DPE assessment report I would respectfully request that the Commission require DPE to undertake a more thorough and rigorous review of submissions prior to any approval.
2. Detailed examination of the implications of the location of the Loading Dock and truck travel path across Innovation Plaza, which is the main pedestrian pathway through the site
3. Detailed compliance audit of the proposed development against the requirements of the Public Positive Covenants that apply to the land, including Public Access Public Positive Covenant and the Heritage Public Positive Covenant and specifically with the 'heritage documents' that apply to the site – including the s170 register, the draft Moveable Collection Management Plan (MCMP) the Conservation Management Plan (CMP) and the Heritage Asset Management Strategy (HAMS), noting both the HAMS and the CMP are out of date or about to expire.

Suggested draft conditions

I respectfully request the Commission's consideration of a staged development consent, that permits detailed design and early construction works in bays 5 – 8, but which defers commencement of consent for Bays 1 and 2 and Bays 9 – 13 (Exhibition Hall) where the Collection is predominantly housed. Future consent for works in these bays would be subject to the following conditions:

Issue: cultural tourism and destination precinct.

1. A requirement that the Applicant prepare a Report, which details the program for encouraging cultural heritage tourism and heritage interpretation destination, visits.

Issue: Heritage Interpretation: Moveable Heritage Collection and Social History

2. Prior to the issue of any approval for use of Bays 1 and 2 and 9-13, the Applicant is required to demonstrate compliance with the following conditions to the Commission's satisfaction. The proponent is to:
 - a. Establish a community consultation process for stage 2 of the HIP that:
 - i. creates a Heritage Interpretation sub-panel which consists of the MHC heritage specialist, an historian with specialist knowledge of the intangible cultural history of the Eveleigh Locomotive Workshops, two community representatives with explicit knowledge of the Workshops social and labour history and two with specialist knowledge of the MHC collection and its heritage significance, a representative of the Heritage Council and City of Sydney Heritage specialists to produce a report/s for approval by the Secretary of the Department before the first occupation certificate, which includes an investigation and recommendations in relation to:
 - i. the efficacy of the transfer to Transport Heritage of parts of the movable heritage collection – the proposed use, location, public access and interpretation of these items and the financial sustainability of this to be disclosed
 - ii. The further potential for making operational items from the Moveable Collection and detailed maintenance and management recommendations for all those elements already operational and disused

- iii. what assemblages machines can be grouped in e.g. spring shop machines and which machines/assemblages can be located in their original location
 - iv. the future of heritage interpretation in the commercial bays 5-15
 - v. the specific details of how the intangible cultural heritage of the Eveleigh railway Workshops will be addressed in an ongoing manner within the framework of the Public Covenant
 - vi. a financial plan for the interpretation, maintenance and management of the Collection and place for the short (0-5 year horizon) medium (5-10 year horizon) and long term (20 year horizon)
 - vii. a volunteer's engagement plan
 - viii. public consultation on the report and its recommendations prior to submission to the Secretary for approval .

- b. Dedicate Bays 1 and 2 wholly to interpretation uses including active Blacksmithing to be maintained in perpetuity (including ongoing and funded repairs and maintenance of machinery and tools necessary to this task) and also including meaningful collaboration with all stakeholders (the proponent, the current Blacksmithing tenant and the Heritage Council and the Heritage Interpretation sub-panel)
 - i. resolve uses which would be compatible in the short and long term with the ongoing and continued Active Blacksmithing;
 - ii. resolve an alternative loading and vehicle movement solution that respects the highly significant Davy Press assemblage and conserves it intact and in-situ and provides safe and equitable pedestrian access to and through the site
 - iii. resolve a sustainable and financially viable way forward that includes continued ownership, maintenance and heritage management of and public access to, all items in the Moveable Collection, with all items to be retained on site with no further disposal or decommissioning.

- c. Establish a community consultation process for stage 2 of the HIP that:
 - i. creates a intangible cultural heritage interpretation sub panel which consists of the heritage specialist, an historian with specialist knowledge of the intangible cultural history of the Eveleigh Locomotive Workshops and two community representatives with explicit knowledge of the place, the

collection and its heritage significance to produce a report for approval by the Secretary of the Department before the first occupation certificate, which includes an investigation and recommendations in relation to:

- i. the specific details of how the intangible cultural heritage of the place will be addressed in an ongoing and sustainable manner
- ii. a financial plan for the interpretation, maintenance and management of the intangible cultural heritage of the place, including potential for a workers wall commemoration and an archives and research centre.

Oral Submission Speaking Notes

My name is Juliet Suich. I am a qualified town planner and ecologist who runs a small consulting business. I was previously employed by the RWA, SMDA and later Urban Growth to advise on planning and development matters associated with Eveleigh and other parts of the RW State Significant Precinct. Subsequently I was engaged by ATP to assist during the preparation for sale of the site and transition of ownership.

I appreciate the opportunity to talk to you today and am here because I hope to share with you my understanding of the value of the unique attributes and many people who have been involved with the Locomotive Workshops and Eveleigh more broadly over its long history. Those people include ex railway workers, community members, volunteers and ex-employees like myself who feel a passionate connection with this place, because of its unique attributes. Also important are the stories, culture, ideas and worker's rights which have originated there, been cultivated and nurtured there and have, as yet, been barely disseminated to the wider public.

Many of the Locomotive Workshop's unique attributes, including the voluminous spaces of Bays 1 and 2 and the Exhibition Hall, the active Blacksmithing use, the complex and extensive collection of machinery, tools and equipment and the intangible stories of the people who worked there, are threatened by the proposed development and draft consent, in its current form.

I understand the development process and the enormous uplift in value which the proposed development and the previously approved developments on the site will bring. I also understand the cost of maintenance of this heritage place and collection.

I therefore take this opportunity to respectfully request that the Commission give further and due consideration to the need for the public benefit associated with this project to be fully demonstrated prior to any approval. Details of proposed short and long term outcomes for each element and assemblage in the Collection, the active Blacksmithing use and future interpretation should not be left until renewed spaces are ready to be occupied.

Active blacksmithing use and compatible/sympathetic uses

The active Blacksmithing activity in Bays 1 and 2 south is the highest and best form of interpretation and conservation that could be hoped for at Eveleigh. It demonstrates the difficulty of working in the place and conserves and teaches skills that would be otherwise lost.

The proposed development, and the OEH and DPE assessments of the proposal do not adequately consider the potential for conflicting café/retail/restaurant uses land

uses, currently proposed in Bays 1 and 2 to render active blacksmithing unviable. During my work with the RWA and ATP I was required to attend to complaints arising from adjacent tenancies due to the noisy, dusty and smelly nature of the Blacksmithing use. This was despite the existence of an acoustic wall between bays 2 and 3.

These noises and smells are authentic and true and the potential for them to communicate the reality of conditions at Eveleigh should be conserved and enhanced.

I urge the Commission to visit the blacksmith's workshop and experience this live heritage interpretation for themselves.

I respectfully request the Commission require the proponent, the current Blacksmithing tenant and OEH to collaborate to identify more compatible uses to be co-located with interpretation space in Bays 1 and 2.

This is necessary because the proposed location of café/retail/restaurant uses land uses in Bays 1 and 2 is highly likely to give rise to land-use conflict that will negatively impact on the ability of the Blacksmithing use to continue to operate viably and sustainably.

Loading Dock and Public Access

The Eveleigh Stories website contains a small portion of the great Eveleigh stories, but in particular the archive includes video footage of the last day of operation of the Davy Press. I was involved in the production of Eveleigh Stories.

<https://eveleighstories.com.au/archive/last-time-davy-press-was-used-eveleigh>

<https://eveleighstories.com.au/stories/living-thing/davy-press>

Once you have viewed the video, it is easy to appreciate the importance of conserving the Davy Press assemblage in situ and intact. That footage demonstrates clearly the important spatial relationships between the Davy Press and its furnace required to operate this equipment. A spatial relationship that is highly significant because it permits some understanding of the scale, heat, danger and expertise required by a team of men to operate the press. One that will be adversely affected by the proposed loading dock, despite the glazing proposed in revised designs.

I respectfully request the Commission require the proponent and the Heritage Office to work together to identify a solution to the site's loading and truck movements that respects this highly significant assemblage and conserves it intact and in-situ.

This is necessary because this story will only increase in importance as more labour, jobs and tasks are automated over the coming years. This is an essential part of our

shared social and labour history and deserves greater consideration and better solutions than that provided by the revised proposal.

I also respectfully request that the Commission examine in more detail the implications of the location of the Loading Dock and truck travel path across Innovation Plaza, which is the main pedestrian pathway through the site. This consideration should include regard to the Public Positive Covenant for public access that applies to the land and which should probably be assessed under section 4.15 e of the EPA Act with regard to the public interest.

This is necessary because safe and equitable pedestrian access across and through the site should be paramount in any approved scheme for the Locomotive Workshops..

Eveleigh Stories was conceived, in part, as a response to the local community's advocacy for holistic interpretation across the Eveleigh Precinct. A concept that to my knowledge has not been addressed in the current proposal. The 2012 Interpretation Plan also recommends the establishment of a Worker's Wall to commemorate the many workers who toiled on the site, particularly those who were injured or lost their life in the harsh condition at Eveleigh. I commend these proposals to the Commission, together with the establishment of an archive and memorabilia centre to the proponent and the Commission and respectfully request the Commission's deeper consideration of the way in which any approval might bring certainty to these important projects. They are worthy of consideration because they would assist in the co-location of worker's stories, information, relics and memorabilia in a place that commemorates their tremendous efforts.

The Positive Public Covenants – Public Access and Heritage

I would like to touch, in more detail on the Public Positive Covenants that apply to the land including one relating to public access to the site and the heritage significance of the place including the Collection, and one relating to the heritage management of the place.

The covenants were intended to help ensure that heritage management and public access to the place and its heritage was maintained once the site was in private ownership. My recollection is that, at the time of exchange of ownership they required a private owner to comply with s170 and 170A of the Heritage Act, as if it were a government instrumentality. They also required the owner to manage the land in accordance with a suite of 'heritage documents'. These include the endorsed CMP, the draft Moveable Collection Management Plan (Draft MCMP) and the Heritage Asset Management Strategy (HAMS).

The covenants were, in part, prepared in response to community and OEH concern about the loss of public ownership of these important heritage buildings, collection and intangible cultural heritage. At the time of its creation it was endorsed by the Heritage Council as an appropriate management measure for the site.

The DPE assessment report has concluded that the proposed development is in the public interest as it will *'increase public access to the Locomotive Workshop and the in-situ and moveable heritage Collection'*.

It is important to note that the Secretary's Environmental Assessment requirement published 26 June 2017 specifically require the Environmental Assessment to demonstrate consistency with the heritage Public Positive Covenant including but not limited to the CMP for the Locomotive Workshop building and ATP.

The Environmental Assessment submitted did not, **to my knowledge** address consistency of the proposed development with the Public Access Public Positive Covenant or the Heritage Public Positive Covenant and specifically with the 'heritage documents' that apply to the site – including the s170 register and the draft Moveable Collection Management Plan (MCMP). I respectfully request the Commission require or undertake detailed compliance audit of the proposed development against the requirements of the public Positive Covenants that apply to the land.

The Collection - s170 register and draft MCMP

The draft Moveable Collection Management Plan and s 170 Register itemise approximately 400 items, structures or assemblages. This means that the Collection itself is vastly larger than this with many assemblages of tools and associated equipment not ever individually counted or audited.

The draft MCMP was prepared by Futurepast Heritage Consulting and publically exhibited in 2015. It set out maintenance priorities and recommendations for management of the Collection.

The draft MCMP was prepared in tandem with an update of the s170 Heritage Register for the Collection that was undertaken by volunteers and supervised by Futurepast consulting. That update audited the collection elements individually including a risk assessment and applied tags to the many major items of machinery and equipment that had not been previously tagged.

Richard Butcher volunteered much time and effort towards this process, as did a number of other women who shared Richard's enthusiasm and passion for conservation of the knowledge of this vast Collection. There are very few people, still living, apart from Richard Butcher and his Blacksmith colleagues who retain a working knowledge of the elements of this Collection. The proposed conditions of consent allow the disturbance, removal from site storage and eventual possible exhibition of some small parts of the Collection that can be accommodated in the exhibition space as proposed.

The Heritage Covenant required that the owner manage and maintain the heritage significance of the site in accordance with s170 and 170A of the Heritage Act, that applies specifically to keeping of a s170 register of all heritage items and heritage management by government instrumentalities, including its annual update. The

intention of this was to help ensure that heritage management and interpretation was carried out to the same standard as are required for government owners of heritage collections as the Heritage Act, makes no provisions for private owners of collections to maintain a s170 register.

I respectfully request that the Commission require the proponent to use the draft MCMP and s 170 register as the basis for recording and publicizing the changes proposed to each element of the Collection, compiling comprehensive information about each piece's significance, condition and maintenance requirements together with any former or present use, prior to any disturbance, removal or storage.

A revised MCMP and s170 register that also details the intended outcomes for each element of the Collection (whether it be for deaccessioning, disposal or storage (short or long term) and identifying which elements of the Collection will be able to be accommodated in the vastly reduced proposed exhibition and interpretation spaces-) should be publically exhibited prior to any construction certificate for areas in which the Collection is currently housed.

This is necessary to ensure the public benefit associated with the proposed development is fully understood and to ensure that the significance of the Collection intact and in-situ, its research potential and value is not lost through the construction process and necessary transitional movement and storage.

Submissions

I note also for the record that my submission requested that compliance with the Covenants be addressed upfront in the development process and considered in the assessment process. To my knowledge this issue was not raised in the DPE request for further information, the proponents response to submissions or the assessment report.

With regard to the consideration of submissions contained in the DPE assessment report I would respectfully request that the Commission require DPE to undertake a more thorough and rigorous review of submissions prior to any approval.

The assessment report's limited consideration of a number of detailed and complex issues raised in submissions is not consistent with the CMP vision which requires that ATP be managed to: *"engage with workers both past and present, local people and the wider community"*.

This is necessary because of the unique circumstances of this case. Much expertise in relation to the site and the Collection is held outside of OEH and the professional advisors working for the proponent, by members of the public, some of whom made submissions. Knowledge of the working details of the machinery and tools is held by academics, Blacksmith's who worked and work at the site, as well as heritage professionals who have been involved in the site over time. These people and their knowledge of the site, its cultural, tangible and intangible history should be given due consideration.