

10 January 2020

2190140

Jim Betts
Secretary
Department of Planning, Industry & Environment
GPO Box 39
SYDNEY NSW 2000

Attention: Amy Watson (Team Leader – Key Sites Assessments)

Dear Amy,

RE: Response to Request for Information, Bays 5-15 of the Locomotive Workshop, South Eveleigh (SSD 8449, MOD 6)

Ethos Urban has prepared this letter on behalf of Mirvac Projects Pty Ltd (Mircac) in response to your request for additional information to support the response to the Department's Request for Additional Information (RFI) in relation to the Modification Application (MOD 6) to amend State Significant Development (SSD) Consent SSD 8449, which relates to Bays 5-15 of the Locomotive Workshop, South Eveleigh.

The information requested by the Department and proposed amendments to the Conditions of Consent are detailed in **Table 1** below.

Table 1 Response to Request for Information

Item	Comment
City of Sydney	
Condition B35 The City concurs that the wording of the condition should be amended to facilitate the replacement of existing glass. However, the proposed terms 'opaque' and 'tinted' do not best correlate with the type of glass to be replaced. To ensure that a like for like replacement of elements is implemented, it is recommended that the condition be amended to incorporate the term 'frosted', which best corresponds with the type of glass of the existing windows. A suggested re-wording of the condition is put forward for consideration as follows: <i>All new external glazing used for the Locomotive Workshop is to be clear. Frosted glazing is only permitted in existing heritage arched windows to match like for like with the surrounding frosted glazing within the same windows.</i>	In accordance with Council's recommendation, the proposed amendments to the wording of Condition 35 have been updated to incorporate the term 'frosted'. The proposed wording of Condition 35 is now as follows: <i>All new external glazing used for the Locomotive Workshop is to be clear. Frosted glazing is only permitted in existing heritage arched windows to match like for like with the surrounding frosted glazing within the same windows.</i>

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Condition E8 To ascertain that the respective conditions of consent are satisfied at the nominated Occupation Certificate stage, Condition No. E8 – Occupation Certificate should be amended to reference the specific stages of the Occupation Certificates for the development. We recommend that it be amended to specify the relevant OCs for the development, noting that more than one OC will be issued. To this effect, it provides certainty that the proposed modifications to Condition Nos. B40, E1, E11 and E23 will be satisfied at a nominated OC.	The suggestion made by Council to amend Condition E8 to reference specific stages of the Occupation Certificates (and the associated works/use) is considered unnecessary. This is because Conditions B40, E1, E11 and E23 are already proposed to be tied to either the first or the final Occupation Certificate, as shown in Table 2 below. Table 2 Timing of Conditions B40, E1, E11 and E23 <table><tr><th>Condition</th><th>Timing</th><th>Justification</th></tr><tr><td>B40 Moveable Heritage</td><td>Within 12 months of the first OC</td><td>Due to the staging of the redevelopment of the Locomotive Workshop it is necessary that the Moveable Collections Management Plan (MCMP) be updated and completed once all construction has concluded. This is necessary to ensure the MCMP is updated accurately and in accordance with the requirements of Condition B40. Once construction has been completed in the Locomotive Workshop, the MCMP will be updated and completed accurately to provide detailed recommendation on the future conservation, management, display conditions, storage, security, and identify the location and management of all moveable heritage.</td></tr><tr><td>E1 Protection of Public Infrastructure</td><td>Prior to the issue of the final OC</td><td>Due to the required staging of occupation within Bays 5-15 of the Locomotive Workshop and the development as a whole, an assessment of whether infrastructure needs to be repaired or relocated should occur once all construction for the development is complete. This will ensure that the assessment encompasses all infrastructure that might have been impacted by the development, and that the assessment is not undertaken prematurely.</td></tr><tr><td>E11 Post Construction Dilapidation Report</td><td>Prior to the issue of the final OC</td><td>Due to the staging of the redevelopment of the Locomotive Workshop, it is necessary that the post-construction dilapidation report be undertaken once construction has been completed. This is necessary to ensure that the report accurately identifies any structural damage that might have occurred during the construction process, which is only possible once construction has been completed.</td></tr><tr><td>E23 External Lighting</td><td>Prior to the issue of the final OC</td><td>The installation of external lighting will occur in conjunction with the completion of the works to the public domain (final Occupation Certificate). As such, it is logical that the requirement to have lighting submitted to the PCA is also linked to the issue of the final Occupation Certificate.</td></tr></table> For the reasons detailed in Table 2 above, Conditions B40, E1, E11 and E23 are already tied to either the first or final Occupation Certificate. There is therefore no need to tie any of these conditions to any other specific Occupation Certificate, as the first or final Occupation Certificate are considered to be the most appropriate stage for each of these conditions. In addition, if the approach suggested by Council were to be adopted, there is a risk that a number of minor, administrative Section 4.55 Modification Applications would be required to amend the Occupation Certificates that might be specified under Condition E8. This would place an unnecessary administrative burden on both the Department and Mirvac.	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We trust that the information provided satisfies the requirements of the Department's request for additional information.

Should you have any further queries about this matter, please do not hesitate to contact me on 9409 4906 or TAtkinson@ethosurban.com.

Sincerely,



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