

Jeanne Rudd
1 Bellevue Avenue
Blackheath NSW 2785
28/1/21

Submission relating to DA 8517 Mod 7-Retail Expansion Eveleigh Locomotive Workshops

My submission is opposed to the application by Mirvac to modify the development consent applying to the reuse of the Locomotive Workshops by extending food and beverage uses into the public land that constitutes Innovation Plaza. The application should be rejected.

The retail expansion application seeks Departmental approval to allow the permanent use of the western portion of Innovation Plaza for retail use, dramatically increased outdoor seating areas, (with no supporting analysis of the impact of complying with Covid restrictions for seating, circulating, customer numbers etc.) to establish two built structures and two awnings.

In addition the application seeks to extend the hours of operation from 6am to midnight to 6am to 1am. This variation would apply to all Locomotive Workshop retail tenants not solely to retail uses in the Plaza and is not underpinned by any evidence showing a need for change. The stated reason is flexibility but appears to be a backdoor route for a significant alteration to the conditions of consent for all retail tenants of the Locomotive Workshops. It should be rejected.

The retail expansion application includes 4 Appendices, the more important ones being Attachment B- Amended Public Domain Plan and Attachment C -Heritage Impact Statement.

This submission argues that major public policy issues are raised by this Application. Ordinarily in the development of sites an application to modify an existing development application by lodging a Modification Application would be uncontroversial as they cover very minor matters. The previous 6 modifications applying to the reuse of the Locomotive Workshops certainly fit into this category.

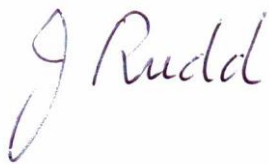
The retail expansion application however is dramatically different in that it seeks to commercialise the western side of Innovation Plaza which will have the effect of permanently dividing this public space into private and public spaces.

The public land that makes Innovation Plaza is the subject of many environmental planning instruments covering zoning and land use including, the Environmental and Planning Act 1979; State Environmental Planning Policy (State Significant Precincts) 2005; Redfern –Waterloo Built Environment Plan (Stage One) and covenants and easements which relate to the public rights for use and the purposes for which zoning had been determined. (See ATP Sale Positive Covenant-Public Access and the ATP Sale-Easement for Access.) No mention is made in the retail expansion Application of the impact on the rights of the public, the citizens of NSW.

The legislation has determined that Innovation Plaza is exclusively zoned as public land for the purpose of public recreation. The Easement provides that *"any authorised User has a full, free and unimpeded right to enter the Public access areas for the purpose of public passive recreation .."*

This submission argues there are a number of disquieting features about the development process and this modification application. The documentation for this application contains no quantification of the amount of seating that will be required for the food and beverage premises, no indication of the materials that will be used for the structures and their precise location. These are to be determined in a separate application which does not allow for community participation.

Yours sincerely,

A handwritten signature in purple ink that reads "J Rudd". The signature is written in a cursive, flowing style.

Jeanne Rudd.