

Department of Planning, Industry and Environment
12 Darcy St
Parramatta NSW 2150
Attention: Emily Dickson, Senior Planning Officer
Jessica Fountain DA Coordinator

29/01/2021

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

I am writing to indicate my opposition to the application by Mirvac to modify the development consent applying to the reuse of the Locomotive Workshops at the Eveleigh site by extending food and beverage uses into the public land that constitutes Innovation Plaza. I recommend this application is rejected. My reasons are set out below

I understand the retail expansion application seeks Departmental approval to allow the permanent use of the western portion of Innovation Plaza for retail use, to dramatically increase outdoor seating areas and to establish two built structures and two awnings.

The application also seeks to extend the hours of operation of this section of the precinct from 6am to midnight to 6am to 1am. It appears this variation will apply to all Locomotive Workshop retail tenants not solely to retail uses in the Plaza. No convincing evidence showing a need for change is provided in the application. It 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.

Previous development applications for the Australian Technology Park site, (bought by Mirvac from the NSW Government in late 2015) have focussed on the development of three commercial buildings and the repurposing of the Locomotive Workshop for retail and commercial purposes.

There has been scant attention paid to the development of the public domain and in particular Innovation Plaza, which has taken a back seat. Innovation Plaza has flown under the radar and its future has not been the subject of widespread community consultation. This is a major planning and policy failure.

An examination of the documentation underpinning the Application reveals a number of grey areas and non-inclusion of important issues.

For example, Innovation Plaza consists of 3675.8 square meters of public land and the application argues it will only excise 18% or 671.8 square metres of the footprint needed for the implementation of the retail expansion application.

It fails to take into account that a significant part of the northern Innovation Plaza has been affected by the insertion of a loading dock with truck 3 bays directly into the Locomotive Workshops through Innovation Plaza thus directly impacting on public amenity and potential recreation use.

The application does not take into account the impact on pedestrian and cycle flows through Innovation Plaza, the major transit corridor for the precinct. Nor does it refer to the Plaza as the green boulevard with its two rows of mature trees providing a haven for the local 10,000 strong workforce to socialise, network and have a lunchtime break.

The Plaza is at the heart and integral to the heritage listed 19th century buildings that remain in the 13.2 acre Australian Technology Park precinct because the two most important ones, the Locomotive Workshops and the National Locomotive Centre both adjoin the Plaza and provide the best opportunity to enjoy the industrial aesthetics of the exceptional examples of late 19th century public industrial architecture.

The retail expansion Application does not mention if heritage machinery currently located in the Plaza and whether they will be relocated or the collection added to nor does it refer to the social and labour history that was the result of 100 years of occupation by tens of thousands of industrial workers employed in a myriad of skilled occupations that manufactured, assembled and repaired locomotives for the NSW railways. These are major omissions.

A number of other questions are raised by the Application. There is reference to a circulation path adjacent to the Locomotive Workshop. How large will it will be and will it be closed to the public? A fleeting reference is made an option for events and two bar /keg structures. What are the implications of these?

The other concern for me is, why after 5 years of private ownership, hasn't a community orientated plan for the entire Innovation Plaza been developed to create an imaginative public recreation space?

Draft concept plans have been produced by the applicant for the Plaza e.g pocket park, kids' education play, fun plaza furniture, differing weekday and weekend activities, lunchtime activities, a pavilion with public art, creation of space for outdoor cinema utilising the northern boundary for the Plaza etc. These concept plans have not seen the light of day and little attempt has been made to engage in dialogue with the public about the future of the Plaza for public recreation purposes.

The retail expansion Application argues that the Modification 7 will "*provide significant public benefits*" and is in "*the public interest.*" There is no evidence provided in the application to support this assertion. Vague and undocumented references are made to place activation, improved social destination, the ability of patrons to comfortably enjoy the heritage listed buildings and industrial aesthetic and the transformation of the Plaza into a leisure place for those who can pay.

However, in practice this is likely to mean that a few private individuals with the ability to pay for access to the retail facilities on the public land will benefit but the opportunities for wider public enjoyment will remain underdeveloped or be impeded. This is like not acceptable and resembles proposals from private developers for privatised prime beach fronts that have been floated in Sydney eastern suburbs beaches recent times. For a heritage site of the social, cultural and industrial significance of the Eveleigh precinct this not acceptable and should be rejected by the Department.

There is clearly an alternative to the Retail Expansion Application, one that provides significant public benefits and almost unlimited opportunities to transform public land into an imaginative multi-purpose pubic recreation place, following dialogue with the public that would benefit, all current and future generations of NSW citizens.

Yours sincerely

Carla Cranny
39/10-14 Terry Road
Dulwich Hill NSW 2203
carla_cranny@onaustralia.com.au