

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State Significant Development
Application number and project name	SSD-10285 Royal Randwick Racecourse - Leger Lawn Development (Winx Stand)
Applicant	Australian Turf Club
Consent Authority	Minister for Planning and Public Spaces

Decision

The Executive Director under delegation from the Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979 (the Act)* granted consent to the development application subject to the recommended conditions.

A copy of the development consent and conditions is available [here](#).

A copy of the Department of Planning and Environment's Assessment Report is available [here](#).

Date of decision

13 July 2020

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- all information submitted to the Department during the assessment of the development application and any additional information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The key reasons for granting consent to the development application are as follows:

- the development would provide a range of benefits for the region and the State as a whole, including a capital investment value of \$41,926,000, creation over 150 full time jobs during construction and approximately five full time jobs and 50 casual jobs during operation. The development would improve the ongoing use of the Racecourse and promote it as a world-class racing venue by significantly enhancing the amenity for patrons during race-day events
- the development is permissible with development consent, and is consistent with NSW Government policies including the Greater Sydney Region Plan
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the development and the recommended conditions of consent
- weighing all relevant considerations, the development is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the development from 20 November 2019 until 17 December 2019 (28 days) and received seven submissions, comprising six submissions from government agencies and one submission from Council making comments. No submissions objected to the development and no submissions were received from members of the public

The key issues raised by Council and considered in the Department's Assessment Report and by the decision maker include traffic and pedestrian impacts, noise impacts, visual impacts, heritage impacts and landscaping. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<p><i>Design excellence and built form</i></p> <ul style="list-style-type: none"> • Council notes the development must be compliant with the <i>Disability Discrimination Act 1992</i> (DDA Act) • Council supports the proposed ESD strategies and requests these are incorporated into the design of the development. 	<ul style="list-style-type: none"> • The proposed access ramp is compliant with the DDA Act. The development incorporates a number of sustainable design principles. • The Department has recommended conditions of consent which require compliance with DDA Act and require the incorporation of the sustainable design principles in the detailed design.
<p><i>Visual impacts</i></p> <ul style="list-style-type: none"> • Further details on how the back of house facilities will be visually treated and screened is required • Recommended an additional tree is planted to assist visually screen the back of house facilities. 	<ul style="list-style-type: none"> • The back-of-house facilities would not be visible from the public domain. An additional tree has been included in the north-western corner of the proposed development. • The Department's assessment concludes that the visual impacts of the development are acceptable, and the development would result in a built form that is consistent with the character of the Spectator Precinct.
<p><i>Traffic and Access:</i></p> <ul style="list-style-type: none"> • Council requests that the intersection at Doncaster Street and Ascot Street is signalised to ensure the safety of patrons entering and exiting the Racecourse. 	<ul style="list-style-type: none"> • The Department notes that the proposed development would not increase the patronage for events and therefore agrees that signalisation of the Doncaster Street and Ascot Street intersection is not required a result of the development. • The Department notes that pedestrian and traffic impacts would be managed in accordance with the PMP, ETTMP and Travel Plan which would be further developed in consultation with relevant stakeholders, including Council and recommends this as a condition of consent.
<p><i>Noise and vibration:</i></p> <ul style="list-style-type: none"> • Council requests that patrons use the Alison Road entrance to enter and exit the Racecourse in the evenings to minimise noise impacts on surrounding residents • Council requests that option 1 is chosen as the service vehicle access route as it would minimise noise impacts on surrounding residents • Council requests that service vehicles do not access the site during sensitive hours (early mornings or late nights) to minimise noise impact on surrounding residents • the development must implement the noise mitigation measures detailed in the Noise and Vibration Impact Assessment (NVIA) during construction and operation • the development must consider the cumulative noise impact with the rest of the Racecourse. 	<ul style="list-style-type: none"> • The Department considers the operational noise impacts of the development acceptable as noise impact associated with race-day events would be managed in accordance with the Noise Management Plan for the Spectator Precinct. • The Department notes that noise impacts associated with non-race day events comply with the noise and sleep disturbance criteria in the EPA's Industrial Noise Policy and would not result in adverse noise impacts to the surrounding residential receivers. • The Department notes these impacts can be managed in accordance with the mitigation measures in the NVIA, PMP and ETTMP. • The Department recommends a number of conditions of consent relating to the management of operational noise as recommended by Council.
<p><i>Heritage:</i></p> <ul style="list-style-type: none"> • the recommendations from the Aboriginal and Historical Archaeology assessment should be included in the conditions of consent • further consideration and assessment of the development 	<ul style="list-style-type: none"> • The Department considers the heritage impacts of the development acceptable as it would not result in any adverse impacts on heritage items or historical archaeology of significance. • The Department also notes the development is consistent with the Royal Randwick Racecourse CMP and Randwick DCP 2013. • The Department considers any potential impacts on Aboriginal cultural heritage can be appropriately mitigated and managed in accordance with

<p>against the conservation policies in the Royal Randwick Racecourse Conservation and Management Plan (CMP) (Godden Mackay, 2006).</p>	<p>the recommendations detailed in the ACHAR.</p> <ul style="list-style-type: none"> • The Department recommends conditions of consent including an unexpected finds procedure and the preparation of an interpretation plan. The Department also recommends a condition requiring the implementation of the ACHAR recommendations.
<p><i>Landscaping</i></p> <ul style="list-style-type: none"> • Any garden beds/plantings not open to natural rainfall and green walls should be irrigated. The development should include a strategy for how rainwater would be harvested for this purpose • Council notes the proposed Queensland Fire Wheel Trees are not suitable and provided a list of alternative trees from Council's Street Tree Masterplan • Council requests the landscaping plans are amended to include details on proposed species, lighting strategy and specifications of soil depth for plantings on the podium. 	<ul style="list-style-type: none"> • The Department notes the landscape plans have been revised and would be further developed in consultation with EESG prior to the issue of a construction certificate. • The Department concludes the proposed landscaping works are acceptable and would enhance the amenity and appearance of the proposed development. • The Department recommends a condition requiring that the landscape plans are further developed in consultation with EESG prior to the issue of a construction certificate. • The Department also recommends a number of conditions relating to planting and landscape plan requirements in accordance with recommendations from EESG and Council including the preparation of a rainwater harvest strategy.
<p><i>Operation:</i></p> <ul style="list-style-type: none"> • the development should comply with the Office of Liquor, Gaming and Racing (OLGR) requirements • Council does not recommend the approval for events past midnight. 	<ul style="list-style-type: none"> • The Department considers the proposed hours of 7 am to 2 am Monday to Sunday for non-race day events (indoor amplified events) are excessive and could result in potential amenity impacts given the number of potential patrons visiting the facility. • The Department therefore recommends the proposed hours are limited to 7 am to 12 midnight Sunday to Thursday and 7 am to 2 am Friday and Saturday.