

Amy Watson - FW: SSD 5002-2011 Royal Randwick Hotel Development

From: Paul Chilcott <paulchilcott@hotmail.com>
To: <amy.watson@planning.nsw.gov.au>
Date: Thursday, 16 August 2012 10:26 PM
Subject: FW: SSD 5002-2011 Royal Randwick Hotel Development
CC: Bruce Notley-Smith <coogee@parliament.nsw.gov.au>, "general.manager@randwick.nsw.gov.au" <general.manager@randwick.nsw.gov.au>

16 August 2012

Dear Sirs,

I object to the proposed Randwick Racecourse Hotel. I have no objection to the provision of hotel accommodation on the site, but the proposed design and location of the Hotel will limit future development of the site and impact badly on the surrounding community.

More specifically, whilst appreciating the desire to locate the hotel at the end of the "main straight" being the pre-eminent position to observe the finish of horse races, the siting of this building has two main drawbacks:

1. Height of the building is unacceptable in the current location

The building at approximately 7+ levels is too high and out of keeping with the predominantly open space nature of the Racecourse's frontage to Alison Road, the only building currently on this frontage is the 4 level Administration building. To equate the height of the proposed Hotel to the rebuild QE2 spectator stand is to overlook that the QE2 spectator stand is located well within the Racecourse site.

In addition, the heritage listed Members Stand (official stand) which is located between the QE2 spectator stand and the proposed Hotel will be dwarfed and overshadowed by larger structures on each side. Given the massive redevelopment of the QE2 stand, the purpose and future use of the Members Stand is not evident. A more imaginative proposal would be to convert the Members Stand to the public areas proposed for the Racecourse Hotel and for the accommodation section of the Hotel (being that part on stilts for the current concept) to be located in the airspace over the existing Members Stand.

In summary therefore, I disagree with the conclusions in the proponent's heritage report.

2. Limitation on access into the Racecourse site impacts the surrounding residential area

More importantly, for the surrounding residential community, access to the Racecourse infield will be reduced by the proposed siting of the Hotel, which is opposite the T-intersection of Alison Road and Darley Road (and an upgrade to permit right hand turns from Alison Road into the Racecourse site is proposed as part of this application, but this is intended to meet the needs of the Hotel only).

If the Alison & Darley Roads signalised intersection is to be upgraded, being part of this application, then it should become the main entry point from Alison Road into the site and locating the Hotel adjacent to this intersection will reduce access opportunities for larger scale truck movements into the site (these being necessary for construction of stages, tents etc for special events. In a related application, being the preliminary Environmental Impact Statement for the Standing Events application (SSD5310-2012 now apparently 'on-hold'), one change suggested was to utilise the T intersection of Alison Road and Cowper Street (there is no access to the Racecourse at this point currently) for access and exit. Such a proposal is completely unacceptable due to the impact on traffic, including public transport the adjoining residential area.

At the very least, an access roadway, sufficient to accommodate large truck movements on the north-western facade of the proposed Hotel (being that space between the Hotel and Members Stand) is required.

Therefore, the access to the underground car park of the Hotel and the porte-cochere of the proposed Hotel would be better located adjacent to the Alison Road frontage (rather than to the northern facade of the Hotel) with associated redesign of the proposed ground floor of the Hotel. This would be a better adaptive reuse of the adjacent existing old turnstile entrance wall along this part of the Racecourse's frontage to Alison Road.

The current plans relegate this turnstile wall to a 'remant' which could then face the demolition fate of a similar turnstile entrance wall previously located further northward on the Alison Road frontage (demolished in 2010 per consent MP07_0092_MOD1) which was most unfortunate. Much of the existing heritage of the Racecourse site has already been demolished, hopefully the remaining items (especially the Members Stand and the turnstile wall) can be preserved.

Conclusion

The proposal of the Racecourse Hotel represents a piecemeal approach to the redevelopment of the Racecourse site. Whilst the works underway to the QE2 spectator stands including the 'Theatre of the Horse' represented an upgrade to existing facilities. The Racecourse Hotel goes beyond this with a new use for the site.

For all the talk and "concept plans" for light rail to the south-east, for which the Racecourse is a 'partner', the proposed location of the Racecourse Hotel would preclude any mass transit system being able to provide direct access (that is not having to cross Alison Road) to the spectator areas of Randwick Racecourse.

Without direct access to mass transit, this would seem to limit further the suitability of the Racecourse as an events venue compared to facilities at nearby Moore Park. As a nearby resident of the Racecourse, this would be a good thing, but I suspect it is more likely that the Racecourse will seek to negatively impact the amenity of the surrounding community as occurs each in Feb./March each year with the Future Music event.

Therefore, prior to this specific development application for the Racecourse Hotel being determined, I consider a holistic concept plan for the Racecourse site should be developed (in conjunction with the surrounding residential community). This concept plan needs to consider access points into the site including the Racecourse's frontage at the signalised intersection of Alison Road and Doncaster Avenue (currently very under utilised due to the configuration of this intersection) as well as the provision of on-site parking beyond the current poor amenity offered by surface parking. mainly in the in-field area of the Racecourse.

regards
Paul Chilcott
PO Box 3172
St Pauls 2031

**Diary from** . **to Amy Watson on 07/08/2012**Diary against Annex website submissions for job #5002 SSD 5002-2011 Royal Randwick Hotel Development**Online Submission from** 'object)**Email Details**

Received 10:36AM, Tue 7th Aug, 12
Status Actioned on 07/08/2012
Time Spent 0:00:00 (hh:mm:ss)
Priority Medium 
Class Anonymous Object

Interactions **Contacts (1)****Inbound email from:**

-

 Staff (1)**Email to:**Amy Watson

I had a look at the proposal and while I don't mind the concept for a hotel in that location, I find the look of the building too imposing, especially in the proposed location. I will be passing it frequently driving along Alison Road.

While I don't mind the shape of the main hotel building, with the laminated wall, I don't like the elevation above the ground - this is unnecessary. It adds unnecessary height and imposition. It also looks top heavy, especially overlooking the main road.

Diary from Lorcan Byrne to Amy Watson on 13/08/2012

Diary against Annex Website Submissions for job #5002 SSD 5002-2011 Royal Randwick Hotel Development

Online Submission from Lorcan Byrne (object)

Email Details

Received	8:30AM, Mon 13th Aug, 12
Status	Actioned on 13/08/2012
Time Spent	0:00:00 (hh:mm:ss)
Priority	Medium 
Class	Object

Interactions

 Contacts (1)

Inbound email from:

Lorcan Byrne
lbyrne5@optusnet.com.au

 Staff (1)

Email to:

Amy Watson

Discussing.
A glass box on stilts, that overshadows the heritage stand.
It is too high & out of place.

To: Major Projects Assessment, Department of Planning & Infrastructure

GPO Box 39

Sydney NSW 2001

Fax (02) 9228 6448

Email plan_comment@planning.nsw.gov.au

Date: 25 August 2012

Submission to: Planning Proposal and SSD Proposal Application No SSD 5002-2011, Randwick Local Environmental Plan 1998 (Consolidation) & Hotel at the Royal Randwick Racecourse, Randwick

From:

Statement: OBJECTION TO PROPOSAL

Reason: My objection relates to the Security and Safety measures, which I noted on page 46 (5.6.7). This section describes measures to counter vandalism, assault, break and enters, thefts, motor vehicle thefts and trespassing. However, it does NOT detail measures to combat alcohol-related crimes and violence. As the proposal includes building bar facilities and thus serving of alcohol, the potential for alcohol-related violence – especially on Friday nights and weekends – concerns me greatly as I live so close to the racecourse and worry about my safety in the area. To date, I have already been harassed by intoxicated race-goers on my way home from work during the racing seasons, including loud crude comments and being pushed off the bus by an intoxicated male race-goer who lost his balance and fell on me, knocking me through the bus' door.

If the Applicant (The Australian Turf Club) puts in strong measures, mechanisms and actions to counter this potential for alcohol-related crime and violence (for example, lock-out times, not serving with glass after a certain time of night, tight security measures, policing, etc), then I would no longer object to Proposal No SSD 5002-2011.

Political donations: NONE

My name to be made available to the Applicant: YES

My name to be made available on the department's website: NO

MICROBIOLOGY AND INFECTIOUS DISEASES

Dr Deo de Wit BSc (Hons), MBChB, MMed, MD, MRCPATH, FRCPA
ddewit@nscchhs.health.nsw.gov.au; Mobile: 0411 263527

POLMS
Pacific Laboratory Medicine Services
Northern Sydney Central Coast Area Health Service

28 August 2012

Major Projects Assessment
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Sir/Madam

**Re: Amendment to the Randwick Local Environment Plan 1998 (Consolidation) and
Hotel at the Royal Randwick Racecourse, Randwick (SSD 5002-2011)**

I object to the current proposal on the basis of its impact on local residents. Local residents have purchased in the surrounding area with the knowledge that the Royal Randwick Racecourse operates on certain race days and accept the fact that on these days they will be inconvenienced by significantly increased motor traffic as well as those who pass by on foot on their way to the race day. There is significant anecdotal evidence that damage to property has occurred on these days, particularly in the Doncaster Road area as a result of walkers passing by. Noise is also a problem on these days, particularly later on in the evening. There have also been attempts by passers-by to cross properties in Doncaster Avenue and scale back fences in order to get into the racecourse. As stated, these are significant inconveniences but as residents we were aware of these prior to purchasing in the area.

The new hotel complex is an entirely different scenario altogether. Instead of traffic on isolated days for which one can plan there will now be a constant flow of traffic and walkers passing by. The hotel will undoubtedly be open for clients on a year round basis but also will undoubtedly have pub facilities which will be frequented by patrons from around Sydney. This will change the whole fabric of life in the streets around the Randwick Racecourse for residents and will undoubtedly make a significant impact on the decreasing value of properties in that area. I am sure this has not been thought through appropriately but it is common knowledge that large hotel complexes, when in residential areas, will definitely have a negative impact on the local residents. This has not been assessed in the assessment plan and I am hopeful that you as a government organisation note this objection and consider the impact on your residents. You should also be aware that should you allow this construction to proceed you will take full responsibility for the social and financial deterioration of the local area.

Yours sincerely



Dr Deo de Wit
CLINICAL MICROBIOLOGIST

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RANDWICK PRECINCT

PO Box 1331
Randwick 2031
August 30, 2012
randwickprecinct@gmail.com

Ms Caroline Owen
NSW Department of Planning and Infrastructure

Dear Ms Owen,

Re: Ref SSD 5002-2001 Royal Randwick Racecourse Hotel

Randwick Precinct (a resident community group supported by Randwick Council) objects to the proposed Development Application for the Hotel at Randwick Racecourse. I am writing on behalf of the executive of Randwick Precinct to bring several of these concerns to your attention.

At the most recent meeting, August 8, 2012, the following Motion was passed unanimously.

Moved that Randwick Precinct has many concerns about the proposed hotel including:

- * the proposed location will block potential access to the Racecourse for future events, such as the Future Music event, which require access to the infield area of the Racecourse;
- * the building is very tall and is set very close to the boundary;
- * parking and traffic concerns associated with the proposed changed access to the site will exacerbate an already busy location and lead to a further build up of traffic;
- * the building will have a large and negative impact on the surrounding Heritage buildings
- * the trees are deciduous on Alison Rd so the impact of the proposed hotel on the streetscape will not be mitigated by these trees

Randwick Precinct hopes that the issues raised help in better understanding the real impact of the proposed hotel on the residents immediately surrounding the Racecourse.

Yours sincerely

Ernie Waldstein
(Chair Randwick Precinct)

Kathy Neilson
(Secretary Randwick Precinct)

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Caroline Owen - Submission Details for**(object)**

From: >
To: <caroline.owen@planning.nsw.gov.au>
Date: 31/08/2012 3:22 PM
Subject: Submission Details for (object)
CC: <assessments@planning.nsw.gov.au>

 Department of Planning

Confidentiality Requested: yes

Disclosable Political Donation: no

Name: ,
 Email:

Address:

Randwick, NSW
 2031

Content:
 I object to the following development on several grounds:

Noise - I live less than 100 metres from the proposed hotel - I believe the rooftop terrace should either be removed or face INTO the Racecourse as this will help ameliorate noise from the terrace.

Parking - the hotel has 170 rooms and far less parking spaces. There is already no parking in the area due to TAFE, residents and on Race days, Racecourse parking.

Anti-social behaviour - the AJC has proven it is unable to manage anti-social behaviour on Race Days. This will only increase the number of days when this occurs.

Open Space - the land is currently designated open space under Randwick Council's LEP. This contravenes that.

This is just a way for the Racecourse to have a vast "pub" approved on its grounds - this will not benefit the community. When does adding a large hotel full of drunks improve the life of local residents??

IP Address: proxy1.sgs.immi.gov.au - 164.97.245.84
 Submission: Online Submission from (object)
https://majorprojects.affinitylive.com?action=view_diary&id=40301

Submission for Job: #5002 SSD 5002-2011 Royal Randwick Hotel Development
https://majorprojects.affinitylive.com?action=view_job&id=5002

Site: #2288 Royal Randwick Racecourse
https://majorprojects.affinitylive.com?action=view_site&id=2288

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1 Cairo Street
South Coogee NSW 2034
Ph: (02) 96650436
31st August 2012

Major Projects Assessment
Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

Fax : (02) 9228 6544

Re : Planning Proposal - Royal Randwick Racecourse
SSD-5002-2011

ATTENTION : Caroline Owens

Dear Ms Owens

Having seen the notification for this proposal and looked at the plan, I OBJECT TO THE PROPOSED DEVELOPMENT on a number of grounds.

1. **Randwick Racecourse is essentially public land.** While it may be leased to the Australian Turf Club, you must expect that it is land being allowed for a **racecourse and associated uses**. I believe a small piece of land is also leased from Centennial Park.

2. **I strongly object to the use of any of this public land for accommodation, other than that directly connected with the racing industry.** The proposal is for an 8 storey building including 5 levels of hotel accommodation. In Alison Road there were two motels. One has become a Student Hall, the other a block of apartments. These were not on public racecourse land. It would seem there was not a need for raceday accommodation. There is a strong possibility that the on-course accommodation could similarly be parcelled out into privately owned apartments. **Such an outcome I would regard as being a criminal stealing of open public space.**

3. **Proposed uses of the hotel development?**

Non-racing activities are suggested for the hotel development, with presumably potentially daily use. Certainly at the moment there have been non-racing events held, the occasional fair, student days, occasionally police horses train there. All of these are possible without a hotel. AND there has been the occasional concert / music function / large event, with varying impacts on the local area.

However this proposal would seem to be allowing for large and frequent uses, with the possibility of associated large and frequent alcohol consumption. IS THIS REALLY THE VISION OF THE ATC IN REGARD TO RACING?

Or is this how this part of the Eastern Suburbs is seen? Coogee and Randwick are full of hotels, clubs, alcohol. The Coogee Bay Hotel is back at Tier 1 with its associated antisocial behaviour and violence. Why is historic, wonderful Randwick Racecourse even considering turning itself into possibly a 365 day / year venue, possibly for events awash with alcohol? Certainly the local area does not need this.

Rosehill Gardens does not have a hotel on its land. That racecourse also hosts non-racing activities such as trade-fairs (and even the occasional polo match, I believe.) This proposal for Randwick seems to be worlds from that. It is obvious that the best thing that has happened in and for racing in the last 2 years has been the **popularity of Black Caviar**. Crowds not seen for decades have flocked to those race meetings. That was wonderful. **That had something actually to do with racing!** That pushed aside the possible negative connotations of racing, such as drunken 'princesses', and talk of criminal associations, race fixing and money laundering. A focus on the horses can clearly grab the public interest.

The proposed uses here for Randwick seem to be so far from racing that the development must be deemed as totally unacceptable and as nothing more than a land grab for other interests. **If the ATC can't focus on supporting racing then the land should be restored as open space for public use, as an extension of**

Centennial Park.**4. Local Impact - transport, traffic and the imposing design of the building.**

If I travel by bus to go to Centennial Park, the stop is right at the proposed development site. This bus stop also services the TAFE. This is already a well-used public access area. Alison Road is already a busy transport corridor, and especially at the intersection with Darley Road.

Current race days can have a significant impact here, which is probably acceptable with the racing tradition of the location. **BUT I would very much question the justification of imposing the risk of frequent disruptions in this area (noise, traffic, anti-social behaviour...) If it is not to do with racing. I would also question the imposing design of the building, including its proximity to the heritage listed Members Stand.**

5. Of course, the high water table in this area is a big factor. The proposal includes the need to 'de-water' the site. It is obvious that even completed new developments in the Kensington area are struggling as their engineering fails to cope with the water table here. The whole aquifer here is important in many ways, and should not be put at risk by constant tampering.

The heritage of Randwick Racecourse, the Racing Industry based on beautiful horses and hard-working people, and the local area deserve far more than this proposal outlines. An 8 storey hotel / function centre is not in keeping with the location in any sense. **No hotel / function centre is in keeping. The proposal should be totally rejected.** Then the ATC can focus on restoring the credibility and joys of racing with the other works it has initiated on the site.

Yours sincerely

V. Ward.

Vivien Ward



KENSINGTON & WEST KINGSFORD PRECINCT

A democratic resident discussion group in Randwick LGA

Kwkp1465@gmail.com

Ms Caroline Owen
Major projects
Dept of Infrastructure & Planning
SYDNEY

Caroline.owen@planning.nsw.gov.au

Dear Ms Owen

Randwick Racecourse Hotel - SSD 5002-2011

I make this submission on behalf of Kensington and W Kingsford Precinct, having met with the Development and Infrastructure managers of the ATC at Randwick Racecourse on 28 August 2012.

We raise our objections detailed below.

1 Proposed hotel planning use - alienation of public land in perpetuity – no evidence of responsible minister's consent pursuant to s30(1A)

First, we could find no evidence of the responsible minister's consent. Although we did find evidence of the Trustees consent, their consent is of no effect in the absence of the minister's prior consent. We contend, that absent, the statutory owner's consent, this is not an application that can be entertained, by DoPI as approving authority.

In any case, we object in the strongest possible terms to the proposed permanent alienation of (public) crown land for third party private uses. We see no relationship between the existing designated uses of *horse-racing and associated activities* and a permanent fixture such as a private hotel, motel or serviced apartments. We contend that the alienation of Randwick racecourse for the purposes of a private hotel, is not an activity or purpose related to horse-racing and amounts to a permanent alienation, and consequently in our view is a constructive "sale" or "disposal" of the land. A relevant question is – what happens to this hotel project in the event of business failure, that is, if the hotel accommodation, or other activity, becomes unviable? We discuss the consequences of failure, below.

In June 2011, some Kensington residents wrote to the responsible Minister, objecting in the strongest terms to the drastic 2008 amendments instituted by the former NSW Government, of

the 1873 AJC Act, handing over decisions in relation to the future use of Randwick Racecourse, to three individual trustees. Kensington residents believed that this prominent asset was a jewel and decisions relating to any future uses ought not to be compromised by 3 private individuals who were not accountable to the people of NSW. We sought recourse to the Minister in respect of any permanent decision, likely to compromise the future use, of the racecourse, or any part of it. Above all we wanted the interests of the people of NSW, both present and future, to be protected. We expressed concern that any development for unrelated purposes would permanently compromise the racecourse, a public asset, and we wished to register our protest against massive redevelopment of the site for uses, not directly related to horse racing.

We were aware that other Crown Lands, leases and licenses are subject to ministerial oversight. We believed the extra level of scrutiny was essential to ensure that the interests of the people of NSW are protected.

We contended that the former 1873 AJC Act restricted the *purposes* for which leases of the racecourse could be granted to *horse-racing and "additional horse-racing meetings, entertainment or other functions"*. But, the amending 2008 Act provided the Trustees with wide powers to consent to a vast range of possible uses of the Racecourse which is public land. Such uses were subject to *"any terms and conditions which the Trustees think fit (Sec 7 of the Act)"*. It was clear to us that the land could be alienated in *perpetuity*, and that such alienation could be for purposes not related to horse-racing.

In September 2011, we received a letter from the Minister for Gaming & Racing, the Hon G Souris MP indicating that under amendments which commenced on 01 September 2011, the Minister's prior consent was necessary to additional activities on the racecourse and there would be a general prohibition on the sale or disposal of land and buildings comprising Randwick Racecourse without the consent of the Minister.

We refer to the Objects clause, *Australian Jockey & Turf Clubs Merger Act 2010*, section 3(d) which provides generally for the *"granting of further leases of Randwick Racecourse."* We maintain, however, that any such further leasing power is limited by sections 27D & 30(1A). Section 27D relevantly provides:

27D Sale, mortgage or disposal of Randwick Racecourse generally prohibited

- (1) The Trust may not, without the consent of the Minister, sell, mortgage or otherwise dispose of any of the land or buildings that form part of Randwick Racecourse.
- (2) The Minister may grant consent under subsection (1) to the sale, mortgage or other disposal of land or a building only if the Minister is satisfied that the sale, mortgage or disposal of the land or building will neither:
 - (a) affect, to any significant degree, the continued use of Randwick Racecourse for the purpose of a public racecourse and associated activities, nor
 - (b) constitute a breach of the Randwick Racecourse lease by the Trust.
- (3) Nothing in this section prevents or otherwise limits the Trust from granting any lease under section 33.

In any case, we believe that section 30(1A) *Australian Jockey & Turf Clubs Merger Act 2010* requires ministerial consent (1) prior to the trustees grant of consent as lessors and (2) prior to any re-zoning and hotel development.

30 Use of Randwick Racecourse for additional activities

(1) The merged racing club may, with the consent of the Trust and subject to such terms and conditions as the Trust considers fit, use (or permit the use of) all or any part of Randwick Racecourse for the purposes of an activity, or class of activities, that the merged racing club would otherwise not be authorised to conduct (or allow another person to conduct).

(1A) The Trust may not give consent under this section unless the Minister approves of the giving of that consent.

We do not believe that clause 49(4) EPA regulation can exclude the need for ministerial consent under the *Australian Jockey & Turf Clubs Merger Act 2010*. Clause 49(4), is of general application and cannot override the explicit clear terms of the relevant statute. We believe that the 2011 amendments to the *Australian Jockey & Turf Clubs Merger Act 2010* were expressly aimed at such a proposed alienation of Randwick Racecourse for irreversible commercial development.

2 Spot re-zoning of public land – hotel use is a prohibited use under RLEP 1998 and draft comprehensive LEP – what is the fate of the racecourse land in the event of business failure? Where are the safeguards for future generations?

The uses, of “hotel, motel, serviced apartments, restaurant, function centre but not including an entertainment facility,” are prohibited under both RLEP 1998, zoned 6A open space and also prohibited under the draft comprehensive LEP (standard instrument), zoned RE1.

We do **not** support the spot re-zoning of public land for the purpose of private commercial enterprises. We are not swayed by the applicant’s justification of *major local and international tourism and major events* venue, the proposed employment prospects, or the proposed “centre for excellence” commercial building and conference venue. We consider the adjectives are mere hyperbole.

We ask this salient question – What happens in the event of business failure, that is, if the proposed activity becomes unviable?

We have witnessed the failure of other motels and serviced apartments and hotels in the vicinity, in Randwick and Kensington. For example, the *Gemini Motor Inn* in Belmore Road, Randwick is currently being converted to a private residential flat development. The former *Gunsynd motel* in Alison Road, Kensington (at the corner of Doncaster Road) was converted to studio dwellings in 1999. These are relevant examples of failed accommodation enterprises.

We ask, in the event of business failure, is this 170 bed hotel to be converted and sold off as prime residential apartments for premium profit?

We fail to see any connection between racecourse activities, race-days being held on a mere 44 days out of 365 and the need for a 170 bed hotel / longer stay serviced apartment facility.

There are no safeguards provided in this proposal, in regard to the future of the land in the event of business failure.

These are issues which may have been canvassed if the issue of ministerial consent under section 30(1A) *Australian Jockey & Turf Clubs Merger Act 2010*, to the proposal had been obtained.

We refer to the "Agreement in Principle" speech (Hansard 03 August 2011) adopting current Crown land management practices:

"Under the proposed amendments it will be necessary for the trust to seek the Minister's approval prior to giving consent to the use of the racecourse for additional activities. The trust will also be required to withdraw its consent to any additional activity at the discretion of the Minister. In addition, the trust will be prohibited from selling, mortgaging or otherwise disposing of any of the land or buildings that form part of Randwick Racecourse without the consent of the Minister.

These provisions are in keeping with current Crown land management practices that are concerned with the care and control of Crown land for the public benefit. Without such provisions the Minister has little control over the decision making in relation to the possible commercial use of the Crown land at Randwick Racecourse".

The *rationale* for the legislative limitation (2011 amendment) on the Trustees powers was recognized in the above speech:

"At present there is no control in the legislation over the decision making of the trustees in relation to giving consent for additional activities. The life tenure provisions exacerbate this situation if, for example, the trustees were to make a decision to grant a sublease for a commercial purpose that would have the effect of alienating the use of significant Crown land".

3 The suitability of the site for the proposed hotel use in terms of site location, relationship with the existing racecourse functions and impacts on surrounding development

We do not believe that the site is suitable for a hotel accommodation use. It is clear that the expectation is that visitors will utilize overnight accommodation for purposes unconnected to racing and racecourse functions.

We have discussed above that only 44 days annually are devoted to racecourse fixtures. We believe that the proposed use is a "standalone separate and intensified use." We have already pointed out that other motels in the vicinity have failed and have been converted to residential flat buildings.

We require safeguards imposed on this proposal, in the event of the failure of the facility or business failure; we would object most vigorously to any sell-off of public land or conversion of hotel rooms to be sold for residential purposes.

Surrounding liquor service bars and pubs: Massive intensification of Use – Unreasonable impact on surrounding businesses and residential amenity

We were informed that alcohol license would entitle use of the 3 bars / pub facilities by 3000 people.

It is clear that the Racecourse officials are expecting to make windfall profits from alcohol service.

WE EXPRESS SERIOUS MISGIVINGS ABOUT THIS APPROACH. WE MAINTAIN THAT THIS MASSIVE INTENSIFICATION OF USE IS UNCALLED FOR.

In the immediate vicinity, there is the Coach & Horses pub further up Alison Road at the Avoca street corner; and around the West side of the racecourse, in Doncaster Avenue is the recently re-furbished and enlarged Doncaster Hotel.

We envisage the streets of Kensington being peopled by drunks around the clock and importing all the problems that are endemic to KINGS CROSS and COOGEE.

We do not know what OPENING HOURS for alcohol service are envisaged; however we were informed that it was an expectation that people visiting / utilizing Centennial Park would be frequenting the bars and restaurant.

Apart from the fact that there is inadequate car parking provision – resulting in unreasonable impacts on residential amenity; it is clear that extended hours of alcohol service will bring its own amenity impacts in terms of personal safety.

4 Built form and urban design study to inform the building height and FSR

HEIGHT: The height, when measured from ground level is 32.8m to the top of roof additions, is clearly excessive.

If the proposed 170 bedroom hotel, is to comply with the Kensington Town Centre RLEP 1998 & the DCP then its non-compliance with the 21.6m height limit to ceiling underside, and its non-compliance with the overall draft comprehensive (standard instrument) LEP height of 25m is significant. Nor is any reason provided either under SEPP 1 or under clause 4.6 standard instrument, for the significant non-compliance.

VISUAL IMPACT: For a landmark building, its architecture lacks imagination, consisting as it is of an excessive amount of glazing panels, and we were told at our consultation with Racecourse

development officials, that there was to be a shadow pictorial of a jockey on racehorse, visible as an "impressionistic" effect in the proposed blue glazing.

The pictorial, jockey on horse is predictable, and *pedestrian*. Since this building will result in blotting out views of the racecourse from Darley Road, and along Alison Road, there ought to have been more thought given to its finished effect on the street character. In its present form, the façade is no different to the cheap and shoddy Capella residential flat building located adjacent to the Doncaster Hotel, albeit its sole differentiating character may be the colour blue.

It is yet another blot on the landscape, staring across the racecourse at the ghastly, black NIDA building, a blot on Kensington's landscape.

The proposal's excessive height, bulk and scale results in an unimpressive cheap standout landmark, when considered in the context of the locality.

LACK OF ADEQUATE & SUFFICIENT CAR PARKING PROVISION: There is a huge non-compliance with car parking provision. The car parking DCP requires one space per motel room, ie. 170 spaces; 1 space per 2 employees; and 1 space per 40 sqm for the first 80sq m then 1 space per 20sq m.

The non-compliance with the car parking provision is simply massive. NO CAR PARKING STUDIES have been included with this proposal justifying provision of a mere 50 spaces. This proposal ought to be rejected solely on grounds of insufficient car parking provision. It is a thoroughly irresponsible proposal.

The non-compliance is an indicator of over development of the site. It is contrary to principles of sustainable development since it relies on local resident parking for its customer viability.

We were informed by RR development managers that the 50 spaces proposed would serve:

- 170 bedrooms and
- 380 person convention facilities
- 3000 persons in the bar areas.

Our local streets are utilized by UNSW students on a daily basis due to the UNSW's truculent attitude in failing to provide for its students; while continuing to undertake a massive re-development program of construction of student accommodation with NO CAR PARKING provision.

Our streets are parked out. The students and visitors even park WITHIN local road intersections.

We residents in Kensington, have to put up with race day patrons parking in our streets, and the inability to move out of our dwellings; losing a precious space, when making a trip to the supermarket.

While Randwick Council repeatedly claims it is “going to work with residents” to resolve the residential car parking problem, we are continually burdened with the deliberate and confronting policies of UNSW developers and local developers, of failing to provide adequate car spaces for use of proposed development.

We do not agree that there is “plenty of infield parking” or parking around the Administration areas. Hotel guests paying a premium at a 4 star hotel are not going to wander around searching – and if they do –they are more than likely to park in our streets where they have some measure of personal safety at night, rather than in an open field.

What about parking when there is a clash of uses, for example on race days?

We were informed that the convention centre facilities could seat up to 380; where is the parking provision of this facility? The Administration area has a maximum of 200 spaces and appears to be utilized by racecourse officials on a daily basis.

5 Visual impacts/ views from within the site and from areas of the surrounding public domain

CENTENNIAL PARK: the burdensome visual impact from Centennial Park, a heritage item, is another negative.

We could not discover any comments from the Centennial and Moore Park Trust in respect of this proposal.

The Trust has in the past indicated that the height buildings in the vicinity of Centennial Park ought not to dominate the surrounding public domain, and that heights ought to be below the tree canopy.

At 32.8 metres, the height outstrips the Park’s tree canopy by a good 10 metres.

The visual impact from Randwick is quite simply an elongated oblong glazed container box blocking views that residents in King street may have enjoyed. The proposed height is quite unnecessary. It presents an unreasonable impact on surrounding residential character.

6 Traffic impacts on the existing road network and any board measures to maximise non-private vehicle travel methods

We could discover NO TRAFFIC STUDIES to re-assure us on the proposed Right turn from Alison Road to enter the hotel development.

We maintain this is a disastrous plan. Its impacts on traffic flows in Alison Road at the Doncaster street corner, is bound to result in traffic backing up in Doncaster Avenue, all the way down to Todman avenue and possibly Anzac Parade. As it is, we are locked into our streets, in peak hour; frequent accidents take place at the Ascot Avenue/ Doncaster Avenue corner as motorists attempt to do a quick left turn into Doncaster Avenue.

We oppose the Right turn entry, since we have not seen any traffic studies to re-assure us that it is workable. On the contrary we are certain, that it will result in permanent deleterious effects on local Kensington traffic.

7 heritage items/spaces and significance of the whole site; and

We believe that, on the whole, the architecture proposed in its existing glazed form is not compatible with the heritage items and spaces of the existing Racecourse site.

8 Relationship with existing and future development on the RRR site.

We believe that this building as currently proposed has a highly visible façade when viewed from anywhere in the surrounding locality due to its excessive height. Its proposed architecture comprising an excessive amount of visible glazing is commonplace, representing a large container box more appropriate to Port Botany or akin to an aircraft hangar.

If this is the final architectural form then it represents a lost opportunity.

9 Negligent tower block construction (Kensington) in the Botany Sands aquifer

It is clear that the adequate and self-sufficient provision of car parking, has not been provided due to the cost of construction of basement parking , within underground water.

However, we believe that if the proposal is advertising itself, as a "Centre of Excellence" then it ought to triple the number of car spaces, appropriate to the level of patronage of its convention facilities, utilization of hotel accommodation, restaurant and bar use. That is, it ought to provide a minimum of 200 spaces.

The *Douglas Partners* geotechnical survey cautioned it was pre-liminary study only; further caution was that although the initial results indicated little underground water, a more complete sinking of test boreholes over the entire site, once the marquees are removed, could uncover a "steep cliff" with sandstone rock at significant depth. Indeed, geotechnical surveys of development sites at Anzac parade/ Ascot Avenue / Duke street indicate that sandstone bedrock occurs at 47m below the ground surface.

We indicate that we are concerned about the impact of construction in the aquifer particularly in regard to private properties located downstream in the south-west on either side of Anzac parade.

Recently our Kensington residents have attended KWK Precinct meetings indicating that recently constructed buildings have cracking basements and walls due to the intense uplift pressure of underground water, with increasing water tables. The Botany Sands aquifer poses serious risk to structural adequacy and integrity of tower block construction in terms of damage to:

- the building under construction post-occupation and
- the effect on adjoining Kensington properties.

We trust that all the appropriate professional construction requirements relating to geotechnical, hydraulic (water flow and uplift pressure) and structural engineering (building loads) calculations will be undertaken with the utmost care to ensure:

- an adequate number of boreholes are tested when conducting geotechnical surveys to produce the most complete basis for decision-making in relation to the structural adequacy of basement foundations and wall design;
- and ensuring that our properties downstream will not suffer any adverse impacts from the proposed construction.

Yours faithfully

R Mackenzie

Secretary
Kensington WK Precinct

KENSINGTON & WEST KINGSFORD PRECINCT

A democratic resident discussion group in Randwick LGA

Kwkp1465@gmail.com

13 September 2012

Ms Caroline Owen
Major projects
Dept of Infrastructure & Planning
SYDNEY

Caroline.owen@planning.nsw.gov.au

Dear Ms Owen

Randwick Racecourse Hotel - SSD 5002-2011

I refer to our submission emailed to you on 2 September 2012 concerning the private hotel proposal submitted by the ATC for construction on public land on Randwick Racecourse. Thank you for your acknowledgement of receipt.

I write to re-iterate these points already canvassed in our above submission, since the matter was discussed once again at our Precinct meeting of 10 September 2012.

1. The Precinct is **opposed** to the **spot rezoning** amendments proposed for both the Randwick consolidated LEP 1998 and the draft comprehensive LEP for several reasons disclosed, the overriding reason being the *permanent alienation* of public land held under a statutory trust for the benefit of the people of NSW.

We see no worthwhile justification for the proposal.

2. The Precinct is **opposed** to the actual **hotel proposal** on a number of stated grounds. Most importantly, we see no evidence in our local area of such hotel/ motel businesses surviving as going concerns.

In fact we see the very opposite, the recent conversion into residential flat buildings of:

1. Barkers street Motor Inn, Kingsford and
2. Gemini Motor Inn, Randwick and
3. The Gunsynd Motel, Kensington

3. Most importantly, we could find **no evidence in the exhibited documents of ministerial consent**, a statutory requisite, flowing from the 2011 amendments to the *Australian Jockey & Turf Clubs Merger Act 2010*.

We have written to the responsible minister seeking a copy of his consent including (1) justification for his consent and (2) terms and conditions imposed to safeguard trust land for the people of NSW , in the event of failure of this private proposal.

Yours faithfully

R Mackenzie

R Mackenzie
Secretary
Kensington & W Kingsford Precinct