



Anson city developments (Australia) 1 Pty. Limited

ABN: 96 101 638 591

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12 December 2013

The Director-General
NSW Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Attention: Ingrid Ilias

RE: CBD AND SOUTH EAST LIGHT RAIL PROJECT/ RANDWICK STABLING FACILITY

I am writing to you as the Managing Director of Anson city developments 1 (Australia) Pty Ltd which owns land at 66A Doncaster Rd Randwick; the proposed site for the Stabling Yards of the CBD and South East Light Rail project.

Anson city developments 1 does not object to the Light Rail Project. It does however, object to the use of its land for the Stabling Yards and will vigorously protect its significant investment in this site. In this regard, I wish to bring to your attention the following:

1. EXISTING DEVELOPMENT CONSENT ON THE SITE FOR RESIDENTIAL DEVELOPMENT

A Stage 1 DA for a residential development comprising 52 three storey townhouses, a six storey apartment building with 30 units and the construction of a Community Centre for dedication to Council was lodged on 15 December 2006 (DA 1097/2006) and approved on 24th June 2008. The design was revised but fundamentally similar to the original development and approved on 14 April 2009.

A Stage 2 DA (D559/2010) was submitted to Council for 53 three storey town houses, a 6 storey apartment building containing 29 units and a Community Centre for dedication to Council. This was approved on 25 November 2010.

A section96 application, lodged in July 2013, is currently before Council to revise the Stage 1 DA (DA 1097/2006). **It is the intention of Anson city developments 1 to proceed with the construction of the development pending the determination of the current application.**

2. COST ASSOCIATED WITH COMPULSORY ACQUISITION OF ANSON CITY DEVELOPMENTS 1' SITE

The Department of Land & Property Information advise that " State government agencies may acquire land through compulsory process for a range of public purposes. The compulsory acquisition process can be instigated when an acquiring authority and landowner fail to reach agreement concerning the acquisition.

The compulsory acquisition process is regulated by the Land Acquisition (Just Terms Compensation) Act 1991 (the Act). The Act provides procedures as well as



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compensation provisions. It requires acquisitions to be on just terms and encourages purchase by negotiation in preference to compulsory acquisition."

There have been no meaningful or productive negotiations between officers of Transport for NSW and Anson city developments 1. Consequently, Anson city developments 1 intends to pursue all legal avenues to ensure that the market value of the site, as enhanced by the existing and forthcoming development consents, estimated to be \$50Million.

3. INAPPROPRIATENESS OF LOCATION OF PROPOSED STABLING FACILITY

The proposed location of the Stabling Facility is considered inappropriate for the following reasons:

a) Site Flooding

Worley Parsons has undertaken a review of the proposed stabling facility in terms of the potential of the site to flood (**Attachments A**). The conclusions of this review are unequivocal:

"Our investigation has determined that if the site were to remain predominantly at existing surface levels it would likely experience nuisance flooding in relatively frequent events in the order of the 2 to 5 year ARI storm, and more damaging impacts during larger, less frequent events."

"During the 100 year ARI event the peak flood depths increase to **1.0 to 1.5 metres**. Peak overland flow velocities are predicted to range between 0.5 and 1.0 m/s and flow paths through the north western portion of the site have been provisionally categorised as being 'high hazard'"

"Alternatively, if the proposal is to involve raising of the landform to provide greater flood immunity, this would lead to impacts on surrounding properties or require significant upgrades to existing drainage infrastructure to reduce the potential flood impacts to acceptable levels.

Therefore, based on the assumed requirements for a light rail stabling facility (i.e., relatively flat land at similar levels to the adjoining road infrastructure), **it is our opinion that the flood constraints at the site are likely to mean that it is not an appropriate location for the proposed stabling facility.**"

It is submitted that frequent nuisance flooding in the order of 500mm to 1m as a result of 2 to 5 year ARI storms would render the Stabling Facility incapable of proper operation and may jeopardise the operation of the light rail network. The impact of a 100 year ARI storm with peak flood depths of 1.0 to 1.5m and flow



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velocities between 0.5m/sec and 1m/sec are likely to have significant and damaging effects on the facility and jeopardise the operation of the network.

b) Climate Change Risk Issues

Worley Parsons has identified that of the total of 27 key climate change risks identified in the EIS in relation to the CSELR proposal, the only item that was identified as being of '**high risk**' was in relation to **flooding of infrastructure, with particular mention given to the stabling facility at Doncaster Avenue.**

Other points of note in the Risk Assessment include:

The existing drainage network in some locations will not meet the CSELR design criteria

The downstream piped network capacity in some locations will be insufficient to accept an enhanced level of stormwater collection along the CSELR route.

The EIS recommends that future drainage design include sufficient capacity to allow for increased flows under climate change scenarios. A 15% increase in rainfall intensity, in accordance with Sydney Metropolitan Catchment Management Authority (SMCMA) recommendations, is identified as the appropriate standard.

However, **Worley Parsons considers that it is not feasible to retrofit the existing drainage system to cater for the additional flows that would be generated by a 15% increase in rainfall intensity without upgrading the entire downstream drainage system.**

In addition to the mitigation measures, Worley Parsons suggests that reduced drainage design criteria could be applied to areas with existing flooding issues. However, it is concluded in the Climate Change Risk Assessment that allowing reduced design criteria in combination with a potential 15% increase in rainfall intensities due to climate change would **significantly increase both the likelihood and consequence of flooding.**

With the option available of locating the stabling facility at Wansey Road, which has minimal if any flood risk, it is unlikely that this approach would be able to demonstrate that Railcorp's standard of 'acceptable risk' had been achieved.

c) Traffic

Anson city developments 1 has commissioned a Traffic and Transport consultant to assess the proposed stabling yards in terms of traffic impact.



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The consultant concludes that the proposed stabling yard is not suitable for peak racecourse use as light rail vehicles (LRVs) would have to come out of the sidings and either reverse to pick up passengers from the racecourse station or the driver would have to change location in the vehicle before departing towards the city. These tram turn-around or reversing movements would unnecessarily complicate the light rail vehicle movements in the area, with trams moving across and within the Alison Road footpath which is an area of high pedestrian activity during race meetings.

As it is likely that Randwick Racecourse will become increasingly popular in conjunction with ongoing augmentation and enhancement of facilities, the problems identified during race days would likely intensify.

d) Noise

An acoustic assessment of the Randwick stabling yards has been undertaken by Soundmatters TTM (**Attachment B**) on behalf of Anson city developments 1.

The network will initially run a fleet of 25 electrically powered light rail vehicles each 45m in length, with capacity to carry 100 seated and 200 standing passengers. Stabling and maintenance facilities are proposed at Rozelle and Randwick. **Normal hours of operation of the light rail system will be between 5am and 1am 365 days a year with amendments for special events.**

Consequently, sleep disturbance is the primary acoustic risk, with LVR's returning to and leaving the stabling yard at 02:00am and 04:30am respectively. The consultant states that "There have been many studies of sleep disturbance that have shown the high variability of response due to noise levels and number of noise events. People do not have to be awoken by the noise to have their sleep cycles interrupted, which leads to fatigue and consequently safety risks the following day"

The report also notes that although light rail generate less noise than heavy rail when operating on the open system, the noise associated with stabling and maintenance for light and heavy rail is essentially the same and comprise the following noise generators:

- LRV stabling and preparation
- Brake application
- Compressor cycling
- Horns
- Cleaning



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- Wheel squeal

All the above are significant sources of noise, but wheel squeal is perhaps the most annoying and difficult to control noise source in the stabling yard. **Long term monitoring by Railcorp suggests that wheel squeal can significantly exceed 100 dB(A) at a distance of 15m.** In addition to the high level of noise produced it is also high-pitched, which means it will stand out against the broad spectrum ambient noise environment dominated by traffic noise from Alison Road.

Typical noise mitigation measures such as, an enclosure over the stabling yard or noise barrier will be either impractical or ineffective. Noise barriers regardless of height (within reason) can only achieve a practical maximum noise attenuation of approximately 20 dB(A). This may benefit single or two story houses, **but will not benefit apartments at higher levels that will have direct line of sight into the stabling yard.** Furthermore, with sound power levels for horns and wheel squeal far in excess of 100 dB(A) a noise barrier will not provide the necessary attenuation to avoid loss of acoustic amenity and sleep disturbance. Residential dwellings sharing boundaries with the stabling yard are expected to have significant loss of acoustic amenity.

It is noted that the EIS provides that even if a six metre high acoustic barrier is constructed on the boundary and an acoustic shed is provided over the entire site, the noise criteria for five residential receptors will still be exceeded. **There is simply no technical solution proposed within the EIS that will ensure the acoustic amenity of all the existing dwellings in the vicinity will be maintained.**

e) Urban Design

The proposed Light Rail stabling facility on the Doncaster Rd site will create a visual blight within the Alison Road streetscape adjacent to Randwick Racecourse and opposite Centennial Park. The racecourse has recently undergone a series of major improvements to its facilities including significant landscaping and the removal of unsightly fences around the site in order to make the Royal Randwick Racecourse a more visually attractive and inviting venue.

The disfigurement of the streetscape by the introduction of a light rail parking and maintenance facility opposite Centennial Park and adjacent to the racecourse will significantly diminish the visual quality of the area and detract from the efforts of the Royal Randwick Racecourse to enhance the visual quality of its site.

The Wansey Rd site, in contrast, is below ground level at the street alignment and consequently eliminates any potential detrimental visual/urban design impacts.



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f) Night Flood-Lighting

Floodlighting is likely to be provided throughout the stable yards; although no assessment of flood-lighting was found in the EIS. It is considered that such lighting is likely to have a significant detrimental impact on the amenity of surrounding residents and a detrimental urban design impact within the Alison Rd and Doncaster Rd streetscape.

g) Residential Amenity

The stabling yard is a 24hrs/day facility and incompatible with an adjacent residential community because of the following impacts:

- (i) Noise associated with the operation and maintenance of the light rail vehicles (see section (c) above). On a typical operational day, the light rail would generally operate between 5.00 am and 1.00 am, seven days a week. Consequently, the continual light rail traffic coming into and out of the stabling yards is considered incompatible with maintaining residential amenity of neighbouring residents.
- (ii) The visual impact of the 6m wall separating the facility from dwellings in Doncaster Rd is considered a crude and ineffective device to attenuate noise and incompatible with maintaining the amenity of neighbouring residents.
- (iii) The impact of flood-lighting of the stabling yards is incompatible with maintaining the amenity of neighbouring residents

4. ALTERNATIVE LOCATION OF STABLING FACILITY ON CROWN LAND IN RANDWICK

The EIS essentially only considers 2 sites for the stabling yards; the Doncaster Rd site and the Wansey Rd site. Three other sites discussed in the EIS are for maintenance purposes. No consideration appears to have been given to locating the stabling yard elsewhere.

No mention is made in the site selection summary of the EIS (Section 4.5.1 of the EIS) of any of the following:

- flooding issues experienced at the Doncaster Avenue site
- potential impacts existing flood behaviour would have on operations at the site
- costs associated with works required to improve the Doncaster Avenue site to provide acceptable flood risk for operations at the site
- costs associated with upgrading both the local and downstream trunk drainage systems to ensure no negative impact on flood behaviour to surrounding developments.

It is not known whether the above issues were considered as part of the site selection process at all or were thought to be insignificant.



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It appears that the Wansey Road site is predominantly, if not completely, outside the flood extents for all events up to and including the Probable Maximum Flood (PMF). Hence, the development of the Wansey Road site as a stabling facility would not require expenditure to address flooding or flood management issues

The EIS itself recognises the benefit of the Wansey Rd site:

"The stabling-only facility within racecourse land adjacent to Wansey Road would provide a key benefit over the Doncaster Avenue site as this site is generally situated below the surface of Wansey Road residences, providing some screening for noise and visual impacts of stabling facilities. However, this site is slightly less optimal than the site at Doncaster Avenue site as it is located further from both the Circular Quay and Kingsford stops, resulting in additional time to reach these termini for the commencement of daily light rail services."

"The key differentiator between the two stabling only sites in the western and south-eastern portions of the Royal Randwick racecourse is that, whilst both sites would require significant land acquisition, the site adjacent to Wansey Road is currently occupied by a number of horse stables, which would require relocation prior to accessing this site. This would likely entail additional cost and property acquisition, which reduces the cost effectiveness of this option".

An assessment undertaken by EMGA Mitchell McLennan, Planning & Environmental Consultants (**Attachment C**) has compared the two potential stabling sites adjacent to the racecourse; Doncaster Avenue and Wansey Road.

In summary, both sites are equal in terms of size and capacity and operational suitability, but the Wansey Road site is superior in terms of being:

- Outside the flood zone for all flood types even the Maximum Probable Flood (MPF) level with the resultant significant cost savings associated with:
 - flood mitigation works and
 - costs associated with upgrading both the local and downstream trunk drainage systems to ensure no negative impact on flood behaviour to surrounding developments;
- Considerably less potential noise, flood-lighting and visual impacts to nearby residents;
- Less visual impact in an urban design sense because the site is located generally below ground level and consequently provides a natural landscape screen which eliminates potential visual impacts;

Moreover, the Wansey Rd site is Crown land and it is considered that the costs and time associated with relocating stables in the Wansey Rd site would be significantly cheaper



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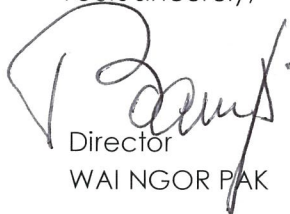
and more timely than the costs and time associated with the legal processes associated with compulsory acquisition and the market value of \$50Million for the Doncaster Rd site. On top of that, the current DA approval provides for Anson to build a community centre free of charge and dedicate it. If the site is acquired for the light rail stabling, this will mean the community will lose the community centre already guaranteed by the VPA. So if TfNSW is to continue with the proposal, the Government should provide Council with land and build a community centre.

The argument for the rejection of Wansey Rd site because it is further away from Circular Quay and Kingsford stops is transparently without merit.

On the basis of environmental considerations (particularly flooding, urban design, noise, the maintenance of residential amenity and traffic), economics and timeliness of delivery, the Wansey Rd site is considered the superior site.

Should you wish to discuss any matter raised above with me, I would be more than pleased to meet you at a mutually convenient time.

Yours sincerely,



Director
WAI NGOR PAK

C.C.:

The Hon Barry O'Farrell, MP

Premier

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