

***MODIFICATION REQUEST:
Refurbishment of Spectator Precinct,
Royal Randwick Racecourse,
Randwick***

***MP10_0097 MOD 2 - Modification to allow the
use of the Spectator, Services and Infield
Precincts for minor non-race day events***



Director-General's
Environmental Assessment Report
Section 75W of the
Environmental Planning and Assessment Act 1979

February 2014

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EXECUTIVE SUMMARY

On 7 February 2011, the Planning Assessment Commission approved the redevelopment of the Spectator Precinct at the Royal Randwick Racecourse comprising: alterations, additions, demolition and rebuilding of existing stands; a new parade ring with associated amphitheatre seating; a three storey Owners and Trainers Pavilion; a new amenities building; adaptive reuse of the existing Swab building; demolition of the existing Randwick pavilion; tea house buildings and existing escalator structures to the rear of the grandstands; and associated services infrastructure upgrades, civil and landscape works.

The Australian Turf Club (the proponent) has lodged an application to modify the Project Approval pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

The proposed modification seeks approval for the following modifications:

- extension of the site boundary to include the whole Spectator Precinct, Services Precinct and the racetrack Infield Precinct;
- use of the land and buildings within the Spectator Precinct, Services Precinct and Infield Precinct for non-race day minor non race day events for up to 5,000 patrons for a duration of no more than 10 days, with the exception of university exam events for a duration of no more than 14 days;
- amended floor layout of level 4, to provide a private member's facility and public restaurant;
- use of the Spectator and Infield precinct for car parking associated with non race day minor events; and
- the erection of temporary structures for non-race day events.

The proposal was publically exhibited from Wednesday 22 May until Friday 21 June 2013 (31 days). The department received a total of 3 public submissions in response to the application.

Randwick City Council also provided a submission noting concerns with the interpretation of the exempt development provisions, and additional details surrounding types of events and management of events, noise impacts, heritage impacts and traffic impacts.

The key issues identified in the department's assessment and public submissions relate to the type and scale of minor events on site, security and management of events, impacts on adjoining properties, traffic and car parking management and heritage impacts.

On 20 November 2013, the proponent submitted a Response to Submissions in response to issues raised. The response included the following:

- submission of a detailed Minor Events and Functions Management Plan;
- clarification of alcohol licensing on the site, event types, capacity of the public and members restaurant, car parking and access arrangements on site, lighting details, etc.; and
- revised noise limits and operation hours for various events;

Randwick City Council has reviewed the additional information submitted and now raises no objection to the proposal.

The department has assessed the merits of the proposed modification taking into consideration the issues raised in all submissions and is satisfied that the impacts have been satisfactorily addressed within the proposal and the department's recommended conditions. The department considers that the proposed modification is reasonable and consistent with the existing approval.

On balance, the department considers that the proposal:

- will satisfactorily safeguard the amenity of surrounding residents;
- is compatible with the existing character and use of the site, and surrounding locality;
- will facilitate the continued historical use of the site for racing and non-racing events;
- will not result in any substantial traffic impacts above those currently experienced on race days; and
- will not adversely impact on the heritage significance of the site.

It is therefore recommended that the application be approved, subject to the modified conditions.

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1. BACKGROUND

1.1 The Site

The Royal Randwick Racecourse has an area of 79 hectares and is bounded by frontages to Alison Road, Doncaster Avenue, High Street, Anzac Parade and Wansey Road. The primary frontage to the site is off Alison Road. The site is located in the Randwick Local Government Area. The proponent is the Australian Turf Club (ATC).

The Randwick Racecourse forms part of a system of regional open spaces including Centennial Park, Moore Park, Queen's Park and several golf courses extending down to Eastlakes and Botany Bay. The Royal Randwick Racecourse hosts approximately 40 horse racing events annually and has the capacity to stable approximately 600 horses. It provides amenities and services for race club members and race attendees as well as ancillary site infrastructure and on-site car parking for up to 3,000 vehicles (in a number of locations across the racecourse). The racecourse also hosts a number of large and smaller scale one-off non-race day events each year.

The Randwick Development Control Plan 2013 (RDCP 2013) has identified 8 separate precincts on the RRR, illustrated in **Figure 1** and described in **Table 1**.

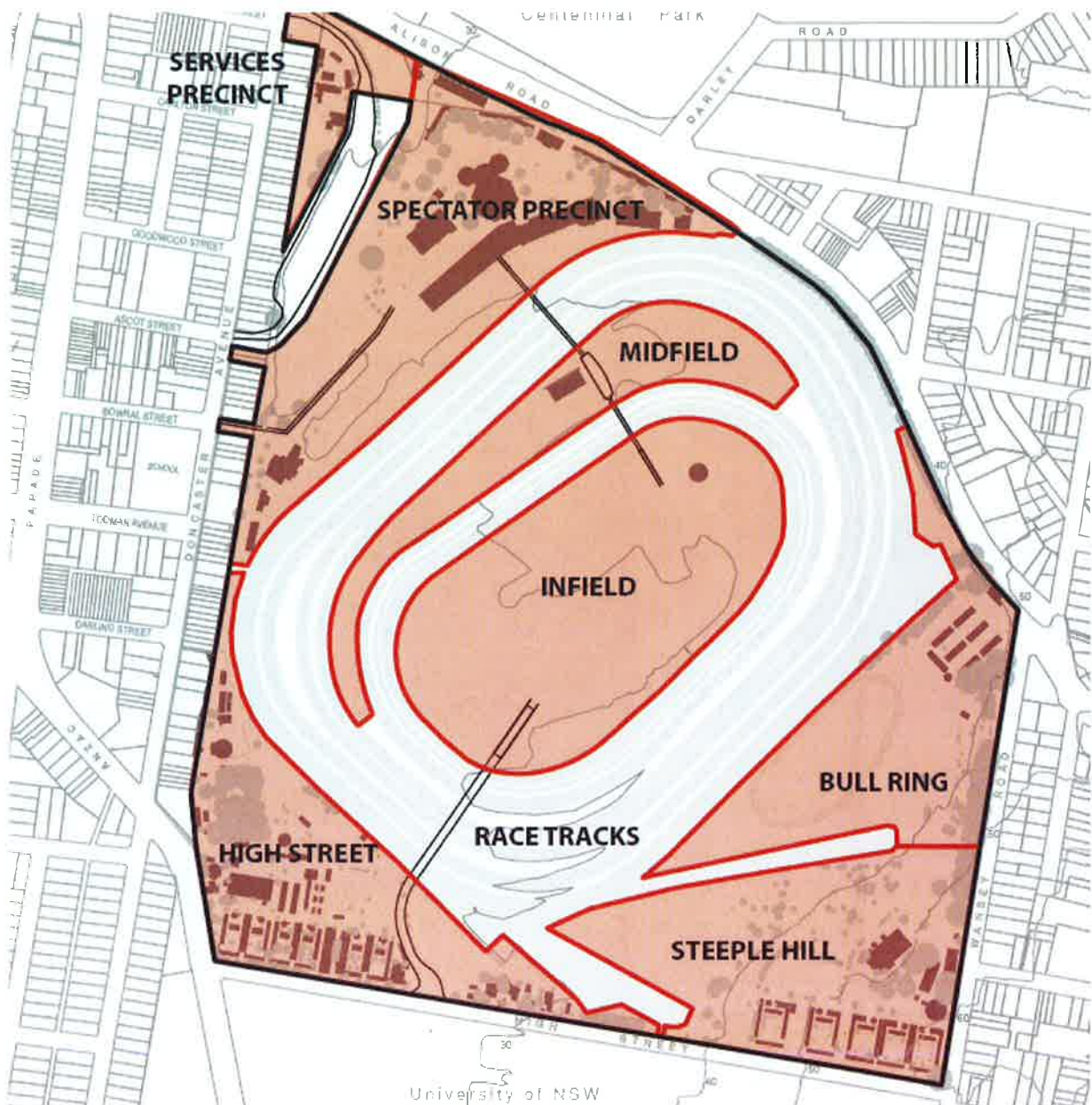


Figure 2: RRR Precincts (Source: Royal Randwick Racecourse DCP 2007)

Table 1: RRR Precincts

The Spectator Precinct	Located in the north-west corner, with frontages to Alison Road and Doncaster Avenue. The Spectator Precinct forms the main focus for race day events and the original Part 3A application, to which this modification request relates, approved substantial upgrade works of the previously existing grandstands and construction of a new parade ring ('The Theatre of the Horse'), Owners and Trainers Pavilion building and the adaptive reuse of a number of existing buildings. The DCP identifies the Spectator Precinct as the main focus for built development on the racecourse site.
High Street Precinct	Located in the south-west part of the racecourse, it has frontages to High Street, Anzac Parade and Doncaster Avenue and accommodates stable buildings and a few residential dwellings. Surrounding development includes the University of NSW and Randwick Hospital.
Steeple Hill Precinct	Located in the south-east part of the racecourse, it is raised above the levels of the rest of the racecourse. This area is occupied by low rise stable buildings and is utilised for institutional uses and racing activities.
Bull Ring Precinct	Located on the eastern portion of the racecourse site with frontages to Wansey Road and Alison Road. The land is currently occupied by stables and is used for horse training. Approval has been granted under MP10_0098 for the demolition of existing buildings and construction of 6 x 2 storey stable buildings accommodating up to 600 horses; 12 x 2 storey mechanical horse walkers; staff accommodation and a number of other related horse training facilities.
Race Tracks	The oval racetracks located centrally within the site utilised for racing and training.
Infield Precinct	Located within the racetrack itself and is used for transport and parking for race and entertainment events (including festivals and World Youth Day). Permanent buildings are prohibited by the RRR DCP other than necessary low scale shelters.
Midfield Precinct	Located in the north part of the race tracks and is used for limited new race day spectator facilities and irregular non-racing recreation entertainment uses.
Services Precinct	Located in the far north-west of the racecourse, the site is utilised for site services and maintenance offices, small scale workshops and staff parking.

This modification request relates to land located in the north-west part of the Royal Randwick Racecourse, adjacent to Alison Road and includes the DCP identified 'Spectator Precinct' and the 'Services Precinct', as well as land located within the racecourse itself, the 'Infield Precinct'.

The proponent considers the Services Precinct to form part of the Spectator Precinct. The Spectator Precinct and Services Precinct have an area of 12.6 hectares and are currently occupied by the single storey 'Oaks Marquee structure, the Turnstile Building (adjacent to Alison Road), a toilet block, two stewards viewing towers and landscaped areas. The Spectator Precinct comprises the main spectator assembly and viewing area on race days and is currently occupied by buildings/structures/race day operation areas of heritage and landscape significance including Queen Elizabeth II Stand; Paddock Stand; Randwick Pavilion building; Tea house building; Swab building; Escalator structures; and Parade ring and winners enclosure.

The racecourse Infield has a total area of 15.7 hectares and is currently utilised for horse training, car parking and irregular non-racing recreation and entertainment.

The areas subject to this modification request are identified in **Figure 2**.



Figure 2: Site Map- racecourse outlined in red (Source: Near Map)

1.2 Surrounding Development

Development to the east and west of the Royal Randwick Racecourse is typically low and medium rise residential development, with the Randwick Shopping Centre located further east. The Centennial Parklands are located to the north while to the south lies the University of NSW Randwick Complex and the Prince of Wales Hospital.

1.3 Heritage Significance

The Royal Randwick Racecourse forms the Racecourse Conservation Area, identified within the Randwick Local Environmental Plan 2012 (RLEP 2012). The Official/Members Stand is listed in Schedule 5 of the RLEP 2012 as a heritage item of local significance.

No part of the Royal Randwick Racecourse site is listed on the State Heritage Register. However, the Royal Randwick Racecourse has been identified as having State heritage significance by the State Heritage Register Committee which is responsible for recommending the listing of items on the State Heritage Register to the Minister.

1.4 Previous Approval

On 7 February 2011, the Planning Assessment Commission (PAC) granted approval for a Project Approval consisting of the following:

- substantial alterations and additions to the existing Queen Elizabeth (QE) II stand;
- demolition and reconstruction of the Paddock Stand;
- construction of a new 'link building' structure between the QEII and Paddock Stands;

- construction of a new parade ring to the rear of the QEII and Paddock stands with associated amphitheatre style seating ('The Theatre of the Horse');
- construction of a three storey Owners and Trainers Pavilion building;
- construction of a new amenities building;
- adaptive reuse of the existing Swab building to accommodate a racing museum and members sign up area including a conference facility for a maximum of 100 people and a café facility;
- demolition of the existing Randwick pavilion and tea house buildings;
- demolition of the existing escalator structures to the rear of the grandstands; and
- associated services infrastructure upgrades, civil and landscape works.

The original application was assessed by Randwick City Council and sought approval for non-race day events, however, Condition A5 was imposed which excluded the use of land and buildings within the Spectator Precinct for non-race day events. This was to allow Council to further consider the noise impacts associated with outdoor non-race day events on surrounding residences.

On 25 February 2012, the PAC granted approval for a modification to the approved Project Application which made amendments to the approved works to the Grandstand, the Theatre of the Horse and the Pavilion building and staging of the development to defer the adaptive reuse of the Swab building.

2. PROPOSED MODIFICATION

2.1 Modification Description

An outline of the proposed modification is provided in **Table 2**.

Table 2: Key Proposed Modifications

Aspect	Description
<i>Scope of Proposal</i>	<ul style="list-style-type: none"> • Amendments to the identified site boundary to include areas outside of the original construction zone, to encompass the whole Spectator Precinct, Services Precinct, and the racetrack Infield Precinct.
<i>Land Uses</i>	<ul style="list-style-type: none"> • Amendment of Condition A5 which currently requires a separate Development Application for the use of the Spectator Precinct for non-race day minor events/ functions; • Approval for the use of the grounds and buildings within the Spectator Precinct, Services Precinct and Infill Precinct for an unlimited number of non-race day events and functions, of not more than 5,000 patrons at any one time over a 10 day period including (but not limited to): <ul style="list-style-type: none"> • consumer events lasting up to 10 days (plus set up and dismantle); • corporate events lasting up to 5 days (plus set up and dismantle); • entertainment/music events; • markets lasting up to 5 days (plus set up and dismantle); and • functions including weddings and parties. Except university exams which may have duration of 1-14 days per semester. • Use of the Spectator Precinct and racetrack Infield for car parking associated with non-race day minor events.
<i>The Grandstand</i>	<ul style="list-style-type: none"> • Modifications to the approved layout of level 4 to provide a public and members restaurant and bar (accessible to ATC members, their guests and special event patrons only) and a public restaurant and bar with seating for approximately 120 patrons, including capacity for up to 220 standing patrons on the approved outdoor terraces. The level 4 public and members restaurant and bar is proposed to operate in accordance with the liquor license from Monday to Saturday up to 2:00am and Sunday to midnight. The outdoor terraces will cease operation from midnight.

Aspect	Description
Temporary Works	<ul style="list-style-type: none"> The construction of various temporary structures to facilitate the non-race day events within designated zones within the Spectator Precinct and the Infield Precinct (Figure 3), which would; <ul style="list-style-type: none"> be erected in the days preceding events and dismantled and removed from the site within 10 days following the event, except for the Oaks Marquee; be designed and constructed in accordance with relevant provisions of the <i>Environmental Planning & Assessment Regulations 2000</i> and the BCA; and have a maximum patron capacity and number of exits consistent with the requirements of the BCA.

The scope of the original Project Approval included a more limited area of the Spectator Precinct, which followed the outline of the construction zone. This modification application seeks to extend the site to include the whole of the Spectator Precinct, the Services Precinct and Infield Precinct, as illustrated in **Figure 2**.

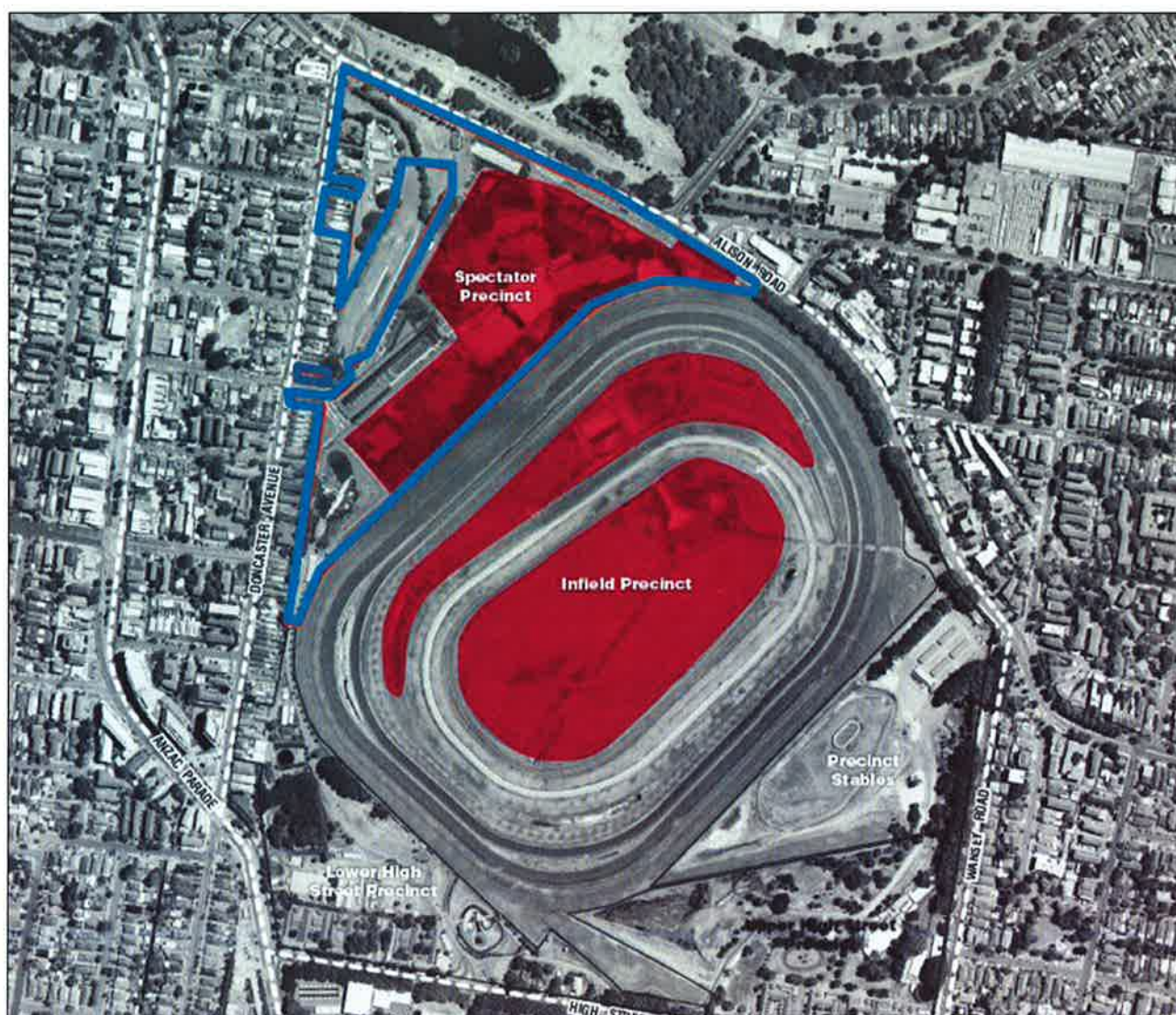


Figure 3: Proposed Location Zones of Temporary Structures- Shown in Pink (Source: proponent's S75W Report)

Minor non-race day events have occurred on the Racecourse for a number of years. However, this has been done so informally and this modification will formalise the arrangement and provide certainty for the ATC and surrounding residents.

3. STATUTORY CONTEXT

3.1 Continuing Operation of Part 3A to modify the Project Approval

In accordance with Clause 3 of Schedule 6A of the Environmental Planning & Assessment Act 1979 (the EP&A Act), Section 75W of the EP&A Act as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6, continues to apply to transitional Part 3A projects. Consequently, this report has been prepared in accordance with the requirements of Part 3A and associated regulations, and the Minister (or his delegate) may approve or disapprove the modification of the project under section 75W of the EP&A Act.

3.2 Modification of the Minister's Approval

The modification application has been lodged pursuant to Section 75W of the EP&A Act. Section 75W provides for the modification of a Minister's approval including *"revoking or varying a condition of the approval or imposing an additional condition of the approval"*.

The Minister's approval for a modification is not required if the project as modified will be consistent with the existing approval. However, in this instance, the proposal seeks to modify conditions imposed on the Project Application approval and therefore, approval to modify the application is required.

3.3 Environmental Assessment Requirements

No additional environmental assessment requirements were issued with respect to the proposed modification, as sufficient information has been provided to the department in order to consider the application. Further, the issues raised remain consistent with the key assessment requirements addressed in the original DGRs.

3.4 Delegation

On 4 April 2013, the Minister delegated his functions to determine modification requests under Section 75W of the EP&A Act to the Department in cases where:

- the relevant local Council has not made an objection, and
- a political disclosure statement has been made, but only in respect of a previous related application, and
- there are less than 10 public submissions in the nature of objections to the proposal.

In this regard:

- Randwick City Council does not object to the proposal, subject to conditions;
- three public submissions were made on the application; and
- a reportable political donation disclosure was made in relation to the original application but has not been made for this application.

In accordance with the Minister's delegation, the Executive Director may determine this modification under delegated authority.

4. CONSULTATION AND SUBMISSIONS

4.1 Exhibition

Under Section 75W of the EP&A Act, a request for a modification of an approval does not require public exhibition, however the department publically exhibited the proposal from Wednesday 22 May until Friday 21 June 2013 (31 days) on the department's website, and at the department offices at Bridge Street, Sydney and Randwick City Council's office. The department also advertised the public exhibition in the Sydney Morning Herald, the Daily Telegraph and the Southern Courier on Wednesday 22 May 2013 and notified landholders, Randwick City Council and relevant Government Agencies in writing.

The application and all supporting documentation was placed on the department's website. This satisfies the requirements in Section 75H(3) of the EP&A Act.

The department received 3 public submissions objecting to the proposal in response to the proposal.

A further 3 submissions were received from government agencies including Randwick City Council, Heritage NSW and Transport for New South Wales (TfNSW).

4.2 Public Authority Submissions

The key issues raised in public authority submissions is detailed in Table 3.

Table 3: Summary of public authority submissions

Randwick City Council	
Proposal	<p>Council raises concerns with aspects of the proposed modification commenting:</p> <ul style="list-style-type: none">• Condition A5 should be amended to reflect Council's exempt development criteria which would still require development consent for any non-race day events that exceed the exempt development criteria for non-race day events of a maximum 5,000 persons over 10 days at a time.• Additional details of specific categories of "minor" non race day events and their special requirements and needs are required to be incorporated within the overall general plan of management.• The proponent must assess the implications of having full crowd capacity minor events over an extended number of days given the history of adverse impacts on residential amenity arising from events in the racecourse.• The achievement of the proposed noise criteria to be met at affected residences for amplified music is questionable. In addition, the noise level predicted for the terraces of the restaurant are unlikely to be adhered to.• The open ended hours of operation proposed are not supported. Council has recommended various hours of operation for events of different nature and recommended that any recommended maximum noise level criteria should be applied in accordance with the relevant hours of operation.• The use of the licensed premises, restaurant and associated terraces should be supported by an acoustic assessment which is to be submitted for approval to Council within 3 months of the commencement of the uses and from time to time as reasonably requested.• For non-race days events and functions a noise management plan for minor events that use live outdoor and/or staged entertainment utilising sound systems over a continuous number of days shall be prepared. In addition, a noise consultant appointed by Council, at the expense of the proponent, shall be engaged to monitor noise levels during events that Council considers to be potentially loud and offensive.• Measures should be in place to ensure that event areas are separated from heritage areas. This shall include use of temporary fencing, and alternative access arrangements where possible.• The Plan of Management shall indicate the nature and extent of temporary structures and physical works and clearly indicate that all proposed works, including events, will not impact upon the heritage significance of the racecourse site.• The proposal may give rise to potential traffic impacts in the local road network. In this regard, a revised traffic and parking assessment incorporating pedestrian, transport and traffic management plans/strategies a shall be prepared.• Any non-race day events shall incorporate strategies for maintaining security and controlling anti-social and criminal behaviour during events.• All temporary food stalls for minor events are required to be registered with Council.• Comprehensive and effective notification of events including necessary processes and procedures to notify surrounding residents, shall be undertaken.

<i>Response to Issues</i>	<p>Council considers the proposal has been amended to address issues initially raised and is satisfactory on the basis that:</p> <ul style="list-style-type: none"> the proposal has been amended to limit a maximum of 5,000 persons for minor non race day events of duration no longer than 10 days; a minor events and functions management plan has been prepared and includes additional details on the capacity and management procedures relating to each of the minor event categories; and the acoustic report will be amended to include additional measures to control noise impact from the level 4 terraces including closure of the outdoor terraces by midnight every night, sound system compliance with relevant criteria and all level 4 sound systems to incorporate RMS limiting.
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Heritage Council of NSW

<i>Proposal</i>	<p>Heritage Council of NSW does not object to the proposal in principle but provides the following comments:</p> <ul style="list-style-type: none"> conditions are recommended in relation to the location and installation of temporary structures surrounding heritage items; expert heritage and archaeological advice should be provided on the impact of excessive use of the infield precinct for overspill car parking, and erection of temporary structures in certain areas which are likely to impact on archaeological relics/deposits. Suitable mitigation strategies should be devised if there is potential to have adverse impacts on archaeological resources; and a number of modified commitments have been recommended to mitigate the potential impacts on heritage items and archaeological relics/deposits during construction.
<i>Response to issues</i>	<p>Heritage Council of NSW provides the following comments:</p> <ul style="list-style-type: none"> the response to issues has not adequately addressed the potential impact of temporary structures on archaeological relics/deposits; the amended Statement of Commitments regarding time period for setup and removal of temporary structures does not provide a clear time line for these activities and should be clarified; the use of the infield car parking for overspill car parking may impact on the setting and views of the race course and has not been addressed. during staff briefings for event setups, personnel should be informed of their obligations and requirements in relation to archaeological relics; archival recording of the Spectator Precinct should be undertaken following completion of works; conditions of consent were recommended surrounding the location, installation and removal of temporary structures surrounding heritage items and landscape or archaeological features.

Transport for NSW (TfNSW) and Roads and Maritime Services (RMS)

<i>Proposal</i>	<p>TfNSW and RMS provided consolidated comments and raised the following issues:</p> <ul style="list-style-type: none"> The proposal has the potential to generate large numbers of patrons (up to 5000 people per day) within a short period of time which can cause extensive delays to general traffic including buses travelling adjacent the Randwick Racecourse. A traffic and transport impact assessment is requested and shall address: <ul style="list-style-type: none"> potential safety impacts to pedestrians accessing the Spectator Precinct from the main entry gate on Alison Road. An assessment of impacts to pedestrian safety from potential vehicle and pedestrian conflict at this location during such events and clearly demonstrate how this would be managed and may include a plan of management; and assessment of traffic impacts on bus services at Alison Road/main entry gate intersection and High Street/infill car park access/UNSW access intersection including measures proposed to mitigate these impacts clearly detailed. Any road closures associated with any event must obtain either a road occupancy license or traffic management plan; A condition of approval is recommended that the proponent assesses the impacts on the proposed light rail operation as a result of the proposal and to consult with TfNSW in relation to construction and operation of the light rail at all stages of the modification project.
<i>Response to issues</i>	<p>TfNSW raised no concerns with the response to issues.</p>

4.3 Public Submissions

3 submissions were received from the public objecting to the proposal. The key issues raised in public submissions are listed in **Table 4**.

Table 4: Summary of Issues Raised in Public Submissions

Issue	Times mentioned
Antisocial behaviour from patrons of events impacting local properties	3
Adverse noise impacts particularly during late hours	1
Traffic impacts	1

The department has considered the issues raised in submissions in its assessment of the proposed modification.

5. ASSESSMENT

The department considers the key environmental issues for the proposal to be:

- land use;
- security and management of events;
- impacts on adjoining properties;
- traffic and car parking management ; and
- heritage.

5.1 Land Use

The proposal seeks approval for use of the Spectator Precinct and Infill Precinct for minor non race day events with up to 5,000 patrons, including:

- consumer events lasting up to 10 days (plus set up and dismantle);
- corporate events lasting up to 5 days (plus set up and dismantle);
- entertainment/music events;
- markets lasting up to 5 days (plus set up and dismantle);
- university exams 1-14 days per semester; and
- functions including weddings and parties.

The department notes that the site is zoned "RE1- Public Recreation" and the proposed range of uses are permissible on the site.

The proponent contends the site has historically held a variety of racing and non-racing events and has traditionally been used for a range of minor events (up to 5,000 patrons). Further, the proposal is consistent with Council's current Exempt Development provisions, with the exception of university exam events, within the Randwick Local Environmental Plan 2012 (RLEP 2012) which provides as follows:

"Special events and temporary use of land (including erection of associated temporary structures such as stalls, shade structures, marquees, stages, etc)

If on...land under the care and control of...Randwick Racecourse...on an occasional basis, may be up to 10 days and with a maximum of 5,000 patrons at any one time and consistent with any plan of management that may apply to the land."

Whilst Council is supportive of this use, it originally advised that it considers that the Exempt Development provisions should be interpreted to mean events with a maximum of 5,000 persons for the entire event being no longer than 10 days in duration, do not require development approval.

The proponent has agreed for condition A5 to be amended to reflect the current Exempt Development provisions, with an exception being provided specifically for university exam events which run for 14 days. Further the proponent requests that the department remain the consent authority for future non race day events requiring a separate Development Approval, as per the provisions of the State Environmental Planning Policy (State and Regional Development) 2011.

The department agrees that the proposal should reflect the Exempt Development provisions of RLEP 2012 for minor non-race day events, with the exception of university exam events. In interpreting these provisions, the department notes the words 'at any one time' and considers this provision allows for events for up to 5,000 patrons (at any one time) per day, for a duration of up to 10 days, not requiring development consent.

In finalising its assessment, the department undertook further discussions with Council regarding the interpretation of the Exempt Development provisions. Council has subsequently reviewed its position and agrees with the department's interpretation. Accordingly, Council raise no objections with the department's assessment.

With regards to university exams, the department notes that university exam events have a low impact on the nearby residents with limited additional traffic and noise. Furthermore, these exams have occurred bi-annually on the site for a number of years without impacts. Therefore the allowance for 14 days is considered acceptable.

Any events beyond the scope of the amended approval would need to be considered by the department via a separate development application.

5.2 Security and Management of Events

The proposal is supported by a Minor Events and Functions Management Plan (MEFMP) which identifies mitigation measures in place to reduce the impact of minor events on the community and ensure efficient operation of the minor non race day events. The MEFMP is supported by the following plans:

- traffic management plan;
- security alert and escalation plan;
- waste management plan;
- complaints register;
- alcohol management operations register;
- security and risk information; and
- noise management plan

Public submissions have raised concern about the potential for events to attract anti-social behaviour from patrons off site into residential areas, citing past examples, and the need for increased security as part of events.

The proponent contends that past incidences of anti-social behaviour are likely from previous major events and will be addressed in the management of future major events. The MEFMP comprises a detailed security alert and escalation plan and a complaints handling policy and complaints register to address concerns raised. The MEFMP also details that staff and security numbers for events will be determined depending on the nature and need of events, which is to be established by the racecourse staff prior to events.

Council also comment that the MEFMP is reasonable and acceptable.

In consideration of the above, the department notes the nature of minor non race day events are unlikely to give rise to incidences of anti social behaviour. Moreover, the department is satisfied that the MEFMP contains appropriate security and management measures in place to ensure appropriate security and management of the different types of minor non race day events proposed. Subject to the recommended modifications to the proposal as discussed in **Section 5.3**

and 5.5, the department is satisfied appropriate mechanisms are in place to ensure appropriate security and management of events.

5.3 Impacts on adjoining properties

Council and public submissions raised concern with the potential for events to have adverse noise impacts on nearby residents.

The proposal is supported by a Noise Impact Assessment report prepared by Arup. The report considers that the noise impact from events can be categorised between amplified and unamplified noise sources. The report assesses the potential noise impact of events from key locations including the level 4 terraces, infield, theatre of the horse and indoor grandstand, to nearby residential properties. The report makes the following recommendations:

Table 5: Recommended noise criteria for event types

Noise level	Hours of Operation
Level 4 (indoor unamplified events and outdoor terraces)	
<p>The Office of Liquor, Gaming and Racing (OLGR) standard noise criteria:</p> <ul style="list-style-type: none"> Between 7:00am and 12:00 midnight at the boundary of any affected residence the noise level shall not exceed: <ul style="list-style-type: none"> L_{A10} Background noise level + 5dB. Between 12:00 midnight and 7:00am at the boundary of any affected residence, the noise level shall not exceed: <ul style="list-style-type: none"> L_{A10} background noise level; and Shall not be audible within any habitable room. 	<ul style="list-style-type: none"> Outdoor terrace to close by midnight. Restaurant and members facility to close by 2am as per liquor license for the area Monday to Sundays, and midnight on Sundays
Unamplified outdoor events and amplified indoor events	
<p>Modified OLGR standard noise criteria to follow general EPA noise assessment procedures as follows:</p> <ul style="list-style-type: none"> Between 7:00am and 12:00 midnight the following noise criteria shall apply: <ul style="list-style-type: none"> Standard OLGR criteria to apply in all octave bands where: $L_{10, \text{ambient}} < L_{90, \text{ambient}} + 5\text{dB}$ Modified criteria to apply in all octave bands where: $L_{10, \text{ambient}} > L_{90, \text{ambient}} + 5\text{dB}$ Modified limiting criteria for applicable octave bands is defined as: $L_{10, \text{event}} \text{ shall not exceed } L_{10, \text{ambient}}$ The $L_{A10, \text{event}}$ (15mins) shall not exceed the $L_{90, \text{ambient}}$ (15min), in each octave band, between 12:00 midnight and 7:00am The L10 level is sounded level exceeded for 10% of the measurement duration. 	<ul style="list-style-type: none"> Outdoor events to end by 11:00pm all days of the week. Indoor events to cease by 2am as per liquor license for the area Monday to Sundays, and midnight on Sundays.
Outdoor events with amplified noise	
<p>Maximum 60dB(A) $L_{A1, 5\text{min}}$ (Event) and 80 dB(C) $L_{C1, 5\text{min}}$ (event) as measured at any residential premises. Note that these limits are for the noise generated by the events only and shall be distinguished between noise from traffic and other sources when required. The limits apply for the entire duration of the event and associated sound checks etc.</p>	<ul style="list-style-type: none"> 11:00pm event end time at latest 1 hour sound check/rehearsal during daytime hours on non-event day (09:00-18:00) Maximum duration of 12 hours including sound checks

The department considers that the recommended noise levels for level 4 indoor unamplified events and outdoor terraces, and unamplified outdoor events and amplified indoor events to be acceptable as they will not result in any adverse impacts to the amenity of nearby residents and are generally in accordance with the noise criteria set by the OLGR. However, Council has requested that a revised noise impact assessment that includes additional noise control measures including noise limiting for sound systems for the level 4 restaurant and outdoor terrace be

submitted. The department supports these additional measures and recommends they be imposed via a condition of approval.

The department raises concern with the recommended noise criteria and hours of operation for outdoor events with amplified noise, particularly for music events, noting the maximum noise levels exceed the intrusive noise criteria established by ARUP in the original noise impact assessment report submitted with the original application dated September 2010, summarised in the **Table 6**.

Table 6: Summary of noise criteria from original ARUP noise impact assessment report

Noise sensitive receivers	Period	Time of period	Intrusive noise limit	Amenity and Limiting noise limit	Proposed noise limit for outdoor amplified events
Residential receivers	Day	7:00am - 6:00pm	54 dB(A)	54 dB(A)	60dB(A) $L_{A1, 5min}$ (Event) and 80 dB(C) $L_{C1, 5 min}$ (event)
	Evening	6:00pm - 10:00pm	53 dB(A)	45 dB(A)	60dB(A) $L_{A1, 5min}$ (Event) and 80 dB(C) $L_{C1, 5 min}$ (event)
	Night	10:00pm - 7:00am	49 dB(A)	41dB(A)	60dB(A) $L_{A1, 5min}$ (Event) and 80 dB(C) $L_{C1, 5 min}$ (event)

The proponent considers that the proposed maximum noise limit for outdoor events is acceptable for the following reasons:

- Maximum 60dB(A) $L_{A1, 5min}$ (Event) and 80 dB(C) $L_{C1, 5 min}$ (event) noise levels are below those approved on the site for major events including Future Music Festival being 70dB(A) L_{max} and 90 dB(C) L_{max} .
- Examples of other sites with higher noise levels approved include:
 - Royal Botanic Gardens, Domain Trust lands, and Sydney Cricket Ground (concerts only) having maximum noise limits of 70dB(A) L_{max} and 90 dB(C) L_{max} ;
 - Concerts at Aussie Stadium having maximum noise limits of 80dB(A) L_{max} and 100 dB(C) L_{max} ; and
 - Musical concerts at Centennial Park and Moore Park Trust lands having maximum noise limits of 65dB(A) L_{max} and 85 dB(C) L_{max} .
- The event end time of 11pm is in line with other precedents for amplified events at similar outdoor sites including the Royal Botanic Gardens and Domain Trust lands.
- The amenity of residents will be retained through control measures including:
 - event end time of 11:00pm and duration limit of 12 hours;
 - event sound check start/end time limits and sound check duration limits;
 - method of noise level compliance to be assessed by the proponent for each event;
 - amplification sound equipment to be designed and operated to minimise noise spill to site boundaries; and
 - external event operators to submit Event Noise Management Plan to the ATC for all amplified outdoor events.

The department has considered the above and notes that higher noise limits for the site, than those proposed, were approved for major events. These major events held periodically are approved on a one off basis or occur annually. The proposal allows for the opportunity to hold unlimited small scale outdoor amplified events throughout the year, potentially having a much greater overall impact to the amenity of nearby residents, particularly in the evening and night.

Further, the department considers the examples provided of other sites with higher noise limits approved are not comparable to the proposed outdoor events as the associated approvals allow for a limited number of amplified music events per year.

Notwithstanding, the department notes that amplified outdoor race day events have traditionally occurred on the site during the day. The proposed noise levels may be similar to race days and the department therefore considers that the recommended noise limit is appropriate during the day time hours.

However, the department does not support the proposed noise limits for the evening and night time hours as they have the potential to adversely disrupt the amenity of nearby residents. The department therefore recommends that less intrusive noise criteria should be imposed (as detailed in **Table 7**) from:

- 6pm to 10pm Sundays to Thursdays; and
- 8pm to 11pm Fridays and Saturdays. The department considers that during Fridays and Saturday evenings, higher noise levels until 8pm and later operation hours up to 11pm are acceptable.

The less intrusive noise criteria recommended is consistent with that imposed for unamplified outdoor events and amplified indoor events. This less intrusive noise criteria will allow for smaller events and functions such as weddings and/or small scale corporate gatherings etc.

Accordingly, the following noise limits and hours for outdoor amplified events are recommended:

Table 7: Recommended noise limits for outdoor amplified events

Sunday to Thursdays:	
9:00am to 6:00pm	Maximum 60dB(A) $L_{A1, 5min}$ (Event) and 80 dB(C) $L_{C1, 5min}$ (event) as measured at any residential premises.
6:00pm to 10:00pm	Same as unamplified outdoor events and amplified indoor events as recommended by the Acoustic Assessment prepared by ARUP dated 15 November 2013 (refer to Table 5).
10:00pm to 9:00am	No amplified events permitted.
Fridays, Saturdays and Public Holidays:	
9:00am to 8:00pm	Maximum 60dB(A) $L_{A1, 5min}$ (Event) and 80 dB(C) $L_{C1, 5min}$ (event) as measured at any residential premises.
8:00pm to 11:00pm	Same as unamplified outdoor events and amplified indoor events as recommended by the Acoustic Assessment prepared by ARUP dated 15 November 2013 (refer to Table 5).
11:00pm to 9:00am	No amplified events permitted.

In addition, the department recommends a condition requiring noise level monitoring of all outdoor amplified events to be undertaken and for a compliance report to be prepared annually. Any non-compliances shall include any future recommendations to ensure compliance with noise levels.

Subject to compliance with the recommendations of the noise impact assessment report and recommended conditions, the department is satisfied that the proposal will not adversely impact on the existing amenity of nearby residents.

Notwithstanding the above, the department notes there is opportunity for any events beyond the recommended noise levels or scope of this approval to be considered via a separate development approval.

5.4 Traffic and car parking management

Council, TfNSW and public submissions raised concern at the potential for minor events to have adverse traffic impacts on the local road network and public transport operation. Council and TfNSW request that a traffic and parking assessment incorporating pedestrian, transport and traffic management plans/strategies be prepared with consideration for pedestrian safety from potential vehicle and pedestrian conflict. Further TfNSW has requested that the assessment include

consideration of traffic impacts on bus services at the Alison Road/main entry gate intersection and High Street/infill car park access/UNSW access intersection.

The proposal is supported by a traffic impact assessment prepared by Parking and Traffic Consultants. The traffic impact assessment notes the following points:

- the ability to hold non-racing events within the Spectator Precinct is consistent with the situation prior to the commencement of the Grandstand project. The use of the Spectator Precinct for minor events represents a continuation of an existing use;
- the road network provides sufficient capacity to accommodate minor events evidenced by prior events on site and race day events;
- the proposed additional use of level 4 within the Grandstand as a restaurant and members facility will generally attract visitors already within the racecourse, or will involve a low traffic activity outside the road network peak periods; and
- parking provisions within the racecourse are sufficient to accommodate the parking demand associated with small events which have occurred satisfactorily in the past using the out-field and in-field parking areas with parking for up to 3,000 vehicles available.

The department has considered the above and, as discussed previously, notes that the site has historically been used for a wide range of minor and major race and non-race day events which can have up to 55,000 patrons. In this regard, the department notes that the proponent has successfully managed the wide range of traffic and car parking impacts for such events.

The department further notes the range of non race day minor events proposed are likely to generate a significantly less amount of additional traffic and car parking demand to those experienced on major race day events which occur on a regular basis on site.

TfNSW comments on the proponent's response to issues raised no concerns with traffic and parking issues.

The department therefore considers that the proposal will result in similar traffic and car parking impacts to those events previously held on site and is generally satisfied that the proponent has appropriate management practices in place to ensure traffic and car parking impacts are appropriately mitigated. In addition, the MEFMP has appropriate provisions in place to ensure car parking on site for events is appropriately managed to minimise traffic delays. This includes provision of ample security and staff for events where the maximum 5,000 patrons are anticipated or where large numbers of patrons are expected to arrive simultaneously.

TfNSW has also requested a condition of approval requiring the proponent to assess the impacts on the proposed light rail operation as a result of the proposal and to consult with TfNSW in relation to construction and operation of the light rail at all stages of the modification project.

The department notes that the traffic and transport modelling work being carried out by TfNSW for the proposed light rail already includes projection of future passenger volumes for the Randwick Racecourse and therefore does not consider further impact assessment to be necessary. Further, the department considers it appropriate that the proponent consult with TfNSW in relation to the light rail project and therefore recommends a condition accordingly.

5.5 Heritage

The proposed minor non race day events includes temporary structures for various minor events and car parking in the infill precinct.

The Heritage Council of NSW has requested that an archaeological impact assessment be prepared to address the potential impact of excessive use of the infield precinct for overspill car parking, and erection of temporary structures in certain areas which are likely to impact on archaeological relics/deposits. Further the use of the infield car parking for overspill car parking

may impact on the setting and views of the race course. A number of recommended conditions of approval are also proposed for the erection and removal of temporary structures.

The proponent comments that the infield precinct has regularly been used for overspill car parking for events for a number of years and that the current proposal is no different. Further, no temporary structures will require deep excavation and therefore there is no risk of disturbing relics, nor have there been any relics identified on site by the proponent. The proponent has adopted some of the recommended conditions of approval by Heritage NSW as part of the Statement of Commitments.

The department accepts that use of the infield precinct for temporary overspill car parking is an existing occurrence on the site for various major events and race day events. Further, use of the infield precinct for car parking is a temporary and sporadic occurrence. The majority of minor events proposed are unlikely to require use of the infield precinct for overspill car parking. The department is satisfied that there will be limited impacts to the visual setting of the race course.

The department is also satisfied that temporary structures are a common occurrence as part of race day and non race day events with marquees, tents and stages being erected within the Spectator and Infill precinct as necessary for events. Further, the temporary structures do not require deep excavation and will be erected within existing established areas of the two precincts. The department therefore does not consider it necessary for any archaeological impact assessment to be undertaken.

The Heritage Council of NSW also requested clarification of the time period for setup and removal of temporary structures on site. The proponent notes that all temporary structures will be removed within 1 week of the cessation of any event.

The department is satisfied with the proposed timing for removal of temporary structures. The recommended conditions by Heritage NSW have been recommended as conditions of approval where they have not already been included in the revised statement of commitments.

6. CONCLUSION AND RECOMMENDATION

The department has assessed the merits of the proposed modification taking into consideration the issues raised in all submissions and is satisfied that the impacts have been satisfactorily addressed within the proposal and department's recommended conditions. The department considers that the proposed modification is reasonable and consistent with the existing approval.

On balance, the department considers that the proposal:

- will satisfactorily safeguard the amenity of surrounding residents;
- is compatible with the existing character and use of the site, and surrounding locality;
- will facilitate the continued historical use of the site for racing and non-racing events;
- will not result in any substantial traffic impacts above those currently experienced on race days; and
- will not adversely impact on the heritage significance of the site.

The modified proposal remains generally consistent with the overall intent and terms of approval and is considered to be acceptable.

It is therefore recommended that the Executive Director:

- consider** the findings and recommendations of this report;
- approve** the modifications subject to conditions under Section 75W of the Environmental Planning and Assessment Act 1979; and
- sign** the attached Instrument of Modification (**Appendix C**).

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Senior Planner, Industry, Key Sites and Social Projects

Endorsed by:

 18/2/14
Daniel Keary
Director
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Approved by:

Chris Wilson
Executive Director
Development Assessment Systems & Approvals

APPENDIX A MODIFICATION REQUEST

See the department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5944

APPENDIX B SUBMISSIONS

See the department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5944

APPENDIX C RECOMMENDED MODIFYING INSTRUMENT
