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30 March 2022

Rodger Roppolo  
Senior Planning Officer, Key Sites Assessment  
Department of Planning and Environment  
*via email*

Dear Rodger,

## **NIGHT RACING AT ROYAL RANDWICK RACECOURSE - SSD-8706: WAIVER REQUEST FOR BIODIVERSITY ASSESSMENT REPORT**

We write on behalf of the Australian Turf Club (**the Applicant**) to seek a waiver to the requirement of a Biodiversity Development Assessment Report (**BDAR**) for State Significant Development Application SSD-8706.

As described in the Environment Impact Statement (**EIS**) for SSD-8706 dated 7 May 2022, the project seeks development consent for night racing at Royal Randwick Racecourse. Night racing events at Royal Randwick Racecourse during the Spring to Autumn period will allow the Australian Turf Club (**ATC**) to meet the growing demand for alternative night time economy leisure and recreation activities in Sydney. Night racing events will complement the existing day-time racing events, but will not result in a net increase in the number of racing events per annum at the racecourse.


Specifically, the application seeks approval for:

- 16 night racing events per annum (concentrated between October and April), broken into:
  - 12 minor race events per annum (up to 10,000 patrons).
  - 4 medium race events per annum (10,001 to 15,000 patrons).
- Installation of new trackside lighting to facilitate televised broadcasting.
- Upgrade of the existing Spectator Precinct lighting for patron safety.
- Permanent diesel generators for electricity generation for trackside lighting.
- Staging of physical works.

This BDAR Waiver request has been prepared in response to a request for information from Department of Planning and Environment's (**DPE**) Biodiversity and Conservation Division dated 3 March 2022.

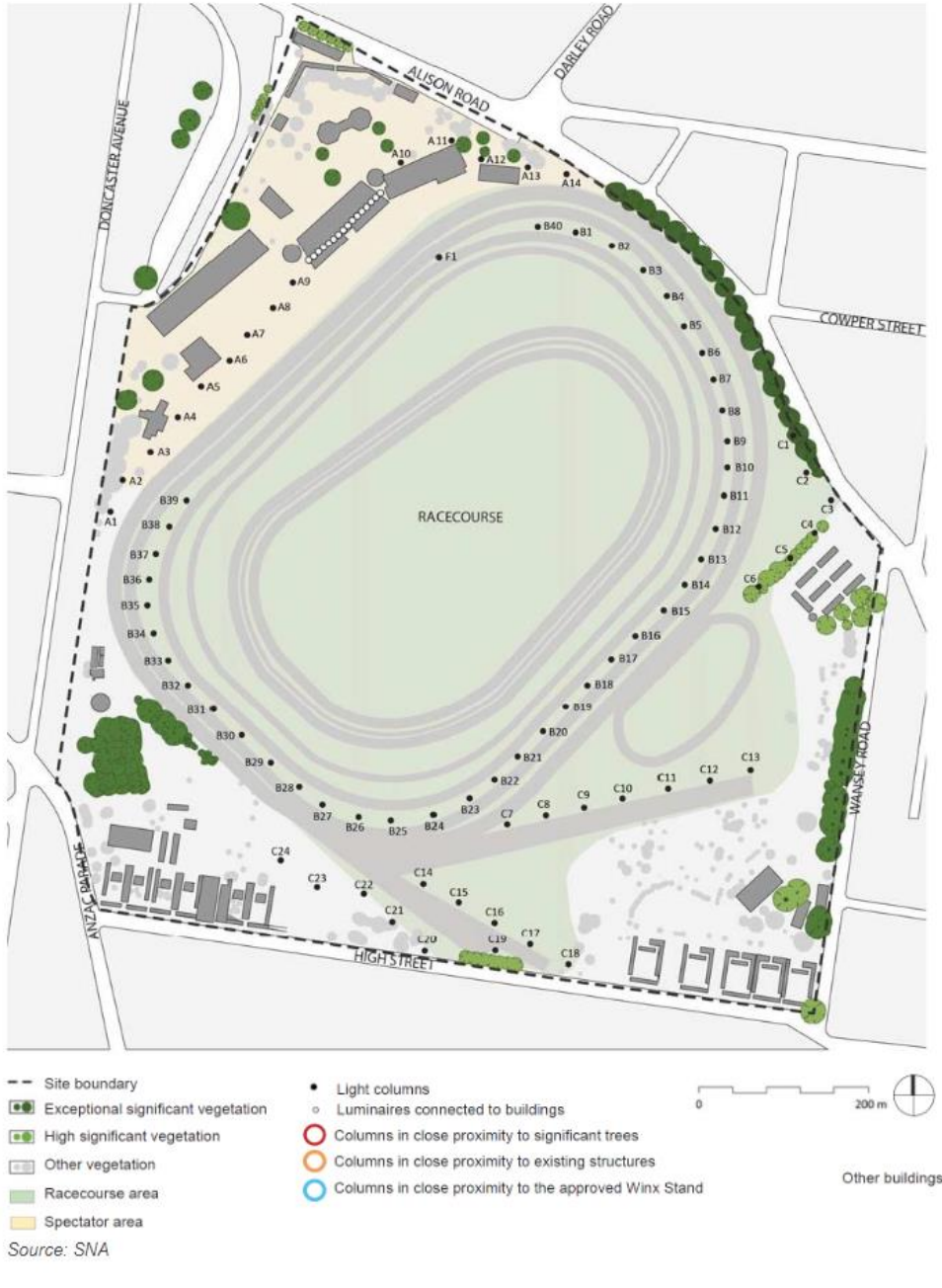
The relevant BDAR Waiver request information requirements are provided at **Table 1** below.

Table 1 BDAR Waiver Request Information Requirements

Area	Detail
Admin	<p><b>Proponent:</b> Australian Turf Club</p> <p><b>Proponent contact:</b> Piers Thompson, Executive General Manager, Infrastructure and Strategic Projects. 02 9663 8536</p> <p><b>Project ID:</b> SSD-8706</p> <p><b>Name and Qualifications of consultant:</b></p> <p>Richard Barry</p> <p>Senior Consultant, Urbis</p> <p>Bachelor of Planning (University of New South Wales)</p>
Site details	<p>The site address is Royal Randwick Racecourse and is Crown land, legally described as Lot 2009 in DP 1169042. The site is located in the Randwick Local Government Area.</p> <p>The majority of the site is very flat, especially around the central racetrack, the spectator precinct and facility areas on the western portion of the site. The landform along the eastern edge of the site grades upwards steeply with a RL of approx. 6 metres at the intersection of Wansey Road and Alison Road, and RL of approx. 26 metres at the intersection of Wansey Road and High Street.</p> <p>The site is predominantly vacant of vegetation, with clusters of trees around the perimeter of the site. A site survey is attached for reference.</p> 

Area	Detail
Proposed development	<p>Specifically, the application seeks approval for:</p> <ul style="list-style-type: none"> <li>▪ 16 night racing events per annum (concentrated between October and April), broken into: <ul style="list-style-type: none"> <li>– 12 minor race events per annum (up to 10,000 patrons).</li> <li>– 4 medium race events per annum (10,001 to 15,000 patrons).</li> </ul> </li> <li>▪ Installation of new trackside lighting to facilitate televised broadcasting.</li> <li>▪ Upgrade of the existing Spectator Precinct lighting for patron safety.</li> <li>▪ Permanent diesel generators for electricity generation for trackside lighting.</li> <li>▪ Staging of physical works.</li> </ul> <p><b>Hours of operation</b></p> <p>The proposed race events are scheduled to be completed between 6pm and 10pm. Trackside lights will be turned off at 10pm and patrons will be required to leave the site. There may be extenuating potential scenarios where the lights may be turned off past 10pm, this is discussed further in the EIS.</p> <p><b>Lighting structures</b></p> <p>There is a total of 79 light columns each approximately 750dia, proposed around the track. Collectively, the light columns will house 1,912 lighting fixtures to provide the required illumination.</p> <p>The positioning of the light columns around the racetrack is critical to provide adequate lighting to illuminate the horses and jockeys to televised broadcast standards and so that horses are visible from the grandstand, without creating glare for the camera or patrons. Light column locations have also been carefully designed to allow for an unimpeded view of the home straight during racing and minimise the view of light columns on the back straight and bends.</p> <p><b>Variable illumination control</b></p> <p>The proposed trackside lighting is designed with the ability to vary the light intensity so that the trackside lighting only requires to be illuminated to meet broadcast lighting criteria during televised races. As such, it is proposed that the racecourse lighting will be controlled in the following manner:</p> <ul style="list-style-type: none"> <li>▪ Control shall be via PC based software, with dimmable relay modules located within each Main Switchboard (<b>MSB</b>).</li> <li>▪ Lights shall be enabled via 'Race Day' function (activated manually) via software controlled by PE cell at dusk to turn on at 20% (LED drivers to be dimmable).</li> </ul>

Area	Detail
	<ul style="list-style-type: none"> <li>▪ Lights shall dim up to 100% 5 mins before race start.</li> <li>▪ Races will be run typically 30 minutes apart for 5 to 6 mins. As LED technology can be easily dimmed, the lights will be gradually dimmed between races. Lights shall dim down to 20% between races if required. Over a period of 2 minutes lights can be dimmed down to 20% to 30% of the maximum levels.</li> <li>▪ Lights shall be extinguished or dimmed down at 10pm or as per DA requirements.</li> <li>▪ Potential separate switching/control of Kensington track &amp; course proper.</li> </ul> <p><b>Diesel Generators</b></p> <p>The supply of electricity to operate the proposed trackside lighting will be supplied via four (4) diesel generators for the trackside lighting. The upgraded Spectator Precinct lighting will remain powered by mains.</p> <p>The diesel generators will be located infield on each corner of the Course Proper. Each diesel generator will be connected to a respective MSB at each location. Each MSB will contain dimmable relay modules to control the brightness of the proposed trackside lighting. Conduits are proposed for cable reticulation emanating either side of the diesel generators/MSB locations, to supply electricity to each light column. Conduits are proposed to be installed using under bore methodology.</p> <p><b>Upgrade to spectator precinct</b></p> <p>An upgrade to the Spectator Precinct lighting is required to provide maximum safety to patrons and racecourse personnel within the vicinity of the precinct after dark. The upgrade of existing Spectator Precinct lighting will include the Steward's areas, Theatre of the Horse, outdoor carparks and amenities all set back within the site. Luminaires in the Spectator Precinct are being upgraded to LED sources and poles are a maximum of 10m high. No new lighting poles are required. The requirements for lighting intensity will be lower than that required for the racetrack.</p> <p><b>Landscaping and tree retention</b></p> <p>The original EIS proposed no tree removal. Following further Arborist assessment, one (1) tree is recommended to be removed due to poor health. All other trees are to be protected and managed through a tree protection plan to avoid proposed infrastructure impacting on existing trees.</p>

Area	Detail
	<p>The below plan shows the location of the proposed poles and existing vegetation on site. This plan is appended to the EIS. It is noted that the plan shows poles located in proximity to existing vegetation in the eastern portion of the site, close to the intersection of Alison Road and Wansey Road. Tree surveys undertaken by a qualified Arborist has identified how the location of poles can be managed to avoid adverse impact on nearby trees and root zone.</p>  <p>Source: SNA</p>

Urbis has undertaken an assessment of the proposal against the relevant provisions of the *Biodiversity Conservation Act 2016* (**BC Act**) and *Biodiversity Conservation Regulation 2017* (**BC Reg**). We are of the opinion that the proposal as described in the scoping report is unlikely to have a significant impact on the eight biodiversity values as defined in Section 1.5 of the BC Act, and clause 1.4 and clause 6.1 of the BC Reg.

Having regard to the above and the assessment provided at Table 2 below, we respectfully request that the requirement for a BDAR is waived in this instance.

Table 2 Biodiversity assessment

Biodiversity Value	Assessment
<b><i>Biodiversity Conservation Act 2016</i></b>	
<u><i>Section 1.5 Biodiversity and biodiversity values for purposes of Act</i></u>	
<i>Vegetation abundance</i>	<p>The existing planting on and around the site consists of shrubs, groundcovers and trees located mainly around the periphery of the site. Plant species are a mix of exotic and non-local native species. The planting located within the spectator precinct is highly manicured and formal in arrangement.</p> <p>The site contains a large number of mature trees, of which a many are listed as significant trees under the Randwick Register of Significant Trees. The site contains one of the largest single collections of significant trees within the Randwick LGA. The Randwick Register of Significant Trees (Volume 3) notes the following:</p> <p><i>The Randwick Racecourse collection has a rare combination of original remnant vegetation (Eastern Suburbs Banksia Scrub) and successive overlays of cultivated specimen planting dating from the mid-to late nineteenth century. The site has exceptional natural and cultural heritage values. It has individual specimens and groups which are considered to have overall significance at the Randwick LGA and regional (metropolitan) level in terms of their combined historic, social, commemorative, botanic, biodiversity, aesthetic and visual qualities. A number of Moreton Bay Figs (Ficus macrophylla) within Randwick Racecourse have achieved massive proportions and scale, typical of this species. The row of Moreton Bay Figs (19 trees) along the Wansey Road boundary is an outstanding single species row plantation and one of the finest examples in the Randwick LGA.</i></p> <p>The proposed lighting infrastructure has been designed to avoid conflict and adverse impacts on existing vegetation located on the site.</p>
<i>Vegetation integrity—being the degree to which the composition, structure and function</i>	<p>The site is within an established urban/residential area and the site functions as a signature horse racecourse. The site has generally been cleared of vegetation and existing vegetation is exotic or non-local native species, in a heavily manicured environment.</p>

Biodiversity Value	Assessment
<i>of vegetation at a particular site and the surrounding landscape has been altered from a near natural state,</i>	<p>Vegetation surrounding the site is limited primarily to Council-owned Street trees. To the north of the site is the Centennial Parklands.</p> <p>Due to the condition of the site and existing vegetation, and that the proposed development will avoid adversely conflicting with existing vegetation, the proposal will not adversely impact vegetation integrity on the site or surrounding landscape.</p>
<i>Habitat suitability—being the degree to which the habitat needs of threatened species are present at a particular site,</i>	<p>The site does not contain any known habitat for threatened species. The site has been heavily disturbed due to the existing land use and does not present a habitat that would likely suit the needs of a threatened species.</p> <p>It is recognised that there is an existing colony of Grey-headed Flying Fox camp located north of the site at Lachlan's Swamp in Centennial Park. Grey-headed Flying Fox are listed as Vulnerable under the BC Act. A Biodiversity Impact Statement has been prepared by Cumberland Ecology to assess potential lighting impacts of the proposed development on the colony, in accordance with Commonwealth Guidelines.</p> <p>Cumberland Ecology's assessment concluded it is unlikely that the artificial lighting associated with the proposed development will significantly impact on the movement patterns of the Grey-headed Flying Fox and is acceptable for approval. As such, no further biodiversity assessment is required.</p>
<b><i>Biodiversity Conservation Regulation 2017</i></b>	
<b><i>Section 1.4 Additional biodiversity values</i></b>	
<i>Threatened species abundance—being the occurrence and abundance of threatened species or threatened ecological communities, or their habitat, at a particular site</i>	<p>The site does not contain any known habitat for threatened species. The site has been heavily disturbed due to the existing land use and does not present a habitat that would likely suit the needs of a threatened species. Therefore, the proposal will not have any likely impact on the surrounding natural environment and abundance of species.</p>
<i>Vegetation abundance—being the occurrence and abundance of vegetation at a particular site</i>	<p>The site has been heavily disturbed due to the existing land use and does not contain an abundance of vegetation.</p> <p>However, the site does contain vegetation that Council has identified as significant. Notwithstanding, the proposed development will not cause adverse impacts on the existing vegetation. A Tree Protection Plan has</p>

Biodiversity Value	Assessment
	<p>been proposed to be prepared by a qualified Arborist to mitigate/ avoid any potential impacts during construction.</p>
<p><i>Habitat connectivity—being the degree to which a particular site connects different areas of habitat of threatened species to facilitate the movement of those species across their range</i></p>	<p>It is recognised that there is an existing colony of Grey-headed Flying Fox camp located north of the site at Lachlan’s Swamp in Centennial Park. Grey-headed Flying Fox are listed as Vulnerable under the BC Act. However, the site is unsuitable as a habitat for Grey-headed Flying-Fox, and other threatened species.</p> <p>Therefore, the proposal will not have any likely impact on habitat connectivity.</p>
<p><i>Threatened species movement—being the degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle</i></p>	<p>The site does not contain any known threatened species or threatened ecological communities or their habitats. The site and surrounds are not known to connect different areas of habitat for threatened species, other than the flight path of Grey-headed Flying Foxes. This flight path integrity is assessed in the following consideration.</p> <p>Therefore, the proposal will not have any likely impact on threatened species movement.</p>
<p><i>Flight path integrity—being the degree to which the flight paths of protected animals over a particular site are free from interference</i></p>	<p>It is recognised that there is an existing colony of Grey-headed Flying Fox camp located north of the site at Lachlan’s Swamp in Centennial Park. Grey-headed Flying Fox are listed as Vulnerable under the BC Act.</p> <p>Whilst the site is unsuitable as a habitat for Grey-headed Flying-Fox, the site is located under a potential flight path.</p> <p>A Biodiversity Impact Statement has been prepared by Cumberland Ecology to assess potential lighting impacts of the proposed development on the colony, in accordance with Commonwealth Guidelines.</p> <p>Cumberland Ecology confirmed the flying-fox colony in Centennial Park is based in a camp within Lachlan’s Swamp, in the southern portion of Centennial Park as shown in Figure 2. The camp covers an area of approximately 6.5 ha and was established in 2010. The average population count since January 2012 is approximately 21,000 individuals, with the largest number of flying-foxes recorded to date being 95,442 in February 2020. The camp is an important annual maternity roost within central Sydney.</p> <p>Cumberland Ecology undertook a desktop assessment and site inspection on 22 September 2021 to determine potential movement patterns of the flying foxes on a specific date when they leave the Centennial Park camp</p>



Biodiversity Value	Assessment
	<p>at dusk. When assessing the importance of the habitat to the species, it is recognised that the Centennial Park Grey-headed Flying-fox camp is a nationally important camp under the EPBC Act and considered as an important annual maternity roost within central Sydney. However, the project is not expected to result in any direct impacts on the actual camp. Furthermore, based on the National Flying-fox Monitoring Viewer, there are a number of other known camps within Sydney that meet the criteria for being nationally important in the Greater Sydney area (including Wolli Creek, Gordon and Parramatta Park). Therefore, although the Centennial Park camp is an important camp for the species, it is not the only camp site found in the Sydney area. Although the project will not directly impact the camp, based on the known behaviour of the flying-fox and the proximity of the subject site to the Centennial Park camp, the main impact that may arise from the increased lighting associated with the project is considered to be changes to the species movement patterns at fly-out from the camp at dusk. However, when determining the risk of an impact to the species movement patterns, it is important to consider the extent of the additional light impacts. The night race events will take place over 16 nights spread out over the season between October and April. Based on the light impact assessment undertaken for the EIS, this will result in approximately 11.5 hours of lights at full intensity per racing season. With the implementation of design features such as baffles and shields, the light spill during these 11.5 hours will be minimised.</p> <p>Although the lighting will be increased for a relatively short period of time during each of the night racing events, it will occur within an environment that has a high existing ambient light level within a highly urbanised area and therefore will mainly contribute to existing sky glow as opposed to creation of a new visible light source. As a result, the Flying-foxes are likely to already be relatively accustomed to the light environment at night.</p> <p>Cumberland Ecology's assessment concluded it is unlikely that the artificial lighting associated with the proposed development will significantly impact on the movement patterns of the Grey-headed Flying Fox and is acceptable for approval.</p> <p>Therefore, the proposal is unlikely to impact on threatened species movement.</p>
<p><i>Water sustainability—being the degree to which water quality, water bodies and hydrological processes sustain</i></p>	<p>The proposed development will cause no change to the current stormwater management for the site.</p> <p>Due to the existing land use already managing stormwater runoff from the site, the proposal is unlikely to cause any change in sustainability and water quality surrounding the site.</p>



Biodiversity Value	Assessment
<i>threatened species and threatened ecological communities at a particular site.</i>	

We trust this assessment provides sufficient evidence to determine that the proposal will not have a significant impact on the biodiversity values defined under the *Biodiversity Conservation Act 2016* and *Biodiversity Conservation Regulation 2017* and therefore that a BDAR is not necessary to accompany the SSDA.

Please do not hesitate to contact the undersigned on 02 8233 9946 or [rbarry@urbis.com.au](mailto:rbarry@urbis.com.au) should you require any further information.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "R Barry", with a stylized flourish at the end.

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