



Royal Randwick Racecourse Hotel

*State Significant
Development
Modification Assessment
(SSD 5002 MOD 1)*

August 2019

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Glossary

Abbreviation	Definition
Applicant	Australian Turf Club
Consent	Development Consent
Council	Randwick City Council
Department	Department of Planning, Industry and Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
Minister	Minister for Planning and Public Spaces
Site	Royal Randwick Racecourse
SSD	State Significant Development



1. Introduction

This report is an assessment of an application to modify the State significant development (SSD) approval (SSD 5002) to amend Condition A7 so that it aligns with standard wording of other SSD consents related to the lapsing of consents. The modification application has been lodged by the Australian Turf Club (the Applicant) pursuant to section 4.55(1) of the EP&A Act. The modification application seeks approval to amend Condition A7 by deleting the word “building”, so that the lapsing of the consent relates to works in general.

1.1 Background

The modification application relates to the Royal Randwick Racecourse, located in the Randwick Local Government Area (LGA). Its primary road frontage is to Alison Road, with frontages also to Doncaster Avenue, High Street, Anzac Parade and Wansey Road. The site is legally described as Lot 2009 in Deposited Plan 1169042 and is Crown Land, leased to the Australian Turf Club (the Applicant) who own and operate the racecourse. The racecourse is located between two key sub-regional road corridors, being Anzac Parade and Alison Road, which are both undergoing significant change due to the light rail construction.



Figure 1 | Site context (Source: Applicant's report)

The racecourse has an interface with several different localities each with a distinct character, including:

- north – Centennial Park directly opposite the site, on the opposite of Alison Road
- east – predominantly residential area, with frontage to Wansey Road. The area is elevated above the level of the racecourse but views across the racecourse are well screened by a row of mature fig trees further east – Randwick shopping village is approximately 1.5km away
- south – the University of NSW is located along the entire southern boundary of the site fronting High Street
- south-east – the Prince of Wales Hospital is located less than 1km away
- west – residential area consisting of a mix of one and two storey single dwellings and three storey residential flat buildings
- further west – Kensington village shopping strip located along Anzac Parade.

1.2 Approval History

On 14 November 2014, the then Planning Assessment Commission, acting under delegation from the Minister for Planning, approved SSD 5002 for the following works at Royal Randwick Racecourse:

- hotel development, including:
 - demolition of the existing amenities block and two stewards towers and partial demolition of the existing boundary fence
 - construction of an 8-storey hotel building including:
 - 170 serviced apartments
 - a restaurant and bar with external terrace
 - conference and meeting room facilities
 - an outdoor swimming pool and terrace
 - basement parking
 - trackside bar
 - associated infrastructure works, landscaping, conservation works and signage.



Figure 2 | RRR Hotel Perspective (Source: Applicant's report)



2. *Proposed Modification*

On 15 August 2019, the Applicant lodged a modification application (SSD 5002 MOD 1) seeking approval, under section 4.55(1) of the EP&A Act, to amend Condition A7 shown struck through as follows:

A7. Limits of this consent

This consent will lapse five years from the date of this consent unless the ~~building~~ works associated with the application have physically commenced.



3. Statutory Context

3.1 Scope of Modifications

Section 4.55(1) of the EP&A Act allows the consent authority to modify a development consent to correct a minor error, misdescription or miscalculation.

Given, the proposed changes to the condition related to the deletion of the word “building” which has been incorrectly imposed, the Department is satisfied the proposed modification is within the scope of section 4.55(1) of the EP&A Act.

3.2 Consent Authority

The Minister for Planning and Public Spaces was the consent authority for the original application under section 4.5(a) of the EP&A Act and remains the consent authority for the modification application. Under the Minister’s delegation dated 11 October 2017, the Director, Key Sites Assessments, may determine the application as:

- the relevant local council has not made an objection
- a political disclosure statement has not been made
- there are no submissions in the nature of an objection.



4. Assessment

4.1 Condition A7 – Limits of Consent

The proposal seeks approval to amend Condition A7 by deleting the word “building”. The Applicant notes the change will align with standard wording of other SSD approval conditions and the provisions under section 4.53 of the EP&A Act. The Applicant also notes the definition of “works” would capture engineering, construction and building works, as opposed to the more limited “building works” term.

The Applicant considers Condition A7 to be limiting and it is not clear why only “building works” are required to physically commence the consent. Therefore, the Applicant notes the proposed amendment to Condition A7 will align with the ordinary test for physical commencement.

The Department has reviewed the Applicant’s modification request and notes the wording of Condition A7 is incorrect and limits the range of works that can be undertaken on the site. The Department notes this is also inconsistent with the range of works that can be undertaken under the EP&A Act that would ensure the consent does not lapse if they’re undertaken.

The Department therefore concludes the proposed change is reasonable and acceptable as it will align with the Department’s standard wording for the lapsing of consent conditions, consistent with the provisions of the EP&A Act.



5. Evaluation

The Department has reviewed the proposed modification and assessed the merits of the application.

The Department is satisfied the modification request will facilitate the development of the site and would not result in any adverse environmental impacts. Consequently, the Department considers the development is in the public interest and should be approved.



6. Recommendation

It is recommended that the Director, Key Sites Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report;
- **Determines** that the application SSD 5002 MOD 1 falls within the scope of section 4.55(1) of the EP&A Act;
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant approval to the application;
- **modify** the consent SSD 5002; and
- **signs** the attached approval of the modification (Attachment A).

Recommended by:

Eliza Cook

Student Planner

Key Sites Assessments

Recommended by:

Cameron Sargent

Team Leader

Key Sites Assessments



7. Determination

The recommendation is: **Adopted / Not adopted by:**

David McNamara

Director

Key Sites Assessments



Appendices

Appendix A – Modification Instrument

Appendix B – Supporting Information