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Department of Planning and Environment

04 December 2023

Ref No: D05145343

4 Parramatta Square
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Parramatta NSW 2150

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Dear Rodger,

Re: Environmental Impact Statement: Mixed Use Hotel Development, Royal Randwick Racecourse SSD 38019507 – Council Endorsed Submission

Thank you for the opportunity to comment on the aforementioned State Significant Development (SSD) application, which seeks consent for the construction of a mixed-use hotel at the Royal Randwick Racecourse (RRR). This is Council's final submission endorsed by Council Resolution at the Ordinary Council Meeting of 28 November 2023. In line with the resolution, no changes have been made to the Council officer's draft submission contained in the Council Business Paper.

The SSD replaces the currently approved eight storey mixed use hotel on the site and proposes the following:

- Site establishment, including removal of the existing Oaks Marquee and relocation of an existing Port Jackson Fig tree to the northern extent of the site adjacent to Alison Road
- Excavation, cut and fill to accommodate the proposed development
- Construction and operation of a seven-storey mixed-use hotel development comprising 190 rooms/suites, a registered club (no poker machines proposed), ancillary function space, food and drink premises
- Basement level with 21 car parking spaces, one loading bay, hotel back of house, rainwater tank, storage and end of trip facilities
- Shared hotel amenities including pool and gym
- Extension to the existing internal vehicular network to provide access to an undercover porte-cochere at ground level, adjacent to the primary building entrance to service hotel guests and visitors and vehicular access to the basement
- Landscaping and public domain works
- Six illuminated business identification signage zones on building facades
- Utilities and service provision including provision of an onsite OSD tank.

<p>English</p> <p>If you need help to understand this letter, please come to Council's Customer Service Centre and ask for assistance in your language or you can contact the Telephone Interpreter Service (TIS) on 131 450 and ask them to contact Council on 1300 722 542.</p>	<p>Greek</p> <p>Αν χρειάζεστε βοήθεια για να καταλάβετε αυτή την επιστολή, παρακαλείστε να έρθετε στο Κέντρο Εξυπηρέτησης Πελατών της Δημαρχίας (Council Customer Service Centre) και να ζητήσετε βοήθεια στη γλώσσα σας ή τηλεφωνήστε στην Τηλεφωνική Υπηρεσία Διερμηνέων (Telephone Interpreter Service — TIS) τηλ. 131 450 και να ζητήσετε να επικοινωνήσουν με τη Δημαρχία τηλ. 1300 722 542.</p>	<p>Italian</p> <p>Se avete bisogno di aiuto per capire il contenuto di questa lettera, recatevi presso il Customer Service Centre del Municipio dove potrete chiedere di essere assistiti nella vostra lingua; oppure mettetevi in contatto con il Servizio Telefonico Interpreti (TIS) al 131 450 e chiedete loro di mettersi in contatto col Municipio al 1300 722 542.</p>
<p>Croatian</p> <p>Ako vam je potrebna pomoć da biste razumjeli ovo pismo, molimo dođite u Općinski uslužni centar za klijente (Council's Customer Service Centre) i zatražite pomoć na svom jeziku, ili možete nazvati Telefonsku službu tumača (TIS) na 131 450 i zamoliti njih da nazovu Općinu na 1300 722 542.</p>	<p>Spanish</p> <p>A la persona que necesite ayuda para entender esta carta se le ruega venir al Centro de Servicios para Clientes [Customer Service Centre] de la Municipalidad y pedir asistencia en su propio idioma, o bien ponerse en contacto con el Servicio Telefónico de Intérpretes ["TIS"], número 131 450, para pedir que le comuniquen con la Municipalidad, cuyo teléfono es 1300 722 542.</p>	<p>Vietnamese</p> <p>Nếu quý vị không hiểu lá thư này và cần sự giúp đỡ, mời quý vị đến Trung Tâm Dịch Vụ Hướng Dẫn Khách Hàng của Hội Đồng Thành Phố (Council's Customer Service Centre) để có người nói ngôn ngữ của quý vị giúp hay quý vị có thể liên lạc Dịch Vụ Thông Dịch qua Điện Thoại (TIS) ở số 131 450 và yêu cầu họ liên lạc với Hội Đồng Thành Phố (Council) ở số 1300 722 542.</p>
<p>Polish</p> <p>Jeśli potrzebujesz pomocy w zrozumieniu treści tego pisma, przyjdź do punktu obsługi klientów (Customer Service Centre) przy Radzie Miejskiej i poproś o pomoc w języku polskim, albo zadzwoń do Telefonicznego Biura Tłumaczy (Telephone Interpreter Service — TIS) pod numer 131 450 i poproś o skontaktowanie się z Radą Miejską (Council) pod numerem 1300 722 542.</p>	<p>Indonesian</p> <p>Jika Anda memerlukan bantuan untuk memahami surat ini, silakan datang ke Pusat Pelayanan Pelanggan (Customer Service Centre) Pemerintah Kotamadya (Council) dan mintalah untuk bantuan dalam bahasa Anda, atau Anda dapat menghubungi Jasa Juru Bahasa Telepon (Telephone Interpreter Service - TIS) pada nomor 131 450 dan meminta supaya mereka menghubungi Pemerintah Kotamadya pada nomor 1300 722 542.</p>	<p>Turkish</p> <p>Bu mektubu anlamak için yardima ihtiyaciniz varsa, lütfen Belediye'nin Müşteri Hizmetleri Merkezi'ne gelip kendi dilinizde yardım isteyiniz veya 131 450'den Telefonla Tercüme Servisi'ni (TIS) arayarak onlardan 1300 722 542 numaradan Belediye ile ilişkiye geçmelerini isteyiniz.</p>
<p>Hungarian</p> <p>Amennyiben a levél tartalmát nem érti és segítségre van szüksége, kérjük látogassa meg a Tanácsház Ügyfél Szolgálatát (Customer Service Centre), ahol magyar nyelven kaphat felvilágosítást, vagy hívja a Telefon Tolmacs Szolgálatot (TIS) a 131 450 telefonszámon és kérje, hogy kapcsolják a Tanácsházat a 1300 722 542 telefonszámon.</p>	<p>Czech</p> <p>Jestliže potřebujete pomoc při porozumění tohoto dopisu, navštivte prosím naše Středisko služeb pro veřejnost (Council's Customer Service Centre) a požádejte o poskytnutí pomoci ve vaší řeči anebo zavolejte Telefonní tluumočnickou službu (TIS) na tel. čísle 131 450 a požádejte je, aby oni zavolali Městský úřad Randwick na tel. čísle 1300 722 542.</p>	<p>Arabic</p> <p>إذا أردت مُساعدة لفهم هذه الرسالة، نرجوك الحضور إلى مركز خدمة عملاء المجلس وأطلب المساعدة في لغتك، أو يُمكنك الاتصال بخدمة الترجمة الهاتفية (TIS) على هاتف رقم 131 450 وأطلب منهم الاتصال بالمجلس على رقم 1300 722 542.</p>
<p>Chinese</p> <p>如果你需要人幫助你了解這封信的內容，請來市政會顧客服務中心要求翻譯服務，或者與電話傳譯服務 (TIS) 聯繫，號碼是 131 450。請他們幫助你打電話給市政會，號碼是 1300 722 542。</p>	<p>Russian</p> <p>Если Вам требуется помощь, чтобы разобраться в этом письме, то, пожалуйста, обратитесь в Муниципальный Центр Обслуживания Клиентов и попросите оказать Вам помощь на Вашем языке или же Вы можете позвонить в Телефонную Службу Переводчиков (TIS) по номеру 131 450 и попросить их связаться с Муниципалитетом по номеру 1300 722 542.</p>	<p>Serbian</p> <p>Ako vam treba pomoć da razumete ovo pismo, molimo vas da dođete do Centra za usluge mušterijama pri Opštini (Customer Service Centre) i zamolite ih da vam pomognu na vašem jeziku, ili možete nazvati Telefonsku prevodilačku službu (TIS) na 131 450 i zamolite ih da vas povežu sa Opštinom na 1300 722 542.</p>

As an overarching comment, it is acknowledged that the proposal has the potential to deliver socio-economic benefits to the community, being collocated with the existing RRR facilities, thereby facilitating a wider concentration of event based, recreational and cultural activity. It would generally align with Council’s strategic objectives for supporting the local economy, stimulating jobs growth, and diversifying entertainment and cultural offerings. Moreover, if approved, the proposal would contribute to the amount of tourist and visitor accommodation adding to the diversity of accommodation options in the Randwick Local Government Area (LGA).

Notwithstanding these socio-economic benefits, it is important to recognise that the RRR hotel site is located within a sensitive residential context, on a highly trafficked road corridor and forms a prominent gateway to the Randwick LGA. It is therefore imperative that any development proposal on the racecourse hotel site responds appropriately to this broader context, while mitigating any potential adverse impacts, both in terms of its built form as well as intensification of operations on the site.

To this end the following comments and suggestions are made by Council with respect to the current proposal:

1. Planning and urban design issues

Building envelope, appearance and access

The current SSD proposes a seven storey building envelope which is lower in height, and generally consistent with the building orientation and siting of the original eight storey scheme. The proposed seven storey height is an improved outcome to the approved scheme and would better align with the desired future character of the surrounding locality. In particular, the proposed seven storey scale would be complementary to the built form objectives and controls applicable to the West Randwick Housing Investigation Area (HIA) located directly across Alison Road (24m maximum height limit under the RLEP 2012), as well as other major buildings in the vicinity including the Randwick TAFE site (eight storeys), and the new Grandstand Building in the spectator site (seven storeys).



ATC Royal Randwick Hotel - Visual Impact Assessment 11 May 2023 Photo 6075 (Extract)

The proposed reduced height of one storey, assists to improve the scale of the building within its urban context. However, there are several building design aspects that would contribute unnecessarily to the bulk and scale, and the overall visual impact of the proposal. Of particular concern is the east end of the building and particularly the northeast corner which awkwardly juts out into the Alison Road streetscape and at the pedestrian level would present as an imposing

structure with mostly blank walls. The scale of the building is in stark contrast to the existing one and two storey buildings and fences along this racecourse frontage.

The building form as proposed is incongruous with the alignment of Alison Road and is visually intrusive to the highly used streetscape. It would have a detrimental visual impact on the surrounding locality due to its scale and massing, as well as its unusual, angled placement with only a very small setback, which fails to adequately address the interface with the street edge and the predominant linear alignment of Alison Road. The bulk of the east end of the seven storey building stands out visually, in the context of the much lower fence and the small one and two storey buildings.

The visual impact of the building's east elevation is further exacerbated by the lack of relief and articulation of the upper floors and the proposed uniform materiality, which would further highlight its prominence when viewed from the street. Although the proposal includes the relocation of a fig tree to soften the appearance of the built form on Alison Road, this is not considered to be a satisfactory solution in terms of screening, as the health and extent of the tree canopy would be highly contingent on its maintenance and long term survival.

The design of the east end of the building, which is visually prominent along Alison Road, should be amended to incorporate setbacks from the Alison Road property boundary and the design amended to improve the articulation of the built form to resolve the awkward proximity of the northeast corner of the building in relation to the simple linear street elements of Alison Road (fence lines, shared pathway, kerb and gutter).

Consideration should be given to introducing further articulation to the built form and architectural expression through introducing a splayed corner and upper level setback, or extending the curved form of the lower levels to the upper levels to create greater visual interest, and create a better interface, by reducing the abrupt clash of the hotel built form with the public realm and the geometry of Alison Road.

The hotel and associated facilities should make a positive contribution to the social fabric of the area. The design must clearly demonstrate the degree of public access within the hotel foyer, dining and lounge areas and incorporate generous and well designed spaces that attract the public to socialise, meet, access facilities. In particular, the development must provide clear ground level sightlines from Alison Road through to the Racecourse, to encourage use and connection of the space.

In addition to public connection to the space, public art must be included as part of any development in accordance with Council's Public Art Strategy. It is broadly understood that this offering could be incorporated with the developed Cultural Overlay Framework and corresponding identified artwork.

Recommendations

- Increase the building setback and introduce further articulation of the built form and the architectural expression of the east elevation and northeast corner of the hotel building to improve the appearance and visual connection from Alison Road
- Better integrate the upper levels with the architectural elements on the lower levels, in particular the curved wall elements, to soften the overall built form and to reduce the visual bulk
- Consider and explore introducing more windows in the east elevation to break down the proposed areas of blank wall
- Develop the palette of building materials to break up the massing on the east elevation and reduce its visual dominance to Alison Road
- Formalise a public art offering in accordance with Council's Public Art Strategy.

Signage

The application seeks to install six business identification signs across all elevations of the building including:

- Four illuminated flat wall mounted signs:
 - West elevation: 4.7m x 2.7m
 - East elevation: 5m x 3m
 - North elevation: 5m x 3m and 6m x 1.5m
- Two top of building signs:
 - South elevation: 15m x 3m
 - North elevation: 15m x 3m

The application has not provided sufficient information about the proposed signage scheme and has not incorporated a Signage Strategy or light spill analysis to assist in determining potential impacts upon the Royal Randwick Precinct Heritage Conservation Area (HCA), road safety and the overall amenity of the locality. These omissions are critical given the prominent location of the site and its sensitive context. Of note, the application has not satisfactorily addressed the following matters:

- Details of the proposed signs including type, scale, proportions, style, materiality, finishes or extent of illumination
- Demonstrated compatibility with the desired amenity and visual character of the immediate locality, in particular the heritage context
- Potential impacts on road safety, visual clutter, view lines or light spill
- External lighting assessments
- Key criteria for advertising and signage within the *SEPP (Industry and Employment)* need to be addressed including:
 - Aims: which focus on providing effective communication in suitable locations and high-quality design and finishes
 - Schedule 5 criteria:
 - Compatibility with existing/desired future character of the locality
 - Amenity and visual quality considerations
 - Scale, proportion, and form
 - Protrusion above buildings
 - Innovation and imagination in its relationship to the site or building
 - Extent of Illumination including intensity and pedestrian/road safety.

In addition to the above matters, the proposed signage areas located on the rooftop of the hotel building at 21 and 28 meters above ground level is not keeping with the HCA nor the overall amenity of the locality and therefore must be deleted. Please see further comments / recommendations below under 3. *Heritage conservation*.

Recommendation

- Submit a comprehensive Signage Strategy detailing scale, materiality, fixings and fabrications of all the proposed signs prior to granting development consent
- Undertake an external lighting assessment to report on compliance with provisions contained in Chapter 3 of the *SEPP (Employment and Industry)* in relation to advertising and signage.
- Deletion of rooftop signage

2. Transport and parking

The proposal has been reviewed by Council's Integrated Transport section and the following issues have been raised.

Access

Further consideration is required towards the proposed access arrangements, including:

- Opening the Alison Road entrance for regular operations will invite west bound traffic on Alison Road to turn left into the site. This is not considered appropriate or safe, noting the presence of the adjacent light rail as well as an actively used shared path across the accessway. Consideration should be given towards utilisation of the existing signalised access further west on Alison Road.
- The existing exit driveway onto Alison Road is currently designed in a way that drivers have perceived priority over pedestrians and cyclists. Moreover, the angular approach results in poorer visibility between exiting vehicles and share path users. This may be acceptable under the current event-only usage arrangements, however, it is not acceptable as a normal state of operations, noting the high utilisation of the footpath by cyclists, pedestrians and public transport users. It is important that the egress is redesigned as continuous footpath and any other measures necessary to optimise the share path user safety.
- The vehicular access off Alison Road, as currently configured would create a confusing intersection of light rail, vehicles, bicycles and pedestrians. The shared path, footpaths and pram ramps of the Alison Road signalised intersection need to be carefully considered in the design development phase to prioritise pedestrian safety - the shared pathway maintaining its raised level to signal its priority at the entry threshold.
- Whilst the tight turns proposed for the porte cochere drop off loop and basement carpark access ramp will naturally slow traffic movements, the arrangements lack legibility (creating a safety issue), create confusing vehicular crossed pathways and result in a large extent of paved area.

Traffic generation

No major issues are raised with respect to traffic generation, however it is noted that the proposal makes a number of assumptions around traffic, including lowering the ultimate traffic volume estimate to a negligible figure. It would be more appropriate to take a conservative approach, to include some contingency, noting the sensitivity of this road network. It is also unclear if the report addresses the taxi/rideshare mode, which typically makes up a statistically significant proportion of hotel-based trips, particularly in the case of luxury hotels.

Bicycle parking

The TIA indicates a requirement for 15 bicycle spaces to be provided as part of the overall parking provision, however these have not been shown on the plans.

Parking

Parking associated with the proposal should where possible be accommodated on the hotel development site and should not result in overflow onto surrounding streets, particularly on event days. It is noted that the proposal does not provide adequate parking in the basement area to serve the hotel uses. A condition should be imposed requiring that the applicant prepare a comprehensive parking and transport management plan addressing event days and major functions including the hotel development and submitted to Council for review.

Porte cochere

The SSD proposes a porte cochere adjacent to the hotel lobby to help mitigate potential queuing impacts on Alison Road traffic flow. If pursued, it is essential that the porte cochere be contained fully within the site so as not to dominate the interface with the public realm on Alison Road. It is

requested that the applicant either undertakes a queueing analysis, or a comparison study with similar hotels to demonstrate adequate vehicle storage capacity in the porte cochere.

Access plans in the Design Statement appear to indicate that no vehicular access will be provided to the proposed hotel port cochere drop off or basement parking on event days. It is questioned whether this is a realistic assumption, given that a hotel generally needs to operate 24/7 and would need to provide some level of vehicular access even during the event days. Provision for limited vehicular access to the hotel during event days should be addressed in the race day mode planning.

Recommendations

- Utilise the existing traffic signals, further west on Alison Road, for vehicular access to the hotel
- Redesign vehicular egress to the hotel with a continuous shared path/footpath and adopt any measures necessary to improve shared path user safety
- Amend plans to show location of bicycle parking in the hotel basement
- Undertake queueing analysis, or similar study, to demonstrate an appropriate storage capacity has been provided for the porte-cochere.

3. Heritage conservation

The proposal is in a highly sensitive heritage context - the whole of the Royal Randwick Racecourse, as well as a strip of residential development along Doncaster Avenue is listed as the *Racecourse Precinct Heritage Conservation Area* under the RLEP 2012. In addition, the proposal is in proximity to several locally listed heritage items including:

- Member's Stand / Officials Stand - listed as a heritage item (I249) and located to the west of the proposal
- Tramway Turnstile Building Complex (Heritage Item) - located to the south-west of the proposal
- Centennial Park - listed as a local heritage item (II01) and as a conservation area (C1) and on the State Heritage Register
- Federation Cottage - listed as a local heritage item (I399) and located approximately 73m northeast from the subject area.

The following comments are made in respect to heritage matters:

- The reduction of height and bulk is an improved outcome, when compared to the previously approved scheme. Notwithstanding this, concerns are raised that the proposed building form would still have considerably greater prominence on the Alison Road streetscape, than the new and modified spectator stands, due to its proximity and minimal setback from the road.
- The proposal includes ground floor and rooftop signs in various locations, however, as noted earlier in this submission, a signage strategy/plan has not been submitted which is needed to assess any potential impacts upon the heritage significance of the HCA and/or individual items. The proposal does not adequately assess the proposed signage against Council's own DCP controls (F2) which provide suitable guidance on the location, siting, style/type and proportions of signage. For instance, Section F2 Clause 3.5 of the DCP contains provisions for signage located in Environmental, Recreation and Rural zones which has not been addressed.
- We note that the proposed development considers *Connecting with Country* by:
 - *The relocation of one Port Jackson Fig tree, a robust transplant methodology with ongoing maintenance requirements by a qualified arborist will be followed to ensure the ongoing health and stability of the tree following relocation. This is notably consistent with the approval conditions for tree relocation under the previous SSD-*

5002-2011. The proposed location of the tree is within 70m of the existing tree and is adjacent to Alison Road and the eastern elevation of the hotel, thus ensuring ongoing connection and views towards the tree are maintained. The other two existing Port Jackson Fig trees will be retained and protected during construction.

- Providing significant additional planting opportunities on the site that is informed by the Connecting with Country overlay framework. The proposed landscaping composition will provide a consistent and visually open ground plane to create a seamless and accessible pedestrian experience. A total of 17 new trees and a selection of shrubs and groundcover are proposed along the northern entry forecourt which will increase the canopy coverage for the site from 12.1% to 15.8%.
- The Heritage Archaeological Impact Assessment (HAIA) by Urbis has identified the subject site has low potential for historical and archaeological resources associated with phases 1 (The Sandy Course), 2 (Development of Racecourse 1860-1900), and 5 (Late 20th Century 1982-2009). However, there is moderate potential for archaeological resources associated with phases 3 (Early 20th Century Expansion 1900-1917) and 4 (Interwar and Post-war 1917-1982). We note that the HAIA concludes that due to the low potential for relics to occur, it is unlikely that the proposed works would constitute an impact to archaeological relics of Local or State significance, therefore, the development can proceed with the Unexpected Finds conditions. It also recommends that no further assessment of the subject site is required for historical archaeology in relation to the current proposal. Council's heritage officer supports and concurs with the above findings.

Recommendations

Should the proposal be approved, the following consent conditions are requested:

- A comprehensive Interpretation Strategy and Plan be prepared including identification of Historical Themes, Audiences and Resources, and Interpretative Recommendations. Full details of the Interpretation Strategy and Plan are to be submitted to, and approved by the Minister, in accordance with Section 4.17 of the Environmental Planning and Assessment Act 1979, prior to a Construction Certificate being issued for the development. The Interpretation Plan is to be prepared by a suitably qualified and experienced heritage practitioner or historian. The recommendations of the Interpretative Strategy and Plan are to be implemented in conjunction with the proposed development.
- The Interpretation Plan must detail how information on the history and significance of the Royal Randwick Racecourse and proposed mixed-use hotel will be provided for the public and make recommendations regarding public accessibility, signage and lighting. Public art, details of the heritage design, the display of selected artefacts are some of the means that can be used. The plan must specify the location, type, making materials and contents of the interpretation device being proposed. Prior to an Occupation Certificate being issued the approved Interpretation Plan must be implemented to the satisfaction of the Minister.
- A Schedule of Conservation Works for the Turnstile Building is to be prepared in accordance with the principles embodied in the Australia ICOMOS Burra Charter and the methodology outlined in J.S. Kerr's The Conservation Plan. This Plan is to be prepared by an Architect suitably qualified and experienced in heritage conservation and submitted to and approved by the Minister, in accordance with Section 80A (2) of the Environmental Planning and Assessment Act 1979, prior to a Construction Certificate being issued for the development.
- The conservation policies and maintenance program outlined in the Schedule of Conservation Works are to be implemented in conjunction with the proposed development. An Architect suitably qualified and experienced in heritage conservation

shall be engaged to oversee the implementation, to ensure the use of technically sound and appropriate techniques.

- Full details of the interpretative installation to the Turnstile Building shall be submitted to and approved by the Minister, in accordance with *Section 80A (2) of the Environmental Planning and Assessment Act 1979* prior to a Construction Certificate being issued for the development. The recommendations of the Interpretative Strategy and Plan are to be implemented in conjunction with the proposed development.
- The proposed roof top signs to the hotel building are to be deleted. These signs appear to be excessive in size and inappropriately located. The signs are not consistent with the Objectives and Controls for signage in Council's Development Control Plan for Outdoor Advertising, which requires a low-key appearance to minimise visual impact. The signs are not consistent with Controls for signage, which prohibit roof signs which project above the parapet of the building.
- Full details/signage strategy and plans are to be provided of all the signs including proposed carpark and foyer signs, whether the signage comprises signboards or individual letters, and whether the signage is free standing signage or fixed to a surface. Please see *Signage* section above for specific requirements.
- In the unlikely event that historical archaeological remains or deposits are exposed during the works, all work should cease while an evaluation of their potential extent and significance is undertaken, and the NSW Heritage Office notified under the requirements of the Heritage Act.
- Should any relics be unexpectedly discovered in any areas of the site not subject to an excavation permit, then all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with section 146 of the Heritage Act 1977.
- Should Aboriginal objects be found, the Department of Environment and Conservation (DEC) is to be informed (as required by the provisions of the NSW National Parks and Wildlife Act 1974). Subject to an assessment of the extent, integrity and significance of any exposed objects, applications under either Section 87 or Section 90 of the National Parks and Wildlife Act may be required before work resumes.
- Prior to the commencement of the proposed works, all contractors and relevant personnel involved are to be made aware of the existence of any Aboriginal archaeological remains at the site by way of an induction process and of the possibility that more as yet undiscovered Aboriginal cultural material may exist there.
- Site contractors are to be advised of their obligations under the National Parks and Wildlife Act 1974 (NSW) and notification procedures if any Aboriginal cultural material is disturbed or exposed during site works.
- Prior to the commencement of any subsurface disturbance (excavation), all those involved are to be made aware of the potential for historical archaeological relics to survive within the area. This is to be done through a site induction, which also notifies all involved of their obligations under the Heritage Act 1977 (NSW).
- If historical archaeological remains or deposits are exposed during the works, the excavation works shall cease immediately and an evaluation of their potential extent and significance should be undertaken and the Heritage Council of NSW be notified under the requirements of the Heritage Act.
- While site work is being carried out, if a person reasonably suspects a relic of Aboriginal object is discovered:

- The work in the area of the discovery must cease immediately
- The following must be notified:
 - For a relic – the Heritage Council; or
 - For an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, Section 85.
- Site work may recommence at a time confirmed in writing by:
 - For a relic – the Heritage Council; or
 - For an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, Section 85.

4. Waste management

Council's waste management section have reviewed the Waste Management Plan prepared by SLR (July 2023) and note that a temporary waste storage location and collection point have not been identified on the drawings as part of the demolition and construction phase. Furthermore, a reuse/recycling opportunity for onsite/offsite, and destination of disposal facilities, has not been specified.

5. Sustainability and biodiversity issues

The proposal has been reviewed by Council's Senior Sustainability Officer and the following points have been raised.

Green Star Building rating

The EIS states in Sustainability initiatives section 3.3.8 that the development is proposing to achieve 5-Star Greenstar Buildings Rating.

Council commends this initiative as outlined in the ESD Report (Appendix R) that has been prepared by ADP in May 2023 be a requirement of the development.

The NSW Sustainable Building SEPP requires hotels to provide a net zero statement and to provide a description how, if not already, by 2035 it will be capable of operating with all energy from renewable sources. NABERS have developed Agreements to Rate to support applicants to meet the new standards.

Solar Panels

Council notes that efforts have been made to reduce energy demand of the proposal by installing a solar panels system on the roof to offset 20% of the buildings energy consumption.

It is also acknowledged that the project's net zero plan seeks to directly abate emissions, via cost-effective carbon offsets. However, Council has reviewed the ESD report provided in Appendix R and notes there is no estimate in this report of the proposed solar panel system size or the estimated amount of power that will be generated by this PV solar panel system. An appropriately sized solar (Photovoltaic) system should be installed to meet the operational energy requirements of the proposed hotel to assist in meeting the net zero obligations of the project via onsite renewable power. This could be achieved by incorporating PV cells into the proposed design of building via awnings or building facade if the roof space provides insufficient room to meet the estimated energy requirements. Council also recommends backup battery system be considered given high energy use of the proposal and this would improve resilience of the proposed development by making the building more grid resilient during any power outage.

EV Vehicle Charging

Council encourages the provision of the Electric Vehicle (EV) charging spaces to be included as part of the development. By 2025, it is projected that there will be roughly 10,000 EVs on local roads in the eastern suburbs of Sydney and more than 35,000 by 2030.

Subsequently Council encourages the installation of a minimum of two 'Level 2' AC fast charging EV charging points in the proposed 21 car parking spaces. The charging facility should be suitably located to provide for convenient, shared access for visitors and club members. EV charging should be included as a development consent condition.

Groundwater Intrusion

The proposed development is likely to interfere with the groundwater given the proposed basement carpark and lift well are at 3.5m below existing ground levels and that groundwater seepage was encountered as 3.4m (as reported in the Alliance Geotechnical Report provided in Appendix X of the EIS).

Given this interaction, a licence approval for dewatering during construction will be required under the Water Management Act 2000 from NSW Office of Water prior to construction in accordance with the Department of Planning and Environment's *Minimum requirements for building site groundwater investigations and reporting October 2022*. Council notes that these requirements are not mentioned in the EIS document. Council recommends that this proposal be referred to the NSW Office of Water (if not already) so that hydrogeological assessment can be carried out to determine the effects of the proposed building and advise of the required conditions of consent.

Impacts on Grey headed flying-fox camp

Council notes that in 2022 a Biodiversity impact statement was prepared for the Night Racing at Royal Randwick Racecourse (SSD 8706) to address the impacts of the proposal on the nearby Grey-headed Flying-fox (*Pteropus poliocephalus*) camp at Centennial Park.

The grey headed flying fox is listed as a vulnerable species under the NSW Biodiversity Conservation Act 2016 and the Commonwealth Environmental Protection and Biodiversity Conservation Act (1999). As a waiver has not been granted for the assessment of proposal's biodiversity impacts in accordance with section 7.9 of the Biodiversity Conservation Act 2016, Council is of the opinion that the proposal is in breach of the SEARS Condition 10 for Biodiversity which required the development to:

Assess any biodiversity impacts associated with the development in accordance with the Biodiversity Conservation Act 2016 and the Biodiversity Assessment Method 2020, including the preparation of a Biodiversity Development Assessment Report (BDAR), unless a waiver is granted, or the site is on biodiversity certified land.

Council recommends that an assessment of the proposal's biodiversity impacts in accordance with section 7.9 of the *Biodiversity Conservation Act 2016*, including the preparation of a Biodiversity Development Assessment Report (BDAR), be completed to assess the potential impacts of this development on the nearby grey headed flying-fox camp in Centennial Park.

Recommendations

- Prepare an updated ESD report that confirms project details and offerings and clearly demonstrates how relevant performance standards will be met and be able to be appropriately conditioned. This includes clear commitments relating to:
 - The NSW Sustainable Building SEPP on providing a net zero statement and to provide a description how, if not already, by 2035 it will be capable of operating with all energy from renewable sources.
 - The installation of a minimum of 'Level 2' AC fast charging EV charging points
- That the development be referred to NSW Office of Water so the Department can carry out a hydrogeological assessment of the effects of the proposed building and advise of the required conditions of consent.
- Submit a Biodiversity Impact Statement (BIS) addressing potential impacts on the grey headed flying fox camp at Centennial Park
- Undertake an ecological monitoring program and Adaptive Management Strategy

- Prepare a Lighting Impact Assessment (LIA) for the proposal in accordance with the Commonwealth National Light Pollution Guidelines for Wildlife.

6. Environmental health issues

Council's Environmental Health section have reviewed the proposal and in principle do not object to the proposed hotel, contingent on the following matters being addressed at the relevant stage of the development:

Land contamination

From the submitted documentation it is noted that there are land contamination issues that need to be addressed prior to the issuance of any Construction Certificate for the RRR Hotel.

Recommendations:

- Appoint an accredited NSW EPA Site Auditor to oversee the validation works for contamination and assess the suitability of data gap analysis to be addressed in the Remedial Action Plan (RAP) prior to the commencement of works. The site auditor must be the same person for the duration of the project.
- Apply suitable conditions of consent for the submission of a site validation report and a Site Audit Statement following completion of all remediation works stating that the site is now suitable for the proposed use.
- An Environmental Management Plan is not proposed at this stage, however, should data gap analysis findings change previous conclusions in relation to contamination, there needs to be assurances that there are sufficient unexpected finds/contingency strategies in place.

Noise

The acoustic report that accompanies the EIS, provides a high level in-principal overview of the site, and additional acoustic reporting will be required at relevant stages of the proposal. In the absence of specific noise criteria as per the Randwick City DCP 2013, suitable noise levels have been recommended as follows:

Recommendations:

The following noise issues are to be addressed prior to the commencement of any works:

Demolition/construction/excavation noise:

- Submit a site-specific Construction Noise/Vibration Management Plan (CNVMP) to the Department of Planning and Environment (DPE) for comment and approval prior to issuing of any Construction Certificate. The Plan must be prepared by a suitably qualified person who is eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants.
- Correct/ account for elevated background noise levels from traffic noise in acoustic calculations/predictions. Road traffic noise will not 'mask' construction noise sources due to the differing noise profile.
- Should Intrusive appliances (rock breakers/pile drivers/hydraulic hammers and the like) regularly exceed the Interim Construction Noise Guideline criteria following the implementation of all reasonable/feasible noise mitigation measures, incorporate suitable respite periods in the CNVMP that have been agreed via community consultation.

- Undertake validation noise testing at the commencement of each stage of the development or more regularly if justified noise complaints have been received.
- Undertake vibration monitoring for the basement/civil works. Vibration monitors are to be fitted with real-time alert systems should the vibration criteria be exceeded with work ceasing immediately. The DIN vibration criteria for structures that are particularly sensitive to vibration (i.e. heritage items) is the preferred criteria over the British standard as it is a slightly stricter criteria.

The following noise issues are to be addressed prior to Construction Certificate:

Commercial plant noise emissions:

- Use the DIN vibration criteria for structures that are particularly sensitive to vibration (i.e. heritage items) as the preferred criteria over the British standard as it is a slightly stricter criteria.
- Engage a suitably qualified acoustic consultant prior to the issuing of the Construction Certificate to undertake and report on the predicted noise levels from all mechanical plant selected at the detailed design stage and included on relevant construction certificate plans.
- The report is to confirm compliance during worst case scenario (i.e. night-time criteria) and should comply with the below condition or something similar:
 - Noise from commercial plant and industrial development must not exceed a project amenity/intrusiveness noise level or maximum noise level in accordance with relevant requirements of the NSW EPA Noise Policy for Industry 2017 (NPfI)
 - Noise from commercial plant, when assessed as an $L_{Aeq, 15 \text{ min}}$ must not exceed the $L_{A90, 15 \text{ min}}$ background noise level by more than 3dB when assessed inside any habitable room of any affected residence or noise-sensitive commercial premises when in use. The noise level and the background noise level shall both be measured with all external doors and windows of the affected residence closed.

Note:

1. The stricter of the amenity/intrusiveness criteria becomes the prevailing criteria for the development.
2. Background noise monitoring must be carried out in accordance with the long-term methodology in Fact Sheet B of the NPfI unless otherwise agreed by Councils Planning Manager.
3. Commercial plant is limited to heating, ventilation, air conditioning, refrigeration and energy generation equipment.
4. Background noise measurements must not include noise from the development but may include noise from necessary ventilation at the affected premise.
5. Modifying factors for tonal noise, impulsive noise and intermittent noise sources may need to be applied for the assessment of some of the proposed commercial plant and equipment.

Amenity noise criteria for hotel rooms:

- Ensure that the façade construction, glazing selection/installation of acoustic seals etc., is sufficient to achieve an internal noise level for hotel of at least 38dB $L_{Aeq(1 \text{ hour})}$ with mechanical ventilation running and windows closed from the hours of 10.00pm to 7.00am; this should be the repeatable maximum level for the night-time period. This will ensure

guests are afforded an appropriate level of amenity while trying to sleep and that internal noise sources would not disturb the hotel guests.

Entertainment noise sources:

- A major concern is that the proposed entertainment areas are in proximity to noise sensitive receivers (i.e. proposed hotel rooms/nearby residents.) The design will therefore have to control air borne noise and internal-to-internal transmission of noise, in particular low frequency noise sources (bass music). It is requested that a condition be applied requiring the assessment of all entertainment areas/function rooms, etc. as part of the Acoustic Report and demonstrating compliance during worst case scenario. The report should clearly state the maximum permitted patron capacities for each area to ensure compliance with the relevant noise criteria.
- Undertake an Entertainment Noise Masterplan Assessment. The masterplan should take into consideration all entertainment noise sources from the site and ensure the cumulative impact of events held onsite do not adversely affect the amenity of the area for nearby noise sensitive receivers. The masterplan should set noise limits for each area and provide validation locations/methodology to verify noise limits are within acceptable limits during major events.

Entertainment noise criteria:

- The premises and this development must be controlled such that any entertainment noise generated by its use will comply with the following parameters:
 - a) The $L_{A10, 15 \text{ minute}}$ noise level emitted from the use must not exceed the background noise level ($L_{A90, 15 \text{ minute}}$) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 5dB between the hours of 7.00am and 12.00 midnight when assessed at the boundary of any affected residence.
 - b) The $L_{A10, 15 \text{ minute}}$ noise level emitted from the use must not exceed the background noise level ($L_{A90, 15 \text{ minute}}$) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) between the hours of 12.00 midnight and 7.00am when assessed at the boundary of any affected residence.
 - c) Noise from the use when assessed as an $L_{A10, 15 \text{ minute}}$ enters any residential use through an internal to internal transmission path is not to exceed the existing internal $L_{A90, 15 \text{ minute}}$ (from external sources excluding the use) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed within a habitable room at any affected residential use between the hours of 7am and 12midnight.
 - d) Noise from the use must not be audible within any habitable room in any residential use between the hours of 12.00 midnight and 7.00am. Inaudibility should be taken as the existing internal $L_{A90, 15 \text{ minute}}$ (from external sources excluding the use) minus 10dB in any octave band (reference frequency 31.5 Hz to 8 kHz inclusive) inside a habitable room of any affected residential accommodation.
 - e) The $L_{A10, 15 \text{ minute}}$ noise level emitted from the use must not exceed the background noise level ($L_{A90, 15 \text{ minute}}$) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 3dB when assessed indoors at any affected commercial premises. Note: The $L_{A10, 15 \text{ minute}}$ noise level emitted from the use is as per the definition in the Australian Standard AS1055-2018 Acoustics – Description and measurement of environmental noise.
 - f) The background noise level $L_{A90, 15 \text{ minute}}$ is to be determined in the absence of noise emitted by the use and be representative of the noise sensitive receiver.

- g) Background noise monitoring must be carried out in accordance with the long-term methodology in Fact Sheet B of the NPfl unless otherwise agreed by Council's Planning Manager.
- h) Where the $L_{A10, 15 \text{ minute}}$ noise level is below the threshold of hearing, Tf at any Octave Band Centre Frequency as defined in Table 1 of International Standard ISO 226:2003-Normal Equal-Loudness-Level Contours then the value of Tf corresponding to that Octave Band Centre Frequency shall be used instead.

Operational noise criteria:

- Noise limiters are to be installed and conditioned as part of the consent to provide a physical control for the maximum permitted music level throughout the venue to ensure compliance with relevant noise criteria.
- All sound amplification equipment in the premises is to be controlled/routed through the noise limiter. All limiters and all post-limiter equipment including power amplifiers must be tamper proof and only operable by the acoustic consultant, a licensee and business owner who must keep a completed report on the premises.
- Include patron capacities per area/tenancy in the Operational Plan of Management (currently the draft plan only includes maximum capacity for the entire site). This would allow management to have greater control over the noise emissions from the entertainment areas.
- Undertake validation noise testing prior to the release of the Occupational Certificate or within two months of the commencement of use. Compliance with the above referenced criteria should be demonstrated.

Food safety

It is requested that a certificate or statement be obtained from a suitably qualified and experienced Food Safety Consultant, which confirms that the design and construction of the proposed *food business* satisfies the relevant requirements of the *Food Act 2003*, *Food Standards Code and AS 4674 (2004)* - Design, Construction and Fit-Out of Food Premises, prior to a Construction Certificate being issued for the 'fit-out' of the *food business*, to the satisfaction of the Principal Certifier.

The food premises must be registered with Randwick City Council's Health, Building & Regulatory Services department in accordance with the Food Safety Standards, prior to commencement of any food business operations.

7. Drainage

It is requested that TfNSW undertake a comprehensive assessment of the flood analysis provided with the SSD as it indicates there will be an increase in flood height for Alison Road, fronting the development site, as a result of the development. Section 6.12.2 of the attached EIS states there will be an increase for the 1%AEP storm event that will impact Alison Road (a state road) and the increase will cross the light rail network. Furthermore all site drainage must comply with the relevant provisions of Council's DCP and Council's Private Stormwater Code.

8. s7.12 Development Contributions 2015

Council's s7.12 Development Contributions Plan 2015 applies to development in the RRR. Accordingly, the following s7.12 contributions levies would be payable based on the estimated cost of works:

Category	Estimated Cost of Works	Applicable Levy	s7.12 levy
Development cost over \$200,000	\$94,100,000	1%	\$941,000

Recommendation:

- Impose a s7.12 levy of \$941,000 as a condition of development consent to assist Council in providing the necessary infrastructure and public facilities required to maintain and enhance the amenity and service delivery in the area required as a consequence of development.

Conclusion

Although the proposed development is reduced in scale and would offer socio-economic benefits, there remains several matters that require resolution, including design amendments to reduce bulk and scale, traffic/pedestrian conflicts, sustainability improvements and the undertaking of additional studies as noted above. These issues are pertinent to maintaining the environmental amenity and to provide a high quality design outcome on this prominent site, to the benefit of the wider community.

If you have any queries or wish to discuss any of the issues raised in this submission, please don't hesitate to contact Stella Agagiotis, Manager Strategic Planning at Randwick City Council on (02) 9093 6954.

Yours Sincerely,



Stella Agagiotis

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