

# CORRECTED VERSION

## SUB-COMMITTEE OF SELECT COMMITTEE ON PUBLIC LAND DEVELOPMENT

Caulfield — 13 February 2008

### Members

Mr D. Davis  
Ms S. Pennicuik  
Mr E. Thornley

### Other Committee Members Present

Mr E. O'Donohue

Chair: Mr D. Davis

### Staff

Secretary: Mr R. Willis  
Research Officer: Ms C. Williams

### Witnesses

Mr B. Discombe, development manager, and  
Mr G. Canty, administration manager, Melbourne Racing Club.

**The CHAIR** — I declare open this hearing of the Select Committee on Public Land Development of the Legislative Council of the Victorian Parliament. In doing so I welcome Brian Discombe, development manager, and Glen Canty, administration manager, both of the Melbourne Racing Club. I indicate that the evidence you give today is protected by parliamentary privilege by the constitution and the standing orders of the Legislative Council. Anything you say outside these hearings may not be afforded that particular privilege. You will receive a transcript of the hearing today, which is being recorded by Hansard staff, with the opportunity to make typographical corrections and so forth.

In opening the hearing, I put on record our thanks for the tour that you have just conducted for us. We are certainly very appreciative of seeing things at first hand. Perhaps you would like to give us some evidence, and we will ask questions following that.

**Mr DISCOMBE** — Firstly, I take the opportunity to thank the committee for inviting us. This has been an open public process for us as a club. I would like to start my introduction by describing the process we undertook in developing what has become known as the master plan for the Caulfield Racecourse.

We had a look at quite a number of various methods of undertaking such a task, which is quite significant across a vast, complex site such as that. We chose to adopt a process called design by inquiry, which is a detailed public consultation process where the first meeting is to brief the public on what the proposal incorporates and the various issues raised. You then go through a design step which occurs over around about a three to four-week period when you present some sketches and go back to the public. In that form you get the feedback and eventually develop that and go away with a concept which we believe has largely been endorsed at those public meetings, and we certainly took on board the feedback.

One of the examples of that is the way that we have designed the development to be sensitive towards the existing residential areas and in terms of ensuring that the student accommodation is also moved away from that. In actual fact under our proposal we do not have a student accommodation mix in there. The other significant part of that process was that the public did not want a subregional shopping centre, and we took that on board and scaled that down to our current proposal. It is a pretty important process. Then as an ongoing community consultation we undertake regular quarterly meetings. At those meetings we specifically open it to comment, we talk about the master plan, and we also have undertaken an additional four separate meetings on the racecourse. In terms of the audience, when we commenced we put those adverts in the *Herald Sun*, the *Age* and the *Leader* and on a regular basis we distribute 2000 invitations around the racecourse. That is how we conducted that process.

In terms of the topic for today, I want to concentrate mostly on the centre, as that seems to be the topic of interest, and I will talk very briefly just on the development proposal but largely on the centre. The centre of the racecourse is managed under the regulations of the Crown reserves act which Glen will talk about after I have finished.

Within that there is a permitted use through the centre of the course. It covers a wide range of activities, from model aircraft flying, dog walking on leashes, passive recreation around the area and the lake. Under our proposal all of those existing uses remain. The proposal that was approved by the trustees in their meeting on 31 October 2006 is a proposal where the Melbourne Racing Club intends to increase the public access, to increase the frequency of access to the course and to improve the general amenity in the centre. The centre is really the area which is quite significantly in the centre of this area where the public conduct those sort of activities.

**The CHAIR** — That was the meeting of the MRC or of the trustees?

**Mr DISCOMBE** — We submitted our proposal to the trustees for their approval. I will answer that question. It is probably worth just a brief answer on that. We undertook the master plan as a requirement of the Phoenix precinct policy, which is under the Glen Eira planning scheme and under an ordinance that council placed upon us with our permit car parking on our freehold land. It required us to complete the master plan for all of the club's assets, including the Caulfield racecourse reserve. There was a time frame on that. The extended time frame is going to last until November 2006, and that is why the trustees had a special meeting prior to that, because any proposal that has that Crown land use has to be approved by the trustees, and that is how they occur. The detail of what the trustees have approved is in the document that I distributed to the committee.

Our proposal then is to provide a dedicated area by the physical separation of training. That physical separation would not occur whilst horse training occurs. Horse training occurs on the track seven days a week up to 9.30 in the morning. Our proposal is to provide an area where the public can access the centre during that training period, and

that will improve the access times. We also have improved the general access around the course, and the amenity improvements in the centre include barbecues, a boardwalk around the lake, a dedicated themed running and walking track and amenities for public use in terms of toilets.

The other aspect of the course is its current use. We certainly do not have figures available on the numbers, but from general observance there are a group of people — up to 10 or 12 — who currently use the course on a regular basis for running around the outer track, and they have done that for quite some time.

The proposal was then taken to an independent assessment. Melbourne Racing Club undertook two major reports: an independent risk assessment as to the suitability of training and the mix of people on a racecourse — the unique characteristics of the course itself; and also we commissioned an assessment of the Glen Eira-commissioned report on the community use, a recreational needs study.

The report included a detailed assessment of the Glen Eira council — its population, population trends and growth, current use of the facilities and the use of sportsgrounds and the like. Also, they undertook an independent survey around the area of 2000 households. That independent survey confirmed that our proposal was in accord with our community feedback sessions, and we would like to state that for the record.

In terms of our development and the development on Crown land per se, I make it very clear that we have no planning application currently on the racecourse proper. We do not intend to develop on that racecourse. In terms of that, it is all the land areas from Station Street and bounded by Queens Avenue, Kambrook Road, Booran Road and Neerim Road. That largely is what I have been talking about in terms of the amenity improvements for public use.

We do have currently before council an incorporated plan, with an area called the Phoenix precinct. The Phoenix precinct was adopted by council, and is an area which encompasses landholdings around the Melbourne Racing Club and Monash University. It designates this area as a major activity centre, and the object of the policy is to promote it for that use.

When we undertook the master planning process we did it in association with the council's strategic policy for the area, and also with the view to meeting the guidelines of Melbourne 2030, which also have identified this strategic area of land, as a major activity centre. The incorporated plan was submitted to council in September, and at a special meeting council rejected that over a number of issues, largely around the detailed car parking and traffic movement.

Subsequent to that the minister appointed a priority development panel to have a look at the issues involved. I will be specific and quote the terms of reference from the priority development panel. They were to look at three specific items:

Whether the detail currently available for the project is adequate (having particular regard to the strategic justification of the project, potential traffic impacts and proposed future uses).

Whether additional information is required to be provided.

The appropriateness of using the priority development zone.

That panel process was completed in December. We understand that the panel is now making a report to the Minister for Planning. During that process we had a very good — —

**The CHAIR** — They have reported to the minister?

**Mr DISCOMBE** — We expect that report to be issued; yes.

**The CHAIR** — He has it?

**Mr DISCOMBE** — We cannot confirm that, but it has gone. The panel was required to report back to the minister within a certain time frame, and that time frame was around about January.

During that process we had some frank and open discussion with council. We reached an accord, and all these three items have been dealt with. We expect that, based on that agreement, the panel would make a favourable

recommendation to the minister and that we can move forward to having this placed on public exhibition later in this year.

In terms of the development offcourse — and by ‘offcourse’ I am now referring to the area of land which is the majority of the Melbourne Racing Club freehold land; it is the area north of Station Street, and includes the members no. 1 car park, members no. 2 car park and a small area of Crown land called the Tabaret car park — these areas of land are open space and are currently used for car parking. The combined area comes to about 5 hectares. The Tabaret car park is approximately half a hectare. Our planning approval is strictly in accordance with the trustees’ approval — that is, we have approval to seek the changes to the zoning, and that is changes to the current zoning under the Phoenix precinct policy, and we have a conditional approval to seek through DSE the acquisition of that property with the appropriate offsetting mechanism. The quotes from that meeting are in the report that I have handed out.

By and large what I am saying in terms of the master plan is that it is an integrated process. It is an integrated master plan across all of the assets, but they are broken up into two parcels. The parcel which is before the planning scheme amendment application is the incorporated plan.

What I would like to do now — and I do not want to take too long; this presentation would normally take about an hour-and-a-half, and I want to keep my introduction brief to allow for questions — is hand over to Glen just to talk about the process behind the regulations governing that part of it.

**Mr CANTY** — Thanks, Brian. Just by way of background, the Melbourne Racing Club — as you may or may not know — is a not for profit that was established in 1876, and it has been a tenant on the Caulfield Racecourse since 1879, so we are long-term tenants there.

The racecourse itself was established by a Crown grant in 1879. That also established that there are 15 trustees of the Caulfield Racecourse Reserve. In some of the information that was submitted to us prior to this hearing we were asked to explain the relationship between the club and the trustees. Of the 15 members of that trust, six are appointed by the club. The appointment process itself has to be ratified by the relevant minister — which I believe is the Minister for Environment and Climate Change, although there are some name changes there recently — and they have to be made by the Governor in Council and then gazetted. It is a lengthy process, and it is something that certainly in recent history seems to take 8 to 12 months to get through that process.

At present there are six members of the Melbourne Racing Club committee who are trustees of the racecourse reserve. The trustees of the reserve have leased the reserve in numerous parcels to the Melbourne Racing Club in accordance with the Crown Land (Reserves) Act.

In terms of the use of the reserve, the Crown grant of 1879 refers to the use of the reserve for ‘racing, recreation’ and ‘public park’. I think that is important. We believe, and certainly trustee information submitted in the past and other correspondence indicates, that there are two purposes of the reserve, notwithstanding I know there are views that there may be three. Our advice is that there are two, and certainly the Melbourne Racing Club believes that we are meeting those two purposes in accordance with the trustee regulations.

In terms of the legal relationship between trustees and the club, whilst there are six members of the committee who operate as trustees as well, they operate independently of the club. The trustees and the club are parties to a deed of maintenance and development which, without going into too much detail, agrees that the club must maintain and develop the Caulfield Racecourse Reserve in accordance with requirements of trustees and in a form and content acceptable to trustees. What that means in practice is that the club will prepare, for instance, master plan submissions, maintenance submissions and water and conservation strategies, and that needs to be ratified by trustees, which generally happens on an annual basis.

The deed specifically defines the nature of the relationship between the two parties, and the club must, as I said, maintain and develop the reserve as an independent contractor and is not and cannot be deemed to be in partnership or a joint venture relationship with trustees. Moreover, the deed stipulates that parties acknowledge and agree that notwithstanding any provision of that deed, the management and control of the reserve remains vested in and under the control of trustees. So we are a tenant, we operate under those guidelines, and we believe we do so quite well.

**Mr DISCOMBE** — I think that concludes our brief introduction. I can go into more detail, and if the question is not there, I am happy to expand on it.

**The CHAIR** — Okay. There are a couple of things. First of all, thank you for your information and your submission — we certainly appreciate it — and your hospitality earlier. There are a couple of things that strike me as I have begun to look at the process and the submissions and so forth. There are two purposes, you are suggesting, in the deed of the trust, and the public park is one that I am interested in. It seems that neither the club — and I stand to be corrected — nor the trustees have any data or systematic information on use of the area as a public park. Is that a fair comment?

**Mr CANTY** — That is correct. Anecdotally — and you have seen it today — at various times of the day there might be a couple of dozen people at most when there is not a function or a community event. There are people who just wander the reserve.

**Mr DISCOMBE** — In my introduction I mentioned the survey that was undertaken, and that was undertaken on 2000 local residents. I do not know the exact numbers that indicated how many used it, but certainly the overwhelming majority said that they preferred the use of the park to remain for passive recreation and environment appreciation. I do not have the figure with me, but if that is an important part of that inquiry, I will read that report and supply you with that information.

**The CHAIR** — We would certainly appreciate a copy of that. Also, you referred to a background information paper submitted by the MRC to the committee, I think meaning the trustees.

**Mr DISCOMBE** — Yes.

**The CHAIR** — Are you happy to make that available to us?

**Mr DISCOMBE** — Certainly. I think, firstly, it is a document that we submitted to the trustees, and I think that is a question that correctly probably should be referred to them as well. It is a document that is now in their possession.

**The CHAIR** — It is in your possession, too; but, yes.

**Mr DISCOMBE** — From our perspective we are happy with that, but I would like you to make that request of the trustees.

**The CHAIR** — All right. I am happy to make it wherever it is required.

**Mr DISCOMBE** — I think it is just a protocol.

**The CHAIR** — Perhaps we will flag that we would be interested to see those documents and what has been submitted in regard to this to the trustees. In terms of the PDP, just informally before you indicated that you had written to the minister, or had discussions with the minister.

**Mr DISCOMBE** — Yes.

**The CHAIR** — Requesting that a PDP — a priority development panel — look at the proposals, the site, the suitability and so forth. Are there submissions that you have made to the PDP that we could have access to?

**Mr DISCOMBE** — Any submission made to the PDP, once again, probably is a question you need to direct to the priority development panel. My letter to the minister is a letter that I wrote requesting an intervention to broker a resolution of some issues between the Melbourne Racing Club and council in getting the plan on public exhibition. It is a singular letter.

**The CHAIR** — I appreciate that. Since we do not have the PDP here today, I will perhaps ask you if you would mind making the submissions you made to the PDP available to us.

**Mr DISCOMBE** — I can present the information that I presented, which is largely what I have covered in my introduction, yes.

**The CHAIR** — That would be helpful. I have a final question — and this is, in a sense, as a local member of Parliament and somebody who does frequent the Caulfield area pretty often. Looking around the perimeter of the racecourse — and there is beautiful terrain inside — the fencing actually varies considerably.

I am curious about this from the long-term perspective, not necessarily the short-term perspective. Are there any plans by the racing club to, in a sense, maximise the public park aspect of the trustee charter by opening up that fencing to visibility and beautification?

**Mr DISCOMBE** — The answer to that is yes, but I need to go into a number of different aspects of it. There are two key areas of interest; one is the Queens Avenue fencing. That is an area which we do not believe is suitable to open up in terms of palisade fencing. The ground is some 2.4 metres above the roadway, and it is also where we have a start. We are within 50 metres of a major road intersection there and also the railway line. We have undertaken a risk assessment of that and we do not believe it is appropriate to open it. However, in regard to that, the land reserve abutting all of that is owned by council. We have had discussions with them on how we might beautify that and improve it.

In terms of the course facing Station Street, the master plan includes with the upgrading of Station Street the opening up of a pedestrian forecourt in front of that. The proposal includes removing stables and the like, which will allow us to open up the whole of the front vista in terms of palisade fencing — a wide open gate — so that we can make that a more open and inviting aspect for the public. So, yes, there are those areas.

**The CHAIR** — Is there a document that looks at that systematically?

**Mr DISCOMBE** — The master plan.

**The CHAIR** — Just the master plan, and does that outline the areas that will be opened up?

**Mr DISCOMBE** — It does indeed, yes.

**Ms PENNICUIK** — You mentioned a survey, and you said it was in accord with your vision of what uses of the reserve should be. Is that correct?

**Mr DISCOMBE** — The documents that we had commissioned?

**Ms PENNICUIK** — You did a survey of 2000 residents.

**Mr DISCOMBE** — The council commissioned a report called the ‘Recreation needs study’, which I think was completed in March 2005. I stand corrected if that date is not quite correct. That is a document which looks at the general area, the use of parks and reserves and those sorts of things. We felt it appropriate that we look at that document for consideration when we started the master plan process, and to evaluate it. We commissioned an independent peer assessment of that, but also asked for that independent assessment to consider a much wider range of issues, such as how the centre is used and the appropriate uses of the centre, and to have a look at some of the risk aspects as well. That report was done and it is part of the ongoing research we have undertaken as part of our commitment to the trustees.

**Ms PENNICUIK** — That is obviously publicly available?

**Mr DISCOMBE** — Yes.

**Ms PENNICUIK** — I noticed when we went around today that the gate with the vehicle access was closed and barricaded off, which was just after you told us that it is opened at 9.30. I am wondering why that was.

**Mr CANTY** — If I can just correct you there, we told you that the pedestrian gate is open. It is a park, and once we start providing vehicle access to people into the centre without controls, it becomes a major risk issue.

**Ms PENNICUIK** — We will let that lie. I live locally, and looking at Caulfield Reserve from, particularly, every street but Station Street, it is quite intimidating and not inviting to the public. The public would not think, ‘I will just wander in there’, when they are faced with corrugated iron fences and locked gates et cetera.

**Mr DISCOMBE** — Station Street in particular is quite an interesting area. Behind it there are some very beautiful gardens and the like. The master plan proposes to remove all of that and open it up.

**Ms PENNICUIK** — I am talking about the other three larger boundaries.

**Mr DISCOMBE** — Queens Avenue?

**Ms PENNICUIK** — Kambrook and Neerim.

**Mr DISCOMBE** — It is not quite as simple as opening up a vista. As I explained, the ground is some 2.4 metres high in that area. In terms of our horse movements with horseracing, we do not think it is appropriate to open up that particular part of it. You would have noticed in Queens Avenue we have opened up other areas to palisade fencing. You can see we have done that, and we will be opening up the northern aspect because once again we think it is manageable and safe to do so.

**Ms PENNICUIK** — I suppose I was getting to the public. You were saying that the public agree there could be passive recreation but in fact it is not like another park which is all open and you can just walk into it. It is quite intimidating so that could be part of the reason why it is not used. I wanted to ask about your statement, Glen, regarding the two uses because I think, given the original document — the original deed — it does actually mention three uses, and they are three distinct uses, as a racecourse, for recreation and as a public park, so I would like you to elaborate on why you think that is now two uses and does that mean that the racing club now has 50 per cent of use where it really should only have 33<sup>1</sup>/<sub>3</sub> per cent of the use?

**Mr CANTY** — I will not get into percentages because I do not think that is really the argument.

**Ms PENNICUIK** — Some people would say it is the argument.

**Mr CANTY** — I will give you the background to it. The handwritten Crown grant has no comma between the word 'racecourse' and 'recreation'. The typed Crown grant of 1879 has no comma between the words 'racing' and 'recreation'. The order of the Governor in Council of 1879 has no comma between the words 'racing' and 'recreation'. It is plain English and it refers to 'racing recreation' and 'public park'. That is our view, that has certainly been a view that has been communicated by the trustees to us.

**Ms PENNICUIK** — Perhaps it was a typo.

**Mr CANTY** — In three documents over the course of one hundred-and-something years? Possibly.

**Ms PENNICUIK** — That means that from your point of view, from the racing club's point of view, there are only two uses — there is the public park.

**Mr CANTY** — Correct.

**Ms PENNICUIK** — So that is what you are saying. I am looking too at the issue of the land which is described by the Melbourne Racing Club as freehold — its freehold, as in the racing club's freehold land — which I understand is being purchased from money generated by the activities of the club.

Can you explain to me how that would not be freehold land that belongs to the trustees in terms of, you have just identified your two uses — we will have to agree to disagree as to whether it is two or three — but that land purchased by revenue generated by your activities should revert to the full Crown deed and be land that is owned by the trustees, not by the Melbourne Racing Club?

**Mr CANTY** — I think it is a very simple view that does not reflect that Melbourne Racing Club also operates a racecourse at Sandown, we operate motor racing at Sandown. You are saying that any profits we generate at Sandown to buy a property at Caulfield must be handed over to the Caulfield — —

**Ms PENNICUIK** — I am not talking about Sandown at all.

**Mr CANTY** — But I am saying the activities of the club have generated funds over 130 years to purchase land abutting Caulfield racecourse reserve. It is too simple to say that that particular activity at Caulfield bought that particular property. I think it is far more complex than that.

**Ms PENNICUIK** — Melbourne Racing Club is not able to differentiate between revenue raised at Sandown and revenue raised at Caulfield?

**Mr CANTY** — We certainly account for it that way, as revenue raised. Where we spend it is consolidated revenue, and how that is applied is determined by the committee.

**Ms PENNICUIK** — One more question: you mentioned that there were six Melbourne Racing Club —

**Mr CANTY** — Trustees.

**Ms PENNICUIK** — Are they staff of the Melbourne Racing Club?

**Mr CANTY** — No, they are members of the Melbourne Racing Club committee, which are volunteer positions.

**Ms PENNICUIK** — And you said that they act independently?

**Mr CANTY** — Yes.

**Ms PENNICUIK** — Would you agree that the community might not view it that way, that members of the Melbourne Racing Club being on the board of trustees, even if we were to appreciate and accept that they operate independently, it certainly does not look like that, and so it may not be a conflict of interest but it would be a perceived conflict of interest?

**Mr CANTY** — I can see that there would be community perceptions along that line but I do not agree with it.

**Ms PENNICUIK** — You answered my question, thank you.

**Mr THORNLEY** — Thank you. Were there any other commas in the documents that you referred to that do not have commas?

**Mr CANTY** — Yes, there are commas in that document.

**Mr THORNLEY** — I am familiar with a lot of parliamentary drafting and the *Hansard* and other places where there are no commas; that is the way they do things, so I am not sure I would be relying on that. But I also think, quite frankly, it is a fairly childish way of having a dispute.

I am wondering if the club is open to a 'requirement for use' demonstration per the central area. We had a demonstration this morning of the potential for residents to use the area and some very limited examples of people who do that. It was plainly apparent to everybody on this committee as we toured the area that somebody who did not have specialist knowledge would not work under the assumption that that was an accessible park area to them.

I am not sure if that is neglect on the part of the club or whether the club has an active lack of interest in having people use those facilities. Perhaps you can answer that first?

**Mr DISCOMBE** — Certainly, I will answer that — one that the club has an active interest in taking care of the public amenity of the centre. That is evidenced by the master plan. You can see by our proposal that we are very serious about that and take our duties in care and maintenance of the reserve very seriously. We have taken the opportunity recently following this review to instigate a new method of signage on the gates. We hope to have that installed in the next four to six weeks.

That will include a where-you-are-type locality map, and it will also take various aspects from the regulations to advise people on what they are permitted to do. So where they can walk a dog on a leash, where the model aircraft can be flown and those sorts of activities — we will have that executed in that period of time, and we think that will greatly improve it.

**Mr THORNLEY** — So you would welcome as much public use as possible in this area?

**Mr DISCOMBE** — Absolutely — in accordance with the regulations, yes.

**Mr THORNLEY** — And I assume that you would be comfortable if there were the imposition of some requirement for you to demonstrate some significant level of use as a continuing condition of your oversight of that area?

**Mr DISCOMBE** — That impact occurs now under the regulations as administered by the trustees.

**Mr THORNLEY** — Do you want to unpack that for me? What are the requirements at present for you to demonstrate significant public use?

**Mr DISCOMBE** — I might hand over to Glen for that.

**Mr CANTY** — The trustees, on an annual basis — and it relates back to the deed of maintenance and development — ask us to justify what we have done and what we are planning to do over the course of the next 12 months, and what we have achieved over the previous 12 months. So to the extent that we do beautification works in the centre for passive recreation, we have to demonstrate that we have actually done it.

**Mr THORNLEY** — Yes, I understand that you have a requirement to attend to the facilities. What is far less clear to me is that you have a requirement to ensure that people actually are aware of that or use it. The environment as I have viewed it — and I think all my colleagues on the committee would agree this morning — seems to convey precisely the opposite intention.

I am sure it is not difficult to look at the total amount of usage of other recreation facilities in the area, even with some discount for the complexity of this multi-use site, and then set some target for the level of public use, which would seem appropriate for such a large amount of public land. Do you have a problem with that as a concept?

**Mr CANTY** — I have a problem with using targets for the use of the reserve. Certainly our expressing whether the reserve can be used and how it can be used and how it can be accessed — but I think targets for recreation is a bit over the top, in my view.

**Mr THORNLEY** — Let me give you the tip, gentlemen — there are four different political parties represented on this committee — five altogether — and I am going to take a wild guess that every single one of them is unhappy with the lack of public use on this very large piece of public land. I, for one, am a greater supporter of the 2030 proposal and a great supporter of higher-density development in areas like the one that you are proposing, because that is the very thing that will prevent people knocking down suburban houses and putting blocks of flats in leafy green streets. That is the very purpose of this policy, and I support it.

You are trying to encourage a development that is very much in line with that policy, and I am encouraged to see that. What I am frustrated by, to be honest, is that we have a fairly childish dispute, and there is no real evidence to me — and I suspect to others here — that the club has any real commitment to finding ways of utilising that very large amount of land for a greater level of public use. I would encourage you to think about that, because if the club is unable to demonstrate that, then I think there would be broad public consensus to find more draconian methods to ensure that occurs or to hand over custodianship of some portion of the park to others.

I had another question, if I may: I heard something from the community representative who was around — but I obviously want to make sure I understand it from your perspective — the as to the use of the racecourse for training, is the intention that that will be continuing for ever after? I heard some mention of the possibility that in the long term you will be thinking of moving the training elsewhere? If you could unpack that for me a little.

**Mr CANTY** — The Melbourne Racing Club I think made a public announcement in 2006 — I stand to be corrected. It was pretty much a guarantee to the trainers involved at the course — there is in excess of 20 trainers operating at the racecourse with about 500 horses in work. That 2006 announcement was that we were guaranteed that training will continue for at least the next five years.

There is no longer-term commitment than that. Subsequent to that, in the middle of last year the Minister for Racing undertook an industry review of the entire racing industry. Obviously we are a key player in that. One of the outcomes of that review was that Racing Victoria should conduct a review of training facilities, because there is training at a couple of metropolitan tracks as well as many country tracks. It is a mandate of the new Racing Victoria board, and my understand is that that review will be taking place sometime this year, but I can offer no further timing on that.

**Mr THORNLEY** — Is there a school of thought about how this should occur? Is it important that the horses — you will forgive my ignorance of the way the industry operates — train on that particular course versus elsewhere?

**Mr CANTY** — I do not think it is a matter of the course itself; I think it is just the facilities that are available. If you centralise training, a number of people can utilise it. There is an equine vet, there is a swimming pool, there are walking tracks for horses, all sorts of things like that. They are things that trainers can do in isolation on their own properties somewhere, but obviously there is a huge cost if there is travel involved. So I think that is more the point.

**Mr THORNLEY** — But it is not a location-specific thing?

**Mr CANTY** — No.

**Mr THORNLEY** — So it is not our having a billion dollars worth of land being used for horse training when some much smaller version of land could be used for horse training somewhere else to no particular detriment?

**Mr CANTY** — There is nothing specific at Caulfield other than horse training has existed there for 130 years. To migrate it away — there has to be an option for those trainers.

**Mr THORNLEY** — If training were not occurring and the use of the course was therefore, in the racing context, largely around the 20 days a year, that presumably would significantly reduce some of the many risk concerns that you have, and I understand the public safety concerns must obviously be paramount? That would make a significant difference, I presume, to those risk factors — largely confining them to those 20 days of use?

**Mr CANTY** — It would certainly minimise the risk. There is still a risk of machinery for maintenance of the reserve, tractors and all that type of thing, but absolutely it becomes — —

**Mr THORNLEY** — As there would be at any other public park?

**Mr CANTY** — Yes.

**Mr DISCOMBE** — I just want to come back and address a couple of issues, Evan. In terms of the community's awareness of the use of the centre, we think that the measures we perform would greatly enhance that, particularly with just the simple things like the notification of gates and the like. We also do advise notifications in the local paper about our activities.

Just to give you an indication of some of the activities undertaken on the course itself in terms of the broader community: we have race day fundraising for the City of Glen Eira, Rotary, the RSL, the Lions Club, national jockeys; the Royal Children's Hospital utilise the facilities. We host Back to Caulfield for returned servicemen; we have Riding for the Disabled in the centre of the course; we house the Golden Days Radio; we host the annual Carols by Candlelight in conjunction with the City of Glen Eira; there is Beat Street, which is a community festival and educational thing with the police; there is the hosting of emergency services, ambulance training and the like — —

**Mr THORNLEY** — Sorry, these are in the centre of the course or — —

**Mr DISCOMBE** — They do them in the centre of the course, usually in the grandstand area and on the area in the front. More recently the area was utilised by Victoria Police bomb squad. As I said, previously the model aeroplane club used the facility, and it is also designed as an evacuation centre for the city of Glen Eira. So I do not accept that the community is not aware of the facilities. Certainly we are open to improving that, and we think the signage generally around the course will greatly improve that.

**Mr THORNLEY** — I would just caution you on that, because I think if we listed the community uses at, say, Caulfield Park against the list that you have outlined, it would be a list that is many, many times longer. I think that that is the point. I think the challenge for the club is to recognise that it needs to not just passively make the area available, it needs to believe in its heart that it is a good thing. If it does that, it will start acting in a whole range of ways to encourage that to see serious use. And if it does not do that, then it likely to come across increasing public opposition.

We are living in a world which is not 1860 any more. We are living in a world where scarcity of land is the single driving force in all urban planning in this city, and we just cannot tolerate a situation where such a large amount of

land is getting so little use. That is more than just changing signage, it is changing a way of thinking, and I would encourage you to do that before someone does it for you.

**The CHAIR** — I think to put signage up after 130 years is very late in the piece.

**Mr O'DONOHUE** — Thank you, gentlemen, for organising the tour for us this morning. Just to follow on a bit further from Mr Thornley's question: if training did not exist at the course, what alternate uses would you envisage for the land that is specifically used for training and training facilities?

**Mr DISCOMBE** — It is an interesting park. When we looked at the master planning of it we confined our thoughts mostly around the fact that training has a long-term, five-year lease in place and that based on the industry's initial evaluation that there would be an exit strategy — and that, combined with the leases, would take somewhere between another 10 to 12 years, and that is quite a long time in terms of master planning.

We would evaluate those property uses for best outcome for the club and in the community area and under the Glen Eira planning scheme. We would have to look at the appropriate zoning, the whole lot. In other words, it would be a complete urban planning and town planning assessment as we are currently undertaking for the master plan. We would be open to feedback and the like, as we have done for this master plan.

**Mr O'DONOHUE** — Under the current master plan you have just earmarked that as continued training use?

**Mr DISCOMBE** — Yes, because of those time frames.

**Mr O'DONOHUE** — Fair enough. You mentioned too when we met earlier that you would potentially like more race meetings at Caulfield.

**Mr DISCOMBE** — Yes.

**Mr O'DONOHUE** — How many race meetings do you have this year?

**Mr CANTY** — I think on the current calendar it is about 22 or 23, but when we say we would like more, we are not anticipating anything more than probably 30, for the sake of a figure, because you simply cannot have that much traffic on a course.

**Mr O'DONOHUE** — Also earlier when talking about the development you talked about the benefits of the development in generating alternate income streams. If the development did not go ahead, what is the viability of the course and of the track as a stand-alone entity, leaving aside Sandown and other revenue streams you may have?

**Mr DISCOMBE** — We are a horseracing and wagering business. We also operate two Tabarets on our venues, one at Caulfield. Outside of that, our primary income source is through horseracing activity — horseracing and wagering. It is probably pretty important to understand that the current use of that open land that you saw this morning, and the signage too is primarily for the use of membership car parking, and that is why we acquired that. It was for convenience, basically the convenience of members. Those days have gone, and we need to change the way that we utilise it.

It is completely underutilised to the point where local planning has recognised that and required us to master plan it, and we need as a club to look at our long-term future to make sure that we can maintain thoroughbred horseracing at Caulfield. We need to diversify our income. That is a fact of life in the current commercial world.

**Ms PENNICUIK** — Is the revenue that you gain from training significant?

**Mr DISCOMBE** — That is an interesting question.

**Mr CANTY** — No, it is probably an associated thing. Most of the training or the stabling where the revenue comes from is on our freehold on the western side of the course. The revenue from training itself on the course is quite minimal.

**Ms PENNICUIK** — You mentioned that you are hosting Golden Days Radio. It has come to my attention that they have been given notice to vacate the premises.

**Mr DISCOMBE** — That has evolved around a major upgrade of that grandstand, and we advised them of that several — I was going to say ‘several years ago’ — in the last three years that that is going to occur. We think that will occur in the next two to three years. It is a facility which has now lost its former use, and that is where they are currently allocated, so yes, we do need to find an alternative for them.

**Ms PENNICUIK** — Because you have hosted them, and you read them out in your list as an example of your hosting of community organisations — —

**Mr DISCOMBE** — Yes, absolutely.

**Ms PENNICUIK** — Is there no way, given your development plan, and as Mr Thornley was saying, the need for to re-accommodate them?

**Mr DISCOMBE** — We would consider that within our proposal, yes. We have spoken to them over the past couple of years, the CEO in particular, and offered to help assist them in relocating. Regardless of when we demolish and reconstruct there, obviously there is going to be a gap, so it is not just as simple as finding another place on the course, but we have offered to assist them in finding a location around that.

**Ms PENNICUIK** — You would have to agree that in 130 years there has been no demonstration, really. Even if you accept your version, that the only other use is public park, there is no demonstration that the Melbourne Racing Club has actually thought of that land as anything but its land. If you were wanting to build up those credentials, you would probably look at trying to reaccommodate that radio station, for example, on site?

**Mr DISCOMBE** — As I said, that is part of our proposal, and we have offered to help locate them in a facility while that physical construction is going on.

**The CHAIR** — Just one further request for a document: do you have any analysis of the risk of the removal of some of the fencing around the course?

**Mr DISCOMBE** — Yes. We have an analysis of the risk to the environment in there, and that analysis recommended this physical separation between training and public activity. Yes, that report is there.

**The CHAIR** — No, I am talking about the perimeter, the risk of removing some of the fencing around the perimeter.

**Mr DISCOMBE** — You are particularly talking about the Queens Avenue fencing?

**The CHAIR** — Yes, the perimeter — —

**Mr DISCOMBE** — There is a risk assessment on that, yes.

**The CHAIR** — We would certainly appreciate a copy of that.

**Mr DISCOMBE** — Okay.

**The CHAIR** — I thank both of you for your evidence.

**Witnesses withdrew.**