



29 October 2024

**BY EMAIL**

The Hon. Scott Farlow MLC  
Committee Chair  
Select Committee of the Legislative Council  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

Dear Mr Farlow MLC

**Select Committee into the Proposal to develop Rosehill Racecourse**

I refer to your letter dated 22 October 2024 seeking answers to five Supplementary Questions, being questions 50, 73, 76, 84 and 85.

At the outset, it is again noted that, other than question 50 (which I already answered on 17 September 2024), those questions appear to be outside the Terms of Reference of the Select Committee into the Proposal to develop Rosehill Racecourse.

However, out of respect for Parliament and this Select Committee and in the interests of cooperation, I provide the following response to those questions.

***50. Why did you redact the bulk of the Basil Nolan/Hamish Esplin letter to Dr. Cooke dated 8 August 2024 before asking for the Committee to accept it as evidence? How do you answer the allegations in that letter that you sought to bury the Thoroughbred Breeders Association report on animal welfare because “we shouldn’t talk about welfare publicly because it only encourages more scrutiny”?***

Response

On 17 September 2024, I sent an email to Ms Verity Smith, together with the full, unredacted version of the letter. In my email to Ms Smith, I set out the reason for providing a redacted version of the letter to the Select Committee during my appearance on 9 August 2024 (which is attached for ease of reference) and I repeat and rely upon that explanation.

The reason that I provided the letter to the Select Committee was because at the first hearing date of this Inquiry on 22 July 2024, the Select Committee viewed it as contempt of the Inquiry if steps were taken to prevent or intimidate a person from giving evidence to the Inquiry. Then on 8 August 2024, being the evening prior to my appearance on 9 August 2024, I received a letter trying to intimidate and prevent me from giving full and frank evidence to the Select Committee. Accordingly, I provided

the Select Committee with the final two paragraphs which contained those attempts to intimidate me which were the only relevant parts of that letter. The remaining content of the letter was irrelevant to the Terms of Reference and also contained false and defamatory allegations which I categorically deny and were purely designed to damage me and my reputation in the eyes of the Select Committee.

I again refer to my email dated 17 September 2024 to Ms Verity Smith and the thorough explanation in that email for the reason that I provided a redacted copy of the letter. I am surprised, given that thorough explanation, that I am again asked this question. Accordingly, I am concerned that it appears that Racing NSW is being treated differently and unfairly to other witnesses in our efforts to provide factual evidence of attempts to intimidate our witnesses from providing evidence.

It should also be noted that at no stage did I resist providing a copy of the entire letter, noting the below exchange at the hearing of this Inquiry on 9 August 2024:

*The CHAIR: Mr V'landys, if you'd like to hand up that letter—*

*PETER V'LANDYS: Yes, I'd like to hand up that letter. We gave the redacted version, Mr Chair. There are other wild allegations in there that need to—*

*The Hon. MARK LATHAM: Point of order: If the letter is going to be tabled, it's got to be the full letter and not one that is selectively redacted.*

*PETER V'LANDYS: We can provide the full letter. I've just given you the—*

*The CHAIR: On notice, and the Committee will make a determination.*

*PETER V'LANDYS: I appreciate that, Mr Latham. I've got no problem providing the full letter. It's just that we wanted to give the section, and we've received senior counsel's advice that this is contempt of this inquiry. We'd like it referred to whatever department there is. If you're going to smear people and you're going to do people, you should be ready also for me to be allowed to give evidence and protect myself and be given due process and natural justice.*

*The CHAIR: Indeed, Mr V'landys. We will determine it in a deliberative later on. We will have a look at that document in the meantime and if you have the full letter as well and can supply that to the Committee, even in confidence, that would be appreciated.*

**73. You have previously placed a high premium on the importance of multiculturalism in sport (such as citing it for your NRL ban on Israel Folau). Will you now condemn the comments of ATC Chairman Peter McGauran that Rosehill needs to be sold because of “the high Indian population” in the Parramatta LGA?**

Response:

Firstly, I do not condone racism or discrimination of any form (including homophobia which was the context in respect of the NRL ban on Mr Folau). Secondly, I was not present at the meeting referred to so I am not aware of the precise comments attributed to ATC Chairman, Mr McGauran, or the context of those comments. However, I again repeat that I do not condone racism or discrimination of any form.

My actions and public comments over the entirety of my career is evidence of my strong stance against any form of discrimination.

***76. For the 1400 retired thoroughbreds per annum you claim are rehomed into 'Equestrian' what definition of Equestrian has been used to produce this number? Can you please break down the types of 'Equestrian' categories the horses have been sent to? What are the details?***

Response:

Retired thoroughbreds rehomed into 'Equestrian' refers to one of the retirement pathway categories on the Racing Australia - Horse Retirement Notification. The specific category available for selection on this form is worded 'Direct to equestrian pursuit' as set out in the attached form.

This retirement notification is used by Racing NSW to record the horse's retirement pathway, in addition to new carer details and location for ongoing traceability purposes.

Racing NSW has a dedicated Traceability Officer who receives and monitors the retirement data provided by Racing Australia. This is reviewed by Racing NSW Stewards, Investigators and Equine Welfare Veterinarians who then conduct retired horse audits across the State. Racing NSW has conducted a total of 3,762 inspections since the program commenced. These inspections, together with desk top audits provide opportunities for the Welfare Team to support new owners, as well as confirm accurate career, location and ownership details.

What is of paramount importance to Racing NSW is the health and welfare of the horse so as to ensure its quality of life after it is rehomed from racing. It does not necessarily matter what permitted category it has been rehomed to as we believe every horse should be treated equally. In Racing NSW's view, it doesn't matter if the horse has been rehomed to be a champion equestrian horse or to be a companion horse.

Accordingly, the specific category of where the horse has been retired to is not that consequential when considering the lengths to which Racing NSW goes to ensure the health and welfare of the horse. However, Racing NSW's welfare audits do check the accuracy of this information and we consider our figures to be credible given that we are the only State in Australia that conducts these physical checks.

***84. Why has Racing NSW purchased properties in the training precinct of Warwick Farm in Bull, Stroud and Manning Streets instead of using this money to upgrade the archaic spectator facilities at Warwick Farm Racecourse which remain as a relic from the 1980s?***

Response:

As part of Racing NSW's strategy to future proof the thoroughbred racing industry, it has procured a number of training facilities adjoining racecourses, including at Warwick Farm.

These purchases ensure that this critical training infrastructure remains in the industry as a productive asset providing horses in training.

In order to maximise the wagering revenues that fund the industry, there needs to be optimum field sizes of 12 starters in each race. To achieve these optimum field sizes requires the maximum number of horses in training in NSW. The more horses in training, the larger the field sizes available to compete in each race and accordingly the more wagering revenue that is generated to fund the industry. Racing NSW's duty is to maximise revenue for the NSW Thoroughbred Racing Industry and that is what this strategy achieves.

At Warwick Farm specifically, two of the properties procured by Racing NSW were previously unoccupied and in a state of disrepair. Racing NSW has renovated these properties and successfully brought 43 stables back into use, with horses trained out of these stables now contributing to field sizes in NSW and generating additional wagering revenues.

The properties procured by Racing NSW also included houses that are leased back to trainers for their staff, assisting with recruitment and retention of stable staff.

With respect to upgrading the spectator facilities at Warwick Farm racecourse, the Australian Turf Club (**ATC**) has not made application to Racing NSW for funding in relation to the upgrade of the spectator facilities at Warwick Farm, noting that any such application would need to be supported by a business plan.

However, it should also be noted that the ATC has had, over the years, plans to upgrade the spectator facilities which ultimately did not come to fruition. In particular, there were plans to enter into a joint venture with a prominent Western Sydney licenced club which would have resulted in the upgrade of the spectator facilities in conjunction with the establishment of a licensed club at Warwick Farm which would operate 7 days a week. Those plans were ultimately abandoned by the ATC to focus on improving spectator facilities and racing infrastructure at Royal Randwick and Rosehill Gardens racecourses, with Racing NSW providing funding in excess of \$200 million for those upgrades.

Further, Racing NSW has sought to improve the infrastructure and facilities at Warwick Farm Racecourse and has procured, and provided, many millions in doing so. In this respect, when Royal Randwick racecourse was used for a number of activities associated with World Youth Day, Racing NSW negotiated a \$26.8 million financial package with the NSW Government which included the provision of approximately \$13 million to allow the construction of stables, an equine tunnel and a synthetic track at Warwick Farm racecourse.

In addition, Racing NSW has contributed to the funding of the following projects in the last five years:

- Warwick Farm Polytrack - \$5.2 million plus GST
- Warwick Farm A-Grass - \$1.7 million plus GST

Racing NSW also approved funding of \$6.1 million plus GST for Course Proper Upgrade including River Straight widening with retaining wall. That project has not proceeded at this stage due to difficulties in getting Council approval for the River Straight widening with the retaining wall, which is a critical component of that project.

***85. Does Racing NSW feel any contrition and embarrassment for its neglect at Warwick Farm Racecourse, given its appeal and potential in the large and fast growing South-West Sydney population corridor?***

Response:

As I sought to make clear throughout this inquiry, I have the greatest respect for Parliament. However, in my respectful submission, this question appears to be promoting a particular view rather than seeking to elicit an answer to a question of fact. That is, the question asserts as a matter of fact that Racing NSW has neglected Warwick Farm racecourse when, as demonstrated above, that is simply not the case.

Nevertheless, the question has comprehensively been answered above in the response to question 84. As detailed in that response, the assertion that Racing NSW has neglected Warwick Farm Racecourse is not true and, with the greatest of respect, the question should not have been framed as though it was factually correct.

### **Conclusion**

I also take the opportunity to express my concerns at to what appears to be an apprehension of bias against Racing NSW. Many questions are framed as pre-determined views and state matters as credible evidence when they have not been tested, thereby bypassing basic requirements of procedural fairness and natural justice.

P V'LANDYS AM  
CHIEF EXECUTIVE

**Peter V'landys**

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**From:** Peter V'landys  
**Sent:** Tuesday, 17 September 2024 5:34 PM  
**To:** 'Rosehill Racecourse'  
**Subject:** RE: Inquiry into the proposal to develop Rosehill Racecourse - Post-hearing responses - 9 August 2024  
**Attachments:** Letter 8 August - TBA and NSWTB.pdf

**Hi Verity**

**I refer to the question taken on notice from the Chairman of the Select Committee, The Hon. Scott Farlow MLC, when I gave evidence before the Select Committee on Friday 9 August 2024. I confirm that during the course of my opening statement, I alerted the Select Committee to correspondence that was seeking to prevent me from providing full and frank evidence to the Select Committee. I provided the Select Committee with a redacted extract of that letter on 9 August 2024 and agreed to provide the letter in its entirety. Accordingly, attached is a copy of the letter from Basil Nolan and Hamish Esplin dated 8 August 2024 in its entirety.**

**At the outset, I confirm that the only reason for providing the redacted letter to the Select Committee was because of the attempts to intimidate me from providing full and frank evidence to the Select Committee and advice received from Senior Counsel in respect of possible contempt of the processes of the Select Committee.**

**In providing the complete version of the letter, it should be emphasised that the allegations in the letter in respect of the release of the report of the Thoroughbred Aftercare Welfare Working Group and the statements attributed to me are untrue and are categorically rejected. They were redacted previously given that they were false and defamatory. To be very clear, my objection at the meeting was to TBA and the report supporting horses being sent to knackeries and abattoirs (see pages 101-115 of the Report) which I am totally opposed to and which Racing NSW has prohibited since 2017. Further, I've confirmed my recollection with the independent party who organised and attended the meeting referred to in the letter who has verified that the statements attributed to me are false and untrue. This independent party has also confirmed that the disagreement at the meeting was that Racing NSW would never support the sending of horses to knackeries and abattoirs. It is imperative to note that neither of the authors of the letter were at the meeting.**

**In this respect, it is also important to note that the Thoroughbred Breeders Australia (TBA) had vigorously fought Racing Australia and the State regulators such as Racing NSW for an extended period on traceability and only reluctantly fell into line on this issue. Specifically, TBA fought against the breeders being subject to any of the Rules of Racing on the basis that they purported to be primary producers and as such should not be bound by the Rules. In particular, where they were compelled to register horses under the rules of racing to enable the racing industry to have accurate information from the time of the horse's birth.**

**TBA's continuing support for the sending of horses to knackeries and abattoirs continues to be a significant issue as I and Racing NSW are vehemently against any such practice.**

**In order to ensure that the attached letter is considered in context, I respectfully request that this email is attached to, and accompanies, that letter at all times.**

**Best Regards  
Peter**

Yours Sincerely,

**Peter V'landys AM**  
Chief Executive Officer  
Racing NSW  
Level 7, 51 Druitt Street, Sydney NSW 2000

Website: [www.racingnsw.com.au](http://www.racingnsw.com.au)



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**From:** Rosehill Racecourse <Rosehill.Racecourse@parliament.nsw.gov.au>  
**Sent:** Tuesday, August 27, 2024 5:07 PM  
**To:** Peter V'landys  
**Cc:** Rosehill Racecourse <Rosehill.Racecourse@parliament.nsw.gov.au>  
**Subject:** Inquiry into the proposal to develop Rosehill Racecourse - Post-hearing responses - 9 August 2024

[External Email Alert] This email was sent from outside the organisation – be cautious, particularly with links and attachments.

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Dear Mr V'Landys

**Post-hearing responses required by 5.00 pm Tuesday 17 September 2024**

Thank you for appearing before the Select Committee on the proposal to develop Rosehill Racecourse on 9 August 2024 for the inquiry into the proposal to develop Rosehill Racecourse.

Please find attached a transcript of what you said during the hearing with any questions on notice highlighted, a document containing supplementary questions and instructions on how to correct transcripts and provide answers.

The transcript is an official record of what you said during the hearing. You cannot change or improve the words you actually said during the hearing, nor the grammar.

Please return by 5.00 pm 17 September 2024:

- any transcript corrections
- answers to questions on notice directed to you/your organisation
- answers to supplementary questions
- any additional information you wish to provide to the committee.

Please also provide the documents you agreed to provide to the committee during the 9 August hearing, including the unredacted version of the letter from Thoroughbred Breeders Australia and Thoroughbred Breeders NSW to Dr Cooke, Chair of Racing NSW.

If you have any questions please contact the secretariat on 9230 3556.

Kind regards

**Verity Smith**  
Principal Council Officer

My work days are: Monday Tuesday Thursday Friday  
Committees Office



Legislative Council

P 61 2 9230 3556

E [verity.smith@parliament.nsw.gov.au](mailto:verity.smith@parliament.nsw.gov.au)

Parliament of New South Wales, 6 Macquarie St, Sydney NSW 2000, Australia



**Acknowledgement of Country** The Department of the Legislative Council acknowledges and respects the traditional lands of all Aboriginal people, and pays respects to all Elders past and present. We acknowledge the Gadigal people of the Eora Nation as the traditional custodians of the land on which the Parliament of New South Wales stands.

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# Horse Retirement Notification

(NSW/ACT ONLY)

## Horse Retirement Notification (NSW/ACT Only)

### Which horses does this form apply to?

- Unnamed horses (i.e. FOD lodged but not registered to race).
- Named horses (i.e. registered to race).

The horse must have been domiciled for the majority of its life in NSW/ACT. If the horse was domiciled for the majority of its life in a state/territory other than NSW/ACT, you should lodge a Horse Retirement/Death (VIC/QLD/WA/SA/NT/TAS) form.

### When do I have to lodge this form?

The managing owner must lodge this form:

- Within 7 days of a decision to not commence racing an unnamed horse.
- Within 7 days of a decision to retire a named horse from racing.

### Do any exemptions apply?

You do not have to lodge this form if the trainer of the horse (if applicable) notifies Racing Australia.

### How do I lodge this form once completed?

- Email: [traceability@racingaustralia.horse](mailto:traceability@racingaustralia.horse)
- Post: Racing Australia, Service Centre, Level 1, 400 Epsom Road, Flemington VIC 3031.
- Online: <https://myhorseracing.horse>

### Why do I have to lodge this form?

It is required under AR 290 (unnamed horses) and AR 297 (named horses) to enable traceability of horses throughout their lives to ensure positive welfare outcomes. Additional obligations also exist under Racing NSW LR 114.

### How will my personal information be used?

The personal information collected in this form may be used by Racing Australia and the Principal Racing Authorities to identify and communicate with owners and to facilitate the administration of racing. It may also be used or disclosed by Racing Australia in accordance with its Privacy Policy (<https://racingaustralia.horse/AboutUs/PrivacyPolicy.aspx>). The Privacy Policy also sets out how owners can access and seek correction of their personal information, as well as how to make complaints regarding Racing Australia's handling of their personal information.

## PART A - Horse Details

Horse Name (including suffix)	Date Retired (dd/mm/yyyy)	Microchip	Foal Date (dd/mm/yyyy)
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Sire	Dam		
<input type="text"/>	<input type="text"/>		

## PART B - Retirement of Horse (complete when horse has been retired or not commenced racing)

### 1. Retirement Pathway (Select one of the options below)

- a. Direct to equestrian pursuit
- b. Assisted rehoming by Racing Regulator
- c. Non-Equestrian Pursuit
- d. Thoroughbred Breeding
- e. Auction (complete Part D)

### 2. Reason for Retirement (Select one of the options below)

- a. Owner circumstance
- b. Injury (complete part 3)
- c. Condition/illness/disease
- d. Uncompetitive
- e. Age
- f. Unsuitable behavior/temperament
- g. Action taken by Racing Authority
- h. Other (please specify)

### 3. Injury

Did the injury leading to this retirement occur whilst in work (track work, jump outs, trials and on race day)?

- Yes
- No

### 4. Possible Future Reinstatement

Do the owners have any objection to the horse being reinstated to race in the future (subject to Stewards' approval)?

- Yes Reason
- No

**Important Note: the horse is not to be transferred to a location which does not meet minimum standards prescribed by Racing NSW to ensure the ongoing welfare of that horse and the owners are required to provide Racing NSW with all information and assistance (including access to the proposed location) in order to enable Racing NSW to assess that those minimum standards are met.**

If you selected **a, b, c or d**: please complete the new carer and Retirement Location sections below.  
If you selected **e**: please select the Approved Livestock Auction in the section below.

## New Carer Details

First Name	Last Name
<input type="text"/>	<input type="text"/>
Email * Mobile or Email MUST be supplied.	Mobile * Mobile or Email MUST be supplied.
<input type="text"/>	<input type="text"/>



# Horse Retirement Notification

(NSW/ACT ONLY)

## Retirement Location (physical address where the horse will be kept) (not required for approved livestock auctions)

Street Address \* Horse location MUST be supplied.

Suburb

Postcode

State

## Approved Livestock Auctions

- a. Inglis (including bloodstock.com.au)  
 b. Magic Millions  
 c. Bloodstockauction.com  
 d. Andrew Wilson & Co

Auction Type

Physical

Online

Sale date (dd/mm/yyyy)

Lot number

If online provide current location of the retiring horse:

Street Address

Suburb

Postcode

State

## Managing Owner / Authorised Agent Details

First Name

Last Name

Email

Mobile

## Declaration

I declare that:

1. I am authorised by the owners of the horse to lodge this form.
2. The information provided in this form is true and correct to the best of my knowledge, and acknowledge that I may be subject to penalty for providing any false or misleading information.

I am the Managing Owner or  I am the Authorised Agent

Signature

Date (dd/mm/yyyy)