

# **1 CARDINIA MOTOR RECREATION AND EDUCATION PARK DEVELOPMENT PLAN (DPO16)**

FILE REFERENCE INT1994475

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Emma Brennan

## **RECOMMENDATION**

That the Cardinia Motor Recreation and Education Park Development Plan be approved subject to the recommendations attached to this report.

## **Attachments**

- |   |  |          |
|---|--|----------|
| 1 | Development Plans  | 46 Pages |
| 2 | Development Plan Map   | 1 Page   |
| 3 | Summary of Submissions - Circulated to Councillors only          | 11 Pages |
| 4 | Documents for Endorsement - Circulated to Councillors Separately |          |

## **EXECUTIVE SUMMARY:**

APPLICATION NO.: DPO16

APPLICANT: Podium 1 Pty Ltd ('Applicant')

LAND: 21, 75 & 115 Key Lane, Pakenham ('Subject Site'; or the 'Site')  
21 Key Lane: Lot 1 on PS746980A ('Lot 1')  
75 Key Lane: Lot 2 on PS746980A ('Lot 2')  
115 Key Lane: Lot 3 on PS746980A ('Lot 3')

The land is formerly known as 335 McGregor Road, Pakenham  
Lots 1, 2 and 3 on PS746979J

PROPOSAL: Cardinia Motor Recreation and Education Park Development Plan

## **PLANNING CONTROLS:**

Special Use Zone (Schedule 5 – Cardinia Motor Recreation and Education Park ('SUZ5'))

Development Plan Overlay (Schedule 16 – Cardinia Motor Recreation and Education Park) ('DPO16')

Land Subject to Inundation Overlay ('LSIO')

Flood Overlay ('FO')

Public Acquisition Overlay (Schedule 1) – ('PAO')

NOTIFICATIONS & SUBMISSIONS: Public notice was undertaken in accordance with the DPO16, by way of four (4) signs, 850+ letters and notice in

newspaper (Pakenham Gazette). A total of 13 submissions were received, summarised at Appendix A.

**KEY PLANNING CONSIDERATIONS:** Whether the proposal meets the requirement of Clause 3.0 of the Development Plan Overlay (Schedule 16)

**RECOMMENDATION:** That Council approve the Cardinia Motor Sports and Education Park Development Plan pursuant to Development Plan Overlay (Schedule 16) in accordance with the approved documents. The Development Plan will provide the framework in which planning permits will be assessed.

### **BACKGROUND:**

The following provides some background to the processes which have led to the preparation of this development plan:

#### **Amendment C160**

On 6 September 2011, the Minister for Planning exercised their power under section 20(4) of the Planning and Environment Act 1987 to exempt notice and prepare, adopt and approve Amendment C160 to the Cardinia Planning Scheme.

The amendment introduced the Special Use Zone (Schedule 5) and the Development Plan Overlay (Schedule 16) into the Scheme. This resulted in the parent site, 335 McGregor Road, Pakenham, being rezoned from the Green Wedge Zone.

#### **Amendment C217**

On 19 January 2017, the Minister for Planning approved Amendment C217 (later amended to C224) to the Cardinia Planning Scheme. The Amendment was gazetted on the 25 January 2017 and introduced an Incorporated Document within the Scheme.

This Incorporated Document was introduced to allow the use of 335 McGregor Road, Pakenham ('parent site') for a Motor Recreation and Education Park, being 'Site Specific Control – CA51A, 335 McGregor Road, Pakenham, dated October 2016'. The purpose of this document was to override the use provisions of Clause 57 Metropolitan Green Wedge only.

The amendment was undertaken for the purpose of facilitating the development of a Motor Recreation and Education Park. In 2013, Amendment VC100 was approved which, inter alia, made changes to the provisions of Clause 57 – Metropolitan Green Wedge Land, with one of the changes incidentally prohibiting the use and development of the land for a Motor Recreation and Education Park and associated ancillary uses. In order to overcome this, Amendment C217 therefore applied a site specific control allowing this use and development within land otherwise set aside for green wedge purposes.

It is noted that since the approval of C217/C224, Amendment VC148 was approved by the Minister for Planning on 31 July 2018. The amendment introduced changes to the Victorian Planning Provisions (VPP) and all planning schemes arising from the Victorian Government's Smart Planning program. The program aimed to simply and modernise Victoria's planning policy, which included amendments to the provision relating to Metropolitan Green Wedge Land. This provision is now found at Clause 51.02, is titled 'Metropolitan Green Wedge Land: Core Planning Provisions' and, in the absence of the Site Specific Control, continues to prohibit a motor racing track and associated ancillary uses on land that is outside the Urban Growth Boundary. The Incorporated Document can be found at the Schedule to Clause 72.04 – Documents Incorporated in this Planning Scheme.

**Subdivision of 335 McGregor Road, Pakenham**

The parent lot (335 McGregor Road) is wholly owned by Cardinia Shire Council. The parent lot was re-subdivided into the configuration shown in the below plan, to create Lot 1 (21 Key Lane), Lot 2 (75 Key Lane) and 115 Key Lane. This subdivision was approved on 4 December 2017.

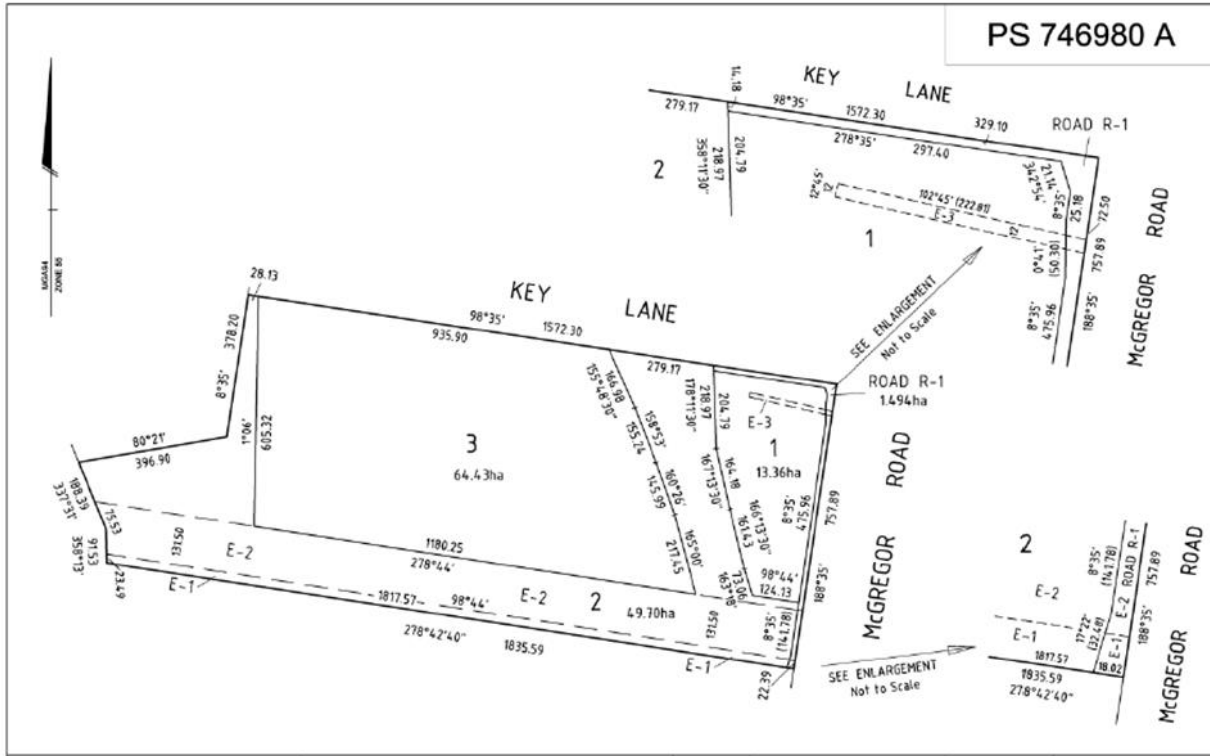


Figure 3: Site Title Plan

Lot 1 is currently leased from Cardinia Shire Council by the Pakenham Auto Club.

Lot 2 is currently utilised by the Koo Wee Rup Motorcycle Club under a recreation licence.

It was resolved by Council to sell Lot 3 to the appropriate developer, the details of which are below.

**Council’s EOI Process and Sale of Land**

By way of Council’s public procurement (EOI) process, Podium 1 Pty Ltd were selected as the preferred developer and future purchaser of the Site. At a Special Council Meeting held on Monday 28 May 2018, Council resolved to give public notice of the proposed sale of Lot 3, pursuant to sections 189 and 223 of the Local Government Act 1989. Over 4000 submissions were received during this public notification process, which were considered at a further Special Council Meeting on Monday 23 July 2018. Council resolved to sell Lot 3 on PS746980A for the following reasons:

- The development of the land for a motor sport facility is in keeping with the zoning of the land;
- The development will inject substantial investment into the local economy and generate significant full time jobs both direct and indirect as well as tourism opportunities;
- The Koo Wee Rup and District Motor Cycle Club will be guaranteed a permanent home either on Lot 2 or an alternate subject site (subject to rezoning);
- The proceeds received from the sale of Lot 3 will be used solely to purchase additional land for the use of the Koo Wee Rup and District Motor Cycle Club and the Pakenham Auto Club and to provide for capital works for either building/accommodation or track works for the clubs;

- Concerns with respect to noise, drainage, access and amenity issues associated with the development will be addressed as part of the planning approval process.

### **Heads of Agreement and Contract of Sale**

Council has entered into a Heads of Agreement ('HOA') with Podium 1 Pty Ltd on 28 May 2018, relating to the sale and development of Lot 3 on PS746980A. Council has also entered into a Contract of Sale with Podium 1 Pty Ltd on 3 August 2018, for the same land. The HOA was prepared by Maddocks Lawyers on behalf of Council and contains a range of conditions, including:

- It was subject to Council exercising appropriately its powers to sell land which have been complied with and this condition is now satisfied;
- A sale price of \$3,000,000 of which a \$300,000 deposit has been paid;
- Settlement is to occur 30 days after the last of Planning Approval or registration of the Plan of Subdivision;
- The sale is subject to the granting of Planning Approval for the use and development of the land consistent with the Concept Plans;
- The parties will enter into a section 173 agreement, requiring Podium 1 Pty Ltd to, amongst other things, have substantially commenced the Development within 12 months of the development approval date, practically complete the development within three years and construct a number of roads. Failure to meet these timeframes may require the land to be retransferred to the Council.

These conditions are required to be met by the purchaser in order to finalise the sale of land and the development. If planning permission is unable to be obtained, then the contract may come to an end without the sale proceeding.

### **Environmental Effects Statement**

In Victoria, environment assessment of the potential environmental impacts or effects of a proposed development may be required under the Environmental Effects Act 1978. The process under this Act is not an approval process itself, rather it enables statutory decision-makers to make decisions about whether a project with potentially significant environmental effects should proceed.

If the Minister for Planning decides that an Environmental Effects Statement ('EES') is required, the project proponent is responsible for preparing the EES and undertaking the necessary investigations. The triggers for which are approximately 10ha (or more) of native vegetation being removed and consideration of potential amenity impacts. This process is undertaken outside the planning process, however this can be completed either by the proponent or Council as the local government agency (as stated in the Ministerial guidelines for assessment of environmental effects under the *Environmental Effects Act 1978*). As the preparation of an EES is not specific requirement of the DPO16 and the applicant is investigating this requirement outside the planning process, an EES is not triggered at the time of making a decision on a Development Plan. The applicant will be required to have this matter addressed prior to any decision on future planning applications as they relate to the motor sports facility.

### **SUBJECT SITE**

The site is located on the western side of McGregor Road and on the southern side of Key Lane in Pakenham. The Key Lane/McGregor Road/Greenhills Road intersections is located on the north-eastern corner of the site. Locality maps can be found at Appendix A.

The site is defined as the area laden with the DPO16, being Lots 1, 2 and 3 on PS746980A, as shown on the map excerpts below. The three lots make up an area of approximately 128ha.

The site is made up of three lots, with existing conditions described below:

**Lot 1** – has a 297m frontage to Key Lane to the north and a 475m frontage to McGregor Road to the east. The southern and western boundaries are bordered by Lot 2. Easement E-3 encumbers the lot for the purpose of a power line route. Lot 1 is currently used for a dwelling.

**Lot 2** – currently contains numerous tracks and temporary clubrooms/shipping containers which facilitate motor racing activities for the Koo Wee Rup Motorcycle Club and Pakenham Auto Club. Toomuc Creek bisects the western portion of the lot. The McGregor Road Drain bisects the lot approximately midway through.

**Lot 3** – the land which will be sold to Podium 1 Pty Ltd if planning permission is provided for this proposal. The McGregor Road Drain bisects the centre of the site. Approximately five dams are present on this lot.

### **Surrounding area – current conditions**

At present, the immediate surrounding areas are predominantly used for agriculture (grazing), with ancillary dwellings supporting the agricultural activity. This surrounding land is zoned either Urban Growth Zone (which is in place to manage the transition of non-urban land into urban land and is subject to future precinct structure plan) or Green Wedge Zone (which is provided for the use of agriculture and conserve green wedge areas). Eight artificial dams are present which are utilised for agricultural purposes. A drainage dam is also present.

Native vegetation on site is predominately confined to the areas around the McGregor Road drain and Toomuc Creek and within three of the farm dams. Six canopy trees are also present on site. Potential habitat for Southern Brown Bandicoot and Growling Grass frog are also present on site. Large sections of the site have been disturbed by agricultural activities, primarily grazing. These areas are devoid of native vegetation and instead see exotic pasture grasses.

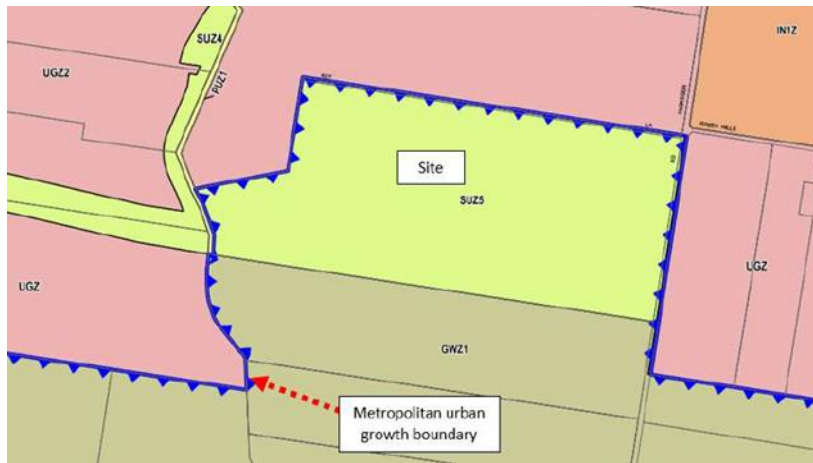
The surrounding area can be described as follows:

**North:** Land immediately to the north forms part of the Urban Growth Zone (UGZ) and is predominately used for agricultural activities. Toomuc Creek and McGregor Road Drain flow from the north into the subject site. Approximately 850m north of the site are the McGregor Road on/off ramps to the Princes Freeway. Beyond the freeway, at approximately 1.3km, is the established residential area of Pakenham.

**East:** Land immediately to the east also forms part of the UGZ, predominately used for agricultural purposes. Beyond this, approximately 1km east of the subject site, is an emerging industrial estate in the vicinity of Corporate Terrace.

**South:** Land immediately and further south of the subject site is located within Green Wedge Zone, used predominately for agricultural activities.

**West:** Land immediately and further west of the site also forms part of the UGZ, predominately used for agricultural purposes.



**Surrounding area - future conditions**

In the coming years, the surrounding area will undergo widespread change, with the current semi-rural conditions expected to convert to employment generating land uses with the associated major infrastructure upgrades.

Future employment generating land uses will ultimately infill the areas to the north, east and west of the site. The future Precinct Structure Plans (PSPs) are yet to be fully developed. These PSP areas are the Pakenham West, Pakenham South Employment and the Cardinia Road precincts respectively. Ultimately, it is envisaged that these PSP areas will not be residential.

Other future changes include significant arterial road development and other major road upgrades, including the north-south Koo Wee Rup Bypass (Stage 1A) , with land set aside on Lot 2, encumbered by the PAO1; as well as the future Greenhills/Thompsons road extension (bordering Lot 1 and 3 to the north).

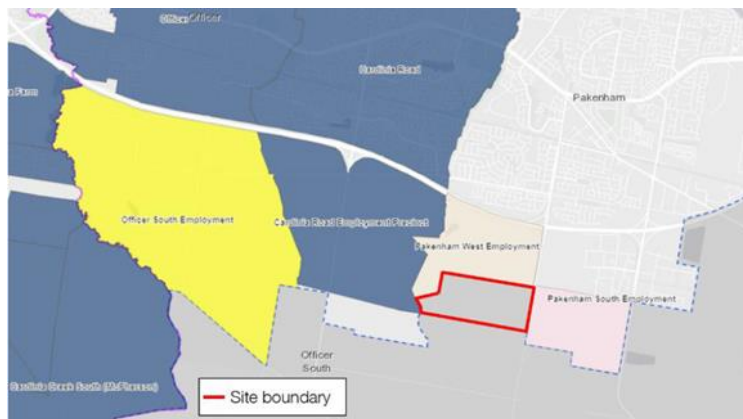


Figure 4: Precinct Structure Plan Context

**PROPOSAL**

The proposed Development Plan sets out high-level parameters to guide future planning applications and approvals for the use and development of the site for a Motor Racing Track and a range of complimentary use and developments. See Appendix A for the Development Plan map.

The layout of the site will be generally configured with a centrally-located racing circuit, bordered by the pit building to the north, sport shooting facility to the west and vehicle stores to the south. The eastern boundary is bordered by the future Koo Wee Rup Bypass, separating the subject site with Lot 1.

The complimentary and ancillary uses and development proposed throughout the site include accommodation and commercial facilities, driver education centre, sport shooting club, go-karting facility, operational and vehicle storage buildings and various access and drainage infrastructure works. Each will be delivered across precincts A to J, which include the Pakenham Auto Club and

the Koo Wee Rup Motorcycle Club which fall within the boundaries of the Development Plan Overlay. The general layout of these uses and developments are represented in the Development Plan map.

The applicant has indicated in Table 1 the range of uses which could potentially operate within each precinct.

The development plan contemplates development of the site for the purposes of a function/exhibition centre, driver experience centre, offices, shooting club and hotel, i.e. day to day operations. On occasion, the site will also be used to hold events including motor racing, concerts, exhibitions and club competitions. A further explanation to each precinct is below:

Precinct	Potential Uses
Precinct A: Circuit	Motor Racing Track Driver Education Recreational Driving Experiences
Precinct B: Commercial & Accommodation	Residential Hotel Office Food and Drink Premises Hospitality Function Centre
Precinct C: Pit Building	Administrative offices Medical centre Hospitality Automotive workshops Function Centre
Precinct D: Driving Facility #1	Motor Racing Track (Karting) Hospitality Driver Education Helipad
Precinct E: Sport Shooting Facility	Indoor Target Shooting Outdoor Target Shooting Hospitality
Precinct E: Driving Facility #2	Motor Racing Track (Karting) Driver Experience Centre Hospitality
Precinct G: Vehicle Storage	Vehicle Store Workshop
Precinct H: Multi-purpose Area	Place of Assembly Car Parking
Precinct I: Auto Club	Motor Racing Track
Precinct J: Motorcycle Club, Secondary Access, Drainage & Overflow Car Parking	Motor Racing Track Car Parking

Table 1: Potential Land Uses

**Precinct A: Circuit**

Precinct A comprises the key components, or the primary use of the site, being a Motor Racing Track and Driver Education Centre.

The racing circuit will consist of a primary circuit, being approximately 3.2km length, with associated vehicle run-off areas, safety barriers, service lanes and track infrastructure, including wetlands which will collect, treat and distribute stormwater to the site outlet. The precinct includes grassed areas that may, depending on the particular event circumstances, function as spectator areas.

The driver experience centre will provide for driver education and will facilitate the sale of driver education and training services and commercial recreational driving experiences.

**Precinct B: Commercial & Accommodation**

Another key component of the Motor Recreation and Education Park is the residential hotel. The accommodation is likely to be sited in the north-east area of Lot 3, allowing the future building to

have frontages to both the circuit and the (future) upgraded Greenhills/Thompson Road. Siting in this location will also enable views across the racing circuit. This location will also ensure the use is proximate to the main site entry, enabling guest and delivery vehicle access and circulation with minimal encroachment into the areas of the site required for racing circuit or other development.

The scale of the residential hotel is anticipated to accommodate a minimum of 70 rooms, with a potential upper limit of 300 rooms. The Development Plan will also allow flexibility in complimentary uses to the residential hotel, including the possibility of an associated restaurant, spa, function/exhibition/event hosting and hospitality and/or catering activities.

Precinct B also has scope to accommodate commercial facilities which provide for administrative space available for lease by local businesses. A range of other commercial uses, such as office, showrooms or a standalone function centre may equally be appropriate.

An estimated 432 car parking spaces are proposed within Precinct B.

### **Precinct C: Pit Building**

The racing circuit will be serviced by a multi-storey pit building located in the northern area of Lot 3. It is proposed to comprise a race control area, pit garages, a welcome centre and/or similar.

A race control area will carry out a range of functions, likely including race control, briefing room, timekeeping, a fully-equipped medical centre and administration offices.

Pit garages will likely incorporate a scrutineering area including at least three race official garages and numerous (30+) pit garages, with each pit garage having a two-car capacity.

A welcome centre will be positioned to provide a distinct gathering area separate to the pit area, to maintain separation between race crew activities and non-participants. It is anticipated that the primary pit building will provide a large rooftop deck and hospitality area suitable for spectators to congregate and obtain views over the track activity to the south.

The height of the pit building is expected to be between 5 to 25 metres (1-5 storeys). A minimum setback of approximately 80 metres will be maintained between the pit building and the northern boundary of Lot 3, as identified on the Development Plan.

### **Precinct D: Driving Facility #1**

A driver experience centre is proposed to be located within Precincts D and F, with this use also forming part of the primary use of the site. The driver experience centre will facilitate the sale of driver education and training services and commercial recreational driving experiences.

At least one building is anticipated within Precinct D, with a height expected between 4 to 16 metres (1-4 storeys). The building would be positioned approximately 50 metres from the northern boundary, on the eastern side of this precinct.

A helipad is proposed within Precinct D, generally west of the proposed building in this precinct. Helipad siting will be required to comply with civil aviation and relevant permit requirements.

An estimated 320 car parking spaces are proposed to be provided within Precinct D.

### **Precinct E: Sport Shooting Facility**

Precinct E is to be used and developed for the purposes of an indoor and outdoor shooting range. The indoor and outdoor target shooting ranges are expected to be situated within a building with a height between 5 to 20 metres (1-4 storeys) and located towards the south-west corner of Lot 3.



A substantial earth berm constructed to the western boundary of Precinct E, as to provide for the operational safety requirements associated with an outdoor shooting range. The earth berm may encroach onto land within Lot 2, with any such encroachment requiring a lease or licensing arrangement to be entered into. Other earthen berms or artificial structures may also be required to provide acoustic mitigation. The detail of such measures and works (if needed) will form part of any future planning permit application/s.

Precinct E may also include associated hospitality and or retail use/s, subject to future planning permit applications.

An estimated 119 car parking spaces are proposed within Precinct E.

### **Precinct F: Driving Facility #2**

At least one building is anticipated within Precinct F, central to the racecourse with a height ranging from approximately 4-16 metres (1-4 storeys). Precinct F may also include hospitality, subject to future planning permit application/s.

An estimated 58 car parking spaces are proposed within Precinct F.

### **Precinct G: Vehicle Storage**

The vehicle storage buildings located within Precinct G are expected to be a height of between 4-16 metres (1-4 storeys) with an approximate 10 metre southern setback from the boundary of lot 3. This area may include ancillary uses such as function spaces during race days.

### **Precinct H: Multi-purpose Area**

Precinct H is likely to be developed with temporary structures associated with events and spectator activities, such as concert stages, marquees, spectator stands etc. Details will be subject to any future planning permits. Additionally, any permanent structures will also be included in any future planning permit application/s.

### **Precinct I: Auto Club**

The Pakenham Auto Club currently leases Lot 1 from Cardinia Shire Council. The Development Plan anticipates that Lot 1 will continue to be utilised by the Pakenham Auto Club.

Precinct I (which corresponds to Lot 1) is not proposed to be developed by the proponent of this Development Plan. Future development of that site may be pursued by Council (as the landowner) and/or the Pakenham Auto Club (as the leaseholder).

Precinct I, however, may be used for temporary car parking in association with events held at the Cardinia Motor Recreation and Education Park. Any such arrangement will be subject to the agreement of the relevant stakeholders and the requirements of any applicable Site Management Plan(s).

### **Precinct J: Motorcycle Club, Secondary Access & Drainage**

Precinct J is encumbered by part of the Toomuc Creek corridor and the existing electricity transmission line easement. The Koo Wee Rup Motorcycle Club currently utilises part of Lot 2 (75 Key Lane) for club related motor racing activities. The balance of Lot 2 will continue to be available to the Koo Wee Rup Motorcycle Club, until such time as the Koo Wee Rup bypass is constructed in the PA01 alignment and/or other mutually agreed arrangements are made.

Development in Precinct J (as it relates to Lot 2) will include drainage infrastructure and wetlands associated with the realignment of the McGregor Road Drain, the provision of access to Lot 3 from

McGregor Road, and the construction of an earthen berm associated with the sport shooting facility, subject to necessary lease agreements, owner(s) consent(s) and relevant planning permission(s).

**PLANNING SCHEME PROVISIONS**

The following planning controls apply to the site:

- Clause 37.01 Special Use Zone (Schedule 5 – Cardinia Motor Recreation and Education Park)
- Clause 43.04 Development Plan Overlay (Schedule 16 – Cardinia Motor Recreation and Education Park)
- Clause 44.03 Floodway Overlay
- Clause 44.04 Land Subject to Inundation Overlay
- Clause 45.01 Public Acquisition Overlay (Schedule 1 – Roads Corporation)

It is noted that Aboriginal cultural heritage was dealt with under Amendment C160, with Aboriginal Affairs Victoria approving the Cardinia Motor Recreation & Education Park Cultural Heritage Management Plan (reference 11147) on 30 September 2010.

**PUBLIC NOTIFICATION**

Prior to the approval of any development plan, a 14 day public notification period is directed pursuant to Clause 3.0 of DPO16. Notice was given by way of:

- 842 letters to surrounding land owner and occupiers. The extent of notice given was determined by the acoustic mapping submitted with the application.
- Four (4) signs on site, located on Key Lane, intersection of Key Lane & McGregor Road and two (2) evenly spaced out along McGregor Road
- Public notice in the Pakenham Gazette on 11 September 2019.

The Statutory Declaration was received by Council on 24 September 2019, confirming that notice was given in accordance with the above.

A total of 12 submissions (including one petition from residents of Blue Horizon Estate) were received raising concerns about the proposed Development Plan.

A total of 853 submissions were received providing support for the proposed Development Plan.

A summary of each submission and a response to each of these can be found at Attachment 3.

**REFERRALS**

<p><b>Melbourne Water As required by DPO16</b></p>	<p><b>Supported.</b></p> <p>Melbourne Water placed conditions on their response however, due to detailed design being considered under multiple future planning applications, conditions will be placed upon any permit issued in response to any future statutory referrals. Melbourne Water have been notified of this. Melbourne Water have consented to this process moving forward.</p>
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	<p>It is also noted that Melbourne Water reserves the right to call upon information requirements as set out within Section 173 Agreement (AR283639T) on the Land Title for the subject site.</p>
<p><b>Department of Environment, Water, Land and Planning (DELWP)</b></p> <p>As required by DPO16</p>	<p>Adequate setback is required from Toomuc Creek, being 200 metres. This is for the purposes of providing an appropriate corridor for Southern Brown Bandicoot to traverse through this habitat.</p> <p>It has also been recommended that prior to the approval of the Development Plan, an EES Referral and EPBC Act Referral are both undertaken. However, these are matters which sit outside the scope of the Development Plan Overlay (Schedule 16) and indeed the <i>Planning and Environment Act 1989</i>.</p> <p><b>Council officer comments:</b></p> <p>A 200m setback from Toomuc Creek has been shown on the Development Plan, which is supported by DELWP. Any future works proposed within this setback are subject to the approval from the relevant authorities.</p> <p>The Environmental Effects Act does not require referral prior to the approval of a development plan. An EES referral and subsequent assessment of the detailed design is to be considered at planning permit stage.</p> <p>The <i>EPBC Act 1999</i> referrals also sit outside the planning process, with the onus on the proponent to determine with the Commonwealth Department of Environment and Energy whether a referral is required.</p>
<p><b>Department of Transport (formerly VicRoads)</b></p> <p>Section 52 Referral (Notice)</p>	<p>Supported.</p> <p>A referral and assessment of the detailed design will occur at planning permit stage.</p>
<p><b>Environmental Protection Agency (EPA)</b></p> <p>Section 52 Referral (Notice)</p>	<p>No objection.</p> <p>General comments were provided for the proponent to note in future works approvals.</p> <p>The EPA have also provided comments for Council's information as they relate to legislation and practicalities in controlling noise emissions. EPA also supports the recommendation of the submitted acoustic report of further noise assessments being undertaken, including the provision of a noise management plan.</p>

## DISCUSSION

The following provides a detailed assessment of the proposed Cardinia Motor Sports and Education Park Development Plan against the application requirements as set out at Clause 3.0 of the Development Plan Overlay (Schedule 16):

Development Plan Overlay (Schedule 16 – Cardinia Motor Recreation and Education Park)

The purpose of the Development Plan Overlay is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.
- To exempt an application from notice and review if it is generally in accordance with a development plan.

Pursuant to Clause 43.04-2, a planning permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority. Any planning permit issued must be generally in accordance with the development plan and include any conditions or requirements specified in the schedule to the overlay. A planning application that is considered to be 'generally in accordance' with the Development Plan will not be subject to public notice requirements.

Schedule 16 to the overlay requires a condition to be placed on any permit granted for land uses associated with the Motor Recreation and Education Park which ensures use and development of the site is undertaken in accordance with the management plan and environmental management plan approved as part of the development plan.

The Site Management Plan ('SMP') submitted with the Development Plan application sets out a broad framework for how future events of various scales and types will be managed. The future hours of operation, number of events per year, number of patrons, management of noise emissions and the emergency plan will be governed by the conditions and endorsed plans/reports which form part of future planning permits. The SMP has been reviewed by planning officers and is recommended for endorsement.

Environmental Management Plan ('EMP') submitted with the Development Plan application details the potential environmental impacts of the proposed development and the ways in which these impacts may be reduced through management strategies and site practices. A key focus of this EMP is on the Growling Grass Frog and Southern Brown Bandicoot, species of national significance known to occur in the region. These matters will be assessed by DELWP under a referral at planning permit stage.

In summary, both the Site Management Plan and the Environmental Management Plan submitted with the application will be endorsed and form part of the development plan.

#### **Application requirements pursuant to Clause 3.0 of DP016**

The DP016 sets out the specialist studies and report requirements for the Cardinia Motor Recreation and Education Park Development Plan, which are as follows:

- Existing natural and built features of the land including topography, vegetation, buildings, other works, utility services, drainage lines and watercourses.

The Development Plan documentation provides a written and visual assessments (feature and level survey, aerial imagery) of the topography, vegetation, buildings, other works, utility services, drainage lines and watercourses. This assessment is to the satisfaction of Council.

- Relationship to existing and proposed surrounding development, including the Kooweerup-Healesville Road extension.

The Development Plan documentation provides the context of the development, including the relationship of the site with the wider region and locality, in both current and future scenarios. This includes consideration of the future Koo Wee Rup Bypass.

- A plan indicating the type of existing native vegetation and any areas where it is proposed to remove native vegetation.

The Biodiversity Assessment (dated July 2019, prepared by Ecology and Heritage Partners Pty Ltd) and the Environmental Management Plan ('EMP') (dated August 2019, prepared by Ecology & Heritage Partners Pty Ltd) includes details regarding the type of existing native vegetation on site. Figure 2 of the Biodiversity Assessment provides details of the ecological features of the site, including the vegetation impacted by any development on the land (and therefore marked as for removal as part of any future planning permit application). The assessments of both reports consider the principles of avoid, minimise and offset.

It is noted the following conclusions were made in the Biodiversity Assessment and the EMP report:

- The condition of the broader study area has been found to be 'poor'
- Considering the SUZ5 of the land for a motor recreation and education park (and supporting/other uses), is impractical to avoid vegetation removal and the McGregor Road Drain through the centre of the site;
- The McGregor Road Drain supports the Plains Grassy Wetland vegetation throughout the site, which must be removed to enable the construction of the Motor Recreation and Education Park (and supporting/other uses);
- As vegetation removal cannot be avoided, any removal should be minimised (where possible) and offset;
- The Biodiversity Assessment provide high level examples of best practice mitigation measures to be applied on site, including avoiding works within close proximity to Toomuc Creek, minimising native vegetation removal through construction and micro-siting techniques (including fencing of retained areas of native vegetation) and making contractors aware of ecologically sensitive areas to minimise likelihood of inadvertent disturbance. This report also recommends that a CEMP, weed management plan, conservation management plan and fauna management plan (or similar) are implemented before construction as a condition of any permit issued. The report also confirms that the land owner's offset obligations generated by this proposal can be satisfied through existing credits registered in DELWPs Native Vegetation Credit Register.
- The EMP suggests pre-construction management techniques, construction management actions, post construction techniques and ongoing monitoring and reporting management approaches to deal with any removed/retained native vegetation. These measures should be embedded in any future planning permit approval(s), where relevant.

It is also noted that Clause 52.17 Native Vegetation will trigger planning permission and vegetation removal will be assessed against the relevant decision guidelines under future planning permit applications.

Based upon the above recommendations, it is considered that the proposed documents adequately indicate the type of existing vegetation and vegetation proposed for removal, as per this requirement under the DPO16.

A flora and fauna assessment including consideration of:

- Corridors for Growling Grass Frog habitat
- Dwarf Galaxia habitat
- Corridors for Southern Brown Bandicoot habitat
- Adequate waterways setbacks

The Biodiversity Assessment (dated July 2019) prepared by Ecology and Heritage Partners Pty Ltd addresses matters relating to the Growling Grass Frog, Dwarf Galaxia and Southern Brown Bandicoot habitats.

The Growling Grass Frog was not found during targeted surveys, however habitats may be present along Toomuc Creek and McGregor Road. As part of the approval of the Development Plan, a Growling Grass Frog Management Plan, will be approved as part of the Environmental Management Plan ('EMP'). The EMP will include pre-development, development and post-development phase measures and techniques which may also be imposed by way of conditions on any future planning permits, as appropriate.

The Biodiversity Report states that targeted surveys of Dwarf Galaxia have previously been undertaken and none have been found in the study area.

The Southern Brown Bandicoot was not found on site during targeted surveys, however they were recorded on three occasions, two of which being located further south along Toomuc Creek adjacent Wenn Road. It is noted in the report that the subject site is not considered to contain suitable habitat features for the Southern Brown Bandicoot, given the vegetation within this area is either exotic pasture paddocks or a wetland area that does not contain a structural shrub layer as preferred by the Southern Brown Bandicoot. Despite this, the vegetation along Toomuc Creek is considered to likely provide a habitat corridor within the broader landscape context. As such, suitable habitat for the species needs to be appropriately managed within the study area to enhance the existing areas supporting suitable habitats. As such, site management techniques relating to the Southern Brown Bandicoot, will be approved as part of the Environmental Management Plan ('EMP'). A specific Fauna Management Plan will also be required to the relevant future planning permit/s.

With respect to wildlife corridors, the application was referred to DELWP whom have requested that a 200m setback from Toomuc Creek to be applied. This is for the purposes of providing an appropriate corridor for Southern Brown Bandicoot to traverse through this habitat. A 200m setback from Toomuc Creek has been shown on the Development Plan, which is supported by DELWP. Any future works proposed within this setback are subject to the approval from the relevant authorities.

It is also noted that any future planning permits will be subject to conditions requiring the preparation and approval the following documents prior to the commencement of any works:

- Construction Environmental Management Plan
- Weed Management Plan
- Significant Species Conservation Management Plan
- Fauna Management Plan/s

A stormwater drainage strategy including details of any onsite water retention, effects on water quality and hydraulic impacts on waterways; and

How the existing floodplain and overland flow paths will be accommodated by the proposed development.

### **Site Drainage History**

The parent lot, 335 McGregor Road, is subject to significant watercourses including Toomuc Creek, the McGregor Road Drain and Deep Creek South Drain. The McGregor Road Drain, which runs through the central portion of the site, drains a catchment of 370ha to the north, 280ha of which is developed land north of the freeway. The subject site is subject to the Land Subject to Inundation Overlay (LSIO) and the Flood Overlay (FO) on the southern portion of lot 2, where flooding occurs from Toomuc Creek along the transmission line easement.

In 2007, Melbourne Water advised Council that a drainage scheme was being prepared for this southern area of Pakenham and that wetlands would be required on the main drainage outfall. At this time, Melbourne Water considered the transmission line easement to be a desirable location for the outfall drain and wetlands, due to its low lying nature, being subject to flooding and having limited potential for other uses.

In 2013, Council commissioned a drainage masterplan for the Cardinia South East Growth Corridor to ensure appropriate drainage infrastructure was provided for future residential development. This masterplan reflected Melbourne Water's preference regarding the provision of wetlands under the transmission lines.

In 2017, Melbourne Water prepared a drainage scheme for the McGregor Road Drain which provided details of piped networks and open channels from the freeway to the site (335 McGregor Road) as to cater for future development, including the prospects of future PSPs in the surrounding area.

### **Proposed Site Drainage Conditions under the Development Plan**

Stormy Water Solutions prepared the Cardinia Motor Recreation and Education Park Stormwater Management Plan, which provides the drainage strategy for the subject site, including interim wetland arrangement for Lot 2. The plan has been informed by the previous masterplan and advice from Melbourne Water and proposes a series of outfall drains and wetlands through the site, including Lot 2. The drainage strategy provides a high level plan for the treatment of stormwater via the following strategies:

- Augmenting the McGregor Road Drain, which runs north to south through the subject site by diverting the flow along a new vegetated waterway which along the eastern boundary of Lot 1, into Lot 2 which connects to an interim wetland channel. This will flow into wetlands beyond the second set of pylons within Lot 2, with the outlet located central to the southern boundary of Lot 2.
- Diverting a small percentage of the McGregor Road Drain flow into the subject site for additional treatment and to provide landscape wetland features within the site;
- Retrofitting waterways, sediment ponds and wetlands along the McGregor Road Drain to perform flood conveyance, flood reduction and stormwater treatment functions; and
- Using the "lower" water levels of the wetland systems to facilitate site drainage outfall and outfall for upstream and adjacent catchments.

The Stormwater Management Plan was referred to Melbourne Water and Council's engineers for review. Both parties have supported the plan.

It is also noted that unless Section 173 Agreement AR283639T is ended, amended or ceases, all stormwater management, maintenance and obligations must comply with this agreement.

- Development setback at least 20 metres from the top of bank for the Toomuc Creek and McGregor Road drain. The 10 metres closest to the top of bank must support core riparian habitat only, and must not include any other infrastructure unless agreed in writing by Melbourne Water.

One of the previous application requirements (above) states 'A flora and fauna assessment including consideration of...corridors for Southern Brown Bandicoot habitat... [and]... corridors for Growling Grass Frog... [and]... adequate waterways setbacks'. No infrastructure has been proposed within 20 metres of Toomuc Creek and Melbourne Water have provided their written support.

However, as discussed previously, DELWP had raised concerns regarding inadequate setbacks provided along Toomuc Creek. A 200m setback was required as to provide appropriate buffers to protect the riparian environment, which acts as a corridor for Southern Brown Bandicoot.

- The location, height and dimensions of all proposed buildings and works.
- The proposed use of each building and facility.

The location, height and dimensions of all buildings and works are shown on the Development Plan and described above in 'The Proposal'. The location of all buildings and works are considered to be acceptable, for the following reasons:

**Precinct A (Circuit):** The works involved will include the racing circuit (with associated vehicle run-off areas, safety barriers, service lanes and track infrastructure), wetlands for stormwater management and open grassed areas. No building are proposed in this area. No buildings are proposed. The design of wetlands are supported by Melbourne Water and Council's engineers.

**Precinct B (Commercial & Accommodation):** Includes a residential hotel (and a range of other commercial uses such as office or showrooms), sited in the north-east area of Lot 3. Siting in this location will ensure the use is proximate to the main site entry, enabling guest and delivery vehicle access and circulation with minimal encroachment into the areas of the site required for racing circuit or other development. Siting in this location will also enable views across the racing circuit. The height is expected to be between 2 and 10 storeys, setback at least 40 metres from the north and eastern boundaries. A standalone function centre may also be applied for, complying with these height and setback parameters. The indicative heights and setbacks are considered appropriate, given that the future land uses of adjoining properties are earmarked for employment PSP areas, which are expected to have heights of moderate scale.

**Precinct C (Pit Building):** A pit building is proposed to be located in the northern area of Lot 3, with a height of between 5 to 25 metres (1-5 storeys). A minimum setback of approximately 80 metres will be maintained between the pit building and the northern boundary of Lot 3. The pit building is well located, being adjacent the racing circuit and main entry point, as well as being buffered by the proposed accommodation to the east

**Precinct D (Driving Facility #1):** At least one building is anticipated within Precinct D, with a height expected between 4 to 16 metres (1-4 storeys). The building would be positioned approximately 50 metres from the northern boundary, on the eastern side of this precinct. The building is also well setback from the Toomuc Creek corridor, with the driving track works being located to the west of this building. All works will also be located outside the Toomuc Creek corridor, which is considered acceptable. Space for a helipad is proposed within Precinct D, generally central to this precinct. Helipad siting will be required to comply with civil aviation and relevant permit requirements.



**Precinct E (Sport Shooting Facility):** The indoor and outdoor target shooting ranges are expected to be situated within a building with a height between 5 to 20 metres (1-4 storeys) and located towards the south-west corner of Lot 3. At present, the building and works (including a substantial earth berm) are shown to be located within the setback of the 200m Toomuc Creek corridor. Any buildings or works located within this 200m setback are subject to the approval from the relevant authorities, including DELWP. This will be dealt with under any future planning approvals.

**Precinct F (Driving Facility #2):** At least one building is expected to be located central to the racecourse with a height ranging from approximately 4-16 metres (1-4 storeys). This height is consistent with other proposed building heights across the site and will not impact upon any sensitive interfaces.

**Precinct G (Vehicle Storage):** The vehicle storage buildings located within Precinct G are expected to be a height of between 4-16 metres (1-4 storeys) with an approximate 10 metre southern setback from the boundary of lot 3. This area may include ancillary uses such as function spaces during race days.

**Precinct H (Multi-purpose Area):** Precinct H is likely to be developed with temporary structures associated with events and spectator activities, such as concert stages, marquees, spectator stands etc. Details will be subject to any future planning permits.

**Precinct I (Auto Club):** This precinct corresponds to Lot 1, which is utilised by the Pakenham Auto Club. The Development Plan anticipates it will continue to do so under this Development Plan. No new buildings or works are proposed at this time.

**Precinct J (Motorcycle Club, Secondary Access & Drainage):** The Koo Wee Rup Motorcycle Club currently utilises part of Lot 2 (75 Key Lane) for club related motor racing activities. The balance of Lot 2 will continue to be available to the Koo Wee Rup Motorcycle Club, until such time as the Koo Wee Rup bypass is constructed in the PA01 alignment and/or other mutually agreed arrangements are made.

Precinct J is partially encumbered by Toomuc Creek corridor and the existing electricity transmission line easement. Works within Precinct J (as it relates to Lot 2) will include drainage infrastructure and wetlands associated with the realignment of the McGregor Road Drain, the provision of a interim secondary access to Lot 3 from McGregor Road, and the construction of an earthen berm associated with the sport shooting facility, with retention of access from Lot 2 to Keys Lane (subject to necessary lease agreements, owner(s) consent(s), support from relevant authorities and the relevant planning permission(s)).

The siting of wetlands within the southern area of Lot 2 will form a key role and link in the development of a wider regional drainage scheme. An interim wetland proposal will be provided at the eastern end of Lot 2 under the transmission lines to enable the motor cycle club to effectively operate on a 17 hectares site. Refer to plan drainage plan 1957/SWMP/1. Stormwater management and other associated works may extend outside the Precinct J boundary, subject to planning permission, lease agreements and necessary owner(s) consent(s), where required. Access will be maintained to Lot 2 for Council, AusNet Services and the Koo Wee Rup Motorcycle Club's purposes. Any works occurring within proximity to the Toomuc Creek corridor will be subject to the approval from the relevant authority. Given the above, the proposed works within Precinct J are supported.

- Landscaping treatments to be undertaken.

A Concept Landscape Plan has been submitted with the application. Whilst the Development Plan is high level, it does indicate appropriate space available for landscaping opportunities throughout the site and along site boundaries. The Concept Landscape Plan indicates that plantings will generally comprise native trees and shrubs, as well as suitable species for the wetlands areas. All future planning permits will include conditions requiring the submission for detailed landscaping plans prepared by a suitably qualified landscaping professional.

- The proposed stages of development, if more than one, and the time for commencement and completion of each stage.

A Staging Plan has been submitted with the application, setting out five stages across the subject area. Lot 3, being used for the Motor Recreation and Education Park will be undertaken in three stages, with remaining stages 4 and 5 relating to lots 1 and 2 (to be developed by others, subject to necessary planning permission).

Stage 1 and 2 of the development on Lot 3 will include the site development (as discussed above), with the exception of the sport shooting range, which will be undertaken in Stage 3.

The timing for commencement and completion is managed within the contract of sale for Lot 3. The contract currently anticipates that Stage 1 will reach practical completion within 3 years from the purchase settlement date. Stage 2 is to reach a stage of practical completion within 4 years after settlement. This is subject to any contractual changes at the discretion of the parties.

- The provision of utility services and infrastructure associated with the development, use and maintenance of the land.

A Services and Utilities Concept Plan has been submitted with the application, indicating proposed electrical, water, sewerage and NBN connections, including a potential location for the lead in. It also acknowledges the existing 500kV transmission line easement which encumbers the length of Lot 2.

All future connections will be addressed via condition of future planning permit/s, which will require each to be undertaken to the satisfaction of the relevant service authority. It is also noted that any future planning application for works within 60 metres of the transmission line assets are subject to referral requirements.

Site drainage is detailed within the submitted Stormwater Management Strategy, which has been discussed above.

- Use and management of portions of the site not being used for the Motor Recreation and Education Park.

It is anticipated that Lot 1 will continue to be utilised by the Pakenham Auto Club. This is reflected on the Development Plan documentation. No new buildings or works are proposed at this time. Temporary car parking may be considered in association with events on Lot 3, subject to agreement/s with the relevant stakeholders.

Lot 2 will continue to be partially utilised by the Koo Wee Rup Motorcycle Club for club related motor racing activities. This site is encumbered by a number of other uses and elements, including:

- Temporary secondary access is also proposed at the eastern end of Lot 2, which will provide emergency access to the southern boundary of Lot 3.

- The eastern side of this lot is subject to the PA01 and will ultimately be developed with the Koo Wee Rup bypass.
- Drainage infrastructure works and wetlands associated with the realignment of the McGregor Road Drain,
- The western side of this lot comprises the Toomuc Creek corridor, which will be protected by a 200m setback.
- The construction of an earthen berm associated with the sport shooting facility (subject to necessary lease agreements, owner(s) consent(s), support from relevant authorities and the relevant planning permission(s)).

It is noted for Lot 2 that a 10m access point from Key Lane will be set aside for all weather access to this lot. The berm wall will taper out in this location to provide for this width.

- Noise mitigation measures.

An Acoustic Report was submitted with the application prepared by Marshall Day Acoustics. The report discusses the different noise policy guidelines for the various uses proposed; competition motorsport, commercial activities, shooting range, outdoor concerts, PA system noise and helicopter movements. Each use or activity has a different Victorian policy or guideline.

In the case of competition motorsport, the upper design objective outlined in table 6 by Marshall Day Acoustics is 65dBA.

The Noise from Industry in Regional Victoria [NIRV], as well as EPA Publications 1508 and 1254 provide guidance when assessing the shooting range, PA system noise and helicopter movements. SEPP N-2 assists when assessing outdoor concerts.

The Acoustic Report outlines the appropriate noise targets and criteria and includes a range of engineering and management measures which may achieve these targets.

This report has been peer reviewed by an external consultant (Clarity Acoustics), whom have determined that appropriate engineering and noise mitigation measures can be effectively applied to manage the predicted noise levels. Specifically, the peer review found:

- A conservative approach was utilised in measuring the ambient noise to nearby residences. This has been documented well in the report.
- Current legislation does not cover competition motor sports, with only non-competition motor sports being legislated.
- Detailed mitigation measures need to be provided (which will be dealt with at planning permit stage).
- It is recommended that the number of event days is capped and the hours of operation and noise (in dB) are carefully managed.
- Any compensation provided to affected residents needs to be detailed and agreed upon prior to planning permit approvals.

Any subsequent planning permit application will need to detail the engineering and/or mitigation techniques to achieve these targets, including the shooting range, outdoor concerts and helicopter movements. This may result in a Noise Management Plan being prepared under the relevant planning application.

- Proposed traffic and access arrangements and associated works.
- The location and capacity of all car parking areas and access to and from them.

- The location and design of all pedestrian and vehicle access ways.
- Provision for the loading and unloading of vehicles associated with the development and use of the land.

A Traffic Impact Assessment Report ('TIAR') was submitted with the application which assesses the merits of the car parking and traffic movements associated with the motorsport and education facility.

The report contains recommendations to assist the assessment of future planning applications that are prepared for the development. Recommendations include the consideration of statutory parking rates, the submission of Car Parking Demand assessment/s, operational details of any proposed use (including staff and patron numbers), implications of the surrounding PSP processes, and whether the proposed traffic generation is generally consistent with the assessment undertaken of this TIAR.

It also recommends the submission of Event Management Plan/s ('EvMP') which considers the size of events, impacts of events upon the road network, parking management strategies, access arrangements, signage, traffic management procedures, timing for arrivals and departures, contingency plans, alternate modes of transport, waste management plan.

In summary, the report concludes:

- Car parking demands for the day-to-day operations are proposed to be accommodated on the site, and be provided near to each of the proposed uses. A Car Parking Demand Assessment shall be undertaken to vary the requirements of car parking, or to justify parking demands of innominate uses as part of a TIAR of any planning permit application.
- During event mode, car parking and traffic management plans will form part of the documentation within an EvMP. The recommendations of this TIAR will form the basis for the EvMP.
- The concept plans for the McGregor Road / Greenhills Road intersection should be modified to include fully directional access to Key Lane in order to accommodate the projected traffic movements generated by day to day operations of the development plan area.
- The traffic assessment assumes that the roadworks and upgrades to McGregor Road between the Pakenham Bypass and Key Lane will be completed prior to occupation of the development plan uses as part of the South East Business Park development.
- The traffic assessment assumes that the roadworks and upgrades to Key Lane between McGregor Road and proposed development plan access points will be completed prior to occupation of the development plan uses.
- Modifications to the proposed McGregor Road / Greenhills Road intersection are required under Access Scenario 2 in order to accommodate the projected Development Plan generated traffic movements. The plans attached at Appendix D.

This TIAR was referred to Council's traffic engineers, as well as the Department of Transport (formerly known as VicRoads). Both departments are supportive of the high level plans, acknowledging each stage will be subject to the relevant planning permissions and referrals.

- An environmental management plan addressing:
  - The impact of the use and development on the flora and fauna on the site and its surrounds and methods to avoid or mitigate those impacts.

- The need to protect and enhance the biodiversity of the area, including the retention of native vegetation and fauna habitat and the re-vegetation of important areas of habitat and integration of native vegetation into landscaping of the site.
- Avoidance and mitigation of impacts on Growling Grass Frog ecological community and habitat and the implementation of a Growling Grass Frog Management Plan approved to the satisfaction of the responsible authority.
- Management of impacts on creek lines and surrounding environment.
- Water sensitive urban design including methods for water collection and reuse.
- The management of impacts, if any, during the construction and carrying out of works, including erosion and sediment, dust, noise, litter, traffic and other amenity impacts.

An Environmental Management Plan ('EMP') has been submitted with the Development Plan application, which details the potential environmental impacts of the proposed development and the ways in which these impacts may be reduced through management strategies and site practices. A key focus of this EMP is on the Growling Grass Frog and Southern Brown Bandicoot, species of national significance known to occur in the region. The report addresses each of these matters above and is considered to satisfy this requirement. A detailed assessment will be carried out by DELWP upon referral at planning permit stage.

For the portions of land to be used for the Motor Recreation and Education Park, the development plan must also include:

- A management plan, detailing:
  - Hours of operation
  - Number of events per year
  - Number of patrons each type of event will cater for
  - Management of noise emissions
  - An emergency management plan

A Site Management Plan was submitted with the application, which sets out a broad framework for how future events of various scales and types will be managed. The future hours of operation, number of events per year, number of patrons, management of noise emissions and the emergency plan will be governed by the conditions and endorsed plans/reports which form part of future planning permits. It is noted that due the high level nature of any approval at the Development Plan stage of the process, it is unreasonable to require specific details for each event/activity plan at this time.

This plan has been reviewed by planning officers and is recommended for endorsement.

### **Notice of Development Plan**

As stated above, a 14 day public notification period was undertaken in accordance with the requirements set out at Clause 3.0 of the DPO16.

The views of the Department of Environment, Land, Water and Planning (DELWP) and Melbourne Water were also sought prior to the approval of the development plan. A summary of their views can be found in the referrals table earlier in this report.

### **CONCLUSION**

Having assessed the submitted documentation against the application requirements of Clause 3.0 of the Development Plan Overlay (Schedule 16), it is recommended that the Cardinia Motor

Recreation and Education Park Development Plan be approved and the following supporting appendices endorsed to form part of the Development Plan:

- Appendix A - Development Plan Map
- Appendix B – Certificates of Title
- Appendix C – Project Staging Plan
- Appendix D – Site Management Plan
- Appendix E – Acoustic Review
- Appendix F – Stormwater Management Strategy
- Appendix G – Biodiversity Assessment
- Appendix H – Environmental Management Plan
- Appendix I – Plan of Vegetation Removal
- Appendix J – Landscaping Concept Plan
- Appendix K – Emergency Exits
- Appendix L – Services Utilities Concept
- Appendix M – Traffic Impact Assessment
- Appendix N – Site Access Plan
- Appendix O – Transportation Network Plan
- Appendix P – SBB Survey Report
- Appendix Q – Interim Stormwater Management Plan



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Cardinia Motor Recreation and Education Park Development Plan

## 1.0 Introduction and Background

### 1.1 Cardinia Motor Recreation & Education Park

This document constitutes the Cardinia Motor Recreation and Education Park Development Plan [Development Plan]. It relates to the land at Nos. 21, 75 and 115 Key Lane and 335 McGregor Road, Pakenham Victoria 3810 [the Site]. The site is subject to a site-specific land use planning framework which promotes the use and development of the site for a motor sport and education facility, being the "Cardinia Motor Recreation and Education Park".

The use and development of the site for this purpose is a well-established objective of the Cardinia Planning Scheme [the Scheme]. The site has been subject to the site-specific Special Use Zone, Schedule 5 (Cardinia Motor Recreation and Education Park) [SUZ5] and Development Plan Overlay, Schedule 16 (Cardinia Motor Recreation and Education Park) [DPO16] since 2011. These controls were reinforced by the insertion of a site-specific Incorporated Document into the Scheme in 2017.

The site was subdivided into its current configuration in 2018, providing an allotment layout suitable to integrate existing and future infrastructure assets and club-based motor recreation activities with a future motor racing track and ancillary facilities.

This Development Plan sets out high-level parameters to guide future planning applications and approvals for the use and development of the site for a Motor Racing Facility and a range of complementary ancillary activities, possibly including accommodation and commercial facilities, a driver education centre, sport shooting club, go-karting facility, operational and vehicle storage buildings and various access and drainage infrastructure works [the development].

The site is owned by Cardinia Shire Council [Council]. Council is the Responsible Authority for the administration of the Scheme.

Podium 1 was introduced to the site by way of public advertising of an Invitation for Expression of Interest [EOI] to purchase and develop a Motor Recreation and Education Facility at part of 335 McGregor Road Pakenham (lot 3), and to purchase and develop a Karting Facility at part of 335 McGregor Road Pakenham (Lot 1).

Podium 1 is the beneficiary of Caveat No. AR478863C, which is registered to the Certificate of Title for No. 115 Key Lane (Lot 3). Following the completion of the town planning approvals process No. 115 Key Lane will be sold to Podium 1 and development will commence. The project may encroach onto areas of No. 75 Key Lane and the Road shown on R-1 on Plan of Subdivision 746980A, which may be made available by the landowner via lease arrangements. No. 21 Key Lane was, at the time this

Development Plan was prepared, occupied by the Pakenham Auto Club and unavailable for development as part of the broader Motor Recreation and Education Park. Nonetheless, the evolution of the project may facilitate some ancillary use of No. 21, for example, for overflow vehicle parking during events.

Podium 1 has engaged a range of specialist technical consultancies to provide inputs into the project design and planning phase. The work of specialists has, in some instances, been informed by existing research about the site's features, including existing acoustic, traffic, cultural heritage and environmental site investigations. As such, the site's characteristics, opportunities and constraints are well understood. This depth of knowledge and multi-disciplinary approach has produced a high-level site configuration that will ultimately support an internationally-renowned motor sport and automotive education and event venue with a range of complementary ancillary facilities that optimise the value and efficiency of the project and provide opportunities for the site to cater for a wide audience.

### 1.2 Purpose of the Development Plan

The purpose of the Development Plan is to provide an outline plan to guide the future use and development of the project with a view to the realisation of the following objectives:

- The delivery of an internationally renowned motorsport venue that is safe, efficient and exciting for participants and spectators, with capacity to host a broad range of motor sport activities.
- The creation of an automotive destination catering to a wide range of patrons, such as driver training and education providers, vehicle manufacturers, motorsport and recreation enthusiasts, groups and clubs.
- The provision of a significant accommodation offering, to address a local undersupply of high-quality accommodation.
- The establishment of a dedicated indoor and outdoor sport shooting venue as an integrated component of the project.
- The development of the site as a venue for complementary recreational events ranging from local to international scale, including concerts, shows, fairs and the like.

This document will be the primary reference document for the consideration of future planning permit applications relating to the site. Any planning permits issued for development within the precinct must be generally in accordance with the approved Development Plan.

### 1.3 Overview of this Development Plan

The Development Plan provides an overview of the site's features, opportunities and constraints, the potential range of land uses and general site layout, and the operational parameters for the site on a daily, and event-day, basis. It seeks to maximise the site's opportunities and resolve and/or mitigate site constraints. In this manner the Development Plan supports the delivery of an automotive destination of an international standard, with a significant net community benefit for Pakenham, the Cardinia municipality and the outer south-eastern Melbourne metropolitan region.

The Development Plan contains five chapters and Appendices A-O.

**Chapter 1** provides a general introduction regarding the preparation, purpose and objectives of the Development Plan.

**Chapter 2** introduces the site in relation to its regional, local and planning context. The characteristics and features of the site and surrounding area are outlined.

**Chapter 3** provides an overview of the planning policy context that applies to the site, the relevant statutory planning considerations related to the preparation and approval of a Development Plan for the site and summarises other statutory matters relevant to the project.

**Chapter 4** sets out the proposed site configuration and describes the various components of the use and development, the staging of the proposal and the operation of the site.

**Chapter 5** identifies how this Development Plan responds to each of the "Requirements for development plan" specified at sub-clause 3.0 to Schedule 16 to the Development Plan Overlay (Clause 43.04 of the Scheme).

The **Appendices** contain copies of:

- Certificates of Title for the three allotments that make up the site.
- A range of specialist reports assessing the site and project characteristics, which have informed the general site configuration specified by this Development Plan.

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Cardinia Motor Recreation and Education Park Development Plan



Figure 2 - Site Aerial Map

2.0 Context

2.1 Local Context

2.1.1 Existing Conditions

The site is affected by the DPO16 and consists of Nos. 21, 75 and 115 Key Lane and 335 McGregor Road Pakenham. It is formally described as:

- Lot 1 PS746980A;
- Lot 2 PS746980A; and
- Lot 3 PS746980A.

The configuration of the site boundaries is shown below. Copies of the Certificates of Title for the site are attached at Appendix B. A site title plan is provided at Figure 3.

The site is on the western side of McGregor Road and southern side of Key Lane. The Key Lane – McGregor Road – Greenhills Road intersection adjoins the north-eastern corner of the site.

Lot 1 has road frontages on the north and east to Key Lane and McGregor Road respectively, in the order of 297m and 475m each. On the south and west boundaries, Lot 1 borders Lot 2.

Lot 2 has three road frontages. The frontage on the eastern boundary to McGregor Road is approximately 141m long. Both other road frontages are to Key Lane and are approximately 279m on the north-eastern boundary and 30m on the north-western boundary.

Lot 3 has a road frontage of approximately 935m on its northern boundary to Key Lane. The east, west and southern boundaries of Lot 3 are adjoined/enclosed by Lot 2.

No. 317 McGregor Road (Urban Growth Zone) is located to the north of the site (across Key Lane). Crown Allotment 51H (Public Use Zone 1) adjoins on the west and 415 McGregor Road (Green Wedge Zone Schedule 1) to the south. No. 30 Greenhills Road is located to the east of the site, on the opposite side of McGregor Road.

Three easements, E-1, E-2 and E-3 apply to the site. These are for electricity supply purposes. E-1 and E-2 follow an east-to-west alignment along the southern boundary of Lot 2. Both are developed with electricity infrastructure, in the case of E-2, being 500kV electricity transmission lines and pylons. E-3 provides a powerline route to the dwelling in Lot 1.

Lot 1 is currently used for a dwelling while Lots 2 and 3 are used for extensive agriculture and motor racing activities.

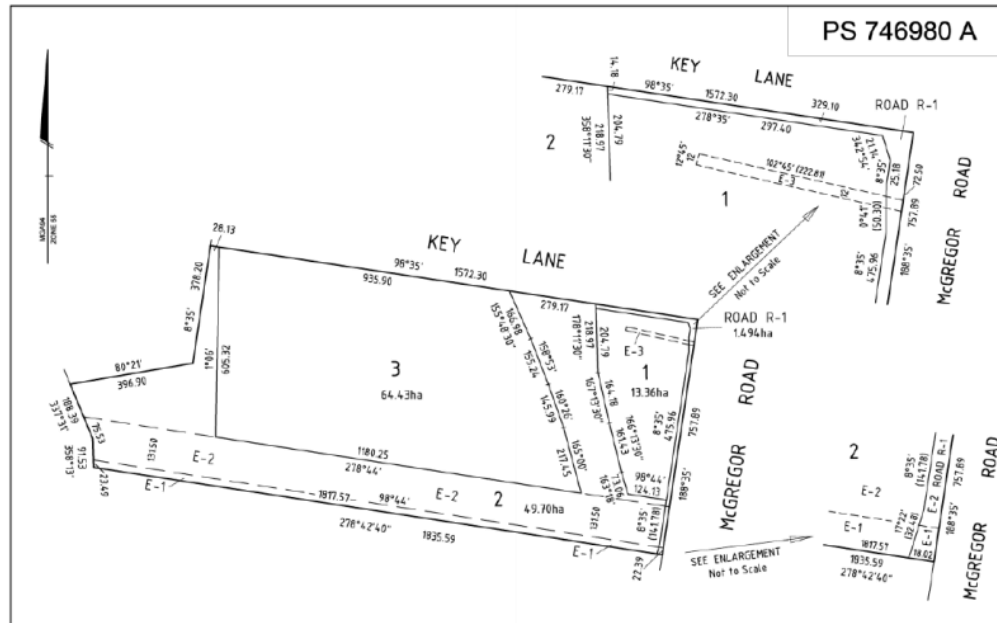


Figure 3: Site Title Plan

The site contains numerous tracks which have been formed to facilitate motor racing activities by the Koo Wee Rup Motorcycle Club and Pakenham Auto Club. Temporary facilities associated with the clubs' use of the land (shipping containers and clubroom) are within Lot 2.

The majority of the site has gentle grades with a total elevation difference across the site of 7.5m. The highest area of elevation (19m) is at the central part of the site. The site is fenced with 1.2m-high post-and-wire fencing.

For further details of the subject site and its local context refer to Figure 10.

Several agricultural dams are present. The site has largely been cleared of native vegetation to facilitate agriculture; however some scattered native trees and patches of native vegetation are present on-site, more evidently along the alignments of the Toomuc Creek and McGregor Road Drain, which bisect Lot 2 and 3 respectively. The attached Biodiversity Assessment at Appendix G and Environmental Management Plan [EMP] at Appendix H provides, among other things, an analysis of the native vegetation.

Cardinia Motor Recreation and Education Park Development Plan

2.1.2 Future Conditions

The site is 850m south of the McGregor Road on/off ramps to the Princes Freeway. The established residential area of Pakenham is located north of the Princes Freeway, 1.25km north of the site. Future employment generating land uses will ultimately infill the area north of the site to the Freeway.

The site is adjoined on the east, west and north by Precinct Structure Plan [PSP] areas that have been allocated for future employment generating use and development (refer to Figure 4). The PSP areas are yet to be fully developed, with the nearest development activity occurring around Corporate Terrace about 1km east of the site. Aside from that area of emerging employment development, the PSP land to the east, north and west of the site is - at present - predominantly used for agriculture (grazing), with ancillary dwellings supporting the agricultural activity in some instances.

The metropolitan urban growth boundary is positioned along the northern, western and eastern boundaries of the site. As such, the site sits at an intersection of zones, with the PSP land surrounding being in the Urban Growth Zone, while the adjoining land to the south is in the Green Wedge Zone, as is all subsequent land to the south

The PSPs around three sides of the site encourage employment generating uses and development over a large area, extending to the east and west, and bordering the Princes Freeway to the north. This will result in the development of robust built form with a functional character, including large building footprints, high site coverage and extensive hardstand, substantial boundary fencing and large vehicle access, parking and un/loading areas. Ultimately, the land uses realised within the PSP areas will be not residential, i.e. sensitive and thus, may co-exist in relative "harmony" with the future motor recreation and education park.

Significant road development is to occur along the northern site boundary as a result of the future Greenhills Road/Thompsons Road extension (up to six traffic lanes), and, also, in a north-south direction through the part of Lot 2 that is reserved for road development by way of the Public Acquisition Overlay, Schedule 1 (Roads) (PAO1) and the Incorporated Document (Healesville – Koo Wee Rup Road – Stage 1A (Koo Wee Rup Bypass) – Incorporated Document, September 2012) in the Scheme. Figure 5 below provides an indication of the intersection between the site (Lot 2) and the future Koo Wee Rup Bypass.

Given the foregoing, therefore, the site context will go through wholesale change in coming years. The conversion of widespread areas around the site from the current semi-rural conditions to employment generating land uses, will alter the area to an unrecognisable degree. The planned significant road development that will occur along and through the site will add to the comprehensive conversion of the site and area to that of a highly developed, industrial area with high-capacity road corridors bisecting the area.

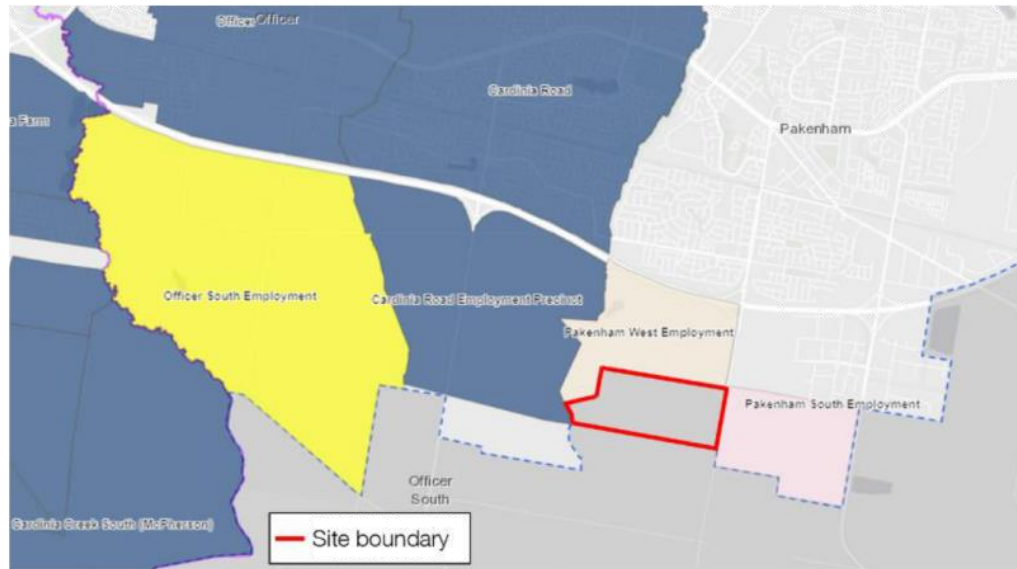


Figure 4: Precinct Structure Plan Context



Figure 5: Koo Wee Rup Bypass (PAO1) interface with site

2.2 Regional Context

The site is approximately 50km east of central Melbourne and approximately 3.85km south of the Pakenham town centre (via McGregor Road and Main Street). Pakenham is a regional centre within the Cardinia municipality, located on the south-eastern fringe of metropolitan Melbourne. Cardinia had an estimated population in 2018 of approximately 107,000 people, while the Pakenham “suburb” population was estimated at 59,982 people<sup>1</sup>. The municipality covers an area of 1,280 square kilometres.

Pakenham is accessible by road (primarily, the Princes Highway and Princes Freeway) – and via metropolitan and regional rail services. Pakenham Railway Station is 3.5km north of the site, via McGregor Road and Henty Street. Figure 6 locates Cardinia against metropolitan Melbourne.

The plan at Figure 11 locates the site within its regional spatial context and identifies the relationship between the site and nearby settlements, existing and future transportation routes, urban growth areas and emergency services facilities in the area.

Cardinia is within the south-eastern metropolitan urban growth corridor. As such, significant urban development is ongoing in the municipality. The *South East Growth Corridor Plan June 2012* prepared by the then-Growth Areas Authority (now the Victorian Planning Authority) identified substantial land for future employment generating land uses and development on the southern side of the Princes Freeway, near the site. Precinct Structure

Planning processes have since been undertaken for some of these growth areas, while planning for other precincts is yet to be finalised.

The Cardinia Road, Pakenham West and Pakenham South Employment Precincts adjoin the site to the west, north and east respectively. To the east and north-east of the site, 220ha of land was rezoned in 2004 (via Planning Scheme Amendment C44) to an Industrial 1 Zone (IN1Z). Industrial development in that IN1Z site is progressively advancing from the east towards the site.

Cardinia Motor Recreation and Education Park Development Plan

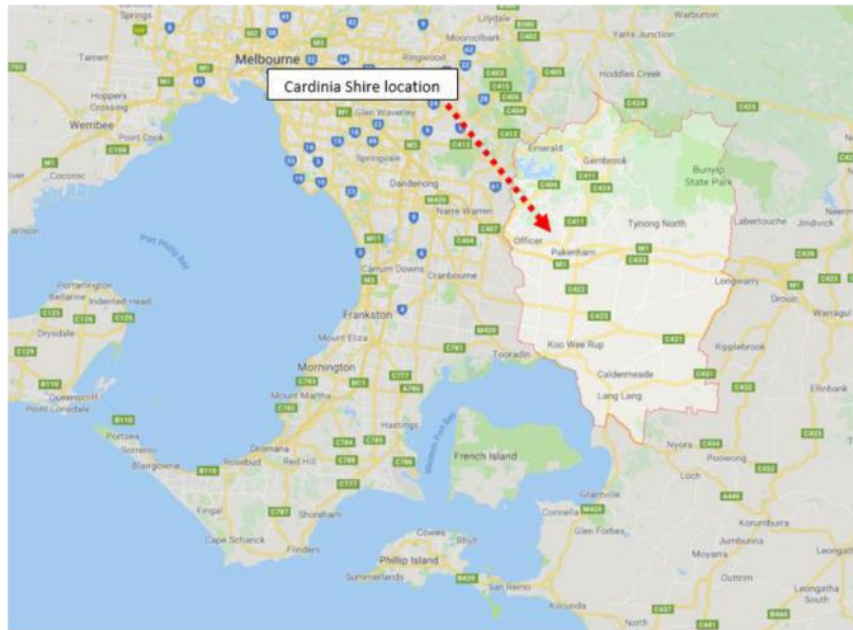


Figure 6: Regional context of Cardinia Shire Council

<sup>1</sup> As specified by the demographic forecast available from Council’s [profile](#) website.

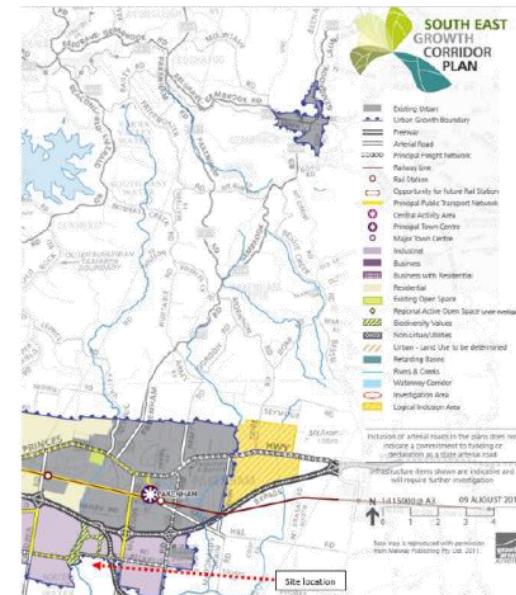


Figure 7: South-east growth corridor planning context

Cardinia Motor Recreation and Education Park Development Plan

The Cardinia regional economy contributes \$3.3 to the Victorian economy annually. The largest industry sectors in Cardinia by number of employees are construction (4,637 employees); retail trade; education and training; health care; accommodation; and manufacturing (2,206 employees). When assessed by economic output, the top industry sectors are construction (\$1,741.5M); manufacturing; rental/hiring/real estate; retail trade; agriculture/forestry/fishing; and transport/postal/warehousing (\$276.7M). Of the \$791.8M manufacturing output, \$102.9M was derived specifically from transport equipment manufacturing in the 2017/2018 assessment period<sup>2</sup>.

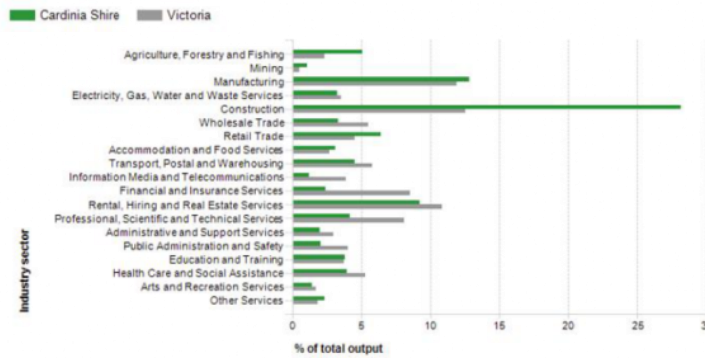
The accommodation sector employed 2,531 people during 2017/2018. However, the sector output of \$6.8M is low compared to other sectors and the Victorian average, as shown in the Figure 8.

The tourism industry in Cardinia makes a lesser contribution to regional output compared to the Victorian average, as shown in Figure 9.

The age structure of Cardinia's population is similar to the Victorian average. A slightly higher proportion of the municipality's population is younger than the state average, up to the 50+ age cohorts, beyond which Cardinia has a slightly lower than average population.

A slightly above-average proportion of Cardinia's population has a "lower-middle" (\$650 - \$1,449) or "upper-middle" (\$1,499 - \$2,499) weekly household income. Conversely, the proportion of the population with lower or higher incomes than these cohorts is slightly below the Victorian average.

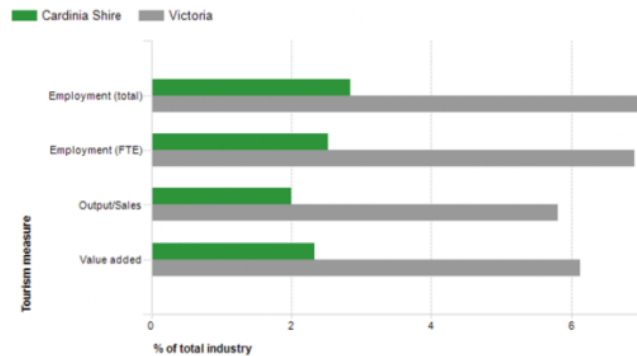
Output by industry sector 2017/18



Source: National Institute of Economic and Industry Research (NIEIR) ©2018  
Compiled and presented in economy.id by .id the population experts

Figure 8: Cardinia economic output by industry sector

Value of tourism and hospitality 2016/17

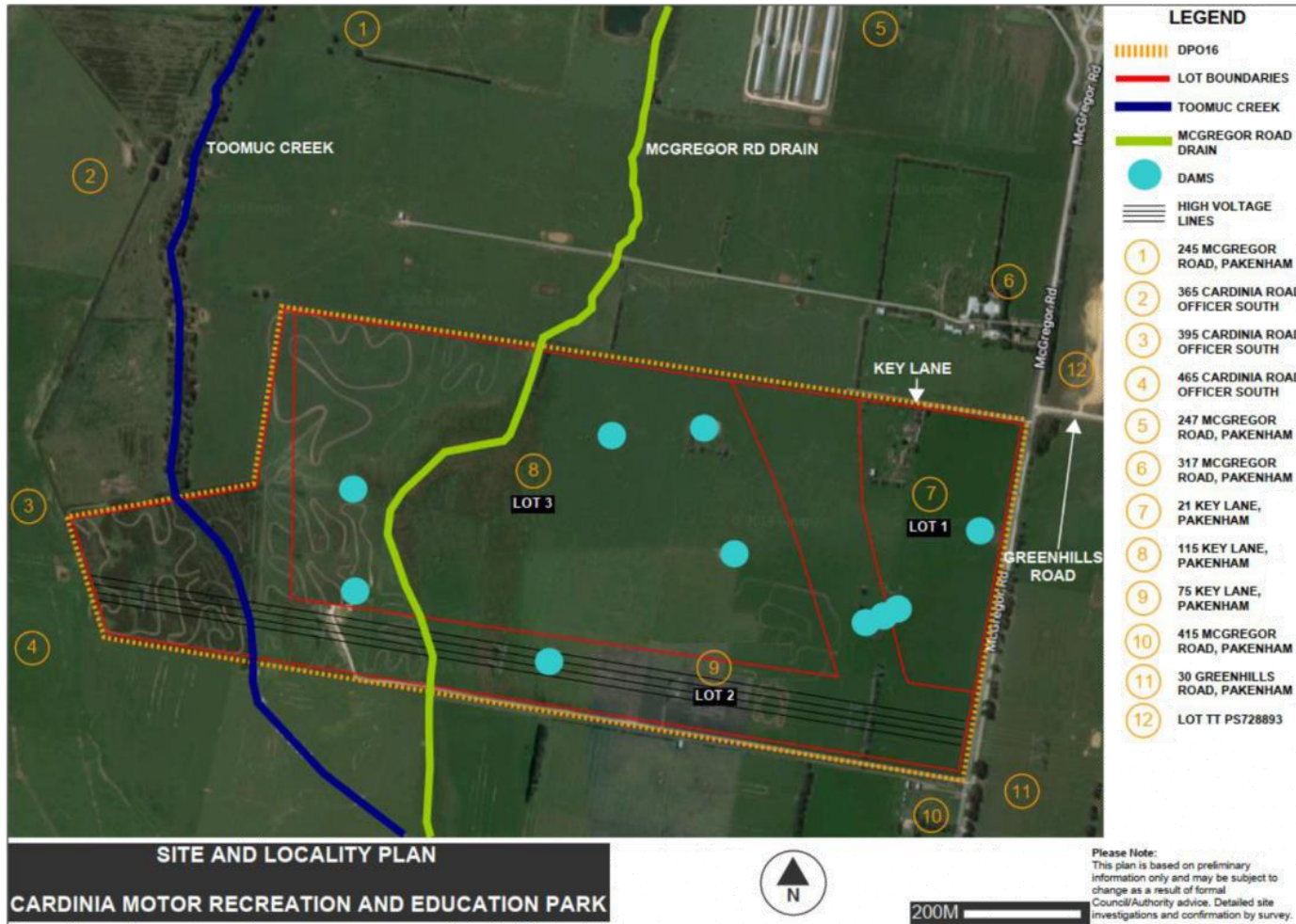


Source: National Institute of Economic and Industry Research (NIEIR) ©2016  
Compiled and presented in economy.id by .id the population experts

Figure 9: Tourism and hospitality sector in Cardinia

<sup>2</sup> As noted in the *Output by Industry* analysis on Councils [profile.id website](http://profile.id website).





Cardinia Motor Recreation and Education Park Development Plan

Figure 10: Site and Locality Plan

Cardinia Motor Recreation and Education Park Development Plan

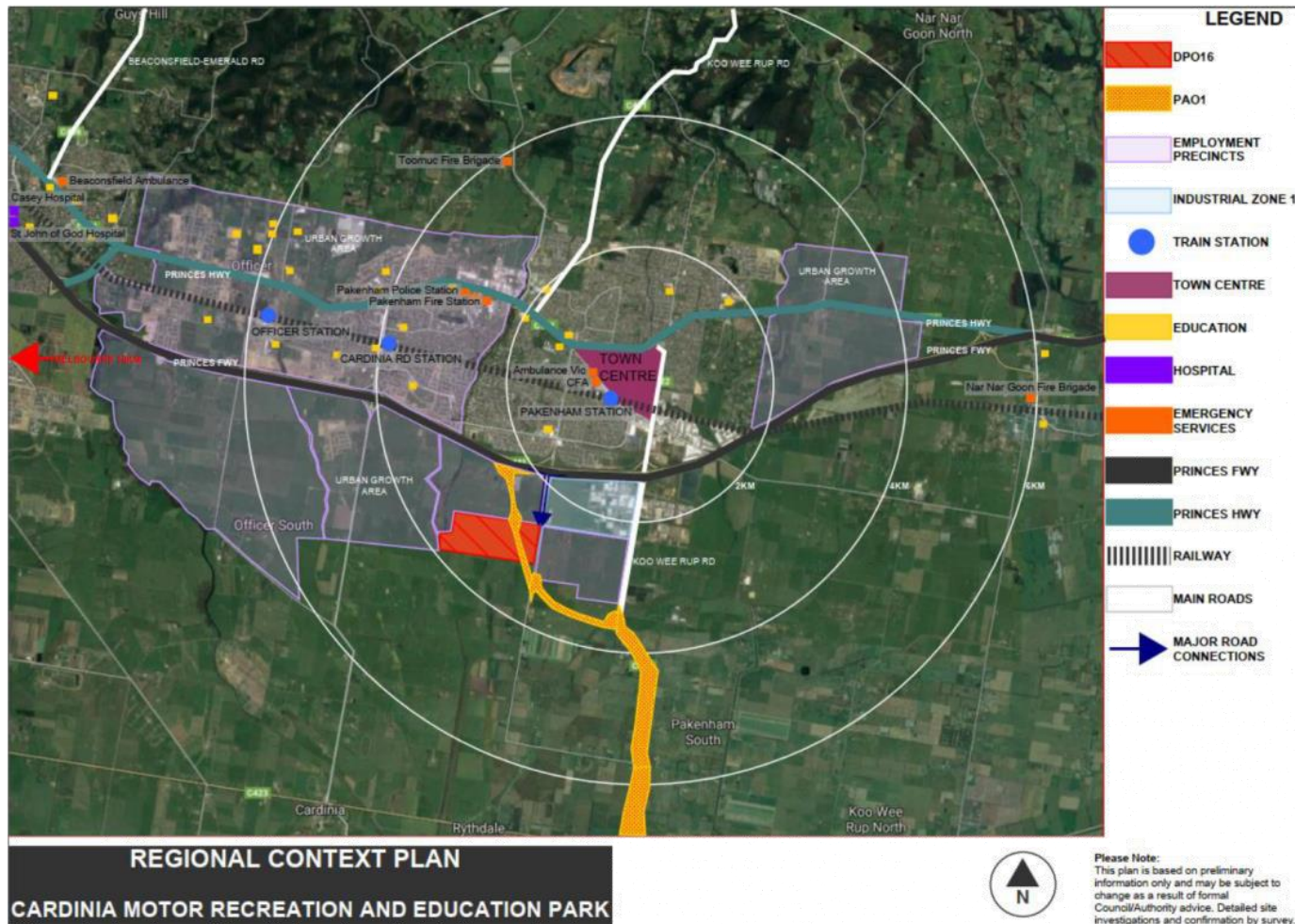


Figure 11: Regional Context Plan

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### 3.0 Planning Scheme Policy and Statutory Requirements

#### 3.1 Planning Policy Framework

A range of State-wide planning policies are relevant to the Development Plan. In essence, the relevant controls seek to:

- Avoid creating potential for conflicts to arise between incompatible land uses (Clause 11 – Settlement).
- Plan for investment opportunities along existing and planned transport infrastructure (Clause 11.01-1S – Settlement).
- Ensure that the potential adverse effects of urban growth on sites of natural resource, heritage, cultural and environmental significance are managed (Clause 11.03-2S – Growth Areas).
- Ensure no net loss to biodiversity values as a result of the removal of native vegetation (Clause 12.01-1S – Native Vegetation).
- Protect and restore the qualities of catchments and groundwater (Clause 14.02 – Water).
- Manage flood hazards including water contamination and the intensification of flood flows (Clause 13.03-1S – Floodplain management).
- Encourage the design and construction of new buildings to respond to site context, interfaces and the public realm (Clause 15.01 – Built Environment).
- As appropriate, identify, assess, document, retain, protect and conserve heritage values (Clause 15.03 – Heritage).
- Encourage investment in outer Melbourne to increase local employment opportunities (Clause 17.01-1R - Diversified economy - Metropolitan Melbourne).
- Promote tourism and encourage investment in tourism activities and attractions throughout Melbourne (Clauses 17.04-1R Facilitating Tourism and 17.04-1S Tourism in Metropolitan Melbourne).
- Ensure that land use and transport planning are integrated (Clause 18.02-3S – Road System).

Cardinia Motor Recreation and Education Park Development Plan

- Support the development and accessibility of arts, recreation and other cultural facilities, including sport facilities, to *"maintain and strengthen Melbourne's distinctiveness as a leading cultural and sporting city with world-class facilities"*.

#### 3.2 Municipal Strategic Statement

According to the Municipal Strategic Statement (MSS) in the Scheme, Cardinia Shire Council:

- Is one of eight 'interface Councils' which form the perimeter of metropolitan Melbourne, providing a transition between urban and rural areas.
- Will have a population of approximately 155,000 people by 2031.
- Accommodates most of its population within Beaconsfield, Officer and Pakenham and these towns will accommodate most future residential and commercial growth.
- Faces key economic development issues including:
  - Creation of a balanced local economy and increased local employment opportunities;
  - Supporting existing businesses;
  - Attracting new businesses to the municipality;
  - The protection and sustainable use of agricultural land with high quality soils; and,
  - The role of tourism within the wider business community.

Overall, the Council's strategic vision for the municipality seeks to *"...balance the competing needs of the environment, economic development and the community, by:*

- *Developing a strong economic base.*
- *Recognising and protecting the diverse and significant environmental and cultural heritage values in the municipality.*
- *Providing opportunities to create and maintain a cohesive, safe and robust community.*
- *Enhancing the experience of people who live, work and visit the municipality'.*

The MSS, at Clause 21.04 (Economic Development), sets out strategic objectives for economic development based around the creation of diverse local employment activities, including in industry, manufacturing and tourism. With regards to tourism, it is Council policy to *"Facilitate the development of recreational facilities and events that attract people into the municipality"*.

The MSS otherwise seeks to manage environmental, cultural and landscape values. This requires the identification and assessment of any such values present and preparation and implementation of measures to ensure that new land uses and development appropriately manage adverse impacts.

#### 3.3 Zones and Overlays

The site is subject to the:

- Special Use Zone, Schedule 5 (Cardinia Motor Recreation and Education Park) (SUZ5).
- Development Plan Overlay, Schedule 16 (Cardinia Motor Recreation and Education Park) (DPO16).
- Land Subject to Inundation Overlay (LSIO).
- Floodway Overlay (FO).

The configurations of the zone and overlays applying to the site are shown in Figures 13, 14, 15 and 16.



Figure 12: Cardinia Strategic Framework Plan

Cardinia Motor Recreation and Education Park Development Plan

3.3.1 Special Use Zone, Schedule 5

The entire site is subject to the SUZ5. The purpose of the SUZ5 includes:

- To provide for the use and development of a motor recreation and education facility.
- To provide for complementary recreation and community uses.

This Development Plan is consistent with the zone purposes, because (as detailed in Section 4) it provides high-level guidance for the use and development of a motor racing track, driver education facility and associated facilities, including a hotel, shooting club, functions, exhibitions, concerts and public events.

A planning permit will be required pursuant to Clauses 37.01-1 and 37.01-3 of the SUZ5 for (among other things) the use of land for a Motor Racing Track and Accommodation and for the construction of all buildings and works apart from the minor forms of development subject to exemptions at Clause 62.01 of the Scheme.

It worth noting that, in considering the permit requirements of the land use table at sub-clause 1.0 of the SUZ5, it is necessary to be mindful of the manner in which the Incorporated Document that applies to the site (discussed at Section 3.3.5 below) also controls the use of the site. Specifically, the Incorporated Document applies conditions to the operation of certain uses in a manner that - in some instances - does not directly correlate to the SUZ5 use table.

Planning requirements relating to signs are contained at Clause 52.05 (Signs) of the Scheme. This zone is a Category 2 (medium limitation) signage area.

The Decision Guidelines in the SUZ5 require consideration of:

- Relevant State and local planning policy.
- Landscape treatments.
- Interface with other areas.
- Parking and site access.
- Location and adequacy of loading and services areas.
- Adequacy of lighting to provide a safe night time environment, where relevant.

These are matters that are also canvassed by the DPO16, and as such are either discussed later in this document, or else, constitute application requirements to be addressed in any future planning permit applications.



Figure 13: Site and Surrounding Zonings

### 3.3.2 Development Plan Overlay, Schedule 16

The whole site is subject to DPO16 under Clause 43.04 of the Scheme as shown in the figure opposite. The Purposes of DPO16 are:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.
- To exempt an application from notice and review if it is generally in accordance with a development plan.

Pursuant to Clause 43.04-1, "a permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority". Any planning permit granted must be generally in accordance with the Development Plan.

The DPO16 specifies that public notice must be given for two weeks in relation to a request to approve, or to undertake a substantial amendment to, a Development Plan. After a Development Plan is approved, a planning permit application that is generally in accordance with the Development Plan is not subject to the public notice requirements.

#### Compliance with the specified requirements for a Development Plan

Clause 43.04-3 to the DPO16 sets out requirements that must be met by a Development Plan. This Development Plan addresses these requirements insofar as it:

- Consists of plans and other, appended, documents.
- Describes the land to which the plan applies and the proposed use and development of each part of the land.
- Addresses the various requirements set out at sub-clause 3.0 to the schedule, including:
  - Existing and proposed site conditions
  - Surrounding development including future roads
  - An assessment of flora and fauna values and impacts
  - A stormwater drainage strategy
  - An overview of buildings, works and landscaping
  - Project staging
  - Provision of services, access and internal circulation
  - Environmental management
  - Site and event management



Figure 14: Development Plan Overlay

Cardinia Motor Recreation and Education Park Development Plan

### 3.3.3 Floodway Overlay and Land Subject to Inundation Overlay

The southern and western parts of Lot 2 are subject to the Floodway Overlay (FO). Other areas of the site are affected by the Land Subject to Inundation Overlay (LSIO).

The FO is used to identify areas with the greatest risk and frequency of flooding, while the LSIO is used to identify land in a flood storage or flood fringe area that would be affected by the 1-in-100-year flood. This is evident from the overlay extents affecting the site, with the FO applying to watercourses and the LSIO applying to fringe riparian areas and the existing McGregor Road Drain alignment.

A planning permit is required for buildings and works pursuant to Clause 44.03-1 of the FO, including for numerous examples of development that would otherwise be exempt under Clause 62 of the Scheme. These include fencing, roadworks and non-domestic disabled access ramps.

Applications under the FO must be referred to the relevant floodplain management authority, in this case being Melbourne Water. The decision guidelines of the overlay require consideration of planning policy, any relevant local floodplain development plan or flood risk report, any comments of the relevant floodplain management authority and the *Victorian River Health Strategy (2002)* and any relevant regional river health strategy and associated wetland plan.

The project footprint anticipated by this Development Plan largely avoids the FO extent, with the exception of the wetlands proposed to be constructed as part of the stormwater management strategy. As outlined in the stormwater management strategy in Section 4 below, these wetlands will contribute to lowering site flood levels and, by their nature, are not adversely affected by flooding.

The LSIO at Clause 44.04-1 sets out similar planning permit requirements to the FO. It also requires referral of a planning permit application to Melbourne Water. The decision guidelines of the overlay require consideration of a range of matters relating to the impacts of development on floodplain storage capacity and flood flow velocities, risk to life and property, and environmental impacts.

The more widespread footprint of the LSIO across Lots 2 and 3 means that the project footprint will likely encroach into the LSIO. However, given the outcomes of the proposed stormwater drainage strategy (attached at Appendix F) in reducing flood levels on Lots 1 and 3, it is likely that components of the Motor Recreation and Education Park that are more vulnerable to flooding will be located outside the ultimate post-development 1-in-100-year flood extent. In essence, the inundation that the site experiences can be managed through implementation of effective and appropriate engineering measures.



Figure 15: Floodway Overlay

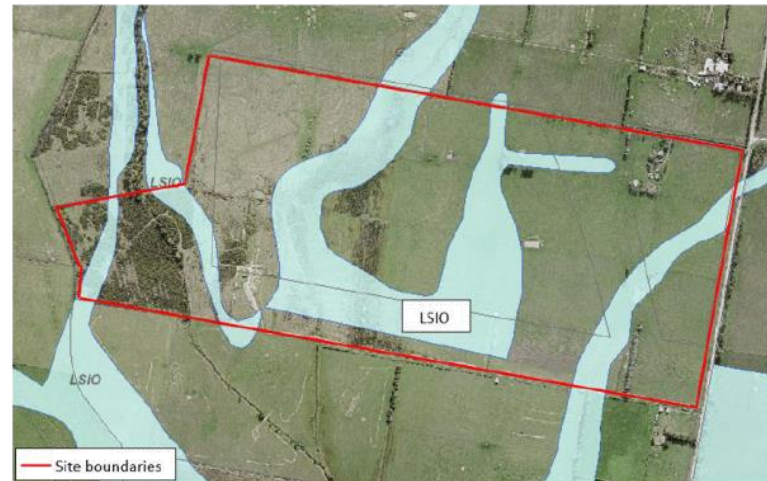


Figure 16: Land Subject to Inundation Overlay

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### 3.3.4 Public Acquisition Overlay, Schedule 1

The PAO1 applies to the future alignment of the Koo Wee Rup Bypass [Bypass]. It bisects Lot 2 in a north-south direction as shown in Figure 17.

The purposes of the PAO1 are:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To identify land which is proposed to be acquired by a Minister, public authority or municipal council.
- To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired.
- To designate a Minister, public authority or municipal council as an acquiring authority for land reserved for a public purpose.

The PAO1 specifies at Clause 45.01-1 that a planning permit is required to:

- Use land for any Section 1 or Section 2 use in the zone.
- Construct a building or construct or carry out works.
- Demolish a building or works.
- Remove vegetation.

The footprint of buildings and works anticipated by this Development Plan avoids the PAO1 extent. It is anticipated that interim temporary vehicle parking during events on-site, services and drainage may, in part, be accommodated on the area within the PAO1.

Given the Bypass construction is not yet scheduled, lease or similar arrangements, in conjunction with planning approval, may be viable avenues to formalise any such arrangement.



Figure 17: Public Acquisition Overlay

### 3.3.5 Incorporated Document

Pursuant to Clause 51.01 (Specific Sites and Exclusions) and Clause 72.04 (Documents Incorporated in this Planning Scheme), the site is subject to the "Site Specific Control CA 51A, 335 McGregor Road, Pakenham February 2017" [Incorporated Document].

The Incorporated Document was introduced (via Planning Scheme Amendments C217 and C224) to ensure that the use of the site for a Motor Racing Track could proceed, after Planning Scheme Amendment VC103 amended Clause 57 (now, Clause 51.02 Metropolitan Green Wedge Land: Core Planning Provisions) to prohibit that land use.

Clause 2 of the Incorporated Document provides additional regulation to that of the SUZ5 over various land uses on the site. In short, the various uses are required to be in accordance with the approved Development Plan and must be associated with either the Motor Recreation and Education Park, or with automotive repairs and servicing.

### 3.3.6 Native Vegetation

Clause 52.17 (Native Vegetation) of the Scheme regulates the removal, destruction, lopping of native vegetation. The site contains small patches of native vegetation, as well as scattered native trees. It is likely that the development of the site will result in the removal of all of this native vegetation.

A Biodiversity Assessment has been prepared and is attached at Appendix G. The assessment details the ecological values of the site and sets out the regulatory requirements relating to project impacts on flora and fauna, including planning requirements under Clause 52.17 (Native Vegetation).

Cardinia Motor Recreation and Education Park Development Plan

4.0 Project Description



Figure 18 - Development Plan

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The Development Plan at Appendix A and Figure 18 sets out the general configuration of use and development that is currently anticipated for the site.

The Development Plan distinguishes 10 broad precincts across the site, which will accommodate a range of uses and development.

Further detail is provided about the configuration of each precinct in subsequent precinct-specific figures. The following sub-sections outlines the anticipated use and development of these precincts.

#### 4.1 Land Uses

The various uses are generally laid out in the Development Plan at A and Figure 18 and would generally operate in an ancillary manner to the primary use, i.e. motor racing and recreation track and driver education facility. Potential uses within each precinct are shown in Table 1.

Precinct	Potential Uses
Precinct A: Circuit	Motor Racing Track Driver Education Recreational Driving Experiences
Precinct B: Commercial & Accommodation	Residential Hotel Office Food and Drink Premises Hospitality Function Centre
Precinct C: Pit Building	Administrative offices Medical centre Hospitality Automotive workshops Function Centre
Precinct D: Driving Facility #1	Motor Racing Track (Karting) Hospitality Driver Education Helipad
Precinct E: Sport Shooting Facility	Indoor Target Shooting Outdoor Target Shooting Hospitality
Precinct F: Driving Facility #2	Motor Racing Track (Karting) Driver Experience Centre Hospitality
Precinct G: Vehicle Storage	Vehicle Store Workshop
Precinct H: Multi-purpose Area	Place of Assembly Car Parking
Precinct I: Auto Club	Motor Racing Track
Precinct J: Motorcycle Club, Secondary Access, Drainage & Overflow Car Parking	Motor Racing Track Car Parking

**Table 1: Potential Land Uses**

##### 4.1.1 Motor Racing Track

This Development Plan anticipates that the primary use of the site will be for a motor racing and recreation track and driver education facility. This use is defined at Clause 73.03 (Land Use Terms) of the Victoria Planning Provisions [VPPs] as follows:

*Land used to race, rally, scramble, or test, vehicles, including go-karts, motor boats, and motorcycles, and includes other competitive motor sports.*

This is a Section 2 (permit-required) use in the SUZ5, noting Schedule 5 to the Zone is named the 'CARDINIA MOTOR RECREATION AND EDUCATION PARK'.

Broadly speaking, the site is to be configured with a centrally located racing circuit, which will be bordered by buildings on the north (pit building), west (sport shooting facility) and south (vehicle stores). On the east, the future Koo Wee Rup bypass will form a substantial boundary separating the project site from Lot 1 and McGregor Road.

Central to the development will be a FIA Grade 2/FIM Grade B International racing circuit designed to maximise average vehicle speeds, resulting in a challenging, exciting circuit that is hard to master.

In addition to the International circuit configuration, the circuit may be split into two smaller configurations (National and Driver Experience) that can be operated independently.

Specialist motorsports are also potentially able to be provided for by way of a drifting sequence and an FIA Grade 6R Rallycross track.

A separate karting track may be integrated into the site, with the standard of track (competition-level or recreational) subject to the ultimate site configuration.

The use necessarily extends to a wide range of ancillary activities including vehicle garaging and workshops, retail, race control, a medical facility and helipad, hospitality areas, driver education facility, administration offices, vehicle storage, parking and unloading, events and the like, which are proposed within Precinct A and the other Precincts.

##### 4.1.2 Residential Hotel

A residential hotel will be a key component of the complex's infrastructure. It will be important for the accommodation building to have frontage to both the circuit and the (future) upgraded Greenhills/Thompson Road and as such, it is likely to be sited in the north-east area of Lot 3. Siting in this location will enable guests to obtain views out over the racing circuit. The use will be proximate to the main site entry, enabling guest and delivery vehicle access and circulation with minimal encroachment into the areas of the site required for racing circuit or other development.

The residential hotel is anticipated to be of a scale suitable to host a minimum of 70 rooms with a potential upper limit of 300, with associated restaurant, spa, function/exhibition/event hosting, hospitality and catering activities.

Race organisers, officials, entrants, crews and patrons will require accommodation conveniently located to the event location. However, outside of demand induced by on-site events, the residential hotel is likely to attract visitors to the facility, business visitors to the adjacent urban growth (employment) areas and corporate functions, among other sources.

##### 4.1.3 Commercial

The site has scope to accommodate commercial facilities providing premises for the administrative sections of businesses operating in the area. Among the wider market, an automotive manufacturing and servicing business cluster exists within Pakenham. The co-location of commercial premises with the racing circuit may prove to be a useful business synergy for those industry-related businesses. A range of other commercial uses, such as office, showrooms or a standalone function centre may equally be viable and appropriate.

##### 4.1.4 Driver Experience Centre

A key component of the proposal is the establishment of a driver experience centre and will be the hub for driver education. This use will operate and form part of the primary use of the site. The driver experience centre will facilitate the sale of driver education and training services and commercial recreational driving experiences.

##### 4.1.5 Sport shooting range

The provision of indoor and outdoor target shooting ranges will offer an alternative to the range of driving-related recreational experiences that will be available on the site, consistent with the recreational purpose of the SUZ5. This precinct may also include associated retail use(s), subject to planning permission (where relevant).

The site is well-located in terms of separation from sensitive uses to accommodate a use of this nature. The introduction of a motor racing activity will result in noise emissions, therefore there is an opportunity to gain efficiencies associated with the co-location of other noise emitting uses with the motor racing track.

##### 4.1.6 Club Activities

Lot 1 (No. 21 Key Lane) is currently leased from Cardinia Shire Council by the Pakenham Auto Club, while the Koo Wee Rup Motorcycle Club has access to Lot 2 (75 Key Lane) for club related motor racing activities. The Development Plan anticipates that Lot 1 will continue to be used by the Pakenham Auto Club.

The construction of drainage infrastructure (wetlands) within Lot 2 to support the Cardinia Motor Recreation and Education Park will be subject to lease/licensing arrangements with the landowner (Cardinia Shire Council).

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The siting of wetlands within the southern area of Lot 2 will however, form a key role and link in the development of a wider regional drainage scheme, which will give rise to several other significant benefits (refer to Appendix F for further details).

The balance of Lot 2 will continue to be available to the Koo Wee Rup Motorcycle Club, until such time as the Koo Wee Rup bypass is constructed in the PAO1 alignment and/or other mutually agreed arrangements are made.

#### 4.1.7 Car Parking

Adequate car parking will be constructed and maintained on-site to cater for daily operational demand. Temporary event car parking may be located on Lots 1 and 2 (including within the PAO1 area) and on other land, subject to landowner and/or stakeholder agreement and any applicable statutory approval requirements.

Temporary car parking within the UGZ land to the north may need to be authorised through the Schedule to the UGZ and could be complimentary to the future vision of this area when PSP work is undertaken (e.g. car parking for office, warehouses or other uses on the land).

The sourcing and allocation of temporary car parking for events will be a matter to be addressed in detail by Site Management Plans prepared in advance of each event (indicative plan provided in E), however indicative parking and loading bays are provided in Appendix A.

#### 4.1.8 Vehicle Storage

Precinct G of the Development Plan is further outlined in Appendix A (Vehicle Storage) and it is anticipated to accommodate a vehicle storage.

Vehicle storage will be ancillary to the dominant use, insofar as it is anticipated that the site operator and/or customers may store vehicles on-site for ease of retrieval and use in motor racing, driver education, driver experience and vehicle testing activities.

#### 4.1.9 Other exhibitions, functions and events

Precinct H identified in the Development Plan is anticipated to accommodate a variety of uses and has been nominated as a multi-purpose area.

### 4.2 Development

Site layout will be heavily influenced by the need to allocate space to the racing circuit and the stormwater management system, as well as the likely locations for vehicle access. Furthermore, several buildings will have a functional requirement to locate adjacent to the racing circuit. Therefore, the

preferred siting of buildings and works will derive from the configuration of the racing circuit, stormwater management system and vehicle access.

The appearance of buildings will contribute to the patron experience as well as to the attractiveness of the site when viewed in its context. It will therefore be essential to balance functionality with architectural quality. Generally, it is anticipated that buildings will be treated with a varied palette of external materials and colours, with building plant concealed or screened.

The pit, residential hotel and commercial buildings in Precincts B and C will be the most visually prominent structures on-site. As such, the built form should demonstrate quality architectural design that responds appropriately to the future site context, while achieving the functional requirements (e.g. acoustic treatment, etc.) necessary to assure internal amenity and functionality.

Landscaping is to be established throughout the site. This will generally follow a theme of native Australian plantings. The treatment of locations around the drainage channels, wetlands, and within boundary setbacks will be of particular landscape importance in terms of the amenity of the site and management of the visual interface between the site and surroundings.

An indicative landscape concept plan is provided in Appendix J.

Where landscape areas are shown in the precinct plans in Appendix A, this refers to approximate building footprint and setbacks.

#### 4.2.1 Racing Circuit (Precinct A)

The racing circuit and support areas are located within Precinct A as identified in the Development Plan, Appendix A (Precinct A Circuit).

Although the final layout is yet to be finalised, the centrally-located racing circuit will consist of a primary circuit of approximately 3.2km length, with associated vehicle run-off areas, safety barriers, service lanes and track infrastructure, including wetlands which will collect, treat and distribute stormwater to the site outlet. The precinct includes grassed areas that may, depending on the particular event circumstances, function as spectator areas.

#### 4.2.2 Commercial and Accommodation (Precinct B)

The commercial and accommodation facilities are located within Precinct B as identified in Appendix A (Precinct B Commercial and Accommodation).

The buildings may range in height from 2 storeys (8 metres) to a maximum 10 storeys (40 metres)<sup>3</sup>.

#### 4.2.3 Pit Building (Precinct C)

The Pit Building is located within Precinct C as identified in the Development Plan, Appendix A (Precinct C Pit Building).

The racing circuit will be serviced by way of a multi-storey primary pit building located on the northern area of Lot 3. This will house a race control area, pit garages and a welcome centre, and/or similar.

The race control area will house numerous functions, likely including race control, briefing room, timekeeping, a fully-equipped medical centre and administration offices. The pit garages will incorporate a scrutineering area including at least three race official garages and numerous (30+) pit garages, with each pit garage having a two-car capacity. The welcome centre will be positioned to provide a distinct gathering area separate to the pit area, to maintain separation between race crew activities and non-participants. It is anticipated that the primary pit building will provide a large rooftop deck and hospitality area suitable for spectators to congregate and obtain spectacular views over the track activity to the south.

The primary pit building may be in the range of 1 – 5 storeys in height (of 5 to 25 metres). A minimum setback of approximately 80 metres should be maintained between the primary pit building and the northern boundary of Lot 3. This should provide visual relief from the future Greenhills Road/Thompsons Road arterial to the primary pit building, with space for an appropriate landscape buffer with service infrastructure to be placed within the setback.

#### 4.2.4 Driving Facilities (Precincts D & F)

Areas are nominated within Precincts D and F as "Driving Facilities". These areas may be developed with lower-scale buildings housing karting facilities and a Driver Experience Centre building. Race control and hospitality land uses may also occur from these Precincts.

At least one building is anticipated within Precinct D, ranging from 1 to 4 storeys (4-16 metres). The building would be positioned approximately 50 metres from the northern boundary.

A helipad is proposed within Precinct D, generally west of the proposed building in this precinct and is close to the anticipated medical facility within Precinct C. Helipad siting will be required to comply with civil aviation requirements.

At least one building is anticipated within Precinct F, central to the racecourse with a height ranging from approximately 1-4 storeys (4-16 metres). Precinct F may also include hospitality, subject to future planning permit application(s).

<sup>3</sup> All building heights expressed within this document exclude building services, equipment, plant, lift overrun, architectural features and/or viewing areas or terraces.

#### 4.2.5 Sport Shooting Facility (Precinct E)

The Sport Shooting Facility will be located within Precinct E as identified in the Development Plan, Appendix A (Precinct E Sport Shooting Facility). Development within this precinct is anticipated to consist of an indoor and outdoor shooting range.

The indoor and outdoor target shooting ranges may be housed in 1-4 storey (5 to 20 metres high) buildings located towards the south-west corner of Lot 3.

Operational safety requirements associated with an outdoor shooting range will necessitate the development of a substantial earth berm constructed to the western boundary of Precinct E. This may encroach onto land within Lot 2, with any such encroachment requiring a lease or licensing arrangement to be entered into. Other earthen berms or artificial structures may also be required to provide acoustic mitigation. The detail of such measures and works (if needed) would be specified in a future planning permit application(s).

Precinct E may also include hospitality, subject to future planning permit application(s).

#### 4.2.6 Vehicle Storage (Precinct G)

Vehicle storage buildings within Precinct G and outlined in Appendix A (Vehicle Storage) seeks to provide a physical and vertical market for the southern extent of the racing circuit, enclosing the racing circuit and central part of the site. This area may include ancillary uses such as function spaces during race days.

The vehicle storage facility/facilities may be a minimum 1 storey (4 metres) and a maximum 4 storeys (16 metres) with an approximate 10 metre southern setback from the boundary of lot 3.

#### 4.2.7 Multi-Purpose Area (Precinct H)

Precinct H (refer to Figure 18 for a spatial outline) is likely to be developed with a view towards accommodating temporary structures associated with events and spectator activities, such as concert stages, marquees, spectator stands etc. Details will be provided with any future planning permit application(s).

Any permeant structures will be included in any future planning permit application(s), where a permit is required for these.

#### 4.2.8 Auto Club (Precinct I)

Precinct I (which corresponds to Lot 1) is not proposed to be developed by the proponent of this Development Plan. Future development of that site may be pursued by Council as landowner and the Pakenham Auto Club as leaseholder. That site may however, be used for temporary car parking in association with events held at the Cardinia Motor Recreation and Education Park. Any such arrangement will be subject to the agreement of the relevant stakeholders and the requirements of any applicable Site Management Plan(s) (see example at Appendix D).

#### 4.2.9 Motorcycle Club; Secondary Access; Drainage; Overflow Car Parking (Precinct J)

Development in Precinct J (which corresponds to Lot 2) will include drainage infrastructure and wetlands associated with the realignment of the McGregor Road Drain, the provision of access to Lot 3 from McGregor Road, and the construction of an earthen berm associated with the sport shooting facility, subject to necessary lease agreements, owner(s) consent(s) and relevant planning permission(s).

Stormwater management and other associated works may extend outside the Precinct J boundary, subject to planning permission, lease agreements and necessary owner(s) consent(s) (where necessary).

These works should be sited and carried out to avoid adverse impacts on Toomuc Creek and the existing electricity transmission infrastructure within Lot 2. Works should also maintain access to Lot 2 for Council, AusNet Services and the Koo Wee Rup Motorcycle Club (as required/necessary).

## 5.0 Development Plan Overlay - Schedule 16

Any planning permits granted for the use and development of the site must be generally in accordance with the Development Plan. Furthermore, any planning permits granted must include a condition requiring the use and development of the site to be undertaken in accordance with the Site Management Plan [SMP] and Environmental Management Plan [EMP] approved as part of the Development Plan.

Any endorsed Development Plan may be amended with the prior written consent of the Responsible Authority. Only substantial amendments to an approved development plan may require the Responsible Authority to notify the community, or cause notice to be given, of any amendment (for a period of 14 days).

Clause 3.0 of the DPO16 specifies various matters and requirements to be satisfied by a Development Plan. The following section sets out how the Development Plan responds to each specified requirement.

### 5.1 Requirements for Development Plan

**Existing natural and built features of the land including topography, vegetation, buildings, other works, utility services, drainage lines and watercourses.**

This information is provided in written and graphic format in Chapter 2 of this Development Plan. Specifically:

- Topography is depicted on the Feature and Level Survey at Figure 1.
- Vegetation is shown on the aerial site image at Figure 2 as well as detailed in the Plan of Vegetation Removal at Appendix I.
- Existing buildings, other works, utility services, drainage lines and watercourses are shown at Figure 1, Figure 2 and Figure 10.
- The location of Toomuc Creek and McGregor Road drain are shown at Figures 1, 2 and 10.

**Relationship to existing and proposed surrounding development, including the Kooweerup-Healesville Road extension.**

The relationship of the site to the region and locality in its current context is shown on Figures 10 and 11. The relationship of the site to the adjoining PSP areas is shown on Figure 4. The relationship of the site to Koo Wee Rup Bypass is shown at Figures 5, 11 and 17.

Built form and materiality will be confirmed through subsequent planning permit applications and should:

- respond to its context in terms of character (acknowledging there is limited development in the area this may be an interpretive response or a response to the preferred future character), cultural identity, natural features, surrounding landscape and climate;
- to achieve building design outcomes that contribute positively to the local context and enhance the public realm; and
- ensure development responds and contributes to the strategic and cultural context of its location.

**A plan indicating the type of existing native vegetation and any areas where it is proposed to remove native vegetation.**

The Biodiversity Assessment at Appendix G and EMP at Appendix H includes details and a plan of the existing native vegetation located on site. The Assessment and Appendix I includes a plan showing the vegetation likely to be impacted by any development of the land and therefore, removed as part of any future planning permit application for use and development. Clause 52.17 (Native Vegetation) of the Scheme also includes permit triggers and decision guidelines for vegetation removal.

The Biodiversity Report and EMP includes a vegetation assessment and deals with impact avoidance and minimisation and offsets. It is noted that:

- The condition of the broader study area has been found to be 'poor';
- The Development Plan at Appendix A and detailed layout at Figure 18 does not generally affect the western waterway area;
- Considering the SUZ5 of the land for a motor recreation and education park (and supporting/other uses), is impractical to avoid vegetation removal and the McGregor road drain through the centre of the site;
- The McGregor Road drain supports the Plains Grassly Wetland vegetation through the site, which must be removed to enable the construction of a motor recreation and education park (and supporting/other uses);
- As vegetation removal cannot be avoided, any removal should be minimised (where possible) and offset; and
- The EMP suggests pre-construction management techniques, construction management actions, post construction techniques and ongoing monitoring and reporting management approaches to deal with any removed/retained native vegetation. These measures should be embedded in any future planning permit approval(s), where relevant.

**A Flora and Fauna Assessment including consideration of:**

- Corridors for Growing Grass Frog habitat
- Dwarf Galaxia habitat
- Corridors for Southern Brown Bandicoot habitat
- Adequate waterway setbacks

The Biodiversity Assessment at Appendix G and EMP at Appendix H addresses each of these matters, as well as providing further analysis of the site's ecological characteristics.

It is noted that:

- No significant flora species were recorded during the initial biodiversity assessments or in the most recent assessment;
- Of the Victorian Biodiversity Atlas [VBA] significant fauna species, only Latham's Snipe was observed on the site;
- The Growing Grass Frog was not found during targeted surveys however, habitats may be present along Toomuc Creek and McGregor Road Drain;
- The Biodiversity Report states that targeted surveys of Dwarf Galaxia have previously been undertaken and none have been found in the study area;
- Southern Brown Bandicoot habitat surveys were undertaken in Winter 2019 [Appendix P]. No Southern Brown Bandicoots were found within the DPO area. However, the Survey Report acknowledges that habitat may be found in the DPO area, with mitigation strategies are outlined in Section 5 of Appendix P and in Appendix G (summarised below);
- As outlined in the Biodiversity Report at Appendix G, the Southern Brown Bandicoot Survey at Appendix P and the EMP at Appendix H, mitigation measures to manage or address flora and/or fauna impacts may include:
  - o Water Sensitive Urban Design techniques;
  - o Micro-siting (where suitable/practical);
  - o Education of contractors through a Construction Management Plan [CMP] outlining Habitat Zones (areas of sensitivity) and including a mapped overlay of habitat areas over construction plans, prior to the commencement of any development (planning permit condition);
  - o Construction stockpiles, machinery, roads and other infrastructure should be placed away from retained areas of native vegetation, wetlands and/or LOTS;

- o Adoption of best practice sedimentation and pollution control measures as per relevant Environment Protection Authority (EPA) guidelines;
- o Landscape plans should include indigenous species (rather than exotic deciduous trees and shrubs);
- o Preparation of a Construction Environmental Management Plan [CEMP] prior to the commencement of any development (planning permit condition);
- o Preparation of a Weed Management Plan [WMP] prior to the commencement of any development (planning permit condition);
- o Preparation of a Significant Species Conservation Management Plan [SSCMP] prior to the commencement of any development (planning permit condition), should any development impact likely habitat zones. This may include a salvage and translocation plan where minimisation is unavoidable or impractical;
- o Preparation of a Fauna Management Plan [FMP] prior to the commencement of any development (planning permit condition), should any development impact likely habitat for common fauna species. This may include a salvage and translocation plan where minimisation is unavoidable or impractical;
- o A Growing Grass Frog Management Plan (Section 4 of the EMP), including pre-development, development and post-development phase measures and techniques which could be imposed by way of conditions on any permit(s), as appropriate. It is noted that the relocation of McGregor Road Drain cannot be avoided if the site is to be developed as a motor recreation and education park as the drain dissects the middle of the site. It is noted that an appropriate off-set or relocation approach may be to utilise the stormwater wetlands as GGF habitat. Appendices G and H also include suitable management measures and approaches to deal with (minimising or offsetting) any fauna and flora impacts;
- o Noting that the Southern Brown Bandicoot may be located along Toomuc Creek, management techniques are outlined in Section 3.3 of the EMP, including pre-development, development and post-development phase measures and techniques which could be imposed by way of conditions on any permit(s), as appropriate; and/or
- o Other suitable measures where determined to be necessary through the planning permit application(s) process.

- As outlined in the Biodiversity Report at Appendix G, the DELWPs Native Vegetation Offset Register should be utilised to address vegetation removal.
- While only a suggestion in the EMP in Appendix H, a referral to the Commonwealth Environment Minister is not considered necessary as:
  - o Important habitat for Latham's snipe were not found within the DPO area;
  - o While the GGF was found in the broader region, none were found during the targeted survey of the site; and
  - o Potential SBBC habitat is not within the proposed 'development area' as shown in Appendix A. Should development extend into the SBBC habitat area, then a Commonwealth Environment Minister referral should be considered.
- Adequate waterway setbacks and modifications have been factored into the Development Plan. The DPO16 requires:
  - o A minimum of 20 meters from the top bank of Toomuc Creek;
  - o A minimum of 20 meters from the McGregor Road drain; and
  - o The nearest 10 meters to the waterway must support core riparian habitat only.

These setbacks may only be varied if agreed in writing with Melbourne Water.

Melbourne Water's referral advice dated 18 June 2019 did not object to the proposed Development Plan (subject to conditions) which included:

- o setbacks of over 20 metres from Toomuc Creek; and
- o the realignment of the McGregor Road drain (outlined in Appendix F).

The Development Plan does not currently anticipate works within 10 metres of waterways, noting that further planning permission would be sought to vary this requirement and would need to be referred to Melbourne Water for comment through any subsequent planning permit application should this be proposed at a later date.

**A stormwater drainage strategy including details of any onsite water retention, effects on water quality and hydraulic impacts on waterways.**

A Stormwater Management Strategy is included at Appendix F.

This has been prepared in consultation with Melbourne Water and Cardinia Shire Council and provides a suitable basis for the preparation of a detailed stormwater drainage strategy as part of a planning permit application(s) for development and use of the site.

The strategy is outlined in Appendix F, (may be subject to change with the prior written consent of Melbourne Water and Council) and may include:

- Augmentation of the McGregor Road Drain through the site, where works are proposed within close proximity;
- Diversion of a small percentage of the McGregor Road drain into wetland(s) in the subject site;
- Retrofitting of waterways, sediment pond and wetlands along the McGregor Road Drain (within the site and external) to perform flood conveyance, flood reduction and stormwater treatment functions; and/or
- Use of the 'lower' water levels of the wetland systems to facilitate site drainage outfall and outfall for upstream and adjacent catchments.

The Stormwater Management Strategy may include mitigation or works outside the site and the strategy assumes that drainage works would occur prior to the development in Lot 3. This is currently the case, but staging may be amended with the prior written agreement of the Responsible Authority.

Unless the Agreement is amended or ceases, Stormwater Management must comply with Section 173 Agreement AR283639T. Maintenance and ownership obligations also apply under this Agreement.

Appendix Q also details an Interim Stormwater Management Strategy, which may be an acceptable interim arrangement before the future freeway is constructed and to provide additional space for the Koo Wee Rup Motorcycle Club.

**How the existing flood plain and overland flow paths will be accommodated by the proposed development.**

The existing flood plain and overland flow paths have been addressed in the Stormwater Management Strategy and outlined above (see above and Appendix F) and may include new waterways and wetlands through Precinct J (possibly other areas as required and approved by the relevant landowners and Authorities).

Again, Appendix Q outlines a proposed Interim Stormwater Management Strategy until the freeway is constructed and while the Koo Wee Rup Motorcycle Club uses the space in the south-east of the DPO area.

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**Development setback at least 20 metres from the top of bank for the Toomuc Creek and McGregor Road drain. The 10 metres closest to the top of bank must support core riparian habitat only, and must not include any other infrastructure unless agreed in writing by Melbourne Water.**

All development is proposed to be set back a minimum of 20m from Toomuc Creek.

The current alignment of the McGregor Road Drain represents a significant constraint to the effective development of the site as per the purposes of the SUZ5, DPO16 and Incorporated Document. It is proposed to re-align the McGregor Road Drain along the northern side of Lot 3, then through Lot 2 to the site outfall (see Appendix F and as previously discussed).

The realigned drainage channel and retention/treatment wetlands will support riparian landscaping, which can be specified in future detailed design exercises associated with the planning permit approval process. This may also offer an opportunity to off-set any flora and/or fauna which may be removed/relocated as a result of any development.

The Stormwater Management Strategy at Appendix F (drawing No. 1863/DEVP/1) shows the proposed realignment of the McGregor Road Drain and internal diversion (including wetlands and off-site treatments).

Melbourne Water have provided comment on the development plan (referral advice dated 18 June 2019) and have not objected to the plan subject to conditions.

Again, Appendix Q outlines a proposed Interim Stormwater Management Strategy.

**The location, height and dimensions of all proposed buildings and works.**

The location, height and dimensions of all buildings and works are set out in a general manner on the Development Plan (Appendix A and Figure 18).

**The proposed use of each building and facility.**

The use of each building is specified in general terms in Section 4.1 of this Development Plan and in Figure 18.

While the land uses are generally complimentary, we note that the shooting range will be managed with a berm or similar protective wall to the west, with shooting aimed towards the wall and away from other uses on the site.

**Landscaping treatments to be undertaken.**

An indicative landscape concept plan is provided at Appendix J.

As is evident from the various plans integrated into this Development Plan, the anticipated configuration of buildings and works around the site will yield broad areas for landscaping opportunities, along site boundaries as well as internally. Future landscaping of the site will improve on current paddock setting, providing an attractive setting that enhances the visual landscape

value of the site to a standard consistent with the objective of delivering an internationally recognised facility.

Generally, landscaping should be indigenous to the area (as recommended in the EMP at Appendix H [Sections 3.2.1, 3.2.3 and 4.6.2]) and in the Landscape Plan at Appendix J.

The selection of species should be undertaken with a view to the potential role of landscaping in visually softening building bulk and screening visually obtrusive areas from external views, if necessary.

Substantial grassed/lawn areas will also be located in the central areas of the site to accommodate events and spectator and vehicle sightlines. The location and type of landscaping across the site must also be appropriate and complimentary to the primary use of the site as a motor recreation and education park. Accordingly, depending on the operational requirements, e.g. driver safety, landscaping may not be appropriate in some locations.

Environmental factors should also be considered in relation to minimising surface runoff and species selection. In selecting plant species, consideration should be given to local soil and weather conditions, sun and ongoing moisture requirements, shade and drought tolerance and screening potential. The species of all proposed plants selected for landscaping must be to the satisfaction of the Responsible Authority.

Future planning permit(s) for site development should include a condition requiring the submission of a detailed landscaping plan(s) prepared by a suitably qualified landscaping professional. The conditional requirements for landscaping plan(s) should include details of proposed vegetation removal, the species, location and quantities of new plantings and details of proposed artificial surfaces, the methods required to establish and maintain the landscaping, building outlines and the locations of overhead and underground services to be avoided by landscaping.

**The proposed stages of development, if more than one, and the time for commencement and completion of each stage.**

The development of the Cardinia Motor Recreation and Education Park is expected to be undertaken in three (3) stages. The Project Staging Plan at Appendix C provides a graphic illustration of the staging.

Stages 1 and 2 will include the site development discussed earlier in this document, with the exception of the Sport Shooting Facility, which will be pursued as a third stage. Stage 1 will lead the development, generally with the racetrack and pit buildings.

The timing for completion of the development of the Motor Recreation and Education Park is contemplated in the contract of sale associated with Lot 3 (and may be subject to change pending agreement between parties). It is anticipated that the completion of each stage will align with the contract of sale, which requires Stage 1 of the development to reach practical completion within 3 years from the purchase settlement date and Stage 2 to reach practical completion within 4 years after settlement.

Stages 4 and 5 generally relate to lots 1 and 2 (excluding stage 1-3 works within segments of lots 1 and 2 as shown in Appendix C relating to overflow car parking, wetland areas, access ways, drainage, etc.). Lots 1 and 2 (stages 4 and 5) will be developed by others at a later stage and will be detailed through subsequent planning permit application(s), where necessary.

**The provision of utility services and infrastructure associated with the development, use and maintenance of the land.**

All required utility services are available for connection to the site is shown in Appendix L.

It is anticipated that connections to the site will be addressed by condition(s) on any relevant future planning permit applications which address the provision of all services (electricity, gas, water supply, sewerage drainage etc) which should be undertaken to the satisfaction, and in accordance with the requirements/conditions, of the service relevant authority.

The site drainage is detailed in the Stormwater Management Strategy at Appendix F. The construction of drainage infrastructure within the extent of easements E-1 and E-2 on Lot 2 should not be undertaken without the prior written consent of the electricity supply and transmission authority, and, in the case of the high-voltage transmission lines, any works within 60 metres of the transmission assets are subject to the referral requirements of Clause 66.02-4 of the Scheme.

**Use and management of portions of the site not being used for the Motor Recreation and Education Park.**

As noted in Section 4.1 of this document, the use and development of Lot 1 (21 Key Lane) will likely continue to be controlled by the Cardinia Shire Council and support use by the Pakenham Auto Club. Temporary car parking associated with events at the Cardinia Motor Recreation and Education Park may be accommodated on Lot 1, subject to agreement with the relevant stakeholders.

Areas of Lot 2 (75 Key Lane) that are not used for the Motor Recreation and Education Park will likely continue to support use by the Koo Wee Rup Motorcycle Club as well as continue to be used for electricity transmission purposes. While the area of Lot 2 that is subject to the PAO1 will ultimately be developed for the Koo Wee Rup Bypass, in the interim period, temporary car parking associated with events, services and drainage may be accommodated within the PAO1 area, if agreed by the landowner and acquiring authority (VicRoads).

The western part of Lot 2 will continue to be defined by the Toomuc Creek. No development associated with the Motor Recreation and Education Park should encroach within 20 metres of the top of the creek banks.

The anticipated provision of secondary site access (to Lot 3) from McGregor Road, via Lot 2, will improve access conditions across the southern part of Lot 2 for the landowner (Cardinia Shire Council), electricity authority (AusNet Services) and Koo Wee Rup Motorcycle Club.

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**Noise mitigation measures.**

Appendix E contains an Acoustic Review for the use and development proposed by this Development Plan.

The Acoustic Report considers the site context and potential land uses for the site, establishing a range of considerations for when planning permit applications are assessed (where relevant).

The Acoustic Review addresses the fact that this site is zoned to provide for a motor recreation and education park along with complementary recreation and community uses and accepts that the site context will change over time and ultimately, be largely surrounded by non-sensitive land uses and major transport infrastructure.

The Acoustic Review adopts an open and flexible approach to noise mitigation in light of the current and emerging context of the site (Section 5.5 of Appendix E). To deal with this changing context and in turn, effectively mitigate noise generated by use of the site, a mix of managerial and engineering measures are outlined for consideration and implementation. These should be considered and resolved as part of any subsequent or relevant planning permit process (i.e. planning permit conditions) and may include, but are not limited to:

- Engineering measures such as noise barriers and/or dedicated noise berms or walls; and/or
- Managerial measures, which may include:
  - o Controlling hours of operation for different events;
  - o Defining the maximum number of events per hour;
  - o Controlling the number of consecutive days when high noise level activities occur;
  - o Noise emission restrictions for different vehicle classes;
  - o Enforcement of vehicle noise emission limits via on-site monitoring; and
  - o Community consultation and reporting to identify sensitive calendar periods and provide advance notice of upcoming events.
- Managerial measures through agreements, which may include:
  - o interim managerial measures (when there are overlapping periods after the development commences and noise sensitive receivers remain present);
  - o noise treatments at noise sensitive receiver locations (e.g. landscaping or fencing, etc.); and /or
  - o respite packages (enabling residents to travel when the highest noise level events are scheduled).

**Proposed traffic and access arrangements and associated works.**

Appendix M contains a Traffic Impact Assessment (TIA) for the use and development proposed by this Development Plan.

The site is located at the junction of three existing roads, Key Lane, McGregor Road and Greenhills Road, and two future major roads, being the Greenhills/Thompson Road upgrade corridor running east to west along the northern site boundary and the Koo Wee Rup Bypass, which will run north-south through the PAO1 which applies to Lot 2.

Interim and ultimate access designs will be required to respond to these existing and future circumstances. As an interim solution before the completion of the Greenhills/Thompson Road upgrade and the Koo Wee Rup Bypass projects, the primary site access will be taken from Key Lane at the north-east corner of Lot 3. Key Lane will be upgraded accordingly to facilitate this interim solution. Secondary access points will be located at the north-west corner of Lot 2 (from Key Lane) and the south-east corner of Lot 2 (from McGregor Road).

Ultimately, it is understood that Key Lane will be subsumed as a service road to the upgraded Greenhills/Thompson Road corridor. Various traffic engineering considerations will govern the ultimate design of the site accesses from the north, including the layout of the junction between the Greenhills/Thompson Road corridor and the Koo Wee Rup Bypass.

In time, the site access from McGregor Road will be severed by the development of the Koo Wee Rup Bypass. However, it will be crucial to the safe operation of the site for this alternative access point to be restored. International requirements relating to racing circuit design require sites to provide alternative accesses for emergency purposes. Sites without secondary access are not eligible to qualify for top-tier events. Therefore, access restoration to McGregor Road as part of the Bypass project will be fundamental to the ongoing viability of the Motor Recreation and Education Park.

Internal roads to the site will be formed and graded to an appropriate standard to accommodate internal vehicle movements by a range of vehicles and will provide an integrated network to cater for pedestrians, operational vehicles and service, emergency and delivery vehicles.

Refer to Appendix A and Appendix M (Section 7.1) for proposed vehicle access arrangements and the road network access scenarios contemplated for the for the Development Plan.

**The location and capacity of all car parking areas and access to and from them.**

An indicative parking and loading bays are provided at Appendix A and Appendix M (approximately 929 spaces).

Indicative overflow parking areas (approximately 15,310 spaces) are shown in Appendix M. However, these spaces are indicative and may not be available for use (pending landowner/occupier permissions and alternative parking strategies as necessary and suggested in the TIA in Appendix M).

Vehicle parking will generally be in the curtilage of buildings and may be located in basement car parks for certain uses, such as the residential hotel, commercial and pit buildings. It is anticipated that day-to-day car parking demand will be accommodated on-site. The provision of car parking should

generally accord with the rates outlined in the TIA. Alternatively, Clause 52.06-6 includes decision guidelines to consider when determining if a reduced number of car parking spaces should be provided, including, but not limited to:

- The car parking demand assessment;
- The availability of alternative car parking in the locality of the land;
- Any relevant considerations.

The design and configuration of car parking areas should generally accord with the provisions of Clause 52.06 (Car Parking) of the Scheme and/or relevant Australian Standards, as applicable or otherwise with the prior written consent of Council.

The site may not have capacity to accommodate the car parking demand, generated by large events. Demand management measures, traffic management plans, mode shift and the provision of temporary event parking both on-site (Lots 1 and 2) and off-site are methods that may be included under the auspices of site management plans to address car parking demand associated with events.

Car parking and traffic matters should be considered as part of each relevant planning permit application and should:

- Provide the car parking rate as per Table 4.1 of the Traffic Impact Assessment at Appendix M or justify any inordinate use or variations to the Planning Scheme requirement;
- Include permit conditions relating to staff and patron numbers for each use;
- Include a permit condition requiring the preparation of an Event Management Plan (EMVP) which should address, as relevant:
  - o The size of the event, and suitability of the management regime;
  - o Parking management strategies, identification of the areas available for parking, and adequacy of this/these area(s) available to accommodate projected car parking demands for the event;
  - o Where appropriate, ticketing of car parking spaces in order to restrict car parking demands to the land available for overflow car parking;
  - o Access arrangements, including routes, signage and separation of access for different vehicles and users;
  - o Local Area Traffic Management (LATM) along all routes to and from the site to direct traffic to site access points (including cars, cyclists, pedestrians and motorcyclists);

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- o Traffic management procedures and personnel, particularly at access points and intersections (internally and externally);
- o Approximate times for arrivals and departures;
- o Bus and other transportation scheduling;
- o Contingency plans in case of emergencies; and
- o Where an event is proposed, alternative transport strategies to minimise car usage/car parking demands.

Planning Permit Applications should also require a Waste Management Plan by way of a permit condition (where relevant). The Waste Management Plan will need to be adequate in terms of loading and unloading facilities and any amenity, traffic flow and road safety impacts. This will need to be prepared in conjunction with any EvMP.

Future planning permit applications should also:

- Assess traffic impacts of any proposal, where relevant, and include suitable mitigation measures; and
- consider PSPs proposed for surrounding land.

Contextually, a Transportation Network Plan is provided at Appendix O.

#### The location and design of all pedestrian and vehicle access ways.

Indicative internal accessways are shown in Appendix A. Future approval processes including the permit application stage are an appropriate means to resolve the detailed design of trafficable areas and footpaths.

#### Provision for the loading and unloading of vehicles associated with the development and use of the land.

Vehicle loading and unloading will occur at various locations on the site, for example within the pit building, residential hotel and commercial and vehicle store precincts. Indicative loading areas are shown in Appendix A.

The design of appropriate loading and unloading facilities is an inherent operational requirement for the Motor Recreation and Education Park and as such, will be the subject of detailed design in future planning permit application(s) and will need to demonstrate the adequacy of loading and unloading facilities and the amenity, traffic flow and road safety impacts.

An environmental management plan addressing:

- The impact of the use and development on the flora and fauna on the site and its surrounds and methods to avoid or mitigate those impacts.
- The need to protect and enhance the biodiversity of the area, including the retention of native vegetation and fauna habitat

and the re-vegetation of important areas of habitat and integration of native vegetation into landscaping of the site.

- Avoidance and mitigation of impacts on Growing Grass Frog ecological community and habitat and the implementation of a Growing Grass Frog Management Plan approved to the satisfaction of the responsible authority.
- Management of impacts on creek lines and surrounding environment.
- Water sensitive urban design including methods for water collection and reuse.
- The management of impacts, if any, during the construction and carrying out of works, including erosion and sediment, dust, noise, litter, traffic and other amenity impacts.

An EMP is enclosed at Appendix H and addresses:

- The existing vegetation on the site (including patches of Plains Grassy Wetlands around the McGregor Road drain and Swampy Riparian Woodland along the banks of Toomuc Creek) (see Section 2.2 of Appendix H). It is noted that large areas of the DPO area have been subject to disturbance through agricultural land use, primarily grazing;
- There are five broad habitat types across the DPO area; exotic grassland, drainage line and adjoining Plains Grassy Wetland, Farm Dams, Scattered/Planted trees and Toomuc Creek;
- Due to the location of the Plains Grassy Wetland and scattered trees, mitigation is not practical on this site, with all vegetation within Lot 3 being removed. However, all Swampy Riparian Woodland along Toomuc Creek should be retained where possible, along with 3 scattered trees within Lot 1 (unless removal is later proposed and subject to planning permission), however these areas are anticipated to create a suitable habitat for applicable fauna protection;
- Pre-construction, construction and post construction management techniques are detailed in the EMP (Section 5 of EMP) which aim to retain (where possible) native vegetation and fauna habitat and the re-vegetation of important areas of habitat and integration of native vegetation into landscaping of the site, mitigate any impact(s) on the Growing Grass Frog ecological community (noting none were found during the surveys) (Section 4 of EMP) and manage any impacts on creek lines and the surrounding environment;
- Section 5 of the EMP suggests management techniques through the pre-construction, construction and post-construction phase and considers erosion and sedimentation dust, construction vehicle access and transport of materials, chemical storage and operational failure, waste management, fire management and

emergency procedures, noise management and incidents and complaints procedures; and

- The EMP references the realignment of the McGregor Road drain (Section 4.6.3 of EMP) and the nexus between waterways/stormwater and fauna and flora, however the EMP refers to the Stormwater Management Plan (Appendix F) which outlines the specialist recommendations with regard to water sensitive urban design (including methods for water collection and reuse).

For the portions of land to be used for the Motor Recreation and Education Park, the development plan must also include:

- A management plan, detailing:
  - o Hours of operation.
  - o Number of events per year
  - o Number of patrons each type of event will cater for.
  - o Management of noise emissions.
  - o An emergency management plan.

Given the time this document was prepared the details related to the above operational matters are not confirmed.

Any relevant future planning permit applications should include a permit condition to require a Site Management Plan [SMP] that addresses the above requirements.

At this stage, the land uses/activities envisaged are:



Use	Approx. Size / Number	Comments
<b>Day to Day Operations</b>		
Commercial Offices	250-1,500sqm	Dedicated parking provided for the office
Warehouse/Restaurant /Brewery	250-1,500sqm (up to 175 patrons)	Dedicated parking provided for these uses
Hotel	70-300 rooms	Dedicated parking provided for the hotel
Kart Track	100-200 patrons	
Shooting Club	40-80 patrons	~10 staff members
Driver Experience Centre	10-30 patrons	9am-5pm Mon-Sun ~3-5 staff members
Functions, Exhibitions, Programs	250-500 patrons	~25 staff members
<b>Events</b>		
Motorsport Facility (includes race track, pit building, private and public car storage units, ancillary offices)	up to 50,000 patrons	5-10 events per year
Shooting Club	500 patrons	1-2 events per year
Concerts	~10,000 patrons	Potentially more patrons permissible with ticketing and transport strategy
Exhibitions	up to 1,000 patrons	~25 staff members

Table 2 - Extract of Traffic Impact Report, prepared by Ratio Consultants (page 11 of Appendix M).

This may be subject to change over time and should be dealt with by way of a permit condition (on any relevant planning permits) requiring a SMP.

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## 5.2 Future Planning Permit Approvals

The planning permit approval process for the planning permit application(s) can be concluded on the approval of this Development Plan. Following that milestone, planning permits may be granted for the use and/or development of the site.

The next steps in the planning approval process are envisaged to be:

- Finalisation and approval, via future **planning permit applications**, for the layout of buildings and works and the final uses of each building, in each precinct shown in the Development Plan (Appendix A). Future planning permit applications may address individual components within precincts, whole precincts or multiple precincts as project circumstances require.
  - Planning Permit applications should include/address, as relevant/appropriate for each application:
    - **Design detail** pertaining to buildings and works, referencing Appendix A of this Development Plan, as relevant;
    - **Vegetation, vegetation removal and landscaping**, referencing Appendices J and K of this Development Plan, as relevant;
    - **Land use** details (noting where not known, this may be addressed in the form of a planning permit condition requiring a SMP [section 2 land uses only]);
    - A **Traffic and Car Parking Assessment**;
    - An **Acoustic Assessment**, referencing Appendix E of this Development Plan, as appropriate;
    - The relevant Zones and Overlay(s) that apply to the relevant land in each application.
  - Planning permit conditions may be imposed, where relevant, to address the following prior to the commencement of any land use and/or development.
    - A **Stormwater Management Plan**, referencing Appendix F and Q to this Development Plan (as relevant);
    - **Site access details**, referencing Appendices A, N and O;
    - A **Construction Environmental Management Plan**;
    - A **Construction Management Plan**, referencing Appendix H;
- A **Weed Management Plan**;
  - A **Significant Species Conservation Management Plan**;
  - A **Fauna Management Plan**;
  - Servicing infrastructure works;
  - A **Waste Management Plan**;
  - An **Event Management Plan**, referencing Appendix M;
  - A **Site Management Plan**, addressing (as relevant):
    - o Hours of operation;
    - o Number of events per year;
    - o Number of patrons each type of event will cater for;
    - o Management of noise emissions; and
    - o An emergency management plan.
  - A **Growing Grass Frog Management Plan**, referencing Appendix H; and
  - A **Southern Brown Bandicoot Management Plan**, referencing Appendix H and P.

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Appendix A - Development Plan

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Appendix B – Certificates of Title

Appendix C – Project Staging Plan

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Appendix D – Site Management Plan

Appendix E – Acoustic Review

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Appendix F – Stormwater Management Strategy



Appendix G – Biodiversity Assessment

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Appendix H – Environmental Management Plan

Appendix I – Plan of Vegetation Removal

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Appendix J – Landscaping Concept Plan

Appendix K – Emergency Exits

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Appendix L – Services Utilities Concept

Appendix M – Traffic Impact Assessment

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Appendix N – Site Access Plan



Appendix O – Transportation Network Plan

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Appendix P – Southern Brown Bandicoot Survey  
Report

Appendix Q – Interim Stormwater Management Plan

