

**For Public Notice via Internet****REASONS FOR DECISION UNDER *ENVIRONMENT EFFECTS ACT 1978*****Title of proposal:** Cardinia Motor Recreation and Education Park**Proponent:** Podium 1 Pty Ltd**Description of Project:**

The project is located 3.85 km south of Pakenham. The project site is approximately 128 ha, divided into three lots; 21, 75 and 115 Key Lane, Pakenham. The proponent proposes to develop Cardinia Motor Recreation and Education Park, primarily on 115 Key Lane, Pakenham, with ancillary project infrastructure accommodated by 21 and 75 Key Lane.

The project proposes to development a motor sport facility of approximately 50 ha that will comprise of a hotel, commercial space, conference centre, indoor exhibition centre, pit building, hospitality options, car garages, education classrooms, 900 m karting circuit, 3.6 km main circuit, driver experience centre and outdoor exhibition space. The project proposes to divert McGregor Road drain around the eastern boundary of the project site and through constructed wetlands along the southern boundary.

**Decision:**

The Minister for Planning has decided that an environment effects statement (EES) under the *Environment Effects Act 1978* **is not required, subject to the following conditions**, for the Cardinia Motor Recreation and Education Park, as described in the referral accepted on 1 April 2020.

- a) An environment report** must be prepared in consultation with DELWP and completed to the satisfaction of the Minister for Planning. The report needs to examine and document:
- i.** the predicted impacts (direct and indirect), on biodiversity values within the site and surrounding areas, including loss of habitat, noise disturbance and impacts on habitat connectivity, particularly associated with
    - listed flora and fauna species under the *Flora and Fauna Guarantee Act 1988* and *Environment Protection and Biodiversity Conservation Act 1999* including; Growling Grass Frog, Southern Brown Bandicoot, Latham's Snipe, Dwarf Galaxias and Variable Groundsel
    - listed communities under the *Flora and Fauna Guarantee Act 1988* and *Environment Protection and Biodiversity Conservation Act 1999* including; Seasonal Herbaceous Wetlands, Plains Grassy Wetland and Swampy Riparian Woodland
    - nearby wetlands, waterways and waterbodies;
  - ii.** the results of targeted surveys for Latham's Snipe and Dwarf Galaxias that must be undertaken by suitability qualified persons and completed in consultation with DELWP, which should confirm the suitability of method and timing applied; and
  - iii.** assessment of project design refinements and mitigation measures to avoid and minimise adverse environmental effects, including for the project layout and timing of events.
- b) A flora and fauna management plan** must be prepared in consultation with DELWP and completed to the satisfaction of the Secretary of DELWP, prior to the commencement of any works. The flora and fauna management plan needs to be informed by the assessments included within the final environment report and must include detailed measures to avoid, minimise and mitigate potential impacts on flora and fauna within the project site and adjacent conservation areas during construction and operation of the project, including:

- i. measures to mitigate noise disturbance on fauna within the project site and in adjoining surrounding areas;
  - ii. measures for providing habitat suitable for Growling Grass Frog and other native fauna along and within constructed waterways and waterbodies;
  - iii. measures to mitigate pollutants and contaminated run-off from entering waterways;
  - iv. measures to prevent and control weeds (non-native species) and pest (non-native) animals;
  - v. rehabilitation and revegetation to establish suitable native flora species across the site, particularly along Toomuc Creek, McGregor Road drain and the constructed wetlands, including suitable measures to avoid impacting fauna during works;
  - vi. a program for on-going monitoring and adaptive management of listed communities and listed species of flora and fauna within the project site.
- c) If the proposal requires diversion of McGregor Road drain, the design of the drain diversion (including buffer distances), wetlands, and associated drainage infrastructure needs to be completed to the satisfaction of the Secretary of DELWP and be consistent with the design guidelines specified within the Melbourne Strategic Assessment publication "Growling Grass Frog Habitat Design Standards."
- d) The environment report and flora and fauna management plan will be completed to inform the project that is subsequently considered through planning and approval processes, particularly under the *Planning and Environment Act 1987*.

**Reasons for decision:**

- The project site is subject to a specific land use planning framework that supports the development of a motorsport facility and is surrounded by land intended for future commercial development. Except for potential adverse effects on native vegetation and biodiversity values, the environment effects of the project are unlikely to have the extent or complexity to warrant an environment effects statement.
- The proposed removal of 9.468 ha of native vegetation, including 9.37 ha of endangered Plains Grassy Wetland ecological vegetation class, has the potential to result in significant impacts to habitat and dispersal corridors of threatened flora and fauna, particularly Growling Grass Frog.
- Uncertainties remain regarding the extent of potential adverse effects on the biodiversity values within the project site and adjacent conservation areas and the efficacy of the project's proposed avoidance, mitigation and management measures.
- The conditions set out through this decision provide the most appropriate means for ensuring adequate consultation and rigour is applied to the examination of these potentially significant impacts, related uncertainties and to the development of avoidance and mitigation measures. These conditions will also ensure subsequent planning or approval processes are well informed.
- Potential adverse effects on Aboriginal cultural heritage and historical heritage values can be addressed through the respective statutory requirements under the *Aboriginal Heritage Act 2006* and *Heritage Act 2017*.
- Other residual potential effects should be readily addressed through respective statutory requirements, under the *Planning and Environment Act 1987* and *Environment Protection Act 1970* (to be superseded by the *Environment Protection Amendment Act 2018* from 1 July 2021).

**Date of Decision:** 14 / 06 / 2020