

CARDINIA PLANNING SCHEME

AMENDMENT C141

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Minister for Planning, which is the planning authority for this amendment.

The amendment has been made at the request of Cardinia Shire Council.

Land affected by the amendment.

The amendment applies to:

- Pakenham Racecourse - approximately 27 hectares of land (currently identified as the Pakenham Racecourse) to the east of Pakenham town centre. The land is currently zoned Special Use Zone, Schedule 2 and is affected by a Development Contributions Plan Overlay (providing for Residential and Community Infrastructure) and a partial Land Subject to Inundation Overlay.
- Tynong Racecourse and Training Facility - approximately 230 hectares of land (Tynong) generally bound by Chippendale Road and Ararat Creek to the west, Nar Nar Goon-Longwarry Road to the north and Nine Mile Road to the east. The land is currently zoned Green Wedge Zone, Schedule 1 and is affected by a Land Subject to Inundation Overlay.

What the amendment does.

The amendment facilitates the redevelopment of the Pakenham Racecourse. The amendment:

- Amends the schedule to Clause 57.01 to identify the Tynong Racecourse and Training Facility.
- Amends the schedule to Clause 81.01 to insert the 'Former Pakenham Racecourse Comprehensive Development Plan, February 2010';
- Rezones Pakenham Racecourse (approximately 27 hectares) from Special Use Zone, schedule 2, to Comprehensive Development Zone, schedule 2;
- Rezones approximately 230 hectares of land at Tynong generally bound by Chippendale Road and Ararat Creek to the west, Nar Nar Goon-Longwarry Road to the north and Nine Mile Road to the east from Green Wedge Zone, schedule 1, to Special Use Zone, schedule 3.

Strategic assessment of the amendment

Why is the amendment required?

The amendment facilitates the redevelopment of the existing racecourse site into an integrated, high density residential and commercial mixed use precinct and develops a new contemporary racecourse at Tynong supporting a range of uses including racecourse, environmental and trainer accommodation precincts.

How does the amendment implement the objectives of planning in Victoria?

The amendment will achieve the objectives of planning in Victoria as set out in Section 4 of the *Planning and Environment Act 1987*, in particular Section 4(1)(a), by providing for economic and sustainable use and development of land in a fair manner, Section 4(1)(c), by enabling a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victorians, Section 4(1)(f), by facilitating development in accordance with the objectives in the preceding sections, and Section 4(1)(g), in that it balances the present and, in particular, future interests of all Victorians. It will also balance the objectives of the planning framework, including the objectives in Section 4(2)(e) and 4(2)(g).

How does the amendment address the environmental effects and any relevant social and economic effects?

The amendment supports a key opportunity for the provision of fundamental environmental improvements for the proposed racecourse site by contributing to higher order objectives such as water retention / recycling, dedicated flora and fauna habitats, the provision of substantial native vegetation and participation in the Westernport Green Wedge Management Plan process.

The economic benefits of the amendment are substantial and the redevelopment of both sites is estimated to generate \$84 million of economic activity and about 950 ongoing jobs. The project value is estimated to be in the order of \$688 million (including construction, maintenance, visitor and trainer expenditure).

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment has been prepared consistent with the Ministerial Direction on the *Form and Content of Planning Schemes* under section 7(5) of the Act and Ministerial Direction No.11 on the *Strategic Assessment of Amendments* under section 12(2)(a) of the Act.

The amendment is affected by Ministerial Direction No. 9 that requires it to have regard to the metropolitan strategy, *Melbourne 2030 – Planning for Sustainable Growth and Melbourne @5Million*.

The amendment will assist in the implementation of the metropolitan strategy through the provision of effective statutory controls over the Pakenham Racecourse site where higher density residential development is encouraged and will provide for better management of metropolitan growth by protecting the green wedges of metropolitan Melbourne from inappropriate development.

How does the amendment support or implement the State Planning Policy Framework?

The amendment is consistent with the State Planning Policy Framework. In particular, the amendment is consistent with the following:

Clause 11.03 – Settlement, by anticipating and responding to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Clause 12.01 – Activity Centres, by concentrating new development at activity centres near current infrastructure and in areas best able to cope with change. The development responds to its landscape, valued built form and cultural context and achieves sustainable objectives. The development builds up activity centres as a focus for high-quality development, activity and living for the whole community.

Clause 12.02 - Green Wedges, by supporting development in the green wedge that provides for environmental, economic and social benefits.

How does the amendment support or implement the Local Planning Policy Framework?

The amendment is supported by Clause 21.04 and Clause 21.08 of the Cardinia Planning Scheme which seek to address residential development, servicing capacity, economic development issues, tourism, environmental values and constraints.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions by rezoning land to support an integrated redevelopment of the current racecourse site and the proposed site at Tynong. The amendment requires specific zones designated to achieve a particular land use and development outcome. The project's urgency and its significant social and economic benefits to the State and this part of Victoria, warrant the use of these provisions.

How does the amendment address the views of any relevant agency?

The amendment has been discussed in detail with Cardinia Shire Council and other relevant agencies which support its implementation. The amendment does not create any additional referral requirements.

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The consideration and implementation of the proposed amendment is not anticipated to have any significant or ongoing impact upon Council resources.

Where you may inspect this Amendment.

The amendment is available for public inspection, free of charge, during office hours at:

Cardinia Shire Council, Municipal Offices, Henty Way, Pakenham.

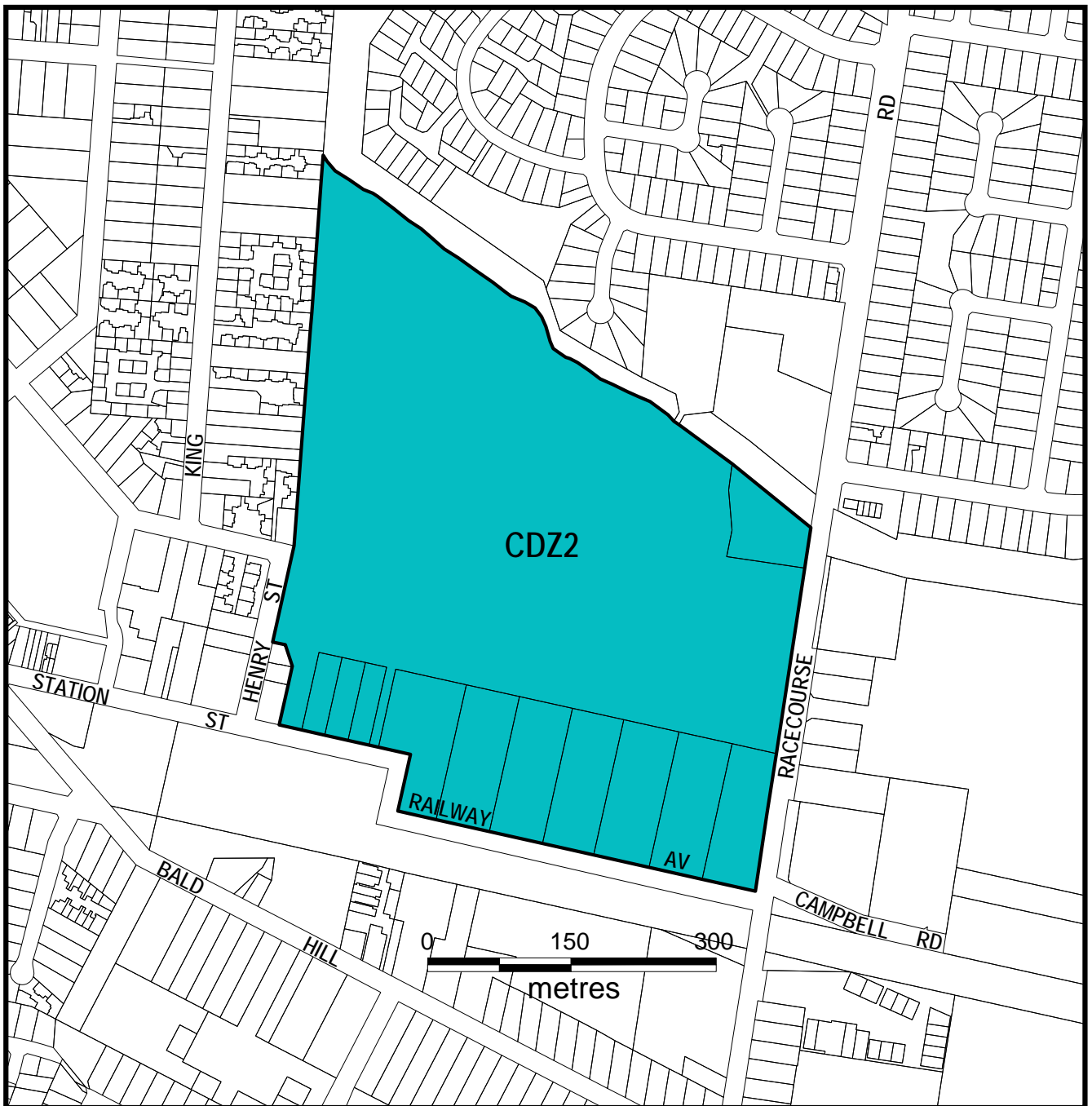
The amendment can also be inspected free of charge at the Department of Planning and Community Development web site at www.dpcd.vic.gov.au/planning/publicinspection and Cardinia Shire Council web site www.cardinia.vic.gov.au

Amendment C141

List of changes to the Cardinia Planning Scheme

Clause / Map Numbers	Change	Comment
PLANNING SCHEME MAP CHANGES		
Map Nos 15, 17, 18, 20 and 21	Amend Planning Scheme Map Nos. 15, 17, 18, 20 and 21 as shown on the attached maps marked “Cardinia Planning Scheme, Amendment C141”	Amends the planning scheme maps.
ZONES		
37.01s	Following Clause 37.01 Schedule 2 insert a new Schedule 3 in accordance with the attachment.	Applies the Special Use Zone, Schedule 3 to the Tynong Racecourse and Training Facility, Tynong.
37.02s	Following Clause 37.02 Schedule 1 insert a new Schedule 2 in accordance with the attachment.	Applies a Comprehensive Development Zone, Schedule 2 to land currently known as the Pakenham Racecourse
PARTICULAR PROVISIONS		
57.01s	Replace the existing schedule to Clause 57 with a revised schedule as shown on the attached document.	Amends the Schedule to Clause 57.01, by exempting the ‘Special Use Zone, Schedule 3, Tynong Racecourse and Training Facility’ from the Core Planning Provisions.
INCORPORATED DOCUMENTS		
81.01s	Insert: “Former Pakenham Racecourse Comprehensive Development Plan, February 2010”	Updates list of incorporated documents.
LIST OF AMENDMENTS		
List of Amendments	Insert: Amendment number “C141”, In operation from, DATE with the brief description: ‘Amends the schedule to Clause 57.01 to identify the Tynong Racecourse and Training Facility and the schedule to Clause 81.01 to insert the ‘Former Pakenham Racecourse Comprehensive Development Plan, February 2010’; rezones the Pakenham Racecourse from Special Use Zone, schedule 2 to Comprehensive Development Zone, schedule 2; and rezones 230 hectares of land at Tynong generally bound by Chippendale Road and Ararat Creek, Nar Nar Goon-Longwarry Road and Nine Mile Road, from Green Wedge Zone, schedule 1 to Special Use Zone, schedule 3.’	Updates list of amendments to the planning scheme

CARDINIA PLANNING SCHEME LOCAL PROVISION



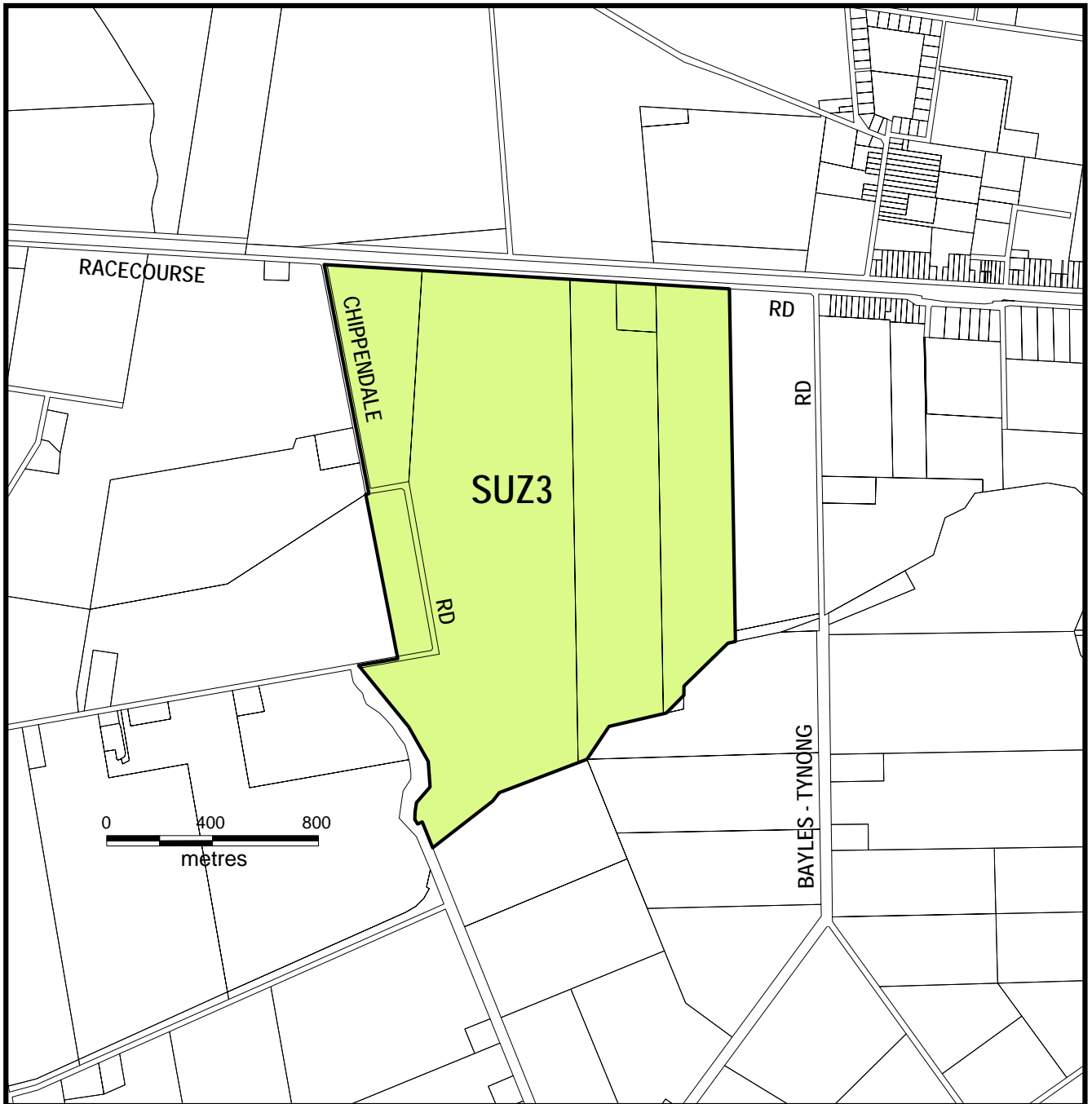
Part of Planning Scheme Maps 15 & 17

LEGEND

	CDZ2 COMPREHENSIVE DEVELOPMENT ZONE - SCHEDULE 2
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AMENDMENT C141

CARDINIA PLANNING SCHEME LOCAL PROVISION



Part of Planning Scheme Maps 18, 20 & 21

LEGEND

SUZ3 SPECIAL USE ZONE - SCHEDULE 3

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SCHEDULE 3 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ3**.

TYNONG RACECOURSE AND TRAINING FACILITY

Purpose

To provide for the use and development of the land for Racecourse including Horse stables and horse training facility and the co-location of other uses legitimately connected/operating in conjunction with these pursuits.

To provide for dwellings on the land that are used and located in conjunction with horse training facilities and horse stables.

To ensure that horse racing and training facilities are established in a manner which does not cause loss of amenity to, and is consistent with, surrounding land uses including metropolitan green wedge land.

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Table of uses

Section 1 - Permit not required

USE	CONDITION
Agriculture (other than Animal keeping, Intensive animal husbandry and Timber production)	Must be generally in accordance with Clause 6.
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Betting agency	Must be generally in accordance with Clause 6.
Carnival	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Car park	
Circus	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Education centre (other than Primary school or Secondary school)	Must be generally in accordance with Clause 6.
Food and drink premises (other than Convenience restaurant, Hotel and Tavern)	Must be generally in accordance with Clause 6.
Function centre	Must be generally in accordance with Clause 6.
Helipad	Must be in conjunction with the Major sports and recreation facility.

Home occupation

Major sports and recreation facility

Mineral exploration

Minor sports and recreation facility (other than Outdoor recreation facility)	Must be generally in accordance with Clause 6.
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Mining	Must meet the requirements of Clause 52.08-2
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Minor utility installation

Natural systems

Road

Search for stone	Must not be costeaning or bulk sampling
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Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19
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Veterinary centre	Must be generally in accordance with Clause 6.
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Section 2 - Permit required

USE	CONDITION
Convenience restaurant	Must be generally in accordance with Clause 6.
Dwelling	Must meet the requirements in Clause 2.
Equestrian supplies	Must be generally in accordance with Clause 6.
Hotel	Must be generally in accordance with Clause 6.
Market	
Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone)	
Office	Must be directly associated with the management of the racecourse.
Residential hotel	Must be used in conjunction with a Major sports and recreation facility.
Tavern	Must be generally in accordance with Clause 6.
Utility installation (other than Minor utility installation and Telecommunications facility)	

Section 3 - Prohibited

USE

- Accommodation (other than Dwelling)
- Animal keeping
- Convenience restaurant
- Gaming premises (other than Betting agency)
- Intensive animal husbandry
- Motor racing track
- Outdoor recreation facility
- Place of assembly (other than Function centre)
- Retail premises (other than Food and drink premises, Market or Equestrian supplies)
- Timber production
- Any other use not in Section 1 or 2

2.0

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Use of land

All use must be generally in accordance with Clause 6.

Environment Management Plan

Prior to the commencement of any use on the land, an Environmental Management Plan must be prepared and approved to the satisfaction of the responsible authority. The Environmental Management Plan is to provide for:

- The impact of the use or development on the flora and fauna on the site and its surrounds and methods to avoid, minimise 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 Ararat Creek and surrounding environment.
- The management, treatment and disposal of stormwater, litter and effluent on site to avoid and minimise impacts of contaminants, nutrient and litter entering Ararat Creek, other waterways and on native vegetation.
- An assessment of the likely environmental impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of effluent, noise, dust and odours.
- Water sensitive urban design including methods for water collection and reuse.
- The management of any impacts on adjoining land associated with the horse racing and training facilities including noise, dust, traffic, hours of operation, night-lighting, light spill, effect on the privacy of adjoining properties, solar access, and glare.
- The management of impacts, if any, during the construction and carrying out of works, including dust, noise, litter, traffic and other amenity impacts.

- The management of areas identified in the reference document for future use and development.

Use of land for a Dwelling

A permit may only be granted to use land for the purposes of a Dwelling if:

- The use is in conjunction with the business of horse training.
- Training facilities have been constructed on the land or a permit has been issued to construct training facilities associated with the dwelling.
- The occupier is a 'Trainer' within the meaning of the Australian Rules of Racing, as amended from time to time, or is an employee of a Trainer. For the avoidance of doubt, a dwelling may only be occupied by a horse Trainer or employee of a Trainer together with their domestic partner and any dependents.
- There is only one dwelling on a lot.
- The dwelling can be connected to a reticulated sewerage system or if not available, the waste water can be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling can be connected to a reticulated potable water supply or is able to have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling can be connected to a reticulated electricity supply or have an alternative energy source.
- The permit is issued for a dwelling subject to a condition requiring the owner to enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 that provides for or requires that:
 - The land on which the dwelling is located must be used for the purposes of horse training and horse stables;
 - The land may be used for the purposes of a dwelling only if:
 - It is in conjunction with horse training and horse stables.
 - It is occupied by a 'Trainer' within the meaning of the Australian Rules of Racing or an employee of a Trainer'. A horse 'Trainer' may occupy the dwelling together with their domestic partner and any dependants.
 - There is only one dwelling on a lot.
 - Ongoing management arrangements of private property and common property.

3.0

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Subdivision

A permit is required to subdivide land.

A permit may only be granted to subdivide land if:

- The racetrack and training track have been constructed or are under construction on the site.

The subdivision is generally in accordance with Clause 6.

- Each lot to be created is at least 0.4 hectares in area.

- The permit is issued subject to a condition requiring the owner to enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 that provides for or requires that:
 - The land must be used for the purposes of horse training and horse stables.

Decision guidelines

In addition to any decision guidelines in clause 65 or the schedule to this zone, the responsible authority must consider:

- The layout of the subdivision, suitability of the location of the horse training facilities on the site and access arrangements.
- The location and design of existing and proposed infrastructure services including gas, water, drainage, telecommunications and sewerage facilities which minimise the visual impact on the landscape.
- The Environmental Management Plan approved in accordance with clause 2.0.
- The integration of the subdivision with other use and development on the site.

4.0

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Buildings and works

A permit is required to construct a building or construct or carry out works.

All buildings and works must be generally in accordance with Clause 6.

No buildings and works (other than associated with the racetrack) are to be located within 100m of the Nar Nar Goon-Longwarry Road.

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- Demonstrated compliance with the Environment Management Plan approved under clause 2.0 to the schedule.
- A plan drawn to scale and dimensioned which shows:
 - The boundaries and dimensions of the site.
 - The location and names of adjoining roads.
 - The layout of existing and proposed buildings and works.
 - The location of access ways, internal vehicle road network, vehicle parking and loading areas.
 - The location, layout and planting schedule for all landscape areas.
 - Elevations detailing facade articulation and external materials, colours and finishes.
 - Stages, if any, in which the land is to be developed.
- A written summary of the proposed uses of the building, including, but not limited to, days and hours of operation and staffing levels.
- Transport of materials, goods or commodities to or from the land.
- Emission of noise, artificial light, vibration, dust, waste water, or waste products.

5.0 Decision guidelines

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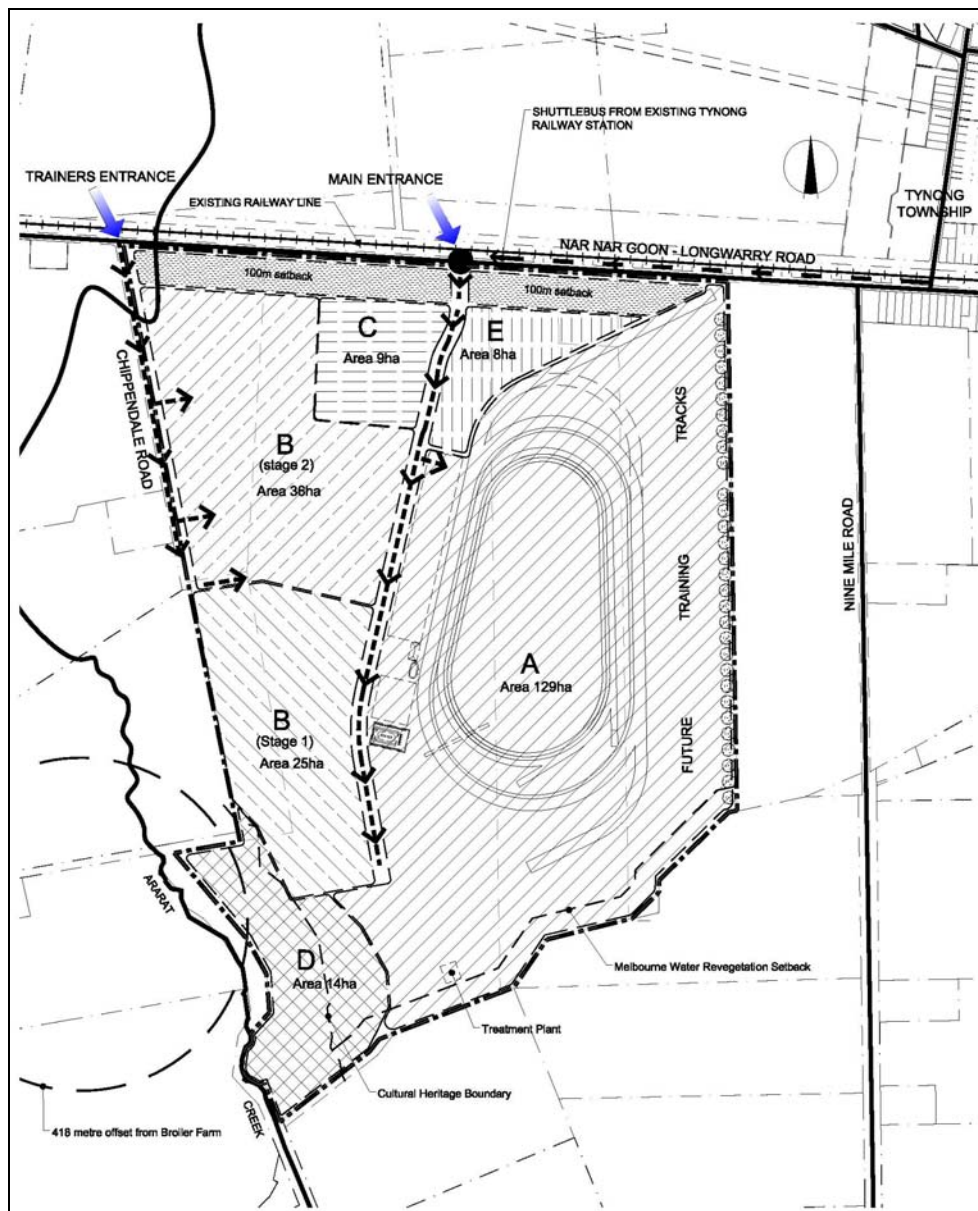
Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, the responsible authority must consider, as appropriate:

- The Environmental Management Plan approved in accordance with clause 2.0.
- The impact of the use, building, works or subdivision on the existing and surrounding land uses and whether it supports the values of the surrounding green wedge land.
- The location and extent of any buildings and works with respect to the natural environment, landscape values, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The design of buildings, works and landscape treatment.
- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.
- The location and design of proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed roads, site access and parking and their impact on the landscape and impact of the use and subdivision to the extent which traffic generation may require additional traffic management programs to be initiated.

6.0

Tynong Racecourse and Training Facilities

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Land Use	Precinct & Approx Land Area	Road Access, Connectivity, Parking, Public Transport	Internal Movement Network, Integration Principles
<ul style="list-style-type: none"> ▪ Racecourse ▪ Car park ▪ Mounting yard ▪ Grandstand /Administration ▪ Float park ▪ Access tunnel 	<p>Precinct A</p> <p>Land area 129ha</p>	<ul style="list-style-type: none"> ▪ Minimum car spaces 2500. ▪ Car Parking for racing facilities to be all weather. ▪ Access to car park directly at main entrance at Longwarry Road. ▪ Shuttle bus route initially from Tynong Station until rail station for racing events established as and when required, but beyond immediate planning. 	<ul style="list-style-type: none"> ▪ Race day access for patrons via main entrance ensures separation of horse float access from spectator access essential for safety criteria.

<p>Dwelling (other than a Bed and breakfast)</p> <ul style="list-style-type: none"> ▪ Dwellings (Trainer Allotments) <ul style="list-style-type: none"> ▪ Lot sizes 0.4ha-0.8ha ▪ Stage 1 Trainers Lots (20 lots) ▪ Stage 2 Trainers Lots (50-100 lots) 	<p>Precinct B</p> <p>Land area 61ha</p>	<ul style="list-style-type: none"> ▪ Access for both race day horse floats and trainers facilities via Chippendale Road entrance as indicated. ▪ Bus route and Patrons entrance via main entrance at Longwarry Road. 	<ul style="list-style-type: none"> ▪ Access for both horse floats via Chippendale Road and trainers allotments ensures separate connectivity to track and stripping stalls for both external and internal horse access.
<p>Ancillary Activities:</p> <ul style="list-style-type: none"> ▪ Residential hotel ▪ Function and conference centre 	<p>Precinct C</p> <p>Land area 9ha</p>	<ul style="list-style-type: none"> ▪ Ancillary and equine related facilities to have designated parking at each facility. ▪ Access to ancillary facilities to be made through main entrance. ▪ Any heavy duty vehicles/horse floats via Chippendale Road to ensure segregation from patrons/spectator vehicles. 	<ul style="list-style-type: none"> ▪ Access to be used for residential hotel/exhibition centre. Located centrally between the racetrack and associated facilities and Longwarry Road to aid ease of access from public/race goers.
<p>Environment</p> <ul style="list-style-type: none"> ▪ Flora / Fauna habitat ▪ Wetlands ▪ Water harvesting ▪ Growling Grass Frog habitat 	<p>Precinct D</p> <p>Land area 14ha</p>	<ul style="list-style-type: none"> ▪ Vehicular access via main entrance and internal road network. 	<ul style="list-style-type: none"> ▪ Area provides for integrated water treatment/recycling as part of a precinct wide environmental management plan strategy.
<p>Future Development (examples)</p> <ul style="list-style-type: none"> ▪ Veterinary Centre ▪ Horse sales ▪ Feed merchant ▪ Recycled manure sales 	<p>Precinct E</p> <p>Land area 8ha</p>	<ul style="list-style-type: none"> ▪ Future development access to be via Longwarry Road, either directly from racing entrance or via a service road as and when required subject to traffic. Development to have appropriate road frontage treatment, vegetation and/or screening along Longwarry Road. 	<ul style="list-style-type: none"> ▪ As a related and integrated service area, this site will provide access directly to Tynong/Nar Nar Goon as well as internal access to the site.
<p>Agriculture (other than Animal keeping and Intensive animal husbandry)</p>	<p>Setback land area 11ha (100m setback to Longwarry Road)</p>	<ul style="list-style-type: none"> ▪ To be used for landscaping, horse spelling and a variety of agricultural uses. 	<ul style="list-style-type: none"> ▪ N/A

SCHEDULE 2 TO THE COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as **CDZ2**.

FORMER PAKENHAM RACECOURSE COMPREHENSIVE DEVELOPMENT PLAN (JANUARY 2010)**Land**

This schedule applies to the land generally bounded by Racecourse Road, Pakenham Creek, Railway Avenue and the rear boundary of properties fronting King Street and Henry Street, Pakenham as identified in the *Former Pakenham Racecourse Comprehensive Development Plan (February 2010)*.

Purpose

To develop the land for a mix of residential, retail, education and community uses that supports the strategic role of Pakenham Activity Centre and benefits from the close proximity to the Pakenham railway and bus interchange.

To achieve a higher density mixed use precinct that creates a new urban character which supports a vibrant and safe public realm with a high level of cross-site permeability.

To achieve excellence in architecture, urban design and landscape and deliver high quality internal and external amenity in all buildings.

To integrate Pakenham Creek as a key feature and ensure drainage, flood control and public open space functions are accommodated and enhanced.

1.0 Table of uses**Section 1 - Permit not required**

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 2007
Carnival	Must meet the requirements of a 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Child care centre	
Circus	Must meet the requirements of a 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Convenience shop	
Dependent persons unit	Must be the only dependent person's unit on the lot.
Display home	

Dwelling	Must be generally in accordance with the Comprehensive Development Plan. In Precinct 1, any frontage at ground floor level must not exceed 4 metres.
Education centre	Must be generally in accordance with the Comprehensive Development Plan
Food and drink premises(other than Hotel and Tavern)	Must be generally in accordance with the Comprehensive Development Plan
Home occupation	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Natural systems	
Office	Must be generally in accordance with the Comprehensive Development Plan.
Place of Assembly (other than Amusement parlour, Carnival, Circus, Drive-in theatre, Nightclub)	Must be generally in accordance with the Comprehensive Development Plan.
Railway	
Road	
Search for stone	Must be costeaning or bulk sampling
Residential aged care facility	Must be generally in accordance with the Comprehensive Development Plan.
Shop (other than Convenience shop)	Must be located in the 'Mixed Use Development area' of Precinct 1. Must be generally in accordance with the Comprehensive Development Plan.
Telecommunication facility	Buildings and works must meet the requirements of Clause 52.19.
Section 2 - Permit required	
USE	CONDITION
Accommodation (other than Dependent persons unit, Dwelling, Residential aged care facility and Corrective Institution)	Must be generally in accordance with the Comprehensive Development Plan.
Shop (other than Convenience shop)	Must not be located in Precinct 2. Must be generally in accordance with the Comprehensive Development Plan.

Restricted retail premises	Must be located in the mixed use area or commercial area of Precinct 1. Must be generally in accordance with the Comprehensive Development Plan.
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Mineral, stone, or soil excavation (other than Extractive Industry, Mineral exploration, Mining and Search for stone)	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in 1 or 3	Must be generally in accordance with the Comprehensive Development Plan.

Section 3 - Prohibited

USE
Adult sex bookshop
Intensive animal husbandry
Brothel
Cemetery
Corrective institution
Crematorium
Drive-in theatre
Extractive industry
Freeway service centre
Gambling premises
Industry (other than Car wash, Dry cleaner, Laundromat, and Research and development centre)
Motor racing track
Road freight terminal
Saleyard
Transport terminal
Warehouse

2.0 Use of land

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Exemption from notice and appeal

An application for use is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section

82(1) of the Act, if it is generally in accordance with the *Former Pakenham Racecourse Comprehensive Development Plan (February 2010)*.

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Subdivision

Exemption from notice and appeal

An application for subdivision is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act, if it is generally in accordance with the *Former Pakenham Racecourse Comprehensive Development Plan (February 2010)*.

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C141

Buildings and works

Application Requirements

An application to construct a building or to construct or carry out works must be generally in accordance with the *Former Pakenham Racecourse Comprehensive Development Plan (February 2010)*.

An application must be accompanied by the following information, as appropriate:

- Site context and existing conditions plan including:
 - boundaries and dimensions of the site with adjoining roads, open space areas and relevant ground levels;
 - The location, height and use of existing buildings on adjoining land, pedestrian and other public areas, public transport availability and an evaluation of opportunities and constraints;
 - Urban design rationale report and plan explaining how the development responds to the broader town centre;
- Demolition plan;
- The staging of the development and interim treatment of areas until development occurs;
- Detailed land use plan including approximate floor area schedule;
- A development plan drawn to scale which shows:
 - Perspective views;
 - The layout plans for basement(s), ground floor and other floors within the development, roof plan, elevations including a schedule of colour and materials of all buildings and works, and sections. All plans must be to scale with dimensions;
 - Vehicle access and the location and layout of all car parking areas;
 - Location and layout of loading and unloading areas / facilities;
 - Location and layout of rubbish storage and waste recycling;
 - Location of all external plant, building services and equipment, including lift over runs;
 - Shadow plans for 22 September on the hour between 10am and 2pm;
- A traffic, parking and transport plan that shows:
 - Traffic management and control works in adjoining and nearby roads when the development or any stage of the development is completed;
 - The timing of proposed traffic works relative to the staging of the development;
 - Public transport arrangements and access routes;
 - Vehicle access and the location and layout of public/ commercial car parking areas.

- An open space plan including:
 - The hierarchy of public open space including but not limited to area, recreational use and extent of ecological systems; linkages to P.B Ronald Reserve, Pakenham Creek, existing public open space off Simon Drive, and anticipated future open space on Deep Creek (east of Cameron Way);
 - A management plan for the permanent maintenance of all open space areas available to the public;
 - Identification of areas of open space that will be available to the public (public areas) and non-public areas;
- An Environmentally Sustainable Development report identifying the environmental and energy efficient features to be included in the development, demonstrating best practice principles;
- Report addressing pedestrian connections and design and access arrangements appropriate to meet the needs of people with disabilities;
- A landscape concept plan that shows, in relation to the proposed development:
 - The provision of appropriate landscape buffers, including fencing where the land directly abuts an adjoining residential area not included in this schedule;
 - The treatment of car parking areas, including any rooftop and decked parking areas;
 - The treatment and layout of the public realm including adjacent streets, road reserves and public areas;
 - A staging strategy for the implementation of landscape works and ongoing management strategy for the permanent maintenance of all open space areas available to the public;
 - Areas of open space that will be available to the public (public areas) and non-public areas;
 - Lighting plan;
 - Any temporary structures.

Exemption from notice and appeal

An application for buildings and works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act, if it is generally in accordance with the *Former Pakenham Racecourse Comprehensive Development Plan (February 2010)*.

5.0 Advertising signs

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Advertising sign requirements are at Clause 52.05. All land within Precinct 1 as indicated in the Comprehensive Development Plan is in Category 1. All land within Precinct 2 as indicated in the Comprehensive Development Plan is in Category 3.

6.0 Decision Guidelines

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Before deciding on an application the responsible authority should consider:

- The incorporated document titled:
 - *Former Pakenham Racecourse Comprehensive Development Plan (February 2010)* as amended from time to time.
- Any shopfront and advertising sign guidelines approved by the responsible authority for this site.

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SCHEDULE TO CLAUSE 57.01

Land

Special Use Zone 3, Tynong Racecourse and Training Facility

19/11/2009
C141**SCHEDULE TO CLAUSE 81.01****Name of Document**

Rail Infrastructure Projects (comprising the Rail Gauge Standardisation Project, the Regional Fast Rail Project and the Fibre Optic Project), December 2002

Sites of Botanical and Zoological Significance Maps, Department of Natural Resources and Environment, September 1997

Cardinia Shire Council - Subdivision Restructure Plans, January 2002

Pakenham Township Development Contributions Plan, September 1997

Racecourse Road, Pakenham Comprehensive Development Plan, October 2008

Pakenham West Comprehensive Development Plan, 1 September 2005

Shire of Cardinia Incorporated Document, 2007 – Transitional Arrangements

Cardinia Road Precinct Structure Plan (September 2008)

Cardinia Road Precinct Development Contributions Plan (September 2008)

Site specific control – Lots 1-3 LP 41796, 100 Beaconsfield-Emerald Road, Beaconsfield, December 2008

Victorian Desalination Project Incorporated Document, June 2009

Site specific control under the Schedule to Clause 52.03 of the Cardinia Planning Scheme Lot B PS443268J Dixons Road, Cardinia February 2008

Former Pakenham Racecourse Comprehensive Development Plan, February 2010

LIST OF AMENDMENTS

Amendment number	In operation from	Brief description
C141	-- --- 20--	Amends the schedule to Clause 57.01 to identify the Tynong Racecourse and Training Facility and the schedule to Clause 81.01 to insert the 'Former Pakenham Racecourse Comprehensive Development Plan, February 2010'; rezones the Pakenham Racecourse from Special Use Zone, schedule 2 to Comprehensive Development Zone, schedule 2; and rezones 230 hectares of land at Tynong generally bound by Chippendale Road and Ararat Creek, Nar Nar Goon-Longwarry Road and Nine Mile Road, from Green Wedge Zone, schedule 1 to Special Use Zone, schedule 3.