



Planning &
Infrastructure

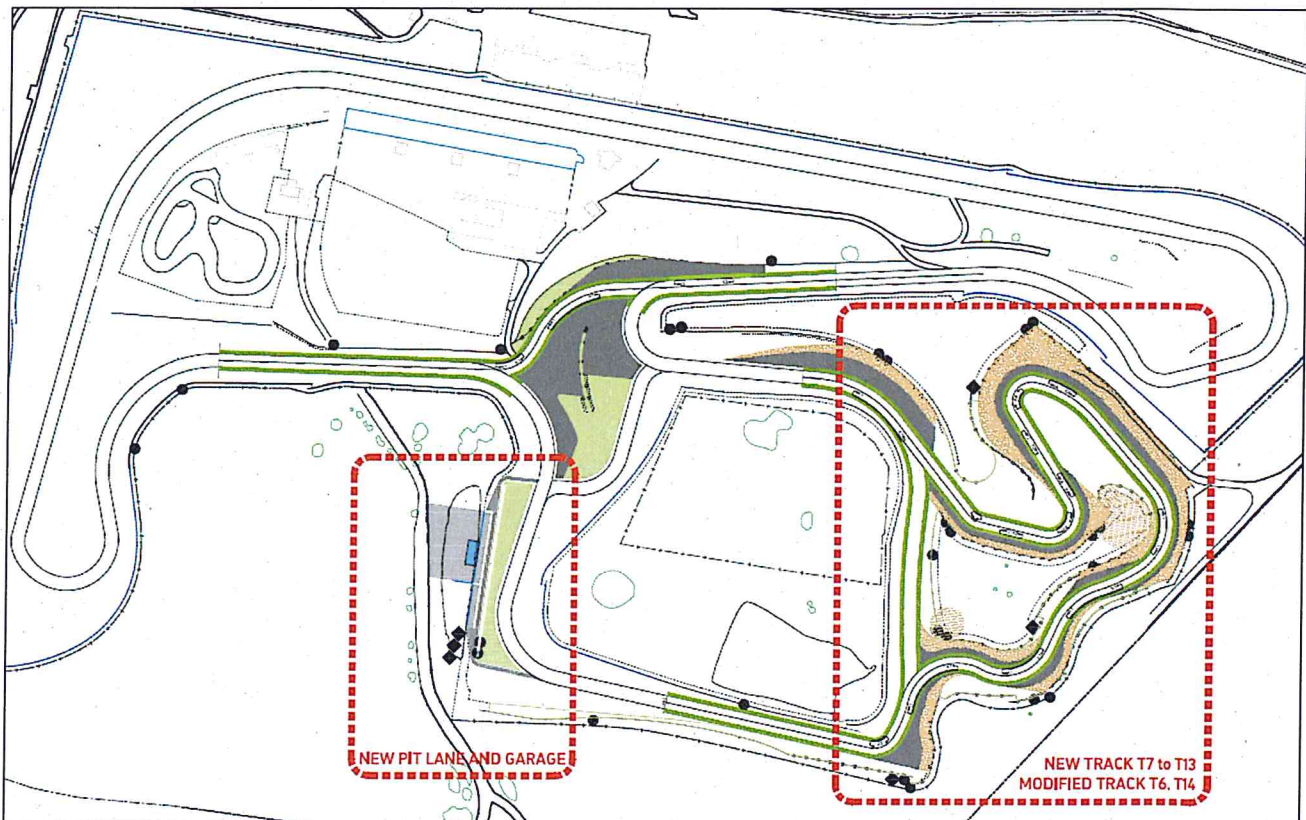
DEVELOPMENT APPLICATION ASSESSMENT REPORT

EASTERN CREEK INTERNATIONAL RACEWAY TRACK EXTENSION, EASTERN CREEK

DA 039-09-2011

Assessment under Part 4 of the *Environmental
Planning and Assessment Act 1979*

November 2011



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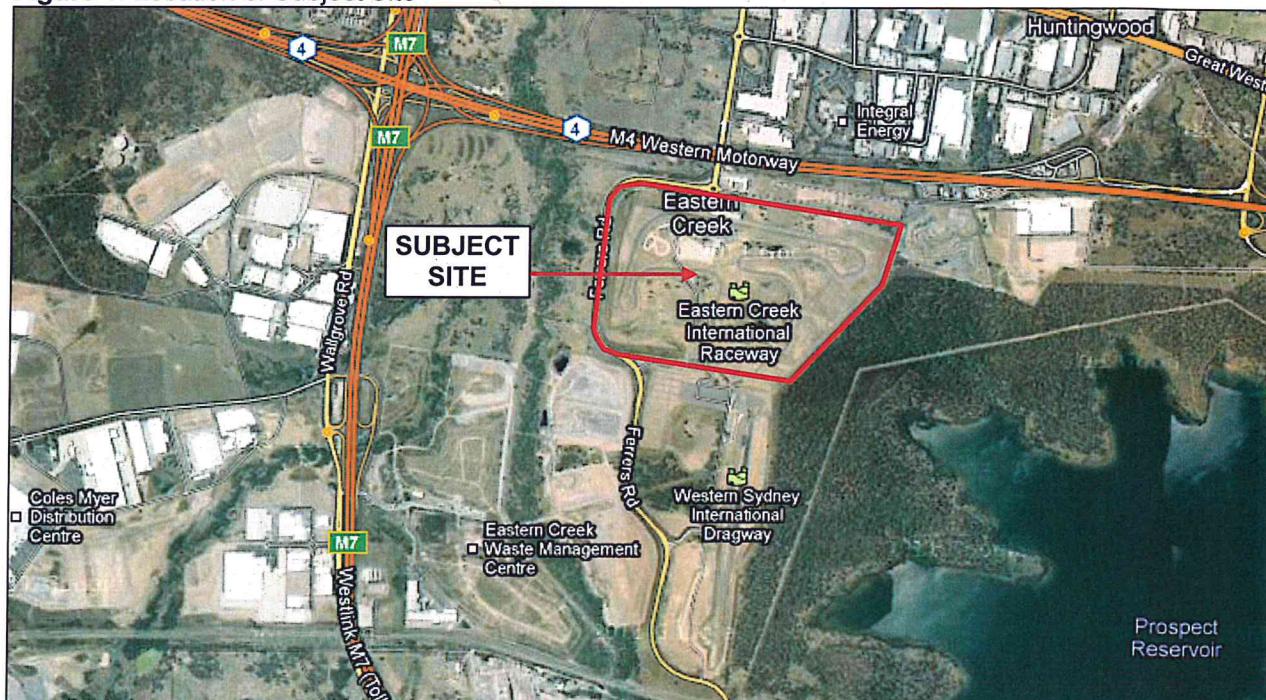
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1. INTRODUCTION

This is a report on an application seeking approval under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for the construction of a race track extension and second pit lane at the Eastern Creek International Raceway (the Raceway), Ferrers Road, Eastern Creek (see Figure 1).

Figure 1: Location of Subject Site



The site is legally known as Lot 3 in DP 1079897 and is under the ownership of the Western Sydney Parklands Trust (WSPT). The site currently provides a race circuit that can also operate as two individual but linked race circuits. Located on the site are also pit facilities, grandstand and a medical centre to north-west (see Figure 2).

Figure 2: Aerial view of existing site layout



The site is bound by: Ferrers Road and industrial properties to the north; go kart race track to east; Prospect Reservoir to the south-east; Western Sydney International Dragway to the south; Eastern Creek Waste Management Centre to the south-west; and Ferrers Road to the west. The surrounding area is generally comprised of the motor sports precinct facilities, industrial, light industrial, parklands, nature reserve and agricultural uses.

2. PROPOSED DEVELOPMENT

On 2 September 2011, the Australian Racing Drivers Club Ltd lodged a development application (DA 039-09-2011) with the Department of Planning and Infrastructure under Part 4 of the EP&A Act, to seek approval to construct a track extension and a second pit lane and facilities.

The proposed track extension and pit lane comprises:

- construction of an extension to the existing race track between current Turns 6 and 8 to create Turns 7 through to 13, increasing the track length by approximately 500 metres (see Figure 3)
- modification to existing connector track between current Turns 4 and 9
- construction of a second pit lane between Turns 4 and 5
- construction of a two storey building to be located on the pit lane incorporating a six car garage, public amenities, race control room and observation deck (see Figure 4)
- site works including filling of man-made depression to enable construction of a new pit lane and pit building.

The proposed works will effectively create two separate tracks or one longer track, which enables the Raceway to hold a greater variety of racing events, better utilising the existing facilities.

Figure 3: Project Layout

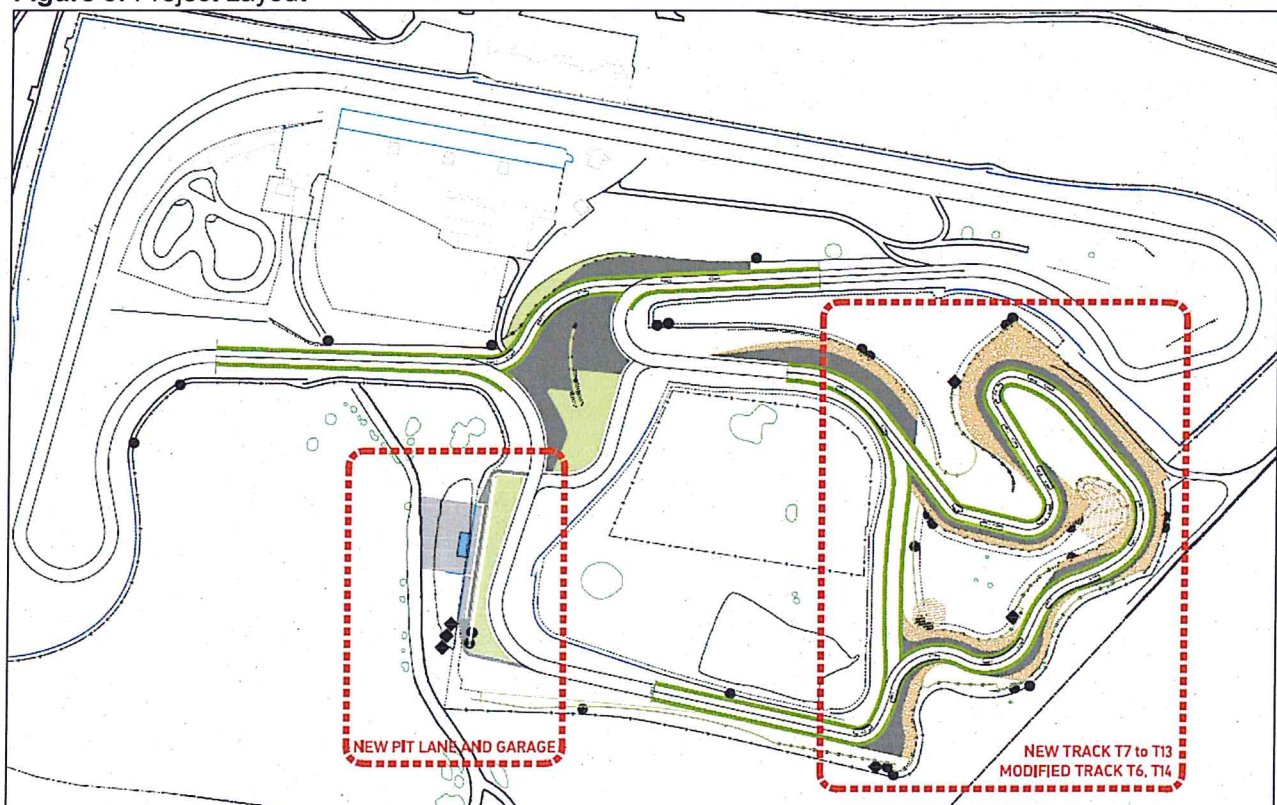
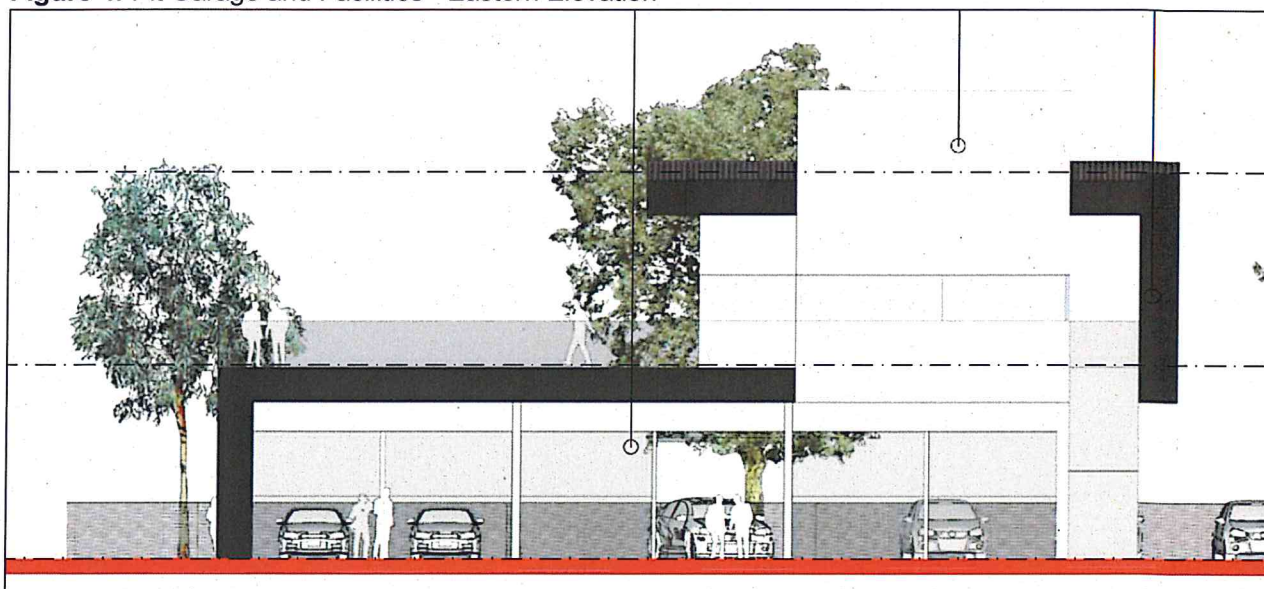


Figure 4: Pit Garage and Facilities - Eastern Elevation



3. STATUTORY CONTEXT

3.1 ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

3.1.1 State Environmental Planning Policy (Western Sydney Parklands) 2009

The subject site is located within the boundary of State Environmental Planning Policy (Western Sydney Parklands) 2009 (WSP SEPP). The land is unzoned.

The Minister for Planning and Infrastructure is the consent authority pursuant to clause 10(2) of the Western Sydney Parklands SEPP for projects over \$5 million and less than \$30 million within the Western Sydney Parklands immediately prior to 1 October 2011. The savings and transitional provisions in the Western Sydney Parklands SEPP dictates that the Minister remains the consent authority for development applications made before 1 October 2011, but not finally determined, before the repeal of clause 10(2).

Under clause 11(2) of WSP SEPP, any development not prescribed as permissible without consent in clause 11(1) or prohibited in clause 11(4), is permissible with consent. As the land uses proposed for the Dragway facility do not fall within either clause 11(1) or 11(4), they may be carried out with consent. Entertainment facilities, function centres and recreation areas are permissible with consent.

Clauses 12 to 15 of WSP SEPP set out matters for consideration which look at the impact of the development. These matters include the following:

- the effect on drainage patterns, ground water, flood patterns and wetland viability;
- the impact on traffic and parking;
- the impact on nature reserves or environmental conservation areas;
- the impact on surrounding residential amenity; and
- protection and enhancement of natural systems and cultural and historical heritage.

The department considers the proposal complies with the matters of consideration and would not pose any adverse impacts. A detailed assessment of issues associated with the application is provided at Section 5.

3.1.2 State Environmental Planning Policy No 55 – Remediation of Land

Clause 7 of State Environmental Planning Policy No 55 – Remediation of Land requires a consent authority to consider whether land is contaminated prior to granting consent to the carrying out of any development on that land, and to be satisfied that the land is suitable for the

proposed use. The site will continue to operate as a race circuit and therefore the land is suitable for the use.

3.1.3 State Environmental Planning Policy (Infrastructure) 2007

Clause 101 of State Environmental Planning Policy (Infrastructure) 2007 requires a consent authority to consider whether a development with frontage to a classified road is compatible with the operation and function of the road prior to granting consent to the carrying out of any development on that land. The subject site does not front a classified road. However, given the site's close proximity to the M7 Motorway and M4 Motorway, the guiding principles of Clause 101 of the SEPP apply.

The nature of the proposal is not sensitive to traffic noise or vehicle emissions. The background noises from the motorways create a noise environment that is compatible with the operation of the Raceway. The proposal is not expected to generate any additional spectators beyond current capacity.

The RTA raised no issues with the construction of the extension of the race track or additional pit lane and ancillary facilities. As such, the department considers the proposal is compatible with the operation and functions of the motorways and would have no adverse traffic impacts.

3.1.4 Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River (No 2-1997)

The Sydney Regional Environmental Plan No 20-Hawkesbury-Nepean River (No 2-1997) aims to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of land uses are considered in a regional context. The proposal seeks to expand the uses of the existing race track facility within a precinct that has been identified as a motor sport precinct. The race circuit is the only internationally accredited permanent race circuit in Sydney and is therefore appropriate for an extension. The proposal would have minimal impacts on the nature reserve and any potential impacts on the water quality of Prospect Reservoir will be mitigated through the proposed stormwater and drainage management system.

4. DELEGATION

Under the instrument of delegation signed 14 September 2011 and effective as of 1 October 2011, the Minister delegated his functions under section 80 of the EP&A Act to the Directors in Major Projects Assessment Division, where Council has not made an objection, a political donation disclosure statement has not been made and there are fewer than 10 public submissions in the nature of objections to the subject application. As Council does not object, no disclosure of a political donation has been made, and no public submissions were received in objection to the application, the Director, Metropolitan and Regional Projects North can determine the application.

5. CONSULTATION

In accordance with the EP&A Act and the Environmental Planning and Assessment Regulation 2000 (the Regulations) the application was placed on public exhibition for 14 days. The department also referred the application to agencies for comment including Blacktown City Council, Office of Environment and Heritage, Roads and Traffic Authority (RTA), Sydney Catchment Authority, NSW Rural Fire Service, Office of Water, Waste Assets Management Corporation and the NSW Police and notified adjoining landowners.

No public submissions were received. A total of five submissions were received from public agencies being: Blacktown City Council; Office of Environment and Heritage; Roads and Traffic Authority; Sydney Catchment Authority; and NSW Rural Fire Service. The agencies comments are summarised below:

Blacktown City Council did not object to the application and provided the following comments:

- an acoustic assessment should be provided prior to construction certification to confirm that minimal additional noise would be generated from the track extension and any recommended mitigation measures will need to be implemented during construction and operation
- a bioretention basin is to be provided within catchment 4 to address the current water quality requirements for the new track and associated works
- the bioretention basin shall: have a 100 mm transition layer; use slotted PVC for the subsoil lines; provide an access track for maintenance; be assessed by a geotechnical engineer to confirm stability to protect the basin; be designed to manage the 1 in 1, 5, 20 and 100 year ARI events; demonstrate compliance with engineering and water sensitive urban design controls
- bioretention basin and wetland are to be fully landscaped with local provenance riparian vegetation and landscape plan and vegetation management plans shall be prepared
- the flow from the pit area shall be diverted to an accessible vortex style gross pollutant trap
- a minimum 80 per cent of non-potable water shall be met through rainwater, including all toilet flushing
- a detailed rainwater re-use plan shall be prepared and all external taps utilising rainwater shall be clearly marked
- electronic copies of stormwater modelling shall be provided to Council
- a maintenance schedule is to be prepared for the wetland, bioretention systems and detention basin
- final drainage plans must be assessed by independent engineering consultant or Council
- the bioretention system works shall be undertaken after any upstream works are completed
- bunding for the six pit garages will need to be designed and installed in accordance with OEH guidelines and Australian Standards
- prior to occupation appropriately qualified practitioners shall: certify that planting and the wetlands are of the same quality and that removed plants have been replaced or restored; perform a Hydraulic Conductivity test to confirm the relevant tolerance rate for the bioretention systems can be met; certify that the detention basin and stormwater system and associated infrastructure have been installed correctly; certify that the minimum storage requirements have been met and constructed in accordance with the approved plans; certify that all non-potable water uses are being supplied by rainwater and that the rainwater supply system has been installed correctly
- a positive covenant shall be placed over the stormwater and on-side detention systems
- an acoustic consultant shall monitor the noise generation three months after operation commences and any recommendations for any further works shall be complied with by the applicant.

Office of Environment and Heritage (OEH) did not object to the application, however, raised the following issues:

- impact on the Prospect Nature Reserve due to the closer proximity of the track and adverse impacts on the values of the nature reserve including noise impacts and potential water quality impacts
- the 400 metre tyre barrier within the Bushfire Buffer Zone 1 would pose an increased fire risk and subsequently increased management requirements of OEH
- potential for increased illegal access should be mitigated through upgraded security fencing and regular patrols during events
- improved management, including regular patrols and monitoring, is required to limit littering which is an ongoing issue
- Basin 3 provides a haven for wildlife and therefore the replacement basin should be constructed prior to filling of the existing basin and a survey shall be undertaken to determine the presence of threatened species and should not occur during nesting season
- Aboriginal cultural heritage assessment is required.

Sydney Catchment Authority (SCA) did not object to the application, however, raised concern regarding potential water quality impacts from contaminated stormwater, dust movement during earthworks and increased access to the Prospect Special Area. SCA also identified public safety as an issue. SCA requested conditions be imposed to address these issues as follows:

- develop and implement erosion and sediment controls and ensure stormwater is not diverted to Prospect Special Area
- minimise and prevent airborne dust during construction
- ensure that security fencing along the eastern boundary of the site be maintained to prevent illegal access to the Prospect Special Area.

The **Roads and Traffic Authority (RTA)** did not object to the application and raised no issues.

NSW Rural Fire Service (RFS) did not object to the application and raised no issues.

6. ASSESSMENT

The development application has been assessed in accordance with the matters for consideration under Part 4 and 79C of the EP&A Act, and all relevant environmental planning instruments (see Section 3), and is considered to comply with all relevant items. Key issues associated with the proposal are assessed below.

6.1 SITE SUITABILITY

The department considers the extension of the race track is acceptable given the existing venue is utilised for motor racing and other entertainment events. The extension of the race track will have manageable environmental impacts given it is an extension of the current facilities within the existing site.

The construction of a second pit lane to support the use of the two linked circuits as two formal independent race circuits would support the viability of the racing venue. The applicant has indicated that the whilst the use of the venue already supports use of the two independent circuits, the additional pit lane and six garages will further support the use of the two circuits concurrently and increase track capacity in terms of use by 40 per cent. The two-storey building would comprise a total 468 sqm including a size car garage space, storage areas, race control room, amenities and observation deck. The proposed building would have no visual or amenity impacts and is located appropriately in the context of the site.

The proposal is consistent with the objective in the Draft North West Subregional Strategy to facilitate the improvement of major event facilities in Western Sydney and consistent with the character of the precinct which is identified as a "centre of active pursuits and motor sports as well as a venue for commercial developments including recreation, events, exhibitions and gatherings". The development must also be consistent with the Plan of Management for the Western Sydney Parklands required under WSP SEPP. The Western Sydney Parklands Plan of Management 2020 identifies the character of the precinct as "A national venue for amateur and professional motor sports and themed activities, events and facilities" and an objective is to "provide a quality national motor sports facility". The extension of the track will support the ongoing functionality of the Raceway venue.

6.2 STORMWATER AND DRAINAGE

The proposal would result in impacts on the stormwater and on-site detention systems within the site as additional impervious areas are proposed and the construction of the pit lane and associated facilities would require the relocation of an existing basin. The applicant has proposed relocation measures and demonstrated that the new basin and existing basins on the site would have adequate on-site detention capacity. Council raised issues with regards to the design of the stormwater and drainage system and recommended a number of conditions to ensure that the stormwater and drainage system is designed to Council and Australian Standards. The applicant reviewed these requirements and generally agreed to the majority of Council's requirements except for:

- the need to provide a bioretention basin within catchment 4
- the need to provide a three metre gravel maintenance track
- the design of the detention basin in accordance with 1 in 1 year ARI events
- requirement for a positive covenant over stormwater and drainage facilities.

The department accepts the applicant's position, with the exception of the requirement for a positive covenant, for the reasons outlined below.

- A new bioretention basin in catchment 4 is not necessary as the applicant has indicated adequate capacity exists. However, the existing basin should ensure water quality meets the Council's current standards and a recommended condition has been included to reflect this.
- A gravel maintenance track is not necessary as access tracks already exist on the site that would provide access to the new basin and a permanent gravel track into the basin would not be necessary as any major works would require the draining of the basin. A condition has been recommended that requires the applicant to provide a plan that demonstrates adequate access to the basin is provided for ongoing maintenance.
- The requirement to meet the 1 in 1 year ARI events is considered excessive as it is not identified in Council's guidelines and no justification for the request was provided.

Council also requested that bunding be provided in accordance with Council and OEH requirements. The department notes the applicant's argument that bunding cannot be provided for race tracks in accordance with regular Council and OEH requirements. The department has recommended that the applicant demonstrate that an alternative design can be provided to ensure the objectives of Council and OEH requirements have been provided to the satisfaction of Council prior to construction certification.

6.3 NOISE IMPACTS

The proposed track extension is expected to increase the frequency of noise generation given the potential 40 per cent increase in track usage. The applicant has stated that there are no residential receivers within 2 km of the site and the site will be operated in accordance with the current permissible hours of operation. The applicant has also argued that as noise emissions from racing vehicles are regulated, the potential noise impacts as a result of the track extension and increased usage would be acceptable as the increased circuit length would only increase the capacity for vehicles by a maximum of three vehicles in the various racing categories.

Council requested that a noise assessment be undertaken to confirm that minimal additional noise would be generated and confirm that no mitigation or management measures are required. Whilst the applicant has argued that the motor racing vehicles on the track are noise controlled, the department considers that as there is the potential to increase the number of vehicles on the race track, this would potentially increase the noise levels and therefore the applicant should provide an acoustic assessment prior to construction certification. This would ensure that the applicant demonstrates that the additional vehicles would not have any excessive noise impacts above the existing levels, or that any additional noise generated is acceptable or can be mitigated. Accordingly, the department has included Council's condition in the recommended conditions.

6.4 ECOLOGICAL IMPACTS

The subject site does not contain any ecological communities, however, the adjoining Prospect Reservoir supports a number of communities and species. OEH identified the closer proximity of the track and adverse impacts on the values of the nature reserve including noise impacts and potential water quality impacts as an issue.

OEH also requested that the replacement basin for Basin 3 should be constructed prior to filling of the existing basin as it provides a haven for wildlife. OEH requested that a survey be undertaken to determine the presence of threatened species and that filling not occur during nesting season.

The applicant has argued that the new basin partially overlaps the existing basin and therefore cannot be constructed prior to the filling of the existing basin. The department accepts the physical limitations with complying with the OEH request and as such has not included this requirement in the recommended conditions, particularly given the close proximity of available habitats for species to migrate to.

The department considers the proposed track extension is consistent with the existing use on the site and the closer proximity to the Prospect Reservoir would not have any greater impact on the nature values of the Prospect Reservoir as management measures for the existing Raceway facility will be applied to the area where the track is extended. Therefore, it is unlikely that the track extension and additional pit lane and garage facilities would have a significant impact on the ecological communities within the Prospect Reservoir or the values of the nature reserve. The department has also included recommended conditions from SCA and Council to protect the water quality within the Prospect Reservoir including installation of gross pollutant traps and ensuring adequate on-site detention.

6.5 BUSHFIRE RISK

The OEH has raised increased bush fire risk as an issue given the closer proximity of the race circuit to the Prospect Reservoir and potential for wild fire, especially as a 400 metre tyre wall will be constructed in the vicinity of the boundary to the nature reserve, which has the potential to catch fire in the event of an accident. Given the emergency and fire crews that would be present during events and the emergency procedures that would need to be in place for the operation of such events, the department considers that there would be no increased bushfire risk. Furthermore, the application was forwarded to the RFS for review and RFS raised no issues with the proposal.

6.6 ABORIGINAL CULTURAL HERITAGE

OEH requested that an Aboriginal cultural heritage assessment be undertaken to determine if there were any significant items and subsequent impacts. The applicant has indicated that the site has undergone significant topographic remodelling to construct the existing racing circuit and no record of significant items exists on the site. Therefore, it is unlikely that the site has any Aboriginal cultural heritage significance or any items remain on site. The applicant has however agreed to follow the appropriate protocols if any Aboriginal cultural artefacts or items are found during construction. The department has recommended a condition to this affect.

6.7 CAR PARKING, TRANSPORT & TRAFFIC

The proposal is not expected to generate any additional traffic on local roads as it does not seek to expand the spectator capacity. The further development of facilities to support the use of the venue as two independent tracks would not increase the capacity of the venue and the venue currently already supports the informal use of the race circuit as two circuits. The applicant has indicated the extension of the race track would potentially support up to three additional vehicles in several of the motor racing categories, this would not increase the existing spectator numbers at any given event and therefore would have negligible traffic impacts.

Access to the new garage facilities and race control facilities off the pit lane would be achieved through connection of the existing race track with the new pit lane.

6.8 PUBLIC INTEREST

The proposal is considered to be in the public interest as it would not increase recreational opportunities offered within the Western Sydney Parklands and would not result in any adverse or significant impacts concerning environmental conservation areas, water supply and infrastructure, or impede or reduce public access to the Parklands.

7. CONCLUSION

The environmental impacts of the development can be mitigated or managed as the proposal is seeking an extension to existing facilities and additional facilities to maximise the use of the site. Appropriate management procedures that are adopted for the existing facility would need to be reviewed and revised where necessary to include and cater for the extended race track and new pit lane and garage facilities.

The proposal is considered suitable for the site as it: is consistent with the aims and objectives of WSP SEPP; promotes increased use of the Western Sydney Parklands; is consistent with the desired future character of the precinct which is a national venue for amateur and professional motor sports and themed activities, events and facilities.

8. RECOMMENDATION

It is recommended that the Director, Metropolitan and Regional Projects North:

- (a) **Consider** all relevant matters prescribed in sections 80 and 79(C) under the *Environmental Planning and Assessment Act 1979*, including the findings and recommendations of this report; and
- (b) **Approve** the application, subject to conditions, under section 80 of the *Environmental Planning and Assessment Act 1979* (**TAG A**).

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