

# **CASEY PLANNING SCHEME**

## **AMENDMENT C258CASE**

### **EXPLANATORY REPORT**

#### **Who is the planning authority?**

This amendment has been prepared by the Casey City Council, which is the planning authority for this amendment.

The Amendment has been made at the request of Casey City Council.

#### **Land affected by the Amendment**

The Amendment applies to all land throughout the City of Casey.

#### **What the amendment does**

The amendment implements the *City of Casey Activity Centre Strategy 2019* by amending Clause 21.05 Economic Development, and replacing the Retail Policy at Clause 22.01 of the Casey Planning Scheme with an Activity Centres Policy to provide a comprehensive framework for the use and development within existing and proposed activity centres; amending Clause 22.02 (Non Residential Uses in Residential and Future Residential Areas Policy), and making minor changes to the MSS to reflect the updated strategy.

Specifically, the Amendment:

- Implements the City of Casey Activity Centre Strategy 2019;
- Amends clause 21.05 (Economic Development) of the Casey Planning Scheme;
- Replaces clause 22.01 Retail Policy with a new Clause 22.01 titled 'Activity Centre Policy' in the Casey Planning Scheme;
- Amends clause 22.02 (Non Residential Uses in Residential and Future Residential Areas Policy) of the Casey Planning Scheme; and
- Amends the following clauses to reflect the new activity centre hierarchy, include updated recommendations of the City of Casey Activity Centre Strategy 2019, and update references to the reference document and local policy names:
  - 21.01 – Introduction
  - 21.02 – Key Issues and Strategic Vision
  - 21.03 – Settlement and Housing
  - 21.06 – Transport
  - 21.07 – Built Environment
  - 21.09 – Berwick Northern Area
  - 21.10 – Berwick Southern Area
  - 21.11 – Botanic Ridge/Junction Village
  - 21.12 – Casey Coast
  - 21.13 – Casey Farm
  - 21.14 – Casey Foothills
  - 21.15 – Cranbourne
  - 21.16 – Cranbourne East

- 21.17 – Casey North
- 21.18 – Casey West
- 21.19 – Doveton/Eumemmerring
- 21.20 – Endeavour Hills
- 21.21 – Hallam
- 21.22 – Hampton Park
- 21.23 – Lynbrook/Lindhurst
- 21.24 – Narre Warren
- 21.25 – Narre Warren South

## **Strategic assessment of the Amendment**

### **Why is the Amendment required?**

The amendment implements the updated City of Casey Activity Centre Strategy (2019) which directs community and commercial activities to designated activity centres throughout the municipality. The proposed 'Activity Centre Policy' and amended 'Non Residential Uses in Residential Areas and Future Residential Areas' provides guidance, based on this strategy, when considering planning permits in activity centres and further guidance regarding consideration of community and commercial activities outside of those areas.

The policy will result in a net community benefit by consolidating particular land uses in 80 activity centres throughout the City of Casey. This will reduce travel time and costs by residents when accessing facilities and services and increase opportunities for social interaction. Where relevant uses are proposed outside of activity centres an application will be required to demonstrate that the use will provide a net community benefit.

The amendment will not repeat provisions already in the scheme, but will provide some local guidance on state objectives and strategies.

The amendment seeks to ensure the Casey Planning Scheme provides a more holistic approach to activity centres, rather than the retail focus that the previous retail policy had. The amendment has been drafted to facilitate simpler translation into the new PPF structure.

### **How does the Amendment implement the objectives of planning in Victoria?**

The amendment implements the objectives in section 4 of the *Planning and Environment Act 1987* (the Act). In particular, it supports the objectives to:

- a) To provide for the fair, orderly, economic and sustainable use, and development of land;
- b) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;

Amendment C258case implements these objectives by:

- Providing a policy that directs preferred types of land use to activity centres;
- Providing guidance for the assessment of relevant planning permit applications.

### **How does the Amendment address any environmental, social and economic effects?**

The amendment will have a positive environmental impact. It encourages locating a range of services in a single location, reducing transport costs and car use for residents. The amendment actively promotes walking and cycling facilities to and within the activity centres, further reducing car dependency and use. The reduction in car use leads to a reduction in air pollution.

The amendment promotes landscaping in activity centres, and commercial premises outside of activity centres through urban design guidelines, enhancing the environment and assisting to reduce air and stormwater pollution. The landscaping will also improve the public realm having a positive impact on community wellbeing.

Locating a range of services in one location and encouraging people to walk between services, will encourage incidental interaction between community members, promoting community wellbeing resulting in positive social impacts. Providing increased employment opportunities locally will also reduce travel times for local residents, enabling them to spend more time contributing to the community, or with their family.

The amendment will have a significant economic benefit. The amendment will:

- Encourage the location of retail and commercial services in activity centres;
- Require a range of services in one location/area, enabling retailers and services to grow their client base from that of surrounding retailers and services, and discouraging residents from leaving the municipality for their needs;
- Encourage non-retail commercial uses such as office space, providing spaces for a greater range of employment options in the City of Casey;
- Encourage higher density residential development in activity centres, providing a pool of potential customers living within the activity centre.

The amendment reflects the hierarchy of activity centres as identified in *Plan Melbourne 2017-2050*. It reinforces the role of local centres in providing the day to day needs of local communities. Smaller centres are located throughout the municipality to provide services within walking distance to a large proportion of residents. Larger activity centres, that provide a wide variety of services, are accessible to significant road and mass transit infrastructure. Greater use of activity centres will support improvements to public transport and other non-car forms of transport.

The amendment is anticipated to have a positive impact on any sites with historic significance. The amendment reinforces urban design guidelines, which ensures a higher regard is paid to any new development, or alterations to existing development.

#### **Does the Amendment address relevant bushfire risk?**

The amendment does not substantially alter bushfire risk and does not increase bushfire risk. It is consistent with the objective of PPF Clause 13.02. The amendment encourages services and residential development at higher densities into activity centres and identifies 79 current and proposed activity centres throughout the City of Casey.

One proposed activity centre is located in a Bushfire Management Overlay and was identified through development of the Brompton Lodge PSP. The PSP includes measures to mitigate bushfire risk, including removal of some vegetation. The Cranbourne Frankston Road provides a 25 metre wide paved buffer from the substantial vegetation to the south.

Given the amendment does not increase bushfire risk, the views of the CFA have not been sought in preparing the amendment. The CFA will be notified through the exhibition process.

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

##### *Ministerial Direction on the Form and Content of Planning Schemes*

The amendment has been prepared to be consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* under section 7(5) of the Act.

##### *Ministerial Direction 9 – Metropolitan Planning Strategy*

This amendment is consistent with the Direction. It promotes balanced growth, and 20 minute neighbourhoods, providing conveniently accessible activity centres within the Melbourne Urban Growth Boundary.

##### *Ministerial Direction 11 – Strategic Assessment of Amendments*

This amendment complies with this Direction. The explanatory report addresses the requirement of Ministerial Direction 11.

*Ministerial Direction 18 – Victorian Planning Authority Advice on Planning Scheme Amendments*

This amendment complies with Ministerial Direction 18. The amendment affects land that the Victorian Planning Authority (VPA) has or has previously planned for. The amendment has been referred to the VPA who support the amendment.

**How does the Amendment support or implement the Planning Policy Framework and any adopted State policy?**

The amendment implements the PPF, in particular clause 11.03-1S, Activity Centres which seeks *To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.* The amendment reinforces this objective and provides policy guidance where discretion is used to consider smaller developments or uses outside activity centres.

The amendment also implements the following:

Clause	Objective/Strategy	Compliant
<u>11.02-1S</u> Supply of urban land	To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.	The amendment identifies future activity centres, and identifies activity centres currently in one category of the hierarchy that have aspirations to grow to another. These steps identify help identify the future land needs for activity centres.
<u>11.03-2S</u>	Create a network of mixed-use activity centres that are high quality, well designed and create a sense of place.	The amendment reinforces the role and hierarchy of activity centres, and directs most commercial development to activity centres. The amendment will also include local design considerations to improve the sense of place in activity centres.
<u>11.03-2S</u>	Provide for significant amounts of local employment opportunities and in some areas, provide large scale industrial or other more regional employment generators.	The amendment will actively encourage non-retail commercial space in activity centres through floorspace ratios for larger developments and encouraging multi-storey development in activity centres.
<u>15.01-1S</u> Urban Design	To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity	The amendment includes urban design guidelines (based on State standard) that have been adapted for use for planning applications in activity centres.
<u>17.01-1S</u>	Improve access to jobs closer to where people live.	The amendment supports diversified commercial development, particularly the provision of offices in activity centres to increase office spaces closer to where people live.
<u>17.01-1R</u>	Support the employment and servicing role of Health and Education Precincts by encouraging co-location of facilities to better utilise existing infrastructure.	The amendment identifies and designates the Berwick Health and Education Precinct.

**How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

The amendment implements the MSS through more specific planning for economic development through growth of our activity centre network. The amendment seeks to use local policy to encourage non-retail commercial development, and identify future activity centres required to support planned population growth in the City of Casey.

The amendment makes some minor changes to strategies of the MSS to make Casey a more liveable city. Specifically the amendment reinforces the hierarchy of activity centres as established in *Plan Melbourne 2017-2050*, and introduces a strategy encouraging residential developers in activity centres to consider the amenity impacts of commercial activity on future residents.

The amendment also includes strategies for specific activity centres in local area plans where these strategies have been identified in the Activity Centre Strategy.

The amendment updates local planning policy to include the current (and proposed) activity centre network, and reflect the current activity centre hierarchy as set out in *Plan Melbourne 2017-2050*.

Specifically the amendment seeks to implement clause 21.05, strategy 2.5 which seeks to:

*Promote leading practice activity centre development that provides for economically robust centres with a vibrant community focus, and which can evolve to accommodate changing needs.*

The amendment seeks to encourage a greater diversity of land uses and commercial activity, particularly office space in activity centres. The amendment also promotes flexible floorplates.

The amendment also revises Clause 22.02 (Non-residential Uses in Residential and Future Residential Areas Policy) to provide greater clarity to applicants about the use and development of residential areas for commercial purposes. This will provide greater clarity to applicants when first selecting a site for their proposal, and on what considerations their proposal must address.

### **Does the Amendment make proper use of the Victoria Planning Provisions?**

The amendment makes proper use of the Victorian Planning Provisions. The amendment amends local planning policies to provide clearer guidance to planners and applicants regarding the use of discretion, and guidance to manage the significant population growth that City of Casey is experiencing.

### **How does the Amendment address the views of any relevant agency?**

Officers have met with the VPA to discuss the strategy. The strategy aligns with objectives of the VPA, particularly the objective of increasing non-retail employment in the City of Casey.

The VPA advised that where there are inconsistencies between the Activity Centre Strategy, and Precinct Structure Plans (PSP's), the PSP's should take precedent.

The key inconsistencies between the strategy and amendment, and PSP's relate to floorspace of activity centres and building heights, mainly related to Medium and Local Neighbourhood centres where PSP's identify smaller floor area sizes than envisaged in the strategy, and lower building heights than those encouraged by the strategy.

A footnote to the table in clause 21.05 has been included to address that the PSP's take precedence.

### **Does the Amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment will not have a significant impact on the transport system. The amendment reinforces the role of activity centres, and consideration of public transport accessibility for planning applications for commercial and retail development applications.

The implementation of the amendment should result in a reduction in car usage by encouraging development that is accessibly by walking, cycling, or on public transport.

### **Resource and administrative costs**

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

The amendment will not introduce any new permit triggers and will not alter the number of planning applications. It will provide clearer guidance to applicants, and to planners assessing applications on the location of commercial developments and some guidance on the design of those developments. This should lead to a reduction in the number of applications that are refused, and a reduction in resources invested into applications that are ultimately refused.

By including some design guidance, there is likely to be a reduction in referrals of smaller developments to Council's Urban Design team as planners will have clearer direction. This will result in a resource saving to the responsible authority.

### **Where you may inspect this Amendment**

The Amendment is available for public inspection, free of charge, during office hours at the following places:

Bunjil Place 2 Patrick Northeast Drive NARRE WARREN	City of Casey Customer Service Centre Cranbourne Park Shopping Centre (opposite Post Office) CRANBOURNE
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The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection).

### **Submissions**

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by 24 December 2019.

A submission must be sent to: City of Casey  
PO Box 1000  
NARRE WARREN VIC 3805

OR In person at Bunjil Place or Cranbourne Customer Service Centre

OR [planningscheme@casey.vic.gov.au](mailto:planningscheme@casey.vic.gov.au)

### **Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- Directions hearing: Week commencing Monday 16 March 2020
- Panel hearing: Week commencing 13 April 2020 (it is possible the hearing will continue into the following week).