

CASEY PLANNING SCHEME

AMENDMENT C275case

EXPLANATORY REPORT

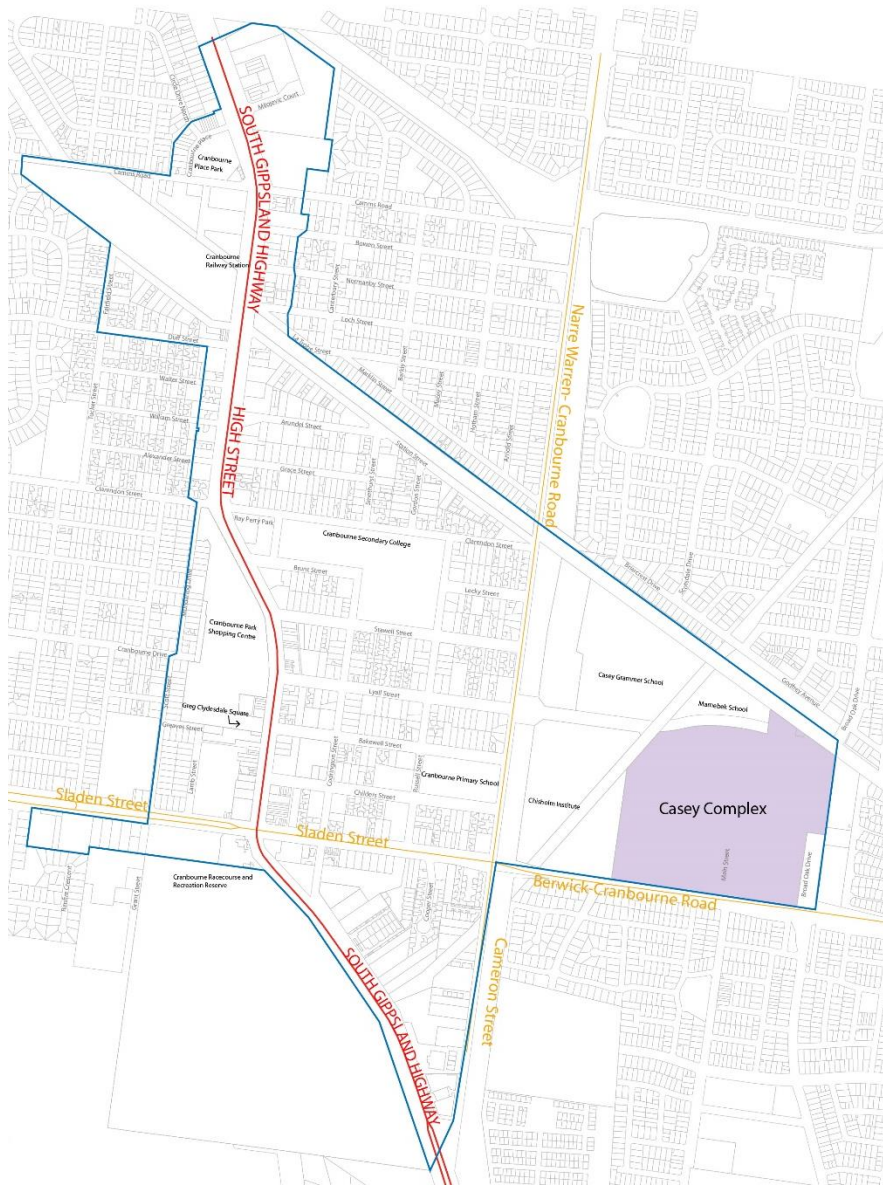
Who is the planning authority?

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

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

Land affected by the amendment

The amendment applies to land in the Cranbourne Major Activity Centre which is all land located within the blue boundary shown in the map below.



What the amendment does

The amendment reviews the planning framework for the Cranbourne Major Activity Centre by implementing the *Cranbourne Major Activity Centre Structure Plan, 2020* and *Casey Complex Urban Design Framework, 2019*, updating existing heritage overlays, applying the Parking Overlay, modifying the schedule to clause 53.01 (Public open space contribution and subdivision), modifying the schedule to clause 72.04 (Documents incorporated in this planning scheme) and making other administrative changes to the Casey Planning Scheme. Specifically, the amendment:

- Modifies Clause 21.15 Cranbourne to remove duplication and resolve inconsistencies with the proposed schedule 1 to the Activity Centre Zone.
- Modifies Clause 21.16 Cranbourne East to remove duplication and resolve inconsistencies with the proposed schedule 1 to the Activity Centre Zone.
- Replaces the existing schedule 1 to clause 37.08 (Activity Centre Zone) with a new schedule that implements the *Cranbourne Major Activity Centre Structure Plan 2020* and the *Casey Complex Urban Design Framework, 2019*.
- Updates the schedule to Clause 43.01 (Heritage Overlay) and planning scheme maps 11 and 15 to modify the curtilage of five existing heritage places to ensure only areas of local heritage significance are included in the Heritage Overlay, modify the description of 10 existing individual places and delete one place no longer considered to be of local heritage significance.
- Inserts schedule 2 to Clause 45.09 (Parking Overlay) to apply column B parking rates and parking objectives to be achieved across the whole Cranbourne Major Activity Centre.
- Modifies the schedule to Clause 53.01 (Public open space contribution and subdivision) to apply the 8 percent contribution already specified in the schedule to land in precinct 3 and residential development in the Cranbourne Major Activity Centre.
- Modifies the schedule to Clause 72.03 (What does this planning scheme consist of?) to reflect the introduction of the Planning Scheme Maps 11PO and 15PO.
- Modifies the schedule to clause 72.04 (Documents incorporated in this planning scheme) to incorporate statements of significance for 10 heritage places and delete one redundant incorporated document titled 'Site-Specific Control – Units 2 & 3/270 South Gippsland Highway, Cranbourne, Use of the land as a shop for the sale of fishing supplies, November 2010', which was introduced by Amendment C141.
- Rezone part of the land at 236 South Gippsland Highway, Cranbourne from schedule 2 to Clause 32.07 (Residential Growth Zone) to schedule 1 to Clause 37.08 (Activity Centre Zone) so that the whole lot is zoned schedule 1 to the Activity Centre Zone.
- Rezone part of the land at 26 William Street, Cranbourne from schedule 1 to Clause 37.08 (Activity Centre Zone) to schedule 2 to Clause 32.07 (Residential Growth Zone) so that the whole property is zoned schedule 2 to the Residential Growth Zone.
- Rezones 3 New Holland Drive, Cranbourne East from schedule 1 to Clause 32.08 (General Residential Zone) to schedule 1 to Clause 37.08 (Activity Centre Zone).
- Amend Planning Scheme Map No. 15ESO to correct the location of a significant tree at 1-3 Lyall Street, Cranbourne identified in schedule 8 to Clause 42.01 (Environmental Significance Overlay).

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to give statutory effect to the *Cranbourne Major Activity Centre Structure Plan 2020*, *Casey Complex Urban Design Framework 2019* and the *Cranbourne Town Centre Heritage Overlays Review 2019*. The amendment implements contemporary planning controls which provide greater certainty about the type of use and development expected by simplifying the existing planning framework for the Cranbourne Major Activity Centre. The structure plan was informed by a number of technical background reports including an economic assessment of projected commercial and retail floorspace growth, residential demand study, movement and access strategy (including review of car

parking), community facilities analysis, places audit, public realm analysis, open space assessment and heritage overlays review.

The amendment seeks to encourage a mode-shift towards more sustainable modes of transport, such as walking, cycling and public transport usage by encouraging transit-oriented development and applying Column B parking rates across the whole centre. Column B parking rates already apply across a large portion of the Cranbourne Major Activity Centre as the Principal Public Transport Network runs through the centre. The Amendment proposes to apply the lower Column B parking rates across the whole centre in a transparent manner.

The amendment is required to update the Heritage Overlay mapping and schedule entries for existing areas of local heritage significance to ensure that they remain correct, up-to-date and incorporate their corresponding statements of significance into the Casey Planning Scheme.

The amendment is required to apply an 8 per cent public open space contribution rate to land in Precinct 3 of schedule 1 to Clause 37.08 and to residential development within the Cranbourne Major Activity Centre to enable Council to collect funds to support the acquisition and improvement of open space.

The amendment is also required to make a number of minor or administrative updates to the Casey Planning scheme:

- Correcting split zoning of two properties (236 South Gippsland Highway, Cranbourne and 26 William Street, Cranbourne).
- Rezoning 3 New Holland Drive, Cranbourne East to schedule 1 to the Activity Centre Zone.
- Correcting the position of a significant tree included in schedule 8 to the Environmental Significance Overlay at 1-3 Lyall Street, Cranbourne.
- delete a redundant incorporated document which imposed a site-specific control for Units 2 and 3/270 South Gippsland Highway, Cranbourne to use the land as a shop for the sale of fishing supplies as the new schedule 1 to the Activity Centre Zone would facilitate this.

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

The amendment implements the objectives of planning in Victoria identified in s 4(1) and s12(1)(a) of the *Planning and Environment Act 1987*, specifically:

- (a) to provide for the fair, orderly, economic and sustainable use, and development of land;*
- (c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
- (d) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;*
- (f) to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e);*
- (fa) to facilitate the provision of adorable housing in Victoria;*
- (g) to balance the present and future interests of all Victorians.*

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

The amendment addresses environmental issues by directing population, entertainment and employment growth to an established major activity centre with existing infrastructure and services to reduce pressure on continued urban expansion. The amendment also encourages environmentally sustainable development which seek to reduce energy consumption and improve the resilience of the centre.

The amendment has social benefits by facilitating 20-minute neighbourhood principles which allow people to live, work and recreate within their local area. This has benefits of improving local community relationships, encouraging colocation of community services and facilities and improving quality of life for residents.

The amendment has positive economic impacts by facilitating growth and investment within a major activity centre by encouraging a greater diversity of employment-generating uses.

Does the amendment address relevant bushfire risk?

The amendment addresses bushfire risk by directing urban growth to already established areas which are not at risk of bushfire.

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

The amendment complies with the following Ministerial Directions:

- Ministerial Direction on the Form and Content of Planning Schemes by using proper structure and formatting throughout amendment documents.
- Ministerial Direction No. 9 Metropolitan Planning Strategy by having regard to the principles, outcomes, directions and policies in the State's Metropolitan Planning Strategy, *Plan Melbourne: 2017-2050 and Plan Melbourne 2017-2050: Addendum 2019*, in the preparation and implementation of a new strategic framework for a designated Major Activity Centre.
- Ministerial Direction No. 11 Strategic Assessment of Amendments by addressing the strategic considerations outlined in the direction in this explanatory report.

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

The amendment gives effect to and supports the following policies contained in the Planning Policy Framework:

- Clause 11.01-1R (Settlement – Metropolitan Melbourne) by seeking to create a vibrant and active major activity centre which supports the role and function of surrounding Metropolitan Activity Centres and neighbourhood and local centres.
- Clause 11.02-2S (Structure planning) by implementing the *Cranbourne Major Activity Centre Structure Plan 2020* which was prepared as part of a comprehensive structure planning process.
- Clause 11.03-1R (Activity centres – Metropolitan Melbourne) by attempting to attract and facilitate the establishment of a broad range of uses to service the needs of the local and regional community.
- Clause 15.01-1R (Urban design – Metropolitan Melbourne) by encouraging the creation of well-designed, liveable places and spaces.
- Clause 15.01-2S (Building design) by encouraging well-designed contemporary buildings and seeking to explore innovative building design practice.
- Clause 15.01-4R (Healthy neighbourhoods – Metropolitan Melbourne) by applying 20-minute neighbourhood principles and seeking to facilitate development and projects which improve and prioritise active and public transport
- Clause 15.02-1S (Energy and resource efficiency) by inserting environmentally sustainable design requirements and encouraging vegetation and tree planting in new development to improve energy efficiency and reduce the urban heat island effect.
- Clause 15.03-1S (Heritage conservation) by inserting permanent controls for existing places of local heritage significance to ensure they are appropriately protected.

- Clause 16.01-1R (Housing supply – Metropolitan Melbourne) by creating opportunities for new housing and mixed-use development in a major activity centre.
- Clause 16.01-2S (Housing affordability) by encouraging a greater diversity of dwelling types at higher densities and seeking to facilitate the delivery of affordable housing.
- Clause 17.01-1R (Diversified economy – Metropolitan Melbourne) by seeking to encourage and facilitate investment in an outer suburban area of Melbourne to improve local access to a range of employment and investment opportunities.
- Clause 17.02-1S (Business) by encouraging a diverse range of uses in the Cranbourne Major Activity Centre with an emphasis on commercial employment-generating uses.
- Clause 17.03-2S (Sustainable industry) by requiring appropriate separation of uses which may have an adverse amenity impact on more-sensitive uses.
- Clause 18.01-1S (Land use and transport planning) by seeking to sustainably integrate transport and land use.
- Clause 18.01-2S (Transport system) by considering all modes of transport in providing access to new development, particularly sustainable modes.
- Clause 18.02-1R (Sustainable personal transport – Metropolitan Melbourne) by requiring the consideration of pedestrian and cycle access to new development and ensuring sustainable modes are prioritised in public infrastructure upgrades.
- Clause 18.02-2R (Principal Public Transport Network) by advocating for the expansion of and seeking to maximise the use of the Principal Public Transport Network by applying Column B parking rates across the whole Cranbourne Major Activity Centre to encourage a mode-shift away from private vehicles.
- Clause 18.02-4S (Car parking) by ensuring car parking is designed, located and appropriately managed in a balanced manner.
- Clause 19.02-4S (Social and cultural infrastructure) by understanding the demands for social and cultural infrastructure and balancing community and commercial space through the Cranbourne Major Activity Centre.

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

The amendment implements the Municipal Strategic Statement by updating the planning framework for the Cranbourne Major Activity Centre and specifically addressing policy and direction contained in:

- Clause 21.02 (Key Issues and Strategic Vision) by seeking to facilitate the development of more diverse housing to suit the changing needs of the community, a greater diversity of employment-generating uses to create a more sustainable economy, improving access to and encouraging the up-take of more-sustainable modes of transport, encouraging quality development and adequately protecting places of local heritage significance.
- Clause 21.03 (Settlement and Housing) by consolidating the role of the Cranbourne Major Activity Centre.
- Clause 21.03 (Economic Development) by seeking to realise the potential of the Cranbourne Major Activity Centre as a regionally significant centre and maximising its future capacity.
- Clause 21.07 (Built Environment) by encouraging the development of the Cranbourne Major Activity Centre to become a more active, attractive and safe place for the community to live, work and recreate.
- Clause 21.15 (Cranbourne) by maintaining the role of the Cranbourne Major Activity Centre in its current role and aspiration to become a Metropolitan Activity Centre.
- Clause 21.16 (Cranbourne East) by encouraging and reinforcing the role of the Casey Complex as a significant leisure, recreation and education precinct and facilitating other complementary uses.

The amendment also addresses the following policy contained in the Local Planning Policy Framework:

- Clause 22.01 (Activity Centres Policy) by seeking to increase the number of non-retail jobs, encouraging a broader range of uses which support the establishment of a night-time economy and improving the image, amenity and perceptions of safety in the Cranbourne Major Activity Centre.
- Clause 22.02 (Non-Residential Uses in Residential and Future Residential Areas Policy) by encouraging non-residential uses to locate in mixed-use commercial core, employment and services and Casey Complex and surrounds precincts and not in the residential intensification precinct.
- Clause 22.03 (Industrial Development Policy) by seeking to facilitate appropriate and diverse industrial/employment-generating uses in the employment and services precinct and discouraging heavy industry and uses with adverse off-site amenity impacts to locate within the Cranbourne Major Activity Centre.

The amendment proposes changes to the Municipal Strategic Statement by updating Clause 21.15 (Cranbourne) and Clause 21.16 (Cranbourne East) by removing duplication and resolving inconsistencies with the new schedule 1 to the Activity Centre Zone being introduced as part of this amendment.

The amendment has also been prepared with regard to the *City of Casey Activity Centre Strategy* which informs the Activity Centres Policy at Clause 22.01. The amendment supports the role of the centre as a Major Activity. It also seeks to concentrate diverse employment opportunities and provide guidance for making the Cranbourne Major Activity Centre a great place through future development.

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

The amendment makes appropriate use of the Victoria Planning Provisions by using zones, overlays and other provisions to implement the desired planning outcome for the Cranbourne Major Activity Centre, consistent with the Ministerial Direction - The Form and Content of Planning Schemes.

The amendment has been prepared with regard to the following Planning Practice Notes to achieve the desired use and development outcomes for land in the Cranbourne Major Activity Centre:

- Planning Practice Note 1: Applying the Heritage Overlay – the amendment implements the changes proposed in the *Cranbourne Town Centre Heritage Overlays Review, Plan Heritage 2020* on a permanent basis. In accordance with PPN1, the changes ensure that places of local heritage significance are appropriately protected by modifying the curtilage of five heritage places included in planning scheme maps HO11 and HO15 to ensure only areas of local significance are included in the Heritage Overlay, modifying the schedule entry for 10 individual places assessed as being of local heritage significance within the Cranbourne Major Activity Centre and updating and incorporating statements of significance for those 10 places into the Casey Planning Scheme. The amendment also deletes the mapping and associated schedule entry for one place no longer considered to be of heritage significance.
- Planning Practice Note 13: Incorporated and Background Documents – the amendment proposes to delete one redundant incorporated document, add 10 new incorporated documents and update references to background documents for the Cranbourne Major Activity Centre. The redundant document imposed a site-specific control for land at 3/270 South Gippsland Highway, Cranbourne which is no longer required as the proposed ACZ1 facilitates the use. The 10 incorporated documents being added are updated statements of significance for the heritage places that the Amendment is proposing to insert permanent controls. While statements of significance only need to be incorporated for places added into the Heritage Overlay after 31 July 2018, Council wishes to incrementally update all heritage controls across the municipality through a uniform approach, which includes incorporating statements of significance. The amendment appropriately identifies and uses incorporated and background documents in accordance with PPN13.
- Planning Practice Note 22: Using the Car Parking Provisions – the amendment proposes to modify the standard car parking provisions at Clause 52.06 by inserting a schedule to Clause 45.09 Parking Overlay to apply Column B parking rates (lower rates) across the whole Cranbourne Major Activity Centre in accordance with the requirements of PPN22.
- Planning Practice Note 56: Activity Centre Zone – the amendment replaces schedule 1 to the Activity Centre Zone with an updated schedule that implements the associated structure plan and

other background documents. The Amendment has been prepared in accordance with the requirements of PPN56 by applying the Activity Centre Zone, establishing a centre boundary, distinguishing between precincts and drafting of use, development and other requirements to achieve the desired outcome for the Cranbourne Major Activity Centre.

- Planning Practice Note 57: The Parking Overlay – the amendment makes appropriate use of the Parking Overlay by using it to apply Column B (lower) parking rates across the whole Cranbourne Major Activity Centre and insert car parking objectives to be achieved in accordance with PPN57.
- Planning Practice Note 60: Height and Setback Controls for Activity Centres – the amendment has been informed by comprehensive and robust strategic work which seeks to facilitate the growth and development of the Cranbourne Major Activity Centre over the next 20 years and beyond and is consistent with PPN60. The centre is considered to have ample area and capacity to accommodate expected floorspace growth and as such discretionary controls have been applied throughout the Cranbourne Major Activity Centre. The built-form controls proposed are responsive to the context, structure and scale of the Cranbourne Major Activity Centre.

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

The views of the Department of Environment, Land Water and Planning, Department of Transport and Environment Protection Authority were sought during the structure planning process which took place prior to the preparation of this amendment. The views of any relevant agency will be sought during the exhibition of the amendment.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The Amendment seeks to encourage a model shift to more active modes of transport and facilitates the relevant principles and objectives of the Transport Integration Act 2010.

Resource and administrative costs

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

The amendment is not expected to have a significant resourcing implications on the responsible authority and is likely to create efficiencies in the planning permit process. The number of planning permit applications received is not expected to vary dramatically and the planning framework which is being established by the amendment should provide a more user-friendly system for applicants and the responsible authority. The increased resourcing which may result from the introduction of a mechanism to enter into agreements for the provision of affordable should be balanced by the efficiencies otherwise achieved by the amendment.

Where you may inspect this amendment

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

City of Casey Municipal Offices
Bunjil Place
2 Patrick Northeast Drive
NARRE WARREN, VIC

City of Casey Customer Service Centre
Cranbourne Park Shopping Centre
Shop 156, South Gippsland Highway
CRANBOURNE, VIC

The amendment can be inspected free of charge at the City of Casey website at <https://www.casey.vic.gov.au/current-planning-scheme-amendments>.

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.

Given changes to public health restrictions may effect the provision of in-person services or the operating hours of the City of Casey or the Department of Environment, Land, Water and Planning before attending either of their offices, please to ensure they are open. You can call the City of Casey on 9705 5200 or the Department of Environment, Land, Water and Planning on 136 186.

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 17 December 2021.

A submission must be sent to:

cityplanning@casey.vic.gov.au

or

Growth and Investment Department

PO Box 1000

NARRE WARREN, VIC

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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 14 March 2021
- panel hearing: week commencing Monday 18 April 2021