

**Casey Planning Scheme Amendment C275case
Cranbourne Major Activity Centre Structure Plan update**

Panel Report

Planning and Environment Act 1987

9 June 2022

How will this report be used?

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether or not to adopt the Amendment.

[section 27(1) of the *Planning and Environment Act 1987* (the PE Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the PE Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the PE Act]

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the PE Act

Casey Planning Scheme Amendment C275case

Cranbourne Major Activity Centre Structure Plan update

9 June 2022



Alison McFarlane, Chair

Contents

	Page
1 Introduction.....	1
1.1 The Amendment.....	1
1.2 Background	2
1.3 Summary of issues raised in submissions	4
1.4 Procedural issues	4
1.5 The Panel’s approach	4
1.6 Limitations	5
2 Planning context and strategic justification.....	6
2.1 Planning policy framework.....	6
2.2 Other relevant planning strategies and policies	8
2.3 Planning scheme provisions	12
2.4 Amendment VC148.....	13
2.5 Ministerial Directions, Practice Notes and Practitioner’s Guide	13
2.6 Discussion and conclusion	14
3 Community infrastructure.....	15
3.1 The issue	15
3.2 Relevant policies, strategies and studies	15
3.3 Submissions.....	16
3.4 Discussion	16
3.5 Conclusion	17
4 Noise and traffic	18
4.1 The issue	18
4.2 Relevant policies, strategies and studies	18
4.3 Submissions.....	18
4.4 Discussion	19
4.5 Conclusion	19
5 Form and content of the Amendment.....	20
5.1 General drafting issues.....	20
5.2 Submissions.....	20
5.3 Discussion	20
5.4 Conclusion	21

Appendix A Submitters to the Amendment

Appendix B Document list

List of Figures

	Page
Figure 1 Cranbourne MAC.....	2
Figure 2 Cranbourne MAC Precincts	10
Figure 3 Casey Activity Centres Map.....	11
Figure 4 Cranbourne MAC Zones and Overlays	12

Glossary and abbreviations

Activity Centre Strategy	City of Casey Activity Centre Strategy, 2020
ACZ	Clause 37.08 Activity Centre Zone
ACZ1	Clause 37.08 Activity Centre Zone Schedule 1
Casey Complex UDF	Casey Complex Urban Design Framework, 2019
Council	Casey City Council
Cranbourne Structure Plan	Cranbourne Major Activity Centre Structure Plan, 2020
DELWP	Department of Environment, Land, Water and Planning
ESO8	Clause 42.01 Environmental Significance Overlay Schedule 8
GRZ1	Clause 32.08 General Residential Zone Schedule 1
HO	Clause 43.01 Heritage Overlay
MAC	Major Activity Centre
MPS	Municipal Planning Strategy
MSS	Municipal Strategic Statement
NRZ	Neighbourhood Residential Zone
PE Act	<i>Planning and Environment Act 1987</i>
Plan Melbourne	Plan Melbourne 2017-2050
PO	Clause 45.09 Parking Overlay
PPF	Planning Policy Framework
RGZ2	Clause 32.07 Residential Growth Zone Schedule 2
VPP	Victoria Planning Provisions

Overview

Amendment summary

The Amendment	Casey Planning Scheme Amendment C275case
Common name	Cranbourne Major Activity Centre Structure Plan update
Brief description	The Amendment implements the <i>Cranbourne Major Activity Centre Structure Plan, 2020</i> , the <i>Casey Complex Urban Design Framework, 2019</i> and the <i>Cranbourne Town Centre Heritage Overlay Review, June 2020</i> by introducing a new schedule to the Activity Centre Zone and a schedule to the Parking Overlay, updating the Heritage Overlay and making other consequential updates to the Planning Scheme.
Subject land	Cranbourne Major Activity Centre (refer Figure 1)
Planning Authority	Casey City Council
Authorisation	18 July 2021
Exhibition	8 November to 17 December 2021
Submissions	Number of Submissions: 5 Opposed or seeking changes: 3 Refer Appendix A

Panel process

The Panel	Alison McFarlane (Chair)
Directions Hearing	Video conference, 8 April 2022
Panel Hearing	A Hearing was not conducted, and the matter was considered 'on the papers' at the suggestion of Council and the agreement of the Panel
Final information received by the Panel	13 May 2022
Parties	Casey City Council represented by Ms Elena Spanos, Principal Strategic Planner – Revitalisation, Growth and Investment
Citation	Casey PSA C275case [2022] PPV
Date of this report	9 June 2022

Executive summary

The City of Casey is the most populous municipality in Victoria with an estimated population of 390,793 people in 2021 that is forecast to grow by 41% to 549,190 people by 2041¹. Casey's growth has been a defining characteristic of the municipality which will continue for decades to come. Growth is largely focussed in greenfield growth areas including Clyde, Clyde North, Cranbourne West and parts of Berwick, however redevelopment of established suburbs like Cranbourne will also account for a significant portion of growth.

Casey is serviced by a network of activity centres, which all play an important role in providing jobs, services and local connection. The Cranbourne Major Activity Centre is the second largest activity centre in the City of Casey after Fountain Gate-Narre Warren.

There is unequivocal and layered strategic support for the Cranbourne Major Activity Centre to grow. This support commences with *Plan Melbourne 2017-2050* and is reinforced in the *South East Growth Corridor Plan, 2012* and the *City of Casey Activity Centre Strategy, 2020*.

Casey Planning Scheme Amendment C275case (the Amendment) updates policy, zones and overlays based on the *Cranbourne Major Activity Centre Structure Plan, 2020*, the *Casey Complex Urban Design Framework, 2019* and the *Cranbourne Town Centre Heritage Overlay Review, June 2020*. These new strategies have been informed by a range of technical studies that are responsive to the Planning Policy Framework and provide a robust foundation for the Amendment.

A six week exhibition of the Amendment in November and December 2021 attracted five submissions, including two submissions from government agencies that did not oppose the Amendment. The remaining three submissions raised a limited number of issues relative to the scope of the Amendment, including:

- need for development of community infrastructure (specifically an arts centre)
- negative noise and traffic impacts resulting from increased activity
- complexity of the Amendment documents
- impacts on property values and Council rates.

The Panel concludes:

- The Amendment supports future provision of community (arts) infrastructure, consistent with State policy objectives to increase access to arts and cultural facilities.
- The Amendment supports management of noise and traffic, consistent with policy objectives for balancing amenity and transport.
- Council should consider simplifying its local policy for Cranbourne in the Municipal Planning Statement and local planning policies being prepared to implement VC148 reforms.

Recommendations

Based on the reasons set out in this Report, the Panel recommends that Casey Planning Scheme Amendment C275case be adopted as exhibited.

¹ Document 2

1 Introduction

1.1 The Amendment

(i) Amendment description

The Amendment proposes to implement the *Cranbourne Major Activity Centre Structure Plan*, 2020 (Cranbourne Structure Plan), the *Casey Complex Urban Design Framework*, 2019 (Casey Complex UDF) and the *Cranbourne Town Centre Heritage Overlay Review*, June 2020.

Specifically, the Amendment proposes to:

- modify Clause 21.15 (Cranbourne) to remove duplication and resolve inconsistencies with the proposed Schedule 1 to the Activity Centre Zone – Cranbourne Major Activity Centre (MAC) (ACZ1)
- modify Clause 21.16 (Cranbourne East) to remove duplication and resolve inconsistencies with the proposed ACZ1
- replace the existing ACZ1 with a new schedule that implements the Cranbourne Structure Plan and Casey Complex UDF
- update the Schedule to Clause 43.01 (Heritage Overlay) (HO) 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 HO
 - modify the description of ten existing individual places and delete one place no longer considered to be of local heritage significance
- insert Schedule 2 to Clause 45.09 (Parking Overlay) to apply column B parking rates and parking objectives to be achieved across the whole Cranbourne MAC
- modify the Schedule to Clause 53.01 (Public open space contribution and subdivision) to apply the 8 per cent contribution already specified in the schedule to land in Precinct 3 and residential development in the Cranbourne MAC
- modify 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
- modify the schedule to Clause 72.04 (Documents incorporated in this planning scheme) to incorporate statements of significance for ten 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) (RGZ2) to ACZ1 to zone the entire lot as ACZ1
- rezone part of the land at 26 William Street, Cranbourne from ACZ1 to RGZ2 to zone the whole property as RGZ2
- rezone 3 New Holland Drive, Cranbourne East from Schedule 1 to Clause 32.08 (General Residential Zone) (GRZ1) to ACZ1
- 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 – Significant exotic and native trees in Casey) (ESO8).

actions to support Cranbourne to become a more vibrant, active and attractive place for people to live, work and socialise.

At its meeting on 15 December 2020, Council resolved to seek authorisation from the Minister for Planning to prepare and subsequently exhibit Amendment C275case to the Casey Planning Scheme which proposes a revised suite of planning controls for the Cranbourne MAC. Council also endorsed a number of supporting documents including the Cranbourne MAC Structure Plan 2020, which is a minor update to the 2018 plan with some enhancements to the text and mapping to improve its usability as well as changing the name of the activity centre to align with the State's Metropolitan Planning Strategy, Plan Melbourne: 2017-2050.

Amendment C275case is the culmination of a significant body of strategic work and employs a holistic place-based approach to ensure all elements of the planning framework are addressed to provide a clear and contemporary set of planning controls for this strategic centre. The changes proposed by C275case will support the Cranbourne MAC to transition through the "covid normal" period and continue to support the diverse employment, entertainment and housing needs of the local community. A contemporary planning framework will support the growth and development of the centre and attract investment.

Amendment C275case also implements the interim changes made to places of local heritage significance (introduced through Amendment C278case) on a permanent basis. C278case proposed to implement the Cranbourne Town Centre Heritage Overlays Review 2020 on a temporary basis through a non-exhibited amendment on the basis that a future planning scheme amendment process, fully exhibited to the public, would propose the controls on a permanent basis. This is common practice when making changes to controls for heritage places to ensure they are protected in the interim as the planning scheme amendment process can often take some time.

(i) Authorisation

Authorisation to prepare the Amendment was provided by the Minister for Planning on 18 July 2021 subject to the following conditions:

- Update the Explanatory Report consistent with the version provided by Council officers to Department of Environment, Land Water and Planning (DELWP) dated April 2021 that clearly explains how the Amendment supports and implements relevant clauses of the PPF and Local Planning Policy Framework (PPF), *Casey Activity Centre Strategy, 2020*, applicable Ministerial Directions and Practice Notes.
- Review Clause 21.15 'Cranbourne' and Clause 21.16 'Cranbourne East' including the local area maps to resolve any duplication or inconsistencies with the proposed ACZ Schedule and to update references to the centre.
- Review the proposed ACZ Schedule having regard to the marked-up version provided by DELWP officers dated May 2021. Specifically respond to the following issues and make changes to the Amendment as appropriate:
 - Review the proposed buildings and works requirements for exceeding preferred heights to ensure they are clear and quantifiable and will generate a consistent preferred outcome.
 - Reduce reliance on external documents throughout the schedule to ensure that it is self-contained and includes the necessary information to assess and decide an application.
 - Review the structure of the precinct built form requirement tables to improve the legibility of the schedule.
- Retain reference to the 'Avenue of Honour' in the place name for HO208 in the Schedule to Clause 43.01. 'Avenue of Honour' is used throughout the schedule and is a common term which is reflected in *Our Living Memorials – Avenues of Honour in the City of Casey*,

December 2001. References to ‘memorial row planting’ and the ‘memorial plaque’ should be included in the heritage place description.

- Prepare individual incorporated documents for each statement of significance proposed to be reference in the Schedules to Clause 43.01 and 72.04.
- Make consequential changes to the Schedule to Clause 43.01 and planning scheme maps to reflect the decision on Casey Planning Scheme Amendment C278case.
- Amend Plan 1.1 of the Schedule to Clause 53.01 to update outdated references to the ‘Cranbourne Town Centre’ and ‘Principal Activity Centre’.

Council advised that it responded to all conditions of authorisation prior to the exhibition of the Amendment.²

1.3 Summary of issues raised in submissions

Five submissions were received in response to the exhibition of the Amendment as listed in Appendix A. Two submissions were received from government agencies (Melbourne Water and DELWP) that did not oppose the Amendment. The remaining three submitters opposed the Amendment and raised the following broad issues:

- need for development of community infrastructure (specifically an arts centre)
- negative noise and traffic impacts resulting from increased activity
- complexity of the Amendment documents
- impacts on property values
- impacts on Council rates.

1.4 Procedural issues

Prior to the Directions Hearing, Council suggested that given the low number of submissions received the Panel process be conducted without a Public Hearing.

This was discussed at the Directions Hearing and the Panel agreed to proceed ‘on the papers’ because:

- Council was the only party that requested to be heard by the Panel
- there were a limited number of issues raised in the submissions.

The Panel reserved the right to convene a Hearing should it be unclear on any critical matters raised in Council’s Hearing submission (Document 2). Upon its review of this document, the Panel decided that convening the Hearing was unnecessary. The Panel issued additional Directions.³ in response to the issue raised in Submission 5 provision of arts infrastructure.

1.5 The Panel’s approach

The Panel assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

² Document 2

³ Document 23

The Panel considered all written submissions made in response to the exhibition of the Amendment, and submissions and other material presented to it regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Planning context and strategic justification
- Community infrastructure
- Noise and traffic
- Form and content of the Amendment.

1.6 Limitations

Opposing submissions raise limited issues relative to the scope of the Amendment. Given the confined nature of the submissions, the Panel has not reviewed the Amendment in detail or specifically considered detailed drafting issues across the full suite of Amendment documents, other than those provisions relating to issues raised in the submissions.

Property values and ratings are not relevant planning matters for consideration of the Panel and have not been addressed further in this Report.

2 Planning context and strategic justification

2.1 Planning policy framework

Council submitted that the Amendment is supported by various clauses in the Planning Policy Framework (PPF), which the Panel has summarised below.

(i) Victorian planning objectives

Council identified the following objectives of planning in Victoria, as set out in section 4 of the *Planning and Environment Act 1987* (PE Act), are relevant to the Amendment:

- 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.

Council submitted that the Amendment implements these objectives by supporting the Cranbourne MAC to become a more active, attractive and safe place for people to live, work and socialise.⁴ The Amendment will also encourage more sustainable development, use of active transport and protect areas of local heritage significance.

(ii) Planning Policy Framework

Council submitted that the Amendment gives effect to the PPF which the Panel has summarised below.⁵

Clause 11 (Settlement)

The Amendment supports Clause 11 by providing for the creation of a vibrant and active major activity centre that will offer a broad range of uses to service the needs of the local and regional community, and has been planned through a comprehensive structure planning process, consistent with Clauses 11.01-1R (Settlement – Metropolitan Melbourne), 11.02-2S (Structure planning) and 11.03-1R (Activity centres – Metropolitan Melbourne).

Clause 15 (Built environment and heritage)

The Amendment supports Clause 15 by encouraging the development of well designed contemporary buildings, applying 20-minute neighbourhood principles, prioritising active and public transport, establishing requirements for environmentally sustainable design and protecting places of local heritage significance, consistent with Clauses 15.01-1R (Urban design –

⁴ Document 2

⁵ Document 2

Metropolitan Melbourne), 15.01-4R (Healthy neighbourhoods – Metropolitan Melbourne), 15.02-1S (Energy and resource efficiency) and 15.03-1S (Heritage conservation).

Clause 16 (Housing)

The Amendment supports Clause 16 by creating opportunities for new housing and mixed-use development in a major activity centre, encouraging a greater diversity of dwelling types at high density and by seeking to facilitate the delivery of affordable housing, consistent with Clauses 16.01-1R (Housing supply – Metropolitan Melbourne) and 16.01-2S (Housing affordability).

Clause 17 (Economic Development)

The Amendment supports Clause 17 by encouraging and facilitating investment in an outer suburban area of Melbourne to improve local access to a range of employment and investment opportunities, by encouraging a diverse range of uses in the Cranbourne Major Activity Centre with an emphasis on commercial employment-generating uses and by requiring appropriate separation of uses which may have an adverse amenity impact on more-sensitive uses, consistent with Clauses 17.01-1R (Diversified economy – Metropolitan Melbourne), 17.02-1S (Business) and 17.03-2S (Sustainable industry).

Clause 18 (Transport)

The Amendment supports Clause 18 by seeking to sustainably integrate transport and land use, requiring consideration of all modes of transport when providing access to new development, ensuring sustainable modes of transport are prioritised in public infrastructure upgrades, encouraging a mode shift away from private vehicles through reduced parking rates, and encouraging well designed, located and managed car parking, consistent with Clauses 18.01-1S (Land use and transport planning), 18.01-1S (Walking), 18.02-2S (Cycling), 18.02-3S (Public transport), 18.02-3R (Principal Public Transport Network) and 18.02-4S (Roads).

Clause 19 (Community Infrastructure)

Council submitted that the Amendment supports Clause 19 by providing for social and cultural infrastructure and balancing community and commercial space through the Cranbourne MAC, consistent with Clause 19.02-4S (Social and cultural infrastructure).

(iii) Clause 21 (the Municipal Strategic Statement)

Council submitted that the Amendment supports the policy and directions of the Municipal Strategic statement (MSS) by:

- Facilitating the development of more diverse housing, supporting uses to achieve a more sustainable economy, improving access to, and encouraging the uptake of more sustainable modes of transport, encouraging quality development and adequately protecting places of local heritage significance, consistent with Clause 21.02 (Key Issues and Strategic Vision).
- Consolidating the role and realising the full capacity of the Cranbourne MAC as a regionally significant centre, consistent with Clauses 21.03 (Settlement and Housing) and 21.03 (Economic Development).
- Encouraging the development of the Cranbourne MAC as a more active, attractive and safe place for the community to live, work and recreate, consistent with Clause 21.07 (Built Environment).

- Maintaining the role of the Cranbourne MAC and aspiration for the centre to become a Metropolitan Activity Centre, consistent with Clause 21.15 (Cranbourne).
- Encouraging and reinforcing the role of the Casey Complex as a significant leisure, recreation and education precinct and facilitating other complementary uses, consistent with Clause 21.16 (Cranbourne East).⁶

(iv) Clause 22 (local planning policies)

Council submitted that the Amendment supports the local planning policies 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 MAC, consistent with Clause 22.01 (Activity Centre Policy).
- Encouraging non-residential uses to locate outside the residential intensification precinct, consistent with Clause 22.02 (Non Residential Uses in Residential and Future Residential Areas Policy).
- Facilitating 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 MAC, consistent with Clause 22.03 (Industrial Development Policy).⁷

2.2 Other relevant planning strategies and policies

(i) Plan Melbourne

Plan Melbourne 2017-2050 (Plan Melbourne) sets out strategic directions to guide Melbourne's development to 2050, to ensure it becomes more sustainable, productive and liveable as its population approaches eight million. It is accompanied by a separate implementation plan that is regularly updated and refreshed every five years. Cranbourne is one of over 120 MAC's identified in Plan Melbourne.

Council submitted that the Cranbourne Structure Plan is consistent with and seeks to deliver on the outcomes, directions and policies in Plan Melbourne. This is achieved through its focus on the provision of jobs, services and infrastructure close to where people live as well as its support for transport infrastructure, housing affordability and environmental sustainability.⁸

(ii) South East Growth Corridor Plan

The *South East Growth Corridor Plan, 2012* is a high level integrated land use and transport plan that provides a strategy for the development of the South East growth corridor over the coming decades. It guides the delivery of housing, jobs, transport, town centres, open space and key infrastructure in the growth corridor. Cranbourne is identified as a Principal Town Centre within the *South East Growth Corridor Plan, 2012* that will be a focus for employment and transport connection.

⁶ Document 2

⁷ Document 2

⁸ Document 2

(iii) Cranbourne Major Activity Centre Structure Plan

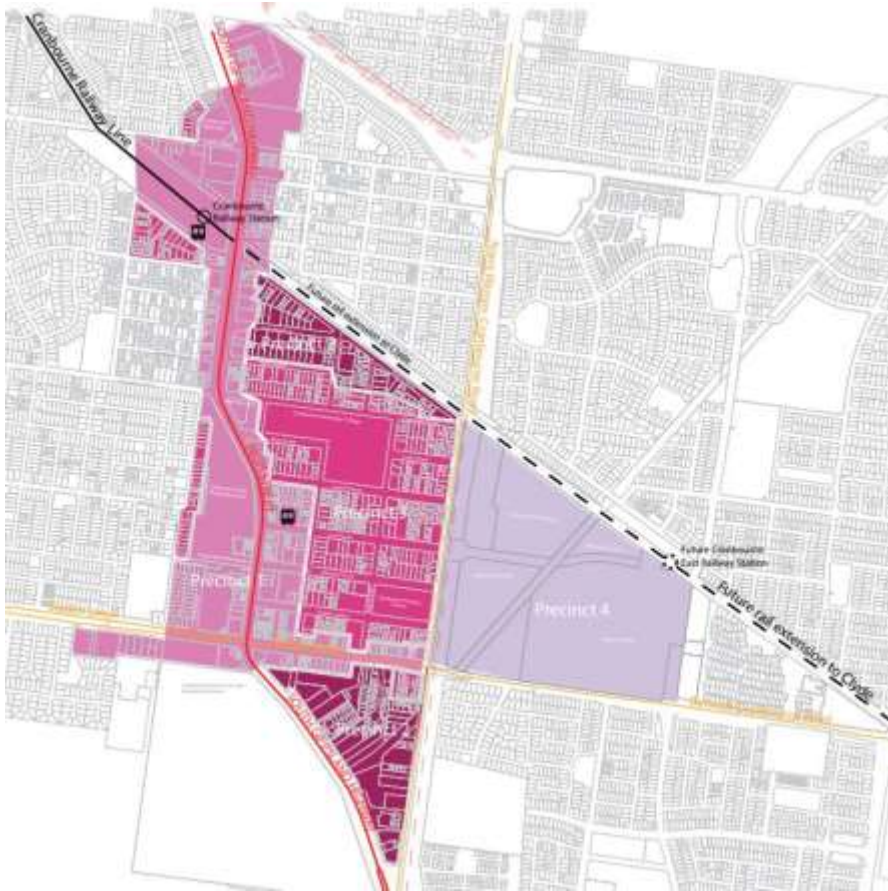
The Cranbourne Structure Plan is an update to the *Cranbourne Town Centre Structure Plan, 2018* which encompassed a wholesale refresh of the strategic framework for the centre. Together with the Casey Complex UDF, this revised structure plan replaces the earlier *Cranbourne Town Centre Plan 2017*, *Cranbourne Town Centre Urban Design Framework, 2011* and the *Casey Complex Structure Plan, 2011*.

The Cranbourne Structure Plan provides overarching principles for the growth and development of the Cranbourne MAC. The vision for the MAC is:

The Cranbourne MAC is a centre of choice, establishing itself as a regionally significant urban and civic destination. Innovation and growth are at the heart of providing a diversity of jobs, entertainment, transport, services, places and spaces which meet the needs of residents and the wider community set within a landscaped environment that draws inspiration from the local area.

The plan is based around five themes: Culture and Heritage, Access and Movement, Open Space, Services and Land Use and Built Form. These themes sit alongside specific objectives and guidelines for four precincts (Figure 2)., including:

- Precinct 1 which is the Mixed-Use Commercial Core
- Precinct 2 which is split across two areas of light-industrial/employment land towards the north and south of the centre and is the Employment and Services Precinct
- Precinct 3 is the Residential Intensification Precinct located primarily in the area between the High Street and Casey Complex, with smaller pockets along the western periphery of the centre
- Precinct 4 is the Casey Complex and Surrounds.

Figure 2 Cranbourne MAC Precincts

Source: Document 2 Casey City Council

The Cranbourne Structure Plan was informed by the following technical reports:

- *Cranbourne Town Centre Economic Assessment, 2017*
- *Cranbourne Town Centre Residential Demand Study, 2017*
- *Cranbourne Town Centre Movement and Access Strategy, 2017*
- *Cranbourne Town Centre Community Facilities Analysis, 2017*
- *Cranbourne Town Centre Places Audit, 2017*
- *Cranbourne Town Centre Public Realm Analysis, 2017*
- *Cranbourne Town Centre Open Space Assessment, 2017*
- *Cranbourne Town Centre Heritage Overlays Review, 2020.*

The Cranbourne Structure Plan has informed revisions to ACZ1 and is proposed to be listed as a Reference Document in the zone schedule.

(iv) Casey Complex Urban Design Framework

The Casey Complex (Precinct 4, Figure 2) is a leisure and recreation precinct which plays a supporting role in the provision of community facilities and services in the Cranbourne Town Centre. The Casey Complex UDF provides an integrated design vision for the desired future development of the area and outlines the implementation of public realm, built form and access network improvements over the short to medium (1-10 years) and longer term.

The Casey Complex UDF has informed revisions to ACZ1 and is proposed to be listed as a Reference Document in the zone schedule.

(v) City of Casey Activity Centre Strategy

The goal of the *City of Casey Activity Centre Strategy, 2020* (Activity Centre Strategy) is:

To provide a diverse range of non-residential uses in Casey primarily located within a network of vibrant activity centres, which are thriving economic and social hubs offering convenient access to goods, services, facilities, jobs and housing.

The Activity Centres Map (Figure 3) identifies activity centres by type. Cranbourne Town Centre is recognised as a “major” activity centre. The table accompanying the map in the Activity Centre Strategy notes Cranbourne Town Centre is an aspiring “metropolitan” activity centre.

The Activity Centre Strategy defines a Metropolitan Activity Centre as:

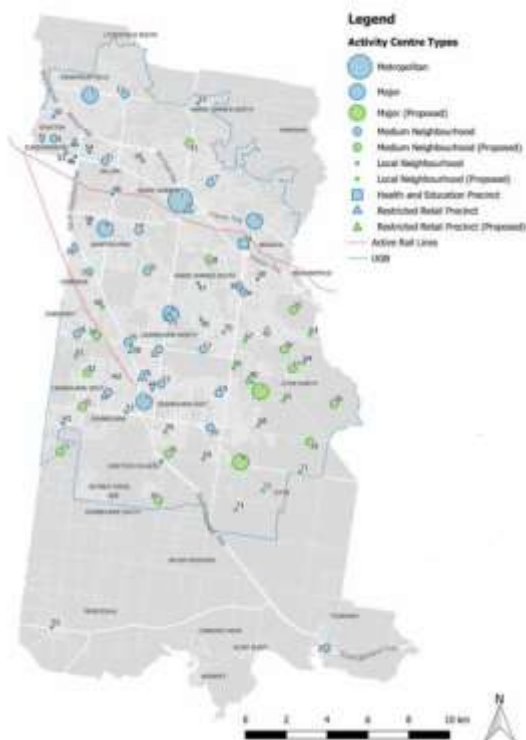
Higher-order centres with diverse employment options, services and housing stock, supported by good transport connections. Metropolitan Activity Centres are designated in the Metropolitan Planning Strategy, Plan Melbourne. The existing Metropolitan Activity Centre in Casey is Fountain Gate/Narre Warren.

A MAC is defined as:

The next tier below Metropolitan Activity Centres. They are suburban centres that provide access to a wide range of goods and services. Major Activity Centres are designated in the Metropolitan Planning Strategy, Plan Melbourne. They have different attributes and provide different functions, with some serving larger subregional catchments. In Casey, existing MAC's include Cranbourne Town Centre, Berwick Village, Casey Central, Endeavour Hills, and Hampton Park. There are two proposed Major Activity Centres, planned at Clyde and Hardy's Road.

The Activity Centre Strategy provides the overarching objectives and strategies for the development of activity centres throughout Casey and notes activity centre structure plans will provide a greater level of and more appropriate detail for any given location.

Figure 3 Casey Activity Centres Map



Source: Activity Centre Strategy

To conserve and enhance those elements which contribute to the significance of heritage places.

To ensure that development does not adversely affect the significance of heritage places.

To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

The Amendment also inserts a new Schedule 2 to the PO. The purposes of the PO are:

To facilitate an appropriate provision of car parking spaces in an area.

To identify areas and uses where local car parking rates apply.

To identify areas where financial contributions are to be made for the provision of shared car parking.

2.4 Amendment VC148

Amendment VC148 was gazetted on 31 July 2018 and made substantial changes to the structure and content of the Planning Policy Framework (PPF), as well as other provisions in the Planning Scheme. Council submitted it is working with DELWP to prepare a translation of its MSS and LPPF into the new PPF format and expects to commence the formal amendment process in August 2022. This future amendment will consider how the current Amendment, if approved, will be translated into the new format.⁹

2.5 Ministerial Directions, Practice Notes and Practitioner's Guide

(i) Ministerial Directions and Planning Practice Notes

The Explanatory Report and Council's submission discusses how the Amendment meets the relevant requirements of:

- Ministerial Direction 9 – Metropolitan Planning Strategy
- Ministerial Direction 11 - Strategic Assessment of Amendments
- Ministerial Direction 15 – The Planning Scheme Amendment Process
- Ministerial Direction on Form and Content of Planning Schemes
- *Planning Practice Note 1: Applying the Heritage Overlay, August 2018* (PPN01)
- *Planning Practice Note 13: Incorporated and Background Documents, March 2020* (PPN13)
- *Planning Practice Note 17: Urban Design Frameworks, July 2015* (PPN17)
- *Planning Practice Note 22: Using the Carparking Provisions, June 2015* (PPN22)
- *Planning Practice Note 30: Potentially Contaminated Land, July 2021* (PPN30)
- *Planning Practice Note 46: Strategic Assessment Guidelines, August 2018* (PPN46)
- *Planning Practice Note 56: Activity Centre Zone, June 2015* (PPN56)
- *Planning Practice Note 57: The Parking Overlay, April 2013* (PPN57)
- *Planning Practice Note 58: Structure Planning for Activity Centres, September 2018* (PPN58)
- *Planning Practice Note 59: The Role of Mandatory Provisions in Planning Schemes, September 2018* (PPN59)
- *Planning Practice Note 60: Height and Setback Controls for Activity Centres, September 2018* (PPN60)

⁹ Document 2

- *Planning Practice Note 74: Making Planning Documents Available to the Public, January 2022 (PPN74)*
- *Planning Practice Note 77: Pre-setting Panel Hearing Dates, July 2015 (PPN77)*
- *Planning Practice Note 94: Land Use and Transport Integration, December 2021 (PPN94).*¹⁰

That discussion is not repeated here.

(ii) Practitioner's Guide to Victorian Planning Schemes

The Practitioner's Guide to Victorian Planning Schemes (Practitioner's Guide) sets out key guidance to assist practitioners when preparing planning scheme provisions. The guidance seeks to ensure that:

- the intended outcome is within scope of the objectives and power of the PE Act and has a sound basis in strategic planning policy
- a provision is necessary and proportional to the intended outcome and applies the Victoria Planning Provisions (VPP) in a proper manner
- a provision is clear, unambiguous and effective in achieving the intended outcome.

2.6 Discussion and conclusion

There is unequivocal and layered strategic support for a broad range of land uses and increased activity in the Cranbourne MAC. This support commences with Plan Melbourne and is replicated and reinforced in the South East Growth Corridor Plan and the Activity Centre Strategy. The Cranbourne Structure Plan has been informed by a range of technical studies that are responsive to the PPF and provide a robust foundation for the Amendment.

The Panel concludes that the Amendment is supported by, and implements, the relevant sections of the PPF, and is consistent with the relevant Ministerial Directions and Practice Notes. More specific issues raised in submissions are discussed in the following chapters.

¹⁰ Document 2

3 Community infrastructure

3.1 The issue

The issue is whether major arts infrastructure should be accommodated in Cranbourne.

3.2 Relevant policies, strategies and studies

The objective of State policy for cultural facilities (Clause 19.02-3S) is *“to develop a strong cultural environment and increase access to arts, recreation and other cultural facilities”*. Strategies to achieve the objective are:

- Encourage a wider range of arts, cultural and entertainment facilities including cinemas, restaurants, nightclubs and live theatres in the Central City and at Metropolitan Activity Centres.
- Reinforce the existing major precincts for arts, sports and major events of state wide appeal.
- Establish new facilities at locations well served by public transport.

State policy for social and cultural infrastructure (Clause 19.02-4S) seeks to *“provide fairer distribution of and access to, social and cultural infrastructure”* through the following relevant strategies:

- Identify and address gaps and deficiencies in social and cultural infrastructure, including additional regionally significant cultural and sporting facilities.
- Encourage the location of social and cultural infrastructure in activity centres.
- Ensure social infrastructure is designed to be accessible.
- Ensure social infrastructure in growth areas, is delivered early in the development process and in the right locations.
- Plan and design community places and buildings so they can adapt as the population changes and different patterns of work and social life emerge.

The objective of Clause 22.01-7 (Great places for people) is *“to ensure activity centres are accessible, high quality urban environments which support social interaction and meet the needs of the community”*. The policy to achieve this objective is:

- Encourage community health, education and cultural/arts facilities and services be located in and near activity centres.

PPN59 provides guidance to Councils on the activity centre planning process. The 5-step structure planning process involves understanding the housing, commercial, retailing, community, employment, transport, leisure, open space, entertainment and needs of the activity centre and setting out a plan to accommodate those needs. Of relevance to community infrastructure, PPN59 states a structure plan should:

- show the form of future development and identify suitable locations for a range of developments in and around the centre, to give clear directions about preferred locations for investment
- identify opportunities for a range of housing types and increased residential densities, and the implications for social and physical infrastructure, commercial and community services and facilities
- demonstrate that the centre can accommodate projected requirements for housing, office, social and community infrastructure, business mix, retail, entertainment and employment
- contain a detailed implementation program including a Statutory Framework.

3.3 Submissions

Submission 5 submitted culture is the sustaining force of citizens, and music and art are integral to a cohesive society and sustainable planning. The submitter submitted a modern arts events centre should be accommodated in Cranbourne.

Council submitted that the Amendment does not propose capital projects, however the Cranbourne Structure Plan includes policy and direction around further investigating the need and location for community infrastructure.¹¹

Council noted the *Cranbourne Town Centre Community Facilities Demand Analysis, 2017* found there are gaps in the provision of arts and cultural spaces in the Cranbourne MAC, particularly spaces for cultural expression for the Aboriginal and Torres Strait Islander community. Investigating the feasibility of delivering a community hub in-centre is identified in the Indicative Implementation Plan in the Cranbourne Structure Plan. Two areas will be investigated for an integrated community hub – somewhere centrally located on or near the South Gippsland Highway and in the Casey Complex.¹²

Council further stated that the Cranbourne Structure Plan seeks to balance the desire for more commercial space with community services and facilities which are conveniently located for community access. This has been translated into the ACZ1 by:

- inclusion of a centre-wide objective that recognises the importance the Cranbourne MAC plays in providing community services
- listing 'Place of assembly' as a section 2 use
- inclusion of precinct-specific objectives for the Casey Complex (Precinct 4) to ensure community buildings and services are located with good access to public space and to support the expansion of community and recreation activities and services in an integrated and coordinated manner.¹³

Council concluded that the planning framework adequately supports the future development of community infrastructure, including arts and cultural facilities.¹⁴

3.4 Discussion

There is clear policy direction at the State and local level for increasing access to arts, including by locating facilities in MACs and locations well served by public transport. The Cranbourne Structure Plan has been prepared with proper regard to this policy context and is informed by a demand analysis for community facilities. As the final location of future facilities is yet to be determined, the Panel agrees with Council it is appropriate the ACZ1 provides the ability to determine a future proposal on its merits, having regard to the following purposes of the zone schedule:

- To encourage uses which support the Cranbourne Major Activity Centre to become a more active, attractive and safe place for the community to live, work and socialise.
- To recognise the importance the Cranbourne Major Activity Centre plays in providing community services.

¹¹ Document 19

¹² Document 24

¹³ Document 2

¹⁴ Document 2

3.5 Conclusion

The Panel concludes:

- The Amendment supports future provision of community (arts) infrastructure, consistent with State policy objectives to increase access to arts and cultural facilities.

4 Noise and traffic

4.1 The issue

The issue is whether increased noise and traffic on the amenity of the activity centre is acceptable.

4.2 Relevant policies, strategies and studies

The objective of State policy for activity centres (Clause 11.03-1S) is *“to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community”*. Strategies to achieve the objective relevant to noise and congestions include:

Reduce the number of private motorised trips by concentrating activities that generate high numbers of (non-freight) trips in highly accessible activity centres.

Improve access by walking, cycling and public transport to services and facilities.

Improve the social, economic and environmental performance and amenity of activity centres.

State policy for noise abatement at Clause 13.05-1S seeks to *“to assist the control of noise effects on sensitive land uses”* through the strategy:

Ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.

The objective of State policy for roads (Clause 18.02-4S) is *“to facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure”*.

This is achieved by planning and development the road network to:

- Ensure people are safe on and around roads.
- Improve people's perceptions of safety on and around roads.
- Improve road connections for all road users.
- Facilitate the use of public transport, cycling and walking.

4.3 Submissions

Submission 1 submitted the Amendment was not accompanied by detailed plans and questioned how the Amendment would impact noise and traffic conditions of an existing busy area.

Council submitted:

... the Amendment proposes controls to protect the amenity of existing residential development and areas where an intensification of residential development is expected near commercial uses which may have adverse noise impacts. Traffic levels within the Cranbourne MAC are not expected to substantially increase as a result of the Amendment; the Amendment and the structure plan more broadly seek to encourage greater use of active transport modes as well as proposing projects and changes to support this mode shift.¹⁵

¹⁵ Document 19

4.4 Discussion

State planning policy directs increased housing, commercial and community activity into activity centres. Consequently, activity centres will be a major focus for change in metropolitan Melbourne and activity in the Cranbourne MAC can be expected to intensify. In terms of traffic and noise, the Panel accepts the Amendment has been prepared with regard to State policy and relevant guidance, including PPN57.

The Cranbourne Structure Plan acknowledges *“reliance on private cars and projected population growth will place pressure on the transport network and development of the Cranbourne MAC”*. In this context, a significant mode shift towards more sustainable modes of transport including public transport, walking and cycling is needed for Cranbourne to become a better connected and more accessible place, and to stabilise traffic levels.

The Panel is satisfied that the policy framework together with the zones and overlays introduced by the Amendment equip decision makers with tools to manage noise and traffic impacts on amenity in the Cranbourne MAC, particularly through:

- policy that supports a mode shift to sustainable modes of transport (Clauses 11.03-1S (Activity centres), 18.02-1S (Walking), 18.02-2S (Cycling), 18.02-3S (Public transport), 18.02-4S (Roads))
- policy that supports management of noise on sensitive uses (Clause 13.05-1S)
- zone objectives that support sustainable transport modes and accessibility (specifically the ACZ1)
- overlay objectives that facilitate appropriate provision of car parking (specifically the PO).

4.5 Conclusion

The Panel concludes:

- The Amendment supports management of noise and traffic, consistent with policy objectives for balancing amenity and transport.

5 Form and content of the Amendment

5.1 General drafting issues

The Ministerial Direction on the Form and Content of Planning Schemes, issued under section 7(5) of the PE Act, requires that planning scheme or planning scheme amendments must be prepared and presented in accordance with the style guide set out in Annexure 1 of the Ministerial Direction. Rules for writing a planning scheme provision are provided in the Practitioner's Guide.

5.2 Submissions

Submission 2 raised concerns about the complexity of the Amendment documents, requesting that information be provided *"in layman's terms"*.

Council's submission acknowledged that planning policy can be complex and difficult to understand and outlined the steps taken to explain the Amendment to the community, including:

- Notice letters which were sent to owners and occupiers of affected and adjoining properties
- Distribution of Frequently Asked Questions that explained the key elements of Amendment and provided contact details for Council officers
- Notice letters included a QR code linking to the Casey Conversations web page which provided more information on the Amendment, as well as links to the Amendment documents and supporting information.¹⁶

5.3 Discussion

The Panel observes that the Amendment is necessarily complex because it is introducing a revised policy framework for a MAC. The Amendment is required to be prepared in accordance with Ministerial Direction – The Form and Content of Planning Schemes, with detailed drafting guided by the Practitioner's Guide.

The Panel appreciates the combination of zones, overlays, policy and background documents that make up the Amendment is complex for the layperson to follow. The Panel notes it is common for Councils to publish supporting information and guides to simply communicate key messages about planning scheme amendments. The information published by Council on the 'Casey Conversations' webpage is a good example of this.

While acknowledging the necessary complexity of the Amendment, the Panel observes that its clarity is not assisted by spreading the policy content for the Cranbourne MAC across Clauses 21.15 (Cranbourne) and 21.16 (Cranbourne East) of the MSS, which requires the two local area maps to be read alongside the master framework plan and four precinct maps in the ACZ1. Council is currently preparing its MPS and LPP to implement VC148 reforms into the Planning Scheme and the Panel considers this provides the ideal opportunity to simplify policy content for Cranbourne. The Panel has not made recommendations to modify Clauses 21.15 and 21.16 on this basis.

¹⁶ Document 2

5.4 Conclusion

The Panel concludes:

- Council should consider simplifying its local policy for Cranbourne in the Municipal Planning Statement and local planning policies being prepared to implement VC148 reforms.

Appendix A Submitters to the Amendment

No.	Submitter
1	Jo Sturgeon
2	Katie Little
3	Melbourne Water
4	Department of Environment, Land, Water and Planning
5	Melodee Faulkner

Appendix B Document list

No.	Date	Description	Provided by
1	08/04/2022	Directions for proceedings	Planning Panels Victoria (PPV)
2	09/05/2022	Council submission with Attachments (Documents 3-22)	Casey City Council (Council)
3	"	Attachment A – Cranbourne Town Centre Economic Assessment, 2017	"
4	"	Attachment B – Cranbourne Town Centre Residential Demand Analysis, 2017	"
5	"	Attachment C – Cranbourne Town Centre Movement and Access Strategy, 2017	"
6	"	Attachment D – Cranbourne Town Centre Open Space Demand Assessment, 2017	"
7	"	Attachment E – Cranbourne Town Centre Background Paper, 2017	"
8	"	Attachment F – Cranbourne Town Centre Open Space Analysis, 2020	"
9	"	Attachment G – Cranbourne Town Centre Structure Plan, 2018	"
10	"	Attachment H – Cranbourne Town Centre Heritage Overlays Review Plan, 2020	"
11	"	Attachment I – Closed Council Report C278, 15 September 2020	"
12	"	Attachment J1 – Council Meeting Agenda 15 December 2020	"
13	"	Attachment J2 – Council Meeting Agenda 15 December 2020, Attachments 5.4.5, 5.4.6 and 5.4.7	"
14	"	Attachment J3 – Council Meeting Agenda 15 December 2020, Attachments 5.4.7, 5.4.1 and Meeting Minutes	"
15	"	Attachment K – Cranbourne Major Activity Structure Plan, 2020	"
16	"	Attachment L – Authorisation Letter	"
17	"	Attachment M – Exhibited Explanatory Report	"
18	"	Attachment N – Exhibited Amendment	"
19	"	Attachment O – Council Meeting Agenda and Minutes 15 March, 2022	"
20	"	Attachment P – Casey Complex Urban Design Framework, 2019	"
21	"	Attachment Q – City of Casey Activity Centre Strategy, 2020	"
22	"	Attachment R – DELWP Letter, October 2021	"
23	11/05/2022	Further Panel Directions	PPV

No.	Date	Description	Provided by
24	13/05/2022	Council Response to Further Directions	Council
