

Planning and Environment Act 1987

Casey Planning Scheme

Amendment C300case

Explanatory Report

Overview

This amendment seeks to rezone land at 39-45 and 40-46 Cyril Beechey Lane for residential purposes, while retaining and protecting biodiversity.

It does this by rezoning land from Farming Zone to the General Residential Zone and inserting a new Schedule to the Development Plan Overlay specific to the site; updating the Municipal Planning Strategy (Clause 02.04-4 Residential Settlement Framework Plan and Clause 02.04-7 Area Specific Strategic Framework Plans – Casey Established Area 5 – Cranbourne and Botanic Ridge) to identify and guide development of the site for incremental change.

It is proposed to rezone 12P Grandeur Court, Cranbourne to the Public Conservation and Resource Zone, reflecting its existing public ownership.

Where you may inspect this amendment

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

And

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

- City of Casey council offices, Bunjil Place, 2 Patrick Northeast Drive Narre Warren.

The amendment can also be inspected free of charge at the Department of Transport and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

Submissions

Any person may make a submission to the planning authority about the amendment. Submissions about the amendment must be received by **5pm 15 January 2026**.

A submission must be sent to:

Strategic Planning Growth

City of Casey

PO Box 1000

Narre Warren Vic 3805

Or by email to: planningscheme@casey.vic.gov.au

Or via City of Casey website: <http://conversations.casey.vic.gov.au/c300case>

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: 20 April 2026
- Panel hearing: 18 May 2026

Details of the amendment

Who is the planning authority?

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

The amendment has been made at the request of KLM Spatial and Urbis who are acting on behalf of the owners of the land, Maclaw No 10 Pty Ltd and Greenridge Properties Pty Ltd.

Land affected by the amendment

The amendment applies to three parcels of land known as 39-45 and 40-46 Cyril Beechey Lane, Cranbourne, and formally identified as Lot 5 and Lot 6 respectively on Plan of Subdivision 007319 and 12P Grandeur Court Cranbourne and formally identified as Lot A and B on Plan of Subdivision 207916 (see Figure 1).

The land is located approximately 43 kilometres to the southeast of Melbourne and is one of a few remaining pockets of Farming Zone land within the City of Casey's Urban Growth Boundary. It is prudent to note the land is identified as being 'existing urban' in the South East Growth Corridor Plan (VPA, 2012).



Figure 1: Subject site - 39-45 and 40-46 Cyril Beechey Lane, Cranbourne, and formally identified as Lot 5 and Lot 6 respectively on Plan of Subdivision 007319 and 12P Grandeur Court Cranbourne and formally identified as Lot A and B on Plan of Subdivision 207916.

What the amendment does

The amendment seeks to rezone the land on Cyril Beechey Lane from Farming Zone to General Residential Zone, introduce a new Schedule to the Development Plan Overlay for a site-specific development plan and associated changes to the local policy.

It is also proposed to rezone land at 12P Grandeur Court which is currently owned by Council to the Public Conservation and Resource Zone.

Specifically, the amendment proposes to make the following changes:

Zoning maps

- Amend Planning Scheme Map No 14 to rezone land at 39-45 and 40-46 Cyril Beechey Lane, Cranbourne from Farming Zone – Schedule 2 (FZ2) to a General Residential Zone – Schedule 1 (GRZ1).
- Amend Planning Scheme Map No 14 to rezone land at 12P Grandeur Court, Cranbourne from General Residential Zone – Schedule 1 (GRZ1) to Public Conservation and Resource Zone (PCRZ).

Overlay maps

- Amend Planning Scheme Map No 14 to remove DPO1 from properties 39-45, 40-46 Cyril Beechey Lane and 12P Grandeur Court, Cranbourne.
- Amend Planning Scheme Map No 14 to insert new DPO26 that applies to 39-45 and 40-46 Cyril Beechey Lane.

Planning Scheme Ordinances

- Amend Clause 02.04-4 Residential settlement framework plan, to identify the land as being in an 'Incremental Change Area' (General Residential Zone – Schedule 1).
- Amend Clause 02.04-7 Area specific strategic framework plans for Casey Established Area 5 – Cranbourne and Botanic Ridge, to identify the land as an urban area.
- Insert a new Schedule 26 to Clause 43.04 Development Plan Overlay that applies to 39-45 and 40-46 Cyril Beechey Lane.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to realign the use of the site to be consistent with the urban location of the site and its proximity to a range of urban amenities. Further, the

land is identified as 'urban' pursuant to the South-East Growth Corridor Plan (Victorian Planning Authority, June 2012) and is readily able to be serviced. A change in zoning to facilitate residential land uses by the application of the General Residential Zone Schedule 1 will ensure that the land is utilised to its highest and best use and will implement strategic objectives within the Casey Planning Scheme.

Additionally, the subject land is currently shown as 'rural' in the Area specific strategic framework plans for Casey Established Area 5 – Cranbourne and Botanic Ridge at Clause 02.04-7 and within an area which is 'subject to strategic review'. This anticipates that the land will not necessarily be used for rural purposes into the future pending the outcomes of site-specific reviews recognising the proximity of the land to a former landfill.

The landfill gas assessments undertaken confirm that the land is suitable for residential development. This amendment will facilitate the identification of this land for residential purposes and habitat conservation.

The proposed residential zoning of the land is consistent with that of land to the north and the west and is appropriate given its proximity to a range of urban amenities and the Cranbourne Town Centre.

The residential development of the land will implement strategic policy objectives and result in net community benefit by providing housing opportunities in a well serviced location.

The application of a site-specific Schedule to the Development Plan Overlay will provide guidance on the future use and development of the land. Specifically, the provision of future roads, built form and subdivision layout requirements, and the retention of key biodiversity, through integration with the broader surrounds and interface with future open space.

The Public Conservation and Resource Zone to the north of the site will ensure key natural environments are protected and will provide contiguous habitat for local flora and fauna.

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

The Amendment will give effect to, and is consistent with, the following objectives of planning outlined in section 4(1) of the *Planning and Environment Act 1987*:

- *(a) to provide for the fair, orderly, economic and sustainable use, and development of land;*

The amendment will result in the fair, orderly, economic and sustainable use and development of land by facilitates the residential use of nonproductive farming land. The affected land is not productive agricultural land and given the land is adjacent to established residential areas, it is not suitable for commercial agriculture in the future.

- *(b) to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;*

The amendment identifies and protects local natural resources and maintains the ecological process through the conservation of key habitat for endangered fauna through the requirements in Schedule 26 of the Development Plan Overlay.

- *(c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*

The amendment provides for the efficient use of urban land within the existing Urban Growth Boundary to reduce urban sprawl and allows for new and diverse housing to be constructed within an established residential area in close proximity of the Cranbourne Major Activity Centre and its associated services

- *(f) to facilitate development in accordance with the objectives;*

The amendment achieves this objective by introducing a suite of planning scheme provisions to guide development for the benefit of Cranbourne, consistent with state, regional and local planning policy

- *(fa) to facilitate the provision of affordable housing in Victoria.*

The amendment set out conditions and/or requirements for a contribution to affordable housing through the introduction of the Schedule to the Development Plan Overlay.

- *(g) to balance the present and future interests of all Victorians.*

The proposed provisions in the Planning Policy Framework and the various zone and overlay schedules have been drafted to ensure development occurs in a logical manner consistent with the objectives set out in paragraphs (a) to (e).

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

The amendment will have positive environmental, social and economic outcomes and result in net community benefit.

Environmental Effects

The subject land is adjacent to a former landfill. The proposal has addressed ongoing environmental effects of the landfill by ensuring that future built form is able to mitigate any potential landfill gas migration. This will ensure that sensitive uses can be safely accommodated. Additionally, application of a site-specific Schedule to the Development Plan Overlay provides the opportunity to include measures, including application requirements and mandatory conditions, which will ensure the outcomes and recommendations of the landfill gas assessment are given effect.

At present the eastern landholding is well vegetated, whilst the western landholding is largely cleared and used for agistment purposes. In response to the site's

biodiversity, Schedule 26 to the Development Plan Overlay will provide for the retention of a 30m wide north-south biodiversity habitat corridor for Southern Brown Bandicoot, along the length of the eastern boundary of the site. This will see a 0.61ha area of Heathy Woodland retained, however modified to ensure bushfire protection requirements can be achieved. The corridor will maintain the habitat connectivity for Southern Brown Bandicoot between Grandeur Nature Reserve to the north of the study area and the extant population at the Royal Botanic Gardens to the south.

Offsets will be required to compensate for the proposed removal of native vegetation within the north-south habitat corridor and on all other part of the site once the subdivision layout is resolved at the Development Plan stage. Any future development will provide suitable indigenous landscaping including canopy trees consistent with relevant bushfire protection requirements and as stipulated in the proposed Development Plan Overlay. New plantings will contribute to urban cooling initiatives. Where native vegetation is not replaced, it will be offset appropriately.

Social and Economic Effects

The amendment will facilitate new residential development on underutilised remnant farming land within the Urban Growth Boundary.

Further, the land is well serviced by extensive public open spaces (existing and proposed), public transport, and the infrastructure, services and facilities offered by the nearby Cranbourne Major Activity Centre. This will enable more people to live near quality services.

The amendment will allow for development in established areas, which will reduce development pressure on the growth areas, and better utilise existing infrastructure. Nearby businesses will benefit from increased residents within their catchment. A range of housing types can be provided on the site, making a positive contribution to housing diversity in Cranbourne.

The attractiveness, amenity and safety of the area will be improved by developing underutilised land for residential purposes. Upgrades to road infrastructure will benefit existing residents. The development of the site will provide greater surveillance and usage of adjoining public open space.

Does the amendment address climate change?

The amendment has regard to climate change and emission reductions targets in accordance with Section 12A of the *Planning and Environment Act 1987* and Ministerial Direction 22. The amendment is supported by the preparation of a *Climate Change Consideration Report* in accordance with Section 12A of the *Planning and Environment Act 1987* and Ministerial Direction 22.

The amendment seeks to achieve reductions targets by prioritising growth within an established area to reduce transport related emissions and take advantage of

existing urban infrastructure.

The amendment has regard to the need to increase resilience to climate change in accordance with section 12A of the *Planning and Environment Act 1987* and Ministerial Direction 22.

A bushfire risk assessment has been prepared as part of the amendment, and specific requirements minimising bushfire risk to new development have been incorporated into the proposed Schedule 26 to the Development Plan Overlay. This has been supported in collaboration with the Country Fire Authority.

Does the amendment address relevant bushfire risk?

The Amendment meets bushfire policy in Clause 13.02 of the Planning Scheme in its application to a designated bushfire prone area. A Bushfire Risk Assessment has been prepared which assesses bushfire risk within the site and wider landscape. The assessment supports the proposed approach to bushfire risk management that underpins the Development Plan Overlay schedule, noting the majority of vegetation on the site is proposed for removal, with the exception of the 30m wide ecological corridor. The report recommends the strategic removal of trees from within the ecological corridor to further reduce fuel loads, and to alter the classification of vegetation, while still retaining high biodiversity value vegetation that provides habitat for the Southern Brown Bandicoot.

Bushfire risk will also need to be considered as part of any future application to develop the land to ensure that dwellings achieve a minimum BAL-12.5 rating as required.

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

Ministerial Direction on the Form and Content of Planning Schemes - under section 7(5) of the *Planning and Environment Act 1987* this amendment is compliant with the relevant provisions.

Ministerial Direction No. 1 Potentially Contaminated Land –

The amendment complies with Ministerial Direction 1 under section 12 of the *Planning and Environment Act 1987*. The purpose of this direction is to ensure that potentially contaminated land is suitable for a use which is proposed to be allowed by the amendment. In preparing an amendment which allows land to be used for a sensitive use, a planning authority must satisfy itself whether or not the land, or parts of the land, are potentially contaminated.

Preliminary site investigations have been undertaken for the land. The investigations concluded that the current and historical uses of the land do not fit the definition of potentially contaminated land.

A site-specific landfill gas risk assessment for the land has been undertaken. It is

acknowledged that the former Stevensons Road landfill accepted putrescible waste, ceased accepting waste in 2006 and accepted between 500,001-2,000,000 m³ of waste. There are a number of operational audits in place for this former landfill. As the amendment seeks to insert planning controls which restrict below ground structures, the submitted landfill gas risk assessment is considered to be the appropriate level of assessment.

Ministerial Direction No. 9 Metropolitan Strategy –

The amendment complies with Ministerial Direction 9 under section 12 of the *Planning and Environment Act 1987*. The Metropolitan Strategy seeks to ensure that planning scheme amendments have regard to the Metropolitan Planning Strategy, Plan Melbourne 2017. The amendment will implement key directions of Plan Melbourne by providing diverse housing choices in an area close to open space, services and infrastructure in an inclusive, high amenity development.

Ministerial Direction No. 11 Strategic Assessment of Amendments

The amendment complies with Ministerial Direction 11 under section 12 of the *Planning and Environment Act 1987*. This is done through the preparation of detailed background reporting to ensure a comprehensive strategic approach. Furthermore, this explanatory report provides a comprehensive strategic evaluation of the amendment and the outcomes it produces.

Ministerial Direction No. 19 Amendments that may result in impacts on the environment, amenity and human health

The amendment complies with Ministerial Direction 19 under section 12 of the *Planning and Environment Act 1987*. This Direction requires planning authorities to seek the views of the Environment Protection Authority (EPA) in the preparation of planning scheme amendments that could result in use or development that may result in significant impacts on the environment, amenity and human health due to pollution and waste.

The written views of the EPA have been sought, and their comments are noted below:

“Whilst it is acknowledged that the proponent has undertaken a site-specific landfill gas risk assessment for the sites, it appears to us that a Section 53V audit is required, in accordance with Publication 1642. This is because the amendment does not seek to limit the establishment of below ground structures. If the proposal included controls to prohibit below ground structures from being developed on the sites, the appropriate level of assessment would be to ‘require a landfill gas risk assessment’, as has already been completed. (EPA 29.07.2021)”

This assessment was agreed with by Council’s Site Assessment and Environmental Remediation team, and with their input, a mandatory permit condition has been incorporated into the proposed Schedule 26 to the Development Plan Overlay.

Sub clause 3.0 - Conditions and requirements for permits

Landfill Gas Management Prior to the issuing of certification of the first stage of subdivision, or the commencement of buildings and works, the owner of the land must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:

- *Prohibit the construction of sub-surface structures, including, but not limit to, basements, lift shafts and the like; and*
- *Prohibit buildings and structures being constructed on stumps where this enables access to areas below the finished floor level.*

The Section 173 Agreement is to be registered on the title of the land and all lots created by any subdivision. The preparation and execution of the agreement must be at no cost to the responsible authority.

Casey City Council considers the proposal to appropriately address the comments and concerns of the EPA in a manner that will benefit future development on the two sites.

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

The amendment gives effect to the Planning Policy Framework by:

- The land is identified as 'urban' in the South East Growth Corridor Plan (Victorian Planning Authority, August 2012). The amendment is necessary to realise this intent.
- Providing for increased supply of diverse housing in an established urban area close to existing infrastructure, amenities, public open space and a major activity centre. Facilitating the conversion of redundant non-productive farming land thereby providing abutting residential land certainty regarding the long-term use of the land. (Clause 11.02-1S)
- Responding to environmental constraints on-site by:
 - Providing for the retention of a dedicated ecological corridor along the eastern boundary of the site for the southern brown bandicoot; (Clause 12.01-1S)
 - Protecting and enhancing the habitat of the Southern Brown Bandicoot, within and beyond the Cranbourne Gardens, including providing habitat linkages with the surrounding area where practicable. Allowing for the retention of trees, particularly remnant and indigenous vegetation, when developing areas with these characteristics (Clause 12.01-1L).
 - Providing for the enhancement of existing retained native vegetation and the restoration of the balance of the corridor with native vegetation characteristic of the site (Clauses 12.01-1L and 12.01-2S)
 - Managing bushfire risk within the site and wider landscape in accordance with an agreed bushfire risk management plan (Clause

13.02-1S)

- Facilitating built form measures to mitigate the low risk of landfill gas migration into future dwellings and relevant bushfire protection and mitigation measures. (Clause 13.04-1S)
- Provides the protection of agricultural land in Melbourne's green wedges and peri urban areas by developing land within the Urban Growth Boundary and converting non-productive agricultural land. (Clause 14.01-1R)
- Facilitating future residential development that that will improve cycle and pedestrian connectivity and improving public safety by surveillance of public open spaces. (Clause 15.01-1S)
- Facilitating new development that is responsive to its context and the amenity of the neighbouring properties as well as applies the principles of good urban environmental design as stipulated within the Schedule to the Development Plan Overlay. (Clause 15.01-2S)
- Further landscaping is used to support water conservation, provide habitat for local native flora and respond to crime prevention in areas that propose a security risk (Clause 15.01-1L-03).
- Providing a pattern of subdivision that achieves attractive, safe, accessible, diverse and sustainable neighbourhoods. (Clause 15.01-3S)
- Facilitates the development that will provide for a healthy neighbourhood through incorporating a walkable structure, divers and sustainable neighbourhood. (Clause 15.01-4S)
- Where it interfaces with the public realm, development is encouraged to incorporate opportunities for social interaction between public and private spaces (Clause 15.01-4L).
- Facilitating a development that will enhance the emerging neighbourhood character of Cranbourne through its pattern of urban structure and subdivision and consistency of natural landscape character and vegetation. (Clause 15.01-5S)
- Facilitating development that promotes a consolidated urban form which in integrated with land use and transport and encourages the provision of new vegetation and open spaces as part of the development. (Clause 15.02-1S)
- Ensuring development will align with the recommendations of the Cultural Heritage Management Plan approved under the Aboriginal Heritage Act 2006. (Clause 15.03-2S).
- Providing opportunity for housing in a location that is within proximity to the Cranbourne Activity Centre and will be able to utilize existing infrastructure networks, services and transport. (Clause 16.01-1R)
- Facilitating the development that will provide for housing types to meet diverse needs. (Clause 16.01-1S).
- Diverse housing supply and lot sizes to cater for different household types within walking distance of activity centres and public transport, is encouraged in Casey (Clause 16.01-1L).

- Creating a new neighbourhood which encourages residents to use more active and sustainable transport modes. (Clause 18.01-1S)
- Facilitating the development of land that will have strong pedestrian connection to key destinations and public transport linkages. (Clause 18.02-1S).
- New communities in Casey are to facilitate the delivery of path infrastructure, to provide viable alternatives to driving (Clause 18.02-2L).
- The *Casey Open Space Network Plan*, aims to provide an equitable distribution of public open space. It is preferred to co-locate public open space with adjacent encumbered land where the encumbered land is useable and can add value to the site for recreation (Clause 19.02-6L-01).
- Providing dwellings at a convenient location enables future residents to cycle in an efficient and safe bicycle network to access amenities and public transport. (Clause 18.02-2S).
- Provides for appropriate utility and stormwater infrastructure (Clause 19 Infrastructure).

Is the amendment consistent with the delivery of the relevant housing target set out in the Planning Policy Framework?

The amendment seeks to support State housing policy through the provision of residential land near jobs, services, public transport, established transport networks and an existing community.

The amendment will rezone non-productive agricultural land to residential land in support of Victoria's Housing Statement as a pillar of action in Plan for Victoria.

The amendment supports the objectives and strategies of Clause 11.02 of the Planning Policy Framework with the proposed rezoning taking place in land that is identified as 'urban' in the South East Growth Corridor Plan (Victorian Planning Authority, August 2012).

The amendment is in accordance with the objective and strategies of Clause 16.01-1S of the Planning Policy Framework as it is facilitating residential land that is well-located, integrated and can deliver diversity into an existing residential area.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment rezones non-productive agricultural land in a manner which is consistent with the established residential context and will be guided by a site-specific Development Plan Overlay. The amendment realises the objectives of the Strategic Framework Plan by consolidating development within defined growth boundaries (Clause 02.04-4).

The amendment will enhance the area identified for strategic review by allowing the future development of the land for residential purposes, consistent with uses to the

north (Clause 02.03-1).

The amendment and development will ensure the protection of a designated habitat corridor, with new dwellings located within appropriate landscapes. (Clause 02.03-2).

Requires a development plan to be prepared to ensure a permeable neighbourhood layout to integrate with the established residential context as well as to facilitate movement across and through the land (Clause 02.03-5).

The amendment will enable the provision for quality housing that can accommodate significant population increases and will suit a range of household types and lifecycle needs adding to the need for diversity of housing within Cranbourne (Clause 02.03-6).

The amendment will increase land for urban purposes in close proximity to a multi-mode transport network in Casey, that encourages people to use alternative and 'active' forms of transport (Clause 02.03-8).

The amendment will update the Cranbourne Local Area Map to reflect the change of land use from 'rural' to 'residential' (Clause 02.04-7).

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

The amendment makes proper use of the Victoria Planning Provisions by applying the appropriate zone to the subject land to facilitate the objectives sought by the Casey Planning Scheme. Application of the General Residential Zone will facilitate more diverse housing outcomes in an area well serviced by infrastructure, amenities and future and existing open space and is consistent with the Ministerial Direction on the Form and Content of Planning Schemes.

The amendment makes proper use of a site-specific Schedule to the Development Plan Overlay, which will ensure the natural environment is protected and conserved to maintain habitat connectivity for Southern Brown Bandicoot

The application of a site-specific Development Plan Overlay will require the approval of a development plan to guide future development of this infill site. It ensures future development will be fair and orderly and appropriately respond to the identified site constraints whilst having regard to the established residential interfaces.

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

The views of relevant agencies will be sought when the amendment is exhibited.

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

The amendment will have a manageable impact on the local and regional transport system. It will encourage population growth in an existing residential area which is

already serviced by roads and public transport. It will also result in the improvement of an existing road and create new road linkages designed to encourage safety, health and wellbeing.

How does the amendment have regard to the principles set out in the *Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017* in relation to Yarra River land and other land, the use or development of which may affect Yarra River land?

The amendment does not have an affect on any Yarra River land.

Resource and administrative costs

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

The proposed amendment will not have any unreasonable impact on the resource and administrative costs of the responsible authority. The responsible authority will also be required to approve a separate amendment to the approved Cranbourne Development Plan. In that instance, most administrative updates would be undertaken by the proponent and supplied to the Council to minimise work undertaken by the responsible authority.