

# **CASEY PLANNING SCHEME**

## **AMENDMENT C284CASE**

### **EXPLANATORY REPORT**

#### **Overview**

This amendment proposes to replace the Municipal Strategic Statement (MSS) at Clause 21 and Local Planning Policies at Clause 22 of the Casey Planning Scheme (the Scheme) with a Municipal Planning Strategy (MPS) at Clause 02. The amendment introduces new local policies within the Planning Policy Framework (PPF) at Clauses 11 to 19 that utilises content from a mix of existing policies within the planning scheme and new policies derived from adopted Council strategies.

The amendment also reflects the recommendations of the Casey Planning Scheme Audit report (City of Casey, 2018) and the Casey Planning Scheme 2022 Review Report (City of Casey, 2022). The amendment is consistent with the new structure of planning schemes introduced by Amendment VC148 in 2018.

#### **Where you may inspect this amendment**

The amendment can be inspected free of charge at:

- The City of Casey website at <http://www.casey.vic.gov.au/planning-scheme-amendments>
- During office hours at the City of Casey council offices, Bunjil Place, 2 Patrick Northeast Drive, Narre Warren or Cranbourne Customer Service Centre, Shop 156, South Gippsland Highway, Cranbourne

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 1 December 2023.

A submission must be sent to:

Strategic Planning and Reform  
City of Casey  
PO Box 1000 Narre Warren VIC 3805

Or by email to: [planningscheme@casey.vic.gov.au](mailto:planningscheme@casey.vic.gov.au)

Or via City of Casey website: <http://conversations.casey.vic.gov.au/c284case>

#### **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 1 April 2024
- Panel hearing: Week commencing 6 May 2024

## **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.

### **Land affected by the amendment**

The amendment applies to all land within the City of Casey.

### **What the amendment does**

This amendment proposes to replace the Municipal Strategic Statement (MSS) at Clause 21 and Local Planning Policies at Clause 22 of the Casey Planning Scheme (the Scheme) with a Municipal Planning Strategy (MPS) at Clause 02. The amendment introduces new local policies within the Planning Policy Framework (PPF) at Clauses 11 to 19 that utilises content from a mix of existing policies within the planning scheme and new policies derived from adopted Council strategies.

The amendment also reflects the recommendations of the Casey Planning Scheme Audit report (City of Casey, 2018) and the Casey Planning Scheme 2022 Review Report (City of Casey, 2022). The amendment is consistent with the new structure of planning schemes introduced by Amendment VC148 in 2018.

Specifically, the amendment proposes to make the following changes to the Casey Planning Scheme:

#### Local Planning Policy Framework

1. Delete Clause 20 (Local Planning Policy Framework), Clause 21 (Municipal Strategic Statement), Clause 22 (Local Planning Policies) and Clause 23 (Operation of the Local Planning Policy Framework – Transitional).

#### Purpose and Vision

2. Insert a new Municipal Planning Strategy at Clauses 02, 02.01, 02.02, 02.03 and 02.04.

#### Planning Policy Framework

3. Insert new and revised local policies in the PPF at:
  - Clause 11.01-1L-01 Non-agricultural uses in green wedge areas
  - Clause 11.01-1L-02 Western Port green wedge
  - Clause 11.03-1L Activity centres and centre hierarchy in Casey
  - Clause 12.01-1L Protection of biodiversity
  - Clause 12.01-2L Native vegetation offset planning
  - Clause 13.04-2L Erosion management
  - Clause 13.07-1L-01 Non-residential uses in residential areas
  - Clause 13.07-1L-02 Landfill buffers
  - Clause 14.03-1L Resource exploration and extraction
  - Clause 15.01-1L-01 Design of activity centres
  - Clause 15.01-1L-02 Signs
  - Clause 15.01-1L-03 Urban and landscape design
  - Clause 15.01-2L-01 Residential landscape design

- Clause 15.01-2L-02 Industrial building design
- Clause 15.01-2L-03 Environmentally sustainable development
- Clause 15.01-3L Landscape design for subdivisions
- Clause 15.01-4L Healthy and social urban environments
- Clause 15.03-1L-01 Heritage in Casey
- Clause 15.03-1L-02 Geoheritage
- Clause 16.01-1L Housing supply in Casey
- Clause 17.01-1L Diversified economy
- Clause 17.02-2L Out of centre development
- Clause 17.03-1L Industrial land use and supply
- Clause 17.04-1L Facilitating tourism in Casey
- Clause 18.02-2L Active transport
- Clause 18.02-3L Cranbourne rail line
- Clause 18.02-4L Roads in Casey
- Clause 19.02-2L Education facilities
- Clause 19.02-6L-01 Public open space – function and design
- Clause 19.02-6L-02 Public open space contributions
- Clause 19.02-6L-03 Recreation and equestrian trails
- Clause 19.03-3L Integrated water management and water sensitive urban design

#### Overlays

4. Amend Schedule 7 to Clause 42.01 (Environmental Significance Overlay) to:
  - Delete exemption within the Tree Protection Zone of a tree from requiring a permit
  - Remove reference to 2014 from the Casey Significant Tree Strategy
5. Amend Schedule 8 to Clause 42.01 (Environmental Significance Overlay) to:
  - Delete exemption within the Tree Protection Zone of a tree from requiring a permit
  - Remove reference to 2014 from the Casey Significant Tree Strategy
6. Amend Schedule to Clause 43.01 (Heritage Overlay) to:
  - Introduce application requirements for planning applications under the heritage overlay

#### Particular Provisions

7. Replace Schedule to Clause 52.28 (Gaming) with a new schedule that:
  - Includes objectives and guidelines for locations and venues for gaming machines
  - Introduces additional application requirements for planning permit applications under Clause 52.28 (Gaming)
8. Amend the Schedule to Clause 53.01 (Public Open Space Contribution and Subdivision) to correct anomalies by:
  - deleting the words 'the subdivision of land to create lots for existing dwellings, for which the amount is not specified' as a type or location of subdivision in the Clause table.
  - replacing 'Land identified for residential purposes or located in Precinct 5, in the Fountain Gate-Narre Warren CBD under Schedule 2 to the Activity Centre Zone' with:
    - 'Land in Precinct 5 of Schedule 2 to the Activity Centre Zone

- The residential portion of a development of land in Schedule 2 to the Activity Centre Zone'

#### Operational Provisions

9. Amend the Schedule to Clause 72.08 (Background Documents) to include a list of background documents used to underpin the new MPS, PPF and overlay schedules in the planning scheme. The amended Schedule includes some documents already in the planning scheme as reference documents and includes new documents that sit outside of the existing planning scheme but have been adopted or endorsed by Council. The Schedule also includes updated versions of some documents that have previously been referenced in the scheme. Existing reference documents in the scheme are now required to be referred to as background documents.

The new background documents are:

- *Advertising Signs Design Guide* (City of Casey, 2021)
- *Affordable Housing Strategy* (City of Casey, 2020)
- *Biodiversity Strategy* (City of Casey, 2017)
- *City of Casey Economic Development Strategy 2021-25* (City of Casey, 2021)
- *City of Casey Health and Wellbeing Strategy 2021-25* (City of Casey, 2021)
- *City of Casey Integrated Water Management Plan* (City of Casey and Melbourne Water, 2015)
- *City of Casey Landscape Policy* (City of Casey, 2010)
- *Electronic Gaming Machines Strategy 2015-2020* (City of Casey, 2019)
- *Engineering Design and Construction Manual for Subdivision in Growth Areas* (Victorian Planning Authority, 2019)
- *Engineering Design and Construction Manual Standard Drawing Index* (Victorian Planning Authority, 2015)
- *Equestrian Strategy* (City of Casey, 2011)
- *Geoheritage Sites Report* (Neville Rosengren, 2018)
- *Growth Area Heritage Places Policy* (City of Casey, 2015)
- *Heritage Handbook Practical Guidelines for Owners of Historic Buildings* (City of Casey, 2022)
- *Heritage Strategy* (City of Casey, 2017)
- *Implementing the Sustainable Design Assessment in the Planning Process Framework* (Organica Engineering, 2019)
- *On-Site Stormwater Detention Policy* (City of Casey, 2018)
- *Open Space Strategy* (City of Casey, 2015)
- *Streets Ahead Integrated Transport Strategy* (City of Casey, 2017)
- *Walk and Ride in Casey 2019-2041* (City of Casey, 2019)
- *Water Sensitive Urban Design Guidelines South Eastern Councils* (Melbourne Water, 2013)
- *Western Port Green Wedge Management Plan* (City of Casey, 2019)

10. Insert a new Schedule to Clause 74.01 (Application of Zones, Overlays and Provisions) to identify the controls on the use and development of land in the Casey Planning Scheme.

11. Insert a new Schedule to Clause 74.02 (Further Strategic Work) to identify further strategic work that will be undertaken to further support the strategic directions of the MPS and to reflect the recommendations from the Casey Planning Scheme Audit Report (City of Casey, 2018) and the Casey Planning Scheme 2022 Review Report (City of Casey, 2022).

The proposed changes to the Scheme have resulted in local content being substantially consolidated and reduced.

The number of local policy words in existing Clauses 21 and 22 of the MSS and LPPF total approximately 35000, whereas the number of local policy words in the draft Clauses 02 and 11 to 19 of the MPS and PPF total approximately 17000. This is a reduction of local policy content wording by approximately 50 per cent.

The number of local policy plans in Clauses 21 and 22 of the existing MSS and LPPF total 22, whereas the number of local policy plans in the draft Clauses 02 and 11 to 19 of the MPS and PPF total 21. These draft Clauses include the addition of seven new draft plans and update of five existing plans to better explain and support the new local policy content.

Furthermore, the new draft Clauses that contain the 21 local policy plans also include consolidation of 17 existing (Local Area) plans down to 9 (Area Specific Framework) plans to better align with the five broad geographic areas in Casey.

More details on the content proposed by Amendment C284case and where the content has been derived from can be found in Attachment 1 to this Explanatory Report.

## **Strategic assessment of the amendment**

### **Why is the amendment required?**

The Amendment is required to implement the Casey Planning Scheme Review 2018, the Casey Planning Scheme Review 2022, and the reform brought by Amendment VC148, by updating the Casey Planning Scheme. The Amendment:

- Fulfills Casey City Council's obligation as the Planning Authority under the *Planning and Environment Act 1987* to undertake a regular review of its planning scheme. It does this by:
  - Implementing recommendations of the 2018 Planning Scheme Review Audit Report (City of Casey, 2018)
  - Implementing recommendations of the 2022 Planning Scheme Review report (City of Casey, 2022)
  - Making updates to local content to implement Council documents and strategies that have been adopted or prepared since the Planning Scheme Review in 2018
  - Removing obsolete background documents and replacing superseded background documents with current versions.
- Restructures and redrafts all local policy content to align with Victorian Government required changes to the format and drafting of planning schemes introduced through Amendment VC148 in 2018.
- Corrects minor errors and anomalies in local schedules to improve the implementation of the planning scheme within its existing strategic and statutory frameworks.

### **Implementation of the Casey Planning Scheme Reviews 2018 and 2022**

Casey City Council, as the Planning Authority, is required under Section 12B of the *Planning and Environment Act 1987* to undertake regular reviews of its planning scheme to ensure it provides the necessary framework to achieve Council's land use vision for the municipality.

The Casey Planning Scheme Review Audit Report (December 2018) made 20 recommendations, ranging from improvement of internal processes to streamline decision making processes; requirements for further strategic projects to meet organisational priorities and State Government requirements; to the identification of opportunities for further strategic work to reform key policy within the Scheme.

At the 18 December 2018 Ordinary Council Meeting, the 2018 Audit Report was adopted and consequently submitted to the Minister for Planning, and Council resolved to commence a program of updates to the local content (i.e. policy and provisions) of the Scheme generally in accordance with the recommendations of the 2018 Audit Report.

One of the objectives of the Planning Scheme amendment is to update local policy content to align with the Council Plan 2017-21, and key Council documents and strategies that have been adopted or prepared since the last Planning Scheme Review.

The 2022 Review acknowledged the progress of initiatives completed or underway since the 2018 review and assessed the alignment of the Planning Scheme with the Council Plan 2021 – 2025 and Vision. The Review also identified strategic gaps in the Scheme to be addressed over time as part of Council's future strategic planning work program. This Amendment was acknowledged as an important milestone in reforming the Scheme and ensuring that it remains contemporary.

At the 13 December 2022 Council Meeting, the Casey Planning Scheme Review 2022 report was endorsed and subsequently submitted to the Minister for Planning.

#### Amendment VC148

Amendment VC148 was approved in July 2018 as part of the Victorian Government's Smart Planning Program to simplify and modernise Victoria's planning policy and rules to make planning schemes more efficient, accessible and transparent. The amendment implemented changes to the Victoria Planning Provisions (VPP) and planning schemes to clarify, simplify and improve their structure, function and operation, and to remove unnecessary regulation. More specifically, Amendment VC148:

- Introduced a new PPF
- Enabled the future introduction of an MPS
- Introduced a new state, regional and local integrated policy structure
- Modified the schedules to some existing zones, overlays and provisions to accommodate additional local content
- Created new operational provisions

Amendment C284case seeks to implement these reforms into the Casey Planning Scheme. The amendment proposes a new structure for the planning scheme with the PPF containing state, regional and local policy in a thematically integrated form. The PPF will be complemented by the MPS which is a succinct expression of the overarching strategic policy directions of the Planning Authority (i.e. Casey City Council). The MPS will replace the existing Municipal Strategic Statement.

All new and updated local content for the planning scheme proposed by Amendment C284case has been drafted in accordance with the principles set out in the *Practitioner's Guide to Victorian Planning Schemes* (Version 1.5) to ensure it is:

- Within the scope of the *Planning and Environment Act 1987* and strategically justified
- Clear in its application, proportional to the intended planning outcome and consistent with relevant parent provisions, practice notes, advisory notes and Ministerial Directions issued by the Minister for Planning
- Drafted to be clear and unambiguous, incorporating administrative, style and formatting changes based on the Ministerial Direction on The Form and Content of Planning Schemes

#### Correction to Errors / Anomalies

Errors and anomalies in respective local schedules to overlays are required to be updated as follows:

*Clause 42.01(Environmental Significance Overlay)*

Schedules 7 and 8 to Clause 42.01 include errors that exempt works within the Tree Protection Zone of a tree from requiring a permit. Also, the schedules include 2014 as the relevant year to the Casey Significant Tree Strategy (incorporating the Significant Tree Register) which inadvertently restricts the non-static list of specimens in the Tree Register from being updated.

Corrections to both Schedules 7 and 8 to Clause 42.01 are therefore required.

#### *Clause 53.01 (Public Open Space Contribution and Subdivision)*

The table contained in the Schedule identifies that most areas have a specified open space contribution amount but includes an exemption that states:

*'These amounts do not apply to the subdivision of land to create lots for existing dwellings for which the amount is: Not specified.'*

The exemption inadvertently removes scheduled rates where subdivision is for existing dwellings. The intent of the Schedule is not to specify exemptions. Any exemptions from public open space requirement specified in the scheme or under section 18(8)(a) of the *Subdivision Act 1988* are already addressed under Clauses 53.01-1 and 53.01-2 of the planning scheme respectively. A correction to the anomaly is therefore required, by deleting the exemption from the Schedule to Clause 53.01.

An update to the Fountain Gate-Narre Warren CBD exemptions is also required to ensure consistency with other Activity Centre Zones in Casey.

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

The amendment implements the following objectives of planning in Victoria, set out in section 4(1) of the *Planning and Environment Act 1987* by providing updated policy direction related to the following themes set out in broadly in the proposed MPS and local schedules and more specifically in the proposed PPF:

#### *a) To provide for the fair, orderly, economic and sustainable use, and development of the land:*

- Clause 11.03-1L Activity centres and centre hierarchy in Casey
- Clause 15.01-1L-01 Design of activity centres
- Clause 15.01-1L-02 Signs
- Clause 16.01-1L Housing supply in Casey
- Clause 17.01-1L Diversified economy
- Clause 17.02-2L Out of centre development
- Clause 17.03-1L Industrial land use and supply
- Clause 17.04-1L Facilitating tourism in Casey

#### *b) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity:*

- Clause 11.01-1L-01 Non agricultural uses in green wedge areas
- Clause 11.01-1L-02 Western Port green wedge
- Clause 12.01-1L Protection of biodiversity
- Clause 12.01-2L Native vegetation offset planning
- Clause 13.04-2L Erosion management
- Clause 14.03-1L Resource exploration and extraction
- Clause 15.01-2L-03 Environmentally sustainable development
- Clause 42.01 Environmental Significance Overlay schedule

#### *c) To ensure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria:*

- Clause 13.07-1L-01 Non-residential uses in residential areas
- Clause 13.07-1L-02 Landfill buffers

- Clause 15.01-1L-03 Urban and landscape design
- Clause 15.01-2L-01 Residential landscape design
- Clause 15.01-2L-02 Industrial building design
- Clause 15.01-3L Landscape design for subdivisions
- Clause 15.01-4L Healthy and social urban environments
- Clause 19.02-6L-01 Public open space – function and design
- Clause 19.02-6L-02 Public open space contributions
- Clause 19.02-6L-03 Recreation and equestrian trails
- Clause 53.01 Public open space contribution and subdivision schedule

*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:*

- Clause 15.03-1L-01 Heritage in Casey
- Clause 15.03-1L-02 Geoheritage
- Clause 43.01 Heritage Overlay schedule

*e) To protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community:*

- Clause 18.02-2L Active transport
- Clause 18.02-3L Cranbourne rail line
- Clause 18.02-4L Roads in Casey
- Clause 19.02-2L Education facilities
- Clause 19.03-3L Integrated water management and water sensitive urban design

*f) To facilitate development in accordance with the objectives of planning in Victoria:*

The amendment provides for the orderly use and development of the municipality consistent with the above objectives by linking the themes set out in broadly in the MPS and local schedules and more specifically in the PPF.

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

The amendment is expected to have positive environmental, social and economic effects for Victorian business, industry and the community by:

- Improving the clarity and transparency of local policy content in the MPS, PPF and proposed local schedules, which results in greater certainty for users of the system.
- Reducing unnecessary costs to applicants and councils as a result of unclear planning provisions.
- Improving planning outcomes by removing errors, inconsistencies and incompatibility in local policy content in the MPS, PPF and proposed local schedules.

The application of updated and improved local policy content in the MPS, PPF and amended local schedules will provide certainty to the users of the planning system by ensuring land use and development outcomes are consistent with environmental, social and economic land use objectives of planning in the City of Casey and better alignment with Victorian land use policy objectives.

There will be positive environmental impacts from updating policies that protect and enhance biodiversity and natural assets in the municipality, protecting green wedge areas from inappropriate development and encouraging environmentally sustainable development.

There will be positive social impacts by introducing policies that encourage healthy and social urban environments; facilitate vibrant activity centres as the centre of community life; as well as providing clearer guidance on the location of gaming venues.

There will be positive economic impacts from updating policies that encourage a diversified economy, protection of employment land, and support for employment growth.

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

The amendment is not expected to result in any increase to the risk to life as a priority, property, community infrastructure and the natural environment from bushfire. The amendment proposes to give effect to the strategies to address bushfire risk as part of the new MPS. Addressing bushfire risk is a key land use theme in the municipality and the MPS provides a brief overview and strategic directions based on content previously contained in the LPPF at Clause 21. State policy and provisions relating to Bushfire will still apply and are not proposed to be altered as part of this amendment.

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

The amendment is consistent with the requirements of the Ministerial Direction - The Form and Content of Planning Schemes under section 7(5) of the *Planning and Environment Act 1987*. The amendment implements changes to the format, structure and content of the planning scheme in direct response to the requirements of this Ministerial Direction.

The Amendment has been prepared in accordance with the strategic considerations set out in the following Ministerial Directions, under section 12 of the *Planning and Environment Act 1987*:

- *Direction No. 9 – Metropolitan Planning Strategy*

The amendment has had regard to the Metropolitan Planning Strategy: Plan Melbourne 2017-2050 (Plan Melbourne) and is consistent with its directions. The following outcomes of Plan Melbourne are relevant and have been taken into account in the preparation of the amendment:

Outcome 1: Melbourne is a productive city that attracts investment, innovation and creates jobs

Outcome 2: Melbourne provides housing choice in locations close to jobs and services

Outcome 3: Melbourne has an integrated transport system that connects people to jobs and services and goods to market

Outcome 4: Melbourne is a distinctive and liveable city with quality environments

Outcome 5: Inclusive, vibrant and healthy neighbourhoods

Outcome 6: Melbourne is a sustainable and resilient city

- *Direction No. 11 – Strategic Assessment of Amendments*

The amendment is consistent with Ministerial Direction No. 11 (Strategic Assessment of Amendments), with this Explanatory Report providing a strategic evaluation of the amendment and its outcomes.

- *Direction No. 15 – The Planning Scheme Amendment Process*

The preparation of this Amendment is consistent with the requirements of Ministerial Direction No. 15.

- *Direction No. 19 – Amendments that may Significantly Impact the Environment, Amenity and Human Health*

The preparation of this Amendment included consultation with the Environment Protection Authority and so is consistent with the requirements of this Ministerial Direction.

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

The amendment introduces new local planning policies at Clauses 11, 12, 13, 14, 15, 16, 17, 18 and 19 of the PPF. All new local planning policy content has undergone extensive review to ensure it supports and implements state policies in the PPF. The new content and its relationship with the PPF is summarised in Table 1 as follows:

Table 1: Structure and content of the PPF

Clause	Proposed local content
11 Settlement	<p>Updates the existing Non-agricultural uses in green wedge areas policy to ensure development does not detract from the environmental, landscape and scenic values of Green Wedge areas.</p> <p>Introduces policy to protect the Western Port Green Wedge from use or development that would comprise its agricultural, cultural, visual and scenic significance and values.</p> <p>Redrafts and updates the existing activity centre policy, to define Casey's hierarchy of activity centres and identify development outcomes in activity centres.</p> <p>The policies in Clause 11 support state policy by ensuring Green Wedge areas are protected from inappropriate use and development and focusing housing and employment growth into a network of activity centres, close to jobs, transport and services.</p>
12 Environmental and Landscape Values	<p>Introduces policy relating to protection of biodiversity and offset planting.</p> <p>The policies in Clause 12 support state policies by seeking to protect and enhance natural habitats.</p>
13 Environmental risks and amenity	<p>Introduces new policy to manage soil erosion in Casey.</p> <p>Redrafts and updates the existing non-residential uses in residential areas policy, to guide the location, siting, design and amenity of all non-residential uses in residential areas.</p> <p>Introduces new policy to minimise land use conflicts within the recommended separation distances of landfills.</p> <p>The policies in Clause 13 support state policies by protecting areas prone to erosion, ensuring guidance for non-residential uses to manage interfaces with residential areas, and seeking to minimise land use conflicts between landfills or other facilities with adverse off-site amenity impacts and sensitive land uses.</p>
14 Natural Resource Management	<p>Introduces local policy relating to resource exploration and extraction.</p> <p>The policy in Clause 14 supports state policy by seeking to appropriately manage existing extractive industry sites.</p>
15 Built environment and heritage	<p>Redrafts the existing activity centre policy to provide guidance on the design of activity centres.</p> <p>Redrafts and updates the existing advertising signs policy, to provide guidance on the display of signs in Casey.</p> <p>Introduces new policies to provide guidance on landscape design in urban areas, for residential developments and subdivisions.</p> <p>Redrafts and updates local policy to provide guidance on the design, siting and amenity of industrial development.</p> <p>Introduces a new Environmentally Sustainable Development policy, that will require environmentally sustainable design measures to be incorporated in development over a specific size threshold.</p> <p>Introduces new policy to encourage healthy and social urban environments.</p> <p>Introduces new policy to provide guidance to support the protection, conservation and enhancement of identified heritage assets in Casey.</p> <p>Introduces new policy to provide guidance to conserve and enhance sites with geoheritage significance.</p> <p>The policies in Clause 15 support state policies by promoting a liveable and sustainable city, supporting quality landscaping and design outcomes,</p>

	environmentally sustainable development and protecting heritage assets and sites with <u>geoheritage</u> significance.
16 Housing	Redrafts and updates policy to define locations for higher-density housing and to support the provision of diverse housing opportunities.  The policy supports state policy by directing the most substantial housing growth into activity centres and along major transport routes. The policy also supports state policy by promoting diverse housing provision.
17 Economic Development	Redrafts and updates policies relating to economic development to strengthen and diversify Casey's economy, provide guidance for out-of-centre development, ensure an adequate supply of suitably sized industrial land is available to meet the diverse needs of industry and to support tourism activities in Casey.  The policies in Clause 17 support state policies by seeking to ensure adequate supply of industrial land commercial land is available and to support economic activities and economic prosperity. The policies also implement state policy by supporting Casey as a tourism destination.
18 Transport	Introduces local policies that promote active transport, enable the duplication and extension of the Cranbourne Rail Line, and address road systems in Casey.  The policy in Clause 18 implements state policy by promoting an integrated and sustainable transport system to support 20-minute neighbourhoods.
19 Infrastructure	Redrafts and updates policy to provide guidance for the design and type of education facilities in Casey.  Introduces new policy to promote the provision of quality public open space, including a comprehensive recreational and equestrian trail network.  Introduces new policy to manage stormwater runoff generated by development and to encourage the use of water sensitive urban design systems in development.  The policies in Clause 19 support state policies by promoting well located education facilities, a quality open space network and to sustainability manage stormwater, contributing to the creation of liveable and sustainable communities.

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

The amendment introduces a new MPS at Clause 02 of the Scheme. The new content is summarised below:

Table 2: Structure and content of the MPS

<b>New Clause</b>	<b>Content</b>
02.01 Context	Describes the planning scheme's policy foundation, based on the municipality's location and regional context. The Context draws on updated data, adopted council strategies and Plan Melbourne 2017-2050.
02.02 Vision	Introduces new content that establishes a vision for the municipality, which is to become a more connected, bold and resilient community. The vision sets out the spatial response to the Council Plan 2021-25 Vision.
02.03 Strategic directions	Addresses the key land use themes based on the structure of the PPF and provides a brief overview and strategic directions for each theme, derived from

	<p>adopted strategies across Council and content previously contained in the LPPF at clauses 21 and 22.</p> <p>Provides Casey's response to the implementation of Plan Melbourne 2017-2050, the metropolitan planning strategy.</p>
02.04 Strategic Framework Plans	Includes new strategic framework plans that express the strategic framework for the municipality, derived from adopted Council strategies and various existing provisions and documents.

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

The amendment makes proper use of the VPP by utilising the appropriate planning tools to achieve the strategic objectives of the planning scheme.

The amendment introduces a new MPS and local policies into the PPF to replace the LPPF. Policy has been substantially redrafted and restructured to be consistent with the VPP and the Ministerial Direction on the Form and Content of Planning Schemes.

Where schedules to overlays, particular provisions and operational provisions are being amended or introduced, the form of the schedules accords with the Ministerial Direction on Form and Content of Planning Schemes and the VPP and supports the changes to the MPS and PPF.

The amendment has had regard to the following Planning Practice and Advisory Notes:

- PPN 32 Review of Planning Schemes
- PPN 46 Strategic Assessment Guidelines
- AN 48 Ministerial Direction 15 The Planning Scheme Amendment Process
- AN 71 Amendment VC148 Planning Policy Framework
- AN 72 Amendment VC148 Victoria Planning Provisions and Planning Schemes
- AN 73 New Requirements for a Planning Authority to Consult EPA

The amendment has also had regard to the Department of Transport and Planning 's (former Department of Environment Land Water and Planning) *A Practitioner's Guide to Victorian Planning Schemes* (Version 1.5) April 2022.

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

The views of various agencies have been considered in the preparation of the strategic documents that inform the proposed policy content of the scheme. The preliminary views of the Department of Transport and Planning and the Environment Protection Authority have been provided, and all relevant agencies will be contacted through the formal exhibition of this amendment.

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

The amendment will not have a significant impact on the transport system or on the *Transport Integration Act 2020*.

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

The amendment is not expected to impose additional resource or administrative costs on the responsible authority. The amendment will introduce a clearer and more legible policy framework into the scheme that better integrates state, regional and local policy. It will use clearer language, avoid repetition and remove outdated policies. The policies will provide a greater level of certainty about where growth and change will occur in the municipality and improve clarity about how Council will use its discretion when making land use planning decisions. The amendment will streamline planning provisions and processes and will provide a scheme that is easier to navigate and understand for all users.

## ATTACHMENT 1

The table below provides a summary of the new content proposed by Amendment C284case and where the proposed content has been derived from. This includes existing clauses in the Casey planning scheme and a range of external documents adopted or endorsed by Council.

A list of abbreviations for the source documents is included at the bottom of the table.

**Table 1: Summary of new content proposed by Amendment C284case and source of content**

Clause	Source of Content*	Comments
02 Municipal Planning Strategy	<p>ABS 2021</p> <p>All of Clause 21</p> <p>22.02</p> <p>22.03</p> <p>22.08</p> <p>Council Plan</p> <p>WPGWMP</p> <p>BS</p> <p>IWMP</p> <p>LP</p> <p>GAHP</p> <p>SDAPPF</p> <p>EDS</p> <p>SAITS</p> <p>OSS</p> <p>W&amp;R</p> <p>CES</p> <p>EGMS</p>	<p>Introduces a new Municipal Planning Strategy to provide concise summary of the context, vision and strategic directions for Casey relating to land use and development.</p> <p>Replaces existing Municipal Strategic Statement at Clauses 20 and 21.</p> <p>Consolidates Casey's local areas in MSS to five broad geographic areas, being Casey Foothills, Casey Established Areas, Casey Growth, Casey Farm and Casey Coast. New policies have been distributed thematically but the geographic areas have been maintained.</p> <p>Introduces a number of policy maps to align with the new polices:</p> <ul style="list-style-type: none"> <li>• Areas with significant biodiversity values plan</li> <li>• Overall Strategic Framework Plan for the municipality</li> <li>• Area specific strategic framework plans for each of the five broad geographic areas, sourced from existing local area plans in the MSS</li> </ul> <p>Policy content is derived from adopted Council strategies and other strategic work endorsed by council that reflects community priorities and is aligned to Plan Melbourne and State policy.</p> <p>Uses 2021 ABS data to inform population data.</p>
11.01-1L-01 Non-Agricultural Uses in Green Wedge Areas	<p>22.02 Non-Residential Uses in Residential and Future Residential Areas Policy</p> <p>22.08 Non-Agricultural Uses in Green Wedge Areas Policy</p>	<p>Redrafts and updates the existing Non-agricultural uses in green wedge areas policy, to ensure development does not detract from the environmental, landscape and scenic values of Green Wedge areas.</p> <p>The policy is primary sourced from the existing policy at Clause 22.08 (Non-Agricultural Uses in Green Wedge Areas) and supported by the relevant content at Clause 22.02 (Non-Residential Uses in Residential and Future Residential Area Policy).</p>
11.01-1L-02 Western Port Green Wedge	<p>WPGWMP</p> <p>22.08 Non-Agricultural Uses in Green Wedge Areas Policy</p>	<p>Introduces policy to protect the Western Port Green Wedge from use or development that would comprise its agricultural, cultural, visual and scenic significance and values. The policy is derived from Council's adopted Western Port Green Wedge Management Plan and relevant existing content at Clause 22.08 (Non-Agricultural Uses in Green Wedge Areas).</p>

11.03-1L Activity Centres and Centre Hierarchy in Casey	21.05 Economic Development  22.01 Activity Centres Policy	Redrafts and updates the existing activity centre policy, to define Casey's hierarchy of activity centres and identify preferred development outcomes in activity centres. The policy is derived primarily from the existing local policy at Clause 22.01 (Activity Centres Policy) and supported by the relevant existing content at Clause 21.05 (Economic Development).
12.01-1L Protection of Biodiversity	21.04 Environment  21.11 Botanic Ridge / Junction  21.12 Casey Coast  21.23 Lynbrook / Lyndhurst  BS	Redrafts and updates policy relating to protection of biodiversity, from Council's adopted <i>Biodiversity Strategy</i> and policy content previously contained at Clause 21.04 (Environment), Clause 21.11 (Botanic Ridge / Junction Village), Clause 21.12 (Casey Coast), Clause 21.04 (Environment), Clause 21.23 (Lynbrook/Lyndhurst).
12.01-2L Native Vegetation Offset Planning	21.04 Environment	Redrafts and updates policy relating to offset planting, from relevant existing content at Clause 21.04 (Environment).
13.04-2L Erosion Management	LP	Introduces new policy to manage erosion that is derived from Council's adopted <i>City of Casey Landscape Policy</i> .
13.07-1L-01 Non- Residential Uses in Residential Areas	22.02 Non- Residential Uses in Residential and Future Residential Areas Policy  ACS	Redrafts and updates the existing local policy at Clause 22.02 (Non-Residential Uses in Residential and Future Residential Areas Policy), to guide the location, siting, design and amenity of all non-residential uses in residential areas.  The policy is also supported by relevant content in <i>City of Casey Activity Centres Strategy</i> which is an existing reference document in the planning scheme.
13.07-1L-02 Landfill buffers	21.22 Hampton Park  21.23 Lynbrook / Lyndhurst  21.25 Narre Warren South	Introduces new policy to minimise land use conflicts within the Environmental Protection Authority (EPA)'s recommended separation distances of landfills.  The policy is primarily derived from EPA guidelines, and supported with existing content at Clause 21.22 (Hampton Park), Clause 21.23 (Lynbrook / Lyndhurst), Clause 21.25 (Narre Warren South) and relevant adopted Development Plans for these areas.
14.03-1L Resource Exploration and Extraction	21.05 Economic Development	Redrafts and updates relevant content from existing policy at Clause 21.05 (Economic Development) to manage existing extractive industry sites for both their existing and future potential.
15.01-1L-01 Design of Activity Centres	22.01 Activity Centre Policy	Redrafts the existing policy at Clause 22.01 Activity Centre Policy, to provide guidance on the design of activity centres.  Includes updates to exempt Fountain Gate Narre Warren Metropolitan Activity Centre and the Cranbourne Town Centre from the policy, as these two centres are located in an existing Activity Centre Zone which already includes specific design guidelines.
15.01-1L-02 Signs	22.04 Advertising Signs Policy	Redrafts and updates the existing advertising signs policy at Clause 22.04 to provide guidance on the display of signs in Casey.

15.01-1L-03 Urban and Landscape Design	21.07 Built Environment LP	Introduces new policy to provide guidance on landscape design in urban areas that is derived from Council's adopted <i>City of Casey Landscape Policy</i> and relevant content from existing policy at Clause 21.07 (Built Environment).
15.01-2L-01 Residential Landscape Design	LP	Introduces new policy to provide guidance on landscape design for residential development that is derived from Council's adopted <i>City of Casey Landscape Policy</i> .
15.01-02-02 Industrial Building Design	22.03 Industrial Development Policy LP	Redrafts and updates local policy to provide guidance on the design, siting and amenity of industrial development. The policy is derived from Clause 22.03 (Industrial Development Policy) and Council's adopted <i>City of Casey Landscape Policy</i> .
15.01-2L-03 Environmentally Sustainable Development	CASBE	Introduces a new Environmentally Sustainable Development policy, that will require environmentally sustainable design measures to be incorporated in development over a specific size threshold.  The policy template has been developed between DELWP and CASBE. A similar policy is already in place in a number of Victorian Councils.
15.01-3L Landscape Design for Subdivisions	LP	Introduces new policy to provide guidance on landscape design for subdivisions that is derived from Council's adopted <i>City of Casey Landscape Policy</i> .
15.01-4L Healthy and Social Urban Environments	HWS	Introduces new policy to encourage healthy and social urban environments that is derived from Council's adopted <i>City of Casey Health and Wellbeing Strategy 2021-25</i> .
15.03-1L-01 Heritage in Casey	Clause 21.02- 1 Built Environment  21.07 Built Environment  GAHPP  HS  HH	Introduces new policy to provide guidance to support the protection, conservation and enhancement of identified heritage assets in Casey.  The policy is primarily derived from Clause 21.02-1 (Built Environment), Clause 21.07 (Built Environment), Council's adopted <i>Growth Area Heritage Places Policy</i> , Heritage Strategy, and Heritage Handbook.
15.03-1L-02 Geoheritage	GSR	Introduces new policy to provide guidance to conserve and enhance sites with geoheritage significance, consistent with the <i>Geoheritage Sites Report</i> .
16.01-1L Housing Supply in Casey	21.03 Settlement and Housing	Redrafts and updates the existing Settlement and Housing policy at Clause 21.03 to define locations for higher-density housing and to support the provision of diverse housing opportunities.
17.01-1L Diversified Economy	21.05 Economic Development  EDS	Redrafts and updates policy to strengthen and diversify the economy in Casey and is sourced from relevant content at Clause 21.05 (Economic Development) and Council's adopted <i>City of Casey Economic Development Strategy 2021-25</i> .
17.02-2L Out of Centre Development	22.01 Activity Centres Policy	Redrafts and updates policy to provide guidance for out-of-centre development that is derived from relevant content at Clause 22.01 (Activity Centre).
17.03-1L Industrial Land Use and Supply	22.03 Industrial Development Policy	Redrafts the existing Industrial Development policy to encourage a range of industrial lot sizes at appropriate locations to meet the diverse needs of industry in Casey.

17.04-1L Facilitating Tourism Casey in Casey	21.05 Economic Development  21.14 Casey Foothills  21.11 Botanic Ridge / Junction Village  21.12 Casey Coast  21.15 Cranbourne	Redrafts and updates policy to support tourism activities in Casey. The policy is primarily sourced from existing policy at Clause 21.05 (Economic Development) but also relevant content from Clause 21.14 (Casey Foothills), Clause 21.11 (Botanic ridge / Junction Village), Clause 21.12 (Casey Coast) and Clause 21.15 (Cranbourne).
18.02-2L Active Transport	W&R LP	Introduces policy to provide guidance and direction to plan and deliver cycling and walking paths that is derived from Council's adopted strategy, <i>Walk &amp; Ride in Casey 2019-2041</i> and <i>City of Casey Landscape Policy</i> .
18.02-3L Cranborne Rail Line	21.15 Cranbourne SAITS	Updates policy to enable the duplication and extension of the Cranbourne Rail line, derived from the existing Cranbourne policy at Clause 21.15 and Council's adopted <i>Streets Ahead Integrated Transport Strategy</i> .
18.02-4L Roads	21.06 Transport  21.14 Casey Foothills  21.15 Cranbourne  21.17 Cranbourne North  21.22 Hampton Park  21.23 Lynbrook / Lyndhurst  21.25 Narre Warren South	Redrafts and updates policy to address the road system in Casey. The policy is primarily sourced from existing policy at Clause 21.06 (Transport) but also relevant content from Clause 21.14 (Casey Foothills), Clause 21.15 (Cranbourne), Clause 21.17 (Cranbourne North), Clause 21.22 (Hampton Park), Clause 21.23 (Lynbrook / Lyndhurst) and Clause 21.25 (Narre Warren South).
19.02-2L Education Facilities	21.03 Settlement and Housing  21.05 Economic Development	Redrafts existing policies from the relevant content at Clause 21.03 (Settlement and Housing) and Clause 21.05 (Economic Development) to provide guidance for the design and type of education facilities in Casey.
19.02-6-01 Public Open Space – function and Design	OSS LP BS	Introduces new policy to provide guidance on the function and design of public open space in Casey that is derived from Council's adopted <i>Open Space Strategy</i> , <i>City of Casey Landscape Policy</i> and <i>Biodiversity Strategy</i> .
19.02-6L-02 Public Open Space Contributions	OSS LP	Introduces new policy to identify where land contributions for public open space may be sought in preference to monetary contributions and vice versa in Casey. The policy is derived from Council's adopted <i>Open Space Strategy</i> and <i>City of Casey Landscape Policy</i> .

19.02-6L-03 Recreational and Equestrian Trails	W&R CES	Introduces new policy to support a recreational and equestrian trail network across Casey that is derived from Council's adopted <i>Walk &amp; Ride in Casey 2019-2041</i> and <i>Casey Equestrian Strategy</i> .
19.03-3L Integrated Water Management and Water Sensitive Urban Design	OSSDP WSUDG LP	Introduces new policy to manage stormwater runoff generated by new developments and to encourage the use of water sensitive urban design systems in development.  The policy is primarily derived from Council's adopted On-site Stormwater Detention Policy and supported by <i>Water Sensitive Urban Design Guidelines South Eastern Councils</i> and <i>City of Casey Landscape Policy</i> .
43.01 Schedule to Heritage Overlay	HS	Updates the schedule to the Heritage Overlay to introduce application requirements for planning applications under the Heritage overlay. The application requirements are not appropriate to locate in the Heritage Policy and must therefore be located in the Heritage Overlay Schedule.  The update is derived from Council's adopted Heritage Strategy.
52.28 Schedule to Gaming	EGMS	Updates the Schedule to Clause 52.28 (Gaming) to provide guidance on location of gaming venues and application requirements for planning applications under the same Clause.  The content of the Schedule is sourced from Council's adopted <i>Electronic Gaming Machines Strategy 2015-2020</i> .
Schedules 7 and 8 to 42.01 Environmental Significance Overlay	n/a	Correction to errors and anomalies by <ul style="list-style-type: none"> <li>deleting exemption within the Tree Protection zone of a tree from requiring a planning permit.</li> <li>removing the 2014 reference from the Casey Significant Tree Strategy (incorporating the Significant Tree Register)</li> <li>updating and relocating permit requirement from Section 3 to 4 of the Schedule.</li> </ul>
53.01 Schedule to Public Open Space Contribution and Subdivision	n/a	Correction to errors and anomalies by: <ul style="list-style-type: none"> <li>deleting words: <i>'the subdivision of land to create lots for existing dwellings for which the amount is not specified'</i> as a type or location of subdivision in the Schedule table.</li> <li>replacing <i>"Land identified for residential purposes or located in Precinct 5, in the Fountain Gate-Narre Warren CBD under Schedule 2 to the Activity Centre Zone"</i> with <ul style="list-style-type: none"> <li><i>"Land in Precinct 5 of Schedule 2 to the Activity Centre Zone"</i></li> <li><i>The residential portion of a development of land in Schedule 2 to the Activity Centre Zone"</i></li> </ul> </li> </ul>
72.08 Schedule to Background documents	MPS PPF	Includes a schedule of background documents used to underpin the MPS, PPF and local schedules in the planning scheme. It includes some documents already in the planning scheme as reference documents and includes new documents that have been adopted or endorsed by Council that inform new or updated local content in the scheme.  Existing reference documents that are outdated, no longer required to inform current policy or have been superseded by more recent strategies have been removed.
74.01 Application of Zones,	MPS PPF	Introduces a new schedule to identify the controls on use and development of land in the Casey Planning Scheme.

Overlays and Provisions		
74.02 Schedule to Further Strategic Work	Planning Scheme Review 2018 Planning Scheme Review 2022 MPS PPF	Introduces a new schedule to Clause 74.02 to identify strategic work that will further support the strategic directions of the MPS and objectives and strategies of the PPF. The Schedule has been informed by the Casey Planning Scheme Reviews of 2018 and 2022, and an ongoing assessment of strategic priorities as part of the preparation of the new MPS and PPF as part of Amendment C284case.

\*List of abbreviations for source content:

ABS 2021	Australian Bureau of Statistics, 2021 census
BS	<i>Biodiversity Strategy</i> (City of Casey, 2017)
CES	<i>Equestrian Strategy</i> (Simply Great Leisure, 2011)
ACS	<i>City of Casey Activity Centres Strategy</i> (City of Casey, 2020)
EDS	<i>City of Casey Economic Development Strategy 2021-25</i> (City of Casey, 2021)
HWS	<i>City of Casey Health and Wellbeing Strategy 2021-25</i> (City of Casey, 2021)
IWMP	<i>City of Casey Integrated Water Management Plan</i> (City of Casey and Melbourne Water, 2015)
LP	<i>City of Casey Landscape Policy</i> (City of Casey, 2010)
CASBE	Council Alliance for a Sustainable Built Environment
Council Plan	Council Plan 2021
EGMS	<i>Electronic Gaming Machines Strategy 2015-2020</i> (City of Casey, 2015 reviewed 2019)
GSR	<i>Geoheritage Sites Report</i> (Neville Rosengren, 2018)
GAHPP	<i>Growth Area Heritage Places Policy</i> (City of Casey, 2015)
HH	<i>Heritage Handbook: Practical Guidelines for Owners of Historic Buildings</i> (City of Casey, 2022)
HS	<i>Heritage Strategy</i> (City of Casey, 2017)
SDAPPF	<i>Implementing the Sustainable Design Assessment in the Planning Process Framework</i> (Organica Engineering, 2019)
MPS	Municipal Planning Strategy (Clause 02 proposed by Amendment C284case)
OSS	<i>Open Space Strategy</i> (City of Casey, 2015)
OSSDP	<i>On-Site Stormwater Detention Policy</i> (City of Casey, 2018)
PPF	Planning Policy Framework
SAITS	<i>Streets Ahead Integrated Transport Strategy</i> (City of Casey, 2017)
W&R	<i>Walk and Ride in Casey 2019-2041</i> (City of Casey, 2019)
WSUDG	<i>Water Sensitive Urban Design Guidelines – South Eastern Councils</i> (Melbourne Water, 2013)
WPGWMP	<i>Western Port Green Wedge Management Plan</i> (City of Casey, 2019)

## **ATTACHMENT 2**

The table overleaf shows the Municipal Planning Strategy and Planning Policy Framework scheme structure established by VC148 and where the majority of Casey's proposed local policy content has been positioned as part of this Amendment. This helps to articulate how the proposed local policy content relates to the mandatory State and regional sections of the Scheme. Other local content has been included in Overlay Schedules and Particular Provisions but is not shown in this attachment as the amount of new or revised content is minor.