

CASEY PLANNING SCHEME

AMENDMENT C207

EXPLANATORY REPORT

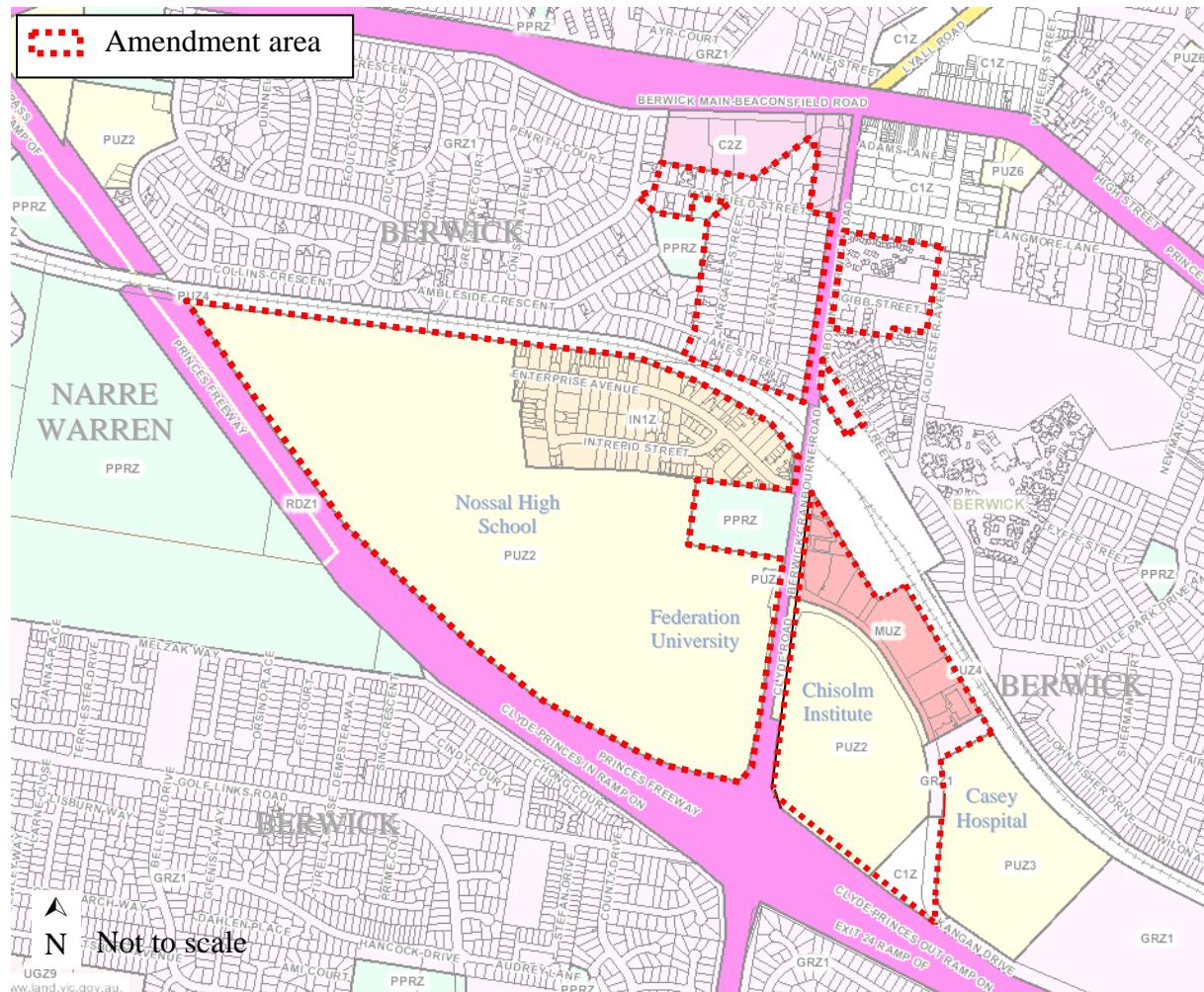
Who is the planning authority?

This amendment has been prepared by the Victorian Planning Authority (VPA).

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

Land affected by the amendment

The amendment applies to all of the land between the Gippsland rail line and the Princes Freeway in Berwick, and some of the land along and adjoining Clyde Road north of the Gippsland rail line in Berwick. The map below shows the extent of the amendment area.



What the amendment does

The amendment implements Policy 1.1.4 and Policy 5.3.2 of *Plan Melbourne 2017-2050*, (Victorian Government, March 2017) by further facilitating the integrated development of the Berwick Health & Education precinct.

The amendment also implements *Sections 4.3 Built form, 5.8 Evans-Margaret Streets housing diversification strategies* and other parts of the *Berwick Village Structure Plan* (adopted by Casey City Council, September 2011) by providing for additional housing growth on the fringe of the Berwick Major Activity Centre.

Specifically the amendment:

- Rezones the Monash University, Berwick TAFE, the Generation Healthcare development on Kangan Drive, Nossal High School, Berwick industrial area, 2-10 Reserve Street, Berwick and land on the north side of Kangan Drive between Clyde Road from variously PUZ2, IN2Z, MUZ, C1Z to CDZ2 (Comprehensive Development Zone 2);
- Inserts a new incorporated document titled 'Berwick Health and Education Comprehensive Development Plan, April 2017' and a new Schedule 2 to the Comprehensive Development Zone;
- Rezones all land on Margaret & Evans Street and some land on Mansfield & Jane Streets, Berwick from GRZ1 (General Residential Zone) to RGZ2 (Residential Growth Zone); and
- Introduces Schedule 2 to the Residential Growth Zone including specific height and setback limits to allow for residential apartments and reflect the garden character of the area.

Strategic assessment of the amendment

Why is the amendment required?

The Victorian Government has published a policy requiring the VPA to plan for Health and Education precincts, including this one at Berwick (*Plan Melbourne*, p34).

The Berwick Village Structure Plan, adopted by Casey City Council in September 2011, is partially implemented. As an adopted document its specific actions should be implemented into the planning scheme to maximise the transparency of Casey's land use and development system for the community and investors.

The planning scheme does not currently reflect these policy positions and requires amendment to more accurately reflect the Government's and Council's intentions for the area.

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

The amendment implements development in a fair and orderly manner by:

- Enhancing economic productivity through encouraging physical proximity between complementary businesses such as hospitals, higher education facilities and allied services in the health and education precinct;
- Providing for more homes, and a greater diversity of home styles, in the existing residential neighbourhood around Margaret and Evans Streets in a manner that complements the existing character of the area;
- Locating land uses in a way that minimises conflict between incompatible land uses;
- Managing development of the health and education precinct so as to enhance the long term ability of the precinct to host intensive-employment generating land uses;

- Requires that development provide for a treed urban landscape with well-presented and constructed roads and pedestrian/cycle trails providing direct travel routes that are overlooked by adjacent development;
- Provides for the reasonable protection of the high pressure gas pipeline in the health and education precinct from potential construction-related damage;
- Protects the ability of traffic on the Gippsland rail line and the Princes Freeway to operate unrestricted by requiring development to provide noise attenuation against traffic and rail noise;
- Protect the regional traffic movements on Clyde Road by including orderly traffic movements to and from the university, TAFE and hospital sites through signal controlled intersections.

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

The *Planning and Environment Act 1987* requires that, in preparing an amendment, a planning authority (ss12(2)(b)–(c)):

- Must take into account any significant effects which it considers the scheme or amendment might have on the environment or which it considers the environment might have on any use or development envisaged in the scheme or amendment; and
- Must take into account its social effects and economic effects.

The amendment will have both positive and negative impacts. However taking into consideration the various impacts and the active management of potential negative impacts the amendment is likely to result in a net community benefit.

Environmental

Environmental impacts south of the railway will be similar to those resulting from development that would have proceeded under the current planning scheme. Localised impacts include increased road and foot traffic in the area, higher surface water run-off resulting from an increase in hard surfaces and increased air and noise emissions from more intensive human activity in new buildings.

At a metropolitan scale development of the precinct primarily for use as health and education facilities is likely to result in shorter inter-suburban trips. High level hospital care and more tertiary education opportunities in the southeast region will reduce the need for current and future residents of this region to travel to universities and hospitals in other parts of Melbourne. This will reduce the need to construct and service additional inter-suburban freeway and rail facilities.

There are no known significant biodiversity or vegetation assets within the amendment area. The delivery of a large wetland and surface water treatment area at the western end of the Monash University site is likely to provide habitat for local and transitory bird life and other aquatic and semi-aquatic plants and animals. This facility will also contribute to water health downstream in the Hallam Valley Contour Drain.

Residential development standards are amended on and around Evans and Margaret Streets to allow for more dwellings while retaining the characteristic open front garden appearance of the area.

A gas transmission pipeline is located underground but close to the surface on the Monash University land, the Chisholm TAFE land and commercial premises south of the rail line. The then MPA commissioned a Safety Management Study in accordance with *Australian Standards 2885 (AS2885) for Pipelines – Gas and Liquid Petroleum (Part 1)* in relation to proposed development around the pipeline. As a result the amendment identifies land uses likely to attract large groups of people to be setback from the gas pipeline easement and requires the preparation and implementation of a Construction Management Plan to protect against damage to the pipeline from construction activity within close proximity to the pipeline's easement.

Potential contamination and sensitive uses (former Monash University site only)

The amendment provides for parts of the former Monash University land to be developed for a mixed-use precinct including sensitive residential uses. That land has been lawfully used for residential purposes ancillary to the university, and no previous industrial, mining or standalone chemical, gas, waste or fuel storage has been identified on the site; primarily due to the later the land does not fall within the meaning of 'potentially contaminated land' as defined in Ministerial Direction No. 1. In any event it is prudent to account for these matters when providing for new sensitive uses. As such, a 'Phase I' desktop and walk-over assessment of the original 54.65ha Monash University landholding was undertaken by a qualified environmental assessor. Their initial report noted:

On the basis of the site history review, the site inspection, and the conceptual site model, there does not appear to be any significant impediment from an environmental perspective to prevent the development of the site for a sensitive land use. However, it is noted that further investigation and some remediation and/or management is likely to be necessary to accommodate a more sensitive land use, for example if asbestos impacts are identified in land proposed to be developed (or redeveloped) for a sensitive land use.

In order to determine the suitability of the site for a sensitive land use, a Detailed Site Investigation in accordance with the ASC NEPM should be undertaken in portions of the site that have medium and high potential for contamination to be present, including the northern portion of the site and the historic airfield area in the eastern portion of the site. In addition, a limited targeted soil investigation should be undertaken on the land that is currently utilised for agricultural purposes to confirm that there are no significant impacts that would warrant detailed investigation or remediation. (p ii, *Monash University Phase 1 Environmental Site Assessment: Berwick Campus Development, Monash University, Clyde Road, Berwick, Victoria*, by Peter J Ramsay and Associates, 9 August 2016).

Bearing in mind the nature of the identified contaminants or potential contaminants, the amendment requires the implementation of the above investigative and remediation actions before any new sensitive use is established on the land.

Social

Neighbourhood character

Changes to the local social fabric of the residential neighbourhood are a possible effect of the development of additional homes in the existing residential area around Margaret and Evans Street, Berwick. The amendment addresses this by:

- limiting the area of new residential growth to a small part of the overall residential neighbourhood centred on Mansfield Street; and
- Ensuring that multi-storey apartment buildings fit with the existing neighbourhood character by only permitting higher than normal buildings on larger sites – generally four storeys will be permitted on an existing lot or two adjoining lots whereas five storeys will be permitted if three or more adjoining lots are developed. Apartment buildings will also need to be setback from the street and neighbours and including landscaping in front of the building; and
- Requires a planning permit for residential development, including provisions for notification and appeal to surrounding affected owners and occupiers to address site-by-site impacts particular to each building.

Infrastructure provision

By coordinating development in the health and education precinct area, new local infrastructure can be provided in a fair and less costly manner. This allows for those intending to develop land to incorporate infrastructure costs into their development and provides certainty to the existing community that new development will reasonably contribute to improvements in the area. Planning for these infrastructure improvements early is likely to reduce conflict further along in the development process.

Economic

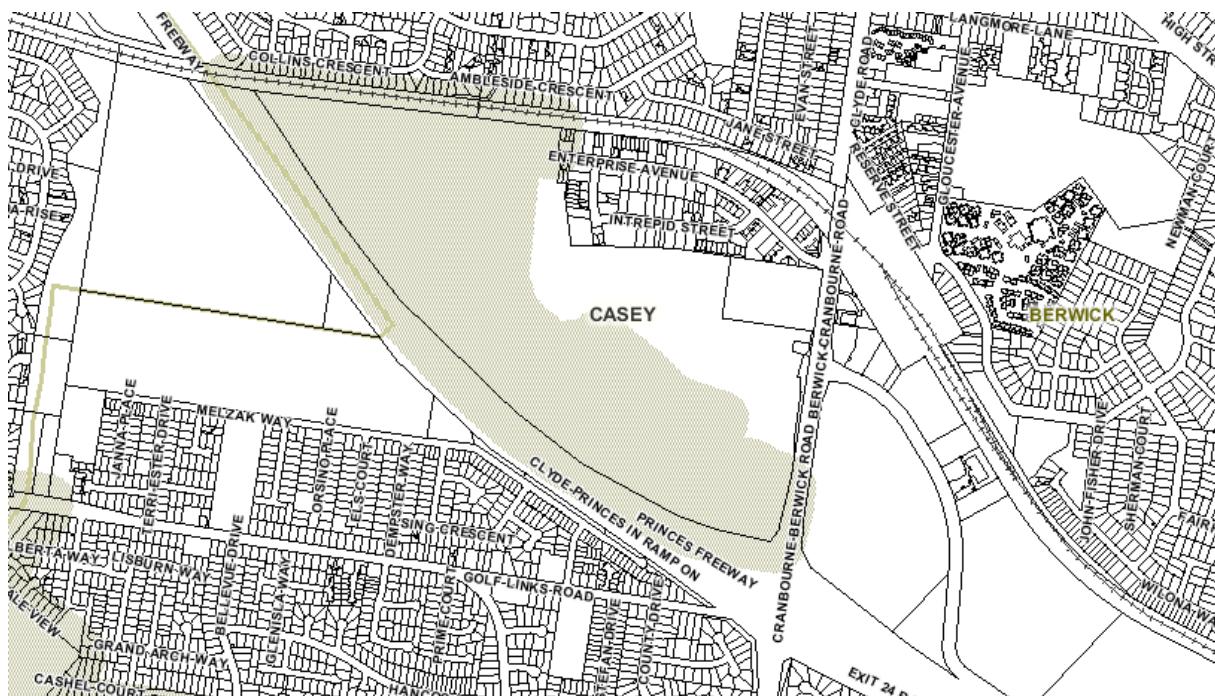
Overall the amendment will positively impact the local and metropolitan economy by:

- Increasing investment in construction and development with short term job creation and flow on demand to local material and service suppliers;
- Improving the arrangement of land uses in the area south of the rail line to maximise the productivity of land for health and education institutions and businesses;
- Providing a significant ongoing increase in employment in this part of Melbourne;
- Increasing demand for existing business services in the area and opportunities for new businesses;
- Providing opportunities for enhanced productivity, innovation and learning between businesses and institutions in the precinct by accommodating similar and related businesses in close proximity; and
- Providing a model for an attractive investment environment for large scale private health investors in Victoria.

Does the amendment address relevant bushfire risk?

Part of the amendment area is declared as a bushfire prone area (BPA) under the *Building Act 2006*.

Land designated as Bushfire Prone Area (shaded) under the *Building Regulations 2006*



Development of the precinct will largely make the bushfire prone area designation on the land largely redundant by transforming the expanses of open space in the west of the area to a built up urban environment. Management of land development for residential development may be required where dwellings are not built to the fire protection standards required by the Building Regulations in a BPA.

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

Ministerial Direction - The Form and Content of Planning Schemes

The amendment:

- Is written in plain English; accords with the style guide at Annexure 1 of the direction; and numbers, heads and dates all ordinance correctly;

- Introduces schedules to zones that are presently contained in the Victoria Planning Provisions and the Casey Planning Scheme;
- Creates a land use table in Schedule 2 to the Comprehensive Development Zone following the content rules set out in the direction.

Direction No. 9 Metropolitan Strategy

The VPA has prepared the amendment with regard to *Plan Melbourne*; the amendment is specifically aimed at implementation of the health and education precinct initiatives, housing intensification around town centres and provision of well located commercially zoned land.

What aspects, if any, of the Metropolitan Planning Strategy are relevant?

The primary policies informing this amendment are:

- Policy 1.1.4 Support the significant employment and servicing role of health and education precincts across Melbourne
- Policy 5.3.2 Create Health and Education Precincts to support neighbourhoods
- Policy 1.1.7 Plan for adequate commercial land across Melbourne
- Policy 1.2.1 Support the development of a network of activity centres linked by transport
- Policy 1.2.2 Facilitate investment in Melbourne's Outer areas to increase local access to employment
- Policy 1.2 Improve access to jobs across Melbourne and closer to where people live
- Policy 1.3 Create development opportunities at urban renewal precincts
- Policy 1.3.1 Plan for and facilitate the development of urban renewal precincts
- Policy 1.3.2 Plan for new development and investment opportunities on the existing and planned transport network Other more generally applicable or related policies include:
 - Policy 2.1.1 Facilitate an increased percentage of new housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport
 - Policy 2.2.2 Direct new housing and mixed-use development to urban renewal precincts and sites across Melbourne
 - Policy 2.2.3 Support new housing in activity centres and other places that offer good access to jobs, services and public transport
 - Policy 2.5.1 Facilitate housing that offers choice and meets changing household needs
 - Policy 3.1.6 Support cycling for commuting
 - Policy 3.3.1 Create pedestrian-friendly neighbourhoods
 - Policy 3.3.2 Create a network of cycling links for local trips
 - Policy 3.3.3 Improve local transport-choices
 - Policy 4.2.1 Strengthen Melbourne's civic legacy of great places
 - Policy 4.4.2 Respect and protect Melbourne's Aboriginal Cultural Heritage
 - Policy 4.4.1 Recognise the value of heritage when managing growth and change
 - Policy 5.1.1 Create mixed-use neighbourhoods at varying densities
 - Policy 5.1.1 Support a network of vibrant neighbourhood activity centres
 - Policy 5.2.1 Improve neighbourhoods to enable walking and cycling
 - Policy 5.4.1 Develop a network of accessible, high-quality, local open spaces

Policy 5.2 Create neighbourhoods that support safe communities and healthy lifestyles

Policy 6.1 Transition to a low-carbon city to enable Victoria to achieve its target net zero greenhouse gas emissions by 2050

Policy 6.3 Integrate urban development and water cycle management to support a resilient and liveable city

Policy 6.4 Make Melbourne greener and cooler

Policy 6.3.2 Improve alignment between urban water management and planning by adopting an integrated water management approach

Direction 6.5 Protect and restore natural habitats

How does the Metropolitan Planning Strategy affect the amendment?

Plan Melbourne directs the VPA to prepare a structure plan for the Berwick Health and Education Precinct. The location and content of the structure plan trigger the need to consider and implement a number of other *Plan Melbourne* directions and initiatives.

In implementing relevant parts of the *Berwick Village Structure Plan*, the amendment must use the new Residential Growth Zone, recognise and facilitate growth of the existing commercial uses along Clyde Road and protect options for the level crossing removal at Clyde Road.

Is the amendment consistent with any directions and policies in the Metropolitan Planning Strategy?

The amendment is consistent with all of the above policy initiatives. In short, the amendment seeks to intensify development of jobs and housing around existing regional rail, road and town centre infrastructure in Berwick while managing amenity impacts on existing residents and owners and protecting and upgrading local infrastructure.

Does the amendment support, give effect to or assist the implementation of the Metropolitan Planning Strategy or can it be reasonably modified to do so?

The amendment satisfactorily implements all of the primary relevant *Plan Melbourne* initiatives. Some additional consideration as to the integration of the planned Clyde Road level crossing removal would assist in maximising the value of the amendment.

Will the amendment compromise the implementation of the Metropolitan Planning Strategy?

The amendment will in no way compromise *Plan Melbourne* implementation.

Direction No. 11 Strategic Assessment of Amendments

This explanatory report addresses the requirements of Direction No. 11.

Direction No. 15 - the planning scheme amendment process

Note that for the purposes of this amendment, the Minister has specifically exempted the VPA from the direction at paragraph 4(1)(a) of this direction.

How does the amendment support or implement the State Planning Policy Framework (SPPF), any adopted State policy, the Local Planning Policy Framework (LPPF) and specifically the Municipal Strategic Statement (MSS)?

The amendment is highly consistent with the SPPF, LPPF and MSS in respect of encouraging intensification of housing opportunities around Berwick town centre, provision of intensive employment opportunities on the Monash University, Berwick TAFE, Casey Hospital and adjoining sites and the improvement of transport links in and around the amendment area.

Casey City Council adopted the *Berwick Village Structure Plan* in September 2011 ('the BVSP'). The BVSP is an approved development plan for the commercial area of the village but not for the residential fringe, Clyde Road south of Mansfield Street and the rail station area. Consequently this amendment implements the following parts of the BVSP:

- 5.3 Clyde Road: A commercial boulevard based on a thriving medical and health services sector;
- 5.4 Berwick Station: A long term development opportunity for more intensive commercial, residential and mixed;
- 5.5 Gloucester Avenue: A leafy setting for residential, medical and educational uses;
- 5.8 Evan-Margaret Streets: Housing diversification opportunities;
- 5.9 Education, medical and mixed use: Future growth opportunity precinct;
- 6.5 Strategic site five – Reserve Street: Short-term (0-5 years).

More broadly local planning policy is implemented as follows:

In response to Clauses 21.02, 21.05 and 21.09 the amendment plans the area between the Monash Freeway and the Gippsland Rail Line as a ‘key employment precinct’, or ‘Casey Technology Park’ including education, health and industry uses with mixed use around the rail station; and plans the Margaret-Evans precinct as a residential area.

In response to Clauses 21.03, 21.06, 21.07 and 21.09 the amendment plans the Evans-Margaret precinct as a higher density residential area that maintains a garden character presentation to the street and site coverage appropriate to its suburban character context. The area is well located for medium density housing considering its excellent walking access to Berwick Village, Berwick rail and bus services and existing and planning employment and business opportunities.

In response to Clause 22.01 the amendment plans for conveniently located and everyday-needs type retailing to service the anticipated working, studying and visiting population in the health and education precinct.

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

The amendment uses the Residential Growth Zone to manage land identified for more intensive residential development. The Comprehensive Development Zone is used to manage a variety of land uses and infrastructure needs between the Gippsland Railway and the Princes Freeway in an integrated manner.

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

The Department of Health Human Services have advised that the amendment satisfactorily addresses its needs in managing and expanding the Casey Hospital.

VPA has commissioned expert traffic advice that addresses the views of VicRoads as the road management authority for Clyde Road. The report recommends providing for an additional controlled intersection on Clyde Road between the Princes Freeway and Kangan Drive to safely and efficiently accommodate additional traffic movements arising from further development of the health and education precinct. The amendment maintains the existing level of protection for the through-traffic function of the recently duplicated Clyde Road.

Transport for Victoria’s views are addressed through provision of cycle and trail facilities and an upgrade to the pedestrian access at the southeast corner of the Berwick rail station car park. Circulation roads in the health and education precinct will be capable of carrying buses if required. A new pedestrian and cycle bridge is proposed across the Princes Freeway to link the health and education precinct to the Sweeney Sports Reserve on the western side of the Princes Freeway.

By facilitating further public and private development of the health and education precinct with protection and reduced permit requirements for key institutional health and education facilities, the views of the Department of Health and Human Services and the Department of Education and Training are addressed.

Melbourne Water have advised that the planned drainage network is appropriate to the needs of the area.

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

The amendment protects the functioning of the Gippsland Railway Line, the Princes Freeway and Clyde Road through the appropriate location of land uses types and new streets.

Metropolitan rail and bus services are enhanced through providing for an intensification of land use around the Berwick rail station and allowing for bus access within the western part of the health and education precinct.

Resource and administrative costs

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

The new provisions will slightly increase the resource and administrative costs to Casey City Council. Additional scheme provisions are inserted for infrastructure and amenity management across the amendment area.

Where you may inspect this Amendment

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

Victorian Planning Authority

Office: Level 25, 35 Collins Street Melbourne, Victoria, 3000

Website: vpa.vic.gov.au

Casey City Council

Municipal Offices: Magid Drive, Narre Warren, Victoria, 3805

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by 29 May 2017

A submission must be sent to: Victorian Planning Authority, Level 25, 35 Collins Street Melbourne, Victoria, 3000 or electronically to amendments@vpa.vic.gov.au.

Panel hearing dates

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

- directions hearing: 19 June 2017
- panel hearing: 24 July 2017.