

CASEY PLANNING SCHEME

AMENDMENT C238

EXPLANATORY REPORT

Who is the planning authority?

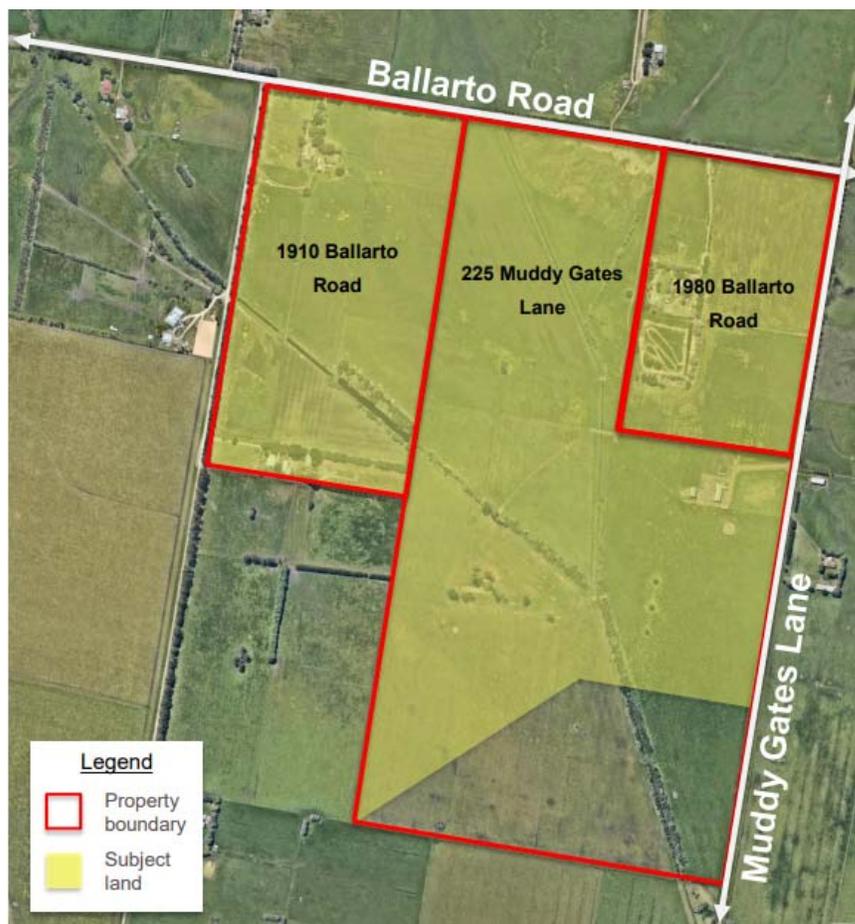
This amendment has been prepared by the Minister for Planning, who is the planning authority for this amendment.

The Amendment has been made at the request of the City of Casey.

Land affected by the Amendment

The Amendment applies to the land at 1910 Ballarto Road, 1980 Ballarto Road and part 225 Muddy Gates Lane, Clyde.

Map 1 – Land affected by the amendment



What the amendment does

The Amendment proposes to apply a Public Acquisition Overlay – Municipal purposes (PAO3) to the subject land. The purpose of the overlay is to enable the acquisition of the land to facilitate the development of regional sporting facilities.

Specifically, the Amendment proposes to:

- Amend Planning Scheme Map 13PAO

Strategic assessment of the Amendment

Why is the Amendment required?

The Amendment seeks to apply the PAO3 to land in Clyde to facilitate the delivery of a regional sports reserve adjacent to the future Melbourne Water retarding basin and proposed Clyde Regional Park. The application of the PAO3 to the subject land will enable its future acquisition for this purpose.

In order to compulsorily acquire the subject land pursuant to the *Land Acquisition and Compensation Act 1986*, a PAO3 should be applied over the land through a planning scheme amendment process.

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

The amendment implements the objectives of Planning in Victoria by addressing the following objectives set out in Section 4 of the *Planning and Environment Act 1987*:

- *To provide for the fair, orderly, economic and sustainable use and development of land.*

The Amendment will facilitate the delivery of a 398-hectare regional recreational precinct by enabling the development of a regional sports reserve adjacent to the proposed State Government regional passive reserve and the future Melbourne Water retarding basin.

- *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*

The Amendment will set aside land for the provision of regional sporting facilities, recognising the increasing participation rates in sport across the municipality and the need to service an estimated residential population of 514,800 at 2041.

- *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.*

The Amendment will allow for the orderly provision of sporting facilities for the benefit of the current and future regional community. It will enable the future acquisition of the subject land pursuant to the *Land Acquisition and Compensation Act 1986*.

- *To balance the present and future interests of all Victorians.*

The Amendment will facilitate the delivery of a regional sports reserve to improve access to sporting facilities for the growing regional population. The reserve will accommodate sports currently experiencing an under provision in delivery identified in Council's *Leisure Facilities Development Plan* (2014), including baseball, softball, hockey and rugby league.

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

It is considered that the long-term social and economic outcomes of the Amendment are positive. The Amendment will allow for the expansion of public open space and recreation facilities that will lead to positive social and health effects for the Casey community.

The acquisition of the subject land will allow for the future provision of recreational facilities that recognises the increasing participation rates in sports across the municipality and the need to service an estimated population of 514,800 at 2041.

The Amendment will not have a detrimental effect on the environment.

Does the Amendment address relevant bushfire risk?

The Amendment relates only to the application of a PAO3 to the subject land and will have no effect on bushfire risk within the local area. The subject site is not located within a Bushfire Management Overlay or designated as a Bushfire Prone Area.

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

The Amendment complies with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the *Planning and Environment Act 1987*.

The Amendment also complies with the following Ministerial Directions:

Direction No. 9 – Metropolitan Strategy

This direction requires that planning scheme amendments must have regard to the Metropolitan Strategy (Plan Melbourne 2017-2050, DELWP 2017). The amendment is consistent with the relevant directions and policies of Plan Melbourne 2017-2050 as set out below.

- 4.1 – Create more great public places across Melbourne
- 4.2 – Build on Melbourne’s cultural leadership and sporting legacy
- 5.2 – Create neighbourhoods that support safe communities and healthy lifestyles
- 5.3 – Deliver social infrastructure to support strong communities
- 5.4 – Deliver local parks and green neighbourhoods in collaboration with communities

Direction No. 11 – Strategic Assessment of Amendments

This direction seeks to ensure a comprehensive strategic evaluation of a planning scheme amendment. This Explanatory Report addresses the requirements outlined in this direction.

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

The Amendment is consistent with State Policies and the State Planning Policy Framework as set out below.

- *South East Growth Corridor Plan*

The Growth Corridor Plans recommend that higher order active open space is generally provided at a rate of 0.5 hectares per 1000 people, dependent upon specific demand and needs of a community. They further recommend co-location of regional active open space with other existing or planned open space areas, including regional parks and land set aside for drainage.

Additionally, the South East Growth Corridor Plan specifically identifies the need for additional regional active open space facilities and identifies a proposed location south of Ballarto Road and north of the Melbourne Water retarding basin.

- *Clause 11.02 Urban Growth*

Objectives of this policy include:

- To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

The Amendment satisfies this objective by proposing to secure land for the future development of regional sporting facilities.

- *Clause 11.04 Open Space*

Objectives of this policy include:

- To assist creation of a diverse and integrated network of public open space commensurate with the needs of the community.
- To provide for the long term management of public open space.

The Amendment satisfies these objectives by facilitating a regional active open space that will be connected with other parks and facilities by the existing and proposed regional trail network. It also provides for regional sports facilities under the management of the City of Casey.

- *Clause 11.06 Metropolitan Melbourne*

Objectives of this policy include:

- To create a distinctive and liveable city with quality design and amenity.
- To create a city of inclusive, vibrant and healthy neighbourhoods that promote strong communities, healthy lifestyles and good access to local services and jobs.
- To protect the green wedges of Metropolitan Melbourne from inappropriate development.
- To strengthen the integrated metropolitan open space network.

The Amendment satisfies these objectives by facilitating the development of facilities that allow for increased community participation in active recreation and formal sporting activities. It takes advantage of links with the adjacent Melbourne Water retarding basin and proposed Clyde Regional Park, using these synergies to provide for a wider open space precinct that offers a diversity of needs including formal and informal sport, nature conservation, recreation and social interaction.

Additionally, the Amendment secures land in the Green Wedge for a regional asset that provides positive social and health outcomes.

- *Clause 15.01 Urban Environment*

Objectives of this policy include:

- To achieve neighbourhoods that foster healthy and active living and community well-being.

The Amendment satisfies this objective by facilitating the development of facilities that allow for increased community participation in active recreation and formal sporting facilities.

- *Clause 19.02 Community Infrastructure*

Objectives of this policy include:

- To develop a strong cultural environment and increase access to arts, recreation and other cultural facilities.
- To provide fairer distribution of and access to social and cultural infrastructure.

The Amendment satisfies these objectives by facilitating a future sports precinct that will complement Casey Fields and strengthen both Casey and Metropolitan Melbourne's distinctiveness as a leading sporting city. It also provides for the fair distribution of and access to sporting infrastructure by its location adjacent to the future communities of the Clyde Creek, Cardinia Creek South and Clyde South Precinct Structure Plan areas.

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

The Amendment is consistent with the Local Planning Policy Framework, including the Municipal Strategic Statement, as set out below.

- *Clause 21.03 Settlement and Housing*

Objectives and strategies include:

- To provide a framework for urban growth and development that will support and strengthen the diverse communities of Casey.
 - Focus activity into identified activity centres and community places to create a sense of place, create physical community landmarks and focal points, and reinforce community identity.
 - Provide a safe and convenient open space system that offers a variety of opportunities to cater for a wide range of community needs.

- To recognise, value, provide and facilitate a choice of facilities, including learning centres and services that reflect the diverse needs of the Casey community.
 - Provide the community with a range of leisure and recreation opportunities to increase the overall participation by residents in leisure activities.
 - Provide a range of sports facilities and functions, using hierarchy of provision (Regional, Municipal, District and Local) at multi-use, single-use or standalone facilities.
 - Provide visible clusters of local facilities to encourage active participation in community life.
- *Clause 21.06 Transport*

Objectives and strategies include:

 - To develop a highly accessible city structure that ensures people and businesses have easy access to goods, services, jobs and facilities.
 - Develop an extensive network of multi-use, off-road trails linking communities, activity centres, learning centres, parkland, community places and other key destinations.
- *Clause 21.07 Built Environment*

Objectives and strategies include:

 - To create both an image that reflects Casey as a whole and images that reflect Casey's diverse range of communities and places.
 - Ensure that the values of Casey's Green Wedges are protected from inappropriate development.

The Amendment satisfies the above objectives and strategies by:

- Facilitating the delivery of a wider community precinct and landmark open space with land and facilities by Council, Parks Victoria and Melbourne Water. Using these synergies to provide for a wider open space precinct that offers a diversity of needs, including formal and informal sport, nature conservation, recreation and social interaction.
- Providing the community with a range of leisure and recreation activities by facilitating the delivery of infrastructure for sports that are and will be otherwise underprovided in Casey, including hockey, rugby, baseball and softball.
- Facilitating delivery of a non-agricultural use that remains compatible with surrounding agricultural land uses and is located on the periphery of the urban growth boundary.

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

The Amendment meets the form and content requirements of the Victorian Planning Provisions, with a Public Acquisition Overlay being the most appropriate tool to enable the compulsory acquisition of land required for municipal purposes.

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

The most relevant agencies for the Amendment are the Department of Environment, Land, Water and Planning (DELWP) and Melbourne Water, given these agencies are the acquiring authorities of existing or proposed Public Acquisition Overlays adjacent to the subject site.

All relevant agencies will be provided with the opportunity to comment through the advisory committee process and submission period associated with the public exhibition of the Amendment.

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

No requirements of the Transport Integration Act 2010 are relevant to this amendment.

Resource and administrative costs

The application of a Public Acquisition Overlay will enable the compulsory acquisition of the subject land in accordance with the provisions of the *Land Acquisition and Compensation Act 1986*, for which Council has set aside appropriate funds.

Where you may inspect this Amendment

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

*City of Casey Customer Service Centre
Bunjil Place
2 Patrick Northeast Drive
NARRE WARREN*

8:30am – 5:00pm (Mon-Fri)

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

9:00am – 5:00pm (Mon-Fri)

9:00am – 12:00pm (Sat)

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.