

Planning and Environment Act 1987

Panel Report

**Casey Planning Scheme Amendment C207 Part 1
Berwick Health and Education Precinct**

28 August 2018

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the Act

Casey Planning Scheme Amendment C207 Part 1

Berwick Health and Education Precinct

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Trevor McCullough, Chair

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List of Abbreviations

C1Z	Commercial 1 Zone
CDP	Berwick Health and Education Comprehensive Development Plan
CDZ	Comprehensive Development Zone
IN2Z	Industrial 2 Zone
MUZ	Mixed Use Zone
PFF	Planning Policy Framework
PUZ2	Public Use Zone 2
TAFE	Tertiary and Further Education
VPA	Victorian Planning Authority

Overview

Amendment summary

The Amendment	Casey Planning Scheme Amendment C207 Part 1
Common name	Berwick Health and Education Precinct
Brief description	<p>The Amendment:</p> <ul style="list-style-type: none"> • Rezones the subject land to the Comprehensive Development Zone 2 (CDZ2) • Inserts a new incorporated document 'Berwick Health and Education Comprehensive Development Plan, April 2017' (CDP) and a new Schedule 2 to the Comprehensive Development Zone (CDZ2) into the planning scheme • Amends the Schedule to Clause 52.01 as it applies to land zoned CDZ2 to set a 5 per cent public open space contribution rate for non-residential subdivision and retain a 10 per cent contribution for residential subdivision
Subject land	Monash University, Berwick TAFE, the Generation Healthcare land on Kangan Drive, Berwick; Nossal High School, Berwick industrial area, 2-10 Reserve Street, Berwick and land on the north side of Kangan Drive, Berwick.
The Proponent	Victorian Planning Authority (VPA)
Planning Authority	VPA
Authorisation	21 August 2014
Exhibition	November 2015 (first exhibition) and 26 April to 29 May 2017 (second exhibition)
Submissions	<p>A total of 25 submissions were received in relation to Part 1 of the Amendment. One submission remains unresolved.</p> <p>A full list of submitters is provided at Appendix A.</p>

Panel process

The Panel	Trevor McCullough
Directions Hearing	No directions hearing was held
Panel Hearing	Planning Panels Victoria 27 August 2018
Appearances	Ms Belinda Smith for VPA
Citation	Casey PSA C207 Part 1 [2018] PPV
Date of this Report	28 August 2018

Executive summary

(i) Summary

The VPA has resolved to treat Amendment C207 to the Casey planning scheme in two parts:

Part 1 – Berwick Health and Education Precinct

This part relates to land proposed to be zoned Comprehensive Development Zone Schedule 2 (CDZ2) on the exhibited planning scheme maps (see Figure 1). The VPA has decided to progress this part of the Amendment and the Panel was appointed to hear submissions. This report relates only to Part 1 of the Amendment.

Part 2 – Margaret Evans Precinct

Relates to land shown as Residential Growth Zone Schedule 1 and Commercial 2 Zone on the exhibited planning scheme maps. The VPA has not yet decided on submissions to this part of the Amendment and it will be dealt with at a later date.

The Berwick Health and Education Precinct covers approximately 122 hectares of land in Berwick, located either side of Clyde Road, north of Princes Freeway and south of Berwick Village. Ultimately, based on the modified version of the CDP (July 2018), the Berwick Health and Education Precinct is anticipated to accommodate up to 8,500 jobs, 11,300 students, 751 hospital beds and 1,025 high density dwellings.

The VPA, in consultation with Casey City Council and government agencies, has prepared the Berwick Health and Education Precinct CDP to guide future development in the Berwick Health and Education Precinct. The Amendment implements the CDP through the following:

- 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 from PUZ2, INZ2, MUZ, C1Z to the CDZ2.
- Inserts a new incorporated document titled 'Berwick Health and Education Comprehensive Development Plan, April 2017' (CDP) and a new Schedule 2 to the Comprehensive Development Zone.
- Amends the Schedule to Clause 52.01 as it applies to land zoned CDZ2 to set a 5% public open space contribution rate for non-residential subdivision and retain a 10% contribution for residential subdivision.
- Provides in the Schedule to Clause 66.06 for the licensee for the Longford-Dandenong Transmission Pipeline under the *Pipelines Act 2005* to be notified of applications for specified uses within 50 metres of that pipeline.

The key issues raised in the submissions of the various parties are briefly summarised as follows:

- Comments on preferred land use
- Access, parking and road network concerns
- Concerns about congestion on Clyde Road as a result of the proposed development.

The vast majority of submissions in relation to Part 1 have been resolved in discussion between the VPA, Council and submitters. The VPA has proposed several changes to the

Amendment (including the CDP) in response to resolved submissions. The Panel has broadly reviewed the final proposed versions of the Amendment documents, but makes no specific recommendations for any further changes relating to resolved submissions.

Only one submission remains unresolved, relating to congestion on Clyde Road.

The VPA has considered the traffic impacts on Clyde Road and the Monash Freeway interchange and has responded by changing the location and design of intersections on Clyde Road and altering the final form of the CDP, reducing traffic generation from the Precinct.

The Panel believes that the VPA response directly addresses the issues raised in the unresolved submission. The Panel concludes that no further changes are required beyond those shown in the revised version of the CDP dated July 2018.

The Amendment is strongly supported by, and implements, the relevant sections of the Planning Policy Framework (PPF), is consistent with the relevant Ministerial Directions and is strategically supported by Plan Melbourne.

The Panel notes that the final form of the Amendment will need to be updated to ensure consistency with VC148.

(ii) Recommendations

Based on the reasons set out in this Report, the Panel recommends that Casey Planning Scheme Amendment C207 Part 1 be adopted as exhibited subject to the following:

- 1. Amend Schedule 2 to the Comprehensive Development Zone as shown in Appendix B to this report.**
- 2. Adopt the revised Berwick Health and Education Comprehensive Development Plan, dated July 2018 as an incorporated document.**
- 3. Amend Schedule to Clause 52.01 as shown in Appendix C to this report.**
- 4. Amend the Schedule to Clause 66.06 as shown in Appendix D to this report.**
- 5. Make other minor amendments to the Municipal Strategic Statement at Clauses 21.01, 21.05 and 21.09 as required to correct any inconsistencies in references to the Berwick Health and Education Precinct.**
- 6. Amend the final form of the Amendment as required to ensure consistency with Amendment VC148.**

1 Introduction

1.1 The Amendment

(i) Amendment description

The VPA has resolved to treat Amendment C207 in two parts:

Part 1 – Berwick Health and Education Precinct

This part relates to land proposed to be zoned Comprehensive Development Zone Schedule 2 (CDZ2) on the exhibited planning scheme maps (see Figure 1). The VPA has decided to progress this part of the Amendment and the Panel was appointed to hear submissions.

Part 2 – Margaret Evans Precinct

This part relates to land shown as Residential Growth Zone Schedule 1 and Commercial 2 Zone on the exhibited planning scheme maps. The VPA has not yet decided on submissions to this part of the Amendment and it will be dealt with at a later date.

Part 1 of 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 from PUZ2, INZ2, MUZ, C1Z to the CDZ2.
- 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.
- Amends the Schedule to Clause 52.01 as it applies to land zoned CDZ2 to set a 5% public open space contribution rate for non-residential subdivision and retain a 10% contribution for residential subdivision.
- Provides for the licensee for the Longford-Dandenong Transmission Pipeline under the *Pipelines Act 2005* to be notified of applications for specified uses within 50 metres of that pipeline.

(Note – clause references relate to the pre-VC148 clause numbers, as exhibited.)

(ii) Purpose of the Amendment

The Berwick area is identified as a Health and Education Precinct in Plan Melbourne under Direction 1.1 – Create a city structure that strengthens Melbourne's competitiveness for jobs and investment and is supported by Policy 1.1.4 - Support the significant employment and servicing role of health and education precincts, which highlights the importance of health and education precincts to the local community and broader metropolitan region.

To support the ongoing development of the Berwick Health and Education Precinct, the Amendment will facilitate opportunities for allied health and education facilities, business, office, research and development, retail and housing development all within walking distance of Berwick Village.

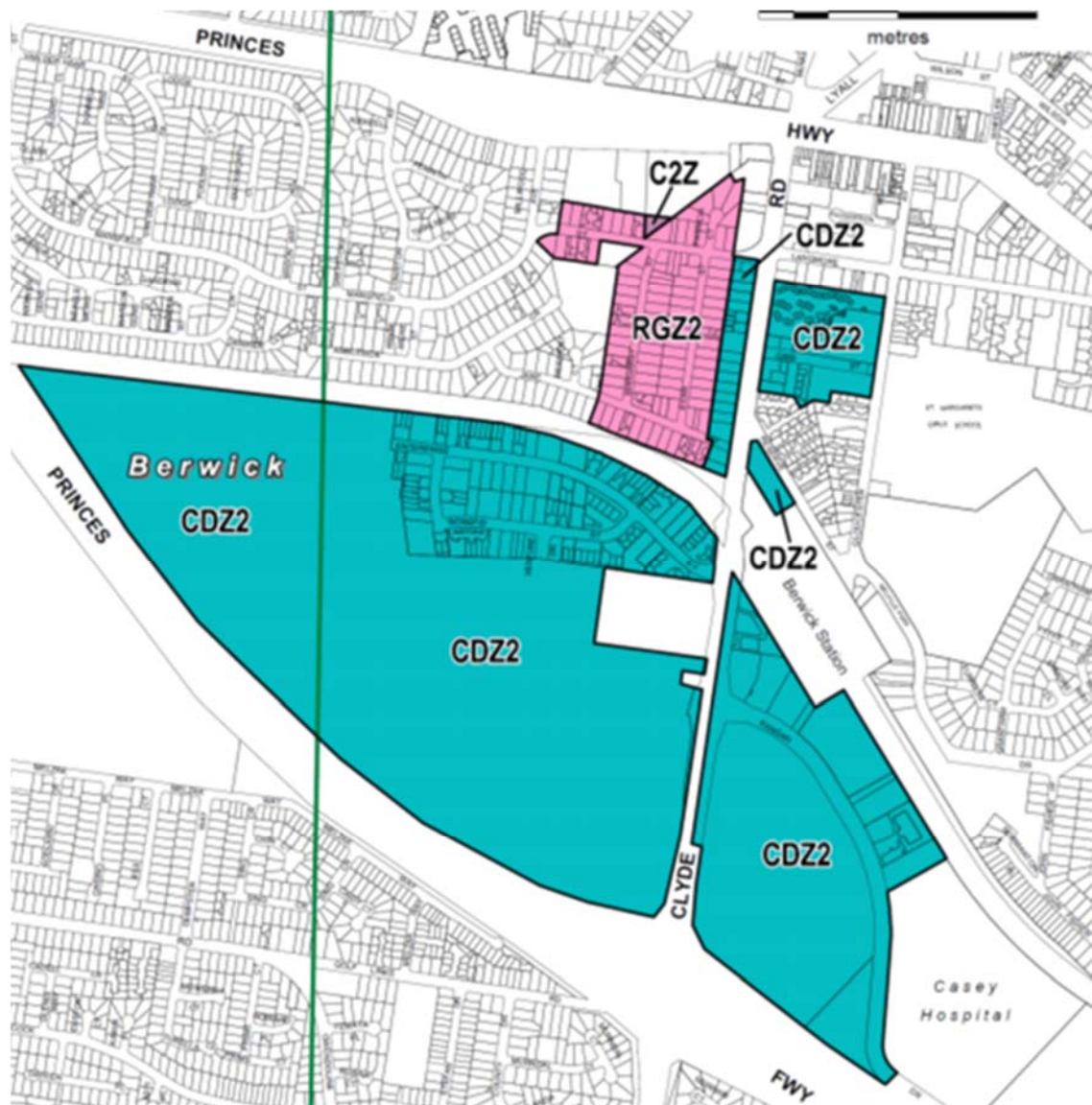
The VPA, in consultation with Casey City Council and government agencies, has prepared the CDP to guide future development in the Berwick Health and Education Precinct. The Amendment implements the CDP.

(iii) The affected land

The original Amendment applied 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. Figure 1 shows the entire C207 area, with the Part 1 area marked in blue and the Part 2 area marked in pink.

Part 1 of the Amendment applies to all land proposed to be rezoned to the CDZ2.

Figure 1 Subject site (shown in blue)

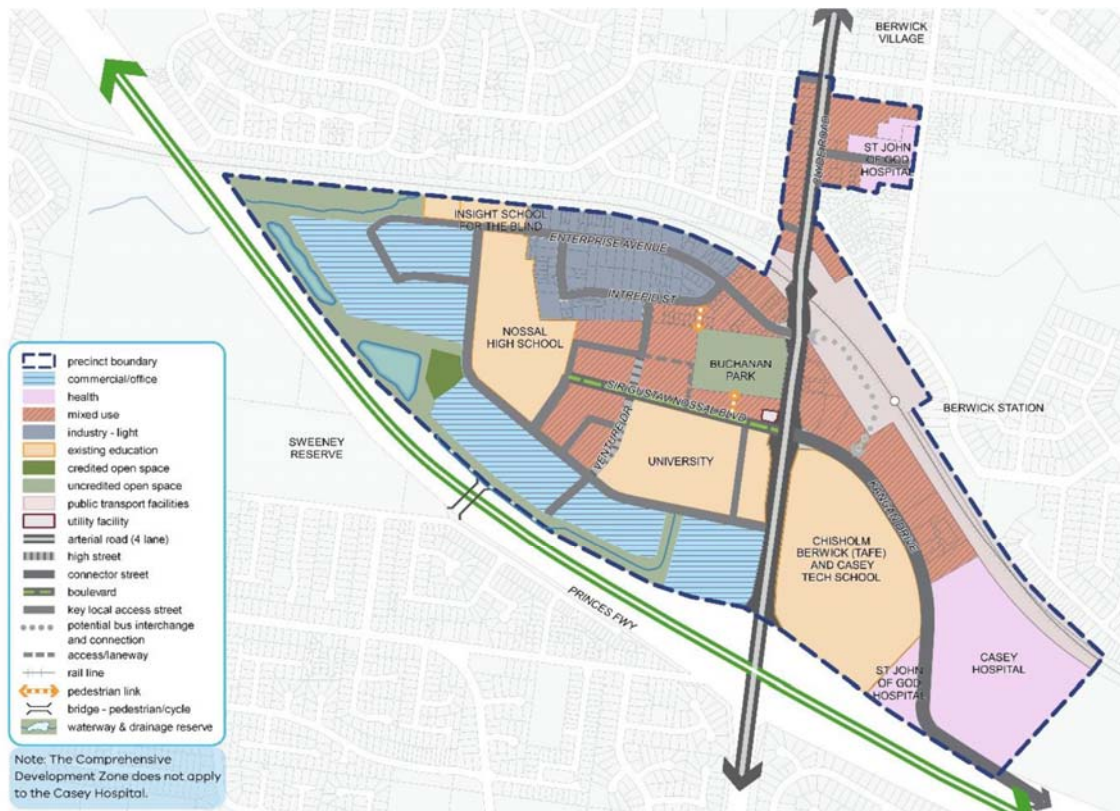


The Berwick Health and Education Precinct covers approximately 122 hectares of land in Berwick, located either side of Clyde Road, north of Princes Freeway and south of Berwick

Village. Ultimately, based on the modified version of the CDP (July 2018), the Berwick Health and Education Precinct is anticipated to accommodate up to 8,500 jobs, 11,300 students, 751 hospital beds and 1,025 high density dwellings.

The CDP applies to land currently occupied by major landowners Monash University, Chisholm Institute of TAFE, Casey Hospital and St. John of God Private Hospitals. The Berwick Health and Education Precinct Future Urban Structure Plan is shown in Figure 2.

Figure 2 Berwick Health and Education Precinct Future Urban Structure Plan¹



1.2 Summary of issues

A total of 16 submissions were received in response to the first exhibition of the Amendment, and 30 submissions received in response to the second exhibition. Of these, 10 in the first exhibition and 21 in the second exhibition related to the Part 1 area (Some submitters submitted to both). The submitters relating to the Part 1 area are shown in Appendix A.

Broad support was provided from the major landowners in the Health and Education Precinct subject to relatively minor changes.

The key issues raised in the submissions of the various parties are briefly summarised as follows:

- Comments on preferred land use

¹ CDP p10

- Access, parking and road network concerns
- Concerns about congestion on Clyde Road as a result of the proposed development.

The vast majority of submissions in relation to Part 1 have been resolved in discussion between the VPA, Council and submitters. Only one submission relating to congestion on Clyde Road remains unresolved.

The Panel considered all written submissions made in response to the exhibition of the Amendment and material presented to it during the Hearing.

This Report deals with the issues under the following headings:

- Planning context
- Changes as a result of resolved submissions and VC148
- Unresolved submission.

2 Planning context

The VPA provided a response to the Strategic Assessment Guidelines as part of the Explanatory Report.

The Panel has reviewed Council's response and the policy context of the Amendment and has made a brief appraisal of the proposed controls and relevant planning strategies.

2.1 Policy framework

The VPA submitted that 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
- 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.

2.2 Planning scheme provisions

The Amendment proposes to apply the Comprehensive Development Zone (CDZ) to the subject land.

The Purpose of the CDZ is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for a range of uses and the development of land in accordance with a comprehensive development plan incorporated in this scheme.

The Amendment proposes to introduce a new Schedule 2 to the CDZ to specific use and development requirements for the Berwick Health and Education Precinct.

2.3 Ministerial Directions and Practice Notes

Ministerial Directions

The VPA submitted, and the Panel agrees, that the Amendment meets the relevant requirements of:

- Ministerial Direction No.9 Metropolitan Planning Strategy
The Amendment supports several policies in Plan Melbourne including:
 - 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
- Ministerial Direction 11 (Strategic Assessment of Amendments)
- Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

2.4 Discussion and conclusion

The Amendment is strongly supported by, and implements, the relevant sections of the Planning Policy Framework (PPF), is consistent with the relevant Ministerial Directions and is strategically supported by Plan Melbourne.

The Amendment is well founded and strategically justified, and the Amendment should proceed subject to addressing the more specific issues discussed in the following chapters.

The final form of the Amendment will need to be updated to ensure consistency with VC148.

3 Changes as a result of resolved submissions and VC148

3.1 Background

The VPA advised that the CDP and Amendment were previously exhibited in November and December 2015 by the VPA, as Planning Authority. In March 2016 Monash University announced they would be vacating the Berwick Campus and Federation University would be taking over the campus from 2018. Consequently, components of the CDP required updating. The VPA submitted that the revised CDP ensures *“the future development of the Precinct is appropriate for its contextual setting within the Berwick Major Activity Centre and the long-term provision of tertiary (health, education, and research/development) employment land for south-eastern Melbourne”*.

The revised Amendment and CDP was re-exhibited from 27 April to 29 May 2017. Since that time the VPA has worked with landowners, Council, VicRoads, other government departments and submitters to develop a final form of the CDP and Amendment documents that have broad support.

The VPA provided the Panel with a detailed response to all submissions that sets out the details of all changes proposed to the exhibited Amendment. The version of the changes matrix provided to the Panel was dated 2 August 2018.

The final VPA proposed form of the Amendment includes all changes proposed in response to submissions and is made up of the following:

- Revised Schedule 2 to the CDZ (Attached as Appendix B to this report)
- Revised Berwick Health and Education Comprehensive Development Plan, dated July 2018
- Revised Schedule to Clause 52.01 (Attached as Appendix C to this report)
- Revised Schedule to Clause 66.06 (Attached as Appendix D to this report)
- Minor amendments to the Municipal Strategic Statement at Clauses 21.01, 21.05 and 21.09 to ensure consistent references to the Berwick Health and Education Precinct.

The Panel has included the proposed amended versions of CDZ2 and the Schedules to Clauses 52.01 and 66.06 (with track changes against the exhibited versions) in Appendices B to D for completeness. The revised CDP is not attached, but the reference to the date of the final version clearly identifies it. The minor amendments to Clauses 21.01, 21.05 and 21.09 are not attached because they are very minor and, in any case, may need to be further changed to ensure consistency with VC148.

The VPA also commissioned a revised Transport Assessment prepared by Cardno dated 8 March 2018. The Panel understands that the VPA may include the Transport Assessment as a background document in the planning scheme.

3.2 VC148

Amendment VC148 (gazetted on 31 July 2018) introduced the new PPF which will, over time, merge state, regional and local policy into a single source. VC148 updated and amended a range of state planning policies including the following relevant to the Amendment:

- the content of Clause 37.02 (Comprehensive Development Zone)
- location and content of Clause 52.01 (now 53.01).

The final form of the Amendment will need to be updated to ensure consistency with VC148.

The Amendment makes minor changes to the Municipal Strategic Statement as mentioned in the previous section. The translation of the existing Local Planning Policy Framework of the Casey planning scheme to the new PPF is expected to occur in the first half of 2019. Some further changes may be required at that time to ensure consistency with VC148.

3.3 Discussion

The Panel has broadly reviewed the final versions of the Amendment documents and is satisfied that they comply with the relevant Ministerial Directions. The Panel makes no specific recommendations for any further changes relating to resolved submissions.

There was some discussion in the Panel Hearing about the proposed approach to funding of infrastructure items listed in the Precinct Infrastructure Plan in the CDP. The Panel made the comment that the Precinct Infrastructure Plan may benefit from some clarification of references to any Infrastructure Contributions Plan that may apply in the future. The current references could be interpreted as infrastructure being funded from both a section 173 agreement and an Infrastructure Contributions Plan. This is not Council's intention and should be clarified.

3.4 Recommendation

The Panel recommends that Amendment C207 Part 1 to the Casey Planning Scheme be adopted as exhibited subject to the following changes:

- 1. Amend Schedule 2 to the Comprehensive Development Zone as shown in Appendix B to this report.**
- 2. Adopt the revised Berwick Health and Education Comprehensive Development Plan, dated July 2018 as an incorporated document.**
- 3. Amend Schedule to Clause 52.01 as shown in Appendix C to this report.**
- 4. Amend the Schedule to Clause 66.06 as shown in Appendix D to this report.**
- 5. Make other minor amendments to the Municipal Strategic Statement at Clauses 21.01, 21.05 and 21.09 as required to correct any inconsistencies in references to the Berwick Health and Education Precinct.**
- 6. Amend the final form of the Amendment as required to ensure consistency with Amendment VC148.**

4 Unresolved submission

4.1 The issue

The one unresolved submission relates to whether proper consideration has been given to the traffic impacts of the proposed development, particularly on Clyde Road.

4.2 Submissions

Mr Ball (Submission 3) raised concerns in relation to the additional intersection on Clyde Rd, 120 metres north of the Monash Freeway overpass. He submitted that *“Clyde Rd during peak times is already clogged with the volume of traffic between the Princess Highway and Monash Freeway and access from the both the South side of Clyde Rd to the Monash Freeway and the North side from the Princess Highway is under duress”*.

He submitted that the removal of the level crossing at Berwick in 2022 will not reduce the traffic volumes at the Monash Freeway entrance or Princess Highway. He noted that up to 6,000 vehicles will access Clyde Rd from the new development and he submitted that this would make congestion worse.

Mr Ball submitted that, if this proposal must go ahead, then additional road access points to the Precinct should be incorporated into the plan. He submitted that this could be achieved either at the Sweeney reserve area via an overpass over the Freeway or on the North side of the Precinct over the railway line.

The VPA acknowledged Mr Ball’s concerns. The VPA reviewed the traffic assessment with VicRoads and, as a result, the intersection on Clyde Road has been moved to 175 metres north of the Freeway interchange to maximise separation and minimise impacts on the interchange. The new intersection on Clyde Road has also been amended from a four-way intersection to a T-intersection, on advice from VicRoads, to ensure the priority for north-south traffic along Clyde Road is maintained. These changes are included in the revised Traffic Assessment report prepared by Cardno for the VPA dated 8 March 2018 and are also reflected in the final July 2018 version of the CDP.

The VPA noted that, in the revised CDP, the Precinct’s overall development has been reduced from 12,600 to 11,300 students; and 187,000 square metres to 116,400 square metres of commercial, retail floor space through a reduction in building heights; and some light industrial land has been removed. This has resulted in a reduction in predicted peak hour traffic movements from the Precinct from 6,000 to 4,760 in the AM and from 5,000 to 3,970 in the PM peak. The predicted traffic queues from the new intersection are now 90 metres (on the south approach) during peak hour. This is expected to clear the Monash Freeway interchange and satisfy VicRoads’ requirement to protect the free-flowing operation of the Monash Freeway/Clyde Road interchange.

The VPA also noted:

In addition to the removal of the Clyde Road level crossing in 2022, the ultimate upgrade of Clyde Road by VicRoads (as road authority) from 4 to 6 lanes is to take place by 2046 to maintain optimum operation of the transport network. Given the life of the Comprehensive Development Plan is 15 to 20

years (as an employment precinct) these works are likely to be completed in parallel with the ultimate development of the Berwick Health and Education Precinct.

The VPA agreed in part with Mr Ball's comments about additional access points. It noted that pedestrian and bicycle access to the precinct via an overpass of the Monash Freeway to Sweeney Reserve is proposed as part of the CDP. This will provide a direct connection into the Precinct and Berwick Station/Berwick Village, to the established community south of the Freeway, and Sweeney Reserve.

The VPA submitted that a second road access point north of the Precinct across the Gippsland Rail line to the Mansfield Street residential area was discussed with the Level Crossing Removal Authority and Council. This option will be dependent on the resolution of the grade separation at Clyde Road, and is unlikely to be feasible.

4.3 Discussion

The VPA has considered the traffic impacts on Clyde Road and the Monash Freeway interchange and has responded by changing the location and design of intersections on Clyde Road and altering the final form of the CDP, resulting in reduced traffic generation from the Precinct. The Panel also notes the longer-term proposal to widen Clyde Road, which will likely assist in reducing future congestion on Clyde Road.

The Panel believes that the VPA response directly addresses the issues raised by Mr Ball.

4.4 Conclusion

The Panel concludes that no further changes are required beyond those shown in the revised version of the CDP dated July 2018.

Appendix A List of submitters to Part 1

No.	Submitter
7 (1st exhibition)	EPA Victoria
10 (1st exhibition)	St John of God Berwick Hospital
14 (1st exhibition)	Level Crossing Removal Authority
16 (1st exhibition)	Chisholm
2 (2nd exhibition)	Safe Super Homes
3 (2nd exhibition)	Mr Michael Ball
7 (2nd exhibition)	Mr Duncan Burrows
11 (2nd exhibition)	Mr Holger Schultz
13 (2nd exhibition)	Mr Richard Strugnell
14 (2nd exhibition)	Nossal High School
15 (2nd exhibition)	Mr Campbell Broberg
16 (2nd exhibition)	Ms Marian Watson
5 (1st exhibition) and 18 (2nd exhibition)	Melbourne Water
19 (2nd exhibition)	Ms Sue and Mr Wayne Peterken
3 (1st exhibition) and 20 (2nd exhibition)	APA Group (now APA VTS)
8 (1st exhibition) and 21 (2nd exhibition)	Monash University
22 (2nd exhibition)	Insight Education Centre
23 (2nd exhibition)	Federation University
13 (1st exhibition) and 24 (2nd exhibition)	Department of Health and Human Services
15 (1st exhibition) and 25 (2nd exhibition)	Transport for Victoria (formerly Public Transport Victoria)
26 (2nd exhibition)	APT O&M Services Pty Ltd (APA Networks)
27 (2nd exhibition)	Chisholm
28 (2nd exhibition)	Officer of the Minister for Training and Skills
29 (2nd exhibition)	EAG Pty Ltd
9 (1st exhibition) and 30 (2nd exhibition)	Casey City Council
7 (1st exhibition)	EPA Victoria
10 (1st exhibition)	St John of God Berwick Hospital
14 (1st exhibition)	Level Crossing Removal Authority

Appendix B Proposed VPA revised CDZ2

Track changes shown against the exhibited version.

CASEY PLANNING SCHEME

---/2017
Proposed C207

SCHEDULE 2 TO THE COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as **CDZ2**.

BERWICK HEALTH & EDUCATION PRECINCT COMPREHENSIVE DEVELOPMENT PLAN (*The CDP*)

Land

Map 1 to Schedule 2 to Clause 37.02 (map updated as at 13 Feb 2018)



Note: If land shown on Map 1 is not zoned CDZ, the provisions of this zone do not apply.

Purpose

To facilitate intensive business and employment activity.

To promote health, education and related uses.

To facilitate high density residential, [\(including student housing\)](#) retailing and services in appropriate locations.

To provide for the development of integrated transport, utility and open space networks.

To facilitate building, street and site design that enhances amenity for pedestrians.

CASEY PLANNING SCHEME

1.0 Table of uses

4-1/2017
Proposed C207

Section 1 - Permit not required

Use	Condition
Accommodation (other than Camping and caravan park, Corrective institution, Dependent person's unit, and Residential aged care facility and Retirement Village)	<p>Must be in the Mixed Use or Lifestyle Retail sub-precincts; and</p> <p>Any frontage at ground floor level must not exceed 2 metres (other than a bed and breakfast and caretaker's house);</p> <p>or</p> <p>Must be in the Core Health and Education sub-precinct; and</p> <p>Must be student housing.</p> <p>A dwelling must not have a frontage at ground floor level of more than 2 metres.</p> <p>Where located above the third storey of a building must be more than 50m from:</p> <ul style="list-style-type: none"> an easement for the Longford-Dandenong transmission pipeline; or the Longford-Dandenong transmission pipeline, where the pipeline is located in a road reserve.
Amusement parlour	Must be in the Lifestyle Retail sub-precinct
Art gallery	Must be in the Lifestyle Retail sub-precinct
Caretaker's house	
Child care centre	<p>Must not be in the Business and Enterprise or Corporate Centre sub-precincts.</p> <p>The gross floor area of all buildings must not exceed 250 square metres.</p> <p>Must be more than 50m from:</p> <ul style="list-style-type: none"> an easement for the Longford-Dandenong transmission pipeline; or the Longford-Dandenong transmission pipeline, where the pipeline is located in a road reserve.
Convenience shop	
Dependent person's unit	Must be the only dependent person's unit on the lot.
Education centre (other than primary school)	Must be in the Health and Education sub-precinct.
Emergency services facility	<p>Must not be in the Business and Enterprise sub-precinct.</p> <p>Must be more than 50m from:</p> <ul style="list-style-type: none"> an easement for the Longford-Dandenong transmission pipeline; or the Longford-Dandenong transmission pipeline, where the pipeline is located in a road reserve.
Emergency services facility	

CASEY PLANNING SCHEME

Use	Condition
Exhibition centre	Must be in the Mixed Use, Lifestyle Retail or Corporate Centre sub-precincts.
Function centre	
Home occupation	
Hospital	
<u>Hospital</u>	<u>Must be in the Health and Education sub-precinct</u>
Indoor recreation facility	Must be in the Mixed Use or Lifestyle Retail sub-precincts. The gross floor area of all buildings must not exceed 500 square metres.
<u>Medical centre</u>	<u>Must be in the Health and Education sub-precinct</u>
Office	
Place of worship	<u>Must be in the Mixed Use or Lifestyle Retail sub-precinct</u> The gross floor area of all buildings must not exceed 250 square metres.
Research and development centre	Must not be in the Mixed Use or Lifestyle Retail sub-precincts.
Research centre	
Residential aged care facility	Must be in the Health and Education sub-precinct. <u>Must be more than 50m from:</u> <ul style="list-style-type: none"> ▪ <u>an easement for the Longford-Dandenong transmission pipeline; or</u> ▪ <u>the Longford-Dandenong transmission pipeline, where the pipeline is located in a road reserve.</u>
Restricted recreation facility	Must be in the Mixed Use or Lifestyle Retail sub-precincts. The gross floor area of all buildings must not exceed 500 square metres.
Retail premises (other than Gaming premises, Hotel, Supermarket and Tavern)	Must be in the Mixed Use and Lifestyle Retail sub-precincts. Must be south of the rail line. Must be more than 50m from: <ul style="list-style-type: none"> ▪ <u>an easement for the Longford-Dandenong transmission pipeline; or</u> ▪ <u>the Longford-Dandenong transmission pipeline, where the pipeline is located in a road reserve.</u>
Supermarket	Must be south of the rail line within the <u>Lifestyle Retail Mixed-Use</u> sub-precinct. Must be no more than 1,500 sqm. Must not be the only use in the building.
Tramway	

CASEY PLANNING SCHEME

Use	Condition
Warehouse	Must be in the Business and Enterprise sub-precinct <u>or Mixed Use sub-precinct where the property fronts Enterprise Avenue and/or Intrepid Drive.</u> Must not be a use listed in Clause 52.10.
Veterinary centre	The gross floor area of all buildings must not exceed 500 square metres. Animals kept on the premises must be accommodated indoors.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than dwelling) – if the Section 1 condition is not met	Must be in the Mixed Use or Lifestyle Retail sub-precincts.
Agriculture (other than Intensive animal husbandry)	
Amusement parlour	Must be in the Mixed Use or Lifestyle Retail sub-precincts.
Hotel	
<u>Cinema</u>	<u>Must be in the Lifestyle Retail or Mixed Use sub-precinct</u>
<u>Dependent person's unit</u>	<u>Must be the only dependent person's unit on the lot</u>
<u>Dwelling</u>	<u>Must be located in a building of four storeys or greater</u> <u>Must be in the Mixed Use or Lifestyle Retail sub-precincts.</u>
<u>Hotel</u>	<u>Must not be in the Corporate Centre sub-precinct</u>
Industry (other than Materials recycling, Refuse disposal, Research and development centre, Rural industry, Service Industry)	Must be in the Business & Enterprise sub-precinct. Must not be a use listed in Clause 52.10.
Minor sport and recreation facility (other than Indoor recreation facility and Restricted recreation facility)	
Nightclub	Must be in the Mixed Use or Lifestyle Retail sub-precincts.
Place of assembly (other than Amusement parlour, Carnival, Cinema, Circus, Drive-in theatre, Exhibition centre, Function centre, Nightclub and Place of worship)	
Primary school	
Service industry	
<u>Residential hotel</u>	<u>Must not be in the Corporate Centre sub-precinct</u>
<u>Service industry</u>	

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Use	Condition
Tavern	Must be in the Mixed Use or Lifestyle Retail sub-precincts.
Warehouse	Must be located in the Business & Enterprise sub-precinct. Must not be a use listed in Clause 52.10.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Brothel
Camping and caravan park
Cemetery
Corrective institution
Drive-in theatre
Dwelling (other than Caretaker's house) if the Section 1 condition is not met
Freeway service centre
Gaming premises
Gambling premises (other than Gaming premises)
Intensive animal husbandry
Leisure and recreation (other than Minor minor sports and recreation facility)
Materials recycling
Refuse disposal
Rural industry
Saleyard
Winery

2.0 Use of land

~~1-1-2017~~
Proposed C207

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

2.1 Remediation of potential contamination requirement

~~1-1-2017~~
Proposed C207

~~Before the commencement of a sensitive use on the land at 76, 76T, 77T, 100 & 120 Clyde Road, Berwick, the responsible authority must be satisfied that the environmental condition of the land is suitable for the sensitive use.~~

~~Reference document: 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~~

CASEY PLANNING SCHEME

3.0 Buildings and works

—/—/2017
Proposed C207

A permit is not required to construct a building or [construct or](#) carry out works [on public land](#) related to the use of the land for education or health care provided the use is carried out by or on behalf of the public land manager for the land.

3.1 Construction management plan requirement – protection of gas transmission

—/—/2017
Proposed C207

Prior to the commencement of any building or works, including demolition, on land within 50 metres of the gas easement in the incorporated *Berwick Health & Education Comprehensive Development Plan*, a construction management plan must be submitted to and approved by the responsible authority. The plan must:

- Prohibit the use of rippers or horizontal directional drills unless otherwise agreed by the operator of the gas transmission pipeline.
- Be endorsed by the operator of the gas transmission pipeline where the works are within, crossing or within 50 metres of the relevant gas transmission easement.
- Include any other relevant matter to the satisfaction of the responsible authority.

The construction management plan must be implemented to the satisfaction of the responsible authority.

The construction management plan may be amended to the satisfaction of the responsible authority.

4.0 Requirements – use, subdivision and buildings & works

—/—/2017
Proposed C207

Any requirement in the [Berwick Health and Education Comprehensive Development Plan CDP](#) must be met.

5.0 [General requirements](#)

—/—/2017
Proposed C207

[Unless otherwise agreed by the Responsible Authority, prior to commencement of the first stage of a development or prior to the certification of the first plan of subdivision, the owner must enter into an agreement or agreements under Section 173 of the Act with the Responsible Authority which provide/s for the infrastructure required to be provided as part of the development. The agreement must give effect to the approved Precinct Infrastructure Plan and amongst other matters specify the timing and responsibility for delivery of projects required to support the proposed future development of the land.](#)

Exemption from notice and review – use and subdivision

An application to use or subdivide land that is generally consistent with the *Berwick Health and Education Comprehensive Development Plan* is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

6.0 Decision guidelines – use, subdivision and buildings & works

—/—/2017
Proposed C207

Before deciding on an application to use land, the responsible authority must consider the incorporated *Berwick Health & Education Comprehensive Development Plan*.

7.0 Advertising signs

—/—/2017
Proposed C207

Advertising sign requirements are at Clause 52.05. Advertising Category 2 applies to CDZ2.

Appendix C Proposed VPA revised Schedule to Clause 52.01

Track changes shown against the exhibited version.

CASEY PLANNING SCHEME

15/12/2016
C190
Proposed C207

SCHEDULE TO CLAUSE 52.01

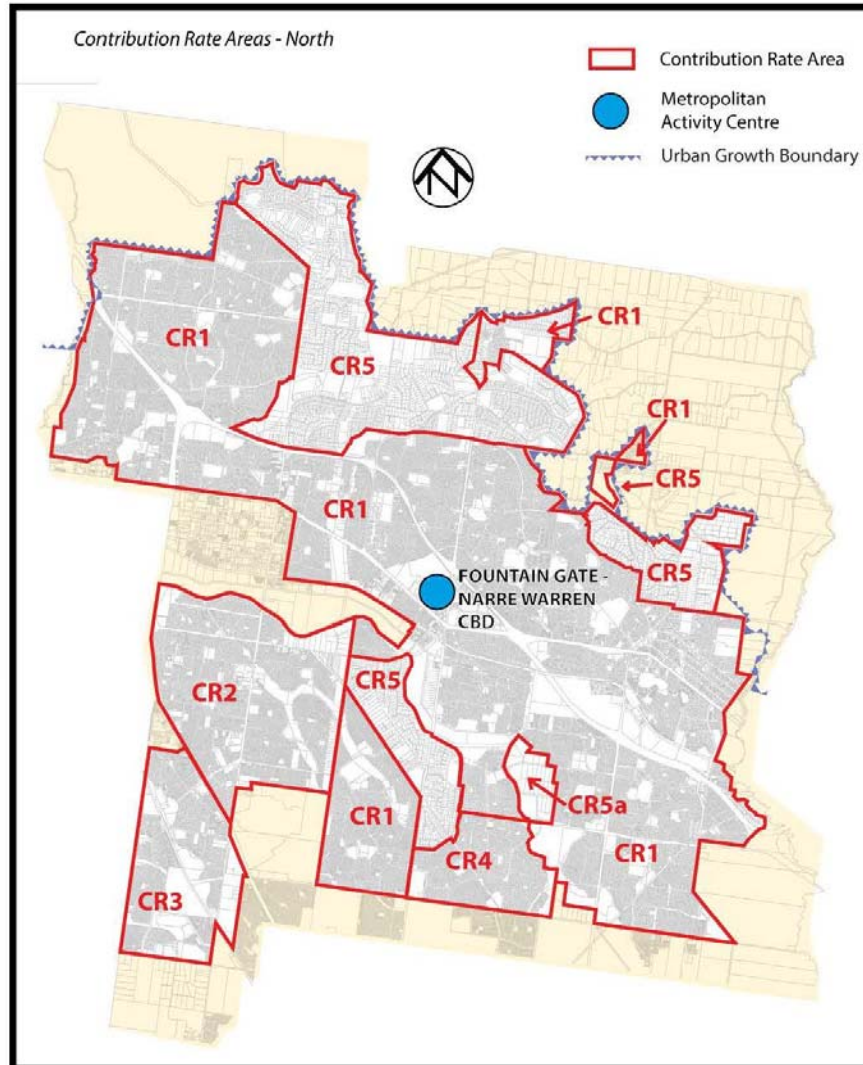
Type or Location of Subdivision	Amount of contribution for public open space
All land shown on Plans 1.1 and 1.2 forming part of this schedule	
CR1:	10% <u>or</u> <u>5% for land zoned CDZ2 on the planning scheme maps that is subdivided for a purpose other than residential.</u>
CR2:	8%
CR3:	7.5%
CR4:	7%
CR5:	5%
CR5a:	4% As to the composition of the contribution, it must be made in the manner set out and explained in the Berwick Waterways Precinct Structure Plan, October 2014.
CR6:	11%
CR7:	3.08%
CR8:	3.75%
CR9:	5.9%
CR10: (Land north of Ballarto Road)	7.52%
(Land south of Ballarto Road)	1.61%
CR11:	3.54%
CR12:	1.5%
CR13:	4.04% As to the composition of the contribution, it must be made in the manner set out and explained in the Cranbourne North Stage 2 Precinct Structure Plan, June 2011.
CR14:	4.21% As to the composition of the contribution, it must be made in the manner set out and explained in the Botanic Ridge Precinct Structure Plan, December 2012.
CR15	2% Employment 4% Residential As to the composition of the contribution, it must be made in the manner set out and explained in the Thompsons Road Precinct Structure Plan, October 2014

CASEY PLANNING SCHEME

Type or Location of Subdivision	Amount of contribution for public open space
CR16	4% As to the composition of the contribution, it must be made in the manner set out and explained in the Clyde Creek Structure Plan, October 2014
CR17	4% As to the composition of the contribution, it must be made in the manner set out and explained in the Casey Fields South Residential Precinct Structure Plan, October 2014
CR18	20% As to the composition of the contribution, it must be made in the manner set out and explained in the Former Amstel Golf Course Development Plan
CR19	5.32% As to the composition of the contribution, it must be made in the manner set out and explained in the Brompton Lodge Precinct Structure Plan, August 2016
CR20	6.51% As to the composition of the contribution, it must be made in the manner set out and explained in the Casey Central Town Centre Precinct Structure Plan, May 2016
These amounts do not apply to:	Not specified
<ul style="list-style-type: none"> the subdivision of land to create lots for existing dwellings, for which the amount is: the subdivision of any land not in a residential zone, Urban Growth Zone or Precinct Structure Plan area for which the amount is: <ul style="list-style-type: none"> This exemption does not apply to land in Cranbourne North Service Business Precinct (CR12) or land zoned CDZ2 on the planning scheme maps. 	Not specified

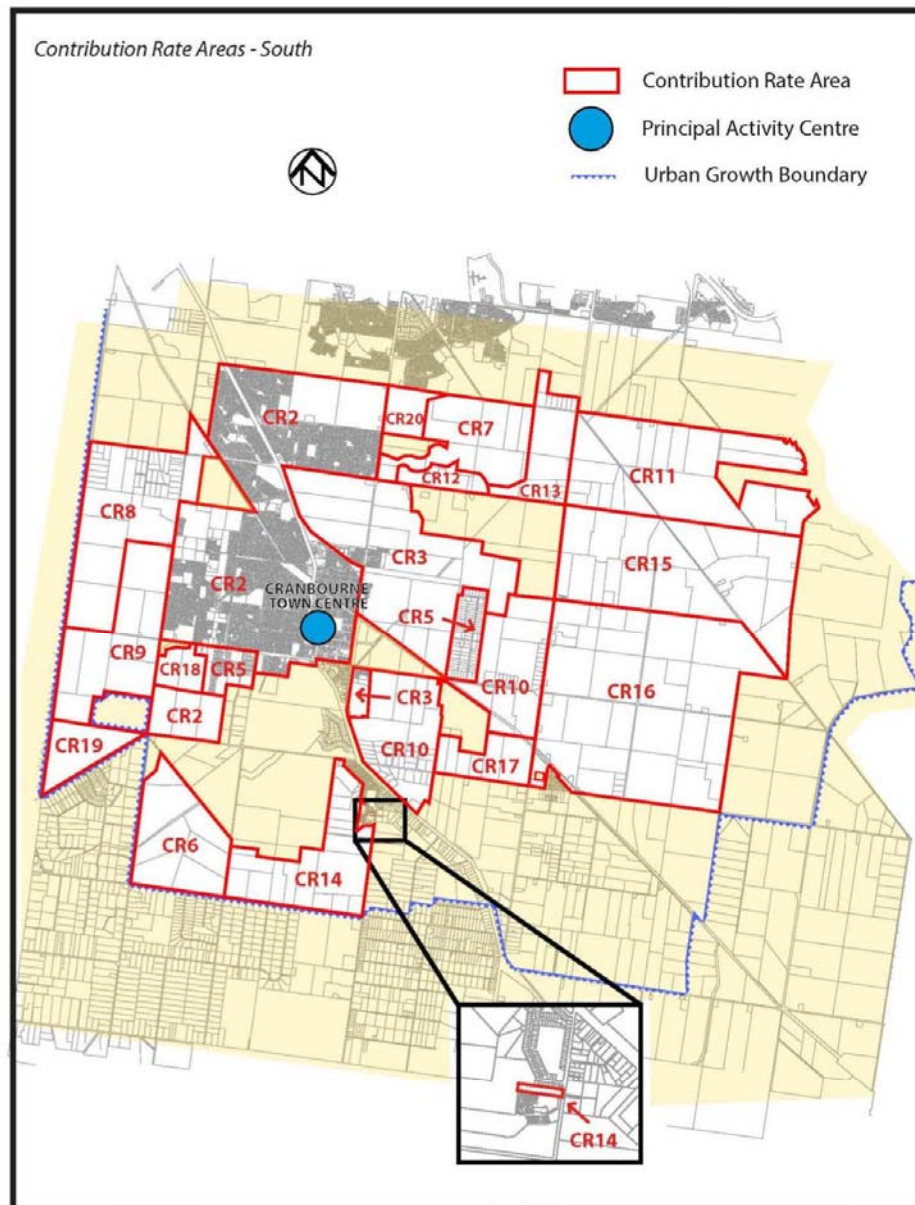
CASEY PLANNING SCHEME

Plan 1.1 to Clause 52.01



CASEY PLANNING SCHEME

Plan 1.2 to Clause 52.01



Appendix D Proposed VPA revised Schedule to Clause 66.06

Track changes shown against the exhibited version.

CASEY PLANNING SCHEME

19/01/2006
VC37
Proposed C207

SCHEDULE TO CLAUSE 66.06**Notice of permit applications under local provisions**

Clause	Kind of application	Person or body to be notified
Section 1.0 of Schedule 2 pursuant to Section 37.02-1None specified	<p>To use land for an Child care centre, Education centre, Place of assembly, <u>retail, Accommodation (greater than three storeys)</u> or Residential aged care facility within 50m of:</p> <ul style="list-style-type: none"> ▪ <u>an easement for the Longford-Dandenong transmission pipeline; or</u> ▪ <u>the Longford-Dandenong transmission pipeline, where the pipeline is located within a road reserve.</u> 	<p>The licenced operator of the Longford-Dandenong transmission pipeline under the <u>Pipelines Act 2005.</u></p>