

## **21.06 PARTICULAR USES AND DEVELOPMENT**

19/10/2017  
C211

This clause provides local content to support Clause 15 (Built Environment and Heritage) of the State Planning Policy Framework.

### **21.06-1 Design and built form**

19/10/2017  
C211

This section provides local content to support Clause 15.01 (Urban Environment) of the State Planning Policy Framework.

#### **Overview**

The long term benefits of good design are a more attractive, functional and sustainable built environment. Good design is based on the principle of being site responsive, designing to take into account the character and constraints of a site and wider area.

#### **Key issues**

- Implementing Precinct Structure Plans, Activity Centre Structure Plans and Urban Design Frameworks in current and future activity centres including Beaconsfield, Pakenham, Pakenham Homemaker Precinct, Cardinia Lakes and Cardinia Road and the future Officer Town Centre.
- Providing for advertising signs that are in context with the scale of development, the surrounding environment and with the surrounding signage patterns.
- Enhancing the design and built form of existing industrial areas.
- Recognising design issues in the rural townships including the need to protect and enhance the character and appearance of the town centres and associated sites of cultural and heritage significance.

#### **Objective 1**

To promote a high standard of design which creates a strong character and identity for the area, provides for a functional built environment, and promotes community and personal safety.

#### **Strategies**

- Ensure that all development takes into account the character and constraints of the site and wider area.
- Encourage new development to achieve best practice in design that promotes social wellbeing, economic development and environmental sustainability.
- Ensure development contributes to the character, identity and sense of place of the area, particularly in newly developing areas.
- Ensure new development is designed to address public spaces and enhance the public realm.
- Maintain and improve the appearance and function of industrial precincts by ensuring high quality urban design including site layout, streetscape, building design and landscaping.
- Ensure that landscaping areas within development are adequately maintained to enhance the appearance of the area.

#### **Objective 2**

To provide equity of access for people with disabilities to publicly accessible premises.

#### **Strategies**

- Ensure development is designed to support access for people with disabilities in accordance with Australian Standards, including AS 1428 (Parts 1-4).

### Objective 3

To ensure advertising signs are consistent with the surrounds whilst ensuring that businesses have adequate opportunities to identify their business.

#### Strategies

- Provide for the reasonable and equitable identification of businesses and facilities through advertising signs which are in context with the scale of development and surrounding environment.
- Avoid the proliferation of signs causing visual clutter and signs which do not relate to services or facilities on the land on which they are displayed.
- Encourage signs that are integrated with architectural features and compliment the style and character of the host building, abutting buildings and the overall landscape or streetscape.
- Ensure signage has an integrated and co-ordinated sign package in terms of colour, graphic content and placement.
- Ensure that signs for individual businesses in joint occupancy buildings are of a uniform size, shape and presentation.

#### Implementation

The strategies in relation to urban design will be implemented through the planning scheme by:

##### Use of policy and exercise of discretion

- Using the local planning policy Clause 22.04 Highway Development to guide development along highways within the municipality.
- When deciding on applications for development and redevelopment of land, considering, as appropriate:
  - Township Strategies.
  - Precinct Structure Plans.
  - Activity Centre Structure Plans.
  - Urban Design Frameworks.
  - Urban Design Guidelines.
- When deciding on applications for development or redevelopment within activity centres, considering, as appropriate:
  - Council Approved Precinct Structure Plans, Activity Centre Structure Plans and Township Strategies for residential and employment lands
- When developing Precinct Structure Plans, Activity Centre Structure Plans and Township Strategies, considering the issue of design and built form.
- When deciding on applications for advertising signs, considering as appropriate:
  - The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.
  - The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.
  - Impacts on views and vistas:
  - The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.
  - The scale and form of the sign relative to the scale, proportion and any other significant characteristics of the host site and host building.
  - The impact of glare and illumination on the safety of pedestrians and vehicles, and amenity of nearby residents and the amenity of the area.

- The impact on road safety.

#### **Application of zones and overlays**

- Applying the Environmental Significance Overlay for the northern hills area including criteria in relation to the character and constraints of the area.
- Applying the Significant Landscape Overlay to control specific aspects of design in sensitive areas.
- Applying the Design and Development Overlay to low density residential development and the hills townships.
- Applying the Development Plan Overlay where appropriate for newly developing areas to ensure appropriate design principles are implemented.

#### **Further strategic work**

- Introducing appropriate mechanisms to implement the urban design principles outlined in the Urban Design Frameworks, Township Strategies, Precinct Structure Plans and Activity Centre Structure Plans including appropriate zones and/or overlay, for example the Significant Landscape Overlay and Design and Development Overlay.
- Introduce mechanisms to implement principles relating to the following:
  - Advertising Signs
  - Building, Siting and Design Guidelines for Non Urban and Low Density Residential Areas
  - Disability Access Design Policy
  - Design guidelines for industrial development

#### **Reference documents**

Disability, Access and Inclusion Policy, Cardinia Shire Council (May 2007)

Advertising Signs Guidelines 2009

Pakenham Town Centre Urban Design Framework

Pakenham Homemaker Precinct Urban Design Framework

Pakenham Rail Station Urban Design Framework

Woods Street (North) Urban Design Guidelines (May 2013)

Cockatoo Town Centre Urban Design Framework

Any listed in Clause 15.01 (Urban Environment) of the State Planning Policy Framework

#### **21.06-2**

19/10/2017  
C211

#### **Community safety**

This section provides local content to further support Clause 15.01 (Urban Environment) of the State Planning Policy Framework, which includes safety related design requirements.

#### **Overview**

Cardinia Shire Council is committed to maintaining and improving community safety within the municipality, and recognises the role that well designed and maintained urban environments play in achieving this goal. The *Safer Cardinia Shire Community Safety Plan* addresses community safety and crime prevention through a strategic, planned, whole-of-government approach, and addresses issues such as ‘young people’s issues’, a safe environment, alcohol and drugs, vulnerable groups, supporting families and community education. The plan also acknowledges the need to integrate community safety and emergency management.

## Key issues

- Acknowledging the increased incidence of graffiti in the municipality.
- Recognising the role of design in increasing safety and the perception of safety of residents.
- Implementing and integrating the Community Safety Plan into all aspects of development within the municipality.
- Implementing preventative and management plans including the Municipal Fire Prevention Plan and the Municipal Emergency Management Plan.

## Objective 1

To improve community safety and the perception of safety in the municipality.

### Strategies

- Encourage development that is consistent with safer design principles, including:
  - Maximising visibility and surveillance of the public environment.
  - Providing safe movement through good connections and access.
  - Maximising activity in public places.
  - Clearly defining private and public space.
  - Enabling appropriate management of public space to ensure that it is attractive and well used.
- Ensure safe access routes for pedestrian and cyclists in the development of residential, commercial and industrial developments.

## Objective 2

To minimise the incidence and negative impact of graffiti on the community.

### Strategies

- Minimise the construction of blank walls and long fences facing onto public spaces where graffiti may occur.
- Reduce the risk of graffiti through the appropriate use of landscaping, lighting materials and graffiti resistant materials.

## Implementation

The strategies in relation to community safety will be implemented through the planning scheme by:

### Use of policy and exercise of discretion

- When deciding on applications for use and development of land, considering, as appropriate:
  - Safer Cardinia Shire Community Safety Plan 1999.
  - The advice of Victoria Police in relation to applications with the potential to impact on community safety (eg: premises requiring a liquor license).
- When developing Precinct Structure Plans, Activity Centre Structure Plans Urban Design Frameworks and Townships Strategies, ensuring the integration of community safety principles, including CPTED principles.

### Further strategic work

- Review and update the *Safer Cardinia Shire Community Safety Plan 1999*

## Reference documents

Safer Cardinia Shire Community Safety Plan 1999  
Any listed in Clause 15.01-4(Design for safety)

**21.06-3**  
14/06/2012  
C124

## **Subdivision restructure**

### **Overview**

Areas in the municipality were subdivided into urban size lots prior to the introduction of planning controls, and often in the late 1800s or early 1900s. These areas often had no services available, were on topography not suited to urban development and are in areas which were heavily vegetated. The development of housing on these lots at the density of the original subdivision is not sustainable economically, socially or environmentally, and in particular would lead to significant environmental degradation. Subdivision restructure has occurred in a number of areas in the municipality through the use of tenement controls and restructure schemes.

### **Key issues**

- Acknowledging inappropriate subdivisions, particularly in urban lots in the Cockatoo and Emerald areas and the agricultural land in the Koo Wee Rup Flood Protection District, which includes areas of high agricultural quality.
- Assisting land owners to consolidate land.

### **Objective**

To provide for the restructuring of inappropriate subdivisions.

### **Strategies**

- Support the restructure of inappropriate subdivisions which, if fully developed at the original subdivision density, would result in significant environmental degradation and substantial infrastructure costs.
- Support the restructure of inappropriate subdivisions in agricultural areas in the Koo Wee Rup Flood Protection District.
- Provide assistance to owners to consolidate land which is required to be consolidated under provisions requiring the restructure of existing subdivisions.
- Consolidate buyback land into conservation reserves where appropriate.

### **Implementation**

The strategies in relation to subdivision restructure will be implemented through the planning scheme by:

#### **Use of policy and exercise of discretion**

- When deciding on applications for subdivision or other development of land within or around the restructure areas, consider, as appropriate:
  - Relevant Subdivision Restructure Plans

#### **Application of zones and overlays**

- Applying a Restructure Overlay to facilitate the restructuring of old and inappropriate subdivisions in areas within the hills townships and south of the Princes Highway from Garfield to Bunyip extending south to Iona.

#### **Further strategic work**

- Removal of the Restructure Overlay where the restructuring of lots has been completed.

**21.06-4**  
03/03/2016  
C207

## **Gaming**

Cardinia Shire Council is committed to minimising the negative impacts of gaming on the community by ensuring that gaming machines are only located within venues that are appropriately located and have appropriate venue characteristics.

## Key issues

- Avoiding problem gambling and convenience gambling.
- Locating gaming machines away from communities vulnerable to problem gambling.
- Achieving social and economic benefits in the location and re-location of gaming machines.
- Avoiding establishment of gaming machines in the growth area ahead of sufficient population growth.
- Recognising the need to protect the rural townships in the municipality from the negative impacts of gaming.

## Objective

To minimise the risk of problem gambling and convenience gambling through the appropriate location of gaming machines and appropriate characteristics of gaming venues.

## Strategies

- Provide the community with access to gaming venues and machines but not in convenient locations.
- Ensure the location of gaming machines does not promote problem gambling or convenience gambling.
- Ensure the location of gaming machines achieves positive environmental, social and economic outcomes.
- Encourage the redistribution of electronic gaming machines from areas of high vulnerability to areas of low vulnerability.
- Encourage the location of gaming machines:
  - In locations where there is a choice of community centres, neighbourhood houses, clubs or hotels without gambling activities.
  - In venues that offer social and recreational opportunities other than gambling.
  - In venues that implement management and operational practices that promote responsible gaming.
- Discourage the location of gaming machines:
  - In convenient locations that would be attractive to persons who are tempted and susceptible to impulsive and opportunistic gambling.
    - Within vulnerable or disadvantaged areas that are more at risk of problem gambling.
    - In areas with high levels of pedestrian traffic, to minimise convenience gambling.
    - In a rural township where there is no alternative club or hotel without gaming machines.

## Implementation

### Use of policy and exercise of discretion

- When deciding on applications for gaming machines using local policy to ensure that gaming machines are situated in appropriate locations and premises, and to ensure the social and economic impacts of the location of gaming machines are considered (Gaming Policy at Clause 22.03), considering, as appropriate:
  - The relative vulnerability to problem gaming within a 5 kilometre radius of the proposed venue, or alternative catchment area where appropriate.
  - The net community benefit to be derived from the application.

- Whether approval is likely to increase the social disadvantage or vulnerability of the local community.
- Whether the location of the gaming machines or gaming premises will facilitate or discourage convenience gaming.
- Whether the venue is accessible by a variety of transport modes.
- Whether residents will have a choice between entertainment and recreation venues with and without gambling in the local area.
- The impact of the proposal on the amenity of the area and surrounding land uses.

**Further strategic work**

- Introducing additional sites into the schedules to Clause 52.28-3 and 52.28-4 to prohibit the installation and use of gaming machines in designated strip shopping centres and free-standing shopping centres.

**Reference documents**

*Cardinia Shire Gaming Policy Review (December 2015), 10 Consulting Group Pty Ltd*

**21.06-5**

13/07/2017  
C208

**Airport**

**Overview**

*Plan Melbourne 2017-2050: Metropolitan Planning Strategy* (Department of Environment, Land Water and Planning, 2017) identifies the need to protect options for a future airport to serve the long-term needs of southeast Melbourne and Gippsland through an appropriate planning framework.

With continuous major population growth, Cardinia Shire and surrounding areas would benefit from the improved tourism and trade connections from the development of a new airport. The employment benefit to the region would also be significant.

Council sees its primary role is working in partnership with government to:

- Develop strategy to ensure an airport is achievable in Melbourne’s southeast.
- Ensure that adequate consideration is given to the environmental, social and economic impacts of the land use for an unencumbered airport located in Melbourne’s southeast.

**Key Issues**

- The southeast catchment of Melbourne serves one third of Victoria’s population including residents of Gippsland.
- The southeast corridor of Melbourne is well served by good road connections and the potential of future road access.
- Difficulties associated with accessing Melbourne Airport from the east and southeast of Melbourne.
- The potential for an airport in the southeast growth corridor to be an important driver for significant job creation.
- The need to preserve long-term options for a new general aviation airport southeast of Metropolitan Melbourne.
- Ensure urban development does not infringe on the preferred site’s buffer zone or flight paths.
- Council has identified potential locations for an airport between Koo Wee Rup and Lang Lang.
- Provide sufficient freight and passenger landside access to the new airport.

### **Objective**

- To identify and protect an appropriate site for a new general aviation airport in Melbourne's southeast region including associated industrial and commercial land.

### **Strategies**

- Ensure that environmental, social and economic impacts of the new general aviation airport are considered.
- Protect the flight paths and noise contours for the preferred site from incompatible urban development and land use.
- Protect an alignment to connect the rail line at Clyde to the preferred site.

### **Implementation**

The strategies in relation to the airport will be implemented through the planning scheme by:

#### **Application of zones and overlays**

- Applying appropriate zones and overlays to protect the preferred site for use as a general aviation airport including planning protection for flight paths and noise contours in the proposed airport environs.
- Applying appropriate overlays to protect an alignment between the preferred site and the rail line at Clyde.

#### **Future strategic work**

- By 2021 the Department of Environment, Land, Water and Planning in partnership with the Department of Economic Development, Jobs, Transport and Resources and local government finalise a preferred site for a possible future airport should demand warrant this beyond 2030.

### **Reference documents**

3rd Airport for Melbourne's Southeast Policy, (July 2015, updated March 2017), Cardinia Shire Council