

Cardinia Planning Scheme Amendment C278card

Environmentally Sustainable Development (ESD) Local Planning Policy



Frequently Asked Questions

How will the amendment affect me?

You have been given notice of the amendment as you may be affected by or have an interest in the proposed changes.

This FAQ is for your information and you do not have to do anything further if you do not wish to do so.

What is the Cardinia Planning Scheme?

Each local government in Victoria is covered by a planning scheme. The Cardinia Planning Scheme sets out how land is protected and how it can be used and developed in Cardinia Shire.

Planning schemes require changes from time to time to achieve certain planning outcomes, support new policies and to ensure that requirements continue to meet the needs of the local community.

What does the amendment propose?

The amendment proposes to introduce a new Environmentally Sustainable Development Local Planning Policy (ESD Policy), for development to achieve best practice in environmental sustainability from its design stage through to construction and operation.

The proposed ESD policy is based on the Sustainable Design Assessment in the Planning Process (SDAPP) Frameworkⁱ.

The SDAPP Framework was developed by Victorian councils to provide a streamlined and consistent methodology for requesting, receiving and assessing built environment sustainability outcomes through the planning process.

The ESD policy sets out application requirements and the scale of a project will ultimately influence the level of information required to be submitted with an application.

The amendment also includes refinements to the Municipal Strategic Statement (MSS) to support the new policy.

Amendment C278card applies to all land in the Shire of Cardinia, where a planning permit is required for development.

Why is the amendment required?

An ESD Policy in the Cardinia Planning Scheme will:

- Provide statutory weight to what is currently a voluntary approach in the planning process.
- Strengthen the ability for Council to consider ESD early in the design process right through to construction and beyond for both new residential and non-residential buildings.
- Implement sustainable design principles in the planning process, resulting in improved development outcomes and significant economic, social, and environmental benefits in the short, medium and long term.

It is important to note that incorporating an ESD policy into the planning scheme does not trigger any additional planning permits and only applies to planning applications already required under other parts of the scheme.

The amendment brings Cardinia Shire Council into alignment with 26 other councils who have an equivalent ESD local policyⁱⁱ.

What is an ESD Policy?

The primary objective of an ESD Policy is to achieve best practice in environmentally sustainable development from design stage right through to construction and beyond for both new residential and non-residential buildings.

Considering ESD at the planning stage helps to achieve best practice environmental objectives, maximise integrated design outcomes and minimise costs for retrofitting and poor design.

An ESD Policy sets out application requirements for specified types of developments and thresholds for the two types of ESD assessments (a Sustainable Design Assessment (SDA) or a Sustainability Management Plan (SMP)).

ESD Assessments

The prescribed ESD assessment is proportional to the scale of development to ensure that the proposed thresholds are reasonable whilst maximising environmental benefits.

- A Sustainable Design Assessment (SDA) provides a simple assessment of how the development addresses the ESD principles and identifies sustainability measures. A SDA can be prepared by the applicant and commonly does not need to be prepared by an expert in the ESD field.
- A Sustainability Management Plan (SMP) is more detailed than an SDA. A SMP provides a detailed assessment of the proposal and must identify performance standards and sustainability targets. A SMP will require expert advice from a suitably qualified person such as an environmental engineer or specialist ESD consultant.

ESD Assessment Tools

The Built Environment Sustainable Scorecard (BESS)ⁱⁱⁱ is the recommended tool under the SDAPP framework. BESS is a purpose-built tool to assess sustainable design at the planning permit stage.

BESS is the recommended tool for a SDA. A BESS report alone will not satisfy the requirements of a SMP.

Other ESD assessment tools include (but are not limited to) Melbourne Water tools STORM/MUSIC^{iv} and Green Star^v.

What are the planning application requirements of Cardinia's proposed ESD policy?

The *Environmentally Sustainable Development (ESD) Local Policy – Background Document* (Cardinia Shire Council, 20 March 2023) provides the strategic assessment for this amendment which includes the justification for the proposed thresholds in the ESD Policy. This is a supporting document that forms part of this planning scheme amendment.

Amendment C278card proposes the following planning application requirements:

Residential developments:

- comprising 2 - 9 dwellings or a building used for accommodation other than dwellings with a gross floor area between 100 sqm and 999 sqm will require a Sustainable Design Assessment (SDA).
- of 10 or more dwellings or a building used for accommodation other than dwellings with a gross floor area equal to or more than 1000 sqm with require a Sustainability Management Plan (SMP) and a Green Travel Plan^{vi}.

Non-residential development with:

- a gross floor area of 300 sqm to 999 sqm or an extension to an existing non-residential building creating between 300 sqm to 999 sqm of additional gross floor area (excluding outbuildings) will require a Sustainable Design Assessment (SDA).
- a gross floor area equal to or more than 1000 sqm or an extension to an existing non-residential building equal to or creating more than 1000 sqm of additional gross floor area (excluding outbuildings) will require a Sustainability Management Plan (SMP) and a Green Travel Plan.

How do I make a submission to the Amendment?

Any person who may be affected by the amendment may make a submission clearly stating the grounds on which the amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

All submissions must be made in writing and submitted to Council by 5pm on the final day of exhibition.

Submissions can be e-mailed to Council at mail@cardinia.vic.gov.au (please include Amendment C278card in the e-mail title).

Or mailed to:

Planning Strategy and Urban Design
Cardinia Shire Council
PO Box 7
PAKENHAM VIC 3810

What happens if I make a submission?

All submissions received are public documents and Council must consider all submissions as part of the amendment process.

If concerns cannot be resolved by making changes to the amendment, Council may refer submissions to an independent planning panel for review.

What is a Planning Panel?

The Planning Panel is appointed by the Minister for Planning and they will hold a public hearing where all submitters can present and be heard.

What happens next?

The Planning Panel will review each submission individually and provide a report with recommendations to Council and the Minister for Planning.

When will the Planning Panel hearing occur?

A preliminary hearing date has been pre-set which is as follows:

- Directions hearing - Week commencing 22 July 2024
- Panel hearing - Week commencing 26 August 2024

Further details about any Planning Panel Hearing and specific dates will be provided at a later date to those who make a submission.

Where can I find more information?

Amendment documents and more information can be found on Council's website at <https://creating.cardinia.vic.gov.au>.

You can also contact Council's Strategic Planning Team on 1300 787 624 to discuss over the phone or to arrange a meeting to answer any questions.

1. Exhibition

- Notice of the amendment is given.
- The amendment is exhibited for one month.
- Anyone who may be affected by the amendment is invited to make a submission.

2. Consideration of submissions

- Submissions are considered by Council.
- The amendment may be abandoned, changed or the submissions referred to a Planning Panel.

3. Panel Hearing

- A public planning panel hearing is held.
- The Panel considers the submissions.
- The Panel writes a report with a recommendation about what Council should do about the amendment and provides this to Council (4-6 weeks).

4. Council's consideration

- Council must consider, but is not bound by, the Panel's report and recommendations when making its decision.
- Council must decide to:
 - adopt the amendment as is
 - adopt the amendment with changes,
 - or abandon the amendment.

5. The Minister's consideration

- Council submits the amendment documents to the Minister for Planning.
- If not approved, the amendment is abandoned.
- If approved, a notice is published in the Government Gazette.

ⁱ For more information go to [Sustainability in planning - The Council Alliance for a Sustainable Built Environment \(CASBE\)](#)

ⁱⁱ As part of the strategic assessment of the amendment, each local government determines thresholds relevant to their local development profile.

ⁱⁱⁱ BESS is an online sustainability assessment tool purpose built by Victorian councils for the SDAPP framework and is owned by the Municipal Association of Victoria and was developed with support by the Victorian Government.

^{iv} For more information go to [STORM and MUSIC tools | Melbourne Water](#)

^v For more information go to [Exploring Green Star | Green Building Council of Australia \(gbca.org.au\)](#)

^{vi} For more information to go [CASBE-06-Transport-v7-June-2022.pdf](#)