

Appendix 3 – Assessment against relevant Planning Scheme controls

Planning Scheme Reference	Assessment
State Planning Policy Framework	
Clause 11.04-5 (Environment and Water)	The Policy seeks to protect natural assets and to restore natural habitats in urban and non-urban areas. The proposal is inconsistent with this policy as it will have adverse impacts on the environmental and landscape values of the subject land.
Clause 11.04-7 (Green Wedges)	The policy seeks to protect Melbourne's Green Wedges from inappropriate development. Key within this policy is the need to protect environmental values and consolidate residential development in areas where infrastructure is available. The environmental values of the land would deem the subdivision inappropriate.
Clause 12.01 (Biodiversity)	The Policy seeks to assist in the preparation and conservation of Victoria's biodiversity. Given that the land has got a significant area of native vegetation, particularly on the proposed smaller lot, the subdivision has the potential to compromise the biodiversity values that the Melton Planning Scheme is seeking to protect.
Clause 12.01-2 (Native Vegetation Management)	The Policy seeks to avoid the removal of native vegetation that makes a significant contribution to Victoria's biodiversity. The small lot has the ability to compromise this policy.
Clause 14.01(Agriculture)	The Agricultural Policies in the State Section of the Melton Planning Scheme seek to protect productive agricultural land from inappropriate subdivision and development, and to ensure that there is sustainable agricultural land use. It is likely that the larger lot proposed by the subdivision will be retained for agricultural purposes, whilst the smaller lot will be used for rural residential purposes.
Clause 16.02-1 (Rural Residential Development)	The Policy seeks to identify land suitable for rural and rural living development and seeks to protect agriculture and avoid inappropriate rural residential development. Given the fragmentation of land in an area that has been identified as being environmentally significant, the subdivision is now considered to be inappropriate in this locality. The land has the ability to connect to reticulated water and a sealed road network.
Clause 19 (Infrastructure)	The policies related to infrastructure provision seek the provision of economic, safe and accessible infrastructure, including water supply. The subdivision has the ability to connect to a reticulated water supply to both lots in the subdivision and also has access to a sealed road, being Diggers Rest – Coimadai Road.
Local Planning Policy Framework	

Clause 21.01-3 (Rural Areas)	<p>This aspect of the Municipal Strategic Statement identifies that the Rural areas of the City of Melton have traditionally been used for cropping and grazing, and agriculture remains the dominant use of the rural areas. Notwithstanding, the rural areas have always been popular for rural residential type living.</p> <p>This area is in the Western Plains North Green Wedge and further strategic work needs to occur to formulate a rural residential land supply and demand assessment better understand what further development and subdivision may be appropriate.</p> <p>Given that further strategic work needs to be undertaken to assess the appropriateness of what is proposed, the application is premature.</p>
Clause 21.03-2 (Planning objectives)	<p>The Municipal Strategic Statement has a number of land use objectives sought to be achieved by the Melton Planning Scheme, including the need to protect and conserve environmental resources and assets in the municipality, and to preserve the integrity of the municipality's rural land for sustainable and efficient rural land use. It is questionable that the subdivision achieves these objectives, given that fragmentation that will occur as a result of the subdivision and environmental assets on the land will be impacted.</p>
Clause 22.02 (A Sustainable Environment Policy)	<p>The Policy aims to protect and conserve the environmental resources and assets of the municipality, including vegetation and grasslands and to have these integrated into development designs. There are concerns that environmental features of the site will be impacted upon negatively by the proposed subdivision.</p>
Clause 22.08 (Rural Land Use Policy)	<p>The Policy seeks to retain and maintain the rural areas of the municipality for sustainable, agricultural land uses, and to encourage the consolidation of lots to ensure more effective land management practices. Rural living development is to be located in areas that have been controlled, well planned and minimize environmental impacts in locations accessible to infrastructure and services.</p> <p>The subdivision does not satisfy the above objectives of the policy, particularly since the land has got environmental features that are likely to be negatively impacted upon into the future, particularly if a dwelling is sought to be constructed on the smaller lot. It is likely that the larger lot will be retained for agricultural purposes for the foreseeable future.</p> <p>The Policy also requires that secondary lots have access to the municipal sealed road network and reticulated water. Whilst this is not a primary/secondary lot scenario, but more a boundary re-alignment, the provision of reticulated water and access to a sealed</p>

	road is available to the land.
Zone	
Green Wedge Zone	<p>The subdivision provisions at Clause 35.04-3 of the Melton Planning Scheme specify that a boundary re-alignment subdivision has the potential to be considered in the Green Wedge Zone given that no additional lots are being sought to be created.</p> <p>Although the subdivision is not creating additional lots, there are a number of objectives of the Green Wedge Zone that must be satisfied, including the need to provide for the use of land for agriculture, protect and conserve Green Wedge land for its' agricultural and environmental values, encourage use and development that is consistent with sustainable land management practices, and to protect and enhance the biodiversity of the area.</p> <p>Although it would be possible to require that the land be subjected to an Environmental Management Plan and protection via a Section 173 Agreement limiting the potential for further subdivision, the creation of a relatively small, heavily treed 2.72ha lot will lead to rural land fragmentation and the potential to negatively impact on agricultural and biodiversity values of the locality.</p>
Other	
Green Wedge North Management Plan	<p>The adopted Green Wedge North Management Plan identifies the subject site as being located within Precinct 8 titled Coburns Road area, which recognises that the land has a high degree of fragmentation and will be affected by the future construction of the OMR.</p> <p>The Plan recommends a change to the existing subdivision controls, subject to a supply and demand assessment and will consider a range of lot sizes, but will still expected to be over 10 hectares.</p> <p>Given that a further supply and demand analysis has not yet been undertaken, any proposed subdivision, whether it be via a boundary re-alignment or creation of new lots is considered to be premature.</p>