

Item 12.4 Planning Application PA 2018/6376/1 - use and development of the land for the purpose of a transfer station comprising salvage and temporary storage of used or damaged motor vehicles and a reduction in the standard rate of car parking At 376-400 Leakes Road, Plumpton

Appendix 3 Assessment against Planning Scheme - undated

Appendix 3 – Assessment against relevant Planning Scheme controls

<i>Planning Scheme Reference</i>	<i>Assessment</i>
Planning Policy Framework	
Clause 11 (Settlement)	<p>Planning is to recognise the need for, and as far as practicable contribute towards:</p> <ul style="list-style-type: none"> • Prevention of pollution to land, water and air. • Protection of environmentally sensitive areas and natural resources. <p>Planning is to prevent environmental and amenity problems created by siting incompatible land uses close together.</p> <p>The proposal is contrary to this clause as it is not compatible with the existing uses.</p>
Clause 11.01-1R (Green wedges – Metropolitan Melbourne).	<p>The objective of this clause is to protect the green wedges of Metropolitan Melbourne from inappropriate development. The relevant strategies of this clause are:</p> <ul style="list-style-type: none"> • Promote and encourage the key features and related values of each green wedge area. • Support development in the green wedge that provides for environmental, economic and social benefits. <p>The proposal is contrary to this clause.</p>
Clause 11.01-1R (Settlement – Metropolitan Melbourne)	<p>The relevant strategy of this clause is to maintain a permanent urban growth boundary around Melbourne to create a more consolidated, sustainable city and protect the values of non-urban land.</p> <p>The proposal does not comply with this clause.</p>
Clause 12.05-2S (Landscapes)	<p>The objective of this clause is to protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.</p> <p>The proposal does not comply with this clause.</p>
Clause 13.07-1S (Land use compatibility)	<p>The objective of this clause is to safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects.</p> <p>Ensure the compatibility of a use or development as appropriate to the land use functions and character of the area by:</p> <ul style="list-style-type: none"> • Directing land uses to appropriate locations. • Using a range of building design, urban design, operational and land use separation measures.

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	It is considered that the proposal is not appropriately located.
Clause 14.01-1S (Protection of agricultural land)	<p>The objective of this clause is to protect the state's agricultural base by preserving productive farmland.</p> <p>The proposal is contrary to this clause as it would result in loss of agricultural land.</p>
Clause 14.01-1R (Protection of agricultural land – Metropolitan Melbourne)	<p>The strategy of this clause is to protect agricultural land in Metropolitan Melbourne's green wedges and peri-urban areas to avoid the permanent loss of agricultural land in those locations.</p> <p>The proposal is contrary to this clause as it would result in loss of agricultural land.</p>
Clause 15.01-6S (Design for rural areas)	<p>The objective of this clause is to ensure development respects valued areas of rural character.</p> <p>The proposed use and development is inappropriately located, results in loss of agricultural land and would detract from the landscape character of the surrounding area.</p>
Clause 15.03 -1S (Aboriginal Cultural Heritage)	<p>The objective of this clause is to ensure the protection and conservation of places of Aboriginal cultural heritage significance.</p> <p>A cultural heritage management plan is not required as the proposed activity area is not located within an area of cultural heritage sensitivity.</p>
Clause 18.02-4S (Car parking)	<p>The objective of this clause is to ensure an adequate supply of car parking that is appropriately designed and located.</p> <p>This requirement is not met as the applicant seeks a reduction in car parking.</p>
Clause 19.03-5S (Waste and resource recovery)	<p>The objective of this clause is to reduce waste and maximise resource recovery so as to reduce reliance on landfills and minimise environmental, community amenity and public health impacts.</p> <p>The proposal is consistent with this philosophy.</p>
Local Planning Policy Framework	
Clause 21.02-3 (Non – Urban Land)	<p>The non-urban areas in the City of Melton lie outside the Urban Growth Boundary.</p> <p>Council has two Green Wedges, with the Western Freeway forming the boundary between the Western Plains North Green Wedge (which is wholly in the City of Melton), and the Western Plains South Green Wedge (which is shared with the City of Wyndham). A mixture of rural living and</p>

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	<p>farming activities take place in the Green Wedges and these areas play an important role in protecting habitat and preserving the natural landscape character.</p> <p>In response to on-going development pressures, Council has adopted the <i>Western Plains North Green Wedge Management Plan 2014</i> to provide a framework to support sustainable land use, land management and development within the non-urban area.</p> <p>The objective of this clause is to:</p> <ul style="list-style-type: none"> • To reduce land use conflict between the Green Wedge Areas and urban and rural communities. • To protect the environmental and landscape values of non-urban land. <p>The proposal is not consistent with this clause.</p>
<p>Clause 21.05-1 (Agriculture)</p>	<p>The city's rural areas have traditionally been used for grazing and cropping (primarily cereal production such as wheat, barley and oats) and agriculture continues to remain the dominant use of the rural areas. Opportunities for more intensive agriculture are presented by the increasing availability of recycled water and also emerging opportunities for new niche agricultural production.</p> <p>The objectives and strategies of this clause are:</p> <p>Objective 1: To build on the resources available for productive agriculture including the opportunities presented by recycled water.</p> <p>Strategies:</p> <ul style="list-style-type: none"> • Support a diversity of new and innovative agricultural uses within the rural areas of the city. • Support viticulture and winery operations that utilise recycled water. • Support co-location of viticulture and winery related activities to create a cluster of these uses within the region. <p>Objective 2: To protect and support agricultural productivity</p> <p>Strategies:</p> <ul style="list-style-type: none"> ○ Preserve areas of broad acre farming to allow for a range of agricultural and equine activities.

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	<ul style="list-style-type: none"> ○ Support continued agricultural production within the rural areas. ○ Facilitate agriculture in the Leakes Road – Holden Road Precinct. ○ Support consolidation of lots to enable more efficient land management practices and infrastructure provision. ○ Avoid further land fragmentation through inappropriate subdivisions. <p>The proposal is inconsistent with this clause.</p>
Zone	
<p>Clause 35.04 (Green Wedge Zone)</p>	<p>The purpose of this clause is:</p> <ul style="list-style-type: none"> • To implement the Municipal Planning Strategy and the Planning Policy Framework. • To provide for the use of land for agriculture. • To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources. • To encourage use and development that is consistent with sustainable land management practices. • To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses. • To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes. • To protect and enhance the biodiversity of the area. <p>The proposal is contrary to the purpose of the zone.</p>
Overlay	
<p>Clause 42.01 (Environmental Significance Overlay, Schedule 2)</p>	<p>The environmental objective of this clause is to:</p> <ul style="list-style-type: none"> • To protect and conserve wetlands and to discourage inappropriate use and development. • The role and function of wetlands will be taken into account in respect to any proposed use or development on or adjacent to a wetland area. • To protect and conserve the riparian habitat and associated escarpment and to discourage

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	<p>inappropriate development.</p> <ul style="list-style-type: none"> To identify, conserve and enhance the character of significant landscapes. To recognise areas of high fire hazard, and to ensure all development acknowledges any potential risk. <p>No building and works are proposed within the area covered by the Environmental Significance Overlay.</p>
Clause 43.01 (Heritage Overlay)	<p>The purpose of the Heritage Overlay is:</p> <ul style="list-style-type: none"> To implement the Municipal Planning Strategy and the Planning Policy Framework. To conserve and enhance heritage places of natural or cultural significance. To conserve and enhance those elements which contribute to the significance of heritage places. To ensure that development does not adversely affect the significance of heritage places. To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place. <p>No building and works are proposed within the area covered by the Heritage Overlay.</p>
Particular Provisions	
Clause 51.02 (Metropolitan Green Wedge Land: Core Planning Provisions)	<p>The purpose of this clause is:</p> <ul style="list-style-type: none"> To protect metropolitan green wedge land from uses and development that would diminish its agricultural, environmental, cultural heritage, conservation, landscape natural resource or recreation values. To protect productive agricultural land from incompatible uses and development. To ensure that the scale of use is compatible with the non-urban character of metropolitan green wedge land. To encourage the location of urban activities in urban areas. To provide transitional arrangements for permit applications made to the responsible authority before 19 May 2004. To provide deeming provisions for metropolitan

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	<p>green wedge land.</p> <p>The proposal is not consistent with this clause.</p>
Clause 52.06 (Car parking)	<p>This purpose of Clause 52.06 includes the need to ensure the provision of an appropriate number of car spaces having regard to the activities on the land and the nature of the locality.</p> <p>The proposal does not satisfy this requirement. A reduction of car parking to zero is not supported.</p>
Clause 523.10 (Uses with Adverse Amenity Potential)	<p>The purpose of this clause is to define those types of industries and warehouses which if not appropriately designed and located may cause offence or unacceptable risk to the neighbourhood.</p> <p>The threshold distance for a Refuse and used material storage, sorting and recovery in a transfer station from any part of the land of the proposed use or buildings and works to land (not a road) in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre is 100m.</p> <p>The proposal complies with this clause.</p>
Clause 53.14 (Resource Recovery)	<p>The purpose of this clause is to facilitate the establishment and expansion of a Transfer station and/or a Materials recycling facility in appropriate locations with minimal impact on the environment and amenity of the area.</p> <p>Whilst the proposal promotes wastes avoidance and the motto of reduce, recycling and recovery of energy, it is considered that the use is not appropriately located.</p>
General Provisions	
Clause 65.01 (approval of an application or plan)	<p>Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate, whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.</p> <p>The proposal does not comply with the decision guidelines of Clause 65.01</p>