

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 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 13.07-1S (Land use compatibility)	<p>The objective of this clause 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. <p>It is considered that the proposal is not appropriately located.</p>
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.</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 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>
Clause 21.05-1 (Agriculture)	<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

	<p>agricultural uses within the rural areas of the city.</p> <ul style="list-style-type: none"> • 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. • 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>
<p>Zone</p>	
<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.

	The proposal is contrary to the purpose of the zone.
Overlay	
Clause 45.08 (Melbourne Airport Environs Overlay, MAEO)	<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 ensure that land use and development are compatible with the operation of Melbourne Airport in accordance with the relevant airport strategy or master plan and with safe air navigation for aircraft approaching and departing the airfield. • To assist in shielding people from the impact of aircraft noise by requiring appropriate noise attenuation measures in dwellings and other noise sensitive buildings. • To provide for appropriate levels of noise attenuation depending on the level of forecasted noise exposure. <p>Melbourne Airport has no objection to the proposal. The MAEO covers a small portion of the lot frontage which include the existing vehicle access point.</p>
Clause 45.01 (Public Acquisition overlay - Schedule 3, PAO3)	<p>The purpose of this clause is to:</p> <ul style="list-style-type: none"> • To implement the Municipal Planning Strategy and the Planning Policy Framework. • To identify land which is proposed to be acquired by a Minister, public authority or municipal council. • To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired. • To designate a Minister, public authority or municipal council as an acquiring authority for land reserved for a public purpose. <p>VicRoads has no objection to the proposal. No buildings and works are proposed in the area covered by the PAO3.</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 green wedge land. <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 satisfies car parking requirements.</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>