

Item 12.12 Planning Application PA 2019/6635 - Removal of reserve status on part of Reserve No. 1 on LP55461 and subdivision to create Lot 1 on PS829638B (balance to remain as reserve) At 3-13 McDonald Street, Melton South

Appendix 3 Assessment against relevant planning controls - undated

Appendix 3 – Assessment against relevant Planning Scheme controls

Planning Scheme Reference	Assessment
Planning Policy Framework	
Clause 16.01-6S (Community care accommodation)	<p>The objective of this policy is to <i>“facilitate the establishment of community care accommodation and support their location being kept confidential”</i>.</p> <p>The strategies of this policy are:</p> <ul style="list-style-type: none"> • <i>Planning schemes should not require a planning permit for or prohibit the use of land in a residential area for community care accommodation that accommodates no more than 20 clients and that is funded by, or conducted by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.</i> • <i>Facilitate the confidential establishment of community care accommodation through appropriate permit, notice and review exemptions.</i> <p>The proposal complies with this policy as the subdivision will facilitate the development of the land for community care accommodation.</p>
Local Planning Policy Framework	
Clause 21.08-1 (Housing)	<p>This clause seeks to facilitate housing choice, diversity and affordability, and to increase housing diversity within the City of Melton. Strategy 3.2 states that Council will facilitate development proposals that meet an identified need for social housing. It also identifies that some sections of the City of Melton are considered disadvantaged socio-economically so affordability and cost of living are important issues.</p> <p>The proposal is consistent with this clause as the subdivision will facilitate the development of the land for community care accommodation.</p>
Zone	
Public Park and Recreation Zone	<p>The purpose of the Public Park and Recreation Zone is:</p> <ul style="list-style-type: none"> • <i>To implement the Municipal Planning Strategy and the Planning Policy Framework.</i> • <i>To recognise areas for public recreation and open space.</i> • <i>To protect and conserve areas of significance where appropriate.</i> • <i>To provide for commercial uses where appropriate.</i> <p>A planning permit is required to subdivide the land under the zone.</p>

Particular Provisions	
<p>Clause 52.02 (Easements, Restrictions and Reserves)</p>	<p>The purpose of this clause is:</p> <ul style="list-style-type: none"> • <i>To enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.</i> <p>A permit is required before a person proceeds under Section 24A of the <i>Subdivision Act 1988</i>.</p>
General Provisions	
<p>Clause 65 (Decision Guidelines)</p>	<p>The provision outlines that before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:</p> <ul style="list-style-type: none"> • <i>The matters set out in Section 60 of the Act.</i> • <i>The Municipal Planning Strategy and the Planning Policy Framework.</i> • <i>The purpose of the zone, overlay or other provision.</i> • <i>Any matter required to be considered in the zone, overlay or other provision.</i> • <i>The orderly planning of the area.</i> • <i>The effect on the amenity of the area.</i> <p>Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:</p> <ul style="list-style-type: none"> • <i>The suitability of the land for subdivision.</i> • <i>The existing use and possible future development of the land and nearby land.</i> • <i>The availability of subdivided land in the locality, and the need for the creation of further lots.</i> • <i>The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.</i> • <i>The area and dimensions of each lot in the subdivision.</i> • <i>The provision and location of reserves for public open space and other community facilities.</i> <p>The proposal is considered to be generally consistent with the Planning Policy Framework, Local Planning Policy Framework, Public Park and Recreation Zone and Particular Provisions.</p>