

**Appendix 4 – Assessment against relevant Planning Scheme controls – dated 3 April 2018**

| <i>Planning Scheme Reference</i>                 | <i>Assessment</i>   |
|--|---|
| <b>State Planning Policy Framework</b>           |   |
| Clause 11.06 -7 (Green Wedges)                   | <p>The policy in this section of the Melton Planning Scheme aims to support development in green wedges that offer social benefits.</p> <p>The place of worship offers religious and social benefits for people of Islamic faith in the area of Melton.</p>   |
| Clause 13.04-1 (Noise abatement)                 | <p>This policy seeks to assist control of noise on sensitive land uses.</p> <p>The land use and design proposed is acceptable and will produce an acceptable outcome. The community amenity is not reduced by noise emissions. The proposed built form has incorporated building design, urban design and land use separation techniques to contain the noise emitted from the building within the subject land.</p> <p>There will be a requirement to comply with Environmental Protection Agency acoustic standards. In addition an acoustic report was prepared to ensure that there is no loss of amenity in terms of noise to the surrounding properties as a result of the proposed use. This report will be endorsed as part of the permit issued.</p> |
| Clause 14.01-1 (Protection of agricultural land) | <p>The policy seeks to protect productive farmland which is of strategic significance in the local or regional context.</p> <p>The proposal is consistent with this policy. The scale of the proposed use and development when compared to the size of the land, is not excessive to the point that it would affect future use of the land for agricultural activities.</p> <p>The integrated land management plan submitted is satisfactory and will be endorsed as part of this permit.</p>   |
| Clause 15.01-1 (Urban design)                    | <p>This policy seeks to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.</p> <p>The proposal is consistent with this policy. The contemporary design responds to its context in terms of natural features and surrounding landscape.</p>  |
| Clause 18.02-5 (Car parking)                     | <p>This policy seeks to ensure adequate supply of car parking that is appropriately designed and located.</p> <p>The proposal is consistent with this policy because the number of car parking provided is in excess of what is required. In addition an overflow car parking area is also provided.</p>  |

| <b>Local Planning Policy Framework</b>          |   |
|---|---|
| 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 create sustainable and livable communities that are desirable and attractive places in which to live, and to protect and conserve the environmental resources and assets of the City for the benefit of current and future communities and to preserve the integrity of the City's rural land for sustainable and efficient rural land use.</p> <p>The proposal is consistent with this aspect of the Municipal Strategic Statement. This is evident in the plans of the proposal submitted. The plans show a contemporary building which should sit well in the surrounding environment and complemented by a suitable landscape plan.</p> |
| Clause 22.02 (A sustainable environment policy) | <p>The policy seeks to preserve and protect existing vegetation, wetlands, creeks, and grasslands and encourage their incorporation into development designs.</p> <p>The proposal is consistent with this policy. The objectives of the land management plan that will form part of this permit is to protect vegetation, address weed infestation and maintain and enhance environmental values adjacent to and within the subject land.</p>   |
| Clause 22.08 (Rural land use)                   | <p>The policy seeks to ensure that all land use and development is in accordance with proper land management practices which will conserve the natural resources, amenity and environmental values of the rural areas, particularly with respect to air quality, noise and watercourse capacity.</p> <p>The proposal is consistent with this policy. The land management plan and acoustic report submitted with the application will form part of any planning permit issued.</p>  |
| <b>Zone</b>                                     |   |
| Clause 35.05 (Green Wedge A Zone )              | <p>The purposes of the zone include the need to:</p> <ul style="list-style-type: none"> <li>• Protect, conserve and enhance the biodiversity, natural resources, scenic landscapes and heritage values of the area;</li> <li>• Ensure that use and development promotes sustainable land management practices and infrastructure provision;</li> <li>• Protect, conserve and enhance the cultural heritage significance and the character of rural and scenic non-urban landscapes;</li> <li>• Recognise and protect the amenity of existing rural living areas.</li> </ul>   |

|  |   |
|--|---|
|  | The proposal is consistent with this policy. The land management plan and acoustic report will ensure that the above mentioned requirements are met.  |
| <b>Overlays</b>                                      |   |
| Clause 42.01 (Environmental Significance Schedule 1) | <p>The purposes include the need to identify where the development of the land may be affected by environmental constraints and to ensure the development is compatible with identified environmental values.</p> <p>The proposed use and development will not have any impact on the Harkness Road Gigai Woodland. The land management plans ensures that environmental values within and adjacent the subject land is enhanced and maintained. These issues were considered by VCAT when considering the previous amended permit and the Tribunal concluded that the impact of the hours of use of the subject land on the biodiversity values of the Woodland is minimal because most of the place of worship noise will be contained in a building and external lighting must be baffled.</p>   |
| Clause 44.06 (Bushfire Management Overlay)           | <p>The purposes include to:</p> <ul style="list-style-type: none"> <li>• Ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire;</li> <li>• To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented;</li> <li>• To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.</li> </ul> <p>The Country Fire Authority (CFA) recommended that another bushfire management plan be prepared and endorsed as part of this permit. The submitted management plan was not approved by CFA.</p> <p>The bushfire management plan must include a defendable space around the proposed building, nominated construction standard that must be met, water supply that is required for fire fighting purposes, and vehicle access that is required for fire fighting purposes. Once approved CFA the plan will ensure that the above mentioned requirements are met, and will be endorsed to form part of any proposal.</p> |
| <b>Other</b>   |   |
| Car parking (Clause 52.06)                           | The Melton Planning Scheme requires that the 0.3 car space are required per patron. 60 patrons are proposed equating to 18 car spaces required on-site.   |

|  |   |
|--|---|
|  | The proposal complies with the required car parking rate. The proposed development makes provision for 20 on-site car parking spaces, and an overflow car parking area. |
|--|---|