

**Appendix 4 – Relevant Planning Policy Provisions****Melton Planning Scheme*****Planning Policy Framework (PPF)****Clause 13.05-1S (Noise abatement)*

The objective of this clause is to assist the control of noise effects on sensitive land uses. The strategy to achieve the objective is to ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.

*Clause 13.06-1S (Air quality management)*

The objective of this clause is to assist the protection and improvement of air quality. Air quality management seeks to ensure, wherever possible, that there is suitable separation between land uses that reduce amenity and sensitive land uses.

*Clause 13.07-1S (Land use compatibility)*

The objective of this clause is to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

Relevant strategies:

- Ensure that use or development of land is compatible with adjoining and nearby land uses.
- Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.
- Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.
- Protect existing commercial, industrial and other uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.

*Clause 14.02-2S (Water quality)*

The objective of this clause is to protect water quality. Includes a strategy to “Encourage the siting, design, operation and rehabilitation of landfills to reduce impact on groundwater and surface water.”

*Clause 19.03-5S (Waste and resource recovery)*

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.

Relevant strategies:

- Ensure waste and resource recovery facilities are sited, designed, built and operated so as to minimise impacts on surrounding communities and the environment.

- Site, design, manage and rehabilitate waste disposal facilities in accordance with the Waste Management Policy (Siting, Design and Management of Landfills) (Environment Protection Authority, 2004).

**Local Planning Policy Framework (LPPF)**

*Clause 21.01-2 (Key issues)*

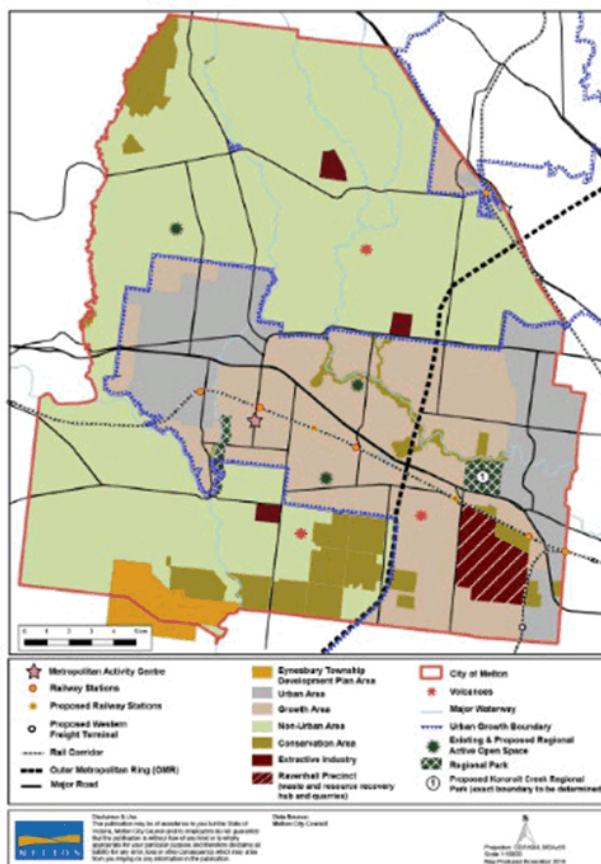
Relevant key issues listed under this Clause for this application:

- Infrastructure.

*Clause 21.01-5 (Strategic framework plan)*

The Strategic Framework Plan identifies the major strategic directions for the municipality. This plan sets out the general pattern for land use and development to respond to the key influences and issues to achieve Council’s strategic vision for the municipality. The areas identified for significant growth in the Strategic Framework Plan are identified in Figure 2 below:

Figure 2 – Strategic Framework Plan



*Clause 21.11-2 (Protection of infrastructure)*

The provision of major infrastructure and the full range of reticulated infrastructure within the

City of Melton represents a considerable public investment. Planning for development must protect the existing infrastructure, and in respect of waste water treatment plants, prevent encroachment from sensitive land uses. This clause recognises the Ravenhall Precinct as a waste and resource recovery hub of state importance.

### **Zoning**

#### *Clause 37.01 (Special Use Zone – Schedule 1)*

The purpose of this clause is:

- To implement the Municipal Strategic Statement and the Planning Policy Framework.
- To recognise or provide for the use and development of land for specific purposes as identified in a schedule to this zone.

#### *Decision guidelines*

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any guidelines in the schedule to this zone.

#### *Schedule 1 to the Special Use Zone*

Purpose includes:

- To recognise or provide for the use and development of land for earth and energy resources industry.
- To encourage interim use of the land compatible with the use and development of nearby land.
- To encourage land management practice and rehabilitation that minimises adverse impact on the use and development of nearby land.

### **Overlays**

#### *Clause 45.12 (Specific Controls Overlay)*

The objective of this clause is to apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.

#### *Clause 45.12-1 (Use or development)*

Land affected by this overlay may be used or developed in accordance with a specific control contained in the incorporated document corresponding to the notation on the planning scheme map (as specified in the schedule to this overlay). The specific control may:

- Allow the land to be used or developed in a manner that would otherwise be prohibited or restricted.
- Prohibit or restrict the use or development of the land beyond the controls that may otherwise apply.
- Exclude any other control in this scheme.

Part of the site is affected by the Specific Controls Overlay (SCO5), which relates to the Ravenhall, Processing Facility. The SCO5 specifies controls in the Incorporated Document 'Ravenhall Spoil Processing Facility, October 2020' which permits the use and development of the land covered by the SCO5 for the receipt, storage, treatment, handling, testing analysis,

containment, placement, and removal off-site of spoil generated by the construction of the West Gate Tunnel Project. The Incorporated Document does not restrict or otherwise affect any use or development of the land for any purpose that is lawful under the Scheme.

Given that the leachate ponds proposed have the intention of serving the existing landfill operations at MRL, the SCO5 and associated Incorporated Document does not apply to the leachate pond application.

#### **Particular Provisions**

##### *Clause 52.08 (Earth and energy resources industry)*

This purpose of Clause 52.08 includes:

- To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.
- To ensure that geothermal energy extraction, greenhouse gas sequestration, mining and petroleum production are not prohibited land uses.
- To ensure that planning controls for the use and development of land for the exploration and extraction of earth and energy resources are consistent with other legislation governing these land uses.

##### *Clause 52.09 (Extractive industry and extractive industry interest areas)*

The purpose of this clause is:

- To ensure that use and development of land for extractive industry does not adversely affect the environment or amenity of the area during or after extraction.
- To ensure that excavated areas can be appropriately rehabilitated.
- To ensure that stone resources, which may be required by the community for future use, are protected from inappropriate use and development.

##### *Clause 52.09-4 (Decision guidelines)*

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect of the proposed extractive industry on any native flora and fauna on and near the land.
- The impact of the proposed extractive industry on sites of cultural and historic significance, including any effects on Aboriginal places.
- The effect of the proposed extractive industry on the natural and cultural landscape of the surrounding land and the locality generally.
- The ability of the proposed extractive industry to contain any emissions within the boundaries of the land in accordance with relevant legislation.
- The effect of vehicular traffic, noise, blasting, dust and vibration on the amenity of the surrounding area.
- The ability to rehabilitate the affected land to a form or for a use which is compatible with the natural systems or visual appearance of the surrounding area.
- The ability to rehabilitate the land so it can be used for a purpose or purposes beneficial to the community.
- The effect of the proposed extractive industry on groundwater quality and the impact on any affected water uses.
- The impact of the proposed extractive industry on surface drainage and surface water quality.

- Any proposed provisions, conditions or requirements in a work plan that has received statutory endorsement under the Mineral Resources (Sustainable Development) Act 1990.

### **General Provisions**

#### *Clause 65 (Decision guidelines)*

While a permit can be granted this does not imply that a permit should or will be granted. The Responsible Authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

#### *Clause 65.01 (Approval of an application or plan)*

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.

### **Other Strategies and Plans**

#### **Plan Melbourne**

The site and surrounding areas are in a 'State significant industrial precinct – future' in Plan Melbourne. Plan Melbourne highlights that waste management and resource recovery facilities need secure, long term sites and secure, long term supplies of waste materials to remain commercially viable. The Plan recognises the need for landfills to have good access between transfer stations, recovery facilities and markets for end of life products, and the need for landfills to be buffered from incompatible and sensitive land uses.

#### **West Growth Corridor Plan**

The West Growth Corridor Plan prepared by the then Growth Areas Authority (now the Victorian Planning Authority) was released in June 2012, to provide a broad strategic framework for future PSPs and subsequent development of the growth corridor.

The plan identifies the site as being used for "quarry" purposes. The immediate surrounding land is identified for quarry, industrial or open space purposes. The plan notes that the surrounding industrial land and will require careful planning to ensure uses do not impact adversely on the future operations of the quarry.

The plan also identifies the need to create more local employment opportunities, reduce the reliance on commuting and deliver increased job containment.