

Melton City Council Planning Scheme

Amendment C245melt

Explanatory Report

Overview

The proposed amendment implements changes recommended by the *Western Plains South Green Wedge Management Plan* (Melton City Council, 2024), and some minor changes recommended by the *Melton Planning Scheme Review* (2024).

It does this by updating local policies on agriculture and tourism, adding both Green Wedge Plans and reference documents, adding a high level guiding strategy for each green wedge precinct, and adding and amending permit triggers for earthworks in zone schedules. It also removes a map in the Green Wedge Zone and Farming Zone schedules which separated these zones into areas A and B and instead splits these zones into schedules 1 and 2 reflecting these two areas for clearer legibility. It also implements updates to statistics, adds mention of the local registered aboriginal parties in local context, updates schedule numbering and the application of some existing earthwork requirements in Rural Zones, and lists further strategic work identified by the Planning Scheme Review.

Finally, it also adds the *Western Plains South Green Wedge Management Plan* (Melton City Council, 2014) and the *Western Plains South Green Wedge Management Plan Background Report* (RMCG, 2018) to the Schedule to Clause 72.08 (Background Documents), and amends Clause 74.02 (Further Strategic Work) to remove outdated strategic work and include recommendations from the Planning Scheme Review.

Where you may inspect this amendment

The amendment can be inspected free of charge at the Melton City Council website at melton.vic.gov.au.

The amendment is available for public inspection, free of charge, during office hours at the following places:

Melton Council Civic Centre

232 High St, Melton VIC 3337

The amendment can also be inspected free of charge at the Department of Transport and Planning website at <http://www.planning.vic.gov.au/public-inspection>

or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

Submissions

Any person may make a submission to the planning authority about the amendment C245melt. Submissions about the amendment must be received by 16 November 2026.

A submission must be sent to:

citystrategy@melton.vic.gov.au

Or:

Melton City Council, City Strategy Department
232 High St, Melton VIC 3337

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- Directions hearing: 1 February 2027
- Panel hearing: 1 March 2027

Details of the amendment

Who is the planning authority?

This amendment has been prepared by Melton City Council who is the planning authority for this amendment.

Land affected by the amendment

The amendment makes changes to local policy clauses regarding non-urban land, protection of agricultural land, facilitating tourism, and sustainable transport which apply to all land within the municipality.

The amendment also amends clause 74.02 Further Strategic Work which is similarly applied to the relevance of any future strategic work across the whole municipality.

The amendment also amends Clause 2.01 (Context) to update population statistics with more recent figures, and mention the existing local registered aboriginal parties, which is relevant across the municipality.

The amendment also adds a new permit trigger for earthworks which involve the

receipt, importation, stockpiling or placement of more than 100 cubic metres of fill across all land that is zoned Green Wedge Zone (Clause 35.04), Green Wedge A Zone (Clause 35.05), Rural Conservation Zone (Clause 35.06) and Farming Zone (Clause 35.07). This area is shown in Figure 1 below:

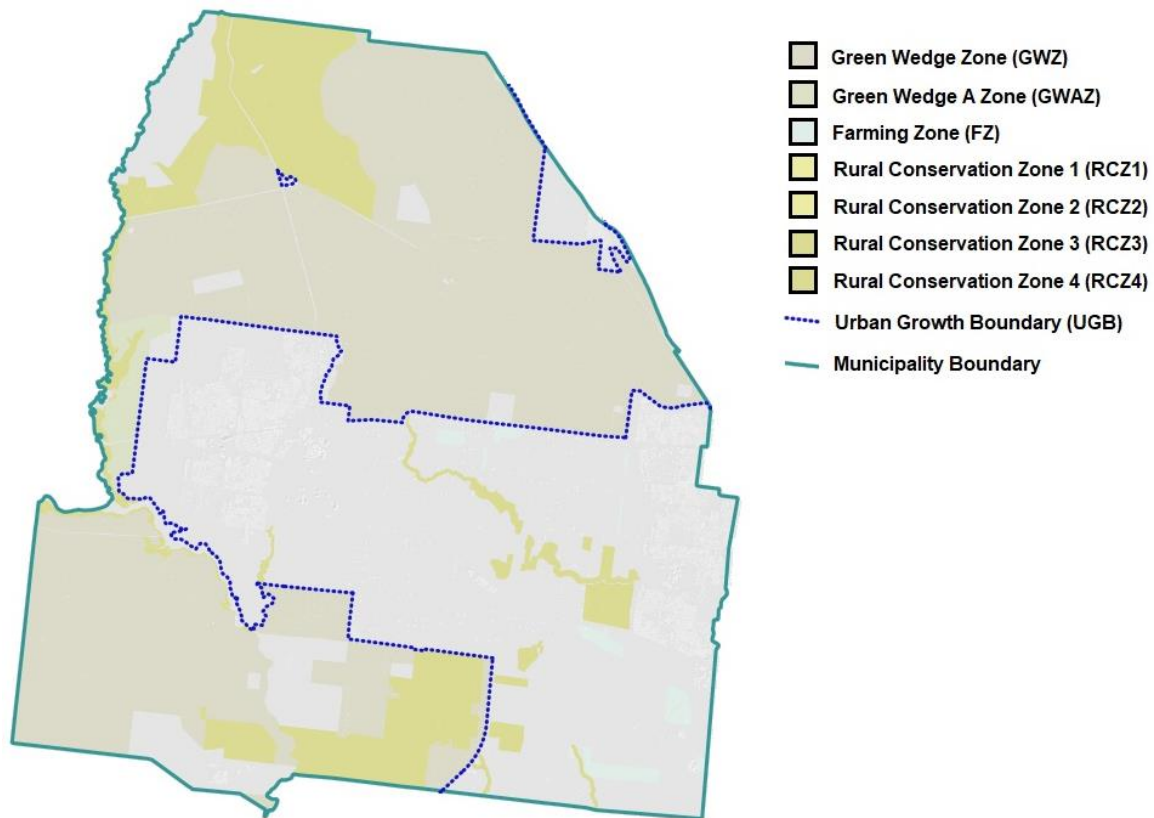


Figure 1 – Land subject to proposed new earthworks permit trigger.

The amendment also makes changes to existing permit triggers for earthworks which impact the flow of water across boundaries, and earthworks that increase the discharge of saline water, across all land that is zoned Green Wedge Zone (Clause 35.04) and Farming Zone (Clause 35.07). This area is shown in Figure 2 below:

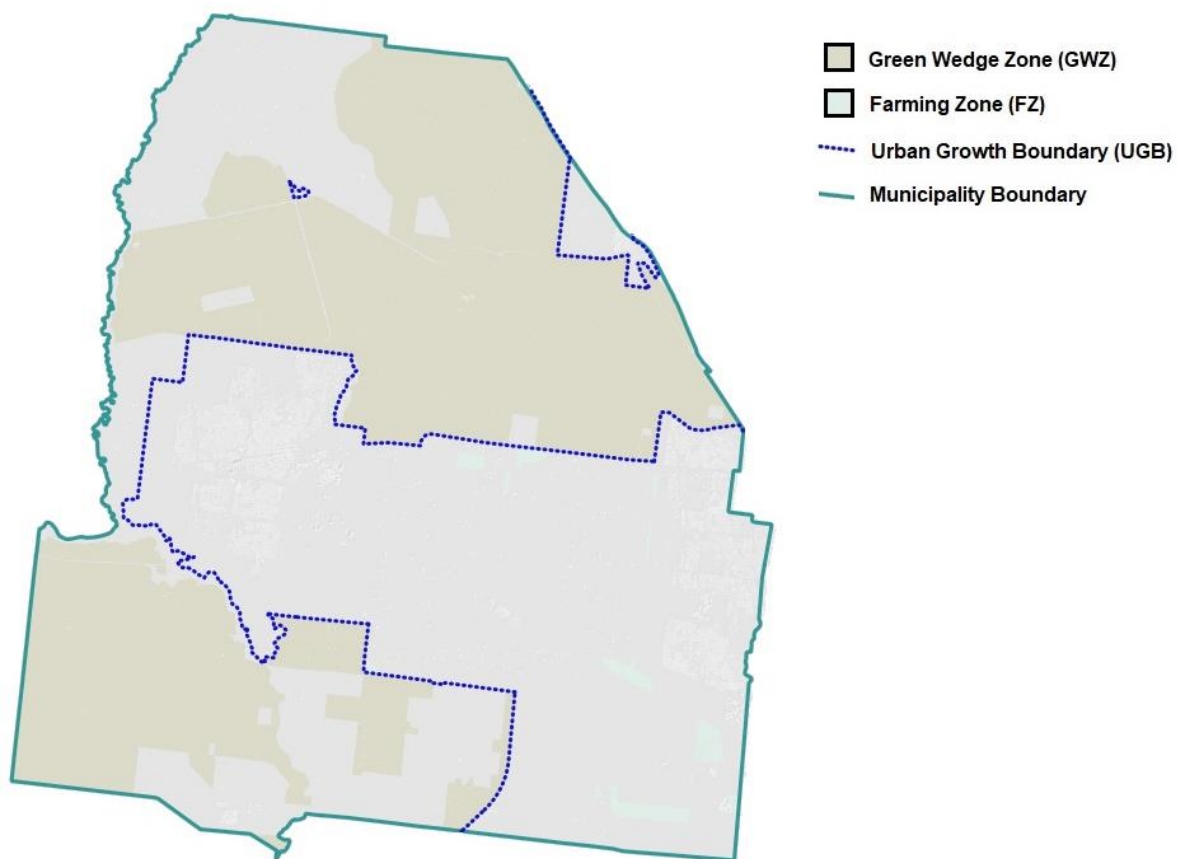


Figure 2 – Land subject to changes to existing earthworks permit triggers in zone schedules.

The amendment also proposes policy neutral changes to replace areas A and B in the Schedules to the Farming Zone and Green Wedge Zone with an amended Schedule 1 and a new Schedule 2 to each, of these zones, in the same area shown above by Figure 2.

What the amendment does

The amendment seeks to implement the recommendations of the *Western Plains South Green Wedge Management Plan* (Melton City Council, February 2024) and some minor changes recommended by the *Melton Planning Scheme Review* (2024). It also adds the *Western Plains North Green Wedge Management Plan* (Melton City Council, 2014) as a background document. Specifically, the amendment seeks to make the following changes:

Zoning maps

1. Amend Planning Scheme Map Nos. 1ZN, 2ZN, 3ZN, 4ZN, 5ZN, 6ZN, 7ZN, 8ZN, 9ZN, 10ZN, 11ZN, 12ZN, 13ZN, and 14ZN to:
 - a) reflect the Green Wedge Zone (GWZ) and Farming Zone (FZ) both being split into schedules 1 and 2 to reflect existing areas A and B currently shown by a dated map in the existing schedules.
 - b) update all GWAZ references to GWAZ1 to align with the proposed correction

to the schedule numbering in the planning scheme ordinance. This is an administrative change to comply with the Ministerial Direction on the Form and Content of Planning Schemes.

Planning scheme ordinance

2. Amend Clause 02.01 (Context) to update population statistics for the municipality and mention the existing local registered aboriginal parties.
3. Amend Clause 11.01-1L-01 (Non-urban land) to include:
 - a) references to both local green wedge management plans; and
 - b) an updated list of strategies reflecting content from the Western Plains South Green Wedge Management Plan.
4. Insert a new Clause 11.01-1L-02 (North Green Wedge Precincts), containing the existing north precincts plan which is relocated to this Clause from Clause 17.04-1L (Facilitating tourism), and a list of strategies for each precinct.
5. Insert a new Clause 11.01-1L-03 (South Green Wedge Precincts), with the new South Green Wedge Precincts plan and a list of strategies for each precinct.
6. Amend Clause 14.01-1L (Protection of agricultural land) to include the recommendations of the *Western Plains South Green Wedge Management Plan* (Melton City Council, February 2024), identifying Parwan as the key agricultural precinct in the Southern rural area, and supporting the potential for irrigated agriculture.
7. Amend Clause 17.04-1L (Facilitating tourism), to include the recommendations of the *Western Plains South Green Wedge Management Plan* (Melton City Council, February 2024) and to make minor administrative changes regarding the *Western Plains North Green Wedge Management Plan* (Melton City Council, September 2014).
8. Amend Clause 18.01-3L (Sustainable personal transport), to include the *Western Plains South Green Wedge Management Plan* (Melton City Council, February 2024) as a policy document.
9. Amend the Schedule to Clause 35.04 (Green Wedge Zone) to rename schedule 1 with requirements for previous Area A, and include new Earthworks requirements for fill.
10. Insert a new Schedule 2 to Clause 35.04 (Green Wedge Zone) to include subdivision and other requirements for previous area B, and include new Earthworks requirements for fill.

11. Amend the Schedule to Clause 35.05 (Green Wedge A Zone) to rename as Schedule 1 (GWAZ1), and include new Earthworks requirements for fill.
12. Amend Schedules 1, 2, 3 and 4 to Clause 35.06 (Rural Conservation Zone) to include Earthworks requirements for fill.
13. Amend the Schedule to Clause 35.07 (Farming Zone) to rename schedule 1 with requirements for previous Area A, and include new Earthworks requirements for fill.
14. Insert a new Schedule 2 to Clause 35.07 (Farming Zone) to include subdivision and other requirements for previous area B, and include new Earthworks requirements for fill.
15. Amend the Schedule to Clause 72.08 (Background documents) to include *Western Plains South Green Wedge Management Plan* (Melton City Council, 2024) and the *Western Plains South Green Wedge Management Plan Background Report* (RMCG, 2014) as background documents.
16. Amend the Schedule to Clause 74.02 (Further Strategic Work) to:
 - a) Reflect the creation of the *Western Plains South Green Wedge Management Plan* (Melton City Council, February 2024).
 - b) Include further strategic work identified in an internal Planning Scheme Review; and
 - c) Delete redundant strategic work.

Strategic assessment of the amendment

Why is the amendment required?

The proposed amendment is required to implement the recommendations in the *Western Plains South Green Wedge Management Plan* (Melton City Council, 2024), add the *Western Plains North Green Wedge Management Plan* (Melton City Council, 2014) as a background document, and implement the *Melton Planning Scheme Review* (2024).

Implementing local policy on agriculture, tourism, and pedestrian and cycling paths from the Western Plains South Green Management Wedge Plan and making both Green Wedge Plans reference documents is needed to give effect to the plans and support suitable agricultural, tourism, and other activity in the area.

The amendment is also needed to change the application of permit requirements for earthworks which change the flow or discharge of water and saline groundwater under the GWZ and FZ by removing the exemption for earthworks beyond a depth of 1 metre. This exemption appears to have originally been written in error.

A new earthworks permit trigger is also introduced across rural zones for bulk fill dumping. This is required to address a consistent issue in our rural areas, and is in accordance with Action 19 of the State Green Wedge Action Plan, which commits to implementing such permit triggers across Victoria.

The amendment is also needed to improve the clarity of the mapping and schedules of the local Green Wedge Zone (GWZ and Farming Zone (FZ), by removing a dated and poorly detailed map in the schedules which split these zones into areas A, B and C with associated requirements for each, and instead now reflecting these in a schedule 1 and schedule 2 to reflect existing areas A and B and their existing requirements. Area C no longer exists in these zones as it was already rezoned due to urban development within the Urban Growth Boundary many years ago.

Finally, the amendment is needed to update local demographic statistics, add mention of the local Registered Aboriginal Parties under context, and update the list of identified future further strategic work in accordance with the findings of the Melton Planning Scheme Review (2024).

The un-numbered first schedule of the Green Wedge Zone (GWZ), the Green Wedge A Zone (GWAZ), and the Farming Zone (FZ) have all been renumbered as schedule 1 (GWZ1, GWAZ1, FZ1). This is a minor policy neutral change to align with the Ministerial direction on the form and content of planning schemes.

How does the amendment implement the objectives of planning in Victoria?

The amendment implements the objectives of planning in Victoria as outlined in section 4(1) of the *Planning and Environment Act 1987* (PE Act) as follows:

a) Provide for the fair, orderly, economic and sustainable use, and development of land;

The proposed amendment will result in the fair, orderly, economic and sustainable use and development of land by implementing the two Green Wedge Management Plans as a decision making framework for rural land.

b) Provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;

The proposed amendment will identify and protects local environmental features by ensuring that rural land is not adversely affected by the receipt, importation or stock piling of fill.

c) Secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;

The proposed amendment will introduce a new strategic policy for the management of rural land within the municipality.

How does the amendment address any environmental, social and economic effects?

Environmental effects

The proposed amendment will pose minimal adverse effects on the environment. Existing schedules will be amended to provide an additional earthworks fill trigger, correct errors in the text, and adopt a more standard form of permit trigger. The new permit trigger for earthworks involving more than 100 cubic metres of fill will provide a significant environmental benefit through the better management of significant earthworks impacts on the rural environment and neighbouring properties.

Social effects

Adding areas and sites identified in the *Western Plains South Green Wedge Management Plan* (Melton City Council, 2024) and the *Western Plains North Green Wedge Management Plan* (Melton City Council, 2014) to local policy on agriculture, tourism, and walking and cycling trails, and references to both green wedge plans under non-urban land, will implement the key findings of these plans and better support agricultural, tourism, and trails priorities and economic activity, with some economic benefit.

Economic effects

The proposed amendment will not have any adverse economic effects but is expected to result in a modest economic benefit by ensuring the accuracy of planning controls for the benefit of landowners and other stakeholders, and by strengthening and protecting both agriculture and tourism activity.

Does the amendment address climate change?

The amendment appropriately addresses climate change in accordance with Ministerial Direction 22.

It supports and strengthens the role of Green Wedges and the Urban Growth Boundary through the implementation of the *Western Plains South Green Wedge Management Plan*, minimising climate change impacts through:

- Support for the local pre-urban agricultural activity, minimising the transport needs for supplying agricultural produce to Melbourne.
- Support for the increased use of recycled water irrigation in local agriculture.
- Policy support for appropriate renewable energy infrastructure, particularly for the

combination of solar with grazing or other agricultural activities where possible.

- Inclusion of appropriate land-management actions based on the feedback of local water and fire authorities and community and environmental groups.

Does the amendment address relevant bushfire risk?

The proposed amendment meets bushfire policy in Clause 13.02 of the Planning Scheme because there are no proposed changes that significantly impact bushfire risk.

The proposed changes have no significant or direct impacts on design, vegetation, or any other features that may be impacted by bushfire risk. The amendment does not seek to increase residential development within the municipality.

Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

The proposed amendment will comply with the following relevant Ministerial Directions:

- *Ministerial Direction section 7(5) - the Form and Content of Planning Schemes.*

The planning controls that have been prepared are consistent with the form and content direction.

- *Minister's Direction 11 – Strategic Assessment of Amendments.*

In relation to Direction 11, this section of the Explanatory Report addresses the key requirements.

How does the amendment support or implement the Planning Policy Framework?

The amendment considers and gives affect to relevant state and local planning policy by including reference to and recommendations from the *Western Plains South Green Wedge Management Plan* (Melton City Council, 2024) and the *Western Plains North Green Wedge Management Plan* (Melton City Council, 2014) into Clause 11.01-1L-01 (Non-urban land), Clause 14.01-1L (Protection of agricultural land), Clause 17.04-1L (Facilitating tourism) and Clause 18.01-3L (Sustainable personal transport). The proposed amendment identifies important future strategic work, deletes redundant strategies and facilitating land use and development in accordance with the Planning Policy Framework.

Clause 11.01-1S Settlement

This clause aims to direct residential growth and includes the policy guideline to consider as relevant any settlement boundary, such as the Urban Growth Boundary. It also includes as *Plan for Victoria* as a policy document directing such planning.

Plan for Victoria as the State-wide strategic framework includes 'Pillar 4 -Sustainable Environments', which is a set of policy and objectives supporting limiting urban sprawl, conservation of natural values, and sustainable agriculture. The proposed amendment supports this element of the plan.

Clause 11.01-1R Green Wedges – Metropolitan Melbourne

This clause includes a strategy to promote and encourage key features and values of green wedge areas. The proposed local policy additions will identify and support the key agricultural and tourism areas and uses of the southern green wedge area.

Other strategies include supporting agribusiness activities and food production, and to plan for and protect major infrastructure and resource assets such as water supply dams and water catchments. Proposed policy and the green wedge plan proposed to be adopted as a reference document supports the adoption of increased use of recycled water for irrigation, supporting sustainable long-term use of these resources.

Clause 11.01-1L-01 Non-urban land

This clause supports protecting non-urban areas from urban development incursion.

The proposed new earthworks permit trigger for bulk fill dumping also aligns with the recommended adoption of such a permit trigger State-wide under Action 19 of the State's 'Planning for Melbourne's Green Wedges and Agricultural Land Action Plan 2024'.

12.05-1S Environmentally sensitive areas

This clause aims to protect and conserve environmentally sensitive areas, and retain their environmental and recreational values. The proposed local policy additions will help identify and protect key sites with such values, including tourism potential.

12.05-2L Rural landscape character

This clause seeks to protect significant landscapes, including across the Western Volcanic Plains, to protect geological features, and to avoid inappropriate development impacting view-lines, with various design strategies specified. This will be better supported by the corrected and new earthworks permit triggers.

Clause 13.04-3S Salinity

This clause includes the strategy of preventing inappropriate development in areas affected by groundwater salinity, which is supported by proposed corrections to the relevant earthworks permit triggers in our rural zone schedules.

Clause 14.01-1S Protection of agricultural land

This policy includes strategies around identifying and preserving productive

agricultural land. The local policy additions identify Parwan as the key agricultural precinct in our Southern rural areas and prioritises agriculture in that area.

Clause 14.01-2L Sustainable agricultural land use

This policy supports suitable new uses that utilise recycled water and increase the viability of agricultural production, in line with the proposed local policy additions.

Clause 17.04-1L Facilitating tourism

This policy supports facilitating appropriate tourism development in our rural areas, which will benefit from adding tourism priorities identified in our southern rural area.

Clause 18.01-3L Sustainable personal transport

This policy supports a network of pedestrian and bicycle trails throughout the municipality, including the Werribee River trail which is already identified in this policy, and the Western Plains South Green Wedge Management Plan which outlines its importance will now be added as a reference document.

How does the amendment support or implement any relevant strategic plan or policy statement adopted by a Minister, government department or public authority?

The amendment aligns with and supports the State government's '*Planning for Melbourne's Green Wedges and Agricultural Land -Action Plan (2024)*'.

In particular, it implements new earthworks requirements for fill dumping in line with Action 19 of the plan. It also identifies and supports key precincts for agriculture and provides some local policy guidance on managing discretionary uses, which aligns with the themes of the plan and with the intent of actions 5, 7 and 8.

The amendment updates and improves local policy in a manner which aligns with the State plan and will not compromise the implementation of it.

Is the amendment consistent with the delivery of the relevant housing target set out in the Planning Policy Framework?

The proposal does not impact controls on approving dwellings or subdivision in any way, and has no impact on the implementation of the housing target set out in the Planning Policy Framework.

How does the amendment support or implement the Municipal Planning Strategy?

Clause 02.02 (Vision)

The proposed amendment will support the implementation of the Municipal Planning Strategy (MPS) and gives effect to this Clause, in that it will support:

- a vibrant and healthy natural and built environment, where the natural environment is protected and enhanced for future generations, and
- a fast growing, innovative and well-planned City, where growth and development occurs in a strategic, fair and sustainable way.

Clause 02.03-1 (Settlement)

The proposed amendment will support this Clause which outlines that planning for non-urban land seeks to:

- Protect the natural and cultural values of non-urban land.
- Support sustainable agricultural activities.
- Protect non-urban land from development that increases land fragmentation and land use conflicts.

Clause 02.03-2 (Environmental and landscape values)

The proposed new rural land use clause of the amendment aligns with and addresses the above mentioned strategies, along with strategies set out in this Clause such as maintaining character of significant landscapes while accommodating growth, managing visual impacts on natural landscape values, and designing for sensitive interfaces.

Clause 02.03-4 (Natural resource management)

The proposed amendment will support this Clause as it will identify the Parwan precinct as the prime Southern area for agricultural productivity, and encourages expansion of the use of recycled water, which supports protecting land with ongoing capacity for sustainable agriculture, and opportunities that increase the availability of recycled water.

Clause 02.03-7 (Economic development)

The proposed amendment will implement references to tourism priorities in the Southern rural area (Mt Cottrell, Parwan, and Surbiton Park) identified by the *Western Plains South Green Wedge Management Plan* (Melton City Council, February 2024), supporting tourism and the visitor economy in line with Clause 02.03-7 (Economic development) of the MPS.

Clause 02.03-9 (Infrastructure) and Clause 02.04-3 (Open space)

The proposed amendment will support these Clauses as it will add a reference of the proposed Werribee River Trail under Clause 18.01-3L (Sustainable personal transport), a proposed trail already shown and supported on the map and text within these Clauses.

How does the amendment balance any competing policy objectives or strategies?

The new sections of local policy are written in terms of guiding preferred outcomes and supporting the primary purposes of precinct areas rather than prohibiting any specific uses or activities.

Combined with having been written with regard to both existing State policy and the recommendations of the State government's *'Planning for Melbourne's Green Wedges and Agricultural Land -Action Plan (2024)'*, this results in the amendment having strong alignment with State rural and green wedge area policy.

This results in no obvious compromise or competition between the amendment and other existing policy, other than the normal background policy tension between high-level economic development oriented policy and the limitations of protective rural and green wedge policy which seek to conserve the non-urban landscape.

Does the amendment make proper use of the Victoria Planning Provisions?

The proposed amendment amends clause 74.02 Further Strategic Work with updated data as the most relevant and appropriate sections of the Melton Planning Scheme.

The changes to the Green Wedge Zone (GWZ) and Farming Zone (FZ) schedule mapping allow for quickly and easily identifying which area a property is within with relevant differences in minimum subdivision lot sizes. These changes separate the two existing areas A and B, currently shown in a rough and dated hand-drawn map in the existing schedules, into two separate schedules for each zone, and the layout of the proposed schedules complies with ministerial direction on form and content. It can be noted that Area C shown in the existing schedule map (to be replaced) no longer exists, as that area has previously been rezoned for urban development.

The proposal does not alter Urban Growth Boundaries or make any changes that would increase the number of lots allowed in the green wedge, and therefore is not an amendment which would require ratification under Part 3AA of the Planning and Environment Act (1987).

The proposed permit trigger for earthworks involving over 100 cubic metres of fill is proposed in an identical form to that already in use in the Nillumbik planning scheme, and in the Hume planning scheme since 2014. The trigger is proposed to be added to a set of rural zones addressing the majority of rural private land, similarly to the wide rural coverage of their application in those schemes.

The proposed change to the permit trigger for earthworks changing the flow of water across property boundaries is intended to correct an error in the current text and adopt a simple 'all land' permit trigger as used in over 80% of such planning scheme schedules in Victoria.

The amendment adds references and content from green wedge management plans

and rural land use policy in the appropriate areas of local policy.

How does the amendment address the views of any relevant agency?

Council sought feedback from the Department of Transport and Planning staff on the proposed draft amendment several times, and various formatting and policy text changes suggested were adopted into the amendment.

During preparation of the Western Plains South Green Wedge Management Plan the draft plan was circulated at multiple stages to various relevant authorities including the local water and fire authorities, Parks Victoria, Department of Transport and Planning, and the Department of Energy Environment and Climate Change. Various changes were adopted at each stage and included into the final adopted plan.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The planning scheme amendment will not have any significant impacts of any sort on the transport system.

How does the amendment have regard to the principles set out in the *Yarra River Protection (Wilip-gin Birrarung murrn) Act 2017* in relation to Yarra River land and other land, the use or development of which may affect Yarra River land?

There are no sections of the Yarra River or its tributary waterways within the City of Melton, and the rivers and creeks of the municipality drain into Port Phillip Bay rather than the Yarra River. There is accordingly no land within the City of Melton which is identified as part of the catchment in the *Yarra River Strategic Plan*.

The proposed amendment therefore has no direct nor indirect impacts on the Yarra River, and there are no impacts to assess under the *Yarra River Protection (Wilip-gin Birrarung murrn) Act 2017*.

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The proposed amendment may result in a minor increase of planning permits, however, it will not adversely affect Council resources.