

MANSFIELD PLANNING SCHEME

AMENDMENT C51MANS

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Mansfield Planning Scheme, which is the planning authority for this amendment.

Land affected by the amendment

The amendment applies to various sites in the Mansfield and Bonnie Doon townships.

What the amendment does

The amendment implements the *Mansfield Commercial and Industrial Land Use Strategy*, 2021 ('the strategy') by:

- Amending Clause 21.07, Economic Development.
- Amending Clause 21.09, Mansfield Township.
- Amending the Schedule to Clause 34.01, Commercial 1 Zone.
- Introducing Schedule 4 (*Industrial 1 Zone*) to Clause 43.04, Development Plan Overlay.
- Amending the Schedule to Clause 72.08, Background Documents.
- Rezoning parcels of land in the Bonnie Doon township area as follows:
 - Rezone 1621 – 1625 and 1627 (part) Maroondah Highway, Bonnie Doon from Commercial 1 to General Residential 1;
 - 1738 Maroondah Highway, Bonnie Doon (Bonnie Doon Hotel) from Farming to Commercial 1

(Planning scheme map 7zn).

- Rezoning parcels of land in the Mansfield township area as follows:
 - Rezone 175 Dead Horse Lane from Farming to Industrial 1;
 - Rezone 264 - 282 Dead Horse Lane from Low Density Residential to Mixed Use;
 - Rezone 5 – 17 Crosbys Lane from Mixed Use to Commercial 2.

(Planning scheme maps 9, 11 and 12zn).

- Applying the Development Plan Overlay 4 to 175 Dead Horse Lane and 141 Lakins Road, Mansfield (Planning scheme maps 9DPO, 11DPO and 12DPO).

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to implement the adopted recommendations of the *Mansfield Commercial and Industrial Land Use Strategy*, 2021 to secure, strengthen and diversify the economic and employment base of Mansfield Shire.

Specific proposals under the amendment are required to reflect the adopted strategy as follows:

- Clause 21.07, Economic Development:

Clause 21.07 is being amended to revise commercial and industrial issues, objective and strategies.

- Clause 21.09, Mansfield Township:

Clause 21.09 is being amended to revise commercial and industrial objectives and strategies for the Mansfield township (three different precincts) and revise the Mansfield Township Framework Plan.

- Clause 34.01, Commercial 1 Zone schedule:

The Schedule to the Commercial 1 Zone is being amended to identify various land parcels in High, Curia, Nolan and Baldry Streets, Mansfield where a planning permit is required for a shop in all instances, i.e. above 0 square metres in area. This proposal reflects the position in the adopted strategy to require consent for all retail use in non-main road locations to discourage retail use with a preference 'for commercial office uses for single enterprises as well as health care, education and recreation uses'.

- Schedule 4 (*Industrial 1 Zone*) to Clause 43.04, Development Plan Overlay:

New Schedule 4 (*Industrial 1 Zone*) is being introduced into the Mansfield Planning Scheme to allow a development plan process to be applied to selected areas of Industrial 1 Zone to guide the future use, development and subdivision of land.

- Schedule to Clause 72.08, Background Documents:

The Schedule is being amended to include the *Mansfield Commercial and Industrial Land Use Strategy*, 2021 as a background document to the Mansfield Planning Scheme.

- Bonnie Doon township area rezoning:

Land in Maroondah Highway is being rezoned from Commercial 1 to General Residential 1 to reflect the current predominant residential use of the land. The Bonnie Doon Hotel is being rezoned from Farming to Commercial 1 to reflect the commercial use of the land.

- Mansfield township area rezoning:

- Rezone 175 Dead Horse Lane from Farming to Industrial 1;
- Rezone 264 - 282 Dead Horse Lane from Low Density Residential to Mixed Use;
- Rezone 5 – 17 Crosbys Lane from Mixed Use to Commercial 2.

Various land parcel in Mansfield township are being rezoned to Industrial 1, Mixed Use and Commercial 2 to reflect the predominant and preferred long term use of the land.

The proposed rezoning of 175 Dead Horse Lane from Farming to Industrial 1 will provide an area for the expansion of industrial use and development. The proposed rezoning of 5 – 17 Crosbys Lane from Mixed Use to Commercial 2 reflects the long term use of the Mount Buller Road for highway commercial uses, rather than mixed residential and commercial uses.

- Development Plan Overlay 4 - 175 Dead Horse Lane and 141 Lakins Road, Mansfield:

The Development Plan Overlay 4 is being applied to the land to allow a development plan process to be required to guide the future use, development and subdivision of land (which may include road linkages between both land parcels) prior to any specific planning permits being granted for the land.

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 of the *Planning and Environment Act 1987* through:

- Providing for the fair, orderly, economic and sustainable use and development of land.
- Providing for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.
- Securing a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- Protecting public utilities and other assets and enabling the orderly provision and coordination of public utilities and other facilities for the benefit of the community.
- Balancing the present and future interests of all Victorians.
- Ensuring sound, strategic planning and co-ordinated action at State, regional and municipal levels.
- Enabling land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels.
- Ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.
- Facilitating development that achieves the objectives of planning in Victoria and planning objectives set up in planning schemes.

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

Environmental effects:

The amendment has fully considered environmental effects. The amendment will have no significant effect on the environment or the environment on the use or development envisaged in the amendment. The amendment only proposes a limited range of rezoning of land and application of overlays. The proposed schedule 4 (Industrial 1 Zone) to the Development Plan Overlay and application of this overlay to 175 Dead Horse Lane and 141 Lakins Road, Mansfield will place a requirement for a range of environmental issues to be considered and protected in the preparation of development plans

Social effects:

The amendment is expected to have positive social benefits for landowners and Mansfield Shire generally. Positive social effects and benefits will accrue from the amendment through enhanced economic activity and employment for residents and tourists, increased liveability in the Mansfield town centre and improved well-being generally within the municipality. Improved social outcomes will be also result from the correct zoning of parcels of land that are presently incorrectly zoned to reflect the primary use of the land.

Economic effects:

The amendment is expected to have positive economic benefits for landowners and Mansfield Shire generally. Positive economic effects and benefits will accrue from the amendment through enhanced commercial and industrial economic activity and employment and the ability to grown these sectors in the future.

Does the amendment address relevant bushfire risk?

The amendment will not result in any increase to the risk to life as a priority, property, community infrastructure and the natural environment from bushfire. The land affected by this amendment forms part of the established Mansfield and Bonnie Doon townships, both supplied with reticulated water and urban fire-fighting services. The Bushfire Management Overlay, reflecting higher bushfire risk, does not apply to any of the land directly affected by this amendment.

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

The amendment complies with all Minister's Directions under Section 12 of the *Planning and Environment Act* 1987. Specifically, the amendment has considered and complies with the following Ministerial Directions:

- Ministerial Direction 11, Strategic Assessment of Amendments: The amendment has been strategically assessed and justified in accordance to meet the requirements of this direction through the preparation and implementation of the adopted *Mansfield Commercial and Industrial Land Use Strategy* 2021. The study provides the strategic and technical justification for the application of additional strategic directions for commercial and industrial areas in Mansfield Shire and the rezoning of land and application of planning scheme overlays in the Bonnie Doon and Mansfield townships.
- Ministerial Direction No. 15, The Planning Scheme Amendment Process: All process requirements to be met under the direction have been considered and met in the preparation of the amendment.
- Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

No other Minister's Direction is directly affected by the amendment.

The proposed changes in the amendment meet the guidelines and requirements outlined in Practice Note 23, *Applying the Incorporated Plan and Development Plan Overlays*, November 2018.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment complies with and implements the State Planning Policy Framework of the Mansfield Planning Scheme. In particular, the amendment implements:

Clause 17, Economic development:

▪ 17.01, Employment:

- 17.01-1S, Diversified economy:

Objective:

To strengthen and diversify the economy.

Strategies include:

Protect and strengthen existing and planned employment areas and plan for new employment areas.

▪ 17.02, Commercial:

- 17.02-1S, Business:

Objective:

To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

Strategies include:

Plan for an adequate supply of commercial land in appropriate locations.

Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.

▪ 17.03, Industry:

- 17.03-1S, Industrial land supply:

Objective:

To ensure availability of land for industry.

Strategies include:

Provide an adequate supply of industrial land in appropriate locations including sufficient stocks of large sites for strategic investment.

▪ 17.04, Tourism:

- 17.04-1S, Facilitating tourism:

Objective:

To encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment complies with and implements the Local Planning Policy Framework of the Mansfield Planning Scheme. In particular, the amendment implements:

Clause 21.07, Economic development:

The amendment supports the general strategic directions of Clause 21.07 to provide adequate commercial, retail and industrial development land and opportunities. While the existing objective and strategies to provide sufficient commercial and industrial land to meet demand is being retained, a new objective and strategies are being added under the amendment to include recommendations of the adopted strategy to strengthen and support existing and future commercial and industrial use and development.

Clause 21.09, Mansfield township:

The amendment supports the general strategic directions of Clause 21.09 to provide adequate commercial and industrial development land and opportunities in Mansfield township. Existing commercial and industrial objectives and strategies are being replaced under the amendment to include recommendations of the adopted strategy, outlining objectives and strategies by each of the three major precincts for the town (Mansfield town centre, Mount Buller Road precinct and Dead Horse Lane / Lakins Road precinct).

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

The amendment makes proper use of the Victoria Planning Provisions by rezoning land and applying the Development Plan Overlay (DPO) to a future industrial area of the northern side of the Mansfield township. These actions are the most suitable mechanisms to achieve the recommendations of the *Mansfield Commercial and Industrial Land Use Strategy 2021*. The DPO is the best mechanism to provide an assessment and outline of future development and servicing. Proposed amendments to Clauses 21.07, Economic development, and 21.09, Mansfield township, reflect the policy guidance and recommendations of the adopted strategy.

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

External agencies have not been consulted directly in the preparation of the amendment, which intends to implement the *Mansfield Commercial and Industrial Land Use Strategy*. The proposed rezoning and policies are not expected to impact how relevant agencies achieve their individual requirements. Only one significant area is proposed to be rezoning, being 175 Dead Horse Lane, and this is accessed from Council Roads predominantly. Any application for development will be required address the requirements of the relevant authorities. It is also considered that the Development Plan Overlay proposed for this area will give due consideration to the development of these areas.

All relevant agencies will be directly notified of this amendment and will have an opportunity to make a formal submission to it.

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

Is the amendment likely to have a significant impact on the transport system, as defined by Section 3 of the Transport Integration Act 2010?

The amendment is not considered to have a significant impact on the transport system. The amendment mostly proposes to rezone smaller parcels of land from one urban zone to another, an action that will not affect the intensity of use or functioning of the transport system.

The amendment does propose to rezone a larger parcel of land adjoining the Midland Highway, that is land at 175 Dead Horse Lane, from Farming to Industrial 1, allowing a more intensive future use and development of land. In this case, the Development Plan Overlay 4 is also being applied to the land, requiring a development plan to be prepared prior to any subdivision or development on the land. This development plan process will require the preparation of a traffic impact assessment report, a process that will allow full consideration of impacts on the main road network, minimisation of impact on the transport system (e.g. with a requirement for a single point of access or use of service road) and any required upgrading of road infrastructure that may be required as a result of the proposed use and development of the land.

The purpose of the *Transport Integration Act 2010* is to create a new framework for the provision of an integrated and sustainable transport system in Victoria. This vision statement recognises the aspirations of Victorians for an integrated and sustainable transport system that contributes to an inclusive, prosperous and environmentally responsible state. The objectives of the *Transport Integration Act 2010* relate to social and economic inclusion, economic prosperity, environmental sustainability, integration of transport, land use, efficiency, coordination and reliability, safety, and health and wellbeing. This amendment is consistent with these objectives as the impact of any future development regarding traffic on the surrounding road network will be minimal.

Are there any applicable statements of policy principles prepared under section 22 of the Transport Integration Act 2010?

There are no statements of policy principles or specific requirements applicable under Section 22 of the *Transport Integration Act 2010* that apply to this amendment.

Resource and administrative costs

This amendment is expected to have minimal impact on the resource and administrative costs of the responsible authority.

Although the proposed amendment will increase resource requirements for the preparation of development plans on land where the Development Plan Overlay is being applied, future timelines and processes for future applications for planning permit will be reduced and

streamlined. The amendment however will provide improved decision making, reduction in time frames for determining decisions and clearer direction and more certainty for new use and development within zoned industrial and commercial areas.

Where you may inspect this amendment

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

Mansfield Shire Council
33 Highett Street
MANSFIELD

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by 28 November 2021. A submission must be sent to:

Mansfield Shire Council
Private Bag 1000
MANSFIELD VIC 3724

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: 14 February 2022
- panel hearing: 21 March 2022

Planning and Environment Act 1987

MANSFIELD PLANNING SCHEME

Notice of the preparation of an amendment

Amendment C51mans

The Mansfield Shire Council has prepared Amendment C51 to the Mansfield Planning Scheme.

The amendment applies to various sites in the Mansfield and Bonnie Doon townships.

The amendment implements the *Mansfield Commercial and Industrial Land Use Strategy*, 2021 ('the strategy') by:

- Amending Clause 21.07, Economic Development.
- Amending Clause 21.09, Mansfield Township.
- Amending the Schedule to Clause 34.01, Commercial 1 Zone.
- Introducing Schedule 4 (*Industrial 1 Zone*) to Clause 43.04, Development Plan Overlay.
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- Rezoning parcels of land in the Bonnie Doon township area as follows:
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 - 1738 Maroondah Highway, Bonnie Doon (Bonnie Doon Hotel) from Farming to Commercial 1
(Planning scheme map 7zn).
- Rezoning parcels of land in the Mansfield township area as follows:
 - Rezone 175 Dead Horse Lane from Farming to Industrial 1;
 - Rezone 264 - 282 Dead Horse Lane from Low Density Residential to Mixed Use;
 - Rezone 5 – 17 Crosbys Lane from Mixed Use to Commercial 2.
(Planning scheme maps 9, 11 and 12zn).
 - Rezone parcels of land in Curia Street from Commercial 1 to General Residential
- Applying the Development Plan Overlay 4 to 175 Dead Horse Lane and 141 Lakins Road, Mansfield (Planning scheme maps 9DPO, 11DPO and 12DPO).

You may inspect the amendment, any documents that support the amendment and the explanatory report about the amendment, free of charge, at the following locations:

- during office hours, at the office of the planning authority, Mansfield Shire Council, 33 Highett Street, Mansfield.
- at the Department of Environment, Land, Water and Planning website
www.delwp.vic.gov.au/public-inspection.

Any person who may be affected by the amendment may make a submission to the planning authority about the amendment. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for council to consider submissions and to notify such persons of the opportunity to attend council meetings and any public hearing held to consider submissions. The closing date for submissions is 28 November 2021. A submission must be sent to the Mansfield Shire Council, Private Bag 1000, Mansfield, Victoria, 3724.

The planning authority must make a copy of every submission available at its office for any person to inspect free of charge for two months after the amendment comes into operation or lapses.

Kaylene Conrick
Chief Executive Officer

Planning and Environment Act 1987

MANSFIELD PLANNING SCHEME

AMENDMENT C51

INSTRUCTION SHEET

The planning authority for this amendment is the Mansfield Shire Council.

The Mansfield Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 4 attached map sheets.

Zoning Maps:

1. Amend Planning Scheme Map Nos 7, 9, 11 and 12 in the manner shown on the 3 attached maps marked "Mansfield Planning Scheme, Amendment C51".

Overlay Maps:

2. Amend Planning Scheme Map Nos 9DPO, 11DPO and 12DPO in the manner shown on the attached maps marked "Mansfield Planning Scheme, Amendment C51".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

3. In **Local Planning Policy Framework** – replace Clause 21.07 with a new Clause 21.07 in the form of the attached document.
4. In **Local Planning Policy Framework** – replace Clause 21.09 with a new Clause 21.09 in the form of the attached document.
5. In **Zones** – Clause 34.01, replace the Schedule with a new Schedule in the form of the attached document.
6. In **Overlays** – Clause 43.04, insert a new Schedule 4 in the form of the attached document.
7. In **Operational Provisions** – Clause 72.08, replace the Schedule with a new Schedule in the form of the attached document.

End of document

21.07 ECONOMIC DEVELOPMENT

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C51

This clause provides local content to support Clause 17 (Economic development). The Council Plan 2013-2017 is committed to the following environmental and natural resource management issues: [21.07]

- *Identify opportunities to focus economic development in outlying communities*
- *Prepare a thematic history of Mansfield in accordance with Guidelines of Funding received from State Government*

21.07-1 Commercial, retail and industrial development

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C51

Overview

Commercial and industrial land use on Mansfield Shire is influenced by population growth, economic growth, the breadth of recreational opportunities attracting high numbers of visitors, climate change, socio-economic change and the physical expansion and urbanisation of the Mansfield township.

To effectively respond to the changing context of the municipality, a range of land use issues that have the potential to limit and/or impact negatively on the Shire's capacity to manage and direct future commercial change and growth must be addressed.

The *Mansfield Commercial and Industrial Land Use Strategy 2021* forms the basis for strategic directions for commercial and industrial use and development in the Mansfield township.

Key Issues

- **Potential land use conflict:** The way in which the township's physical expansion interacts with commercial/industrial areas is a potential risk to the sustainability and growth of the Shire's commercial industrial sector.
- **Land supply:** The Shire's commercial and industrial sector faces significant issues related to land supply.
- **Office and service space:** There is a lack of dedicated contemporary office space to accommodate the provision and growth of professional and personal services in the Shire.
- **Business attraction:** The combination of labour shortages (resulting from healthy employment growth) and a lack of commercial and industrial floor space has the potential to impede the ability of the local economy to respond to increasing demand and to attract new enterprises to the Shire.

Objective 1

To ensure there is sufficient retail/commercial and industrial land to meet demand.

Strategies

- Strategy 1.1 Plan for the release of more industrial land to service existing demand.
- Strategy 1.2 Consolidate the retail/commercial shopping centre core of Mansfield Township.

Objective 2

To support a growing economy for Mansfield Shire that is attractive to new and diverse industries, facilitates the ongoing expansion of its tourism sector and delivers an array of retail, commercial, household and personal services to its growing population and visitors

Strategies

- Strategy 2.1 Strengthen and grow the capacity of the Shire to service the commercial, retail and industrial needs of its growing population by providing clear land use directions for current and future commercial and industrial uses.
- Strategy 2.2 Create investment certainty by detailing enduring land use directions for commercial and industrial land.
- Strategy 2.3 Support the growth of service-based industries within the Shire by encouraging the development of appropriate office and service facilities.
- Strategy 2.4 Support the diversification and growth of the Shire's industries and trades by supporting the development of a new and contemporary industrial / commercial precinct.
- Strategy 2.5 Support the rejuvenation and strengthening of the Shire's key commercial areas including the Mansfield Town Centre and the Mount Buller Road large format and trades precinct by providing clear land use directions and planning certainty.
- Strategy 2.6 Support the capacity of the Shire to attract new industries via the establishment of a new and accessible commercial and industrial precinct.
- Strategy 2.7 Reduce the potential for land use conflict by minimising the incidence of incompatible land uses and by ensuring buffering between growing residential uses and established industrial areas.

21.07-2 Agriculture

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C51

Overview

Agriculture remains a significant contributor to the local economy with the major agricultural pursuits being timber processing, pasture seed production, wool production, prime lamb and beef production. In 2011 Mansfield Shire contributed over \$43.7 million in total gross value of agriculture; this represents 2.4% of total gross value of agriculture in the Hume Region.

It is essential that productive agricultural land be maintained and remains agriculturally viable to ensure the ongoing ability to farm is protected. It is equally important that only marginal rural land, in areas with a minimal visual impact on the rural amenity of the Shire, be developed for small scale rural or rural living style development.

Most agricultural land has a moderate agricultural land capability rating which is best suited to grazing and crop production.

Key Issues

Supporting the continued growth of the agricultural sector.

Objective 1

To diversify the agricultural base to include the development of viticulture, horticulture, and more intensified agricultural pursuits.

Strategies

- Strategy 1.1 Ensure rural planning can facilitate the diversification of the agricultural sector.

21.07-3 Tourism

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C51

Overview

Mansfield Shire has a number of drivers for tourist visitation. These include:

- Lake Eildon and rivers
- Mount Buller/Stirling
- Food and wine tourism
- Nature-based tourism
- On and off road bicycle tourism.

Diversifying the tourism base is an important goal of creating a year-round tourism destination.

Key Issues

- Maximising tourism visitation while maintaining the attributes that attract tourists.

Objectives

- To attract high quality tourism development that is conducive to the environmental attributes of the area and is empathetic to the character of the Shire.
- To minimise the negative impact that tourism can have on the built and natural environment.

Strategies

- Strategy 1.1 Development should be designed to be unobtrusive and ensure that current environmental and aesthetic values are retained and not degraded.
- Strategy 1.2 Support Mount Buller as Victoria's premier snow skiing destination.
- Strategy 1.3 Tourism development should be avoided in areas prone to high fire risk, flooding and erosion.
- Strategy 1.4 Discourage ribbon tourism development along the foreshore of Lake Eildon and Lake Nillahcootie as well as the Alpine Approaches. Tourism development associated with these areas will be encouraged to locate in existing settlements.
- Strategy 1.5 Encourage the development of quality affordable short and long term accommodation for visitors and temporary staff.
- Strategy 1.6 Investigate a designated large vehicle parking area for peak periods in the Mansfield township.

Implementation

The strategies for tourism development will be implemented through the planning scheme by:

Policy guidance

- Development should benefit the local economy by improving linkages between development, commercial operators and service providers.
- Tourism development should take into account the landscape features of the surrounding area and be sited and designed in a manner which complements the landscape character of the area.
- Tourism development in rural areas should demonstrate compatibility with surrounding agricultural uses. Generally these activities will include bed and breakfasts, host farms or tourist uses related to the agricultural use of the land, and/or natural setting.
- Tourism use and development should be located in areas that are highly accessible and preferably serviced with sealed road access.
- Internal access to sites should be all weather and constructed in a manner which minimises any negative impact on the environment.
- Advertising signs for tourism uses should relate to the land on which the sign is located. Directional signs will be allowed in accordance with the VicRoads/Tourism Victoria Guidelines for Tourist Signs.

/ /21
Proposed C51

SCHEDULE 4 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO4**.

INDUSTRIAL 1 ZONE

1.0 Objectives

/ /21
Proposed C51

- Outline the form and conditions of future use and development in the Industrial 1 Zone.
- Establish broad directions for future land use, development, subdivision and servicing of an area.

2.0 Requirement before a permit is granted

/ /21
Proposed C51

Before any new use, development or subdivision commences, a development plan must be prepared and approved by the responsible authority.

A permit may be granted before a development plan has been prepared for:

- Subdivision of the land into two allotments or re-subdivision of existing allotments.
- A single building on a lot.
- Any buildings and works associated with any existing use or development of the land.

Before any planning permit is granted for any subdivision, use or development of land that the Development Plan Overlay 4 applies to, the responsible authority must consider the:

- Consistency of any proposal with any approved development plan.
- Design and provision of roads and road infrastructure in accordance with the *Infrastructure Design Manual*, in conjunction with VicRoads on declared arterial roads.
- Provision of servicing, including water, sewerage, drainage and stormwater, electricity and telecommunications to meet the standards of the relevant service authority.
- Need for a land or monetary contribution for open space in accordance with the *Subdivision Act 1988*.

3.0 Conditions and requirements for permits

/ /21
Proposed C51

A permit for subdivision, use or development must include conditions, as appropriate, to give effect to the provisions and requirements of an approved development plan and any specialist report prepared to support the development plan.

A permit for subdivision, use or development may include a condition that requires the owner of the land to enter into an agreement with the responsible authority pursuant to Section 173 of the *Planning and Environment Act 1987* to address any matter relevant to the proposal, including contributions towards infrastructure and environmental management.

4.0 Requirements for development plan

/ /21
Proposed C51

Any proposed development plan must outline and assess:

- Site assessment and response, including natural features, slope and orientation, drainage lines, native vegetation, heritage and archaeological significance, viewlines and adjoining land.
- Proposed subdivision layout and density, indicating internal roads, external road linkages and impacts, pedestrian linkages and if appropriate, lot layout.
- All servicing, including water, sewerage, drainage and stormwater, electricity and telecommunication to meet the standards of the relevant service authority.

- Bushfire risk and bushfire protection measures for the site and area, as appropriate.
- Existing and future open space, including linkages to and between areas of open space.
- Proposed measures to address native vegetation, landscaping and streetscape treatment.
- The stages, if any, in which the land is to be subdivided and developed.
- Potential impact of the proposed development plan on neighbouring and nearby land.
- Compliance with the Mansfield Planning Scheme, including relevant planning strategies, the Industrial 1 Zone and this overlay schedule.
- Compliance with any adopted structure plan, urban design framework or strategy relevant to the area.

In the preparation of any development plan, consideration must be given, in conjunction with VicRoads, to the need for a Transport Impact Assessment Report when it is considered likely that there will be an effect on any declared arterial road. Any required Transport Impact Assessment Report will have regard to VicRoads access management policies and determine the extent of mitigating works required on declared arterial roads in consultation with VicRoads.

An approved development plan may be amended to the satisfaction of the responsible authority.

21.09 MANSFIELD TOWNSHIP

08/12/2016
C37

21.09-1 Overview

08/12/2016
C37

Mansfield Township has a population that is expected to grow from an estimated population of 3,120 (2011) to 4,385 in 2031. This growth will need to be supported by an additional 900 dwellings to 2031.

Mansfield Township is the only urban centre with significant growth potential and provides all major services and infrastructure for the community. Commercial and retail growth will occur within and around the shopping centre. There is a need for more industrial land to service demand.

Existing infrastructure is capable of servicing growth however there is a need to increase water storage capacity.

A diversity of housing opportunities is an important part of providing housing for all. Aged care and medium density housing will be important so the elderly can age in place. Infill development will be important.

The *Mansfield Structure Plan 2015* and the *Mansfield Commercial and Industrial Land Use Strategy 2021* form the basis for strategic directions for commercial and industrial use and development in the Mansfield township and the Mansfield Township Framework Plan and Mansfield CBD Framework Plan under this clause.

Key Issues

- Managing the residential, low density residential and rural living 'land bank'.
- Avoiding 'out of sequence' development and rezoning.
- Facilitating residential and commercial redevelopment opportunities of key strategic sites.
- Avoiding the fragmentation of the core retail uses.
- Activating High Street (West): The western section of High Street includes commercially zoned residential dwellings, vacant sites and underutilised land. Activating and strengthening the commercial function of this area via the addition of new uses and greater integration with the town centre's core commercial functions is an enduring challenge.
- Non – Main Road Commercial Uses: The Mansfield Township incorporates a number of primarily residential streets that are zoned for commercial purposes. There is a need to strategically direct and manage future commercial uses in these streets.

Objective 1 - Settlement, Housing and Character

To provide an adequate land supply to meet current and future housing needs

Strategies

- Strategy 1.1 Contain and intensify residential development within existing residentially zoned land.
- Strategy 1.2 Encourage the redevelopment of key strategic sites, infill sites and currently vacant General Residential land.

- Strategy 1.3 Discourage any proposed General Residential rezonings in the short to medium term (0-10 years).
- Strategy 1.4 Discourage any proposed Low Density Residential rezonings in the short term (0-5 years).
- Strategy 1.5 Discourage any proposed Rural Living rezonings in the medium to long term (10-20 years).
- Strategy 1.6 Ensure land south of Stoneleigh Road is protected for a long term residential growth corridor.

Objective 2 - Settlement, Housing and Character

To maintain housing affordability and increase the range of housing choices.

Strategies

- Strategy 2.1 Encourage higher density development in areas that can capitalise on existing physical and social infrastructure in proximity to the town centre, including a range of smaller dwelling sizes.
- Strategy 2.2 Encourage a range of lot sizes within new subdivisions to provide for a variety of dwelling sizes.
- Strategy 2.3 Support smaller housing options and retirement and aged care accommodation within proximity to existing social and physical infrastructure close to the town centre.
- Strategy 2.4 Encourage opportunities to increase the supply of affordable housing within the private and public sector to cater for lower income households, older people and young people who wish to remain in the town.
- Strategy 2.5 Support facilities for temporary housing to provide accommodation for workers during peak summer and winter periods.

Objective 3 - Settlement, Housing and Character

To encourage development that respects the unique character and location of Mansfield Township and protects areas of natural, environmental, architectural and cultural significance.

Strategies

- Strategy 3.1 Implement the Mansfield Heritage Survey and provide appropriate statutory protection for places of heritage significance.
- Strategy 3.2 Use the Development Plan and Design and Development overlays and environmental buffer areas to ensure that new residential development does not disrupt or restrict existing or future viable agricultural, industrial, or rural activities.
- Strategy 3.3 Ensure that new residential development protects existing environmental features, including: large stands of trees, remnant River Red Gums, native vegetation, native animal habitat and movement corridors, high points, watercourses and drainage lines.
- Strategy 3.4 Ensure new development achieves high standards of urban design, architecture and landscape architecture.
- Strategy 3.5 Encourage new subdivisions to adopt best practice in relation to walkable neighbourhoods, water sensitive urban design and other energy efficient/sustainability initiatives.

Objective 4 – Mansfield Town Centre

- To support the continued development of a vibrant High Street retail and commercial environment for the long term growth and development of Mansfield Shire.
- To provide a sustainable business environment for retail and commercial businesses.

Strategies

- | | |
|---------------|---|
| Strategy 4.1 | Strengthening the role of the Mansfield town centre as the Shire's leading commercial, retail and service node. |
| Strategy 4.2 | Ensure use and development is consistent with the Mansfield CBD Framework Plan. |
| Strategy 4.3 | Encourage a range of retail and commercial opportunities in the town centre. |
| Strategy 4.4 | Encourage more intensive use of existing retail establishments through renovation and redevelopment. |
| Strategy 4.5 | Improve connectivity in the town's centre through the use of existing mid block connections (Bank Place/ Eisners Lane) as pedestrian through ways. |
| Strategy 4.6 | Retain the predominant single storey built form and structure of High Street and Highett Street by limiting height to two storeys, with the upper level to be setback from the kerb. |
| Strategy 4.7 | Ensure new commercial development includes the use of verandahs extending to the kerb to maintain sense of character and provide pedestrian amenity. |
| Strategy 4.8 | Encourage signage to be designed to be proportionate to the building facade and directed to the verandah and below verandah. |
| Strategy 4.9 | Ensure there is full activation of retail frontages along High Street and Highett Street. |
| Strategy 4.10 | Supporting the growth of the town centre as an appealing tourism destination, including supporting the growth of the town's night time and early morning economy. |
| Strategy 4.11 | Supporting the growth of retail uses along Maroondah Highway to the west of Highett Street. |
| Strategy 4.12 | Maintaining support for High Street and Highett Street as the Shire's core commercial, retail and shopping area. |
| Strategy 4.13 | Supporting the growth of the township's service sector and strengthening its identity as a service hub by supporting the development of dedicated office and service facilities in preferred locations. |
| Strategy 4.14 | Promoting the activation of the western section of High Street and the integration of the former Station Precinct with the town centre. |
| Strategy 4.15 | Continue to encourage retail, multi-tenant commercial office and large format retail uses along the town centre's commercially zoned main road locations. |

- Strategy 4.16 Support small scale single tenant office uses, education, health and recreation uses in commercially zoned residential streets while discouraging retailing in these locations.
- Strategy 4.17 Rezone the western portion of Curia Street for residential purposes.
- Strategy 4.18 Encourage the development of a services node to support the growth of the township's personal and professional services sector along the western section of High Street/Maroondah Highway.
- Strategy 4.19 Encourage the redevelopment of commercially zoned residential dwellings along High and Highett Street for commercial purposes.
- Strategy 4.20 Support the activation of the western section of High Street by encouraging the introduction of new services and commercial uses.
- Strategy 4.21 Encourage an early morning and night time economy along High Street and Highett Street.
- Strategy 4.22 Encourage the appropriate redevelopment of key strategic sites located at the former saleyards, Toyota dealership, 34 High Street, 1-7 High Street and the former sawmill.

Objective 5 - Mount Buller Road Precinct

To ensure the long term growth and evolution of the Mount Buller Precinct as the Shire's leading large format retail, wholesaling and supplies precinct.

Strategies

- Strategy 5.1 Strengthening the role of the precinct as the Shire's leading bulky goods, wholesaling location and large format commercial precinct by supporting the continued operation of the Commercial 2 Zone.
- Strategy 5.2 Minimising the long term potential for land use conflict between growing residential uses and commercial uses in and around the precinct.
- Strategy 5.3 Requiring the implementation of buffering treatments to manage the interaction between residential dwellings and the precinct's commercial uses.
- Strategy 5.4 Encourage larger-format retailing (e.g. homemaker) in the Commercial 2 zoned land on Mount Buller Road.
- Strategy 5.5 Encourage supermarket uses to locate in the core High Street shopping centre and discourage them at the Mount Buller Road commercial area.

Objective 6 – Dead Horse Lane / Lakins Road Precinct To protect the potential, development and future growth of this precinct as the Shire's Primary industrial area through protection from residential encroachment and improvements to transport infrastructure. Strategies

- Strategy 6.1 Supporting the continuity of the Dead Horse Lane industrial area as an established industrial area.
- Strategy 6.2 Supporting the rejuvenation and redevelopment of Dead Horse Lane through improved road infrastructure.
- Strategy 6.3 Implementation of buffering treatments to manage interactions between existing industrial uses and growing residential dwellings to the south of Dead Horse Lane.
- Strategy 6.4 Encourage relocation of manufacturing, construction, rural supplies and vehicle repair uses to new industrial land in Dead Horse Lane.
- Strategy 6.5 Require new development in Dead Horse Lane to maintain a suitable landscape and acoustic buffer to the residential properties to the south to reduce amenity conflicts.

Objective 7 – Tourism

To continue to promote tourism based activities, accommodation and complementary land uses.

Strategies

- Strategy 7.1 Encourage the development of quality affordable short and long term accommodation for visitors and temporary staff.
- Strategy 7.2 Encourage a mix of tourist related uses, including cafes, restaurants, accommodation and tourist related retail within High Street and the town centre.

Objective 8 – Open space and recreation

To meet the current and future recreational and sporting requirements of Mansfield Township.

Strategies

- Strategy 8.1 Ensure that any residential development / subdivision comply with open space provision guidelines.
- Strategy 8.2 Seek opportunities for provision of additional playing areas on private land as part of subdivision proposals, including utilising flood prone land that cannot be developed for urban purposes.
- Strategy 8.3 Support the ongoing role of the Mansfield Golf Course in providing sport and recreational opportunities.
- Strategy 8.4 Continue to support the use of High and Highett Street medians for public use and events.

Objective 9 – Open space and recreation

To provide a connected pedestrian and bicycle network through Mansfield Township.

Strategies

- Strategy 9.1 Improve linkages between open space reserves and key community facilities, such as schools through improved paths and trails, development of landscape themes and directional and information signage.
- Strategy 9.2 Create a linear landscaped passive park with pedestrian paths along Fords Creek connecting to existing and future planned paths.

Objective 10 – Community services and facilities

To provide a range of community and cultural facilities that are well connected and easily accessed by all members of the community.

Strategies

- Strategy 10.1 Support and consolidate health related services in the precinct surrounding Mansfield District Hospital.
- Strategy 10.2 Encourage the development of retirement and aged care accommodation with walkable access to the town centre and social infrastructure.
- Strategy 10.3 Support the sharing of facilities between education providers.

Objective 11 – Transport and access

To provide an efficient movement network for vehicles, pedestrians and cyclists.

Strategies

- Strategy 11.1 Improve the key intersection of Malcolm Street/Highton Lane in consultation with VicRoads.
- Strategy 11.2 Require new residential subdivisions to fund footpath and shared path upgrades along road frontages to improve connectivity.
- Strategy 11.3 Require new residential subdivisions adjacent to Fords Creek to set aside land along the creek for the creation of a linear shared path.
- Strategy 11.4 Provide for a long term heavy vehicle bypass.

Objective 12 – Car parking

To ensure that car parking can accommodate existing conditions and future growth.

Strategies

- Strategy 12.1 Require new retail and commercial developments to provide on-site car parking, wherever possible.
- Strategy 12.2 Upgrade the Erril Street and Nolan Street car parking areas to improve utilisation through construction, line marking and way finding signage.
- Strategy 12.3 Encourage long vehicle parking along High Street next to the tourist information centre and Mullum Mullum wetlands.
- Strategy 12.4 Access to parking should be via a secondary streets, laneways or other parking areas or minimise impacts on activated frontages of new development.

Objective 13 - Infrastructure

To ensure the provision of infrastructure services to meet current and future needs.

Strategies

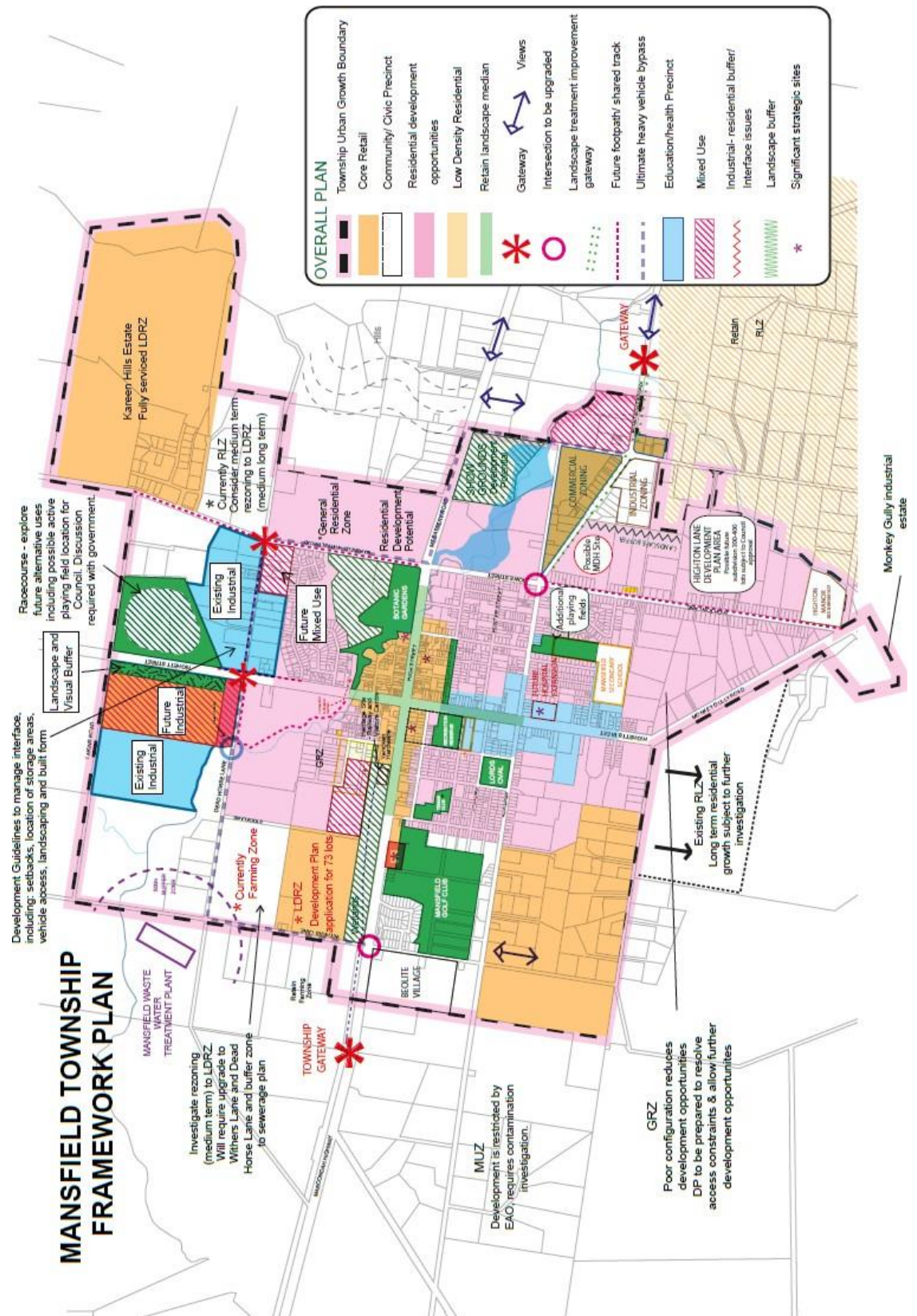
Strategy 13.1 Require development proponents to fund infrastructure upgrades through developer contributions.

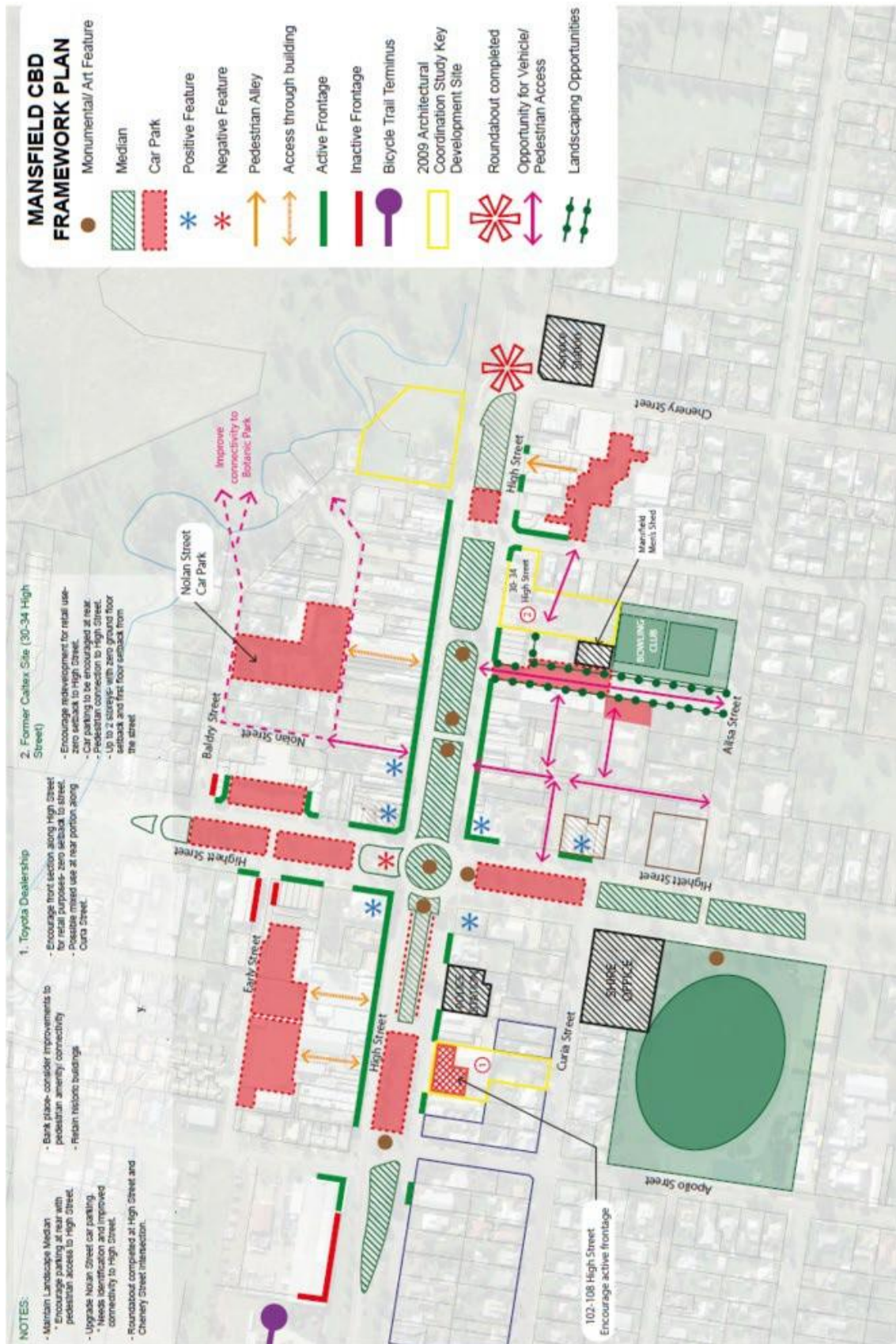
Strategy 13.2 Ensure new urban development is connected to town infrastructure.

21.09-2 Further strategic work

08/12/2016
C37

- Review the planning scheme provisions for the former Sawmill site and its environs to facilitate appropriate redevelopment.
 - Investigate the creation of an industrial/business park subdivision on the Lakins Road site.
 - Investigate land to the east and west of the Lakins Road depot site for long term future industrial zone.
 - Investigate the use of private and under-utilised public land within Mansfield Township for additional sports facilities and the location of events.
 - Prepare master plans for key open space areas including the co-location of facilities where possible.
 - Investigate long term opportunities in Mansfield Township to develop key heavy vehicular route alternatives to re-route large vehicle trips out of the town centre.
 - Investigate the application of the Parking Overlay and schedule to the town centre to meet future car parking demand generated by new retail, tourism and commercial development.
 - Investigate locations for a long term secure car parking area within the proximity of the town centre to accommodate parking demand generated by traders, temporary staff associated with Mount Buller and visitors.
 - Develop a stormwater and drainage management plan to guide requirements for future development and new infrastructure.
-





[21.09-2 – map 2] – Mansfield CBD Framework Plan [Relocated to 11.01-1L-1]

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SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS**1.0****Background documents**

..J../2021

Name of background document	Amendment number - clause reference
<i>Mansfield Commercial and Industrial Land Use Strategy</i> (Mansfield Shire Council 2021)	C51mans

.J../2021

SCHEDULE TO CLAUSE 34.01 COMMERCIAL 1 ZONE**1.0****Maximum leasable floor area requirements**

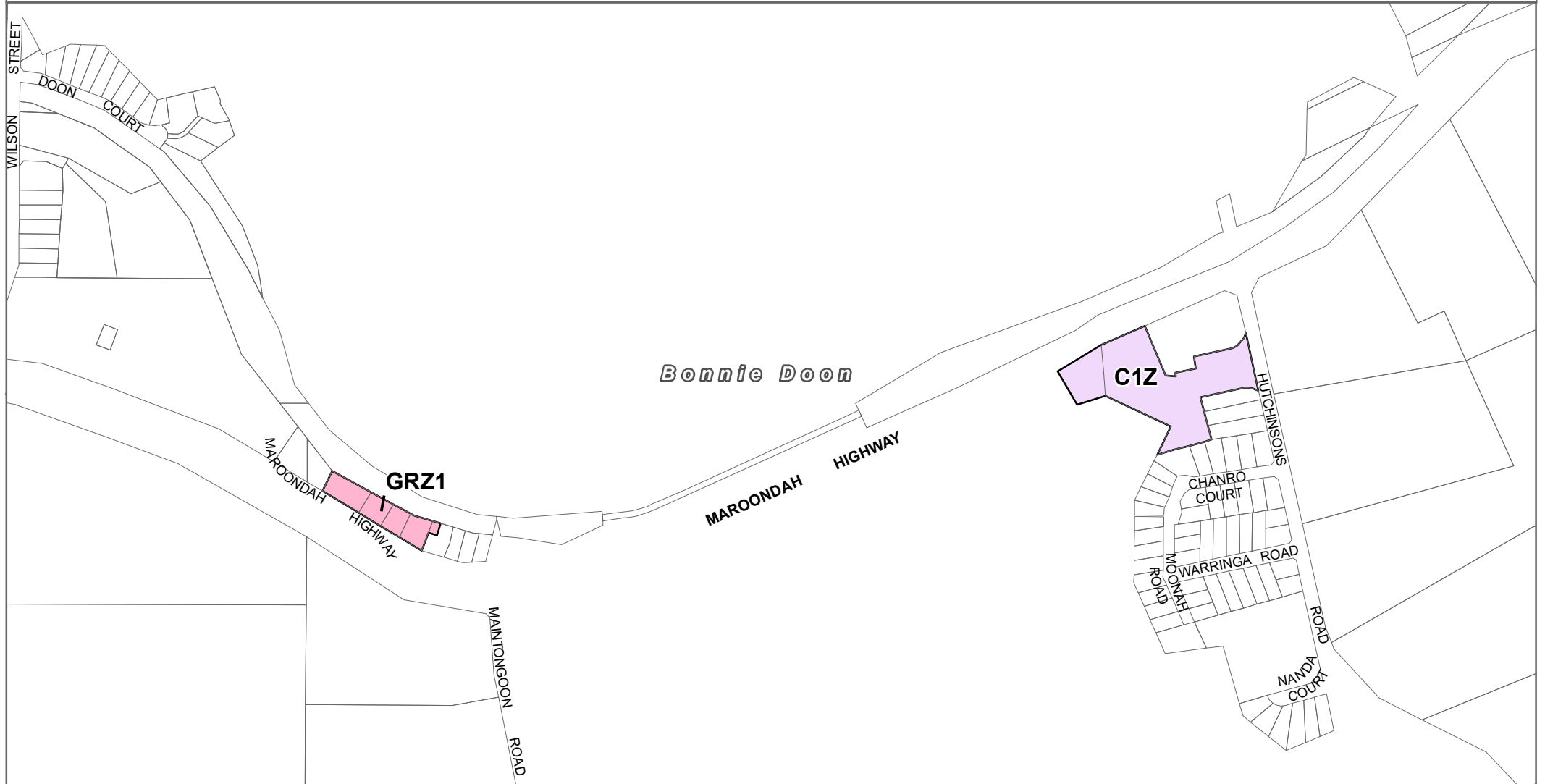
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Land	Maximum leasable floor area for Office (square metres)	Maximum leasable floor area for Shop (other than Restricted retail premises) (square metres)
8 Timothy Lane, Mansfield (Lot 2 PS536330)	None specified	1,200 square metres
The land noted as preferred single enterprise commercial office, recreation and health on Map 1 to this schedule	None Specified	0 square metres
All other land	None specified	None specified

**Map 1 to the schedule to Clause 34.01**

MANSFIELD PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C51mans



LEGEND

- C1Z - Commercial 1 Zone
- GRZ - General Residential Zone
- Local Government Area

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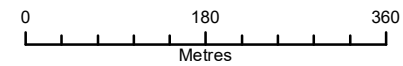
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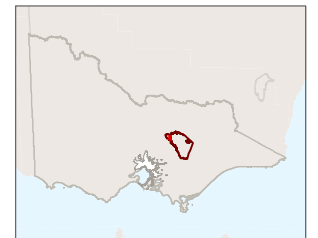
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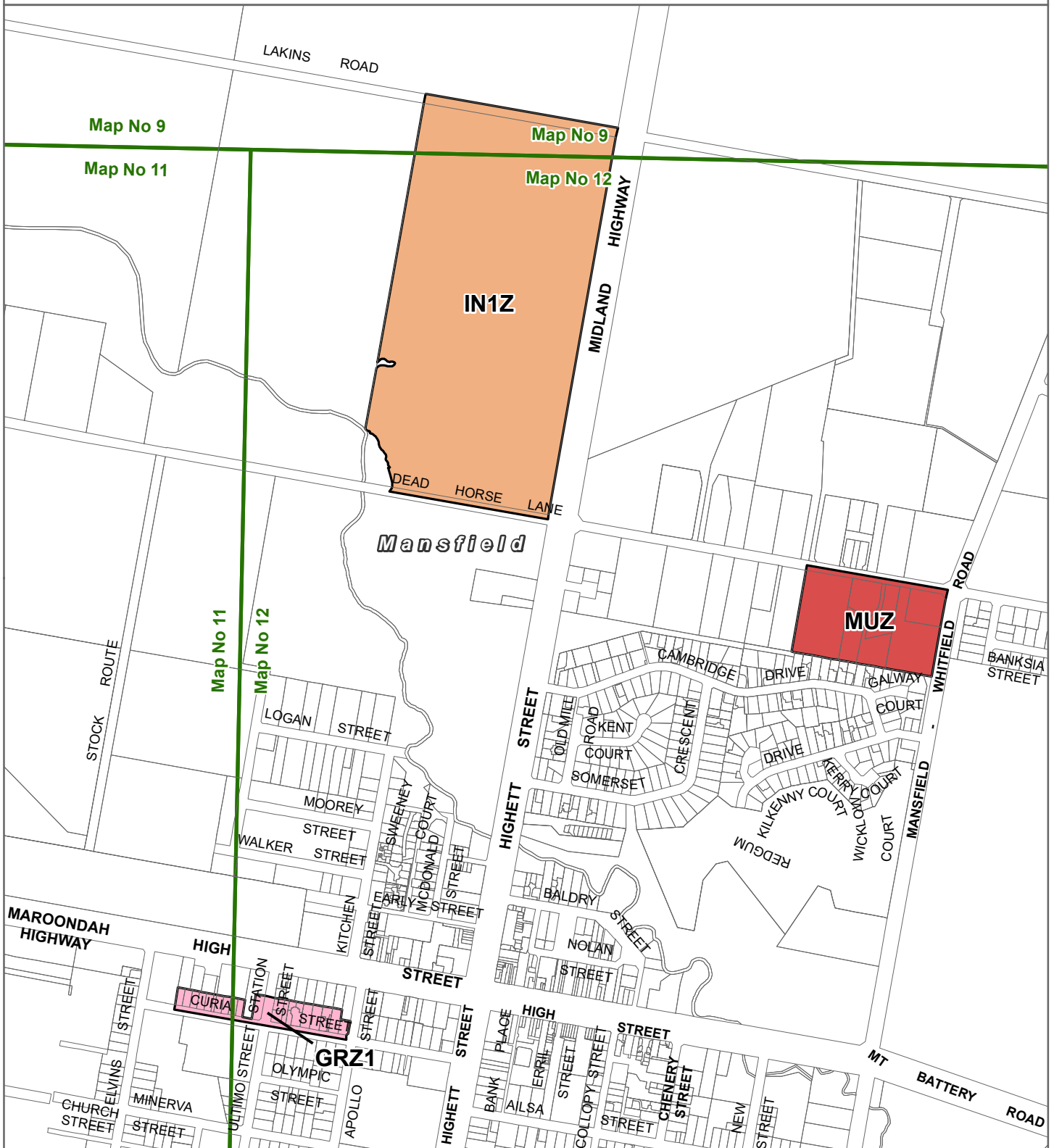
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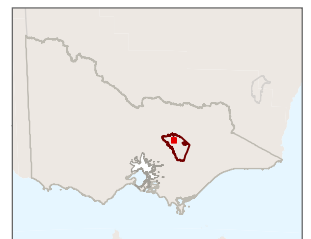
MANSFIELD PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C51mans



LEGEND

-  GRZ - General Residential Zone
-  IN1Z - Industrial 1 Zone
-  MUZ - Mixed Use Zone
-  Local Government Area

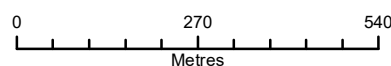


Part of Planning Scheme Maps 9, 11 & 12

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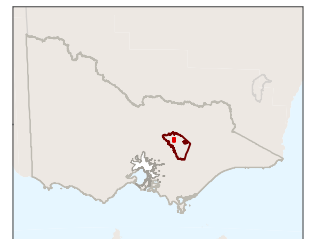
MANSFIELD PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C51mans



LEGEND

-  C2Z - Commercial 2 Zone
-  Local Government Area



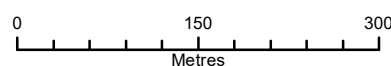
Part of Planning Scheme Map 12

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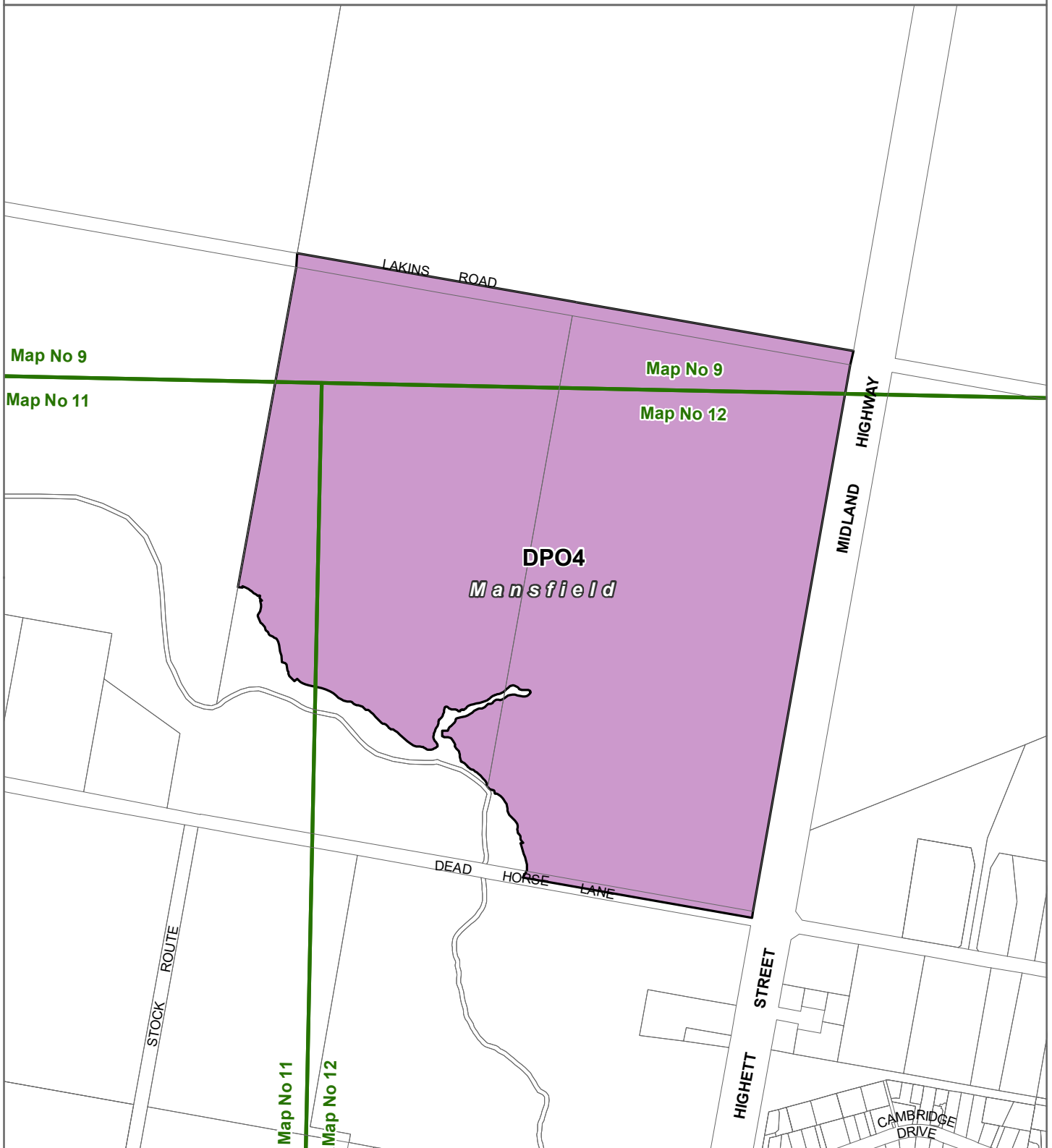
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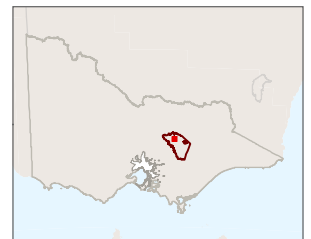
MANSFIELD PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C51mans



LEGEND

-  DPO4 - Development Plan Overlay - Schedule 4
-  Local Government Area



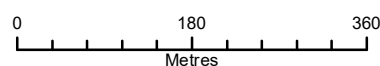
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