

MANSFIELD PLANNING SCHEME

AMENDMENT C54MANS

EXPLANATORY REPORT

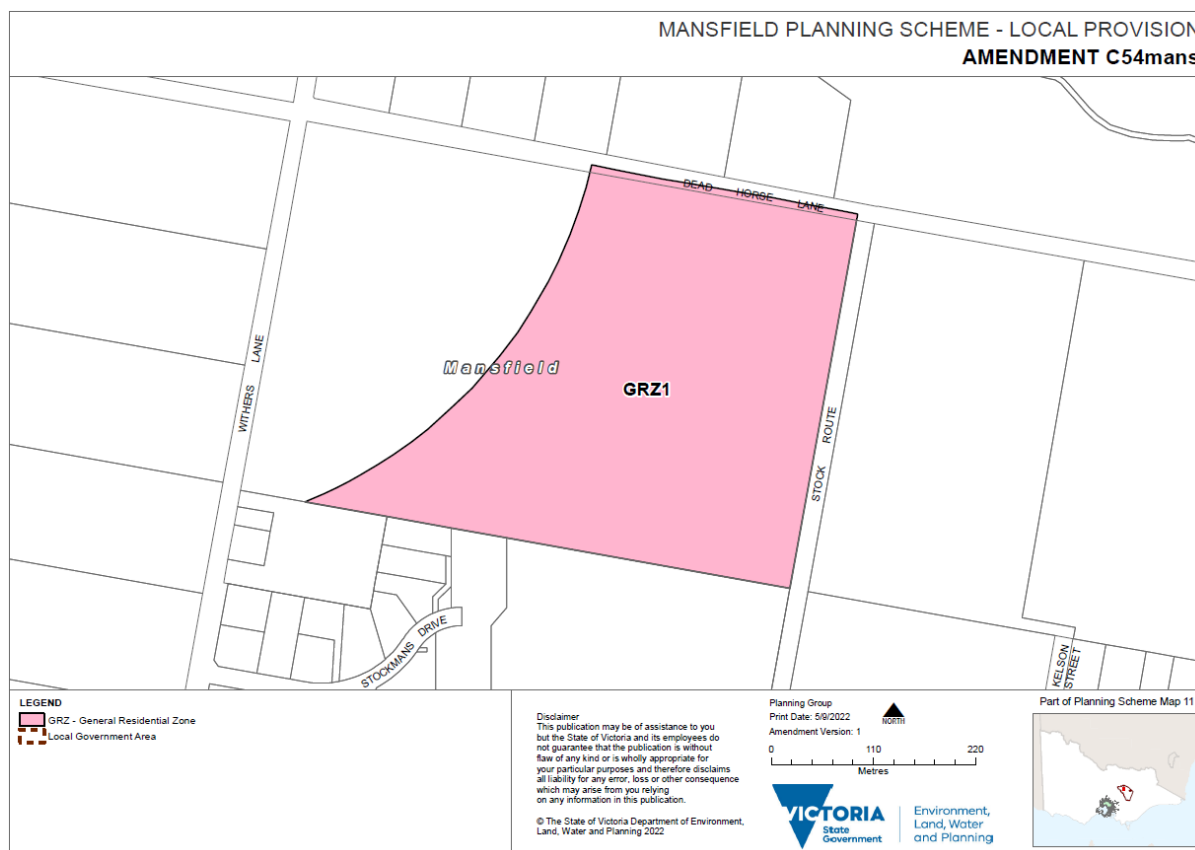
Who is the planning authority?

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

The amendment has been made at the request of the MKP Superfund.

Land affected by the amendment

The amendment applies to part of 104 Dead Horse Lane, Mansfield (Lot 1, TP232231), being land on the southern side of Dead Horse Lane and western side of the Stock Route, Mansfield. The land affected by the amendment is shown as follows:



What the amendment does

The amendment proposes to rezone the land affected by the amendment from Farming to General Residential 1 (Planning Scheme Map 11zn).

Why is the amendment required?

The proposed amendment seeks to promote the orderly and sustainable urban expansion of Mansfield Township through facilitating fully serviced residential development at conventional densities. Rezoning of land to General Residential 1 will assist in containing and intensifying

residential development in an identified residential area within the Mansfield township boundary.

The amendment seeks to improve the supply, diversity and affordability of land and housing opportunities in Mansfield township on land with access to Mansfield township's commercial, community, recreation and employment facilities. The amendment assists in meeting projected future housing demand for a growing population in Mansfield township.

The rezoning and development of the land will make more efficient residential use of land that is accessible to central Mansfield, allowing a full range of urban services to be more efficiently and cost effectively provided to the land.

The Mansfield Planning Strategy 2022, adopted by Mansfield Shire Council in May 2022, identifies a shortage of land supply that the Mansfield Township is experiencing and the pressures that exist due to an identified housing affordability crisis. The rental and social housing shortages are also exacerbated at the local level, adding to the pressures of housing availability and driving property market prices up. New housing stock has continued to outperform the numbers estimated in previous supply and demand estimates outlined under both the *Mansfield Township Housing Strategy, April 2018*, and the *Mansfield Town Structure Plan 2015* leading to the current shortage of available land that can be readily developed.

The current planning policy framework, developed from the *Mansfield Town Structure Plan 2015*, discourages residential rezoning for the short to medium term (10 years). Nearly 8 years have now elapsed since that plan was developed, and the passage of time has demonstrated that this timeframe was significantly overestimated for rezoning of land. The Structure plan forecast that 45 new homes would be required each year until 2035, and that only 900 new homes would be required by 2031. An analysis of building permit data has demonstrated that over 100 homes have been constructed every year since 2012, with 1200 new homes built between 2011 and 2021 – this is more than double what was predicted and is considered to half the available land supply horizon. It is also noted that the plan does recommend that the supply of residential land should be reviewed within 5 years, which would indicate that a review should have been undertaken in 2020.

The *Mansfield Township Housing Strategy* (April 2018) predicted that the population of Mansfield would grow by 1.6% to reach a population of 4098 by 2031. This was less than the Structure Plan's prediction of a 2% growth rate. In data released by the Australian Bureau of Statistics in 2020, Mansfield had experienced a 3.3% population growth, with the current population of Mansfield being 5421 – 1323 more people than anticipated and 9 years earlier than predicted.

It is these significantly underestimated predictions that have had a major impact on land availability and affordability in Mansfield. While the Mansfield Planning Strategy has measures to address this, the time frames for implementation are longer than this amendment and will not assist in address the immediate issues faced in relation to housing in Mansfield quickly enough, leading to this site-specific amendment.

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:*

The proposal provides for a sound planning that facilitates both the economic and sustainable use of the subject land. The rezoning is a logical extension of residential areas of the Mansfield township, providing a fair and orderly expansion of the town. The rezoning will allow opportunity to apply for the conventional residential subdivision of the

land, allowing the full utilisation of reticulated services and facilitating the sustainable use and development of land.

▪ *Balancing the present and future interests of all Victorians:*

The proposal balances and provides for both present and future interests of the landowners, Mansfield Township and the general community.

▪ *Ensuring sound, strategic planning and coordinated action at State, regional and municipal levels:*

The proposal provides sound and coordinated planning at a local level for the Mansfield Township. The rezoning provides a strategic and natural extension to the township to implement identified strategic directions for the township under the Mansfield Planning Scheme and relevant planning strategies. This rezoning is identified in the *Mansfield Planning Strategy, May 2022 ('The Strategy')* which has been prepared to guide future growth and development of the township to 2040, providing a framework for responding to population growth and change, which provides the strategic justification for this amendment. The Strategy identifies 104 Dead Horse Lane for immediate land rezoning (0-5 years) – *Undertake immediate planning for rezoning of proposed residential areas*, also noting that the land is nominated as a Greenfield Area (*Refer Table 7 Mansfield Planning Strategy*). The proposed rezoning is justified and consistent with the Strategy through:

- *Objective 1. To support sustainable patterns of residential development across the shire.*

- *Strategy 6: Dead Horse Lane (north of Stockmans Rise Estate) (proposed GRZ1): This area is not currently zoned and not subject to any overlay controls.*

This strategy specifically supports and recommends the rezoning of the subject land, noting that Council will work closely with the landowners and community to prepare development plans, where required, to ensure appropriate planning considerations, servicing and layout.

- *Strategy 3: Stage future greenfield residential development in Mansfield to consolidate growth and maximise investment in development and community infrastructure.*

The Mansfield Planning Scheme settlement boundary, as originally defined in the *Mansfield Town Structure Plan 2015* and now formally included in the Mansfield Planning Scheme under Clause 11.01-1L-01, nominates 104 Dead Horse Lane as future residential.

The property at 104 Dead Horse Lane is land that is currently identified within the settlement boundary, having strategic value for future residential growth. The Mansfield Shire Council has chosen to expedite this important parcel of land by recommending it be rezoned to General Residential Zone 1.

▪ *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:*

Social, environmental and economic policies have been considered and met at local, regional and state levels. The rezoning provides for the integration of environmental, social and economic issues, design and benefits for the land and Mansfield community. Significant detailed investigations into the site have been undertaken over many years to determine the suitability of the land for GRZ1 development, in consultation with respective referral agencies. The land area identified to be rezoned is most suitable for residential development and will complement the adjoining land directly to the south. The land sits

within the current township boundary and is land already identified for residential development and is contiguous with the existing urban area.

- *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:*

Social, environmental and economic effects have been considered and met. The proposal will not cause any adverse environmental effects and will result in positive social and economic benefits for the Mansfield Township.

- *Facilitating development that achieves the objectives of planning in Victoria and planning objectives set up in planning schemes:*

The proposal facilitates the potential use and development of land that achieves the objectives of planning in Victoria and the strategic policy directions outlined in the Mansfield Planning Scheme.

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

Environmental effects:

The proposal is anticipated to create environment benefits through the more efficient and sustainable use of the land and protection of environmental values in the future subdivision of the land.

Positive environmental benefits are expected as a result of this proposal through quality and efficient subdivision design, resulting in efficient use of physical and community infrastructure, optimal pedestrian and vehicle circulation and integrated water management. Biodiversity values of the land may be satisfactorily addressed as part of any future application for planning permit for subdivision, however the lot is predominantly clear of native vegetation and development of this area will have minimal impact on biodiversity.

As the relevant floodplain manager, the Goulburn Broken CMA has confirmed it does not object to the rezoning of this land and supports Mansfield Shire Council's intention to rezone the identified area of land to General Residential 1. The extent of LSIO mapping on the property is minimal and isolated to a small section of drainage line/waterway that has a dam constructed in this location on the land. Future options to improve drainage in the area identified by the LSIO can be appropriately conditioned through the planning permit process, however this has been given due consideration as part of this amendment. The two flooding issues relevant to the subject land are the small waterway in the western section of the land and the Land Subject to Inundation Overlay (LSIO) applying in the vicinity of this waterway. As floodplain manager, the Goulburn Broken Catchment Management Authority (GBCMA) has supported the proposed rezoning and deemed the land to be rezoned to be suitable for future residential development.

The GBCMA has made the following comments:

- As the floodplain manager, the Goulburn Broken CMA does not object to the rezoning of this land and support Mansfield Shire Councils decision and recommendation to rezone the identified area of land (approximately 38 acres) to General Residential 1.
- The extent of LSIO mapping on the property is minimal and isolated to a small section of drainage line/waterway that has a dam constructed in this location on the land.
- Future options to improve drainage in the area identified by the LSIO can be appropriately conditioned through the planning permit process.

The land subject to rezoning under this amendment lies outside the buffer area for the Goulburn Valley Water (GVW) Mansfield Wastewater Treatment Plant. While this buffer is not

formally protected under a planning scheme overlay, it represents an area where residential and other sensitive uses are actively discouraged. The amendment does not affect the implied buffer area, providing security for long term GVW operations on adjoining and nearby land, avoiding land uses that may generate complaints about the wastewater plant operations.

The submission to support this rezoning request, and supplementary report to it, dated 25 April 2022, outline in detail how environmental issues relevant to this rezoning request have been strategically assessed and justified under the Strategy and Mansfield Planning Scheme.

Social effects:

The proposal will have social benefits through facilitating a greater subdivision and housing supply, increasing housing diversity and increasing housing choice to meet the evolving needs of current and future residents of Mansfield. The rezoning will provide a range of smaller, serviced subdivision sizes in an area well connected with convenient access to central Mansfield, commercial and community services and a variety of public spaces, including the Station Precinct, Mansfield Mullum Wetlands and Rail Trail.

Through facilitating a wider range, supply and diversity of housing, the amendment will assist in meeting current housing market requirements and delivering more affordable housing options with proximity to employment, transport, commercial facilities and a full range of physical and community services.

Economic effects:

A range of positive economic benefits are anticipated as a result of the proposed amendment through increased subdivision and building activity and better utilisation of services to the land. Increased subdivision and building activity will generate increased direct and indirect employment opportunities, benefiting local businesses and the broader municipal community generally.

Economic benefits will accrue as a result of the proposal from greater efficiency in infrastructure and service provision by both Mansfield Shire Council and other service authorities, improving the use and cost efficiency of public funds.

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 forms part of the established Mansfield township with reticulated water supply and urban fire-fighting services. The Bushfire Management Overlay does not apply to the land. As the designated Bushfire Protection Area applies to the land, general bushfire assessment and protection would be considered for any future dwellings on the land through future building approvals.

As relevant fire authority, the CFA has been consulted with as part of the preparation of this amendment and will be formally notified of the amendment and will receive future applications for subdivision of the land that includes internal roads for comment. The subject land does not have the Bushfire Management Overlay applying to it, which applies to areas of higher bushfire risk. The land is only within a designated bushfire prone area, and the property only being in a low-risk area from a bush fire hazard perspective.

The designated bush fire prone area will require an individual dwelling assessment at building permit stage with a BAL rating expected to be the minimum requirement rating of 12.5, which is not considered to increase the risk in relation to Bushfire for this development.

The township boundary defines a perimeter around the town that the CFA will actively defend in the case of any fire/bushfire threat to the township of Mansfield. The strategic fire protection measures extend to farming land to the west of the site, where fire prevention measures are monitored annually by Council. All properties are inspected prior to the fire season, monitored and required to maintain vegetation to specific standards to reduce the risk of any fire threat to the township.

The GVW sewerage farm to the West (Withers Lane) is considered managed land and has its own fire protection measure in place to protect their asset and community sewerage system in this location. This facility and the buffers that are in place do add extra fire protection/prevention measures, ultimately reducing the severity and risk of bushfire threat to 104 Dead Horse Lane.

It is considered that the proposed rezoning meets the objective of Clause 13.02-1S, Bushfire Planning, and other associated strategies, of the Mansfield Planning Scheme which is:

- *To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life*

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 with this direction.

The proposed rezoning of 104 Dead Horse Lane, Mansfield has been strategically assessed and justified through the preparation of the *Mansfield Planning Strategy*, May 2022 (*'The Strategy'*) to guide future growth and development of the township to 2040, providing a framework for responding to population growth and change. The draft strategy was supported by extensive consultation and is scheduled to be adopted by Council in May 2022. The Strategy recommends that the land be rezoned to General Residential 1.

It is recognised that Clause 11.01-1L-01, Mansfield Township, 'discourages' General Residential Rezoning in the short to medium term. Based on the work in the Mansfield Planning Strategy May 2022, this is considered redundant based on the lack of current supply and requires removal as part of any future review of the planning scheme.

Under Clause 11.01-1L-01, the Mansfield Township Framework Plan indicates the land at 104 Dead Horse Lane is proposed as future residential, and the *Mansfield Planning Strategy* nominates the land for immediate rezoning (0-5 years) – *Undertake immediate planning for rezoning of proposed residential areas*, also nominating it as a greenfield area. It is submitted that the rezoning is not in conflict with the strategy, particularly given the passage of time.

The submission to support this rezoning request, and supplementary report to it, dated 25 April 2022, outline in detail how this proposed rezoning is strategically assessed and justified under the Strategy and Mansfield Planning Scheme.

- 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.

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

The amendment supports and implements the Municipal Planning Strategy (MPS) of the Mansfield Planning Scheme, specifically relevant strategic directions under:

Clause 11, Settlement:

- Clause 11.01-1S, Settlement
- Clause 11.01-1R, Settlement Hume
- Clause 11.01-1L-01, Mansfield township:

(with objective: *To support the growth of Mansfield township as the focus of development in the Shire*).

The Mansfield Planning Scheme settlement boundary, as originally defined in the *Mansfield Town Structure Plan 2015* and now formally included in the Mansfield Planning Scheme under Clause 11.01-1L-01, nominates 104 Dead Horse Lane as future residential.

The strategy in this clause that 'discourages' General Residential rezoning in the short to medium term is considered redundant based on the current growth pressure Mansfield township is experiencing and lack of current residential land supply that can readily be developed.

The *Mansfield Planning Strategy, 2022* confirms this redundancy, indicating the land for immediate rezoning (0-5 years) – *Undertake immediate planning for rezoning of proposed residential areas*.

The property at 104 Dead Horse Lane is land that is currently identified within the settlement boundary, having strategic value for future residential growth. The Mansfield Shire Council has chosen to expedite this important parcel of land by recommending it be rezoned to General Residential Zone 1.

When read in conjunction with Clause's 16.01-1S and 16.01-1L, it is considered that this rezoning is a reasonable and balanced outcome for Mansfield to assist in creating residential land close to existing physical and social infrastructure, within the settlement boundary of the town.

- Clause 11.02-1S, Supply of urban land:

(with objective: *To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses*)

The greenfield development sites nominated in the *Mansfield Planning Strategy, May 2022* will consolidate areas identified for new development, at appropriate densities, having been identified to capitalise on the existing physical and social infrastructure in close proximity to the Mansfield town centre.

There has been a large number of properties developed further out to the east of the township that are zoned low density residential allotments, with reticulated water and sewerage, which provide a range of 1/2 acre allotments. This density is not appropriate within established township boundaries to allow maximum use of available land and

reticulated services. The subject land falls within Mansfield's identified town boundary, which is ideal for higher density residential development.

The Minister for Planning has approved Amendment C45 to the Mansfield Planning Scheme applying to the adjoining property to the south of the subject land. Both properties complete the northwest residential land precinct area and are both nominated for conventional residential use (GRZ1) in the *Mansfield Planning Strategy*, May 2022.

Clause 13.02, Bushfire:

▪ Clause 13.02-1S, Bushfire Planning:

The proposed rezoning meets the objective of Clause 13.02-1S, Bushfire Planning, of the Mansfield Planning Scheme,

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life

and associated strategies.

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 forms part of the established Mansfield township with reticulated water supply and urban fire-fighting services. The Bushfire Management Overlay does not apply to the land. As the designated Bushfire Protection Area applies to the land, general bushfire assessment and protection would be considered for any future dwellings on the land through future building approvals.

Clause 13.03, Floodplains:

▪ Clause 13.03-1S, Floodplain management:

▪ Clause 13.03-1L, Floodplain management:

The proposed rezoning meets the objectives and strategies of Clauses 13.03-1S and 13.03-1L, Floodplain Management, of the Mansfield Planning Scheme. GBCMA has consented to the proposed rezoning.

As the relevant floodplain manager, the Goulburn Broken CMA has confirmed it does not object to the rezoning of this land and supports Mansfield Shire Council's intention to rezone the identified area of land to General Residential 1. The extent of LSIO mapping on the property is minimal and isolated to a small section of drainage line/waterway that has a dam constructed in this location on the land. Future options to improve drainage in the area identified by the LSIO can be appropriately conditioned through the planning permit process, however this has been given due consideration as part of this amendment.

Clause 14.01, Agriculture:

▪ Clause 14.01-1S, Protection of agricultural land:

The proposed rezoning meets and does not conflict with the objective of Clause 14.01-1S of the Mansfield Planning Scheme,

To protect the state's agricultural base by preserving productive farmland

and associated strategies.

Although the subject land is presently zoned Farming, it lies within the settlement boundary of the Mansfield township. The land is completely underutilised for farming

purposes, only being used for hobby farming activities, primarily raising small numbers of calves and steers. The land is not adjoining or opposite any farming land.

The agricultural quality of the land is considered to be in the low to average range. The potential loss of farming land, albeit very underutilised land, is considered acceptable and will not detract from the farming potential of the Mansfield area. The land is far more suited and located to be utilised for urban purposes. More conventional or intensive farming purposes would be unsuitable for the land, compromising the existing adjoining residential use and development adjoining to the south and the potential residential use and development of land adjoining to the southeast and opposite to the east.

Clause 15, Built environment and heritage:

- Clause 15.01-1, Urban Design
- Clause 15.01-3S, Subdivision design
- Clause 15.02-1S, Energy and resource efficiency

The proposed rezoning is considered to be in accordance with the relevant strategies within these provisions.

Clause 16, Housing:

- Clause 16.01-1S, Integrated Housing

(with objective: *To facilitate well-located, integrated and diverse housing that meets community needs*

and strategies that include:

- *Identify opportunities for increased residential densities to help consolidate urban areas.)*

- Clause 16.01-1L, Housing Supply in Mansfield Township, in particular:

(with strategies that include:

Encourage higher density development in areas that can capitalise on existing physical and social infrastructure in proximity to the Mansfield town centre.)

- Clause 16.01-2S, Location of Residential Development
- Clause 16.01-3S, Housing Diversity
- Clause 16.01-4S, Housing Affordability

There has been a large number of properties developed further out to the east of the township that are zoned low density residential allotments, with reticulated water and sewerage, which provide a range of 1/2 acre allotments. This density is not appropriate within established township boundaries to allow maximum use of available land and reticulated services. The subject land falls within Mansfield's identified town boundary, which is ideal for higher density residential development.

The Minister for Planning has approved Amendment C45 to the Mansfield Planning Scheme applying to the adjoining property to the south of the subject land. Both properties complete the northwest residential land precinct area and are both nominated for conventional residential use (GRZ1) in the *Mansfield Planning Strategy, May 2022*.

Clause 18.01, Transport

- Clause 18.01-1S, Land Use and Transport Integration
- Clause 18.01-2S, Transport System

All roads bordering the subject land are local Council roads. Preliminary consultation regarding the proposed rezoning has been undertaken with both Council's Engineering Department and with the Department of Transport (DOT) in relation to the wider road network.

While the *Mansfield Planning Strategy, May 2022* identifies sensitive interfaces as a barrier to development, specifically referring to proximity to the heavy vehicle alternate route, it is important to note that the upgrade of Withers and Dead Horse Lane has been reclassified as an 'alternative route' and not a Heavy Bypass Over Dimensional Route. The road pavement and infrastructure will service local residential traffic, including heavy vehicles and complete this section of unsealed road for the benefit of all Mansfield residents.

Preliminary consultation has been undertaken with DOT which sees no issue with the existing Farming Zone western portion of the subject land that sits within the implied buffer zone (providing an appropriate interface to the Goulburn Valley Water sewerage farm to the west), and proposed rezoning to General Residential 1 (GRZ1) on the balance of the land. DOT has noted that:

- It may be necessary to limit the direct flow of traffic to existing road intersection nodes and existing crossover intersection points.
- It is satisfied at this stage with a proposed rezoning, seeking not to respond at this stage. While indicating that it does not foresee any issues, the Department noted it will respond to the proposal at exhibition of the amendment.

Council is upgrading the intersection of Dead Horse Lane and the Stock Route as part of the Alternative Route infrastructure upgrade works and the Developer contributions will fund the upgrade of the Stock Route. There is also planned infill development that will provide important connector roads and linkages on the eastern side of the Stock Route, completing contiguous growth from the town centre out to our property.

The future development of the area proposes to have residential traffic access the site through existing residential roads. When the site is formally developed, a traffic impact assessment will be required to ensure the development is appropriate. Upon the completion of this assessment, it will be made clear whether it is appropriate to redirect traffic to access the land via Dead Horse Lane, or via the Stock Route, or close access from High Street to the Stock Route.

The proposed rezoning meets the objectives and strategies of Clauses 18.01-1S, Land Use and Transport Integration, and 18.01-2S, Transport System, of the Mansfield Planning Scheme.

Clause 19, Infrastructure:

- Clause 19.03-2S, Infrastructure design and provision
Reticulated sewerage and potable water is readily available to the land, with water already connected. GVW has confirmed verbally that its water supply system and nearby wastewater plant have the capacity to accommodate future residential subdivision from the subject land proposed for rezoning. This verbal indication has not been formally confirmed in writing to date but will be formally requested as part of the exhibition of this amendment.

With all reticulated services fully available to the land, there is no risk to catchment health from the proposed rezoning of land for residential purposes. All road and drainage infrastructure will be designed and constructed to Council standards, including the incorporation of water sensitive urban design principles.

Overall, the proposed amendment promotes the orderly urban expansion of Mansfield township within settlement boundaries through the intensification of residentially zoned land with access to central Mansfield. The proposal will enable the utilisation of limited residential

land within the identified town boundary, provide more efficient and cost effective use of services and limit pressure for future urban extension outside town boundaries.

The amendment will improve the sequencing and coordination of residential options and growth in Mansfield through the enhanced utilisation of land with access to central Mansfield. The rezoning of the land will improve energy and resource efficiency and lead to more sustainable development of the land compared to its existing zoning.

The amendment will improve the supply of land and housing opportunities in Mansfield township by facilitating an appropriate increase in yield of an under-utilised residential land. This additional supply of residential land will improve the diversity and affordability of land and housing options to the benefit of current and future residents of the Mansfield community.

The proposed amendment seeks to facilitate the logical and appropriate extension of Mansfield Township, helping to co-ordinate, contain and intensify development within land identified for future residentially zoning and development. The land lies within an identified residential growth area ideally situated to capitalise on existing physical and social infrastructure with access to the town centre.

Through improved utilisation and appropriate intensification, the proposal provides for a greater variety and diversity of lot and dwelling sizes, assisting in maintaining housing choices for current and future residents the Mansfield township.

This amendment recognises that the land is already strategically identified as residential land in the Mansfield Framework Plan under Clause 11.01-1L-01 and the settlement and housing plan in the *Mansfield Township Structure Plan 2015*. While the framework plan has a notation for the land of '*Currently Farming Zone. Investigate rezoning (medium term) to LDRZ. Will require upgrade to Withers Lane and Dead Horse Lane and buffer zone to sewerage plant*', this amendment implements the existing identified strategic intent for the land but amends the type of residential zoning to allow more residential diversity and more efficient utilisation of available land and infrastructure.

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

The amendment makes proper use of the Victorian Planning Provision tools, in this case to change planning scheme mapping to rezone land. A mapping change to the planning scheme is the only means to make this intended rezoning change.

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

In preparation of this amendment proposal, preliminary discussion have taken place with the following relevant service and other agencies:

- Mansfield Shire Council, Planning Department.
- Mansfield Shire Council, Engineering Department.
- Goulburn Broken Catchment Management Authority (GBCMA); written reply received, dated 20 April 2022.
- Goulburn Valley Water (GVW)
- Country Fire Authority (CFA)
- Department of Transport (DoT)

No preliminary concerns regarding the amendment have been raised by any of these agencies. Flood considerations, administered by the GBCMA, have been met with the retention of the Land Subject to Inundation Overlay (LSIO) at the western edge of the land. LSIO / flooding considerations may be adequately addressed and met through any future subdivision proposal through applications for planning permit and housing proposals through building approvals.

GVW has confirmed that future residential subdivision and development of the land may be provided with reticulated water and sewerage to GVW standards, and that the proposal does not impact the buffer area for the Mansfield Wastewater Treatment Plant further to the west.

All relevant agencies, including all service authorities, will be notified of the amendment.

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 proposed rezoning will not affect the transport system. Although access to the land is via both the local road system to the east and Withers Lane to the west via Maroondah Highway (a main road), Withers Lane has already been upgraded to meet VicRoads standards, with future residential development resulting from the rezoning not having any further impact on the main road system.

Both Dead Horse Lane bordering the land subject to this amendment and Withers Lane to the west form part of the recently identified proposed Alternative Route bypass for the Mansfield township. The proposed rezoning of the land subject to this amendment will complement and not conflict with this heavy vehicle bypass classification.

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 applicable under section 22 of the *Transport Integration Act 2010*.

Resource and administrative costs

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

The proposed amendment is not expected to have any significant impact in relation to the resource and administrative costs of the responsible authority. Prescribed fees will apply to be paid to Council for any future subdivision proposal following the rezoning of the land.

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 [insert submissions due date].

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: [insert directions hearing date]
- panel hearing: [insert panel hearing date]

Planning and Environment Act 1987

MANSFIELD PLANNING SCHEME

AMENDMENT C54mans

INSTRUCTION SHEET

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

The Mansfield Planning Scheme is amended as follows:

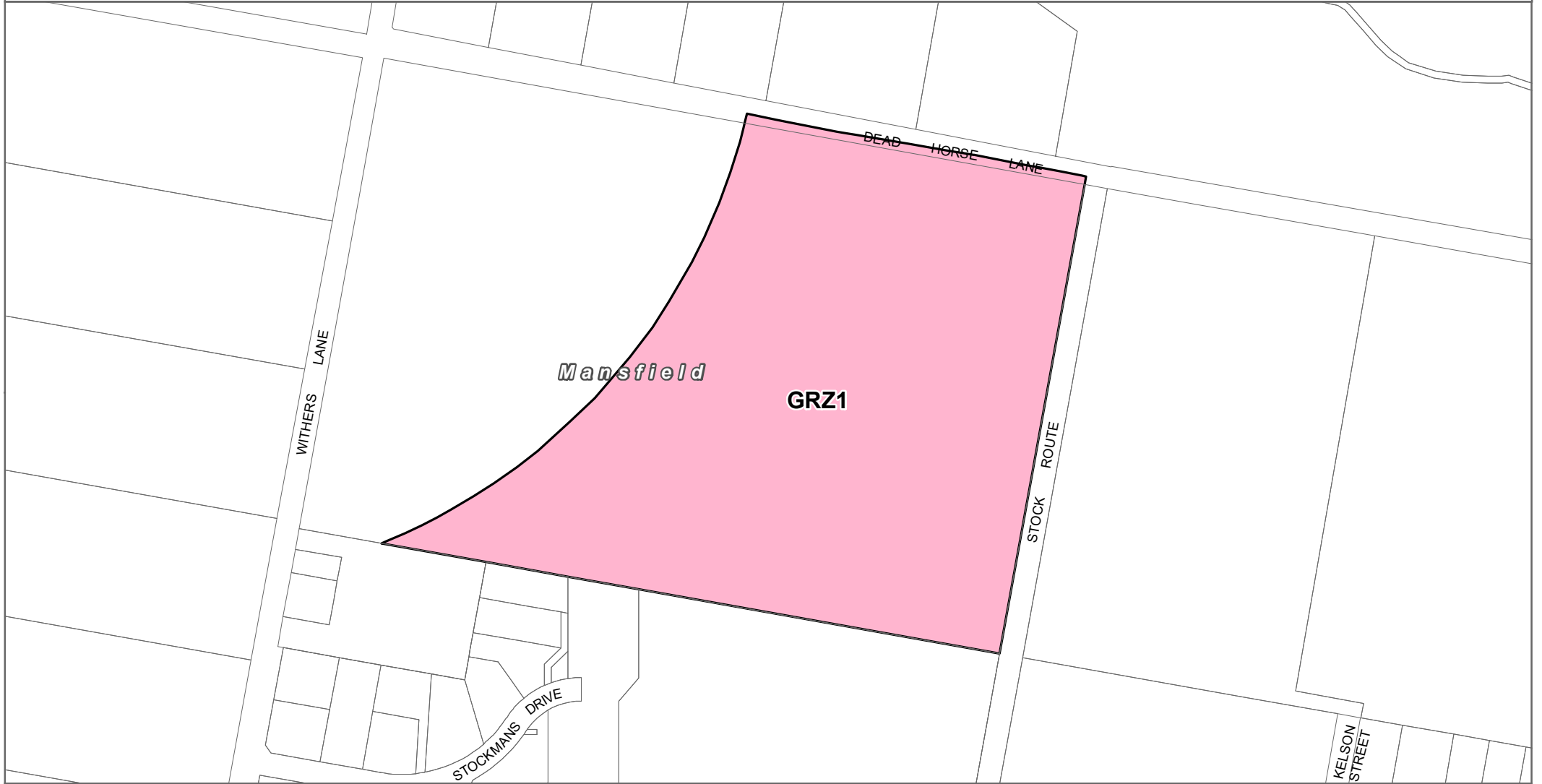
Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 1 attached map sheet.



Overlay Maps

1. Amend Planning Scheme Map No 11 in the manner shown on the 1 attached map marked "Mansfield Planning Scheme -Local Provision, Amendment C54mans".

MANSFIELD PLANNING SCHEME - LOCAL PROVISION AMENDMENT C54mans



LEGEND

-  GRZ - General Residential Zone
-  Local Government Area

Disclaimer

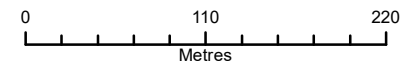
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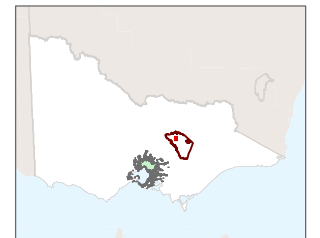
Print Date: 5/9/2022

Amendment Version: 1



Environment,
Land, Water
and Planning

Part of Planning Scheme Map 11



Our Ref: GBCMA-F-2022-00386
Contact Officer: Tom O'Dwyer



Date: 20 April 2022

Mr Matt Parsons
12 Sunset Strip
Bonnie Doon Vic 3720

mgparsons@bigpond.com

Dear Matt,

**Floodplain Management Advice for
Planning Scheme Amendment
Lot 1 TP232231, Parish Of Mansfield
104 Dead Horse Lane Mansfield Vic 3722**

Thank you for your application dated 1 April 2022, received by the Goulburn Broken CMA on 1 April 2022, regarding the above matter.

The Goulburn Broken CMA's assessment of the above information has determined that the proposed development location is covered by the Farming Zone and Land Subject To Inundation Overlay in the Mansfield Planning Scheme.

A designated waterway (5/1-186-22-21) flows through the western portion of the property. This waterway has a catchment of approximately 4.4 square kilometres.

The estimated 100-year ARI flood level for the location described above range from 311.6 metres AHD at the southern boundary to 308.4 metres AHD at Withers Lane, which was obtained from Mansfield 1% Aep Flood Mapping Project (2014). Please refer to **Attachment 1** below which shows the flood depths, flood extent and flood contours.

The Goulburn Broken CMA notes that Council have approved the rezoning of the eastern portion of the property (104 Dead Horse Lane) which equates to approximately 38 acres.

In relation to the proposal to rezone the property from Farming Zone to General Residential Zone the Goulburn Broken CMA makes the following comments:

- As the Floodplain Manager, the Goulburn Broken CMA does not objection to the rezoning of this land and support Mansfield Shire Councils decision and recommendation to rezone the identified area of land to General Residential Zone.
- The extent of LSIO mapping on the property is minimal and isolated to a small section of drainage line/waterway that has a dam constructed in this location on the land.
- Future options to improve drainage in the area identified by the LSIO can be appropriately conditioned via the Planning Permit process.

www.gbcma.vic.gov.au

**SHEPPARTON
Head Office**

168 Welsford Street
PO Box 1752
Shepparton VIC 3632
Tel: (03) 5822 7700
Fax: (03) 5831 6254

BENALLA

89 Sydney Road
PO Box 124
Benalla VIC 3672
Tel: (03) 5822 7700

YEA

5/10 High Street
Yea VIC 3717
Tel: (03) 5797 4400

- Preliminary discussions with the owner of the land reveal a willingness to protect this section of waterway (additional fencing) and potential removal of the Dam and rehabilitation works to formalise improved drainage in the location mapped as land subject to inundation, largely due to the dam's position in the waterway.
- Council has been working with the landowner to improve drainage outflow at the intersection point of Withers Lane and the drainage line that traverses the property.
- The Goulburn Broken CMA is happy to meet with the owner onsite to assist in providing advice as the development of this property progresses.

If you have any queries, please contact Tom O'Dwyer on **(03) 5822 7700**. To assist in handling any enquiries please quote **GBCMA-F-2022-00386** in your correspondence. Please note that all electronic correspondence should be directed to planning@gbcma.vic.gov.au.

Yours sincerely



Guy Tierney
**Statutory Planning and
 Floodplain Manager**

Information contained in this correspondence is subject to the definitions and disclaimers below.

Definitions and Disclaimers

1. The area referred to in this letter as the 'proposed development location' is the land parcel(s) that, according to the Authority's assessment, represent(s) the location identified by the applicant. The identification of the 'proposed development location' on the Authority's GIS has been done in good faith and in accordance with the information given to the Authority by the applicant(s) and/or local government authority.
2. While every endeavour has been made by the Authority to identify the proposed development location on its GIS using VicMap Parcel and Address data, the Authority accepts no responsibility for or makes no warranty with regard to the accuracy or naming of this proposed development location according to its official land title description.
3. **AEP** as Annual Exceedance Probability – is the likelihood of occurrence of a flood of given size or larger occurring in any one year. AEP is expressed as a percentage (%) risk and may be expressed as the reciprocal of ARI (Average Recurrence Interval).
4. **ARI** as Average Recurrence Interval - is the likelihood of occurrence, expressed in terms of the long-term average number of years, between flood events as large as or larger than the design flood event. For example, floods with a discharge as large as or larger than the 100-year ARI flood will occur on average once every 100 years.
5. **AHD** as Australian Height Datum - is the adopted national height datum that generally relates to height above mean sea level. Elevation is in metres.
6. No warranty is made as to the accuracy or liability of any studies, estimates, calculations, opinions, conclusions, recommendations (which may change without notice) or other information contained in this letter and, to the maximum extent permitted by law, the Authority disclaims all liability and responsibility for any direct or indirect loss or damage which may be suffered by any recipient or other person through relying on anything contained in or omitted from this letter.
7. This letter has been prepared for a proposed **Zoning Only Amendment** and is for the use only of the party to whom it is addressed and no responsibility is accepted to any third party for the whole or any part of its contents. Neither the whole nor any part of this letter or any reference thereto may be included in any document, circular or statement without the Authority's written approval of the form and context in which it will appear.
8. The flood information provided represents the best estimates based on currently available information. This information is subject to change as new information becomes available and as further studies are carried out.
9. ***The responsible authority may use this information within 90 days of this letter.***

Attachment 1

