

Guidelines for ordinance changes.

1. Please switch on the **Styles dialogue box** and the **Review ribbon** before editing this report.
2. When making changes to any line of text please do the following:
 - Make changes to ordinance with Track Changes **on** as outlined in the A documents.
 - With Track Changes **off**, include the source of any new data include the source of the data using the 'source' style. Only new data needs a source. For example [Horsham Shopping Centre Plan, 2021, p4]
 - For ordinance changes that can be made now (because there is strategic justification) but which **are not** policy neutral (and will require a fully advertised planning scheme Amendment to be implemented) include the notation 'NEW' at the start of each source code. For example, [NEW, PGSARS, P1]
 - With Track Changes **off**, put a reason for change at the end of the paragraph in the 'reason' style. Some examples: [Factual information that provides municipal context], [Verb changed to align with Practitioners Guide], [Heading changed to align with Ministerial Direction], [Reflects Council policy position].
3. As you go through the ordinance, delete the State and Regional sections of the PPF.
4. As a rule, don't change L headings – they've all recently been approved by DELWP and there hasn't been a change to protocols since then.
5. If you are including a new L policy, mirror the S heading if the content of the policy covers the same content as the S policy. Don't have slightly different names to the S policy. If it is specific or place based policy use a heading that guides the reader on the content. For example:
 - A L sign policy sits under the Urban Design S clause, but should be called Signs, not Urban Design.
 - A L policy siting under Activity Centres should be Activity Centres, not Commercial Centres.
6. List the name of each document analysed in Document A.8-3 and include its associated source code in the table below.

DOCUMENT NAME	SOURCE CODE
MANSFIELD COUNCIL PLAN 2021-2025 (MANSFIELD SHIRE COUNCIL, 2021)	[MCP]
MANSFIELD OPEN SPACE STRATEGY (MANSFIELD SHIRE COUNCIL, 2021)	[MOSS]
MANSFIELD PLANNING STRATEGY (MANSFIELD SHIRE COUNCIL, 2022)	[MPS]
MANSFIELD COMMERCIAL AND INDUSTRIAL LAND USE STRATEGY (CHARTER, KECK CRAMER, 2021)	[CIS]
ACTIVATING LAKE EILDON: LAKE EILDON MASTERPLAN (URBAN ENTERPROSE WITH REGIONAL DEVELOPMENT VICTORIA AND REGIONAL PARTNERSHIPS GOULBURN, MAY 2020)	[LEM]
TAUNGURONG COUNTRY PLAN (TAUNGURONG LAND AND WATERS ABORIGINAL COUNCIL, 2016)	[TCP]
GUNAIKURNAI WHOLE OF COUNTRY PLAN (GUNAIKURNAI LAND AND WATERS ABORIGINAL CORPORATION, JULY 2015)	[GKCP]

02 MUNICIPAL PLANNING STRATEGY

C47mans 03/03/2022

02.01 CONTEXT

C47mans 03/03/2022

The Taungurung people and Gunaikurnai people are the Traditional Owners of the lands on which Mansfield Shire is located. Mansfield Shire Council acknowledges their continuing connection to land, waterways, culture and community dating back tens of thousands of years. [MCP, TCP, GKCP] [factual data, inclusion of Traditional Owner acknowledgement]

Mansfield Shire is located approximately 150 kilometres north east of Melbourne and has an area of 3,891 square kilometres. The resident population in Mansfield Shire increased from 6,631 in 2001 to 8,605 in 2016. Victoria in Future data estimates that by 2031 the population in Mansfield Shire will increase to 10,485.

Many areas in the Shire are of significant visual, cultural and environmental value and under high demand and increasing pressure for recreation, lifestyle and development activity. The ageing community will result in an increasing demand for medium density housing.

The major urban centre is Mansfield Township, with numerous smaller settlements throughout the Shire. These include Merrijig, Sawmill Settlement, Alpine Ridge and Bonnie Doon, Jamieson, Macs Cove, Howqua Inlet, Goughs Bay, Tolmie, Maindample and Mountain Bay.

The population of some of these settlements is generally small and peaks considerably during holiday periods both from visitors and holiday homeowners. Many of these areas have poor infrastructure and this needs to be addressed if the residents are to enjoy sustainable development for the future.

There are 4 major valleys in the Shire – Upper Goulburn, Howqua, Jamieson and Upper Delatite that contain large tracts of productive agricultural land. Nearly 95 per cent of the municipality is within a Special Water Supply Catchment which impacts development potential, however a significant part of this is public land.

Major water storages include Lake Eildon and Lake Nillahcootie. The main waterways include the Delatite, Howqua, Jamieson, Goulburn and Big Rivers and the Brankeet and Fords Creeks; all of which directly or indirectly flow into Lake Eildon. The Broken River is the other major waterway and it flows into Lake Nillahcootie.

Major mountain features include Mount Buller, Mount Stirling (both Alpine Resorts) and the Great Dividing Range.

02.02 VISION

C47mans 03/03/2022

The Council Plan 2021-2025 is Council's primary forward planning document. It sets the following vision:

To live, work and play in an inclusive, dynamic and prosperous place where community spirit is strong and people are empowered to engage in issues that affect their lives.

02.03 STRATEGIC DIRECTIONS

C47mans 03/03/2022

02.03-1 SETTLEMENT

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The settlement pattern in the Shire is characterised by Mansfield Township as the major urban centre, with a number of surrounding smaller settlements, significant areas for rural living and a number of isolated 'legacy' settlements principally located around the shores of Lake Eildon. The 4 major valleys: Upper Delatite, Upper Goulburn, Howqua and Jamieson provide a distinctive and valued landscape setting for all settlements.

The future growth of all towns will depend upon the provision of infrastructure, particularly reticulated sewerage. Mansfield Township, Bonnie Doon, Merrijig, Sawmill Settlement and Alpine Ridge are the

only towns with reticulated sewerage. Development in other towns will be restricted to infill development provided wastewater can be managed on site.

Mansfield Township

The *Hume Regional Growth Plan 2014* considers Mansfield Township a sub-regional moderate growth centre in the Central Hume sub-region that is serviced by larger regional towns further west and north. It is the only urban centre with significant growth potential in the Shire 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.

Bonnie Doon

Bonnie Doon is an affordable and attractive town catering to a significant permanent population, as well as a substantial number of non-resident landowners and tourists. Given the existing reticulated water and sewer infrastructure, additional land may be made available for tourism development, holiday homes and retirement alternatives, as well as residential development should the anticipated population growth in this area eventuate.

Merrijig

Merrijig is a small town with excellent proximity to mountain and rural views located in the Upper Delatite Valley. It is appealing to people who desire a small town lifestyle with the additional services afforded by proximity to Mansfield. Its growth potential is supported by reticulated sewerage, however, its reticulated water and sewerage infrastructure will need to be significantly upgraded prior to any large scale residential development. The topography and environmental value of the land will also mean that creative urban design and strict development and density controls will need to be applied to any development.

Sawmill Settlement, Alpine Ridge and Pinnacle Valley

Sawmill Settlement, Alpine Ridge and Pinnacle Valley are settlements that cater predominantly for non-resident landowners, holiday makers and tourists. There are also a number of permanent residents whose needs must also be catered for.

The topography and environmental constraints such as the extent of native vegetation and the resultant fire risk and ambience of the land will mean that creative urban design and strict development and density controls will need to be applied to any development.

Jamieson

Jamieson is an attractive local service centre catering for the surrounding rural community and tourists, as well as a substantial number of non-resident landowners. There is no reticulated sewer. No additional large parcels of land will be made available for new development.

Merton

Merton will continue to develop as a small local service centre and as a town appealing to people who desire a small town lifestyle. It is an affordable housing alternative to the more tourist-oriented towns. There is no reticulated sewerage so no new residential land will be made available and the current oversupply of Rural Living zoned land will be restricted to reduce the 'land bank'.

Maindample

Maindample is a 'green village' local service centre that provides affordable, environmentally-focused housing alternatives to the more tourist-oriented towns. There is no reticulated sewerage so no new land will be made available for residential development. Alternative forms of sewer and water supply may provide some limited opportunities.

Woods Point

Woods Point is an important heritage town, appealing primarily to those interested in the town's history, outdoor pursuits and the natural attractions in the surrounding area. There is no reticulated potable water or sewerage so development opportunities are very limited.

Goughs Bay

Goughs Bay was originally planned to act as a settlement catering predominantly for non-resident land owners and holidaymakers. However, there is an increasing trend towards permanent occupation.

There is no reticulated water or sewer so no additional land for residential development will be rezoned until such a time as the issue can be addressed satisfactorily.

Mountain Bay

Mountain Bay is a planned integrated development providing for a range of tourist, residential, accommodation, recreation and water based facilities and commercial activities.

Other smaller settlements

Macs Cove and Howqua are located in the Howqua valley. Paradise Point is located in the Jamieson valley. A1 Mine, Gaffneys Creek and Kevington are all located in the Upper Goulburn valley. Macs Cove, Howqua and Paradise Point are all isolated settlements on the shores of Lake Eildon. All smaller settlements do not have access to reticulated sewerage.

Council's strategic directions for settlement are to:

- Maintain the role of Mansfield Township as the main town with growth potential, supplying the majority of housing, commercial, retail and industrial growth.
- Limit development in unsewered towns to infill development based on land capability.
- Avoid out-of-sequence development and rezoning.
- Ensure there is sufficient land supply to meet current and future demand.

02.03-2 ENVIRONMENTAL AND LANDSCAPE VALUES

C47mans 03/03/2022

Biodiversity

Large areas of native vegetation have been cleared for agriculture, especially in the Mansfield basin. Although the current rate of clearing has reduced, the incremental loss of remaining habitat is a major issue. Potential threats to remnant vegetation include clearing (including removal of single paddock trees), salinity, roadside management, lack of regeneration, inappropriate fire regimes, disturbance and damage; including that caused by livestock grazing, timber harvesting and intensification of use and development.

There are a number of endangered, vulnerable or depleted Ecological Vegetation Classes (including Plains Grassy Woodland, Grassy Woodland, Herb-rich Woodland and Valley Grassy Forest). and numerous threatened plant and fauna species including the nationally-listed Grassy White Box Woodland.

Protection of remnant vegetation is a high priority including in:

- Roadsides, which provide some of the most significant native habitats and are under threat through pressures from development and degradation.
- Riparian zones, where vegetation is particularly important for the protection of native habitat and biodiversity values, but also for its benefits to water quality that result from riparian buffer zones with a width of at least 30 metres.

Landscapes

The scenic value of the mountains, foothills, valleys and cleared grazing country is characteristic of the municipality and of intrinsic importance to its landscape.

Rural areas are acknowledged as one of the Shire's and the region's greatest assets. Significant for rural production as well as from a natural landscape perspective promoting tourism and attracting visitors to the Shire, many of the rural valleys are recognised as having significant landscape qualities unique to the State and worthy of protection.

Significant landscape and natural features include Mounts Buller, Stirling, Terrible and the Great Dividing Range, and parts of the Eildon and Alpine National Parks. Mount Buller and Mount Stirling are in the Alpine National Park.

Development along ridgelines or highly visible slopes can impact the landscape character of the area. Approaches to the mountains also need to be protected for their significance and high visual amenity, particularly the state significant Mount Buller and Mount Stirling alpine vista.

Council's strategic directions for environmental and landscapes values are to:

- Protect areas of remnant vegetation for their environmental, habitat and scenic values, including roadside vegetation, riparian environments, scattered trees and native grasslands.
- Protect the landscape character of the Shire and significant landscape features including large old trees, visually significant ridges and view corridors.
- Protect the environmental, landscape and visual significance of rural areas, mountain and environmental features and alpine approach areas.

02.03-3 ENVIRONMENTAL RISKS AND AMENITY

C47mans 03/03/2022

Due to climate change and climate variability, natural disasters and environmental hazards such as heatwaves, bushfires, floods and storms are likely to be more frequent and severe. This will present many challenges and some opportunities.

Due to the location and topography of the Shire buildings on ridgelines or prominent exposed areas are particularly vulnerable to natural hazards such as bushfire, flood and land slip.

Bushfire

Bushfires are a risk to life, property and community infrastructure. Risk is most significant in and around forested areas in mountainous topography. Other hazardous areas include extensive grassland areas, particularly along the urban and rural interface of existing settlements. Urban areas of Mansfield Township are generally unaffected.

Development pressure near forested land, often in locations where there is only one access road is a major risk. The bushfire risk is increasing in areas that are popular for residential and rural residential development, areas where there is a high number of non-resident landowners and where property maintenance can be variable, and in areas that may introduce vulnerable people to a location close to bushfire hazards.

This is the case for the National Parks, which are densely vegetated, a major tourist attraction, and present high numbers of part time resident and non-resident landowners.

The following settlements have also been rated for their high to extreme bushfire risk under the Victorian Bushfire Risk Register:

- Jamieson (high bushfire risk) and its surrounding forest (extreme bushfire risk).
- Goughs Bay (very high bushfire risk).
- Sawmill Settlement, Alpine Ridge (extreme risk) and Pinnacle Valley (high bushfire risk).
- A1 Mine, Kevington and Gaffneys Creek (extreme bushfire risk).

Flooding

The catchments of Lake Eildon, Lake Nillahcootie, Fords Creek, Doolam Creek, Glen Creek, Broken River, Delatite River, Goulburn River and Howqua River include areas of flood prone land where flooding has historically caused damage to the natural and built environment. Parts of the Mansfield Township and Jamieson Township have been most affected by past flooding events.

Floods are naturally occurring events. The inherent functions of floodplains are to convey and store floodwater. Natural flooding, long term productivity of flood prone land, river and wetland health are all closely linked. Inappropriate development on the floodplain can lead to the deterioration of environmental values and reduced agricultural production.

The impact of floods has the potential to increase due to land use and vegetation changes, such as:

- Urban expansion, by increasing the speed and quantity of flood runoff while at the same time reducing natural flood storage and obstructing flood flows leading to an increase in the risk to life, health and safety of occupants of the floodplain.
- Raised earthworks (including but not limited to roadworks, levees and farm channels), by reducing natural flood storage, obstructing or redirecting flood flows and increasing flow velocities and levels.

- Clearing of land for rural and urban development.

Council's strategic directions for environmental risks and amenity are to:

- Strengthen resilience to bushfire and minimise the risk to life.
- Preserve the inherent functions of floodplains to minimise the long term flood risk to floodplain production, assets and communities.
- Discourage use and development in areas where an environmental hazard has been identified and cannot be sufficiently mitigated.

02.03-4 NATURAL RESOURCE MANAGEMENT

C47mans 03/03/2022

Agriculture

Rural land is under increasing pressure for residential use and development not associated with the rural use of the land. Productive agricultural land must be maintained to remain agriculturally viable and ensure the ongoing ability to farm is protected. To do so, it is important that only marginal rural land in areas with a minimal visual impact be developed for small scale rural or rural living style development.

Maintaining large rural allotments in the rural zones plays a vital role in maintaining agriculture and rural amenity. A legacy from past decisions is the large number of 'undersized' lots created in rural areas for the purpose of rural residential living without the appropriate zoning changes to reflect that purpose. As a result, landowners have an expectation that those lots can be developed for dwellings. A balance needs to be struck between this and the need to protect agricultural land for agricultural use.

Council's strategic directions for the management of agricultural land are to:

- Protect productive agricultural land from land fragmentation and incompatible use and development.
- Protecting the on-going viability of agricultural land for agricultural purposes particularly from amenity conflicts arising from dwellings.
- Support diversifying the agricultural base to include the development of viticulture, horticulture, and more intensified agricultural pursuits.

WATER AND DECLARED SPECIAL WATER SUPPLY CATCHMENTS

Over 95 per cent of the Shire lies within a Declared Special Water Supply Catchment. The catchments include: Parts of the Goulburn Broken Catchment (Upper Goulburn and Upper Goulburn (Upper Delatite), Lake Eildon Environs and Lake Nillahcootie.

The Goulburn Broken Catchment is the source of the Mansfield Township water supply and one of Victoria's highest priorities for nutrient reduction. Major sources of nutrients include treated effluent, sediment mobilisation and urban stormwater run-off.

Lake Eildon and Lake Nillahcootie are artificial water storage lakes and significant economic, environmental and tourism resources. However, their primary function is to regulate water supply to downstream irrigation areas. Onsite wastewater management for surrounding use and development is a key issue, with their cumulative impact risking to affect catchment health, water quality and public health. Unsewered towns such as Goughs Bay, Macs Cove and Howqua are located on the shores of Lake Eildon, and Jamieson is located on two of the Lake's key tributaries.

Other key water sources include the Broken, Goulburn, Delatite, Jamieson, Howqua and Big Rivers, and the Brankeet, Merton and Fords Creeks.

The upper catchments of the Broken and Goulburn Rivers provide 11 per cent of the entire water resource of the Murray Darling Basin and need to be protected.

Council's strategic directions for catchment planning and management are to:

- Protect the environmental significance and visual amenity of local water sources and Special Water Supply Catchments.
- Avoid development in catchments that is detrimental to water quality.
- Minimise the cumulative impact of onsite wastewater treatment systems on the water quality of Declared Special Water Supply Catchments.

02.03-5 BUILT ENVIRONMENT AND HERITAGE

C47mans 03/03/2022

The history of settlement and development in the Shire has resulted in Mansfield's rich built, cultural and natural heritage.

Township and neighbourhood character

Development of land along the Maroondah Highway and other major routes such as Mount Buller Road in the Shire need to be sensitive to their role as gateways to the Alpine areas

Mansfield Township's residential areas are characterised by wide streets with on street parking, large lots and street trees. Infill and medium density development will challenge the urban character of some areas in town but key attributes such as their spacious garden settings and identified heritage buildings should remain and be protected.

Heritage

The Shire's rich cultural and built heritage is a major part of the attractiveness and amenity of Mansfield. However, there remain gaps in the knowledge of heritage assets of Aboriginal or post-European settlement significance, particularly in rural areas and smaller settlements.

The character of Mansfield is linked to its heritage and expressed most clearly through its surviving original buildings. These include prominent buildings within the central retail area of High Street, as well as less obvious residential buildings.

The location of some of the key heritage buildings of Mansfield Township around the central High Street/Highbett Street intersection, which also contains the Police Memorial, provides the opportunity to consider the street system as an integral component of the built heritage in order to strengthen the tourism and economic potential of the town centre.

The Goulburn, Howqua and Big Rivers have been declared Heritage Rivers under the *Heritage Rivers Act 1992*, which has implications for land use in the vicinity of watercourses.

Council's strategic directions for the built environment and heritage are to:

- Support development (including advertising signage) that is sensitive to the role of the Alpine approaches as gateways to Mansfield Township and the Alps.
- Encourage development that respects the unique character and location of each settlement and protects areas of natural, environmental and architectural character.
- Protect places of identified European and Aboriginal heritage significance.
- Protect the heritage values of the Goulburn, Howqua and Big Rivers.

02.03-6 HOUSING

C47mans 03/03/2022

A diversity of housing opportunities is an important part of providing housing for all. As the major urban centre of the Shire, the majority of housing growth will take place in Mansfield Township, where aged care, infill and medium density housing development will be key for the community to be able to age in place.

Housing development will also take place in some of the smaller towns, at a lower scale and only where infrastructure permits. Bonnie Doon, Merrijig, Sawmill and Alpine Ridge are the only towns apart from Mansfield Township with reticulated sewerage. Development in other towns will be further restricted to infill development provided wastewater can be managed on site.

Subdivision of rural land for rural living opportunities has been a major element of development in the Shire.

Areas zoned Rural Living seek to recognise existing developed areas able to support a mix of small-scale commercial farming operations and rural living situations. These areas generally avoid land of high quality agricultural value or environmental hazard. The areas may be capable of being used for a wide variety of small-scale intensive agricultural and horticultural uses.

The *Rural Living Strategic Study 2003* found there was an oversupply of rural living land. The focus is therefore on reducing its extent rather than rezoning more land.

Council's strategic directions for housing are to:

- Provide for housing needs to be met within townships and designated rural living areas.
- Maintain housing affordability and increase the diversity of housing choices, including opportunities for rural living and medium density housing.

02.03-7 **ECONOMIC DEVELOPMENT**

C47mans 03/03/2022

Agriculture

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

Industrial development

Mansfield Township is the only location that provides significant industrial development opportunities. There are 90 hectares of industrial zoned land. The industrial areas are relatively fragmented and poorly connected by suitable heavy vehicle routes.

There has been very little recent activity in Mansfield Township's industrial land sector, reflecting the existing situation in which any latent demand cannot be realised because of the lack of available industrial land for sale or lease.

Tourism

With the significant visual, cultural and environmental value of many areas in the Shire, tourism is a key local economic driver, particularly around nature-based, food and wine, (on- and off-road) bicycle tourism. Popular tourist destinations in and around Mansfield include:

- Mount Buller, one of Victoria's most popular ski resorts.
- Mount Stirling, a very popular cross country skiing and bushwalking area.
- Lake Eildon, Lake Nillahcootie and local rivers, for water-based activities such as house boating, fishing and water skiing.

Other key nature-based tourism infrastructure and recreational facilities include the Great Victorian Rail Trail (Australia's longest dedicated rail trail) and the Epic Mountain Bike trail on Mount Buller.

The proximity of Lake Eildon to Melbourne has also made its environs popular for the establishment of 'weekenders' and holiday homes, similarly to other local townships providing both close access to Melbourne, Mansfield infrastructure and services and nature.

The increasing number of visitors and added pressure to provide entertainment and recreation facilities that help reinforce Mansfield's competitive advantage in the tourism sector can negatively impact the built and natural environment and landscape character of the area.

Council's strategic directions for economic development are to:

- Diversify the economic base, particularly to reinforce the role of the Shire as a year-round tourism destination.
- Provide sufficient retail/commercial and industrial land to meet demand.
- Support commercial and retail development that complements anticipated urban growth and infrastructure improvements.
- Support viable industrial business opportunities.
- Support environmentally sustainable industries as alternatives to the traditional forms of industry.
- Support the continued growth of the agricultural sector.
- Support traditional and emerging forms of agriculture.
- Attract high quality tourism development that is compatible with the environmental attributes and character of the area.

- Support Mount Buller as Victoria's premier snow skiing destination.
- [Support increased activation and access to Lake Eildon \[NEW, LEM, p81\]](#)
- Minimise the negative impact that tourism can have on the built and natural environment.

02.03-8 **TRANSPORT**

C47mans 03/03/2022

The region is characterised by east-west transport connections providing access to the Hume and Goulburn Valley corridors, with many of these roads playing an additional role as Alpine approaches and major tourism routes.

It is becoming increasingly important to provide freight access to the regional centre to minimise its adverse impacts on existing road networks. Council in conjunction with VicRoads has identified an interim and ultimate Heavy Vehicle Alternative Route through Mansfield Township. The ultimate northern route will require further road augmentation works to divert traffic away from the shopping centre.

Council's strategic directions for transport are to:

- Facilitate improved transport linkages and east/west connections to the Hume and Goulburn Valley Highway corridors in particular.
- Protect the Alpine approaches as major transport and tourism routes.
- Facilitate use and development that directs heavy vehicle/freight traffic away from Mansfield Township and minimises any adverse impact on existing road networks and local traffic.
- Improve road safety by supporting the provision of an efficient movement network for vehicles, pedestrians and cyclists.

02.03-9 **INFRASTRUCTURE**

C47mans 03/03/2022

Community infrastructure

The municipality is well serviced in terms of open space amenity and outdoor recreation. As the population continues to grow and age, providing a wide range of community infrastructure for existing and future residents is becoming increasingly important.

While the community is generally prosperous, there are areas of social and economic disadvantage. Existing networks of services are at risk of being put under pressure by any exacerbation of socio-economic disadvantage. Additional services will be required to adequately support all members of the community.

Council's strategic directions for community infrastructure are to:

- Support the provision of community facilities that are well-connected, easily accessible and respond to the current and future needs of residents and visitors.

Development infrastructure

It is expected development will connect to all available infrastructure or provide it as part of larger developments.

Stormwater, onsite water catchment facilities, water sensitive urban design, drainage, reticulated water and sewerage systems, public open space, variety of lot sizes, provision of quality internal and access roads and detailed landscaping plans are necessary to improve development outcomes.

There are many unsewered small towns and settlements that consist of small lots and are located in Special Water Supply Catchments. Both the cumulative impacts of wastewater management systems and on-site treatments need to be considered.

Council's strategic directions for development infrastructure are to:

- Support the provision of infrastructure that meets current and future needs.
- Support the provision of full reticulated infrastructure to all urban areas.
- Support the fair and equal distribution of infrastructure and services to new development.

- Support the provision of wastewater management systems that will minimise adverse impact on Special Water Supply Catchments.

02.03-10 GAMING

[C47mans](#) 03/03/2022

Access to entertainment and recreational uses with potential adverse impacts on local amenity and community wellbeing such as electronic gaming machines should not be made more convenient by their location. Given the settlement structure and characteristics of the Shire it is preferable to locate gaming machines away from settlements that merely service the local community, as well as communities that might be most vulnerable to the negative effects of gaming.

Council's strategic direction for gaming machines and venues is to:

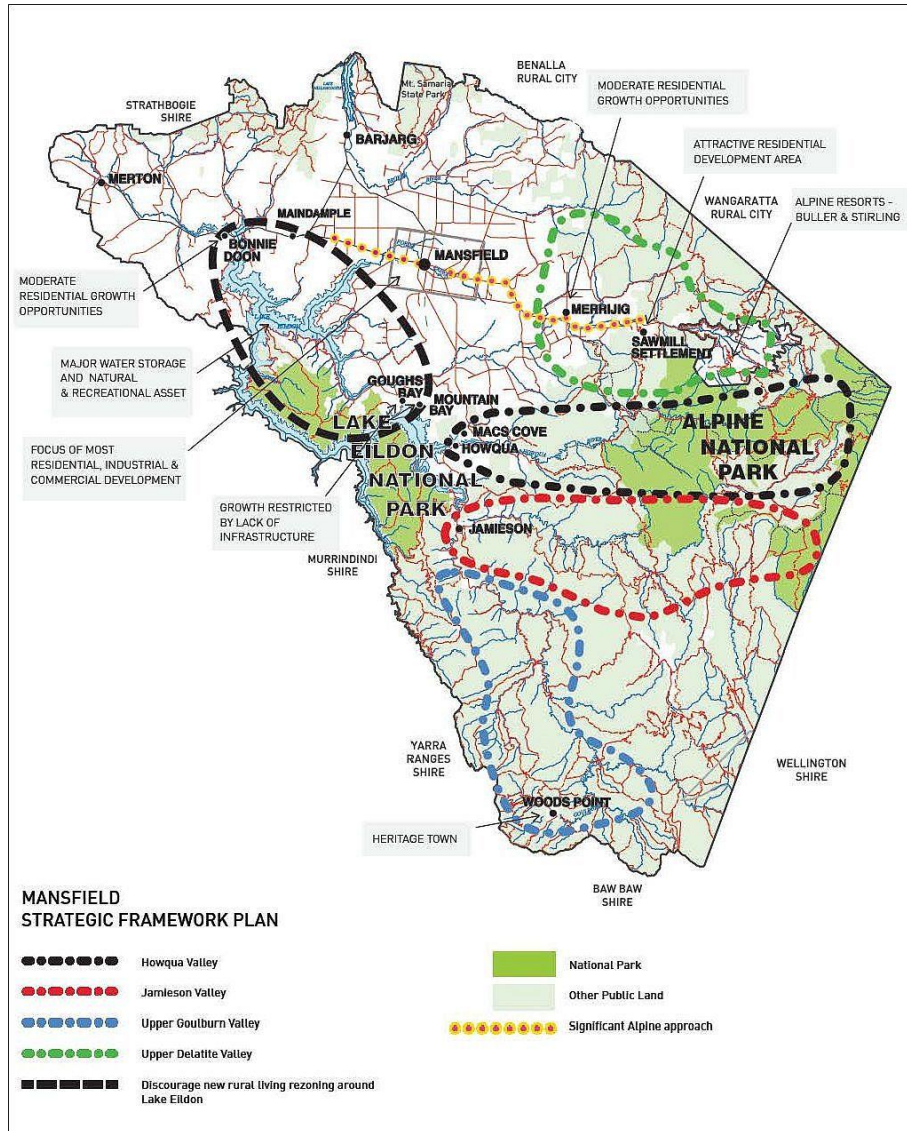
- Direct gaming machines and venues to areas where any potential harm to the community can be minimised.

02.04 STRATEGIC FRAMEWORK PLAN

[C47mans](#) 03/03/2022

The plan contained in Clause 02.04 is to be read in conjunction with the strategic directions in Clause 02.03.

Mansfield Strategic Framework Plan



10 **PLANNING POLICY FRAMEWORK**
VC148 31/07/2018

11 **SETTLEMENT**

VC216 10/06/2022

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Planning is to recognise the need for, and as far as practicable contribute towards:

- Health, wellbeing and safety.
- Diversity of choice.
- Adaptation in response to changing technology.
- Economic viability.
- A high standard of environmental sustainability, urban design and amenity.
- Climate change adaptation and mitigation.
- Prevention of land, water, air and noise pollution.
- Protecting, conserving and improving biodiversity, waterways and other natural resources.
- Accessibility.
- Land use and transport integration.
- Waste minimisation and resource recovery.

Planning is to prevent environmental, human health and amenity problems created by siting incompatible land uses close together.

Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.

11.01-1L-01 **MANSFIELD TOWNSHIP - MANSFIELD**

C45mans 14/04/2022

Policy application

This policy applies to all land identified in the Mansfield Township Strategic Framework Plan and Mansfield CBD Framework Plan to this clause.

Objectives

To support the growth of Mansfield township as the focus of development in the Shire.

To consolidate the Mansfield Township Central Business District (CBD) shopping centre.

Housing strategies

Contain and intensify residential development within existing residentially zoned land.

Encourage the redevelopment of key strategic sites, infill sites and currently vacant General Residential land.

Discourage any proposed General Residential rezonings in the short to medium term (0-10 years).

Discourage any proposed Low Density Residential rezonings in the short term (0-5 years).

Discourage any proposed Rural Living rezonings in the medium to long term (10-20 years).

Ensure land (zoned Rural Living) south of Stoneleigh Road is protected for a long-term residential growth corridor.

Commercial strategies

Retain the current supply of Commercial 1 zoned land.

Avoid the fragmentation of the core retail uses.

Consolidate the retail and commercial shopping centre core of Mansfield township.

Encourage a range of retail and commercial opportunities in the town centre.

Locate major commercial and industrial developments in Mansfield township.

Encourage more intensive use of existing retail establishments through renovation and redevelopment.

Encourage larger-format retailing (e.g. homemaker) in the Commercial 2 zoned land on Mount Buller Road.

Encourage supermarket uses to locate in the core High Street shopping centre and discourage them at the Mount Buller Road commercial area.

Encourage redevelopment of existing residential properties in Commercial 1 zoned land in the town centre for commercial uses.

Encourage the redevelopment of vacant or underutilised sites including retail and mixed use with possible car parking opportunities to the rear where possible.

Encourage the redevelopment for commercial and retail purposes of key strategic sites located at the former saleyards, Toyota dealership, 34 High Street, 1-7 High Street, Council depot and the former Sawmill.

Encourage the redevelopment of the Toyota dealership to incorporate:

- A front section along High Street for retail purposes.
- Possible mixed use in the rear portion along Curia Street.

Encourage a mix of tourist related uses, including cafes, restaurants, accommodation and tourist related retail within High Street and the town centre.

Support the development of the northern side of Mount Buller Road on the eastern side of Mansfield Township as the preferred linear corridor for business, commercial, mixed use and service industry.

Industrial strategies

Encourage relocation of service industries, light industrial, rural supplies and vehicle repair uses from the town centre to new industrial areas, including Mount Buller Road and Lakins Road once subdivided.

~~Encourage the location~~Site and ~~id~~Design industrial development in Dead Horse Lane to reduce amenity conflicts with neighbouring residential properties to the south by incorporating the necessary landscape and acoustic buffers. ["site" not an approved verb]

Commented [CR1]: I think just design is enough as where you site something is part of the design process. Design is an approved verb

Transport strategies

Improve connectivity by using existing mid-block connections such as Bank Place and Eisners Lane) as pedestrian links.

Provide on-site car parking as part of retail and commercial development, wherever possible.

Open space and recreation strategies

Support the ongoing role of the Mansfield Golf Course in providing sport and recreational opportunities.

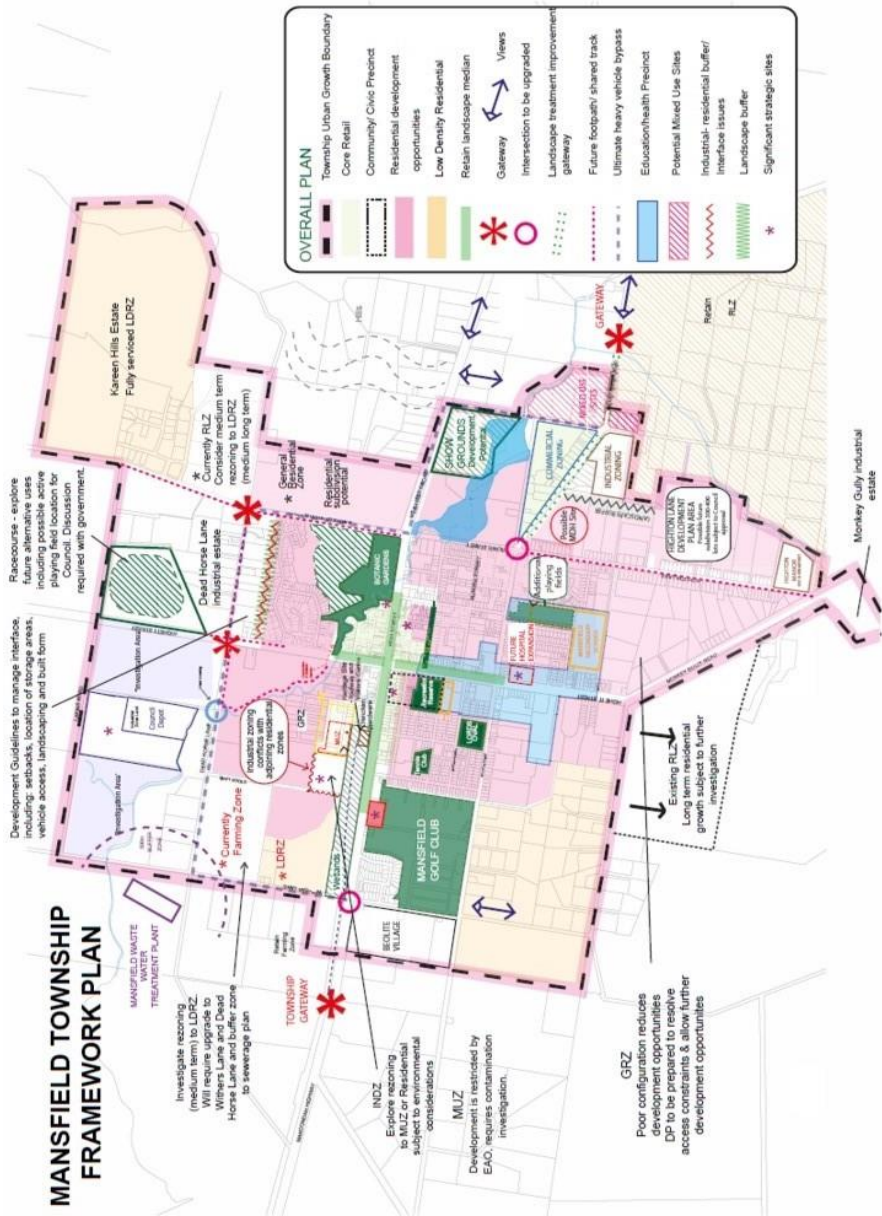
Set aside land along Ford Creek for the creation of a linear shared path as part of the residential subdivision of any land adjacent to the creek.

Create a linear landscaped passive park with pedestrian paths along Fords Creek connecting to existing and future planned paths.

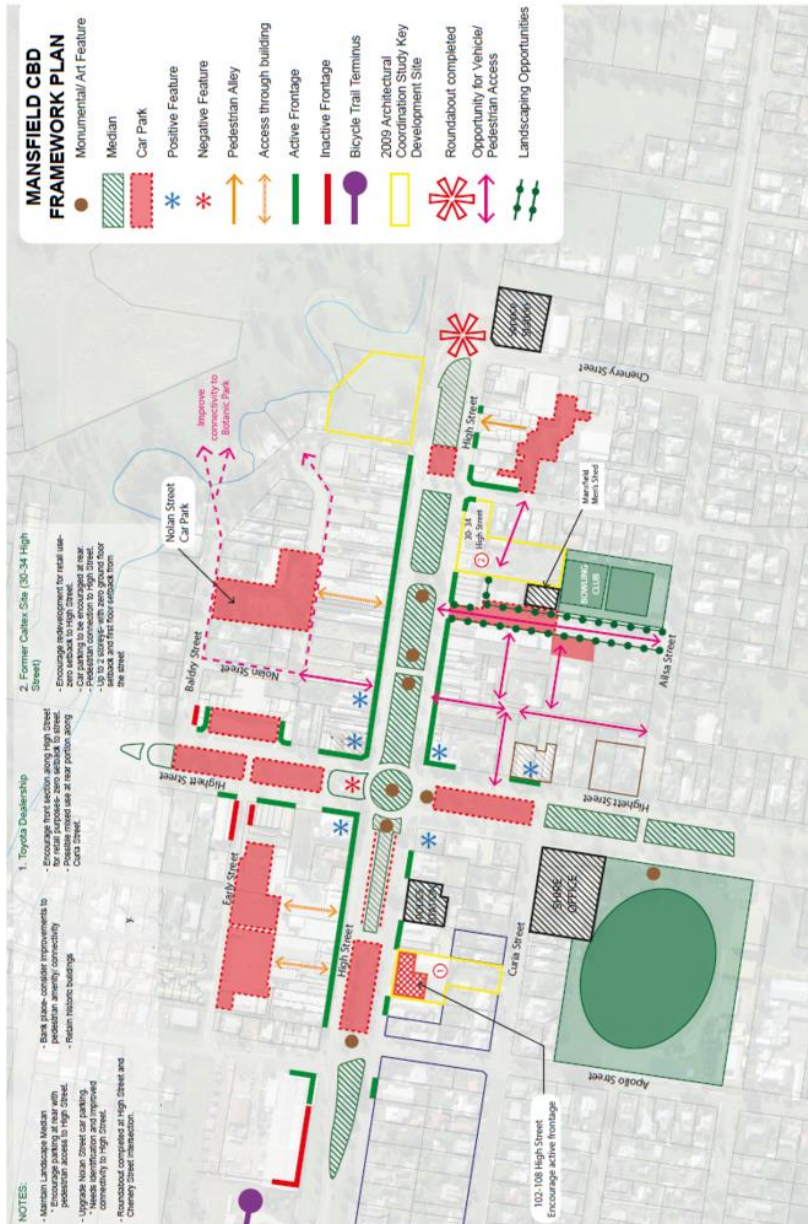
Infrastructure strategies

Ensure urban development is connected to existing town infrastructure.

Mansfield Township Framework Plan



- Monumental/ Art Feature



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Unofficial

C47mans 03/03/2022

Policy application

This policy applies to all land identified in the following township framework plans to this clause:

- Bonnie Doon Framework Plan.
- Merrijig Framework Plan.
- Sawmill Settlement, Alpine Ridge and Pinnacle Valley Framework Plan.
- Jamieson Framework Plan.
- Merton Framework Plan.
- Maindample Framework Plan.
- Woods Point Framework Plan.
- Goughs Bay and Mountain Bay Framework Plan.
- Macs Cove and Howqua Framework Plan.

All townships strategies

Discourage linear development along the Maroondah Highway.

Site and design linear development along the Maroondah Highway and Mount Buller Road to be sensitive to the 'Alpine Approach' role of the roads.

Towns with reticulated sewerage

In Bonnie Doon and Merrijig, encourage residential development within the existing urban areas and their ongoing urban consolidation via improvement and enhancement of existing dwellings.

In Sawmill settlement and Alpine Ridge, limit development to areas within township boundaries and land zoned General Residential.

Towns without reticulated sewerage

Support development at Pinnacle Valley provided it responds to any environmental and infrastructure constraints.

In Jamieson, Merton, Maindample, Woods Point, Goughs Bay, Mountain Bay, Macs Cove and Howqua Limit residential development to infill opportunities and consolidate existing residential areas provided wastewater can be managed on site in Jamieson, Merton, Maindample, Woods Point, Goughs Bay, Mountain Bay, Macs Cove and Howqua.

In Macs Cove and Howqua prevent and discourage any additional settlement expansion due to lack water and sewerage infrastructure in Macs Cove and Howqua.

Ensure support development that provides for reticulated sewerage infrastructure in Maindample and Woods Point.

Ensure development provide support development that provides reticulated water and sewer infrastructure to Goughs Bay and Mountain Bay as a priority.

Bonnie Doon strategy

Support the retention of the football ground.

Merrijig strategies

Develop Merrijig as a tourist gateway to Mount Buller and Mount Stirling as well as a local commercial and community centre for the surrounding rural community.

Provide for infill housing opportunities at Merrijig between Alpha Street and Omega Street.

Avoid the discourage further subdivision of land fronting the Delatite River along the northern side of Mount Buller Road between Merrijig and Sawmill Settlement).

Discourage any new direct vehicle access to Mount Buller Road.

Ensure access is provided for support the provide access to any redevelopment on the east side of Mount Buller Road via McCormacks Road.

Merrijig policy guidelines

Consider as relevant:

Commented [CR2]: Reworded so they start with a verb.

Commented [CR3]: What about 'Ensure development provides'. It is more directive.

Commented [CR4]: As above

Commented [CR5]: Same principle as above - more directive than support

- Limiting development on land fronting the Delatite River along the northern side of Mount Buller Road between Merrijig and Sawmill Settlement to only one dwelling per lot.
- A 30 metre building setback between any development and the Delatite River.

Sawmill Settlement, Alpine Ridge and Pinnacle Valley strategies

Encourage a variety of uses on existing sites that have commercial uses.

Support rezoning the General Residential Zone land to Township Zone for Pinnacle Valley, to reflect the lack of infrastructure to support more intensive development.

Develop a walking trail network in the open space corridor along the Delatite River.

Jamieson strategies

Encourage small scale commercial and retail development to complement existing development.

Support rezoning the General Residential Zone land to Township Zone to reflect the lack of infrastructure to support more intensive development.

Merton strategies

Encourage limited commercial and retail development.

Support the consolidation of old crown titles to facilitate development of land within township boundaries.

Maindample strategies

Create a community park as a focus for the local community.

Design development to improve vehicle and pedestrian safety where they intersect with the Maroondah Highway.

Woods Point strategy

Improve tourism links and facilities once the infrastructure is provided.

Goughs Bay and Mountain Bay strategy

Facilitate development that supports foreshore improvements.

Smaller settlements strategy

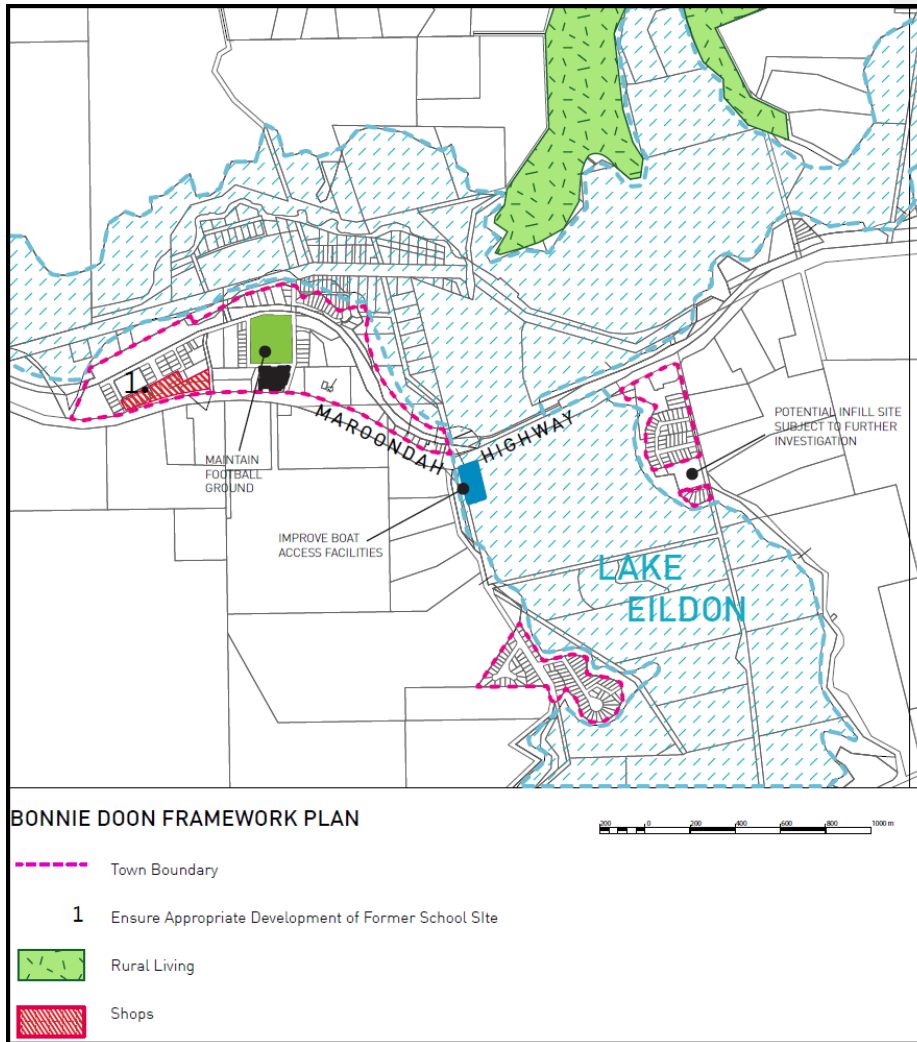
Support rezoning the General Residential Zone land in Paradise Point, Macs Cove and Howqua to Township Zone to reflect the lack of infrastructure to support more intensive development.

Smaller settlements policy guideline

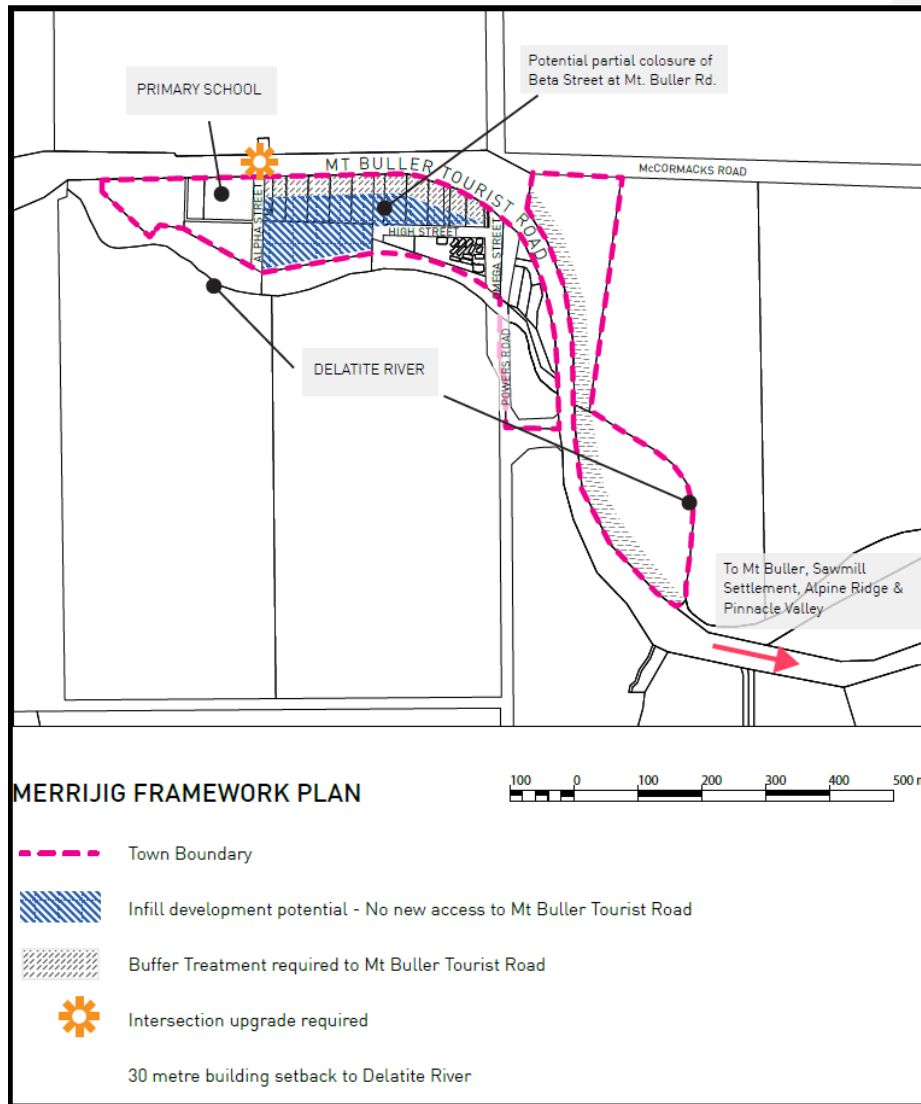
Consider as relevant:

- Limiting development in Macs Cove and Howqua to one dwelling per lot.

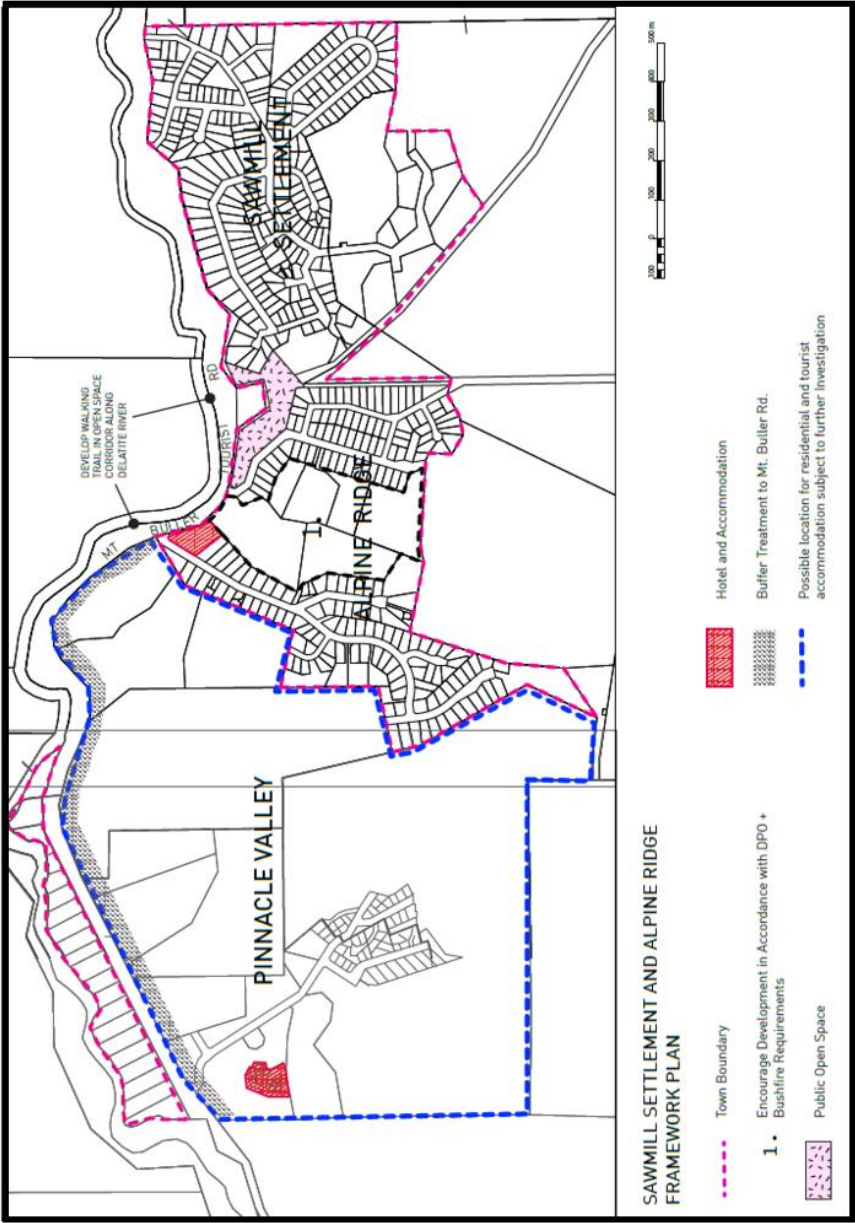
Bonnie Doon Framework Plan



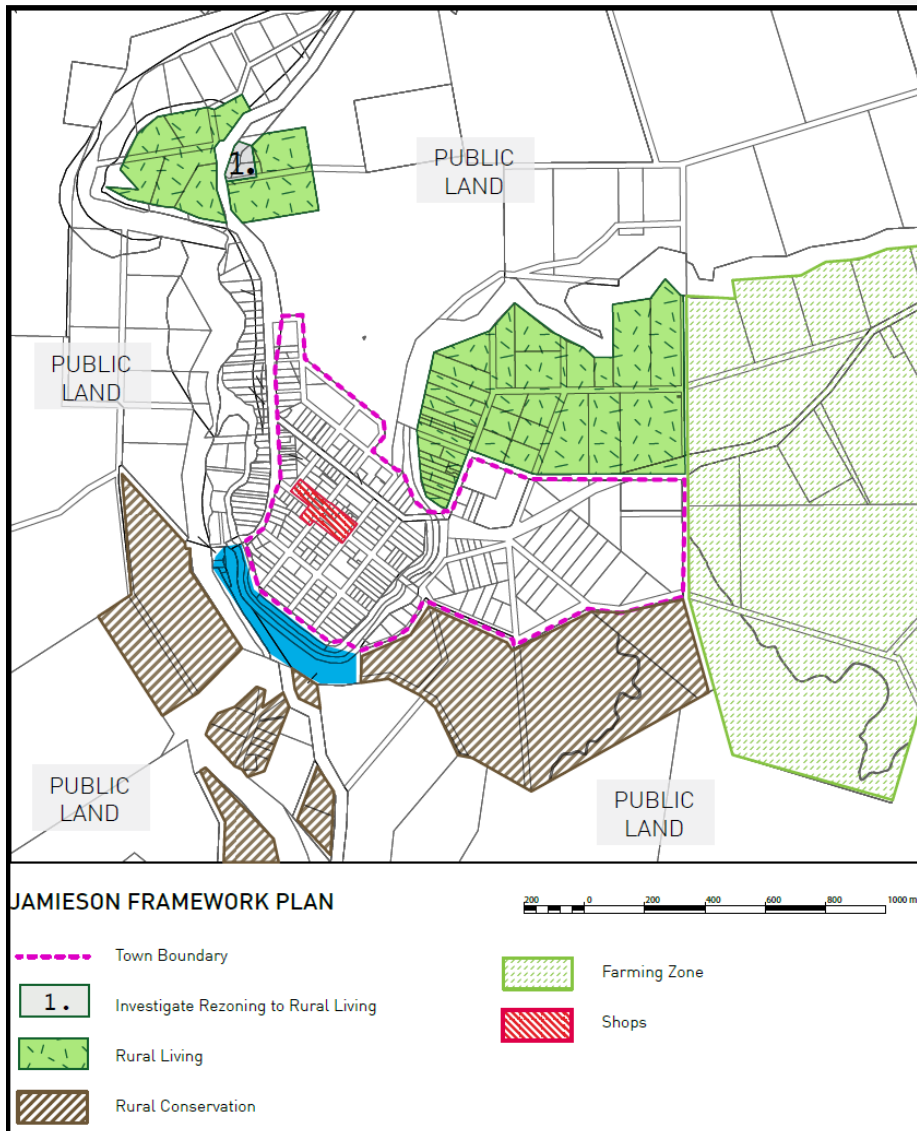
Merrijig Framework Plan



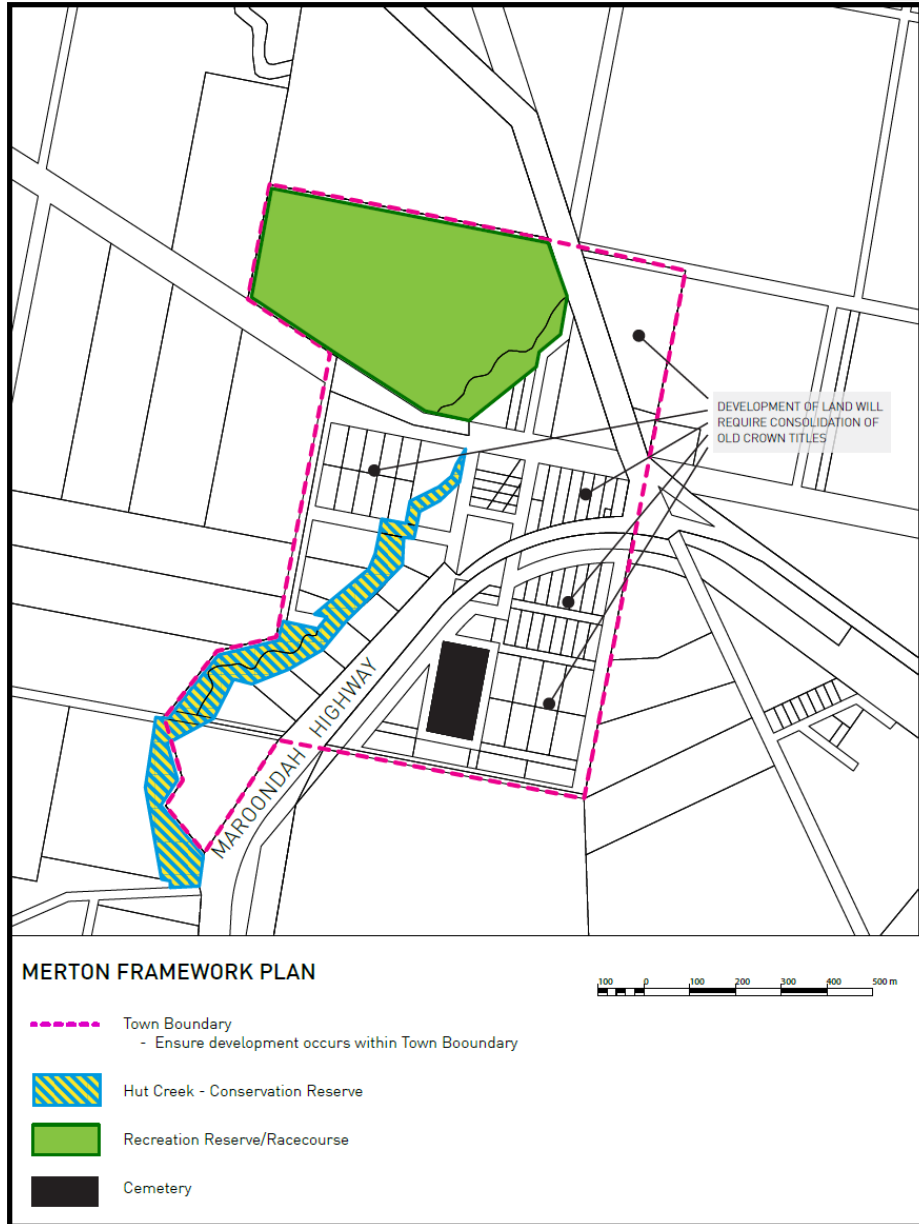
Sawmill Settlement, Alpine Ridge and Pinnacle Valley Framework Plan



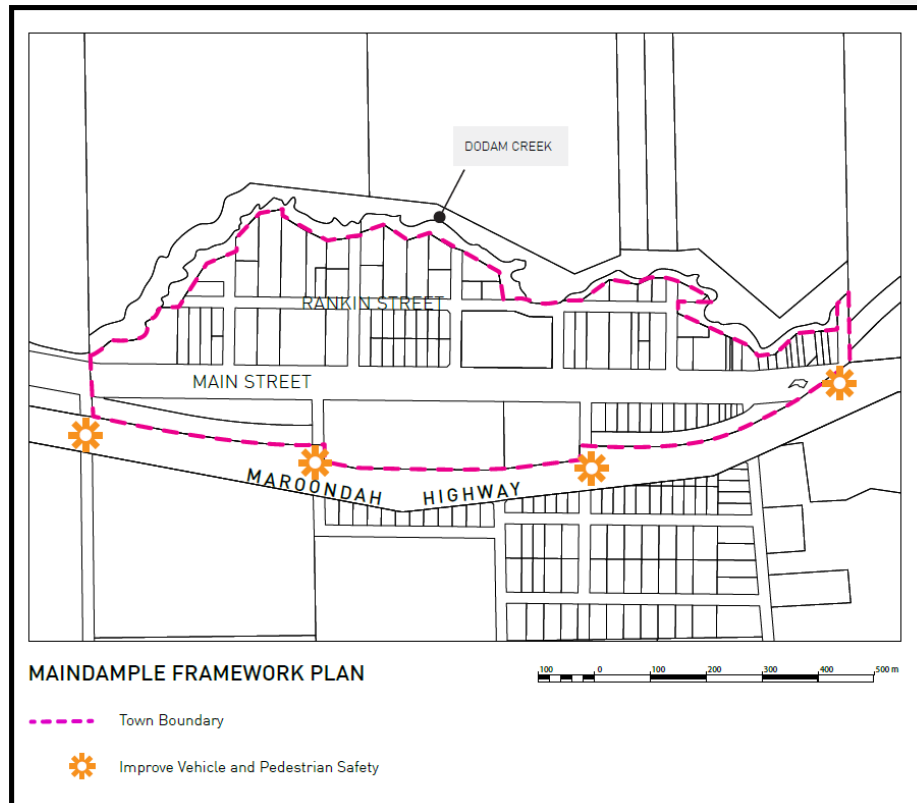
Jamieson Framework Plan



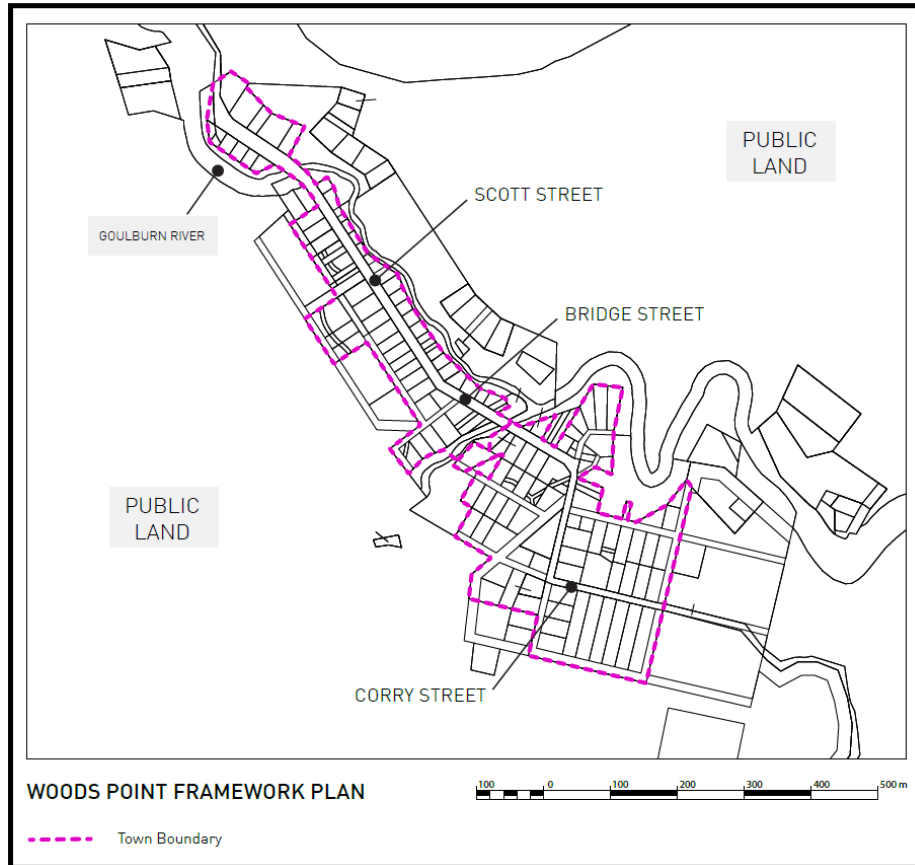
Merton Framework Plan



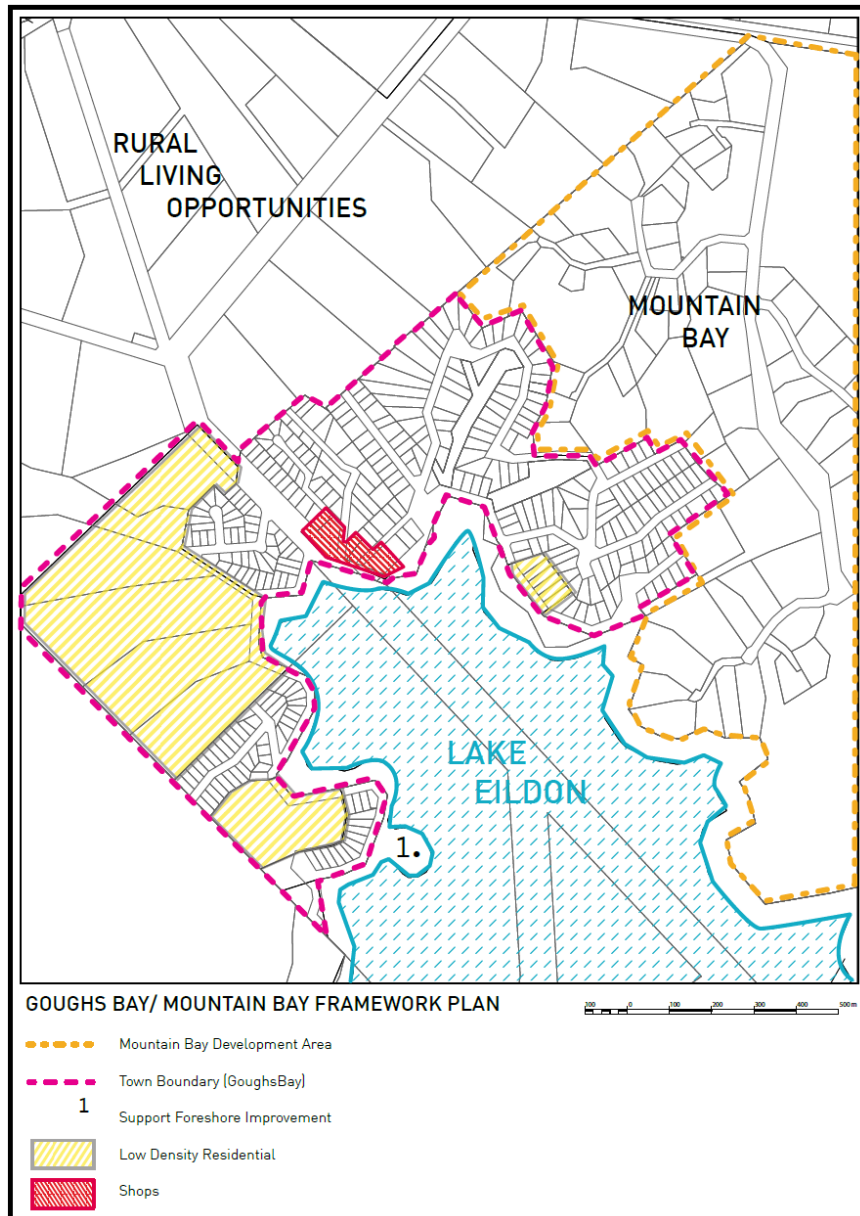
Maindample Framework Plan



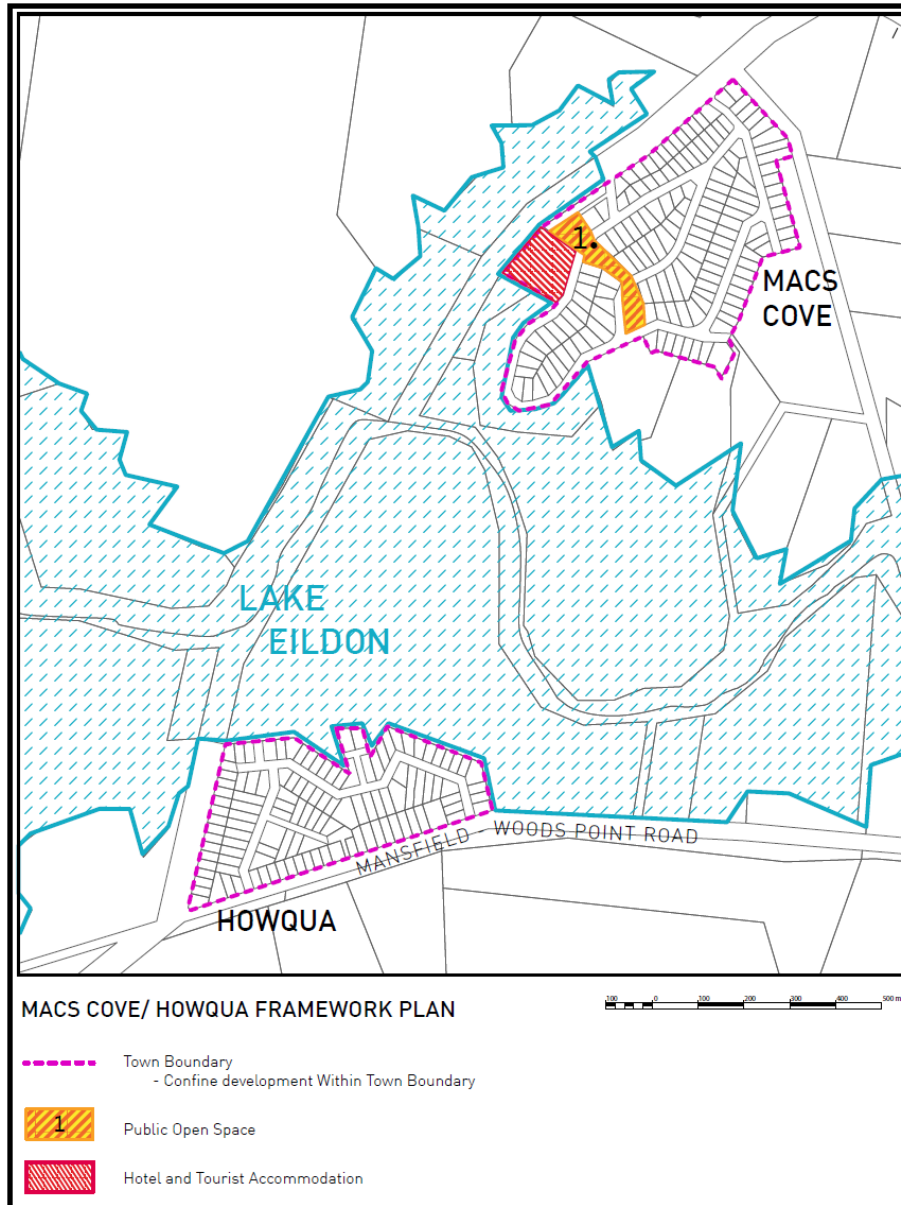
Woods Point Framework Plan



Goughs Bay and Mountain Bay Framework Plan



Macs Cove and Howqua Framework Plan



12.01-1L PROTECTION OF BIODIVERSITY - MANSFIELD

C47mans 03/03/2022

Strategies

Protect significant vegetation communities, especially from higher residential densities that lead to fragmentation and incremental clearing and disturbance.

Protect large old paddock trees for their significant habitat and landscape value, especially in the context of the intensification of land use, including residential and rural living developments.

Prevent unjustified removal of native vegetation and encourage the recovery of threatened species and communities.

12.05-2L SIGNIFICANT LANDSCAPES, RIDGELINES AND ALPINE APPROACHES – MANSFIELD

C47mans 03/03/2022

Objective

To protect the environmental, landscape and visual significance of landscapes, alpine approaches and significant ridgelines, particularly in areas of high visual amenity.

Strategies

Minimise the environmental and visual impact of development including buildings, sheds, driveways and associated earthworks.

~~Encourage Site development to be sited and designed development~~ ~~Design development~~ ~~to be~~ responsive to the topography of the land and unobtrusive in the landscape. [not approved verbs]

~~Support the r~~~~etention~~~~in~~ existing mature scattered native and exotic trees.

~~and Encourage~~ the use of substantial landscaping to further complement development and reduce the visual impact of buildings on the landscape. [not approved verbs]

~~Avoid-Discourage~~ development on visually exposed ridgelines, unless its visual impact can be minimised by using designs and colours that blend with or compliment the landscape. [not approved verbs]

~~Design~~ ~~Incorporate~~ ~~Support~~ building setbacks ~~to be incorporated~~ from property boundaries, roads and waterways that are consistent with the scale of the building, site characteristics, and potential impact on the environment and rural activities conducted on the site. [not approved verbs]

~~Support the Use of~~ building materials with external finishes that: [not approved verbs]

- Blend with the natural surrounding environment whether this be in natural form or via a tailored paint scheme that reflects the colours and textures evident in the natural environment.
- Have a low reflectivity to minimise glare and visual impact.

Policy guidelines

Consider as relevant:

- Designing buildings located on or close to a visually exposed ridgeline to not exceed 1 storey or 6 metres in height from natural ground level.

13.02-1L BUSHFIRE MANAGEMENT - MANSFIELD

C47mans 03/03/2022

Strategies

Design the subdivision of land in Bushfire Prone Areas into more than 10 lots to:

- Provide access to the existing road network and locations that may provide shelter in the event of a bushfire.
- Provide perimeter roads and hard edges at the urban – hazard interface (including grassland).

Commented [CR6]: Site is covered in design. This strategy is now more specific.

Commented [CR7]: I have split this into two strategies. Strategies should generally have one idea.

Commented [CR8]: More directive and it is a design issue.

- Provide multiple points of access and egress to the existing and proposed road network as necessary.

Incorporate passive risk mitigation measures, including the siting, landscaping and layout of new development to enhance resilience to potentially vulnerable development in Bushfire Prone Areas.

13.03-1L **FLOODPLAIN MANAGEMENT - MANSFIELD**

C47mans 03/03/2022

Policy application

This policy applies to all land affected by the Urban Floodway Zone (UFZ), Flood Overlay (FO) or Land Subject to Inundation Overlay (LSIO).

Strategies

Avoid the intensification of land use and development in the floodplains of watercourses.

Discourage subdivision of parcels that could lead to intensification of development on flood prone land.

Discourage development that could adversely inhibit the flow of flood waters.

Avoid earthworks that obstruct natural flow paths or drainage lines, such as cut and fill.

Avoid any buildings and works, including earthworks, vegetation clearance and land filling, in Urban Floodway Zone and Floodway Overlay areas along water courses.

Avoid landfill in all areas subject to flooding other than for building envelopes in flood fringe areas, generally within the Land Subject to Inundation Overlay towards the limit of inundation extent.

Discourage the use of levees, except to protect existing dwellings where floor levels are known to be below flood level or to protect areas in accordance with an approved scheme.

Encourage the retention of natural drainage corridors with indigenous vegetation buffer areas along waterways to maintain the natural drainage function, stream habitat and wildlife corridor and landscape values.

Minimise the quantity and retard the flow of stormwater runoff from developed areas.

Site-Locate and design buildings in such a way that their longitudinal axis is parallel to the predicted direction of the flood flow.

Site-Locate and design buildings and extensions so that flooding will cause minimal damage to the structure and its contents, including raising floor levels, using water resistant materials and raising electrical fittings and wiring above the nominal flood protection level.

Avoid large building extensions that will be below the nominal flood protection level.

Locate replacement dwellings on the highest available land unless an alternative site is more suitable.

Use water resistant materials that are designed for flood proofing and any possible flow velocity impacts.

Policy guidelines

Consider as relevant:

- Locating buildings more than 30 metres from streams and rivers and 100 metres from state water storages, unless otherwise approved by the relevant authorities (Goulburn Broken Catchment Management Authority and Goulburn-Murray Water).

Policy document

Consider as relevant:

- *Guidelines for the Protection of Water Quality* (NEPRC, April 2001 Updated May 2016).

Commented [CR9]: Nothing wrong with this, but you could just have "Design" and not worry about "Locate"

14.01-1L DWELLINGS AND SUBDIVISIONS IN RURAL AREAS - MANSFIELD

C47mans 03/03/2022

Objective

To protect productive agricultural land from competing and inappropriate land uses, including residential use not associated with agriculture.

To prevent dwelling excisions and the development of existing small rural allotments from prejudicing any existing surrounding agricultural activities.

Strategies

Discourage dwellings and subdivision (including house lot excisions) unless:

- It is required to support the agricultural use of the land.
- Off-site impacts and land use conflicts can be minimised and it will not result in reduced agricultural capability of the land or long-term viability of rural production in the area.
- It will result in no net loss of vegetation.
- Any development is sited, designed and constructed to mitigate bushfire risks.
- The provision of necessary infrastructure for the dwelling or lot created (such as access to potable water supply, effluent disposal and stormwater drainage systems) is consistent with the capability of the land.

Plan for the lot created for an existing dwelling to be the smallest practicable lot based on the characteristics of the site including necessary setbacks from the road frontage, dams, topography and vegetation.

Site and design development to not adversely impact existing rural activities conducted on site and on adjoining land.

Avoid development (including subdivision) that is likely to lead to a concentration of small lots or dwellings and change the use and development of an area or result in a loss of its rural character, unless the clustering of dwellings will not limit the productive use and development of adjacent agricultural land.

Policy guidelines

Consider as relevant:

- Limiting the size of a lot created for an existing dwelling as part of a dwelling excision to a maximum of 2 hectares, provided:
 - the dwelling for which a lot is to be created existed on the date of gazettal of the new format Mansfield Planning Scheme (3 May 2003);
 - the dwelling has been occupied for a continuous period of two years immediately prior to the subdivision, and
 - the dwelling is in a habitable condition.
- Using an agreement under Section 173 of the Act to:
 - Ensure the dwelling is used to support the agricultural use of the land.
 - Minimise land use conflict by affirming the understanding that the amenity of the dwelling may be subject to off-site impacts of adjoining or nearby agricultural activities, such as noise, dust and odour.
 - Prevent future subdivision and dwelling excision.

14.02-1L CATCHMENT PLANNING AND MANAGEMENT - MANSFIELD

C47mans 03/03/2022

Policy application

This policy applies to land within a Declared Special Water Supply Catchment Area, as shown on the Mansfield Shire catchments map to this clause.

Strategies

Minimise adverse impacts from wastewater management systems (both individually and cumulatively) on catchment health and water quality.

Discourage land uses that would contribute to the degradation of downstream water quality.

Discourage further development, particularly new rural residential estates on the lakes' shores.

Support new development only where connection to reticulated sewerage infrastructure can be provided or it will not have a cumulative impact on nutrient and pathogen loads.

Support redevelopment and extensions of existing unsewered dwellings only if an incremental cumulative benefit will be gained by way of upgrading the existing system.

Incorporate integrated Water Sensitive Urban Design (WSUD) techniques and mitigation measures to reduce overall wastewater volumes and level of nutrients, pathogens and pollutants entering the catchment from use and development, particularly in high risk areas as per Schedule 1 to the Environmental Significance Overlay.

Ensure any drainage scheme is consistent with the capability of the land.

Policy guidelines

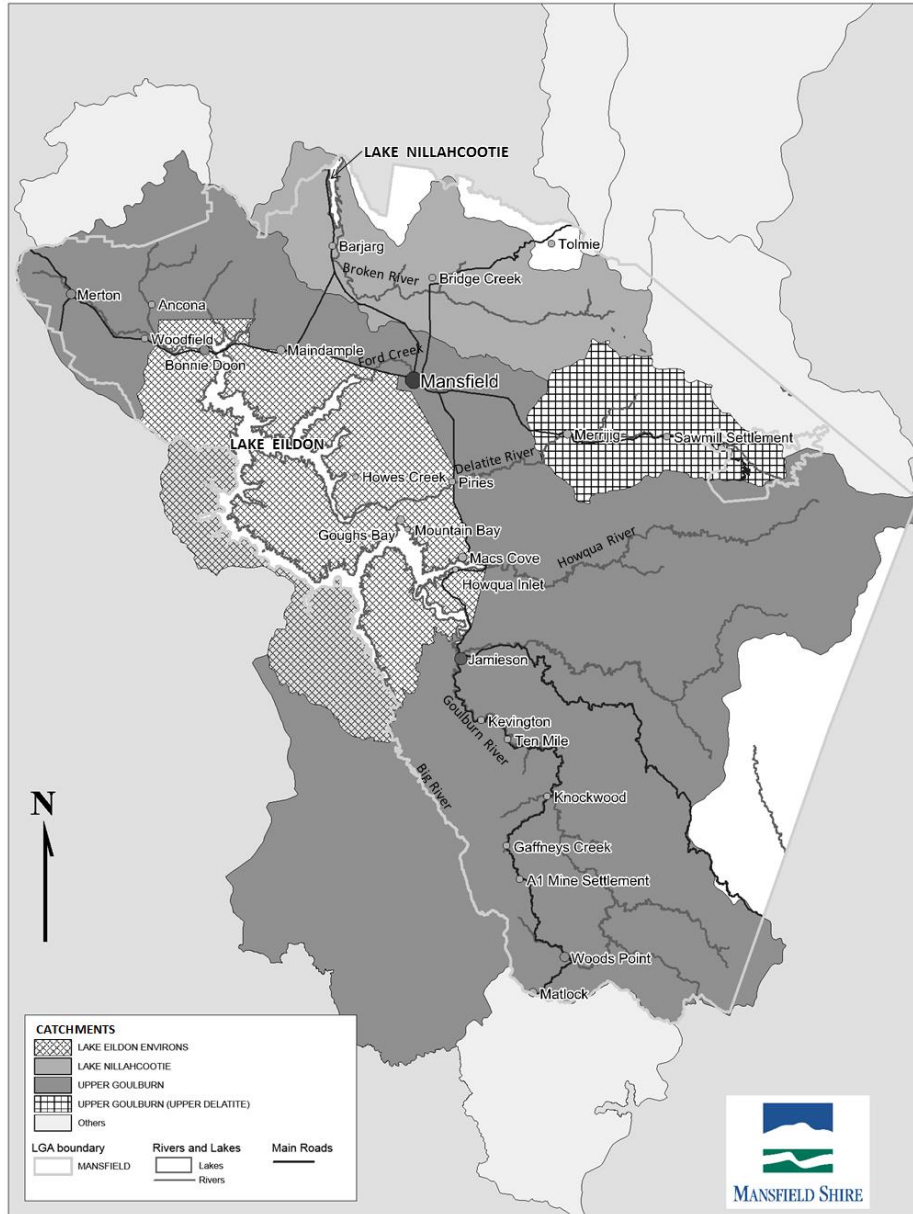
Consider as relevant:

- Any findings and recommendations of land capability assessments as required through ESO1 and 2, particularly individual site risk analysis.

Policy documents

Mansfield Shire Domestic Wastewater Management Plan 2014 (as amended).

Mansfield Shire catchments map



15.01-1L URBAN DESIGN IN MANSFIELD TOWNSHIP CBD - MANSFIELD

C47mans 03/03/2022

Policy application

This policy applies to all land identified in the Mansfield CBD Framework Plan [that forms part of this Clause](#) ~~to Clause 11.01-1L~~ [\(insert plan at the end of this policy\)](#) ~~1L~~

Strategies

~~Support development that is sited and designed~~ ~~Site and design development~~ ~~to~~ respond to the existing built form character of the centre. [\[approved verb\]](#)

~~Maintain~~ ~~Retain~~ ~~Encourage the retention of~~ the predominant single storey built form and structure and consistency of front setbacks in High Street and Highett Street. [\[approved verb\]](#)

Protect 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 as part of residential development.

~~Encourage the~~ ~~Maintain a sense of character and provision of~~ ~~de for~~ ~~Provide for~~ pedestrian amenity as part of commercial development, ~~by including through~~ the use of verandahs extending to the kerb ~~and other pedestrian friendly design treatments~~. [\[repetition of first strategy, approved verb\]](#)

Encourage the full activation of retail frontages along High Street and Highett Street.

~~Support~~ ~~Design~~ access to parking ~~be designed~~ to minimise impacts on active frontages and preferably be provided via a secondary streets, laneways or other parking areas. [\[approved verb\]](#)

~~Design~~ ~~Encourage~~ signs to be proportionate to the building facade and directed to the verandah and below verandah. [\[approved verb\]](#)

Policy guidelines

Consider as relevant:

- In High Street and Highett Street, limiting height to two storeys, with the upper level to be setback from the kerb.
- In redeveloping the Toyota dealership site:
- Applying a zero street setback along High Street.
- In redeveloping the former Caltex Site (30-34 High Street):
- Limiting building height to two storeys.
- Applying a zero ground floor street setback and first floor setback from the street.

Commented [CR10]: Smart planning protocol

Commented [CR11]: As with previous examples you could just start with "Design", but it works as you have proposed

Commented [CR12]: I think maintain is closer to retain than encourage is.

Commented [CR13]: The character element is covered off by the first strategy, so I have amended this to focus on amenity.

Commented [CR14]: Design is an approved verb and better as it eliminates the 'double verb'.

Commented [CR15]: As above. Design should be retained.

16.01-1L HOUSING SUPPLY IN MANSFIELD TOWNSHIP - MANSFIELD

C47mans 03/03/2022

Strategies

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

Support smaller housing options and retirement and aged care accommodation close to town centres and areas with existing social and physical infrastructure.

Encourage opportunities to increase the supply of affordable housing to cater for lower income households, older people and young people.

Policy guidelines

Consider as relevant:

- Supporting medium density housing within 400 metres of the Mansfield shopping centre and other services and facilities.

16.01-3L RURAL RESIDENTIAL DEVELOPMENT - MANSFIELD

C47mans 03/03/2022

Policy application

This policy applies to all land in the Rural Living Zone.

Objective

To protect productive agricultural land by directing rural living to areas based on their suitability and land capability.

Strategies

~~Avoid~~ Discourage further rezoning unless the existing rural living land has been developed. [Approved verb]

Support future rezonings where the land is:

- Close to infrastructure and town facilities.
- Of a higher visual amenity.
- Capable of sustaining a higher lot yield and managing wastewater on site.

Direct rural residential development to areas zoned for this purpose, preferably on the urban fringe or close to existing settlement areas where there is good access to infrastructure and services and the impacts of development on agricultural productivity can be minimised.

In the absence of access to infrastructure and services, design development to be self-sufficient in the provision of relevant on-site infrastructure, in a way that is consistent with the capability of the land.

Design development so that each lot has access to an all-weather road.

~~Retain~~ Support the retention of the fully-serviced low-density residential development at the Kareen Hills estate. - [Approved verb]

Policy guidelines

Consider as relevant:

- The number of lots to be created in a subdivision to be within a demand for no more than 15 years supply in the locality. ❖❖
- Limiting lot sizes to a minimum of two hectares with an overall density in any development of one lot per four hectares.

Commented [CR16]: Are these your question marks Bonnie? I agree this is a bit strange. And it is really a strategic planning issue, not a statutory planning issue so if it is mentioned at all, the MPS would be a better spot. I can't imagine how this could ever be enforced. Maybe flag for Council?

17.01-1L DIVERSIFIED ECONOMY – MANSFIELD SHIRE**Strategies**

Strengthen the capacity of the Shire to service the commercial, retail and industrial needs of the population by providing clear land use directions for current and future commercial and industrial uses. [NEW, CIS, p18]

Support the growth of service based industries in Mansfield by encouraging the use and development of offices and service facilities in the Mansfield Town Centre. [NEW, CIS, p18]

Support the diversification and growth of the Shire's industries and trades by supporting the development of a new and contemporary industrial/commercial precinct in Mansfield. [NEW, CIS, p18]

Commented [CR17]: What are the 'clear land use directions'. Are they on the Mansfield CBD plan? If not, can you flesh them out in dot points to this strategy? The current wording doesn't help the decision maker.

Commented [CR18]: Beautiful strategies

17.04-1L FACILITATING TOURISM IN MANSFIELD SHIRE - MANSFIELD

C47mans 03/03/2022

Diversification strategies

Support tourism development that will benefit the local economy by improving linkages between development, commercial operators and service providers.

Facilitate development that improves tourism links and facilities and capitalises on the through traffic along the Alpine approaches during peak holiday periods.

Encourage the development of quality affordable short and long term accommodation for visitors and temporary staff.

Support eco-tourism opportunities.

Location strategies

Locate tourism use and development in areas that are highly accessible and preferably serviced with sealed road access.

Avoid any tourism development in areas prone to high fire risk, flooding and erosion.

Discourage ribbon tourism development along the foreshore of Lake Eildon and Lake Nilliahcootie as well as the Alpine Approaches and direct tourism development associated with these areas to existing settlements instead.

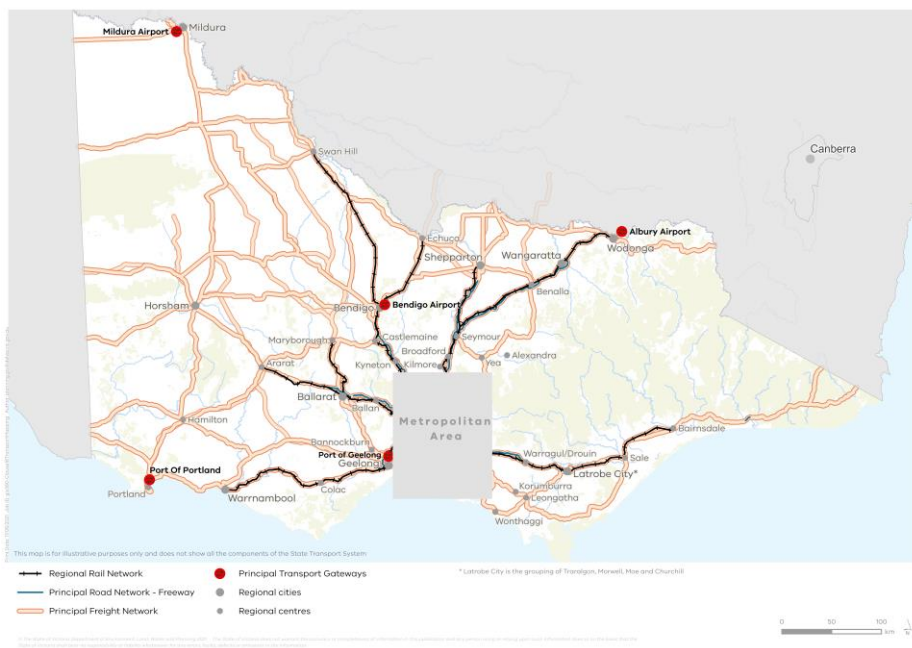
Support tourism development in rural areas that is compatible with surrounding agricultural uses, such as bed and breakfasts, host farms or tourist uses related to the agricultural use of the land or natural setting.

Design strategies

Site and design tourism development to be unobtrusive and sympathetic to existing landscape features and complement the landscape character of the area.

Provide internal all-weather road access to sites.

Design signs for tourism uses to be sympathetic to the land on which it is to be located.



18.01-3L SUSTAINABLE PERSONAL TRANSPORT - MANSFIELD

C47mans 03/03/2022

Strategies

Facilitate development that improves linkages between open space reserves and key community facilities such as schools through improved paths and trails, the development of landscape themes and the provision of directional and informational signage.

18.01-3L PATH NETWORKS – MANSFIELD**Objectives**

To improve the active recreation of open space networks and enhance connectivity and walkability of townships.

Strategies

Establish shared use paths as extensions to the Great Victorian Rail Trail.

Prioritise walking and cycling routes along key streets including:

- Highett Street
- Malcolm Street
- Minerva Street
- Stoneleigh Road
- Kidston Parade
- Chenery Street
- Early Street
- Kitchen Street
- Dead Horse Lane
- Midland Highway to the Mansfield Racecourse[NEW, MOSS, p19]

19.02-1L HEALTH FACILITIES - MANSFIELD

C47mans 03/03/2022

Strategies

Support and consolidate health related services in the precinct surrounding Mansfield District Hospital, identified as the education/health precinct in the Mansfield Township Strategic Framework Plan.

[MDFC, insert the plan] to ~~Clause 11.01-1L-1.~~

Commented [CR19]: It's okay to cross reference this to 11.01-1L-1, but if you would rather not then it needs to say "as shown on the plan to this clause". My view is better to repeat plan as you have suggested.

19.02-4L SOCIAL AND CULTURAL INFRASTRUCTURE - MANSFIELD

C47mans 03/03/2022

Strategies

Support the development of entertainment, recreation and community facilities that are compatible with the needs, character and socio-economic profile of the local area.

Encourage the development of multi-use co-located facilities over single purpose buildings.

19.02-6L OPEN SPACE – MANSFIELD**Strategies**

Establish continuous open space corridors along creek lines and drainage lines. Specific corridors include:

- From Rifle Butts Reserve to Dead Horse Lane.
- From Mansfield-Woods Point Road to Dead Horse Lane along Ford Creek.

Commented [CR20]: This is the Smart planning / MD style for lists.

~~Co-locate~~ public open space and encumbered land to provide shared ~~co~~-benefits by including drainage assets, significant tree protection zones and native habitat areas. [NEW, MOSS, p13]
Plan, design and manage open space in line with the Taungurung Country Plan. [NEW, MOSS, p23]

Commented [CR21]: Co-locate is not a verb, but Locate is.

30 ZONES

VC37 19/01/2006

This section sets out the zones which apply in this scheme.

SCHEDULE TO CLAUSE 32.03 LOW DENSITY RESIDENTIAL ZONE

C43mans 08/07/2021

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

1.0 Subdivision requirements

C43mans 08/07/2021

	Land	Area (hectares)
Minimum subdivision area (hectares)	Part of Kareen Hills residential estate marked 'A' on Map 1 to this Schedule	0.6 hectares
	Part of Kareen Hills residential estate marked 'B' on Map 1 to this Schedule	0.2250 hectares
	All other land	None specified

2.0 Outbuilding permit requirements

C43mans 08/07/2021

Dimensions above which a permit is required to construct an outbuilding (square metres)
None specified

Map 1 to the Schedule to Clause 32.03

Kareen Hills residential estate



SCHEDULE TO CLAUSE 32.04 MIXED USE ZONE

C43mans 08/07/2021

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

MANSFIELD MIXED USE AREAS

1.0 Objectives

C43mans 08/07/2021

None specified.

2.0 Clause 54 and Clause 55 requirements

C43mans 08/07/2021

	Standard	Requirement
Minimum street setback	A3 and B6	10 metres on a front street Where the site is on a corner, minimum 5 metres from a side street
Site coverage	A5 and B8	70 per cent
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	Side boundary 3 metres

MANSFIELD PLANNING SCHEME

Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	1.2 metres

3.0 Maximum building height requirement

[C43mans](#) 08/07/2021

None specified.

4.0 Exemption from notice and review

[C43mans](#) 08/07/2021

None specified.

5.0 Application requirements

[C43mans](#) 08/07/2021

None specified.

6.0 Decision guidelines

[C43mans](#) 08/07/2021

None specified.

7.0 Signs

[C43mans](#) 08/07/2021

None specified.

SCHEDULE TO CLAUSE 32.05 TOWNSHIP ZONE

[C43mans](#) 08/07/2021

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

MANSFIELD TOWNSHIPS

1.0 Neighbourhood character objectives

[C43mans](#) 08/07/2021

None specified.

2.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

[C43mans](#) 08/07/2021

Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?

No

Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?

No

3.0 Clause 54 and Clause 55 requirements

C43mans 08/07/2021

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

4.0 Maximum building height requirement for a dwelling or residential building

C43mans 08/07/2021

None specified.

5.0 Application requirements

C43mans 08/07/2021

None specified.

6.0 Decision guidelines

C43mans 08/07/2021

None specified.

SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

C43mans 08/07/2021

Shown on the planning scheme map as **GRZ1**.

MANSFIELD GENERAL RESIDENTIAL AREA

1.0 Neighbourhood character objectives

C43mans 08/07/2021

None specified.

2.0 Construction or extension of a dwelling or residential building - minimum garden area requirement

C43mans 08/07/2021

Is the construction or extension of a dwelling or residential building exempt from the minimum garden area requirement?

No

3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

C43mans 08/07/2021

Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?

No

Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?

No

4.0 Requirements of Clause 54 and Clause 55

C43mans 08/07/2021

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

5.0 Maximum building height requirement for a dwelling or residential building

C43mans 08/07/2021

None specified.

6.0 Application requirements

C43mans 08/07/2021

None specified.

7.0 Decision guidelines

C43mans 08/07/2021

None specified.

SCHEDULE TO CLAUSE 33.01 INDUSTRIAL 1 ZONE

C43mans 08/07/2021

1.0 Maximum leasable floor area requirements

C43mans 08/07/2021

Land	Maximum leasable floor area for Office (square metres)
None specified	None specified

SCHEDULE TO CLAUSE 34.01 COMMERCIAL 1 ZONE

C43mans 08/07/2021

1.0 Maximum leasable floor area requirements

C43mans 08/07/2021

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

35 RURAL ZONES

VC37 19/01/2006

SCHEDULE 1 TO CLAUSE 35.03 RURAL LIVING ZONE

C43mans 08/07/2021

Shown on the planning scheme map as **RLZ1**.**1.0 Subdivision and other requirements**

C43mans 08/07/2021

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	2 hectares <u>ha</u> with an average lot size of 4 hectares
Minimum area for which no permit is required to use land for a Dwelling (hectares)	All land	4 hectares <u>ha</u>
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	50 per cent increase in gross floor area, provided cladding colours/materials used are of muted tones. This floor area includes attached garages and storage areas but does not apply to any two storey buildings
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for Agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres)	All land	20 metres <u>m</u>
Minimum setback from a boundary (metres)	All land	5 metres <u>m</u>
Minimum setback from a dwelling not in the same ownership (metres)	All land	100 metres <u>m</u>

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

SCHEDULE 2 TO CLAUSE 35.03 RURAL LIVING ZONE

C43mans 08/07/2021

Shown on the planning scheme map as **RLZ2**.**1.0****Subdivision and other requirements**

C43mans 08/07/2021

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	8 hectares <u>ha</u>
Minimum area for which no permit is required to use land for a Dwelling (hectares)	All land	8 hectares <u>ha</u>
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	50 per cent increase in gross floor area, provided cladding colours/materials used are of muted tones. This floor area includes attached garages and storage areas but does not apply to any two storey buildings
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for Agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres)	All land	20 metres <u>m</u>
Minimum setback from a boundary (metres)	All land	5 metres <u>m</u>
Minimum setback from a dwelling not in the same ownership (metres)	All land	100 metres <u>m</u>

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

SCHEDULE TO CLAUSE 35.06 RURAL CONSERVATION ZONE

C43mans 08/07/2021

Shown on the planning scheme map as **RCZ**.**CONSERVATION VALUES**

Protect areas with sensitive environments particularly surrounding the Goulburn and Big Rivers.

Special consideration is needed to protect water quality, erosion prone soils and visual amenity in these areas.

1.0**Subdivision and other requirements**

C43mans 08/07/2021

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	All land	40 hectares <u>ha</u>
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	50 per cent increase in gross floor area, provided cladding colours/materials used are of muted tones. This floor area includes attached garages and storage areas but does not apply to any two storey buildings
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	All land	50 per cent increase in gross floor area, provided cladding colours/materials used are of muted tones

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

SCHEDULE TO CLAUSE 35.07 FARMING ZONE

C43mans 08/07/2021

Shown on the planning scheme map as **FZ**.**1.0****Subdivision and other requirements**

C43mans 08/07/2021

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	40 hectares <u>ha</u>
Minimum area for which no permit is required to use land for a dwelling (hectares)	All land	40 hectares <u>ha</u>
Maximum area for which no permit is required to use land for timber production (hectares)	All land	100 hectares <u>ha</u>

MANSFIELD PLANNING SCHEME

Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	50 per cent increase in gross floor area, provided cladding colours/materials used are of muted tones
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	All land	50 per cent increase in gross floor area, provided cladding colours/materials used are of muted tones. This floor area includes attached garages and storage areas
Minimum setback from a road (metres)	All land	20 metres m
Minimum setback from a boundary (metres)	All land	5 metres m
Minimum setback from a dwelling not in the same ownership (metres)	All land	100 metres m

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

SCHEDULE TO CLAUSE 35.08 RURAL ACTIVITY ZONE

C43mans 08/07/2021

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

Purpose

To enable the use and development of land associated with the Geelong Grammar School Timbertop Campus to be considered in an integrated manner taking into account agriculture and the environmental and landscape characteristics of the area.

1.0

Subdivision and other requirements

C43mans 08/07/2021

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	100 hectares
Minimum area for which no permit is required to use land for timber production (hectares)	All land	40 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	4000 square metres
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	None specified	None specified

MANSFIELD PLANNING SCHEME

Maximum area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	All land	4000 square metres
Minimum setback from a road (metres)	None specified	None specified
Minimum setback from a boundary (metres)	None specified	None specified
Minimum setback from a dwelling not in the same ownership (metres)	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

36 PUBLIC LAND ZONES

VC37 19/01/2006

SCHEDULE TO CLAUSE 36.01 PUBLIC USE ZONE

C43mans 08/07/2021

1.0 Permit exemptions and conditions

C43mans 08/07/2021

Public land	Use or development	Conditions
None specified	None specified	None specified

2.0 Sign requirements

C43mans 08/07/2021

Land	Sign Category
None specified	None specified

SCHEDULE TO CLAUSE 36.03 PUBLIC CONSERVATION AND RESOURCE ZONE

C43mans 08/07/2021

1.0 Permit exemptions and conditions

C43mans 08/07/2021

Public land	Use or development	Conditions
None specified	None specified	None specified

2.0 Sign requirements

C43mans 08/07/2021

Land	Sign Category
None specified	None specified

3.0 Use and development of land specified in an Incorporated Plan

C43mans 08/07/2021

None specified.

37 SPECIAL PURPOSE ZONES

VC37 19/01/2006

SCHEDULE 1 TO CLAUSE 37.01 SPECIAL USE ZONE

C43mans 08/07/2021

Shown on the planning scheme map as **SUZ1**.

MOUNTAIN BAY

Purpose

Make provision for a range of tourist and residential accommodation, recreation and water-based facilities and commercial activities.

Ensure that the scale, intensity, bulk and character of any development complements the natural systems and landscape value of the areas in the zone.

Provide for the integrated development of land in accordance with an overall concept plan, with each stage to be capable of independent planning and implementation.

~~Ensure that adequate services are provided consistent with the level of development.~~

Allow for the staged planning and development of the land consistent with economic conditions and - ~~Ensure that adequate services are provided consistent with the level of development.~~ [MDFC]

Ensure that adequate arrangements are made to control and manage any impacts of the development on the water quality of Lake Eildon.

1.0 Table of uses

C43mans 08/07/2021

Section 1 - Permit not required	
Use	Condition
Any use specified in an approved Development Plan, or any use for a purpose set out in an approved Development Plan [does not meet MDFC – not a land use term]	
Any use specified in an approved Section 173 agreement, or any use for a purpose set out in a approved Section 173 Agreement [does not meet MDFC – not a land use term]	
Agriculture (other than Greyhound training and Piggery)	
Bed and breakfast	No more than 6 persons may be accommodated away from their normal place of residence At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence
Dwelling	Where the use for a dwelling (or the purpose for dwelling) is specified in an approved Development Plan or an approved Section 173 Agreement Alternatively, the lot size must be at least 40 hectares and the dwelling must be the only dwelling on the lot

Extractive industry	Must not be for the extraction of stone for commercial use external to the special use zone
Home based business Host farm Informal outdoor recreation Mineral exploration	
Mining	Must meet the conditions of Clause 52.08-2
Outbuilding	Must be associated with Agriculture
Search for stone	Must not be costeaning or bulk sampling
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01
Section 2 - Permit required	
Use	Condition
Place of assembly (other than Carnival and Circus)	
Mining Search for stone	Only if Section 1 condition is not met
Restricted retail premises	Must not be for automotive parts and accessories, furniture, household appliances
Any other use not in Section 1 or 3	

Section 3 - Prohibited	
Use	
Abattoir	
Adult sex product shop	
Car sales	
Commercial display area	
Freezing and cool storage	
Funeral parlour	
Greyhound training	
Industry (other than included in Section 1 or 2)	
Liquid fuel depot	
Manufacturing sales	
Materials recycling	
Motor racing track	
Panel beating	
Piggery	
Restricted retail premises (other than included in Section 1 or 2)	
Sawmill	

2.0

Concept plan Use of land

C1(Part 1) 02/03/2006

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

The use and development provided for under the terms of this special use zone must generally be in accordance with a concept plan approved by the responsible authority, or in accordance with any modification to a Concept Plan approved by the responsible authority.

The responsible authority may endorse a more detailed concept plan for all or part of the zone as being consistent with an approved Concept Plan.

The concept plan annotated "Mansfield Planning Scheme - Amendment L15 - Mountain Bay Concept Plan", approved by the responsible authority on 20 August, 1993, is the initial approved Concept Plan. The more detailed concept plan annotated "Mountain Bay Concept Plan - October, 1992", approved by the responsible authority on 20 August, 1993, is consistent with the initial approved Concept Plan.

Note:

The incorporated document "Mountain Bay – Exemptions, Procedures, Approved Plans and Agreements" includes a copy of the initial approved Concept Plan.

Generally, a Concept Plan may include components such as:

Village: A central village comprising residential lots, with a minimum lot size of 350 square metres, and commercial, retail, service and utility facilities, hotel/motel accommodation, associated car parking, recreation and landscaped garden areas.

Resort: A resort development including a resort hotel comprising accommodation, conference and related facilities, restaurant and recreation facilities and associated car parking, service and landscaped garden areas, together with residential developments.

Golf Course: A golf course and associated club rooms, commercial facilities and residential development.

Rural Living: Residential development on lots in rural areas.

Rural: Bushland areas, landscaping, farmland, roads, walking tracks, recreation facilities, access and utility services.

3.0 Development planSubdivision

C43mans 08/07/2021

A permit is not required to subdivide land if the proposed subdivision is in accordance with a plan of subdivision or a development plan approved by the responsible authority, otherwise a permit is required.

An application for a permit to subdivide land must include a plan of subdivision which shows:

- Building envelopes for all residential lots.
- All roads or other reserves which will vest in the responsible authority, or any public authority, upon registration of the plan under the Subdivision Act 1988.

An application to subdivide land under this clause is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act.

Procedures for processing subdivisions are specified in the incorporated document "Mountain Bay – Exemptions, Procedures, Approved Plans and Agreements"

Note:

The Schedule to Clause 51.01, Specific Sites and Exclusions, provides for exemption from any permit requirement to subdivide land, through reference to the incorporated document "Mountain Bay – Exemptions, Procedures, Approved Plans and Agreements".

Development of any area of land within the zone may be undertaken according to a development plan for that area, or including that area, which has been prepared and approved to the satisfaction of the responsible authority, without a permit. Such development may be in development areas, or stages within a development area.

The development plan annotated "Mountain Bay – Development Plan – Rural Living Areas North of Allen Bay", approved by the responsible authority on 11 February 2000, is an approved Development Plan.

A development plan must be generally in accordance with the relevant components of an approved Concept Plan and must show or include:

- * ~~The part of the land in the zone covered by the development plan and any lots created by the initial development of any stage.~~
- * ~~The location of all proposed access roads and reserves, with an indication of any road or reserve which will vest in the responsible authority, or any public authority, upon registration of a plan of subdivision.~~
- * ~~The general location of landscaped areas, areas to be planted or fenced out, and water features.~~
- * ~~The extent of utility services to be associated with the development. Services may include water reticulation, effluent disposal, stormwater drainage, garbage collection and disposal, electricity supply, telecommunications, and the like.~~
- * ~~The general location and type of recreation facilities such as walking and riding tracks, boat ramps, barbecues, and the like.~~
- * ~~The areas to be set aside for car parking, access and the loading and unloading of vehicles.~~
- * ~~The staging of subdivision and works.~~

A development plan must be referred, in addition to any other referral authority specified under the Act or this scheme, to the Department of Environment, Land, Water and Planning, to the Goulburn-Murray Rural Water Authority and, where required by the responsible authority, to Goulburn Valley Water and to the Country Fire Authority.

In considering whether or not to approve a development plan, the responsible authority must have regard to:

- * ~~The purpose of the zone.~~
- * ~~Whether the lots comply, in terms of water supply and effluent absorption, with the requirements of this Schedule.~~
- * ~~The views, if any, of the authorities specified in the paragraph above.~~

The responsible authority must not approve a development plan until it is satisfied that any agreement in regard to property development and use has been entered into, or arrangements are in place to ensure that any such agreement will be finalised at an appropriate time to the satisfaction of the responsible authority.

A development plan may be amended to the satisfaction of the responsible authority, having regard to the points set out in the third paragraph of this clause.

Notwithstanding the above, land within the zone may be developed without a permit for the purposes stated in Section 1 of the Table of uses, or in accordance with a permit for the purposes stated in Section 2 of the Table of uses.

4.0

SubdivisionBuildings and works

C43mans 08/07/2021

A permit is not required to subdivide land if the proposed subdivision is in accordance with a plan of subdivision or a development plan approved by the responsible authority, otherwise a permit is required.

An application for a permit to subdivide land must include a plan of subdivision which shows:

- * ~~Building envelopes for all residential lots.~~
- * ~~All roads or other reserves which will vest in the responsible authority, or any public authority, upon registration of the plan under the Subdivision Act 1988.~~

An application to subdivide land under this clause is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act.

Procedures for processing subdivisions are specified in the incorporated document "Mountain Bay—Exemptions, Procedures, Approved Plans and Agreements"

Note:

The Schedule to Clause 51.01, Specific Sites and Exclusions, provides for exemption from any permit requirement to subdivide land, through reference to the incorporated document "Mountain Bay—Exemptions, Procedures, Approved Plans and Agreements".

Development plan

Development of any area of land within the zone may be undertaken according to a development plan for that area, or including that area, ~~that which~~ has been prepared and approved to the satisfaction of the responsible authority, without a permit. Such development may be in development areas, or stages within a development area.

The development plan annotated "Mountain Bay - Development Plan - Rural Living Areas North of Allen Bay", approved by the responsible authority on 11 February 2000, is an approved Development Plan.

A development plan must be generally in accordance with the relevant components of an approved Concept Plan and must show or include:

- The part of the land in the zone covered by the development plan and any lots created by the initial development of any stage.
- The location of all proposed access roads and reserves, with an indication of any road or reserve which will vest in the responsible authority, or any public authority, upon registration of a plan of subdivision.
- The general location of landscaped areas, areas to be planted or fenced out, and water features.
- The extent of utility services to be associated with the development. Services may include water reticulation, effluent disposal, stormwater drainage, garbage collection and disposal, electricity supply, telecommunications, and the like.
- The general location and type of recreation facilities such as walking and riding tracks, boat ramps, barbecues, and the like.
- The areas to be set aside for car parking, access and the loading and unloading of vehicles.
- The staging of subdivision and works.
- Design guidelines.

A development plan must be referred, in addition to any other referral authority specified under the Act or this scheme, to the Department of Environment, Land, Water and Planning, to the Goulburn-Murray Rural Water Authority and, where required by the responsible authority, to Goulburn Valley Water and to the Country Fire Authority.

In considering whether or not to approve a development plan, the responsible authority must have regard to:

- The purpose of the zone.
- Whether the lots comply, in terms of water supply and effluent absorption, with the requirements of this Schedule.
- The views, if any, of the authorities specified in the paragraph above.

The responsible authority must not approve a development plan until it is satisfied that any agreement in regard to property development and use has been entered into, or arrangements are in place to ensure that any such agreement will be finalised at an appropriate time to the satisfaction of the responsible authority.

A development plan may be amended to the satisfaction of the responsible authority, having regard to the points set out in the third paragraph of this clause.

Notwithstanding the above, land within the zone may be developed without a permit for the purposes stated in Section 1 of the Table of uses, or in accordance with a permit for the purposes stated in Section 2 of the Table of uses.

Permit requirements

No permit is required to construct a building or carry out works for the following:

- Any use specified in an approved Development Plan, or any use for a purpose set out in an approved Development Plan [from table of uses]
- Any use specified in an approved Section 173 agreement, or any use for a purpose set out in a approved Section 173 Agreement [from table of uses]

~~associated with a use specified in Section 1 of the Table of uses;~~[redundant]

Commented [CR22]: Have added this to provide a trigger for the design guidelines below.

Commented [CR23]: This would be better dealt with through 66.06 in perfect world. It doesn't hold weight in this form, unlike Clause 66.06.

~~A permit is required to construct a building or carry out works associated with a use specified in Section 2 of the Table of uses.~~~~[redundant]~~

~~An application to construct a building or carry out works under this clause is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act.~~

Design Guidelines:

~~Design guidelines must ensure that private buildings, commercial buildings, other structures, recreation facilities, private roads, fences and the like are designed and constructed to:~~

- ~~▪ Complement the general scale, topography and rural lakeside character of the landscape.~~
- ~~▪ Achieve a general theme of development in areas where buildings are to relate in character to each other.~~
- ~~▪ Promote high quality development using materials of colour, texture, durability and weathering characteristics which reflect and enhance the rural lakeside environment.~~
- ~~▪ Ensure that buildings and other works are constructed to minimise visual impact and fire risks, and to maximise efficiency of utility services and erosion control, having regard to the environmental and management requirements of this Schedule.~~

5.0 Roads and tracks

~~C6~~ 18/05/2006

~~Access~~ ~~Roads:~~ Access to land within the zone must be generally from Mountain Bay Drive.

~~Public Roads:~~ ~~Public roads that~~ are to be vested in the responsible authority must be designed and constructed to the standards of the responsible authority.

~~Private Roads:~~ ~~Private roads~~ may, with the approval of the responsible authority, be single lane or unsealed, to blend with the topography and the environment.

~~Walking and Riding Tracks,~~ ~~where~~ ~~Where~~ indicated on a development plan, road reserves must be of sufficient width to accommodate walking and riding tracks adjacent to the road.

6.0 Recreation facilities

~~C6~~ 18/05/2006

Recreation facilities must be provided with the development of each development area in accordance with a development plan approved by the responsible authority.

7.0 Agreements in regard to property development and use

~~C6~~ 18/05/2006

The owner of the land may (or must, if the responsible authority requires it) enter into an agreement with the responsible authority pursuant to Section 173 of the Planning and Environment Act, 1987.

A memorandum of any agreement must be entered on the title to the land, or the relevant part of the land, under Section 181 of the Planning and Environment Act, 1987.

In regard to any lot created, an agreement may provide for matters such as:

- Number of dwellings and other buildings permitted.
- Building envelopes and driveway access.
- Controls over the location, design, shape, height, materials and colour of buildings and fences. Controls in regard to building commencement, completion and construction.
- Requirements for the maintenance of buildings, fences and access roads.
- Provision, timing and maintenance arrangements in relation to recreation facilities, including the provision of a boat ramp.
- The form, extent and nature of earthworks.

- Requirements for effluent, garbage and other waste disposal, and general tidiness.
- Controls in regard to domestic animals, vehicle and machinery use, noise, rubbish and pollution.
- Preservation, maintenance and replacement of flora and fauna, indigenous or otherwise.
- Monitoring, control and management arrangements in relation to the impact of any development on the water quality of Lake Eildon.
- Enforcement of controls and requirements contained in the agreements.
- Any other matter which assists in the effective development and management of the property.

The Agreement annotated "Mountain Bay - Section 173 Agreement - Stage 1" and made the first day of July, 1994 applies in the first instance to Stage 1, and contains clauses and conditions sufficient for the other Stages covered by the approved Development Plan referenced in the Development Plan clause.

8.0 Plans and permits for buildings and works

C6 18/05/2006

~~No permit is required to construct a building or carry out works associated with a use specified in Section 1 of the Table of uses.~~

~~A permit is required to construct a building or carry out works associated with a use specified in Section 2 of the Table of uses.~~

~~An application to construct a building or carry out works under this clause is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act.~~

Design Guidelines: ~~Design guidelines must ensure that private buildings, commercial buildings, other structures, recreation facilities, private roads, fences and the like are designed and constructed to:~~

- ~~* Complement the general scale, topography and rural lakeside character of the landscape.~~
- ~~* Achieve a general theme of development in areas where buildings are to relate in character to each other.~~
- ~~* Promote high quality development using materials of colour, texture, durability and weathering characteristics which reflect and enhance the rural lakeside environment.~~
- ~~* Ensure that buildings and other works are constructed to minimise visual impact and fire risks, and to maximise efficiency of utility services and erosion control, having regard to the environmental and management requirements of this Schedule. [moved up to meet MDFC]~~

9.0 Environmental and management requirements

C43mans 08/07/2021

Household water supply

Reticulated water supply must be provided to service any Village and Resort components of a Development Plan.

Where reticulated water supply is not provided, the responsible authority must be satisfied that adequate water supply is available for household use.

Effluent absorption

Reticulated sewerage must be provided to service any Village and Resort components of a Development Plan.

Where reticulated sewerage is not provided, the responsible authority, in consultation with the Department of Environment, Land, Water and Planning and the Goulburn-Murray Rural Water Authority, must be satisfied that the lots to be created are of a sufficient size, and of suitable soil type, to enable all effluent and waste water to be contained on site in accordance with *State Environment Protection Policy (Waters of Victoria)*. All soil tests carried out in this connection must be in accordance with the *Septic Tanks Code of Practice*.

Erosion, sediment and nutrient controls

Building sites and access roads must be restricted to slopes of generally 1:5 or less, unless construction and management techniques satisfactory to the Department of Environment, Land, Water and Planning and the Goulburn-Murray Rural Water Authority are approved by the responsible authority.

Drainage lines nominated by the Department of Environment, Land, Water and Planning and the Goulburn-Murray Rural Water Authority must be subject to a management plan approved by the Department of Environment, Land, Water and Planning and the Goulburn-Murray Rural Water Authority. Such plan may include works of fencing, retention dams, tree planting and other matters.

Subdivisional roads and associated drainage, access roads and earthworks associated with building construction must be designed and constructed to the responsible authority's specification for such works. All design and construction must be directed to minimise soil erosion and sediment movement.

Any development must comply with any regulations and/or standards adopted by the Goulburn - Murray Rural Water Authority with regard to the monitoring, controlling and management of water quality in Lake Eildon.

Fire protection

Proper consideration must be given to the Country Fire Authority's *Planning Guidelines in Bush Fire Prone Areas*.

Where reticulated water supply is not provided to a dwelling, there must readily be available sufficient static water storage to satisfy the requirements of the Country Fire Authority.

510.0**Signs**

C43mans 08/07/2021

No permits are required for signs for:

- Descriptive and Directional Signs - Providing information, that do not exceed 2 square metres in area each.
- Advisory and Safety Signs - Providing information, that do not exceed 2 square metres in area each.
- Farmland areas - Delineating farm areas or relating to farming activities, that do not exceed 2 square metres in area each.
- Development Stages - Advertising the sale of a stage of an approved development plan that is within the stage or along the roadside reserve beside Mountain Bay Drive and other Shire and private roads servicing the zone, and that do not exceed 10 square metres in area each.
- Land Sales - Advertising the sale of a lot that is within the lot, and that do not exceed 5 square metres in area each.
- Resort, Golf Course and Recreation areas – Related to the promotion or use of the area.

The requirements for any other signs are at Clause 52.05. The advertising categories generally applicable within the area covered by this Schedule are:

- Farmland areas - Category 3.
- Residential and rural living areas - Category 3.
- Recreation areas - Category 1.
- Commercial, retail and hotel/motel areas and resort and golf course components - Category 1.

11.0 — Sufficient provisions and controls

C43mans 08/07/2021

~~This Schedule contains sufficient and appropriate provisions and controls for all permitted uses and development of land covered by this Schedule.~~

~~Note:~~

~~The Schedule to Clause 51.01, Specific Sites and Exclusions, provides for exemption from the provisions and controls of relevant local planning policies and the requirements of any relevant overlay, through reference to the incorporated document "Mountain Bay — Exemptions, Procedures, Approved Plans and Agreements"—[redundant]~~

SCHEDULE TO CLAUSE 37.03 URBAN FLOODWAY ZONE

C43mans 08/07/2021

1.0 Application requirements

C43mans 08/07/2021

None specified.

2.0 Decision guidelines

C43mans 08/07/2021

None specified.

3.0 Signs

C43mans 08/07/2021

Land	Sign Category
None specified	

40 OVERLAYS

VC37 19/01/2006

This section sets out the overlays which apply in this scheme.

42 ENVIRONMENTAL AND LANDSCAPE OVERLAYS

VC37 19/01/2006

SCHEDULE 1 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

C43mans 08/07/2021

Shown on the planning scheme map as ES01.

CATCHMENTS AT HIGH RISK OF WATER QUALITY IMPACTS

1.0 Statement of environmental significance

C43mans 08/07/2021

The Upper Goulburn, Lake Eildon Environs and Upper Goulburn (Upper Delatite) catchments supply irrigation and potable water to nearby townships and downstream communities. Lake Eildon is used for recreational purposes.

The *Mansfield Shire Domestic Wastewater Management Plan 2014* (as amended) risk analysis identifies areas of the municipality that are at high, medium and low risk of causing adverse impacts on potable water quality, public health and the environment.

Development in the areas where this schedule applies has a high risk of causing adverse impacts to potable water quality, public health and the environment through increased nutrients, pathogens and sediment in waterways and water storages.

It is important that development is carefully managed to ensure there is no detriment to the catchment and cumulative benefits can be gained over time through improved management of wastewater and stormwater. This can be achieved through careful design and siting of development and works, management of wastewater generated by development and adoption of integrated water cycle management principles. As a result there should be incremental and cumulative reductions in nutrient, pathogen and ~~sediments~~sediment loads in water storages and waterways.

2.0 Environmental objective to be achieved

C43mans 08/07/2021

To discourage development and works that potentially contribute to the degradation of water quality and quantity.

3.0 **Permit requirement**

C47mans 03/03/2022

Dwellings, outbuildings and associated works

- A permit is not required for buildings and works associated with the construction of a new dwelling or outbuilding or the extension of an existing dwelling or outbuilding that is connected to a reticulated sewerage system.

Lots of 40 hectares or more

A permit is not required for buildings and works associated with the construction of a new dwelling or outbuilding or the extension of an existing dwelling or outbuilding where all of the following requirements are met:

- The lot is 40 hectares or more.
- Where new wastewater is generated a land capability assessment is prepared in accordance with the *Code of Practice-Onsite Wastewater Management*, Environment Protection Authority Victoria Publication 891.4 July 2016 (as amended) and approved by the responsible authority.

Lots less than 40 hectares

A permit is not required for buildings and works associated with the construction of a new dwelling or outbuilding or the extension of an existing dwelling or outbuilding where all of the following requirements are met:

- No new wastewater is generated.
- No works are being carried out within 50 metres of Lake Eildon or the Goulburn River or 30 metres of any other waterway.
- The total floor area of any proposed outbuilding or extension to an existing outbuilding does not exceed 200 square metres.
- Any site cut is less than 1 metre in depth and less than 300 square metres in area.
- No concentration of stormwater is discharged less than 100 metres from a waterway, water storage or reservoir unless via a drainage system approved by the responsible authority.

Vegetation

- A permit is not required to remove, destroy or lop vegetation, including dead vegetation and grasses if the vegetation to be removed, lopped or destroyed has a setback greater than 50 metres from Lake Eildon or the Goulburn River or 30 metres from another waterway and one or more of the following apply:
- The vegetation is exotic.
- Any native vegetation is seedlings or regrowth less than 10 years old.
- The removal, destruction or lopping of any vegetation by a government department, public authority or council for the purposes of any public or local government utility, service, facility, stream improvement or other works.

Subdivision

- A permit is not required to subdivide land if each lot is connected to a reticulated sewerage system or is greater than 40 hectares.

Other

A permit is not required for:

- Works to sewerage, electricity, drainage, water or gas mains approved or undertaken by a public or government authority or utility provider.
- Any buildings or works by a government department, public authority or council for the purposes of any public or local government utility, service, facility, stream improvement or other works.

- The carrying out of any works required by, or approved by the Department of Environment, Land, Water and Planning, Goulburn Murray Water, Goulburn Valley Water, Goulburn Broken Catchment Management Authority or council.
- Any development or works in accordance with any management plan approved or adopted by council or the Department of Environment, Land, Water and Planning.
- Subdivision or the construction of a building or the construction of or carrying out of works to land within the Special Use Zone (Schedule 1 – Mountain Bay).
- Other buildings and works on lots of 40 hectares or more.
- Other buildings and works that meet all of the following:
 - No new wastewater is generated.
 - No works are being undertaken within 50 metres of Lake Eildon or Goulburn River or 30 metres of any other waterway.
 - Any site cut is less than 1 metre at its maximum depth and less than 300 square metres in area.
 - No effluent is discharged within 100 metres of a waterway, water storage or reservoir.
 - No concentration of stormwater is discharged within 100 metres of a waterway, water storage or reservoir unless it is into a drainage system approved by the responsible authority.

4.0 Application requirements

C47mans 03/03/2022

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- An individual site risk analysis by a suitably qualified person using the Edis Algorithm outlined in Chapter 5 of the *Mansfield Shire Domestic Wastewater Management Plan 2014* (as amended). The algorithm weights various risk factors according to their potential impact on a special water supply catchment.
- A land capability assessment by a suitably qualified person that:
- Follows each of the twelve steps outlined in the *Code of Practice-Onsite Wastewater Management*, Environment Protection Authority Victoria Publication 891.4 July 2016 (as amended).
- Is informed by extensive soil testing including an in-situ permeability test, assessment of colloid stability, soil reaction trend and electrical conductivity of all soil horizons.
- Contains a water and nutrient balance calculation. Includes a feature survey identifying waterways, surface flow paths and buffers.
- Includes a management plan outlining what soil improvement works are required.
- If the lot is not currently connected to a reticulated sewerage system, written confirmation from Goulburn Valley Water that the land can be connected.

5.0 Decision guidelines

C47mans 03/03/2022

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The comments of the relevant water authority.
- Whether the application meets the requirements of Clause 22.04 *Managing Water Quality in Special Water Supply Catchments*.
- Whether wastewater can be treated and contained within site boundaries in accordance with the standards of the *Code of Practice-Onsite Wastewater Management*, Environment Protection Authority Publication 891.4 July 2016 (as amended).

Commented [CR24]: This should be dealt with in Clause 66.06, but maybe something to point out rather than change as they will be reviewing this.

- If the setback requirements of the *North East Planning Referral Committee Guidelines for the Protection of Water Quality 2016*, (as amended), are met or if they are not met, whether the land capability assessment identifies mitigation measures to justify a reduced setback.
- If an incremental benefit is gained through the proposal by way of upgrades to existing onsite wastewater management systems.
- If the land capability assessment supports a variation of one or more standards of the *Code of Practice-Onsite Wastewater Management*, Environment Protection Authority Victoria Publication 891.4 July 2016 (as amended) where infill development, or extensions or alterations to existing dwellings is proposed.
- Whether measures have been included to prevent increased surface water run-off or concentration of surface water run-off leading to increased nutrient loads, erosion, siltation, pollution of waterways, drains and other features.
- Whether a section 173 Agreement is necessary to secure ongoing maintenance or management of a wastewater system or impose limitations on development such as number of habitable rooms in a dwelling or restricting further subdivision.
- The potential for the proposed development to reduce water yields within the catchment.

SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

C43mans 08/07/2021

Shown on the planning scheme map as **ESO2**.

CATCHMENTS AT MEDIUM RISK OF WATER QUALITY IMPACTS

1.0

Statement of environmental significance

C43mans 08/07/2021

The Upper Goulburn, Lake Eildon Environs, Upper Goulburn (Upper Delatite) and Lake Nillahcootie catchments supply irrigation and potable water to nearby townships and downstream communities. Lake Eildon and Lake Nillahcootie are both used for recreational purposes.

The *Mansfield Shire Domestic Wastewater Management Plan 2014* (as amended) risk analysis identifies areas of the municipality that are at high, medium and low risk of causing adverse impacts on potable water quality, public health and the environment.

Development in the areas where this schedule applies has a medium risk of causing adverse impacts to potable water quality, public health and the environment through increased nutrients, pathogens and sediment in waterways and water storages.

It is important that development is carefully managed to ensure there is no detriment to the catchment and cumulative benefits can be gained over time through improved management of wastewater and stormwater. This can be achieved through careful design and siting of development and works, management of wastewater generated by development and adoption of integrated water cycle management principles. As a result there should be incremental and cumulative reductions in nutrient, pathogen and sediment loads in water storages and waterways.

2.0

Environmental objective to be achieved

C43mans 08/07/2021

To discourage development and works that contribute to the degradation of water quality and quantity.

3.0

Permit requirement

C47mans 03/03/2022

Dwellings, outbuildings and associated works

- A permit is not required for buildings and works associated with the construction of a new dwelling or outbuilding or the extension of an existing dwelling or outbuilding that is connected to a reticulated sewerage system.

Lots of 40 hectares or more

A permit is not required for buildings and works associated with the construction of a new dwelling or outbuilding or the extension of an existing dwelling or outbuilding where all of the following requirements are met:

- The lot is 40 hectares or more.
- Where new wastewater is generated a land capability assessment is prepared in accordance with the *Code of Practice-Onsite Wastewater Management*, Environment Protection Authority Victoria Publication 891.4 July 2016 (as amended) and approved by the responsible authority.

Lots less than 40 hectares

A permit is not required for buildings and works associated with the construction of a new dwelling or outbuilding or the extension of an existing dwelling or outbuilding where all of the following requirements are met:

- No new wastewater is generated.
- No works are being carried out within 50 metres of Lake Eildon, Lake Nillahcootie or the Goulburn River or 30 metres of any other waterway.
- The total floor area of any proposed outbuilding or extension to an existing outbuilding does not exceed 200 square metres.
- Any site cut is less than 1 metre in depth and less than 300 square metres in area.
- No concentration of stormwater is discharged less than 100 metres from a waterway, water storage or reservoir unless via a drainage system approved by the responsible authority.

Vegetation

- A permit is not required to remove, destroy or lop vegetation, including dead vegetation and grasses if the vegetation to be removed, lopped or destroyed has a setback greater than 50 metres from Lake Eildon, Lake Nillahcootie or the Goulburn River or 30 metres from another waterway and one or more of the following apply:
- The vegetation is exotic.
- Any native vegetation is seedlings or regrowth less than 10 years old.
- The removal, destruction or lopping of any vegetation by a government department, public authority or council for the purposes of any public or local government utility, service, facility, stream improvement or other works.

Subdivision

- A permit is not required to subdivide land if each lot is connected to a reticulated sewerage system or is greater than 40 hectares.

Other

A permit is not required for:

- Works to sewerage, electricity, drainage, water or gas mains approved or undertaken by a public or government authority or utility provider.
- Any buildings or works by a government department, public authority or council for the purposes of any public or local government utility, service, facility, stream improvement or other works.
- The carrying out of any works required by, or approved by the Department of Environment, Land, Water and Planning, Goulburn Murray Water, Goulburn Valley Water, Goulburn Broken Catchment Management Authority or council.
- Any development or works in accordance with any management plan approved or adopted by council or Department of Environment, Land, Water and Planning.
- Subdivision or the construction of a building or the construction of or carrying out of works to land within the Special Use Zone (Schedule 1 – Mountain Bay).
- Other buildings and works on lots of 40 hectares or more.

- Other buildings and works that meet all of the following:
- No new wastewater is generated.
- No works are being undertaken within 50 metres of Lake Eildon, Lake Nillahcootie or Goulburn River or 30 metres of any other waterway.
- Any site cut is less than 1 metre at its maximum depth and less than 300 square metres in area.
- No effluent is discharged within 100 metres of a waterway, water storage or reservoir.
- No concentration of stormwater is discharged within 100 metres of a waterway, water storage or reservoir unless it is into a drainage system approved by the responsible authority.

4.0 Application requirements

C47mans 03/03/2022

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- An individual site risk analysis by a suitably qualified person using the Edis Algorithm outlined in Chapter 5 of the *Mansfield Shire Domestic Wastewater Management Plan 2014* (as amended). The algorithm weights various risk factors according to their potential impact on a special water supply catchment.
- A land capability assessment by a suitably qualified person that follows each of the twelve steps outlined in the *Code of Practice-Onsite Wastewater Management*, Environment Protection Authority Victoria Publication 891.4 July 2016 (as amended).
- If the lot is not currently connected to a reticulated sewerage system, written confirmation from Goulburn Valley Water that the land can be connected.

5.0 Decision guidelines

C47mans 03/03/2022

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The comments of the relevant water [authority](#).
- Whether the application meets the requirements of Clause 22.04 Managing Water Quality in Special Water Supply Catchments.
- Whether wastewater can be treated and contained within site boundaries in accordance with the standards of the *Code of Practice- Onsite Wastewater Management*, Environment Protection Authority Victoria Publication 891.4 July 2016 (as amended).
- If the setback requirements of the North East Planning Referral Committee *Guidelines for the Protection of Water Quality* 2016, (as amended), are met or if they are not met, whether the land capability assessment identifies mitigation measures to justify a reduced setback.
- If an incremental benefit is gained through the proposal by way of upgrades to existing onsite wastewater management systems.
- If the land capability assessment supports a variation of one or more standards of the *Code of Practice-Onsite Wastewater Management*, Environment Protection Authority Victoria Publication 891.4 July 2016 (as amended) where infill development or extensions or alterations to existing dwellings is proposed.
- Whether measures have been included to prevent increased surface water run-off or concentration of surface water run-off leading to increased nutrient loads, erosion, siltation, pollution of waterways, drains and other features.
- Whether a section 173 Agreement is necessary to secure ongoing maintenance or management of a wastewater system or impose limitations on development such as number of habitable rooms in a dwelling or restricting further subdivision.

Commented [CR25]: As above

- The potential for the proposed development to reduce water yields within the catchment.

SCHEDULE 1 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

C43mans 08/07/2021

Shown on the planning scheme map as **VPO1**.

SIGNIFICANT TREE PROTECTION AREA

1.0 Statement of nature and significance of vegetation to be protected

C43mans 08/07/2021

This schedule includes trees identified as significant trees for their botanical, historical, cultural, size, growth habit or community association values.

Trees or groups of trees affected by this schedule are:

Species	Common name	Location	Significance	Notes
Eucalyptus melliodora	Yellow Box	3.2 kilometres along Euroa-Merton Rd on W side about 1 kilometres from road	Outstanding size; Aesthetic value	Almost perfectly symmetrical tree
Castanea sativa	Sweet Chestnut	Old Tabletop Township, Tallangalook Rd via Dry Creek Rd, 17 kilometres from Bonnie Doon	Important landmark; Outstanding size	Specimen marks the site of the Mine Manager's house and the Township of Tabletop. Town destroyed by bushfires in the 1920s
Group planting- Various	Group planting- Various	Road reserve at cnr Mt Buller Rd and Buttercup Lane Merrijig	Vietnam War memorial planting	School and community planting; in unused part of road reserve
Eucalyptus pauciflora subsp. pauciflora	Snow Gum	Alpine National Park 3 kilometres beyond Lovick's hut on N side of Bluff Track	Outstanding size; Outstanding example of species	Known as the "King Billy Tree"; attractive and dominant specimen; one of the largest and best known examples of the species in the Mansfield region

2.0 Vegetation protection objectives to be achieved

C43mans 08/07/2021

To protect vegetation that is of significance for historical, botanical and environmental reasons or because it is valued by the local community.

3.0 Permit requirement

C43mans 08/07/2021

None specified.

4.0 Application requirements

C43mans 08/07/2021

None specified.

5.0 Decision guidelines

C43mans 08/07/2021

None specified.

SCHEDULE 1 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

C43mans 08/07/2021

Shown on the planning scheme map as **SLO1**.**ALPINE APPROACH SIGNIFICANT LANDSCAPE AREA****1.0 Statement of nature and key elements of landscape**

C1(Part 1) 02/03/2006

The alpine approach is characterised by a strong valley bordered by the alpine areas to the north, south and east. The views from the Mansfield - Mt Buller Road to surrounding mountains and ranges are impressive especially in the winter when there is spectacular snowy backdrop. The valley has a relatively flat floor with undulating pasture, ribbons of vegetation along roads, fences, the upper Delatite River (a Proclaimed Water Supply Catchment Area), creek lines and in scattered patches. The Crown Land boundary is an abrupt interface with the dense woodland, which visually helps define the unit. All these elements create an area that is a major asset for the Shire.

2.0 Landscape character objectives to be achieved

C43mans 08/07/2021

Identify and protect the visual values of the landscape of state significance on the approaches to mountains and ranges, including Mount Buller, Mount Stirling, Mount Timbertop and other significant mountains.

Protect short and long distance views of Mount Buller from the Mt Buller Road, other approach roads and public viewpoints.

Avoid the visual impact of buildings and works in the landscape.

Minimise the visual impact of buildings and works by requiring setbacks from prominent visual areas, ridgelines and adjoining and nearby private land.

3.0 Permit requirement

C43mans 08/07/2021

All proposed buildings must be of muted tones and constructed in non-reflective materials, to the satisfaction of the responsible authority.

A permit is not required for:

- Any agricultural development or activity, including cultivation, dam and fencing.
- Sewerage, drainage, water and gas mains.
- Power lines of less than 220,000 volts.
- Low impact telecommunications infrastructure or facility.
- Any buildings, works or removal, destruction or lopping of any vegetation by any government department, public authority or Mansfield Shire Council for the purposes of any public or local government utility, service, facility, stream improvement or other works.
- The carrying out of any works required by or approved by the Department of Environment, Land, Water and Planning, Goulburn Murray Water, Goulburn Broken Catchment Management Authority or the responsible authority for conservation purposes, including prevention of soil erosion.
- Any alterations or additions to an existing dwelling or outbuilding, provided the proposed floor area is not greater than 50 per cent of the existing floor area and there is no increase in building height.
- A swimming pool.
- Extensions or alterations to existing caravans, annexes and on site cabins used in conjunction with an existing 'camping and caravan park'.
- Works associated with timber production.
- Removal, destruction or lopping of any dead or exotic vegetation.
- Removal of native vegetation if that vegetation is seedlings or regrowth less than 10 years old and if the land is being re-established or maintained for cultivation or pasture.

- Any development or works in accordance with any approved management plan adopted by the responsible authority or the Department of Environment, Land, Water and Planning.

4.0 **Application requirements**

C43mans 08/07/2021

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A plan identifying the existing and proposed buildings and points of vehicle access to the site. This plan must also indicate the size, bulk & colour of any proposed buildings.
- A landscape analysis including an examination of the appearance of proposed structures when viewed from roads and other public viewpoints.
- A landscaping plan including number, location and species of existing and proposed vegetation, within a 50 metre radius of the proposed building site.

5.0 **Decision guidelines**

C43mans 08/07/2021

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The impact of the proposed buildings and works on the landscape including effect on landscape within and outside the land (due to siting, design, size, and colour and texture of external construction materials), flora and fauna, land form, heritage values, and views to the land from roads, other public viewpoints and private land.
- The impact of buildings and works on views to the land from any road, public viewpoints and private land.
- Effluent disposal systems and measures to improve water quality.

SCHEDULE 2 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

C43mans 08/07/2021

Shown on the planning scheme map as **SLO2**.

LOWER HOWQUA RIVER AREA

1.0 **Statement of nature and key elements of landscape**

C37 08/12/2016

The Howqua River is a Heritage River under the Heritage Rivers Act 1994. This designation recognises its cultural and landscape importance and the need to guide development to retain the integrity of the area.

2.0 **Landscape character objectives to be achieved**

C43mans 08/07/2021

Identify and protect the heritage and landscape values of the Howqua River and its environs.

Contain and appropriately site development within definite physical boundaries to reduce ribbon development along the Howqua River Road and protect views from roads and public viewpoints.

Maintain existing native vegetation along the Howqua River and within the environs of the river.

Avoid the visual impact of buildings and works on heritage and landscape values, including the use of setbacks from the Howqua River, prominent landscape and heritage areas, and adjoining and nearby private land.

Maintain the contrasts in land form and the use between the Howqua River and nearby public land.

3.0 **Permit requirement**

C43mans 08/07/2021

All proposed buildings must be of muted tones and constructed in non-reflective materials, to the satisfaction of the responsible authority.

A permit is not required for:

- Any agricultural development or activity, including cultivation, dam and fencing.
- Sewerage, drainage, water and gas mains.
- Power lines of less than 220,000 volts.
- Low impact telecommunications infrastructure or facility.
- Any buildings, works or removal, destruction or lopping of any vegetation by any government department, public authority or Mansfield Shire Council for the purposes of any public or local government utility, service, facility, stream improvement or other works.
- The carrying out of any works required by or approved by the Department of Environment, Land, Water and Planning, Goulburn Murray Water, Goulburn Broken Catchment Management Authority or the responsible authority for conservation purposes, including prevention of soil erosion.
- Any alterations or additions to an existing dwelling or outbuilding, provided the proposed floor area is not greater than 50 per cent of the existing floor area and there is no increase in building height.
- A swimming pool associated with a dwelling.
- Extensions or alterations to existing caravans, annexes and on site cabins used in conjunction with an existing 'camping and caravan park'.
- Works associated with timber production.
- Removal, destruction or lopping of any dead or exotic vegetation.
- Removal of native vegetation if that vegetation is seedlings or regrowth less than 10 years old and if the land is being re-established or maintained for cultivation or pasture.
- Any development or works in accordance with any approved management plan adopted by the responsible authority or the Department of Environment, Land, Water and Planning.

4.0 **Application requirements**

C43mans 08/07/2021

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A plan identifying the existing and proposed buildings and points of vehicle access to the site. This plan must also indicate the size, bulk & colour of any proposed buildings.
- A landscape analysis including an examination of the appearance of proposed structures when viewed from roads and other public viewpoints.
- A landscaping plan including number, location and species of existing and proposed vegetation, within a 50 metre radius of the proposed building site.

5.0 **Decision guidelines**

C43mans 08/07/2021

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The impact of the proposed buildings and works on the landscape including effect on landscape within and outside the land (due to siting, design, size, and colour and texture of external construction materials), flora and fauna, land form, heritage values, and views to the land from roads, other public viewpoints and private land.
- The impact of buildings and works on views to the land from any road, public viewpoints and private land.

- Effluent disposal systems and measures to improve water quality.

43 HERITAGE AND BUILT FORM OVERLAYS

VC37 19/01/2006

SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

GC138 21/11/2019

1.0 Application requirements

GC138 21/11/2019

None specified.

2.0 Heritage places

C43mans 08/07/2021

The requirements of this overlay apply to both the heritage place and its associated land.

PS ma p ref	Heritage place	Externa l paint control s apply?	Internal alteratio n controls apply?	Tree control s apply?	Outbuilding s or fences not exempt under Clause 43.01-4	Included on the Victoria n Heritage Register under the Heritage Act 2017?	Prohibited uses permitted ?	Aborigina l heritage place?
Victorian Heritage Register								
HO3 0	Former Police Stables and Lock-up 5 Curia Street Mansfield	-	-	-	-	Yes Ref No H1540	No	No
HO3 2	Police Memorial Cnr. High and Highett Streets, Mansfield	-	-	-	-	Yes Ref No H1538	No	No
HO3 3	Court House 88 High Street, Mansfield	-	-	-	-	Yes Ref No H1474	No	No
HO3 4	Stockyard Creek Gold Mining Diversion Sluice Howqua Hills Track, Sheepyard Flat, Howqua	-	-	-	-	Yes Ref No H1255	No	No
HO3 5	Howqua United Gold Treatment Works	-	-	-	-	Yes Ref No H1279	No	No

MANSFIELD PLANNING SCHEME

	Howqua Track , Howqua Historic Reserve, Sheepyard Flat, Howqua							
HO3 6	Royal Standard Gold Battery Site Royal Standard Spur Track, Standers Creek, Woods Point	-	-	-	-	Yes Ref No H1270	No	No
HO7 4	Leichardt Gold Crushing Battery Wye's Creek Pemburthy	-	-	-	-	Yes Ref No H1914	No	No
HO7 5	Spring Creek Sawmill and Seasoning Works Mount Samaria State Park, Bridge Creek	-	-	-	-	Yes Ref No H1824	No	No
Local Significance								
HO3	Alzburg Comfort Resort (previously Convent of Mercy and Sacred Heart College) 39 Malcolm Street, Mansfield	Yes	No	No	No	No	Yes	No
HO4	Mechanics' Institute 64-66 Ailsa Street, Mansfield	Yes	No	No	No	No	Yes	No
HO5	Herbert John Goodman Memorial High Street median strip, Mansfield	Yes	No	No	No	No	No	No
HO6	Memorial Trough	Yes	No	No	No	No	No	No

MANSFIELD PLANNING SCHEME

	High street median strip, Mansfield							
HO7	Samuel Reynolds MD Memorial High Street median strip, Mansfield	Yes	No	No	No	No	No	No
HO8	Former Farmers' Bank 149 High Street, Mansfield	Yes	No	No	No	No	Yes	No
HO9	Former Sartain Building 105-111 High Street, Mansfield	Yes	No	No	No	No	Yes	No
HO10	Former Mansfield Men's Club 99-103 High Street, Mansfield	Yes	Yes	No	No	No	Yes	No
HO11	Delatite Hotel 95-97 High Street, Mansfield	Yes	No	No	No	No	Yes	No
HO12	Former Cahn's Shop 91 High Street, Mansfield	Yes	No	No	No	No	Yes	No
HO13	Commercial Hotel 83 High Street, Mansfield	Yes	Yes	No	No	No	Yes	No
HO14	Davies Building 47-51, 53, 55 High Street Mansfield	Yes	No	No	No	No	Yes	No
HO15	McKenzie's Building 50 and 52 High Street, Mansfield	Yes	No	No	No	No	Yes	No
HO16	National Australia Bank	Yes	No	No	No	No	Yes	No

MANSFIELD PLANNING SCHEME

	76 High Street, Mansfield							
HO1 7	Mansfield Hotel 86 High Street, Mansfield	Yes	No	No	Yes- stables	No	Yes	No
HO1 8	Mansfield Post Office 90 High Street, Mansfield	Yes	No	No	No	No	Yes	No
HO1 9	Saw Dust Kilns (3) 177 High Street (Maroondah Highway) [1] & Walker Street, Mansfield (2)	Yes	No	No	Yes – kilns only	No	Yes	No
HO2 0	War Memorial Gates Highett street entry to Mansfield Recreation Reserve	Yes	No	No	Yes – gates only	No	No	No
HO2 1	McMillan's Store 23 Highett Street, Mansfield	Yes	No	No	No	No	Yes	No
HO2 2	Tavistock House 1/93 High Street and 24F Highett Street, Mansfield	Yes	No	No	No	No	Yes	No
HO2 3	Masonic Hall 26 Highett Street, Mansfield	Yes	Yes	No	No	No	Yes	No
HO2 4	Fire Station 28 Highett Street, Mansfield	Yes	No	No	No	No	Yes	No
HO2 5	RSL Hall 30 Highett Street, Mansfield	Yes	No	No	Yes – front fence only	No	Yes	No
HO2 6	Former Carinya	Yes	Yes	Yes	No	No	Yes	No

MANSFIELD PLANNING SCHEME

	(Amors Home, Magnolia) 190 Mt Buller Road, Mansfield							
HO2 9	Former Court House and Stables Nash Street, Jamieson	Yes	Yes	Yes	Yes – stables only	No	No	No
HO3 1	Former Railway Station High Street, Mansfield	Yes	No	No	Yes- Station, Goods Shed, Outbuildings and Platform.	No	Yes	No
HO3 8	Woodfield Railway Trestle Bridge over Merton Crk Woodfield	Yes	No	No	No	No	No	No
HO3 9	Matlock Hill Conservation Area (includes old cemetery, mine workings, Mount Matlock Geodetic Cairn, water race and Yara Track alignment) Matlock	No	No	Yes	Yes- All remaining buildings and works	No	No	No
HO4 0	Mt Matlock Geodetic Cairn Matlock	No	No	No	No	No	No	No
HO4 1	Sir John Franklin Mine Workings Conservation Area Woods Point	No	No	No	Yes- All remaining structures and works	No	No	No
HO4 2	Standers Creek Mines Conservation Area Woods Point	No	No	No	Yes- All remaining structures and works	No	No	No
HO4 3	Frys Bridge Howqua River	No	No	No	No	No	No	No

MANSFIELD PLANNING SCHEME

HO4 4	Woods Point Conservatio n Area Woods Point	Yes	No	Yes	No	No	No	No
HO4 5	A1 Settlement Conservatio n Area A1 Settlement	No	No	Yes	No	No	No	No
HO4 6	Knockwood Conservatio n Area Knockwood	No	No	Yes	No	No	No	No
HO4 7	Tunnel Bend Township Conservatio n Area	No	No	Yes	No	No	No	No
HO4 8	Enoch's Point Conservatio n Area	No	No	Yes	No	No	No	No
HO4 9	Luck's All Mines Conservatio n Area	No	No	Yes	No	No	No	No
HO5 0	Old Kevington Township and Sailors Bill's Creek Mines Conservatio n Area Kevington.	No	No	Yes	No	No	No	No
HO5 1	Diggers Exchange Hotel 27 Bank Street, Jamieson	Yes	No	No	No	No	Yes	No
HO5 2	Colonial Bank/ Duck Inn 39 Bank Street, Jamieson	Yes	No	No	No	No	Yes	No
HO5 3	Memorial Hall 15 Perkins Street, Jamieson	Yes	Yes	No	Yes – front fences only	No	Yes	No
HO5 4	Post Office 20 Perkins Street, Jamieson	Yes	No	No	Yes – front fence only	No	Yes	No

MANSFIELD PLANNING SCHEME

HO5 5	Primary School 1 The Sideling, Jamieson	Yes	Yes	No	No	No	Yes	No
HO5 6	School residence 5 The Sideling, Jamieson	Yes	No	No	No	No	Yes	No
HO6 4	"Delatite" Homestead and Garden Delatite Road, Mansfield	No	No	Yes	No	No	No	No
HO6 5	Gaffney's Creek Conservation Area Gaffney's Creek	Yes	No	Yes	No	No	No	No
HO6 8	Howqua Hills Historic Area Howqua Track, Howqua	No	No	No	Yes-All remaining structures and works	No	No	No
HO6 9	Howqua Quarries Howqua Track, Howqua	No	No	No	Yes-All remaining structures and works	No	No	No
HO7 0	McMillan's Track Woods Point	No	No	No	Yes-All remaining works	No	No	No
HO7 1	Howqua Track Howqua	No	No	No	Yes- All remaining works	No	No	No
HO7 2	Knockwood to Woods Point Track Woods Point	No	No	No	Yes-All remaining works	No	No	No
HO7 3	Woods Point to Standers Creek Track Woods Point	No	No	No	Yes- All remaining works	No	No	No

Notes:

Insert Interim control Expiry Date: dd/mm/yyyy if interim controls apply

See 43.01 for relevant provisions and scope.

Where the heritage place is included on the Victorian Heritage Register under the Heritage Act 2017 other controls in the table are not applicable. Insert a "-" Dash instead of "No".

SCHEDULE 1 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

C43mans 08/07/2021

Shown on the planning scheme map as **DDO1**.

ALPINE APPROACHES AND TOWNSHIP GATEWAYS

1.0 Design objectives

C43mans 08/07/2021

Ensure that building siting, design, form, height, appearance, scale and materials that are compatible with the role of land as an alpine approach or gateway to and from the Mansfield or Merrijig townships.

~~Ensure that buildings and other development meet the recommendations of *The Mansfield Urban Design Framework 2005*.~~ [Cant refer to other docs within a clause, should list requirements within the policy. Doc is likely to be superseded through C48]

2.0 Buildings and works

C43mans 08/07/2021

~~The following buildings and works requirements apply to an application to construct a building or construct or carry out works: Any new building or works must:~~

- Be of a design, form, appearance and scale that compliments an alpine approach and township gateway theme ie use of natural materials and colour schemes that compliment the surroundings, pitched roof designs rather than flat or skillion roofs only.
- Have at least one active frontage (i.e. entries, windows, external activities) and not have solid walls and solid fencing facing the road/s.
- Be of natural or muted materials and colours that complement an alpine approach and township gateway theme, that is timber, stone, colourbond, brick or earth based materials. Zincalume materials are prohibited. Galvanised iron materials may only be permitted when it can be demonstrated that the building will have minimal visual impact.
- Not exceed single storey in height, with the maximum height allowable being 6 metres from natural ground level to the upper point of the building roofline.
- Create visual interest and enhance alpine and gateway character.
- Be sited to have sufficient building setbacks to allow a sense of space, lineal corridor and alpine landscape to be retained.
- Have a setback/s to accord with (or exceed) the setbacks of building/s on adjoining properties.
- Allow pedestrian access, and vehicle parking and landscaping at the frontage of the land.
- Have a strong emphasis on environmental sustainability and energy efficiency.
- Have any storage area and parking for large vehicles away from road frontages.
- Provide landscaping that creates an attractive environment that is consistent with and complements an alpine theme and gateway approach into a high country tourist town, especially on the Maroondah Highway frontage.
- Enable high levels of accessibility, including access for people with a disability.

3.0 Subdivision

C43mans 08/07/2021

None specified.

4.0 Signs

C43mans 08/07/2021

Any new sign must:

- Be of a size that does not dominate or compromise the existing landscape or design of a building.
- Not be internally illuminated. External lighting will be considered, provided proposed lighting does not interfere with amenity and usage of adjoining or nearby properties, or vehicular movement and safety on the adjoining road reserve.

~~• Not be a reflective sign as defined in Clause 73.02 of the Mansfield Planning Scheme.~~ [redundant]

- Not exceed a height of 5 metres above ground level.
- Not be located between a building line setback and a front boundary.

5.0 **Application requirements**

C43mans 08/07/2021

None specified.

6.0 **Decision guidelines**

C43mans 08/07/2021

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- *The Mansfield Urban Design Framework 2005.*

SCHEDULE 1 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

C50mans 13/05/2022

Shown on the planning scheme map as **DPO1**.

GENERAL RESIDENTIAL 1 ZONE

1.0 **Objectives**

C50mans 13/05/2022

[To Outline-outline](#) the form and conditions of future use and development in the General Residential 1 Zone.

[To e](#)Establish broad directions for future land use, development, subdivision, and servicing of an area.

2.0 **Requirement before a permit is granted**

C50mans 13/05/2022

~~A permit for the following may be granted to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of 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 dwelling 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 this schedule 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 the relevant road authority on declared arterial roads.~~
- ~~* Provision of services, 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*. [MDFC]~~

3.0 **Conditions and requirements for permits**

C50mans 13/05/2022

~~The following conditions and/or requirements apply to permits:~~

~~Before any planning permit is granted for any subdivision, use or development of land that this schedule 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 the relevant road authority on declared arterial roads.~~

- Provision of services, 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*. [MDFC]

~~None specified.~~

4.0 **Requirements for development plan**

C50mans 13/05/2022

A development plan must include the following requirements:

- Site assessment and design response, including natural features, slope and orientation, drainage lines, native vegetation, heritage and archaeological significance, potential impacts, 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 telecommunications to meet the standards of the relevant service authority.
- An assessment of relevant bushfire risk and bushfire protection measures for the site and area, as appropriate.
- Existing and future open space, including linkages to and between open spaces.
- Proposed measures to address native vegetation, landscaping and streetscape treatment.
- The stages, if any, in which the land is to be subdivided and developed.
- Consistency with any adopted structure plan, urban design framework or strategy relevant to the area.
- If the proposal is likely to have an effect on an arterial road, a Transport Impact Assessment Report (TIAR) should be prepared to the satisfaction of the relevant road authority. The TIAR must have regard to the relevant road authority's access management policies and determine the extent of mitigating works required on arterial roads in consultation with the relevant road authority.

SCHEDULE 2 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

C50mans 13/05/2022

Shown on the planning scheme map as **DPO2**.

LOW DENSITY RESIDENTIAL ZONE

1.0 **Objectives**

C50mans 13/05/2022

Outline the form and conditions of future use and development in the Low Density Residential Zone.

Establish broad directions for future land use, development, subdivision and servicing of an area.

2.0 **Requirement before a permit is granted**

C50mans 13/05/2022

A permit for the following may be granted to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority: [MDFC]~~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 dwelling 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 this schedule 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 the relevant road authority on declared arterial roads.~~
- ~~• Provision of services, including water (for domestic and fire fighting purposes), onsite wastewater disposal or 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**

C50mans 13/05/2022

The following conditions and/or requirements apply to permits:

Before any planning permit is granted for any subdivision, use or development of land that this schedule 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 the relevant road authority on declared arterial roads.
- Provision of services, including water (for domestic and fire fighting purposes), onsite wastewater disposal or 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*. [MDFC]

~~None specified.~~

4.0 **Requirements for development plan**

C50mans 13/05/2022

A development plan must include the following requirements:

- Site assessment and design response, including natural features, slope and orientation, drainage lines, native vegetation, heritage and archaeological significance, potential impacts, ~~viewlines~~ view lines 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 roads, water, onsite wastewater disposal or sewerage, drainage and stormwater, electricity and telecommunications to meet the standards of the relevant service authority.
- An assessment of relevant bushfire risk and bushfire protection measures for the site and area, as appropriate.
- Existing and future open space, including linkages to and between opens spaces.
- Proposed measures to address native vegetation, landscaping and streetscape treatment.
- The stages, if any, in which the land is to be subdivided and developed.
- Consistency with any adopted structure plan, urban design framework or strategy relevant to the area.
- If the proposal is likely to have an effect on an arterial road, a Transport Impact Assessment Report (TIAR) should be prepared to the satisfaction of the relevant road authority. The TIAR must have regard to the relevant road authority's access management policies and determine the extent of mitigating works required on arterial roads in consultation with the relevant road authority.

SCHEDULE 3 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

C50mans 13/05/2022

Shown on the planning scheme map as **DPO3**.

RURAL LIVING ZONE

1.0 Objectives

C50mans 13/05/2022

Outline the form and conditions of future use and development in the Rural Living Zone.

Establish broad directions for future land use, development, subdivision and servicing of an area.

2.0 Requirement before a permit is granted

C50mans 13/05/2022

A permit for the following may be granted to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority: [MDFC]

~~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 dwelling 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 this schedule 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 the relevant road authority on declared arterial roads.~~
- ~~* Provision of services, including water (for domestic, stock and fire fighting purposes), onsite wastewater disposal, 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

C50mans 13/05/2022

The following conditions and/or requirements apply to permits: [MDFC]

Before any planning permit is granted for any subdivision, use or development of land that this schedule 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 the relevant road authority on declared arterial roads.
- Provision of services, including water (for domestic, stock and fire fighting purposes), onsite wastewater disposal, 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*. [MDFC]

~~None specified.~~

4.0 Requirements for development plan

C50mans 13/05/2022

A development plan must include the following requirements:

- Site assessment and design response, including natural features, slope and orientation, drainage lines, native vegetation, heritage and archaeological significance, potential impacts, 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 roads, water (for domestic, stock and fire fighting purposes), onsite wastewater disposal, drainage and stormwater, electricity and telecommunications to meet the standards of the relevant service authority to meet the standards of the relevant service authority.

- An assessment of relevant bushfire risk and bushfire protection measures for the site and area, as appropriate.
- Existing and future open space, including linkages to and between open spaces.
- Proposed measures to address native vegetation, landscaping and streetscape treatment.
- The stages, if any, in which the land is to be subdivided and developed.
- Consistency with any adopted structure plan, urban design framework or strategy relevant to the area.
- If the proposal is likely to have an effect on an arterial road, a Transport Impact Assessment Report (TIAR) should be prepared to the satisfaction of the relevant road authority. The TIAR must have regard to the relevant road authority's access management policies and determine the extent of mitigating works required on arterial roads in consultation with the relevant road authority.

44 **LAND MANAGEMENT OVERLAYS**

VC37 19/01/2006

SCHEDULE TO CLAUSE 44.03 FLOODWAY OVERLAY

C43mans 08/07/2021

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

1.0 **Floodway objectives to be achieved**

C43mans 08/07/2021

None specified.

2.0 **Statement of risk**

C43mans 08/07/2021

None specified.

3.0 **Permit requirement**

C43mans 08/07/2021

A permit is not required to construct or carry out the following buildings or works:

- A replacement dwelling with a floor area less than 20 square metres.
- A single or multiple industrial, retail or office building extension where the combined ground floor area of the extension since 1 May 2003 is not greater than 100 square metres.
- A single or multiple dwelling extension where the combined ground floor area of the extension since 29 July 1999 is not greater than 20 square metres.
- An upper storey extension to an existing building within the existing building footprint.
- A pergola, veranda, decking, garage, carport or domestic shed adjoining an existing dwelling.
- An in-ground swimming pool with an open style security fencing adjacent to an existing dwelling.
- A pump shed.
- Open type fencing such as a wooden or metal paling fence or cyclone mesh fence in a residential, business or industrial zone (not including a brick, masonry, or concrete wall).
- An agricultural shed (other than one used for industrial, retail or office purposes) for the storage of farm machinery, farm vehicles and workshop associated with a rural use in a farming zone with a floor area not more than 100 square metres.
- A sportsground, racecourse or recreation area (with no permanent grandstand or raised viewing area), pathways and trails constructed at general natural surface elevation, playground, open picnic shelter, picnic table, drinking tap, rubbish bin, barbecue, works associated with an apiary or underground infrastructure.
- A mast, antenna, lighting or telecommunications tower.

- An accessway constructed at general natural surface elevations.
- To roadworks and associated works if this is limited to resurfacing the existing road or the relevant floodplain management authority has agreed in writing that the topography of the land is not altered.
- Roadworks carried out by a public authority.

4.0 **Application requirements**

C43mans 08/07/2021

None specified.

5.0 **Decision guidelines**

C43mans 08/07/2021

None specified.

SCHEDULE TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

C43mans 08/07/2021

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

1.0 **Land subject to inundation objectives to be achieved**

C43mans 08/07/2021

None specified.

2.0 **Statement of risk**

C43mans 08/07/2021

None specified.

3.0 **Permit requirement**

C43mans 08/07/2021

A permit is not required to construct or carry out the following buildings or works:

- A new dwelling within the General Residential Zone of Mansfield Shire where the floor level is at least 300 millimetres above the 100-year ARI flood level as determined by the floodplain management authority.
- A replacement dwelling where the floor level is at least 300 millimetres above the 100-year ARI flood level as determined by the floodplain management authority.
- A replacement dwelling with a floor area of 20 square metres or less.
- A single or multiple dwelling extension where:
 - The combined ground floor area of the extension since 1 May 2003 is not greater than 20 square metres; or
 - The owner can demonstrate to the satisfaction of the floodplain management authority that the floor height of the proposed dwelling extension(s) is/are at least 300 millimetres above the 100-year ARI flood at the date of enquiry.
- An upper storey extension to an existing building within the existing building footprint.
- A pergola, veranda, decking, garage, carport, domestic shed or swimming pool adjoining an existing dwelling.
- A new industrial, retail or office building within any industrial or business zone of Mansfield Shire where the floor level is at least 300 millimetres above the 100-year ARI flood level, as determined by the floodplain management authority.
- An extension to an existing industrial, retail or office building provided that the total ground floor area of the building is less than 130 square metres.
- An agricultural shed (other than one used for industrial, retail or office purposes) for the storage of farm machinery, farm vehicles and workshop associated with a rural use in a farming zone

with a floor area not more than 130 square metres and the orientation of the shed should be parallel to the direction of flood water flow.

- Open type fencing (not including solid fences such as wooden or metal paling fences, colourbond fences, cyclone mesh fences or brick, stone or concrete wall).
- A pump shed.
- A hay shed with open sides.
- A sportsground, racecourse or recreation area (with no permanent grandstand or raised viewing area), pathways and trails constructed at general natural surface elevation, playground, open picnic shelter, picnic table, drinking tap, rubbish bin, barbecue, works associated with an apiary or underground infrastructure.
- A mast, antenna, lighting or telecommunications tower.
- Earthworks associated with the construction of a dam, provided no fill is imported to the site and no embankment is above ground level.
- An accessway constructed at general natural surface elevations.
- To roadworks and associated works if this is limited to resurfacing the existing road or the relevant floodplain management authority has agreed in writing that the topography of the land is not altered.
- Roadworks carried out by a public authority.

4.0 **Application requirements**

[C43mans](#) 08/07/2021

None specified.

5.0 **Decision guidelines**

[C43mans](#) 08/07/2021

None specified.

SCHEDULE 1 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY

[C43mans](#) 08/07/2021

Shown on the planning scheme map as **BMO1**.

GOUGHS BAY BAL-12.5 AREAS

1.0 **Statement of the bushfire management objectives to be achieved**

[C43mans](#) 08/07/2021

To specify bushfire protection measures to construct or extend one dwelling on a lot.

To specify referral requirements for applications to construct or extend one dwelling on a lot.

2.0 **Application**

[C43mans](#) 08/07/2021

The application to construct or extend one dwelling on a lot must include all the requirements set out in this schedule.

Clause 53.02 applies in all other circumstances.

3.0 **Permit requirement**

[C43mans](#) 08/07/2021

None specified.

4.0 **Application requirements**

[C43mans](#) 08/07/2021

The following application requirements apply to an application for a permit under Clause 44.06:
[MDFC]

An application must be accompanied by a bushfire management plan that:

- Shows all of the required bushfire protection measures specified in this schedule.
- Includes written conditions that implement the required bushfire protection measures.
- Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building.
- Details vehicle access.

5.0 **Requirements to be met**

C43mans 08/07/2021

The following requirements apply to an application to construct a single dwelling on a lot:

- The dwelling must be constructed to BAL-12.5.
- Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 53.02 with the following variation:
 - The canopy of trees must be separated by at least 2 metres.
- A static water supply must be provided in accordance with Clause 53.02.
- Vehicle access must be provided in accordance with Clause 53.02.

If these requirements are not met, the requirements of Clause 53.02 apply.

6.0 **Substitute approved measures for Clause 53.02**

C43mans 08/07/2021

None specified.

7.0 **Additional alternative measures for Clause 53.02**

C43mans 08/07/2021

None specified.

8.0 **Mandatory Condition**

C43mans 08/07/2021

~~An application must include the mandatory conditions as specified in Clause 44.06-5. None specified.~~
[Don't need to repeat this, covered by parent clause]

9.0 **Referral of application not required**

C43mans 08/07/2021

An application for a single dwelling on a lot meeting all of the required bushfire protection measures is not required to be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

10.0 **Notice and review**

C43mans 08/07/2021

None specified.

11.0 **Decision guidelines**

C43mans 08/07/2021

The following decision guidelines apply to an application for a permit under Clause 44.06, in addition to those specified in Clause 44.06 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether all of the bushfire protection measures in this schedule have been met.

SCHEDULE 2 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY

C43mans 08/07/2021

Shown on the planning scheme map as **BMO2**.
ALPINE RIDGE, JAMIESON BAL-29 AREAS

1.0 **Statement of the bushfire management objectives to be achieved**

C43mans 08/07/2021

To specify bushfire protection measures to construct or extend one dwelling on a lot.
To specify referral requirements for applications to construct or extend one dwelling on a lot.

2.0 **Application**

C43mans 08/07/2021

The following application requirements apply to an application for a permit under Clause 44.06: [MDFC]

The application to construct or extend one dwelling on a lot must include all the requirements set out in this schedule.

Clause 53.02 applies in all other circumstances.

3.0 **Permit requirement**

C43mans 08/07/2021

None specified.

4.0 **Application requirements**

C43mans 08/07/2021

An application must be accompanied by a bushfire management plan that:

- Shows all of the required bushfire protection measures specified in this schedule.
- Includes written conditions that implement the required bushfire protection measures.
- Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building.
- Details vehicle access.

5.0 **Requirements to be met**

C43mans 08/07/2021

The following requirements apply to an application to construct a single dwelling on a lot:

- The dwelling must be constructed to BAL-29.
- Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 53.02 with the following variation:
 - The canopy of trees must be separated by at least 5 metres.
- A static water supply must be provided in accordance with Clause 53.02.
- Vehicle access must be provided in accordance with Clause 53.02.

If these requirements are not met, the requirements of Clause 53.02 apply.

6.0 **Substitute approved measures for Clause 53.02**

C43mans 08/07/2021

None specified.

7.0 **Additional alternative measures for Clause 53.02**

C43mans 08/07/2021

None specified.

8.0 Mandatory Condition

C43mans 08/07/2021

~~An application must include the mandatory conditions as specified in Clause 44.06-5. [None specified.](#)~~ [don't need to repeat what is in the parent clause]

9.0 Referral of application not required

C43mans 08/07/2021

An application for a single dwelling on a lot meeting all of the required bushfire protection measures is not required to be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

10.0 Notice and review

C43mans 08/07/2021

None specified.

11.0 Decision guidelines

C43mans 08/07/2021

The following decision guidelines apply to an application for a permit under Clause 44.06, in addition to those specified in Clause 44.06 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether all of the bushfire protection measures in this schedule have been met.

45 OTHER OVERLAYS

VC37 19/01/2006

SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

C43mans 08/07/2021

1.0 Public acquisition

C43mans 08/07/2021

PS map ref	Acquiring Authority	Purpose of acquisition
PAO1	Goulburn Valley Water Authority	Raw water storage reservoir and associated physical infrastructure

SCHEDULE TO CLAUSE 45.12 SPECIFIC CONTROLS OVERLAY

C42mans 16/01/2020

1.0 Specific controls

C46mans 08/01/2021

PS Map Ref	Name of incorporated document
SCO1	Mountain Bay – Exemptions, Procedures, Approved Plans and Agreements
SCO2	128 Ogilvies Road, Mansfield - December 2020

SCHEDULE TO CLAUSE 51.01 SPECIFIC SITES AND EXCLUSIONS

VC148 31/07/2018

1.0 Specific sites and exclusions

C42mans 16/01/2020

Address of land	Title of incorporated document
None specified	None specified

SCHEDULE TO CLAUSE 52.02 EASEMENTS, RESTRICTIONS AND RESERVES

C43mans 08/07/2021

1.0 Under Section 23 of the Subdivision Act 1988

VC37 19/01/2006

Land	Easement or restriction	Requirement
None specified		

2.0 Under Section 24A of the Subdivision Act 1988

VC37 19/01/2006

Land	Person	Action
None specified		

3.0 Under Section 36 of the Subdivision Act 1988

VC37 19/01/2006

Land	Easement or right of way	Requirement
None specified		

SCHEDULE TO CLAUSE 52.05 SIGNS

C43mans 08/07/2021

1.0 Exemption from notice and review

C43mans 08/07/2021

Land	Condition
None specified	

SCHEDULE TO CLAUSE 52.16 NATIVE VEGETATION PRECINCT PLAN

C43mans 08/07/2021

1.0 Native vegetation precinct plan

VC49 15/09/2008

Name of plan
None specified

SCHEDULE TO CLAUSE 52.17 NATIVE VEGETATION

VC138 12/12/2017

1.0 Scheduled area

C43mans 08/07/2021

Area	Description of native vegetation for which no permit is required to remove, destroy or lop
None specified	

2.0 Scheduled weed

C43mans 08/07/2021

Area	Description of weed
None specified	

SCHEDULE TO CLAUSE 52.27 LICENSED PREMISES

C43mans 08/07/2021

1.0 Permit not required

VC37 19/01/2006

Land	Type of licence
None specified	

2.0 Permit may not be granted

VC37 19/01/2006

Land	Type of licence
None specified	

SCHEDULE TO CLAUSE 52.28 GAMING

C43mans 08/07/2021

1.0 Objectives

C47mans 03/03/2022

To ensure the location of gaming venues minimises opportunities for convenience and problem gambling.

To locate gaming venues and machines in areas where the community has a choice of non-gaming entertainment and recreation activities.

To protect the amenity of areas surrounding gaming venues.

2.0 Prohibition of a gaming machine in a shopping complex

C47mans 03/03/2022

Installation or use of a gaming machine as specified in Clause 52.28-4 is prohibited on land described in Table 1 below.

Table 1

Name of shopping complex and locality	Land description
None specified	None specified

3.0 **Prohibition of a gaming machine in a strip shopping centre**

C47mans 03/03/2022

A gaming machine as specified in Clause 52.28-5 is prohibited in a strip shopping centre specified in Table 2 below.

Table 2

Name of strip shopping centre and locality	Land description
Mansfield shopping centre, Mansfield	Both sides of High Street, generally between Baldry Street and Ultimo Street; Both sides of Highett Street, generally between Curia Street and Baldry Street

4.0 **Locations for gaming machines**

C47mans 03/03/2022

Gaming venues and machines should be located:

- Within or close to the Mansfield township.
- In non-urban locations that focus on providing services for visitors or a sports or recreation club with a land holding of more than 2 hectares.
- In areas where the local community has a choice of alternative non-gaming entertainment and recreation facilities operating at the times the proposed gaming venue will operate.
- In areas where the location could reasonably be perceived as avoiding the incidence of spontaneous decisions to play gaming machines by being removed from areas where large numbers of people will be passing in the course of their daily activities.
- In areas where the gaming venue and its associated uses will be compatible with the predominant surrounding land uses through a location, siting, design and operating hours that do not detrimentally affect the amenity of the surrounding area.
- At least 400 metres from strip shopping centres and other community hubs (including schools, medical centres, churches and other public offices).
- At least 400 metres away from any Australian Bureau Statistics collection district that is within the most disadvantaged 20 per cent of collection districts in Victoria, as set out in the SEIFA index of relative disadvantage.
- Outside of settlements that only service a local population catchment.
- Outside of towns where it will lead to the total density of gaming machines per 1000 adults exceeding the regional Victorian average.

5.0 **Venues for gaming machines**

C47mans 03/03/2022

Gaming machines should be located in venues that:

- Will not have an adverse impact on the amenity of adjoining areas as a result of operating hours, traffic and noise from patrons or vehicles.
- Offer a range of social, entertainment and recreational activities other than gaming as a means of ensuring gaming is not the primary purpose of the venue.
- Do not detract from the character and integrity of the Shire's tourism and heritage assets through their location, siting and design.
- Have a gaming floor area of less than 25 per cent of the total floor area of the venue.
- Promote responsible gaming practices, including not allowing gaming machines to operate when alternative entertainment is not available at the venue.
- Are designed so that amenities for the venue's non-gambling activities, such as entrances and exits, toilets, meeting spaces and dining spaces can be accessed without entering the gaming area.

- Have access to natural light and allow patrons surveillance of outdoor areas.
- Do not operate gaming machines between 1am and 9am.

6.0 Application requirements

C47mans 03/03/2022

The following application requirements apply to an application for a permit under Clause 52.28, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The proposed design and layout of the premises, including all signs and evidence of compliance with the relevant gaming regulations for premises layout and design.
- A venue management plan identifying strategies to manage patron behaviour and minimise problem gambling in relation to the design and management of the venue, including the applicant's proposed responsible gaming practices.
- An assessment of the social and economic benefits and disadvantages of the proposed gaming machines comprising of:
 - An analysis of the demographic and socio-economic profile of the municipality and the venue's projected patron catchment and its potential vulnerability to problem gambling, with the inclusion of data from the SEIFA index of relative disadvantage.
 - Details of, and justification for, the projected patron catchment.
 - Characteristics of the local area, including the location of and distance to shops, community facilities, public housing and counselling services.
- Details of existing and proposed gambling and non-gambling related entertainment and recreation facilities and activities at the venue and within a 5 kilometre radius of the venue.
- Pedestrian counts outside the venue on different days and at a variety of different times.
- Details about the existing and proposed distribution and density of gaming machines in the Shire and individual towns.
- Details of the anticipated expenditure at the venue on gaming if the proposal was to be approved, along with existing gaming expenditure for the venue for the past 3 years if gaming machines already exist at the venue.
- Where the gaming machines are to be relocated from other venues:
 - Details of the relative social and economic differences between the existing gaming venue and the proposed gaming venue if the proposal is to move gaming machines from one part of the municipality to another.
 - An explanation as to why the gaming machines are being transferred.
 - The anticipated amount of total expenditure to be transferred from the current venue to the new venue.
 - Particulars as to how the level of transfer has been calculated (including a per machine comparison of current expenditure at the existing venue to projected expenditure at the new location, current usage levels of machines at their existing location and projected usage levels of machines at the new venue).
 - The resulting impact of the transfer of the revenue on the venue where the gaming machines are to be located (including employment, provision of additional services, projected impact on customer numbers, any increase in complementary expenditure at the venue and the like).
 - The resulting impact on the venue from where the gaming machines are to be transferred from (including the loss of employment, loss of complementary expenditure, loss of custom, impact on the ability to provide services and the like).
- Details of the nature and extent of community benefits expected from the proposal and how these benefits are to be secured and distributed to the local community.
- Assessment of key social and economic issues and the overall net community impact.

- Measures that will be adopted by the venue to mitigate any negative social, economic and community impacts.

7.0 **Decision guidelines**

[C47mans](#) 03/03/2022

The following decision guidelines apply to an application for a permit under Clause 52.28, in addition to those specified in Clause 52.28 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The net community benefit to be derived from the application.
- Whether approval is likely to increase the level of socio-economic disadvantage with the community.
- Whether the location of the gaming venue, and the gaming machines, is close to places of community congregation and may therefore encourage spontaneous decisions to gamble.
- Whether patrons will have a choice of non-gambling entertainment and recreation activities both at the venue and within the local area.
- The impact of the proposal on the amenity and character of the area and surrounding land uses.

SCHEDULE TO CLAUSE 52.32 WIND ENERGY FACILITY

[VC148](#) 31/07/2018

1.0 **Wind energy facility prohibition**

[VC148](#) 31/07/2018

Land where a Wind energy facility is prohibited

None specified

SCHEDULE TO CLAUSE 52.33 POST BOXES AND DRY STONE WALLS

[VC148](#) 31/07/2018

1.0 **Permit requirement for dry stone walls**

[VC148](#) 31/07/2018

Land

None specified

SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

[VC148](#) 31/07/2018

1.0 **Subdivision and public open space contribution**

[VC148](#) 31/07/2018

Type or location of subdivision	Amount of contribution for public open space
None specified	

SCHEDULE TO CLAUSE 53.06 LIVE MUSIC ENTERTAINMENT VENUES

GC175 18/02/2021

1.0 Areas to which Clause 53.06 does apply

C43mans 08/07/2021

Name of area	Description
None specified	None specified

2.0 Areas to which Clause 53.06 does not apply

C43mans 08/07/2021

Name of area	Description
None specified	None specified

3.0 Other venues to which Clause 53.06 applies

C43mans 08/07/2021

Name of venue	Address	Condition or limitation
None specified	None specified	None specified

SCHEDULE TO CLAUSE 53.15 STATEMENT OF UNDERLYING PROVISIONS

VC148 31/07/2018

1.0 Incorporated statement

VC148 31/07/2018

Land	Incorporated Document
None specified	None specified

SCHEDULE TO CLAUSE 59.15 LOCAL VICSMART APPLICATIONS

VC148 31/07/2018

1.0 Table 1 Classes of VicSmart application under zone provisions

C43mans 08/07/2021

Name of zone or class of zone	Class of application	Permit requirement provision	Information requirements and decision guidelines
None specified			

2.0 Table 2 Classes of VicSmart application under overlay provisions

C43mans 08/07/2021

Name of overlay or class of overlay	Class of application	Permit requirement provision	Information requirements and decision guidelines
None specified			

3.0 **Table 3 Classes of VicSmart application under particular provisions**

C43mans 08/07/2021

Name of particular provision	Class of application	Permit requirement provision	Information requirements and decision guidelines
None specified			

SCHEDULE TO CLAUSE 59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

VC148 31/07/2018

1.0 **Information requirements**

VC148 31/07/2018

None specified

2.0 **Decision guidelines**

VC148 31/07/2018

None specified

SCHEDULE TO CLAUSE 66.04 REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

C36 24/05/2018

1.0 **Referral of permit applications under local provisions**

C43mans 08/07/2021

Clause	Kind of application	Referral authority	Referral authority type
Clause 3.0 of Schedule 1 to Clause 42.01 (ESO)	<p>All applications for subdivision in unsewered areas creating lots less than 40 hectares</p> <p>All applications for subdivision (re-subdivision or boundary realignment) where an additional dwelling opportunity is created in an unsewered area) creating lots less than 40 hectares</p> <p>All applications for development that generates wastewater in an unsewered area on lots less than 40 hectares</p> <p>All applications for development of land within 100 metres of the full supply level of Lake Eildon or on lots less than 40 hectares</p> <p>All applications for development of land within 50 metres of any waterway within the catchment area on lots less than 40 hectares</p> <p>Applications for removal of vegetation within 30 metres of a waterway if the total area proposed to be removed is 0.5 hectares or more</p> <p>All applications for development of land associated with intensive animal husbandry</p>	Goulburn Murray Water	Determining referral authority
Clause 3.0 of Schedule 1 to Clause 42.01 (ESO)	All applications for development that generates wastewater on land within 800 metres of a Goulburn Valley Water off take point	Goulburn Valley Water	Determining referral authority
Clause 3.0 of Schedule 2 to	All applications for subdivision in unsewered areas creating lots less than 40 hectares	Goulburn Murray Water	Determining referral authority

MANSFIELD PLANNING SCHEME

Clause 42.01 (ESO)	<p>All applications for subdivision (re-subdivision or boundary realignment) where an additional dwelling opportunity is created in an unsewered area) creating lots less than 40 hectares</p> <p>All applications for development that generates wastewater in an unsewered area on lots less than 40 hectares</p> <p>All applications for development of land within 100 metres of the full supply level of Lake Eildon or Lake Nillahcootie</p> <p>All applications for development of land within 50 metres of any waterway within the catchment area</p> <p>All applications for removal of vegetation within 30 metres of a waterway if the total area proposed to be removed is 0.5 hectares or more</p> <p>All applications for development of land associated with intensive animal husbandry</p>		
Clause 3.0 of Schedule 2 to Clause 42.01 (ESO)	All applications for development that generates wastewater on land within 800 metres of a Goulburn Valley Water off take point	Goulburn Valley Water	Determining referral authority

SCHEDULE TO CLAUSE 66.06 NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

C43mans 08/07/2021

1.0 Notice of permit applications under local provisions

C43mans 08/07/2021

Clause	Kind of application	Person or body to be notified
None specified	None specified	None specified

SCHEDULE TO CLAUSE 72.01 RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

VC148 31/07/2018

1.0 Responsible authority for administering and enforcing this planning scheme:

VC148 31/07/2018

The Mansfield Shire Council is the responsible authority for administering and enforcing the planning scheme, except for matters specified in Clause 72.01-1 and matters listed in this schedule.

2.0 Responsible authority for administering and enforcing a provision of this planning scheme:

VC148 31/07/2018

None specified.

3.0 Person or responsible authority for issuing planning certificates:

VC148 31/07/2018

The Minister for Planning.

4.0 Responsible authority for VicSmart and other specified applications:

VC179 06/05/2020

The Chief Executive Officer of the Mansfield Shire Council is the responsible authority for considering and determining VicSmart applications to which Clause 71.06 applies, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.

The Chief Executive Officer of the Mansfield Shire Council is the responsible authority for considering and determining any application that the notice and review exemption in Clause 52.10-2 applies to, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.

SCHEDULE TO CLAUSE 72.02 WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

VC148 31/07/2018

1.0 Area covered by this planning scheme:

VC148 31/07/2018

Whole of the municipal district of Mansfield Shire Council.

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

VC148 31/07/2018

1.0 Maps comprising part of this planning scheme:

C50mans 13/05/2022

- 1, 1BMO, 1ESO, 1VPO
- 2, 2BMO, 2EAO, 2ESO, 2HO, 2LSIO-FO
- 3, 3BMO, 3ESO
- 4, 4BMO, 4DPO, 4ESO, 4LSIO-FO, 4VPO
- 5, 5BOM, 5ESO, 5LSIO-FO
- 6, 6BMO, 6DPO, 6ESO, 6HO, 6LSIO-FO
- 7, 7BMO, 7ESO, 7LSIO-FO
- 8, 8LSIO-FO
- 9, 9BMO, 9DPO, 9ESO, 9LSIO-FO, 9SCO, 9SLO
- 10, 10BMO, 10ESO, 10LSIO-FO
- 11, 11DDO, 11DPO, 11EAO, 11ESO, 11HO, 11LSIO-FO
- 12, 12BMO, 12DDO, 12DPO, 12EAO, 12HO, 12LSIO-FO, 12SCO, 12SLO
- 13, 13BMO, 13ESO, 13HO, 13LSIO-FO, 13PAO, 13SLO, 13VPO
- 14, 14BMO, 14DDO, 14DPO, 14ESO, 14HO, 14LSIO-FO, 14SLO
- 15, 15BMO, 15ESO, 15HO, 15LSIO-FO, 15SLO
- 16, 16BMO, 16DPO, 16ESO, 16LSIO-FO, 16SLO
- 17, 17BMO, 17ESO, 17HO, 17LSIO-FO, 17SLO, 17VPO
- 18, 18BMO, 18ESO, 18HO
- 19, 19BMO, 19LSIO-FO
- 20, 20BMO, 20ESO, 20LSIO-FO, 20SCO
- 21, 21BMO, 21ESO, 21LSIO-FO, 21SCO
- 22, 22BMO, 22ESO, 22LSIO-FO
- 23, 23BMO, 23ESO, 23HO, 23LSIO-FO, 23SLO
- 24, 24BMO, 24ESO, 24LSIO-FO, 24SLO
- 25, 25BMO, 25ESO, 25LSIO-FO
- 26, 26BMO, 26ESO, 26HO, 26LSIO-FO
- 27, 27BMO, 27ESO, 27LSIO-FO, 27SLO
- 28, 28BMO, 28ESO, 28HO, 28LSIO-FO
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- 30, 30BMO, 30ESO

- 31, 31BMO, 31ESO, 31HO
- 32, 32BMO, 32ESO, 32HO
- 33, 33BMO, 33ESO, 33HO
- 34, 34BMO, 34HO, 34LSIO-FO
- 35, 35BMO, 35HO
- 36, 36BMO, 36ESO, 36HO

SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

VC148 31/07/2018

1.0 Incorporated documents

C46mans 08/01/2021

Name of document	Introduced by:
128 Ogilvies Road, Mansfield - December 2020	C46mans
Goulburn-Murray Water Native Vegetation Code of Practice, February 2011	C25
Mansfield Shire Local Floodplain Development Plan June 2015	C15
Mountain Bay – Exemptions, Procedures, Approved Plans and Agreements dated 1 May 2005	C1(Part 1)

SCHEDULE TO CLAUSE 72.05 WHEN DID THIS PLANNING SCHEME BEGIN?

VC148 31/07/2018

1.0 Date this planning scheme began:

VC148 31/07/2018

1 May 2003

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

VC148 31/07/2018

1.0 Background documents

C47mans 03/03/2022

Name of background document	Amendment number - clause reference
<i>Bushfire Planning Provisions – Mitigating Risk in Small Townships</i> (Mansfield Shire Council 2014)	02.03-3, 13.02-1L
<i>Code of Practice-Onsite Wastewater Management, Publication 891.4</i> (Environment Protection Authority Victoria, July 2016)	42.01 Schedule 1 and 2
<i>Guidelines for the Protection of Water Quality</i> (NEPRC, April 2001 Updated May 2016)	13.03-1L
<i>Infrastructure Design Manual</i> (Local Government Infrastructure Design Association, 2018)	02.03-3, 13.03-1L
<i>Jamieson Flood Scoping Study</i> (SKM, 2003)	02.03-3, 13.03-1L
<i>Land Capability Assessment for Domestic Wastewater Management</i> (EPA, 2003)	14.01-1L
<i>Mansfield 1% AEP Flood Mapping Project</i> (GBCMA, 2014)	02.03-3, 13.03-1L
<i>Mansfield Flood Study</i> (EarthTech, 2005 & 2006)	02.03-3, 13.03-1L

<i>Mansfield Shire Domestic Wastewater Management Plan</i> (Mansfield Shire Council, 2014)	02.03-4, 14.02-1L
<i>Mansfield Shire Gaming Policy Framework</i> (CPG Australia Pty Ltd., 2010)	02.03-10, 52.28 Schedule
<i>Mansfield Township Structure Plan</i> (Mansfield Shire Council, 2015)	02.03
<i>Mansfield Urban Design Framework</i> (2005)	02.03
<i>Ministerial Guidelines for planning permit applications in open, potable water supply catchment areas</i> (Department of Sustainability and Environment Melbourne, November 2012)	02.03-4, 14.02-1L
<i>Regional Bushfire Planning Assessment Hume Region</i> (Department of Planning and Community Development, 2012)	02.03-3
<i>Roadside Conservation Management Plan</i> (Heather Bradbury and Mansfield Shire Council, 2014)	02.03-2
<i>Rural Living Strategic Study</i> (Habitat Planning, 2003)	02.03-6
<i>Shire of Mansfield Stage One Heritage Survey</i> (Ivar Nelson, June 2015)	02.03-5

SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

C47mans 03/03/2022

1.0

Application of zones, overlays and provisions

C47mans 03/03/2022

This planning scheme applies the following zones, overlays and provisions to implement the Municipal Planning Strategy and the objectives and strategies in Clauses 11 to 19:

- Low Density Residential Zone:
- Schedule – Kareen Hills residential estate.
- Mixed Use Zone:
- Schedule - Mansfield Mixed Use Areas.
- Township Zone:
- Schedule – Mansfield Townships.
- General Residential Zone to:
- Schedule 1 – Mansfield General Residential Area.
- Industrial 1 Zone.
- Commercial 1 Zone:
- Schedule - 8 Timothy Lane Mansfield.
- Commercial 2 Zone.
- Rural Living Zone to:
- Schedule 1 – Rural living areas around Mansfield Township with good access to infrastructure and services.
- Schedule 2 – Other rural living areas that are more remote and unable to be economically serviced with infrastructure and require larger lots.
- Farming Zone.
- Rural Activity Zone:
- Schedule - To enable the use and development of land associated with the Geelong Grammar School Timbertop Campus to be considered in an integrated manner taking into account agriculture and the environmental and landscape characteristics of the area.

MANSFIELD PLANNING SCHEME

- Public Use Zone.
- Public Park and Recreation Zone.
- Public Conservation and Resource Zone.
- Special Use Zone to Mountain Bay.
- Urban Floodway Zone in Mansfield Township to the area from Fords Creek at Withers Lane, located at the north of the township and ending with the flow paths at the corner of Mansfield-Woods Point Road and Mt Buller Road.
- Environmental Significance Overlay to identify development capacity and requirements in:
 - Schedule 1 – Catchments at high risk of water quality impacts.
 - Schedule 2 – Catchments at medium risk of water quality impacts.
- Vegetation Protection Overlay to:
 - Schedule 1 – Significant Tree Protection Area.
- Significant Landscape Overlay to:
 - Schedule 1 – The alpine approach.
 - Schedule 2 – The lower Howqua River area.
- Design and Development Overlay to:
 - Schedule 1 – Alpine approaches and township gateways.
- Development Plan Overlay to ensure that planning for residential, low density residential and rural living development is well coordinated and serviced, including in:
 - Schedule 1 – General Residential Zone And Mixed Use Zone.
 - Schedule 2 – Low Density Residential Zone.
 - Schedule 3 – Rural Living Zone.
 - Schedule 4 – The southern side of High Street in Mansfield.
 - Schedule 5 – The Mixed Use Zone in Barjarg.
- Flood Overlay waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.
- Land Subject to Inundation Overlay to land generally on the fringe of the floodplain, where flooding is likely to be relatively shallow and slow moving. The level of hazard in this part of the floodplain is relatively low.
- Bushfire Management Overlay to areas where bushfire is a significant risk such as:
 - Schedule 1 – Goughs Bay BAL-12.5 areas.
 - Schedule 2 – Alpine Ridge, Jamieson BAL-29 areas.
- Environmental Audit Overlay to a number of parcels of land in Mansfield.

SCHEDULE TO CLAUSE 74.02 FURTHER STRATEGIC WORK

C47mans 03/03/2022

1.0

Further strategic work

C47mans 03/03/2022

Settlement

- Implement the recommendations from the Mansfield Planning Strategy [NEW, MPS]
- Undertake Housing Strategy / Neighbourhood Character Study and review of township structure plans to guide appropriate application of residential zones and built form guidelines. [NEW, PSR]
- In Mansfield township:
 - 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.

Commented [CR26]: Maybe review this after you have a look at the PSR report. Not all of the FSW identified in the report is in here. It would also be good to get Melissa to identify jobs already done or that aren't a major priority and delete them as part of her review before you finalise.

- Prepare master plans for key open space areas including the co-location of facilities.
- 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.
- Develop a stormwater and drainage management plan to guide requirements for future development and new infrastructure.
- Explore future alternative uses for the racecourse grounds, including active playing field location for Council.
- Explore rezoning of Industrially zoned land to ~~to~~-Mixed Use or Residential subject to environmental constraints.
- Investigate planning controls for Lakins Road Industrial Estate. [NEW, PSR]
- In Jamieson, consider rezoning the pocket of General Residential Zone land located 500 metres south of Eildon-Jamieson Road.
- In Goughs Bay and Mountain Bay, consider rezoning the General Residential Zone land to Township Zone to reflect the lack of infrastructure to support more intensive development.
- Deliver the Mansfield Station Activation Project.[NEW, MCP]
- Implementation of the Lake Eildon Masterplan. [NEW, MCP]

Environment and landscape values

- Provide statutory protection to significant ridgelines and Alpine approaches currently not protected by the planning scheme.
- Review extent of SLO1 and SLO2 to ensure they are sufficient to achieve their landscape objectives. [NEW, MPS]
- Planning for the protection of agricultural land, water and vegetation that contribute the high landscape values of the Shire. [NEW, PSR]

Environmental risks and amenity

- Undertake strategic work to identify areas where vegetation and key biodiversity areas should be retained and conserved and apply appropriate planning tools to protect them. [NEW, PSR]
- Delineate those portions of the Broken, Goulburn, Delatite, Jamieson, Howqua and Big Rivers and Fords Creek which are inundated in a 1 per cent probability flood event.
- Review flood mapping to inform future planning scheme amendments, to the satisfaction of the Floodplain Management Authority, following significant regional floods, implementation of approved flood mitigations schemes, or completion of new flood studies.
- Prepare development guidelines to manage the interface of sensitive uses in Mansfield.
- Planning for growth and climate change impacts, including risks such as fire and flooding. [NEW, PSR]

Natural resource management

- Prepare a new rural strategy that addresses use, development, subdivision of land, the outcomes of the Domestic Wastewater Management Plan 2014 , other environmental constraints and landscape significance.

Built environment and heritage

- Prepare a signs policy for the Mansfield ~~A~~shopping ~~centre~~Centre and its key gateways/alpine approaches.
- * ~~Prepare a heritage gaps study to identify, assess and protect place of cultural heritage significance across the municipality and local heritage policy at Clause 15.03-2L. [replace previous item]~~Undertake a heritage gap study to address gaps in the knowledge of heritage assets of Aboriginal or post-European settlement significance, particularly in rural areas and smaller settlements.
- Progress a planning scheme amendment to correct zoning errors and other minor planning scheme anomalies.

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Commented [CR27]: The PSR links this to a specific strategy that could be included in here.

Housing

- ~~• 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.~~

Infrastructure

- ~~• Require integrated development in defining areas in these waterside precincts that can be readily supplied with infrastructure.~~

Commented [CR28]: This is not further strategic work. I think the housing work identified in the PSR review is a better thing to include as FSW and you've already included this in Settlement

Commented [CR29]: This is not further strategic work