



# Officer Assessment Report

File Number: DA8049  
 Planning Application No. P019/24  
 Responsible Officer: Claire Wilkinson – Senior Statutory Planner  
 Attachments: N/A

## Conflict of Interest

After reading the definitions of a general or material conflict of interest as defined by the *Local Government Act 2020*, do you have a conflict of interest?

Yes  (if YES, please complete a Conflict of Interest and Declaration Making Declaration form)

No

<i>Application Details</i>	
<b>APPLICANT</b>	Ben Willick- Willick Design
<b>PROPOSAL</b>	Development of land for a dwelling and an outbuilding
<b>APPLICATION LODGED</b>	8 February 2024 Amended 5 April 2024
<b>NOTICE AND SUBMISSIONS</b>	Exempt from Notice – Clause 43.04-3
<i>Property Details</i>	
<b>PROPERTY ADDRESS</b>	160 Owens Creek Drive, Mansfield
<b>LAND DESCRIPTION</b>	Lot 32 on Plan of Subdivision 847761A
<b>RESTRICTIVE COVENANTS</b>	Agreement Section 173- AU466642L dated 17 June 2021
<b>LAND AREA</b>	8.517 hectares
<b>EXISTING USE</b>	Vacant allotment
<i>Planning Provisions</i>	
<b>ZONE</b>	Clause 35.03 Rural Living Zone – Schedule 1
<b>OVERLAYS</b>	Clause 42.01 Environmental Significance Overlay- Schedule 2 Clause 43.04 Development Plan Overlay Schedule 3

<b>PLANNING POLICY FRAMEWORK</b>	<p>Clause 02.03 Strategic Directions</p> <p>Clause 02.03-2 Environmental and landscape values</p> <p>Clause 02.03-3 Environmental Risks and Amenity-Bushfire</p> <p>Clause 02-03-4 Natural resource management</p> <p>Clause 11.01-1-01 Mansfield Township</p> <p>Clause 12.05-1S Environmentally sensitive areas</p> <p>Clause 12.05-2S Landscapes</p> <p>Clause 12.05-2L Significant landscapes, ridgelines and alpine approaches</p> <p>Clause 14.01-1L Dwellings and subdivisions in rural areas</p> <p>Clause 15.01-6S Design for rural areas</p>
<b>PARTICULAR PROVISIONS</b>	Clause 52.06 Car Parking
<b>GENERAL CONDITIONS</b>	Clause 65 Decision guidelines
<i>Permit Triggers</i>	
<b>RURAL LIVING ZONE</b>	Clause 35.03-1 A permit is required for building or works associated with accommodation located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i> .
<b>ENVIRONMENTAL SIGNIFICANCE OVERLAY</b>	Clause 42.01- Schedule 2. A permit is required for buildings and works on a lot less than 40 hectares where new wastewater is generated.
	Clause 42.01- Schedule 2. A permit is required for buildings and works associated with the construction of a new dwelling or outbuilding where the site cut is deeper than 1 metre and the area of the site cut is greater than 300 square metres.
<i>Other</i>	
<b>CULTURAL SENSITIVITY</b>	None identified
<b>SITE INSPECTION</b>	Yes – 21 March 2024

## Background

### Subject site, neighbourhood and environs

The subject land is shown in the aerial photograph in Figure 1 and Figure 2 and is an irregular shaped parcel of land situated on the North side of Owens Creek Drive at the end of the existing court bowl. The site is approximately 8.5 kilometres south of Mansfield. The site is located within a much larger subdivision of rural living residential allotments that are a wide block of residential development along the south western corner of the Mansfield Township known as the "Stoneleigh Park Estate" between Monkey Gully Road and Stoneleigh Road. The subject site has a total area of 8.517 hectares.

The site is vacant. There are residences being constructed on a number of the surrounding properties around the site and on nearby Range View Court to the north. There is an existing unpaved crossover into the allotment.

The topography of the has a distinctive fall to the east. There are no registered easements and one listed encumbrance listed on title for the property. The subject allotment (Lot 32) is located entirely within the 500 metre buffer area for the quarry located at 189 Howes Creek Road which is used to extract stone resources live rock, gravel, sand, soil and clay; pursuant to Work Authority 782 (WA782).

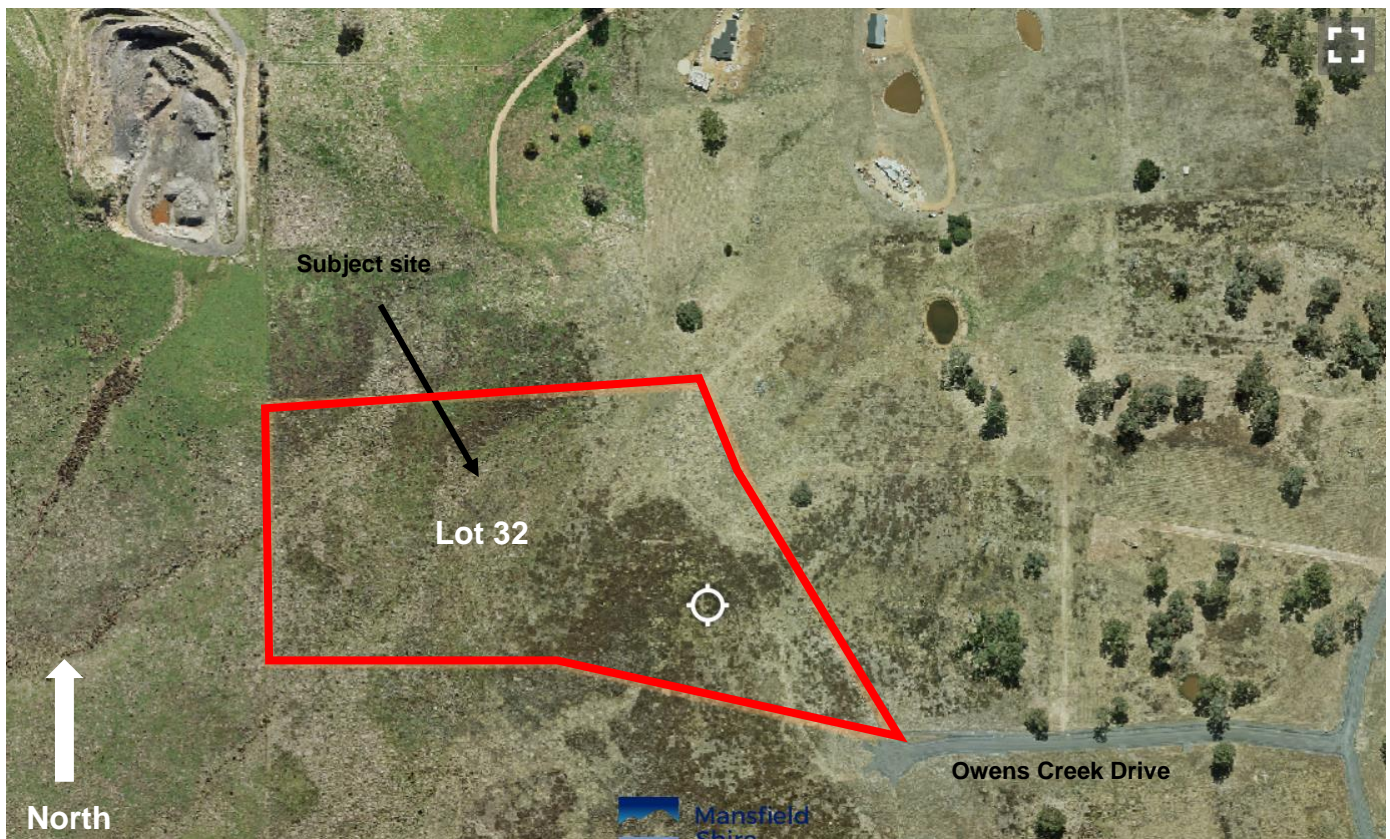


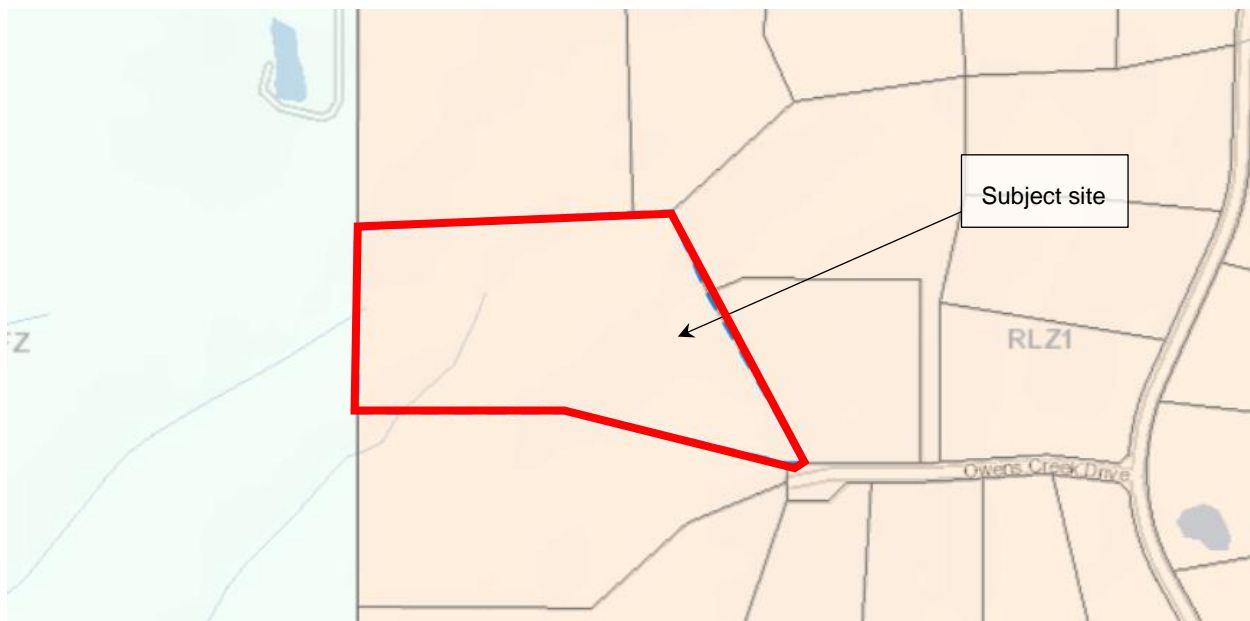
Figure 1: Aerial image of subject site and existing Quarry

Figure two shows the subject land and the existing development on the property. The property does not have access to reticulated services. The property is part of the rolling hill landscape that adjoins farmland in between the Paps Scenic Reserve, the northern end of Lake Eildon and Mansfield Township. The majority of the site is grassland there are no remnant native paddock trees within the site. A crossover and driveway into the site have been established.

The property is not identified as containing areas of Aboriginal Cultural Heritage Sensitivity.



**Figure 2:** View looking across the property from the above the highest point on the site.



**Figure 3:** Subject site zoning provisions

## Site History

Planning permits approved for the subject land include the following:-

- No planning permits on Council record for the subject site.
- The subject allotment was created as part of a multi-lot staged subdivision of land P020/29 Issued 14 August 2019 and amended 22 April 2020.

## Restrictions

There is a Section 173 Agreement listed on title in instrument AU466642L between the Owner/ Goulburn Murray Water and Mansfield Shire Council and dated 17 June 2021. The agreement stipulates that :

- All future development must comply with the relevant EPA code of Practice for Onsite Wastewater Management and the design, in particular generally in accordance with the installation and management and requirements of Paul Williams Land Capability Assessment No. A161002 dated August 2017 including wastewater to be treated to a standard of at least 20mg/L BOD and 30mg/L suspended solids.

Officer Comment: The proposed use and development of a single dwelling on the subject site is *for the most part* considered to be in accordance with the restriction on title. The proposed primary effluent area and reserve are not located in the same specific location recommended by the Land Capability Assessment however they are sized accordingly and located downslope from the proposed residences on the northern side of the allotment. The location and treatment of wastewater will be reviewed as a component of the Onsite Waste water Treatment permit that will be required from the Responsible Authority.

## Proposal

The current application is for the use and development of land for a dwelling and an outbuilding at 160 Owens Creek Drive, Mansfield (Lot 32 PS847761A). Details of the proposal are as follows:

### Dwelling

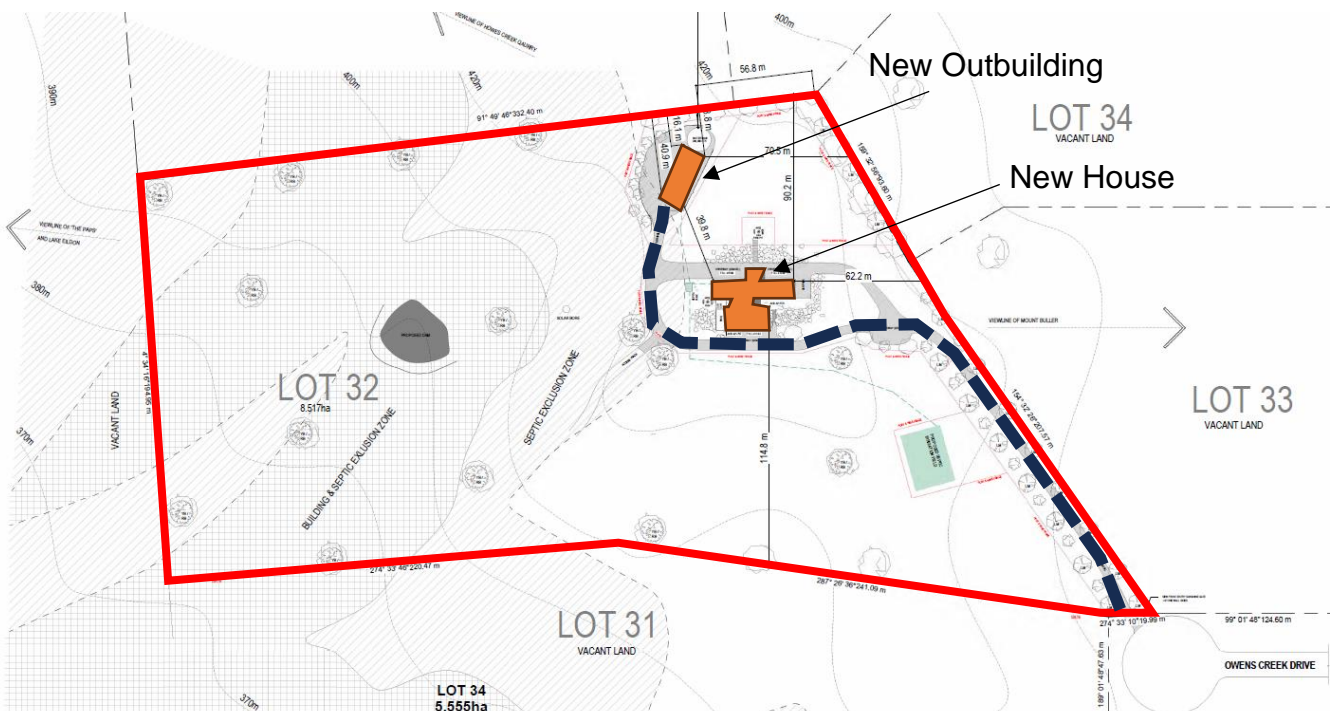
- A single story dwelling clad in corten steel and concrete panels with distinctive butterfly roof in two wide span sections. Entrance off the east elevation. Floor to ceiling windows with transom highlight window on the south elevation looking across the site.
- The proposed dwelling has four bedrooms and two bathrooms, a laundry, a mud room, kitchen-dining-lounge with walk in pantry, a study and lounge and two bathrooms/ two powder rooms.
- The main dwelling is setback by 90m from the southern boundary (Owens Creek Drive) and 62m from the eastern boundary with 148 and 144 Owens Creek Drive.
- Total height of the dwelling from natural ground level to roof peak is 4.932 metres. Total height of structure with site cut is 9.92 metres.
- There is a substantial site cut in the north eastern section of the site that will be required to situate the proposed footprint of development
- The proposed earthworks on the site plan and detailed renderings provided by the applicant illustrate that the dwelling will be benched into the allotment.
- Total dwelling floor area: 400m<sup>2</sup>

- Kliplok Roof Cladding in rusted steel (Corten) 700 m<sup>2</sup> roof;
- Long axis oriented east-west;
- There are two car parking spaces under the open sided carport off the northern elevation of the dwelling.
- The extensive earthworks and site cut will allow for a rumpus room/ service elevator/ bathroom and enclosed three bay garage under the main living area.

### **Outbuilding**

- A seven bay workshop style shed is also proposed with the following features
- Setback 17m from northern boundary and 10 m from the western boundary with 144 Owens Creek Drive;
- Longer axis oriented roughly north south in and around the highest knoll on site and down to the north western side of the dwelling;
- 29.4 m (L) x 12 m (W) x 4.49 m (H);
- Cladded with corrugated Colorbond woodland grey for both walls and roof
- Enclosed workshop on northern end, two open sided bays as well as three roller doors on the west elevation,
- Standard doors on south, west and north elevation.

The footprint of development is situated towards the highest part of the subject site (Figure 4). The applicant has provided supporting information including renderings that show how the earthworks will significantly excavate into the hillside to work with the existing topography and undulations to ensure that the dwelling is not overly prominent in the surrounding landscape. A site inspection confirms that the proposed building works will be benched in a way that is in keeping with the existing undulation in the natural topography of the broader area. An existing crossover and driveway have been established into the site. The access runs along the eastern boundary. The estimated cost of development as indicated in the application form is \$2.4 million.



**Figure 4:** Site plan showing footprint of development & site access

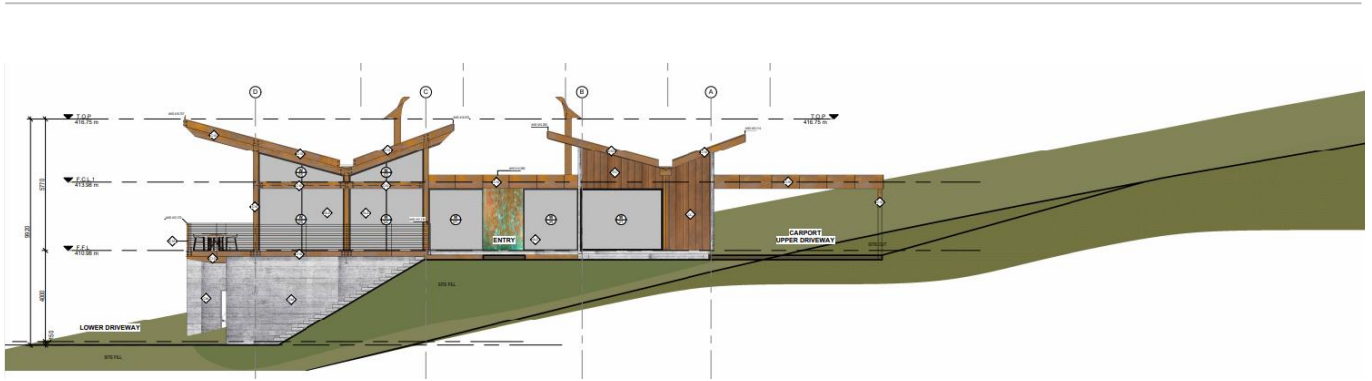


Figure 5: East (side) elevation



Figure 6: South Elevation, previously location for dwelling outlined red.



Figure 7: Renderings showing dwelling form and construction materials.

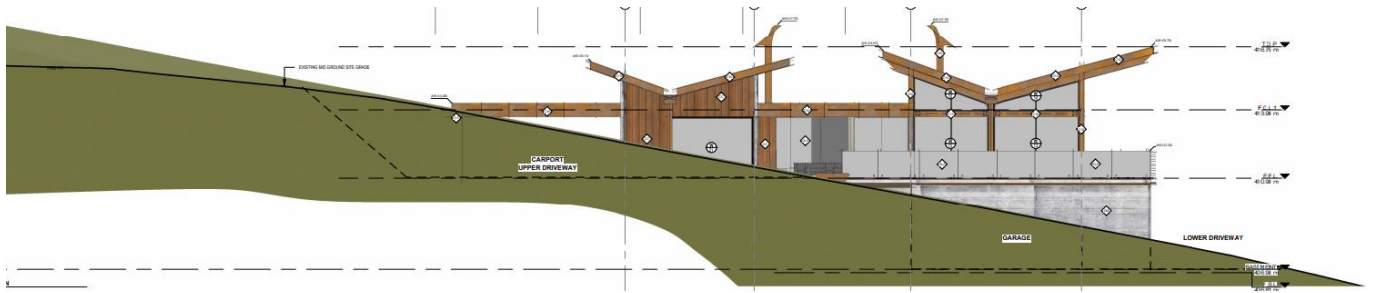


Figure 8: West (side) elevation

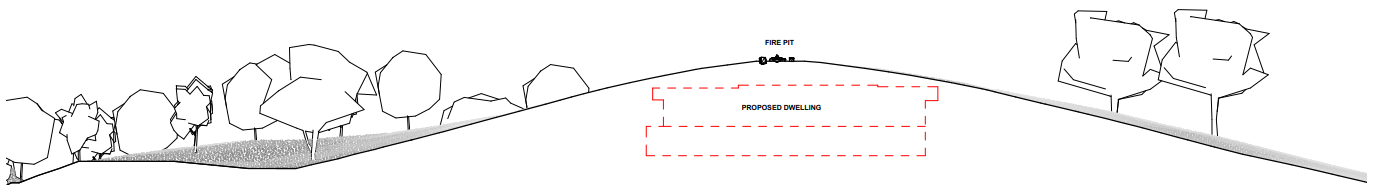


Figure 9: North cross-section showing dwelling below top of ridge



Figure 10: Renderings showing side elevations



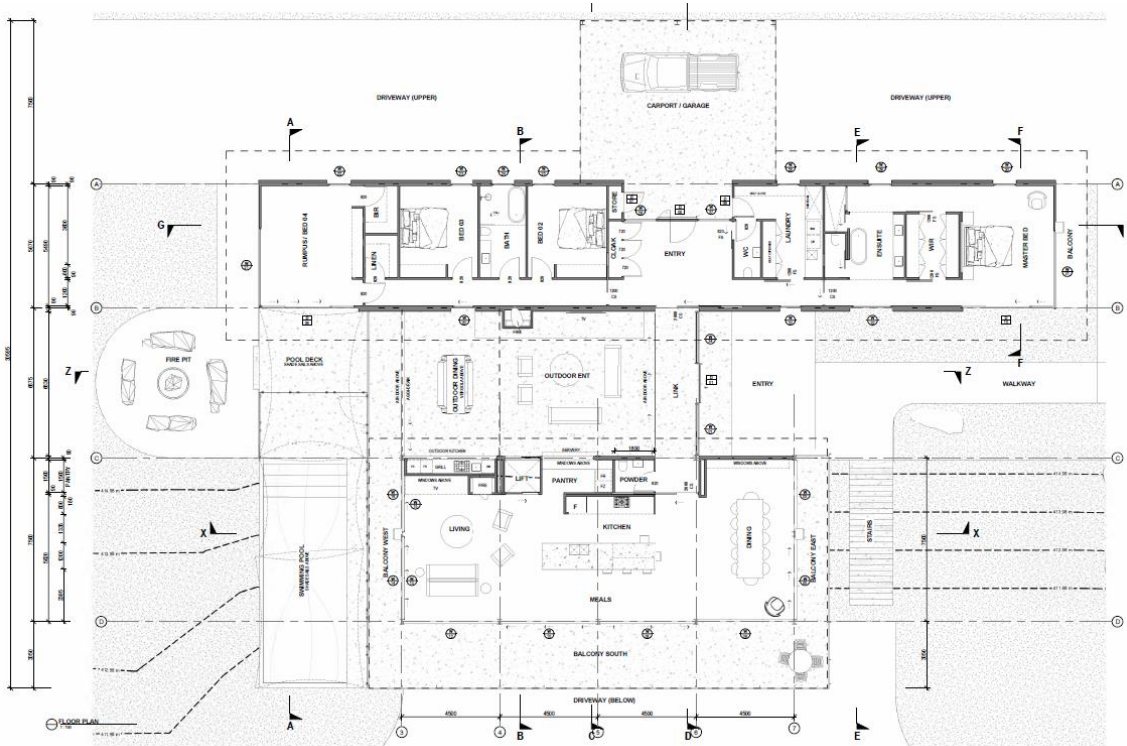


Figure 11: Floorplan

### Consultation

Two external referrals were conducted in relation to the proposed development of land for a dwelling and shed. Standard engineering and environmental health conditions have been included / recommended for planning permit inclusion.

### Referral Responses

Referral Agency	Referral Trigger	Response
<b>GOULBURN MURRAY WATER</b>	Section 55 (Determining) Clause 66.02-5 Special water supply catchment area	Conditional Consent provided 8 April 2024
<b>EARTH AND ENERGY RESOURCES (ERR)</b>	Clause 66.02-8 Proximity to extractive industry work authority area (quarry)	Pending

## Advertising

Subject site is within the Development Plan Overlay (Rural Living) Pursuant to Clause 43.04- 3- an approved development plan has been prepared to the satisfaction of the responsible authority. The current application 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 review rights of section 82(1) of the Act.

## Mansfield Planning Scheme and Context Assessment

### Planning Policy Framework (PPF)

The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in Section 4 of the Planning and Environment Act 1987) are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

The following Planning Policies and Objectives are relevant to this application:

### Clause 02.03 Strategic Directions

#### Clause 02.3-1 Settlement

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

### Clause 02.03-2 Environmental and landscape values

#### 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.

Officer response: The scope of the proposed works comprises extensive site earthworks to ensure that the form of the dwelling is appropriate along the localised ridge on which it is proposed. The orientation of the dwelling is considered to minimise any detrimental impact to the landscape character and the construction materials proposed are non-reflective and of high quality.

## **Clause 02-03-4 Natural resource management**

### **Water and Declared Special Water Supply Catchments**

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

Officer response: The subject site is located within a declared catchment area and the scope of works has some proximity to drainage lines. It is considered that the proposal for a dwelling that is to be situated directly next to the existing access into the site is not an unusual development on a rural living allotment with significant amenity appeal. It is considered that the applicant has provided a reasonable justification for the suitability of the proposed development and has demonstrated that the potential for impact or contamination to the special water supply catchment is low. The new dwelling can be connected to an adequately sized onsite wastewater management system that can meet EPA standards.

## **Clause 11.01-1L-01 – Mansfield Township**

### 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.*

Officer response: The proposal comprises the proposed use and development on an existing allotment situated within the Stoneleigh Estate/ Range View Drive Rural Living estate. The property is situated outside the Mansfield Township Framework Plan area. However, it is considered that the scope of works is in accordance with the policy guidelines for the Mansfield Township. The subject site is within an approved development plan area that has been identified as a good location for residential development and the dwelling and shed are residential nature of the proposal is appropriate. The scope of works is in accordance with the prevailing development patterns of the area, being in close proximity to the Mansfield township and offering high amenity appeal.

## **Clause 12.05-1S Environmentally sensitive areas**

The objective of the Clause is:

*To protect and conserve environmentally sensitive areas.*

Planning must protect environmentally sensitive areas with significant recreational value from development which would diminish their environmental conservation or recreation values.

Officer response: The subject site is located in the catchments at medium risk of water quality impacts. It is considered that the proposal can address the requirements of planning policy to reduce the potential for wastewater, particularly in un-sewered areas, to cause cumulative impacts on public health, water quality and catchment health. It is considered that the proposed development can ensure that on site wastewater is satisfactorily addressed within the boundaries of the site.

## **Clause 12.05-2S Landscapes**

The objective of the Clause is:

*To protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.*

**Officer response:** The proposed scale of development is commensurate with reasonable development expectations within the undulating scenic landscape. The geotechnical engineers and architects have taken considerable steps to ensure that extensive cut / fill and landscaping will be used to create a large split level dwelling where the bulk and massing are not unacceptable or prominent. Figure 12 and Figure 13 provide topographical sections of the showing the view looking towards the subject site from the Mansfield/ Mt Buller side of the site. It is considered that when completed, the dwelling does not detract from the natural qualities of the broader valley. The siting of the development is such that the surrounding important natural features will be maintained. The integrity of the broader alpine approach significant landscape area will not be compromised.

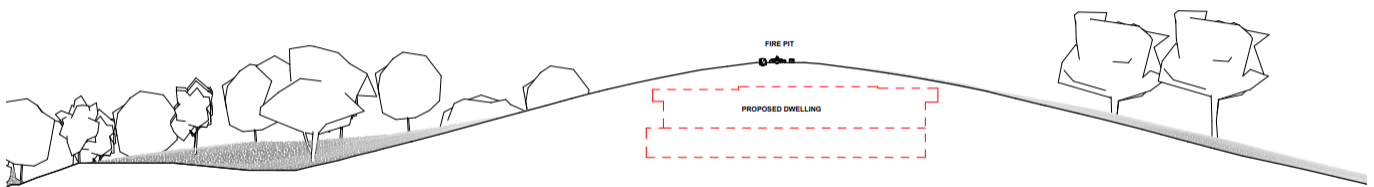


Figure 12: *North site section*

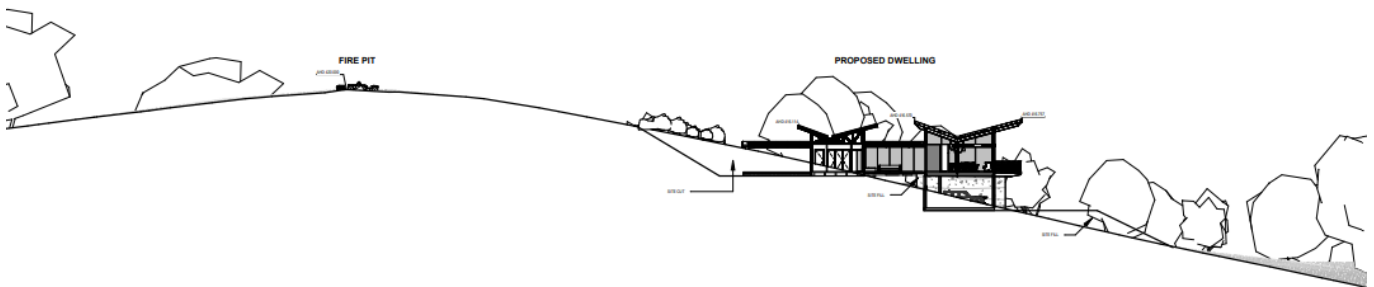


Figure 12: *West site section*

### Clause 12.05-2L Significant landscapes, ridgelines and alpine approaches

This clause's objective is:

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

Council's strategic directions are to:

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

- *Site and design development to be responsive to the topography of the land and unobtrusive in the landscape.*
- *Retain 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.*
- *Avoid development on visually exposed ridgelines, unless its visual impact can be minimised by using designs and colours that blend with or compliment the landscape.*
- *Incorporate building setbacks 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.*
- *Use building materials with external finishes that:*
  - *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.*

Officer response: Following a site inspection the scope of what is proposed is in keeping with Council's strategic directions as they relate to ridgeline development. A detailed review has included an assessment of the proposed works in situ (location of dwelling has been pegged out on the subject site. The proposed works are considered to address the objective and comply with the strategies.

As shown in the cross-section plans the dwelling location is below the ridgeline to reduce the visual impact from surrounds.

### **Clause 15.01-6S Design for rural areas**

Objective:

- *To ensure development respects valued areas of rural character.*

Officer response: It is considered that the proposed architecture of this dwelling is modern and the size and scale of development is of considerable expense. The size of the dwelling and the immediate garden/ pool and alfresco area offers a generous 800m<sup>2</sup> footprint however this is in scale as the overall allotment is a generous 8 hectares. The design, location, material and colour of the proposed dwelling is in keeping with the rural character of the area.

## **Zoning**

### **Clause 35.03 – Rural Living Zone – Schedule 1 (RLZ1)**

**Purpose**

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for residential use in a rural environment.*

- *To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.*
- *To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

### **Decision guidelines**

*Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:*

#### **General issues**

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *Any Regional Catchment Strategy and associated plan applying to the land.*
- *The capability of the land to accommodate the proposed use or development.*
- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*

#### **Agricultural issues**

- *The capacity of the site to sustain the agricultural use.*
- *Any integrated land management plan prepared for the site.*
- *The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agricultural and other land uses.*

#### **Environmental issues**

- *The impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of noise, dust and odours.*
- *The impact of the use or development on the flora, fauna and landscape features of the locality.*
- *The need to protect and enhance the biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.*
- *The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.*

#### **Design and siting issues**

- *The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.*

- *The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.*
- *The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.*
- *Whether the use or development will require traffic management measures.*

Officer response:

A permit is required for the following reasons:

- A permit is required to use the land for a dwelling for sites below 4ha, as the site is 3.168ha. The purpose of the RLZ to provide for *residential use in a rural environment*, the use of land for a dwelling is still in keeping with this typology is supported and envisaged by the Mansfield Planning Scheme. The dwelling has been constructed in muted tones, and the siting blends in with the visual amenity of the valued rural landscape and character of the area.

## Overlays

### Clause 42.01 Environmental Significance Overlay Schedule 2 (ESO2)

Purpose:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
  - *To identify areas where the development of land may be affected by environmental constraints.*
  - *To ensure that development is compatible with identified environmental values.*
- ▶ Decision Guidelines:
- ▶ General
- *Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:*
  - *The Municipal Planning Strategy and Planning Policy Framework.*
  - *The statement of environmental significance and the environmental objective contained in a schedule to this overlay.*
  - *The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.*
  - *Any other matters specified in a schedule to this overlay.*
- ▶ Schedule 2
- *The comments of the relevant water authority.*
  - *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).*
  - *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.*

Officer Response: The wastewater proposal for dwelling and shed and the Sec 173 Agreement that references the need for the wastewater installation to be 20/30 'secondary quality' and the location for the effluent field to be generally in accordance with the Subdivision LCA. Having reviewed the Planning proposal, the initial wastewater plans and the aerial images within the Environmental Health/ Council database and the LCA, it is considered that the proposal meets all of these requirements.

Environmental Health notes the provision of wastewater fixtures planned for the shed - with provision made in the initial wastewater design also for this wastewater to be pumped, treated and disposed of within the same treatment plant and dispersal area. Permit conditions will require no human habitation of the shed.

Additionally, the application was referred to Goulburn Murray Water as the responsible authority for the catchment area who have provided conditions to be included in any permit issued.

### **Clause 43.04 Development Plan Overlay Schedule 3**

No Permit Trigger.

#### **Particular Provisions**

### **Clause 52.06 – Car Parking**

#### **Purpose**

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*

- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

Officer response: The proposed house accommodates four bedrooms, requiring a total of 2 parking spaces according to Column A of Clause 52.06-5. A carport is provided on the north elevation and an enclosed garage on the south elevation of the dwelling. The carparking proposed with the dwelling satisfactorily addresses the required parking spaces. The proposal therefore complies with this requirement.

## **General Provisions**

### **Clause 65.01 – Approval of an Application or Plan**

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

- *The matters set out in Section 60 of the Act.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the environment and amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*

Officer response: The proposed use will be generally in accordance with the relevant matters in this Clause. As explored through this report, matters relating to site works, and siting of dwelling are suitably addressed as part of the application. No unreasonable amenity impacts to adjoining or nearby public or private land are expected.

## **CONCLUSIONS**

This application proposes the Development of land for a dwelling and an outbuilding at 160 Owens Creek Drive, Mansfield. Having assessed the application against the relevant clauses of the Mansfield Planning Scheme, it is considered that the proposal responds positively to the site and surrounding area, providing for additional rural living opportunities in an area zoned accordingly.