

Stages 9-13.

# H.J. MACEY

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LAND DEVELOPMENT CONSULTANTS  
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Please reply to Camberwell office and quote  
Ref: 4366

**MANSFIELD SHIRE PLANNING SCHEME**

Approval is granted for this Development Plan

  
Senior Planning Officer

For and on behalf of  
the Responsible Authority

Date 23/9/08

**APPLICATION FOR APPROVAL  
OF DEVELOPMENT PLAN**

**REDGUM RISE ESTATE  
REDGUM DRIVE, MANSFIELD**

**RESIDENTIAL 1 ZONE SUBDIVISION  
DEVELOPMENT PLAN OVERLAY SCHEDULE 1  
MANSFIELD PLANNING SCHEME**

**APPLICANT:  
SUMMERSET HOLDINGS PTY LTD**

JULY, 2008

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## APPLICATION FOR APPROVAL OF DEVELOPMENT PLAN RESIDENTIAL 1 ZONE SUBDIVISION REDGUM RISE ESTATE REDGUM DRIVE, MANSFIELD SUMMERSET HOLDINGS PTY LTD

### 1. INTRODUCTION

This report presents an assessment of the matters required to be addressed pursuant to Schedule 1 of Clause 43.04 of the Mansfield Planning Scheme in order to facilitate the residential development of the land known as the Redgum Rise Estate. Necessary approval of the Development Plan is a precursor to an Application for Planning Permit which will cover the residential subdivision of the land in stages over a period of about fifteen years.

#### 1.1 The Land

The land, having a total area of approximately 11.23ha, comprises part of Lot D on PS536322N, being part Certificate of Title Volume 10936 Folio 256, copy of which is attached.

The Redgum Rise Estate is located approximately 1.5km from the Mansfield Post Office within an area which has been the subject of expanding residential development for a number of years. A Development Plan Overlay Schedule 1 affects the whole of the land.

The land is surrounded by existing residential development on the northern and western boundaries and by the Mansfield Botanical Park on the southern boundary.

The Mansfield Whitfield Road abuts the entire eastern boundary of the land and will provide one point of access to the Estate. This road has a sealed pavement.

#### 1.2 Development Plan

The Development Plan provides the basic structural components of the proposed subdivisional design and takes account of the principles and objectives of the relevant planning provisions and policies with reference to the site specific studies attached to this report. The process of approval of the Development Plan will allow the appropriate

and co-ordinated development of this land over the designated planning period.

The Development Plan is a Master Plan for the ongoing development of the Redgum Rise Estate from which the issue of the required Planning Permit/s for each stage of the development will be considered by the Responsible Authority and the various Referral Authorities

The Development Plan includes the relevant information to demonstrate that subdivisional development of the land may proceed in an integrated context with the surrounding lands.

Site specific requirements for the preparation and approval of the Development Plan are set out in the Development Plan Overlay Schedule 1 of the Mansfield Planning Scheme Clause 43.04-3 and these requirements are addressed below.

### **1.3 Subdivision and Removal of Native Vegetation**

Following approval of the Development Plan separate Application/s will be made over time for the staged subdivisional development of the land including requests for the necessary required removal of any Native Vegetation in accordance with the attached Flora and Fauna Report and Authority consents.

### **1.4 Technical Reports**

Site specific expert technical reports have been prepared for this Application and are attached as follows:

-*Scattered Tree Net Gain Assessment*, prepared by Brett Lane & Associates, June, 2008

-*Traffic Engineering Assessment, Cambridge Drive Estate, Mansfield*, prepared by TraffixGroup June, 2004

These reports should be referred to for detailed information in relation to the matters discussed in this report.

## **2 SITE CONTEXT AND ANALYSIS**

### **2.1 Site Description**

See above in 1.1

### **2.2 Site Context**

The strategic location of the land provides a unique opportunity for the creation of a fully integrated residential development. The Mansfield Urban Design Framework Study of 2005 enunciated several factors driving the strong demand for residential land within the Mansfield Township – see Overview of Residential Land Chapter 12 - Proposed Structure Plan. This demand for vacant residential lots is still strong with the adjoining Cambridge Drive Estate all but sold out and housing development continuing at near record levels.

### **2.3 Neighbourhood Context**

The Land has local access to the following Mansfield Community Facilities and Services all within an approximate 2km radius of the proposal:

*Business Facilities*

- *Mansfield Central Retail & Office Activity Area*

*Education*

- *Mansfield Secondary College*
- *Primary Schools*
- *MACE*

*Health*

- *Mansfield Hospital*
- *Medical Clinics*

*Transport and Freight*

- *Mansfield Buslines*
- *Freight Depots*

*Recreation*

- *Mansfield Golf Course*
- *Mansfield Racecourse*
- *Mansfield Sporting Complex*
- *Sports Grounds*

### **2.4 Existing Land Use**

The land has been used for many years as a grazing and agistment property. The land is generally cleared although there exists a spread of mature Redgum Trees across the property most of which are to be retained and protected.

### **2.4 Interfaces**

The proposed residential development will be impacted by interfaces with the following abutting land uses:

- *Existing fully developed Residential Zone; western boundary*
- *Partially developed Residential Zone; northern boundary*
- *Mansfield Botanical Park; southern boundary*
- *Mansfield-Whitfield Road; eastern boundary*

### **2.5 Topography**

The land is undulating as is shown by contour on the Development Plan rising from the Fords Creek Floodplain on the southern boundary to the highest point on the northern boundary which abuts the developing Cambridge Drive Estate. A minor waterway runs through the south eastern part of the land. It is proposed to develop a Drainage Reserve along this waterway with appropriate pedestrian and cycle path linkages and landscaping. It is proposed that all development will be above the local 100 year ARI flood level as provided by the Mansfield Flood Study 2005.

### **2.6 Road Access**

Road access for the Land is provided from the sealed pavement of the Mansfield Whitfield Road - which access has previously been

approved by VicRoads and from the existing fully constructed connection to Redgum Drive in the north eastern corner of the land.

## **2.7 Trees**

### **2.7.1. Indigenous Trees**

The Scattered Tree Assessment identifies a total of 39 remnant scattered indigenous trees within the boundaries of the Land (see attached Assessment by Brett Lane & Associates). Nine of these trees are located within lots and will therefore be regarded by the Native Vegetation Regulations as being lost (even though some of these trees are likely to remain). Some of the nine trees above require to be removed over the life span of the development for road works, power line and services construction, public safety, and site constraint issues. See discussion in Section 4 of this report.

### **2.7.2. Non Indigenous Trees**

There are no non indigenous trees on the land however the line of Ash trees along the western alignment of the Mansfield-Whitfield Road are to be retained save for the trees within the intersection of the proposed subdivisional feeder road and the Mansfield - Whitfield Road.

## **3. OPPORTUNITIES AND CONSTRAINTS**

### **3.1 Opportunities**

- Existing native trees can be incorporated into Road Reserves or Municipal Reserves where possible thus providing a sense of place for the new residential estate development
- Existing native trees which are not incorporated into the above reservations and which are not required to be removed may be protected by an appropriate Section 173 Agreement between the Applicant and the Mansfield Shire Council thus providing an attractive rural character in the new residential estate development
- The previous approval by VicRoads of the southerly entry point for the development from the Mansfield - Whitfield Road allows for appropriate distribution of estate generated traffic and for the much sought after design opportunity of a peripheral internal ring road with a system of courts and connection to a cross linkage collector road within the Cambridge Drive Estate
- The southern boundary of the land provides for the establishment of an appropriate boundary fence treatment and shrub plantation interface treatment which will satisfy visual requirements from the Mansfield Botanical Park whilst providing adequate privacy and security for the residents along the interface boundary
- The proposed provision of a residential Service Road along the Mansfield - Whitfield Road interface particularly in conjunction with the existing linear Ash Plantation along this road will greatly enhance the visual aspect of this interface.
- the provision of a landscaped Drainage Reserve containing a pedestrian/cycle path along the existing minor waterway in the

south eastern area will extend the future path network with linkages to the Mansfield Botanical Park and the northern and southern parts of the new Estate

### **3.2 Constraints**

- The proposed development is remote from a gravity sewerage outfall system and a Sewerage Pumping Station will require to be constructed and relocated during the development stages.

## **4. THE DEVELOPMENT PLAN**

### **4.1. Development Principle**

The guiding principle in the urban design pertaining to this development is the provision of an environmentally sustainable and liveable community. This will be achieved by the provision of appropriate infrastructure, landscaping treatments, integration of pedestrian/cycle paths with open space and road linkages, the development of a sense of place and character by the retention of most of the existing remnant indigenous large trees, and strengthening of the residential neighbourhood character by the provision of all utility services available as a continuation of the general lot density of previously developed abutting estate.

It is anticipated that Redgum Rise will become a unique and vibrant residential community drawing on the existing rural/residential landscape characteristics and providing a distinct sense of identity for future residents.

### **4.2 Urban Design Rationale**

The Development Plan design responds to and accounts for the various features identified by the site analysis process and includes:

#### **4.2.1. A Modified Ringroad Layout that**

- maximises vehicular and pedestrian visual amenity and ease of access throughout the development
- provides for dual entry points for the development from the Mansfield - Whitfield Road and from the existing part of Redgum Drive allowing appropriate distribution of estate generated traffic and for the opportunity of a peripheral internal ring road with a system of courts and connection to a cross linkage collector road with appropriate traffic calming measures thus enhancing safety for vehicles and pedestrians
- provides for a system of integrated pedestrian/cycle paths which will eventually encompass the whole of the estate
- provides for landscape plantation treatment of the interface boundary with the Mansfield Botanical Park
- provides an adequate open road frontage to the major parcel of Public Open Space thus ensuring maximum passive

surveillance and increasing the perception of safety and enhancing the exiting rural character

- provides a Service Road subdivisional treatment of the interface with the Mansfield – Whitfield Road thus creating an active interface with landscaped gardens and an existing Ash Tree plantation being a major visual feature of the interface

#### 4.2.2 An Open Space Network that

- responds to the existing natural features of the land including the south eastern waterway and road reserve extension to encompass and protect existing indigenous trees
- provides a system of pedestrian/cycle paths which encompass the whole of the estate
- provides a variety of open space types including direct access to Botanical Park, a linear space along a Drainage Reserve, tree reserves, and pedestrian/cycle paths
- is easily accessible for the residents

#### 4.3 Land Allocation Analysis

The Redgum Rise Estate occupies a gross area of approximately 11.23 ha. A primary yield of approximately 103 lots will be provided. Assuming an average household size of 2.6 persons a population in the order of 270 persons will be accommodated within the estate when fully developed.

1. Gross Land Area		11.23ha
2. Open Space		
2.1 Neighbourhood Park - Area allocated in previous subdivision		
2.2 Tree reserves	0.16ha	
2.3 Lineal Park - Drainage Reserve	0.64ha	0.80ha
3. Road Reserve Area (approx.)		2.31ha
4. Net Residential Lot Area (approx)		8.12ha
5. Proposed Lot Yield		103
6. Approximate Average Lot Size		790m <sup>2</sup>

#### 4.4 Density, Diversity of Lot size, Housing Type and Energy Efficiency

The 2005 Mansfield Urban Design Framework Study identified a perceived need for ‘...a greater diversity of housing types and residential lots, including medium density housing, aged accommodation, and lifestyle housing to meet existing and future needs;’. The Redgum Rise Estate will assist in the satisfaction of this

need by proposing a broad mix of lot sizes and conformations within the Estate. This proposal will thus provide the opportunity for housing diversity including medium density housing which caters for various housing types creating interest and identity within this new urban environment.

The Development Plan is guided by the principles of energy efficiency and includes:

- Streets which are aligned north-south and east-west where possible
- Generally regular shaped lots
- A range of lot sizes and conformations
- Limiting where possible narrow east-west lots
- 

#### 4.5 **Medium Density Housing**

So as to provide certainty to Council, Prospective Lot Holders, and the Applicant as to the location and number of lots to be appropriated for possible medium density development it is proposed to identify these lots recorded on a Council agreed Schedule for each stage of the development prior to the certification of the Plan of Subdivision for that particular stage.

#### 4.6 **Landscape**

Remnant site elements and the rural residential characteristics of the Land form the basis for the landscape objective which is primarily to retain most of the existing large trees and to interconnect open spaces with the constructed pedestrian/cycle paths to create a continuous network of passive and active open space. Secondly, in obtaining Net Gain status relative to the Native Vegetation Regulations, new plant species will be selected which are compatible with and enhance the existing landscape and vegetation communities – see attached Landscape Design proposal Plans

##### 4.6.1. **Flora**

Consideration of the Scattered Tree Net Gain Report requires actions including:

- any pruning and shaping of the retained trees to be undertaken as necessary by an experienced arborist
- Planting of local indigenous flora
- Provision of additional planting areas within the drainage reserve area and tree reserve areas

##### 4.6.2. **Street Trees**

Plantation of street trees throughout the Estate will provide an overall character which creates identifiable precincts within the estate, improves streetscape appearance, and integrates with open space areas. The species selected will be a matter for agreement between the Responsible Authority and the Applicant at the time of issue of Planning Permit for each individual stage of the development, however the nominated



species should have the following characteristics in that they are:

- able to thrive in the local conditions
- able to provide permanent and seasonal features (form, colour, shape, etc)
- reflective of the existing vegetation and landscape

In this regard Landscape Design proposals are attached for consideration by Council

#### **4.7 Interfaces with Adjoining Properties**

The Development Plan has an appropriate response to the interface treatments with the Mansfield - Whitfield Road, the existing Residential Estate abutting the western and northern boundaries and the adjoining Mansfield Botanical Park on the southern boundary.

##### **4.7.1. Mansfield Whitfield Road**

A 12 metre wide service road is to be fully constructed for the total length of the Estate frontage to this road apart from the entry point and the 6 metres wide tree reserve abutting proposed lot 155 in the south eastern corner of the land. This Service Road will serve to provide an active interface to the main road whilst planted streetscape and existing Ash plantation will provide enhanced visual amenity for both the users of the main road and the residents immediately abutting the main road. The Service road will also preclude direct lot access from the Mansfield – Whitfield Road.

##### **4.7.2. Summerset Rise and Cambridge Drive Estates**

So as to provide a seamless transition between the new estate and the existing developed estates there will be no special treatment proposed other than the usual property boundary fencing.

##### **4.7.3 Mansfield Botanical Park**

The Landscape Plan forming part of this Development Plan proposes a low growing shrub conformation together with a dog proof farm type open wire fence along the boundaries of the lots abutting the Park.

#### **4.8. Native Vegetation Management**

Existing landscape character has been the primary underlying principle in the urban design process attaching to the preparation of the Development Plan. Native vegetation will be the focus of the new residential development ensuring that it remains the dominant landscape element.

##### **4.8.1. Avoidance of Adverse Impacts**

An objective of residential layout design was to avoid the unnecessary removal of any of the large trees on the Land. It will be necessary to remove some trees for road and drainage construction purposes and in relation to other matters as described below.

In order that the Responsible Authority has ongoing control and input into the Native Vegetation Management process throughout the life of this development the Applicant is prepared, as part of the Application/s for Planning Permit/s for the development, to enter into a Section 173 Agreement with the Mansfield Shire Council which prohibits the removal of native vegetation excepting with the written approval of the Responsible Authority.

#### **4.8.2. Minimisation of Adverse Impacts**

The minimisation of removal of native vegetation will be of great significance in the maintenance of quality and ongoing landscape character for this Estate. It is impossible, however, to retain every large existing tree on the Land and this should not be expected. Some large existing trees will be in poor health or display unsafe structure and will be proposed not be retained. Other trees may not be able to be retained due to site constraints such as site usage, necessary road and drainage construction, and eventual residential building requirements on individual lots in the Estate. Consideration must also be given to the requirements for sustainable tree survival and growth and these considerations require to be balanced with the requirements for residential growth. The Land is an area which has been identified in the Mansfield Planning Scheme for residential growth which must be the main guiding principle of the new Residential Estate over the coming years.

In assessing the Land a balance is required to be demonstrated between the mainly competing demands of

- providing a residential development at a density that is responsive to the needs of the Mansfield housing market
- protection of the environmental integrity of the Land including native vegetation and the important role it has in relation to the ecology, habitat, and character of the Land
- meeting the objectives of sustainable development
- providing an attractive residential setting in which to live

In reaching the above sought-after balance some of the existing large trees will be proposed for removal. This will be done by making the necessary Application for Planning Permit to remove.

#### **4.8.3. Appropriate Offset Plantings**

The *Flora and Fauna Assessment*, by Brett Lane & Associates contains assessment of native vegetation and makes specific recommendations for the necessary appropriate offset plantings to be carried out in relation to the Land. There exists within the Land and the adjoining Mansfield Botanic Park ample scope for this offset planting to be provided - within the proposed plantations along the subdivisional streets, within the proposed plantations along the pedestrian/cycle paths, within the proposed tree

plantations, and mainly within the Mansfield Botanic Park itself. It is proposed that Council will carry out the offset planting within the Mansfield Botanic Park in response to the Agreement negotiated with Council by the Applicant - see discussion in 4.10 below.

#### 4.9. **Open Space Contribution**

The Open Space Contribution required under Victorian Law has already been made for all of the land in this development by previous subdivisions.

In addition to the above the scope and extent of new open space allocated within the Redgum Rise Estate is shown on the Development Plan and is described in the Land Allocation Analysis- see Section 4.3

The total allocated area of open space including the allocation to be made from a previous two lot subdivision represents 47% of the total area of the land dealt with in the previous subdivision together with the current proposed development. It is suggested that this allocation is appropriate in the circumstances and will adequately provide for the open space recreational needs of the Redgum Rise Estate community and other surrounding residential communities.

The provision of an efficient and direct pedestrian/cycle path to key destinations will be helpful in assisting to reduce the dependence upon private vehicles in the newly developing residential estate. To this end and in addition to the allocation of the above open space the Applicant is prepared to construct a crushed rock pedestrian/cycle path and associated landscaping as shown on the Landscape plan through the Drainage Reserve along the waterway in the south eastern part of the development.

#### 4.10 **Mansfield Botanic Park Infrastructure Contribution**

In addition to the above path and landscape construction the Applicant is prepared to negotiate an Agreement with Council for a requirement conditioned by Planning Permit to make a contribution towards the cost of infrastructure works within the Mansfield Botanic Park. The required contribution may be made on a stage by stage basis payable at the time of a Statement of Compliance for a Stage Plan of Subdivision being issued by Council and may be calculated on a per lot basis.

#### 4.11 **Vehicular Traffic**

Within residential developments the designated road network should facilitate the movement of vehicular traffic, pedestrians and cyclists in an efficient and safe manner. The design of the road hierarchy is recognised as an important aspect of the liveability of the development as it directly impacts on accessibility to services and efficiency of mobility.

The design rationale was discussed in Section 4.2.1 above.

The *Traffic Engineering Assessment, Cambridge Drive Estate, Mansfield (Stage 6 & 7)* prepared by the TraffixGroup in June 2004

made recommendations which took into consideration the total traffic volumes generated and overall requirements for the whole of the estate including the current Redgum Rise Estate. As the current proposed urban design is quite similar to that assessed above it is proposed to adopt for this proposal the recommendations as to required traffic engineering treatments made by the TraffixGroup in the above report. Copy of the above report is attached.

#### 4.12 **Services and Service Infrastructure**

##### 4.12.1. **Water Supply**

Goulburn Valley Region Water Corporation (GVW) is the Responsible Water Supply Authority for this development. The Applicant understands that GVW is able to supply a potable reticulated water supply for the whole of the Estate – reticulation provision to be at the Applicants cost together with the usual headworks and associated charges.

##### 4.12.2. **Sewerage Facility**

Goulburn Valley Region Water Corporation (GVW) is the Responsible Sewerage Authority for this development. Currently there is no constructed gravity sewerage outfall servicing this development and the Applicant will be required to provide a Sewerage Pumping Station to service the development. This Sewerage Pumping Station will be constructed in the first instance at a temporary location and thence relocated to a permanent Reservation set aside for the purpose as shown on the Development Plan.

##### 4.12.3. **Stormwater Drainage**

The Land currently has no formal drainage structures and is drained via the rural topography patterns.

Internal residential drainage will consist of the conventional 5 yearARI design underground drainage network incorporating the road kerb and channel network together with easement drains. Major storm events (100 yearARI) will be conveyed in the conventional manner overland via the road network.

The maximum discharge from the developed site will be restricted to the current pre developed rural flow rate and additional runoff created by the development will be retarded in detention basins proposed to be constructed within the Mansfield Botanical Park as part of the proposed wetlands project shown on the attached Landscape Plan. The drainage network will be modelled in conjunction with the Application/s for Planning Permit/s for the development however the maximum detention volume for the development is estimated to be not greater than 4000m<sup>3</sup> which is able to be easily accommodated within the proposed wetlands detention.

Drainage design will be carried out using *Water Sensitive Urban Design and Treatment* principles in accord with *Best Practice Environmental Management Guidelines for Urban Stormwater: (CSIRO), 1999*

#### 4.12.4 **Electricity Supply**

SP AusNet is the Responsible Authority for this development. It is understood that power supply can be made available to the whole of the development. Power distribution lines are already constructed to the perimeter of the property and underground reticulation for separate lot provision will be designed and constructed by SP AusNet (or an associated entity) when formal application is made following the issue of a Planning Permit for the Development. Power supply will be provided by SP AusNet at the cost of the Applicant. The developer will provide the required trenching and conduiting for installation of electrical services in accord with the standard service agreements.

#### 4.12.5. **Telecommunications**

Telstra is the Responsible Authority for this development. The necessary infrastructure will be provided to all lots within the development as per the usual servicing arrangements. The developer will provide the required trenching and conduiting for installation of telecommunication services in accord with the standard service agreements.

#### 4.12.6. **Road Construction Standards**

The new subdivisional roads and connecting intersection with the existing Mansfield Whitfield Road will be constructed using concrete kerb and channel edgings, crushed rock pavement and asphalt wearing surface. There will be footpath construction where required and a crushed rock pedestrian/cycle path along the existing waterway as discussed above and shown on the Landscape Plan. All construction will be carried out to current standards with design and supervisory approval of the relevant Responsible Authority.

#### 4.13 **Compliance with Rescode**

The Development plan provides a subdivision appropriate for the land, compatible with the natural environment and the surrounding rural character. Clause 56 of the Mansfield Planning Scheme contains a number of requirements for residential subdivisions

In addition to the reasons previously discussed in this Development Plan it is submitted that the proposal complies with the above Rescode requirements as follows:

- the proposed subdivisional layout respects the proposed neighbourhood character as shown on the Development Plan and responds to the surrounding rural living and natural environment
- the proposed subdivision enables safe and convenient movement for pedestrians and vehicles
- the proposed diverse lot sizes reflect the sought after residential concept which responds to the Land's opportunities and constraints as well as providing a choice in housing and lot size

- the proposed subdivision has been designed and oriented to make the best possible use of solar energy

**4.14 Development Staging**

Development of the Redgum Rise Estate is expected to commence in late 2008.

Staging of development will generally occur from the interface with the Cambridge Drive Estate in the north east and thence progress southerly as shown on the Development Plan. Due to economic and other factors the staging of the development may require to be amended and therefore the Applicant proposes to refer to the schedule of staging as indicative only.

**4.15 Status of and Changes to the Development Plan**

As the Development proceeds it may be necessary for the Applicant to have the opportunity to change the development staging and context to meet market demands and the timely provision of infrastructure.

As part of this Development Plan Council approves of a simple ongoing mechanism for Council consideration and approval of any proposed changes to this Development Plan.

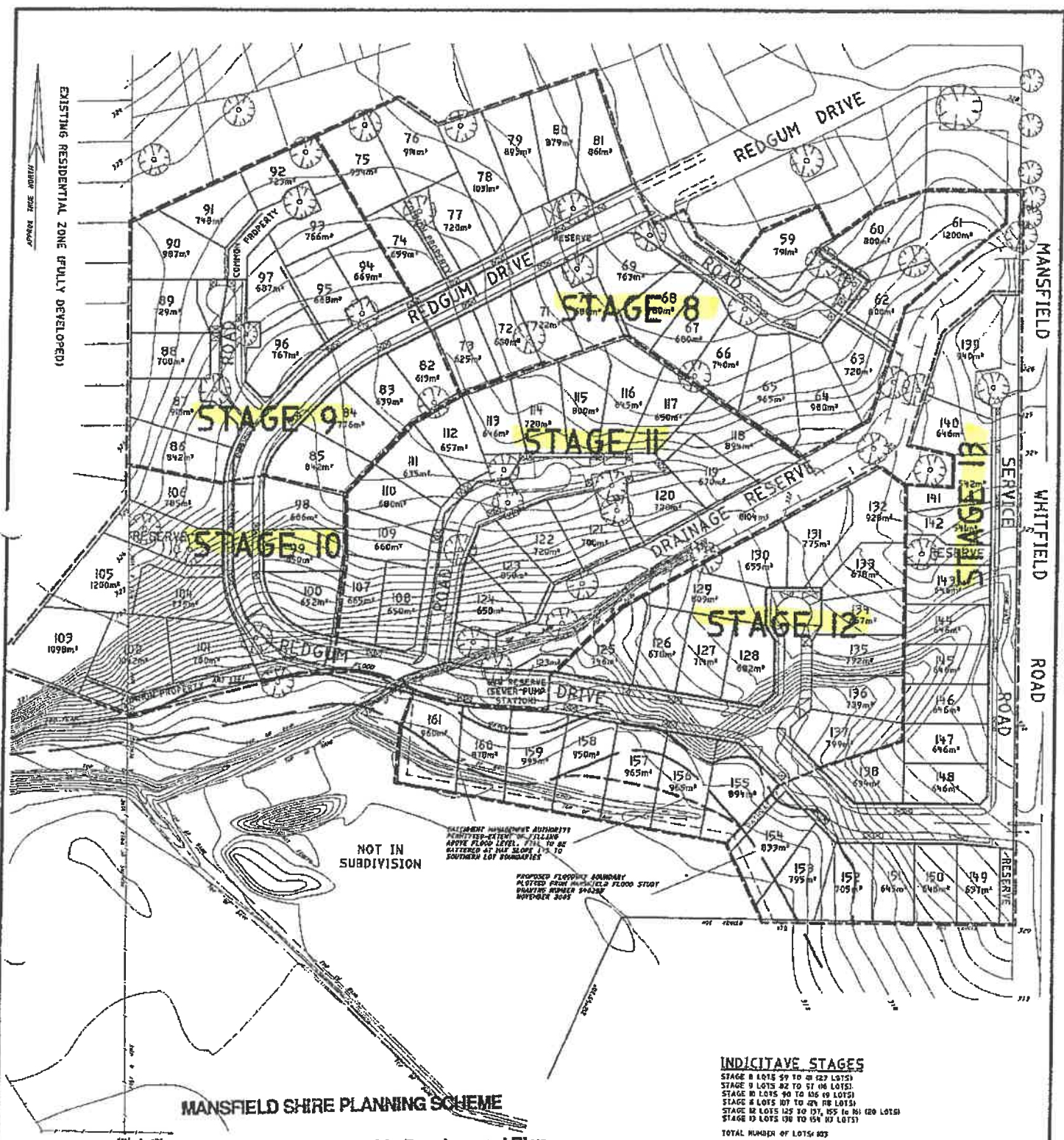
**Council Directions**

Mansfield Shire Council has made certain directions in relation to matters which form part of this Development Plan. These Directions are included in this Development Plan and are attached herewith at Schedule A.

**SCHEDULE A**

1. A Construction Environment Management Plan (CEMP) is prepared to the satisfaction of Council and the CEMP includes the measures contained in the memorandum by Brett Lane & Associates Pty Ltd dated 1 September 2008.
2. The applicant enters into a Section 173 Agreement with Council to protect all of the remaining trees and the agreement included the requirements contained in the memorandum by Brett Lane & Associates Pty Ltd dated 1 September 2008.
3. All conditions specified by the referral authorities and Council are included on any planning permit issued for the Development Plan area.





**MANSFIELD SHIRE PLANNING SCHEME**

Approval is granted for this Development Plan

PLAN  
SCALE 1:800

*[Signature]*  
Senior Planning Officer

For and on behalf of  
the Responsible Authority

Date 23/9/08

**INDICATIVE STAGES**  
 STAGE 8 LOTS 59 TO 81 (23 LOTS)  
 STAGE 9 LOTS 82 TO 91 (10 LOTS)  
 STAGE 10 LOTS 92 TO 102 (11 LOTS)  
 STAGE 11 LOTS 103 TO 113 (11 LOTS)  
 STAGE 12 LOTS 114 TO 124 (11 LOTS)  
 STAGE 13 LOTS 125 TO 135 (11 LOTS)  
 STAGE 14 LOTS 136 TO 146 (11 LOTS)  
 STAGE 15 LOTS 147 TO 157 (11 LOTS)  
 STAGE 16 LOTS 158 TO 168 (11 LOTS)  
 TOTAL NUMBER OF LOTS: 165

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PRINCIPAL  
**SUMMERSET HOLDINGS PTY LTD**  
 HIGH STREET  
 MANSFIELD 3722

PROJECT  
**PLAN OF DEVELOPMENT  
 REDGUM RISE ESTATE STAGES 8 TO 13  
 MANSFIELD - WHITFIELD ROAD, MANSFIELD  
 MANSFIELD SHIRE COUNCIL**

REF 4366/P/08/16  
 SHEET 1 OF 3 SHEETS  
 DATE JUNE 2008  
 LEVEL DATUM A.M.D.  
 FROM MANSFIELD PUB?  
 REVISION  
 AUTHORIZED BY  
*[Signature]*

**MANSFIELD SHIRE PLANNING SCHEME**

**Approval is granted for this Development Plan**



Brett Lane & Associates Pty. Ltd.  
Ecological Research & Management

*[Signature]*  
Senior Planning Officer

For and on behalf of  
the Responsible Authority

Date 23/9/08

**MEMORANDUM**

<b>To:</b>	John Canavan, John Canavan First National Real Estate
<b>From:</b>	Brett Lane
<b>Date:</b>	1st September 2008
<b>Subject:</b>	Red Gum Rise: Outline of Environmental Management Plan and Section 173 Agreement
<b>Reference:</b>	Report No. 8096(2.1)

**Introduction**

This memorandum provides guidance on two aspects of the proposed development at Red Gum Rise in Mansfield:

- 1) The proposed content of a Construction Environmental Management Plan (CEMP) for the construction phase of the proposed development; and
- 2) The proposed content of a Section 173 Agreement to protect retained River Red Gums within allotments less than 0.4 ha.

These matters are dealt with below under separate headings after providing a brief background to the requirements.

**Background**

The proponent proposed the development of a residential estate on land on Whitfield Road, Mansfield that currently supports a total of 39 scattered River Red-gums, of which 34 were very large, and 5 were large compared to the benchmark large tree diameter at breast height for Plains Grassy Woodland, the Ecological Vegetation Class (EVC) to which the trees belong. Of these, one large tree will be removed and all others will be retained. Of the retained trees, six will be on private allotments and the balance on Council land or reserves within the proposed development.

To ensure that the intention to retain trees is assured, the EMP for the construction phase of the development and the Section 173 agreement to provide protection for the six trees on private allotments. The latter is required as subdivision into allotments of less than 0.4 ha otherwise removes the automatic requirement for a planning permit under Clause 52.17 of the planning scheme.

I have modelled the foregoing development plan prescriptions on the directions in the planning provisions from the Whittlesea Shire Planning Scheme formulated specifically to protect River Red Gums in urban subdivisions (i.e. Clause 22.10). I attach a copy of this as background.

Experience  
Knowledge  
Solutions

625 Nicholson Street  
PO Box 392, Carlton North  
VIC 3054, Australia

ph (03) 9387 5008 fax (03) 9387 6115  
enquiries@ecologicalresearch.com.au  
www.ecologicalresearch.com.au





### Outline of tree protection measures in the Construction Environment Management Plan

The proposed CEMP would be prepared to the satisfaction of the responsible authority. As well as the usual measures to protect the environment, it should include the following measures to protect trees during construction:

- A map will be prepared for the construction plan showing the location of each retained tree;
- A construction tree protection zone will be identified before construction, equivalent, wherever possible, to the canopy diameter plus one meter;
- Tree protection zones should be marked before construction commences with conspicuous temporary fencing (e.g. star pickets with bunting tied around them), with this not to be removed until works are completed;
- Wherever possible, all works should occur outside this protection zone.
- No construction machinery, vehicles or personnel should be permitted in the tree protection zones, except where this is unavoidable.
- The number of trees where this is not possible should be restricted to a small minority (e.g. on road reserves, where the installation of services is required and it may be unavoidable).
- Implementation of this CEMP will be the responsibility of the construction contractor, who will appoint an environmental delegate from among the on-ground team, who will report regularly to the Construction Manager on progress in implementing these measures.
- A CEMP implementation report will be provided to Council showing how the measures have been implemented and how trees have been protected during the construction phase of the project. This will provide a description of activities undertaken in accordance with the points above.

### Section 173 agreement

A Section 173 agreement is required for those new property titles that include retained River Red Gums. The Section 173 agreement will ultimately be drafted by a lawyer and it should specify the requirements below.

- The retained trees on lot numbers (provide lot numbers) are recognised for their environmental and landscape significance and are part of a group of retained River Red Gums in the Red Gum Rise estate.
- On those allotments where trees are to be retained, a tree protection zone comprising the canopy boundary plus one metre should be defined within which no permanent or major earthworks should be undertaken, and no buildings should be constructed.
- Should the removal or lopping of the tree be required then a planning permit for its removal must be obtained from Council.



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- Any such application for a planning permit should indicate why removal or lopping is unavoidable.
- In addition, if removal is permitted for other than safety reasons, the property owner will be required to provide an appropriate offset in the form of tree planting (40 trees per tree removed and 10 trees per branch removed) in a Council reserve in the Mansfield district, such planting to be undertaken by Council but the costs to be met by the lot owner.

I hope that the foregoing guidelines are sufficient for the current development plan application.

Please let me know if you need more input or more detail.

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