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MANSFIELD SHIRE COUNCIL

**RURAL LIVING
STRATEGIC STUDY**

MANSFIELD SHIRE

Prepared by:

Habitat Planning

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ABBREVIATIONS

CFA	Country Fire Authority
DSE	Department of Sustainability & Environment (formerly DoI)
DNRE	Department of Natural Resources & Environment (now DSE)
DoI	Department of Infrastructure (now DSE)
EPA	Environment Protection Authority
ERZ	Environmental Rural Zone
GBCMA	Goulburn Broken Catchment Management Authority
G-MW	Goulburn-Murray Water
GVRWA	Goulburn Valley Region Water Authority
LDRZ	Low Density Residential Zone
LPPF	Local Planning Policy Framework
MSS	Municipal Strategic Statement
RLMP	The Rural Land Mapping Project 1986 – Shire of Mansfield
RLZ	Rural Living Zone
RUZ	Rural Zone
SPPF	State Planning Policy Framework
SUZ	Special Use Zone
YTYF	Your Town – Your Future Strategy Plan

TERMS USED

“the Council”	Mansfield Shire Council
“the planning scheme”	Delatite Planning Scheme
“the Shire”	Mansfield Shire
“the Study”	Mansfield Shire Rural Living Strategic Study

KEY REFERENCES

- *Your Town - Your Future* - PPK, 2001
- *The Rural Land Mapping Project – (former) Shire of Mansfield* – Ministry for Planning & Environment, 1986
- *(former) Shire of Mansfield Rural Lands Study* - Henshall Hansen Associates, 1994

1. INTRODUCTION

This report is titled the *Mansfield Rural Living Strategic Study* ("the study") and represents a study of rural living development in the recently created Mansfield Shire ("the Shire"). The study is in response to the lack of a strategic framework for rural living in the Shire. Such a framework is considered essential in order for Council to make responsible planning decisions relating to rural living.

At the time of preparing the Delatite Planning Scheme ("the planning scheme") in 1996, the market demands for rural living were identified and documented in the Local Planning Policy Framework. Although the Delatite Shire no longer exists, the planning scheme remains the current planning instrument applicable to the Mansfield Shire. Rural living development in the Shire has occurred predominantly due to the attractiveness of its natural beauty associated with the sub-alpine and water features and caters for both permanent residents and those persons who visit the Shire for recreational purposes.

1.1 WHAT IS RURAL LIVING?

For the purposes of this study, the term 'rural living' is applied to land zoned both Low Density Residential (LDRZ) and Rural Living (RLZ) within the planning scheme. Although rural living is also evident within the Rural Zone (RUZ), this is a de facto relationship. Consequently the emphasis is on the LDRZ and RLZ as these are the zones within which rural living land use is supposed to be undertaken. Rural living is therefore applicable to lots ranging from 0.4 hectares (the minimum lot size in the LDRZ) through to 8 hectares (default minimum lot size in the RLZ) and beyond.

Rural living generally caters for persons seeking a rural (or non-urban) lifestyle based on a high level of residential amenity that may or may not involve an agricultural activity. The particular circumstances of land otherwise identified as being suitable for rural living will generally determine its use by 'rural residents'. For example, land that is heavily timbered may be left in its natural state whereas average quality agricultural land may be utilised for an intensive agricultural activity. Because the bulk of household income is derived from sources external to the land, rural living areas are traditionally located within commuting distance of larger towns or regional centres. In the case of Mansfield Shire, there is an additional element of rural living provided by persons whose place of permanent residence is elsewhere (usually Melbourne) but who maintain a second property in the Shire. These rural residents tend to locate away from established centres in areas of high aesthetic or recreational value such as around Lake Eildon.

Demand for rural living has increased towards the end of the last century as urban dwellers seek out the perceived high 'lifestyle quality' of living in a rural environment. Improvements to transport (roads and motor vehicles) and advances in communications (mobile phones, computers and the internet) have assisted in overcoming the isolation previously seen as a disadvantage to living in a rural area.

Unfortunately, the establishment of rural living areas can also come at a cost to some communities and the environment. The extent of the cost will depend upon the

location of the area, the existing use of land and the proximity to an urban area. Costs can include (but are not limited to):

- loss of agricultural land if the occupant chooses not to continue the land in production or under utilises its potential;
- conflicts with operational aspects of commercial farms (eg. noise, spray drift, odour, domestic pets etc.)
- additional infrastructure requirements such as road construction and maintenance;
- poor land management due to inexperience of the occupant (eg. weed infestations, overgrazing, land clearing etc.);
- increased risk of hazards such as bushfire through higher population density; and
- increase in value of rural land that may be prohibitive for the expansion of commercial farms.

However, the costs of rural living to a community can be offset by the benefits. Once again these will depend upon the particular circumstances of the land but generally can include:

- income generated for the local economy by intensive agricultural pursuits and therefore local economic development;
- rate revenue for Council to assist in providing resources for public infrastructure and services;
- rehabilitation of degraded land;
- revegetation of cleared land;
- pest and weed control;
- development opportunities for current large land owners;
- enhanced property security through higher population density; and
- strengthening of rural communities through an increase in population density (eg. schools, local businesses, small towns, sporting clubs, community 'spirit' etc).

1.2 NEED FOR THE STUDY

The need for the study pre-dates the formation of the former Delatite Shire. The previous Shire of Mansfield was inundated with planning permit applications for rural living development in a range of localities over a period of years. In those days the Council made planning decisions in the absence of any municipal wide planning strategy for rural living. This was not uncommon throughout Victoria's rural municipalities due largely to a lack of resources to address this evolving planning issue.

The demand for rural living lots in various locations within the Mansfield area has been evident in the market place for a number of decades. The former Shire of Mansfield, and later the Delatite Shire, had been under increasing pressure to consider further rezonings to provide for additional rural living development. Accordingly, it has

become apparent from time to time that there are pockets of over development placing stress on the environment and a burden on infrastructure.

The Minister for Planning has indicated to Council that no further amendments relating to rural living will be considered by the Department until such time as a strategy is adopted and implemented.

1.3 PURPOSE OF STUDY

The purpose of the study is defined in the consultant's brief by Council as:

- to review the land currently zoned Rural Living and Low Density Residential within the new municipal area of Mansfield Shire to determine the appropriateness of the zoning in this land;
- to determine the future needs for semi-rural and rural residential land in various localities in the Shire; and
- to identify any necessary changes to the Delatite Planning Scheme (or its successor) to address the findings of the study.

1.4 STUDY METHODOLOGY

The process undertaken by Habitat Planning to complete the tasks specified in the brief are summarised as follows.

- Gathering of information relating to rural living including mapping, demand and supply data, aerial photography, land capability information, previous planning studies, relevant policies and strategies etc.
- Consult with relevant government agencies to identify issues relating to rural living in Mansfield Shire.
- Consult with persons involved in occupations dealing with rural living development such as land surveyors and real estate agents.
- Convene a public meeting in Mansfield to advise interested members of the public as to the brief for the study and obtain feedback on the issue of rural living development.
- Following the above steps, the data and information collected will be processed and analysed with a view to forming preliminary opinions as to the outcomes of the study.
- In conjunction with the visits undertaken to the area and as a result of preliminary analysis, fieldwork will be undertaken to confirm preliminary findings.
- Analyse all the information gained and draft the study including mapping, local policies and amendment documentation.
- Present draft study to Project Manager and once accepted, present to Council.
- Seek feedback on the draft study and prepare final report.

1.5 STUDY LIMITATIONS

There are a number of limitations to the study that need to be acknowledged. The assessment of rural living in the Shire and subsequent recommendations should be interpreted having regard for the following:

- There is approximately 9,500ha of land across 1,350 lots in the Shire zoned RLZ and LDRZ. The resources available for the study simply don't allow for a detailed analysis of each and every hectare or lot (apart from a desktop exercise identifying its size and development status). Consequently it is possible there may be some isolated instances where the findings of the study are inconsistent with the reality of a particular circumstance.
- The mapping data used for assessing each rural living area is recent but not current. Consequently some lots recorded as large vacant parcels have since been subdivided or are in the process of being subdivided. Likewise some lots recorded as vacant may now be developed. This will have a minor impact on the theoretical lot supply calculations.
- The demand for rural living is based on dwelling approvals over a four-year period only, which may not represent a true picture of the actual size of demand or where the demand is occurring. For example the low water levels in Lake Eildon over this period has probably suppressed demand for development and sales of rural living land in this area. In addition it is accepted not all dwelling approvals result in dwelling construction.
- It is impossible to derive an absolute figure of rural living land supply. Although an objective theoretical number can be accurately calculated as an indicator (as has been done for this study), conclusions as to supply have to take account of many subjective factors. Rural living does not expand in the same logical manner as urban development since it is not as constrained for infrastructure requirements (eg. reticulated potable water, reticulated sewer, sealed roads, etc.).
- Rural living in the Shire is also being undertaken in the RUZ and this has the effect of distorting the assessment of demand and supply in the rural living zones (RLZ and LDRZ).
- The holiday or 'weekender' element of rural living in the Shire also distorts the assessment because it makes a significant contribution to the amount of such land. Rural living around regional centres such as Benalla is far less pronounced because this non-permanent residential element is not present.
- The Mountain Bay development at Goughs Bay is excluded from the analysis because of its SUZ zoning.
- Assessment of some planning issues such as flooding is limited because accurate up to date information is not available.
- The current review of rural zones being undertaken by DSE will not be finalised before the completion of the study. The recommendations of this review may have implications for the implementation of the study recommendations.

- The study does not address the potential social and economic implications and difficulties in rezoning land for lower density development or removing opportunities for development that currently exist (ie. 'back zoning').

2. CHARACTERISTICS OF MANSFIELD SHIRE

This section of the study provides a description of the Shire and sets the scene for analysis of rural living.

2.1 POPULATION

At the 2001 census, the enumerated population (that is those persons who were in the Shire on census night) of Mansfield Shire was 8,515 persons. This population was residing in 2,343 dwellings across the Shire. Mansfield township recorded a population of 2,667 persons in 2001 residing in 967 dwellings. Consequently around 70% of the Shire's population (5,848 persons) and 60% of its occupied dwellings (1,376 dwellings) are situated outside of the Shire's largest town.

DSE's document *Victoria in Future 1996-2021* has the Shire of Mansfield increasing to a resident population (that is those persons claiming to be living in the Shire) of 8,556 by the year 2021 (ie. at the rate of approximately 100 additional persons per annum). These projections were undertaken prior to the 2001 census.

DSE's document claims the bulk of new residents are likely to be sourced by immigration from areas outside of the Shire and by persons older than 45 years. This demographic is likely to assist in driving demand for permanent rural living in the Shire because of the level of interest from persons seeking a rural (or non-urban) lifestyle. These new residents seek a rural environment and if from Melbourne, often have available resources to effect such purchases. The advertising undertaken by local real estate agents seems to be pitched at this market.

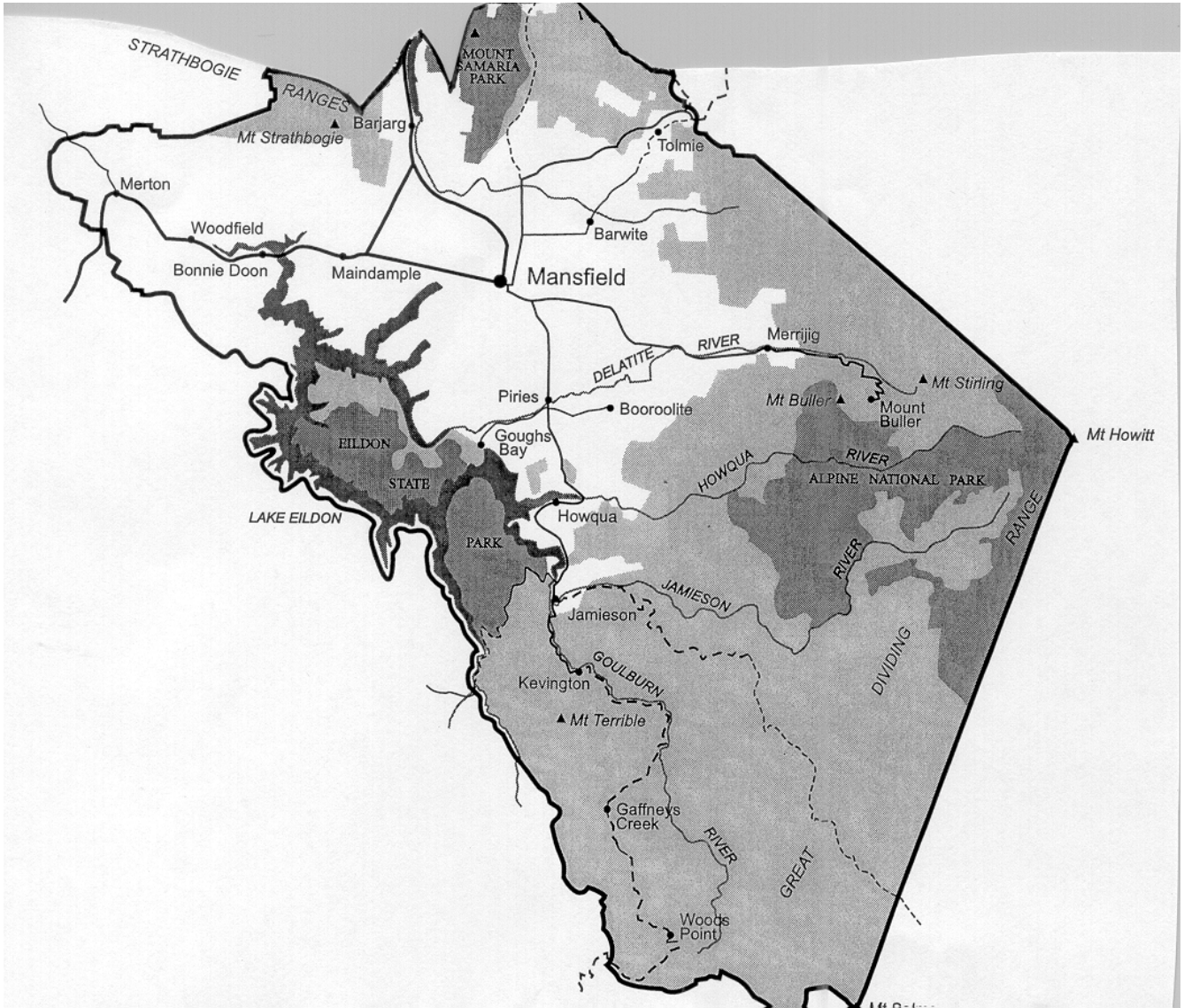
Over the same projection period the total number of households in the Shire is predicted by DSE to increase to 5,971 (ie. at the rate of about 50 per year). Of these households just 3,355 or 56% are predicted to be occupied by residents, reflecting the high holiday house component of the Shire (principally around Lake Eildon). Also by 2021 the average household size (of residents) is predicted by DSE to continue to decline to 2.26 persons.

2.2 NATURAL ENVIRONMENT

The natural environment of the Shire is characterised by rolling hills and farmland, intersected by a number of rivers that flow into Lake Eildon. Significant landscape features of the Shire include Mounts Buller and Stirling and the Great Dividing Range. Natural environment features include the Fraser National Park and parts of the Eildon and Alpine National Parks.

Mount Buller is Victoria's most popular ski resort with approximately 350,000 visitors annually. Approaches to the mountain and its influence on Mansfield and surrounds during the winter months, is significant.

Figure 1: MANSFIELD SHIRE



The upper catchments of the Broken and Goulburn Rivers provide 11% of the entire water resource of the Murray Darling Basin. Water features include the Broken, Goulburn, Jamieson, Delatite and Howqua Rivers and Lakes Eildon and Nillahcootie.

Lake Eildon is Victoria's largest artificial lake and one of its major water storages. In addition to this role, Eildon is a popular tourist destination for water-based activities such as house boating, fishing and water skiing. The lake's relative proximity to Melbourne has also made its environs popular for the establishment of 'weekenders' and holiday homes. Demand for these activities has placed pressure on the Lake's natural environment, largely as a result of ad hoc and uncontrolled development and subdivision in the past. The main concern is in regard to waste water treatment and disposal in close proximity to the lake.

Large areas of native vegetation within the Shire have been cleared for agriculture. Although the current rate of clearing is much reduced, the incremental loss of remaining habitat is a major issue. Roadsides in the Shire provide some of the most significant examples of native habitat. There are a number of depleted broad vegetation types occurring in the Shire, including Box Ironbark Forest, Plains Grassy Woodland, Herb-rich Woodland and Vealley Grassy Forest. Also within the Shire are 37 threatened plant species and 57 threatened fauna species.

The Shire is north of the Great Dividing Range resulting in dry warm stable weather during the summer and autumn. Average daytime temperatures range from the mid 20's to mid 30's during this time. Winter is generally significantly colder with average daytime temperatures ranging from 5° C to 15° C. The district annual rainfall is 710mm (28 inches) the majority of this falling during the winter months from April to October.

2.3 DEVELOPED ENVIRONMENT

The Mansfield region was settled in the 1840's based on agriculture, gold mining and forestry activities.

Mansfield township is the largest and dominant urban centre in the Shire and will account for the majority of urban growth in the short to medium term future. The town is 200km north-east of Melbourne, and broadly described as a rural community in the foothills of the Victorian High Country.

Settlements such as Merrijig, Sawmill, Bonnie Doon and Jamieson are based on tourism and semi-permanent residents. These settlements are generally located in proximity to popular recreational areas in the Shire and have experienced various levels of developmental growth.

The Shire's housing stock exhibits a low occupancy rate that is explained by the high number of holiday and 'weekender' dwellings in the Shire. Low density residential development on the fringes of towns is also a feature of residential land use in the Shire.

The areas around Mansfield, Tolmie and Lake Eildon are in demand for rural living purposes.

The major primary industries in the Shire are timber, wool, fat lambs and beef production. Declining farm livelihood combined with an increase in demand for rural living has resulted in the fragmentation of some rural land in the Shire. Rural land also accounts for a range of non-agricultural activities such as holiday houses, low density residential, holiday resorts and camps, recreational based activities such as horse riding, and extractive industries.

3. PLANNING CONTEXT

The study must have regard for the planning context of rural living in the Mansfield Shire otherwise the outcomes could be in conflict with established and adopted planning principles.

3.1 STATE

The following State policies and strategies are relevant to the study.

3.1.1 State Planning Policy Framework

The following State policies within the SPPF are particularly relevant to the study of rural living in Mansfield Shire (references in brackets are to clauses in the Delatite Planning Scheme).

Protection of catchments, waterways & groundwater (clause 15.01)

The objective of this policy is "to assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment." The policy is generally implemented by drawing reference to catchment management strategies and requiring Councils to consider the impact of development on watercourses and water quality. Some rural living areas in the Shire are within proclaimed water catchments.

Protection from wildfire (clause 15.07)

The objective of this policy is "to assist the minimisation of risk to life, property, the natural environment and community infrastructure from wildfire." The policy is generally implemented by requiring Councils to identify fire hazard environments within planning schemes and to take account of the fire risk when assessing applications for subdivision and development.

Conservation of native flora & fauna (clause 15.09)

The objective of this policy is "to assist the protection and conservation of biodiversity, including native vegetation retention and provision of habitats for native plants and control of pest plants and animals." The policy is generally implemented by requiring Councils to identify areas of significant native vegetation, protect that vegetation from removal and encourage revegetation where possible. Council must also take account of threatened species habitat when considering applications for development.

Rural living & rural residential development (clause 16.03)

The objective of this policy is *"to identify land suitable for rural living and rural residential development."* The policy is generally implemented by the application of Minister's Direction No 6, Rural Residential Development to proposals for this type of residential development. Minister's Direction No 6 is acknowledged as being one of the principle influences over rural living development (and in particular LDRZ).

The policy states that land should only be zoned for rural living or rural residential development where it:

- *Is located close to existing towns and urban centres, but not in areas that will be required for fully serviced urban development.*
- *Can be supplied with electricity and water and good quality road access.*
- *Does not encroach on high quality productive agricultural land or adversely impact on waterways or other natural resources.*

Agriculture (clause 17.05)

The objective of this policy is *"to ensure that the State's agricultural base is protected from the unplanned loss of high quality productive agricultural land due to permanent changes of land use and to enable protection of productive farmland which is of high quality and strategic significance in the local or regional context."* The policy is generally implemented by taking account of the quality of agricultural land in making planning decisions and protecting land of high quality from being removed from agricultural production.

Developer contributions to infrastructure (clause 18.12)

The objective of this policy is *"to provide for partial funding of physical and community infrastructure by use of development contributions."* The policy allows Council to levy contributions against development in accordance with a Contributions Plan prepared in accordance with DSE guidelines.

3.1.2 Ministerial Direction No.6 – Rural Residential Development

Ministerial Direction No. 6 for Rural Residential Development ("the Direction") is intended to give clear and consistent guidance for planning authorities preparing amendments to allow rural residential development. It is noted that the Direction currently does not strictly apply to rural living land zoned RLZ as 'rural residential' is defined as subdivision and development relating to lots in the 0.4ha to 2ha size range. However, despite this, DSE have maintained it is also the intention of the Direction to apply to rural living (ie. rezoning land to the RLZ).

In the context of this study, the Direction requires Council to consider a number of matters if it is to contemplate any amendments relating to rural living. These matters include the following.

Strategic and spatial considerations such as:

- State policies
- regional and local policies and plans
- urban area integration
- supply and demand
- agency comments

Local and site considerations and constraints including:

- land use compatibility
- resources protection
- landscape and heritage values
- health and hazards
- infrastructure and social services

3.1.3 Other strategic influences

There are a number of other strategies at the state level relevant to the current consideration of rural living in the Shire of Mansfield. These include the following.

Review of rural zones

The suite of rural zones in the Victoria Planning Provisions is currently being reviewed by DSE and unfortunately will not be completed before this Rural Living Strategic Study is finalised.

State Environment Protection Policy for Waters of Victoria (EPA)

The following description of the SEPP is taken from the EPA's website.

The State environment protection policy (Waters of Victoria) was made in 1998 and is the principal policy for protecting the beneficial uses of Victoria's water environments. It provides a legal framework for government agencies, businesses and other members of Victoria's communities to work together to protect and rehabilitate Victoria's surface water environments.

The purpose of the Policy is to help achieve sustainable surface waters by setting out the:

- *environmental values and beneficial uses of water that Victorians want;*
- *environmental quality required to protect them;*
- *goals for government agencies, businesses and communities to meet within a 10 year timeframe; and*
- *the means by which they can be met.*

This policy is considered to be particularly relevant to considerations of rural living development around Lake Eildon.

The policy is currently under review and has been completed to the draft stage.

3.2 REGIONAL

The following regional planning documents are relevant to the consideration of rural living in the Shire.

Melbourne 2030 - Planning for sustainable growth

Melbourne 2030 is a 30-year plan to manage growth and change across metropolitan Melbourne and the surrounding region. It emphasises the city's interdependence with regional Victoria, to provide maximum benefit to the whole State.

Melbourne 2030 is a plan for the growth and development of the metropolitan area. An important objective is to ensure that Melbourne retains the qualities that people enjoy about it. Despite an identified slow down in population growth, Melbourne will grow substantially over the next 30 years and it is considered appropriate to plan for the capacity to comfortably absorb up to 620,000 extra households over that time. *Melbourne 2030* proposes that this can be achieved while protecting and enhancing the existing suburbs whilst also preventing urban expansion into surrounding rural land.

Whilst the strategy focuses primarily on the metropolitan Melbourne urban area and the nearby non-urban areas, it also deals more broadly with the wider region where, increasingly, development is linked to and affected by metropolitan Melbourne in terms of commuting, business and recreation. Therefore, *Melbourne 2030* also considers the area between metropolitan Melbourne and the regional centres of Geelong, Ballarat, Bendigo, and the Latrobe Valley.

On the surface of it, there would appear to be little immediate impact on the Mansfield rural living study area, however, it is acknowledged by *Melbourne 2030* that the State planning controls affecting rural residential development and rural living development need to be revised. Whilst living in rural areas remains a popular alternative to living in cities or towns, this form of development can have negative consequences. These consequences include potential conflicts between agricultural activities and the expectations of rural dwellers, claims on local authorities to extend uneconomic community services and infrastructure, and demands on the local environment and landscape to absorb more intensive development. As stated above, *Ministerial Direction No. 6 – Rural Residential Development* currently deals with rezoning of land for subdivision into lots between 0.4 and 2 hectares and the construction of a house thereon. The direction sets out guidelines for addressing the negative consequences of this kind of development.

It has been identified in *Melbourne 2030* that there is a need to review and amend *Ministerial Direction No. 6* and to accommodate the market reality that lots larger than 2 hectares are also just as popular with rural dwellers with the same potential negative consequences. To ensure that this wider range of lot sizes is also considered, the direction will be extended to ensure compliance for all proposals for rezoning of land that would create lot sizes between 0.4 hectares and 8 hectares. The performance guidelines will be reviewed to include reference to other relevant issues, including protection for water catchments.

Changes to the direction will apply throughout Victoria and will be drafted accordingly.

Goulburn Broken Regional Catchment Strategy (draft)

This is the second five-year strategy prepared by the GBCMA and is currently in draft form. The Authority is responsible for the coordination of natural resource management programs within the region. The Authority has identified dryland salinity,

irrigation salinity, water quality decline and flooding, pest plants and animals, soil degradation and degradation of biodiversity and ecosystem processes as major threats to region's natural resource, economic and social assets.

The draft strategy recognises the changes to the landscape brought about within rural living areas where land, particularly near urban centres, is converted to hobby farms and smaller farms where the main household income is from activities other than agriculture and which may offer additional conservation benefits.

Goulburn Broken Native Vegetation Plan 2000

The GBCMA has adopted the following principles to underpin the regional implementation of the Native Vegetation Retention controls in the Goulburn Broken Catchment:

- *Use a State and Regional context for decision-making.*

It is imperative that decisions regarding the retention of native vegetation are made in a regional context and not at a site scale. The biophysical impacts of vegetation loss extend well beyond property boundaries and the significance or conservation status of vegetation types are assessed at scales many times greater than individual property. It is therefore necessary to take a regional perspective of native vegetation management.

- *Apply the principles of Net Gain.*

Victoria's Biodiversity Strategy 1997, Victoria's Native Vegetation Management Draft Framework and the Goulburn Broken Catchment Native Vegetation Strategy 2000 have adopted Net Gain as a goal in an attempt to balance the loss of native vegetation with commensurate gains made elsewhere. The Net Gain principle incorporates the standard method for assessing the losses and gains of native vegetation in the Catchment and specifies 'offset criteria' for ensuring that any remediation works required adequately off-set the impacts of any losses of native vegetation.

- *Use self-assessment by the proponent to raise awareness and allow for better resource allocations from Local Government and NRE.*
- *Use Conservation Significance (based on EVC conservation status on site quality assessment and site specific features and State and Regional Standards) and Expected Planning Response as a basis for decision-making.*
- *Use a hierarchy of:*
 - *avoiding the need to clear native vegetation via pro-active planning, public education and awareness raising.*
 - *minimising the amount of native vegetation cleared by negotiating, educating and having a flexible approach that allows the 'best outcome' alternative to be found.*
 - *addressing the impacts of any clearing by requiring Net Gain outcomes on all clearing and best practice management of all development sites.*

- *monitoring the outcomes of clearing to ensure compliance with permit conditions.*

Guidelines for Protection of Water Quality 2000

G-MW, GBCMA and GVRWA have coordinated their efforts to be consistent in the application of their requirements as part of the planning process. Collectively known as the North East Planning Referral Committee, the guidelines specify setbacks for septic tanks and buildings from heritage rivers, water storages and channels.

Subdivision Servicing Policy 2002

The GVRWA has prepared a policy, the objective of which is *"to provide guidelines for the provision of reticulated water supply and sewerage services to subdivisional land developments within the Authority's region."* The requirements of this policy as it applies to rural living are summarised in Table 1.

TABLE 1: GVRWA SERVICING REQUIREMENTS

LOT SIZE	WATER	SEWER
<0.4ha	Must be connected to reticulated system unless remote from the supply.	Must be connected to reticulated system unless remote from the service.
0.4ha to 1.0ha	Must be connected to reticulated system unless remote from the supply.	Generally require connection to a reticulated system depending on the number of lots, nature of surrounding lots, potential for further development and distance to existing reticulated system.
1.0ha to 2.0ha	Must be connected to reticulated system unless remote from the supply.	No requirement for connection to reticulated sewer.
2.0ha to 4.0ha	Generally require connection to a reticulated system depending on the number of lots, nature of surrounding lots, potential for further development and distance to existing reticulated system.	No requirement for connection to reticulated sewer.
>4.0ha	No requirement for connection to a reticulated system unless already available or further subdivision is intended.	No requirement for connection to reticulated sewer.

Source: GVRWA Subdivision Servicing Policy (2002)

3.3 LOCAL

The local planning context is provided in the LPPF of the Delatite Planning Scheme. The LPPF consists of both the Municipal Strategic Statement and a number of Local Policies. The components of each of these sections of the study are addressed as follows.

3.3.1 Municipal Strategic Statement (MSS)

Within the MSS 'rural living' refers to the use of the land for residential or lifestyle use in a rural setting, with land sizes in the range of 2 to 30 hectares. This definition has been expanded for the purposes of the study to include lots as small as 0.4 hectares permissible in the LDRZ.

The MSS recognises that within the former Delatite Shire, rural living is a popular lifestyle choice as reflected in the fact that the majority of new dwelling commencements since the mid-1980's have been concentrated within non-urban areas or small rural townships (see Table 2). In 2001, the number of housing commencements in rural areas outstripped those in the townships areas of Benalla and Mansfield by a ratio of 10:1, a trend that continues into 2002. As such, population growth in the former Delatite Shire is centred on balancing the demand and supply of lands for rural lifestyle blocks.

TABLE 2: HOUSING COMMENCEMENTS IN FORMER DELATITE SHIRE

AREA	HOUSING COMMENCEMENTS 1998-1999	AVERAGE APPROVALS PER YEAR	DISTRIBUTION %
Benalla city	590	30	20
Mansfield township	311	16	11
Balance of Shire	2,041	101	69
TOTAL	2,942	147	100

Source: Delatite Shire & *Your Town Your Future Strategy Plan*

There are a number of areas zoned for rural living throughout the Mansfield Shire and while there exists a few small isolated pockets in areas, the majority of RLZ areas are located in close proximity to:

- Mansfield;
- Tolmie;
- Ford and Burnt Creek Inlets;
- Bonnie Doon,
- Jamieson; and
- Merton.

The MSS states that the Council's strategy for rural living in the Mansfield district is as follows:

- Restrict low-density development to the fringes of Mansfield, Goughs Bay and Jamieson, which are existing settlements and have suitable lots for rural living including basic infrastructure.

- Apply an 8 hectare minimum subdivision size in the RLZ and review as part of the Council's integrated strategy review (ie. *Your Town - Your Future Strategy Plan*, as discussed below).
- Maintain an appropriate number of rural living lots.
- Provide appropriate locations and level of servicing for rural living development.

The MSS contains a number of monitoring and review mechanisms for rural living and rural housing that are summarised below.

- That data on applications for subdivision and/or dwellings comply with the *General Guidelines for Subdivision, Buildings and Works in Rural Areas*.
- That the number of houses built outside designated areas be assessed.
- That the appropriate lot size and general location of permits be assessed.
- That an assessment be made on the adequacy of existing controls and maximum subdivision sizes following completion of Council's integrated planning strategy (ie *Your Town - Your Future Strategy Plan* as discussed below).
- The rural living and rural housing policies will be monitored to determine if Council's desired aims are being achieved and whether additional policy or planning scheme amendments are required.

3.3.2 Local Policies

The following local policies are relevant to the consideration of rural living in the Shire (references in brackets are to clauses in the Delatite Planning Scheme).

Land degradation policy (clause 22.02)

The overall objective of this policy is to protect land from degradation and to encourage its rehabilitation. The policy enables Council to request a site assessment plan and report on land management to accompany a planning permit application if deemed necessary. These requirements for an application are considered essential for rural living development.

Water quality policy (clause 22.03)

The overall objective of this policy is to improve water quality of streams and storages within the Shire. The policy allows Council to require the implementation of measures in association with development that will achieve the objective such as buffers and re-vegetation. Land rehabilitation and re-vegetation works should be imposed as requirements for subdivision where either land degradation is evident or rural living development has the potential to cause land degradation.

Flooding policy (clause 22.04)

The overall objective of this policy is to minimise damage caused by flooding. The policy requires Council to consider the impacts of any proposed development on flooding. Flooding information in the Shire is limited but then it is located in the upper catchment where flooding is less of an issue.

Native flora & fauna policy (clause 22.05)

The overall objective of this policy is to protect areas of remnant native vegetation and the habitat this provides for native animals. The policy requires Council to address the impact of development on native species habitat and supports weed eradication and re-vegetation. Some rural living areas contain significant stands of remnant native vegetation and need to be protected from development that may result in its decline or removal.

Alpine approaches policy (clause 22.07)

This policy would be applicable to land zoned RLZ either side of the Mount Buller Road east of Mansfield. The overall objective of this policy is to protect the approaches to alpine areas of Mount Buller and Mount Stirling from inappropriate development. The policy requires Council to allow development only where supported by adequate infrastructure and to ensure buildings are designed to a high standard. The objectives of this policy can be achieved through conditions of subdivision approval (eg. building design standards and landscaping of road frontage).

Development adjoining Lake Eildon & Lake Nillahcootie policy (clause 22.08)

The objective of this policy is "to protect the environmental, recreational and aesthetic values of Lake Eildon and Nillahcootie and their catchments." The policy requires Council to consider the impact of development on the lake catchments including the implementation of soil and water management measures and discouraging dwellings in close proximity. The policy also triggers a referral of planning permit applications to the DSE and GBCMA. With the exception of the Bonnie Doon township, all other developed areas around the lake foreshore are without the reticulated services of water and sewer. It would be difficult to support any increase in residential density or zoned areas around the lake without these services.

Low density residential policy (clause 22.10)

The overall objective of this policy is to allow for low density residential development only in a strictly controlled environment and in accordance with a strategy plan that provides for a 10 year supply of land for this purpose. The policy requires Council to consider Minister's Direction No 6 and regard this type of development as 'urban' and therefore to be located in proximity to an urban area providing urban infrastructure and services. The majority of LDRZ land is adjoining the Mansfield township which is consistent with this policy.

Rural living policy (clause 22.11)

The overall objective of this policy is to ensure an adequate supply of land for rural living and that this type of development is provided with adequate infrastructure and services as well as protecting the environment. The policy requires Council to allow development for rural living only within a 10 to 15 year supply time frame and where "provided with high quality road access." Council must also take into account environmental constraints and protection of natural features in its assessment of applications. Several of the existing rural living areas in the Shire would fail assessment against this policy.

Rural housing & subdivision in rural areas policy (clause 22.12)

This policy is only applicable to land zoned Rural (RUZ) or Environmental Rural (ERZ) but is included here to highlight the approach Council has taken to rural living development in these zones. The overall objective of this policy is to protect productive rural land and prevent conflicts between residential and rural land uses. The policy requires Council to allow development only where subdivision and development is "*associated with the rural use of the land*" and conflicts are not created with surrounding rural uses. The policy actively discourages the "*development or subdivision of houses for non-rural purposes.*" The policy also declares that it will be reviewed upon completion of the *Your Town – Your Future Strategy Plan* (see below).

Having regard for the amount of dwelling approvals in the RUZ (see assessment of demand below) on small rural lots, it is clear Council has had difficulty in applying this policy in a manner, which is consistent with its intentions. The reason for this stems from the former Delatite Shire Council's adoption of a variation to this Local Policy in December 1999. The policy adds to clause 22.12 by effectively providing recognition of provisions in previous planning schemes that allowed for consideration of dwellings in rural zones. This modified Local Policy did not become an amendment to the Delatite Planning Scheme but was implemented by Council as 'policy' all the same. DSE has confirmed that the modified policy does not form part of the current planning scheme and therefore it has no status in terms of consideration against planning permit applications for dwellings in the RUZ. Despite this, the local Mansfield community is aware of the modified policy and have been utilising it to achieve dwellings in the RUZ. This was made clear to the consultants both at the public meetings and in submissions to the draft study.

The modified policy also included a 'sunset clause' for applications under these 'carry over' provisions that any dwellings approved must be completed by 1st December 2004.

3.3.3 Your Town – Your Future Strategy Plan

The former Delatite Shire Council undertook the preparation of an Integrated Planning Strategy known as "*Your Town – Your Future*" Strategy Plan which was adopted by Council in December 2001. YTYF addresses a range of key issues relating to the future development and planning of the former Delatite Shire including plans and policies embodied in:

- an economic development and tourism strategy;
- an agribusiness and rural land management strategy;
- settlement strategies for Benalla, Mansfield, other townships, the Alpine Approach areas and Rural Living Areas;
- an infrastructure strategy;
- an environment strategy;
- a community development strategy;
- a recreation leisure strategy, and

- an art, culture and heritage strategy.

In the context of YTYF, the two key strategy documents relating to rural living in the Mansfield Shire are:

- *Settlement Strategy for Mansfield*, and
- *Rural Living Strategy* for the Shire.

These two documents are summarised as follows.

Settlement Strategy for Mansfield

The settlement strategy indicates that there are extensive areas of zoned rural living catering primarily for residential developments to the east and south of the Mansfield township. Given the existing pattern of subdivision in this area and the public expectation for development in a mixed rural residential/rural living setting, the strategy recommends these lands should remain in the RLZ. The strategy recommends that rural living should be encouraged in the RLZ areas surrounding Mansfield and that importantly Council consider allowing a higher density of development in agreed RLZ areas.

In addition, zoned rural living areas adjoining Mansfield were recommended not to be expanded as it was considered that the minimum and average allotment size on existing RLZ areas be reduced to 2 hectares with a range of allotments between 1 to 8 hectares (p.40). The settlement strategy for Mansfield states that such action will ensure that "*there is a diversity of allotment sizes to cater for the rural living demand, reduce pressure on further rezonings, help reduce pressure on the rural areas of the Shire to accommodate rural living type development and provide greater utilisation of public and private infrastructure*" (p. 40).

Given the above, the Mansfield Structure Plan contains the following relevant information relating to rural living development:

- For those areas which are included in the LDRZ each lot must be at least 0.4 hectares in area, while for those areas included in the RLZ the subdivision limit is 2 hectares with a range of 1 to 8 hectares, ie. smaller lots can be encouraged where high levels of infrastructure exist.
- In the broader RUZ houses should be discouraged if the land has an area of less than 40 hectares and is not in accordance with Council's *Rural Housing and Rural Subdivision Policy*.

Rural Living Strategy for the Shire

The objectives of this strategy can be summarised as:

- to recognise rural living development as economically important to the former Delatite Shire and a legitimate planned land use response for lifestyle properties;
- to implement a performance-based approach to planning for rural living areas and development in proximity to designated townships and urban areas;
- to avoid good agriculture land and potential conflict with farming practices;

- to protect the natural resource base by assessing land capabilities aimed at conserving environmental resourcing and avoiding land hazards;
- to minimise infrastructure demands by avoiding a dispersed pattern of rural living land supply; and
- to implement development that reflects access to services and a community focus.

In support of these rural living objectives the following relevant strategies and actions were recommended for the Mansfield area of Delatite Shire:

- That the township of Mansfield form the preferred location for rural living development in the Shire in the context of the objectives. Areas that do not meet the strategy objectives need to be reviewed.
- That the existing minimum lot size in the RLZ is 8 hectares while in some areas of the Shire smaller lots have been allowed via a schedule variation. The strategy recommended that lots sizes be reduced from an 8 to a 2 hectare minimum, with a range of allotments for subdivision between 1 to 8 hectares so as:
 - to ensure there is a greater utilisation of exiting services;
 - to increase the affordability of allotments; and
 - to reduce the consumption of rural lands by rural living development.
- That the extent of supply of land zoned for rural living development cater for a up to a 20 year supply, noting that there are a number of factors which can constrain land coming onto the market.
- That there be a preferred sequencing of development in RLZ areas around Mansfield (and Tolmie) and other areas with large concentrations. The effect of this sequencing would be to achieve a system of preferred development areas and a timelier phasing of infrastructure.
- That criteria for erection of dwellings and subdivisions in rural lands be reviewed including maintaining the 40-hectare minimum.
- That the density of the LDRZ be reviewed as this zone may accommodate some of the demand for rural living lots.

3.3.4 Other strategic influences

There are a number of other previous studies relevant to the current consideration of rural living in the new Mansfield Shire. These include the following.

Rural Land Mapping Project –(former) Shire of Mansfield (1986)

This project was an important exercise that mapped a range of variables such as fire risk, erosion, agricultural quality and land capability. The project was important as it recognised that rural living type development should be directed to areas that were suitable in terms of being lower quality agricultural land but capable of sustaining development (in an environmental context).

Strategies for Mansfield

This document listed a number of important directions for rural residential development. Of significance were strategies:

- to confine future subdivision to areas which are both suitable and capable as dictated by land capability and landscape sensitivity;
- to introduce a density provision with a minimum allotment area of 2ha and an average allotment size of 4ha; and
- to direct pressures for small rural blocks into locations as close as practicable to existing services and facilities.

Shire of Mansfield Rural Land Study (1994)

This study recognised that pressures for non-agricultural uses and development were occurring in the rural areas of the pre-amalgamated Shire of Mansfield. The authors of the study (Henshall Hansen) noted at the time that there were no more than 8 to 10 "full-time" farmers in the Shire, with most farms dependant on off-farm employment and very few employing farm labour. They pointed out that the pressures for non-agricultural uses and development are occurring primarily beyond the Shire's existing townships and are largely attributed to the lifestyle opportunities afforded by the attractive physical and environmental features of the Shire's rural areas. They noted that proximity to Victoria's premier snowfields and being part of the 'high country' have also enhanced the growth and development prospects of the Shire for permanent residents, weekenders and holiday makers.

Henshall Hansen noted that local planning strategies which were prepared for the Shire in the mid-1980s began to focus, for the first time, on the need to retain farm land in agricultural production and to protect the Shire's rural character and identity. They noted that these strategies sought to discourage small lot subdivision of rural land, other than around existing townships and in other select areas, and were incorporated into the former Mansfield Planning Scheme in the form of new zones (Rural Living 1 & 2 at that time). Most of the balance of the rural land in the former Shire of Mansfield had been included in the Rural (General Farming) Zone to prevent further broad scale subdivision of allotments less than 40 hectares.

These provisions (with some modifications to comply with the Victorian Planning Provisions) were largely carried over to the current Delatite Planning Scheme.

Rural Living, Rural Housing & Subdivision Study (2000)

This study reviews agricultural land use in the Shire and makes recommendations relating to policy that will direct Council on rural land use, including rural living. This study acknowledges rural living as a legitimate land use and concludes that arrangements need to be established to address the interface between agriculture and rural living development. The author of this study also advocates the use of the LDRZ as a means to "*relieve the pressure and slow the loss of rural land to meet the market demand for this type of lifestyle development.*" This study recommends that Council acknowledge rural living development as an opportunity for the Shire but for development to be undertaken "*in a sustainable and environmentally acceptable manner.*"

Guidelines for subdivision building and works in the rural areas

The purpose of these guidelines is to set out siting and design matters in the rural zones that should be taken into account when undertaking development or subdivision in this area. Matters to be addressed include:

- statutory requirements
- site inventory
- opportunities and constraints
- site layout concept
- lot layout
- open space reserves
- circulation/access
- house siting and design
- site management and fire prevention
- revegetation and land management

Guidelines for subdivision building and works within the Alpine Approach

The purpose of these guidelines is to set out siting and design matters along the Alpine approach that should be taken into account when undertaking development or subdivision in this area. The matters to be addressed are similar to those for the rural areas above but with emphasis on the Mount Buller approach.

In the context of this study, the guidelines would only be applicable to development within the existing RLZ along the Mount Buller Road southeast of Mansfield.

Development guidelines for specific visual units in the rural areas

These guidelines refer to 13 visual units identified in the Background and Issues Report. These units have specific conditions, which need to be addressed on a site specific basis. The units relevant to this study are:

- Jamieson River
- Eastern Hills
- Tolmie
- Tallangalook
- The Paps
- Merton Hills
- Merton Valley
- Lake Eildon
- Rifle Butt Range

3.3.5 Zones

The two zones the subject of this study are the Low Density Residential Zone (LDRZ) and the Rural Living Zone (RLZ). The requirements of these zones and how they are applied, are described as follows.

Low Density Residential Zone

The purpose of the LDRZ is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

Before deciding on an application for subdivision, Council must consider:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- In the absence of reticulated sewerage, the capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

Dwellings in the LDRZ generally don't require a planning permit (unless an overlay is applicable) so Council's ability to influence the development is largely restricted to the subdivision stage. The existing LDRZ in Mansfield is not seweraged and therefore Council must be satisfied that any lots created can dispose of effluent on-site satisfactorily. There is anecdotal evidence that some existing septic tank systems within this area of LDRZ are failing. This situation is likely to limit further development of this area without reticulated sewer.

Rural Living Zone

The purpose of the RLZ is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for residential use in a rural environment.
- To encourage:
 - An integrated approach to land management.
 - Protection and creation of an effective rural infrastructure and land resource.
 - Improvement of existing agricultural techniques.
 - Protection of the bio-diversity of the area.
 - Value adding to agricultural products at source.

- Promotion of economic development compatible with rural living activities.
- Development of new sustainable rural living enterprises.
- To ensure that subdivision promotes effective land management practices and infrastructure provision.

Before deciding on an application to subdivide land or construct a dwelling, Council must consider:

General issues

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any Catchment and Land Protection Strategy and policies applying to the land.
- The capability of the land to accommodate the proposed use or development, addressing site quality attributes including soil type, soil fertility, soil structure, soil permeability, aspect, contour and drainage patterns.
- How the use or development relates to rural land use, rural diversification and natural resource management.
- Whether the dwelling is reasonably required for the operation of the rural living activity conducted on the land.

Rural issues

- The maintenance of farm production and the impact on the local rural economy.
- Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining and nearby land uses.
- The farm size and the productive capacity of the site to sustain the rural enterprise and whether the use or development will have an adverse impact on surrounding land uses.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed rural infrastructure.
- An assessment of industry requirements, growth expectations, staging of the development and investment requirements.

Environmental issues

- An assessment of the likely environmental 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 protection and enhancement of the natural environment and the character of the area, including the retention of vegetation and fauna habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridge lines, property boundaries and recharge areas and discharge areas.
- 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.

Design and siting issues

- The design, colours and materials to be used and the siting, including the provision of development and effluent envelopes for any building or works.
- The impact of the use or development on the existing and surrounding rural uses.
- The location of any building or works with respect to the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The location and design of existing and proposed roads and their impact on the landscape and whether the use or development will cause significant traffic generation which will require additional traffic management programs to be initiated.
- The location and design of existing and proposed infrastructure services including gas, water, drainage, telecommunications and sewerage facilities.

It is clear from these requirements that it is the intention of the RLZ to provide not only for residential development in a rural environment but also to retain and/or encourage some agricultural use of the land. The 'carry over' subdivision provisions of the former Mansfield Planning Scheme in the Schedule of the RLZ in the Delatite Planning Scheme (2ha minimum/4ha average) are not conducive to achieving this outcome because the resultant lots are effectively too small to undertake any meaningful agricultural activity. Consequently, the lots created under these provisions appear more like those intended under the LDRZ rather than the RLZ. It is possible that these provisions are actually responsible for increasing the demand for rural living lots in the RUZ (see section on demand) by forcing those persons desiring 'true' rural living (also known as 'hobby farming') out of the RLZ because lots are of insufficient size.

3.3.6 Overlays

There is just one overlay applicable to rural living areas in the Shire being the Environmental Significance Overlay. Schedule 2 of the overlay relates to the Lake Eildon catchment and applies to Bonnie Doon, Ford and Burnt Creek Inlets, Goughs Bay, Mansfield and Jamieson rural living areas. Schedule 3 of the overlay relates to the Lake Nillahcootie catchment and applicable to that part of the Tolmie rural living area within the Nillahcootie Proclaimed Catchment Area.

Environmental Significance Overlay

The purpose of an ESO is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To identify areas where the development of land may be affected by environmental constraints.
- To ensure that development is compatible with identified environmental values.

Before deciding on an application, the Council must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The statement of environmental significance and the environmental objective contained in a schedule to this overlay.
- Any other matters specified in a schedule to this overlay.

Lake Eildon Catchment (ESO2)

The Schedule states the environment of the catchment for Lake Eildon is significant to ensure the quality of water delivered downstream. The lake itself is a popular recreational destination and many of the Shire's smaller communities in the vicinity of the lake depend heavily on visitors to the area. The protection of the catchment to ensure this location remains attractive to visitors is essential.

Land use and development in the catchment also contributes to a decline in water quality.

It is therefore important that these activities are controlled in a manner that ensures any new activities are not detrimental to the catchment.

Environmental objectives to be achieved

- Improve water quality in the watercourses contributing to Lake Eildon, as well as the lake itself.
- Discourage land uses in the catchment that contribute to the degradation of downstream water quality in the Goulburn River.

- Encourage land management practices that minimise impacts on water quality.
- Ensure water is provided to waterways in volume, quality and seasonal patterns that conserve or enhance natural biological processes/approximate natural conditions.
- Encourage the retention or re-establishment of native vegetation in rural areas.
- Ensure breeding habitats of aquatic and riparian native flora and fauna are protected.

Before deciding on an application Council must consider:

- The potential for the proposed development to degrade water quality or quantity.
- The intensity of the development.
- Appropriate measures to prevent erosion of banks, streambeds and adjoining land and the siltation of watercourses, drains and other features.
- Appropriate measures to prevent pollution, increased nutrient loads and increased turbidity of water in watercourses, drains and other features.
- Whether the environmental objectives of this schedule will be met.
- Appropriate measures to prevent increased surface water run-off or concentration of surface water run-off leading to erosion, siltation, pollution of watercourses, drains and other features.
- Any management plan prepared by the relevant water board or water supply authority.
- The comments of the Department of Natural Resources and Environment, relevant water board or water supply authority, and the Goulburn Broken Catchment Management Authority.
- The Rural Land Study and General Guidelines for Subdivision, Buildings and Works in Rural Areas.

Lake Nillahcootie Catchment (ESO3)

The Schedule states that Lake Nillahcootie is situated on the Broken River and supplies domestic, stock and irrigation water for the Broken Valley. As well as for water supply, Lake Nillahcootie is important for the provision of aquatic habitat and for recreational purposes. The water quality of Lake Nillahcootie is threatened by increasing nutrient levels and turbidity.

To prevent further decline of the water quality in Lake Nillahcootie, land use and development within the catchment of the lake needs to be regulated.

Environmental objective to be achieved

- The objective of the overlay is to ensure the protection and maintenance of water quality and water yield within the Lake Nillahcootie Proclaimed Catchment Area.

Before deciding on an application, Council must consider:

- The potential for the proposed development to degrade water quality or quantity.
- The intensity of the development.
- Appropriate measures to prevent erosion of banks, streambeds and adjoining land and the siltation of watercourses, drains and other features.
- Appropriate measures to prevent pollution, increased nutrient loads and increased turbidity of water in watercourses, drains and other features.
- Whether the environmental objectives of this schedule will have been met.
- Appropriate measures to prevent increased surface water run-off or concentration of surface water run-off leading to erosion, siltation, and pollution of watercourses, drains and other features.
- Any management plan prepared by the relevant water board or water supply authority.
- The comments of the Department of Natural Resources and Environment, relevant water board or water supply authority, and the Goulburn Broken Catchment Management Authority.
- The Rural Land Study and General Guidelines for Subdivision, Buildings and Works in Rural Areas.

The issue of on-site disposal of effluent is one to which this overlay and its schedules are specifically related. Increasing the density of these systems through the creation of

additional lots will eventually detrimentally impact on water quality by which time it will be too late. Council should consider upgrading the requirements for addressing on-site disposal by requesting a Land Capability Analysis with subdivision applications and not just a Soil Percolation Test. Consideration should also be given to requiring alternative means of disposal that are more efficient processors other than traditional septic tanks.

4. MANAGING RURAL LIVING DEVELOPMENT

Having considered the current planning context for rural living above, it is possible to develop a set of basic principles for the allocation of rural living zoning and managing rural living development.

4.1 ZONING PRINCIPLES

The following principles provide the basis for considering the location of existing and future rural living development in the Mansfield Shire. Rural living development (in the context of this study) is generally preferred in areas that:

1. are not rated as high quality agricultural land;
2. are not prone to flooding;
3. are not a high fire hazard;
4. are not prone to erosion;
5. will not detrimentally impact on water quality;
6. do not contain areas of significant vegetation;
7. will not conflict with adjoining or nearby urban and rural land uses;
8. are part of a 10 to 15 year supply of land for this purpose;
9. do not diminish landscape values;
10. are serviced with sealed roads;
11. are adjacent to urban areas in the case of land zoned LDRZ or in close proximity to urban areas in the case of land zoned RLZ;
12. are not required for future urban development (LDRZ only); and
13. can provide reticulated potable water (LDRZ only).

4.2 DEVELOPMENT CONTROLS

The following criteria and standards are tools available for managing rural living development in the Shire.

- Requiring a land capability analysis report where on-site disposal of effluent is proposed to demonstrate ground and surface water quality (including the waters of Lake Eildon) will not be detrimentally affected.

- Requiring revegetation of a proportion of land being subdivided to achieve the 'net gain' principles espoused in the *Goulburn Broken Native Vegetation Plan*.
- Greater weight be given to the application of state policies such as *Rural living & rural residential development* and local policies such as *Low density residential policy*, *Rural living policy* and *Rural housing & subdivision in rural areas policy*, as well as the guidelines for subdivision and development in rural areas, when assessing rural living proposals.
- Support the servicing requirements of GVRWA for rural living.
- Apply the setback requirements for septic tanks and buildings established by the North East Planning Referrals Committee (GBCMA, G-MW and GBCMA).
- Exclusion of intensive agricultural activities in the RLZ that have the potential to impact on the amenity of rural residents.
- Establish buffer zones around the perimeter of rural living areas to minimise potential conflicts with commercial agricultural activities.
- Adopting subdivision standards that ensures a range of lot sizes in the RLZ and preventing repeat subdivision down to the lowest common denominator (eg. combination of minimum lot size/average lot size/50% of lots in excess of the average).
- Preparation of Developer Contribution Plans to encourage the provision of services and infrastructure in rural living areas and to offset the cost of construction and maintenance requirements of servicing authorities.

5. CONSULTATION

During the course of the preparation of this study, the following consultation was undertaken.

5.1 GOVERNMENT AGENCIES

The following government agencies were consulted for input into the study. Their responses are summarised as follows.

Department of Sustainability (DSE) have been involved in the instigation of the study and the preparation of the consultants brief. Consequently their requirements have been expressed from the outset.

The Environment Protection Authority (EPA) is mostly concerned about the potential for pollution caused by on-site disposal of effluent and supports the use of Land Capability Assessments to determine these impacts. The Authority also has an interest in sediment control during subdivision and building construction (soil and water management).

Goulburn-Murray Water (G-MW) has a Storage Management Program in place for Lake Eildon that addresses water quality, biodiversity and native vegetation. G-MW also supports the EPA's position that Land Capability Assessments should be required

to accompany subdivision applications to demonstrate the suitability of on-site effluent disposal.

Consideration also needs to be given to the provision of water for stock and domestic purposes in rural living areas. Currently up to 6Mg can be taken from the catchment without a licence for stock and domestic purposes. Farms Dam Policy is now legislated and Councils need to be aware of the requirements when considering proposals for rural living. Water yield assessments should be undertaken as part of subdivision applications to demonstrate that each lot created is adequately provided with water. This could be undertaken concurrently with the Land Capability Assessment.

Goulburn Valley Region Water Authority (GVRWA) advised of its Subdivision Servicing Policy that details its requirements for the provision of reticulated water and sewer services. Only the townships of Mansfield and Bonnie Doon are provided with reticulated water and sewer services in the Shire.

The Goulburn Broken Catchment Management Authority (GBCMA) advised on the most recent flooding information available for the Shire. Ford Creek in Mansfield may be an issue and the Authority has indicated that it wants to study this watercourse in the near future. The current flooding overlays for Ford Creek are not accurate and considered conservative according to the Authority. However most of the remaining flooding overlays upstream of Benalla are reasonably accurate.

The GBCMA also drew attention to the 'net gain' principles for vegetation that are derived from the Biodiversity Strategy.

5.2 OTHER GROUPS & AGENCIES

The consultants have spoken to numerous individuals both at the public meeting and in the time since. These discussions have generally focussed on individual parcels of land but have assisted in gaining a better understanding of rural living in the Shire.

5.3 COMMUNITY

A public meeting was conducted in Mansfield on 15th January 2003 to inform the community as to the contents of the brief for the study, the methodology adopted by the consultants to complete the required tasks and to hear the community's views on rural living in the Shire.

Attendees at the meeting were encouraged to comment generally on rural living and the nominated rural living areas. Those persons wishing to discuss particular parcels of land were asked to approach the consultants individually. The following is a general summary of issues raised at the meeting that are relevant to the study:

- zones in some locations are not reflective of land use (eg. small serviced lots in Highton Lane are zoned RLZ)

- urban expansion needs to provide for open space and community facilities
- the influence of *Your Town – Your Future Strategy Plan* in this study
- supply and demand of rural living to be addressed
- public will have the opportunity to participate in the actual amendment process
- ‘back zoning’ of rural living land
- rezoning has occurred previously without owner’s knowledge
- impact of additional traffic on unsealed roads (dust etc.)
- septic tanks and opportunities for alternative on-site effluent disposal systems
- suitability of some lots for rural living
- the effect of lot turnover on supply
- vacant lots should not be included in supply calculations
- vast difference between what’s vacant and what’s available for rural living development
- the rural living market is different in the various areas in the Shire (eg. Tolmie vs Mansfield vs Eildon)
- need to include Sawmill Settlement in the study

The draft study was completed on 31st January 2003 and released for public comment soon after. A second public meeting in Mansfield was conducted on 11th February 2003 during this public exhibition period. The purpose of this meeting was to present the findings of the study to the community. Members of the public were given until 28th February 2003 to make submissions on the draft report, of which a total of 48 were subsequently received.

Expressions of both support and objection to the draft study were expressed at the second public meeting and in submissions. These views were particularly useful for the consultant to gain a better understanding of rural living issues in the Mansfield Shire and some were influential in changes made to the draft study.

6. DEMAND & SUPPLY OF LAND

Determining the supply and demand of land for any type of development is extraordinarily difficult to define precisely given the number of variables and forces at play. However, undertaking an analysis of supply and demand is still a useful exercise to gain a broad understanding of where supply and demand for rural living in the Shire is focussed. **It should be stated that the numbers derived from this analysis are highly theoretical and should not be adopted as the single or most influential factor in determining the future of rural living development in the Shire. It is considered to be far more important to ensure that rural living is being undertaken in the appropriate locations in the Shire and that the development is sustainable.** The shortcomings of the analysis of supply and demand are described in more detail in the sections following.

6.1 DEMAND

An indication of demand can be obtained from:

- subdivision approvals/lots created
- dwelling approvals/construction
- sales
- anecdotal evidence from Real Estate Agents etc.

For the purposes of this study, the number of dwelling approvals is adopted as the indicator of demand for rural living lots in the Shire. Dwelling approvals indicate the take up rate or consumption of rural living lots by virtue of them being developed with a dwelling. The rate of subdivision is less effective as an indicator because it may have been undertaken in speculation rather than in response to demand and also subdivision only creates the opportunity for rural living whereas a dwelling confirms its consumption. Likewise sales of lots is not preferred because one lot may be repeatedly sold providing a false indication of demand and in the case of developed lots, one rural resident is simply being replaced with another for no net increase.

Table 3 shows that the greatest demand for rural living lots in the Shire is in the Tolmie area with 13 dwellings per annum granted planning permits between 1998 and 2002. This accounts for approximately 43% of the demand for rural living in the Shire. The Ford and Burnt Creek Inlets is the next most popular with 9 dwellings approved per annum which is 30% of the Shire's total. The Mansfield area has experienced just 3 dwelling approvals per annum in the RLZ since 1998. Demand in Merton, Jamieson and Goughs Bay rural living areas based on dwelling approvals is less than one per annum respectively.

Interestingly, demand for rural living within the LDRZ in the Shire is negligible (see Table 3) with even Mansfield recording less than one dwelling approval per annum. However there are reasons for this (see Section 7.1.6).

Perhaps the most revealing statistic from the analysis of demand in the Shire is the number of dwellings being approved in the RUZ. Between 1998 and 2002 a total of 112 dwellings were approved in the RUZ compared to 90 in the RLZ/LDRZ. Although a small number of these approvals may relate to genuine farm houses (and therefore are not rural living) it is not unreasonable to suggest approximately half of the demand for rural living in the Shire is currently being met on land outside of the zones designated for this purpose. Many of these approvals were probably granted under the 'unofficial' modified Local Policy for *Rural housing and subdivision in rural areas*. This was also the conclusion reached in YTYF, which recorded between 1998 and 2000, 57% of dwelling approvals in the RUZ were on lots less than 10ha.

This result also has the effect of understating the demand for rural living in some of the nominated areas because new dwellings may be in the locality but outside of the RLZ and LDRZ zones. For example, within 10km of the centre of Mansfield, a total of 35 dwellings were approved in the RUZ between 1998 and 2002. If these dwellings were to be strictly included in the demand for rural living around Mansfield and Council actively discouraged rural living in the RUZ, supply in this area would be exhausted in

around 8 years. This would add weight to an argument for creating additional supply by rezoning more land to RLZ around the township of Mansfield

6.2 SUPPLY

For the purposes of this study, supply of rural living lots includes existing vacant lots as well as future potential vacant lots. Supply is not just the number of lots available for sale at any given time.

The supply of rural living lots in the Shire has been ascertained by identifying each and every lot zoned LDRZ and RLZ and then determining which of these lots is vacant and which is developed. From this process the 'actual supply' (existing vacant lots) of rural living lots can be ascertained (see Table 3).

In addition to the 'actual supply', the number of lots that could be created if all lots (both vacant and developed) having the opportunity to be subdivided were subdivided has been calculated. This number of lots is referred to as the 'potential supply'. The combination of actual and potential supply becomes the theoretical total supply of lots on land zoned LDRZ and RLZ.

However, this theoretical supply substantially overstates the reality because some lots are:

- **not available for development (ie. not for sale or 'land banked' for the future);**
- **not intended for development by the owner (ie. intend to continue with existing land uses such as commercial farming or the landowner is content with the dimensions of a larger rural living lot);**
- **physically constrained for development (eg. flooding, remnant vegetation, watercourses, slope, etc.);**
- **not financially viable for subdivision (ie. costs exceed returns or profit is inadequate);**
- **constrained by infrastructure and servicing (eg. sewer, water, roads, etc.); or**
- **unwanted in the market (eg. poor location, too expensive, too big/small, etc.).**

Anecdotal evidence suggests that the first of these dot points accounts for a significant proportion of the supply of rural living land in the Shire. In addition, the proportion of land in this category as part of the overall supply is considered to be substantially greater in the Mansfield Shire than other non-metropolitan areas where the rural living market is driven solely by permanent residents. This results in a far more narrow and definable rural living market compared to Mansfield which is heavily influenced by the non-resident character of much of the rural living development in locations such as Ford and Burnt Creek Inlets, Goughs Bay and parts of Tolmie.

Conversely, but to a lesser extent, the theoretical supply in Table 3 is probably understated because some rural living lot supply is being provided for in zones other than the LDRZ and RLZ (eg. existing small lots in the RUZ). The size of this element of supply is effectively determined by Council's approach to dwellings in the RUZ. That is, whether Council takes a strict interpretation of the provisions relating to dwellings in

the RUZ by permitting them only in association with agriculture, or not. Judging from where dwellings have been approved in the Shire between 1998 and 2002, indications are that the former Delatite Council adopted more of the latter position with or without the assistance of the unofficial modified local planning policy (clause 22.12 of the planning scheme).

The extent to which the theoretical supply should be discounted cannot be accurately ascertained but is estimated to be up to 50% but will vary from locality to locality in the Shire.

Table 3 shows that a total of 9,482ha of land in the Shire is zoned RLZ. This is approximately 0.2% of the total area of the Shire. The land is spread across the Shire in a number of locations and these in turn have been grouped into seven identifiable areas. Almost one-third of the land zoned RLZ in the Shire is located in the Tolmie area (31%) with the Bonnie Doon area (23%) and land around the Ford and Burnt Creek Inlets of Lake Eildon (19%) also accounting for significant proportions. The smallest area is at Jamieson with four small areas totalling 134ha or less than 2% of the Shire total.

There are three main areas of LDRZ land in the Shire at Mansfield, Goughs Bay and Jamieson with a total area of 185ha. Mansfield accounts for 65% of this zoned land.

There is currently a total of 1,350 vacant and developed lots zoned RLZ in the Shire (see Table 3). Tolmie accounts for the largest number of lots with 371 or 27% of the total in the Shire. Coincidentally, the proportion of total lots in the Shire allocated to Bonnie Doon and Ford and Burnt Creek Inlets of Lake Eildon is the same as that for the area of zoned land in each of these locations. Tolmie accounts for a greater proportion of the vacant lots in the Shire with 37%, which equates to 145 lots. Bonnie Doon and the Ford and Burnt Creek Inlets of Lake Eildon each account for 19% of the total number of vacant lots. Merton contains just 9 vacant lots or 2% of the total.

Approximately half of all lots zoned LDRZ in the Shire (52%) are located in Mansfield with a further 40% or 44 lots being located at Goughs Bay (see Table 3). The distribution of vacant LDRZ lots in the Shire is quite different with 69% located in Jamieson (24 lots) with only 4 and 7 lots respectively available in Mansfield and Goughs Bay respectively. This situation indicates that the vacant land in the latter two towns is held in larger undeveloped parcels whereas the lots available in Jamieson were probably created when the town was first settled.

Table 3 demonstrates that Tolmie also has the greatest number of lots theoretically capable of being further subdivided in the Shire under the current planning scheme with 48 or approximately one-third (34%). There are 26 lots at Bonnie Doon (18%) and 23 at the Ford and Burnt Creek Inlets (16%). Jamieson has the least number of subdividable lots with two indicating that most of the rural living lots in this town are small.

Mansfield has 33 lots capable of further subdivision within the LDRZ, which is 82% of the total within the Shire. However many of these are lots that have already been subdivided and consequently now have a configuration that is not suitable to further fragmentation (eg. use of 'battle-axe handle' access).

Of the 723 additional lots theoretically capable of being created in the Shire from existing lots in the RLZ, 256 or 35% are within the Tolmie area (see Table 3). Bonnie Doon has the theoretical potential for a further 174 lots which is almost a quarter of the Shire's total. Jamieson has a potential for just two additional lots, which is less than 1% of the Shire's total.

Within the LDRZ, 72% of potential additional lots in the Shire are in the Mansfield area and 23% in Goughs Bay. This theoretically equates to 217 and 70 lots respectively.

In conclusion, Tolmie has by far the greatest total supply of RLZ lots in the Shire with a theoretical 401 lots or 36% of the Shire. Bonnie Doon is the next largest with 248 lots (22%) followed by the Ford and Burnt Creek Inlets of Lake Eildon with 184 lots (16%), Merton with 125 lots (11%), Mansfield with 95 lots (8%), Jamieson with 34 lots (3%) and Goughs Bay with 33 lots (also 3%).

In terms of the LDRZ, Mansfield dominates the Shire's theoretical total supply with 65% of the 338 lots. Goughs Bay has 77 lots (23%) and Jamieson 40 lots (12%).

The last column in Table 3 makes the theoretical calculation as to how long the supply of rural living lots would last based on the demand for such lots between 1998 and 2002, the current theoretical supply. The supply of lots in the RLZ in the Ford and Burnt Creek Inlet area would be first to expire in 20 years followed by the Tolmie, Mansfield and Jamieson areas at around the 30 year mark. Bonnie Doon has a 60 year supply and because of the large theoretical supply and low demand, the Merton area has effectively an unlimited supply (ie. in excess of 100 years).

The demand for rural living lots in the LDRZ is so low that all three areas have theoretical supplies in excess of 100 years.

Of course these time frames are overly long because of the influence of the total theoretical supply, which substantially overstates the reality of the situation for the reasons outlined above.

TABLE 3: CURRENT THEORETICAL SUPPLY OF ZONED RURAL LIVING LOTS IN THE MANSFIELD SHIRE

LOCALITY	Zone	Area (ha.)	Vacant lots (current supply)	Developed lots	TOTAL LOTS	Lots with subdiv. potential ⁽¹⁾	Potential lot yield ⁽³⁾ (potential supply)	TOTAL SUPPLY (current + potential)	DEMAND (dwellings per annum ⁽²⁾)	YEARS SUPPLY ⁽⁴⁾
Tolmie	RLZ	2,965.6	145	226	371	48	256	401	13	31
Bonnie Doon	RLZ	2,185.4	74	241	315	26	174	248	4	62
Ford & Burnt Creek Inlets	RLZ	1,774.1	74	184	258	23	110	184	9	20
Merton	RLZ	938.0	9	27	36	18	116	125	<1	>100
Mansfield	RLZ	1,221.0	51	159	210	14	44	95	3	32
Jamieson	RLZ	133.6	32	96	128	2	2	34	<1	45
Goughs Bay	RLZ	264.4	12	20	32	10	21	33	0	?
TOTAL	RLZ	9,482.1	397	953	1,350	141	723	1,120	30	37
Mansfield	LDRZ	118.8	4	53	57	33	217	221	<1	>100
Goughs Bay	LDRZ	32.4	7	2	9	2	70	77	0	?
Jamieson	LDRZ	34.1	24	20	44	5	16	40	<1	>100
TOTAL	LDRZ	185.4	35	75	110	40	303	338	1	>100

Source: Valuer General & Council's GIS

1. Includes existing vacant and developed lots and allows for the two different subdivision standards in the Delatite Planning Scheme (4ha. average & 8ha. minimum).
2. Based on dwelling permits 1998-2002.
3. Assumes all potential lots can and will be subdivided to their full potential, which in reality will never occur.
4. Substantially overstated because of the theoretical nature of lot supply (see commentary).

7. ANALYSIS BY LOCALITY

There are a number of identifiable rural living areas in the Shire. Definition of localities is based on a common geographical focus of areas zoned RLZ. For the purposes of this study, the following rural living areas have been identified:

- Mansfield
- Bonnie Doon
- Tolmie
- Ford and Burnt Creek Inlets
- Merton
- Jamieson
- Goughs Bay

Within each of these areas are a number of sub-localities, each of which is assessed in some detail below to determine its future status.

7.1 MANSFIELD

Mansfield is the largest town in the Shire and features rural living zones on the southern and eastern urban boundaries as well as some more isolated small areas in Monkey Gully and Rifle Butts Roads. The RLZ dominates the eastern side of the town extending from Rifle Butts Road around to the Mansfield-Whitfield Road.

7.1.1 Monkey Gully Road

This is a small isolated rural living area located between Mansfield and Goughs Bay. The area contains 158 hectares in 18 lots of which 5 are currently vacant (see Table 4). Lot sizes range from 1.5 to 10.2ha with the majority in the 7 to 9ha range. This area is regarded as typical 'rural living' with larger lots upon which residents are undertaking various forms of agricultural activities. The area is unlike most developed rural living land in the Shire, which has historically been undertaken at a higher density.

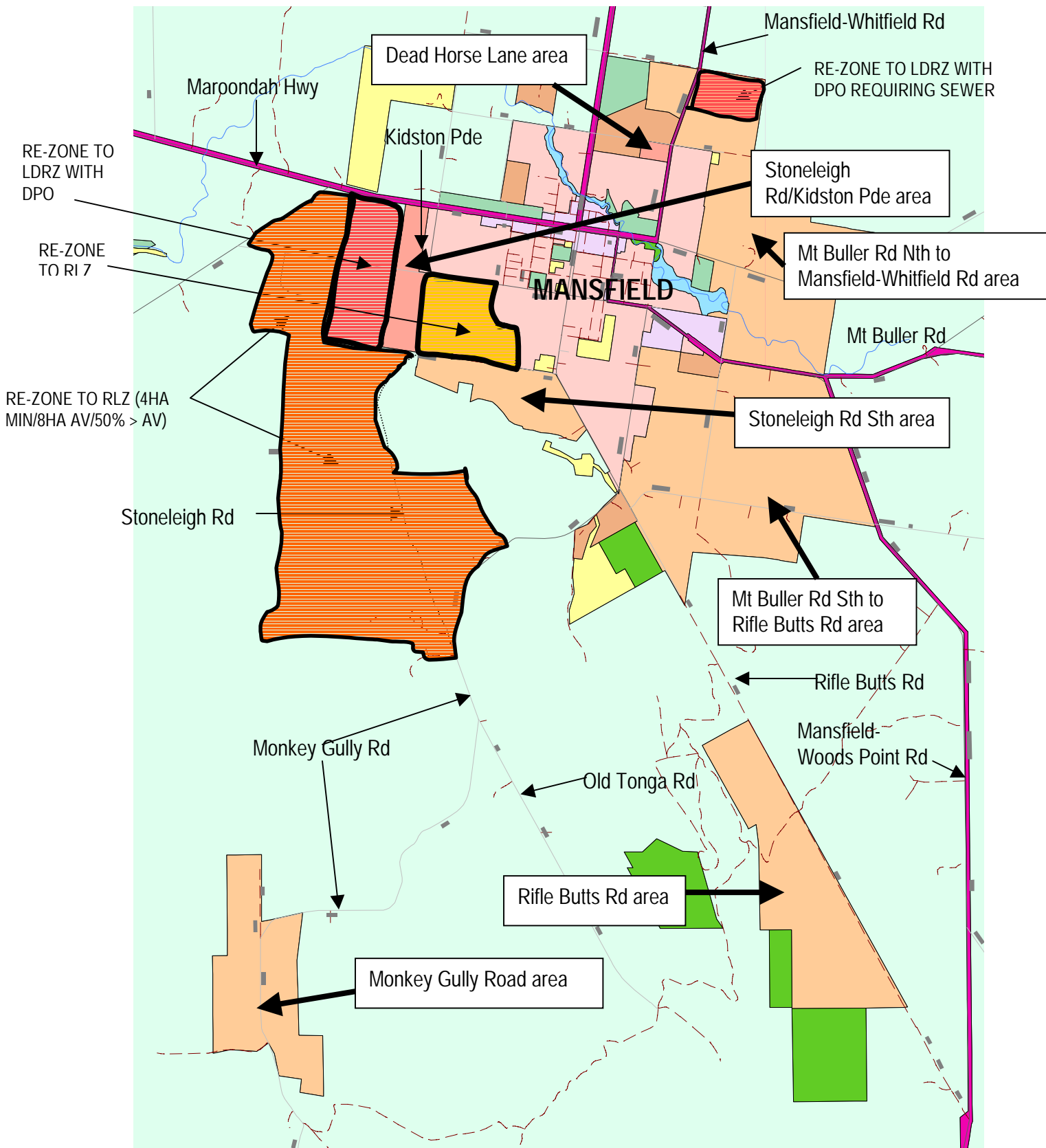
The RLMP rated this area as "low" in terms of agricultural quality and this is unlikely to have changed since.

The area is rated as a fire risk by the CFA. Land capability of the area varies from "moderate" to "high" in terms of erosion risk according to the RLMP. Generally the land capability deteriorates as the topography becomes steeper to the west.

This area is within the catchment of the Lake Eildon and Howes Creek is adjacent to the southern end of this area. There are no flooding overlays applicable to the land. There are several minor watercourses within the area that generally drain to the north.

There is no significant vegetation although the density of remnant vegetation increases on the steeper land.

Figure 2: MANSFIELD RURAL LIVING AREA



The adjoining land is generally rural and used for broad acre agriculture such as grazing although the rural living area at Burnt Creek Inlet is in close proximity to the west.

The subdivision provision currently applicable to this area is the default 8ha minimum lot size. Under these provisions, there is no potential for any further rural living development in this area. Consequently the existing vacant lots represent the potential supply, which stands at 5 lots.

Access to the area from Mansfield is via Monkey Gully Road from the Maroondah Highway just west of Mansfield. This road is sealed to the intersection of Stoneleigh Road and is unsealed beyond that for a distance of 4km.

The RLZ of this area commences approximately 7km from the urban fringe of Mansfield. Mansfield provides a good range of facilities to service the needs of rural residents of this area.

The area will not prejudice the future growth of Mansfield. Consideration of future urban development and reticulated potable water is not necessary since there is no land zoned LDRZ.

7.1.2 Rifle Butts Road

This rural living area is located on the western side of Rifle Butts Road on the foot slopes of the Blue Range. The area contains 221 hectares in 11 lots of which 6 are currently vacant (see Table 4). Lot sizes range from 4.8 to 75 hectares with the majority in the 5 to 10 ha range. This area is unique in that 128ha of the area (in two lots) is being developed in accordance with specific subdivision requirements specified in the Schedule to the RLZ in the planning scheme. The schedule allows for the subdivision of this land into 16 lots with a 2.8ha minimum and a 7.5ha average.

The RLMP rated this area as "very low" in terms of agricultural quality and this is unlikely to have changed since.

There are no flooding overlays applicable to the land. There are several minor watercourses within the area that generally drain across Rifle Butts Road to the east. The area is rated as a fire risk by the CFA.

Council's mapping system indicates that a significant proportion of this land contains stands of vegetation that would need to be taken into account when considering rural living development for this land.

The adjoining land is generally rural and used for broad acre agriculture such as grazing although the urban area at Mansfield is in close proximity to the north.

The subdivision provision applicable to that part of the area not included in the RLZ Schedule is the default 8ha minimum lot size. Under these provisions, there is no potential for any further rural living development. The bulk of supply in this area is contained within the land subjected to the Schedule in the planning scheme and extends to 14 lots.

Access to the area from Mansfield is via Rifle Butts Road from Mansfield. This road in the main is unsealed, in poor condition and a poor alignment. The road is currently being upgraded in response to the additional lots being created.

The area is in close proximity to Mansfield with the RLZ commencing 5.5km from the central roundabout in High Street. Mansfield provides a good range of facilities to service the needs of rural residents of this area.

The area will not prejudice the short to medium term future growth of Mansfield. Consideration of future urban development and reticulated potable water is not necessary since there is no land zoned LDRZ.

7.1.3 Stoneleigh Road south

This is a small rural living area located between Stoneleigh Road and a large hill on the southern fringe of the Mansfield township between Kidston Parade and Rifle Butts Road. The area contains 73 hectares in 10 lots of which only 2 are vacant (see Table 4). The majority of the lots are between 1.5 and 2ha with one larger area of 50ha.

The RLMP rated this area as "average" in terms of agricultural quality and this is unlikely to have changed since.

Land capability of the area is rated as "slight" in terms of erosion risk according to the RLMP.

The area is not rated as a high fire risk by the CFA. There are no flooding overlays applicable to the land. There are two minor watercourses within the area that generally drain northwards towards Ford Creek in Mansfield.

The land has been largely cleared of vegetation.

The adjoining land is generally used for urban and rural residential purposes and should not pose any conflicts for urban or rural residents alike.

The subdivision provision applicable to this area is the 'carry over' 2ha minimum/4ha average lot size provisions of the former Mansfield Planning Scheme. Under these provisions, there is the potential for an additional 11 lots all of which would be yielded from the one large parcel.

Access to the area from Mansfield is via Highett Street and the land has sealed road frontage to Stoneleigh Road and Cemetery Lane.

The area is in close proximity to Mansfield being just 1.5km from the central roundabout in High Street. Mansfield provides a good range of facilities to service the needs of rural residents of this area.

The area shouldn't prejudice the short to medium term future growth of Mansfield. As long as rural living development is not undertaken at a too high density, it is possible to convert to urban residential development at a future time if necessary. Consideration of future urban development and reticulated potable water is not necessary since there is no land zoned LDRZ (the LDRZ land on the opposite side of Stoneleigh Road is addressed separately below).

7.1.4 Mount Buller Road south to Rifle Butts Road

This is a large rural living area located on the south eastern fringe of the Mansfield township between the Mount Buller/Mansfield-Woods Point Roads and Rifle Butts Road. The area contains 410 hectares in 104 lots of which approximately one quarter (24) are vacant (see Table 4). A vast range of lot sizes is evident in this area from 950m² to 51ha. The number of smaller lots of urban dimensions are located along Highton Lane and the largest lots are on the Mansfield-Woods Point and Ogilvies Roads.

The RLMP rated this area as "average" in terms of agricultural quality and this is unlikely to have changed since.

Land capability of the area is rated as "slight" in terms of erosion risk according to the RLMP.

The area is not rated as a high fire risk by the CFA. There are no flooding overlays applicable to the land. There are two minor watercourses within the area that generally drain northwards towards Ford Creek in Mansfield.

The land has been largely cleared of vegetation although there is some remnant vegetation at the southern end of Crosbys Lane.

The adjoining land is generally used for urban and rural residential purposes and should not pose any conflicts for urban or rural residents alike.

Both the default 8ha minimum and 2ha minimum/4ha average RLZ subdivision provisions in the Delatite Planning Scheme are applicable to this area. Under these provisions, there is the combined potential for an additional 11 lots. Most of the supply of rural living land in this area already exists as vacant lots (see Table 4).

Access to the area from Mansfield is via Mount Buller, Mansfield-Woods Point and Rifle Butts Roads, all of which are sealed.

The area is in close proximity to Mansfield being less than 2km the central roundabout in High Street. Mansfield provides a good range of facilities to service the needs of rural residents of this area.

The area shouldn't prejudice the short to medium term future growth of Mansfield. As long as rural living development is not undertaken at a too high density, it is possible to convert to urban residential development at a future time if necessary. Consideration of future urban development and reticulated potable water is not necessary since there is no land zoned LDRZ.

7.1.5 Mount Buller Road north to Mansfield-Whitfield Road

This is the second largest rural living area in Mansfield located on the eastern fringe of the township between the Mount Buller and Mansfield-Whitfield Roads. The area contains 338 hectares in 67 lots of which only 21% or 14 lots are vacant (see Table 4). A range of lot sizes is evident in this area from 4,400m² to 25ha. The smaller lots are located along Mount Battery Road and a recent subdivision in Dead Horse Lane whilst the larger lots are generally furthest from the township and on land less accessible to roads.

The RLMP rated this area as “high” in terms of agricultural quality with only a small portion along Mount Buller Road being rated as “average”. The area is highly fragmented and in close proximity to an urban area and consequently there is little agricultural activity being undertaken in this area.

Land capability of the area is rated as “moderate” to “high” in terms of erosion risk according to the RLMP with the more elevated land in this area being regarded as the greatest risk.

The area is not rated as a high fire risk by the CFA. There are no flooding overlays applicable to the land. There are several minor watercourses within the area that generally drain either to the west across the Mansfield-Whitfield Road or to the south across the Mount Buller Road.

Land in the southern portion of this area does not exhibit any significant vegetation but Council's mapping system indicates that land central to the area and in the north closer to the Mansfield-Whitfield Road does contain some good remnant vegetation that should be taken account in any development of the land for rural living purposes.

The adjoining land to the west is generally used for urban purposes (including industrial), that to the south for rural living and that to the east for agriculture. These uses should not conflict with rural living.

Both the default 8ha minimum and 2ha minimum/4ha average RLZ subdivision provisions in the Delatite Planning Scheme are applicable to this area. Under these provisions, there is only the potential for an additional 8 lots. Most of the supply of rural living land in this area (14 lots) already exists as vacant lots (see Table 4).

Access to the area from Mansfield is via Mount Buller, Mount Battery and Mansfield-Whitfield Roads, all of which are sealed.

The area is in very close proximity to Mansfield being less than 500 metres from the central roundabout in High Street at the closest point. Mansfield provides a good range of facilities to service the needs of rural residents of this area.

The area shouldn't prejudice the short to medium term future growth of Mansfield. As long as rural living development is not undertaken at a too high density, it is possible to convert to urban residential development at a future time if necessary. Consideration of future urban development and reticulated potable water is not necessary since there is no land zoned LDRZ.

7.1.6 Stoneleigh Road/Kidston Parade

This is the largest rural living area zoned LDRZ in the Shire and is located on the northern side of Stoneleigh and Cemetery Roads in Mansfield. The area extends as far as the Maroondah Highway on the eastern side of Kidston Parade. The area contains 113 hectares in 52 lots of which only 3 are vacant. The lots vary in size from 1,713m² to 12.5ha, however the majority are between 0.5 and 3ha.

The RLMP rated this area as “average” in terms of agricultural quality however this is somewhat irrelevant now that the land has been zoned LDRZ and subdivided accordingly.

Land capability of the area is rated as "slight" in terms of erosion risk according to the RLMP.

The area is not rated as a fire hazard by the CFA. There are no flooding overlays applicable to the land. There is a minor watercourse traversing the area from south to north in the direction of Ford Creek.

The land has been largely cleared of native vegetation.

The adjoining land to the north and east is generally used for urban purposes as well as the Mansfield Golf Course. Land to the south is zoned RLZ beyond which is rural land in small holdings. The adjoining land uses should not pose any conflicts for urban or rural residents alike.

The subdivision provision currently applicable to this area is the 0.4ha minimum lot size provided for the LDRZ by the Victoria Planning Provisions in the Delatite Planning Scheme. Under these provisions, theoretically there is the potential for 30 lots to be further subdivided to create an additional 212 lots (see Table 4). However the ad hoc subdivision of this land previously undertaken (including the use of 'battle-axe handle' layouts) would severely limit this potential from being fully achieved. The best potential lies in the larger parcels along the western side of Kidston Parade.

Access to the area from Mansfield is via Highett Street and Kidston Parade as well as Malcolm Street and Stoneleigh/Cemetery Roads all of which are sealed.

The area is in close proximity to Mansfield being less than a kilometre from the central roundabout in High Street. Mansfield provides a good range of facilities to service the needs of rural residents of this area.

The area may constrain the future growth of urban Mansfield in a westerly direction because of the fragmented nature of the land and the difficulty this presents to develop at an urban density. Although the majority of existing lots are in excess of 4,500m² in area, there is recent evidence to suggest that some on-site effluent treatment systems in this area are failing. That part of this area east of Kidston Parade has effectively been developed at a rural living density (in the context of the RLZ) and consideration should be given to applying the RLZ to the land to avoid the difficulties posed by further subdivision.

That part of this area west of Kidston Parade is currently held in large parcels and is much more conducive to development at an LDRZ density (4,000m² lots). A Development Plan Overlay (DPO) could be applied to the land to ensure its development is undertaken in a controlled environment. Consideration should also be given to providing the area with reticulated services with the cost being offset by a Developer Contributions Plan. The LDRZ could actually be extended further westwards into the RUZ if these type of controls are implemented.

7.1.7 Dead Horse Lane

This is a small pocket of rural living land zoned LDRZ on the corner of Mansfield-Whitfield Road and Dead Horse Lane. The area contains just 5.3ha in 5 lots of which just one is vacant. Three of the lots have further potential for subdivision to create an additional 5 lots.

The area adjoins land zoned for industrial purposes on the western and northern sides and is therefore constrained for future development as well as having the potential for land use conflicts and compromised levels of residential amenity. Consequently this area is not considered significant in the consideration of rural living in Mansfield and the Shire in general.

7.1.8 Conclusions

The following conclusions are reached for the Mansfield rural living area:

- The existing rural living area at the southern end of Monkey Gully Road is approaching full development and has no potential for further subdivision. In addition the area is not considered suitable for an expansion of the RLZ because of remoteness from services and poor road access.
- The Rifle Butts Road area is currently being developed appropriately at an average lot size of close to 8ha which has resulted in a desirable variety of lot sizes and a layout that takes account of the constraints of the site such as the steeper, high fire risk land at the rear. Road access needs to be improved and further expansion of the RLZ in this location is not recommended.
- The Stoneleigh Road south area is appropriate for rural living development but remains largely undeveloped. The location is constrained by Mansfield to the north and a large hill to the south and therefore is not suited for an expansion of the zone.
- Given the proximity to Mansfield, the existing density of rural living development and the limited opportunity for further subdivision in the Mount Buller Road south area, there is some justification for retaining the current 2ha minimum/4ha average subdivision provisions. Extending these provisions to the Mount Buller Road in the east would complete this area and provide some definition to the limit of rural living development.
- Likewise for the Mount Buller Road south area, there is some merit in retaining the higher density subdivision provisions for rural living in the Mount Buller Road north area because of the proximity to Mansfield and the higher demand for this type of land use (by permanent residents) than in other more remote areas.
- The large developed area of LDRZ land on the south eastern fringe of Mansfield is likely to become an increasing problem because of the potential for many more lots, ad hoc subdivision, and issues relating to land capability. A Development Plan Overlay (DPO) should be applied to the westernmost land in this area that is largely undeveloped. The DPO should address the issue of reticulated services (including sewer), the cost of which can be offset by a Developer Contributions Plan.
- The status quo should remain for the Dead Horse Lane area with no expansion of the LDRZ because of the adjoining industrial zoning.
- Having regard for the recommended changes to the planning scheme to manage rural living, Mansfield has the potential to expand its rural living area (see below).

TABLE 4: CURRENT THEORETICAL SUPPLY OF RURAL LIVING LOTS IN THE MANSFIELD AREA

LOCALITY	Zone	Area (ha.)	Vacant lots (current supply)	Develop-ed lots	TOTAL LOTS	Current subdiv. standard	Lots with subdiv. potential ⁽¹⁾	Potential lot yield (potential supply)	TOTAL SUPPLY (current + potential)	Indicative demand ⁽²⁾
Monkey Gully Road	RLZ	158.1	5	13	18	8ha. min.	Nil	Nil	5	Low
Rifle Butts Road	RLZ	221.0	6	5	11	8ha. min.	Nil	Nil	20	Low
						Schedule	2	14		
Stoneleigh Road south	RLZ	72.8	2	8	10	4ha. av.	1	11	13	Med
Mount Buller Road south to Rifle Butts Road	RLZ	410.2	24	80	104	8ha. min.	1	5	35	Med
						4ha. av.	2	6		
Mount Buller Road north to Mansfield-Whitfield Road	RLZ	221.0	14	53	67	8ha. min.	5	5	22	Low
						4ha. av.	3	3		
TOTAL	RLZ	1,221.0	51	159	210		14	44	95	
Stoneleigh Road north/Kidston Parade	LDRZ	113.5	3	49	52	0.4ha. min.	30	212	215	Low
Dead Horse Lane	LDRZ	5.3	1	4	5	0.4ha. min.	3	5	6	Low
TOTAL	LDRZ	118.8	4	53	57		33	217	221	

Source: Valuer General & Council's GIS.

1. 8ha is the current default minimum lot size in the RLZ. The 4ha average (with a 2ha minimum) applies to land for which the subdivision provisions of the former Mansfield Planning Scheme were carried over to the Delatite Planning Scheme and included in the RLZ Schedule.
2. Subjective opinion based on dwellings approved between 1998-2002.

7.2 BONNIE DOON

The Bonnie Doon rural living area consists of four areas of land zoned RLZ to the north, east, south and west of the Bonnie Doon township (see Figure 3 & Table 5). The use of RLZ land in Bonnie Doon is a mix of permanent and temporary residents with a large proportion of lots in the Maintongoon Road/Peppin Drive location used for holiday purposes.

7.2.1 Pollock Avenue/Prowd Lane

This rural living area contains 201 hectares in 38 lots of which 12 are currently vacant. Lot sizes range from 3.3ha to 11.2ha.

The RLMP rated the northern portion of this area as “average” in terms of agricultural quality and the southern portion further away from the highway as “low”.

The land is not rated as a fire risk by the CFA. This area is in a small catchment and contains a single small creek. There are no flooding overlays applicable to the land.

Much of this area has been cleared of its original vegetation although there are identifiable stands of remnant vegetation in the northwest corner. The area is well established for rural living and many occupants have undertaken revegetation works, particularly along fence lines. Both native and exotic species have been utilised for this purpose.

The landscape of the area is described as bare hills and is of less significance than if it were covered in remnant vegetation. The land is highly visible from the Maroondah Highway and those dwellings that have been constructed in elevated locations detract from the landscape.

The adjoining land is rural and used for broad acre agriculture such as grazing. It would not be anticipated that this rural living area would impact on this agricultural activity.

This area has been subdivided to its fullest potential and there is no opportunity for additional lots under the current planning scheme. At least two-thirds of the 38 lots are developed.

All roads within this area are sealed and the Maroondah Highway provides excellent access to Bonnie Doon (3km to the east) and Mansfield (22 km past Bonnie Doon). Bonnie Doon provides a good range of facilities to service the basic needs of rural residents in this area.

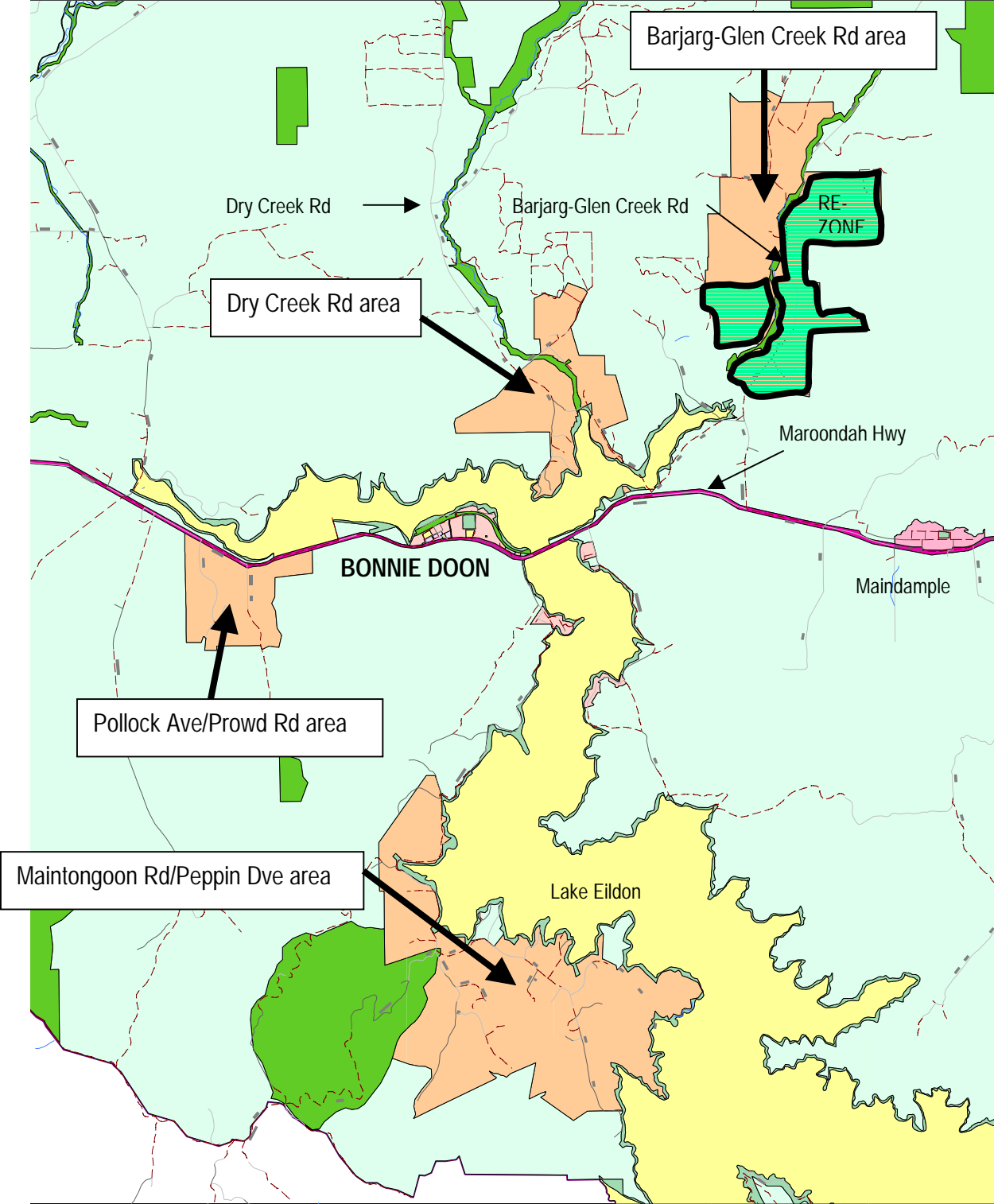
The area will not prejudice the future growth of any urban development.

Consideration of future urban development and reticulated potable water is not necessary since there is no land zoned LDRZ in this area of Bonnie Doon.

7.2.2 Dry Creek Road

This rural living area contains 295 hectares in 63 lots of which 16 are currently vacant. Lot sizes range from 904m² to 54 hectares. There are two groups of small lots (most

Figure 3: BONNIE DOON RURAL LIVING AREA



less than 1,500m²) on opposite sides of Glen Inlet along the old road alignment. Of these 13 lots only two are vacant.

The RLMP rated this area as “low” in terms of agricultural quality and this is unlikely to have changed since.

Land up Elliot Court is steep and not really suited for rural living although the locality is already almost fully developed. The RLMP rates the lower land either side of Dry Creek Road as a “slight” risk of erosion with the risk increasing as the land rises on either side and becomes steeper.

This area is within the catchment of the Tallangalook Creek that discharges at the southern end of the area to Lake Eildon. There are no flooding overlays applicable to the land. The land is not rated as a fire risk by the CFA.

The western side of the creek exhibits good remnant vegetation across most of the land. The eastern side has vegetation on the higher slopes of the catchment and a pine plantation abuts rural living land behind lots at the end of Kiernans Road.

The landscape has not been significantly affected by the rural living development undertaken to date because of the density of remnant vegetation. The land is relatively secluded and not highly visible to places heavily trafficked by the public.

The adjoining land is generally rural and used for broad acre agriculture such as grazing although the topography and remnant vegetation to the north of the area restricts this activity. Commercial pine plantations are also present in Kiernans Road. It would not be anticipated that this rural living area would impact on agricultural activity.

The subdivision provisions applicable to this area are both the default 8ha minimum lot size and the ‘carry over’ 2ha minimum/4ha average lot size of the RU2 zone in the former Mansfield Planning Scheme. There are only 16 vacant lots in this area of which just one (Lot 6 PS333276) has potential under the current planning scheme for further subdivision into 12 lots. This lot is steep in parts and constrained by remnant vegetation.

Access to this area is via Dry Creek Road that intersects with the Maroondah Highway east of the Bonnie Doon township. A narrow bridge over the Glen Inlet of Lake Eildon needs to be negotiated to access the area. Dry Creek Road is narrow and on a poor alignment and the seal expires just after the bridge over the Tallangalook Creek. All other roads in this area are also unsealed with the exception of Elliot Court. The majority of rural living lots in this area are therefore serviced by unsealed roads. The Maroondah Highway provides excellent access to Bonnie Doon (3km to the west) and Mansfield (19 km to the east). Bonnie Doon provides a good range of facilities to service the basic needs of rural residents in this area.

The area will not prejudice the future growth of Bonnie Doon.

Consideration of future urban development and reticulated potable water is not necessary since there is no land zoned LDRZ in this area of Bonnie Doon.

7.2.3 Barjarg-Glen Creek Road

This rural living area contains 700 hectares in 65 lots of which 21 are currently vacant. Lot sizes range from 880m² to 47 hectares. Rural living development is concentrated in the northern portion of this area in Cliff and Star of the Glen Roads. Land to the south generally remains rural in character.

The RLMP rated this area as “low” in terms of agricultural quality with the exception of the developed area in Star of the Glen Road, which was rated “very low”. These ratings are unlikely to have changed since.

In terms of land capability, the RLMP rated the Star of the Glen Road area as a “slight” risk of erosion although this designation applies only to the lower land. The more elevated areas on either side of the valley are rated as “high” or “severe”.

The area is bisected by the Glen Creek that discharges to Glen Inlet of Lake Eildon. There are no flooding overlays applicable to the land. The land is not rated as a fire risk by the CFA

There are no significant areas of vegetation and for this reason rural living development tends to impact on the landscape. There are a number of dwellings inappropriately sited on ridgelines and this exacerbates the impact. Because development is focussed in the north, the area is not visible to any major roads or public areas.

The adjoining land is generally rural and used for broad acre agriculture such as grazing. It would not be anticipated that this rural living area would impact on agricultural activity.

The subdivision provisions applicable to this area are the ‘carry over’ 2ha minimum/4ha average lot size of the RU2 zone in the former Mansfield Planning Scheme. Under these provisions, 19 lots in this area could be further subdivided to create an additional supply of 89 lots. Combined with existing vacant lots, the total supply theoretically in this area is 110 lots.

Access to the area is via Lockharts Road from the Maroondah Highway east of Bonnie Doon. The road is unsealed from the intersection of Barjarg-Glen Creek and Lockharts Road and is in poor condition. The northernmost lot in this area is 9km from Bonnie Doon which is considered beyond being proximate to the closest urban centre. The Maroondah Highway provides excellent access to Bonnie Doon to the west and Mansfield to the east. Bonnie Doon provides a good range of facilities to service the basic needs of rural residents in this area.

The area will not prejudice the future growth of Bonnie Doon.

Consideration of future urban development and reticulated potable water is not necessary since there is no land zoned LDRZ in this area of Bonnie Doon.

7.2.4 Maintongoon Road/Peppin Drive

This rural living area contains 989 hectares in 149 lots of which 25 are currently vacant. Lot sizes range from 441m² to 228 hectares. There are several groups of small lots (most less than 1,500m²) in the southern part of this area accounting for 53

lots of which only 7 are vacant. Like most of the rural areas in proximity to Lake Eildon, the residential character is a mix of more substantial dwellings occupied by permanent residents and more modest holiday homes.

The RLMP rated this area as “very low” in terms of agricultural quality and this is unlikely to have changed since.

Most of the Peppin Point area is rated as being of “severe” risk of erosion and therefore has very low land capability. For this reason alone the area is unsuitable for rural living purposes.

This area is within the catchment of the Lake Eildon. There are no flooding overlays applicable to the land. The majority of the area is not rated as high fire hazard by the CFA although adjoining land to the southeast is.

The southern end of the area contains excellent remnant vegetation where the land rises away from the lake to the Puzzle Range. The landscape of the lake and surrounding hills of this area is significantly affected by existing rural living development.

The adjoining private land is generally rural and used for broad acre agriculture such as grazing although the topography and density of vegetation on the steeper slopes restricts this activity. A parcel of public land adjoins the area on the western side and the eastern side adjoins Lake Eildon. The Lake Eildon National Park is in proximity to this area to the south but is not affected.

The subdivision provisions applicable to this area are a mix of the default 8ha minimum lot size and the ‘carry over’ 2ha minimum/4ha average lot size of the RU2 zone in the former Mansfield Planning Scheme. Under these provisions, only 5 lots in this area could be further subdivided but these have the potential to create an additional supply of 72 lots. The majority of this potential additional supply (62 lots) is within land to which the 2ha minimum/4ha average subdivision provisions apply. Combined with existing vacant lots, the total supply theoretically in this area is 97 lots.

Access to the area is via Maintongoon Road from the Maroondah Highway at Bonnie Doon. All roads within this area are sealed with the exception of Sonnberg Drive which is unsealed, in poor condition and likely to have high maintenance requirements. The Maroondah Highway provides excellent access to Mansfield to the east.

The RLZ of this area commences 5.5km from Bonnie Doon and ends a further 7km on at the cessation of Peppin Drive. The Maintongoon Road is windy and not convenient for frequent journeys in and out of the area over these distances. Bonnie Doon provides a good range of facilities to service the basic needs of rural residents in this area.

The area will not prejudice the future growth of Bonnie Doon.

Consideration of future urban development and reticulated potable water is not necessary since there is no land zoned LDRZ in this area of Bonnie Doon.

7.2.5 Conclusions

The following conclusions are reached for the Bonnie Doon rural living area:

- Although the Pollock Avenue/Prowd Lane area is probably inappropriately located for a rural living area, it is well established, appears sustainable and in any case has no further subdivision potential under the current planning scheme.
- The Dry Creek area is also well established but has limited potential for expansion because of poor access and topographical constraints.
- A large proportion of the Barjarg-Glen Creek Road area remains undeveloped for rural living and has limited potential because of poor road conditions. Consequently the opportunity exists for re-zoning parts of this area to the RUZ to reflect the more broad acre rural characteristics.
- Most of the remaining subdivision opportunities in the Maintongoon Road/Peppin Drive rural living area are in inappropriate locations on heavily vegetated steeper land.

TABLE 5: CURRENT THEORETICAL SUPPLY OF RURAL LIVING LOTS IN THE BONNIE DOON AREA

LOCALITY	Zone	Area (ha.)	Vacant lots (current supply)	Developed lots	TOTAL LOTS	Current subdiv. standard ⁽¹⁾	Lots with subdiv. potential	Potential lot yield (potential supply)	TOTAL SUPPLY (current + potential)	Indicative demand ⁽²⁾
Pollock Ave/Prowd Lane	RLZ	201.5	12	26	38	8ha. min.	Nil	Nil	12	Low
Dry Creek Road	RLZ	294.7	16	47	63	8ha. min.	1	1	29	Med
						4ha av.	1	12		
Barjarg-Glen Creek Road	RLZ	700.5	21	44	65	4ha av.	19	89	110	Med
Maintongoon Road/Peppin Drive	RLZ	988.7	25	124	149	8ha. min.	3	10	97	Low
						4ha av.	2	62		
TOTAL	RLZ	2,185.4	74	241	315		26	174	248	

Source: Valuer General & Council's GIS.

1. 8ha is the current default minimum lot size in the RLZ. The 4ha average (with a 2ha minimum) applies to land for which the subdivision provisions of the former Mansfield Planning Scheme were carried over to the Delatite Planning Scheme and included in the RLZ Schedule.
2. Subjective opinion based on dwelling approved between 1998-2002.

7.3 TOLMIE

The Tolmie rural living area consists of one large area of land zoned RLZ and four lesser areas. The majority of the zoned land (68%) is along the Old Tolmie and Mansfield-Whitfield Roads with other locations in Spring Creek Road, Table Top Road, Bunstons Road and Cambatong Road. The Tolmie area is in the northeast of the Shire and effectively surrounded by remnant native vegetation forest and pine plantations on public land. This forest environment combined with substantial views in parts to Mount Buller has made this area popular for rural living. Previous planning schemes and the current extent of the RLZ has meant the area is now substantially fragmented in terms of land ownership and there remains little of the agricultural activities undertaken on the land when the area was first settled.

7.3.1 Spring Creek Road

This is a large isolated partly developed rural living area surrounded mostly by public land either in plantation, remnant or re-growth vegetation. The area contains 579 hectares in 27 lots of which 11 are currently vacant (see Table 6). Lot sizes range from 2.7 to 219 hectares however most are between 3 and 12ha. The lot of 219ha is a large balance lot remaining from rural living subdivision along Spring Creek Road that extends northwards down to Spring Creek.

The RLMP rated this area as “very low” in terms of agricultural quality and this is unlikely to have changed since 1986.

The RLMP rates the RLZ land in Spring Creek Road as “slight” in terms of erosion risk and there are even some small pockets of land rated as “nil to very slight”. This rating is unlikely to have changed significantly since the preparation of the RLMP.

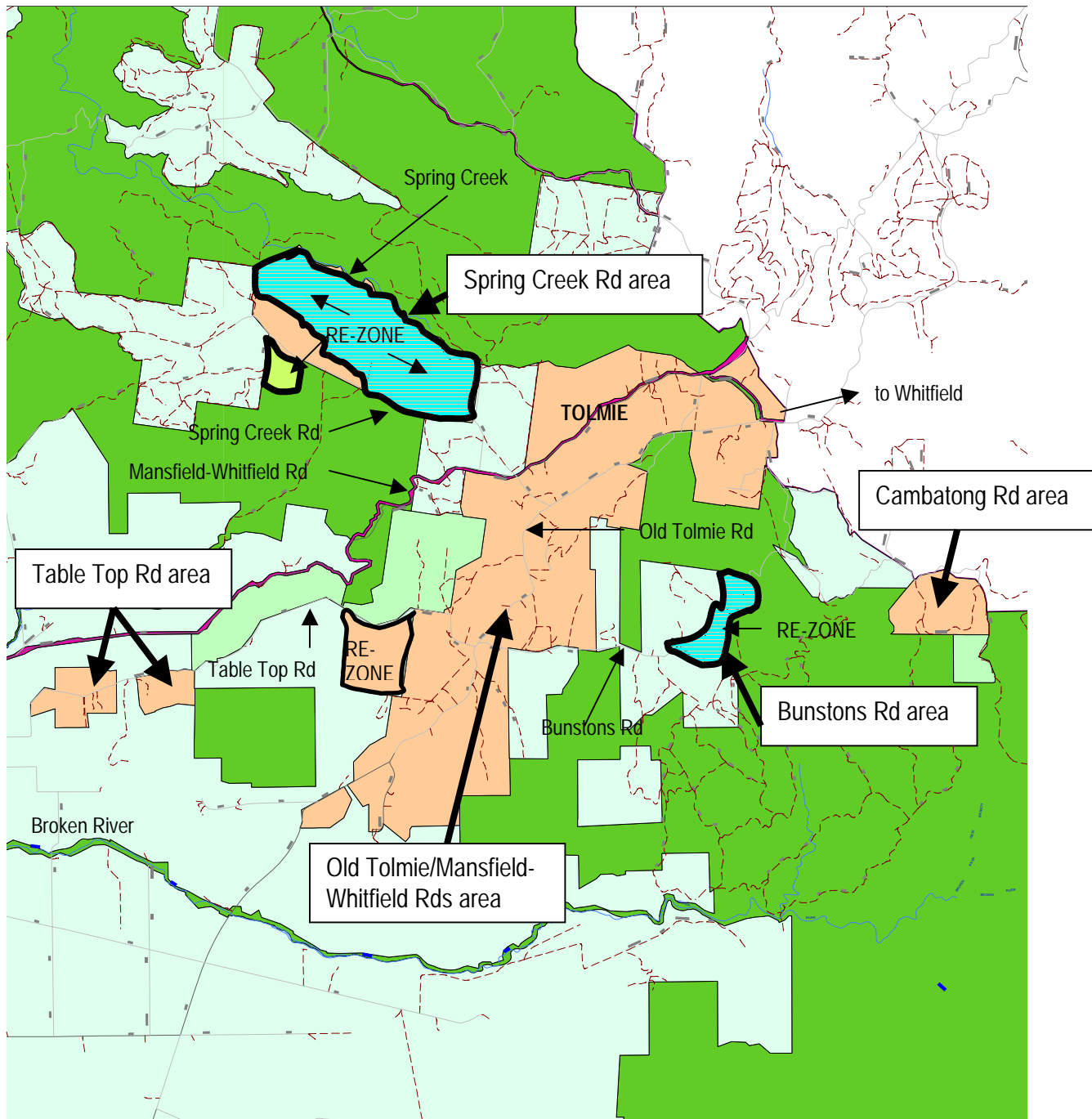
None of this area is shown on flooding overlays as subject to inundation. There are two minor watercourses traversing this area in the direction of Spring Creek to the north. These watercourses would need to be taken account of in any development of the land. The area is rated as a fire risk by the CFA.

Approximately 75% of the area is recorded on Council’s mapping system as featuring significant vegetation. The extent of this coverage would constrain the development of the land for rural living. The land is not visible from any major road or public place and therefore rural living would not necessarily affect landscape values of the area.

There are no townships in the area and therefore development would have no impact on urban growth. Land uses in the vicinity of this area include grazing, pine plantation and remnant as well as re-growth forest. Rural living is unlikely to affect any agricultural use of land in the area but would need to take account of the native and plantation timbers in any development.

The subdivision provisions applicable to this area are the ‘carry over’ 2ha minimum/4ha average lot size of the RU2 zone in the former Mansfield Planning Scheme. Under these provisions, 12 lots in this area could be further subdivided to create an additional supply of 98 lots. Combined with existing vacant lots, the total supply theoretically in

Figure 4: TOLMIE RURAL LIVING AREA



this area is 109 lots. However in reality this number would be considerably less having regard for the development constraints of the area.

Spring Creek Road is unsealed in its entirety but is in reasonable condition for the 5km distance from the intersection with the Mansfield-Whitfield Road and the end of the RLZ in this area. Access to the area is via the Mansfield-Whitfield Road, which is a sealed road and a designated tourist route between Mansfield and the King Valley. The road is in good condition between the area and Mansfield although in part is very windy and not ideal for usage on a day-to-day basis.

The area is not adjacent to or near any township and the RLZ commences approximately 25km from Mansfield. Some very basic community facilities are available at Tolmie but Mansfield would provide the majority of community needs.

Consideration of future urban development and reticulated potable water is not necessary since there is no land zoned LDRZ at Tolmie.

7.3.2 Old Tolmie/Mansfield Whitfield Roads

This area contains the bulk of the land (68%) zoned RLZ in Tolmie and approximately one-fifth (21%) of all RLZ land in the Shire. The area is elongated and arranged mostly around the Old Tolmie Road and the Mansfield-Whitfield Road at the northern end.

The area contains 2,018 hectares in 276 lots of which 108 are currently vacant (see Table 6). Lot sizes range from 1,434m² to 106ha however most are between 2 and 5ha and presumably created under the previous and current subdivision provisions applicable to this area.

The RLMP rated this area as "very low" in terms of agricultural quality in 1986 and this is unlikely to have changed since.

The RLMP rates most of the northern portion of this area (north of the Bunston Road and Old Tolmie Road intersection) as "slight" in terms of erosion risk. South of this point the land is rated as "moderate" in terms of erosion risk with some parts (usually related to steep gullies) rated as "severe". These ratings are unlikely to have changed significantly since the preparation of the RLMP. Some areas in the south are very steep and unsuitable for any form of land use.

None of this area is shown on flooding overlays as subject to inundation. There are numerous minor high catchment watercourses within this area but no major streams. These watercourses would need to be taken account of in any development of the land. The area is rated as a fire risk by the CFA.

The vegetation characteristics of the area are dominated by the large areas of public land that adjoins most of the eastern boundary of this area as well as to the north closer to the Shire boundary. Significant proportions of the remaining rural land in the area remain heavily vegetated largely due to the topography, which would constrain its use even if cleared. The southern end of the area is interspersed with patches of vegetation although generally it is more open, particularly along the ridgelines. The extent of this coverage would probably prevent the maximum yield being achieved for land zoned RLZ in this area. In the north, most of the land is not visible from any major road or public place and therefore rural living would not necessarily affect landscape

values of the area. In the south the land is more visible because of less vegetation and the location at the 'break' between the steeper and higher country and the less steep lower country that has been cleared for agriculture.

There are no townships in the area and therefore development would have no impact on urban growth. Land uses in the vicinity of this area include grazing, pine plantation and remnant as well as re-growth forest. Rural living is unlikely to affect any agricultural use of land in the area but would need to take account of the native and plantation timbers in any development (eg. building setbacks).

The subdivision provisions applicable to this area are both the default 8ha minimum lot size and the 'carry over' 2ha minimum/4ha average lot size of the RU2 zone in the former Mansfield Planning Scheme. Under these provisions, 33 lots in this area could be further subdivided with the potential to create an additional 155 lots. The majority of this potential additional supply (138 lots) is within land to which the 2ha minimum/4ha average subdivision provisions apply. Combined with existing vacant lots, the total supply theoretically in this area is 263 lots. However, having regard for the development constraints in the area, in reality this figure is likely to be much less.

The Mansfield-Whitfield Road is sealed throughout the area and the Old Tolmie Road is sealed up to the intersection with Bunstons Road. Access roads to more recent subdivisions in the southern part of the area are generally sealed but the remainder are unsealed and in various conditions. Some of the unsealed roads are not suitable for the day-to-day requirements of permanent rural residents in this area and are a significant constraint to further rural living development.

The area is not adjacent to or near any township and the RLZ commences approximately 14km from Mansfield and extends a further 11km to the boundary of the Shire. Some very basic community facilities are available at Tolmie but Mansfield would provide the majority of community needs.

Consideration of future urban development and reticulated potable water is not necessary since there is no land zoned LDRZ at Tolmie.

7.3.3 Tabletop Road

This locality consists of two small areas of land zoned RLZ close to the Mansfield-Whitfield Road. The area contains 153 hectares in 13 lots of which 5 are currently vacant (see Table 6). Lot sizes range from 4.4 to 20ha.

The RLMP rated this area as "very low" in terms of agricultural quality and this is unlikely to have changed since 1986.

Unlike most of the Tolmie rural living area, parts of this area are not rated as a fire risk by the CFA.

The RLMP rates the RLZ land in Table Top Road as "moderate" in terms of erosion risk although parts of some of the lots are rated as "high". This rating is unlikely to have changed significantly since the preparation of the RLMP.

None of this area is shown on flooding overlays as subject to inundation. The land is located along a ridgeline and consequently drainage is to both sides via several minor watercourses.

Council's mapping system indicates that this area contains only small areas of significant vegetation and these are generally located on the sides of the ridge. The extent of this coverage would not overly constrain the limited opportunities for rural living development. The land is not highly visible from any major road or public place and therefore rural living would not necessarily affect landscape values of the area.

There are no townships in the area and therefore development would have no impact on urban growth. Land uses in the vicinity of this area are generally rural and rural living. Rural living is unlikely to affect any agricultural use of land in the area.

The area is not included in the Schedule to the RLZ and therefore the default 8ha minimum lot size provisions apply to subdivision. Under these provisions, there is limited opportunity for further rural living development by way of just 3 lots. Combined with the number of existing vacant lots in this area, the theoretical supply is 8 lots.

Table Top Road is unsealed for its entire length between the Mansfield-Whitfield Road and Old Tolmie Road and is in reasonable condition. Access to this area is via the Mansfield-Whitfield Road from Mansfield, which is a sealed road and a designated tourist route between Mansfield and the King Valley. The road is in good condition between the area and Mansfield.

The area is not adjacent to or near any township and the RLZ commences approximately 13.5km from Mansfield, which would service the needs for the rural residents in this area.

Consideration of future urban development and reticulated potable water is not necessary since there is no land zoned LDRZ at Tolmie.

7.3.4 Bunstons Road

This locality is another small isolated area of land zoned RLZ on top of the Wombat Hill east of Tolmie. The area contains less than 3% of the area zoned RLZ in Tolmie and contains 81 hectares in 24 lots of which 7 are currently vacant (see Table 6). Lot sizes range from 1.3 to 5.5ha however most are between 2 and 4ha.

The RLMP rated this area as "very low" in terms of agricultural quality and this is unlikely to have changed since.

The RLMP rates the RLZ land in Bunstons Road as "slight" to "moderate" in terms of erosion risk. This rating is unlikely to have changed significantly since the preparation of the RLMP.

None of this area is shown on flooding overlays as subject to inundation. There are two minor watercourses draining the land, one of which is to the north towards Wild Dog Creek and the other to the east and Stockyard Creek. The area is rated as a fire risk by the CFA.

The area is densely vegetated with remnant vegetation and contains an extensive infestation of blackberry. The extent of this coverage severely constrains the use of

the land for rural living. The land is not visible from any major road or public place and therefore rural living would not necessarily affect landscape values of the area.

There are no townships in the area and therefore development would have no impact on urban growth. Land uses in the vicinity of this area are mostly forest on public land. Rural living is unlikely to affect this use of land in the area but would need to take account of the vegetation in any development.

The area is not included in the Schedule to the RLZ and therefore the default 8ha minimum lot size provisions apply to subdivision. Under these provisions, there is no opportunity for further rural living subdivision (see Table 6). The total supply is therefore limited to existing vacant lots of which there are 7.

Bunstons Road is unsealed in its entirety and is in poor condition, on a poor alignment and not suitable for usage on a day-to-day basis. Access to this area is via the Old Tolmie Road from Mansfield and then Bunstons Road. The RLZ commences approximately 3.5km from the Old Tolmie Road intersection.

The area is not adjacent to or near any township and consequently the needs of residents would most probably be sought in Mansfield some 24km from the closest point of the RLZ in this area.

Consideration of future urban development and reticulated potable water is not necessary since there is no land zoned LDRZ at Tolmie.

7.3.5 **Cambatong Road**

This small RLZ area is the most remote in the Shire. The subdivision design of lots in this area appears to be based on a large number of 'battle-axe handle' lots aligned next to each other to form what appears as a single access. The area contains 135 hectares in 21 lots of which just 4 are currently vacant (see Table 6). There is a spread of lot sizes in this area ranging from 2.3 to 12ha.

The RLMP rated this area as "very low" in terms of agricultural quality and this is unlikely to have changed since.

The RLMP rates the RLZ land in this area as "slight" in terms of erosion risk associated with land disturbance although there is a 'strip' of land rated as "severe" along the eastern side. This rating is unlikely to have changed significantly since the preparation of the RLMP in 1986.

None of this area is shown on flooding overlays as subject to inundation. There is a minor watercourse commencing in the area (which is high in the catchment) that flows to the north and eventually the King River. This watercourse would need to be taken account of in any development of the land. The area is rated as a fire hazard by the CFA.

Council's mapping system indicates that there are some areas with vegetative cover. The land is not visible from any major road or public place and therefore rural living would not necessarily affect landscape values of the area.

There are no townships in the area and therefore development would have no impact on urban growth. Land use is mostly public land. Rural living is unlikely to affect any

agricultural use of land in the area but would need to take account of the vegetation in any development.

The area is not included in the Schedule to the RLZ and therefore the default 8ha minimum lot size provisions apply to subdivision. Under these provisions, there is no opportunity for further rural living subdivision (see Table 6). The total supply is therefore limited to existing vacant lots of which there are just 4.

Access to this area is via the Mansfield-Whitfield Road from Mansfield and then Cambatong Road. The RLZ commences approximately 4km from the Mansfield-Whitfield Road intersection. Cambatong Road is unsealed in its entirety and is in poor condition and on a poor alignment and not suitable for usage on a day-to-day basis.

The area is not adjacent to or near any township and consequently the needs of residents would most probably be sought in Mansfield some 30km to the south.

Consideration of future urban development and reticulated potable water is not necessary since there is no land zoned LDRZ at Tolmie.

7.3.6 Conclusions

The following conclusions are reached for the Tolmie rural living area:

- Although some rural living development has occurred in the Spring Creek Road area, the remoteness, vegetation density and poor access make it unsuitable for rural living, particularly at the density allowed by the 2ha minimum/4ha average subdivision provisions.
- The land surrounding the Mansfield-Whitfield and Old Tolmie Roads has been substantially fragmented through subdivision and to the extent that it has become an identifiable rural living node in the Shire. However the potential supply of additional rural living lots in the area is not considered sustainable in what is considered a constrained environment. As a general observation, the further from Mansfield the less suitable the area becomes for rural living.
- The Table Top Road area has a limited opportunity for further subdivision and this probably could be accommodated without any detrimental impacts (see below).
- The Bunstons Road area is completely unsuitable for rural living failing most of the criteria for this type of development. The area is essentially unsuited to any form of development and consideration should be given to rezoning the area to RUZ.

TABLE 6: CURRENT THEORETICAL SUPPLY OF RURAL LIVING LOTS IN THE TOLMIE AREA

LOCALITY	Zone	Area (ha.)	Vacant lots (current supply)	Develop-ed lots	TOTAL LOTS	Current subdiv. standard ⁽¹⁾	Lots with subdiv. potential	Potential lot yield (potential supply)	TOTAL SUPPLY (current + potential)	Indicative demand ⁽²⁾
Spring Creek Road	RLZ	579.3	11	16	27	4ha av.	12	98	109	Low
Old Tolmie/Mansfield Whitfield Roads	RLZ	2,017.8	108	168	276	8ha. min.	6	17	263	High
						4ha av.	27	138		
Tabletop Road	RLZ	153.0	5	8	13	8ha. min.	3	3	8	Low
Bunstons Road	RLZ	80.6	7	17	24	8ha. min.	Nil	Nil	7	Low
Cambatong Road	RLZ	134.9	4	17	21	8ha. min.	Nil	Nil	4	Low
TOTAL	RLZ	2,965.6	145	226	371		48	256	391	

Source: Valuer General & Council's GIS.

1. 8ha is the current default minimum lot size in the RLZ. The 4ha average (with a 2ha minimum) applies to land for which the subdivision provisions of the former Mansfield Planning Scheme were carried over to the Delatite Planning Scheme and included in the RLZ Schedule.
2. Subjective opinion based on dwelling approved between 1998-2002.

7.4 FORD & BURNT CREEK INLETS

Two areas are identified within this rural living precinct. The first is a small self-contained area on the western side of the Ford Inlet and a much larger area that extends from the top of Ford Inlet on the eastern side down to and including land on either side of the Burnt Creek Inlet and the western side of Howes Inlet.

7.4.1 Ford Drive (west side of Ford Inlet)

This rural living area contains 171 hectares in 31 lots of which 5 are currently vacant (see Table 7). Lot sizes range from 4 to 6.3 hectares indicating the estate was probably created in more recent years and specifically for rural living purposes.

The area was rated as “low” agricultural quality in the RLMP and this is likely to remain the case today.

Most of the land on the lake side of Ford Drive is rated as being of “slight” risk of erosion and land on the opposite side is rated “moderate”.

This area is within the catchment of the Lake Eildon. There are no flooding overlays applicable to the land indicating the land is not flood prone. The area is not rated as a fire hazard by the CFA.

There is no significant vegetation within this rural living area. This area is well established and landscaping of properties has diminished the impact of development on the Lake Eildon landscape.

The adjoining private land is generally rural and used for broad acre agriculture such as grazing. The rural living activity is unlikely to have any significant impact on adjoining land use.

The subdivision provisions applicable to this area are the default 8ha minimum lot size in the Delatite Planning Scheme. Under these provisions, there is no potential for further subdivision in this area. Consequently the supply of 5 lots is based solely on existing vacant lots (see Table 7).

Access to Ford Drive is via Paps Road from the Maroondah Highway. Ford Drive and Keally Court are sealed but Paps Road is unsealed for a distance of 2.5km. The Maroondah Highway provides excellent access to Mansfield to the east.

Mansfield provides a good range of facilities to service the needs of rural residents in this area.

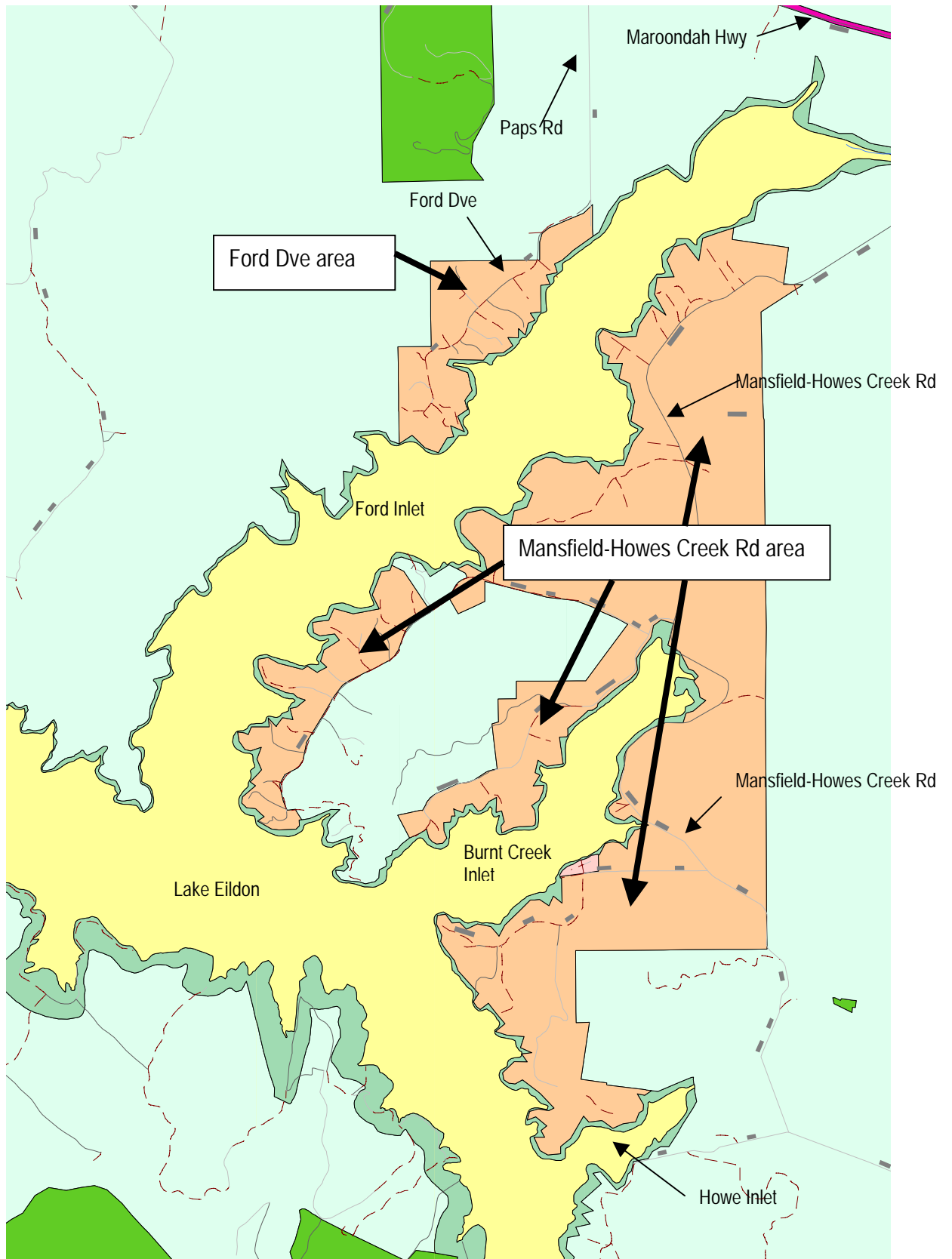
The area will not prejudice the future growth of Mansfield.

Consideration of future urban development and reticulated potable water is not necessary since there is no land zoned LDRZ in this area.

7.4.2 Mansfield-Howes Creek Road (Burnt Creek Inlet & east side of Ford Inlet)

This rural living area contains 1,603 hectares in 227 lots of which 69 are currently vacant. Lot sizes range from 451m² to 65 hectares. There is a group of 26 small lots (most less than 700m²) on the eastern side of Burnt Hut Inlet in Cummins Road. Like

Figure 5: FORD & BURNT CREEK INLETS RURAL LIVING AREA



most of the rural areas in proximity to Lake Eildon, the residential character is a mix of more substantial dwellings occupied by permanent residents and more modest intermittently occupied holiday homes.

The RLMP rated this area as “low” in terms of agricultural quality and this is unlikely to have changed since.

Land capability of the area varies from “slight” to “severe” in terms of erosion risk according to the RLMP. Generally the land capability deteriorates from north to south in this area and is worst at the end of the O’Hanlon/Campagnolo Road peninsula.

This area is within the catchment of the Lake Eildon. There are no flooding overlays applicable to the land. Most of the area is not rated as a fire risk by the CFA.

The area exhibits numerous patches of vegetation, both native and pine plantations. Most vegetation is on the higher steeper land away from the lake edge. Where vegetation is absent, the landscape of the lake and surrounding hills of this area is affected by existing rural living development.

The adjoining land to the east is generally rural and used for broad acre agriculture such as grazing. A large cattle stud adjoins the area at the southern end of the area. Lake Eildon itself accounts for a large proportion of adjoining land use.

The subdivision provisions applicable to this area are both the default 8ha minimum lot size and the ‘carry over’ 2ha minimum/4ha average lot size of the RU2 zone in the former Mansfield Planning Scheme. Under these provisions, 23 lots in this area could be further subdivided with the potential to create an additional supply of 110 lots. The majority of this potential additional supply (105 lots) is within land to which the 2ha minimum/4ha average subdivision provisions apply. Combined with existing vacant lots, the total supply theoretically in this area is 179 lots.

Access to the area is via Mansfield-Howes Creek Road from the Maroondah Highway just west of Mansfield. Internal roads within this area are both sealed and unsealed and of various quality. As with Ford Drive on the opposite side of Ford Inlet, often the ‘arterial’ or main access road to the area is unsealed whereas the local ‘street’ is sealed. The Maroondah Highway provides excellent access to Mansfield to the east.

The RLZ of this area commences 5km from Mansfield and ends a further 10km approximately to the south. Mansfield provides a good range of facilities to service the needs of rural residents and visitors in this area.

The area will not prejudice the future growth of Mansfield. Consideration of future urban development and reticulated potable water is not necessary since there is no land zoned LDRZ in this area.

7.4.3 Conclusions

The following conclusions are reached for the Ford and Burnt Creek Inlet rural living area:

- Although the Ford Drive area has poor access, it is well established, appears sustainable and in any case has no further subdivision potential under the current planning scheme.

- The Mansfield-Howes Creek Road area is a 'hotch potch' of rural living development with various development standards evident and has, under the 'carry over' subdivision standards of the Mansfield Planning Scheme applicable, the opportunity for a significant number of additional lots and this is regarded as unsustainable in the current context. The application of subdivision provisions that would result in a lower lot density is appropriate for this area.
- The creation of a significant number of additional lots and/or additional areas zoned RLZ is considered undesirable with the current level of services and infrastructure in the area and the potential for detrimental impacts on Lake Eildon.

TABLE 7: CURRENT THEORETICAL SUPPLY OF RURAL LIVING LOTS IN THE FORD & BURNT CREEK INLET AREA

LOCALITY	Zone	Area (ha.)	Vacant lots (current supply)	Develop-ed lots	TOTAL LOTS	Current subdiv. standard ⁽¹⁾	Lots with subdiv. potential	Potential lot yield (potential supply)	TOTAL SUPPLY (current + potential)	Indicative demand ⁽²⁾
Ford Drive (west side of Ford Inlet)	RLZ	170.7	5	26	31	8ha. min.	Nil	Nil	5	Low
Mansfield-Howes Creek Road (Burnt Creek Inlet & east side of Ford Inlet)	RLZ	1,603.4	69	158	227	8ha. min.	3	5	179	High
						4ha av.	20	105		
TOTAL	RLZ	1,774.1	74	184	258		23	110	184	

Source: Valuer General & Council's GIS.

1. 8ha is the current default minimum lot size in the RLZ. The 4ha average (with a 2ha minimum) applies to land for which the subdivision provisions of the former Mansfield Planning Scheme were carried over to the Delatite Planning Scheme and included in the RLZ Schedule.
2. Subjective opinion based on dwelling approved between 1998-2002.

7.5 MERTON

The Merton rural living area consists of two large areas of land zoned RLZ to the east and west of the Merton township (see Figure 6 & Table 8). The land is described as rural in character and predominantly used for grazing purposes. A small amount of rural living development has been undertaken but has not yet reached a density where the general rural character of the land has been changed.

7.5.1 Shaws Road

This rural living area contains 473 hectares in just 14 lots of which 4 are currently vacant. Lot sizes range from 7.8 to 131 hectares (see Table 8).

The RLMP rated this area as “low” in terms of agricultural quality and this is unlikely to have changed since. The land adjoining on the eastern side is rated as “high”.

None of this area is shown on flooding overlays as subject to inundation. There are three minor watercourses traversing this area that converge with the Merton Creek to the east. These watercourses would constrain to some extent any subdivision layout because of setbacks and access. The area is not rated as a fire hazard by the CFA.

Some small stands of trees are evident across this area but would not prevent rural living. The land is not visible from the Maroondah Highway and not highly elevated in the context of the surrounding area. Rural living would therefore not affect landscape values of this area.

Rural living would not affect the Merton township. With the exception of the Growlers Gully vineyard, the predominant form of agriculture is grazing. Rural has the potential to conflict with viticulture but is generally compatible with grazing.

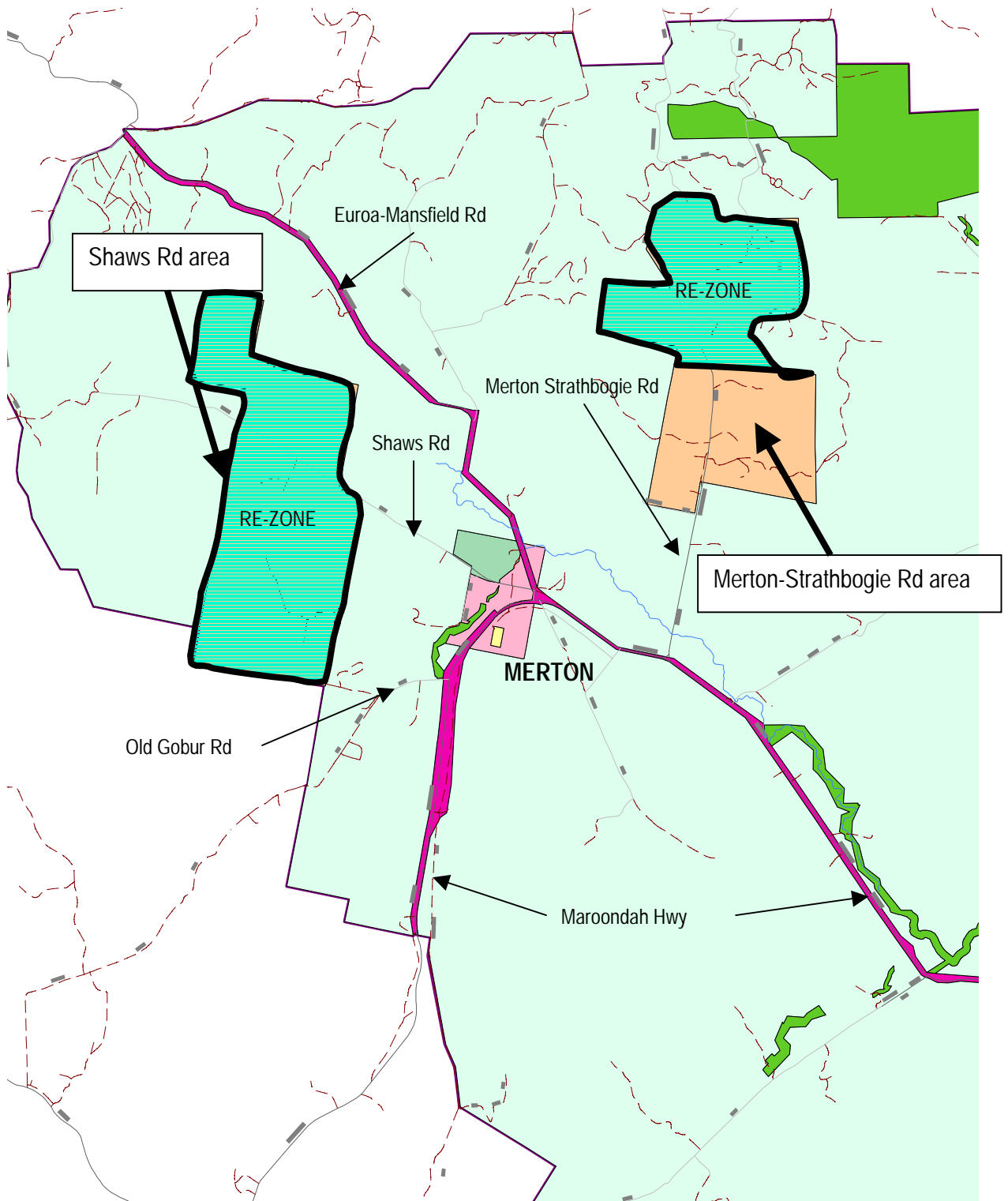
Although there is currently only 4 vacant lots in this area, there is (in theory) potential for a further 31 lots if all opportunities for subdivision were taken up (see Table 8). Demand in this area and Merton in general is considered to be less than 1 lot per year. The lack of demand is further demonstrated by the lack of development in this location in the three years the RLZ has existed under the Delatite Planning Scheme. Consequently this area is considered over supplied for rural living.

Shaws Road becomes unsealed approximately 500 metres from Merton. Access to the southern part of this area is via Old Gobur Road (unsealed from the Maroondah Highway) and then via a lower standard unsealed road on a very poor alignment and sub-standard creek crossing. The northern sight line from the intersection of Old Gobur Road and the Maroondah Highway is poor. The current road standard does not support rural living development.

The area is not adjacent to the Merton township but is in proximity at a distance of 1.25 kilometres. Facilities at Merton area limited and include an existing service station (also providing a post office function) and community facilities such as churches and racecourse.

Consideration of future urban development and reticulated potable water is not necessary since there is no land zoned LDRZ at Merton.

Figure 6: MERTON RURAL LIVING AREA



7.5.2 Merton-Strathbogie Road

This rural living area contains 465 hectares in 22 lots of which 5 are currently vacant. Lot sizes range from 2.4 to 65 hectares (see Table 8).

The RLMP rates the lower or southern portion of this area as either “average” or “high” in terms of agricultural quality. The higher portion beyond the road seal is rated as “very low”.

None of this area is shown on flooding overlays as subject to inundation. There are a number of minor watercourses within this area that converge with the Pickatooth Creek on the western side of the Merton-Strathbogie Road. These watercourses would impact on any subdivision layout of land.

The southern portion of this area is not rated as a fire risk whereas the northern portion beyond the end of the seal on the Merton-Strathbogie Road is recorded by the CFA as representing a fire hazard.

The rising areas in the southeast and northern part of this area exhibit large areas of remnant vegetation. These areas are unsuitable for rural living. There are also two significant pine tree windbreaks on the eastern side of the Merton-Strathbogie Road at the Merton end.

Rural living would not affect the Merton township or the predominant type of agriculture in grazing. A small concrete plant is located on the opposite side of Brookside Lane to the rural living area and this would most likely impact on rural living amenity.

Two small rural living subdivisions have been undertaken in the southern portion of this area on either side of the Merton-Strathbogie Road of which several are for sale. Although there is currently only 5 vacant lots in this area, there is (in theory) potential for a further 85 lots if all opportunities for subdivision were taken up (see Table 8). Demand in this area and Merton in general is considered to be less than 1 lot per year. The lack of demand is demonstrated by the small amount of development activity in this location despite the zone allowing rural living subdivision for some time at an average lot density of 4 hectares under the former Mansfield Planning Scheme. Consequently this area is considered over supplied for rural living.

The more elevated and steeper areas represent the southern foothills of the Strathbogie Ranges and therefore rural living development has the potential to detrimentally impact on this landscape.

The Merton-Strathbogie Road is sealed and in excellent condition from the Maroondah Highway almost to the intersection of the Old Strathbogie Road in the northern part of this area. The unsealed road beyond this point is in very poor condition and extremely windy because of the topography. Consequently, beyond the end of the seal is regarded as unsuitable for rural living.

The closest point of this area is approximately 3 km, and the furthest 7 km from the Merton township via the Merton-Strathbogie Road and Maroondah Highway. Although the area could generally be regarded as in proximity to the township, access via the Maroondah Highway is not ideal for traffic safety reasons. Facilities at Merton are limited to an existing service station and community facilities such as churches and a racecourse.

Consideration of future urban development and reticulated potable water is not necessary since there is no land zoned LDRZ at Merton.

7.5.3 Conclusions

Although the Merton area has some characteristics that are supportive of rural living development, it is not preferred because:

- The supply of land is far in excess of what is needed to service demand in this location.
- Relative remoteness from larger towns.
- The vineyard in Shaws Road is a legitimate agricultural activity that would be better served by the RUZ.
- Some parts of the area are unsuitable for rural living development because of poor access, poor road conditions, remnant vegetation, high fire risk and topographical constraints.

TABLE 8: CURRENT THEORETICAL SUPPLY OF RURAL LIVING LOTS IN THE MERTON AREA

LOCALITY	Zone	Area (ha.)	Vacant lots (current supply)	Develop-ed lots	TOTAL LOTS	Current subdiv. standard	Lots with subdiv. potential	Potential lot yield (potential supply)	TOTAL SUPPLY (current + potential)	Indicative demand ⁽²⁾
Shaws Road	RLZ	473.4	4	10	14	8ha. min.	8	31	35	Low
Merton-Strathbogie Road	RLZ	464.6	5	17	22	4ha. av.	10	85	90	Low
TOTAL	RLZ	938.0	9	27	36		18	116	125	

Source: Valuer General & Council's GIS

1. 8ha is the current default minimum lot size in the RLZ. The 4ha average (with a 2ha minimum) applies to land for which the subdivision provisions of the former Mansfield Planning Scheme were carried over to the Delatite Planning Scheme and included in the RLZ Schedule.

7.6 JAMIESON

The Jamieson rural living area consists of land zoned both LDRZ and RLZ in several locations.

7.6.1 Waterson Road

This area contains 49 hectares in 78 lots of which 25 are currently vacant (see Table 9). Lot sizes range from 850m² to 8.2 hectares although only three are larger than a hectare.

The RLMP rated that part of this rural living area adjoining the Jamieson township as "low" in terms of agricultural quality. This status is unlikely to have changed since.

The area is not rated as a high fire risk by the CFA although much of the land surrounding the town is.

None of this area is shown on flooding overlays as subject to inundation.

Development of this land would not affect the Jamieson township. There is no conflict with the limited agricultural activity being undertaken in the area.

Of the 32 lots zoned RLZ in this location, only one has potential for further subdivision under the current subdivision provisions of the planning scheme and this would only create one additional lot (see Table 9). The greater potential exists with the 25 existing vacant lots but most of these are of small dimensions and not suitable for rural living, particularly with the proximity to Lake Eildon.

Access to this rural living area is via the Mansfield-Woods Point Road, which is sealed and in good condition. The area is close to the Jamieson township and 37km south of Mansfield. Facilities at Jamieson are limited but provide basic services to residents and visitors alike.

7.6.2 Eildon-Jamieson Road

This area contains 27 hectares in 7 lots of which only one is currently vacant. Lot sizes range from 900m² to 11.7 hectares with the vacant lot having an area of 2.7ha.

The RLMP rated that part of this rural living area adjoining the Jamieson township as "low" in terms of agricultural quality. This status is unlikely to have changed since.

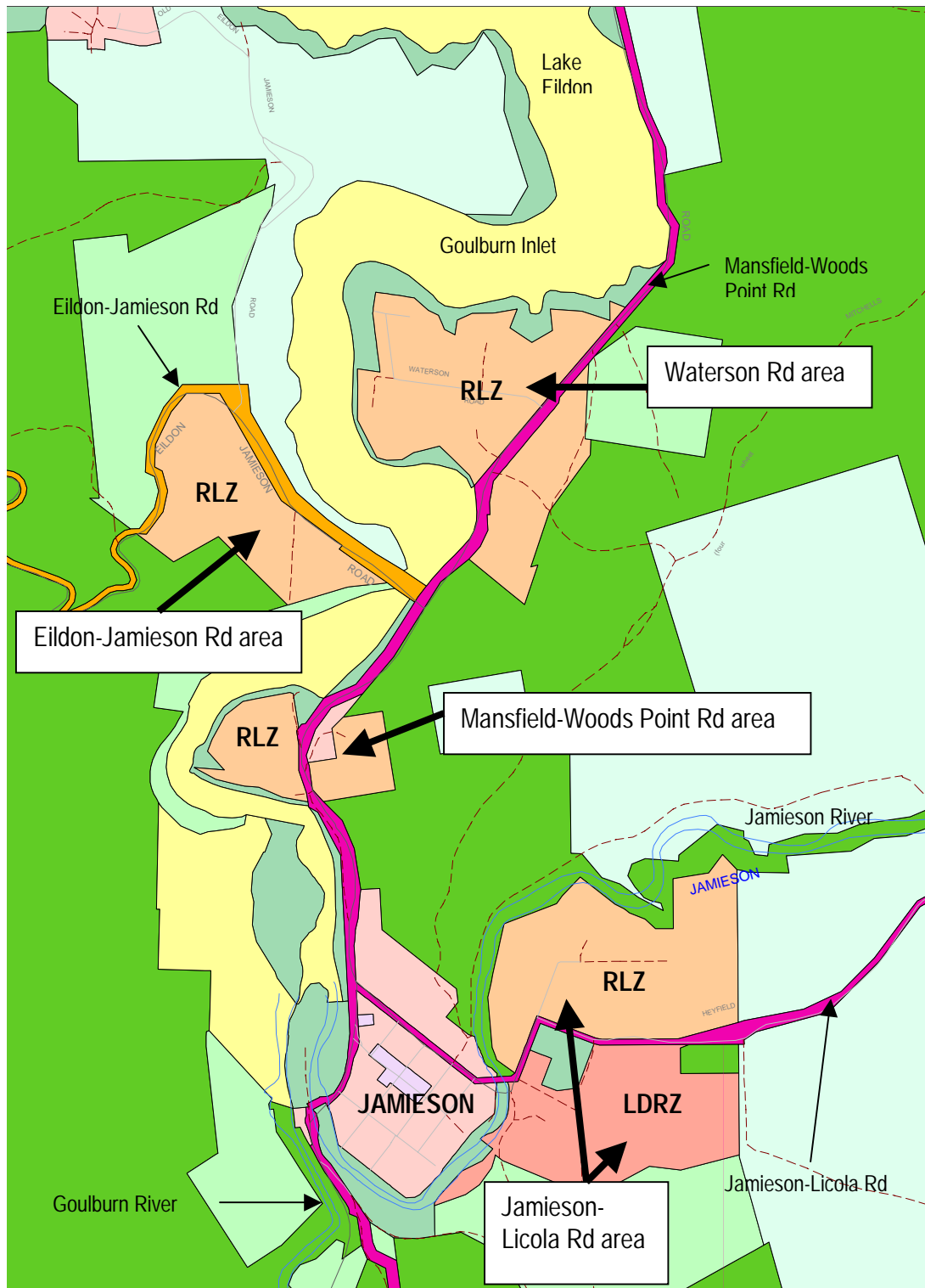
The area is not rated as a high fire risk by the CFA although much of the land surrounding the town is.

None of this area is shown on flooding overlays as subject to inundation.

Development of this land would not affect the Jamieson township. There is no conflict with the limited agricultural activity being undertaken in the area.

Of the 7 lots zoned RLZ in this location, only one has potential for further subdivision under the current subdivision provisions of the planning scheme and this would only create one additional lot (see Table 9).

Figure 7: JAMIESON RURAL LIVING AREA



Access to this rural living area is via the Mansfield-Woods Point Road, which is sealed and in good condition. The area is close to the Jamieson township and 38km south of Mansfield. Facilities at Jamieson are limited but provide basic services to residents and visitors alike.

7.6.3 Mansfield-Woods Point Road

This area contains 16 hectares in 8 lots of which only one is currently vacant. Lot sizes range from 1,900m² to 3.7 hectares with the vacant lot having an area of 2.1ha.

The RLMP rated that part of this rural living area adjoining the Jamieson township as “low” in terms of agricultural quality. This status is unlikely to have changed since.

The area is not rated as a high fire risk by the CFA although much of the land surrounding the town is.

None of this area is shown on flooding overlays as subject to inundation.

Development of this land would not affect the Jamieson township. There is no conflict with the limited agricultural activity being undertaken in the area.

Of the 8 lots zoned RLZ in this location, none have potential for further subdivision under the current subdivision provisions of the planning scheme (see Table 9).

Access to this rural living area is via the Mansfield-Woods Point Road, which is sealed and in good condition. The area is close to the Jamieson township and 38km south of Mansfield. Facilities at Jamieson are limited but provide basic services to residents and visitors alike.

7.6.4 Jamieson-Licola Road

Land zoned RLZ within this area contains 42 hectares in 35 lots of which only 5 are currently vacant. Lot sizes range from 570m² to 4.9 hectares. 34ha of land in 44 lots is zoned LDRZ of which 24 lots are recorded by Council as vacant. Lot sizes in this zone range from 750m² to 4ha.

None of this area is shown on flooding overlays as subject to inundation. Flood levels relating to the Goulburn and Jamieson Rivers in this location are not known.

The RLMP rated that part of this rural living area adjoining the Jamieson township as “low” in terms of agricultural quality. This status is unlikely to have changed since.

The area is not rated as a high fire risk by the CFA although much of the land surrounding the town is.

Development of this land would not affect the Jamieson township. There is no conflict with the limited agricultural activity being undertaken in the area.

Of the 35 lots zoned RLZ in this location, none have potential for further subdivision under the current subdivision provisions of the planning scheme because none are larger than 16ha. (see Table 9). The land zoned LDRZ has the potential in theory to turn the 5 lots capable of subdivision into an additional 16 lots, which would be undesirable given the proximity of the land to the Jamieson River and lack of reticulated water and sewer.

Access to this rural living area is via the Mansfield-Woods Point Road, which is sealed and in good condition. The area is close to the Jamieson township and 39km south of Mansfield. Facilities at Jamieson are limited but provide basic services to residents and visitors alike.

7.6.5 Conclusions

The following conclusions are reached for the Jamieson rural living area:

- The creation of a significant number of additional lots and/or additional areas zoned RLZ or LDRZ is considered undesirable in Jamieson with the current level of services and infrastructure in the area and the potential for detrimental impacts on Lake Eildon and the Jamieson River.

TABLE 9: CURRENT THEORETICAL SUPPLY OF RURAL LIVING LOTS IN THE JAMIESON AREA

LOCALITY	Zone	Area (ha.)	Vacant lots (current supply)	Develop-ed lots	TOTAL LOTS	Current subdiv. standard ⁽¹⁾	Lots with subdiv. potential	Potential lot yield (potential supply)	TOTAL SUPPLY (current + potential)	Indicative demand ⁽²⁾
Waterson Road	RLZ	48.9	25	53	78	8ha. min.	Nil	Nil	26	Low
						4ha. av.	1	1		
Eildon-Jamieson Road	RLZ	27.2	1	6	7	4ha. av.	1	1	2	Low
Mansfield-Woods Point Road	RLZ	15.7	1	7	8	8ha. min.	Nil	Nil	1	Low
Jamieson-Licola Road	RLZ	41.8	5	30	35	8ha. min.	Nil	Nil	5	Low
TOTAL	RLZ	133.6	32	96	128		2	2	34	
Jamieson-Licola Road	LDRZ	34.1	24	20	44	0.4ha. min.	5	16	40	Low
TOTAL	LDRZ	34.1	24	20	44		5	16	40	

Source: Valuer General & Council's GIS.

1. 8ha is the current default minimum lot size in the RLZ. The 4ha average (with a 2ha minimum) applies to land for which the subdivision provisions of the former Mansfield Planning Scheme were carried over to the Delatite Planning Scheme and included in the RLZ Schedule.
2. Subjective opinion based on dwelling approved between 1998-2002.

7.7 GOUGHS BAY

The Goughs Bay rural living area consists of some undeveloped LDRZ land adjoining the township on the south-western side and some land zoned RLZ to the northwest of the township and beyond to the Delatite River. A significant high quality rural living type development known as Mountain Bay is located to the north of Goughs Bay but this land is zoned SUZ rather than RLZ to reflect the uniqueness of this proposal. Because of this uniqueness and the application of the SUZ, the Mountain Bay development is excluded from consideration in the study.

Land zoned RLZ within this area contains 264 hectares in 32 lots of which 12 are currently vacant. Lot sizes range from 400m² to 50 hectares. 32ha of land in 9 lots is zoned LDRZ of which 7 lots are vacant. Like most of the rural living areas in proximity to Lake Eildon, the residential character of Goughs Bay is a mix of more substantial dwellings occupied by permanent residents and more modest intermittently occupied holiday homes.

The RLMP rated that part of this rural living area adjoining the Goughs Bay township as "very low" in terms of agricultural quality whereas the land in proximity to the Delatite River is rated as "average". This status is unlikely to have changed since.

The land is rated in the RLMP as of being at "slight" risk of erosion.

None of this area is shown on flooding overlays as subject to inundation. Flood levels relating to the Delatite River in this location are not known. The areas to the north and south of Goughs Bay are rated as a fire risk by the CFA.

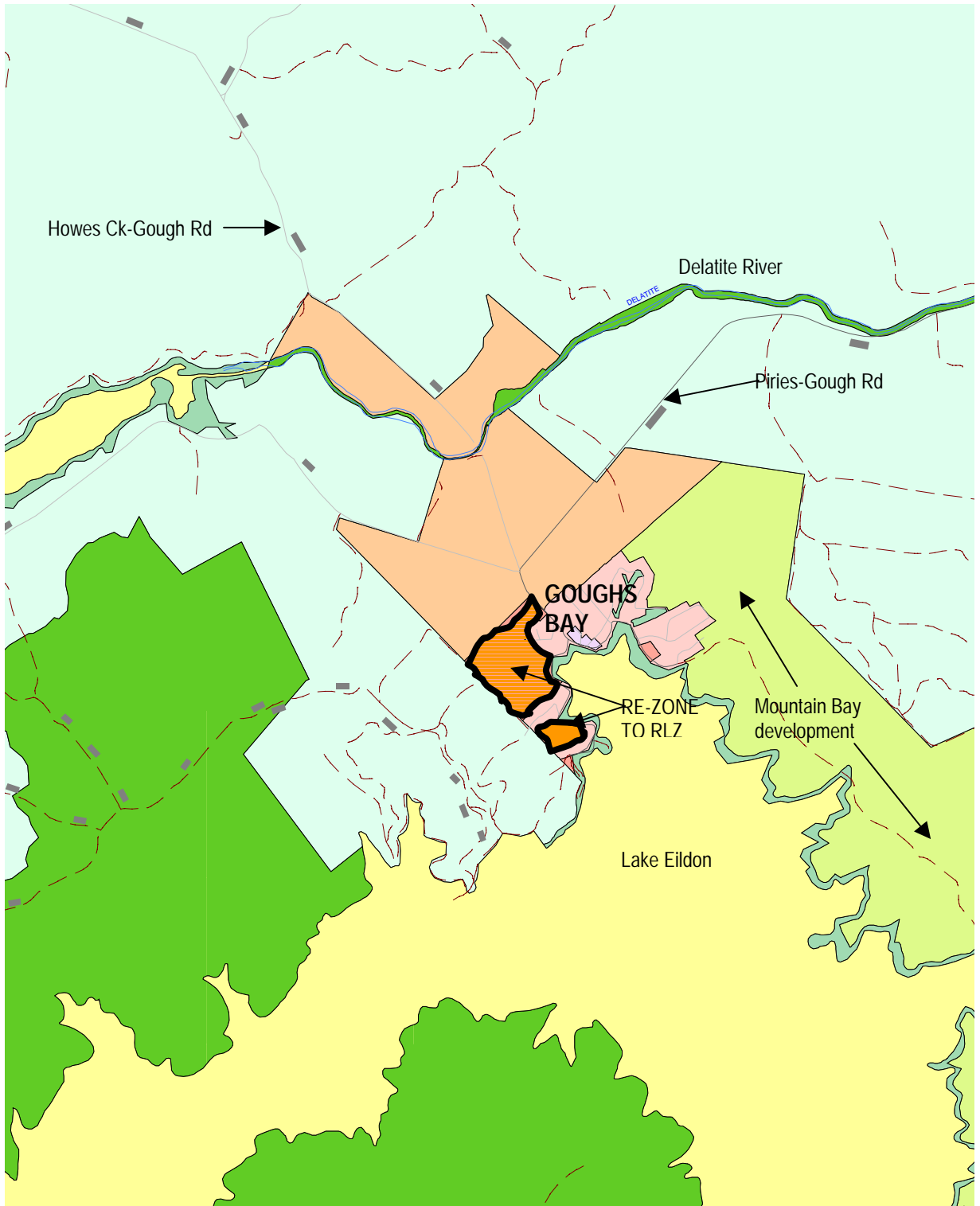
The land does not feature any significant stands of vegetation with the exception of a large lot on the southern side of Walsh Road zoned RLZ. Because of rural living development that has taken place to date, development of remaining lots will not significantly detract from the landscape.

Rural living in the RLZ would not affect the Goughs Bay township, however development of the LDRZ land without reticulated services (water and sewer) would probably be detrimental. There is no conflict with the limited agricultural activity being undertaken in the area.

Of the 32 lots zoned RLZ in Goughs Bay, 10 have potential for further subdivision under the current subdivision provisions of the planning scheme which would double the number of lots (see Table 10). The land zoned LDRZ has the potential in theory to turn the two lots capable of subdivision into an additional 70 lots, which would be undesirable given the proximity of the land to Lake Eildon and lack of reticulated water and sewer. It is understood that a planning permit application for the subdivision of this land and adjoining land zoned RLZ into just 13 lots at an average lot density of approximately 6ha is currently before Council for consideration.

Access to this rural living area is via the Mansfield-Woods Point Road and then the Piries-Goughs Road, both of which are sealed and in good condition. The area is adjacent to the Goughs Bay township and 20km south of Mansfield. Facilities at Goughs Bay are limited but provide basic services to residents and visitors alike.

Figure 8: GOUGHS BAY RURAL LIVING AREA



Further development at Goughs Bay at densities permitted by the R1Z and LDRZ is not supported without the provision of reticulated sewer and water because of the potential detrimental impacts on Lake Eildon.

7.7.1 Conclusions

The following conclusions are reached for the Goughs Bay rural living area:

- The creation of a significant number of additional lots and/or additional areas zoned RLZ or LDRZ is considered undesirable in Goughs Bay with the current level of services and infrastructure in the area and the potential for detrimental impacts on Lake Eildon and the Delatite River.
- No objection is offered to the approval of the current planning permit application for the subdivision of land zoned RLZ and LDRZ on Walsh's Road.

TABLE 10: CURRENT THEORETICAL SUPPLY OF RURAL LIVING LOTS IN THE GOUGHS BAY AREA

LOCALITY	Zone	Area (ha.)	Vacant lots (current supply)	Develop-ed lots	TOTAL LOTS	Current subdiv. standard ⁽¹⁾	Lots with subdiv. potential	Potential lot yield (potential supply)	TOTAL SUPPLY (current + potential)	Indicative demand ⁽²⁾
Howes Creek-Goughs Bay Road	RLZ	264.4	12	20	32	8ha. min.	Nil	Nil	33	Low
						4ha. av.	10	21		
TOTAL	RLZ	264.4	12	20	32		10	21	33	
Broadwater Street	LDRZ	32.4	7	2	9	0.4ha. min.	2	70	77	Low
TOTAL	LDRZ	32.4	7	2	9		2	70	77	

Source: Valuer General & Council's GIS.

1. 8ha is the current default minimum lot size in the RLZ. The 4ha average (with a 2ha minimum) applies to land for which the subdivision provisions of the former Mansfield Planning Scheme were carried over to the Delatite Planning Scheme and included in the RLZ Schedule.
2. Subjective opinion based on dwelling approved between 1998-2002.

7.8 EXPANSION OF RURAL LIVING AREAS

Based on the findings of this study, no new 'stand alone' rural living areas in addition to the existing seven identified in this study are warranted at this time. In fact the number of separate rural living localities is already considered excessive for the dimensions and characteristics of the Shire and in some case, their locations inappropriate. However, the existing rural living areas do exist and must be acknowledged. Consequently attention should be focussed on outcomes relating to 'fine tuning' these areas in the short to medium term to achieve a better planning outcome for rural living in the Shire.

It is clear from the analysis that rural living in the Mansfield Shire is being addressed in a manner that is not intended by the current Delatite Planning Scheme. Indeed it can be argued that the subdivision provisions and approach to dwellings in the RUZ is in direct conflict with the State and Local Planning Policy Frameworks in the planning scheme. If this approach continues, it is considered there is no justification for any expansion of rural living areas in the Shire.

The current 'carry over' 2ha minimum/4ha average subdivision provisions that apply to the majority of land in the RLZ has resulted in development closer to that intended by the LDRZ (large lots of urban character) rather than that intended by the RLZ (small agricultural holdings). The typical outcome of the current provisions is demonstrated by the anecdote conveyed to the consultants of a rural resident in Tolmie who takes eight hours to mow his lot with a ride-on mower. The provisions have also resulted in the development of more formal subdivision 'estates' and this would not be an outcome consistent with the purpose of the RLZ. A viewing of Tolmie, particularly in the southern areas, reveals that this type of 'non-rural' development is becoming more of the norm. It has never been the intention of the RLZ to create this type of environment. Large lots for the sole purpose of residential development is the domain of the LDRZ and should be undertaken within the context of an urban area.

The demand for 'true' rural living seems to be met in the Shire by existing small rural lots (usually Crown allotments or old subdivisions) in the RUZ, which is contrary to the State and Council's planning strategies (see planning context section above). The demand analysis of the study confirms this situation by revealing that there are more dwellings being approved in the RUZ in the Shire than in the RLZ. By allowing this process to occur, the rural resident who dabbles in agriculture need not consider the RLZ when in fact this is exactly the location where this type of land use should be undertaken. It may even be that this type of rural resident is being driven away from the existing RLZ areas because the type of development currently being undertaken is not compatible with an agricultural activity.

By decreasing the lot density for RLZ in the subdivision provisions applicable to areas remote from townships and tightening up the controls relating to dwellings in the RUZ, Council can direct rural living land uses to where they are intended. That is, rural residents indulging in agriculture provided for by the RLZ and rural residents desirous of a large lot but no agriculture, provided for in close proximity to an urban area.

To cater for this shift in approach to rural living, consideration should be given to the application of a 2ha minimum/4ha average subdivision provision for existing RLZ land around Mansfield. That is the areas defined in this study as Stoneleigh Road south, Mount Buller Road south to Rifle Butts Road and Mount Buller road north to Mansfield-Whitfield Road.

This shift in emphasis also warrants consideration of additional RLZ within the context of the Mansfield township. However any new RLZ areas should be undertaken at the recommended 'new' subdivision provisions that will result in a lower lot density. Land to the west of Mansfield extending from the Maroondah Highway and along the western side of Stoneleigh Road as far as Monkey Gully Road is regarded as suitable for this purpose (see Figure 2).

'Additional' RLZ land will also be created if the existing LDRZ land north of Stoneleigh Road is rezoned to RLZ (see Figure 2). This rezoning would not increase the potential supply of RLZ land but rather is in response to placing a zone over land that reflects the current development pattern.

It is also considered that an opportunity exists for the expansion of the LDRZ around Mansfield, particularly with the recommended conversion of the land zoned LDRZ east of Kidston Parade to RLZ. It would seem that what is lacking in Mansfield is a high quality LDRZ development and this requirement may also assist in driving rural residents away from the town and into areas being developed in accordance with the 'carry over' provisions of the RLZ. LDRZ is effectively an urban zone rather than a rural one and consequently should be approached as such by Council. Because there is a level of service provision required of LDRZ development, Council may wish to respond to developer's intentions on the fringe of Mansfield in this regard as well as identifying preferred areas, to gauge where this zone should be applied. As with the RLZ, speculative application of the LDRZ should be avoided.

In this regard, an extension of the LDRZ land along the western side of Kidston Parade is seen as having potential (see Figure 2). A DPO should accompany the rezoning of this land to ensure it is developed to an appropriate standard. A developer has declared a desire to develop a small parcel of land on the northern side of Kareen Court on the northeast fringe of Mansfield at a LDRZ density (see Figure 2). The rezoning of this land to LDRZ to cater for this development is supported on the grounds that the developer has stated he is willing to provide reticulated sewer to the land.

The study has revealed that the Tolmie area has the highest demand for rural living in the Shire (see Section 6). Although a proportion of this demand is being generated by the type of smaller rural living lot mentioned above, there is some limited opportunity for expansion of the zone in accordance with the density provisions recommended by the study. The areas most likely are those in the southern half of the area on cleared land with good access to Mansfield. Land in Table Top Road immediately adjoining the existing RLZ (see Figure 4) is considered suitable for rezoning on these grounds.

8. SUMMARY & CONCLUSIONS

This study has been commissioned by the new Mansfield Shire Council to provide a strategic planning framework for rural living in the Shire. The study is to provide direction for Council in providing for and managing rural living development in the future. The study is in response to ongoing pressure for more rural living land in the Shire when the planning context for considering such requests has not been established.

For the purposes of the study, 'rural living' is defined as that land zoned RLZ and LDRZ in the Delatite Planning Scheme as it applies to the Mansfield Shire. It is in effect residential development within a rural environment that is becoming increasingly popular as people seek a higher level of residential amenity offered by 'space' as well as views (eg. over Lake Eildon and towards Mount Buller). This demand is demonstrated by the fact that more dwellings are approved outside of the Mansfield township than within it.

The 2001 census figures indicate that the Shire continues to gain in permanent population as well as a tourist destination (casual population). Both these categories contribute to the ongoing demand for rural living in the Shire.

Prior to making any assessment of the rural living areas in the Shire, the planning context must first be established. This context is provided at the state level by the SPPF, which includes policies specifically addressing rural living. Other state influences include Ministerial Direction No 6 for Rural Residential Development. Unfortunately the current State review of rural zones has not been finalised as this may have some influence over the outcome of the study.

Regional authorities such as the GBCMA, G-MW and GVRWA largely provide for the regional planning context although the recent Melbourne 2030 strategy has a minor influence. The local planning context is provided by the LPPF including the Municipal Strategic Statement and various local policies including some that directly address the issue of rural living. Other local strategic influences include previous planning studies such as the recent YTYF. The subdivision requirements and decision guidelines of the RLZ and LDRZ as well as those of the ESO also exert influence over the study.

Following consideration of the planning context it is possible to derive a set of criteria for an analysis of rural living in the Mansfield Shire. These criteria have been applied to each of the rural living areas and are the basis from which the recommendations are made.

During the course of the study, consultation was undertaken with the relevant government agencies, the public (via a public meeting), practitioners such as surveyors and numerous individuals and landowners with an interest in rural living in the Shire. The information obtained from this process was of great assistance in understanding rural living in the Shire.

One of the critical elements of an analysis of rural living is the demand and supply of land for this type of land use. As part of this exercise, each and every lot zoned RLZ and LDRZ in the Shire was identified for its development status and theoretical subdivision potential. The subdivision potential is theoretical because nothing but the

subdivision standards in the planning scheme was considered (ie. no assessment was made of possible development constraints etc.). Although theoretical, the results of this analysis at least provide a basis for understanding the supply of rural living land in the Shire and in making recommendations for its future.

Overall, demand for rural living (at least in recent times) in the Shire has been greatest in the Tolmie and Ford and Burnt Creek Inlet areas followed by Mansfield and Bonnie Doon areas. The demand analysis however needs to be qualified because of one significant factor being the rate of dwelling development in the RUZ. It is a fact that more dwellings are actually being constructed in the RUZ of the Shire than in the RLZ and LDRZ.

The mechanism largely responsible for this is the version of the Local Policy for *Rural housing and subdivision in rural areas* adopted by Council in 1999 but does not form part of the planning scheme. Application of this 'informal' policy has now placed Council in a bind because it has allowed for rural land prices to be based on a dwelling 'entitlement' rather than vacant land with no development potential for rural living. If Council was to cease recognition of this policy, the displeasure of landowners who paid a price for land on this basis would be understandable. This scenario was conveyed to the consultants in no uncertain terms by potentially affected parties. Whilst reluctant to give the 'informal' policy any status since it is not part of the planning scheme, it is accepted that Council has been applying it and therefore it should be accounted for. It worth noting that when the 'informal' policy was adopted by Council in 1999, a 'sunset' clause was included that effectively extinguished any dwelling 'entitlements' under the policy not taken up by 1st December 2004. Given the circumstances, it may be prudent for Council to acknowledge the 'informal' policy since it does have a finite date to which landowners have been aware of since December 1999. It is also possible that the damage has been done in the sense that most opportunities under the 'informal' policy have already been taken up and there remains only a few lots in this category. No analysis has been undertaken as part of this study to confirm or deny this.

In terms of supply, the greatest number of theoretical rural living lots is in the Tolmie and Bonnie Doon areas followed by the Ford and Burnt Creek Inlet area. Caution should be exercised in using the supply figures as a basis for decision making since it probably overstates the reality of the situation by as much as 50% or more in some cases.

The **Mansfield** area exhibits a variety of rural living environments. The existing Monkey Gully and Rifle Butts Roads locations have been developed at a density not inconsistent with that envisaged by the RLZ as drafted in the Victoria Planning Provisions. These areas are self-contained and have no further potential at this time. Closer to the Mansfield township the higher density provisions of the RLZ Schedule dominate and there are few parcels of land capable of further subdivision. There is some justification for the expansion of the RLZ in close proximity to the town but this would be dependent on Council tightening up on dwellings in the RUZ and decreasing the density provisions in the more remote RLZ in areas in the Shire. The effect of this approach would be to redirect the demand for the various sub-markets within rural living. Any new areas should be subjected to the new 'default' subdivision provisions proposed by this study. Land along the western fringe of Mansfield and extending

down Stoneleigh Road is one area considered suitable for rezoning to RLZ. The large fragmented and inappropriately subdivided LDRZ land east of Kidston Parade is unsuitable for further subdivision at the densities permitted by this zone and new opportunities for lots at 0.4ha should be sought.

The **Bonnie Doon** area also features a number of areas with quite different rural living characteristics. The Pollock Avenue/Prowd Lane area is approaching full development and the Dry Creek Road area is constrained by poor access. This area would also have little future potential if the lot density provisions for subdivision were decreased to better reflect the constraint. The Barjarg-Glen Creek Road area is extensive with development focussed at the northern end. At the southern end the opportunities provided by the RLZ have not been taken up in all the time these provisions have applied to the land. The Maintongoon Road/Peppin Drive area extends around Lake Eildon and is substantially fragmented. A decrease in lot density would assist in minimising potential impacts on the lake in the future.

The **Tolmie** rural living area is the largest in the Shire and encompasses almost 3,000ha. Most development in recent times has been at the southern end south of Bunstons Road, which is better suited to rural living than the more densely vegetated and poorly accessed land to the north. However the current lot density provisions in the planning scheme have resulted in development more akin to that expected in the LDRZ than the RLZ. This type of development is contrary to the intentions of the RLZ and is considered unsustainable in this environment. Some parts of the Tolmie area are unsuitable for rural living on any scale because of a number of constraints (eg. Spring Creek Road and Bunstons Road). However there is some scope for some minor expansion of the RLZ in other parts of the Tolmie area such as Table Top Road but this should be undertaken at a lower lot density than currently provided.

The **Ford and Burnt Creek Inlets** area is centred on Lake Eildon. Under the current subdivision provisions there is potential, at least theoretically, for a substantial number of additional lots in this area. Development at this scale is unlikely to be sustainable being located within the Lake Eildon catchment and some areas being poorly serviced. A degree of control over the future development of this area could be achieved through a reduction in the lot density provisions and more rigorous application of policies relating to Lake Eildon.

Demand for rural living in the Shire appears to be lowest in the **Merton** area. It is possibly no coincidence that the area is also the least suitable for rural living development when assessed against rural living principles. The Shaws Road location is indiscernible from the surrounding rural land and should be rezoned since the opportunity for rural living development has not been taken up. Likewise the northern portion of the Merton-Strathbogie Road location is highly unsuitable for rural living because of a number of constraints.

The **Jamieson** area is somewhat unique in that the various small rural living areas are largely the result of the creation of lots at the time of the original settlement of the town rather than by subdivision in more recent years. Jamieson is quite constrained for development mainly because of the lack of services and the proximity of two rivers (Jamieson and Goulburn) and Lake Eildon. In any case and because of the small

dimensions of existing lots, there are very limited opportunities for additional rural living lots. Consequently the recommendation for Jamieson is for the status quo to remain.

Goughs Bay is another of the older settlements around Lake Eildon that is limited for expansion by lack of services and the potential detrimental impact on waters of the lake. Demand in Goughs Bay is low and little development by way of rural living subdivision has occurred in recent times and existing vacant lots have been supplying the limited market. The area of LDRZ in Goughs Bay attracts attention because of its location and undeveloped state although an acceptable subdivision proposal (at a density far less than what the LDRZ allows) is currently before Council for this land.

In conclusion, the Shire is considered to be generously supplied for rural living land having regard for the current level of demand. This situation is a product of inappropriate subdivision provisions and the allocation of the RLZ based on historical patterns of non-urban development in the Shire, particularly around Lake Eildon. In other words, previous Councils have allowed the market to drive the planning process and put the rural living locations where the demand is regardless of other considerations. The current Delatite Planning Scheme failed to address the unsustainability of this approach in some areas by simply carrying over the provisions of the former planning scheme.

It seems that rural living is somewhat out of kilter in the Shire for the following reasons:

- an over supply of rural living land in some locations
- subdivision provisions that result in development that is not rural living (in the rural context)
- rural living is being permitted in the RUZ
- some RLZ in inappropriate locations

This imbalance could be corrected through the following actions:

- rezoning inappropriate or unwanted RLZ areas to RUZ
- decreasing the lot density provisions for rural living subdivision in areas remote from Mansfield
- allowing dwellings in the RUZ only if demonstrated to be associated with a commercial or semi-commercial agricultural activity (eg. require a Whole Farm Plan to be submitted with applications for dwellings on lots less than 40ha)

These actions will reduce the overall supply in the Shire and increase demand for rural living in areas specifically zoned for this type of land use. It is anticipated that as a result, the supply of rural living in the Shire will be brought back to within an overall 15-year time frame. However it is worth reiterating that supply and demand figures are just one consideration on which to judge the appropriateness of existing and future rural living areas. Greater emphasis needs to be placed by decision makers on making sure rural living is undertaken in the right locations and in a manner that is sustainable. This is particularly the case in Mansfield Shire where the land supply figures tend to be distorted by the nature of the rural living market that includes both permanent and non-permanent residents.

However, this is not to say there are no areas in the Shire where the RLZ should be extended. Having regard for the principles of rural living, land in close proximity to Mansfield is the most suited for this type of development. The opportunity also exists in Mansfield for the expansion of the LDRZ, particularly if most of the existing land zoned for this purpose was rezoned to RLZ.

9. RECOMMENDATIONS

Having regard to the findings of this study, the following recommendations are made to Council. The impact of these recommendations on the supply of rural living land in the Shire is indicated in Table 11 and the net impact on overall supply in Table 12.

General

- The Council adopted version of the local policy for *Rural housing and subdivision in rural areas* be recognised in the planning scheme, including the 'sunset' clause expiring on 1st December 2004. The local policy should also include a requirement for a Whole Farm Plan to be submitted with applications for dwellings on lots less than 40ha in the RUZ where the provisions of the current 'informal' policy don't apply.
- The Schedule to the RLZ to be amended to reflect the subdivision provisions recommended below.
- Council prepare Developer Contribution Plans to offset the cost of additional infrastructure (eg. roads) to service rural living development.
- Where the relevant information is now available, prepare overlays to be introduced to the planning scheme.
- Reference this study:
 - in the "Strategies and Objectives" and "Implementation" sections of Clauses 21.05 and 21.07 of the planning scheme
 - as a "Reference document" in Clause 21.11 of the planning scheme
 - as one of the "Objectives" for compliance and as a "Policy reference" in Clause 22.10 of the planning scheme
 - as one of the "Objectives" for compliance and as a "Policy reference" in Clause 22.11 of the planning scheme
- Delete the reference a 8ha minimum lot size for rural living and the need for review of lot sizes in the "Strategies and Objectives" section of Clause 21.07 of the planning scheme

Tolmie

- Crown Allotments 10 and 10A, Section C, Parish of Dueran, and Lot 10 PS324580 in Spring Creek Road be rezoned from RLZ to RUZ (see Figure 4).
- The Bunstons Road area be rezoned from RLZ to RUZ (see Figure 4).
- Land in Table Top Road be rezoned from RUZ to RLZ (see Figure 4).

- The current subdivision provisions for the RLZ to be changed to:
 - 4ha minimum lot size;
 - 8ha average lot size; and
 - at least 50% of lots created to be larger than the average.

Bonnie Doon

- The land on the eastern side of Glen Creek Road and south of the road bordering Lot 8 in LP 208662 be rezoned to RUZ (see Figure 3).
- The current subdivision provisions for the RLZ to be changed to:
 - 4ha minimum lot size;
 - 8ha average lot size; and
 - at least 50% of lots created to be larger than the average.
- No additional areas be considered for RLZ or LDRZ.

Ford & Burnt Creek Inlets

- The current subdivision provisions for the RLZ to be changed to:
 - 4ha minimum lot size;
 - 8ha average lot size; and
 - at least 50% of lots created to be larger than the average.
- No additional areas be considered for RLZ or LDRZ.

Merton

- The Shaws Road rural living area be rezoned from RLZ to RUZ (see Figure 6).
- The area zoned RLZ north of the end of the seal on the Merton-Strathbogie Road be rezoned to RUZ (see Figure 6).
- The current subdivision provisions for the RLZ to be changed to:
 - 4ha minimum lot size;
 - 8ha average lot size; and
 - at least 50% of lots created to be larger than the average.
- No additional areas be considered for RLZ or LDRZ.

Mansfield

- The special subdivision provisions applicable to the Rifle Butts Road area be deleted from the current Schedule to the RLZ.
- The area between Stoneleigh Road and Malcolm Street, east of Kidston Parade be rezoned from LDRZ to RLZ (see Figure 2).
- A DPO be applied to all of the LDRZ land west of Kidston Parade and consideration be given to the application of a Developer Contributions Plan (or other means) to fund connection of the area to sewer.
- The current subdivision provisions applicable to existing RLZ land to be changed to:
 - 2ha minimum lot size;
 - 4ha average lot size; and
 - at least 50% of lots created to be larger than the average.
- No change to the existing Monkey Gully Road RLZ area or Dead Horse Lane area.
- Land immediately to the west of the Kidston Parade LDRZ be rezoned to LDRZ with a DPO (see Figure 2).
- Land on the western side of Mansfield between the Maroondah Highway and Monkey Gully Road (along Stoneleigh Road) be rezoned to RLZ (see Figure 2).
- Land on the northern side of Karen Court be rezoned to LDRZ with a DPO specifying connection to sewer (see Figure 2).

Jamieson

- The current subdivision provisions for the RLZ to be changed to:
 - 4ha minimum lot size;
 - 8ha average lot size; and
 - at least 50% of lots created to be larger than the average.
- No additional areas be considered for RLZ or LDRZ.

Goughs Bay

- The land currently zoned LDRZ be rezoned to RLZ (see Figure 8) and that subject to due process, favourable consideration be given to the current subdivision application before Council for this land.
- The current subdivision provisions for the RLZ to be changed to:
 - 4ha minimum lot size;
 - 8ha average lot size; and
 - at least 50% of lots created to be larger than the average.
- No additional areas be considered for RLZ or LDRZ.

TABLE 11: IMPACT OF RECOMMENDED CHANGES TO THEORETICAL SUPPLY OF ZONED RURAL LIVING LOTS IN THE MANSFIELD SHIRE

LOCALITY	Zone	Area (ha.)	Vacant lots (current supply)	Developed lots	TOTAL LOTS	Lots with subdiv. potential ⁽¹⁾	Potential lot yield (potential supply)	TOTAL SUPPLY (current + potential)
Tolmie	RLZ	-429.2	-9	-19	-28	-21	-178	-187
Bonnie Doon	RLZ	-383.7	-2	-19	-21	-18	-122	-124
Ford & Burnt Creek Inlets	RLZ	No change	No change	No change	No change	-7	-66	-66
Merton	RLZ	-666.0	-6	-13	-19	-12	-100	-106
Mansfield	RLZ	+63.7	+3	+23	+26	No change	+9	+12
Jamieson	RLZ	No change	No change	No change	No change	-2	-2	-2
Goughs Bay	RLZ	-50.1	-1	No change	-1	-10	-21	-22
TOTAL	RLZ	-1,465.3	-15	-28	-43	-70	-480	-495
Mansfield	LDRZ	-63.7	-3	-23	-26	-26	-120	-123
Goughs Bay	LDRZ	-32.4	-7	-2	-9	-2	-70	-77
Jamieson	LDRZ	No change	No change	No change	No change	No change	No change	No change
TOTAL	LDRZ	-96.1	-10	-25	-35	-28	-190	-200

1. Includes existing vacant and developed lots and allows for the two different subdivision standards in the Delatite Planning Scheme (4ha. average & 8ha. minimum).

2. Based on dwelling permits 1998-2002

TABLE 12: NET IMPACT OF RECOMMENDED CHANGES ON THEORETICAL SUPPLY OF ZONED RURAL LIVING LOTS IN THE MANSFIELD SHIRE

LOCALITY	Zone	Area (ha.)	Vacant lots (current supply)	Developed lots	TOTAL LOTS	Lots with subdiv. potential ⁽¹⁾	Potential lot yield ⁽²⁾ (potential supply)	TOTAL SUPPLY (current + potential)	DEMAND ⁽³⁾ (dwellings per annum)	YEARS SUPPLY
Tolmie	RLZ	2,536.4	136	207	343	27	81	217	13	17
Bonnie Doon	RLZ	1,801.7	72	222	294	8	126	198	4	50
Ford & Burnt Creek Inlets	RLZ	1,774.1	74	184	258	16	44	118	9	13
Merton	RLZ	272.0	3	13	16	4	25	28	<1	37
Mansfield	RLZ	1,284.7	54	182	236	14	53	107	3	36
Jamieson	RLZ	133.6	32	96	128	Nil	Nil	32	<1	43
Goughs Bay	RLZ	214.3	11	20	31	Nil	Nil	11	0	?
TOTAL	RLZ	8,016.8	382	924	1,306	69	329	711	30	24
Mansfield	LDRZ	55.1	1	30	31	7	97	98	<1	>100
Goughs Bay	LDRZ	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Jamieson	LDRZ	34.1	24	20	44	5	16	40	<1	>100
TOTAL	LDRZ	89.2	25	50	75	12	113	138	<1	>100

1. Includes existing vacant and developed lots.

2. Potential yield in accordance with the recommended changes to subdivision provisions in the study.

3. Based on dwelling permits 1998-2002

