



Planning Scheme Assessment

Planning Application No. P040-23

Responsible Officer: **Claire Wilkinson**

Conflict of Interest

No

<i>Application Details</i>	
APPLICANT	Leanne Maxwell- Regional Planning Services (for Abhijeet Garde-Yog Ishwari Pty Ltd)
PROPOSAL	Use and development of land for Group Accommodation
APPLICATION LODGED	17 March 2023 Application amended 24 September 2025
NOTICE AND SUBMISSIONS	11
<i>Property Details</i>	
PROPERTY ADDRESS	180 STAR OF THE GLEN ROAD BONNIE DOON 3723
LAND DESCRIPTION	Lot 8 PS316101J

Mansfield Planning Scheme and Context Assessment

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

Municipal Planning Strategy (MPS)

The following MPS is relevant to the consideration of this application:

Clause 02.03-2 – Environmental and landscape values

Biodiversity

Protection of remnant vegetation is a high priority including in:

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

Landscapes

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

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

Officer Comment

The development doesn't involve any removal of native vegetation and the area is already cleared.

Clause 02.03-3 – Environmental risks and amenity

Bushfire

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

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

Officer Comments

This will be discussed in PPF Clause 13.02-1S – Bushfire Planning

Clause 02.03-4 – Natural resource management

Water and Declared Special Water Supply Catchments

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

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

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

Officer Comments

The application was referred to Goulburn Murry Water as the Relevant Authority for surface water and groundwater quality, use and disposal issues. They have given conditional consent and therefor the proposal is deemed compliant with this clause.

Clause 02.03-5 – Built environment and heritage.

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

Township and neighbourhood character

Council's strategic directions for built environment and heritage are to (among other things):

- *Encourage development that respects the unique character and location of each settlement and protects areas of natural, environmental and architectural character.*

Officer Comments

The building materials are non-reflective (Colourbond pale eucalypt) cladding and roofing for the outbuilding and woodland grey for the cladding of the six cabins.

Planning Policy Framework (PPF)

The following PPF is relevant to the consideration of this application:

Clause 11.01-1L-02 – Other Local Areas – Bonnie Doon

Towns without reticulated sewerage

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

Bonnie Doon strategy

Support the retention of the football ground.

Officer Comment: The use and development of group accommodation is proposed in a location that is removed from the Bonnie Doon framework plan area. The proposal has responded to the priorities of areas without reticulated sewer.

Clause 12.03-1S – River and Riparian Corridors, Waterways, Lakes, Wetlands

Objective

- *To protect and enhance waterway systems including river and riparian corridors, waterways, lakes, wetlands and billabongs.*

Relevant strategies are:

- *Protect the environmental, cultural, landscape values of all waterway systems as significant economic, environmental and cultural assets.*
- *Conserve waterway systems and the landscapes and environmental values surrounding them by protecting ecological values, indigenous vegetation, terrestrial and aquatic*

habitats and encouraging biodiversity.

- *Sensitively design and site development to maintain and enhance the waterway system and the surrounding landscape setting, environmental assets, and ecological and hydrological systems.*
- *Address the impacts of use and development on drought and flooding events at a catchment and site scale to protect the health and natural function of waterway systems and their surrounding landscape and environment.*
- *Protect geomorphology, bank stability and flood management capacity to strengthen the environmental value and health of waterway systems by:*
 - *Retaining, enhancing and re-establishing indigenous riparian vegetation along waterway systems, ensuring it responds to the bushfire risk of a location.*
 - *Enhancing and re-establishing both terrestrial and aquatic habitats and their linkages along and surrounding waterway systems.*
 - *Limiting earthworks in proximity to waterway systems to minimise alterations to geomorphology, natural drainage, natural flows and water quality.*
 - *Facilitating the restoration of waterway systems through the removal of weeds, invasive species and pests.*
- *Enhance a sense of place and landscape identity by:*
 - *Conserving areas of identified Victorian Aboriginal cultural heritage significance relating to waterway systems.*
 - *Retaining and re-establishing vegetation, including grasslands and canopy trees, surrounding waterway systems to enhance and connect to the landscape setting, ensuring it responds to the bushfire risk of a location.*
 - *Protecting existing topographic features and maintaining a sense of naturalness through sensitive design and siting.*
- *Design and site development to maintain and enhance the natural environment of waterway systems by:*
 - *Minimising the visual intrusion of development on the natural landscape views from major roads, bridge crossings, public open space, recreation trails and within waterway systems themselves.*
 - *Ensuring development is visually subordinate to the local landscape setting, including through the use of vegetation to filter views of development.*
 - *Ensuring development adjacent to waterways adopts high quality materials and respectful design and siting.*
 - *Avoiding impeding the natural flow of waterways and future flood events.*

Officer Comment: The application was referred to Goulburn Murry Water as the Relevant Authority for surface water and groundwater quality, use and disposal issues. They have given conditional consent and therefor the proposal is deemed compliant with this clause.

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

The objective of the Clause is:

- *To protect the environmental, landscape and visual significance of landscapes, alpine*

approaches and significant ridgelines, particularly in areas of high visual amenity.

Strategies

- *Minimise the environmental and visual impact of development including buildings, sheds, driveways and associated earthworks.*
- *Site and design development to be responsive to the topography of the land and unobtrusive in the landscape.*
- *Retain existing mature scattered native and exotic trees and encourage the use of substantial landscaping to further complement development and reduce the visual impact of buildings on the landscape.*
- *Avoid development on visually exposed ridgelines, unless its visual impact can be minimised by using designs and colours that blend with or compliment the landscape.*
- *Incorporate building setbacks from property boundaries, roads and waterways that are consistent with the scale of the building, site characteristics, and potential impact on the environment and rural activities conducted on the site.*
- *Use building materials with external finishes that:*
 - *Blend with the natural surrounding environment whether this be in natural form or via a tailored paint scheme that reflects the colours and textures evident in the natural environment.*
 - *Have a low reflectivity to minimise glare and visual impact.*

Officer response:

The proposal is to provide for an area of group accommodation cabins within the existing allotment in proximity to the existing dwelling. The proposed cabins are modest in design and are to be clad in Woodland Grey Cladding. The area has some visibility from the broader area as the site is part of a surrounding rural residential community on generous allotments in an undulating landscape.

The design of the group accommodation is proposed on a sloping site but the works to locate cabins and the shed is to be cut into the site and it will have minimal visual height. The design is considered to be in keeping with the local area and that there will be considered impact to the visual amenity of the surrounding rural area. Conditions of approval will require site landscaping and reiterate that exterior materials are not to be of a high reflectivity and will not be of detriment to the local character.

Clause 13.02-1S – Bushfire Planning

Objective

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

Strategies

Protection of human life

- *Give priority to the protection of human life by:*
 - *Prioritising the protection of human life over all other policy considerations.*

- *Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.*
- *Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.*

Bushfire hazard identification and assessment

- *Identify bushfire hazard and undertake appropriate risk assessment by:*
 - *Considering the best available information about bushfire hazard including the map of designated bushfire prone areas prepared under the Building Act 1993 or regulations made under that Act.*
 - *Considering and assessing the bushfire hazard on the basis of:*
 - *Landscape conditions - meaning conditions in the landscape within 20 kilometres (and potentially up to 75 kilometres) of a site;*
 - *Local conditions - meaning conditions in the area within approximately 1 kilometre of a site;*
 - *Neighbourhood conditions - meaning conditions in the area within 400 metres of a site; and*
 - *The site for the development.*
 - *Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.*
 - *Not approving development where a landowner or proponent has not satisfactorily demonstrated that the relevant policies have been addressed, performance measures satisfied or bushfire protection measures can be adequately implemented.*

Settlement planning

- *Plan to strengthen the resilience of settlements and communities and prioritise protection of human life by:*
 - *Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development.*
 - *Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reducing bushfire risk overall.*

Areas of biodiversity conservation value

- *Ensure settlement growth and development approvals can implement bushfire protection measures without unacceptable biodiversity impacts by discouraging settlement growth and development in bushfire affected areas that are important areas of biodiversity.*

Use and development control in a Bushfire Prone Area

- *In a bushfire prone area designated in accordance with regulations made under the Building Act 1993, bushfire risk should be considered when assessing planning applications for the following uses and development:*
 - *Accommodation.*
- *When assessing a planning permit application for the above uses and development:*
 - *Consider the risk of bushfire to people, property and community infrastructure.*
 - *Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.*
 - *Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts.*

Clause 13.02-1L – Bushfire Management

Strategies

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

Officer Comment to 13.02-1S – Bushfire Planning and 13.02-1L – Bushfire Management

This proposal has been referred to the Country Fire Association, the relevant Authority. The CFA has requested the building be built to a specific BAL 40 and they are supportive of the proposal, subject to written approval from a registered building surveyor.

CONDITIONAL CONSENT TO THE GRANT OF A PERMIT

Application No: P040/23
Site Address: 180 Star Of The Glen Road, Bonnie Doon
Proposal: GROUP ACCOMMODATION & OUTBUILDINGS IN THE BMO

I refer to correspondence dated 10th June 2025 seeking comments on the above application.

CFA, as a Referral Authority pursuant to Section 55 of the *Planning and Environment Act 1987* (Act) has considered and does not object to the grant of a permit for the above proposal subject to –

- Any mandatory conditions specified within the planning scheme; and
- The following conditions being included on any planning permit that may be issued.

– Start of Conditions –

1. Endorsement of Bushfire Management Plan

Before the development starts, the Bushfire Management Plan prepared by Hamish MacCallum of Phenix Wildfire Management, Version 5, dated 20/05/2025 must be endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority

2. Bushfire Emergency Plan

Before the development is occupied or the use commences, the bushfire emergency plan (BEP) prepared by Hamish MacCallum, of Phoenix Wildfire Management, Version 1, dated 12/03/2024 must be endorsed by the Responsible Authority.

3. Closure of Site when the Fire Danger Rating is Catastrophic

The group accommodation buildings approved by this permit must not be occupied beyond 9.00 am on any Fire Danger Rating Day of Catastrophic in the North East Fire District.

Clause 14.02-1S – Catchment planning and management and

Objective

- *To assist the protection and restoration of catchments, water bodies, groundwater, and the marine environment.*

Strategies to address this objective include to:

- *Ensure the continued availability of clean, high-quality drinking water by protecting water catchments and water supply facilities.*
- *Undertake measures to minimise the quantity and retard the flow of stormwater from developed areas.*
- *Ensure planning is coordinated with the activities of catchment management authorities.*
- *Ensure that water quality infrastructure is designed to minimise risk of harm to surface waters and groundwater.*

Officer Comment: The application was referred to Goulburn Murry Water as the Relevant Authority for surface water and groundwater quality, use and disposal issues. They have given conditional consent and therefor the proposal is deemed compliant with this clause. Wastewater and Stormwater related issues have been addressed by GMW in the conditions.

Clause 14.02-1L – Catchment Planning and Management

Relevant strategies are:

- *Minimise adverse impacts from wastewater management systems (both individually and cumulatively) on catchment health and water quality.*
- *Discourage land uses that would contribute to the degradation of downstream water quality.*
- *Discourage further development, particularly new rural residential estates on the lakes' shores.*
- *Support new development only where connection to reticulated sewerage infrastructure can be provided or it will not have a cumulative impact on nutrient and pathogen loads.*
- *Ensure any drainage scheme is consistent with the capability of the land.*

Officer Comment: The application was referred to Goulburn Murry Water as the Relevant Authority for surface water and groundwater quality, use and disposal issues. They have given conditional consent and therefor the proposal is deemed compliant with this clause. Wastewater and Stormwater related issues have been addressed by GMW in the conditions.

Clause 14.02-2S – Water Quality

Objective

- *To protect water quality.*

Relevant strategies are:

- *Ensure that land use activities potentially discharging contaminated runoff or wastes to waterways are sited and managed to minimise such discharges and to protect the quality of surface water and groundwater resources, rivers, streams, wetlands, estuaries and marine environments.*
- *Discourage incompatible land use activities in areas subject to flooding, severe soil degradation, groundwater salinity or geotechnical hazards where the land cannot be sustainably managed to ensure minimum impact on downstream water quality or flow volumes.*

Officer Comment: The application was referred to Goulburn Murry Water as the Relevant Authority for surface water and groundwater quality, use and disposal issues. They have given conditional consent and therefore the proposal is deemed compliant with this clause. Wastewater and Stormwater related issues have been addressed by GMW in the conditions.

Clause 15.01-2S – Building Design

Objective

- *To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.*

Clause 15.01-6S – Design for rural areas

Objective

To ensure development respects valued areas of rural character.

Officer Response: It is considered that the proposed development presents an attractive tourism activity, within an existing area of scenic and recreational appeal with surrounding native vegetation and rural ambience. It is considered that with a current Emergency Management Plan and scaled site plan, that the proposed development can suitably address wastewater management, bushfire risk, native vegetation protection and the other relevant requirements for group accommodation. It is considered that the proposed development presents a modest and reasonable planning outcome and attractive tourism choice. The proposal responds to the risk of bushfire with reasonable levels of safety through the accessibility to roads and water.

Zoning

Clause 35.03 – Rural Living Zone (RLZ1)

Purpose

To provide for residential use in a rural environment.

To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.

To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Permit requirement

Clause 35.03-1 A permit is required for the use of land for group accommodation. A permit is required for buildings and works associated with a section 2 use (group accommodation)

A permit is required to construct building within 100 metres from a waterway, wetlands or designated floodplain.

Officer response: The proposal is considered to be compatible with the continuation of the existing surrounding attributes of the subject site and in the nearby area. The location of the group accommodation is appropriately setback from any surrounding sensitive uses including dwellings (170 meters to the nearest dwelling at 160 Star of the Glen Road). It is considered that the applicant has demonstrated through revised designs that the land has capability to accommodate the proposed use and development.

The amended design and siting has given considered response to the vistas and landscape features of the locality and the cabins are in a cluster in an area of the site that has proximity to the existing domestic area. The incorporation of bathrooms within the cabins removes the additional development of an ablutions block. The proposed development of six group accommodation cabins is not considered to be a rural development that compromises the availability of productive farmland.

Overlays

Clause 42.01 – Environmental Significance Overlay – Schedule 1 (ESO)

Purpose

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*

- *To identify areas where the development of land may be affected by environmental constraints.*
- *To ensure that development is compatible with identified environmental values.*

Schedule 1 to Clause 42.01 relates to catchments at high risk of water quality impacts.

Statement of Environmental Significance

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

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

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

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

Environmental Objective to be Achieved

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

Permit requirement - Clause 42.01-2 A permit is required to construct a building or construct or carry out works (on a lot less than 40 hectares where new wastewater is generated).

Officer response: The subject site is located within a declared catchment area and has drainage features that traverse the property. It is considered that the proposal for the six group accommodation cabins is within an area that is predominantly characterised by rural residential development on small farming allotments. It is considered that the proposal can ensure that cumulative benefits are achieved through the appropriate upgrade of the existing dispersal field and siting of an adequately sized onsite wastewater management system that meets EPA standards.

Clause 44.06 Bushfire Management Overlay

Purpose

- *To implement the Municipal Planning Strategy and the Planning Policy Framework*
- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- *To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

Permit requirement

Clause 44.06-2- A permit is required to construct a building or construct or carry out works associated with the use of land for accommodation

Officer response:

Discussion relating to the above listed BMO is contained under the relevant Clause 53.02 for Bushfire Planning below.

Particular & General Provisions

Clause 52.06 Car Parking

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use*

Officer Response: Pursuant to Clause 52.06-8, amended plans showing Car Parking areas must be prepared before a new use commences.

The applicant has provided floor plans that show the group accommodation will provide single bedroom cabins. Carparking is established with the existing dwelling. The applicant is required to provide an appropriate number of car parking spaces having regard to the demand likely to be generated.

In relation to the provisions of Clause 52.06, the applicant will be conditionally required to provide an updated Car Parking site plan that shows the location of on-site car parking spaces

for the accommodation as proposed. The current plan provides reasonable space beside each of the six proposed cabins to allow for parking, but this will need to be constructed to address the Car Parking requirements of the scheme.

The car parking site plan must indicate the proposed parking spaces and details of any landscape screening will also need to be provided. It is considered that the proposed site area will be sufficient to accommodate any overflow if required without adversely impacting on neighbouring properties.

Clause 53.02 Bushfire planning

Purpose

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.*
- *To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.*
- *To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.*

Decision Guidelines

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The bushfire hazard site assessment and the bushfire management statement submitted with the application.*
- *Whether all of the approved measures have been incorporated into the application.*

Clause 53.02-3 – Dwellings in existing settlements – Bushfire protection objective

Measure	Requirement
AM 11	<p>A building is sited to ensure the site best achieves the following:</p> <ul style="list-style-type: none"> ■ The maximum separation distance between the building and the bushfire hazard. ■ The building is in close proximity to a public road. ■ Access can be provided to the building for emergency service vehicles.
AM 12	<p>A building provides the defensible space in accordance with Table 1 Columns A, B, C, D or E and Table 6 to Clause 53.02-5. Adjoining land may be included as defensible space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defensible space.</p> <p>A building is constructed to the bushfire attack level:</p> <ul style="list-style-type: none"> ■ That corresponds to the defensible space provided in accordance with Table 1 to Clause 53.02-5, or ■ The next lower bushfire attack level that corresponds to the defensible space provided in accordance with Table 1 to Clause 53.02-5 where all of the following apply: <ul style="list-style-type: none"> - A private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006) is constructed on the same land as the dwelling. - A minimum bushfire attack level of BAL12.5 is provided in all circumstances.
AM 13	<p>A building is provided with:</p> <ul style="list-style-type: none"> ■ A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies. ■ Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.

Decision Guidelines

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The bushfire hazard site assessment and the bushfire management statement submitted with the application.*
- *Whether all of the approved measures have been incorporated into the application.*

Clause 53.02-4 – Bushfire protection objective

Clause 53.02-4.1 – Landscape, siting, and design objectives

Purpose

- *Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.*
- *Development is sited to minimize the risk from bushfire.*
- *Development is sited to provide safe access for vehicles, including emergency vehicles.*
- *Building design minimizes vulnerability to bushfire attack.*

Measure	Requirement
AM 2.1	The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.
AM 2.2	A building is sited to ensure the site best achieves the following: <ul style="list-style-type: none"> ▪ The maximum separation distance between the building and the bushfire hazard. ▪ The building is in close proximity to a public road. ▪ Access can be provided to the building for emergency service vehicles.
AM 2.3	A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building.

Officer Response:

It is considered that sufficient supporting information has been provided in order to make a determination on the suitability of the proposal in relation to the provisions of the Bushfire Management Overlay and Planning for Bushfire requirements. In order to provide a reasonable assessment of the request, both Council and the Country Fire Authority have required that the applicant address the approved measures or alternative measures as specified in Clause 53.02. With this information it is deemed that the proposal is consistent with the objectives of Clause 53.02-4 of the Mansfield Planning Scheme in that the proposed group accommodation use and development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

Clause 65.01 – Approval of an Application or Plan

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

- *The matters set out in section 60 of the Act.*
- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*
- *The impact the use or development will have on the current and future development and operation of the transport system.*

Officer response: It is considered that the current proposal represents an acceptable planning outcome within the land zoned for Rural Living along Star of the Glen Road, Bonnie Doon. Overall, it is considered that the design and siting of the proposed six cabins will be responsive to the surrounding character of the area and high amenity location within the district. It is considered that the proposed group accommodation presents an acceptable land use planning outcome. It is also considered that the applicant has applied the precautionary principle to address any risk to the special water supply catchment.

Conclusions

It is considered that this proposal is generally consistent with the Mansfield Planning Scheme and is appropriate for the site and surrounds. There are no other issues for consideration relevant to this application.