

Planning and Environment Act 1987

Mansfield Planning Scheme

Amendment C64mans

Explanatory Report

Overview

The amendment implements the remaining provisions from the Township Approaches Planning Controls and Guidelines Study, Mansfield, June 2018 (Mansfield Design Guidelines), which were not included in Part 1 of amendment C48mans or Part 1 of amendment C56mans. The areas affected by this amendment are 10 Crosbys Lane and 1/16 Crosbys Lane.

The amendment is required to integrate the Mansfield Design Guidelines into the Mansfield Planning Scheme, to guide the appearance of development along Mansfield Township's main approaches in a manner consistent with the character identified for each individual approach. This character is defined by several objectives, including emphasizing the future desired character of the township approaches, ensuring upcoming developments are aligned with the local context, and creating clear guidelines for future applications.

The amendment is required to address a gap in the coverage of the Design and Development Overlay to comprehensively protect each Township Approach. The amendment implements planning controls consistent with the Mansfield Design Guideline study's recommendations by applying the current Clause 43.02 Design and Development Overlay Schedule 3 to the remaining two parcels of land on Mt Buller Road without a Design and Development Overlay.

Where you may inspect this amendment

The amendment can be inspected free of charge at the Mansfield Shire Council website at www.mansfield.vic.gov.au

And/or

The amendment is available for public inspection, free of charge, during office hours at the following places:

33 Highbury Street Mansfield, Victoria 3722

The amendment can also be inspected free of charge at the Department of Transport and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

Submissions

Any person may make a submission to the planning authority about the amendment. Submissions about the amendment must be received by INSERT DATE

A submission must be sent to:

- By email: strategic.planning@mansfield.vic.gov.au
- By post: Private Bag 1000, Mansfield, Victoria, 3724

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- Directions hearing: TBD
- Panel hearing: TBD

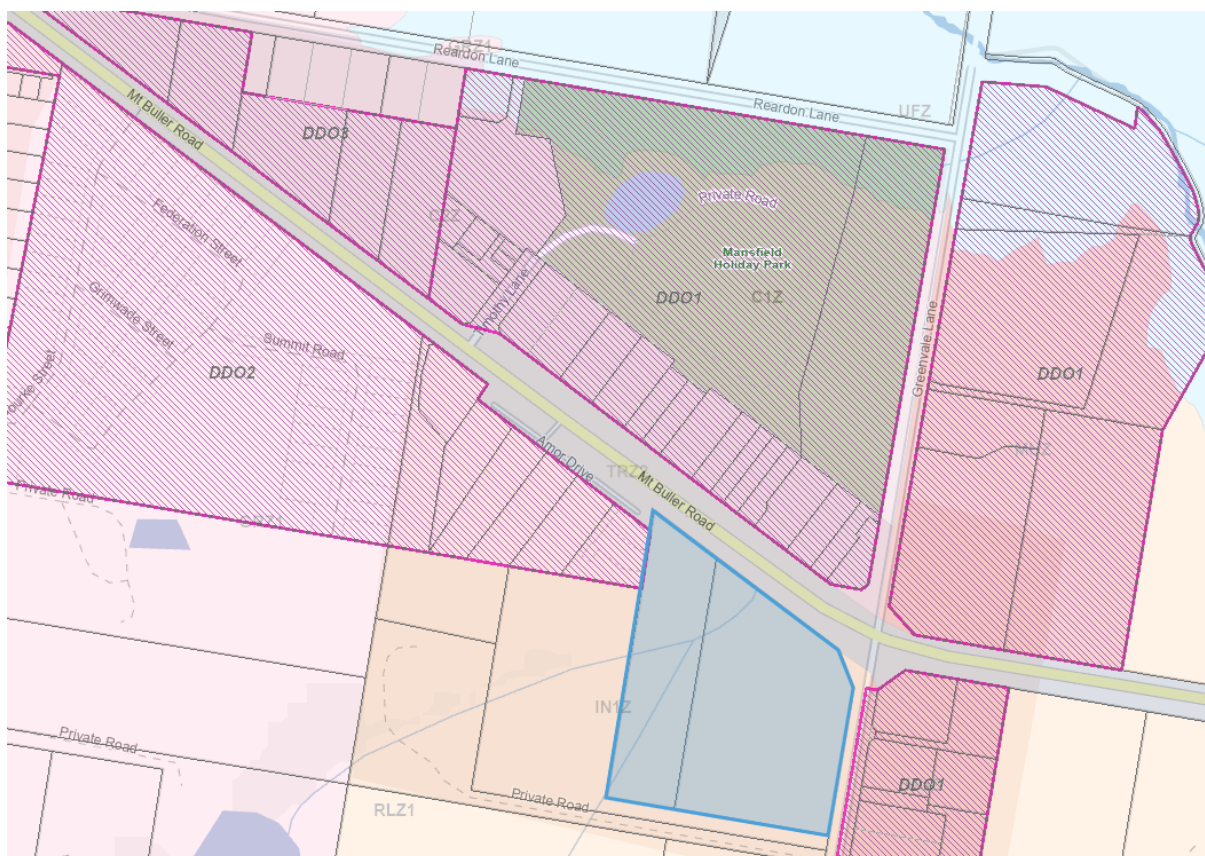
Details of the amendment

Who is the planning authority?

This amendment has been prepared by the Mansfield Shire Council, which is the planning authority for this amendment.

Land affected by the amendment

The amendment applies to the 10 Crosbys Lane Mansfield and 1/16 Crosbys Lane Mansfield. The specific parcels affected are shown in the map below:



A mapping reference table is attached at Attachment 1 to this Explanatory Report.

What the amendment does

The amendment implements the remainder of the Township Approaches Planning Controls and Guidelines Study, Mansfield, June 2018 (Mansfield Design Guidelines) not included in Part 1 of amendment C48mans. The amendment does this by applying the Design and Development Overlay Schedule 3 to 10 Crosbys Lane Mansfield and 1/16 Crosbys Lane Mansfield.

The amendment specifically makes the following change:

Overlay Maps

- Amends Planning Scheme Map No. 12DDO to apply the Design and Development Overlay Schedule 3 (DDO3) to 2 properties.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to implement aspects of the *Township Approaches Planning Controls and Guidelines Study, Mansfield*, June 2018 not included in amendment C48mans Part 1 or C56mans Part 1 to ensure each Township Approach is covered by the Design and Development Overlay.

OFFICIAL

The amendment is required to fill the final gap of the coverage of the DDO, in accordance with the *Township Approaches Planning Controls and Guidelines Study, Mansfield*, June 2018, which has with objectives to:

- Ensure future development makes a positive impact on the amenity and environment within the township approaches.
- Ensure future development within the four (4) township approaches have regard to their local context and reinforces the valued character of the township.
- Clearly define township approaches through built form and landscaping treatments within the private realm.
- Provide clear, logical and useful guidelines for all – including, but not limited to developers, residents, Council officers and Councillors.

The policy relating to the township approach has already been implemented within the Mansfield Planning Scheme, guiding the appearance of development along the Mt Buller Road approach to encourage high-quality development which is sensitive to the surrounding environment and reinforce the desired character of Mansfield Township identified within the Mansfield Design Guidelines.

Strategic planning work was commenced in 2017 to investigate the recent development impacts to the township approaches and similarly seek community comment. Community input was sought to ensure that any proposed control would support the preferred character of the approaches. The area to which the DDOs are applied has varying setbacks to align with property boundaries and apply to areas which are adjacent to and visible from a township approach. In some circumstances the DDO application extends to a large depth of land due to elevation gain and visibility of the site from a township approach.

This amendment follows on from extensive background research and strategic assessment. The established preferred character for the township approach is protected and enhanced through the application of the existing design and development controls that shape commercial and industrial land uses.

How does the amendment implement the objectives of planning in Victoria?

The amendment implements the objectives of planning in Victoria as outlined in section 4(1) of the *Planning and Environment Act 1987* (PE Act) as follows:

a) Provide for the fair, orderly, economic and sustainable use, and development of land

The amendment will result in the fair, orderly, economic and sustainable use and development of land by implementing a refined character and design guidelines study that addresses the needs of the existing and future community of Mansfield Township.

b) Provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;

The amendment identifies and protects local features by applying the Design and Development Overlay Schedule 3 to two properties on the Mt Buller Road approach, which is a significant approach to the Mansfield Township and ensuring any future development achieves the proposed outcomes of the Mansfield Design Guidelines.

c) Secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;

The amendment focuses on enhancing the character of Mansfield Township where the community can live, work and play safely by ensuring that future development is designed with appropriate layouts which prioritise the pedestrian environment by managing its interface with loading bays and traffic.

d) Conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;

The Mansfield Design Guidelines identify the approaches to Mansfield Town Centre which are of significant aesthetic value and seeks to ensure that alterations to existing buildings and the creation of future development is consistent with the preferred character of the area.

f) Facilitate development in accordance with the objectives;

The amendment achieves this objective by applying the existing Design and Development Overlay – Schedule 3 to guide development for the benefit of Mansfield Township, consistent with state, regional and local planning policy.

g) Balance the present and future interests of all Victorians.

The proposed application of the existing overlay schedule has been undertaken to ensure development occurs in a logical manner consistent with the objectives set out in paragraphs (a) to (e).

How does the amendment address any environmental, social and economic effects?

Environmental

The amendment has considered potential environmental effects of the amendment and is consistent with Clause 14.02-1L of the Mansfield planning scheme, which identifies areas of high, medium and low risk of causing water quality impacts on potable water quality, public health and the environment. The amendment applies to areas connected to both reticulated water and sewer and supports subdivision layouts which implement water sensitive urban design and protects existing native trees and further provides understorey planting to mitigate stormwater runoff.

Social

The amendment aims to facilitate the orderly development and preferred character of the entrances to Mansfield Township.

The amendment introduces several restrictions on the development of land with the application of the Design and Development Overlay. The Overlay could impact landowners by restricting how their land can be developed by requiring conditions for how to develop, but overall, they provide community benefit by protecting the character of the Alpine Approach, character assets and ensuring that future development reinforces the preferred character previously identified by the community in the creation of the Mansfield Design Guidelines.

Economic

Mansfield Township's economy is largely reliant on tourism. It provides a unique and attractive setting for visitors as it is the gateway to Victoria's High Country. The Mansfield Shire Economic Development Strategy, May 2020 notes tourism as a key driver for the Mansfield Shire economy, stating that the preservation of key natural assets and their appearance play a key role. The amendment in part aims to preserve views to significant environmental assets on the approach to Mt Buller through Mansfield Township.

Does the amendment address climate change?

The amendment does not directly address climate change, however Schedule 3 to the Design and Development Overlay includes landscaping requirements for canopy trees and encourages water sensitive urban design. The amendment is not expected to have a detrimental impact to the climate.

Does the amendment address relevant bushfire risk?

The amendment meets bushfire policy in Clause 13.02 of the Planning Scheme because the context of the site has been considered, with the land being within a designated bushfire prone area.

Landscape Considerations

The land is located within an already established settlement area that is largely cleared of vegetation and having surrounding areas which do not present themselves as bushfire hazards. The land has clear access from arterial roads and the surrounding topography is gently sloping and also cleared of any dense vegetation.

Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

Ministerial Direction – The Form and Content of Planning Schemes (Section 7(5) of the Act).

The amendment complies with the Ministerial Direction on the form and content of Planning Schemes.

Ministerial Direction No. 11 Strategic Assessment of Amendments.

The amendment complies with Ministerial Direction No. 11: (Strategic Assessment of Amendments) under section 12 of the PE Act. The amendment is consistent with this direction which ensures a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces. This explanatory report provides a comprehensive strategic evaluation of the amendment and the outcomes it produces.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment is consistent with, and gives effect to the following clauses of the Planning Policy Framework (PPF), in particular:

Clause 11.01-1S - Settlement

The amendment is consistent with the objective of this clause *“To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.”* by ensuring that growth and development in Mansfield Township is in accordance with the desired character of the area.

Clause 11.01-1R – Settlement – Hume

The amendment accords with the with the relevant strategies of the *Hume Regional Growth Plan* by supporting growth and development in an existing urban settlement.

Clause 11.01-1L-01 – Mansfield Township

The amendment is consistent with the objective *“To support the growth of Mansfield Township as the focus of development in Mansfield Shire”*.

Clause 11.03-1S – Activity Centres

The amendment is consistent with the following strategies to *“Build up activity centres as a focus for high-quality development, activity and living by developing a network of activity centres”* and *“Improve the social, economic and environmental performance and amenity of activity centres”*.

Clause 11.03-5S – Distinctive Areas and Landscapes

The amendment is consistent with the objective *“To recognise the importance of distinctive areas and landscapes to the people of Victoria and protect and enhance the valued attributes of identified or declared distinctive areas and landscapes”*.

Clause 11.03-6S – Regional and Local Places

The amendment is consistent with the strategy to *“Consider the distinctive characteristics and needs of regional and local places in planning for future land use and development”*.

Clause 12.05-2L – Significance Landscapes, Ridgelines and Alpine Approaches

OFFICIAL

The amendment is consistent with the objective *“To protect the environmental, landscape and visual significance of landscapes, alpine approaches and significant ridgelines, particularly in areas of high visual amenity”*. The amendment also supports several strategies within this Clause including managing the design or setbacks, reducing the visual impact of buildings on the landscape and ensuring that materials used in development have low visual impact.

Clause 13.01-1S – Natural Hazards and Climate Change

The amendment is consistent with the following strategies to *“Direct population growth and development to low risk locations”* and *“Site and design development to minimise risk to life, health, property, the natural environment and community infrastructure from natural hazards.”*

Clause 13.02-1S and 13.02-1L – Bushfire Planning

The amendment meets the requirements for bushfire protection, as discussed earlier within the report under ‘bushfire risk’.

Clause 15.01-1S - Urban Design

The amendment is consistent with the objective *“To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.”* The amendment supports strategies within this Clause by encouraging high-quality development and urban design that is sensitive to the context of the township approaches to the Mansfield. The amendment is required to complete coverage of policy on the Mt Buller Road approach.

Clause 15.01-1L - Urban design in Mansfield Township CBD

The amendment supports the strategies within this Clause including *“Design access to parking to minimise impacts on active frontages and preferably be provided via a secondary streets, laneways or other parking areas”*. The amendment supports this Clause by providing more clarity surrounding desired built form design outcomes at the Crosby's Lane sites. The amendment will assist Mansfield Shire Council make planning decisions by having clear, prescriptive planning policy. This will also make design standards clear for any persons applying for planning permits in the area.

Clause 15.01-2S - Building Design

The amendment supports the 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 15.01-3S – Subdivision Design

The amendment supports the objective *“To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods”* by requiring future subdivisions to be in accordance with this objective through specific design guidelines specified within the Design and Development Overlay.

Clause 15.01-5S – Neighbourhood Character

The amendment is consistent with the objective *“To recognise, support and protect neighbourhood character, cultural identity, and sense of place”*.

Clause 15.01-6S – Design for Rural Areas

The amendment is consistent with the objective *“To ensure development respects valued areas of rural character”* and strategies within this Clause including *“Protect the visual amenity of valued rural landscapes and character areas along township approaches and sensitive tourist routes by ensuring new development is sympathetically located”*.

Clause 17.04-1L – Facilitating Tourism in Mansfield Shire

The amendment supports the strategies of this Clause including *“Facilitate development that improves tourism links and facilities and capitalises on the through traffic along the Alpine approaches during peak holiday periods”*.

How does the amendment support or implement the Municipal Planning Strategy?

This strategic consideration only applies if the planning scheme includes an MPS at Clause 02.

The amendment is consistent with the following clauses of the Municipal Planning Strategy and will assist in achieving objectives of the clauses as follows:

- The amendment recognises the scenic value of the mountains, valleys, foothills and cleared grazing country as characteristic and of intrinsic importance. Preservation of significant landscapes are considered as one of the municipality’s greatest assets (Clause 02.03-2 – Environmental and Landscape Values).
- The amendment aids the continual direction to ensuring that development along major routes along Mt Buller need to be sensitive to its role as one of the gateways to Alpine Areas (Clause 02.03-5 – Built Environment and Heritage).

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions by using the Design and Development Overlay to encourage appropriate built form and design outcomes.

How does the amendment address the views of any relevant agency?

The views of the relevant agencies were sought in the development of the Mansfield Design Guidelines, and through the application of the Design and Development Overlay Schedule 3.

The views of agencies will be sought again during the exhibition stage of the amendment.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is consistent with the objectives and decision-making principles in the *Transport Integration Act 2010*.

This amendment is unlikely to have a significant impact on the transport system as it is not increasing the capacity for development, and the road network has existing capacity. The amendment includes no areas for rezoning, although it seeks to reduce the number of vehicle crossovers and control where access points to sites are located which is consistent with the request of the Department of Transport and Planning discussed above.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The amendment is expected to result in an increase in the requirements for planning permits. However, the overlay is written to provide clear guidance for decision making for both applicants and assessors. Permit exemptions have also been included for buildings and works required for disability access to reduce the number of permits required under the Design and Development Overlay.

Attachment 1 – Mapping reference table

Location	Land /Area Affected	Mapping Reference	Address	Proposed Zone changes	Proposed Overlay changes	Proposed deletion changes
Mansfield	Land on the south-western corner of Mt Buller Road and Crosbys Lane.	001ddomap 12	1/16 Crosbys Lane 10 Crosbys Lane	N/A	Apply DDO3	N/A

OFFICIAL