

DP003/22 – 175 Dead Horse Lane & 141 Lakins Road, Mansfield		
Objection	Applicant Response	Council Officer Assessment
<p><u>C56, proposed Planning Scheme Amendment</u>                      The amendment is currently being prepared and if approved would apply to Mansfield Township Gateways/Entrances, which affects the eastern boundary of the subject land. Directives and measures of the proposed amendment need to be included in the Development Plan.</p>	<p><i>The proposed Design and Development Overlay (C56) will likely apply to 175 Dead Horse Lane and 141 Lakins Road, with appropriate controls aligning with the proposed Development Plan. Specifically, the proposed Development Plan will include the following Objectives:</i></p> <ul style="list-style-type: none"> <li>▪ To achieve compliance with/to address the requirements of the Design and Development Overlay, Alpine Approaches and Township Gateways, as applied.</li> <li>▪ To create attractive buildings of high quality and contemporary built form.</li> </ul>	<p>The submitted Development Plan suitably includes Objectives and Design Guidelines which directly align with the proposed Design and Development Overlay (DDO and C56). Any future planning permit application for subdivision and/or industrial development of land would be required to be in accordance with the Development Plan. In comparing the proposed DDO with the submitted Development Plan, the Development Plan proposes more prescriptive requirements.</p>
<p><u>Cultural Heritage Sensitivity</u>                      The land is partially within an area of Cultural Heritage Sensitivity and therefore a Cultural Heritage Management Plan is required.</p> <p>Cultural Heritage Management Plan requirements could impact the design of the road layout.</p>	<p><i>A Cultural Heritage Management Plan is currently being undertaken and will support the subsequent planning permit application.</i></p>	<p>The subsequent Planning Permit Application for future subdivision, in accordance with any approved Development Plan, a Cultural Heritage Management Plan will be required. The subject land is partially within an area of Cultural Heritage Sensitivity and requires a CHMP for any planning permit approval however, the <i>Aboriginal Heritage Regulations 2018</i> do not require CHMP's to be prepared for Development Plan applications.</p> <p>A CHMP has previously been prepared for the land at 141 Lakins Road and is</p>

		<p>currently being reviewed through the process of the Desktop Assessment. Council understands that a CHMP is currently being undertaken for 175 Dead Horse Lane and will be submitted to Council for review prior to any approvals for a planning permit for subdivision, or development.</p>
<p><u>Water Sustainability</u>                  Future subdivisions should be required to be self sufficient in terms of water supply, including water tanks onsite for each proposed lot.</p>	<ul style="list-style-type: none"> <li>- <i>Implement Water Sensitive Urban Design (WSUD) stormwater bio-detention techniques, with landscaping</i></li> <li>- <i>Bio-Retention basins to be provided on each future lot through a 5-metre front landscaping area</i></li> <li>- <i>Water tanks would be installed for future development</i></li> <li>- <i>Would propose tanks with a minimum 100,000L capacity be required as part of the planning permit process, to be used onsite</i></li> </ul>	<p>The submitted Development Plan provides suitable objectives and requirements relative to achieving sustainable water outcomes. It is likely that any future planning permit issued for subdivision would include requirements for future development. The applicant’s proposal for 100,000L capacity storage tanks per lot for future subdivision and development is noted and can be further considered during the planning permit application process.</p>
<p><u>Car Parking</u>                  Car parking standards as required by the Mansfield Planning Scheme and relevant state policies are inconsistent with the Australian Standards (AS/NZS 2890.1:2004). Consideration for required long vehicle (trailer) parking and Electric Vehicle Charging should be included in the Development Plan.</p>	<p><i>The parking requirements of future development will be in accordance with the Mansfield Planning Scheme, additionally parking of large vehicle will be enabled within future large industrial lots and on-street parking, where possible.</i>  <i>Acknowledge that VCAT P505/2020 was in reference to a Commercial</i></p>	<p>Council Officers are satisfied that the requirements for car parking can be determined during the planning permit application process for subdivision and future development. It is likely that appropriate swept pathway designs would be required.</p>

	<i>development, near to the Mansfield CBD and consider it irrelevant to this proposal.</i>	
<p><u>Landscaping</u> Existing mature trees to be protected need to be required to be protected, rather than the proposed wording in the Development Plan – “Existing mature trees <u>should</u> be protected...”. Existing and proposed vegetation will be important to protect the visual amenity of the Mansfield Township Approach.</p> <p>Development is proposed to be named ‘Woodland Industrial Estate’ and should therefore incorporate the protection of existing native trees through an Environmental Plan.</p>	<ul style="list-style-type: none"> <li>- <i>77 Trees are proposed to be retained, including 63 endemic and 13 exotics, totalling approximately 88% retained</i></li> <li>- <i>Proposed Development Plan requires ‘crossovers avoid mature street trees...’</i></li> <li>- <i>Additional native plantings are proposed within drainage reserves as part of the Stormwater Management Plan</i></li> </ul>	<p>The proposed Development Plan aims to protect and retain 63 native trees on the land at 175 Dead Horse Lane and approximately 27 native trees will be protected and retained on the land at 141 Lakins Road.</p> <p>The requirement to assess the impact to specific native vegetation would occur during the planning permit application process.</p> <p>For the purpose of the Development Plan, the objectives, and requirements, if approved, would suitably protect the majority of native vegetation on the subject land.</p>
<p><u>Traffic Management</u> Analysis for long vehicles, including B-Double Trucks, has not been detailed in the Development Plan application.</p>	<p><i>Traffic Analysis and Swept Pathway Designs have been compiled to support the subsequent planning permit application and are not required for the Development Plan application.</i></p>	<p>Any future development would be required to be in accordance with Councils Infrastructure Design Manual, which requires Road Reserves to be a minimum width of 25-metres for Industrial development. A 25-metre Road Reserve will be able to cater for long-vehicle movements and on-street parking, in addition to any parking required within future lots.</p> <p>Overall, the proposed layout of the Development Plan provides good access to the existing road network with</p>

		<p>appropriate intersections that could accommodate long vehicles.</p>
<p><u>Existing Land Uses and Condition</u>                  The Livestock Transfer Yards at 141 Lakins Road could cause potential land use conflicts with future Industrial uses and should be protected, the “right to farm” needs to be recognised.</p>	<p><i>“Adjoining land use considerations are a matter for Council determination.”</i></p>	<p>The Stock Yards within the existing Council Depot are used for transfer of stock and as holding yards for any required quarantine. This use has been undertaken for many years with the appropriate required permissions. Any future development adjoining or nearby the existing Stock Yards will be considered for potential land use conflicts, by Council, at the time of development applications.</p>
<p><u>Development Plan and Subdivision Applications</u>                  The Development Plan proposes to incorporate 175 Dead Horse Lane and 141 Lakins Road, whereas the associated subdivision (planning permit) application only applies to 175 Dead Horse Lane. These need to be assessed separately.</p>	<p>No specific response was provided</p>	<p>The Development Plan application includes 175 Dead Horse Lane and 141 Lakins Road, this is all the land affected by the Development Plan Overlay, Schedule 4 (Industrial), in Mansfield.</p> <p>Council has also received a subsequent planning permit application for the subdivision of land at 175 Dead Horse Lane, Mansfield, this application is not able to progress until such time as a Development Plan is approved in accordance with the requirements of the Development Plan Overlay. The application for the Development Plan and planning permit for subdivision are being assessed independently.</p>

<p><u>Rezone to General Residential Zone</u>                  Consideration should be given to provide additional housing supply for Mansfield and 175 Dead Horse Lane would provide an opportunity for a more desirable approach to Mansfield, instead of industrial development.</p>	<p>No specific response was provided</p>	<p>The subject land was rezoned Industrial 1 Zone, which was approved and gazetted through Amendment C51mansPt1 8 September 2022. Previously the land was zoned Farming Zone. Amendment C51mansPt1 also introduced the Development Plan Overlay, Schedule 4 to the subject land.                  The recent change in zoning from Farming to Industrial was supported by Council, to provide additional industrial land to increase employment opportunities and further development in Mansfield Shire.</p>
<p><u>Council interest in 141 Lakins Road, Mansfield</u>                  It is not clear how the Mansfield Shire Council are involved in this land.</p>	<p><i>There is no implication for a public private partnership.</i></p>	<p>Mansfield Shire Council are the owners of the land at 141 Lakins Road, Mansfield, where the Council Depot and Animal Pound is located.                  The submitted Development Plan for the land was prepared independently of Council and there is no 'partnership' in place.</p>
<p><u>Pedestrian Networks</u>                  A footpath a bicycle connection along the Creek and waterways to existing footpaths would be preferable.</p>	<p><i>The 30-metre buffer along the central tributary (waterway) and along Fords Creek will be a reserve and open to for public access.</i></p>	<p>There is an existing unsealed footpath along the east side of Midland Highway, which currently ends at the Mansfield Racecourse. Opportunity presents for future extension of the footpath network within the subject land.                  Further assessment and requirements for footpaths will be considered during the</p>

		<p>planning permit application process for future subdivision.</p>
<p><u>Historic Outbuildings</u>                  The existing outbuildings (sheds) on 175 Dead Horse Lane are historic and should be salvaged.</p>	<p><i>There are no known historic buildings on the subject land, therefore the existing infrastructure would be removed to allow for future Industrial Development.</i></p>	<p>Council does not have any record or history of the buildings on the outbuildings at 175 Dead Horse Lane, Mansfield, which are located near the existing dwelling.                  It is expected that these buildings have been on the land for many decades however, there has been no formal assessment of their historic value and therefore no relevant policy to protect the outbuildings.                  The outbuildings could be relocated, rather than demolished however, the assessment pertaining to this does not fall within the scope of the Development Plan application.</p>