



**Highton Manor
Highton Lane, Mansfield**

**DEVELOPMENT PLAN
12.5.2008**

Applicant: Molinaro Nominees Pty Ltd

MANSFIELD SHIRE PLANNING SCHEME

Approval is given for this Development Plan


Senior Planning Officer

**For and on behalf of
the Responsible Authority**

Date 23/5/08

Documentation prepared by **Jesson & Tapp**

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1. Typical designs for proposed dwellings.
2. Photos of Highton Manor details.
3. Artist's impressions of proposed development, by John Burgess.
4. Drawing titled "Highton Manor Development Plan", reference 4183/PROP 2, by H.J. Macey.
5. Document titled "Application for Approval of a Development Plan", dated 1st July 2006, reference 4183, by H.J. Macey.
6. Heritage Impact Statement, dated December 2006, by Deborah Kemp.
7. Heritage Comment, dated 10th September 2007, by John Briggs.

1. Introduction

Highton Manor is a building of historical, social and architectural significance. It was built in 1896 as the homestead on a farming property of 367 hectares. The Manor now comprises less than 7 hectares and is no longer a viable farm. The main building and the stables are currently used as a guesthouse and restaurant, surrounded by gardens, broad landscaping and a small vineyard of no commercial value.

The current owners of Highton Manor have long held a vision for the future of their property. They hope to use part of the land for a residential subdivision that will compliment the character of the Manor. A precinct of formal and elegant buildings would be created, clustered around the outer edges of the curtilage (or setting) of the Manor.

While it is neither possible nor desirable to mimic the existing buildings, it is intended that new buildings will relate to the Manor and its stables, and to each other, in shape, proportion and materials. An elegant and integrated “village” effect will be produced, respecting Highton Manor and enhancing appreciation of the overall area.

The village atmosphere will be encouraged by the provision of an interlinking system of footpaths, public spaces and a small park.

A development such as this will ensure that the historic Highton Manor and its stables are conserved and maintained into the future.

2. Proposal

During a long drawn-out application process, various plans of subdivision and other documents have been submitted to council, and the original idea has been somewhat watered down. This new development application is a crystallization of the original vision.

Much of the previously-supplied documentation is still valid; rather than repeating the work, reference is made to various documents and they are appended to this application.

The proposal is to subdivide approximately 32 residential lots from the overall area, leaving the Manor surrounded by a curtilage that will maintain the integrity of the original buildings. Refer to drawing titled "Application for Approval of a Development Plan", dated 1st July 2006, by H.J. Macey. Several new buildings are proposed on the Highton Manor title, including a bell tower and possibly a winery. A large conservatory extension is planned for the Manor building. It is also intended to extend the stable building by duplicating the existing structure, and renovate and extend the existing poultry shed to provide machinery storage. The existing hay and machinery shed will be demolished.

As a requirement of the previous application a Heritage Impact Statement was prepared in 2006 and a Heritage Comment followed in 2007; both documents are appended. These refer to a proposed plan of subdivision that does not form part of this application; however the owners' vision sits favourably with the heritage recommendations, and this application draws frequently from those documents.

It is intended to carry out the subdivision in three stages, with expected completion times for each stage being 2 years, 5 years and 8 years respectively from the date of issue of a planning permit.

3. General information

Total area of existing lot: 6.875ha.

Zoning: R1Z (Residential 1).

Planning overlays: DPO1 (Development Plan Overlay 1).

~~Heritage Comment~~

4. Development and Building Requirements

It is the purpose of this document to establish a set of objectives, and design guidelines for reaching those objectives, to be followed throughout all development and construction in order to achieve the desired outcome. These are presented here for approval by Council, the local community and other interested parties. Once they have been agreed, they will be formally attached to the future titles as Section 173 agreements. One agreement will be attached to the Highton Manor title and one to the remainder of the development, and they will become binding upon the existing owners and future purchasers of the lots.

Section 5 of this document sets down the objectives for the overall development and the design guidelines by which it is proposed to achieve them.

Sections 6 and 7 set down the objectives for new buildings on the Highton Manor lot and future buildings on the newly created lots, and the design guidelines by which it is proposed to achieve them.

OBJECTIVES are printed in bold type.

DESIGN GUIDELINES are printed in standard type.

5. Development Guidelines

5.1. Subdivision

Refer to drawing titled “Application for Approval of a Development Plan”, dated 1st July 2006, by H.J. Macey, and to artist’s impressions by John Burgess.

5.1.1. Recognise and maintain the cultural heritage significance of Highton Manor.

The lot containing Highton Manor will include the stables, the carpark, the vineyard, and the existing formal gardens; by the provision of this curtilage it will remain apparent that the Manor was the original farming homestead.

5.1.2. Maintain the “view corridor” of Highton Manor.

The lot containing Highton Manor will include the “view corridor” to the mountains. It will also contain the existing dam and the proposed new dam.

5.1.3. Ensure an ongoing understanding and appreciation of the Manor.

A plaque will be provided at the new entrance to the development to outline a brief history of Highton Manor.

5.1.4. Ensure that views of Highton Manor from Highton Lane are maintained, and ensure that distant views of the mountains from Highton Lane are maintained.

Lots abutting Highton Lane will be wide in proportion to their overall size, allowing for separation between the buildings.

5.1.5. Ensure building development that will compliment the architectural and aesthetic values of the Manor.

A set of detailed guidelines will be attached to each title as a Section 173 agreement.

5.1.6. Provide lots that will allow for correct solar orientation of dwellings.

All lots are to be capable of containing a dwelling with living space windows facing north.

5.1.7. Provide lots that will enable dwelling residents to enjoy mountain views.

All lots are to be capable of containing a dwelling with living room windows facing east.

5.2. Compliance with Clause 43.04-3

- 5.2.1.** A site and context description and a design response can be found in H. J. Macey's document titled "Application for approval of a development plan" and dated 1st July 2006. This document refers to the "Highton Manor Development Plan" ref 4183/PROP 2, also by H. J. Macey. Both of these documents are appended. A proposed plan of subdivision will be provided with the planning permit application.

5.3. Roads and access

5.3.1. Provide safe access from Highton Lane.

Access from Highton Lane will be limited to two entry points. Access to all new blocks will be from internal roads. Internal roads will be fully formed, sealed and drained to council's approval.

5.3.2. Maintain distinctive entrance to Highton Manor.

Maintain existing driveway approach to Highton Manor. Retain existing gravelled bitumen driveway and utility areas on Highton Manor title.

5.3.3. Provide a formal entrance to the new development that creates a sense of identity with Highton Manor.

Emphasize the main entrance to the new development by creating a wide, landscaped road reserve with clear views of the Manor.

5.4. Public space

5.4.1. Create an elegant and formal setting appropriate to Highton Manor.

A 6m wide strip of land fronting Highton Lane will be set aside for landscaping. A landscaped reserve will be created at the Highton Manor (north) entry point. A wide road reserve will be provided at the central entry point from Highton Lane. Internal roads will have landscaped verges.

5.4.2. Create consistency throughout development.

Roads and footpaths will be sealed.

5.4.3. Provide recreational space.

A generous "village green" will be provided.

5.4.4. Create a safe, pleasant and relaxing environment for residents and maintain a spacious feel to the precinct.

Footpaths will link dwellings with the village green and the walking track easement. The proposed building lots will be restricted in size, leaving generous public open spaces.

5.4.5. Provide connection to potential walking and cycling track.

Land will be put aside for the provision of links to possible future walking and cycling track along Monkey Gully Creek.

5.5. Landscaping on Highton Manor lot and on public space

5.5.1. Create a separation and a visual frame to the Highton Manor curtilage.

Retain the vineyard and the formal gardens around the Manor.

An evergreen hedge of 2 metres mature height will be planted along the north and south title boundaries between the Manor and the new development.

5.5.2. Create an elegant and formal setting appropriate to Highton Manor.

Retain the vineyard and the formal gardens around the Manor.

The 6 metre wide strip of landscaping along Highton Lane will be planted with deciduous trees growing to a large mature size, spaced in a formal pattern and underplanted with grass and groundcover plants.

An evergreen hedge of 2 metres mature height will be planted on the outside (west) of the rear fence of the dwelling lots adjacent to Highton Lane.

The wide road reserve at the central entry point to the development will be planted with vines laid out in a formal arrangement, with lawn and groundcover plants.

A restricted range of plant species suitable to the local climate will be selected.

5.5.3. Retain view corridor from Highton Manor to Mt. Buller.

Avoid planting of trees to the East of the Manor. A large new dam is to be built within this area.

5.5.4. Ensure that views of Highton Manor and distant views of the mountains are provided within the development.

Existing vineyards forming the west boundary of the Manor curtilage will be retained; the low growth will allow uninterrupted views of the Manor.

The hedge to be planted along the north and south title boundaries between the Manor and the new development will allow views over the top.

New trees planted in public areas will be spaced to allow views. They will be deciduous species to allow for clear views in winter when Mt. Buller is at its most spectacular.

Underplanting will consist of lawns, low shrubs and groundcovers.

5.5.5. Maintain and frame views of the Manor and distant views of the mountains from Highton Lane.

New trees planted in the 6 metre strip of landscaping will be spaced to allow views. They will be deciduous species to allow for clear views in winter. Underplanting will consist of grass and groundcovers. The 2 metre high evergreen hedge required for privacy will allow views over.

5.5.6. Create a pleasant recreation area for residents of new dwellings.

The village green will be grassed, with groups of deciduous trees, gravel paths and park seating.

5.5.7. Provide some privacy and protection from Highton Lane.

An evergreen hedge of 2 metres mature height will be planted on the outside (west) of the rear fence of the dwelling lots adjacent to Highton Lane.

5.6. Fencing

5.6.1. Create a sense of place and of belonging to Highton Manor.

Concrete-capped brick gateposts with vertical timber paling fence will be built at the new front entrance to the development. These will match the existing entrance to Highton Manor.

5.6.2. Ensure new fencing styles and materials are elegant, simple and unobtrusive, and consistent throughout development.

All other new boundary fencing within the development will be required to be built to the same specification:

1800 high; timber palings, capping, plinth board and posts; fully coated and stained to preserve timber and reduce any colour inconsistency.

5.6.3. Maintain park-like atmosphere.

Front boundaries and the front 4 metres of side boundaries of dwelling lots will not be fenced.

5.6.4. Maintain rural character of Manor grounds.

Existing farm fencing between the Highton Manor lot and other properties outside the development will be retained.

5.7. Services

5.7.1. Reticulated services to be provided to each lot with minimal visual impact and with sufficient access for maintenance.

Reticulated water, sewerage, stormwater, electricity, telephone and television cabling services are to be run underground to every lot.

A central MATV (master antenna television) and satellite system is to be installed in the region of the stables, screened from view by a fence matching boundary fencing.

The existing easement is to be retained, and further easements are to be provided as necessary.

A wide drainage easement is to be provided along the east boundary of the development.

5.8. Sustainability

5.8.1. Water sensitive urban design principles to be followed.

Pervious surfaces are to be provided throughout large landscaped areas. A new dam is to be built towards the north-east corner of the development.

5.8.2. Stormwater to be retained and reused on site.

Run-off from new development will be piped to the new dam. Reticulated water from the dam is to be provided to the village green.

5.9. Further subdivision

5.9.1. Prevent dilution of the original vision for the development.

The lots intended for dual occupancy buildings abutting the north boundary may be subdivided into 2 titles. No further subdivision of lots will be permitted.

6. Building Guidelines for new building on Highton Manor title

6.1. Maintain the integrity of the historic buildings.

The conservatory will be an addition to the main building of Highton Manor. It will be an airy structure of glass with a pitched iron roof. It will be clear to observers that the structure is contemporary, but the large size, its height and the pitch of the roof will respect the architectural style of the Manor.

The bell tower is to be quite separate from the Manor, and will echo the form of the Manor's tower on a smaller scale.

The stable extension will be a duplication of the existing building in shape and materials.

The winery, if constructed, and any other new buildings will be similar to the stables in materials and proportions.

The bell tower roof is to have a 35 to 45 degree pitch.

Roof pitches of the conservatory and stable extensions and other new buildings are to match the existing roof pitches.

The poultry shed beside the existing dam will be repaired and extended to provide a machinery shed.

Materials, finishes and colours are to be selected from the same range as those of the new dwellings.

6.2. Enhance the ambience of Highton Manor.

The conservatory will replace the untidy backyard and create a far more attractive appearance to the rear (west) of the Manor.

The bell tower will add another element to the formality of the Manor's grounds.

6.3. Maintain the view corridor.

No new buildings are to be positioned within the view corridor from the Manor to the mountains.

The existing machinery shed, which is a much later building and is in the Manor's view corridor, will be demolished.

7. Building Guidelines for new building on all other titles, including future extensions

Refer to examples of typical building plans and photos of building detailing appended to this document.

The requirements below are in addition to building regulations current at the time of construction.

7.1. Building setbacks are to:

Maintain a consistent streetscape within the development;

Create an open, spacious precinct;

Preserve open space between dwellings in order to retain views of the Manor and distant views of the mountains both from outside and within the development;

Provide a degree of privacy for dwelling occupants;

Maintain solar access to all dwellings and outdoor living spaces.

Building envelopes will be included in the Plan of Subdivision to prevent unnecessarily deep frontage setbacks that can be caused under ResCode by building precedent.

Front boundary setbacks to be a minimum of 4 metres.

Side boundary setbacks to be a minimum of 1 metre.

Rear boundary setbacks to be a minimum of 1 metre.

Building to the boundary will not be permitted.

7.2. Building mass, shape and proportions. New buildings are to be of mass, shape and proportions that will contribute to the established elegant and formal style of the precinct. New building must not compete with historic buildings.

Refer to typical building plans appended to this document.

7.2.1. Mass:

Dwellings on the lots abutting the north boundary of the development are to be dual-occupancy, double-storey buildings. Dwellings on the lots abutting Highton Lane may be single-storey or single-storey with a mezzanine upper floor contained mainly within the roof space.

All other dwellings may be either single or double-storey.

The majority of external walls of a dwelling should have a height of at least 2.7 metres above adjacent ground level, measured from the top of the gutter. Porches, conservatories etc. can be lower.

7.2.2. Shape and proportions:

External walls of dwellings are to be articulated to provide interest and to avoid simplistic rectangles. Dwelling frontages must be stepped to avoid

wide, single-span roofs. Garages must be set back behind dwelling frontages.

The majority of pitched roofs of a dwelling must be at between 30 and 45 degrees to single-storey and mezzanine dwellings, and at a minimum of 15 degrees to double-storey dwellings.

Veranda and conservatory roofs may be at a lesser pitch.

Flat roofs concealed by parapet walls may be used.

Roofs are to be predominantly gabled.

Windows and doors that are visible from public areas are generally to be tall and narrow, or divided into tall, narrow segments, with a height to width ratio of between 2:1 and 3:1.

7.3. Building design

7.3.1. Buildings are to respect the elegant formality of the historic Highton Manor.

Buildings are to derive their interest from their form, structural materials and building detailing rather than from added decoration.

7.3.2. All visible parts of buildings are to maintain the required character.

All visible facades of a building must comply with the requirements of this document.

7.3.3. Buildings are to be energy efficient and ecologically responsible.

Dwellings must meet current building regulation energy rating requirements.

Dwellings must have a solar hot water system.

Dwellings must have rainwater tanks of minimum 3000 litre capacity, connected to toilet cisterns and able to be used for garden watering.

Timber window frames and double glazing are encouraged.

7.3.4. Transitional zones are to be incorporated between dwellings and their surroundings.

Entries are to have porches, verandas or similar structures.

Conservatories are encouraged.

7.3.5. Dwellings are to take advantage of views.

Living areas should be oriented to take advantage of views of the Manor, the mountains and landscaped public spaces.

7.4. Building materials and finishes

7.4.1. External appearance of new buildings is to respect the historic buildings.

Materials are to be natural wherever possible.



Examples of window proportions and detailing



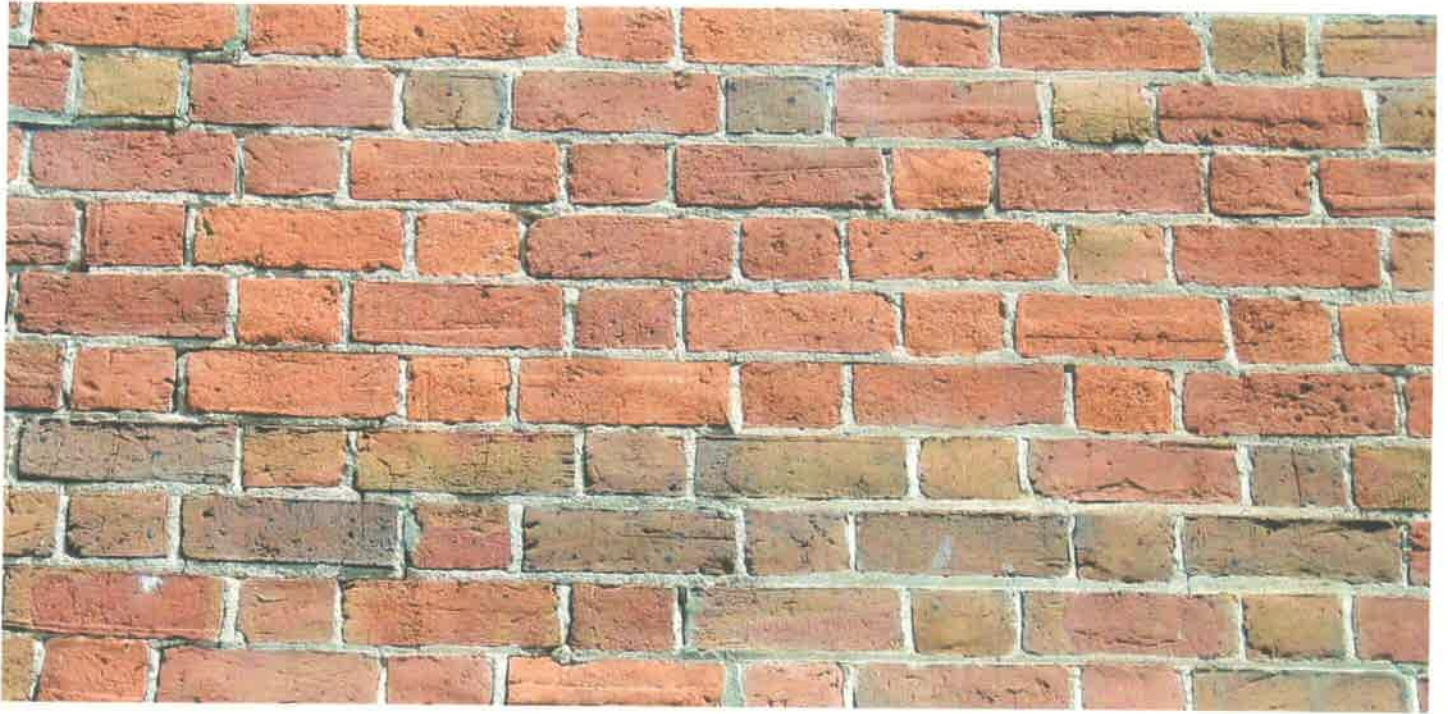
Examples of lintel detailing



Existing front gate



Circular gable vent



Example of pressed red brickwork showing colour variation

PART OF
CROWN ALLOTMENT 63
PARISH OF LOYOLA
COUNTY OF DELATITE

RESIDENTIAL 1 ZONE
STAGE 3

RECONSTRUCT EXISTING ACCESS
WITHIN NEW ROAD RESERVE
MANSFIELD SHIRE PLANNING SCHEME

Approval is granted for this Development Plan

[Signature]
Senior Planning Officer
For and on behalf of
the Responsible Authority

Date 23/9/08

APPROX TRUE NORTH

MONKEY GULLY ROAD

STAGE 1

CONSTRUCT
LANDSCAPED ENTRY
PEDESTRIAN/
CYCLE PATH

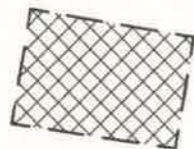
PROPOSED
ACCESS ROAD

STAGES

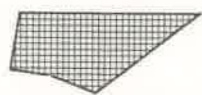
- STAGE 1 LOTS 1 TO 6
- STAGE 2 LOTS 7 TO 20
- STAGE 3 LOTS 21 TO 26

CONSTRUCT KERB & CHANNEL, DRAINAGE
INFILL PAVEMENT, VEHICLE CROSSINGS &
FOOTPATH AS NECESSARY

BUILDING ENVELOPES
SHOWN THUS



BUILDING EXCLUSION
ZONE SHOWN THUS



STAGE 1

RURAL LIVING ZONE

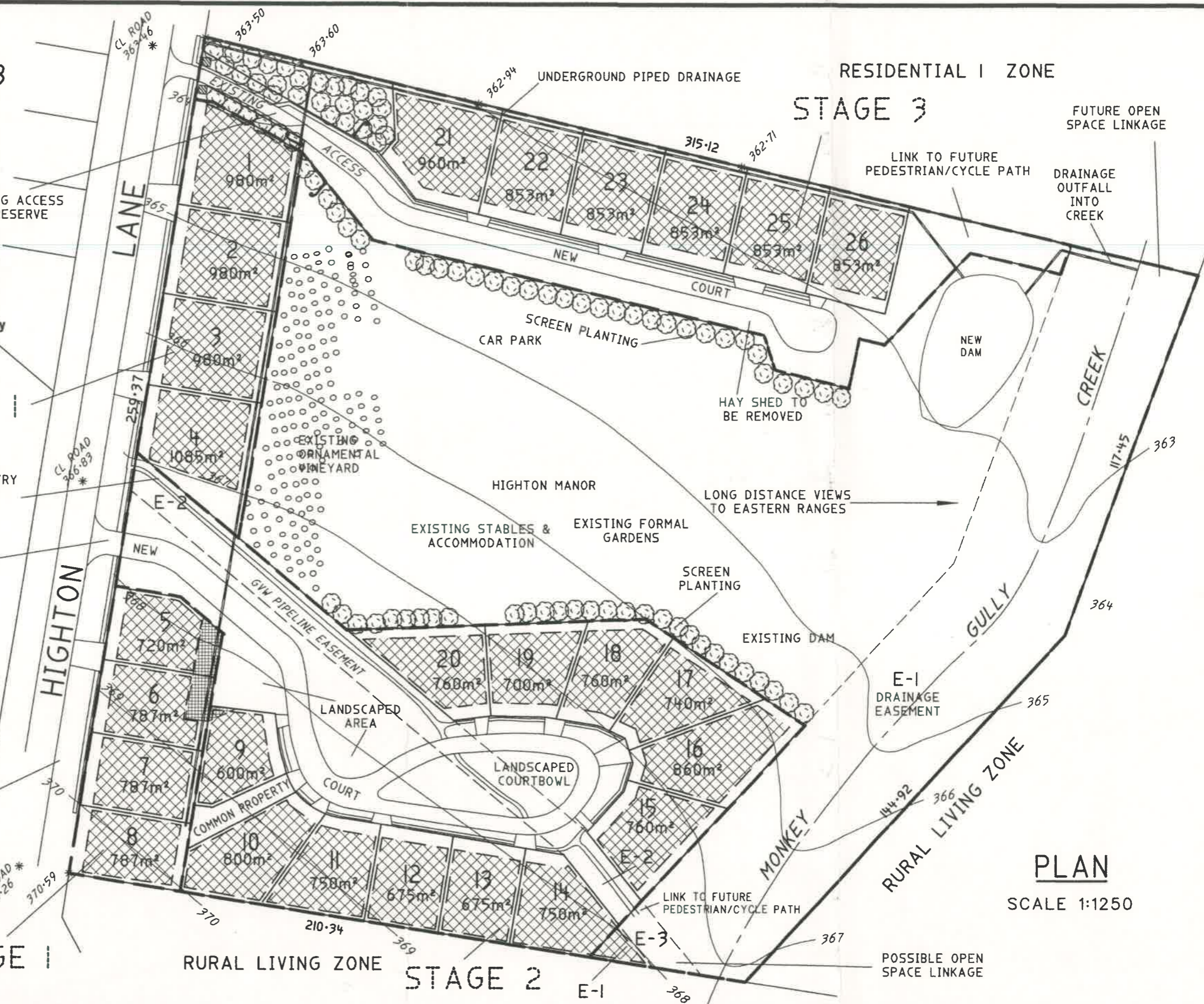
STAGE 2

HIGHTON MANOR
DEVELOPMENT PLAN

PLAN
SCALE 1:1250

DIMENSIONS SUBJECT TO SURVEY
E-1 E-3 DRAINAGE
E-2 E-3 EASEMENT TO THE MANSFIELD
WATERWORKS TRUST
V9329 F723 LOT 1 ON LP127465
LEVEL DATUM A.H.D. CONTOUR INTERVAL 1m

REF 4183/PROP11



H.J. MACEY

BN 45 172 403 570

ND DEVELOPMENT CONSULTANTS
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Please reply to Camberwell office and quote
Ref:4183

NCIPAL

H.J. Macey B Surv, LS, ARMIT(Civil Eng),
MIS Aust, MIE Aust, CPEng

1st July, 2006

Mr Matthew Woodward,
Senior Planner, Mansfield
Shire Council, Private Bag
1000, MANSFIELD VIC
3724

Dear Matthew,

APPLICATION FOR APPROVAL OF A DEVELOPMENT PLAN RESIDENTIAL ZONE SUBDIVISION 'HIGHTON MANOR', HIGHTON LANE, MANSFIELD MOLINARO NOMINEES PTY LTD

1. INTRODUCTION

This report presents an assessment of the matters required to be addressed pursuant to Schedule 1 of Clause 43.04 of the Mansfield Planning Scheme in order to facilitate a Residential Zone subdivision of the land known as 'Highton Manor' at 140 Highton Lane, Mansfield. Necessary approval of the Development Plan is a precursor to an Application for Planning Permit which will cover the subdivision of the land in three stages.

1.1 The Land

The land, total area S.875ha, comprises all the land in Lot 2 on LP127465, being Certificate of Title Volume 9329 Folio 723 copy of which is attached.

The site is located approximately 3km south easterly from the Mansfield Post Office within an area recently rezoned from Rural Living to Residential 1 Zone (R1Z) with a Development Plan Overlay Schedule 1 (DPO1).

The land is abutted by the Residential 1 Zone on the northern boundary, by Highton Lane on the western boundary, and by The Rural Living 1 Zone on the eastern and southern boundaries. The land is accessed from Highton Lane which has a sealed pavement.

1.2 Development Plan

The Development Plan provides the basic structural components of the proposed subdivisional design and takes account of the principles and objectives of the relevant planning provisions and policies. The process of approval of the Development Plan will allow the appropriate and co-ordinated subdivision of this land.

The Development Plan is a Master Plan for the subdivision of the Land from which the issue of the required Planning Permit for the subdivision of the land will be considered by the Responsible Authority and the various Referral Authorities.

The Development Plan includes the relevant information to demonstrate that a thirty two lot subdivisional development of the land may proceed in an integrated context with the surrounding lands. Site specific requirements for the preparation and approval of the Development Plan are set out in the Development Plan Overlay Schedule 1 of the Mansfield Planning Scheme Clause 43.04-3 (see attached copy) and these requirements are addressed below.

SITE ASSESSMENT AND DESIGN RESPONSE

2.1 Site Description

See above in 1.1 and on Development Plan

2.2 Site Context

The strategic location of the land fronting Highton Lane and surrounding the stately 'Highton Manor' house on the easterly fringe of the Mansfield Township provides an opportunity for construction of a high quality residential subdivisional development, the built form of which will reflect the ambient character of the existing Manor House. A perceived need has been identified for such development including references to same in the Settlement Strategy section of the Municipal Strategic Statement attaching to Amendment C1 of the Mansfield Planning Scheme and more particularly in the Mansfield Urban Design Framework Study.

2.3 Neighbourhood Context

The Land has local access to the following Mansfield Community Facilities and Services: .. 1

Business Facilities

- Mansfield Central Retail & Office Activity Area 3km north west

Education

- Mansfield Secondary College 3km north west
- Primary Schools 3km north west
- MACE 3km north west

Health

- Mansfield Hospital 2.5km north west
- Medical Clinics 2.5km north west

Transport and Freight

- Mansfield Buslines 3km north west
- Freight Depots 3km north west

Recreation

- Mansfield Golf Course 3.5km north west
- Mansfield Racecourse 3.5km north west
- Mansfield Sporting Complex 2.5km north west
- Sports Grounds 2.5km north west

2.4 Existing Land Use

The land has been used for many years for motel type accommodation purposes with an associated restaurant based in the Manor house.

2.5 Interfaces

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

- Residential 1 Zone; north and west -Rural Living 1; south and east

2.5 Topography

The land is gently sloping and falls from the south western corner to the north eastern corner. There is a well defined waterway (Monkey Gully) traversing the eastern boundary of the land which outfalls stormwater drainage from the land. The land does not appear to be subject to flooding although there would be some minor inundation of the waterway area during heavy storm events.

2.6 Road Access

Road access for the Land is provided from the sealed pavement of Highton Lane.

2.7 Trees

2.7.1. Indigenous Trees

There is no non exempt indigenous trees on the area to be developed for residential lots. There is no proposal to remove any native vegetation from the land as part of this development.

2.7.2. Pine Trees

There are several old pine trees at the existing entry gate and along Highton Lane. It is proposed to remove these trees and replace them with select native species around the access points from Highton Lane as shown on the Development Plan.

3. OPPORTUNITIES AND CONSTRAINTS

3.1 Opportunities

- to provide full development and servicing of the land which is surplus to the sustainable requirements of the ongoing operation of the Manor House businesses
- to provide a high quality development to bring the site to its highest and best use pursuant to the purpose of the zone
- to replicate the existing built form using natural materials, muted colours, pitched rooflines reflecting and complimenting the architectural character of the existing Manor House
- to extend and enhance the existing landscape construction over the whole of the site
- to use and extend the existing services for the new development
- to provide separation and location of the new buildings which will provide visual interest and allow views of the eastern high country from most new lots
- to provide formalisation and physical enhancement of the areas set aside for Municipal Reserve purposes

3.2 Constraints

- the natural contour of the land will require that the sewerage outfall for some of Stages 2 and 3 of the development will be via a constructed sewerage pumping station

4. THE DEVELOPMENT PLAN

The Development Plan incorporates and satisfies the following Residential 1 Zone performance measures:

4.1. Subdivision

4.1.1. Design Principle

The guiding principle in the urban design pertaining to this development is the provision of an environmentally sustainable and liveable community. This will be achieved by the specification of appropriate infrastructure, provision of a subdivisional layout which accounts for the available internal and external view opportunities, the development of a sense of place and specific identity by the provision of specifically located and appropriately landscaped open spaces, and the integration of open space and road linkages with a future walking/hike path

4.1.2. Design Rationale

The proposed subdivisional design makes maximum use of both the internal vistas of the Manor House and formal surrounds and the external long distance vistas of the Eastern Ranges and High Country. Lots along Highton Lane have been fronted away from the existing Road to maximize this available opportunity and the existing ornamental vineyard will be extended as shown on the Development plan to enhance these above views. Lots 10 to 22 have been fronted around a Municipal Reserve which is to be landscaped in a formal manner to replicate the existing formal appearance of the Manor House garden. Lots 23 to 31 in Stage 2 of the proposal have also been fronted to take advantage of the internal and external vistas available. The existing formal gated entry to the Manor House from Highton Lane is to be retained and enhanced with the appropriation of a Municipal Reserve at the entry which will be extensively planted with Native trees in lieu of the existing Pine trees. The existing waterway on the eastern side of the land (Monkey Gully) has been included in the Manor House super lot. This part of the land is already appropriated for drainage purposes in favour of the other lots in the rural living subdivision to the north and it is proposed, as part of the subdivisional process, to further appropriate this land in favour of the Council for carriageway purposes for a future walking/bike" path which will eventually have a linkage to the Mt Buller road to the north. Internal linkages from this easement have been made to the internal subdivisional road network.

The southerly access to the subdivision is to be enhanced by provision of a wide landscaped Municipal Reserve which will allow uninterrupted views of the Manor House and the eastern ranges. This access point will assist in providing a unique sense of place and identity for the development.

4.1.2. Site Analysis and Response

See Development Plan, Opportunities and Constraints, Design Principle and Design Rationale discussions above

4.1.3. Layout and Density

As described in 4.1.1 above the proposed layout takes advantage of the available internal and external views and provides the opportunity for adequate separation between the lots and the existing Manor House and between proposed buildings to create visual interest whilst providing adequate public and private open space for residents and visitors and therefore is compatible with the requirements of the Residential Zone and Rescode. The average area of the proposed lots is approximately 600m².

4.1.4. **Internal Road Layout and Construction**

The internal subdivisional road network has been designed to provide efficient and safe means of access for the Manor House guests, the estate residents, visitors and emergency vehicles.

These internal roads, together with the two proposed intersections with Highton Lane, will be fully constructed with kerb, channel and asphalt wearing surface in accordance with the Mansfield Shire Council standard specifications for urban roadworks.

4.1.5. **Services**

Water Supply and Sewerage facility are already connected to the site and will be further reticulated as required on site. Goulburn Valley Region Water Authority is the Responsible Authority and will require the Applicant to construct the necessary reticulation works and to pay headworks charges for the development.

Similarly Electricity is already connected to the site. SPI Electricity Pty Ltd is the Responsible Authority and will require the Applicant to provide underground reticulated power supply to each of the lots in the Development.

The site is connected to the Telstra Communications Network and additional services will be provided by Telstra or other Approved Carrier as required.

The site stormwater drainage currently outfalls to the existing open waterway which traverses the eastern boundary of the site. It is proposed to continue with this outfall with all new road and building works draining to this waterway as shown on the Development Plan. Water sensitive urban stormwater drainage design and treatment will be incorporated in accordance with the *Best Practice Environmental Management Guidelines for Urban Stormwater* :(CSIRO), 1999.

4.1.6. **Open Space**

Adequate Public Open Space is provided as shown on the Development Plan by means of a formally landscaped central court area, a plantation along the length of Highton Lane, and a tall native tree plantation at the entry to the Stage 3 Court. There are linkages from these Public Open Space areas to each other and to the future walking/bike path.

The Public Open Space areas all have an open and adequately long public road frontage thus providing high surveillance and safety for users.

4.1.7. **Native Vegetation and Landscaping**

There does not appear to be any non exempt native vegetation on the area of the site to be developed and there is no proposal to remove any native vegetation from the site in conjunction with the subdivisional development of the site.

The Manor House lot will retain the existing formal garden and the existing ornamental vineyard is to be extended as shown on the Development Plan. Additional screening plantations as shown on the Development Plan will be constructed in accord with the Landscape Plan.

4.1.8. Interface and Compatibility with Adjoining Lands

The land has a long frontage to Highton Lane. It is proposed to prohibit access from Highton Lane along this frontage save for the two formal access points which will be fully constructed. It is not proposed to alter the existing construction of Highton Lane or the existing streetscape along this frontage to Highton Lane. A low (2 metres high) hedge is proposed to be planted along this frontage as shown on the Development Plan so that only the upper part of the built form of the new dwellings along Highton Lane is visible from the Highton Lane carriageway and beyond.

The northerly boundary interfaces with the new Residential 1 Zone. The abutting land is as yet undeveloped for residential purposes and is used for grazing purposes. There should be no reason for a conflict of amenity at this boundary. The southerly and easterly boundaries interface with the Rural Living 1 Zone and the abutting lands are used for this purpose. Residential use is compatible with this use and there should be no reason for a conflict of amenity at these boundaries.

4.1.9. Staging of Development

It is proposed to carry out the development in three stages as shown on the Development Plan.

Stage 1 will consist of the subdivision of lots 1 to 9 and a balance lot which will encompass the existing buildings and Stages 2 and 3 of the proposed development. Expected time for completion of this stage is two years from issue of planning permit.

Stage 2 will consist of the subdivision of lots 10 to 22 and the above balance lot. Expected time for completion of this stage is five years from the issue of planning permit.

Stage 3 will consist of the subdivision of lots 23 to 32. Expected time for completion of this stage is eight years from the issue of planning permit.

It is requested that any approved Development Plan and any Planning Permit to issue recognise the above stages and completion times.

4.2. Built Form

4.2.1. Building Appearance, Scale. Manor House Theme

The built form of all new buildings constructed on the subdivided lots will be required to be of a design which uses natural materials, muted colours, and pitched roof lines that are of a constructed detail, proportion and scale which will reflect and compliment the architectural ambience and character of the existing Manor House all to the approval of the Responsible Authority.

The attached Artists Impressions Views 1 to 5 give a pictorial description of how the proposed completed built form of the subdivision may appear. The Applicant is prepared to enter into an appropriately constituted Section 173 Agreement with Council in this regard in order to protect the proposed appearance of the built form.

It is requested that this Development Plan be approved.

Should you require further information or wish to discuss any matter in relation to the above please contact me.

Kind regards,
faithfully,
Yours



ROADY J MACEY
GcDevplanHightnManor.doc

Heritage Impact Statement

Highton Manor, Mansfield

1.0 Introduction

The purpose of this report is to compile the known history of Highton - now known as Highton Manor and to provide an architectural analysis of the building.

2.0 History

Highton Manor was built in 1896 by Francis Highett.

Francis James Highett is considered to be a Mansfield pioneer. He was the son of John Highett, a pioneer of the Geelong region. John (twenty years old) and his brother William Highett (twenty-three years old) emigrated from Dorset, England, and arrived in Van Diemen's Land (Tasmania) in 1830. William became the first accountant at the Bank of Hobart and John was employed to supervise convict shepherds in the midlands of Tasmania. The Hentys were friends of the Highett brothers and when they arrived in Hobart they were advised by the Highetts to try their luck in Victoria. The Highetts eventually followed this same advice and in 1836 John Highett crossed to Melbourne with William following him two years later.

Both the Highett brothers became involved in agriculture in Victoria. William was also the general manager of the Union Bank and a member of the Legislative Council from 1853 to 1880. He held a pastoral licence for Maindample station near Mansfield from 1847 to 1866. John Highett set out with stock to find good pastures and was the first to cross Dandenong Creek and he grazed his stock at Frankston. He later moved his sheep around the bay and took up five thousand acres near Geelong with William Hamer. He called the property Highton after the family's Weymouth farm and the house he built was named Highton House. His name is commemorated in the town of Highett.¹ He had five sons and one of these was Francis John.

William Highett's daughter, Gwen Hermiston of Deniliquin has recounted the story of the inheritance her father lost:

William Highett never married and was anxious to find a suitable heir. As a banker he wanted someone who was good at figures. He set his five nephews a test in mathematics and promised to adopt and educate whoever did best in the examination. Francis won and went to live with his uncle at his home in Richmond, now the site of Epworth Hospital. Francis was taken on several trips to England and was always accompanied by his tutor William Wright so that lessons would not be interrupted.

As a young boy in Richmond he went to school each day in the phaeton drawn by a pair of beautiful bay horses which took his uncle to the bank. Nearby was a boarding school for young ladies run by Miss Wigmore and among the young ladies who watched the good looking young man being driven to school was Deborah Griffiths from Mansfield. The two met at a Government House Ball though Deborah, a decided beauty, was still at boarding school. They were married in Melbourne when she was seventeen years of age.

When William Highett died no will could be found and instead of his nephew being the sole heir, as it was always thought he would be, the estate was divided among a large family of nephews and nieces. John Highett had also died a wealthy man but believing that his son Francis would inherit his brother's estate he had left him out of his will.²

Francis and Deborah Highett settled at Mansfield and they built their home Highton on a portion of Deborah's Greenvale property.

Francis James Highett had other accomplishments apart from his agricultural pursuits. He was the tennis champion of Victoria during 1880 and 1881. Highett also had a fine tenor voice and he sang duets with Nellie Mitchell - Dame Nellie Melba; and on one occasion when visiting London he was asked to sing in St Paul's Cathedral. It is said that at Highton each night after dinner he gathered his

1 *Mansfield's Pioneer Families* pp 143-144

2 *Mansfield's Pioneer Families* pp 143 — 144

Copy held by Mansfield Historical Society

3 *Mansfield's Pioneer Families* pp 143 - 144

family of seven around the piano and for two hours there would be music.⁴ He is also noted for his love of books and music and; as he grew older he became deeply interested in spiritualism. Some reports have Highett communing in the tower with the spirit world.⁵ This resulted in the management of the property and the care of the family being assumed by Deborah Highett.

3.0 Previous Owners of Highton Manor

- Francis John Highett;
- Messrs Maberly Scott and Fred Buckland (they auctioned the property on 27 November 1934)⁶
An auction notice of 1934 described the building as having:

'10 rooms, bathroom, kitchen and washhouse. Telephone, gas lighting. The outbuildings include brick dairy and milking shed, harness room, garage, wool shed, 2 sheep yards, dip.'

The farm was 906 acres and was reputed to be suitable for fattening, dairying and the 'cultivation of land.'⁸

- Walter J Hill;
- Ross Hill;
- Freehold Mortgage Co of Melbourne;
- Mr & Mrs Ray Osborne of Melbourne. During the Osborne's tenure they renovated the top storey of the building;
- Mrs Shirley Anderson. The Andersons converted the stables at the rear of the building into five motel units. They also renovated the first floor and this included painting; wallpapering; furnishing and sandblasting the brickwork in the original kitchen area.⁹

4.0 Construction

4.1 Design of Highett Manor

Contemporary reports describe an Edward Waugh as being a local architect and that he drew up the plans to Francis Highett's specifications. It has also been suggested that inspiration was drawn from the family home - Highton House in Geelong.¹⁰

There is no record of an Edward Waugh, Architect, in the Architectural Index," however this could be explained by a variety of reasons. Waugh might not necessarily have trained as an architect but he possibly had architectural draughtsman experience, was an engineer, land surveyor or other. During the nineteenth century professions were less rigorously defined.

4.2 Building contractors

The building contractors were: a one Mr Lydster and Messrs Cooper and Warner.¹²

4.3 Construction Details

Highton Manor is a large brick building with cement rendered details. The bricks were made from clay excavated from the site which is now Buckley's Sawmill.¹¹ The stone for the footings was quarried from 'the hill at the back.'¹⁴

4 *Mansfield's Pioneer Families* pp 143 — 144

5 *Mansfield Courier*, October 1981

6 *Mansfield Courier* 1934

7 *Mansfield Courier* 1934

8 *Mansfield Courier* 1934

9 *Mansfield Courier* October 1981

10 *Mansfield Courier*, 27 June 1896

11 This Index is held in the Latrobe Library, SLV

12 *Mansfield Courier*, 27 June 1896

13 *Mansfield Courier* October 1981

14 *Mansfield Courier*, 27 June 1896

4.4 Brickwork

The brickwork at Highton Manor has two different construction techniques. The face brickwork to the facade has a tuckpointed Flemish bond.¹⁵ Flemish bond was considered to be a stylish bond and was used extensively in the grander or more expensive buildings. At Highton Manor, to save on brickwork costs Flemish Bond was only used on the facade and a less costly brickwork bond to the sides and rear.

Stretcher bond and cavity wall construction brickwork has been used on the sides of the building. This has the advantage of saving on bricks and allowing for a ventilated cavity. This aids in the ventilation of all the rooms and in the summer the cooler air from the cavity is drawn into the rooms. The use of stretcher bond and cavity brickwork was generally well established by this period.

The use of cavity wall construction in Australia appears to have commenced just before 1870. The first examples are in the Victorian country towns of Stawell, Bendigo and Geelong. According to Miles Lewis it appears that the architect R A Love was responsible for the introduction of the cavity wall in the central Victorian region from about 1868 and onwards and it is possible that he brought the technology with him from the United States.

It has been stated that Highton Manor was the first two storey brick house in the district.

4.5 Architectural details

4.5.1 Transfer Glass

The patterned glass in the entrance transom lights and sidelights has been referred to as stained glass in some reports, however this is erroneous, as this type of decorative glass is known as transfer glass. It was commonly used and its advantage was its cheapness when compared to stained glass. The medieval theme as found at Highton Manor was a common aesthetic expression for transfer glass. The transfer glass at Highton Manor is in relatively good condition.



Transfer glass in the entrance

¹⁵ Flemish bond consists of alternate headers and stretchers with the headers in one course being placed centrally over the stretcher in the course below. A closer is placed next to the quoins header to form the lap.



Door detail

4.5.2 Internal timber work

The timber detailing to the window and door architraves is fairly standard and as with other timber joinery it has been mechanically turned. The decorative pedimented top to the main internal doors has pronounced console brackets particularly in relation to the pediment and this Mannerist detail reflects stylistic fashions of the period. It is possible that the timber joinery to the doors and windows was originally stained and not painted. The timber used in the joinery (doors, architraves and staircase) has been described as being pine and imported from England.¹⁶



Staircase

4.5.3 Decorative plasterwork

The decorative plaster cornices are typical for the period.

The vestibule archway has columns supporting the arch. These columns are of no particular order or style and complement the generally eclectic nature of the stylistic elements found in this house. This type of archway was a common Victorian device and varied from grand and ornate marble and decorative plaster concoctions to a simple relieving arch as found in many of the humbler houses.



Detail of entrance arch

4.6 Services

A report describing the 'newly completed house stated that services included: a bathroom with hot and cold water service and 'a fine lavatory basin' and there were electric bells connected the servant's quarters to the hall and dining room.

4.6.1 Gas lighting

The 1934 auction notice described Highton as having gas lighting.

The most probable form of gas lighting for this period involved the reticulating of liquid fuel. This type of system has been found on many country properties throughout Victoria and particularly in rural areas where there was no electricity or gas. The Gloria lighting system is the earliest documented type and was made by Gloria Light Co of Chicago. It had offices in Little Bourke Street Melbourne. The tubing for this system has an outside diameter of about 3 mm or less and this meant that it could be led up corners and across ceilings without being at all obtrusive. Another product similar to Gloria was the Wizard hollow wire lighting and cooking system - details of which were published by Mayes in 1927.

Benzine or petrol vapour is conducted from a "Compressor" through a fine copper tube or wire to the different positions of house required, using special burners and mantles, and cost from £50 to £60 upwards to install; upkeep 2/-per week average, 20 light machine. The cost of installation is extremely low and the upkeep much less than electricity, coal, gas acetylene or kerosene.¹⁷

Both these systems were rapidly superseded by the domestic electric generators when these became viable in the 1920s.

5.0 Architectural Analysis

The architecture of Highton Manor was described in 1896 as 'an adapted Italian, the main building has been crowned with a fine balustrading and cornice and a large tower gives a fine finish to the whole edifice. Underneath the tower is the entrance porch which is protected by a large arch and backed by the front doorway, the floor of this space is laid in the best English tiles.'¹⁸

The general style of the building is eclectic and a hybrid of Italianate features and a more contemporary architectural expression typical of the Federation period.

17 Miles Lewis, 'Australian Building', unpublished manuscript, 9.08.13

18 *Mansfield Courier*, 27 June 1896

The statement 'adapted Italian' is a reference to the tower; the parapeted balustrading; some classical detailing and the arched windows to the tower. The tower appears to be hybrid-like particularly when compared with the rest of the building. This is illustrated by its classically inspired cement rendered details such as the pilasters; bracketed cornice line; decorative urns and arched windows.

Federation elements can be found in the rendered banding which contrasts with the face red brickwork (this is commonly referred to as 'blood and bandages'); the differing window designs and the general proportions of the building. However, the strong symmetry and controlled elevation and symmetrical planning is less typical of the Federation period and could be considered retrograde.



Highton Manor

5.1 Design

The general plan of the building is symmetrical and there is a central hallway leading to a staircase and the upstairs rooms. This type of planning is more typical of an earlier period and examples can be found at Werribee Park, Werribee; and Barwon Park, Winchelsea.



Tower at Bontharambo, Wangaratta

It is possible that the reference to a similarity to Highton House, Geelong, referred to the general symmetry of the plan and elevations. However, there is a complete scarcity of Italianate type towers in Geelong. The tower is very similar to the tower at Bontharambo,¹⁹ near Wangaratta and it would appear more likely that the inspiration for the design of the tower for Highton came from a source other than Highton House²⁰ however, by 1896 the use of this particular style of design element was already becoming outdated.

Proposed subdivision

The proposed subdivision for the place known as Highton Manor includes lots along the northern and western boundary and with a court created to the south. The subdivision plan indicates some landscaping to the extremities of the subdivision. It appears that this proposed planting is intended to create some form of setting for Highton Manor.

Impact on the cultural heritage significance

The proposed subdivision and subsequent development will have an impact on the overall cultural heritage significance of the place. The most significant impact is in the reduction of the setting and a subsequent compromise of the interpretation of the place. An appropriate setting is usually provided by a curtilage. The role of the curtilage area is to allow the place to be interpreted in a manner that will reflect its historical, social and architectural significance. However, it is considered that the proposed design of the subdivision and associated landscaping will modify the impact of the development and any potential diminishment of the cultural heritage significance.

19 The parapeted tower as found at Highton was architecturally first found in the colony at Bontharambo, Wangaratta. The early Italianate towers were derived from the vernacular Italian campanile. They had low pyramidal roofs with over hanging eaves which were often bracketed. Bontharambo broke with this precedent and its tower has a balustraded parapet. The balustraded parapet was a nineteenth century invention and the use of it indicated a trend towards the more formalized language of the Renaissance. This type of tower reached Australia via Sir Charles Barry and the remodeling of Highclere Castle. This idiom was not seen again until the early 1870s when the new government house was designed by Peter Kerr and J J Clark and at Kamesburgh by Lloyd Taylor.

20 Highton House at Geelong has not been identified. It is possible that its name has been changed or that it has been demolished. Source of information: Louise Honman Conservation Architect Geelong.

Heritage Comment

JBA
**John Briggs Architect And
Conservation Consultant**
331A Bay Street
Port Melbourne 3207
Mobile 0411 228515
Phone 9681 9S24
Fax 9681 9923

HERITAGE COMMENT

Place: Highton Manor, 140 Highton Lane, Mansfield
Date: 10 September 2007 For: H.J. Macey

This heritage comment reviews the potential impact upon the heritage significance of the proposals to subdivide and develop areas of the land of Highton Manor. In preparing this comment I have had recourse to the Development Plan-Subdivision, the Artists impressions, and the Heritage Impact Statement prepared by Deborah Kemp, December 2006.

Description

Constructed in 1896 by Francis Highett, Highton Manor is substantial double storey symmetrical brick edifice with a tower to and additional level central to the main facade. From any distance the building presents a contained block form broken only by the smaller squared form of the tower, the chimneys and the limited roof projecting from within the parapets. To the rear of the main house of almost square plan, projecting to the west, is a lower height double story wing with a low pitched gable roof of red painted corrugated iron. A ground level skillioned roofed area extends to the south of this wing almost across the remainder of the west rear facade.

The Manor presents an Italianate design with balustraded parapets above a simple rendered cornice to both tower and walls. The corners of the tower are developed with simple rendered pilasters and the only articulation of the building form is slight setback of the tower from the plane of the front facade so that the tower element rising over the entry porch is engaged by the flanking pavilions to either side. Whilst the form of the Manor is Italianate its facade treatment presents a Federation influence in the red face brickwork with rendered band lines that continue around the upper surrounds of window and door openings.

At some 30 metres to the rear of the Manor are the stables of similar form to the gabled rear wing although with a steeper roof pitch and also in red brick. The area to the south of the stables extending towards the Manor is set out with a formal garden with a curving drive way that swings around to the front entry to the Manor and continues on to the carpark to the north. Southwest of the front facade at a distance of 75 metres is a dam that has some ornamental value. Between this dam and the hay shed, some 70 metres to the north is a wide expanse of paddock sloping gently to the east towards the Monkey Gully Creek which runs along the eastern edge of the property. The Manor is sited to look out over this expanse across the wide valley to the eastern ranges.

Access to the Manor is from the north west corner off Highton Lane that runs lightly to the east of north along the west boundary of the property. The stables are located approximately 70 metres from Highton Lane and the formal gardens are located almost 90

metres from the southern boundary. This area of land along the west and south is currently open paddock as is the area between the car park and north boundary some 50 metres distant from the car park reducing to 5 metres north of the hayshed.

Proposal

The proposal involves the subdivision of the north, west and south boundaries of the property with 23 lots with an average size in the order of 700 sqm and ranging from 600 to 1085 sqm. A further 6 lots are proposed to the area south of the formal gardens and the existing dam with the proposed new road access to the southern lots following the line of the pipeline easement which cuts across the southern part of the property. A new court will extend from the existing gateway along the southern side of the new lots on the north boundary and will require the demolition of the hayshed.

The grounds of the Manor extending from the stables to the dam and including the home paddock over which long range views so important to the siting of the Manor are all to be retained. The subdivision and development is set outside the Manors' critical curtilage and its important view corridor.

The lots along Highton Lane, No's 1-8, and those south of the Manor, No's 9-20, are to be restricted to single storey height whilst those along the north boundary, No's 21-29, not proposed for height restriction. As well as landscaping within the areas to be subdivided screening plantings are proposed north and south of the Manor. To the west of the stables the grounds of the Manor will be buffered from the new development by the existing area of vineyard extending from the rear of the stables north to the driveway.

Although the proposed development is to be located beyond that curtilage important to establishing the rural setting of the Manor, and although the lot size is generous, and only one dwelling will be allowed per lot, it is proposed to introduce controls over the building form of the new development to ensure they respect the context of the Manor. The proposed controls are set out in the report accompanying the application at section 4.2 Built Form.

Assessment

Critically the proposed subdivision and development is to be outside the area that can be considered to be curtilage of the Highton Manor. This area includes the service yard and the garden area between the stables and the rear wings of the Manor as well as the driveway circulation, home dam and paddock. Importantly the choice of siting for the Manor has its entry and formal front facade addressing the long range view across the valley to the east and this rural setting will be unaffected by the proposed development along the west, south and north areas currently open paddock.

Whilst these paddocks are reminders that the Highton Manor was once the main house of the Greenvale property, which came to Francis Highett through his wife Deborah Griffiths, the understanding and appreciation of the building as a farm house is not reliant on this open space. The views from the Highton Lane do allow appreciation of the Manor and its stables in the rural setting however this appreciation of the building in isolation in a rural setting will continue to be experienced from the east. With the retention of the vineyards to the west and the retention of the original gate and diagonal drive the change to the setting of the house will not have a dramatic impact upon the appreciation of the place. The current open space proposed for redevelopment is of tertiary contribution to the appreciation and understanding of Highton Manor. The open land to the rear and sides does not inform the experience of the Manor nor provide for primary views of the

buildings. Following development it will be evident that the new housing has occupied former farmland and will continue to provide opportunity for distant views from the rear.

Whilst there will be some alteration to the visual change to the setting of the Manor however given the Manor is no longer the centre piece of the an operational farm this is to be expected to some degree. Of importance is ensuring that the change is respectfully of the appreciation of both historical understanding and the aesthetic presentation of the Manor and its context. Accepting that the property no longer operates as a farm and that the peripheral land need not be retained as vacant open space, the design and location of the subdivision is respectful of the both the primary buildings and gardens service yards, circulation and particular the relationship to the view corridor that facilitate the current important experience of the heritage place. Further to retaining the element that produce the heritage experience the proposed development needs to be conducted and controlled such that it produces a respectful context for the appreciation of the Manor and its setting. To this end the proposed landscaping and screening with planting appropriate to the period and to the satisfaction of the Council is an appropriate. The built form controls proposed for new dwellings is also an important component of the development.

A summary of controls relevant to potential impact upon the visual appreciation of the Manor and its setting is presented below with comments following.

The building heights of lots 1-20 are not to exceed 6 metres whilst those to lots 21-29 restricted to 9 metres. The heights of ridges, chimneys and other ancillaries are to be allowed to a further 1.5 metres. The height of the ridge of the stables above the ground on the higher west side is almost 7 metres so the new dwellings will be compatible with this structure and the rear wing of the Mansion in height.

Under the heading Building Materials and Finishes the Report proposed that "Masonry walls should be rendered and/or painted to reflect and replicate the colours of the surrounding natural landscape and the Manor House". Machined, extruded or wire cut brick, tilt slab concrete, ceramic tile, or industrially finished metal are not encouraged. To this might be added that the bricks to both the Manor and the stables are a pressed red brick that can be closely matched to day. The Manor also exhibits cement render detail and banding. The 'Artist's Impression's that support the application show dwellings that can be assumed to be face pressed red brickwork to match the Manor which would appropriately relate to the heritage buildings without running the risk of either distorting the place or competing. In terms of the use of natural materials it would be desirable to avoid the painting of masonry elements such as cement render or brickwork. As a more detailed response to this issue it may also be desirable to discourage the use of acrylic renders that do not achieve the patina of natural cement renders as used on the Manor. In the artists impression the roofing material with horizontal lines is indicative of a slate roofing, or faux slate roofing such as malthoid shingles. Given that the roof to the Manor is largely concealed it may well have originally been in corrugated galvanized iron as it is today. Certainly the red painted corrugated galvanized iron roofs to the stables and rear wings are likely to have matched the original roofing. Colorbond roofing in this traditional colour and may also be an appropriate roofing material for the new dwellings.

The recommended controls for Building Design and Articulation are appropriate as they address the roof form, window opening, highlight elements chimney and the like. There is however a very wide range of interpretation of such guideline possible. In practice the need to assess whether a proposed dwelling reflects and replicates period features of the Manor such the Manor and its setting is appropriately respected may be contentious. Not only do the Guidelines need to be set out appropriate illustrative examples but their status as controls and the responsibility of those arbitrating approvals needs also to be resolved.

Conclusion

It is my assessment that the proposed subdivision layout with landscaping whilst having some change upon the visual appearance of the wider setting of the Highton Manor will not affect the principal curtilage or the significant view corridor that establishes and protects the appreciation of the rural origins and siting of the Manor.

With the amendment of the design guidelines to encourage the use of pressed brickwork to match the Manor and with resolution of the management process for approval of proposed designs of the dwellings the developed property, as indicated in the Artists Impressions promises to respect the context and the heritage significance of Highton Manor. On the basis of the material provided to date it is my assessment that the subdivision is an appropriate adaptation of the property to new use and should be supported.

John Briggs
John Briggs Architects Pty Ltd

25.06.2008

MANSFIELD SHIRE PLANNING SCHEME

Approval is granted for this Development Plan

**Attention Kim Steinle
Director Sustainable Development
Mansfield Shire
Private Bag 1000
MANSFIELD 3724**


Senior Planning Officer

For and on behalf of
the Responsible Authority

Date 23/9/08

**Highton Manor, Highton Lane, Mansfield
Owner: Molinaro Nominees Pty. Ltd.**

Dear Kim

Following the Council meeting of 17.06.2008 we wish to apply for an amendment to the approved Development Plan for the above property. Due to a lack of clarity in our documentation, for which we apologise, council requested that the newly created roads remain in private ownership. This is really not feasible, for the reasons set out below, and most of our proposed changes are for the purpose of making the roads acceptable for council ownership.

If the new roads were to become common property and remain in private ownership several problems would arise:

1. Garbage trucks could not service the new blocks; owners would need to get their waste and recycling bins to Highton Lane. As well as being difficult to organise, this would be very unsightly on Highton Lane.
2. Australia Post could not deliver mail.
3. Public access to the future bicycle and walking track on the east of the property would be denied.
4. Access to the existing easement would be complicated.
5. The development could be gated, if the residents so desired, creating a separate "island" rather than contributing to an all-inclusive community.
6. The costs to prospective residents, who would be expected to pay both council rates and owner corporation contributions, would make purchase of a block an unattractive proposition.

It has also been brought to our attention that the owners will be expected to pay for kerb and channel, drainage and creation of a footpath on Highton Lane, in addition to construction of new roads. The cost of road construction on both sides of several blocks is an unnecessary expense which might jeopardise the viability of the project.

We enclose a List of Proposed Changes, along with an amended drawing by H.J. Macey. These documents describe the changes we wish to make in order to overcome the difficulties as discussed.

Please let us know if any further information is required.

Yours sincerely

Liz Tapp

List of Proposed Changes

Subdivision.

We wish to clarify the manner in which the project will proceed. It is our intention that the subdivision be carried out in the normal and accepted way. The cost of road construction, and associated costs including landscaping, will be paid for by the developer. Council requirements, including a period of maintenance, would be set down as usual in council's planning permit conditions. At completion, roads would be handed over to the council, as is the case with any other subdivision.

Lots abutting Highton Lane are turned to face Highton Lane.

Access will be via shared crossovers from Highton Lane. The hedge and high fence will be deleted. Low, open front fences and buildings as previously described will provide an attractive streetscape to Highton Lane. Space previously allocated to the hedge will be included in the new lots. Rear fences (now on the east) will consist of a wire farm fence. This will allow residents an uninterrupted view of the vineyard, the Manor and the mountains, and create a spacious, open feeling.

Planting on Highton Lane.

Deciduous trees growing to a large mature size will be planted at regular intervals on the Highton Lane road reserve.

The new road to the east of the northern blocks abutting Highton Lane has been deleted.

Space previously allocated to the road will be included in the Highton Manor lot and the vineyard will be enlarged accordingly.

The vines have been deleted from the wide road reserve at the new entrance.

Planting will consist of shrubs, lawn and groundcover plants.

Access to the bicycle track.

The amended plan shows pedestrian and bicycle access to the future track.

Lots along the north boundary have been realigned.

This reflects more accurately the required alignment to suit our proposed dwelling designs. (The previous plan was not updated and was included as a guide to our intentions rather than as a cut and dried layout. As we are now making changes to the plan we are updating this aspect as well.)

MANSFIELD SHIRE PLANNING SCHEME

Approval is granted for this Development Plan


Senior Planning Officer

**For and on behalf of
the Responsible Authority**

Date 23/9/08

Council Directions

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

SCHEDULE A

1. A Section 173 Agreement will be entered into by the proponent and the Mansfield Shire Council in order to give efficacy to the various matters identified within the Development Plan.
2. Roadworks and layout will be provided to the satisfaction of the Mansfield Shire Council and in accordance with the Mansfield Shire Council Road Management Plan, with all road works suitable for the circulation of waste collection and emergency service vehicles (Fire, ambulance etc.)
3. All drainage works shall be consistent with the principles of sustainable urban / residential water use.

Legalco Online Information System

Information provided through Legalco Management Pty Ltd an approved LPINSW Information Broker.

Register Search Statement

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REGISTER SEARCH STATEMENT

Land Victoria

Security no : 124027300351J

Volume 09329 Folio 723

Produced 13/09/2008 10:46 am

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 127465.
PARENT TITLE Volume 08790 Folio 632
Created by instrument H388912 30/01/1979

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

MOLINARO NOMINEES PTY LTD of 539 WAVERLEY ROAD GLEN WAVERLEY 3150
U624035V 06/02/1997

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE U624036S 06/02/1997
NATIONAL AUSTRALIA BANK LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP127465 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

The following information is provided for customer information only.

Street Address: HIGHTON MANOR HISTORIC HOUSE B 140 HIGHTON LANE MANSFIELD VIC 3722

STATEMENT END

[Register Search Statement] # 8537367 - 8537367104656 'hoghton manor 4183'

SUPPLIED UNDER LICENCE BY ESPREON PROPERTY SERVICES PTY LTD.

LP127465
EDITION 1
 APPROVED 16/8/76

<p>PLAN OF SUBDIVISION</p> <p>CROWN PORTION 64 & PART OF CROWN PORTION 63</p> <p>PARISH OF LOYOLA</p> <p>COUNTY OF DELATITE</p> <p>40 0 40 80 200 LENGTHS ARE IN METRES</p>	<p>APPROPRIATIONS</p> <p>BLUE & PURPLE - DRAINAGE BROWN - WAY</p>	<p>ENCUMBRANCES & OTHER NOTATIONS.</p> <p>THE LAND COLOURED PURPLE AND GREEN IS AN EASEMENT TO THE MANFIELD WATERWORKS TRUST VIDE INSTRUMENT CG57846.</p>
	<p>COLOUR CONVERSION</p> <p>E-1 - PURPLE E-2 - BLUE R1 - BROWN E-4 - GREEN</p>	

