

# MANSFIELD PLANNING SCHEME DEVELOPMENT PLAN OVERLAY REVIEW

May 2021

## **PART A: Mansfield Development Plan Overlay maps:**

### **Barjarg:**

#### **Map 2DPO:**

**Site 1:** Midland Highway, Barjarg  
Zoning: Mixed Use DPO: DPO5

**Context:** The site has existing store, garage and storage units, with dwelling and shed at the rear, spread over three titles. A Telstra sub-station exists on the adjoining lot to the south. The DPO5 was applied to the land under Amendment C29, gazetted on 17/7/2014, which rezoned the land to Mixed Use and applied the Environmental Audit and Development Plan Overlay 5 to the land. The purpose of Amendment C29 was to direct social and economic development by encouraging a centralised precinct with a range of uses (Mansfield Shire Council, 2014).

**Discussion:** As the land is fully developed and a centralised precinct has been established in accordance and conformity with the strategic intent of Amendment C29, the DPO5 is no longer required to guide any future development. As Schedule 5 to the DPO only applies to this site, if DPO5 is being removed from the land, Schedule 5 also requires removal from the planning scheme.

#### **Recommendations:**

1. Remove the DPO5 from land.
2. Remove Schedule 5 to the DPO from the planning scheme.

### **Tolmie:**

#### **Map 3DPO:**

**Site 2:** Tabletop Road, Tolmie:  
Zoning: Rural Living 1 DPO: DPO3

**Context:** Referred to as 'Belts Estate'. Tabletop Road, Tolmie. Development Plan approved 1/9/2008. Superseded by S173 Agreement AJ461051J 12/12/2011.

**Discussion:** Most of the rural living subdivision and development in this area has now been completed. While building exclusion zones and wastewater envelopes on remaining undeveloped lots are

required, these site restrictions are adequately provided for under the existing S173 agreement and administered through planning permits for dwellings. The development plan is therefore no longer being required to guide future subdivision and development.

Recommendation: Remove the DPO3 from land.

**Merton:**

**Map 4DPO:**

**Site 3:** Shaws Road, Merton:  
Zoning: Rural Living 2 DPO: DPO3

Context: This area is an undeveloped area within an older Rural Living Zone area that previously applied prior to the Delatite Planning Scheme. The area is presently used for farming. No development plan has been prepared for this area.

Discussion: If rural living subdivision was considered, there is adequate ability to consider access, layout and servicing through a planning permit process. While there are several titles, a planning permit is sufficient to consider these issues. As no future development plan is required, the DPO3 may be removed from the land. The section of this land on the southern side of Shaws Road is large and could be considered for 'back zoning' to Farming as part of any future rural living / rural lands study.

Recommendation: Remove the DPO3 from land.

**Site 4:** Old Strathbogie Road (western side), Merton:  
Zoning: Rural Living 2 DPO: DPO3

Context: This area is an undeveloped area within an older Rural Living Zone area that previously applied prior to the Delatite Planning Scheme. This area is farmland in a single holding. No development plan has been prepared for this area.

Discussion: If rural living subdivision was considered, there is adequate ability to consider access, layout and servicing through a planning permit process. As no future development plan is required, the DPO3 may be removed from the land.

Recommendation: Remove the DPO3 from land.

**Site 5:** Strathbogie Road, Merton:  
Zoning: Rural Living 2 DPO: DPO3

Context: This area is an undeveloped area within an older Rural Living Zone area that previously applied prior to the Delatite Planning

Scheme. This land is steep and fully vegetated, sloping to the west. No development plan has been prepared for this area.

Discussion: Given the slope and vegetation on the land, it is not suitable for future rural living subdivision and development. The land should be considered for rezoning to a more appropriate zone, such as Rural Conservation, as a part of any future rural living / rural lands study. Until future zoning is resolved, the DPO3 applying to the land should remain.

Recommendations:

1. Retain the DPO3 on the land.
2. Consider the longer term zoning of the land to a more appropriate zone to reflect its physical limitations.

**Site 6:** Merton - Strathbogie Road, Merton:

Zoning: Rural Living 2 DPO: DPO3

Context: This area is an undeveloped area within an older Rural Living Zone area that previously applied prior to the Delatite Planning Scheme. This area is farmland in a two titles. No development plan has been prepared for this area.

Discussion: If rural living subdivision was considered, there is adequate ability to consider access, layout and servicing through a planning permit process. As no future development plan is required, the DPO3 may be removed from the land.

Recommendation: Remove the DPO3 from land.

**Bonnie Doon:**

Map 6DPO:

**Site 7:** Barjarg – Glen Creek Road (western side), Bonnie Doon

Zoning: Rural Living 1 DPO: DPO3

Context: This land is undeveloped farmland, with productive, flat agricultural land on the eastern side of Glen Creek and elevated land sloping to the west on the western side of the creek. No development plan has been prepared for this area.

Discussion: The land is not readily suitable for rural living development on the western side of Glen Creek. Land on the eastern side of Glen Creek has agricultural use and value where conversion to rural living may not necessarily be the most appropriate land use outcome for the land. Future zoning and development options for the land should be considered as part of any future rural living / rural lands study.

Recommendations:

1. Retain the DPO3 on the land.
2. Consider the longer term zoning and development options for the land as part of any future rural living / rural lands study.

**Site 8:** Barjarg – Glen Creek Road (eastern side), Bonnie Doon  
Zoning: Rural Living 1 DPO: DPO3

Context: Northern area: The northern section of this area was subject to the Eagle Ridge Estate development plan, approved on 23/9/2008. The eastern section of the land has steeper slopes. There is no rural living subdivision or development at this stage in the whole of this northern area.

Southern area: A development plan for this area, 290 Glen Creek Road, was approved on 28/2/2008 and 22/10/2010.

Discussion: Southern area: As this area is now fully developed for rural living purposes, with the approved development plan no longer required.

Northern area: As this area is undeveloped and has steeper slopes to consider, a development plan should be prepared for the area

Recommendations: Southern area: Remove the DPO3 from land.

Northern area: Retain the DPO3 on the land.

**Site 9:** Sonnberg Road area, Bonnie Doon  
Zoning: Rural Living 1 DPO: DPO3

Context: Sonnberg Road Development Plan approved 31/1/2003, comprising a plan only affecting the DPO3 area indicated as stage 5 (Lots 43-48 inclusive).

Discussion: Although development has been fully completed around this site, this section of land has steep slopes and is heavily vegetated, making it unsuitable for rural living subdivision and development. The land should be considered for rezoning to a more suitable zone under any future rural living / rural lands study, e.g. to Rural Conservation. Prior to any future assessment, the DPO3 should remain on the land.

Recommendations:

1. Retain the DPO3 on the land.
2. Consider the longer term zoning of the land to a more appropriate zone to reflect its physical limitations.

**Site 10:** Peppin Drive, Bonnie Doon  
Zoning: Rural Living 1 DPO: DPO3

**Context:** No development plan has been prepared for this land.

**Discussion:** Although development has been fully completed to the north and west of this site, this section of land has steep slopes, is fully vegetated and is adjacent to Lake Eildon, making it unsuitable for rural living subdivision and development. The land should be considered for rezoning to a more suitable zone under any future rural living / rural lands study, e.g. to Rural Conservation. Prior to any future assessment, the DPO3 should remain on the land.

**Recommendations:**

1. Retain the DPO3 on the land.
2. Consider the longer term zoning of the land to a more appropriate zone to reflect its physical limitations.

### **Mansfield:**

#### **Map 9DPO:**

**Site 11:** Sunnyside Estate, Rifle Butts Road, Mansfield  
Zoning: Rural Living 1 DPO: DPO3

**Context:** The development plan 'Lot 19, PS444131, Rifle Butts Road, Mansfield' applying to this land was approved on 11/12/2013 with an amended plan approved on 14/12/2016. The plan requires consideration of reports, compliance with building exclusion zones, the transfer of reserve 1 to the Crown and a Section 173 agreement for a monetary contribution and fencing.

**Discussion:** As the subdivision of this estate is completed, fencing and engineering completed and most housing now in place, the development plan is no longer required to guide future development. Development plan requirements are satisfactorily included in the planning permit for subdivision for the land. Appropriate building siting can be achieved through planning permit requirements for a dwelling (required for all lots under 4 hectares in area) or a Building Permit process.

Although most sites in the estate have an area of approximately 2.5 hectares, there are seven lots within the subdivision above 4 hectares in size. As Schedule 1 of the Rural Living Zone provides for an average lot size for new subdivision of 4 hectares, no further subdivision can effectively be undertaken as a minimum lot size of 8 hectares would be required to enable an application for further subdivision to be made. A development plan is therefore not required to control further subdivision.

Recommendation: Remove the DPO3 from the land.

Maps 9DPO & 11DPO:

**Site 13:** DPO2 & 3: Merinda Park Estate, Merinda Way, Mansfield  
Zoning: Rural Living 1 DPO: DPO3

Context: Phase 2 of the Merinda Park Estate Development Plan approved 20/3/2008 for Lots 22-38. Plan for previous stages (21 lots) approved 27/2/2004.

Discussion: Development has been fully completed, with the approved development plan no longer being required to guide future subdivision and development.

Recommendation: Remove the DPO2&3 from the land.

Maps 9DPO & 12DPO:

**Site 12:** Kareen Hills, The Grange, Highlands, Mansfield  
Zoning: Low Density Residential DPO: DPO2

Context: The development plan 'Kareen Hills Estate, Mansfield', applying to this whole area was approved on 27/11/2006. The development plan 'Kareen Hills Estate, Donovans Way, Mansfield' for 160 lots at the eastern end of the land was approved on 23/3/2018.

Discussion: Western area: The subdivision and development of the western area of the land is now complete. As the original development plans is no longer required to complete the development of the land, the DPO2 may be removed from the land.

Eastern area: The subdivision and development of this area is only partially complete, therefore the approved development plan and the DPO2 are still required.

Recommendations:

1. Remove the DPO2 from the western developed section of the land.
2. Retain the DPO2 on the eastern undeveloped section of the land.

Map 11DPO:

**Site 14:** Stoneleigh Park Estate, Mansfield  
Zoning: Rural Living 1 DPO: DPO3

Context: The 'Stoneleigh Park Estate, Mansfield Development Plan was approved on 21/8/2018, later being amended on 15/11/2018 to allow onsite water to be provided for all lots rather than reticulated water. The revised plan includes building and

effluent buffers, 3 stages, a Section 173 Agreement for tree protection, landscaping and fencing, with no expiry date.

Discussion: Site works are only commencing at this stage. The approved development plan is required to guide future residential subdivision and development.

Recommendation: Retain the DPO3 on the land.

**Site 15:** East and south of Stoneleigh Road, Mansfield  
Zoning: Rural Living 1 DPO: DPO3

Context: A draft development plan for the western section of this land (the Stoneleigh Road area, east of Monkey Gully Road, outlined in Section B of the current DPO Schedule 3) was submitted to Council in 2019 and will be resolved in the near future.

Discussion: The whole of this site is a suitable area for future rural living subdivision and development nearby the Mansfield township. Development plans are required to guide this future subdivision and development.

As the draft development plan for the western section of this land has already included specific requirements for the land (under Section B of the current DPO Schedule 3), these specific requirements are no longer required and may be deleted in a revised DPO Schedule 3.

Recommendation: Retain the DPO3 on the land.

**Site 16:** South of Maroondah Highway, west of Beolite Village and north of Stoneleigh Park Estate, Mansfield.  
Zoning: Rural Living DPO: DPO3

Context: This site is broken up into 3 areas:

1. Land fronting Howes Creek Road, which is developed for rural living housing. The Triangle Estate Development Plan was approved for this site on 21/4/2008.
2. Land between Maroondah Highway to the north and Malcolm Street to the south, which is developed for rural living housing.
3. Land south of Malcolm Street to the south, which is farmland not developed for rural living purposes.

Discussion: Land already developed does not require a development plan to guide any subdivision and development and does not require the DPO3 to apply to it. The DPO3 should be retained on the undeveloped section of the land.

Recommendations:

1. Remove the DPO3 from the section of land north of Malcolm Street.
2. Retain the DPO3 from the section of land south of Malcolm Street.

**Site 17:** Beolite Village, Mansfield  
Zoning: Low Density Residential DPO: DPO2

**Context:** The Beolite Village Development Plan was approved 4/1/2008 with performance measures, layout plan, Schedule B with Council directions and a 20 year expiry date. Amended 25/1/2016 to provide for an amended layout. The DPO2 does not apply to the eastern section of Beolite Village fronting Kidston Parade that is zoned General Residential 1.

**Discussion:** Development has been partly completed, with a recent application for planning permit to complete development due to the previous permit expiring. An approved development plan is relevant and required to guide future subdivision and development.

**Recommendation:** Retain the DPO2 on the land.

**Site 18:** Stockmans Rise Estate, Withers Lane, Mansfield  
Zoning: Low Density Residential DPO: DPO2

**Context:** Stockmans Rise Development Plan approved 28/7/2015 for 73 Low Density Residential Zone sites. Includes detailed conditions, and overall plan and a landscape concept plan, with no expiry date for the development plan.

**Discussion:** Development has been fully completed for the western section of the land with the approved development plan no longer being required to guide future subdivision and development on this section.

At this stage, the eastern section of the land is undeveloped, with a current proposal lodged with Council to rezone this section to General Residential 1. While layout and servicing issues could be adequately resolved on an individual parcel of land such as this one through a planning permit process, the existing DPO2 should remain in place on this section of land until the future zoning of the land is resolved.

Recommendations:

1. Remove the DPO2 from the western developed section of the land.
2. Retain the DPO2 on the eastern undeveloped section of the land until the future zoning of this section of land is resolved.



Maps 11DPO & 12DPO:

**Site 19:** Land east of Stock Route, Mansfield  
Zoning: General Residential 1 DPO: DPO1

Context: No development has been prepared for this land.

Discussion: This land is prime residential land to service the expansion of the Mansfield township. A development plan is required to guide future road layout and linkages, residential development locations and open space provision.

Recommendation: Retain the DPO1 on the land.

Map 12DPO:

**Site 20:** Land east of Fords Creek and south of Dead Horse Lane, Mansfield  
Zoning: General Residential 1 DPO: DPO1

Context: No development has been prepared for this land.

Discussion: This land is prime residential land to service the expansion of the Mansfield township. A development plan is required to guide future road layout and linkages, residential development locations and open space provision.

Recommendation: Retain the DPO1 on the land.

**Site 21:** DPO1: Red Gum Drive, Mansfield  
Zoning: General Residential 1 DPO: DPO1

Context: The Red Gum Rise Estate Development Plan was approved on 23/9/2008.

Discussion: The northern section of this subdivision in Redgum Drive, Avoca Court and Kerry Court is now fully complete with all roads in place and dwellings located on most lots. As the development plan is no longer required to guide future residential subdivision, use or development, the DPO1 may be removed from this northern section of the land.

While a planning permit has been issued for the southern section of the land (P0221C/08, dated 30/10/2020), this section of the development plan and therefore the DPO1, is still required any future development planning permit in the event that the current 2020 permit ever expired on any amendment was sought to it.

Recommendations:

1. Remove the DPO1 from the northern developed section of the land.
2. Retain the DPO1 on the undeveloped southern section of the land.

**Site 22:** Loyola Run, Mansfield  
Zoning: General Residential 1 DPO: DPO1

**Context:** Loyola Run Development Plan approved 7/9/2015. Includes detailed servicing conditions with no expiry date for the development plan.

**Discussion:** While the northern end of this plan area, bordering Dead Horse Lane, has completed residential development, the majority of the plan area is yet to be developed. This plan area represents an important component of potentially available residential land in close proximity to central Mansfield. As residential development is completed on the northern section of the land, the development plan is no longer required to guide future subdivision and development on this section.

**Recommendations:**

1. Remove the DPO1 from the northern developed section of the land.
2. Retain the DPO1 on the undeveloped areas of the land.

**Site 23:** Bank Place, behind High Street, Mansfield  
Zoning: Commercial 1 DPO: DPO4

**Context:** This area has a network of internal roads providing linkages to the south, north and east, with public car parking to the east. The DPO4 was applied to this site and DPO schedule 4 introduced under Amendment C1, Part 1, gazetted on 2/3/2006.

**Discussion:** While new shops have been constructed on the eastern side of this area and internal road and pedestrian linkages mostly established, some of the area is still available for commercial redevelopment. The layout and use of the land complies with the *Mansfield Urban Design Framework 2005*, which is referenced in Schedule 4. As any potential future resubdivision or development may be adequately considered through a planning permit application process in the context of existing internal road and pedestrian linkages, a future development plan or the DPO4 are not required.

As Schedule 4 to the DPO only applies to this site, if DPO4 is being removed from the land, Schedule 4 also requires removal from the planning scheme.

**Recommendations:**

1. Remove the DPO4 from land.
2. Remove Schedule 4 to the DPO from the planning scheme.

**Site 24:** Highton Lane, Mansfield  
 Zoning: General Residential 1 DPO: DPO1

**Context:** A draft development plan for the whole area was drafted in 2014/15 but not resolved.

The 26 Highton Lane, Mansfield Development Plan was approved for the northern section of the land on 8/2/2019. The plan includes a modern format with performance measures and a 10 year life span.

An amendment to the Highton Manor Development Plan, applying to the southern section of the land was approved on 15/9/2020.

**Discussion:** The draft development plan for the whole area should be resolved as a matter of priority to enable residential proposals to be considered for the area. While the DPO1 is still required over the majority of this area to enable a development plan to be prepared, it should be removed over single, conventional sized residential lots fronting Highton Lane where no future subdivision is feasible.

The development plans for 26 Highton Lane is current and required to guide any future planning permit and residential subdivision and development.

**Recommendations:**

1. Remove the DPO1 from single, conventional sized residential lots fronting Highton Lane.
2. Retain the DPO1 on the remainder of the land.

**Site 25:** Highton Manor, Mansfield  
 Zoning: General Residential 1 DPO: DPO1

**Context:** The Highton Manor Development Plan was approved on 23/9/2008, applying to both the manor site and residential development on lots surrounding it. An amendment to the plan was approved on 15/9/2020, reducing the plan area to now only include design and siting guidance for two historic lots based on the manor and adjoining orchard (defined as Lots B and D on the revised plan, dated 15/9/2020), now excluding adjoining residential land.

**Discussion:** The development plan for the core, historic area that includes the existing Highton Manor and orchard is current. The DPO1 is required to guide future development on this historic section of the manor site.

Although the northern and southern (Lot C) sections of the overall site are technically outside the approved development plan, these lots are presently for sale, their future use and development is unresolved and both parcels may be required for consideration as part of any overall layout for the area, particularly potential linkages to the south with the unresolved Highton Lane development plan area (Site 24 discussed

above). As a consequence, the DPO21 should be retained on these northern and southern (Lot C) sections.

The western section of this residential sections of this precinct, with frontage to Highton Manor, is under active residential development, with either existing dwellings or dwellings under current construction. As this western section of land lies outside the approved development plan and is not required to guide any future overall development layout, the DPO1 should be removed from this land.

Recommendations:

1. Remove the DPO1 from residential land at the western end of the precinct fronting Highton Lane.
2. Retain the DPO1 on the remainder of the land, being Highton Manor (lot D), historic orchard (Lot B), southern area (Lot C) and northern area.

**Site 26:** 30 Greenvale Lane, Mansfield  
Zoning: Mixed Use DPO: DPO1

**Context:** This land is developed with a veterinary surgery in the southeast, holiday units in the southwest and the Greenvale units in the centre. Land to the north is partly flood prone. A development plan, 30 Greenvale Lane, Mansfield, was approved on 26/3/2015 to create 2 lots on the middle Greenvale units site only with no other development plan applying to the land.

**Discussion:** The DPO1 may be the incorrect DPO schedule to apply to land zoned Mixed Use. No development plan is required to guide any future use, subdivision or development of the land as the land is mostly fully developed and any future proposals may be adequately guided thorough a planning permit application process. As a result, the DPO1 may be removed.

**Recommendation:** Remove the DPO1 from the land.

**Site 27:** Dundas Park Estate, Mansfield  
Zoning: Rural Living 1 DPO: DPO3

**Context:** This land is centred around Dundas Court, on the northern side of Ogilvies Road. The Dundas Park Estate Development Plan, approved 15/3/2007, applies to the land and includes a plan (13 lots), report and servicing conditions.

**Discussion:** As Rural Living Zone development is completed on the land, the development plan is no longer required to guide future subdivision and development.

**Recommendation:** Remove the DPO3 from the land.

## **Merrijig:**

### **Maps 15DPO & 16DPO:**

**Site 28:** DPO1: Land between Delatite River and Mount Buller Road, Merrijig

**Context:** This land is comprised of a series of single residential properties bordered by Mount Buller Road to the south and the Delatite River to the north. All properties have well established dwelling and gardens.

**Discussion:** A development plan is not required to guide any future subdivision or development of the area, therefore the DPO1 may be removed.

**Recommendation:** Remove the DPO1 from the land.

### **Map 16DPO:**

**Site 29:** Land between Alpine Ridge Drive and Changue Road, Merrijig  
Zoning: General Residential 1 DPO: DPO1

**Context:** This land lies between residential development adjoining Changue Road to the east and residential development adjoining Alpine Ridge Drive to the west. The land is steep, completely vegetated and undeveloped.

**Discussion:** The land is unsuitable for residential subdivision and development and should be considered for rezoning to a more appropriate zone to reflect its physical limitations, e.g. Rural Conservation. In the meantime, the DPO1 should remain on the land.

**Recommendations:**

1. Retain the DPO1 on the land.
2. Consider the longer term zoning of the land to a more appropriate zone to reflect its physical limitations.

## **Goughs Bay:**

### **Map 21DPO:**

**Site 30:** Goughs Bay Caravan Park, Goughs Bay  
Zoning: Low Density Residential DPO: DPO2

**Context:** Goughs Bay Caravan Park Development Plan approved 5/8/2015, indicating proposed camping area, kitchen, BBQ and a small golf course. Includes Schedule A outlining detailed conditions for servicing, GMW conditions, CFA water storage and the golf course. These conditions were effectively included in and are being implemented through Planning Permit P067/15, issued on 25/07/2016.

**Discussion:** The current use and development on the land comprises the main caravan parking, cabins and overflow caravan and camping area. While the approved development plan is only

partly implemented, the undeveloped components of and ongoing management requirements in the plan are included in the planning permit for the use and development. Given the approved planning permit and the ability to revise or add approval for the site through any future planning permit, the DPO3 may be removed from the land.

Recommendation: Remove the DPO3 from the land.

## **PART B: Mansfield Development Plan Overlay schedules:**

### **1. General Residential Zone and Mixed Use Zone:**

**Context:** This schedule has generic controls applying to land zoned General Residential 1 and Mixed Use, comprising requirements before a permit is granted (broken into decision guidelines, performance measures and urban design principles) and requirements for what a development plan must outline and assess.

**Discussion:** The schedule is confusing as while there are several MUZ sites in Mansfield, Jamieson and Barjarg, the DPO1 only applies to land on the northeastern corner of Mt Buller Road and Greenvale Lane, with the specific DPO5 applying to the Barjarg site. Given that this report recommends the removal of the DPO1 from the Greenvale site (site 26), this schedule may be revised to apply to GRZ1 only.

To accord with the recommended approach for development plans under both the Ministers Direction *Form and Content Local Provision Templates* and Practice Note 23 *Applying the Incorporated Plan and Development Plan Overlays*, November 2018, the schedule requires revision to comprise 1. Objectives, 2. Requirements before a planning permit is issued, 3. Conditions and requirements for permits and 4. Requirements for development plan. Specific content in this format should be include reasonable exemptions from the need for development plan under item 2, a full range of site and servicing assessment requirements under item 4.

**Recommendations:**

1. Amend the schedule to apply to the General Residential 1 Zone only.
2. Revise content of the schedule to meet the Ministers Direction *Form and Content Local Provision Templates*.

### **2. Low Density Residential Zone:**

**Context:** This schedule includes generic controls applying to land zoned Low Density Residential, comprising requirements before a permit is granted (broken into decision guidelines, performance measures and urban design principles) and requirements for what a development plan must outline and assess.

This schedule also includes specific requirements for development plan for land between Withers Lane and the Stock Route (Section B), land in Mansfield – Whitfield Road adjoining Kareen Court (Section C) and two specific parcels of land in Mansfield – Whitfield Road, Mansfield (Section D).

Discussion: To accord with the recommended approach for development plans under both the Ministers Direction *Form and Content Local Provision Templates* and Practice Note 23 *Applying the Incorporated Plan and Development Plan Overlays*, November 2018, the schedule requires revision to comprise 1. Objectives, 2. Requirements before a planning permit is issued, 3. Conditions and requirements for permits and 4. Requirements for development plan. Specific content in this format should be include reasonable exemptions from the need for development plan under item 2, a full range of site and servicing assessment requirements under item 4.

The three specific requirements for development plan are no longer required as the parcels of land to which Sections B, C and D refer are now developed or have current development plans in place to guide future development, i.e.:

- Section B (land between Withers Lane and the Stock Route):  
The western section of this land is now developed and is recommended under this report for removal of the DPO2 as part of site 18. The eastern section of this land is part of a current development plan and is now being considered for rezoning (see site 18 discussion on the eastern section).
- Section C (Mansfield – Whitfield Road adjoining Karen Court):  
This land is now fully developed and is recommended under this report for removal of the DPO2 as part of site 12.
- Section D (two specific parcels of land in Mansfield – Whitfield Road, Mansfield):  
This land is partly developed and is part of a current development plan to guide future subdivision and development (see site 12 discussion on the eastern section).

Recommendations:

1. Revise content of the schedule to meet the Ministers Direction *Form and Content Local Provision Templates*.
2. Redraft the schedule as a generic schedule applying to the Low Density Residential Zone, deleting site specific requirements for development plan (Sections B, C and D) in the current Schedule 2.



### **3. Rural Living Zone:**

**Context:** This schedule includes generic controls applying to land zoned Rural Living, comprising requirements before a permit is granted (broken into decision guidelines, performance measures and design principles) and requirements for what a development plan must outline and assess.

This schedule also includes specific requirements for development plan for the Stoneleigh Road area, east of Monkey Gully Road (Section B under both requirements for permit and development plan), which is part of site 15 under this report.

**Discussion:** To accord with the recommended approach for development plans under both the Ministers Direction *Form and Content Local Provision Templates* and Practice Note 23 *Applying the Incorporated Plan and Development Plan Overlays*, November 2018, the schedule requires revision to comprise 1. Objectives, 2. Requirements before a planning permit is issued, 3. Conditions and requirements for permits and 4. Requirements for development plan. Specific content in this format should be include reasonable exemptions from the need for development plan under item 2, a full range of site and servicing assessment requirements under item 4.

A draft development plan for the western section of this land (the Stoneleigh Road area, east of Monkey Gully Road, outlined in Section B of the current DPO Schedule 3) was submitted to Council in 2019 and will be resolved in the near future. As the draft development plan has already included specific requirements for this land under Section B of the current DPO Schedule 3, these specific requirements are no longer required and may be deleted (see site 15 discussion on this section of land).

**Recommendations:**

1. Revise content of the schedule to meet the Ministers Direction *Form and Content Local Provision Templates*.
2. Redraft the schedule as a generic schedule applying to the Rural Living Zone, deleting site specific requirements for permit and development plan (Section B) in the current Schedule 3.

### **4. Southern side of High Street, Mansfield:**

This Schedule 4 applies to land in Bank Place, behind High Street, Mansfield, zoned, Commercial 1, to which the DPO4 applies (Site 23 in this report). As this land has a network of existing internal roads, pedestrian linkages, public car parking and commercial developments, this report recommends the removal of

the DPO4 from the land (see site 23 discussion). As a result, Schedule 4 to the DPO may be removed from the planning scheme.

Recommendation:

1. Remove Schedule 4, Southern side of High Street, Mansfield, from the Mansfield Planning Scheme.

#### **5. Mixed Use Zone, Barjarg:**

This Schedule 5 applies to land zoned Mixed Use at Barjarg, to which the DPO5 applies (Site 1 in this report). As this land has been developed as a centralised precinct with a range of uses, primarily storage units, in accordance with the intent of Amendment C29, this report recommends the removal of the DPO5 from the land (see site 1 discussion). As a result, Schedule 5 to the DPO may be removed from the planning scheme.

Recommendation:

1. Remove Schedule 5, Mixed Use Zone, Barjarg, from the Mansfield Planning Scheme.