



Delegate Assessment Report

File Number: DA8065
Planning Application No. P054/23
Responsible Officer: Nicole Embling, Coordinator Statutory Planning

Conflict of Interest

After reading the definitions of a general or material conflict of interest as defined by the *Local Government Act 2020*, do you have a conflict of interest?

Yes No

<i>Application Details</i>	
APPLICANT	Victorian Health Building Authority C/- Urbis Pty Ltd
PROPOSAL	Development of land for alterations and extensions of a Residential Aged Care Facility and removal of Native Vegetation (6 trees)
APPLICATION LODGED	18 April 2023
AMENDMENTS	Application amended 13 June 2023 under Section 57A of the <i>Planning and Environment Act 1987</i> (after advertising) to amend the proposed native vegetation removal, following advice from Councils Environment Officer.
NOTICE AND SUBMISSIONS	Notices sent to 197 Owners/Occupiers of surrounding properties. Notice on site – Yes (2) Notice in the Newspaper – Yes (Two weeks) Three (3) Submissions to the application have been received. One submission was supportive.

	<p>Two (2) submissions were supportive with some questions.</p> <p>There are no outstanding objections.</p>
<i>Property Details</i>	
PROPERTY ADDRESS	86-92 Highett Street, Mansfield
LAND DESCRIPTION	Lot 5 on Plan of Subdivision 080449 (Certificate of Title Volume 10938 Folio 706) and Lot 1 on Plan of Subdivision 095502 (Certificate of Title Volume 10938 Folio 705)
RESTRICTIVE COVENANTS	<p><u>Lot 1 on PS 095502</u></p> <p>Statutory Charge, Section 29 <i>Retirement Villages Act 1986</i> S854726N, dated 24 April 2006</p> <p>Notice, Section 9(1)(a) <i>Retirement Villages Act 1986</i> N089008R, dated 16 October 1987</p>
LAND AREA	Approximately 2.51 hectares
EXISTING USE	<i>Bindaree</i> – Residential Aged Care Facility
<i>Planning Provisions</i>	
ZONE	Clause 32.08 – General Residential Zone – Schedule 1 (GRZ1)
OVERLAYS	Nil
MUNICIPAL PLANNING STRATEGY	<p>Clause 02.03-1 – Settlement</p> <p>Clause 02.03-4 – Natural Resource Management (Water and Declared Special Water Supply Catchments)</p> <p>Clause 02.03-5 – Built Environment and Heritage</p> <p>Clause 02.03-6 – Housing</p> <p>Clause 02.03-9 – Infrastructure (Community Infrastructure)</p>
PLANNING POLICY FRAMEWORK	<p>Clause 11.01-1S – Settlement</p> <p>Clause 11.01-1L – Mansfield Township</p>

	<p>Clause 11.02-2S – Structure Planning</p> <p>Clause 11.03-1S – Activity Centres</p> <p>Clause 12.01-2S – Native Vegetation Management</p> <p>Clause 13.07-1S – Land use compatibility</p> <p>Clause 14.02-1S – Catchment Planning and Management</p> <p>Clause 14.02-1L – Catchment Planning and Management</p> <p>Clause 15.01-1S – Urban Design</p> <p>Clause 15.01-1L – Urban Design in Mansfield Township CBD</p> <p>Clause 15.01-2S – Building Design</p> <p>Clause 15.01-5S – Neighbourhood Character</p> <p>Clause 16.01-1S – Housing Supply</p> <p>Clause 16.01-1L – Housing Supply in Mansfield Township</p> <p>Clause 16.01-2S – Housing Affordability</p> <p>Clause 16.01-5S – Residential Aged Care Facilities</p> <p>Clause 17.01-1S – Diversified Economy</p> <p>Clause 18.02-4S – Roads</p> <p>Clause 19.02-1S – Health Facilities</p> <p>Clause 19.02-1L – Health Facilities</p> <p>Clause 19.03-3S – Integrated Water Management</p>
PARTICULAR PROVISIONS	<p>Clause 52.06 – Car Parking</p> <p>Clause 52.17 – Native Vegetation</p> <p>Clause 53.17 – Residential Aged Care Facility</p> <p>Clause 53.18 – Stormwater Management in Urban Development</p>
<i>Permit Triggers</i>	
Clause 32.08-8 (GRZ1)	<i>A permit is required to construct a building or construct or carry out works for a residential aged care facility.</i>

	<i>A development must meet the requirements of Clause 53.17 – Residential aged care facility.</i>
Clause 52.17-1 (Native Vegetation)	Clause 52.17-1 – <i>A permit is required to remove, destroy or lop native vegetation, including dead native vegetation.</i>
<i>Other</i>	
CULTURAL SENSITIVITY	The site is not in an area of aboriginal cultural heritage sensitivity, therefore a Cultural Heritage Management Plan is not required.
BUSHFIRE PRONE AREA	No, the site is not within a designated bushfire prone area.
SITE INSPECTION	Yes, accompanied by Environment Officer.

Background

Proposal

The permit applicant, the Victorian Health Building Authority, seeks permission to construct additions and alterations (buildings and works) to an existing residential aged care facility and to remove native vegetation on the land at 86-92 High Street, Mansfield (the subject land).

The proposal would comprise the following features:

Buildings and works – aged care facility

- Demolition works (planning permit not required):
 - Removal of eight (8) existing residential aged care rooms and some back of house areas.
 - Removal of existing car parking spaces and access.
 - Removal of the existing student accommodation, sited along the southern property boundary (only those to the west of the Lovick avenue accessway – the existing student accommodation is to remain).
 - Removal of existing water tanks.
- The development would be constructed over two stages (see Figure 8) to allow the continued operation of the existing land use during the demolition and construction period. The completion of Stage 1 will enable the existing 42 residents to decant into the newly built facility.
- Construction of a new 3,224 square metre extension to the existing building.
- Comprised of:
 - Thirty-eight (38) new residential aged care rooms with ensuite; increasing the total

number of rooms on-site to seventy-two (72) – which is a net increase of thirty (30) residential aged care rooms. Inclusive of:

- Two (2) new bariatric rooms; and
- Two (2) new DDA-compliant rooms.
- New back of house facilities, including commercial kitchen and laundry; maintenance room; storage room(s); waste area; staff lunch room, amenities room and courtyard
- Improved on-site amenities, such as:
 - Additional living (lounges), activity and dining areas; quiet rooms; a gym; reflection room; a community café with kiosk; a scooter shed; medical room; DDA-compliant bathrooms/restrooms; and outdoor areas.
- Primarily constructed of (see Figures 10 and 11 for indication):
 - A mixture of red and light brickwork; dark grey metal cladding; light timber-look soffit; and timber-look cladding to walls.
 - Dark grey roofing, light timber-look soffit and dark grey flashing and shroud to roofing and under awnings.
 - Finished with reddish and earthy tones to match the surrounding environment (including native vegetation) and existing development.
- Maximum building height (proposed) of 7.56 metres.
- The building(s) would have the following setbacks:
 - North 104.06 metres
 - North-east 23.32 metres
 - East 6.41 metres
 - South 8.54 metres
 - West 5.85 metres
 - 4.01 metres to the existing development on the subject land to the south-east.
- Internal alterations to the existing building(s), including remodelling of eight rooms.
- The proposed alterations and extensions will incorporate into the existing building, maintaining the single-storey built form with frontage to Highett Street.
- Estimated cost of development is \$41,333,000.00

Works – native vegetation removal

Removal of seven (6) native trees as per the following:

- T44 – Eucalyptus Melliodora (Yellow Box)
- T46 – Eucalyptus Melliodora (Yellow Box)
- T47 – Eucalyptus Melliodora (Yellow Box)
- T48 – Eucalyptus Melliodora (Yellow Box)
- T56 – Eucalyptus Melliodora (Yellow Box)
- T128 – Eucalyptus Melliodora (Yellow Box)

Access

- Removal of the two existing vehicle crossovers and access to Lovick Avenue (stage 1) and

Highett Street (stage 2).

- Construction of two new 6.50 metre wide vehicle crossovers and accessways to eastern side of Highett Street, comprised of:
 - One main entry crossover and accessway with roundabout turn around area and drop off car parking spaces to the main entrance of the facility.
 - One secondary entrance crossover with service lane accessway to main car parking and loading bay area.

Loading, car parking and bicycle facilities

- Provision of forty-seven (47) car parking spaces, inclusive of two (2) staff car parking spaces and seven (7) drop off spaces – accessible via the service lane access, save for the seven drop off spaces which would be accessible via the main entry access. No provision for disabled car parking has been shown on the plans.
- Provision of twelve (12) bicycle parking spaces and two (2) motorcycle parking spaces – accessible via the service lane access.
- A 6.50 metre wide loading dock – accessible via the service lane access.

Other

- Provision for landscaped garden beds, grounds and courtyards, including:
 - Canopy trees, shrubs, tufties/ferns and ground covers;
 - Alfresco, courtyard and outdoor verandah areas; an exercise area, activity courtyard and games green; shelters/ gathering spaces and BBQ areas; a kitchen garden; garden areas; a quiet courtyard; and child play and pet friendly areas.
- Waste storage is accessible via the service lane access, with convenient access to the back of house services. Waste streams include garbage, recycling and food organics which is to be collected by a private operator.
- Provision for a 50 kilolitre underground rainwater tank to manage landscape irrigation, staff toilet flushing and washdown; an underground detention tank; and fire tank with pump and booster.
- Provision of a 32 kilowatt rooftop solar PV array energy system.

A copy of the proposed development plans is attached below:

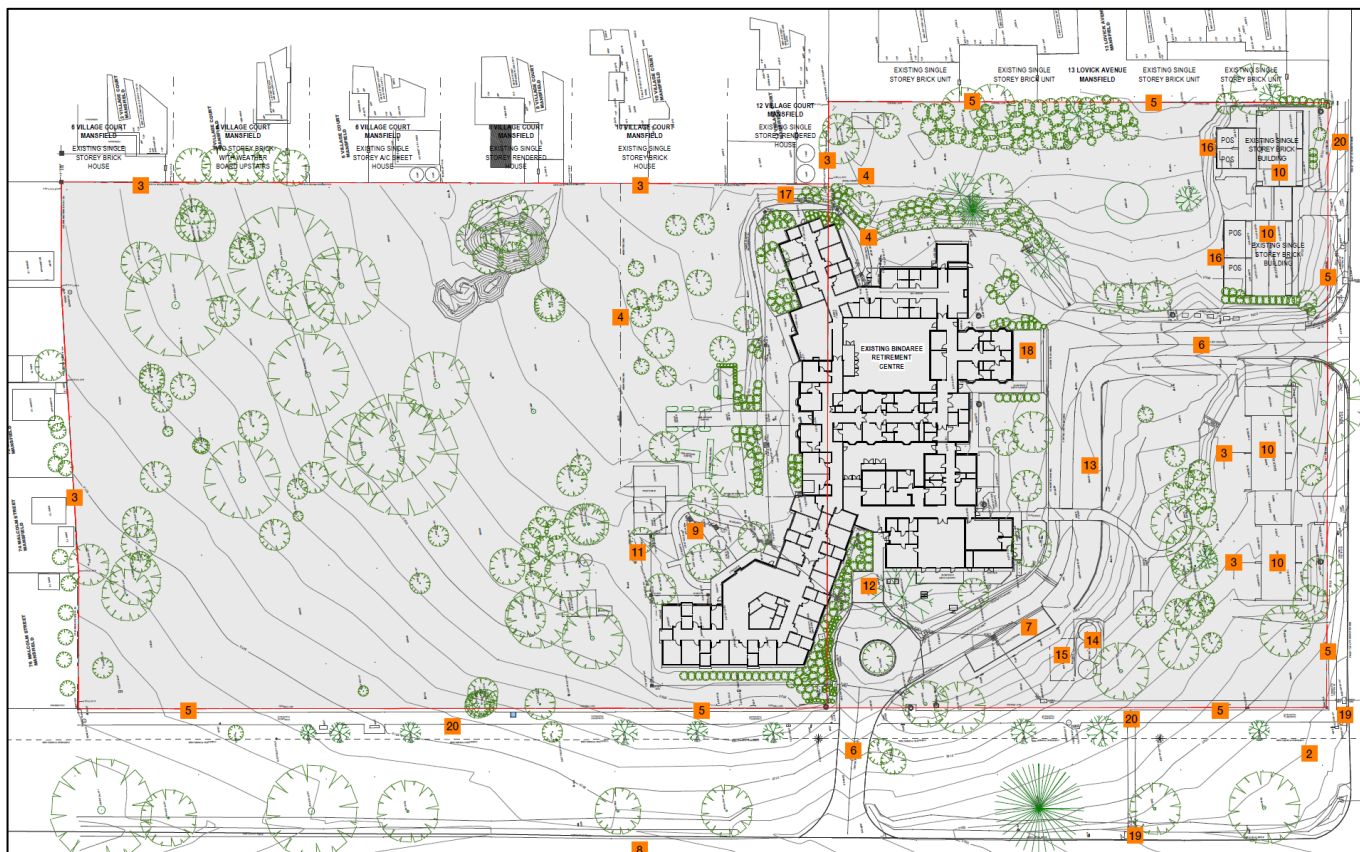


Figure 1: Existing Conditions Plan. Source: Application documents

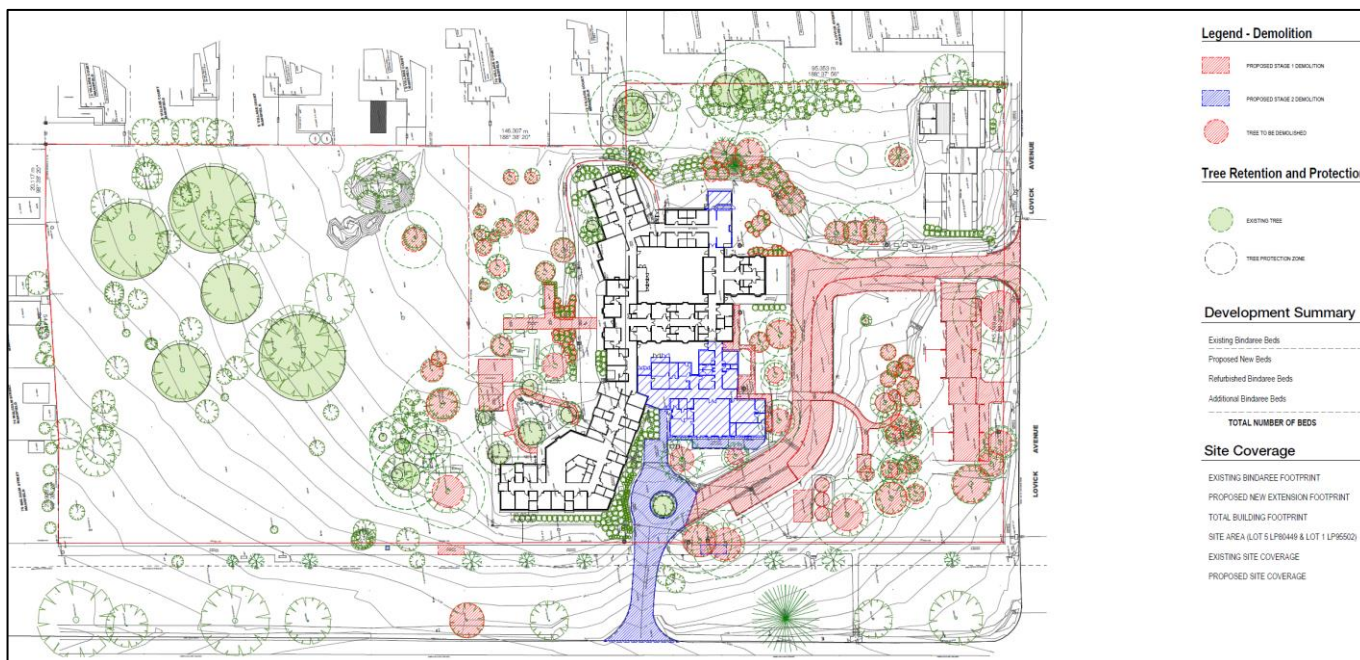


Figure 2: Demolition Plan. Source: Application documents

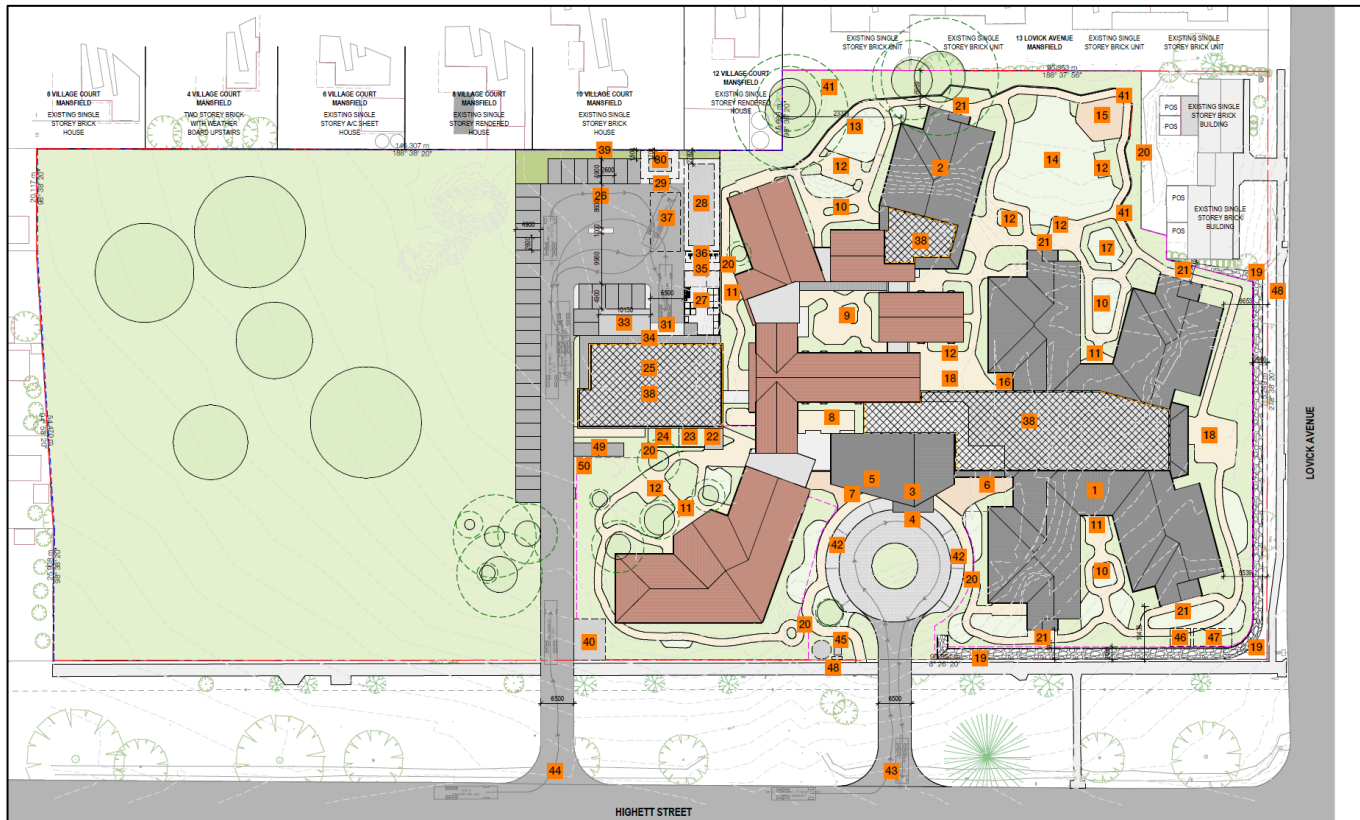


Figure 3: Proposed Site Plan. Source: Application documents

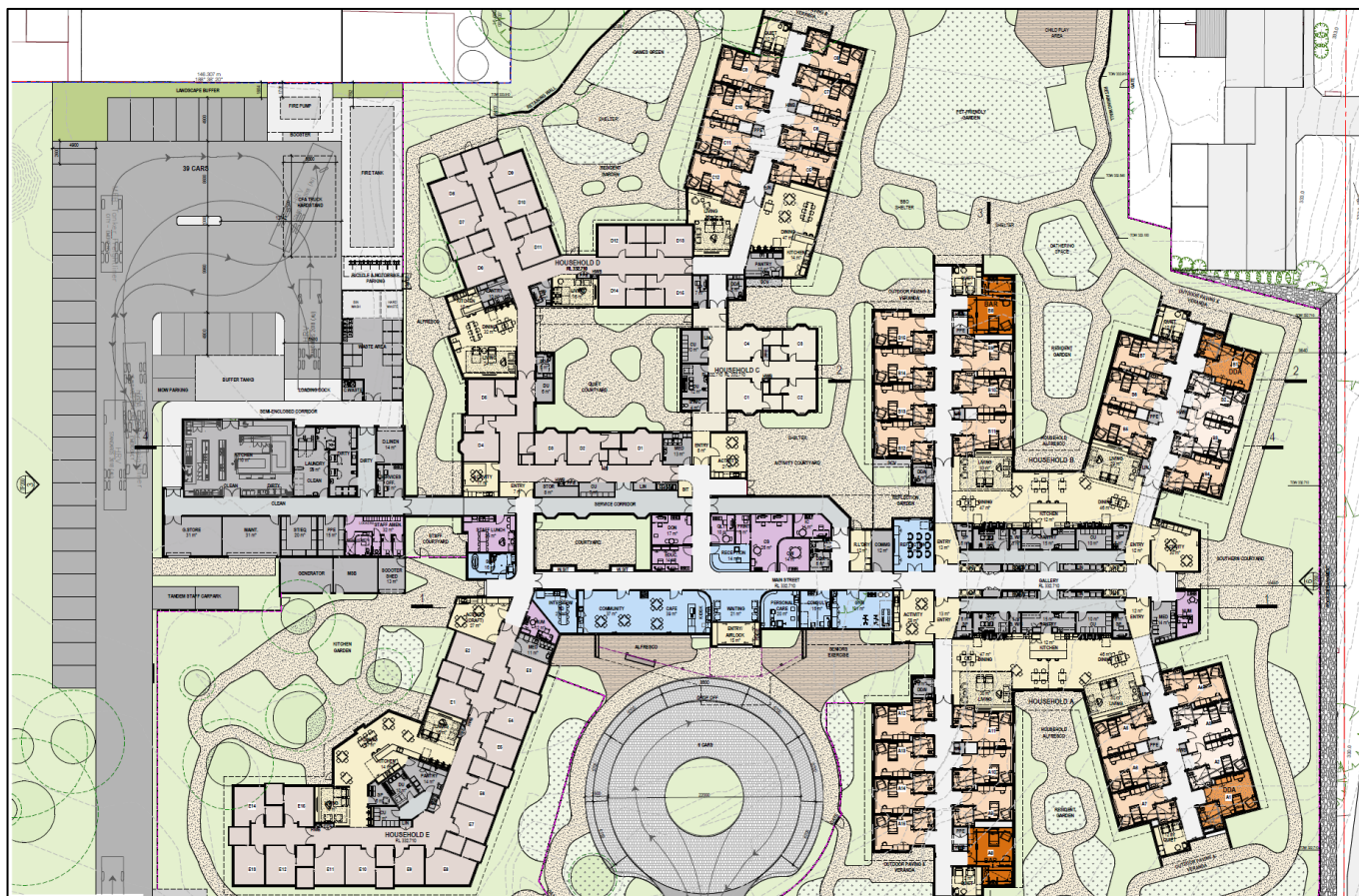


Figure 4: Proposed Floor Plan. Source: Application documents



Figure 5: Proposed Elevations Plan. Source: Application documents



Figure 6: Overshadowing Diagrams. Source: Application documents

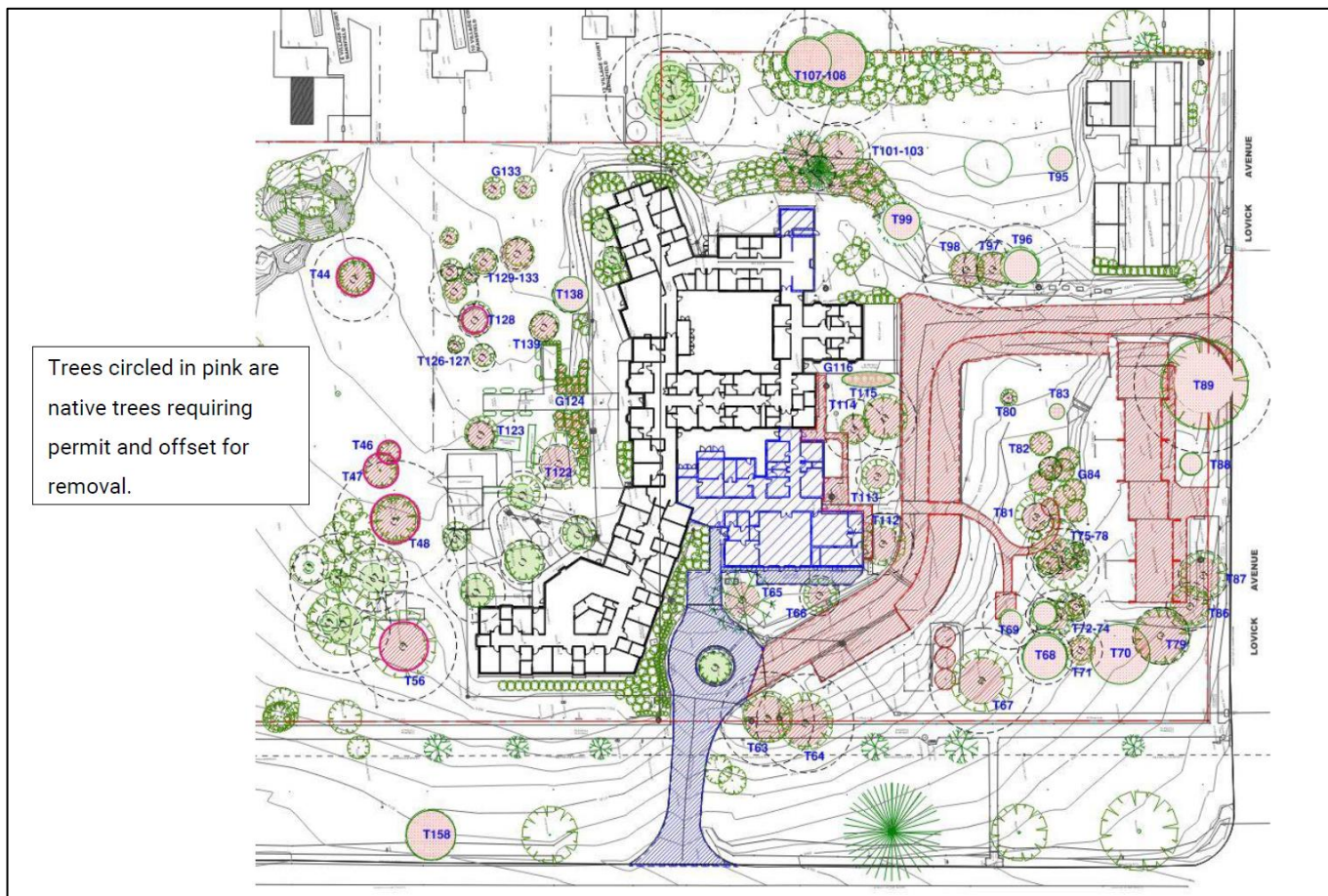


Figure 7: Tree removal plan. Source: Application documents (Arborist Report)



Figure 8: Proposed Staging Plan (development). Source: Application documents



Figure 9: Proposed Landscaping Plan. Source: Application documents



Figure 10: 3-D render. Source: Application documents



Figure 11: 3-D render. Source: Application documents



Figure 12: 3-D render. Source: Application documents

Subject site, neighbourhood and environs

The subject land comprises two lots located on the corner of Highett Street and Lovick Avenue, approximately 600 metres south of the Mansfield township centre. The site is approximately 2.51 hectares and is rectangular in shape, with the longer frontage of 238 metres to Highett Street and the shorter frontage of 115 metres to Lovick Avenue.

The land is in the General Residential Zone – Schedule 1 (GRZ1) and no Overlays apply to the site.

The land is currently improved with an existing residential aged care facility, known as Bindaree. Bindaree is currently made up of one large building and some smaller independent living units which front Lovick Avenue. Most of the site is open space and gardens used by the residents.

The site is a partially-cleared parcel of land, with scattered patches of exotic and native vegetation. The most common species on site is the Yellow Box (*Eucalyptus Melliodora*) of which there are fifty-two (52) trees, followed by River Red Gum (*Eucalyptus Camaldulensis*) of which there are fourteen (14) trees.

The site has access to reticulated power, telecommunications, water and sewer.

Hightt Street comprises a 60.00 metre wide road reserve; with a 8.00 metre wide (approx.) bi-directional carriageway in the centre of the road reserve and an additional 6.00 metre wide (approx.) bi-directional carriageway (service lane) on the wester side of the road reserve.

Land abutting and surrounding the subject land is typically zoned in the GRZ1 and are mostly developed with single dwellings and their ancillary outbuildings, with varying lot sizes. The GRZ1 land further to the south and west is at varying stages of development, with some currently being (or having been) subdivided into smaller, standard sized residential lots.

To the north-east of the site is the Mansfield District Hospital, which is zoned in the Public Use Zone 3 (PUZ3). To the south-east of the subject land is the Mansfield Secondary College, which is zoned in the Public Use Zone 2 (PUZ2).



Figure 13: Aerial image of subject land. Source: Council GIS images

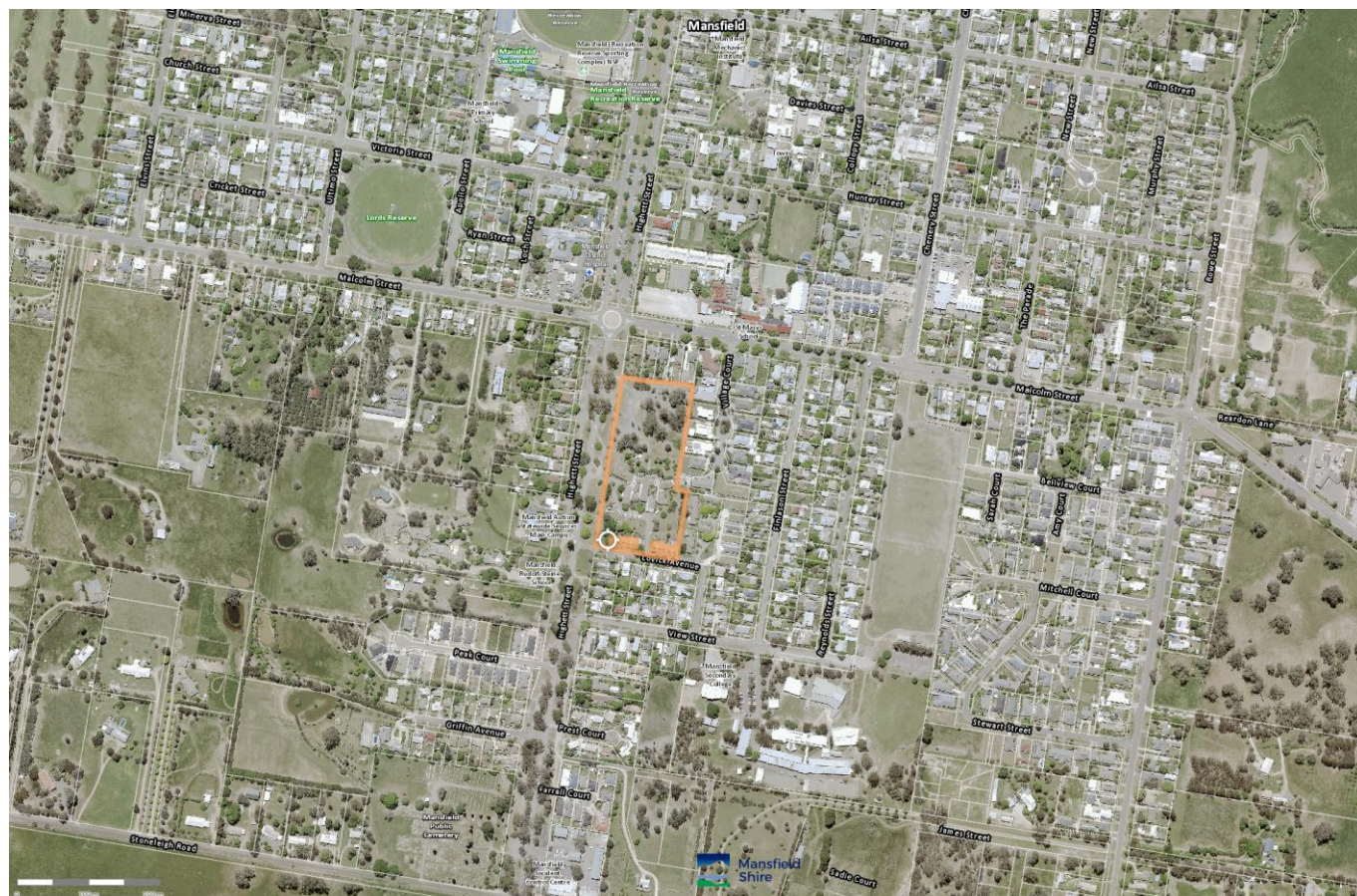


Figure 14: Aerial image of subject land and its surrounds. Source: Council GIS images

Consultation

Referral Responses

Referral Agency	Referral Trigger	Response
AUSNET SERVICES (AUSNET)	Section 52 – Notice	No response received
COUNTRY FIRE AUTHORITY (CFA)	Section 52 – Notice	Unconditional consent
GOULBURN MURRAY WATER (GMW)	Section 55 – Determining Clause 66.02-5 Special Water Supply Catchment	Conditional consent
GOULBURN VALLEY WATER (GVW)	Section 52 - Notice	Conditional consent
MSC ENGINEERING		Conditional consent
MSC ENVIRONMENT		Conditional consent

MSC ENVIRONMENTAL HEALTH		Conditional consent
MSC WASTE MANAGEMENT		Conditional consent

Advertising

The application was advertised in accordance with the requirements of section 52 of the *Planning and Environment Act 1987* (the Act) by way of sending notices to owners and occupiers of adjoining and surrounding land; by notice of the application in the local newspaper; and by displaying a sign on site (one at each road frontage) for a period of at least fourteen consecutive days.

Three (3) submissions were received to the application, however no objections have been maintained against the application. Specifically:

- One of the submissions was supportive of the proposal and raised no concerns.
- The second submission was generally supportive and raised some questions of the applicant in regard to light spill, and some regrowth vegetation on the northern property boundary.

In response to the second submission the applicant has provided a signed letter by a qualified Electrical Engineer, who has determined that the proposed lighting would comply with all relevant Australian Standards and should not create any unsuitable light spill to adjoining and neighbouring properties. The applicant also provided an arboricultural report for the existing vegetation on the site which does not address the trees on the northern boundary. These trees are less than 10 years old and are therefore exempt from requiring a planning permit for removal, the landowners of the subject land and adjoining Submitters' land could negotiate to remove these trees without requiring permission from Council.

- The third submission is received from a local community group who are supportive of the proposal and acknowledged the protection of most of the remnant native trees, a request was made for the native vegetation offsets to be secured within 3 kilometres of the subject land. However, under the regulations the location of offsets is not controlled by the permit applicant, developer, or Council and therefore is not able to be a specific requirement of a planning permit. The offset allocation is completed by a third-party Creditor and must be within the Goulburn Broken Catchment area.

The three submissions are not considered objections to the proposal.

Mansfield Planning Scheme and Context Assessment

Mansfield Planning Scheme seeks to ensure that the objectives of planning in Victoria (as set out in Section 4 of the *Planning and Environment Act 1987*) are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental,

social and economic factors in the interests of net community benefit and sustainable development.

The following Planning Policies and Objectives are relevant to this application:

Municipal Planning Strategy (MPS)

Clause 02.03-1 – Settlement

The settlement pattern in the Shire is characterised by Mansfield Township as the major urban centre, with a number of surrounding smaller settlements, significant areas for rural living and a number of isolated ‘legacy’ settlements principally located around the shores of Lake Eildon. The 4 major valleys: Upper Delatite, Upper Goulburn, Howqua and Jamieson provide a distinctive and valued landscape setting for all settlements.

The future growth of all towns will depend upon the provision of infrastructure, particularly reticulated sewerage. Mansfield Township, Bonnie Doon, Merrijig, Sawmill Settlement and Alpine Ridge are the only towns with reticulated sewerage. Development in other towns will be restricted to infill development provided wastewater can be managed on site.

Mansfield Township

The Hume Regional Growth Plan 2014 considers Mansfield Township a sub-regional moderate growth centre in the Central Hume sub-region that is serviced by larger regional towns further west and north. It is the only urban centre with significant growth potential in the Shire and provides all major services and infrastructure for the community. Commercial and retail growth will occur within and around the shopping centre. There is a need for more industrial land to service demand. Existing infrastructure is capable of servicing growth however there is a need to increase water storage capacity.

Clause 02.03-4 – Natural Resource Management (Water and Declared Special Water Supply Catchments)

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

The Goulburn Broken Catchment is the source of the Mansfield Township water supply and one of Victoria’s highest priorities for nutrient reduction. Major sources of nutrients include treated effluent, sediment mobilisation and urban stormwater run-off.

Lake Eildon and Lake Nillahcootie are artificial water storage lakes and significant economic, environmental and tourism resources. However, their primary function is to regulate water supply to downstream irrigation areas. Onsite wastewater management for surrounding use and development is a key issue, with their cumulative impact risking to affect catchment health, water

quality and public health. Unsewered towns such as Goughs Bay, Macs Cove and Howqua are located on the shores of Lake Eildon, and Jamieson is located on two of the Lake's key tributaries.

Other key water sources include the Broken, Goulburn, Delatite, Jamieson, Howqua and Big Rivers, and the Brankeet, Merton and Fords Creeks.

The upper catchments of the Broken and Goulburn Rivers provide 11 per cent of the entire water resource of the Murray Darling Basin and need to be protected.

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

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

Clause 02.03-5 – Built Environment and Heritage

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

Township and neighbourhood character

Development of land along the Maroondah Highway and other major routes such as Mount Buller Road in the Shire need to be sensitive to their role as gateways to the Alpine areas

Mansfield Township's residential areas are characterised by wide streets with on street parking, large lots and street trees. Infill and medium density development will challenge the urban character of some areas in town but key attributes such as their spacious garden settings and identified heritage buildings should remain and be protected.

Clause 02.03-6 – Housing

A diversity of housing opportunities is an important part of providing housing for all. As the major urban centre of the Shire, the majority of housing growth will take place in Mansfield Township, where aged care, infill and medium density housing development will be key for the community to be able to age in place.

Council's strategic directions for housing are to:

- Provide for housing needs to be met within townships and designated rural living areas.
- Maintain housing affordability and increase the diversity of housing choices, including opportunities for rural living and medium density housing.

Clause 02.03-9 – Infrastructure (Community Infrastructure)

The municipality is well serviced in terms of open space amenity and outdoor recreation. As the population continues to grow and age, providing a wide range of community infrastructure for existing and future residents is becoming increasingly important.

While the community is generally prosperous, there are areas of social and economic disadvantage. Existing networks of services are at risk of being put under pressure by any exacerbation of socio-economic disadvantage. Additional services will be required to adequately support all members of the community.

Council's strategic directions for community infrastructure are to:

- *Support the provision of community facilities that are well-connected, easily accessible and respond to the current and future needs of residents and visitors.*

Planning Policy Framework (PPF)

Clause 11.01-1S – Settlement

Objective

- *To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.*

Clause 11.01-1L – Settlement (Mansfield Township)

Objective

- *To support the growth of Mansfield township as the focus of development in the Shire.*

Housing strategies

- *Contain and intensify residential development within existing residentially zoned land.*
- *Encourage the redevelopment of key strategic sites, infill sites and currently vacant General Residential land.*
- *Discourage any proposed Low Density Residential rezonings in the short term (0-5 years).*
- *Discourage any proposed Rural Living rezonings in the medium to long term (10-20 years).*
- *Ensure land (zoned Rural Living) south of Stoneleigh Road is protected for a long-term residential growth corridor.*

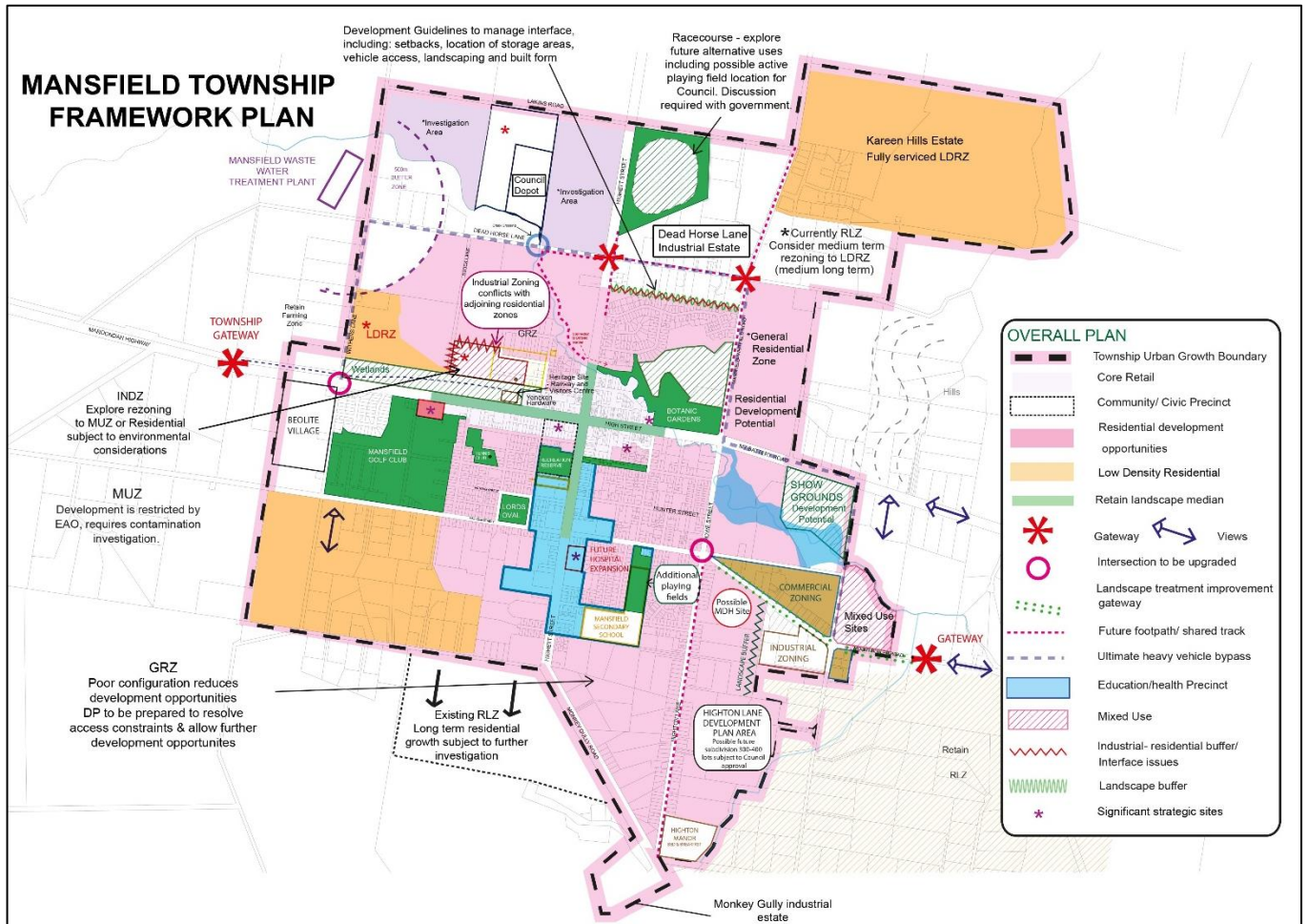


Figure 15: Mansfield Township Framework Plan. Source: DTP.

Clause 11.02-2S – Structure Planning

Objective

- To facilitate the fair, orderly, economic and sustainable use and development of urban areas.

Clause 11.03-1S – Activity Centres

Objective

- To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.

Relevant strategies are:

- Build up activity centres as a focus for high-quality development, activity and living by developing a network of activity centres that:
 - Comprises a range of centres that differ in size and function.

- *Is a focus for business, shopping, working, leisure and community facilities.*
- *Provides different types of housing, including forms of higher density housing.*
- *Is connected by transport.*
- *Maximises choices in services, employment and social interaction.*
- *Support the role and function of each centre in the context of its classification, the policies for housing intensification, and development of the public transport network.*
- *Encourage a diversity of housing types at higher densities in and around activity centres.*
- *Reduce the number of private motorised trips by concentrating activities that generate high numbers of (non-freight) trips in highly accessible activity centres.*
- *Improve access by walking, cycling and public transport to services and facilities.*
- *Support the continued growth and diversification of activity centres to give communities access to a wide range of goods and services, provide local employment and support local economies.*
- *Improve the social, economic and environmental performance and amenity of activity centres.*

Comment:

The subject land is identified in the Mansfield Township Framework Plan as being within an education/health precinct. The application comprises the orderly expansion of the existing residential aged care facility on the site, which is suitably located in the Mansfield township and accordingly with the Mansfield Township Framework Plan. Overall, the proposal is considered to be consistent with the relevant state and local policy direction at Clause 11.01-1S, 11.01-1L, 11.02-2S and 11.03-1S of the Mansfield Planning Scheme.

Clause 12.01-2S – Native Vegetation Management

Objective

- *To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.*

Strategies

- *Ensure decisions that involve, or will lead to, the removal, destruction or lopping of native vegetation, apply the three-step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017):*
 - *Avoid the removal, destruction or lopping of native vegetation.*
 - *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
 - *Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.*

Policy guidelines

Consider as relevant:

- *State biodiversity information maintained by the Department of Energy, Environment and Climate Action.*

Policy documents

Consider as relevant:

- *Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017)*
- *Assessor's handbook – applications to remove, destroy or lop native vegetation (Department of Environment, Land, Water and Planning, 2017)*

Comment:

The proposal has sought to best avoid, minimise and offset the vegetation removal. The proposed vegetation removal (and offset) is considered to be acceptable for the purposes of the relevant policy. This will be discussed in more detail further in this report.

Clause 13.07-1S – Land use compatibility**Objective**

- *To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.*

Relevant strategies are:

- *Ensure that use or development of land is compatible with adjoining and nearby land uses.*
- *Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.*
- *Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.*
- *Protect existing commercial, industrial and other uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.*

Comment:

Clause 13.07-1S calls for consideration of the interactions between land uses and their general compatibility. The proposal does not change the existing use of the land (residential aged care facility). The land use is considered to be appropriate to the surrounding sensitive residential interfaces and the proposed development is not considered to detrimentally alter that relationship. Aged care facilities are reasonably envisaged in a residential zone in such circumstances, and in

this instance the proposed additions and alterations will provide a net community benefit to the immediate and broader area.

Clause 14.02-1S – Water (Catchment Planning and Management)

Objective:

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

Strategies to address this objective include to:

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

Clause 14.02-1L – Water (Catchment Planning and Management)

Relevant strategies are:

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

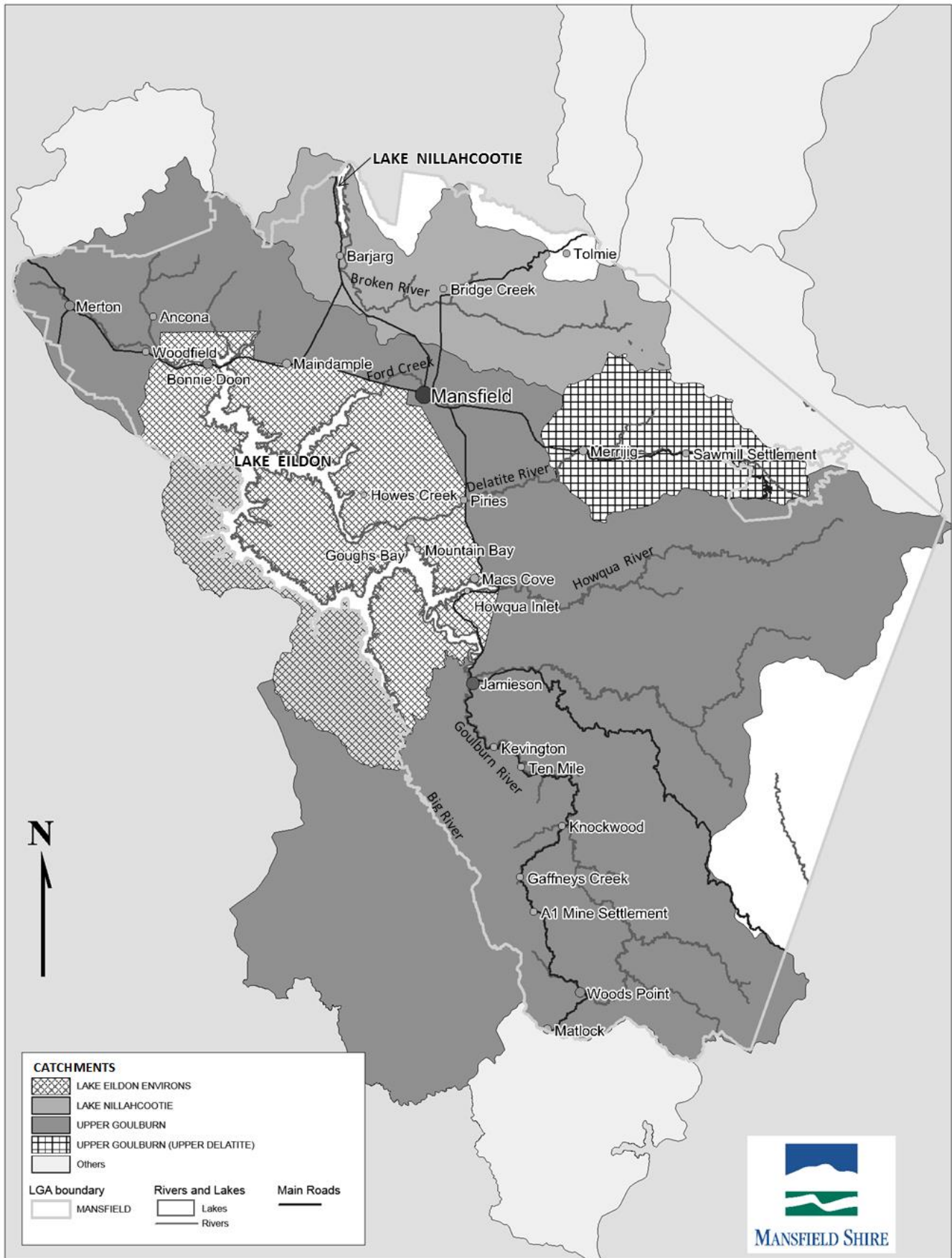


Figure 16: Map of catchments within Mansfield Shire. Source: DTP.

Comment:

The subject land is within the Upper Goulburn water supply catchment area. Although, it is not affected by an ESO. The land is of sufficiently sized so that stormwater runoff can be managed effectively. A Stormwater Management Plan has been prepared by Meinhardt Urban Pty Ltd and submitted with the application, detailing that the proposed mitigating measures would capture all run-off (up to Q100 storm event) within an internal pit and pipe system and drain towards the on-site detention where impurities are filtered out, hence also reduce the peak flows discharge from the site to at or below the predeveloped scenario. Further detailed stormwater designs will be required as a condition of approval to ensure no impacts to the broader stormwater or waterway network.

Clause 15.01-1S – Urban Design**Objective**

- *To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity*

Relevant strategies are:

- *Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.*
- *Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
- *Ensure the interface between the private and public realm protects and enhances personal safety.*
- *Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.*
- *Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*
- *Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.*
- *Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.*
- *Promote good urban design along and abutting transport corridors.*

Clause 15.01-1L – Urban Design in Mansfield Township CBD

Relevant strategies are:

- *Site and design development to respond to the existing built form character of the centre.*
- *Retain the predominant single storey built form and structure and consistency of front setbacks in High Street and Highett Street.*

- *Protect existing environmental features, including large stands of trees, remnant River Red Gums, native vegetation, native animal habitat and movement corridors, high points, watercourses and drainage lines as part of residential development.*
- *Maintain a sense of character and provide for pedestrian amenity as part of commercial development, including through the use of verandahs extending to the kerb.*
- *Design access to parking to minimise impacts on active frontages and preferably be provided via a secondary streets, laneways or other parking areas.*
- *Design signs to be proportionate to the building facade and directed to the verandah and below verandah.*

Clause 15.01-2S – Building Design

Objective

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

Strategies

- *Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale, massing and energy performance of new development.*
- *Ensure development responds and contributes to the strategic and cultural context of its location.*
- *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*
- *Improve the energy performance of buildings through siting and design measures that encourage:*
 - *Passive design responses that minimise the need for heating, cooling and lighting.*
 - *On-site renewable energy generation and storage technology.*
 - *Use of low embodied energy materials.*
- *Ensure the layout and design of development supports resource recovery, including separation, storage and collection of waste, mixed recycling, glass, organics and e-waste.*
- *Encourage use of recycled and reusable materials in building construction and undertake adaptive reuse of buildings, where practical.*
- *Encourage water efficiency and the use of rainwater, stormwater and recycled water.*
- *Minimise stormwater discharge through site layout and landscaping measures that support on-site infiltration and stormwater reuse.*
- *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
- *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*
- *Ensure development is designed to protect and enhance valued landmarks, views and vistas.*

- *Ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles.*
- *Encourage development to retain existing vegetation.*
- *Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban areas.*

Clause 15.01-5S – Neighbourhood Character

Objective

- *To recognise, support and protect neighbourhood character, cultural identity, and sense of place.*

Strategies

- *Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.*
- *Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.*
- *Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:*
 - *Pattern of local urban structure and subdivision.*
 - *Underlying natural landscape character and significant vegetation.*
 - *Neighbourhood character values and built form that reflect community identity.*

Comment:

Planning policy relating to urban design and building design seeks to, among other things, foster attractive urban environments that interact with their surroundings, contribute positively to the local context and achieve best practice in environmentally sustainable development. The proposed development provides for an appropriate character outcome and pedestrian friendly environment. It seeks to respectfully incorporate the new development with the existing development on the site and surrounding development, and does not seek to create an outcome discordant with the surrounding development forms. The design and form of the development is such that it will present to abutting properties and the streetscape as a series of dwellings and residential rooflines, with materials and form commensurate with the surrounding residential area and the valued alpine character of Mansfield, including natural features of the site and surrounds. The vast majority of the built form provides good interface to the public realm. Moreover, the proposal would see an improved utilisation of the subject site realised as well as an improved activation of the surrounding streetscape, with better opportunities for passive surveillance, increased population density and activity, and improved visual amenity. An Environmentally Sustainable Design (ESD) Statement has been prepared by Aecom Services Ptd Ltd, demonstrating how the proposal provides a considered ESD response. Overall, the proposal is

considered to be consistent with the relevant state and local policy direction at Clause 15.01-1S, 15.01-1L, 15.01-2S and 15.01-5S of the Mansfield Planning Scheme.

Clause 16.01-1S – Housing Supply

Objective

- *To facilitate well-located, integrated and diverse housing that meets community needs.*

Strategies

- *Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.*
- *Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.*
- *Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.*
- *Identify opportunities for increased residential densities to help consolidate urban areas.*
- *Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.*
- *Encourage the development of well-designed housing that:*
 - *Provides a high level of internal and external amenity.*
 - *Incorporates universal design and adaptable internal dwelling design.*
- *Support opportunities for a range of income groups to choose housing in well-serviced locations.*
- *Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.*

Clause 16.01-1L – Housing Supply in Mansfield Township

Strategies

- *Encourage higher density development in areas that can capitalise on existing physical and social infrastructure in proximity to the Mansfield town centre.*
- *Support smaller housing options and retirement and aged care accommodation close to town centres and areas with existing social and physical infrastructure.*
- *Encourage opportunities to increase the supply of affordable housing to cater for lower income households, older people and young people.*

Clause 16.01-2S – Housing Affordability

Objective

- *To deliver more affordable housing closer to jobs, transport and services.*

Strategies

- *Improve housing affordability by:*
 - Ensuring land supply continues to be sufficient to meet demand.
 - Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.
 - Promoting good housing and urban design to minimise negative environmental impacts and keep costs down for residents and the wider community.
 - Encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes.
- *Increase the supply of well-located affordable housing by:*
 - *Facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts.*
 - *Ensuring the redevelopment and renewal of public housing stock better meets community needs.*
- *Facilitate the delivery of social housing by identifying surplus government land suitable for housing.*

Clause 16.01-5S – Residential Aged Care Facilities

Objective

- *To facilitate the development of well-designed and appropriately located residential aged care facilities.*

Strategies

- *Recognise that residential aged care facilities contribute to housing diversity and choice, and are an appropriate use in a residential area.*
- *Recognise that residential aged care facilities are different to dwellings in their purpose and function, and will have a different built form (including height, scale and mass).*
- *Ensure local housing strategies, precinct structure plans and activity centre structure plans provide for residential aged care facilities.*
- *Ensure that residential aged care facilities are located in residential areas, activity centres and urban renewal precincts, close to services and public transport.*
- *Encourage planning for housing that:*
 - *Delivers an adequate supply of land or redevelopment opportunities for residential aged care facilities.*
 - *Enables older people to live in appropriate housing in their local community.*
- *Provide for a mix of housing for older people with appropriate access to care and support services.*
- *Ensure that proposals to establish residential aged care facilities early in the life of a growth area are in locations that will have early access to services and public transport.*

- *Ensure that residential aged care facilities are designed to respond to the site and its context.*
- *Promote a high standard of urban design and architecture in residential aged care facilities.*

Comment:

The proposed development is accordant with the objectives and strategies enunciated in Clauses 16.01-1S, 16.01-1L, 16.01-2S and 16.01-5S. The proposal provides for nominally higher density development in an existing serviced area which is commensurate with the policy and zoning expectations for the site. It would increase opportunities for housing supply close to services, including the Mansfield District Hospital and, likewise, would help to address affordability issues. It would also provide for an increased supply of residential aged care lodgings that are appropriately located in the Mansfield township and which are of a considered design having regard to the surrounding character as well as the future residents who might occupy it and their needs. It is considered to be a necessary and appropriate response to housing supply, affordability and aged care service availability.

Clause 17.01-1S – Diversified Economy

Objective

- *To strengthen and diversify the economy.*

Relevant strategies are:

- *Protect and strengthen existing and planned employment areas and plan for new employment areas.*
- *Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.*
- *Improve access to jobs closer to where people live.*

Comment:

The extension to the existing use and development would provide for more health care, hospitality and service-related jobs within the Mansfield township – which is favourable.

Clause 18.02-4S – Roads

Objective

- *To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.*
- *Relevant strategies are:*
- *Plan an adequate supply of car parking that is designed and located to:*

- *Protect the role and function of nearby roads.*
- *Enable the efficient movement and delivery of goods.*
- *Facilitate the use of public transport.*
- *Maintain journey times and the reliability of the on-road public transport network.*
- *Protect residential areas from the effects of road congestion created by on-street parking.*
- *Enable easy and efficient use.*
- *Achieve a high standard of urban design.*
- *Protect the amenity of the locality, including the amenity of pedestrians and other road users.*
- *Create a safe environment, particularly at night.*

Comment:

A Traffic Impact Assessment Report has been submitted with the application, which justifies the proposed road access, loading and car parking area design. Car parking provision for the aged care facility is otherwise satisfactory (save for pedestrian sight line concerns) and is discussed further in this report.

Clause 19.02-1S – Health Facilities

Objective

- *To assist the integration of health facilities with local and regional communities.*

Strategies

- *Facilitate the location of health and health-related facilities (including acute health, aged care, disability services and community care facilities) taking into account demographic trends, the existing and future demand requirements and the integration of services into communities.*
- *Plan public and private developments together, where possible, including some degree of flexibility in use.*
- *Locate hospitals and other large health facilities in designated health precincts and areas highly accessible to public and private transport.*
- *Provide adequate car parking for staff and visitors of health facilities.*

Clause 19.02-1L – Health Facilities

It is policy to:

- *Support and consolidate health related services in the precinct surrounding Mansfield District Hospital, identified as the education/health precinct in the Mansfield Township Strategic Framework Plan to Clause 11.01-1L-1.*

Comment:

The proposal promotes and supports consolidated health related services in the Mansfield township, consistent with the Mansfield Township Framework Plan at Clause 11.01-1L and health-centred policy direction at Clauses 15.02-1S and 19.02-1L of the Mansfield Planning Scheme.

Clause 19.03-3S – Integrated Water Management

Objective

- *To sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach.*
- *Relevant strategies are:*
- *Facilitate use of alternative water sources such as rainwater, stormwater, recycled water and run-off from irrigated farmland.*
- *Manage stormwater quality and quantity through a mix of on-site measures and developer contributions at a scale that will provide greatest net community benefit.*
- *Ensure that the use and development of land identifies and appropriately responds to potential environmental risks, and contributes to maintaining or improving the environmental quality of water and groundwater.*

Comment:

As discussed in this report, a Stormwater Management Plan has been prepared. The proposal will be required to treat and disperse all stormwater on-site and into the existing stormwater network, with appropriate treatment systems in place to protect water quality. This will be required by way of permit conditions.

Zoning

Clause 32.08 – General Residential Zone – Schedule 1 (GRZ1)

Purpose

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Permit requirement

Pursuant to Clause 32.08-8, a permit is required to construct a building or construct or carry out works for a residential aged care facility.

Decision Guidelines

General

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of this zone.*
- *The objectives set out in a schedule to this zone.*
- *Any other decision guidelines specified in a schedule to this zone.*
- *The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*

Non-residential use and development

- *Whether the use or development is compatible with residential use.*
- *Whether the use generally serves local community needs.*
- *The scale and intensity of the use and development.*
- *The design, height, setback and appearance of the proposed buildings and works.*
- *The proposed landscaping.*
- *The provision of car and bicycle parking and associated accessways.*
- *Any proposed loading and refuse collection facilities.*
- *The safety, efficiency and amenity effects of traffic to be generated by the proposal.*

Comment:

Key considerations applying to this application and the application of policy relate to the level of intensity of development in the GRZ, with the overwhelming policy direction being to intensify development in such areas in close proximity to jobs, transport and services.

The MPS and PPF have been addressed under separate heading in the body of this report. When assessing the application against the state policies in the PPF and the decision guidelines above, there is clear support for the proposed increase in density on the site, particularly for a health-related service such as what is entailed.

Overall, the proposal is considered to be generally in accordance with the zone purpose and the relevant decision guidelines.

The proposed subdivision will facilitate an increase in density and provision for aged care services within an established area within walking distance of the Mansfield town centre and Mansfield District Hospital. The proposed intensification of the existing land use is one that is much needed within Mansfield, with policy and the zone envisaging such community orientated uses to establish where interface issues can be appropriately addressed. The intensity of the use is considered compatible with residential use. The proposed built form is designed to be compatible with a residential area, and from abutting properties will largely present like a large dwelling screened by boundary landscaping and fencing. The development form is considered to provide a positive outcome for the area.

For these reasons, the proposal is considered to accord with the purpose and decision guidelines of the zone.

Overlays

No overlays apply to the subject land.

Particular Provisions

Clause 52.06 – Car parking

Purpose

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

Scope

Clause 52.06 applies to:

- *a new use; or*
- *an increase in the floor area or site area of an existing use.*

Number of car parking spaces required under Table 1 (Clause 52.06-5)

<i>Use</i>	<i>Rate Column A</i>	<i>Rate Column B</i>	<i>Car Parking Measure Column C</i>
<i>Residential aged care facility</i>	<i>0.3</i>	<i>0.3</i>	<i>To each lodging room.</i>

Comment:

The subject currently provides for twenty-one (21) car parking spaces.

The application proposes a net increase of thirty (30) lodging rooms, which generates a statutory requirement (in addition to the existing car parking provision) of nine (9) car parking spaces.

The application proposes the provision of forty-seven (47) car parking spaces, inclusive of the existing provision (which is to be incorporated into the new car parking development).

The application satisfies Clause 52.06-5.

Design standards for car parking (Clause 52.06-9)

Design Standard	Compliance
<i>Design Standard 1 – Accessways</i>	<p>Does not wholly comply</p> <p>Vehicles would be able to enter and exit the site in a forward direction.</p> <p>The accessway would provide a minimum trafficable width of 6.50 metres for a length of 93.00 metres (approx.), which would provide sufficient passing area.</p> <p>The plans do not demonstrate that pedestrian sight line requirements have been met.</p>
<i>Design Standard 2 – Car parking spaces</i>	<p>Complies</p> <p>The proposed car parking space dimensions and associated accessway widths are satisfactory.</p>
<i>Design Standard 3 – Gradients</i>	<p>Not applicable</p>
<i>Design Standard 4 – Mechanical Parking</i>	<p>Not applicable</p> <p>No mechanical parking is proposed.</p>
<i>Design Standard 5 – Urban Design</i>	<p>Complies</p> <p>The design and layout of the car parking areas is not visually dominant, which is considered to be a positive urban design outcome.</p>
<i>Design Standard 6 – Safety</i>	<p>Complies</p> <p>The design and layout of the car parking areas would allow for passive surveillance to be generally achieved whilst also recessing it from the streetscape – which is considered to be a positive safety outcome.</p>
<i>Design Standard 7 – Landscaping</i>	<p>Complies</p>

	Generous landscaping is afforded to the entire site, including the car parking and accessway areas.
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Comment:

Overall, the proposal is considered to be generally in accordance with the requirements of this provision.

Clause 52.17 – Native Vegetation***Purpose***

- *To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):*
 1. *Avoid the removal, destruction or lopping of native vegetation.*
 2. *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
 3. *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*
 4. *To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.*

Permit requirement

Pursuant to Clause 52.17-1 of the Mansfield Planning Scheme, a permit is required to remove, destroy or lop native vegetation, including dead native vegetation.

Application requirements

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.

The Guidelines stipulate the following:

- *Efforts to avoid the removal of, and minimise the impacts on, native vegetation should be commensurate with the biodiversity and other values of the native vegetation, and should focus on areas of native vegetation that have the most value. Taking this into account*

consider whether:

- *the site has been subject to a regional or landscape scale strategic planning process that appropriately avoided and minimised impacts on native vegetation*
- *the proposed use or development has been appropriately sited or designed to avoid and minimise impacts on native vegetation*
- *feasible opportunities exist to further avoid and minimise impacts on native vegetation without undermining the key objectives of the proposal.*
- *The role of native vegetation to be removed in:*
 - *Protecting water quality and waterway and riparian ecosystems, particularly within 30 metres of a wetland or waterway in a special water supply catchment area listed in the Catchment and Land Protection Act 1994.*
 - *Preventing land degradation, including soil erosion, salination, acidity, instability and water logging particularly: -where ground slopes are more than 20 per cent -on land which is subject to soil erosion or slippage -in harsh environments, such as coastal or alpine areas.*
 - *Preventing adverse effects on groundwater quality, particularly on land: -where groundwater recharge to saline water tables occurs -that is in proximity to a discharge area -that is a known recharge area.*
- *The need to manage native vegetation to preserve identified landscape values.*
- *Whether any part of the native vegetation to be removed, destroyed or lopped is protected under the Aboriginal Heritage Act 2006.*
- *The need to remove, destroy or lop native vegetation to create defensible space to reduce the risk of bushfire to life and property, having regard to other available bushfire risk mitigation measures.*
- *Whether the native vegetation to be removed is in accordance with any Property Vegetation Plan that applies to the site.*
- *Whether an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.*
- *For applications in both the Intermediate and Detailed Assessment Pathway only – consider the impacts on biodiversity based on the following values of the native vegetation to be removed:*
 - *The extent.*
 - *The condition score.*
 - *The strategic biodiversity value score.*
 - *The number and circumference of any large trees.*
 - *Whether it includes an endangered Ecological Vegetation Class (EVC).*
 - *Whether it includes sensitive wetlands or coastal areas.*

Comment:

The subject site is not within an area of identified aboriginal cultural heritage sensitivity, and it is not located within a BMO which would otherwise require the provision of defensible space.

The vegetation removal is necessary to allow for the expansion of the existing residential aged care facility. Local planning policy and the zone anticipates more development and higher density

for health-related services on the subject land and in the surrounding area; which this proposal addresses in a considered and restrained manner (given the potential developable area of the site and the actual extent of buildings and works proposed in this instance). Subsequently, the removal proposed is considered to be measured (avoided and minimised).

Despite the loss of native vegetation, a significant amount of other vegetation exists on the site and surrounds which would otherwise preserve the identified landscape values of the site and surrounds. Any future removal of that vegetation (where it is native and not exempt under Clause 52.17-7) would trigger the requirement for additional permissions (and consideration).

Offset requirements

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset, in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and the timing to secure the offset.

Comment –

As discussed in this report, an amended NVRP will be prepared and submitted to detail an appropriate offset amount that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines

Offset requirements will be a condition of permit. Overall, the proposal is considered to be generally in accordance with the requirements of this provision.

Clause 53.17 – Residential Aged Care Facility

Purpose

- *To facilitate the development of well-designed residential aged care facilities to meet existing and future needs.*
- *To recognise that residential aged care facilities have a different scale and built form to the surrounding neighbourhood.*
- *To ensure residential aged care facilities do not unreasonably impact on the amenity of adjoining dwellings.*

Application

This clause applies to an application to construct a building or construct or carry out works for a residential aged care facility in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Development requirements

An assessment against the development requirements at Clause 53.17-3 is provided at Attachment 1 of this report.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- How the proposed development responds to the site and context description.
- Where the requirements of this clause are not met, the impact on the amenity of the adjoining dwellings.
- The proposed amenity for future residents of the residential aged care facility.
- The effect of overshadowing on an appropriately located existing rooftop solar energy system on an adjoining lot.

Comment:

The MPS and PPF have been addressed under separate heading in the body of this report.

The proposed development provides an appropriate response to the site and surrounds, incorporating bulk, form, design and materials that are reminiscent of the environment (including native vegetation) and existing development of the site and surrounds.

The proposal is considered to demonstrate a high level of compliance with the development requirements specified at Clause 53.17-3, save for some minor variation to the front fencing requirement – which remains consistent with the intent of that requirement – and some inconsistency with the building entry requirement (provision of disabled car parking spaces has not been shown) – which can be conditioned as an amended plans requirement should a permit be issued.

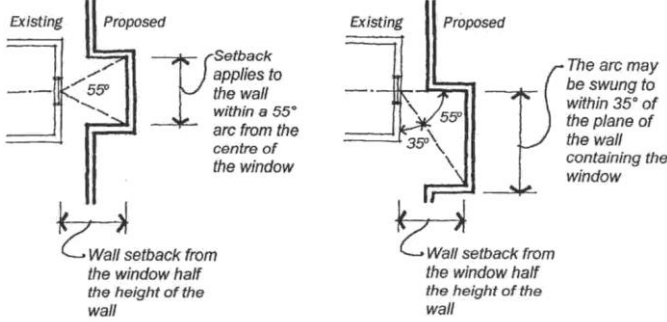
The proposed development would not result in any unreasonable overshadowing of any existing rooftop energy systems.

Overall, the proposal is considered to be generally in accordance with the requirements of this provision.

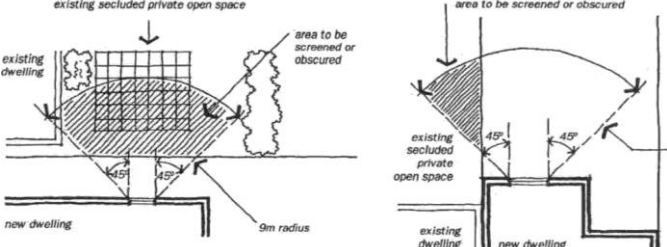
	Requirement	Compliance
Building height	<i>In the Neighbourhood Residential Zone, General Residential Zone and Township Zone the maximum building height must not exceed 16 metres.</i>	Complies The maximum overall building height of the proposed development would be 7.56 metres, which is below the mandatory maximum building height specified in Clause 53.17-3.
Street setback	<i>Walls of buildings should be set back from streets:</i> <ul style="list-style-type: none"> • Where the site is on a corner – 	Complies

	<ul style="list-style-type: none"> - <i>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.</i> - <i>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.</i> - <i>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 4 metres, whichever is the lesser.</i> - <i>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</i> 	<p>Highett Street is considered the front street (primary frontage) and Lovick Avenue is considered the side street (secondary frontage).</p> <p>There is no building on the abutting allotment facing Highett Street (which is not in the TRZ2). Therefore a minimum front setback of 4.00 metres applies to the Highett Street frontage.</p> <p>Only 'side walls' face the Lovick Avenue secondary frontage. Therefore a minimum front setback of 4.00 metres applies to the Lovick Avenue frontage.</p>
<p>Side and rear setbacks</p>	<p><i>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries by 1.0 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</i></p> <p><i>Screens, sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.</i></p> <p><i>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</i></p>	<p>Complies</p> <p>The proposed development would be single storey, with a maximum overall height of 7.56 metres; which would require a minimum 2.65 metre setback from side and rear boundaries (note: the setback requirement reduces as the height reduces).</p> <p>The development would be setback at least 6.41 metres from the eastern property boundary, 23.32 metres from the north-eastern property boundary (shared with no. 12 Village Court Mansfield) and 104.06 metres from the northern property boundary – which is satisfactory.</p>

	<p>The diagram shows a dashed line representing a lot boundary. It starts with a vertical segment of 1m, followed by a horizontal segment of 1m. From the end of this horizontal segment, a dashed line slopes upwards to the right. A horizontal dimension of 8.6m is shown from the start of the 1m horizontal segment to the end of the sloped segment. A horizontal dimension of 6.6m is shown from the end of the 1m horizontal segment to the end of the sloped segment. From the end of the sloped segment, a horizontal segment continues to the right, with a vertical dimension of 6.6m. From the end of this horizontal segment, a vertical segment goes down to the bottom boundary, with a vertical dimension of 6.9m. The total vertical height from the bottom boundary to the top of the horizontal segment is 13.5m (max.). A horizontal dimension of 3.6M (max.) (3m av.) is shown from the end of the 1m horizontal segment to the end of the vertical segment.</p>	
<p>Walls on boundaries</p>	<p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary for a length of more than:</p> <ul style="list-style-type: none"> • 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or • Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports; <p>whichever is the greater.</p> <p>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary.</p> <p>The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</p>	<p>Not applicable</p> <p>No walls on or within 200 millimetres of a property boundary is proposed.</p>

<p>Daylight to existing windows</p>	<p><i>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.</i></p> <p><i>Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</i></p> <p><i>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</i></p> 	<p>Complies</p> <p>Adequate light courts are achieved owing to the generous side and rear setbacks afforded.</p>
<p>North-facing windows</p>	<p><i>If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.</i></p>	<p>Complies</p> <p>The proposed development would be single storey, with a maximum overall height of 7.56 metres; which would require a minimum 3.64 metre setback from a north-facing habitable room window of an existing dwelling on an abutting lot that is within 3 metres of the boundary (note: the setback requirement reduces as the height reduces).</p>

	<p>The diagram illustrates a cross-section of a building and a proposed structure. The existing building has a height of 13.5m. A dashed line represents the proposed structure, which is 6.6m high at its top edge. The horizontal distance from the 'South Boundary' to the vertical line of the proposed structure is 9.6m. The vertical distance from the top of the proposed structure to the boundary is 6.6m. The horizontal distance from the boundary to the vertical line of the existing building is >3m. The horizontal distance from the vertical line of the proposed structure to the vertical line of the existing building is 6.6m. The vertical distance from the ground level to the top of the proposed structure is 3.3m. The vertical distance from the ground level to the top of the existing building is 3.6m. A 'North facing habitable room window' is shown on the left side of the existing building. The 'South Boundary' is indicated at the bottom.</p>	
<p>Overshadowing open space</p>	<p>Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.</p> <p>If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p>	<p>Complies</p> <p>Given the height, siting and orientation of the proposed development, there would be no (refer to Figure 6)</p>
<p>Overshadowing solar energy systems</p>	<p>Buildings should be sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.</p>	<p>Complies</p> <p>The proposed development would not result in any unreasonable overshadowing of any existing rooftop energy systems.</p>
<p>Overlooking</p>	<p>A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</p> <p>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:</p>	<p>Complies</p> <p>There are no new habitable room windows, balconies, terraces, decks or patios which are within 9.00 metres of and which have a direct view of the secluded private open space of an existing dwelling. In addition, existing boundary fencing would be maintained which would provide a visual barrier at least 1.8 metres high. This is satisfactory.</p>

	<ul style="list-style-type: none"> • Offset a minimum of 1.5 metres from the edge of one window to the edge of the other. • Have sill heights of at least 1.2 metres above floor level. • Have fixed, obscure glazing in any part of the window below 1.2 metres above floor level. • Have permanently fixed external screens to at least 1.2 metres above floor level and be no more than 25 per cent transparent. <p>Obscure glazing in any part of the window below 1.2 metres above floor level may be openable provided that there are no direct views as specified in this standard.</p> <p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> • Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels. • Permanent, fixed and durable. • Designed and coloured to blend in with the development. <p>This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.</p> 	
<p>Noise impacts</p>	<p>Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.</p>	<p>Complies</p> <p>Mechanical plant is located on the roof of the proposal and will be appropriately screened for the amenity of the occupants. The plant area is located centrally to the site and will not have an unreasonable impact on neighbours.</p> <p>Furthermore, conditions would be imposed on any permit issued to control such amenity considerations.</p>
<p>Daylight to new windows</p>	<p>A window in a habitable room should be located to face:</p>	<p>Complies</p>

	<ul style="list-style-type: none"> • <i>An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or</i> • <i>A verandah provided it is open for at least one third of its perimeter, or</i> • <i>A carport provided it has two or more open sides and is open for at least one third of its perimeter.</i> 	Sufficient light courts are afforded.
Site coverage	<i>The site area covered by buildings should not exceed 80 percent.</i>	Complies 4,986 square metres (or 19%) – which is satisfactory.
Access	<p><i>Accessways should be designed to:</i></p> <ul style="list-style-type: none"> • <i>Provide direct access to on-site designated areas for car and bicycle parking.</i> • <i>Provide direct access to the building for emergency vehicles.</i> • <i>Provide access for service and delivery vehicles to on-site loading bays and storage areas.</i> • <i>Ensure vehicles can enter and exit a development in a forward direction.</i> • <i>Provide a carriageway width of at least 5.5 metres and an internal radius of at least 4 metres at a change of direction.</i> • <i>The number and location of access points from streets to the site and the design of crossovers must be to the requirements of the relevant road authority.</i> • <i>Shared access ways or car parks should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced by 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</i> 	<p>Complies</p> <p>The proposed vehicle access arrangement will allow efficient access to the at grade car parking. The proposed car park also provides space for a loading bay.</p> <p>Car parking is located sufficiently away from habitable room windows.</p> <p>The proposed access and the number of crossovers will not have a significant impact on the surrounding road network.</p> <p>The accessways will have a minimum trafficable width of 6.50 metres.</p> <p>Provision for emergency vehicle access and parking is provided.</p>
Building entry	<p><i>The main pedestrian entry to a building should:</i></p> <ul style="list-style-type: none"> • <i>Have convenient access from a street.</i> • <i>Be sheltered from the weather.</i> • <i>Have convenient access from on-site car parking.</i> • <i>Have a designated vehicle standing area suitable for use by a community bus and a disabled parking area should be provided in an area that is convenient for the drop-off and pick-up of residents.</i> 	<p>Does not wholly comply</p> <p>The proposed pedestrian entrance is located centrally to the site and is sheltered from the weather. The drop off area is also sheltered.</p> <p>The building can be entered via the car park.</p> <p>Whilst the report accompanying the application refers to disabled car parking, the plans do not show any provision for such. An amended plans condition would be placed on any permit issued to require the provision for</p>

		disabled car parking in accordance with Australian Standards, and Clause 52.06 and Clause 53.17 of the Mansfield Planning Scheme.
Communal open space	<i>Accessible and useable communal open space should be provided for residents and staff.</i>	Complies The proposed development includes accessible and useable area for communal open space, including ground floor courtyard areas; gardens; activity areas; and a staff courtyard.
Front fence	<i>A front fence within 3 metres of a street should not exceed:</i> <ul style="list-style-type: none"> • <i>2 metres in height in streets in a Transport Zone 2; and</i> • <i>1.5 metres in height on all other streets.</i> 	Variation sought The proposed front fence will be 1.80 metres in height, however, will be of a permeable design and accompanied by generous landscaping. This meets the intent of this development requirement and is therefore acceptable.

Clause 53.18 – Stormwater Management in Urban Development

Purpose

- *To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.*

Stormwater management objectives for buildings and works

- *To encourage stormwater management that maximises the retention and reuse of stormwater.*
- *To encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.*
- *To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.*
- *To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.*

Standard W2

The stormwater management system should be designed to:

- *Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).*
- *Minimise the impact of chemical pollutants and other toxicants including by, but not limited to, bunding and covering or roofing of storage, loading and work areas.*
- *Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.*

Site management objectives

- *To protect drainage infrastructure and receiving waters from sedimentation and contamination.*
- *To protect the site and surrounding area from environmental degradation prior to and during construction of subdivision works.*

Standard W3

An application should describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- *Erosion and sediment.*
- *Stormwater.*
- *Litter, concrete and other construction wastes.*
- *Chemical contamination.*

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- *Any relevant water and stormwater management objective, policy or statement set out in this planning scheme.*
- *The capacity of the site to incorporate stormwater retention and reuse and other water sensitive urban design features.*
- *Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.*
- *Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.*
- *The capacity of the drainage network to accommodate additional stormwater.*
- *Whether the stormwater treatment areas can be effectively maintained.*
- *Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.*

Comment:

As discussed, a Stormwater Management Plan has been prepared by Meinhardt Urban Pty Ltd and submitted with the application, detailing that the proposed mitigating measures would capture all run-off (up to Q100 storm event) within an internal pit and pipe system and drain towards the on-site detention where impurities are filtered out, hence also reduce the peak flows discharge from the site to at or below the predeveloped scenario. The proposal would be required to treat and disperse all stormwater on-site and into the existing stormwater network, with appropriate treatment systems in place to protect water quality. This will be required by way of permit conditions. The site provides ample permeable space and gardens to ensure that stormwater can be harvested, stored and re-used on the site without adverse impacts to other land. Furthermore, Council's Engineering team have reviewed the application and determined that it satisfies the relevant considerations subject to permit conditions. Overall, the proposal is considered to be generally in accordance with the requirements of this provision.

General Provisions

Clause 65.01 – Approval of an Application or Plan

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

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

Comment:

The matters set out at Section 60 of the Act have been considered.

The MPS and PPF have been addressed under separate heading in the body of this report.

As discussed in this report, the proposed development is considered to be accordant with the purpose and decision guidelines of the zone.

The application demonstrates that proposed development would satisfactorily emanate ESD principles and appropriately managed stormwater discharge, waste recovery, deliveries and general egress to the site.

The extent of native vegetation to be removed is nominal having regard to the size of the site and the degree of existing vegetation. The native vegetation proposed for removal is unlikely to drastically alter the natural character of the site and the valued alpine character of Mansfield. Further, the proposal would provide for an appropriate third party offset that is commensurate with the biodiversity value of the native vegetation to be removed, in accordance with the Guidelines.

Overall, the proposed development is considered to result in a positive and orderly planning outcome for the subject land and its surrounds.

Conclusions

Having assessed the application against the relevant clauses of the Mansfield Planning Scheme, it is considered that the proposal responds appropriate to the requirements of the Scheme with respect to development in the GRZ1, particular provisions relating to car parking, native vegetation removal, residential aged care facilities and stormwater management, and the general provisions. The proposal will provide for a considered and appropriate extension to an existing residential aged care facility that is supported by planning policy and the relevant planning controls.

There are no other matters for consideration in relation to this application.

The application is therefore recommended for approval.

Officer Recommendation

GRANT A PLANNING PERMIT

That Council issue a **Planning Permit** for **Planning Application P054/23** for a ***Development of land for alterations and extensions of a Residential Aged Care Facility and removal of Native Vegetation (6 trees)*** on Lot 5 on Plan of Subdivision 080449 (Certificate of Title Volume 10938 Folio 706) and Lot 1 on Plan of Subdivision 095502 (Certificate of Title Volume 10938 Folio 705) commonly addressed as **86-92 Highett Street, Mansfield** in accordance with the endorsed plans and subject to the following conditions: -

Endorsed Plans

1. The development must be in accordance with the endorsed plans forming part of this permit and must not be altered without the prior written consent of the Responsible Authority.

Development conditions

2. All waste collection must be undertaken in accordance with the endorsed Waste Management Plan, prepared by Aecom Australia Pty Ltd dated 17 April 2023, to the satisfaction of the Responsible Authority. No alterations to the Waste Management Plan may occur without the prior written consent of the Responsible Authority.
3. The stormwater management system must be maintained in good working order at all times, in accordance with the Stormwater Management Plan, prepared by Meinhardt Urban Pty Ltd dated March 2023, to the satisfaction of the Responsible Authority.
4. Prior to the commencement of works, a construction management plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. The construction management plan must describe how the site will be managed prior to and during the construction period and set out requirements for managing:
 - a. Erosion and sediment.
 - b. Stormwater.
 - c. Litter, and other construction wastes.
 - d. Chemical contamination.

When approved, the plan will be endorsed and will then form part of this permit.

5. All plant and equipment (including, but not limited to air conditioner condensers, exhaust fans and other mechanical services) must be baffled so as to comply with EPA Publication 1826 *Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues*, and must be screened from public view.
6. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted without the written consent of the Responsible Authority.
7. All security alarms or similar devices installed on the land must be of a silent type in accordance with the current standard specified by Standards Australia International Limited and connected to a security service.
8. The loading and unloading of goods, including waste collection must be carried out entirely within the boundaries of the subject land.

9. Outdoor lighting must be designed, baffled and located to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority
10. Maintenance of all buildings surrounds and accessways within the site must be carried out so that the site is neat, tidy and clean at all times to the satisfaction of the Responsible Authority.
11. The landscaping shown on the endorsed plans must be maintained in good condition to the satisfaction of the Responsible Authority, and any dead, dying, diseased or damaged plants are to be replaced with like for like replacements of the same or greater size.
12. The external colours, materials and finishes of the building(s) shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
13. The external materials, including the roof, must be constructed of materials of muted colours to protect the aesthetic amenity of the area. No materials having a highly reflective surface must be used. For the purpose of this clause "highly reflective" includes unpainted or untreated aluminium, zinc or similar materials.
14. All pipes, fixtures, fittings and vents servicing any building on the land, other than stormwater down pipes, must be concealed or otherwise hidden from view to the satisfaction of the Responsible Authority.
15. Upon completion of the development, the land must be cleared of all excess and unused building materials, to the satisfaction of the Responsible Authority.
16. Downpipe water from any building must be directed into a water tank, soakwell, or otherwise discharged, so as not to cause erosion to the land or surrounding land, to the satisfaction of the Responsible Authority.

Environmental Health

17. Prior to the commencement of operations and the planned construction, further details of the business activity and a detailed layout plan for the kitchen(s) is to be provided to Council's Environmental Health Officers. The premise and kitchen activities are to be operated and maintained in accordance with the requirements of the *Food Act 1984*, and the *Public Health and Wellbeing Act 2008* with respect to 'Prescribed Accommodation'.

Environment

18. Prior to the commencement of works for the additional access from Highett Street, the existing Street Tree as identified on the endorsed plans, must be removed to the satisfaction of the Responsible Authority.

Notification of the works must be given to Council a minimum of two (2) weeks prior to commencing. The stump of the tree must be pasted with Glyphosate and left for a minimum of two (2) weeks prior to grinding and removing.

19. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.
20. Before the removal of any native vegetation, a Native Vegetation Removal Report (NVR) must be submitted and approved by the responsible authority. It must include trees 44, 46, 47, 48, 50, 56 and 128 as noted in the endorsed Arboricultural Impact Assessment and Tree Protection Plan. This approved NVR will then form the basis for offset requirements.
21. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence is one or both of the following:
 - a) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10 year management actions and ongoing management of the site and/or
 - b) credit extract(s) allocated to the permit from the Native Vegetation Credit Register.A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Environment, Land, Water and Planning.
22. All native vegetation protection works constructed or carried out must be in accordance with the endorsed Arboricultural Impact Assessment and Tree Protection Plan.
23. Tree 50 as per the endorsed Arboricultural Impact Assessment and Tree Protection Plan is to have permeable driveway substrate used in the TPZ and SRZ area to minimise compaction. Any shallow excavation within the TPZ or SRZ must be carried out without heavy machinery. Roots must be left intact where possible.

Engineering

24. Prior to the commencement of works all design drawings must be submitted to Council for approval.
25. Prior to any works proceeding within the road reserve, an application for Works Within Roads Reserve Permit must be made.
26. All design work must be conducted by a suitably qualified CPEng, RPEng or National Engineering Registered (NER) engineer, to the satisfaction of the Responsible Authority.

27. Prior to the commencement of works for Stage 2, the concrete footpath must be constructed and connected along Lovick Ave where the access road will be removed to the satisfaction of the Responsible Authority.
28. Prior to the commencement of works, construction and drainage plans and computations to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. All works constructed or carried out must be in accordance with those plans to the satisfaction of the Responsible Authority.

The drainage plans must include:

- a) An on-site detention system designed by a suitably qualified engineering consultant to ensure no net increase in stormwater discharge from predevelopment levels by the proposed development.
 - b) Measures to enhance stormwater discharge quality from the development including output from MUSIC, Storm updated or similar with design calculation summaries of the treatment elements.
29. Prior to the commencement of works, a stormwater drainage system with pipes and pits must be designed for Highett Street along the development considering the entire lot developed to its capacity and overall contributing catchment. The pipes and pits must be constructed according to the approved design at Highett Street along the property frontage where the development is proposed.
30. Interrupted overland flow from this development must not impact on the adjacent lots.
31. At least 1 disabled carpark space must be provided compliant to *Disability Discrimination Act*.
32. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
33. Following completion of all works, "as constructed" drawings relating to drainage assets and assets with the road reserve must be submitted to Council in AutoCAD format. In addition, as constructed measurements as digital data in a GIS ready format must be provided relating to drainage assets and assets with the road reserve in accordance with the current version of D-SPEC and R-SPEC.

Goulburn Murray Water

34. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

35. All wastewater from the residential aged care facility must be disposed of via connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.
36. Stormwater must be discharged to a legal point as nominated by the Responsible Authority. All infrastructure and works to manage stormwater must be in accordance with the requirements of the Responsible Authority.

Goulburn Valley Water

37. Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment.
38. Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment.
39. Connection of all sanitary fixtures within the development to reticulated sewerage, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.

All works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage', and to the satisfaction of the Corporation's Property Services Section.

40. Discharge of Trade Waste from the development will be subject to a Trade Waste Discharge Consent. Application to determine the specific requirements for your development may be required. Please contact the Business Customer Service Team on 5832 4800 or via email mail@gvwater.vic.gov.au to discuss your business' needs.

Permit Expiry

41. This permit will expire if one of the following circumstances applies:
 - a) The development has not commenced within two (2) years of the date of this permit.
 - b) Stage 1 of the development is not completed within four (4) years of the date of this permit.
 - c) Stage 2 of the development is not completed within six (6) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with Section 69 of the *Planning and Environment Act 1987*.

Notations

1. This permit does not authorise the commencement of any building construction works. Before any such development may commence, the permit holder must apply for and obtain appropriate building approval.

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2. An application for works within a road reserve is required to be made prior to commencing any works on the road reserve and must comply with the requirements of the *Road Management Act 2004*.