

Appendix One – Analysis Documents

Municipal Strategy Plan (MPS) analysis

Document A.1 Mansfield Planning Scheme

1 Clause and name	2 Practitioners Guide to Victorian Planning Schemes requirement	3 Does it comply (Yes or no)	4 Recommended changes (including source if possible)
Word count (Planner)	Is the word count 5000 words or less?	Yes	20(4) in PSR amend Further strategic work (future amendment) in PSR improve
02.01 Context (Planner)	Does the Context section include a brief description of the geographic qualities of the municipality?	Yes	
	Does the Context section include a brief description of the economic qualities of the municipality, using the most recently available data, with source and date specified?	No	Insert economic qualities of the municipality, words from Mansfield CILUS.
	Does the Context section include a brief description of the demographic qualities of the municipality, using the most recently available demographic data / projections, with source and date specified? (Specifically, ABS and VIF)	Yes	
	Are the First Nations people of the land recognised in the first paragraph of the Context. (May be multiple).	No	Work with first peoples to include words written by them.
	Is there opportunity to reduce the word count for this Clause (aim for 500 words).	N/A	Opportunity for expansion.
02.02 Vision (Planner)	Does the Vision section clearly and succinctly describe the type of municipality Council seeks to create? (If unsure use the Council Plan vision, extracting land use matters).	Yes	Uses 2021-2025 Council plan
	Does the Vision section only include land use and development issues capable of being influenced by the Planning Scheme?	No	Limit vision to land use and development issues. There isn't anything else to work with though.
02.03 Strategic directions			

Municipal Strategy Plan (MPS) analysis

1 Clause and name	2 Practitioners Guide to Victorian Planning Schemes requirement	3 Does it comply (Yes or no)	4 Recommended changes (including source if possible)
02.03-1 Settlement (Senior)	Are the Strategic Directions consistent with and build upon State Planning Policy?	Yes	Clear on capacity of growth and township characteristics to support growth
	Do the Strategic Directions articulate how State and Regional Planning Policy will be implemented at a local level?	Yes	
	Do the Strategic Directions articulate how the Vision (Clause 02.02) will be implemented?	No	
	Do the Strategic Directions respond to the planning vision in Council's Corporate Plan?	No	
	Are the Strategic Directions evidence-based, supported by background strategic work that is adopted by Council?	Yes	
	Do the Strategic Directions articulate what is most important to the municipality from a land use and development perspective?	No	Opportunity to highlight tourism in somewhere
	Do the Strategic Directions provide the policy basis for the application of Zones, Overlays, Particular Provisions and Local Policies?	Yes	
	Are the Strategic Directions grouped by PPF theme and identified by sub-headings?	Yes	
02.03-2 Environmental and landscape values (Senior)	Are the Strategic Directions consistent with and build upon State Planning Policy?	Yes	
	Do the Strategic Directions articulate how State and Regional Planning Policy will be implemented at a local level?	No	
	Do the Strategic Directions articulate how the Vision (Clause 02.02) will be implemented?	Yes	
	Do the Strategic Directions respond to the planning vision in Council's Corporate Plan?	No	
	Are the Strategic Directions evidence-based, supported by background strategic work that is adopted by Council?		

Municipal Strategy Plan (MPS) analysis

1 Clause and name	2 Practitioners Guide to Victorian Planning Schemes requirement	3 Does it comply (Yes or no)	4 Recommended changes (including source if possible) 20(4) in PSR amend Further strategic work (future amendment) in PSR improve
	Do the Strategic Directions articulate what is most important to the municipality from a land use and development perspective?	Yes	
	Do the Strategic Directions provide the policy basis for the application of Zones, Overlays, Particular Provisions and Local Policies?	Yes	
	Are the Strategic Directions grouped by PPF theme and identified by sub-headings?		
02.03-3 Environmental risks and amenity (Senior)	Are the Strategic Directions consistent with and build upon State Planning Policy?		
	Do the Strategic Directions articulate how State and Regional Planning Policy will be implemented at a local level?		
	Do the Strategic Directions articulate how the Vision (Clause 02.02) will be implemented?		
	Do the Strategic Directions respond to the planning vision in Council's Corporate Plan?		
	Are the Strategic Directions evidence-based, supported by background strategic work that is adopted by Council?		
	Do the Strategic Directions articulate what is most important to the municipality from a land use and development perspective?		
	Do the Strategic Directions provide the policy basis for the application of Zones, Overlays, Particular Provisions and Local Policies?		
	Are the Strategic Directions grouped by PPF theme and identified by sub-headings?		
02.03-4 Natural resource management	Are the Strategic Directions consistent with and build upon State Planning Policy?		
	Do the Strategic Directions articulate how State and Regional Planning Policy will be implemented at a local level?		

Municipal Strategy Plan (MPS) analysis

1 Clause and name	2 Practitioners Guide to Victorian Planning Schemes requirement	3 Does it comply (Yes or no)	4 Recommended changes (including source if possible) 20(4) in PSR amend Further strategic work (future amendment) in PSR improve
(Senior)	Do the Strategic Directions articulate how the Vision (Clause 02.02) will be implemented?		
	Do the Strategic Directions respond to the planning vision in Council's Corporate Plan?		
	Are the Strategic Directions evidence-based, supported by background strategic work that is adopted by Council?		
	Do the Strategic Directions articulate what is most important to the municipality from a land use and development perspective?		
	Do the Strategic Directions provide the policy basis for the application of Zones, Overlays, Particular Provisions and Local Policies?		
	Are the Strategic Directions grouped by PPF theme and identified by sub-headings?		
02.03-5 Built environment and heritage (Senior)	Are the Strategic Directions consistent with and build upon State Planning Policy?		
	Do the Strategic Directions articulate how State and Regional Planning Policy will be implemented at a local level?		
	Do the Strategic Directions articulate how the Vision (Clause 02.02) will be implemented?		
	Do the Strategic Directions respond to the planning vision in Council's Corporate Plan?		
	Are the Strategic Directions evidence-based, supported by background strategic work that is adopted by Council?		
	Do the Strategic Directions articulate what is most important to the municipality from a land use and development perspective?		
	Do the Strategic Directions provide the policy basis for the application of Zones, Overlays, Particular Provisions and Local Policies?		

Municipal Strategy Plan (MPS) analysis

1 Clause and name	2 Practitioners Guide to Victorian Planning Schemes requirement	3 Does it comply (Yes or no)	4 Recommended changes (including source if possible) 20(4) in PSR amend Further strategic work (future amendment) in PSR improve
	Are the Strategic Directions grouped by PPF theme and identified by sub-headings?		
02.03-6 Housing (Senior)	Are the Strategic Directions consistent with and build upon State Planning Policy?		
	Do the Strategic Directions articulate how State and Regional Planning Policy will be implemented at a local level?		
	Do the Strategic Directions articulate how the Vision (Clause 02.02) will be implemented?		
	Do the Strategic Directions respond to the planning vision in Council's Corporate Plan?		
	Are the Strategic Directions evidence-based, supported by background strategic work that is adopted by Council?		
	Do the Strategic Directions articulate what is most important to the municipality from a land use and development perspective?		
	Do the Strategic Directions provide the policy basis for the application of Zones, Overlays, Particular Provisions and Local Policies?		
	Are the Strategic Directions grouped by PPF theme and identified by sub-headings?		
02.03-7 Economic development (Senior)	Are the Strategic Directions consistent with and build upon State Planning Policy?		
	Do the Strategic Directions articulate how State and Regional Planning Policy will be implemented at a local level?		
	Do the Strategic Directions articulate how the Vision (Clause 02.02) will be implemented?		
	Do the Strategic Directions respond to the planning vision in Council's Corporate Plan?		
	Are the Strategic Directions evidence-based, supported by background strategic work that is adopted by Council?		

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1 Clause and name	2 Practitioners Guide to Victorian Planning Schemes requirement	3 Does it comply (Yes or no)	4 Recommended changes (including source if possible) 20(4) in PSR amend Further strategic work (future amendment) in PSR improve
	Do the Strategic Directions articulate what is most important to the municipality from a land use and development perspective?		
	Do the Strategic Directions provide the policy basis for the application of Zones, Overlays, Particular Provisions and Local Policies?		
	Are the Strategic Directions grouped by PPF theme and identified by sub-headings?		
02.03-8 Transport (Senior)	Are the Strategic Directions consistent with and build upon State Planning Policy?		
	Do the Strategic Directions articulate how State and Regional Planning Policy will be implemented at a local level?		
	Do the Strategic Directions articulate how the Vision (Clause 02.02) will be implemented?		
	Do the Strategic Directions respond to the planning vision in Council's Corporate Plan?		
	Are the Strategic Directions evidence-based, supported by background strategic work that is adopted by Council?		
	Do the Strategic Directions articulate what is most important to the municipality from a land use and development perspective?		
	Do the Strategic Directions provide the policy basis for the application of Zones, Overlays, Particular Provisions and Local Policies?		
02.03-9 Infrastructure (Senior)	Are the Strategic Directions consistent with and build upon State Planning Policy?		
	Do the Strategic Directions articulate how State and Regional Planning Policy will be implemented at a local level?		

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	Do the Strategic Directions articulate how the Vision (Clause 02.02) will be implemented?		
	Do the Strategic Directions respond to the planning vision in Council's Corporate Plan?		
	Are the Strategic Directions evidence-based, supported by background strategic work that is adopted by Council?		
	Do the Strategic Directions articulate what is most important to the municipality from a land use and development perspective?		
	Do the Strategic Directions provide the policy basis for the application of Zones, Overlays, Particular Provisions and Local Policies?		
	Are the Strategic Directions grouped by PPF theme and identified by sub-headings?		
2.04 Strategic Framework Plans	Does the Strategic Framework Plan spatially demonstrate how the municipality is expected to change as a result of the implementation of the Planning Scheme?		
Mansfield Strategic Framework Plan (Senior)	Does the Strategic Framework Plan clearly compliment and visually express the Vision (Clause 02.02) and the Strategic Directions (02.03)?		

Planning Policy Framework (PPF) analysis

Document A.2 Mansfield Planning Scheme

1 Clause and name	2 Policy application (if relevant)	3 Observations / comments	4 Recommended changes 20(4) in PSR amend Further strategic work (future amendment) in PSR improve
11 Settlement			
11.01-1L-01 Mansfield Township	This policy applies to all land identified in the Mansfield Township Strategic Framework Plan and Mansfield CBD Framework Plan to this clause.	<ul style="list-style-type: none"> • Policy name, application and location within scheme is appropriate • Objectives are appropriate • Many strategies under different subtitles. Most seem to be drafted to have one unique idea. • “Set aside,” “site” not approved verbs • Plans are correctly in Clause 	Change to approved verbs
11.01-1L-02 Other local areas	<p>This policy applies to all land identified in the following township framework plans to this clause:</p> <ul style="list-style-type: none"> - Bonnie Doon Framework Plan. - Merrijig Framework Plan. - Sawmill Settlement, Alpine Ridge and Pinnacle Valley Framework Plan. 	<ul style="list-style-type: none"> • Policy name and application is appropriate • Would these settlement framework plans be better off with a sub-clause each? • No objectives but is clear what state policy these give effect to • Note unapproved verbs • Plans are correctly in Clause 	<p>Change to approved verbs</p> <p>Each settlement to get its own sub-clause in 11.01-1 and 2.</p>

Planning Policy Framework (PPF) analysis

1 Clause and name	2 Policy application (if relevant)	3 Observations / comments	4 Recommended changes 20(4) in PSR amend Further strategic work (future amendment) in PSR improve
	<ul style="list-style-type: none"> - Jamieson Framework Plan. - Merton Framework Plan. - Maindample Framework Plan. - Woods Point Framework Plan. - Goughs Bay and Mountain Bay Framework Plan. - Macs Cove and Howqua Framework Plan. 		
12 Environment and landscape values			
12.01-1L Protection of biodiversity	No application	<ul style="list-style-type: none"> • Name and location in scheme is appropriate • No application but clear indication that policy applies to all land. • No objective but clear which state policy is trying to be achieved. • Some repetition of state policy i.e. discouraging fragmentation, preventing unjustified removal of native veg. • All strategies using an approved verb 	

Planning Policy Framework (PPF) analysis

1 Clause and name	2 Policy application (if relevant)	3 Observations / comments	4 Recommended changes 20(4) in PSR amend Further strategic work (future amendment) in PSR improve
12.05-2L Significant landscapes, ridgelines and alpine approaches	No application	<ul style="list-style-type: none"> • Policy name and location in scheme is appropriate • No application but clear where application is meant to be. Although due to clause 71.02-2 perhaps an application should be considered. • Objective is clear, repeats some state policy. • “Site” not an approved verb. • On purple website (current) title of clause is “Bushfire management.” Title is correct on new website. 	Change unapproved verb
13 Environment risks and amenity			
13.02-1L Bushfire management	No application	<ul style="list-style-type: none"> • Policy name and location in scheme is appropriate • No application but clear that clause applies to all land (in line with 72.01) • No objectives but clear which state policy it gives effect to • “Incorporate” not an approved verb. Use “Implement” or similar. • Note repetition i.e. providing access to existing road network • All strategies using an approved verb 	Change unapproved verb
13.03-1L Floodplain management	This policy applies to all land affected by the Urban Floodway Zone (UFZ), Flood Overlay (FO) or Land Subject to Inundation Overlay (LSIO).	<ul style="list-style-type: none"> • Name, application and location in the scheme is appropriate • No objective, but clear which state policy it gives effect to • On purple website (current) title of clause is “Dwellings and subdivisions in rural areas.” Title is correct on new website • Policy guidelines helpful in assisting planning 	Change unapproved verb

Planning Policy Framework (PPF) analysis

1 Clause and name	2 Policy application (if relevant)	3 Observations / comments	4 Recommended changes 20(4) in PSR amend Further strategic work (future amendment) in PSR improve
14 Natural resource management		<ul style="list-style-type: none"> • Policy doc correctly referenced in 72.08 • “Use” not an approved verb 	
14.01-1L Dwellings and subdivisions in rural areas	No application	<ul style="list-style-type: none"> • No application but clear that clause applies to all land (in line with 72.01) • Objectives appropriate • Some repetition of state policy i.e. avoiding subdivision into small lots • Policy guidelines are helpful to planning • “Site” not an approved verb. Use “locate” or similar. 	Review policy. Further strategic work required to understand where the policy should be applied and check for inconsistencies with underlying zones.
14.02-1L Catchment planning and management	This policy applies to land within a Declared Special Water Supply Catchment Area, as shown on the Mansfield Shire catchments map to this clause.	<ul style="list-style-type: none"> • Policy name, application and location in the scheme is appropriate • No objectives but clear which state policy it gives effect to • Policy doc correctly referenced • Plans referenced in application 	
15 Built environment and heritage			
15.01-1L Urban design in Mansfield Township CBD	This policy applies to all land identified in the Mansfield CBD Framework Plan to Clause 11.01-1L-1.	<ul style="list-style-type: none"> • Policy name, application and location in the scheme appropriate • No objectives but clear which state policy it gives effect to • “Incorporate” not an approved verb 	Policies redrafted with approved verbs. Recommend this policy be reviewed as to its appropriateness as a PPF policy. Consider a DDO for Mansfield township.

Planning Policy Framework (PPF) analysis

1 Clause and name	2 Policy application (if relevant)	3 Observations / comments	4 Recommended changes 20(4) in PSR amend Further strategic work (future amendment) in PSR improve
16 Housing			
16.01-1L Housing supply in Mansfield Township	No application	<ul style="list-style-type: none"> • Policy name and location in the scheme is appropriate • No application (appropriate) • No objective but clear which state policy it is giving effect to • Policy guideline is clear and helpful • All strategies starting with an approved verb 	
16.01-3L Rural residential development	This policy applies to all land in the Rural Living Zone.	<ul style="list-style-type: none"> • Policy name and location in the scheme appropriate • Application appropriate • Objective repetitive of state policy • Strategies use approved verbs, note p4 of strategies starting with “in the absence” • Policy guidelines are clear and helpful 	
17 Economic development			
17.04-1L Facilitating tourism in Mansfield Shire	No application	<ul style="list-style-type: none"> • Policy name and location in the scheme appropriate • No application (appropriate) • No objectives but clear which state policy it is giving effect to 	
18 Transport			
18.01-3L Sustainable personal transport	No application	<ul style="list-style-type: none"> • Policy name and location in the scheme appropriate • No application (appropriate) • No objectives but clear which state policy it gives effect to • Strategy uses approved verb 	

Planning Policy Framework (PPF) analysis

1 Clause and name	2 Policy application (if relevant)	3 Observations / comments	4 Recommended changes 20(4) in PSR amend Further strategic work (future amendment) in PSR improve
19 Infrastructure			
19.02-1L Health facilities	No application	<ul style="list-style-type: none"> • Policy name and location in the scheme appropriate • No application (appropriate) • No objectives but clear which state policy it gives effect to • Strategy uses approved verb 	Do not have the reference to another clause within the policy
19.02-4L Social and cultural infrastructure	No application	<ul style="list-style-type: none"> • Policy name and location in the scheme appropriate • No application (appropriate) • No objectives but clear which state policy it gives effect to • Strategies uses approved verbs 	
19.03-1L Development and infrastructure contributions plans	No application	<ul style="list-style-type: none"> • Policy name and location in the scheme appropriate • No application (appropriate) • No objectives but clear which state policy it gives effect to • Strategy uses approved verb 	

1. Clause and name	2. Applies to (schedules only)	3. Purpose and requirements	4. Adherence with MD	5. Additional improvements suggested
RESIDENTIAL ZONES				
32.03 Low Density Residential Zone (LDRZ)		To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.		
32.03s Schedule 1 - LDRZ1		Minimum subdivision area 0.6 hectares on all land described as Part of Kareen Hills residential marked 'A' on Map 1. Minimum subdivision area 0.2250 hectares on all land described as Part of Kareen Hills residential estate marked 'B'	Complies	
32.04 Mixed Use Zone (MUZ)		To provide for a range of residential, commercial, industrial, and other uses which complement the mixed-use function of the locality. To provide for housing at higher densities. To encourage development that responds to the existing or preferred neighbourhood character of the area. To facilitate the use, development, and redevelopment of land in accordance with the objectives specified in a schedule to this zone.		

1. Clause and name	2. Applies to (schedules only)	3. Purpose and requirements	4. Adherence with MD	5. Additional improvements suggested
32.04s Schedule 1 - MUZ	Mansfield Mixed Use Areas	Front setback – 10 metres Corner site – 5 metres from a side street Site coverage – 70 percent Front fence height – 1.2 metres	Complies	
32.05 Township Zone (TZ)		To provide for residential development and a range of commercial, industrial, and other uses in small towns. To encourage development that respects the neighbourhood character of the area. To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.		
32.05s Schedule 1 – TZ	Mansfield Townships		Complies- no content	All residential zones should be reviewed against PPNs 90 and 91.
32.08 General Residential Zone (GRZ)		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		

1. Clause and name	2. Applies to (schedules only)	3. Purpose and requirements	4. Adherence with MD	5. Additional improvements suggested
32.08s Schedule 1 - GRZ	Mansfield General Residential Area		Complies	
INDUSTRIAL ZONES				
33.01 Industrial 1 Zone (IN1Z)		To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.		
33.01s Schedule 1 – IN1Z			Complies – no content	
COMMERCIAL ZONES				
34.01 Commercial 1 Zone (C1Z)		To create vibrant mixed use commercial centres for retail, office, business, entertainment, and community uses. To provide for residential uses at densities complementary to the role and scale of the commercial centre.		
34.01s – Schedule 1 to C1Z		8 Timothy Lane, Mansfield – maximum leasable floor area for Shop – 1200 square metres.	Complies	
34.02 Commercial 2 Zone		To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services. To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.		

1. Clause and name	2. Applies to (schedules only)	3. Purpose and requirements	4. Adherence with MD	5. Additional improvements suggested
RURAL ZONES				
35.03 Rural Living Zone (RLZ)		<p>To provide for residential use in a rural environment.</p> <p>To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.</p> <p>To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.</p> <p>To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.</p>		
35.03s - Schedule 1 to RLZ		<p>Minimum subdivision area – 2 hectares with an average lot size of 4 hectares</p> <p>Minimum area for which no permit is required to use land for a Dwelling - 4 hectares</p> <p>Maximum floor area for which no permit is required to alter or extend an existing dwelling – 50 percent increase in gross floor area, provided cladding colours/materials used are of muted tones. This floor area includes attached garages and storage areas but does not apply to any two storey buildings.</p> <p>Minimum setback from a road – 20 metres</p> <p>Minimum setback from a boundary – 5 metres</p> <p>Minimum setback from a dwelling not in the same ownership – 100 metres</p>	<p>Does not comply. Should be stated only in square metres</p>	<p>Further strategic work to be done to determine the square metres.</p> <p>Unclear about exemption for 2 storey building – does it mean going up or out?</p>

1. Clause and name	2. Applies to (schedules only)	3. Purpose and requirements	4. Adherence with MD	5. Additional improvements suggested
35.03s Schedule 2 RLZ2 (RLZ2)		<p>Earthwork permit requirements – all land</p> <p>Minimum subdivision area – 8 hectares with an average lot size of 4 hectares</p> <p>Minimum area for which no permit is required to use land for a Dwelling - 8 hectares</p> <p>Maximum floor area for which no permit is required to alter or extend an existing dwelling – 50 percent increase in gross floor area, provided cladding colours/materials used are of muted tones. This floor area includes attached garages and storage areas but does not apply to any two storey buildings.</p> <p>Minimum setback from a road – 20 metres</p> <p>Minimum setback from a boundary – 5 metres</p> <p>Minimum setback from a dwelling not in the same ownership – 100 metres</p> <p>Earthwork permit requirements – all land</p>	<p>Does not comply. Should be stated only in square metres</p>	<p>Further strategic work to be done to determine the square metres.</p> <p>Unclear about exemption for 2 storey building – does it mean going up or out?</p>
35.06 Rural Conservation Zone (RCZ)		<p>To conserve the values specified in a schedule to this zone.</p> <p>To protect and enhance the natural environment and natural processes for their historic, archaeological, and scientific interest, landscape, faunal habitat, and cultural values.</p> <p>To protect and enhance natural resources and the biodiversity of the area.</p> <p>To encourage development and use of land which is consistent with sustainable land management and land capability practices,</p>		

1. Clause and name	2. Applies to (schedules only)	3. Purpose and requirements	4. Adherence with MD	5. Additional improvements suggested
		<p>and which takes into account the conservation values and environmental sensitivity of the locality.</p> <p>To provide for agricultural use consistent with the conservation of environmental and landscape values of the area.</p> <p>To conserve and enhance the cultural significance and character of open rural and scenic non-urban landscapes.</p>		
35.06s Schedule 1 - RCZ1	Conservation Values	<p>Protect areas with sensitive environments particularly surrounding the Goulburn and Big Rivers.</p> <p>Special consideration is needed to protect water quality, erosion prone soils and visual amenity in these areas.</p> <p>40 hectares – minimum subdivision area for all land</p> <p>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres) for all land –</p> <p>50 percent increase in gross floor area, provided cladding colours/materials used are of muted ones. This floor area includes attached garages and storage areas but does not apply to any two storey buildings.</p> <p>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres) for all land – 50 percent increase in gross floor area, provided</p>	<p>Does not comply.</p> <p>Should be stated only in square metres</p> <p>Further strategic work to be done to determine the square metres.</p>	<p>Redraft Conservation Values statement for clarity.</p> <p>Further strategic work to be done to determine the square metres.</p>

1. Clause and name	2. Applies to (schedules only)	3. Purpose and requirements	4. Adherence with MD	5. Additional improvements suggested
		<p>cladding colours/materials used are of muted ones.</p> <p>Earthwork permit requirements – all land</p>		
<p>35.07 Farming Zone (FZ)</p>		<p>To provide for the use of land for agriculture.</p> <p>To encourage the retention of productive agricultural land.</p> <p>To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.</p> <p>To encourage the retention of employment and population to support rural communities.</p> <p>To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.</p> <p>To provide for the use and development of land for the specific purposes identified in a schedule to this zone.</p>		
<p>35.07s Schedule 1 to FZ</p>		<p><u>All land:</u></p> <p>40 hectares – minimum subdivision area</p> <p>40 hectares – minimum area for which no permit is required to use land for a dwelling</p> <p>100 hectares – maximum area for which no permit is required to use land for timber production</p> <p>50 percent increase – in gross floor area, provided cladding colours/materials used are of muted tones – maximum floor area for which no permit is</p>		

1. Clause and name	2. Applies to (schedules only)	3. Purpose and requirements	4. Adherence with MD	5. Additional improvements suggested
		<p>required to alter or extend an existing dwelling (square metres)</p> <p>50 percent increase – in gross floor area, provided cladding colours/materials used are of muted tones. This floor area includes garages and storage areas – maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</p> <p>20 metres – minimum setback from a road</p> <p>5 metres – minimum setback from a boundary</p> <p>100 metres – minimum setback from a dwelling not in the same ownership</p> <p>Earthwork permit requirements – all land</p>	<p>Does not comply. Should be stated only in square metres</p>	<p>Further strategic work to be done to determine the square metres.</p>
<p>35.08 Rural Activity Zone (RAZ)</p>		<p>To provide for the use of land for agriculture.</p> <p>To provide for other uses and development, in appropriate locations, which are compatible with agriculture and the environmental and landscape characteristics of the area.</p> <p>To ensure that use and development does not adversely affect surrounding land uses.</p> <p>To provide for the use and development of land for the specific purposes identified in a schedule to this zone.</p> <p>To protect and enhance natural resources and the biodiversity of the area.</p> <p>To encourage use and development of land based on comprehensive and sustainable land</p>		

1. Clause and name	2. Applies to (schedules only)	3. Purpose and requirements	4. Adherence with MD	5. Additional improvements suggested
		management practices and infrastructure provision.		
35.08s Schedule 1 – RAZ		<p>To enable the use and development of land associated with the Geelong Grammar School Timbertop Campus to be considered in an integrated manner taking into account agriculture and the environmental and landscape characteristics of the area.</p> <p><u>All land:</u></p> <p>100 hectares – minimum subdivision area</p> <p>40 hectares - minimum area for which no permit is required to use land for timber production</p> <p>4000 square metres – maximum floor area for which no permit is required to alter or extend an existing dwelling</p> <p>4000 square metres - maximum area for which no permit is required to alter or extend an existing building used for agriculture (square metres)</p> <p>Earthworks permit requirements – all land</p>	Complies	
PUBLIC LAND ZONES				
36.01 Public Use Zone (PUZ)		<p>To recognise public land use for public utility and community services and facilities.</p> <p>To provide for associated uses that are consistent with the intent of the public land reservation or purpose.</p>		
36.01s Schedule to PUZ		No content	Complies – no content	

1. Clause and name	2. Applies to (schedules only)	3. Purpose and requirements	4. Adherence with MD	5. Additional improvements suggested
36.02 Public Park and Recreation Zone (PPRZ)		<p>To recognise areas for public recreation and open space.</p> <p>To protect and conserve areas of significance where appropriate.</p> <p>To provide for commercial uses where appropriate.</p>		
36.02s Schedule to PPRZ		No content	Complies – no content	
36.03 Public Conservation and Resource Zone (PCRZ)		<p>To protect and conserve the natural environment and natural processes for their historic, scientific, landscape, habitat, or cultural values.</p> <p>To provide facilities which assist in public education and interpretation of the natural environment with minimal degradation of the natural environment or natural processes.</p> <p>To provide for appropriate resource-based uses</p>		
36.03s Schedule to PCRZ		No content	Complies – no content	
36.04 Transport Zone (TRZ)		<p>To provide for an integrated and sustainable transport system.</p> <p>To identify transport land use and land required for transport services and facilities.</p> <p>To provide for the use and development of land that complements, or is consistent with,</p>		

1. Clause and name	2. Applies to (schedules only)	3. Purpose and requirements	4. Adherence with MD	5. Additional improvements suggested
		<p>the transport system or public land reservation.</p> <p>To ensure the efficient and safe use of transport infrastructure and land comprising the transport system.</p>		
No schedule				
SPECIAL PURPOSE ZONES				
37.01 Special Use Zone (SUZ)		<p>To recognise or provide for the use and development of land for specific purposes as identified in a schedule to this zone.</p>		
37.01s Schedule 1 - SUZ	Mountain Bay	<p>Make provision for a range of tourist and residential accommodation, recreation and water-based facilities and commercial activities.</p> <p>Ensure that the scale, intensity, bulk, and character of any development complements the natural systems and landscape value of the areas in the zone.</p> <p>Provide for the integrated development of land in accordance with an overall concept plan, with each stage to be capable of independent planning and implementation.</p> <p>Ensure that adequate services are provided consistent with the level of development. Allow for the staged planning and development of the land consistent with economic conditions.</p>		

1. Clause and name	2. Applies to (schedules only)	3. Purpose and requirements	4. Adherence with MD	5. Additional improvements suggested
		<p>Ensure that adequate arrangements are made to control and manage any impacts of the development on the water quality of Lake Eildon.</p> <p>2.0 Concept Plan, 3.0 Development Plan, 4.0 Subdivision, 5.0 Roads and tracks, 6.0 Recreation facilities, 7.0 Agreements in regard to property development and use, 8.0 Plans and permit for buildings and works, 9.0 Environment and management requirements, 10.0 Signs, 11.0 Sufficient provisions and controls</p>	<p>Does not comply – wrong numbers and extra sections from section 5.0</p> <p>Redraft to comply with MDFC</p>	
<p>37.03 Urban Floodway Zone (UFZ)</p>		<p>To identify waterways, major floodpaths, drainage depressions and high hazard areas within urban areas which have the greatest risk and frequency of being affected by flooding.</p> <p>To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation, and silting.</p> <p>To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989.</p> <p>To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.</p>		

1. Clause and name	2. Applies to (schedules only)	3. Purpose and requirements	4. Adherence with MD	5. Additional improvements suggested
37.03s Schedule to UFZ		No content	Complies – no content	

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
42.01 Environmental Significance Overlay (ESO)		To identify areas where the development of land may be affected by environmental constraints. To ensure that development is compatible with identified environmental values.		
42.01s Schedule 1 - ESO	Catchments at High Risk of Water Quality Impacts	<p>3.0 Permit requirement</p> <p>Dwellings, outbuildings, and associated works</p> <p>A permit is not required for buildings and works associated with the construction of a new dwelling or outbuilding or the extension of an existing dwelling or outbuilding that is connected to a reticulated sewerage system.</p> <p>Lots of 40 hectares or more</p> <p>A permit is not required for buildings and works associated with the construction of a new dwelling or outbuilding or the extension of an existing dwelling or outbuilding where all of the following requirements are met:</p> <p>The lot is 40 hectares or more.</p> <p>Where new wastewater is generated a land capability assessment is prepared in accordance with the Code of Practice-Onsite Wastewater Management, Environment Protection Authority Victoria Publication 891.4 July 2016 (as amended) and approved by the responsible authority.</p> <p>Lots less than 40 hectares</p> <p>A permit is not required for buildings and works associated with the construction of a new dwelling or outbuilding or the extension of an existing dwelling or outbuilding where all of the following requirements are met:</p>	Complies	

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
		<p>No new wastewater is generated.</p> <p>No works are being carried out within 50 metres of Lake Eildon or the Goulburn River or 30 metres of any other waterway.</p> <p>The total floor area of any proposed outbuilding or extension to an existing outbuilding does not exceed 200 square metres.</p> <p>Any site cut is less than 1 metre in depth and less than 300 square metres in area.</p> <p>No concentration of stormwater is discharged less than 100 metres from a waterway, water storage or reservoir unless via a drainage system approved by the responsible authority.</p> <p>Vegetation</p> <p>A permit is not required to remove, destroy, or lop vegetation, including dead vegetation and grasses if the vegetation to be removed, lopped, or destroyed has a setback greater than 50 metres from Lake Eildon or the Goulburn River or 30 metres from another waterway and one or more of the following apply:</p> <p>The vegetation is exotic.</p> <p>Any native vegetation is seedlings or regrowth less than 10 years old.</p> <p>The removal, destruction or lopping of any vegetation by a government department, public authority, or council for the purposes of any public or local government utility, service, facility, stream improvement or other works.</p> <p>Subdivision</p> <p>A permit is not required to subdivide land if each lot is connected to a reticulated sewerage system or is greater than 40 hectares.</p> <p>Other</p> <p>A permit is not required for:</p> <p>Works to sewerage, electricity, drainage, water, or gas mains approved or undertaken by a public or government authority or utility provider.</p> <p>Any buildings or works by a government department, public authority, or council for the purposes of any public or local government utility, service, facility, stream improvement or other works.</p>		

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
		<p>The carrying out of any works required by, or approved by the Department of Environment, Land, Water and Planning, Goulburn Murray Water, Goulburn Valley Water, Goulburn Broken Catchment Management Authority, or council.</p> <p>Any development or works in accordance with any management plan approved or adopted by council or the Department of Environment, Land, Water and Planning.</p> <p>Subdivision or the construction of a building or the construction of or carrying out of works to land within the Special Use Zone (Schedule 1 – Mountain Bay).</p> <p>Other buildings and works on lots of 40 hectares or more.</p> <p>Other buildings and works that meet all of the following:</p> <p>No new wastewater is generated.</p> <p>No works are being undertaken within 50 metres of Lake Eildon or Goulburn River or 30 metres of any other waterway.</p> <p>Any site cut is less than 1 metre at its maximum depth and less than 300 square metres in area.</p> <p>No effluent is discharged within 100 metres of a waterway, water storage or reservoir.</p> <p>No concentration of stormwater is discharged within 100 metres of a waterway, water storage or reservoir unless it is into a drainage system approved by the responsible authority.</p> <p>4.0 Application Requirements</p> <p>The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:</p> <p>An individual site risk analysis by a suitably qualified person using the Edis Algorithm outlined in Chapter 5 of the <i>Mansfield Shire Domestic Wastewater Management Plan 2014</i> (as amended). The algorithm weights various risk factors according to their potential impact on a special water supply catchment.</p> <p>A land capability assessment by a suitably qualified person that:</p> <p>Follows each of the twelve steps outlined in the <i>Code of Practice-Onsite Wastewater Management</i>, Environment Protection Authority Victoria Publication 891.4 July 2016 (as amended).</p>		

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
42.01s Schedule 2 - ESO	Catchments at Medium Risk of Water Quality Impacts	<p>Is informed by extensive soil testing including an in-situ permeability test, assessment of colloid stability, soil reaction trend and electrical conductivity of all soil horizons.</p> <p>Contains a water and nutrient balance calculation. Includes a feature survey identifying waterways, surface flow paths and buffers.</p> <p>Includes a management plan outlining what soil improvement works are required.</p> <p>If the lot is not currently connected to a reticulated sewerage system, written confirmation from Goulburn Valley Water that the land can be connected.</p> <hr/> <p>Dwellings, outbuildings, and associated works</p> <p>A permit is not required for buildings and works associated with the construction of a new dwelling or outbuilding or the extension of an existing dwelling or outbuilding that is connected to a reticulated sewerage system.</p> <p>Lots of 40 hectares or more</p> <p>A permit is not required for buildings and works associated with the construction of a new dwelling or outbuilding or the extension of an existing dwelling or outbuilding where all of the following requirements are met:</p> <p>The lot is 40 hectares or more.</p> <p>Where new wastewater is generated a land capability assessment is prepared in accordance with the <i>Code of Practice-Onsite Wastewater Management</i>, Environment Protection Authority Victoria Publication 891.4 July 2016 (as amended) and approved by the responsible authority.</p> <p>Lots less than 40 hectares</p> <p>A permit is not required for buildings and works associated with the construction of a new dwelling or outbuilding or the extension of an existing dwelling or outbuilding where all of the following requirements are met:</p> <p>No new wastewater is generated.</p> <p>No works are being carried out within 50 metres of Lake Eildon, Lake Nillahcootie or the Goulburn River or 30 metres of any other waterway.</p>		

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
		<p>The total floor area of any proposed outbuilding or extension to an existing outbuilding does not exceed 200 square metres.</p> <p>Any site cut is less than 1 metre in depth and less than 300 square metres in area.</p> <p>No concentration of stormwater is discharged less than 100 metres from a waterway, water storage or reservoir unless via a drainage system approved by the responsible authority.</p> <p>Vegetation</p> <p>A permit is not required to remove, destroy, or lop vegetation, including dead vegetation and grasses if the vegetation to be removed, lopped, or destroyed has a setback greater than 50 metres from Lake Eildon, Lake Nillahcootie or the Goulburn River or 30 metres from another waterway and one or more of the following apply:</p> <p>The vegetation is exotic.</p> <p>Any native vegetation is seedlings or regrowth less than 10 years old.</p> <p>The removal, destruction or lopping of any vegetation by a government department, public authority, or council for the purposes of any public or local government utility, service, facility, stream improvement or other works.</p> <p>Subdivision</p> <p>A permit is not required to subdivide land if each lot is connected to a reticulated sewerage system or is greater than 40 hectares.</p> <p>Other</p> <p>A permit is not required for:</p> <p>Works to sewerage, electricity, drainage, water, or gas mains approved or undertaken by a public or government authority or utility provider.</p> <p>Any buildings or works by a government department, public authority, or council for the purposes of any public or local government utility, service, facility, stream improvement or other works.</p> <p>The carrying out of any works required by, or approved by the Department of Environment, Land, Water and Planning, Goulburn Murray Water, Goulburn Valley Water, Goulburn Broken Catchment Management Authority, or council.</p>		

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
42.02 Vegetation		<p>To protect areas of significant vegetation.</p> <p>To ensure that development minimises loss of vegetation.</p>		
		<p>Any development or works in accordance with any management plan approved or adopted by council or Department of Environment, Land, Water and Planning.</p> <p>Subdivision or the construction of a building or the construction of or carrying out of works to land within the Special Use Zone (Schedule 1 – Mountain Bay).</p> <p>Other buildings and works on lots of 40 hectares or more.</p> <p>Other buildings and works that meet all of the following:</p> <p>No new wastewater is generated.</p> <p>No works are being undertaken within 50 metres of Lake Eildon, Lake Nillahcootie or Goulburn River or 30 metres of any other waterway.</p> <p>Any site cut is less than 1 metre at its maximum depth and less than 300 square metres in area.</p> <p>No effluent is discharged within 100 metres of a waterway, water storage or reservoir.</p> <p>No concentration of stormwater is discharged within 100 metres of a waterway, water storage or reservoir unless it is into a drainage system approved by the responsible authority.</p> <p>4.0 Application requirements</p> <p>The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:</p> <p>An individual site risk analysis by a suitably qualified person using the Edis Algorithm outlined in Chapter 5 of the <i>Mansfield Shire Domestic Wastewater Management Plan 2014</i> (as amended). The algorithm weights various risk factors according to their potential impact on a special water supply catchment.</p> <p>A land capability assessment by a suitably qualified person that follows each of the twelve steps outlined in the <i>Code of Practice-Onsite Wastewater Management</i>, Environment Protection Authority Victoria Publication 891.4 July 2016 (as amended).</p> <p>If the lot is not currently connected to a reticulated sewerage system, written confirmation from Goulburn Valley Water that the land can be connected.</p>		

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested															
Protection Overlay (VPO)		<p>To preserve existing trees and other vegetation.</p> <p>To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.</p> <p>To maintain and enhance habitat and habitat corridors for indigenous fauna.</p> <p>To encourage the regeneration of native vegetation.</p>																	
42.02s Schedule 1 - VPO	Significant Tree Protection Area	This schedule includes trees identified as significant trees for their botanical, historical, cultural, size, growth habit or community association values.	Complies.																
<table border="1"> <thead> <tr> <th>Species</th> <th>Common name</th> <th>Location</th> <th>Significance</th> <th>Notes</th> </tr> </thead> <tbody> <tr> <td>Eucalyptus melliodora</td> <td>Yellow Box</td> <td>3.2 kilometres along Euroa-Merton Rd on W side about 1 kilometre from road</td> <td>Outstanding size; Aesthetic value</td> <td>Almost perfectly symmetrical tree</td> </tr> <tr> <td>Castanea sativa</td> <td>Sweet Chestnut</td> <td>Old Tabletop Township, Tallangalook Rd via Dry Creek Rd, 17 kilometres from Bonnie Doon</td> <td>Important landmark; Outstanding size</td> <td>Specimen marks the site of the Mine Manager's house and the Township of Tabletop. Town destroyed by bushfires in the 1920s</td> </tr> </tbody> </table>					Species	Common name	Location	Significance	Notes	Eucalyptus melliodora	Yellow Box	3.2 kilometres along Euroa-Merton Rd on W side about 1 kilometre from road	Outstanding size; Aesthetic value	Almost perfectly symmetrical tree	Castanea sativa	Sweet Chestnut	Old Tabletop Township, Tallangalook Rd via Dry Creek Rd, 17 kilometres from Bonnie Doon	Important landmark; Outstanding size	Specimen marks the site of the Mine Manager's house and the Township of Tabletop. Town destroyed by bushfires in the 1920s
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Overlay analysis

Clause and name	Applies to (schedules only)	Purpose and requirements					Adherence with MD	Additional improvements suggested
		Group	Group					
		Planting Various	Planting Various	Road reserve at cnr Mt Buller Rd and Buttercup Lane Merrijig	Vietnam War memorial planting	School and community planting; in unused part of road reserve		
		Eucalyptus pauciflora subsp. pauciflora	Snow Gum	Alpine National Park 3 kilometres beyond Lovick's hut on N side of Bluff Track	Outstanding size; Outstanding example of species	Known as the "King Billy Tree"; attractive and dominant specimen; one of the largest and best known examples of the species in the Mansfield region		
		<p>2.0 Vegetation protection objectives to be achieved</p> <p>To protect vegetation that is of significance for historical, botanical and environmental reasons or because it is valued by the local community.</p>						
42.03 Significant Landscape Overlay (SLO)		<p>To identify significant landscapes.</p> <p>To conserve and enhance the character of significant landscapes.</p>						
42.03s Schedule 1 - SLO	Alpine Approach Significant Landscape Area	<p>3.0 permit requirement</p> <p>All proposed buildings must be of muted tones and constructed in non-reflective materials, to the satisfaction of the responsible authority.</p> <p>A permit is not required for:</p> <p>Any agricultural development or activity, including cultivation, dam, and fencing.</p> <p>Sewerage, drainage, water, and gas mains.</p>					Complies	

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
		<p>Power lines of less than 220,000 volts.</p> <p>Low impact telecommunications infrastructure or facility.</p> <p>Any buildings, works or removal, destruction or lopping of any vegetation by any government department, public authority, or Mansfield Shire Council for the purposes of any public or local government utility, service, facility, stream improvement or other works.</p> <p>The carrying out of any works required by or approved by the Department of Environment, Land, Water and Planning, Goulburn Murray Water, Goulburn Broken Catchment Management Authority or the responsible authority for conservation purposes, including prevention of soil erosion.</p> <p>Any alterations or additions to an existing dwelling or outbuilding, provided the proposed floor area is not greater than 50 per cent of the existing floor area and there is no increase in building height.</p> <p>A swimming pool.</p> <p>Extensions or alterations to existing caravans, annexes and on-site cabins used in conjunction with an existing 'camping and caravan park'.</p> <p>Works associated with timber production.</p> <p>Removal, destruction or lopping of any dead or exotic vegetation.</p> <p>Removal of native vegetation if that vegetation is seedlings or regrowth less than 10 years old and if the land is being re-established or maintained for cultivation or pasture.</p> <p>Any development or works in accordance with any approved management plan adopted by the responsible authority or the Department of Environment, Land, Water and Planning.</p> <p>4.0 Application requirements</p> <p>A plan identifying the existing and proposed buildings and points of vehicle access to the site.</p> <p>This plan must also indicate the size, bulk & colour of any proposed buildings.</p> <p>A landscape analysis including an examination of the appearance of proposed structures when viewed from roads and other public viewpoints.</p> <p>A landscaping plan including number, location and species of existing and proposed vegetation, within a 50-metre radius of the proposed building site.</p>		

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
42.03s Schedule 2 – SLO	Lower Howqua River Area	<p>3.0 permit requirement</p> <p>All proposed buildings must be of muted tones and constructed in non-reflective materials, to the satisfaction of the responsible authority.</p> <p>A permit is not required for:</p> <ul style="list-style-type: none"> Any agricultural development or activity, including cultivation, dam, and fencing. Sewerage, drainage, water, and gas mains. Power lines of less than 220,000 volts. Low impact telecommunications infrastructure or facility. Any buildings, works or removal, destruction or lopping of any vegetation by any government department, public authority, or Mansfield Shire Council for the purposes of any public or local government utility, service, facility, stream improvement or other works. The carrying out of any works required by or approved by the Department of Environment, Land, Water and Planning, Goulburn Murray Water, Goulburn Broken Catchment Management Authority, or the responsible authority for conservation purposes, including prevention of soil erosion. Any alterations or additions to an existing dwelling or outbuilding, provided the proposed floor area is not greater than 50 per cent of the existing floor area and there is no increase in building height. A swimming pool. Extensions or alterations to existing caravans, annexes and on-site cabins used in conjunction with an existing 'camping and caravan park'. Works associated with timber production. Removal, destruction or lopping of any dead or exotic vegetation. Removal of native vegetation if that vegetation is seedlings or regrowth less than 10 years old and if the land is being re-established or maintained for cultivation or pasture. Any development or works in accordance with any approved management plan adopted by the responsible authority or the Department of Environment, Land, Water and Planning. <p>4.0 Application requirements</p>		

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
		<p>A plan identifying the existing and proposed buildings and points of vehicle access to the site.</p> <p>This plan must also indicate the size, bulk & colour of any proposed buildings.</p> <p>A landscape analysis including an examination of the appearance of proposed structures when viewed from roads and other public viewpoints.</p> <p>A landscaping plan including number, location, and species of existing and proposed vegetation, within a 50-metre radius of the proposed building site.</p>		
43.01 Heritage Overlay (HO)		<p>To conserve and enhance heritage places of natural or cultural significance.</p> <p>To conserve and enhance those elements which contribute to the significance of heritage places.</p> <p>To ensure that development does not adversely affect the significance of heritage places.</p> <p>To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.</p>		
43.01s Schedule 1 - HO		2.0 Heritage Places	<p>Does not comply.</p> <p>The columns 'Outbuildings or fences not exempt under Clause 43.01-4' and 'Included on the Victorian Heritage Register under the Heritage Act 2017' includes specification</p>	<p>The columns 'Outbuildings or fences not exempt under Clause 43.01-4' and 'Included on the Victorian Heritage Register under the Heritage Act 2017' includes specifications. Needs to say either yes or no.</p>

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
43.02 Design and Development Overlay (DDO)		To identify areas which are affected by specific requirements relating to the design and built form of new development.		
43.02s Schedule 1 - DDO	Alpine Approaches and Township Gateways	<p>1.0 Design Objectives</p> <p>Ensure that building siting, design, form, height, appearance, scale, and materials that are compatible with the role of land as an alpine approach or gateway to and from the Mansfield or Merrijig townships.</p> <p>Ensure that buildings and other development meet the recommendations of The Mansfield Urban Design Framework 2005.</p> <p>2.0 Buildings and works</p> <p>Any new building or works must:</p> <p>Be of a design, form, appearance and scale that compliments an alpine approach and township gateway theme ie use of natural materials and colour schemes that compliment the surroundings, pitched roof designs rather than flat or skillion roofs only.</p> <p>Have at least one active frontage (i.e. entries, windows, external activities) and not have solid walls and solid fencing facing the road/s.</p> <p>Be of natural or muted materials and colours that complement an alpine approach and township gateway theme, that is timber, stone, colourbond, brick or earth-based materials. Zinacalume materials are prohibited. Galvanised iron materials may only be permitted when it can be demonstrated that the building will have minimal visual impact.</p> <p>Not exceed single storey in height, with the maximum height allowable being 6 metres from natural ground level to the upper point of the building roofline.</p> <p>Create visual interest and enhance alpine and gateway character.</p>	<p>s. Needs to say either yes or no.</p> <p>Does not comply. MDFC 2.0 not followed. Mansfield Urban Design Framework is specified in the Schedule to 72.08.</p> <p>“Any new building or works must” should be drafted to “The following buildings and works</p>	<p>Redraft schedule to include the guidelines from the Mansfield Urban Design Framework rather than refer to the document.</p>

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
43.04 Development Plan Overlay (DPO)		<p>Be sited to have sufficient building setbacks to allow a sense of space, lineal corridor, and alpine landscape to be retained. Have a setback/s to accord with (or exceed) the setbacks of building/s on adjoining properties.</p> <p>Allow pedestrian access, and vehicle parking and landscaping at the frontage of the land.</p> <p>Have a strong emphasis on environmental sustainability and energy efficiency.</p> <p>Have any storage area and parking for large vehicles away from road frontages.</p> <p>Provide landscaping that creates an attractive environment that is consistent with and complements an alpine theme and gateway approach into a high-country tourist town, especially on the Maroondah Highway frontage.</p> <p>Enable high levels of accessibility, including access for people with a disability.</p> <p>4.0 Signs</p> <p>Any new sign must:</p> <p>Be of a size that does not dominate or compromise the existing landscape or design of a building.</p> <p>Not be internally illuminated. External lighting will be considered, provided proposed lighting does not interfere with amenity and usage of adjoining or nearby properties, or vehicular movement and safety on the adjoining road reserve.</p> <p>Not be a reflective sign as defined in Clause 73.02 of the Mansfield Planning Scheme.</p> <p>Not exceed a height of 5 metres above ground level.</p> <p>Not be located between a building line setback and a front boundary.</p> <p>5.0 Decision Guidelines</p> <p>The Mansfield Urban Design Framework 2005.</p>	<p>requirements apply to an application to construct a building or carry out works"</p> <p>Sign requirements can be drafted to remove policy repetition</p>	
		<p>To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.</p> <p>To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.</p>		

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
43.04s Schedule 1 - DPO	General Residential Zone and Mixed Use Zone	<p>2.0 Requirement before a permit is granted</p> <p>All land</p> <p>Before any planning permit is granted for any residential use or development of land that the Development Plan Overlay 1 applies to, the responsible authority must consider and be satisfied that the following decision guidelines and performance measures are met:</p> <ul style="list-style-type: none"> • The proposed use and/or development is consistent with any approved Development Plan and this overlay schedule. • A site assessment and design response is undertaken that addresses site constraints and opportunities, incorporates natural features and achieves environmentally sustainable subdivision and development. • Road, footpath, drainage, and stormwater provision. • Reticulated water and sewerage provision. Underground electricity, street lighting and telecommunications provision. • A Transport Impact Assessment Report is to be prepared to the satisfaction of the Roads Corporation and the responsible authority where the proposal takes direct access off the main road network. • A requirement for public open space land or monetary contribution for recreation purposes in accordance with the Subdivision Act or as negotiated with the applicant prior to approval by the responsible authority. • The proposal incorporates and meets the following residential urban design principles: <ul style="list-style-type: none"> – Urban design and layout principles to meet objectives and standards of Clauses 54 and 55. – A site assessment and design response that provides layout and development that is compatible with the site, adjoining land, and general area. – A range of lot sizes and housing types to meet a variety of housing needs and cater for a range of different residential users. – A strong sense of place created by attractive built form, compact neighbourhood design, quality landscape and community safety. 	This schedule has since been amended through C50mans	

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
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- Pedestrian and vehicular provision, accessibility, and safety.
- Accessibility and linkages to open space, and consideration of how to enhance existing linkages and open space.
- When additional open space is to be provided rather than a monetary contribution, provision of open space that is centrally located, accessible, safe, and usable for recreational purposes.
- Quality urban environmental standards, including water sensitive urban stormwater and drainage design and treatment, energy efficiency, landscaping, and protection and incorporation of natural features in accordance with the Best Practice Environmental Management Guidelines for Urban Stormwater (CSIRO), 1999.

Requirements for development plan

Any development plan for this land must outline and assess:

- Proposed future subdivision and development to allow for the full development and servicing of the land in accordance with the General Residential Zone and ResCode.
- Site analysis and response, including natural features, slope, orientation, views, drainage lines, native vegetation, and impact on neighbouring and nearby land.
- Proposed lot layout and density, including building envelopes if appropriate.
- Internal road layout and external road access, including future road linkages, street lighting, and proposed road surfacing and standards.
- All servicing, including water, sewerage, drainage and stormwater, electricity, and telecommunications.
- Existing and future open space, including linkages to and between areas of open space.
- Landscaping, existing native vegetation, and streetscape treatment.
- Relationship, effect and linkages of proposed use and development of the land to uses and developments on adjoining land and nearby land.
- The need to financially contribute toward development and community infrastructure that will be demanded by the residents of the future development, as specified in Section 13 of the Mansfield

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
		<p>Urban Design Framework 2005. This will be achieved by negotiation with the responsible authority and formalised by a Section 173 Agreement as part of any Development Plan.</p> <ul style="list-style-type: none"> The stages, if any, in which the land is to be subdivided and developed. <p>A Development Plan may be approved in stages.</p>		
43.04s Schedule 2 - DPO	Low Density Residential Zone	<p>2.0 Requirement before a permit is granted</p> <p>All land</p> <p>Before any planning permit is granted for any residential use or development of land that the Development Plan Overlay 1 applies to, the responsible authority must consider and be satisfied that the following decision guidelines and performance measures are met:</p> <ul style="list-style-type: none"> The proposed use and/or development is consistent with any approved Development Plan and this overlay schedule. Site assessment and design response that addresses site constraints and opportunities, incorporates natural features, and achieves environmentally sustainable subdivision and development. Future lots and dwellings have been determined through a detailed land capability assessment, prepared in accordance with the EPA publication 746.1 Land Capability Assessment for Onsite Domestic Wastewater Management, March 2003, that establishes that all effluent from the land and development can be treated, retained, and disposed of on the land to comply with the State Environment Protection Policy - Waters of Victoria and the Septic Tanks Code of Practice, March 2003. A Transport Impact Assessment Report is to be prepared to the satisfaction of the Roads Corporation and the responsible authority where the proposal takes direct access of the main road network. Provision of a range of urban services, including reticulated water or alternative potable water supply, sealed roads, drainage, telecommunications and reticulated electricity or alternative energy supply. A requirement for public open space land or monetary contribution for recreation purposes when a contribution is required in accordance with the Subdivision Act 1988. 	<p>This schedule has since been amended through C50mans</p>	

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
		<ul style="list-style-type: none"> • The proposal incorporates and meets the following low density residential urban design principles: <ul style="list-style-type: none"> – Compatibility with the site, adjoining land and general area, and minimisation of potential amenity conflicts. – A range of lot sizes and housing types to meet a variety of housing needs and cater for a range of different residential users. – A strong sense of place created by attractive built form, compact neighbourhood design, quality landscape and community safety. – Retention and enhancement ('net gain') of biodiversity and existing native vegetation to implement the objective of the Victoria Native Vegetation Management – A Framework for Action. – Environmentally sustainable subdivision and development to implement catchment and biodiversity objectives of the Goulburn Broken Regional Catchment Strategy 2003. – Provision and enhancement of existing environmental, riparian and road reserve linkages. • Capability of the land to contain onsite effluent disposal systems and that wastewater does not contaminate surface and groundwater quality. Pedestrian and vehicular provision, accessibility, and safety. • Accessibility and linkages to open space, and consideration of how to enhance existing linkages and open space. • When additional open space is to be provided rather than a monetary contribution, provision of open space that is centrally located, accessible, safe, and usable for recreational purposes. • Quality urban environmental standards, including water sensitive urban stormwater and drainage design and treatment, energy efficiency, landscaping, and protection and incorporation of natural features. • Road networks, vehicular accessibility and road safety for pedestrians and vehicles. • Protection of significant ridgelines and landscapes. • Adequate servicing for rural living development to Mansfield Shire Council and service authority standards. <p>4.0 Requirements for development plan</p>		

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
		<p>Any development plan for this land must outline and assess:</p> <ul style="list-style-type: none"> Proposed future subdivision and development to allow for the full development and servicing of the land in accordance with the Low Density Residential Zone. Site analysis and response, including natural features, slope, orientation, views, drainage lines, native vegetation, and impact on neighbouring and nearby land. Proposed lot layout and density, including building envelopes and effluent disposal envelopes, if appropriate. Internal road layout and external road access, including future road linkages, street lighting, and proposed road surfacing and standards. All servicing, including water, sewerage, drainage and stormwater, electricity, and telecommunications. The need to financially contribute toward development and community infrastructure that will be demanded by the residents of the future development, as specified in Section 13 of the Mansfield Urban Design Framework 2005. This will be achieved by negotiation with the responsible authority and formalised by a Section 173 Agreement as part of any Development Plan. Effluent disposal requirements based on a detailed land capability assessment. Existing and future open space, including linkages to and between areas of open space. Landscaping, existing native vegetation, and streetscape treatment. Relationship, effect and linkages of proposed use and development of the land to uses and developments on adjoining land and nearby land. The stages, if any, in which the land is to be subdivided and developed. <p>A Development Plan may be approved in stages.</p> <p>B. Land Between Withers Lane, Mullum Mullum Wetland and the Stock Route being Lot 1 TP568293, Parish Mansfield</p> <p>In addition to the requirements of clause 2.0 of this schedule, any development plan for this land must include and address all of the following matters:</p> <ul style="list-style-type: none"> That all new allotments are connected to reticulated sewerage and water supply. 		

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
		<ul style="list-style-type: none"> An appropriate buffer having a width of 60 metres to be created over the existing drainage line as a linkage to the Mullum Mullum Wetlands. 		
		<p>C. Land on corner Mansfield Whitfield Road and adjoining northern boundary of Kareen Court, Mansfield</p> <p>In addition to the requirements of clause 2.0 of this schedule, any development plan for this land must include and address all of the following matters:</p> <ul style="list-style-type: none"> A subdivision that creates a maximum of 6 allotments with the ability for no more than one single storey dwelling per allotment. Each allotment to have a minimum area of 6000 square metres. Existing native vegetation protection and enhancement by the use of building envelopes situated using a similar front setback distance as dwellings located immediately to the south. Street lighting is not to be erected within the Kareen Court road reserve, however lighting can occur at the intersection of the Mansfield Whitfield Road. From the western boundary adjoining the Mansfield Whitfield Road, a 12 metre wide corridor is to be provided. This area is to be planted with native trees at the northern (rear) boundary of the new lots with a walking track constructed of crushed rock to meander along this area as a walking/riding linkage within the subdivision. A 12 metre wide buffer to be provided at the northern boundary of Lot 5 PS445533 to be planted with native trees to act as a visual buffer between the existing development and new subdivision. Rural type fencing to be used for all allotment boundaries. 		
		<p>D. Lot 1 PS516739 and remainder of Lot 9 PS445533 Mansfield Whitfield Road, Mansfield</p> <p>In addition to the requirements of clause 2.0 of this schedule, any development plan for this land must include and address all of the following matters:</p> <ul style="list-style-type: none"> A maximum of 385 allotments to be created. A variety of lot sizes to be created to reflect a subdivision having a low density. A minimum lot size of 2250 square metres. No allowance for further subdivision of the land other than in accordance with the development plan. 		

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
43.04s Schedule 3 - DPO	Rural Living Zone	<p>2.0 Requirement before a permit is granted</p> <p>A. All land: Before any planning permit is granted for any use or development of land that the Development Plan Overlay 3 applies to, the responsible authority must consider and be satisfied that the following decision guidelines and performance measures are met:</p> <ul style="list-style-type: none"> • No more than one dwelling to be erected per allotment. • Footpath construction to walking/bike paths by agreement with the responsible authority. • Road drainage systems that use underground pipes rather than open drains. <ul style="list-style-type: none"> • The proposed use and/or development is consistent with any approved Development Plan and this overlay schedule. • Site assessment and design response that addresses site constraints and opportunities, incorporates natural features, and achieves environmentally sustainable subdivision and development. • Future lots and dwelling locations have been determined through a detailed land capability assessment, prepared in accordance with the EPA publication 746.1 Land Capability Assessment for Onsite Domestic Wastewater Management, March 2003, that establishes that all effluent from the land and development can be treated, retained, and disposed of on the land to comply with the State Environment Protection Policy - Waters of Victoria and the Septic Tanks Code of Practice, March 2003. • Provision of a range of services, including water supply, roads, drainage, telecommunications and reticulated electricity or alternative energy supply. • The proposal incorporates and meets the following rural living design principles: <ul style="list-style-type: none"> – Compatibility with the site, adjoining land and general area, and minimisation of potential amenity conflicts. – Retention and enhancement ('net gain') of biodiversity and existing native vegetation to implement the objective of the Victoria Native Vegetation Management – A Framework for Action. – Environmentally sustainable subdivision and development to implement catchment and biodiversity objectives of the Goulburn Broken Regional Catchment Strategy 2003. 	<p>This schedule has since been amended through C50mans</p>	

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
		<ul style="list-style-type: none"> – Provision and enhancement of existing environmental, riparian and road reserve linkages. – Capability of the land to contain onsite effluent disposal systems and that wastewater does not contaminate surface and groundwater quality. – Environmentally sustainable stormwater and drainage design and treatment. – Road networks, vehicular accessibility and road safety for pedestrians and vehicles. – Protection of significant ridgelines and landscapes. – Adequate servicing for rural living development to Mansfield Shire Council and service authority standards. 		
		<p>B. Land located to the west of the unmade government road, known as Stoneleigh Road, bound to the east by Monkey Gully Road, Parish of Loyola: Any development plan for this land must address the issues of:</p> <ul style="list-style-type: none"> • Lot layout and the release of the subdivision in a maximum of 6 stages. • Access to the area from Monkey Gully Road. • Internal road layout and ability for future road linkages to the Mansfield Township. • The retention of the unmade government road to provide future pedestrian linkages to the Mansfield Township. • The protection of remnant native vegetation throughout the land and along Stoneleigh Road reserve. • Land capability for effluent disposal, and the means of effluent disposal. 		
		<p>4.0 Requirements for a development plan</p>		
		<p>A. All land:</p>		
		<p>Any development plan for this land must outline and assess:</p> <ul style="list-style-type: none"> • Proposed future subdivision and development to allow for the full development and servicing of the land in accordance with the Rural Living Zone. • Site analysis and response, including natural features, slope, orientation, views, drainage lines, native vegetation, and impact on neighbouring and nearby land. 		

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
		<ul style="list-style-type: none"> • Agricultural and other rural uses of the land, adjoining land, and nearby land. • Proposed lot layout and density, including building envelopes and effluent disposal envelopes, if appropriate. • Internal road layout and external road access, including future road linkages and proposed road surfacing and standards. • All servicing, including water, sewerage, drainage and stormwater, electricity, and telecommunications. • Effluent disposal requirements based on a detailed land capability assessment. • Landscape, including protection of ridgelines and need for landscaping. • Existing native vegetation protection and enhancement. • Relationship, effect and linkages of proposed use and development of the land to uses and developments on adjoining land and nearby land. • The stages, if any, in which the land is to be subdivided and developed. 		
		<p>B. Land located to the west of the unmade government road, known as Stoneleigh Road, bound to the east by Monkey Gully Road, Parish of Loyola:</p>		
		<p>Any development plan for this land must outline and assess:</p>		
		<ul style="list-style-type: none"> • Road infrastructure requirements such as the upgrade of the intersection at Monkey Gully Road and staged internal road standards. • Location and standard of internal access ways to individual allotments. • Provision of electricity supply and telecommunications. • Management of stormwater to accord with Best Practice Environmental Guidelines for Urban Stormwater (CSIRO, 1999). • General guidelines for Subdivision, Buildings and Works in the Rural Land Study (Shire of Mansfield, 1993). • The requirements of all relevant referral authorities. 		

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
43.04s Schedule 4 - DPO	Southern Side of High Street, Mansfield	<p>2.0 Requirement before a permit is granted</p> <p>Before any planning permit is granted for any use or development of land that the Development Plan Overlay 4 applies to, the responsible authority must consider and be satisfied that the following</p> <ul style="list-style-type: none"> • Location of natural drainage lines and corridors. • Provision of building envelopes or exclusion areas which take into account: <ul style="list-style-type: none"> – Natural features. – Remnant native vegetation. – Setbacks from significant natural drainage corridors of 30 metres for buffer strips of undisturbed vegetation. – Setbacks from waterways of: <ul style="list-style-type: none"> ○ 30 metres for all buildings. ○ 100 metres for all effluent disposal lines. – Setbacks from road reserves. – Setbacks from adjoining lots. • Provision of an Erosion Management Plan in accordance with sediment control principles outlined in Construction Techniques for Sediment Pollution Control (EPA, 1991). • General guidelines for Subdivision, Buildings and Works in the Rural Land Study (Shire of Mansfield, 1993). • Requirements of the rural water authority for setback from natural drainage lines and waterways, including: <ul style="list-style-type: none"> – 30 metre buffer strip of undisturbed vegetation along significant natural drainage corridors. – 30 metre setback of all buildings from waterways. – 100 metre setback of all effluent disposal lines from waterways. • Requirements of the Septic Tank Code of Practice for siting of effluent disposal systems. • Requirements of the Country Fire Authority for water supply for fire fighting purposes. • Provision of water supply storages for both domestic and stock use of a minimum 20,000 litres. 	<p>This schedule has since been</p>	

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
		<p>decision guidelines and performance measures are met:</p> <ul style="list-style-type: none"> The proposed use and/or development is consistent with any approved Development Plan and this overlay schedule. A site assessment and design response that provides layout and development that is compatible with the site, adjoining land, and general area. Road, footpath, drainage, and water sensitive urban stormwater provision to meet Mansfield Shire Council standards. Reticulated water and sewerage provision to meet service authority standards. Underground electricity, street lighting and telecommunications provision to meet service authority standards. A requirement for public open space land or monetary contribution for recreation purposes when a contribution is required in accordance with the Subdivision Act 1988. Compliance with The Mansfield Urban Design Framework 2005. <p>Pedestrian and vehicular provision, accessibility, and safety, including:</p> <ul style="list-style-type: none"> A road alignment for an east – west access way connecting Bank Place with the existing Mansfield Shire Council car park, the preferred location being an easterly extension of the existing Mansfield Shire Council land north of the laundry. Pedestrian connections though the precinct, addressing the use of the upgraded Mansfield Shire Council car park as a primary pedestrian connection between High and Ailsa Streets, the conversion of the northern end of Bank Place to pedestrian use only, and an east – west pedestrian connection between Bank Place and the Mansfield Shire Council car park. <p>4.0 Requirements for development plan</p> <p>Any development plan for this land must outline and assess:</p> <ul style="list-style-type: none"> Proposed future subdivision and development to allow for the full development and servicing of the land. Site analysis and response for the whole area affected by the Development Plan Overlay 4. 	<p>removed from the scheme through amendment C50mans</p>	

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
43.04s Schedule 5 - DPO	Mixed Use Zone, Barjang	<ul style="list-style-type: none"> Relationship, effect and linkages of proposed use and development of the land to uses and developments on land affected by the Development Plan Overlay 4. Proposed lot layout and density, including the location and orientation of buildings if appropriate. Internal and external road and pedestrian access provision and linkages. All servicing, including water, sewerage, drainage and stormwater, electricity, and telecommunications. Existing and future open space, including linkages to and between areas of open space. Landscaping and streetscape treatment. The stages, if any, in which the land is to be subdivided and developed. Recommendations of The Mansfield Urban Design Framework 2005 <p>2.0 Requirement before a permit is granted Any application to subdivide the land must be in accordance with an approved Development Plan relating to the subject land. Any planning permit application must be in accordance with the approved Development Plan relating to the subject land.</p> <p>3.0 Conditions and requirements for permits Before any planning permit is granted for any use or development of land that the Development Plan Overlay 5 applies to, the responsible authority must consider:</p> <ul style="list-style-type: none"> The proposed use and/or development is consistent with the approved Development Plan and this overlay schedule. The capacity of the infrastructure to service any proposed development, treat and retard stormwater and reduce any impacts on soil and water downstream of the development. The ability of any proposed development to provide adequate and safe pedestrian and vehicular access. 	<p>This schedule has since been removed from the scheme through amendment C50mans</p>	

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
		<ul style="list-style-type: none"> • The impact on traffic accessing Midland Highway is addressed to the satisfaction of the Roads Corporation. • The ability of any proposed use and/or development to retain existing native vegetation. <p>4.0 Requirements for the Development Plan must:</p> <ul style="list-style-type: none"> • Provide a site analysis and design response, including natural features, slope, orientation, views, drainage lines, native vegetation, any areas of potential contamination and impact on neighbouring and nearby land. • Identify future subdivision pattern including proposed lot layout and density, and include building envelopes, if appropriate. • Detail internal road layout and external road access, predicted traffic generation, types of vehicles, proposed road surfacing and standards, and details of network improvements including staging and triggers for mitigation measures that may be required to alleviate any traffic and safety impacts, which must be included in a Transport Impact Assessment Report (TIAR) prepared by a qualified and experienced traffic engineering consultant to the satisfaction of VicRoads. The mitigation works identified in the TIAR are to be constructed to the satisfaction of VicRoads and at no cost to VicRoads. • Identify all servicing, including water, sewerage, drainage and stormwater, electricity, and telecommunications. • Include a stormwater and wastewater management plan showing the treatment of water prior to discharge from the subject land. • Include a landscaping plan that shows existing native vegetation and streetscape treatment. • Show the relationship, effect and linkages of proposed use and development of the land to uses and developments on adjoining land and nearby land. • Provide for the requirements of the catchment management authority for required setbacks for development and works from designated waterways. • Detail the staging, if any, if the land is to be subdivided and developed. 		

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
44.03 Floodway Overlay (FO)		<p>To identify waterways, major flood paths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.</p> <p>To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation, and silting.</p> <p>To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989 if a declaration has been made.</p> <p>To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.</p> <p>To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.</p>		
44.03s Schedule to FO		<p>Name of Schedule</p> <p>3.0 Permit requirement</p> <p>A permit is not required to construct or carry out the following buildings or works:</p> <ul style="list-style-type: none"> • A replacement dwelling with a floor area less than 20 square metres. • A single or multiple industrial, retail or office building extension where the combined ground floor area of the extension since 1 May 2003 is not greater than 100 square metres. • A single or multiple dwelling extension where the combined ground floor area of the extension since 29 July 1999 is not greater than 20 square metres. • An upper storey extension to an existing building within the existing building footprint. • A pergola, veranda, decking, garage, carport or domestic shed adjoining an existing dwelling. • An in-ground swimming pool with an open style security fencing adjacent to an existing dwelling. • A pump shed. • Open type fencing such as a wooden or metal paling fence or cyclone mesh fence in a residential, business, or industrial zone (not including a brick, masonry, or concrete wall). 	<p>Does not comply.</p> <p>MDFC for 3.0</p>	

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
44.04 Land Subject to Inundation Overlay (LSIO)		<ul style="list-style-type: none"> • An agricultural shed (other than one used for industrial, retail or office purposes) for the storage of farm machinery, farm vehicles and workshop associated with a rural use in a farming zone with a floor area not more than 100 square metres. • A sportsground, racecourse, or recreation area (with no permanent grandstand or raised viewing area), pathways and trails constructed at general natural surface elevation, playground, open picnic shelter, picnic table, drinking tap, rubbish bin, barbecue, works associated with an apiary or underground infrastructure. • A mast, antenna, lighting, or telecommunications tower. • An accessway constructed at general natural surface elevations. • To roadworks and associated works if this is limited to resurfacing the existing road or the relevant floodplain management authority has agreed in writing that the topography of the land is not altered. • Roadworks carried out by a public authority. 		
		<p>To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.</p> <p>To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.</p> <p>To minimise the potential flood risk to life, health and safety associated with development.</p> <p>To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989.</p> <p>To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.</p> <p>To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.</p>		

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
44.04s Schedule to LSIO		<p>A permit is not required to construct or carry out the following buildings or works:</p> <ul style="list-style-type: none"> • A new dwelling within the General Residential Zone of Mansfield Shire where the floor level is at least 300 millimetres above the 100-year ARI flood level as determined by the floodplain management authority. • A replacement dwelling where the floor level is at least 300 millimetres above the 100-year ARI flood level as determined by the floodplain management authority. • A replacement dwelling with a floor area of 20 square metres or less. • A single or multiple dwelling extension where: <ul style="list-style-type: none"> ○ The combined ground floor area of the extension since 1 May 2003 is not greater than 20 square metres; or ○ The owner can demonstrate to the satisfaction of the floodplain management authority that the floor height of the proposed dwelling extension(s) is/are at least 300 millimetres above the 100-year ARI flood at the date of enquiry. • An upper storey extension to an existing building within the existing building footprint. • A pergola, veranda, decking, garage, carport, domestic shed, or swimming pool adjoining an existing dwelling. • A new industrial, retail or office building within any industrial or business zone of Mansfield Shire where the floor level is at least 300 millimetres above the 100-year ARI flood level, as determined by the floodplain management authority. • An extension to an existing industrial, retail or office building provided that the total ground floor area of the building is less than 130 square metres. • An agricultural shed (other than one used for industrial, retail or office purposes) for the storage of farm machinery, farm vehicles and workshop associated with a rural use in a farming zone with a floor area not more than 130 square metres and the orientation of the shed should be parallel to the direction of flood water flow. • Open type fencing (not including solid fences such as wooden or metal paling fences, colourbond fences, cyclone mesh fences or brick, stone, or concrete wall). • A pump shed. 	Complies	

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
		<ul style="list-style-type: none"> • A hay shed with open sides. • A sportsground, racecourse, or recreation area (with no permanent grandstand or raised viewing area), pathways and trails constructed at general natural surface elevation, playground, open picnic shelter, picnic table, drinking tap, rubbish bin, barbecue, works associated with an apiary or underground infrastructure. • A mast, antenna, lighting, or telecommunications tower. • Earthworks associated with the construction of a dam, provided no fill is imported to the site and no embankment is above ground level. • An accessway constructed at general natural surface elevations. • To roadworks and associated works if this is limited to resurfacing the existing road or the relevant floodplain management authority has agreed in writing that the topography of the land is not altered. • Roadworks carried out by a public authority. 		
44.06 Bushfire Management Overlay		<p>To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.</p> <p>To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.</p> <p>To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.</p>		
44.06s Schedule 1 - BMO	Goughs Bay Bal-12.5 Areas	<p>1.0 Statement of the bushfire management objectives to be achieved</p> <p>To specify bushfire protection measures to construct or extend one dwelling on a lot.</p> <p>To specify referral requirements for applications to construct or extend one dwelling on a lot.</p> <p>2.0 Application</p> <p>The application to construct or extend one dwelling on a lot must include all the requirements set out in this schedule.</p> <p>Clause 53.02 applies in all other circumstances.</p>	Does not comply.	4.0 should be redrafted to include: "The following

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
		<p>4.0 Application requirements</p> <p>An application must be accompanied by a bushfire management plan that:</p> <ul style="list-style-type: none"> Shows all of the required bushfire protection measures specified in this schedule. Includes written conditions that implement the required bushfire protection measures. Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building. Details vehicle access. 	<p>application requirements apply to an application for a permit under Clause 44.06”:</p>	
		<p>5.0 Requirements to be met</p> <p>The following requirements apply to an application to construct a single dwelling on a lot:</p> <ul style="list-style-type: none"> The dwelling must be constructed to BAL-12.5. Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 53.02 with the following variation: <ul style="list-style-type: none"> The canopy of trees must be separated by at least 2 metres. A static water supply must be provided in accordance with Clause 53.02. Vehicle access must be provided in accordance with Clause 53.02. 	<p>8.0 Mandatory condition is repetition and should be redrafted to ‘none specified’.</p>	
		<p>If these requirements are not met, the requirements of Clause 53.02 apply.</p>		
		<p>8.0 Mandatory Condition</p> <p>An application must include the mandatory conditions as specified in Clause 44.06-5.</p>		
		<p>9.0 Referral of application not required</p> <p>An application for a single dwelling on a lot meeting all of the required bushfire protection measures is not required to be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.</p>		
		<p>11.0 Decision guidelines</p> <p>Whether all of the bushfire protection measures in this schedule have been met.</p>		

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
44.06s Schedule 2 - BMO	Alpine Ridge, Jamieson BAL- 29 Areas	<p>1.0 Statement of the bushfire management objectives to be achieved</p> <p>To specify bushfire protection measures to construct or extend one dwelling on a lot.</p> <p>To specify referral requirements for applications to construct or extend one dwelling on a lot.</p> <p>2.0 Application</p> <p>The application to construct or extend one dwelling on a lot must include all the requirements set out in this schedule.</p> <p>Clause 53.02 applies in all other circumstances.</p> <p>4.0 Application requirements</p> <p>An application must be accompanied by a bushfire management plan that:</p> <ul style="list-style-type: none"> • Shows all of the required bushfire protection measures specified in this schedule. • Includes written conditions that implement the required bushfire protection measures. • Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building. • Details vehicle access. <p>5.0 Requirements to be met</p> <p>The following requirements apply to an application to construct a single dwelling on a lot:</p> <ul style="list-style-type: none"> • The dwelling must be constructed to BAL-29. • Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 53.02 with the following variation: <ul style="list-style-type: none"> ○ The canopy of trees must be separated by at least 2 metres. • A static water supply must be provided in accordance with Clause 53.02. • Vehicle access must be provided in accordance with Clause 53.02. <p>If these requirements are not met, the requirements of Clause 53.02 apply.</p>	<p>Does not comply.</p> <p>4.0 should be redrafted to include: “The following application requirements apply to an application for a permit under Clause 44.06”:</p> <p>8.0 Mandatory condition is repetition and should be redrafted to ‘none specified’.</p>	

Clause and name	Applies to (schedules only)	Purpose and requirements	Adherence with MD	Additional improvements suggested
		<p>8.0 Mandatory Condition An application must include the mandatory conditions as specified in Clause 44.06-5.</p> <p>9.0 Referral of application not required An application for a single dwelling on a lot meeting all of the required bushfire protection measures is not required to be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.</p> <p>11.0 Decision guidelines Whether all of the bushfire protection measures in this schedule have been met.</p>		
45.01 Public Acquisition Overlay (PAO)		<p>To identify land which is proposed to be acquired by a Minister, public authority, or municipal council.</p> <p>To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired.</p> <p>To designate a Minister, public authority, or municipal council as an acquiring authority for land reserved for a public purpose.</p>		
45.01s Schedule to PAO	PS map ref	Acquiring Authority	Purpose of acquisition	Complies
	PAO1	Goulburn Valley Water Authority	Raw water storage reservoir and associated physical infrastructure	
45.03 Environmental Audit Overlay (EAO)		To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.		
45.12 Specific Controls Overlay (SCO)		To apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.		

Overlay analysis

Clause and name	Applies to (schedules only)	Purpose and requirements		Adherence with MD	Additional improvements suggested
45.12s Schedule to SCO	PS Map Ref	Name of incorporated document		Complies	
	SCO1	Mountain Bay – Exemptions, Procedures, Approved Plans and Agreements			
	SCO2	128 Ogilvies Road, Mansfield - December 2020			

Particular Provisions analysis

Document A.5 Mansfield Planning Scheme

1. Clause and name	2. Does the Schedule reference a Background or Incorporated Document?	3. Is the Background or Incorporated Document listed at 72.04s or 72.08s?	4. Adherence with MD	5. Additional improvements suggested
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51 PROVISIONS THAT APPLY ONLY TO A SPECIFIED AREA

51.01 Specific sites and exclusions	<p>To recognise specific controls designed to achieve a particular land use and development outcome existing on the approval date.</p> <p>To provide in extraordinary circumstances specific controls designed to achieve a particular land use and development outcome.</p>			
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51.01s Schedule to Clause 51.01	No content		Complies	
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52 PROVISIONS THAT REQUIRE, ENABLE OR EXEMPT A PERMIT

52. 02 Easements, Restrictions and Reserves	<p>To enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.</p>			
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52.02s Schedule to Clause 52.02	No content		Complies	
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Particular Provisions analysis

1. Clause and name	2. Does the Schedule reference a Background or Incorporated Document?	3. Is the Background or Incorporated Document listed at 72.04s or 72.08s?	4. Adherence with MD	5. Additional improvements suggested
<p>52.05 Signs</p>	<p>To regulate the development of land for signs and associated structures.</p> <p>To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.</p> <p>To ensure signs do not contribute to excessive visual clutter or visual disorder.</p> <p>To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance, or efficiency of a road.</p>			
<p>52.05s Schedule to 52.05</p>	<p>No content</p>		<p>Complies</p>	
<p>52.16 Native Vegetation Precinct Plan</p>	<p>To provide for the protection, management, and removal of native vegetation through the use of a native vegetation precinct plan incorporated into this scheme.</p> <p>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 <i>Guidelines for the removal, destruction or lopping of native vegetation</i> (Department of Environment, Land, Water and Planning, 2017).</p>			

Particular Provisions analysis

1. Clause and name	2. Does the Schedule reference a Background or Incorporated Document?	3. Is the Background or Incorporated Document listed at 72.04s or 72.08s?	4. Adherence with MD	5. Additional improvements suggested
	<p>To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.</p>			
52.16s Schedule to Clause 52.16	No content		Complies	
52.17 Native Vegetation	<p>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 <i>Guidelines for the removal, destruction or lopping of native vegetation</i> (Department of Environment, Land, Water and Planning, 2017).</p> <p>To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.</p>			
52.17s Schedule to Native Vegetation	No content		Complies	
52.27 Licensed Premises	<p>To ensure that licensed premises are situated in appropriate locations.</p> <p>To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.</p>			
52.27s Schedule to Clause 52.27	No content		Complies	
52.28 Gaming	To ensure that gaming machines are situated in appropriate locations and premises.			

Particular Provisions analysis

- | 1. Clause and name | 2. Does the Schedule reference a Background or Incorporated Document? | 3. Is the Background or Incorporated Document listed at 72.04s or 72.08s? | 4. Adherence with MD | 5. Additional improvements suggested |
|--------------------|---|---|----------------------|--------------------------------------|
|--------------------|---|---|----------------------|--------------------------------------|

To ensure the social and economic impacts of the location of gaming machines are considered.
 To prohibit gaming machines in specified shopping complexes and strip shopping centres.

52.28s Schedule to Clause 52.28

No reference to any BG or ID.
 1.0 Objectives
 To ensure the location of gaming venues minimises opportunities for convenience and problem gambling.
 To locate gaming venues and machines in areas where the community has a choice of non-gaming entertainment and recreation activities.
 To protect the amenity of areas surrounding gaming venues.
 3.0 Prohibition of a gaming machine in a strip shopping centre

Name of strip shopping centre and locality	Land description
Mansfield shopping centre, Mansfield	Both sides of High Street, generally between Baldry Street and Utimo Street; Both sides of

Particular Provisions analysis

1. Clause and name

2. Does the Schedule reference a Background or Incorporated Document?

3. Is the Background or Incorporated Document listed at 72.04s or 72.08s?

4. Adherence with MD

5. Additional improvements suggested

	Highett Street, generally between Curia Street and Baldry Street
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4.0 Locations for gaming machines

Gaming venues and machines should be located:

- Within or close to the Mansfield township.
- In non-urban locations that focus on providing services for visitors or a sports or recreation club with a land holding of more than 2 hectares.
- In areas where the local community has a choice of alternative non-gaming entertainment and recreation facilities operating at the times the proposed gaming venue will operate.
- In areas where the location could reasonably be perceived as avoiding the incidence of spontaneous decisions to play gaming machines by being removed from areas where large numbers of people will be passing in the course of their daily activities.
- In areas where the gaming venue and its associated uses will be compatible with the predominant surrounding land uses through a location, siting, design, and operating hours that do not detrimentally affect the amenity of the surrounding area.

1. Clause and name

2. Does the Schedule reference a Background or Incorporated Document?

3. Is the Background or Incorporated Document listed at 72.04s or 72.08s?

4. Adherence with MD

5. Additional improvements suggested

- At least 400 metres from strip shopping centres and other community hubs (including schools, medical centres, churches, and other public offices).
- At least 400 metres away from any Australian Bureau Statistics collection district that is within the most disadvantaged 20 per cent of collection districts in Victoria, as set out in the SEIFA index of relative disadvantage.
- Outside of settlements that only service a local population catchment.
- Outside of towns where it will lead to the total density of gaming machines per 1000 adults exceeding the regional Victorian average.

5.0 Venues for gaming machines

Gaming machines should be located in venues that:

- Will not have an adverse impact on the amenity of adjoining areas as a result of operating hours, traffic and noise from patrons or vehicles.
- Offer a range of social, entertainment and recreational activities other than gaming as a means of ensuring gaming is not the primary purpose of the venue.
- Do not detract from the character and integrity of the Shire's tourism and

1. Clause and name	2. Does the Schedule reference a Background or Incorporated Document?	3. Is the Background or Incorporated Document listed at 72.04s or 72.08s?	4. Adherence with MD	5. Additional improvements suggested
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- heritage assets through their location, siting, and design.
- Have a gaming floor area of less than 25 per cent of the total floor area of the venue.
 - Promote responsible gaming practices, including not allowing gaming machines to operate when alternative entertainment is not available at the venue.
 - Are designed so that amenities for the venue’s non-gambling activities, such as entrances and exits, toilets, meeting spaces and dining spaces can be accessed without entering the gaming area.
 - Have access to natural light and allow patrons surveillance of outdoor areas.
 - Do not operate gaming machines between 1am and 9am.

6.0 Application requirements

The following application requirements apply to an application for a permit under Clause 52.28, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The proposed design and layout of the premises, including all signs and evidence of compliance with the relevant gaming

Particular Provisions analysis

1. Clause and name	2. Does the Schedule reference a Background or Incorporated Document?	3. Is the Background or Incorporated Document listed at 72.04s or 72.08s?	4. Adherence with MD	5. Additional improvements suggested
	<p>regulations for premises layout and design.</p> <ul style="list-style-type: none">• A venue management plan identifying strategies to manage patron behaviour and minimise problem gambling in relation to the design and management of the venue, including the applicant's proposed responsible gaming practices.• An assessment of the social and economic benefits and disadvantages of the proposed gaming machines comprising of:<ul style="list-style-type: none">○ An analysis of the demographic and socio-economic profile of the municipality and the venue's projected patron catchment and its potential vulnerability to problem gambling, with the inclusion of data from the SEIFA index of relative disadvantage.○ Details of, and justification for, the projected patron catchment.○ Characteristics of the local area, including the location of and distance to shops, community facilities, public housing and counselling services.○ Details of existing and proposed gambling and non-gambling related entertainment and recreation facilities and activities at the venue			

Particular Provisions analysis

1. Clause and name

2. Does the Schedule reference a Background or Incorporated Document?

3. Is the Background or Incorporated Document listed at 72.04s or 72.08s?

4. Adherence with MD

5. Additional improvements suggested

and within a 5 kilometre radius of the venue.

- Pedestrian counts outside the venue on different days and at a variety of different times.
- Details about the existing and proposed distribution and density of gaming machines in the Shire and individual towns.
- Details of the anticipated expenditure at the venue on gaming if the proposal was to be approved, along with existing gaming expenditure for the venue for the past 3 years if gaming machines already exist at the venue.
- Where the gaming machines are to be relocated from other venues:
 - Details of the relative social and economic differences between the existing gaming venue and the proposed gaming venue if the proposal is to move gaming machines from one part of the municipality to another.
 - An explanation as to why the gaming machines are being transferred.
 - The anticipated amount of total expenditure to be transferred

Particular Provisions analysis

1. Clause and name

2. Does the Schedule reference a Background or Incorporated Document?

3. Is the Background or Incorporated Document listed at 72.04s or 72.08s?

4. Adherence with MD

5. Additional improvements suggested

from the current venue to the new venue.

- Particulars as to how the level of transfer has been calculated (including a per machine comparison of current expenditure at the existing venue to projected expenditure at the new location, current usage levels of machines at their existing location and projected usage levels of machines at the new venue).
- The resulting impact of the transfer of the revenue on the venue where the gaming machines are to be located (including employment, provision of additional services, projected impact on customer numbers, any increase in complementary expenditure at the venue and the like).
- The resulting impact on the venue from where the gaming machines are to be transferred from (including the loss of employment, loss of complementary expenditure, loss of custom, impact on the

Particular Provisions analysis

1. Clause and name

2. Does the Schedule reference a Background or Incorporated Document?

3. Is the Background or Incorporated Document listed at 72.04s or 72.08s?

4. Adherence with MD

5. Additional improvements suggested

ability to provide services and the like).

- Details of the nature and extent of community benefits expected from the proposal and how these benefits are to be secured and distributed to the local community.
- Assessment of key social and economic issues and the overall net community impact.
- Measures that will be adopted by the venue to mitigate any negative social, economic and community impacts.

7.0 Decision Guidelines

The following decision guidelines apply to an application for a permit under Clause 52.28, in addition to those specified in Clause 52.28 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The net community benefit to be derived from the application.
- Whether approval is likely to increase the level of socio-economic disadvantage with the community.
- Whether the location of the gaming venue, and the gaming machines, is close to places of community congregation and

Particular Provisions analysis

1. Clause and name	2. Does the Schedule reference a Background or Incorporated Document?	3. Is the Background or Incorporated Document listed at 72.04s or 72.08s?	4. Adherence with MD	5. Additional improvements suggested
	<p>may therefore encourage spontaneous decisions to gamble.</p> <ul style="list-style-type: none"> Whether patrons will have a choice of non-gambling entertainment and recreation activates both at the venue and within the local area. The impact of the proposal on the amenity and character of the area and surrounding land uses. 			
52.32 Wind Energy Facility	To facilitate the establishment and expansion of wind energy facilities, in appropriate locations, with minimal impact on the amenity of the area.			
52.32s Schedule to Clause 52.32	No content		Complies	
52.33 Post Boxes and Dry Stone Walls	To conserve historic post boxes and dry stone walls.			
52.33s Schedule to Clause 52.33	No content		Complies	
53 GENERAL REQUIREMENTS AND PERFORMANCE STANDARDS				
53.01 Public Open Space Contribution and Subdivision	A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a			

Particular Provisions analysis

1. Clause and name	2. Does the Schedule reference a Background or Incorporated Document?	3. Is the Background or Incorporated Document listed at 72.04s or 72.08s?	4. Adherence with MD	5. Additional improvements suggested
	<p>combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the Subdivision Act 1988.</p>			
53.01s Schedule to Clause 53.01	No content		Complies	
53.06 Live Music Entertainment Venues	<p>To encourage the retention of existing and the development of new live music entertainment venues.</p> <p>To protect live music entertainment venues from the encroachment of noise sensitive residential uses.</p> <p>To ensure that noise sensitive residential uses are satisfactorily protected from unreasonable levels of live music and entertainment noise.</p> <p>To ensure that the primary responsibility for noise attenuation rests with the agent of change.</p>			
53.06s - Schedule to Clause 53.06	No content		Complies	
53.15 Statement of Underlying Provisions	<p>To specify the planning scheme provisions which would have applied to land reserved for a public purpose pursuant to section 6(2)(i) of the Planning and Environment Act 1987 if the land had not been reserved for that purpose.</p>			

Particular Provisions analysis

1. Clause and name	2. Does the Schedule reference a Background or Incorporated Document?	3. Is the Background or Incorporated Document listed at 72.04s or 72.08s?	4. Adherence with MD	5. Additional improvements suggested
53.15s Schedule to Clause 53.15	No content		Complies	
59 VICSMART APPLICATIONS AND REQUIREMENTS				
59.15 Local VicSmart Applications	The schedule to this clause may specify classes of application that are VicSmart applications to which Clause 71.06 applies. A class of application specified must not be a class of VicSmart application specified in another provision of this planning scheme.			
59.15s Schedule to Clause 59.15	No content		Complies	
59.16 Information Requirements and Decision Guidelines for Local VicSmart Applications	A schedule to this clause may set out information requirements and decision guidelines for a class of VicSmart application specified in the Schedule to Clause 59.15.			
Schedule to Clause 59.16	No content		Complies	

Operational Provisions analysis Checklist for Council

Document A.7 Mansfield Planning Scheme

1. Clause	2. Name	3. Key Questions for Council	4. Council Response
<ul style="list-style-type: none"> ADMINISTRATION AND ENFORCEMENT OF THIS SCHEME 			
72.01s	Schedule to Responsible Authority for this Planning Scheme	Are all relevant responsible authorities specified correctly? If no, please list any inaccuracies.	
72.02s	Schedule to What Area is Covered by this Planning Scheme?	Is the Municipal district named correctly?	
72.03s	Schedule to What Does this Scheme Consist of?	Are all currently applicable Planning Scheme maps listed correctly? If no, please list any inaccuracies.	
72.04s	Schedule to Documents Incorporated in this Planning Scheme	<ol style="list-style-type: none"> Is the most up to date version of each Incorporated Document listed? Are there any Incorporated Documents no longer required that can be deleted? Do all Incorporated Documents link to an Amendment and Planning Scheme provision in the final column of the schedule? Would any Incorporated Documents benefit from being mapped as a Special Control Overlay? <p>Note: any changes to Incorporated Documents are beyond the scope of a 20(4) amendment.</p> <p>Please provide a marked-up version of the schedule.</p>	
72.08s	Schedule to Background Documents	<ol style="list-style-type: none"> Is the most up to date version of each Background Document listed? Are there any Background Documents no longer required that can be deleted? 	

Operational Provisions analysis Checklist for Council

1. Clause	2. Name	3. Key Questions for Council	4. Council Response
		<p>3. Do all Background Documents link to an Amendment and Planning Scheme provision in the final column of the schedule?</p> <p>Note: any changes to Background Documents are beyond the scope of a 20(4) amendment.</p> <p>Please provide a marked-up version of the schedule.</p>	
<p>• STRATEGIC IMPLEMENTATION</p>			
74.01s	Schedule to Application of Zones, Overlays and Provisions	Have any Zones or Overlays been introduced or removed since the PPF translation? If yes, please list (including the Amendment Number, the effect of the Amendment & the date of gazettal).	
74.02s	Schedule to further strategic work	<p>Please review the schedule and identify projects that have been completed or are no longer relevant.</p> <p>Please provide a marked-up version of the schedule.</p>	

Document analysis – VCAT decisions

Document A.8-1 Mansfield Planning Scheme

	140 High Street, Mansfield
Council Ref:	P751/2020
Date of VCAT Order:	6 October 2021
VCAT Citation:	140 High Street Pty Ltd v Mansfield SC [2021]
Nature of proceeding:	Application under section 77 of the P&E Act 1987 – to review the refusal to grant a permit
Council Decision:	Refusal.
Council Decision Upheld at VCAT:	Decision of RA affirmed. No permit issued.
Applicable policies and provisions:	C1Z DDO1 – Alpine approaches and Township Gateways Abutting RZ1 CI 11.01, 13.05, 15.01, 17.01, 17.02, 21 (now MPS 02.03), 43.02, 52.06, 52.29, 53.18 and 65.
Key Issues:	Amendment to a permit, traffic concerns, Amenity concerns
Description:	An amendment to a permit for a service station. Amendments include a truck refuelling bowser adjacent to the southern landscape boundary, a reduction in the number of fuel bowsers from 6 to 4, deletion of a car space in the setback to High Street and provision of a landscaped seating area, modified setbacks to the building and canopy, deletion of gas storage tank, and provision of an acoustic fence on the southern boundary.
Key paragraphs from decision:	

Document analysis – VCAT decisions

	2-4 Station Street and 8-10 Station Street, Mansfield
Council Ref:	P505/2020
Date of VCAT Order:	20 April 2021
VCAT Citation:	140 High Street Pty Ltd v Mansfield SC [2021] VCAT 291
Nature of proceeding:	Application under section 77 of the P&E Act 1987 – to review the refusal to grant a permit
Council Decision:	Refusal
Council Decision Upheld at VCAT:	Decision of RA affirmed. No permit granted.
Applicable policies and provisions:	C1Z DDO1 – Alpine approaches and Township gateways Cl 34.01-4 – construction of a building and construction and carry out of works on land in C1Z Cl 43.02-2 – construction and carry out of works on land in DDO1 Cl. 11, 15, 17, 21 (now MPS 02.03), 34.01, 43.02, 52.06, 52.34, 65.
Key Issues:	Built form, Traffic.
Description:	The construction of a building and the construction and carrying out of works for a convenience restaurant and associated car park.
Key paragraphs from decision:	<p>The permit is only required for the construction of the restaurant and carpark, not the use. Community concerns raised in objections were focused on the health aspects of convenience food.</p> <p>What we are unable to consider is whether the use is appropriate for the site, and whether any impacts associated with the use are acceptable. In addition to health concerns associated with the consumption of food sold from the proposal, impacts also include matters such as litter, odours, patron behaviour and noise.</p> <p>There is no condition listed opposite ‘retail premises’ in Section 1 of clause 34.01-2. Accordingly, the use of the site for a convenience restaurant does not require a permit.</p> <p>The sole decision guideline in DDO1 requires the RA to consider the Mansfield Urban Design Framework 2005.</p> <p>There appears to be a disconnect with the policy framework and the application of the DDO1 in respect of the identified gateway to the west of the town. The DDO1 does not apply to land in the vicinity of the gateway marker.</p> <p>It is not considered that the design will detract from the heritage precinct. The same conclusion was drawn for Aboriginal Cultural Heritage values, it is not expected that the site will detract from this.</p>

Document analysis – VCAT decisions

2-4 Station Street and 8-10 Station Street, Mansfield	
	<p>If the proposal was to be resubmitted it should do so with a pitched roof design, which better aligns with the surrounding character and as per DDO1.</p> <p>The setback from High Street is insufficient and does not align with prevailing character.</p> <p>The DDO does not specify which elevation must be the active frontage.</p>

6 Curia Street, Mansfield	
Council Ref:	P02087/2018
Date of VCAT Order:	27 May 2019
VCAT Citation:	Aldous v Mansfield SC [2019] VCAT 288
Nature of proceeding:	Application under s 82 of the Act – to review the decision to grant a permit
Council Decision:	NOD to issue a permit
Council Decision Upheld at VCAT:	No. Decision of RA was set aside. No permit granted.
Applicable policies and provisions:	<p>GRZ1</p> <p>Clause 32.08-2 – use of land for purposes of a medical centre</p> <p>Construct a building or carry out works for a S2 use</p> <p>52.05-13 Business sign</p> <p>52.06-3 Reduction in provision of standard on site car parking rate.</p>
Key Issues:	<p>Carparking</p> <p>Amenity re long hours of operation.</p>
Description:	<p>Proposal to convert existing dwelling into a medical centre with maximum of 3 treatment rooms. Limited carparking available at the rear of the site which is proposed to be accessed via existing driveway. Counselling services.</p> <p>Business sign proposed in front setback.</p>

Document analysis – VCAT decisions

6 Curia Street, Mansfield	
Key paragraphs from decision:	<p>Other tenancy practitioners unknown, so a decision on the appropriateness of the service offered cannot be made at this time.</p> <p>No strategic work to indicate that the zoning of the area of Curia street is likely to change. Other non-residential uses in the street (council buildings and ambulance site) are not zoned residential.</p> <p>Scale of potential intensity of the proposal is too high, in lieu of evidence. No traffic evidence was supplied.</p> <p>Landscaping conditions were not adequately identified in the proposed conditions.</p> <p>This represents planning on the run. The most appropriate outcome is that a more well resolved application be submitted to Council. Any future application must meet requirements of 52.06 (carparking).</p>

401 Buttercup Rd, Merrijig	
Council Ref:	P486/2018
Date of VCAT Order:	8 October 2018
VCAT Citation:	Harris v Mansfield SC [2018] VCAT 1504
Nature of proceeding:	Application under section 77 of the P&E Act 1987 – to review the refusal to grant a permit
Council Decision:	No permit granted
Council Decision Upheld at VCAT:	Yes Decision of RA is upheld – no permit granted.
Applicable policies and provisions:	FZ SLO1 ESO2 Clause 35.07 to use and develop land to extract stone. Clause 42.03 to carry out works.
Key Issues:	Extraction noise, visual impact, land use compatibility.
Description:	Extract stone from the subject land with an area of less than 1 hectare (249m x 40m) and construct an access track. No trees proposed to be removed.

Document analysis – VCAT decisions

401 Buttercup Rd, Merrijig	
Key paragraphs from decision:	<p>Retrospective permit. Works have been undertaken, but approach at hearing is consistent with Supreme Court -</p> <p>Permit applicant should neither be punished or rewarded for undertaking work before a permit was obtained... the paradox that unlawful commencement of a use may enable better appreciation of its impact on its context and plans...</p> <p>Based on the information available, the development presents significant and unacceptable changes to the acoustic environment.</p> <p>Proposal would have significant visual implications on the landscape.</p>

55 Grandview Drive, Barwite	
Council Ref:	P1433/2018
Date of VCAT Order:	5 March 2019
VCAT Citation:	Luczyniec v Mansfield SC [2019] VCAT 314
Nature of proceeding:	Application under section 77 of the P&E Act 1987 – to review the refusal to grant a permit
Council Decision:	Refuse to grant permit
Council Decision Upheld at VCAT:	No The decision of the RA is set aside. Permit is granted subject to conditions.
Applicable policies and provisions:	<p>RLZ</p> <p>ESO2</p> <p>BMO</p> <p>Clause 35.03-1 and 71.03 to use lad for shipping containers (store)</p> <p>Clause 35.03-4 to construct or carry out building works for shipping containers less than 100m away from a dwelling or a waterway</p> <p>Clause 42.01-2 to construct or carry out works where a site cut exceeds 1m in depth and greater than 300m in area.</p>
Key Issues:	Visual amenity, water quality, retrospective permit
Description:	The carrying out of earthworks and the use and construction of buildings and works for shipping containers (store)

Document analysis – VCAT decisions

55 Grandview Drive, Barwite	
Key paragraphs from decision.	<p>Retrospective permit to construct earthworks and to use the land to develop the site for placement of 4 shipping containers for personal storage.</p> <p>Site is located in the RLZ in a rural area where neighbouring properties enjoy expansive views of nearby hills and broader high-country landscapes. Applicant was unaware that they needed a permit at the time of construction.</p> <p>I find the impacts of visual amenity and water quality are acceptable and can be further mitigated through a combination of landscaping and works to control soil movement. The member includes these as conditions to the permit.</p> <p>Existing dwellings in the area generally look out over a different area of the valley and do not directly look over the location of the earthworks or shipping containers and where they do, the presence of the land slope and vegetation effectively eliminates any dominance of the view. The objectors agree that they do not view the area directly from their respective properties. Accordingly, they are not directly impacted with regard to visual amenity.</p> <p>ESO2 now only has the sole objective to discourage development and works that contribute to the degradation of water quality and quantity.</p> <p>Murray Goulburn Water had no objection to the application.</p>

Planning Scheme Amendments, EEs and ACs

Document A.8-2 Mansfield Planning Scheme

Part One

1. Amendment number	2. In operation from	3. Brief description of the amendment	4. What sort of amendment: - Policy related - Site specific - Administrative	5. Status of the amendment - Did not progress - Approved - Underway	6. Was there are Planning Panel Hearing?	7. Does this require assessment in Part Two - Yes - No
C032mans	9 July 2015	Corrects spelling and grammatical errors in Clause 21.06 Tourism, Schedule 1 to Clause 42.02 Vegetation Protection Overlay, Schedules 1, 2, 3 and 4 to Clause 43.04 Development Plan Overlay and corrects mapping errors on Planning Scheme Map Nos. 9, 12, 13 and 17.	Administrative	Approved	No	N/A
C015	11 February 2015	Amends the extent of the Urban Floodway Zone and applies Floodway Overlay and Land Subject to Inundation Overlay to parts of the municipality prone to flooding or inundation inserts Clauses 44.03 Floodway Overlay and 44.04 Land Subject to Inundation Overlay and Schedules to each inserts Clause 22.11 Floodplain Management Policy amends the Municipal Strategic Statement at Clauses 21.02 21.03 and 21.08 introduces the Incorporated Document Mansfield Shire Local Floodplain Development Plan June 2015 amends Schedules to Clauses 61.03 and 81.01.	Site specific Policy related	Approved	Yes Cannot find report.	
C038	7 April 2016	The Amendment seeks to rezone privately owned land from Public Conservation and Resource Zone to Rural Conservation Zone.	Site specific	Approved	No	N/A

Planning Scheme Amendments, EEs and ACs

1. Amendment number	2. In operation from	3. Brief description of the amendment	4. What sort of amendment: - Policy related - Site specific - Administrative	5. Status of the amendment - Did not progress - Approved - Underway	6. Was there are Planning Panel Hearing?	7. Does this require assessment in Part Two - Yes - No
C033	26 May 2018	Rezones land at 342 Dead Horse Lane, Mansfield (Crown Allotment 23H) and part of Crown Allotment 23B from Public Use Zone 6 to Rural Living Zone (Schedule 1) to reflect the private ownership of the land and applies the Environmental Audit Overlay to CA 23H to ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.	Site specific	Approved with changes	No	N/A
C031		The amendment is a combined planning scheme amendment and planning permit application which rezones 52-54 Chenery Street, Mansfield from General Residential Zone (GRZ) to Mixed Use Zone (MUZ) to allow for expansion of an existing motor vehicle sales and servicing business and applies the Environmental Audit Overlay (EAO) to part of the land. The permit seeks approval for use and development of land for motor vehicle sales and repair, car park, creation and alteration of access to a road in RDZ1 and variations to requirements of Clause 52.14.	Site specific	Approved with changes	Yes.	See below
C037	8 December 2016	The Amendment implements the recommendations of the Mansfield Planning Scheme Review Report 2015, the Mansfield Structure Plan and Merrijig Framework Plan.	Policy related	Approved	Yes	See below
C040	25 January 2018	The Amendment corrects a mapping anomaly at Stockmans Drive, Mansfield by rezoning parts of Lots 9,	Administrative	Approved	No	N/A

Planning Scheme Amendments, EEs and ACs

1. Amendment number	2. In operation from	3. Brief description of the amendment	4. What sort of amendment: - Policy related - Site specific - Administrative	5. Status of the amendment - Did not progress - Approved - Underway	6. Was there are Planning Panel Hearing?	7. Does this require assessment in Part Two - Yes - No
		<i>10, 11 and 12 of PS739865 from Farming Zone to Low Density Residential Zone.</i>	<i>Site specific</i>			
<i>C039</i>	<i>8 February 2018</i>	<i>Implements the Shire of Mansfield Stage One Heritage Survey, June 2015 by applying the Heritage Overlay to 32 individual places in Mansfield and Jamieson townships.</i>	<i>Policy related</i>	<i>Approved</i>	<i>No</i>	<i>N/A</i>
<i>C036</i>	<i>24 May 2018</i>	<i>The amendment proposes to implement the planning actions of the Mansfield Shire Domestic Wastewater Management Plan 2014 (DWMP) to better manage development that has potential to affect water quantity and quality in special water supply catchments.</i>	<i>Policy related</i>	<i>Approved with changes</i>	<i>Yes.</i>	<i>No policy recommendations</i>
<i>C028</i>	<i>10 January 2019</i>	<i>Rezones land at Merrijig Village from Farming Zone to Township Zone and the Merrijig Primary School from Farming Zone to Public Use Zone 2.</i>	<i>Site specific</i>	<i>Abandoned</i>	<i>No</i>	<i>N/A</i>
<i>C041</i>	<i>17 January 2019</i>	<i>Third party request for rezoning a parcel of land in Mansfield Township from LDRZ to IN3Z. Still to go to Council for a decision to seek authorisation.</i>	<i>Site specific</i>	<i>Abandoned</i>	<i>No</i>	<i>N/A</i>
<i>C042</i>	<i>16 January 2020</i>	<i>The amendment maps and transfers existing incorporated documents specified in the schedule to 'Specific Sites and Exclusions' (Clause 51.01) into the new Specific Controls Overlay (Clause 45.12).</i>	<i>Administrative</i>	<i>Approved</i>	<i>No</i>	<i>N/A</i>
<i>C046</i>	<i>8 January 2021</i>	<i>Applies the Specific Controls Overlay (SCO2) to land at 128 Ogilvies Road, Mansfield and inserts the incorporated</i>	<i>Site specific</i>	<i>Approved</i>	<i>No</i>	<i>N/A</i>

Planning Scheme Amendments, EEs and ACs

1. Amendment number	2. In operation from	3. Brief description of the amendment	4. What sort of amendment: - Policy related - Site specific - Administrative	5. Status of the amendment - Did not progress - Approved - Underway	6. Was there are Planning Panel Hearing?	7. Does this require assessment in Part Two - Yes - No
		<i>document '128 Ogilvies Road, Mansfield - December 2020' into the Mansfield Planning Scheme to allow the use and development of the land for a therapeutic care farm for children with autism and makes associated changes.</i>	<i>Policy related</i>			
C043	8 July 2021	<i>Corrections amendment to remove inconsistencies in local schedules with the Victorian Planning Provisions and Ministerial Direction – Form and Content of Planning Schemes as part of the Smart Planning Local Schedules Update.</i>	<i>Administrative</i>	<i>Approved</i>	No	N/A
C048	TBC	<i>Implements recommendations from the "Mansfield Township Approaches Planning Controls and Guidelines Study, 2018" to guide built form adjacent to main routes into Mansfield township.</i>	<i>Policy related Site specific</i>	<i>Adoption Under Consideration</i>	Yes	Yes
C044	TBC	<i>The amendment implements the Mansfield Station Precinct Activation Project, Master Plan and Implementation Plan, May 2019 by introducing an Incorporated Document into Clause 72.04, replacing the Schedule to Clause 36.02 and amending the strategic directions for Mansfield township in Clause 11.01-11-01.</i>	<i>Policy related Site specific</i>	<i>Approved with Changes</i>	No	N/A
C051	TBC	<i>Implementation of the Mansfield Commercial and Industrial Land Use Strategy</i>	<i>Policy related</i>	<i>Split parent</i>		N/A

Planning Scheme Amendments, EEs and ACs

1. Amendment number	2. In operation from	3. Brief description of the amendment	4. What sort of amendment: - Policy related - Site specific - Administrative	5. Status of the amendment - Did not progress - Approved - Underway	6. Was there are Planning Panel Hearing?	7. Does this require assessment in Part Two - Yes - No
C047	3 March 2022	Replaces the Local Planning Policy Framework of the Mansfield Planning Scheme with a new Municipal Planning Strategy at Clause 02, local policies within the Planning Policy Framework at Clauses 11 to 19 and selected local schedules consistent with changes to the Victoria Planning Provisions introduced by Amendment VC148 and The Ministerial Direction on The Form and Content of Planning Schemes.	Policy related	Approved	No	N/A
C049	31 March 2022	Rezones part of Nos. 2 and 4 New Street, and No. 25 Ailsa Street, Mansfield from the Urban Floodway Zone (UFZ) to the General Residential Zone ? Schedule 1 (GRZ1) and applies the Floodway Overlay (FO).	Site specific	Approved	No	N/A
C050	Friday 13 May 2022	The amendment removes redundant Development Plan Overlays from the Mansfield Planning Scheme, amends Schedules 1, 2 and 3 and deletes Schedules 4 and 5 to the Development Plan Overlay to implement the findings of the Mansfield Planning Scheme Development Plan Overlay Review, May 2021.	Policy related Administrative	Approved	No	N/A
C045	14 April 2022	Rezones 57 Stock Route, Mansfield from Low Density Residential Zone to General Residential Zone 1; removes the Development Plan Overlay - Schedule 2 from the land; and amends the Mansfield Framework Plan at Clause 21.09-2.	Site specific Policy related	Approved	No	N/A

Planning Scheme Amendments, EEs and ACs

Part Two

Matter	Response
Amendment No:	C31
In operation from:	
Brief description of the amendment:	
Policy matters raised by the Panel that require further consideration or action by Council.	Preferred future use of land in subject area not directed in existing MSS. Panel suggest addressing this through future strategic work or a planning scheme review. Council should consider a policy statement that clarifies how existing residential areas are to be protected from encroachment of other land uses and identifies areas preferred for commercial land uses. Such policy statements are needed to provide some guidance in the event of future applications to expand mixed use or commercial areas in Mansfield.
Recommendations that require further work / implementation in the planning scheme.	Council should consider a policy statement that clarifies how existing residential areas are to be protected from encroachment of other land uses and identifies areas preferred for commercial land uses. Such policy statements are needed to provide some guidance in the event of future applications to expand mixed use or commercial areas in Mansfield.

Matter	Response
Amendment No:	C37 Planning Scheme Review implementation
In operation from:	
Brief description of the amendment:	
Policy matters raised by the Panel that require further consideration or action by Council.	The Panel supports the Amendment and most of the changes proposed by Council following its consideration of submissions. The Panel agrees with Council that the current Planning Scheme has a number of deficiencies and needed to be revised and updated. The Amendment will address many of these issues, although there are matters that will require further analysis and potentially further changes to the Planning Scheme. Panel encourages Council to review the Sawmill Settlement Town Boundary and, if appropriate, exclude the two area identified by the CFA as part of a future amendment.

Planning Scheme Amendments, EEs and ACs



	<p>Existing Clause 22.04 (Design and siting guidelines in rural areas and upon significant ridgelines) should be retained, at least on an interim basis, and be reviewed as part of the rural strategy project . The Panel also notes that the policy applies to all “areas deemed to be of a high level visual amenity”, not just ridgelines. This reinforces the widespread application and significance of the policy.</p> <p>The proposed rural strategy is an important project that will enable Council to address this ‘landscape protection’ issue and a number of other ‘rural’ issues raised in submissions. The Panel encourages council to initiate this project as a matter of priority.</p>
Recommendations that require further work / implementation in the planning scheme.	<i>Prepare a Rural Strategy that addresses use, development, subdivision of land, the outcomes of the Domestic Wastewater Management Plan 2014, other environmental constraints and landscape significance.</i>

Matter	Response
Amendment No:	C48
In operation from:	
Brief description of the amendment:	<p>The Amendment proposes to implement the Township Approaches Planning Controls and Guidelines Study, Mansfield, June 2018 (Mansfield Design Guidelines). The Amendment introduces local policy and two Schedules to the Design and Development Overlay (DDO) to guide built form of residential, commercial, industrial and farming areas within the four Mansfield Township Approaches, including:</p> <p>Approach 1: Maroondah Highway (west) Approach 2: Mount Buller Road (east) Approach 3: Midland Highway (north) Approach 4: Mansfield-Whitfield Road (north).</p> <p>Specifically, the Amendment proposes to:</p> <ul style="list-style-type: none"> • amend Clause 21.09 (Mansfield Township) to add new Objective 5 Mansfield Township Approaches and associated strategies • amend Schedule 1 to Clause 43.02 Design and Development Overlay (DDO1) (Mansfield Township Approach Guidelines - Mixed Use, General Residential 1, Low Density Residential and Rural Living Zones) • introduce new Schedule 2 to Clause 43.02 Design and Development Overlay (DDO2) (Mansfield Township Approach Guidelines - Farming, Urban Floodway, Industrial 1, Commercial 1 and Commercial 2 Zones) • amend Planning Scheme maps 11DDO and 12DDO and insert new map 9DDO.

Planning Scheme Amendments, EEs and ACs

<p>Policy matters raised by the Panel that require further consideration or action by Council.</p>	<p>The Panel considers the Amendment is strategically justified and aligned with planning policy. It responds to many issues in the Municipal Planning Statement and provides clear direction for built form along the Township Approaches.</p> <p>The purpose of the DDO is to regulate the design and built form of new development, not land use. There is no ambiguity in planning guidance which states that zones are the primary tool for guiding land use and development, and overlays generally seek to control specific aspects of the development of land. Consequently, the Schedules to the DDO must not attempt to regulate land use.</p> <p>The Panel is surprised that identification of heritage values and mechanisms for protection of interfaces with heritage places have not featured more explicitly in the Mansfield Design Guidelines and proposed Amendment. As the Amendment is derived from the Mansfield Design Guidelines, in the absence of further work it is not appropriate or possible for the Panel to make recommendations for additional content relating to heritage values.</p> <p>Further work is required to determine if additional content over and above the DDO parent clause is needed to protect heritage places and values.</p> <p>The Mansfield Design Guidelines includes objectives and guidelines relating to pedestrian and cycling access, but do not relate specifically to accessibility or universal design. The Amendment includes limited provisions relating to access, and no provisions relating to accessibility and universal design.</p> <p>Future review of the Mansfield Design Guidelines should include consideration of accessibility and universal design requirements.</p>
<p>Recommendations that require further work / implementation in the planning scheme.</p>	<p>Further work is required to identify, document and protect local heritage places and heritage values in the scheme.</p> <p>Further work is required to determine the exact requirements and drafting for integrating accessibility and universal design requirements.</p>

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Document A.8-3 Mansfield Planning Scheme

Mansfield Council Plan 2021-2025 (Mansfield Shire Council, 2021)	Adopted by Council: 19 October 2021. Meeting type: Ordinary Council meeting	[MCP]
Describes the guiding vision of council and the community and is the key strategic document to assist council in decision making over the next four years		
Has the Council Plan been appropriately linked into the planning scheme?	The 2021- 2025 Council plan was implemented into the Mansfield Planning Scheme during the recent PPF translation amendment C47mans	02.02 Vision
Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy
<p><i>Theme 1: Connected and Healthy Community</i></p> <p><i>Residents and visitors experience enjoyment of life, security and safety in a stunning rural location</i></p> <p><i>Theme 2: Vibrant Liveability</i></p> <p><i>Mansfield is stunningly beautiful, clean and green, with all the requirements of modern living</i></p>		

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Mansfield Shire Council Plan 2021-2025 - Community Health and Wellbeing Plan (Mansfield Shire Council, 2021)	Adopted by Council: 19 October 2021.	[MCPH&W]
Incorporated within the Council Plan, the health and wellbeing plan provides data on the municipalities current and future health aspirations and what strategic directions will be employed to acquire them.		
Has the Community Health and Wellbeing Plan been appropriately linked into the planning scheme?	No direct links. Land use planning directives covered by state policy	
Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy
<i>Domestic Wastewater Management Plan – Background Report (Mansfield Shire Council, Adopted 2014)</i>	Adopted by Council 19 August 2014. Applied with ESO.	[DWPB]
Provides responses to development trends, higher level policies, current and future practices and provides strategic direction for the recommendations within.		
Are there planning scheme implications? (Y/N)	No- covered by policy (14.02-1L) and applied through ESO.	

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Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy

<i>Domestic Wastewater Management Plan (Mansfield Shire Council date)</i>	Adopted by Council 19 August 2014. Applied with ESO.	[DWP]
Policy summary (1 paragraph): Explores data of WM within the shire and identifies high risk areas and high risk environmental impacts so that strategic work can respond.		
Are there planning scheme implications? (Y/N)	No- covered by policy (14.02-1L) and applied through ESO.	

Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy

<i>Mansfield Township Integrated Water Management Strategy (Mansfield Shire Council, 20--)</i>	Adopted by Council: Final 1 July 2019 (not adopted)	[MTIWS]
Roadmap for how the Council, stakeholder agencies and the community can take a holistic approach to developing the right long-term solutions to these and other water-related issues.		

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Are there planning scheme implications? (Y/N)	No, not an adopted document.	
Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy
Mansfield Open Space Strategy (MOSS) (Mansfield Shire Council, 2021)	Adopted by Council: Not adopted, about to go on exhibition.	[MOSS]
Provides strategic directions and guiding principles for the deliverance of open space in the municipality.	High level strategic directions which are generally supported by / reflected in the existing objectives and strategies of the Planning Scheme.	
Are there planning scheme implications? Yes	Yes	
Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy
<i>"High quality of open space Open space should be of high quality to gain the maximum benefits from limited resources. Land encumbered by drainage lines and drainage assets".</i>	<p>Strategies</p> <p><u>Establish continuous open space corridors along creek lines and drainage lines. Specific corridors include:</u></p> <ul style="list-style-type: none"> • <u>from Rifle Butts Reserve to Dead Horse Lane.</u> • <u>from Mansfield-Woods Point Road to Dead Horse Lane along Ford Creek</u> <p><u>Co-locate public open space and encumbered land to provide co-benefits including drainage assets, significant tree protection zones and native habitat areas.</u></p> <p><u>Plan, design and manage open space in line with the Taungurung Country Plan.</u></p>	NEW 19.02-6L

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“3.2 Open space close to home Open space should be within close walking and/or biking distance for all residents”.

PATH NETWORKS – MANSFIELD

Objectives

To improve the active recreation of open space networks and enhance connectivity and walkability of townships.

Strategies

Establish shared use paths as extensions to the Great Victorian Rail Trail.

Prioritise walking and cycling routes along key streets including:

- [Highett Street](#)
- [Malcolm Street](#)
- [Minerva Street](#)
- [Stoneleigh Road](#)
- [Kidston Parade](#)
- [Chenery Street](#)
- [Early Street](#)
- [Kitchen Street](#)
- [Dead Horse Lane](#)
- [Midland Highway to the Mansfield Racecourse](#)

NEW 18.01-3L

Mansfield Planning Strategy (Mansfield Shire Council, 2022)

Adopted by Council: 17 May 2022

[MPS]

Sets out land use and development priorities for the Shire, to 2040. It provides a framework for responding to population growth and change. It also considers how to protect and enhance valued economic, environmental, local character and landscape features associated with the Shire’s towns and settlements.

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Are there planning scheme implications? (Y/N)	Yes. A planning scheme amendment is being prepared to implement the strategy findings into the scheme.	
Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy
	Introduces new policy into the scheme addressing themes including: settlement and housing, neighbourhood character, infrastructure provision, agriculture, environment, landscape and environmental risk.	
	<p>The strategy includes further strategic work recommendations for the following items:</p> <ul style="list-style-type: none"> • Progress a planning scheme amendment to correct zoning errors and other minor planning scheme anomalies. • Prepare a heritage gaps study to identify, assess and protect place of cultural heritage significance across the municipality and local heritage policy at Clause 15.03-2L. • Review extent of SLO1 and SLO2 to ensure they are sufficient to achieve their landscape objectives. • Investigate application of SLO to Lake Eildon surrounds. • Review extent and application of Rural Conservation Zone to ensure environmental assets and sensitive areas have appropriate protection. • Undertake planning scheme amendment to include “grandfather” trees into the VPO at the nomination of property owners. • Consider potential to apply the Rural Conservation Zone to protect areas of native vegetation across the Shire. • Update the relevant Municipal Planning Statement (MPS), local policy and other planning controls (Zones, Overlays) in the Mansfield Planning Scheme based on recommendations from the Climate Change Action Plan. 	74.02 (Further strategic work)

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Statutory Planning Services Review (Mansfield Shire Council, 2020)	<i>Adopted at Mansfield Ordinary Council Meeting, 15 September 2020</i>	[SPSR]
Informs Council on the processes of planning implementation at various levels and recommends improvements.		
Are there planning scheme implications?	No. Has been through an amendment.	
Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy
Mansfield Commercial and Industrial Land Use Strategy (Charter. Keck Cramer, 2021)	<i>Adopted at Mansfield Ordinary Council Meeting, 22 June 2021</i>	[CIS]
Provides vision and strategies to direct long term commercial and industrial uses including precinct directions and best practice objectives.		
Are there planning scheme implications? Yes	Yes. Planning scheme amendment C51mans is underway implement the strategy findings into the scheme.	
Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy
Strategic objectives	Strategies Strengthen the capacity of the Shire to service the commercial, retail, and industrial needs of the population by providing clear land use directions for current and future commercial and industrial uses. Support the growth of service-based industries in Mansfield by encouraging the use and development of offices and service facilities in the Mansfield Town Centre.	NEW 17.01-1L Diversified Economy

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	<p><u>Support the diversification and growth of the Shire’s industries and trades by supporting the development of a new and contemporary industrial/commercial precinct in Mansfield.</u></p>	
<p>The Strategy seeks to direct retail and commercial activity to main road locations along High and Highett Streets as the Shire’s core and leading commercial/retail area. In turn, it also proposes more limited commercial uses along residential streets including Curia, Erril, Collopy, Nolan and Ailsa streets which are streets that are either partly or entirely currently zoned for commercial purposes.</p>		
<p>“Dwellings along the western section of Curia Street that are currently zoned for commercial purposes are not supported for future commercial uses based on their residential context and distance from the township’s core commercial area. These dwellings are supported for rezoning into residential uses.”</p>		
<p>“To support new industrial opportunity in response to ongoing land shortages The Strategy recommends the expansion of industrial and mixed use land along Dead Horse Lane which is land that will shortly integrate with the Heavy Vehicle Alternate Truck Route. Specifically:</p> <ul style="list-style-type: none"> • The Strategy recommends the development of a new contemporary industrial commercial precinct at 175 Dead Horse Lane. As such, 175 Dead Horse Lane is recommended 		

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<p>for rezoning for industrial and commercial purposes.</p> <ul style="list-style-type: none"> The Strategy recommends that rezoned land is subject to design requirements specified in a development plan and developer contribution requirements. – The Strategy also recommends that land between 264 and 282 Dead Horse Lane is integrated into the Dead Horse Lane industrial precinct via rezoning into the Mixed Use Zone. This land should be subject to minimum subdivision requirements. 		
<p>The Strategy recommends the implementation of acoustic and visual buffer treatments at the residential interface of the Mount Buller Road and Dead Horse Lane commercial/industrial precincts.</p>		
<p>The Strategy continues to support large format big box retailing uses within the Mount Buller Road precinct. Equally, the Strategy affirms the role of the Mansfield Town Centre as the Shire’s primary retailing and large format food retailing (supermarket) precinct.</p>		
<p>Within the Mount Buller Road precinct, The Strategy recommends the rezoning of land at 5 to 17 Crosbys Lane from the</p>		

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<p>Mixed Use Zone to the Commercial 2 Zone to reflect its current and future use.</p>		
<p>The Strategy recommends the rezoning of the former Saw Mill site into a residential zone and the rezoning of land in Bonnie Doon that is not suited to commercial uses for residential purposes.</p>		
<p>To support the Shire's growing service needs the Strategy encourages the development of a "Services Hub" along the western section of High Street. A future facility should include private and public office space, co-working space and consulting space. The development of service space along the western section of High Street will help activate this area and further integrate the western section of High Street with the Mansfield Town Centre".</p>		
<p>Station Precinct, Mansfield Background Report (Mansfield Shire Council, 2021)</p>	<p>Adopted at Mansfield Ordinary Council Meeting, 18 May 2022</p>	<p>[SPSR]</p>
<p>Policy summary (1 paragraph): Provides strategic directions and justification for the Mansfield Station Precinct Activation Project Master Plan, May 2019.</p>		

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Are there planning scheme implications? Yes	To be implemented through amendment C44.	
Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy
<i>Mansfield Township Housing Strategy and Mansfield Township Approaches Planning Controls and Guidelines Study (Mansfield Shire Council, 2018)</i>	<i>Adopted at Mansfield Ordinary Council Meeting, 26 June 2018</i>	[MTHS]
Explores strategic directions for the deliverance of a number of key housing themes such as growth and diversity, social and affordable, heritage and design and climate and environmental considerations.		
Are there planning scheme implications? Yes	Yes. Planning scheme amendment C48mans is currently underway to implement the study findings into the scheme.	
Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy
<i>Mansfield Planning Scheme Development Overlay Review (Mansfield Shire Council, 2021)</i>	<i>Adopted at Mansfield Ordinary Council Meeting, 21 December 2021</i>	[MDOR]
Policy summary (1 paragraph): Reviews current DPO's within the Mansfield Planning Scheme and recommends future use or redundancy of them.		

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Are there planning scheme implications? Yes	Yes. Planning scheme amendment C50mans is currently underway to implement some of the findings into the scheme.	
Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy
<i>Mansfield Township Structure (Mansfield Shire Council, 2015)</i>	<i>Adopted at Ordinary Council Meeting, 19 May 2015</i>	□
The Structure Plan for the town of Mansfield guides the use and development for the next 20 years. It provides the strategic basis for any future rezoning or additional planning controls identified for the town.		
Are there planning scheme implications? Yes	Implemented into the scheme as part of Amendment C037mans	
Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy
<i>Activating Lake Eildon: Lake Eildon Masterplan (Urban Enterprise with Regional Development Victoria and Regional Partnerships Goulburn, May 2020)</i>	<i>Adopted at Ordinary Council Meeting, 23 June 2020</i>	LEM
Information for what the Lake Eildon might become, and the impact form the proposal that planning would have to respond		

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Are there planning scheme implications? Yes	High level policy can be included but needs full strategic review of the document to decide what is appropriate to include.	
Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy
Access to Lake Eildon	<ul style="list-style-type: none"> Support increased activation and access to Lake Eildon 	02.03-7 Economic development
<i>Mansfield Station Precinct Activation Project: Master Plan + Implementation Plan</i> <i>Station Precinct (SJB Urban May 2019)</i>	<i>Adopted at Ordinary council meeting 21 May 2019</i>	□
Provides a vision and master plan guidance for the future use and development of the former Mansfield Railway Station precinct, specifically building land use, built form, movement, access, character, and the public realm within the precinct.		
Are there planning scheme implications? Yes	Implemented into the scheme as part of Amendment C44mans	
Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy

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<p>Waste Management Strategy 2020-2025 (Mansfield Shire Council)</p>		
<p>Guides the management of waste by outlining a 5-year action plan for Council.</p>		
<p>Are there planning scheme implications? No</p>		
<p>Recommended policy changes and the basis for this (link to document):</p>	<p>Proposed policy to be inserted into scheme.</p>	<p>Location of policy</p>
<p>Water for Victoria Discussion Paper: Submission to the Victorian Government (Mansfield Shire)</p>	<p>Adopted at (Not shown on record).</p>	<p>□</p>
<p>Council's submission to State Government initiative to create a water plan.</p>		
<p>Are there planning scheme implications? No</p>	<p>No clear policy links identified</p>	
<p>Recommended policy changes and the basis for this (link to document):</p>	<p>Proposed policy to be inserted into scheme.</p>	<p>Location of policy</p>
<p>Mansfield Shire Economic Development Strategy 2020-2025 (Urban Enterprise June 2020)</p>	<p>Adopted at Ordinary council meeting 23 June 2020</p>	<p>□</p>

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Guides the growth and economic development of the local economy over the five-year period between 2020-25.		
Are there planning scheme implications? No	The objectives are mostly covered by state policy.	
Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy
“Diversify the economy so that it is not as reliant on tourism and residential population growth to drive jobs and wealth.”	Diversify the economy to increase jobs and wealth and reduce reliance and residential population growth. Support resilience of existing businesses and residents. Improve communication between Council and business and residents.	Clause 2.03 Strategic Directions.
“Greater support and services to build resilience of existing businesses and residents.”		
“Improved communication between Council and businesses and residents.”		
“Improved township presentation, amenity and infrastructure”		
“Investment in infrastructure and planning to ensure sustainable growth can occur”		
“Greater focus on environmental sustainability to reflect community values and the economic benefits associated with this”		

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“Maintain and protect natural assets which are critical for the tourism and lifestyle sectors”		
“Increased transport connectivity to support access to work and education”		
“Improved digital connectivity to support business performance and access”.		

Regional documents

Regional documents that should be reviewed are:

- Regional Catchment Management Strategies prepared by Catchment Management Authorities.
- Country Plans prepared by Registered Aboriginal Parties.
- Regional Climate Change Adaptation Strategy for the relevant region prepared by the State Government.

<i>Goulburn Broken Regional Catchment Strategy 2013-2019 (Goulburn Broken Catchment Management Authority, 2013)</i>	Not adopted by council	[GRCS]
The RCS is the overarching strategy for integrated catchment management in the Goulburn Broken Region. It is due to be superseded.		
Are there planning scheme implications? Yes	Superseded document.	

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Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy
<p><i>Goulburn Broken Regional Catchment Strategy 2021-2027 DRAFT</i> (Goulburn Broken Catchment Management Authority, TBC)</p>	<p>Not adopted by council.</p>	<p>[GRCS-TBC]</p>
<p>The RCS will become the overarching strategy for integrated catchment management in the Goulburn Broken Region. It is currently in draft form.</p>		
<p>Are there planning scheme implications? Yes</p>	<p>High level policies that are adequately covered by State policy. Nothing specific to Mansfield Shire Council.</p>	
Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy
<p><i>Taungurung Country Plan</i> (Taungurung Land and Waters AC, 2016)</p>	<p>Not adopted by council. Released February 2016.</p>	<p>[TCP]</p>
<p>The Country Plan sets out the rights of the Taungurung people and identifies their aspirations and action plans to address key concerns about Country.</p>	<p>Consultation is required with Traditional Owners to determine the implications desired in the planning scheme</p>	
<p>Are there planning scheme implications? (Y/N)</p>	<p>Y – to be undertaken though partnership and strategic work.</p>	

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Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy
<p><i>Gunaikurnai Whole of Country Plan (Gunaikurnai Land and Waters Aboriginal Corporation, July, 2015)</i></p>	<p>Not adopted by council. Released February 2016.</p>	<p>[GKCP]</p>
<p>The Country Plan sets out the rights of the Gunaikurnai people and identifies their aspirations and action plans to address key concerns about Country.</p>	<p>Consultation is required with Traditional Owners to determine the implications desired in the planning scheme</p>	
<p>Are there planning scheme implications? (Y/N)</p>	<p>Y – to be undertaken though partnership and strategic work.</p>	
Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy
<p><i>Hume Regional Climate Change Adaptation Strategy 2021 (The State of Victoria Department of Environment, Land, Water and Planning, 2021)</i></p>	<p>Adopted by DELWP, 2021</p>	<p>[HRCCA]</p>
<p>The strategy sets out the 5-year priorities in adapting to climate change in the Hume region by following a number of themes that will guide vision and actions.</p>		

Previous 12B, Regional plans, Adopted documents

Are there planning scheme implications? (Y/N)	Y, but at the state level.	
Recommended policy changes and the basis for this (link to document):	Proposed policy to be inserted into scheme.	Location of policy
“Theme 1: Preparing for and recovering from emergencies”		
“Theme 2: Caring for our natural environment”		
“Theme 3: Embracing renewable energy”		
“Theme 4: Improving health and wellbeing”		
“Theme 5: Enhancing neighbourhoods and the built environment”		
“Theme 6: Strengthening the economy and workforce”		

Most recent planning scheme review:

Recommendations from last review	Complete? (Yes or no)	Still required (Yes or no)	Carry over to Clause 74.02 (Yes or no)
Last reviewed in March 2015:			
Flood hazard mapping and implement planning controls prepared in partnership with Goulburn Broken Catchment Management Authority	Yes- Amendment C015	No	No
Adopt and implement the Mansfield Structure Plan and the Merrijig Township Concept Plan	Yes – Amendment C037	No	No

Previous 12B, Regional plans, Adopted documents

Planning for Lakins Road industrial estate, Mansfield	No	Yes	Yes
Insert the Domestic Wastewater Management Plan 2014 into the scheme	Yes – Amendment C036	No	No
Housing Strategy / Neighbourhood Character Study and review of township structure plans to guide appropriate application of residential zones and built form guidelines.	No	Yes	Yes
Planning policy response to ultra-processed food outlets.	No – ongoing as part of Amendment C48mans	Yes (might fall over as the amendment is being contested during panel stage.	Yes
Planning for growth and climate change impacts, including risks such as fire and flooding.	No	Yes	Yes
Planning for the protection of agricultural land, water and vegetation that contribute the high landscape values of the Shire.	No	Yes	Yes

Planning permit analysis

Document A.9-1 Mansfield Planning Scheme

Permit activity

Table 1 shows the number of permit applications that Mansfield Council processed between the 2017/18 financial year and the 2020/21 financial year. The numbers varied, with a low of 171 and a high of 223, with the average permits being processed per year at 192. In 2020/21 Council processed more applications than previous years, which can be attributed to Mansfield Shire Council experiencing reported growth of approx. 3%¹. This is a general trend seen across the state and may have correlation to the COVID-19 pandemic. Permit activity in Mansfield has been consistently increasing over the last four years, which supports growth projections of 1.1% from 2018 – 2036 (ViF, 2019).

Table 1 – Permit activity

Permits activity (including refusals)	2017/2018	2018/2019	2019/2020	2020/2021
Total received	171	184	191	223
Issued (or NOD)	198	184	178	213
Refused	15	3	11	6

¹ Reported by planning department at first planner's workshop on 4 April 2022, and reported in media on ABC, 23 November 2021.

Planning permit analysis

Table 2 – Types of applications

Permit category	2017/2018	%	2018/2019	%	2019/2020	%	2020/2021	%
One or more new buildings	57		48		51		76	
Single dwelling	50		46		39		49	
Subdivision	23		21		20		20	
Alterations to a building, structure, or dwelling	15		20		17		15	
					Increase in extension/change of use for this year		Increase in extension this year	

Change of use most frequent:

- From – vacant (>60-80%) agriculture (<15% in 2019-2021)
- To – residential/accommodation (>60-80%)

Geographic spread of applications

Table 3 shows that, during the previous 4 years, 44.5% of all applications processed by Council are in Mansfield, followed by Bonnie Doon at 11.5%. Both Merrijig (8.9%) and Tolmie (5.8%) have attracted reasonable permit activity, and other permits are attributed to the smaller townships across the Shire. This is expected, as Mansfield is the main township in the municipality and has the strongest planning controls and policy to support growth. Significant strategic work to support the growth of Mansfield has been recently undertaken by the planning team through the Mansfield Planning Strategy, which was recently adopted by Council.

Mansfield is identified in the Hume Regional Growth Plan 2014 as a sub-regional moderate growth centre in the Central Hume sub-region and has capacity and policy support within the existing township for both infill development and moderate residential and commercial expansion.

Planning permit analysis

Table 1: Key permit action areas from 2018-2021

Location	Number of applications	% of total
Mansfield	330	44.2
Bonnie Doon	84	11.2
Merrijig	65	8.7
Tolmie	43	5.8
All other towns	223	29.9
Total	746	100

Other towns such as Merrijig and Tolmie were the next most active towns, and then the smaller towns making up the remainder. Mansfield is unique in that many of its smaller towns have framework plans at Clause 11.01-1L-02 and are supported by a high-level policy. This could be strengthened through updates to residential zones to reflect best practice (based on PPNs 90 and 91), and a general review of the townships. It was identified through internal stakeholder feedback that there is an interest for additional Residential Living Zone (RLZ) land, and for this to be better planned across the municipality. Many of these smaller towns are likely have capacity to support this zoning, but further strategic work is required.

Decisions by Council

Council was unable to provide a break down of decisions made by Council delegates (officers) compared to Council decisions, however Table 2 provides an overview of the decision outcomes made by the delegate and responsible authority (the Council as RA).

The data in [Table 2](#) demonstrates that most decisions are made under delegation (86.5%). Mansfield is has with only 0.5% of decisions being made by Council. This indicates that the current delegation settings are working effectively for Mansfield and don't require review. Data for this Table was provided by DELWP Planning Information Services division.

Table 2: Decision outcome data from 2018-2021

Planning permit analysis

	No permit issued	Permit issued by delegate	Permit issued by the RA	Not yet determined	Total permits
Permit	97	645	4	0	746
% of total	13%	86.5%	0.5%	0%	100%

Clause 74.02 Further strategic work

Document A.11 Mansfield Planning Scheme

Existing Clause 74.02 projects

1. Project listed in Clause 74.02	2. Work complete and incorporated in scheme.	3. Work not started or not complete but should remain.	4. Remove from 74.02 – work complete or no longer required.	5. Please provide any comments / explanations, especially for column 4.
In Mansfield township - Review the planning scheme provisions for the former Sawmill site and its environs to facilitate appropriate redevelopment.		✓		Rezoning proposed to general residential zone proposed for the site, but not supported by DELWP as the land falls under the Environmental Audit Overlay and requires a preliminary risk screen assessment.
In Mansfield township - Investigate the creation of an industrial/business park subdivision on the Lakins Road site.		✓		Work approaching completion. Proposed rezoning of Lakins road is currently sitting with DELWP and the minister.
In Mansfield township - Prepare master plans for key open space areas including the co-location of facilities.		✓		Creation of masterplans underway but largely subject to funding.
In Mansfield township - Investigate the application of the Parking Overlay and schedule to the town centre to meet future car parking demand generated by new retail, tourism and commercial development.		✓		Identified for further analysis as part of the Mansfield Planning Strategy.
In Mansfield township - Develop a stormwater and drainage management plan to guide requirements for future development and new infrastructure.		✓		Subject to further work and flood study with the Goulburn Broken Catchment Management Authority (and funding).

Clause 74.02 Further strategic work

1. Project listed in Clause 74.02	2. Work complete and incorporated in scheme.	3. Work not started or not complete but should remain.	4. Remove from 74.02 – work complete or no longer required.	5. Please provide any comments / explanations, especially for column 4.
In Mansfield township - Explore future alternative uses for the racecourse grounds, including active playing field location for Council.		✓		Currently under consideration as part of the Mansfield Open Space Strategy.
In Mansfield township - Explore rezoning of Industrially zoned land to Mixed Use or Residential subject to environmental constraints.			✓	Industrial land supply has been considered as part of the Commercial and Industrial Land Use Strategy. Work for the Mill site is not complete for this, but all other work has been done. Issue with the mill site is covered by one of the point above.
In Jamieson, consider rezoning the pocket of General Residential Zone land located 500 metres south of Eildon-Jamieson Road.		✓		This land has not yet been considered but remains as an issue due to its distance from the Jamieson township.
In Goughs Bay and Mountain Bay, consider rezoning the General Residential Zone land to Township Zone to reflect the lack of infrastructure to support more intensive development.		✓		Retain for now. There are current aspirations to have the Goughs Bay area connected to mains water and sewer, but the timeframe here is still uncertain.
Provide statutory protection to significant ridgelines and Alpine approaches currently not protected by the planning scheme.		✓		Identified within the Mansfield Planning Strategy and will be put forward as a future planning scheme amendment.
Delineate those portions of the Broken, Goulburn, Delatite, Jamieson, Howqua and Big Rivers and Fords Creek which are inundated in a 1 per cent probability flood event.		✓		This will be resolved if the flood study with Goulburn Broken Catchment Authority goes ahead (subject to funding).
Review flood mapping to inform future planning scheme amendments, to the satisfaction of the Floodplain Management Authority, following		✓		As above.

Clause 74.02 Further strategic work

1. Project listed in Clause 74.02	2. Work complete and incorporated in scheme.	3. Work not started or not complete but should remain.	4. Remove from 74.02 – work complete or no longer required.	5. Please provide any comments / explanations, especially for column 4.
significant regional floods, implementation of approved flood mitigations schemes, or completion of new flood studies.				
Prepare development guidelines to manage the interface of sensitive uses in Mansfield.		✓		Covered in the Township Approaches, Commercial and Industrial Land Use Strategy, and Mansfield Planning Strategy – all of which are still underway.
Prepare a new rural strategy that addresses use, development, subdivision of land, the outcomes of the <i>Domestic Wastewater Management Plan 2014</i> , other environmental constraints and landscape significance.		✓		No works undertaken in relation to this.
Prepare a signs policy for the Mansfield shopping centre and its key gateways/alpine approaches.		✓		Was considered within amendment C48 but is subject to further strategic work due to the outcome of the Panel hearing.
Undertake a heritage gap study to address gaps in the knowledge of heritage assets of Aboriginal or post-European settlement significance, particularly in rural areas and smaller settlements.		✓		No works yet undertaken, but also identified within the Mansfield Planning Strategy.
Use the Development Plan and Design and Development overlays and environmental buffer areas to ensure that new residential development does not disrupt or restrict existing or future viable agricultural, industrial, or rural activities.		✓		DDOs considered within amendment C48, but subject to further strategic work.

Clause 74.02 Further strategic work

1. Project listed in Clause 74.02	2. Work complete and incorporated in scheme.	3. Work not started or not complete but should remain.	4. Remove from 74.02 – work complete or no longer required.	5. Please provide any comments / explanations, especially for column 4.
Require integrated development in defining areas in these waterside precincts that can be readily supplied with infrastructure.		✓		No work undertaken to date in the strategic planning space.

New Clause 74.02 projects

New projects for inclusion in Clause 74.02. Please provide enough detail to assist in understanding what changes it might make to the planning scheme. (For example, introduce built form controls..., prepare a housing strategy to support more diverse housing choices).	Why the inclusion of this project is warranted (include any Council resolutions, adopted strategic work etc).	Is there a commitment to funding this project in the next four years yet?

Council Survey Results

Document A.12-1 Mansfield Planning Scheme

1. Survey Question	2. Summary of raw data (from A12-2). One line per issue.	3. Is it supported by data or linked to issues identified in broader local content analysis?	4. Discussion at planners workshop	5. Recommended changes 20(4) in PSR amend Full amendment PSR advertise Further strategic work (future amendment) in PSR improve
Q1: What are the most common types of applications received?	FZ and RLZ: <ul style="list-style-type: none"> • New dwellings • Alterations/extensions to dwellings • Subdivisions. • Farm sheds. • Native veg removal • Others also include group accommodation, host farm, food and drink premises, retail premises, licensed premises, etc. 	Permit data shows that new dwellings are the most common application.		
	Dwellings and smaller subdivisions			
Q2: What is the most common planning permit	Use and development of dwelling in FZ and RLZ1.	Supported by change of use data (PPARS).		

Council Survey Results

1. Survey Question	2. Summary of raw data (from A12-2). One line per issue.	3. Is it supported by data or linked to issues identified in broader local content analysis?	4. Discussion at planners workshop	5. Recommended changes 20(4) in PSR amend Full amendment PSR advertise Further strategic work (future amendment) in PSR improve
trigger for applications you deal with?	Vicsmart.			
	The Environmental Significance Overlay.	Makes sense, many sites within a catchment. ESO will pick up dwellings etc.		
Q3: Are there any planning permit triggers that do not appear to serve a useful purpose? What are they?	S2 uses in RLZ1 for lots < 4ha.	Supported by PPF/zone analysis		
	Clause 35.03 triggers in schedules to ESO - A permit is not required for buildings and works associated with the construction of a new dwelling or outbuilding or the extension of an existing dwelling or outbuilding where no concentration of stormwater is discharged less than 100 metres from a waterway, water storage or reservoir unless via a drainage system approved by the responsible authority.			
	Some of the triggers in the ESO.			

Council Survey Results

1. Survey Question	2. Summary of raw data (from A12-2). One line per issue.	3. Is it supported by data or linked to issues identified in broader local content analysis?	4. Discussion at planners workshop	5. Recommended changes 20(4) in PSR amend Full amendment PSR advertise Further strategic work (future amendment) in PSR improve
Q4: Is there any type of applications you consider have no or very limited planning consequences? What are they?	Some of the triggers in the ESO			
	Ancillary buildings in residential areas	Like sheds?		
Q5: Are there any planning permit triggers that cause unnecessary delays to decision making?	ESO triggers that need to go to GMW - delays in referral responses	Opportunities for tidying it up?		
Q6: What planning applications take the longest time to determine? Please explain why you think this is.	Farming zone applications which require farm management plans and business plan to justify permanent dwelling(s) on specific properties. Many times the submitted FMP is not satisfactory.			
	Ones that have objections and need to go to Council. Firstly, timeframes to try and resolve	What are the delegations?		

Council Survey Results

1. Survey Question	2. Summary of raw data (from A12-2). One line per issue.	3. Is it supported by data or linked to issues identified in broader local content analysis?	4. Discussion at planners workshop	5. Recommended changes 20(4) in PSR amend Full amendment PSR advertise Further strategic work (future amendment) in PSR improve
	objections and timeframes for council agendas			
Q7: Are there any specific planning permit triggers appearing regularly before VCAT? Can be multiple triggers.	DDO			
	52.17 vegetation removal	Not really represented in the data.		
Q8: Would any planning permit triggers be better as VicSmart applications?	Farm sheds in ESO and SLO. VicSmart criteria for sheds requires them to be associated with a dwelling.	Can look at this.		
Q9: What planning applications are the easiest to process? Please explain why you think this is.	Development applications for dwellings			
	VicSmart -check lists and photos provided to make it easy to follow.			

Council Survey Results

1. Survey Question	2. Summary of raw data (from A12-2). One line per issue.	3. Is it supported by data or linked to issues identified in broader local content analysis?	4. Discussion at planners workshop	5. Recommended changes 20(4) in PSR amend Full amendment PSR advertise Further strategic work (future amendment) in PSR improve
<p>Q10: What are the three most common counter, email or phone queries you receive from the public?</p>	<ul style="list-style-type: none"> • Sheds and outbuildings • Glamping, • Dwellings • Group accommodation • Second dwelling • DPU • S173 restrictions, covenants. • Vegetation removal • Subdivision? 			

Council Survey Results

1. Survey Question	2. Summary of raw data (from A12-2). One line per issue.	3. Is it supported by data or linked to issues identified in broader local content analysis?	4. Discussion at planners workshop	5. Recommended changes 20(4) in PSR amend Full amendment PSR advertise Further strategic work (future amendment) in PSR improve
<p>Q11: Which local policies or schedules you rely on the most? If you could change the current drafting of these, what would you change?</p>	<ul style="list-style-type: none"> • Clause 14.01-1L for dwellings and subdivision in rural areas. • Clause 12.05-2L (x2) landscapes schedule to SLO - to be more detailed given the landscapes of our shire and growing development. • Clause 11.01-1L-01 and -02, • 14.02-1L, • 17.04-21L. 	<p>Could these be improved? Could they be strengthened? Did the PPF translation impact this?</p>		
<p>Q12: Which local policies or schedules are poorly drafted, not useful for decision making or redundant?</p>	<p>The ones that limit rezoning are a big problem. (Note many are about the change with the commercial / industrial amendment).</p>	<p>Difficult, as the scheme appears to only support changes in Mansfield.</p>		

Council Survey Results

1. Survey Question	2. Summary of raw data (from A12-2). One line per issue.	3. Is it supported by data or linked to issues identified in broader local content analysis?	4. Discussion at planners workshop	5. Recommended changes 20(4) in PSR amend Full amendment PSR advertise Further strategic work (future amendment) in PSR improve
Q13: Are there any local policies or schedules in the scheme that conflict with State policy, regional policy or other local policy? Please provide clause numbers and the reason why they conflict.	Nil			
Q14: What local policies and schedules should be added to the scheme to make your decision making easier?	<ul style="list-style-type: none"> • Neighbourhood character • Parking provision • Vegetation protection 			
Q15: Is there anything that we missed? Anything that you feel needs to be recorded?	Nil			

Council planner workshop

Document A.14 Mansfield Planning Scheme

Date of meeting:

4th May 2022, 2:00pm-4:00pm via Teams

Who is at this meeting:

Bonnie Crowe (DELWP), Isbah Khalid (DELWP)

Agenda items

1. Introductions
2. Analysis methodology
3. Summary of analysis phase findings
 - a. Global / thematic matters (e.g. lack of settlement strategy, contradictory built form outcomes between PPF and DDOs, lack of Plain English drafting in schedules).
 - b. Administrative improvements (e.g. delegations should be reviewed for number of objections)
 - c. Clause related matters.
4. Discussion planner survey and permit data
5. Discussion of council feedback on operational provision analysis and further strategic work
6. Implementation pathway options
7. Next steps: consultation phase – Councillor workshop / Council staff workshop
8. Next steps: reporting phase – preparation of Analysis Phase Final Report

Council planner workshop

Document A.14 Mansfield Planning Scheme

Item 3a and b: Global / thematic and administrative matters

Issue	Suggested change	Source	Council / workshop notes	Actions
Identification of broader thematic or global matters				
All residential zone schedules/patterns to be reviewed against PPN90 and 91.	Undertake further work to amend schedules as per DPO review document.	PPN90 and 91 DPO review	DPO is on the way. Amendment C50. Amended schedules to go in. Pre-gazettal.	
Many schedules do not have any content. E.g., all res schedules	Opportunity to populate schedules	Zone analysis Overlay analysis	Mansfield Planning Strategy (soon to be adopted) might use schedules for implementation.	
Many schedules do not meet MDFC for various reasons.	Some I will attempt if I can do it through a policy neutral process. If they need further strategic work then it will be a recommendation.	Analysis of all schedules.		
Administrative improvements				
PPF policies references within other PPF policies	Make policy more comprehensive so another doesn't need to be references. E.g., 19.02-1L Health facilities references 11.01-1L.	PPF analysis		

Item 3c: Summary of analysis phase findings

Clause	Suggested change	Source	Council / workshop notes	Actions
MPS				

Council planner workshop

Clause	Suggested change	Source	Council / workshop notes	Actions
02.03-2 Environment and landscape values Biodiversity – limited to vegetation.	Any fauna values? No animals to protect?	<ul style="list-style-type: none"> MPS analyses 	<p>No real work in that space.</p> <p>Communities worried about veg removal.</p> <p>Gap in the scheme, state policy is generally what is relied on.</p> <p>Community push for veg protection.</p> <p>Need Mansfield specific policy.</p>	
02.03-6 Housing Reword for clarity	<p>Reticulated sewerage is available in only Mansfield Township, Bonnie Doon, Merrijig, Sawmill and Alpine Ridge.</p> <p>Subdivision of rural land for rural living is emerging as a key development opportunity in the Shire.</p> <p>The <i>Rural Living Strategic Study 2003</i> found there was an oversupply of rural living land. The focus is therefore on reducing its extent rather than rezoning more land.</p>	<ul style="list-style-type: none"> MPS analysis 	<p>Not all the lots have the capacity for further subdivision with the current minimum lot sizes.</p> <p>Review of rural living and what parts are FZ but should be rezoned RLZ. Some are FZ but should be RCZ. (recommendation in planning strategy).</p>	
02.03-7 Economic development Move “Agriculture” to Context. Include “Tourism” elements in Context.		<ul style="list-style-type: none"> 	<p>In relation to Ag and Tourism -</p> <p>Proposals for group accommodation in FZ. Would be considered in rural land strategy. Where to encourage rural tourism.</p> <p>Importance of identifying appropriate locations for this kind of development.</p> <p>TLAWC to be formally recognised.</p> <p>Referral agency.</p>	
02.04 strategic framework plan Opportunity to improve clarity and information		<ul style="list-style-type: none"> 	<p>Oscar doing some work on the plans. Bonnie Doon plan.</p> <p>Do all the settlements. Settlement hierarchy.</p>	
PPF				

Council planner workshop

Clause	Suggested change	Source	Council / workshop notes	Actions
11.01-1L	Separate all townships to their own settlement clause and remove "all township strategies". Align with other schemes	<ul style="list-style-type: none"> • PPF analysis 	Agree. Can do policy neutral.	
12.03 Water bodies and wetlands	No policy.	PPF analysis		
12.05-2L Significant landscapes, ridgelines and alpine approaches	Very prescriptive, almost an application requirement. Can this policy be drafted into a DDO/SLO?	PPF analysis		
13.03-1L Floodplain management	Opportunity to improve schedules for flooding and improve high level PPF policy. Applies to UFZ but this schedule is empty.	PPF analysis Zone analysis Overlay analysis	Flood study for Mansfield Township. Grant application to go in with the CMA.	
14.01-1L Dwellings and subdivisions in rural areas. Better to be a schedule to a zone.	Improve schedules to FZ and RLZ to include guidance. Review rural land policies and ensure consistency. What area does this policy apply to, and does it conflict with existing guidelines in the schedules to the zones?	PPF analysis Panel analysis – C37 recommendations DPO review Planners survey	Not really any issue with flexibility. Can have excision but not as of right. Not conflict. Not really an issue that has been found. Land use conflict a bigger issue.	
Character 15.01-1L strategies similar to settlement clause.	DDO drafting in the PPF. Preferred land uses relating to character and use could be strengthened. Urban Design Framework 2005 is an old document – how frequently do you use it and is it still relevant?	PPF review Document review VCAT analysis Planners survey	Yes, opportunity to build on character statements. Will form future strategic work.	
Zones				
35.03s1 RLZ And	Does not meet MDFC (sqm) Building exemption unclear	PPF analysis 14.01-1L Zone analysis	Opportunity to deep dive into this.	Catch up with Tim and Melissa to make sure we

Council planner workshop

Clause	Suggested change	Source	Council / workshop notes	Actions
35.07s1 FZ	Opportunity to improve schedule and make consistent with PPF policy	DPO review document Planners survey		capture all the issues with RLZ ad FZ.
Overlays				
ESO	Applied in a targeted way		<p>Opportunities to review triggers and the MOU with CMA.</p> <p>Make some a VicSmart or remove triggers.</p> <p>Opportunities for VicSmart local schedule to be better utilised.</p> <p>Also veg removal provisions in ESO.</p> <p>Lots more than 40ha no permit and permit requirements. Trigger for 100m of a waterway.</p> <p>Permit applications in potable water areas</p> <p>Ready for a review.</p> <p>ESO1 and 2 and basically the same. Howqua Valley wants it changed. (SLO)</p>	Look more closely into triggers.
43.02s1 DDO Alpine approaches and township gateways (all DDO had MDFC issues)	<p>MDFC. Some drafting can be fixed policy neutral.</p> <p>Schedule should be redrafted to include the guidelines from the Mansfield Urban Design Framework rather than refer to it within the schedule.</p>	<p>Overlay analysis</p> <p>Planners survey</p>	Some controls to residential zone sin the Mansfield township.	
43.04s all	<p>Redraft to include guidelines rather than referring to other documents.</p> <p>MDFC – policy neutral improvements and further strategic work.</p>	Document review – DPO analysis		

Council planner workshop

Clause	Suggested change	Source	Council / workshop notes	Actions
	Remove DPO's as per recommendations in the DPO review document.			
Particular Provisions				
General Provisions				
Operational Provisions				