

MANSFIELD PLANNING SCHEME

AMENDMENT C57MANS

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Mansfield Shire Council, which is the planning authority for this amendment.

Land affected by the amendment

The amendment applies to all land in the municipality.

What the amendment does

The amendment implements the Mansfield Planning Scheme Review, 2022. This review was adopted by Council in December 2022 and meets its obligations under Section 12B of the *Planning and Environment Act 1987* (the Act). Specifically, the amendment:

- Amends the Municipal Strategic Statement to formally recognise Traditional Owners.
- Amends the Local Planning Policy Framework, schedules to zones and to overlays to comply with the Ministerial Direction for form and content, update key factual figures and include new ordinance from adopted Council strategic plans and strategies.
- Amends Clause 74.02 to clarify and include additional further strategic work.

Strategic assessment of the amendment

Why is the amendment required?

The purpose of a planning scheme review is to enhance the effectiveness and efficiency of the scheme in achieving the objectives of planning in Victoria, and the objectives and strategies of the planning scheme, including the State Planning Policy Framework and the Local Planning Policy Framework (Section 12B of the Act). Council is required to complete a review its planning scheme within 12 months of the adoption of a new Council Plan. Council adopted its Council Plan 2021-2025 in October 2021 and completed the review process with the adoption of a Review Report in November 2022.

The review was led by the Regional Planning Hub from the Department of Transport and Planning. The review involved a comprehensive audit of the Mansfield Planning Scheme and the effectiveness of the Local Planning Policy Framework, and the previous Mansfield Planning Scheme review from 2015.

Since the previous review, Mansfield Shire Adopted and completed amendment C53mans which translated the Local Planning Policy Framework for the Mansfield Planning Scheme into the new format set in amendment VC148. Amendment C53mans largely considered many areas usually covered by a planning scheme review, meaning that there are less significant changes proposed now by amendment C57mans.

The amendment makes changes to ensure that the Mansfield Planning Scheme is written in accordance with Ministerial Direction 15 for form and content of planning schemes and also implements some relevant policies and ordinance changes proposed in documents previously adopted but not yet implemented into the Mansfield Planning Scheme. The documents included are:

- The Mansfield Council Plan, 2021
- The Mansfield Open Space Strategy, 2021
- The Mansfield Planning Strategy, 2021

- The Mansfield Commercial and Industrial Land Use Strategy, 2021
- The Activating Lake Eildon Masterplan, 2020
- The Taungurung Country Plan, 2016
- The Gunaikurnai Whole of Country Plan, 2015

Not all components of these documents are included to be implemented as part of the review, in particular the size of the Mansfield Planning Strategy means that it will be implemented through a separate planning scheme amendment, C60mans.

How does the amendment implement the objectives of planning in Victoria?

The amendment implements the objectives of planning in Victoria, as outlined in Section 4 of the *Planning and Environment Act 1987*, by clarifying the strategic directions of the LPPF to assist the decision making process for planning applications in the use of policy. It provides a clear policy framework for the fair, orderly, economic and sustainable use and development of land in the municipality.

How does the amendment address any environmental, social and economic effects?

There are no adverse environmental and social impacts arising from this amendment.

Does the amendment address relevant bushfire risk?

The amendment retains bushfire as an environmental risk in Clause 13.02-1L. The amendment does not make any specific changes to mapping or overlays.

Does the amendment comply with the requirements of any Minister’s Direction applicable to the amendment?

The amendment is not affected by any Minister’s Directions under Section 12 of the Planning and Environment Act 1987. It is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7 (5) of the Act.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

Amendment VC148 introduced a revised State Planning Policy Framework. The LPPF in amendment C57mans supports and is consistent with the new framework.

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment alters the existing Local Planning Policy Framework to provide a clearer structure and streamline the LPPF by removing repetition and implementing local planning policies which exist in Council’s currently adopted strategic planning documents but are not currently present within the Mansfield Planning Scheme.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment retains the intent of the Municipal Planning Strategy.

The amendment revises the Municipal Planning Strategy to include recognition of Traditional Owners and updates statistics and figures.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes better use of the Victoria Planning Provisions (VPPs) through the integration of local planning policies into the MSS and presenting the MSS in a format that is consistent with the Victoria Planning Provisions.

How does the amendment address the views of any relevant agency?

The review does not make any changes which affect relevant agencies.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment will not have any significant impact on the transport system, as defined by the *Transport and Integration Act, 2010*.

There are no applicable statements of policy principles under section 22 of the *Transport and Integration Act, 2010*.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The amendment will benefit Council as the Responsible Authority by reducing both resource and administrative costs. This will be achieved through having a simplified MPS format, clarifying policies and controls which reduces the time spent by officers needing to interpret planning controls that are unclear or create confusion by duplicating other planning scheme controls.

Where you may inspect this amendment

The amendment can be inspected free of charge at the Mansfield Shire Council website at engage.mansfield.vic.gov.au

The amendment is available for public inspection, free of charge, during office hours at the following places:

Mansfield Shire Council
33 Highett Street
MANSFIELD VIC 3722

The amendment can also be inspected free of charge at the Department of Transport and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the amendment documentation.