

MANSFIELD PLANNING SCHEME

AMENDMENT C56MANS

EXPLANATORY REPORT

Who is the planning authority?

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

Land affected by the amendment

The amendment applies to the four approaches to the Mansfield township, shown in the map below:



What the amendment does

The amendment implements the industrial, commercial and farming development guidelines in accordance with the recommendations of the *Township Approaches Planning Controls and Guidelines Study, June 2018* by:

- Amending the Design and Development Overlay schedule 1.
- Amending the Design and Development Overlay schedule 2.
- Inserting a new Design and Development Overlay schedule 3 to the four Alpine Approached within Mansfield Township.
- Applying the Design and Development Overlay schedule 3 to areas of Commercial, Industrial and Farming Zones along the four Alpine Approaches within Mansfield Township (Planning scheme maps 9DDO, 11DDO, 12DDO).

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to implement the Township Approaches Planning Controls and Guidelines Study, Mansfield, June 2018 with objectives to:

- Identify the preferred future character of the four (4) township approaches.
- Ensure future development makes a positive impact on the amenity and environment within the township approaches.
- Ensure future development within the four (4) township approaches have regard to their local context and reinforces the valued character of the township.
- Clearly define township approaches through built form and landscaping treatments within the private realm.
- Provide clear, logical and useful guidelines for all – including, but not limited to developers, residents, Council officers and Councillors.

Strategic planning work was commenced in 2017 to investigate the recent development impacts to these four (4) main approaches and similarly seek community comment. Community input was sought to ensure that any proposed control would support the preferred character of the approaches.

This amendment follows on from extensive background research and strategic assessment. The established preferred character for the four (4) township approaches are protected and enhanced through the establishment and refinement of existing design and development controls that shape commercial/industrial land uses.

The *Township Approaches Planning Controls and Guidelines Study, Mansfield, June 2018* forms the basis for the preparation of the schedule for the Design and Development Overlay proposed by this amendment.

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

The amendment implements the objectives of planning in Victoria by:

- Providing for the fair, orderly, economic and sustainable use and development of land (section 4(1)(a) of the Act).
- Securing a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria (section 4(1)(c) of the Act).
- Conserving and enhancing those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value (section 4(1)(d) of the Act).

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

The amendment is expected to result in positive social and economic effects with no negative impact on the environment. The Design and Development Overlays will lead to improve the attractiveness and physical condition of both immediate and surrounding areas by ensuring that development is designed to achieve high quality amenity by directing that any development proposals need to take a deliberative approach to the design of built form.

The new design guidelines will have positive economic effects by maintaining the character of Mansfield Township, which invites residents, visitors and tourists alike to the area as the town frames the natural environment and landscape where it is situated.

Does the amendment address relevant bushfire risk?

The amendment will not result in any increase to the prioritisation of human life as a direction. The land where the amendment applies is within the established Mansfield Township with reticulated water supply and urban fire-fighting services. The amendment has been considered against Clause 13.02 of the Mansfield Planning Scheme and is considered to meet the strategies of this clause. The amendment does not propose to change the location of development but improve the standard of the existing and future built environment.

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

Ministerial Direction – The Form and Content of Planning Schemes

The amendment complies with the Ministerial Direction on the form and content of Planning Schemes.

Ministerial Direction No. 11 Strategic Assessment of Amendments

The amendment has been prepared in accordance with Ministerial Direction No. 11 – Strategic Assessment of Amendments. This explanatory report addresses requirements listed under Ministerial Direction No. 11.

Ministerial Direction No. 15 The Planning Scheme Amendment Process

The amendment has been prepared in accordance with Ministerial Direction No. 15 – The Planning Scheme Amendment Process.

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

The amendment is consistent with, and gives effect to the Planning Policy Framework (PPF), in particular:

Clause 15.01-1S (Urban Design)

This policy recognises the need for high quality development that contributes to the cultural identity and context of an area including its surrounding landscape and natural features. It denotes that layout designs should be of a high standard to create a safe environment for users and that any development, including signs, minimise detrimental impacts on amenity, the natural and built environment and the safety and efficiency of roads.

The amendment supports these objectives by encouraging high quality development and urban design that is sensitive to the context of the four township approaches to the Mansfield township. The amendment is required in addition to this policy to provide clearer and detailed design guidelines currently not present in the Mansfield Planning Scheme.

Clause 15.01-1L (Urban design in Mansfield Township CBD)

This policy encourages development to engage with both High and Highett street Mansfield, respond to the existing built form character of the town centre and provide for pedestrian amenity as part of commercial development. It also seeks to design access parking to minimise impacts on active frontages and be preferably provided via side streets or similar areas.

The proposed amendment strengthens this policy by providing more clarity surrounding desired built form design outcomes and applying them more particularly to the township approaches of Mansfield Township. The amendment will assist Mansfield Shire Council make planning decisions by having clear, prescriptive planning policy. This will also make design standards clear for any persons applying for planning permits in the area.

Clause 15.01-2S (Building Design)

This policy encourages development to retain existing vegetation, provides landscaping that suits its context, and supports cooling and greening of urban areas. It also seeks to protect and enhance valued landmarks, views, and vistas.

The amendment seeks to preserve existing vegetation and allow for the planting of significant trees whilst also preserving the valued views to the surrounding natural landscape including Mt Buller, Mt Stirling, Mt Battery and the broader Alpine National Park area.

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

This strategic directions at Clause 2.03 contain statements relevant to the amendment. Clause 02.03-5 (Built environment and heritage) encourages development that respects the unique character and location of each settlement and projects areas of natural, environmental, and architectural character. It also supports development (including advertising signage) that is sensitive to the role of the Alpine approaches as gateways to Mansfield Township and the Alps.

The amendment supports these directions by ensuring development within the township approaches and Alpine gateways are designed to preserve the unique and valued character of Mansfield Township.

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

The amendment makes proper use of the Victoria Planning Provisions by using the Design and Development Overlay to encourage appropriate built form and design outcomes not currently present within the Mansfield Planning Scheme.

The amendment has considered Planning Practice Note 59 – The role of mandatory provisions in planning scheme, applying mandatory controls for prescriptive matters relating to setbacks to buildings, building heights, and fence heights. In relation to the design of built form elements such as colour, material, façade design and similar elements discretionary provisions have been implemented to achieve a range of design responses that are in keeping with the character of the area but vary to provide visual interest and improve the overall amenity of the area. All prescriptive requirements have been strategically justified within the *Township Approaches Planning Controls and Guidelines Study, June 2018* prepared by Tract Consultants.

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

The relevant agencies have been consulted over the course of the development of this amendment with no submissions received other than the Department of Transport who requested that the Design and Development Overlay includes the following provision:

“Vehicle access points to sites located on arterial roads should be minimised and be provided by side streets or via shared access ways, wherever possible”.

This request has been included within the proposed Design and Development Overlays.

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

The requirements of the Transport Integration Act 2010 are not applicable to this amendment.

Resource and administrative costs

It is not anticipated that the planning provisions proposed by the amendment will have any significant impact on the administrative costs of the responsible authority. The amendment provides policy guidance for built forms but does not trigger a planning permit in all instances where prescriptive provisions are adhered to.

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 or

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

- Mansfield Shire Council, 33 Highett Street, Mansfield.

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.

Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by **[insert submissions due date]**.

A submission must be sent to 33 Highett Street, Mansfield.

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: **[insert directions hearing date]**
- panel hearing: **[insert panel hearing date]**]

[Delete this section if not applicable]

ATTACHMENT X - Mapping reference table

Location	Land /Area Affected	Mapping Reference
[Insert Town, Precinct and etc]	[Insert land or area affected]	[Insert map reference]
Example Gumnut	Land bounded by Gumnut Road and Cupid Lane, Gumnut	Gumnut C001 001vpoMap37 Exhibition Gumnut C001 002vpoMap38 Exhibition