

## **MANSFIELD PLANNING SCHEME**

### **AMENDMENT C51mansPt1**

#### **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 various sites in the Mansfield and Bonnie Doon townships.

##### **What the amendment does**

The amendment implements part of the *Mansfield Commercial and Industrial Land Use Strategy, 2021* ('the strategy') by:

- Amending Clause 11.01-1L-01, Mansfield Township.
- Amending Clause 17.03-3L, Industrial development
- Inserting Schedule 4 (*Industrial 1 Zone land*) to Clause 43.04, Development Plan Overlay.
- Rezoning parcels of land in the Bonnie Doon township area as follows:
  - Rezone 1621 – 1625 and 1627 (part) Maroondah Highway, Bonnie Doon from Commercial 1 to General Residential 1.
  - 1738 Maroondah Highway, Bonnie Doon (Bonnie Doon Hotel) from Farming to Commercial 1 (Planning Scheme Map No. 7).
- Rezoning parcels of land in the Mansfield township area as follows:
  - Rezone 175 Dead Horse Lane from Farming to Industrial 1.  
(Planning Scheme Map Nos. 9 and 12).
- Applying the Development Plan Overlay 4 to 175 Dead Horse Lane and 141 Lakins Road, Mansfield (Planning scheme maps 9DPO, 11DPO and 12DPO).

##### **Strategic assessment of the amendment**

##### **Why is the amendment required?**

The amendment is required to implement the adopted recommendations of the *Mansfield Commercial and Industrial Land Use Strategy, 2021* to secure, strengthen and diversify the economic and employment base of Mansfield Shire.

Specific proposals under the amendment are required to reflect the adopted strategy as follows:

- Clause 11.01-1L-01, Mansfield Township:  
Clause 11.01-1L-01 is being amended to revise industrial objectives and strategies for the Mansfield township (by introducing new Objective for industrial development and growth in the Dead Horse Lane / Lakins Road precinct) and update the Mansfield Township Framework Plan.
- Clause 17.03, Economic Development:

Clause 17.03-1L, Industrial development, is being inserted to address industrial issues by including objectives and strategies to guide use and development in industrial areas.

- Schedule 4 (*Industrial 1 Zone land*) to Clause 43.04, Development Plan Overlay:

New Schedule 4 (*Industrial 1 Zone land*) is being introduced into the Mansfield Planning Scheme to allow a development plan process to be applied to selected areas of Industrial 1 Zone to guide the future development, and subdivision of land.

- Bonnie Doon township area rezoning:

Land in Maroondah Highway is being rezoned from Commercial 1 to General Residential 1 to reflect the current predominant residential use of the land. The Bonnie Doon Hotel is being rezoned from Farming to Commercial 1 to reflect the commercial use of the land.

- Mansfield township area rezoning:

- Rezone 175 Dead Horse Lane from Farming to Industrial 1.

The proposed rezoning of 175 Dead Horse Lane from Farming to Industrial 1 will reflect the predominant and preferred long-term use of the land, providing an area for the expansion of industrial use and development.

- Development Plan Overlay 4 - 175 Dead Horse Lane and 141 Lakins Road, Mansfield:

The Development Plan Overlay 4 is being applied to the land to allow a development plan process to be required to guide the future development and subdivision of land (which may include road linkages between both land parcels) prior to any specific planning permits being granted for the land.

### **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* through:

- Providing for the fair, orderly, economic, and sustainable use and development of land.
- Providing for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.
- Securing a pleasant, efficient, and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- Protecting public utilities and other assets and enabling the orderly provision and coordination of public utilities and other facilities for the benefit of the community.
- Balancing the present and future interests of all Victorians.
- Ensuring sound, strategic planning and co-ordinated action at State, regional and municipal levels.
- Enabling land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels.
- Ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.
- Facilitating development that achieves the objectives of planning in Victoria and planning objectives set up in planning schemes.

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

#### ***Environmental effects:***

The amendment will have no significant effect on the environment or the environment on the use or development envisaged following the amendment. The amendment proposes a limited range of

rezoning of land and application of overlays. The proposed schedule 4 (Industrial 1 Zone land) to the Development Plan Overlay and application of this overlay to 175 Dead Horse Lane and 141 Lakins Road, Mansfield will place a requirement for a range of environmental issues to be considered and protected in the preparation of development plans.

**Social effects:**

The amendment is expected to have positive social benefits for landowners and Mansfield Shire generally. Positive social effects and benefits will accrue from the amendment through enhanced economic activity and employment for residents and tourists, increased liveability in the Mansfield town centre and improved well-being generally within the municipality.

**Economic effects:**

The amendment is expected to have positive economic benefits for landowners and Mansfield Shire generally. Positive economic effects and benefits will accrue from the amendment through the rezoning of industrial land, enhancing industrial economic activity and employment and the ability to grow these sectors in the future.

**Does the amendment address relevant bushfire risk?**

The amendment will not result in any increase to the risk to life as a priority, property, community infrastructure and the natural environment from bushfire. The land affected by this amendment forms part of the established Mansfield and Bonnie Doon townships, both supplied with reticulated water and urban fire-fighting services. The Bushfire Management Overlay, reflecting higher bushfire risk, does not apply to any of the land directly affected by this amendment.

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

The amendment complies with all Minister's Directions under Section 12 of the *Planning and Environment Act 1987*. Specifically, the amendment has considered and complies with the following Ministerial Directions:

- Ministerial Direction 11, Strategic Assessment of Amendments: The amendment has been strategically assessed and justified in accordance to meet the requirements of this direction through the preparation and implementation of part of the adopted *Mansfield Commercial and Industrial Land Use Strategy 2021*. The study provides the strategic and technical justification for the application of additional strategic directions for industrial areas in Mansfield Shire and the rezoning of land and application of planning scheme overlays in the Bonnie Doon and Mansfield townships.
- Ministerial Direction No. 15, The Planning Scheme Amendment Process: All process requirements to be met under the direction have been considered and met in the preparation of the amendment.
- Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

No other Minister's Direction is directly affected by the amendment.

The proposed changes in the amendment meet the guidelines and requirements outlined in Practice Note 23, *Applying the Incorporated Plan and Development Plan Overlays*, November 2018.

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

The amendment complies with and implements the State Planning Policy Framework of the Mansfield Planning Scheme. In particular, the amendment implements:

Clause 17, Economic development:

- 17.01, Employment:
  - 17.01-1S, Diversified economy:

Objective:

*To strengthen and diversify the economy.*

Strategies include:

*Protect and strengthen existing and planned employment areas and plan for new employment areas.*

▪ 17.03, Industry:

- 17.03-1S, Industrial land supply:

Objective:

*To ensure availability of land for industry.*

Strategies include:

*Provide an adequate supply of industrial land in appropriate locations including sufficient stocks of large sites for strategic investment.*

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

The amendment complies with and implements the Municipal Strategic Statement of the Mansfield Planning Scheme. In particular, the amendment implements:

Clause 02.03-1, Settlement:

The amendment supports the general strategic directions of Clause 02.03-1 there is a need for more industrial land to service demand. While the existing objective and strategies to provide sufficient industrial land to meet demand is being retained, a new objective and strategies are being added under the amendment to include recommendations of the adopted strategy to strengthen and support existing and future industrial use and development.

Clause 11.01-1L-01, Mansfield township:

The amendment supports the general strategic directions of Clause 11.01-1L-01 to 'encourage relocation of service industries, light industrial, rural supplies and vehicle repair uses from the town centre to new industrial areas, including Mt Buller Road and Lakins Road once subdivided'.. Existing industrial objectives and strategies are being replaced under the amendment to include recommendations of the adopted strategy by introducing a new objective for industrial development and growth in the Dead Horse Lane / Lakins Road precinct and strategies to assist in the implementation of proposed new, and existing strategic objectives.

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

The amendment makes proper use of the Victoria Planning Provisions by rezoning land and applying the Development Plan Overlay (DPO) to a future industrial area of the northern side of the Mansfield township. These actions are the most suitable mechanisms to achieve the recommendations of the *Mansfield Commercial and Industrial Land Use Strategy 2021*. This is because the DPO is the best mechanism to provide an assessment and outline of future development and servicing to facilitate orderly planning of the area. Proposed amendments to Clauses 17.03-3L, Industrial development, and 11.01-1L-01, Mansfield township, reflect the policy guidance and recommendations of the adopted strategy.

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

External agencies have not been consulted directly in the preparation of the amendment, which intends to implement the *Mansfield Commercial and Industrial Land Use Strategy 2021*. The proposed rezoning and policies are not expected to impact how relevant agencies achieve their individual requirements. Only one significant area is proposed to be rezoning, being 175 Dead Horse Lane, and this is accessed from Council roads predominantly. Any application for development will be required

address the requirements of the relevant authorities. It is also considered that the Development Plan Overlay proposed for this area will give due consideration to the development of these areas.

All relevant agencies will be directly notified of this amendment and will have an opportunity to make a formal submission to it.

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

The amendment addresses the relevant requirements of the Transport Integration Act (TIA), in particular:

- Sections 9, 11, and 12: the amendment locates proposed industrial zoning in proximity to the current planned Heavy Vehicle Alternate Route (HVAR), which has been developed in consultation with the Department of Transport and allows more efficient delivery of goods and avoiding interfacing issues between residential and industrial uses.
- Sections 8, 10, and 13: the proposed DPO will ensure that all future roads, paths, and associated infrastructure are considered by the Department of Transport and constructed in accordance with their development requirements to achieve best practices.

### **Is the amendment likely to have a significant impact on the transport system, as defined by Section 3 of the Transport Integration Act 2010?**

The amendment is not considered to have a significant impact on the transport system. The amendment mostly proposes to rezone smaller parcels of land from one urban zone to another, an action that will not affect the intensity of use or functioning of the transport system.

The amendment does propose to rezone a larger parcel of land adjoining the Midland Highway, that is land at 175 Dead Horse Lane, from Farming to Industrial 1, allowing a more intensive future use and development of land. In this case, the Development Plan Overlay 4 is also being applied to the land, requiring a development plan to be prepared prior to any subdivision or development on the land. This development plan process will require the preparation of a traffic impact assessment report, a process that will allow full consideration of impacts on the main road network, minimisation of impact on the transport system (e.g., with a requirement for a single point of access or use of service road) and any required upgrading of road infrastructure that may be required as a result of the proposed use and development of the land.

The purpose of the *Transport Integration Act 2010* is to create a new framework for the provision of an integrated and sustainable transport system in Victoria. This vision statement recognises the aspirations of Victorians for an integrated and sustainable transport system that contributes to an inclusive, prosperous, and environmentally responsible state. The objectives of the *Transport Integration Act 2010* relate to social and economic inclusion, economic prosperity, environmental sustainability, integration of transport, land use, efficiency, coordination and reliability, safety, and health and wellbeing. This amendment is consistent with these objectives as the impact of any future development regarding traffic on the surrounding road network will be minimal.

### **Are there any applicable statements of policy principles prepared under section 22 of the Transport Integration Act 2010?**

There are no statements of policy principles or specific requirements applicable under Section 22 of the *Transport Integration Act 2010* that apply to this amendment.

### **Resource and administrative costs**

This amendment is expected to have minimal impact on the resource and administrative costs of the responsible authority.

Although the proposed amendment will increase resource requirements for the preparation of development plans on land where the Development Plan Overlay is being applied, future timelines and processes for future applications for planning permits will be reduced and streamlined as they will be generally in accordance with Council's vision. The amendment will provide improved decision making, reduction in time frames for determining decisions, clearer direction and more certainty for new use and development within zoned industrial areas.

## **Where you may inspect this amendment**

The amendment can be inspected free of charge at the Mansfield Shire Council website at [www.mansfield.vic.gov.au](http://www.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 Environment, Land, Water and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.