

24/07/2014
C50**SCHEDULE 3 TO THE SPECIAL USE ZONE**Shown on the planning scheme map as **SUZ3**.**AVIAN PARK SPORT AND RECREATION HUB****Purpose**

To provide for the ongoing use of the Avian Park Sport and Recreation Hub as a harness racing facility, while also providing for a range of other sporting, entertainment, recreational, commercial and community activities.

To ensure that the combination of uses, their density, and the scale and character of any development do not prejudice the amenity of surrounding land.

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C50**Table of uses****Section 1 - Permit not required**

Use	Condition
Agriculture (other than animal husbandry)	
Caretaker's house	
Home occupation	
Informal outdoor recreation	
Mineral exploration	
Minor utility installation	
Race course	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Animal training	
Car park	
Equestrian supplies	
Leisure and recreation (other than Race course and Motor racing track)	
Market	
Office	
Restaurant	
Take away food premises	
Place of assembly	
Store (other than Freezing and cool storage)	
Veterinary centre	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation (other than a Caretaker's house)
Adult sex bookshop
Brothel
Cemetery
Corrective institution
Fuel depot
Freezing and cool storage
Industry
Intensive animal husbandry
Motor racing track
Retail premises (other than Equestrian supplies, Market, Primary produce sales, Restaurant and Take away food premises)
Transport terminal
Utility installation (other than Minor utility installation)
Warehouse (other than store)

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Use of land

Amenity of the neighbourhood

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land
- Appearance of any building, works or materials
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Noise emission levels must not exceed the following levels:

- Public address systems 55db(A) LEQ
- Music or concerts 65db(A) LEQ measured outside any residential property

Application requirements

An application to use land must be accompanied by the following information:

- The purpose of the use and the types of activities that will be carried out
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill.

Decision Guidelines

Before deciding on an application to use land, the responsible authority must consider, as appropriate:

- The Wangaratta Planning Scheme, including State Planning Policy Framework, Municipal Strategic Statement and local planning policies.
- Any approved Development Plan for the site.
- The recommendations of the South Wangaratta Urban Renewal Strategy, 2012.
- The compatibility of the proposed use and potential amenity impacts adjoining land, including:
 - The effect of traffic to be generated on roads
 - The provision of car parking
 - The amenity of the adjoining area
 - The frequency of any proposed event
 - The impact of hours of operation on any proposed use on neighbouring areas, particularly with respect to night time use.

3.0

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Subdivision

A permit is required to subdivide land.

Before deciding on an application to subdivide land, the responsible authority must consider:

- The approved Development Plan for the site.
- The recommendations of the *South Wangaratta Urban Renewal Strategy, 2012*.
- The effect the subdivision will have on the potential of land to accommodate existing and potential future uses in accordance with the purpose of this zone and the approved Development Plan.

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Buildings and works

Application requirements

An application to construct a building or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site
 - Adjoining roads
 - The location, height and purpose of buildings and works on adjoining land
 - Relevant ground levels
 - The layout of existing and proposed buildings and works
 - All driveway, car parking and loading areas
 - Proposed landscape areas
 - All external storage areas
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.

Decision guidelines

Before deciding on an application to construct a building or construct or carry out works, the responsible authority must consider, as appropriate:

- The approved Development Plan for the site.
- The South *Wangaratta Urban Renewal Strategy, 2012*.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The interface with adjoining zones, especially the relationship with residential areas.
- The streetscape, including the conservation of buildings, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.
- The availability of and connection to services.

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Exemptions from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b), and (d), the decision requirements of section 64(1), (2), and (3) and the appeal rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a Residential Zone, land used for hospital or school or land in a Public Acquisition Overlay to be acquired by a hospital or school.

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Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 2.