

18/02/2016
C56**SCHEDULE 7 TO THE SPECIAL USE ZONE**Shown on the planning scheme map as **SUZ7**.**REITH ROAD EQUINE PRECINCT****Purpose**

To encourage the use and development of thoroughbred horse training facilities in association with the Wangaratta Racecourse.

To provide for subdivision of land for use and development as thoroughbred horse training facilities.

To facilitate on-site accommodation for horse trainers and their employees in conjunction with thoroughbred horse training facilities.

To ensure that thoroughbred horse training facilities are established in a manner that does not prejudice the amenity of surrounding land uses.

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C56**Table of uses****Section 1 - Permit not required**

Use	Condition
Animal training	Must be conducted by a person registered under the Australian Rules of Racing.
Dependent Persons Unit	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 3.0.
Home Occupation	
Horse Stables	Must be conducted by a person registered under the Australian Rules of Racing. Must be in conjunction with the Wangaratta Racecourse.
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the conditions of Clause 52.08
Minor utility installation	
Natural systems	
Stone exploration	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Agriculture (other than Horse stabling and Animal Training)	
Animal keeping (other than Animal boarding)	Must be no more than 5 animals.

Use	Condition
Car Park	Must be used in conjunction with another use within the Equine Precinct in Section 1 or 2.
Dependent person's unit – if the Section 1 condition is not met	Must meet the requirements of Clause 3.0.
Dwelling (other than Bed and Breakfast)	Must be the only dwelling on the lot. Must be 'in conjunction with' Horse stables activities conducted on the lot. Must meet the requirements of Clause 3.0.
Intensive animal husbandry (other than Broiler farm and Cattle feedlot).	
Leisure and recreation (other than Informal outdoor recreation, Major sports & recreation facility and Motor racing track)	
Mineral, stone or soil extraction (other than Mineral exploration, Mining and Stone exploration)	
Market	
Store (other than freezing and cool storage)	
Any use in Section 1 - if the condition is not met	

Section 3 - Prohibited

USE
Accommodation (other than Dependent person's unit and Dwelling)
Adult sex bookshop
Brothel
Cemetery
Corrective institution
Fuel depot
Freezing and cool storage
Industry (other than Store)
Motor racing track
Transport terminal
Utility installation (other than Minor utility installation)
Warehouse (other than Store)
Any use not in Section 1 or 2

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Use of land

An application to use a lot for a dwelling must be accompanied by an 'Integrated Land Management Plan' (ILMP) describing the horse stabling facilities on the site (or proposed on the site) and which explains how the proposal responds to the following:

- The dwelling is in conjunction with horse stables and the business of horse training as described in the ILMP.

- The occupier of the land is a licensed horse trainer or is an employee of a licensed horse trainer (for the avoidance of doubt, a dwelling may only be occupied by a licensed horse trainer or employee of a licensed horse trainer within the meaning of the Australian Rules of Racing together with their domestic partner and any dependents).
- Horse stables are established on the lot or proposed as part of the permit application.
- There is only one dwelling on a lot.
- The dwelling can be connected to a reticulated sewerage system or if not available, the waste water can be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling can be connected to a reticulated potable water supply or is able to have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling can be connected to a reticulated electricity supply or have an alternative energy source.
- The storage, disposal and treatment of horse effluent (waste).

A permit for a dwelling must be issued subject to a condition requiring the landowner to enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 that provides for, or requires that the land may only be used for the purposes of a dwelling if:

- it is in conjunction with horse training and horse stables in accordance with an approved ILMP; and
- the dwelling is occupied by a licensed horse trainer within the meaning of the Australian Rules of Racing or an employee of a licensed horse trainer, including their domestic partner and dependents.

Exemption from notice and review

An application for use 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 review rights of Section 82(1) of the Act if it is generally in accordance with the Development Plan (Reith Road Equine Precinct) approved under Schedule 5 to Clause 43.04 of this Scheme.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any Regional Catchment Strategy and associated plan applying to the land
- How the use or development relates to the purposes of the zone
- The impacts of the use or development upon amenity of surrounding properties through light spill, noise and dust, and measures to be undertaken to minimise any adverse impacts

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Subdivision

A permit is required to subdivide land.

A permit may only be granted to subdivide land for the purposes of an equine precinct if:

- The minimum lot size for any lot created is 0.8 hectares; no more than 9 lots created by the subdivision are to be less than 1.0 hectare; and a total of no more than 30 lots are created by the subdivision.
- Effluent disposal fields are nominated on the plan if the lots are not connected to a reticulated sewerage system.

The landowner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 requiring that each lot created must be used for the purposes of horse stables.

A permit may only be granted to create smaller lots by a public authority or utility service provider to create a lot for a utility installation.

Exemption from notice and review

An application for subdivision 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 review rights of Section 82(1) of the Act if it is generally in accordance with the Development Plan (Reith Road Equine Precinct) approved under Schedule 5 to Clause 43.04 of this Scheme.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The location and design of existing and proposed infrastructure services including gas, water, drainage, telecommunications and sewerage facilities

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Buildings and works

A permit is required to construct a building or construct or carry out works.

This does not apply to:

- An alteration or extension to an existing dwelling or stable provided the floor area of the alteration or extension is not more than 100 square metres.
- An out-building associated with an existing dwelling or stable provided the floor area of the out-building is not more than 100 square metres.

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.
 - Finished ground levels.
 - The layout of existing and proposed buildings and works.

- All driveway, car parking and loading areas.
- Proposed landscaping areas.
- All external storage areas.
- All effluent storage, disposal and treatment areas and their capability.
- 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.

Exemption from notice and review

An application for buildings and/or works 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 review rights of Section 82(1) of the Act if it is generally in accordance with the Development Plan (Reith Road Equine Precinct) approved under Schedule 5 to Clause 43.04 of this Scheme.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts including the visual impact on the landscape
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance