

SCHEDULE 2 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ2**.

WINTON MOTOR RACEWAY

Purpose

Provide for the use and development of the land for the purpose of motor sport including associated recreation and entertainment activities.

Encourage the development of a range of facilities including accommodation and tourist attractions associated with motor sport.

Encourage employment opportunities.

Retain and enhance the economic benefit brought to Benalla, the municipality and the region by motor sport and allied activities.

Ensure that the combination of uses and the scale and character of development are compatible with the amenity of the surrounding area and the capacity of existing essential services and road systems.

1.0

Table of uses

Section 1 - Permit not required

Use	Condition
Agriculture (other than Apiculture and Intensive animal husbandry)	
Camping and caravan park	<p>Must be associated with a motor sport activity.</p> <p>The designation of the area to be used and the provision of any toilet, ablution, cooking, laundry, fireplace, drainage and sewage treatment facilities must be carried out to the satisfaction of the responsible authority.</p>
Caretaker's house	
Commercial display area	<p>Must be associated with a motor sport activity.</p> <p>Gross leasable floor area must not exceed 500 square metres.</p>
Education centre	<p>Must be driver training or associated with a motor sport activity.</p>
Heliport	<p>Must only be used for emergency services or operational purposes in conjunction with race meetings, promotions or practice sessions.</p> <p>Must not be used for helicopter joy flights.</p> <p>Helicopter flights must not take place on more than fifteen days per calendar year and no flight may take place before 8.00 am or after 6.00 pm on any day. This condition does not apply to emergency services' flights.</p> <p>Helicopter flight paths and the location of the heliport must be arranged so that helicopters do not pass over adjacent dwellings or Winton Primary School at low altitudes during landing, take-off or general operations.</p>

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Use	Condition
Industry (other than Research and development centre and Service industry)	Must be vehicle testing or analysis. Must only be conducted on weekdays between the hours of 8.00 am and 6.00 pm.
Medical centre	Must be associated with a motor sport activity.
Minor utility installation	
Motor racing track	Must not be the racing of motor vehicles on a purpose-built straight track, within its own enclosure, constructed principally for competitive motor sport.
Place of assembly (other than Carnival, Circus, Place of worship, and Reception centre)	Must be associated with a motor sport activity.
Research and development centre	
Research centre	
Restaurant	
Shop	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Camping and caravan park, Corrective institution, Dwelling, Residential building, Residential village, and Retirement village)	
Industry (other than Research and development centre and Service industry) if the Section 1 condition is not met	Must be vehicle testing or analysis.
Leisure and recreation (other than Motor racing track)	
Motor repairs	Must be associated with a motor sport activity.
Office (other than Medical centre)	
Place of worship	
Reception centre	
Residential hotel	
Retail premises (other than Restaurant and Shop)	
Service industry (other than Motor repairs)	Must be associated with a motor sport activity. Must not be a purpose listed in the table to Clause 52.10.
Service station	Must be associated with a motor sport activity.
Transport terminal (other than Heliport)	

Use	Condition
Warehouse (other than Commercial display area)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Corrective institution
Dwelling (other than Caretaker's house)
Hospital
Intensive animal husbandry
Motor racing track if the Section 1 condition is not met
Residential building (other than Residential hotel)
Residential village
Retirement village
Utility installation (other than Minor utility installation and Telecommunications facility)

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Use of land

Commencement of use

The use of any building, or part of the site, must not commence until all drainage works, soil conservation and erosion control measures, car parking, landscaping and other associated works approved as part of the Development Plan (or staged Development Plan) which includes the building or part of the site, are completed to the satisfaction of the responsible authority.

This sub-clause does not apply to lawful existing use rights established on the site prior to the approval date of this scheme.

Frequency and notification of events

Except with a permit:

- Not more than twelve major meetings shall be conducted in any calendar year.
- Not more than two major meetings shall be conducted in any calendar month.
- Not more than ten club race meetings shall be conducted in any calendar year.

The remaining weekends may be used for inter-club events and social events which generate smaller numbers of participants and reduced noise levels.

The person or persons using the land for events covered by this clause must:

- At the start of each calendar year, notify the responsible authority in writing of the proposed dates of all events at which the presence of 5,000 or more people is anticipated.
- Inform local residents by means of public notice in a local newspaper of the proposed dates of all major meetings, with such notice including advice of the type of the meeting being published at least two weeks prior to the commencement of the meeting.

Hours of motor racing

Motor racing of any type shall only be conducted between the hours of 8.30 am and 10.00 pm on any day with an additional 30 minutes if required due to unscheduled delays.

Except with a permit, motor racing of any type shall not be conducted after 6.00 pm on more than one night in any week (Monday to Sunday).

Control of noise emissions from motor racing

With the exception of historic racing vehicles, noise emissions from motor racing vehicles of any type shall not exceed 95 dB(A) measured at a distance of 30 metres from the edge of the track on which the vehicles are racing, at a point where the vehicles are under maximum acceleration, as nominated on the appropriate Development Plan approved in accordance with Clause 4.0 to this schedule.

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Subdivision

A permit is required to subdivide land.

Each lot intended to be used for agriculture or animal husbandry must be at least 16 hectares with a road frontage of not less than 300 metres.

Before deciding on an application to create a lot intended to be used for a use in Section 1 of Clause 1.0 to this schedule (other than agriculture, animal husbandry or public utility installation), the responsible authority must consider whether the area of the proposed lot is sufficient to accommodate the activities, development and effluent disposal associated with the intended use.

The responsible authority may only consider an application to create a lot intended to be used for a use included in Section 2 of Clause 1.0 to this schedule as part of an application which also includes the intended use. A permit for the subdivision must only be issued if the permit is also issued for the intended use.

4.0

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Buildings and works

No permit is required to construct a building or construct or carry out works for a use in Section 1 of Clause 1.0 to this schedule provided the buildings or works is in accordance with a Development Plan that has been prepared to the satisfaction of the responsible authority.

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 1.0 to this schedule.

Notice in accordance with Section 52(1)(c) of the Act must be given of an application for a permit. Notice must be given:

- To the owners and occupiers of adjoining land.
- By publishing the notice in a newspaper circulating generally in the area.

Landscape Concept Plan

No building or works may be constructed or carried out until a Landscape Concept Plan has been prepared for the whole of the land within the zone to the satisfaction of the responsible authority.

At the request of or with the consent of the owner of the land, the Landscape Concept Plan may be amended to the satisfaction of the responsible authority.

Development Plan

A Development Plan must show or describe (as is appropriate to the circumstances):

- Existing natural and built features of the land including topography, vegetation, buildings, other works, utility services, drainage lines and watercourses.
- The location, height, dimensions, floor area dimensions of all proposed buildings and works.
- Details of the nature and colour of external cladding of all proposed buildings.
- The relationship of all proposed buildings and works to existing development.

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- The proposed use of each building.
- Any areas where it is proposed to remove native vegetation.
- Details of site preparation works including the erection of fences, construction of accessways, temporary drainage works, and any excavation or filling works.
- Landscaping proposed within the development generally in accordance with the Landscape Concept Plan.
- The location, dimensions and levels of any excavation or alteration to the natural surface of the land, including details of works or planting proposed to stabilise batters in areas of fill or excavation.
- Details of environmental management measures, including sediment control methods to be implemented during construction of buildings or works.
- The relationship between stages of development, if any, and the time for commencement and completion of each stage.
- Details of a drainage system for the land, including proposals with respect to its construction and management.
- Works to control drainage run-off from all buildings, track areas, paved areas, access roads, car parking areas, driveways, and any other impervious surfaces.
- Any retarding basins or other drainage measures necessary to ensure that peak drainage discharge to Seven Mile Creek does not exceed the discharge level of pre-development conditions.
- Proposals to avoid water logging or flooding.
- Proposals for the avoidance, containment and neutralisation of any contamination of surface drainage waters to ensure compliance with State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- Erosion control works and revegetation proposals to assist with the conservation of soils, to safeguard against soil erosion and to provide land stability in the area.
- Proposals for sewage treatment and disposal to ensure compliance with State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- Proposals for waste management and disposal including measures for waste minimisation, recycling and waste removal.
- Proposals for water supply for all purposes including sewage treatment, firefighting and landscape management.
- An emergency management plan for the land.
- Firefighting facilities.
- Proposals for the provision of utility services and infrastructure associated with the development, use and maintenance of the land.
- Noise containment, abatement and mitigation measures.
- Details of proposed traffic and access arrangements and associated works on and adjacent to the land.
- The location, layout, dimensions, design and capacity of all car parking areas and access to and from them.
- The location and design of all pedestrian and vehicle access ways.
- Provision for the loading and unloading of vehicles associated with the development and use of the land.

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- Location and details of floodlighting and amplification equipment and of advertisements or advertising signs proposed to be displayed or constructed on the land including those for which a permit is required.

An approved Development Plan may be amended to the satisfaction of the responsible authority.

All buildings and works shown on an approved Development Plan must be continued, completed and maintained in accordance with the Development Plan to the satisfaction of the responsible authority.

The responsible authority may consider a Development Plan for any stage of the proposed development provided that the plan shows or describes all the matters set out in this clause which relate to that stage.

Unless specifically approved otherwise, buildings and works shown on an approved Development Plan (including an approved Development Plan for a stage) must be commenced within a period of two years from the date of approval. The buildings and works shown on an approved Development Plan must be completed within two years of their commencement. The time for commencement or completion may be extended by the responsible authority upon application in writing made within three months of the date on which the approval would otherwise lapse.

Height of buildings or works

Except with a permit, no building or works shall exceed a height above natural ground level which is the lesser of two storeys or 7.5 metres.

Car parking provision

Sufficient car parking spaces must be provided to the satisfaction of the responsible authority to adequately accommodate all vehicles driven by people attending the motor raceway.

Sufficient car parking attendants must be engaged to ensure orderly parking within the areas provided.

Decision guidelines

Before deciding whether a permit should be granted or when deciding whether a Development Plan is satisfactory, or can be amended, the responsible authority must consider:

- The purpose of the zone.
- Whether proposed buildings or works are designed, located, constructed and clad in a manner to avoid significant visual intrusion in the area.
- Whether drainage, effluent treatment and dispersal of wastewater meet the appropriate standards and will avoid pollution, erosion, sedimentation and waterlogging on and off the site.
- Whether the provision of public toilet facilities and other amenities will meet the likely demand and will be appropriately located throughout the site.
- Whether the proposals for waste management and recycling will ensure appropriate retention, collection and removal of litter and other waste, and will maximise the proportion of recyclable materials separately collected.
- Whether adequate means for firefighting and other emergency management requirements are included.
- Whether the proposed noise containment, abatement and mitigation measures will minimise the external noise effects of activities on the site.
- Whether the proposed landscaping, revegetation and remedial planting will ensure that any visual intrusion of the raceway into the surrounding landscape is minimised.

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Advertising signs

In addition to the exemptions in Clause 52.05-4, a permit is not required to construct or display an advertising sign on any land within the Winton Motor Raceway which is directed toward people attending the Motor Raceway and which is not intended to be generally seen from outside the Motor Raceway.

Advertising sign requirements are at Clause 52.05. This schedule is in Category 3.