

# **ATTACHMENT TO AGENDA ITEM**

**Ordinary Meeting**

**17 October 2017**

<b>Agenda Item 10.2</b>	<b>Adoption of Amendment C199 - Investigation Area 1</b>
<b>Attachment 1</b>	<b>Minutes Extract from Ordinary Council Meeting held on 20 June 2017 ..... 465</b>
<b>Attachment 2</b>	<b>Amendment C199 Panel Report, 1 September 2017..... 477</b>
<b>Attachment 3</b>	<b>Investigation Area 1: Feasibility Study and Master Plan, Greater Shepparton City Council, October 2017 ..... 567</b>

G R E A T E R   S H E P P A R T O N  
G R E A T E R   F U T U R E



## UNCONFIRMED MINUTES

FOR THE  
GREATER SHEPPARTON CITY COUNCIL

## ORDINARY COUNCIL MEETING

HELD ON  
TUESDAY 20 JUNE, 2017  
AT 5.30PM

IN THE COUNCIL BOARDROOM

**COUNCILLORS:**

Cr Dinny Adem (Mayor)  
Cr Kim O’Keeffe (Deputy Mayor)  
Cr Seema Abdullah  
Cr Bruce Giovanetti  
Cr Chris Hazelman  
Cr Les Oroszvary  
Cr Dennis Patterson  
Cr Fern Summer  
Cr Shelley Sutton

***VISION***

*A THRIVING ECONOMY IN THE FOODBOWL OF VICTORIA WITH  
EXCELLENT LIFESTYLES, INNOVATIVE AGRICULTURE  
A DIVERSE COMMUNITY AND  
ABUNDANT OPPORTUNITIES*



**UNCONFIRMED MINUTES  
FOR THE  
ORDINARY COUNCIL MEETING  
HELD ON  
TUESDAY 20 JUNE, 2017 AT 5.30PM**

**CHAIR  
CR DINNY ADEM**

**INDEX**

<b>1. ACKNOWLEDGEMENT .....</b>	<b>1</b>
<b>2. NOTICE TO GALLERY – LIVE STREAMING OF COUNCIL MEETING .....</b>	<b>1</b>
<b>3. APOLOGIES .....</b>	<b>1</b>
<b>4. DECLARATIONS OF CONFLICT OF INTEREST .....</b>	<b>1</b>
<b>5. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS .....</b>	<b>2</b>
5.1 Confirmation of Minutes of Previous Meetings .....	2
<b>6. MANAGEMENT REPORTS FROM THE INFRASTRUCTURE DIRECTORATE .....</b>	<b>3</b>
6.1 Kerbside Landfill Waste, Recycling and Organics Collection Policy .....	3
6.2 Part Road Closure and Sale Laneway abutting Byass Street .....	7
6.3 Road Management Plan .....	10
6.4 Contract No 1760 - Provision of Drainage Maintenance Services .....	14
<b>7. MANAGEMENT REPORTS FROM THE COMMUNITY DIRECTORATE .....</b>	<b>17</b>
7.1 Section 86 Committees of Management - Membership Appointments .....	17
7.2 Review and revision of the Shepparton Art Museum Collection Development Policy .....	20
7.3 Murchison Community Plan Review 2017 .....	23
<b>8. MANAGEMENT REPORTS FROM THE CORPORATE SERVICES DIRECTORATE .....</b>	<b>29</b>
8.1 2017/2018 Budget .....	29
8.2 Contract No 1780 - Provision of Banking and Bill Payment Services .....	38
8.3 May 2017 Monthly Financial Report .....	42
8.4 Adoption of Various Policies .....	45
8.5 Contracts Awarded Under Delegation and Status of Contracts Advertised and yet to be Awarded - May 2017 .....	48
8.6 Council Plan 2017-2021 .....	51
8.7 Rating Strategy 2017-2021 .....	56
<b>9. MANAGEMENT REPORTS FROM THE SUSTAINABLE DEVELOPMENT DIRECTORATE .....</b>	<b>61</b>
9.1 Nixon Street Centre of the Road Car Parking .....	61
9.2 Goulburn Valley Highway Bypass Action Group - Update of Terms of Reference and Appointment of New Community Member .....	66
9.3 Tatura Park Advisory Group - Membership .....	72
9.4 Proposed Amendment C199 (Investigation Area 1) to the Greater Shepparton Planning Scheme - Consideration of Submissions .....	76
9.5 International Engagement Policy 2017 .....	85
9.6 Adoption of Shepparton Railway Precinct Master Plan 2017 .....	89
9.7 Adoption of Landscape Plan Guide 2017 for Development Proposals in the City of Greater Shepparton, the Shire of Campaspe and the Shire of Moira .....	100



9.8	Adoption of Urban Design Framework: Shepparton North and South Business Areas (Addendum) 2017 .....	106
9.9	Calder Woodburn Memorial Avenue Advisory Committee - Terms of Reference .....	116
9.10	Latrobe University Memorandum of Understanding (MOU) and Greater Shepparton City Council .....	123
9.11	New Business Grant Guidelines .....	126
9.12	Proposed Amendment C192 to the Greater Shepparton Planning Scheme - Implementation of the Commercial Activity Centres Strategy - Consideration of Submissions.....	131
9.13	Combined Amendment C193 and Planning Permit Application 2016-269 for the development of a second supermarket in Shepparton North.....	145
9.14	RiverConnect Strategic Plan 2017-2022 .....	162
<b>10.</b>	<b>TABLED MOTIONS .....</b>	<b>171</b>
<b>11.</b>	<b>REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES .....</b>	<b>171</b>
<b>12.</b>	<b>REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES.....</b>	<b>171</b>
<b>13.</b>	<b>NOTICE OF MOTION, AMENDMENT OR RESCISSION .....</b>	<b>171</b>
<b>14.</b>	<b>DOCUMENTS FOR SIGNING AND SEALING .....</b>	<b>171</b>
<b>15.</b>	<b>COUNCILLOR ACTIVITIES .....</b>	<b>172</b>
15.1	Councillors Community Interaction and Briefing Program .....	172
<b>16.</b>	<b>ASSEMBLIES OF COUNCILLORS.....</b>	<b>174</b>
16.1	Assemblies of Councillors.....	174
<b>17.</b>	<b>URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA .....</b>	<b>190</b>
<b>18.</b>	<b>PUBLIC QUESTION TIME .....</b>	<b>190</b>
<b>19.</b>	<b>CONFIDENTIAL MANAGEMENT REPORTS .....</b>	<b>191</b>
19.1	Designation of Confidentiality of Information – Report Attachments .....	191
19.2	Shepparton Aerodrome Relocation Study .....	191
19.3	Reopening of the Council Meeting to Members of the Public .....	191



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Proposed Amendment C199 (Investigation Area 1) to the Greater Shepparton Planning Scheme - Consideration of Submissions

**Disclosures of conflicts of interest in relation to advice provided in this report**  
Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

**Cr Hazelman declared a direct conflict of interest in relation to Item 9.4 – Proposed Amendment C199 (Investigation Area 1) to the Greater Shepparton Planning Scheme - Consideration of Submissions. Cr Hazelman is a Board member of the Shepparton Harness Racing Club and a member on the Kialla Racecourse Committee of Management.**

**Council Officers involved in producing this report**

**Author: Senior Strategic Planner**

**Proof reader(s): Team Leader Strategic Planning**

**Approved by: Director Sustainable Development**

#### **Executive Summary**

At the Special Council Meeting held on 14 September 2016, Council resolved to endorse the *Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan, July 2016* (the Master Plan) and to prepare and exhibit a planning scheme amendment to implement its findings (see *Attachment 1 – Minutes Extract from September 2016 Special Council Meeting*). This amendment is known as Amendment C199 to the Greater Shepparton Planning Scheme.

Amendment C199 proposes to implement the findings of the Master Plan (see *Attachment 2 – Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan*) and to strengthen the policy guidance for Investigation Areas where an investigation area study has been completed. The Amendment also seeks to revise the Municipal Strategic Statement and the Schedule to the Special Use Zone that applies to the Goulburn Valley Harness and Greyhound Racing Facility.

Amendment C199 was exhibited from 13 April 2017 to 19 May 2017. Council received 21 submissions in total (see *Attachment 3 – Submissions Recorder* and *Attachment 4 – Delegate's Report*). Of these submissions, 15 objected or requested changes to the proposed amendment. The concerns raised in these submissions are summarised below:

- Inconsistencies with other studies, strategies, policies and documentation.
- Does not address flooding and/or the flood investigation and modelling undertaken by Water Technology Pty Ltd is inaccurate.
- Concerns regarding the Goulburn-Murray Water (G-MW) Channel and related flood impacts.
- The SUZ4 seeks to remedy a serious planning issue (intensive animal husbandry)
- Concerns with land uses allowed in Precinct A and B.
- Queries future compulsory acquisition of surrounding land.
- Rezoning should be extended to include additional land within the Investigation Area.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Proposed Amendment C199 (Investigation Area 1) to the Greater Shepparton Planning Scheme - Consideration of Submissions (continued)

- Concerns regarding "illegal development" in the Floodway Overlay (intensive animal husbandry).
- Allows commercial advantage to the Harness Racing Club and Council.
- Concerns regarding land uses, land management, buildings and works, easements and a Safety Management Study for the land within the buffer for the High Pressure Gas Pipeline.

The 15 submissions that object or request changes cannot be resolved and remain outstanding. As such, all submissions have been referred to an Independent Planning Panel appointed by the Minister for Planning for consideration. The Directions Hearing was held on 9 June 2017 and the exhibited date for the Panel Hearing is the week commencing 26 June 2017.

It is recommended that Council note Council officers' position at the upcoming Independent Planning Panel Hearing as outlined in this report.

**Cr Hazelman left the meeting at 6.53pm.**

**Moved by Cr Patterson  
Seconded by Cr Abdullah**

That, with regard to submissions received for Amendment C199 to the Greater Shepparton Planning Scheme, Council:

1. note Council officers' response outlined in this report for referral and presentation to an Independent Planning Panel; and
2. note that Council officers may exercise discretion to best achieve the general position adopted by Council.

**Cr Oroszvary was granted an extension of time to speak to the motion.**

The motion was put and carried.

**Cr Oroszvary called a division:**

**Those voting in favour of the motion: Cr Adem, Cr Giovanetti, Cr Abdullah, Cr Patterson and Cr O'Keeffe.**

**Those voting against the motion: Cr Sutton, Cr Summer and Cr Oroszvary**

**Cr Hazelman returned to the meeting at 7.06pm.**



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Proposed Amendment C199 (Investigation Area 1) to the Greater Shepparton Planning Scheme - Consideration of Submissions (continued)

#### **Background**

The *Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan, July 2016* (the Master Plan) for Investigation Area 1 was endorsed by Council at the Special Council Meeting held on 14 September 2016 (see *Attachment 1 – Minutes Extract from September 2016 Special Council Meeting*).

The Master Plan (see *Attachment 2 – Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan*) applies to land within Investigation Area 1, Kialla, generally bound by the Goulburn Valley Highway to the west, River Road to the north, Archer Road to the east and Mitchell Road to the south. This Master Plan completes the assessment for Investigation Area 1 and provides a strategic framework for the future development of the area.

The resolution carried at the September Special Council Meeting allowed Council officers to prepare and exhibit a planning scheme amendment to implement its findings. This amendment is now known as Amendment C199 to the Greater Shepparton Planning Scheme.

Amendment C199 seeks to implement the findings of the Master Plan and strengthen the policy guidance for Investigation Areas where an investigation area study has been completed. Specifically, it proposes to amend the following sections of the Greater Shepparton Planning Scheme:

- Clause 21.04 *Settlement*;
- Clause 21.05 *Environment*;
- Clause 21.08 *General Implementation*;
- Clause 21.09 *Reference Documents*; and
- Schedule 4 to the Special Use Zone (SUZ4);

Importantly, these proposed changes will also provide policy guidance for other investigation areas in Greater Shepparton where an investigation area study has been completed. This will ensure that any future development within investigation areas is appropriate and orderly.

With respect to the changes to Schedule 4 to the Special Use Zone (SUZ4), Amendment C199 will support the ongoing use and development of the land for the GV Harness and Greyhound Racing Facility. It also provides a framework for rural residential equine-related uses in the immediate vicinity of the GV Harness and Greyhound Racing Facility.

The land is generally bound by land within the Farming Zone – Schedule 2 (FZ2) to the north, east and south. The land immediately abuts the Goulburn Valley Highway to the west and land within the General Residential Zone further to the west (see *Figure 1 – Zone and Overlay Map*).

The land has been developed and is currently used for the Goulburn Valley Harness and Greyhound Racing Facility (see *Figure 2 – Aerial Map*). The Greyhound Racing Club occupies the western part of the site and includes a greyhound racing track and associated buildings. The Harness Racing Club and Shepparton Pony club utilise the western portion of the site, which includes racing and training tracks, training facilities and associated buildings.



**9. SUSTAINABLE DEVELOPMENT DIRECTORATE**

**9.4 Proposed Amendment C199 (Investigation Area 1) to the Greater Shepparton Planning Scheme - Consideration of Submissions (continued)**

Figure 1 – Zone and Overlay Map

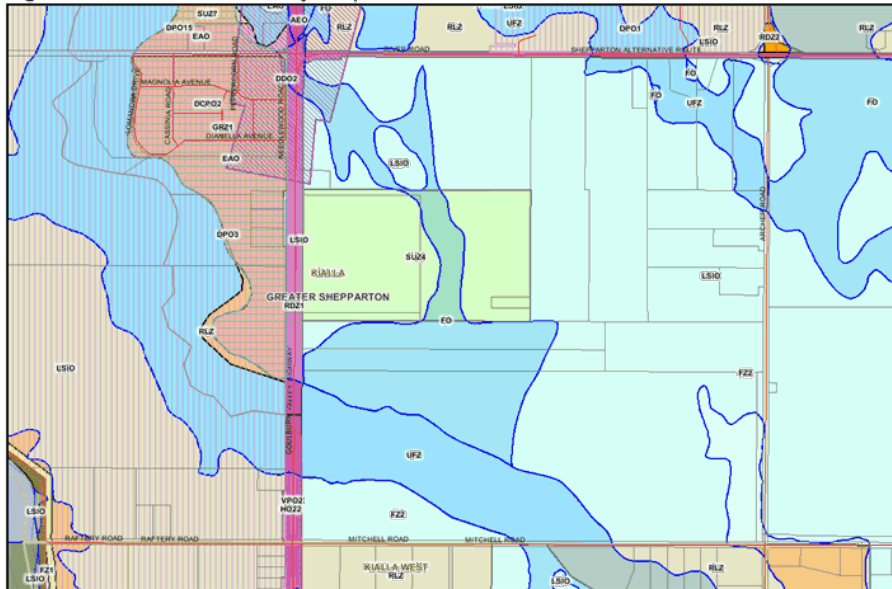
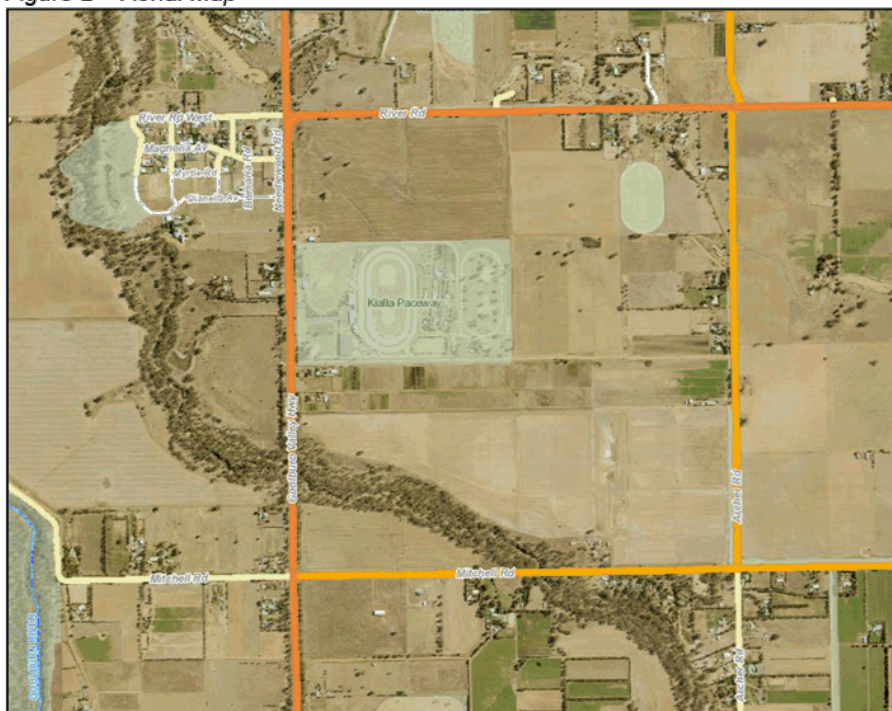


Figure 2 – Aerial Map







## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Proposed Amendment C199 (Investigation Area 1) to the Greater Shepparton Planning Scheme - Consideration of Submissions (continued)

Amendment C199 was exhibited from 13 April 2017 to 19 May 2017 in accordance with the *Planning and Environment Act 1987*. Council received 21 submissions in total (see *Attachment 3 – Submissions Recorder* and *Attachment 4 – Delegate's Report*). Of these submissions, 15 objected or requested changes to the proposed amendment. The concerns raised in these submissions are summarised below:

- Inconsistencies with other studies, strategies, policies and documentation.
- Does not address flooding and/or the flood investigation and modelling undertaken by Water Technology Pty Ltd is inaccurate.
- Concerns regarding the G-MW Channel and related flood impacts.
- The SUZ4 seeks to remedy a serious planning issue (intensive animal husbandry)
- Concerns with land uses allowed in Precinct A and B.
- Queries future compulsory acquisition of surrounding land.
- Rezoning should be extended to include additional land within the Investigation Area.
- Concerns regarding "illegal development" in the Floodway Overlay (intensive animal husbandry).
- Allows commercial advantage to the Harness Racing Club and Council.
- Concerns regarding land uses, land management, buildings and works, easements and a Safety Management Study for the land within the buffer for the High Pressure Gas Pipeline.

The 15 submissions that object or request changes cannot be resolved and remain outstanding. As such, all submissions have been referred to an Independent Planning Panel appointed by the Minister for Planning for consideration. The Directions Hearing was held on 9 June 2017 and the exhibited date for the Panel Hearing was the week commencing 26 June 2017.

Council officers' position at the Panel Hearing regarding unresolved submissions is outlined below:

- The Amendment seeks to implement the findings and recommendations of the *Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan, July 2016* (the Master Plan), which was endorsed by Council in September 2016. The proposal is consistent with Council adopted policies and strategies, including the *Greater Shepparton Housing Strategy 2011*.
- No changes to the flood controls or flood mapping are proposed as part of this planning scheme amendment. Water Technology Pty Ltd was engaged by Council during the preparation of the Master Plan to investigate flood behaviour and undertake flood modelling. The flood modelling demonstrated that the Master Plan achieves an acceptable outcome with regards to managing flood risk. Expert evidence from Water Technology Pty Ltd may be required to address concerns regarding flood behaviour.
- It is not proposed to pipe the G-MW channel as part of this planning scheme amendment.
- The SUZ4 seeks to implement the findings and recommendations of the Master Plan to safeguard the ongoing use and development of the Kialla Paceway and provide for equine-related uses. This includes amending the planning controls (including the table of uses) in the SUZ4 as relevant.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Proposed Amendment C199 (Investigation Area 1) to the Greater Shepparton Planning Scheme - Consideration of Submissions (continued)

- It is unclear in the submissions whether the submitters support rezoning additional land within the Investigation Area or object to it. The planning scheme amendment seeks to revise the SUZ4 and provide a framework for rural residential equine-related uses in the immediate vicinity of the Kialla Paceway. It does not seek to apply a Public Acquisition Overlay to any land. Rezoning requests can be made by land owners once the Framework Plan at Clause 21.04 Settlement is revised to remove the "investigation area" designation (proposed as part of Amendment C199).
- The Amendment does not seek to retrospectively "remedy" any planning issues. It implements the Master Plan in relation to the Kialla Paceway and provides a framework for low density residential, rural living and rural residential equine-related uses. Previous developments are not relevant to this Amendment.
- The Amendment does not seek to provide commercial advantage to any parties. It seeks to safeguard the ongoing use and development of the Kialla Paceway. It does not seek to rezone any land.
- Changes can be made to SUZ4 regarding the High Pressure Gas Pipeline, including a requirement for a Safety Management Study. Council officers will work with APA to resolve these concerns; however, the planning scheme may not be the appropriate tool to resolve some of these issues.

#### **Council Plan/Key Strategic Activity**

The *Greater Shepparton Council Plan 2013-2017* contains a strategic goal which seeks to promote economic growth by working with existing businesses and industries, encouraging new business development and diversification, attracting and supporting education within the City and strengthening agriculture and industry. The implementation of the Master Plan will support economic growth in Shepparton.

Amendment C199 is also supported by objective 4.3 of the *Greater Shepparton Council Plan 2013-2017*, which seeks to "encourage sustainable municipal growth and development".

#### **Risk Management**

The primary risk associated with the proposed Amendment is not meeting the timelines required by *Ministerial Direction No. 15 "The Planning Scheme Amendment Process"*. This Ministerial Direction requires each stage of the planning scheme amendment process to be undertaken within set timeframes.

In accordance with Ministerial Direction No. 15, Council must request the appointment of an Independent Planning Panel under Part 8 of the Act within 40 business days of the closing date for submissions, unless a Panel is not required. To meet this timeframe, an Independent Planning Panel has been requested by Council officers under delegation. It is recommended that Council endorse Council officers' position prior to the upcoming Independent Planning Panel Hearing.

#### **Policy Considerations**

The Amendment is consistent with existing Council policy.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Proposed Amendment C199 (Investigation Area 1) to the Greater Shepparton Planning Scheme - Consideration of Submissions (continued)

#### **Financial Implications**

The costs of the proposed Amendment, including the cost of an Independent Planning Panel, must be met by the proponent, which is Council.

The cost of the Independent Planning Panel for this Amendment would be expected to cost approximately \$10,000. Additional costs will be incurred if legal representation and/or expert witnesses are required. This may cost approximately \$30,000.

A Planning Scheme Amendment includes fees of \$226.50 for the Minister for Planning to consider a request to approve an amendment. However, this request is subject to a future Council resolution.

#### **Legal/Statutory Implications**

All procedures associated with this proposed Amendment comply with the legislative requirements of the Act. The Amendment has been assessed in accordance with the Act and the Planning Scheme. The assessment is considered to accord with the Victorian Charter of Human Rights and Responsibilities Act 2006 (the Charter) – no human rights have been negatively impacted upon throughout the process.

The Charter recognises that reasonable restrictions may be placed on the use and development of land, and that there may on occasion be reasonable and acceptable offsite impacts on others. Provided these issues are properly considered, it would be a rare and exceptional case where the exercise of a planning decision in accordance with the regulatory framework is not Charter compatible.

#### **Environmental/Sustainability Impacts**

The proposed Amendment will not result in any negative environmental effects. The proposed SUZ4 includes decision guidelines to ensure that environmental issues are considered and appropriated mitigated. There is no removal of native vegetation proposed as part of this Amendment.

The land is not affected by the Bushfire Management Overlay; however, it is within a Bushfire Prone Area. Future development of both the Goulburn Valley Harness and Greyhound Racing Facility and any rural residential equine-related uses can be designed to ensure that bushfire mitigation measures are considered and implemented. The proposed Amendment will not result in an unacceptable risk to residents, property or infrastructure.

#### **Social Implications**

The proposed Amendment will have positive social effects.

An acoustic assessment was undertaken as part of the *Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan, July 2016*. This assessment found that, with the existing Public Address (PA) system, there was potential for adverse off-site noise impacts under some weather conditions. Modifications were made to the PA system, which resulted in decreasing off-site noise impacts to an acceptable level.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Proposed Amendment C199 (Investigation Area 1) to the Greater Shepparton Planning Scheme - Consideration of Submissions (continued)

The proposed SUZ4 includes guidance on noise emission levels to ensure that the use of the Goulburn Valley Harness and Greyhound Racing Facility does not detrimentally affect the amenity of the neighbourhood. The proposed SUZ4 also includes requirements that the Goulburn Valley Harness and Greyhound Racing Facility does not detrimentally affect the amenity of the neighbourhood through the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

#### **Economic Impacts**

The Goulburn Valley Harness and Greyhound Racing Facility attracts approximately 65,000 visitors per annum and, as such, it is an important tourism asset for Greater Shepparton. The Master Plan notes that there is further opportunity for the equine precinct to grow visitation by offering more entertainment and events at this venue.

The proposed Amendment will have positive economic effects by supporting and facilitating the continued use and development of an important recreational and tourism asset for the region. The SUZ4 also provides the appropriate planning framework to facilitate rural residential equine-related uses that leverage off the existing role of the Goulburn Valley Harness and Greyhound Racing Facility.

#### **Consultation**

Amendment C199 seeks to implement the findings of the Master Plan, which was prepared with extensive input from relevant authorities and members of the community.

Council officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Amendment C199 was exhibited from 13 April 2017 to 19 May 2017 in accordance with the *Planning and Environment Act 1987*. Council received 21 submissions in total (see *Attachment 3 – Submissions Recorder* and *Attachment 4 – Delegate's Report*). Of these submissions, 15 objected to or requested changes to the proposed Amendment.

The 15 submissions that objected or requested changes cannot be resolved and remain outstanding. As such, all submissions have been referred to an Independent Planning Panel appointed by the Minister for Planning for consideration. The Directions Hearing was held on 9 June 2017 and the exhibited date for the Panel Hearing was the week commencing 26 June 2017.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy, 2006

*Direction 1: Growth – To release land efficiently in terms of location, supply of services and infrastructure.*

##### b) Greater Shepparton Housing Strategy, 2011

The *Greater Shepparton Housing Strategy, 2011* (GSHS) was developed to respond to existing and future housing needs in the municipality up to 2031. It includes objectives, strategies and actions to guide housing delivery, and sets a long-term direction for future residential growth. The Feasibility Study and Masterplan supports the GSHS by encouraging residential development in appropriate locations. It will also create sustainable living environments which conserve land and energy and are integrated with existing networks and systems.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Proposed Amendment C199 (Investigation Area 1) to the Greater Shepparton Planning Scheme - Consideration of Submissions (continued)

#### **Conclusion**

At the Special Council Meeting held on 14 September 2016, Council resolved to endorse the Master Plan and to prepare and exhibit a planning scheme amendment to implement its findings.

Amendment C199 to the Greater Shepparton Planning Scheme proposes to implement the findings of the Master Plan and to strengthen the policy guidance for Investigation Areas where an investigation area study has been completed.

Amendment C199 was exhibited from 13 April 2017 to 19 May 2017 in accordance with the *Planning and Environment Act 1987*. Council received 21 submissions in total (see *Attachment 3 – Submissions Recorder* and *Attachment 4 – Delegate's Report*).

All submissions have been referred to an Independent Planning Panel appointed by the Minister for Planning for consideration. The Directions Hearing was held on 9 June 2017 and the exhibited date for the Panel Hearing was the week commencing 26 June 2017.

It is recommended that Council note Council officers' position at the upcoming Independent Planning Panel Hearing as outlined in this report.

#### **Attachments**

1. Minutes Extract from September 2016 Special Council Meeting [↓](#)
2. Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan [↓](#)
3. Submissions Recorder [↓](#)
4. Delegate's Report [↓](#)

*Planning and Environment Act 1987*

Panel Report

Greater Shepparton Planning Scheme Amendment C199  
Investigation Area 1: Feasibility Study and Master Plan

1 September 2017



*Planning and Environment Act 1987*  
Panel Report pursuant to section 25 of the Act  
Greater Shepparton Planning Scheme Amendment C199  
Investigation Area 1: Feasibility Study and Master Plan  
1 September 2017



Brett Davis, Chair



John Hartigan, Member



## Contents

	<b>Page</b>
<b>1 Introduction.....</b>	<b>4</b>
1.1 The Amendment.....	4
1.2 Procedural issues.....	6
1.3 Background.....	6
1.4 Issues dealt with in this report.....	7
<b>2 Planning context .....</b>	<b>8</b>
2.1 Policy framework.....	8
2.2 Planning scheme provisions .....	10
2.3 Ministerial Directions and Practice Notes.....	10
2.4 Discussion and conclusion.....	11
<b>3 The Master Plan and Investigation Area 1.....</b>	<b>12</b>
3.1 The issues .....	12
3.2 Evidence and submissions.....	12
3.3 The Master Plan and Investigation Area 1 .....	12
3.4 Reference document and Clause 21.04 .....	16
3.5 APA gas pipeline .....	21
3.6 The Special Use Zone Schedule 4 .....	22
3.7 Acoustics.....	25
3.8 Compulsory acquisition .....	28
3.9 Overall conclusions.....	29
3.10 Recommendations.....	30
<b>4 Flooding.....</b>	<b>31</b>
4.1 The issue.....	31
4.2 Evidence and submissions.....	31
4.3 Discussion .....	38
4.4 Conclusions.....	40
4.5 Recommendations.....	40
<b>Appendix A Submitters to the Amendment</b>	
<b>Appendix B Document list</b>	
<b>Appendix C Panel preferred version of Special Use Zone Schedule 4</b>	
<b>Appendix D Panel preferred version of Clause 21.04</b>	
<b>Appendix E Table of Recommended Changes with Panel comments</b>	



## List of Figures

	<b>Page</b>
Figure 1 Investigation Area 1 (Amendment area).....	5
Figure 2 The Precinct.....	5
Figure 3 Master Plan Version 10 .....	12
Figure 4 Current flood zones and overlays .....	32
Figure 5 Engeny adjusted Flood Overlays .....	34



## List of Abbreviations

2016 Flood Report	2016 Water Technology Report
DELWP	Department of Environment, Land, Water and Planning
FO	Floodway Overlay
FZ	Farming Zone
GBMCMA	Goulburn Broken Murray Catchment Management Authority
GRZ	General Residential Zone
GVHGRC	Goulburn Valley Harness and Greyhound Racing Club
IA1	Investigation Area 1
LAC	Land Acquisition and Compensation Act 1986
LPPF	Local Planning Policy Framework
LSIO	Land Subject to Inundation Overlay
Master Plan	Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan
MSS	Municipal Strategic Statement
SPPF	State Planning Policy Framework
SUZ4	Special Use Zone Schedule 4
the Act	<i>Planning and Environment Act 1987</i>
UFZ	Urban Floodway Zone
VCAT	Victorian Civil and Administrative Tribunal
VPP	Victoria Planning Provisions

## Overview

Amendment Summary	
<b>The Amendment</b>	Greater Shepparton Planning Scheme Amendment C199
<b>Common name</b>	Investigation Area 1: Feasibility Study and Master Plan
<b>Brief description</b>	Implements the findings of the <i>Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan</i>
<b>Subject land</b>	Bounded by River Road to the north, Archer Road to the east, Mitchell Road to the south, and Goulburn Valley Highway to the west
<b>Planning Authority</b>	Greater Shepparton City Council
<b>Authorisation</b>	A03538 on 21 March 2017
<b>Exhibition</b>	27 April to 19 May 2017
<b>Submissions</b>	Number of Submissions: 21 Opposed: 14
Panel Process	
<b>The Panel</b>	Brett Davis, Chair and John Hartigan, Member
<b>Directions Hearing</b>	Greater Shepparton Council Offices, 9 June 2017
<b>Panel Hearing</b>	Parklake Hotel, Shepparton, 28 June to 30 June 2017
<b>Site Inspections</b>	Unaccompanied 28 June 2017
<b>Appearances</b>	<ul style="list-style-type: none"> <li>• Greater Shepparton City Council represented by Andrew Sherman, Russell Kennedy solicitors, who called the following expert witnesses: <ul style="list-style-type: none"> <li>- John Keaney on drafting the SUZ4</li> <li>- Mike Ruzzene of Urban Enterprise on planning and economics</li> <li>- Neville Goddard of Watson Moss Growcott on acoustics</li> <li>- Warwick Bishop of Water Technology on flooding</li> </ul> </li> <li>• Guy Tierney, Goulburn Broken Murray Catchment Management Authority</li> <li>• Basic Property Holdings represented by Lachlan Watts, Barrister, who called the following expert witness: <ul style="list-style-type: none"> <li>- Andrew Proud of Engeny Water Management on flooding</li> </ul> </li> <li>• Lorenzini Family, represented by Rocky Lorenzini</li> <li>• Michael Toll</li> <li>• Gordon Hamilton</li> <li>• Chris Hazelman, Shepparton Harness Racing Club</li> </ul>
<b>Date of this Report</b>	1 September 2017

## Executive summary

### (i) Summary

Greater Shepparton Planning Scheme Amendment C199 (the Amendment) seeks to vary Schedule 4 to the Special Use Zone (SUZ4) to better facilitate and safeguard the ongoing use and development of the land for the purpose of greyhound and harness racing, retain the existing zonings in the Investigation Area 1 (IA1) and make subsequent changes to local policy:

- amend Clauses 21.04 (Settlement), 21.05 (Environment), 21.08 (General Implementation) and Clause 21.09 (Reference Documents) and
- include the Master plan as a Reference Document.

Key issues raised in submissions included:

- the scope of the Goulburn Valley Harness and Greyhound Master Plan (the Master Plan) and how it applies to the broader Investigation Area 1 (IA1)
- the statutory weight afforded to the Master Plan as a reference document and its wording
- APA Gas pipeline
- the Special Use Zone Schedule 4
- acoustics
- compulsory acquisition
- flooding.

Council and Basic Property Holdings (BPH) called expert evidence on flooding, and the Goulburn Broken Murray Catchment Management Authority (GBMCMA) also appeared. All agreed, as does the Panel that there is no doubt that the land within IA1 has flooded in the past and will do so again during significant flood events in the Shepparton Mooroopna region.

Council and the GBMCMA outlined they were in the process of finalising detailed and updated flood modelling. Some of this informed the Master Plan, however no changes to flooding controls are proposed. Further planning for IA1 may well be assisted when the final flood studies are completed later this year. There was general agreement that the updated flood studies would not significantly change the situation with regard to any future overlays. The Panel concludes that the extent of flood overlays and flood zone covering the IA1 reflect the reality that the area is low lying and flood prone and that it is not premature to consider the Master Plan now.

The Panel was not taken to any evidence to suggest that the Amendment should not proceed. It notes the comments of Council that suggest that if any of the landowners in IA1 wish to develop their land, they do so by running the process of a planning application, and in some cases a further Planning Scheme Amendment is required.

The Panel rejects the submission of BPH and others that the Amendment applies public acquisition by a “back door” and was based on poor, or incorrect flooding information.

The landowners generally did not support the Amendment, however this appeared to be on the grounds that the amendment was "locking them in" to outcomes that have yet to be tested. The Panel notes while there was engagement and consultation of some of the Master Plan iterations, there seemed to be a departure from what the community expected and the final plan put before the Panel. This was illustrated by the fact that the Master Plan title was specific to the Goulburn Valley Harness and Greyhound Racing Club (GVHGRC) and not the broader IA1.

It is apparent to the Panel that the Master Plan relating to the broader IA1 and its implementation has not been clearly communicated. Having said this, the Panel is aware that Master Plans by their very nature are open to interpretation, provide useful background and as a reference document they are not afforded the same weight as an Incorporated Document.

The Panel concludes that future applications for land outside the SUZ4 area are only broadly guided by the Master Plan, and these landowners are not be "locked in" by it.

The post-exhibition changes tabled regarding SUZ4 at the beginning of the hearing appear substantive. Council submitted that the substantive changes were in response to the new Direction the Form and Content of Planning Schemes. The Panel concludes that the changes do not transform the Amendment and are consistent with the new requirements.

Council outlined a strong submission as to how the Master Plan has informed the SUZ4. The Panel concludes that this Amendment process has clearly signalled to surrounding owners the intentions of the GVHGRC. It is a long standing and existing use, and the Master Plan has outlined its growth aspirations. The Panel supports the notice exemptions in SUZ4, as they relate to the table of uses and Precinct Plan. The Panel has removed references to the specific Master Plan in within the SUZ4, as it is only a Reference Document and should not appear in zone controls. This is generally consistent with other SUZ schedules that have been applied for similar facilities elsewhere.

On the basis of the acoustic evidence presented and impacts on surrounding residents, the Panel has recommended a maximum level of 45dB(A) Leq be specified for areas in the investigation area which were outside the SUZ4 Precinct.

Detailed comments related to the APA Gas Pipeline were not supported for inclusion in the Master Plan. The Panel concluded the advice contained within the exhibited Master Plan is sufficient. The Panel has inserted in the reference to the Gas Pipeline in the 'Decision Guidelines' to the SUZ4 to give it necessary status.

The Panel concludes that It is common for the SUZ to apply to similar racing and training venues around Victoria and the SUZ4, subject to changes contained in Appendix C and should be supported.

A number of specific wording changes to the Master Plan were put forward in a series of post-exhibition tables. Other than changing the title, annotations to the actual Master Plan and minor matters discussed in Appendix E, and the removal of the straight training track (adjacent an existing residence), the Panel have not recommended that the Master Plan, as a reference document be substantially altered.

Contrary to its arguments at the Hearing, the Panel found that Council does rely on the Master Plan in some places of its local policy and the SUZ4. The Panel concludes if the Council intended that the Master Plan was to have a statutory function, then it should have proposed that relevant parts of the document be included as an Incorporated Document.

By inserting explicit “hooks” in Clause 21.04 (and direct reference in the SUZ4) the Panel concludes that Council have, unintentionally, given greater statutory effect to the Master Plan than it perhaps thought.

Overall, the Panel concludes that Reference Documents generally provide background only, compared to the actual VPP. They should not appear in strategies or requirements. This view has been upheld regularly by Panels and VCAT, and the relevant Planning Practice Note.

If Council wishes to progress similar plans in the future, the Panel recommends for it consider a standard approach to defining those elements of Master Plans and other strategic documents that are intended to fulfil a statutory role and to ensure that they are implemented through appropriate VPP tools, such as Incorporated Plans. The Panel acknowledges the great amount of Council has undertaken a great deal of work to get to this point to secure the future of the GVHGRC and outlining a broad vision for IA1.

Subject to modifications, the Panel supports the Amendment.

#### **(ii) Recommendations**

Based on the reasons set out in this Report, the Panel recommends that Greater Shepparton Planning Scheme Amendment C199 be adopted as exhibited subject to the following:

- 1. Adopt the Master Plan as a Reference Document subject to the following modifications:**
  - **Delete the ‘Straight Training Track’ from its current location on the Master Plan and rename this Version 11**
  - **Rename the document to Investigation Area 1: Feasibility and Master Plan (date to be inserted)**
  - **Update wording as required in the Feasibility Study and Master Plan as set out in Items 7,8,9,10 and 12 in the Table of Recommended Changes found at Appendix E of this report.**
- 2. Adopt Clause 21.04 subject to the changes contained in Appendix D of this report.**
- 3. Adopt the Special Use Zone Schedule 4 subject to the changes contained in Appendix C of this report.**

#### **Further recommendation**

The Panel makes the following further recommendations:

- **Council develop and implement a standard approach to defining those elements of Master Plans and other strategic documents that are intended to fulfil a statutory role and to ensure that they are implemented through appropriate VPP tools, such as Incorporated Plans.**

# 1 Introduction

## 1.1 The Amendment

### (i) Amendment description

The Amendment seeks to revise the Special Use Zone – Schedule 4 (Goulburn Valley Harness and Greyhound Racing Precinct), make updates to local policy and include the *Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan* (July 2016) (the Master Plan) as a reference document in the Greater Shepparton Planning Scheme.

Specifically, the Amendment proposes to:

- Amend Clause 37.01 Schedule 4 to the Special Use Zone
- Amend Clause 21.04 – *Settlement* to update the relevant Framework Plan and Municipal Strategic Statement
- Amend Clause 21.05 – *Environment* to ensure that growth provides for biodiversity protection
- Amend Clause 21.08 – *General Implementation* to provide direction for the application of the Special Use Zone – Schedule 4 to the subject land, and
- Amend Clause 21.09 – *Reference Documents* to include the *Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan, July 2016*.

### (ii) Purpose of the Amendment

The Amendment seeks to revise the SUZ4 in accordance with the recommendations of the Master Plan and provides a framework for rural residential equine-related uses in the immediate vicinity of the Goulburn Valley Harness and Greyhound Racing Facility.

### (iii) The subject land

The Amendment applies to land shown in Figure 1. Within this, the Master Plan and Explanatory Report highlight the 'Precincts' shown in Figure 2 which relate to the updated SUZ4. Land zoned SUZ4 is predominately used for the Goulburn Valley Harness and Greyhound Racing Facility. The facility is operated by the Goulburn Valley Harness and Greyhound Racing Club (GVHGRC).

The subject site is bounded by land within the Farming Zone Schedule 2 (FZ2) to the north, east and south. To the west, the subject land immediately abuts the Goulburn Valley Highway, a Road Zone Category 1. The site is accessed by the Goulburn Valley Highway.



Figure 1 Investigation Area 1 (Amendment area)  
Source: Master Plan pg. 13

As shown in Figure 2, the GVHGRC is located in the SUZ4 land and occupies the western portion of the site (Precinct A) which includes a greyhound racing track and associated buildings. The central and eastern portion of the land is generally utilised by the Harness Racing Club and Shepparton Pony Club (Precinct B).

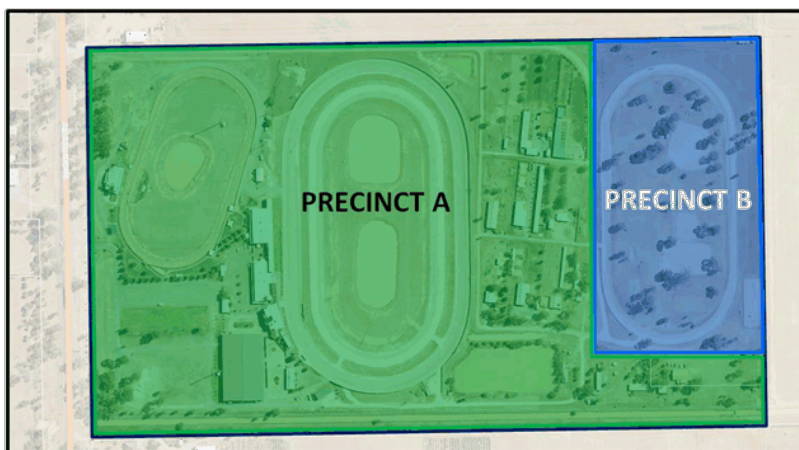


Figure 2 The Precinct  
Source Explanatory Report



## 1.2 Procedural issues

Prior to the Directions Hearing, Council wrote to Planning Panels Victoria (PPV) requesting another Panel Member with specific engineering expertise. As a result, Mr John Hartigan was added to the Panel on 2 June 2017.

On 27 June 2017, APA Group informed PPV that following discussions with Council it was satisfied that it has resolved its outstanding concerns with regard to the Amendment and withdrew its request to be heard.<sup>1</sup>

At the conclusion of the Hearing on day 3, the Panel issued a number of directions to Council and Basic Property Group Pty Ltd that included:

- *Council to prepare a table highlighting areas of its agreed changes to the Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan including suggested annotations to the exhibited Master Plan (version 10), the Local Planning Policy Framework and SUZ4. These should be clearly 'highlighted' in green with the accompanying tracked changes in word from exhibited documents. This is to avoid confusion with the final set of post-exhibition changes.*

Council were offered a short right of reply on these matters and others contained within the Direction, by 20 July 2017. On this date Council's right of reply was received along with a 'Table of Recommended Changes.' This table, along with the Panel's comments, can be found at Appendix E.

Several submitters claimed they did not receive notification of the preparation of the Master Plan or had the opportunity to provide any tangible inputs into it. Council refuted this claim and outlined its detailed consultation methods, including copies of letters and attendance lists.<sup>2</sup>

A number of submitters argued at the hearing that they were not made aware of Version 10 until it was placed on exhibition. Council's expert, Mr Ruzzene, could not clarify to the Panel what version of the plan was last shared with the community prior to exhibition. The Panel does not see the need for further notice.

## 1.3 Background

Council submitted the following background to the Amendment:

The *Shepparton Mooroopna Floodplain Management Study* (2002 Flood Study) was completed in October 2002. Amendment C23 was proposed by Council to introduce new flood mapping following the completion of the 2002 Flood Study.

On 10 June 2004, the consequence of the approval of amendment C23-Part 1 to the Scheme was, relevantly, to:

- apply the Urban Floodway Zone (UFZ) to parts of the Investigation Area; and
- amend the LSIO, delete the Rural Flood Overlay (RFO) and apply the Floodway Overlay (FO) to parts of the Investigation Area.

<sup>1</sup> Document 3.

<sup>2</sup> Document 18.

The Greater Shepparton Housing Strategy (GSHS) was undertaken from 2007 to 2009. Council adopted the GSHS in 2009 and it was updated in May 2011 following consideration of the GSHS as part of Amendment C93. The GSHS and Panel to C93 contemplates a number of “investigation areas” for further strategic assessment, planning (including infrastructure planning) and consideration for future amendment as appropriate.

On 21 June 2012 Amendment C93 was approved and, among other things, the following statement was included in cl 21.04-1 in respect of the Investigation Area:

*Investigation Area 1 – Kialla Paceway and Shepparton Greyhound Racing environs. This area surrounds and includes the greyhound and trotting facilities and is directly adjacent to the Shepparton South Growth Corridor. There is potential to extend services to this land. However, future residential development within this area will be dependent on amenity issues such as lighting, noise, odour and dust being addressed to ensure that the long term interests of the racing facilities are protected.*

Assisted by State Government funding, in December 2013, Urban Enterprise Pty Ltd was commissioned to assess and plan for the Investigation Area.

On 21 July 2015, the Draft Goulburn Valley Equine and Greyhound Precinct – Feasibility Study and Master Plan (Draft Master Plan) was presented to Council. In late 2015, as a consequence of the submissions received by Council on the Draft Master Plan, Council commissioned:

- acoustic assessment to be undertaken by Watson Moss Growcott Acoustics
- model of flood behaviour to be undertaken by Water Technology.

On 14 September 2016, the final Master Plan was endorsed by Council and Council resolved to prepare and exhibit the Amendment.

#### **1.4 Issues dealt with in this report**

The Panel considered all written submissions made in response to the exhibition of the Amendment; as well as further submissions, evidence and other material presented to it during the Hearing, and observations from site visits.

The Panel has reviewed a large volume of material. The Panel has had to be selective in referring to the more relevant or determinative material in the report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the report.

This report deals with the issues under the following headings:

- Planning context
- The Master Plan and Investigation Area 1
- Flooding.

## 2 Planning context

Council provided a response to the Strategic Assessment Guidelines as part of the Explanatory Report.

The Panel has reviewed Council's response and the policy context of the Amendment, and has made a brief appraisal of the relevant zone and overlay controls and other relevant planning strategies.

### 2.1 Policy framework

#### (i) State Planning Policy Framework

Council submitted that the Amendment is supported by the following clauses in the State Planning Policy Framework<sup>3</sup>:

Clause 11 (Settlement) – the proposed Amendment supports the sufficient supply of available land for housing, employment, open space, commercial and community facilities by facilitating the continued growth and development of the existing Goulburn Valley Harness and Greyhound Racing Facility, by providing a framework for rural residential development that complements this use.

Clause 11.12 (Hume Regional Growth Plan) – Consistent with the *Hume Regional Growth Plan* (2014), the Master Plan facilitates the growth and development of the existing Goulburn Valley Harness and Greyhound Racing Facility and provide a framework for rural residential development that complements this use.

Clause 17.03 (Tourism) –The Master Plan seeks to safeguard the ongoing use and development of the land as a recreational asset and facilitate rural residential development that complements this use.

Clause 19.03-6 (Pipeline Infrastructure) – The Master Plan identifies an APA gas pipeline that traverses Investigation Area 1 from east to west, directly south of the subject site. The proposed SUZ – Schedule 4 prohibits development within the designated buffers of this pipeline.

#### (ii) Local Planning Policy Framework

Council submitted that the Amendment supports the following local planning objectives:

Clause 21.04-1 (Urban consolidation and growth) – the *Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan, July 2016* addresses amenity issues raised in the Kialla and Shepparton South Framework Plan, Investigation Area 1. The SUZ – Schedule 4 safeguards the ongoing use and development of the Goulburn Valley Harness and Greyhound Racing Facility. The SUZ – Schedule 4 provides the appropriate planning framework to facilitate rural residential equine-related uses in the immediate area.

<sup>3</sup> Amendment VC134 to the Victoria Planning Provisions (VPP) and all planning schemes in Victoria was introduced on 31 March 2017. It also restructures Clause 11, includes policy-neutral updates and administrative changes and introduces new and updated incorporated and reference documents.

Clause 21.06-6 (Tourism) – the Amendment supports the use and development of the Goulburn Valley Harness and Greyhound Racing Facility for events and tourism.

**(iii) Other planning strategies or policies used in formulating the Amendment**

**Greater Shepparton Housing Strategy (2011)**

The Greater Shepparton Housing Strategy seeks to guide housing delivery and growth, following the adoption of the Greater Shepparton 2030 Strategy Plan. It sets objectives, strategies and actions and establishes a development framework to guide future residential development in Greater Shepparton.

The implementation of the Housing Strategy has resulted in the development of framework plans and the identification of settlement boundaries and investigation areas. Six investigation areas were identified on the Framework Plans. These areas included of issues or constraints, such as environmental, flooding, infrastructure and/or land use conflicts. Investigation areas were identified with the intention that relevant issues be resolved on a site-by-site basis through more detailed analysis.

The potential for investigation areas to accommodate residential development is acknowledged (clause 21.04-1):

*Residential growth outside the nominated settlement boundaries will generally not be supported. As a result the Framework Plans do not indicate any future growth outside the nominated settlement boundary. The exception to this is the land contained within Investigation Areas which upon further investigation may support additional land for residential development.*

The objectives for urban consolidation and growth (clause 21.04-1) include:

*To coordinate the assessment, planning, development and servicing of identified investigation areas in an integrated manner.*

The strategies for urban consolidation and growth (clause 21.04-1) include:

*Avoid incremental approvals and development in identified investigation areas until an integrated investigation has been completed to assess and resolve future land opportunities and constraints, land use, development opportunities, subdivisional layout and servicing for the area.*

The Investigation Area is identified as 'Investigation Area 1', described (clause 21.04-1) as follows:

*Investigation Area 1 – Kialla Paceway and Shepparton Greyhound Racing environs. This area surrounds and includes the greyhound and trotting facilities and is directly adjacent to the Shepparton South Growth Corridor. There is potential to extend services to this land. However, future residential development within this area will be dependent on amenity issues such as lighting, noise, odour and dust being addressed to ensure that the long term interests of the racing facilities are protected.*

### **Greater Shepparton Planning Scheme – Clauses 21.04 and 21.09**

Clauses 21.04 and 21.09 of the Municipal Strategic Statement were amended through Amendment C93 in June 2012 to implement the recommendations of the *Greater Shepparton Housing Strategy 2011*.

## **2.2 Planning scheme provisions**

### **(i) Zones**

The Amendment seeks to vary the Schedule 4 to the SUZ. The purposes of this zone are:

*To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*

*To recognise or provide for the use and development of land for specific purposes as identified in a schedule in this zone.*

No other zones and overlays are proposed as part of this Amendment.

## **2.3 Ministerial Directions and Practice Notes**

### **(i) Ministerial Directions**

Council submitted that the Amendment meets the relevant requirements of the following Ministerial Directions:

#### **Ministerial Direction No 11 – Strategic Assessment of Amendments**

The Amendment is consistent with Ministerial Direction 11 (Strategic Assessment of Amendments) and Planning Practice Note 46 (Strategic Assessment Guidelines).

#### **The Form and Content of Planning Schemes (s7(5))**

The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act.<sup>4</sup>

### **(ii) Planning Practice Notes**

#### **PPN03 – Applying the Special Use Zone**

The Amendment is consistent with PPN03 which states that a SUZ Schedule should provide adequate flexibility to cater for a wide variety of land uses. The proposed SUZ Schedule 4 – identifies two precincts where differing but complementary land uses can be considered.

#### **PPN12 – Applying the Flood Provisions in Planning Schemes**

PPN12 provides guidance about applying flood provisions and identifying land affected by flooding. The Amendment does not propose changes to the current flood zones and overlays that apply to the land.

<sup>4</sup> Significant re-drafting of the SUZ4 in accordance with VC133 on the Form and Content was undertaken post-exhibition and the Panel was taken through this on Day 1 of the Hearing.

**PPN13 – Incorporated and Reference Documents**

The Amendment is generally consistent with PPN13 which states that Planning Schemes should be transparent and complete in terms of policies and provisions that are relied upon to make decisions about planning matters. The Panel discusses some issues related to the translation of this in Chapter 3.

**2.4 Discussion and conclusion**

The Amendment is consistent with and seeks to implement the *Greater Shepparton Housing Strategy, 2011*. The Housing Strategy identifies the Investigation Area as an area for potential future urban growth, subject to further planning and investigation to resolve issues and land use conflicts.

The Panel concludes that the Amendment is generally supported by, and implements, the relevant sections of the State and Local Planning Policy Framework, and is consistent with the relevant Ministerial Directions and Practice Notes.

The Amendment is strategically justified, and the Amendment should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

### 3 The Master Plan and Investigation Area 1

#### 3.1 The issues

The issues are:

- the scope of the Goulburn Valley Harness and Greyhound Master Plan (the Master Plan) and how it applies to the broader Investigation Area 1 (IA1)
- the use of the Master Plan as a reference document, de-facto planning tool and its wording
- APA Gas pipeline
- the Special Use Zone Schedule 4
- acoustics
- compulsory acquisition.

#### 3.2 Evidence and submissions

Elements of the Master Plan, IA1, Clause 21.04, SUZ4 and other matters are discussed in this Chapter.

#### 3.3 The Master Plan and Investigation Area 1

Mr Andrew Sherman, of Russell Kennedy Lawyers for Council submitted that in general terms, the Amendment replaces Schedule 4 to the Special Use Zone (Goulburn Valley Harness and Greyhound Racing Precinct), applies to the broader IA1, makes various amendments to Clause 21 and seeks to include the *Goulburn Valley Harness and Greyhound Racing Precinct – Feasibility Study and Master Plan* (Master Plan) as a reference document in the Scheme. The Master Plan before the Panel (Version 10) is shown in Figure 3.

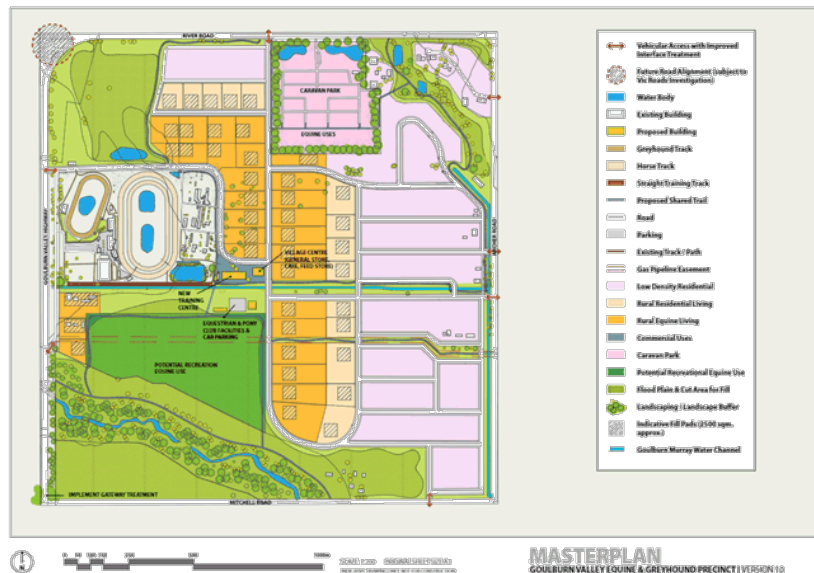


Figure 3 Master Plan Version 10  
Source: 2016 Master Plan

As shown in Figure 1 of this report, IA1 is bounded by River Road to the north, Archer Road to the east, Mitchell Road to the South, and Goulburn Valley Highway to the west. This Investigation Area is one of a number in the municipality and the Scheme.

It is approximately 306 ha in area, situated approximately 6.5 km to 8.2 km south of Shepparton's central business district and is partly subject to the Farming Zone (FZ), partly subject to the Urban Floodway Zone (UFZ) and partly subject to the Special Use Zone, Schedule 4 (SUZ4).

Mr Lachlan Watts, representing Basic Property Holdings (BPH) (submitter 12) submitted that the SUZ4 land is owned by Council and leased to the Goulburn Valley Harness and Greyhound Racing Club (GVHGRC). BPH opposed the Amendment in its entirety and sought for it to be abandoned.

Council submitted:

*It should be observed that the land of submitter 12 is the largest parcel and would obtain substantial advantage from the implementation of the Master Plan with an ability to develop low density residential land over its eastern portion, an ability that does not currently exist.*

A number of submitters, Gordon Hamilton, Tony Gagliardi, Louise Gagliardi, Rocco Lorenzini, Maria Lorenzini, Giuseppina Lorenzini, Alfredo Lorenzini, Antonina Gagliardi and Giulio Gagliardi (submitters 5, 9, 11, 13, 14, 15, 16, 18 and 19) variously asserted the Amendment to be inconsistent with 'the previous master plan', 'the strategy documentation, policies and procedures', 'other Strategies Policies and documentation', 'other studies strategies, policies and documents' and 'findings, studies and strategies.'. Many of these submitters raised issues of a lack consultation, and questioned how the Master Plan related to the broader IA1, and whether or not they were constrained by it.

BPH submitted that the Master Plan required "major surgery" and whilst it may be the start of a good document, its implementation would be "messy". It outlined its concerns with flooding (discussed in Chapter 4), acoustics and changes to the Master Plan and amendments to the SUZ4 (discussed below).

Mr Toll (submitter 7) on behalf of the "Landowner Members of the Kialla Investigation Area 1 Association" argued that the Amendment was contrary to Council's resolution and provided a competitive advantage to the GVHGRC and Council. He argued that the Master Plan sought to control future rezoning of neighbouring properties, contrary to the State's Competitive Neutrality Policy adopted in 2012.

Mr Toll, amongst others submitted that the Amendment should include the entire investigation area for rezoning, as opposed to only dealing with the SUZ4 land. They submitted that:

- *the Amendment is premature until a formal flood study is undertaken and approved by the Minister for Planning;*
- *the Amendment should not rely upon the Goulburn-Murray Water channel, which may be removed or piped in the future;*



- *intensive animal husbandry has been prohibited under the existing SUZ4, yet the exhibited SUZ4 seeks to allow horse stables, which amounts to 'double standards' given the content of the Master Plan;*
- *proposed SUZ4 allows inappropriate concessions, including housing for trainers and employees, subdivision of 0.4 ha lots, horse stables and veterinary centres;*
- *there appears to be an intent through the Master Plan to devalue land in the Investigation Area to assist future land acquisition.*

In response, Council submitted:

- *The Amendment is consistent with strategic planning undertaken by Council to date, including all relevant strategies and policies.*
- *The Amendment has appropriate regard to all relevant economic, environmental and social considerations and has been formulated based on expert empirical assessment of acoustic and flooding matters.*
- *The submissions are not substantiated and there is no need to change the Amendment.*

Council submitted that the Amendment does not seek rezoning of any land and reiterated its purpose was to include the Master Plan as a reference document to provide a basis for potential future rezoning within IA1.

Council called the independent evidence of Mr Ruzzene of Urban Enterprise in relation to strategic planning and economics. Mr Ruzzene identified the substantial contribution that the GVHGRC and the industry made to the local and state economy, approximately 145 full time equivalent jobs and \$14 million in total value add to the Goulburn Valley economy.<sup>5</sup>

It was his evidence that:

*There are adequate stocks of General Residential Zone land as identified in the Greater Shepparton Housing Strategy ... Opportunity for a different residential offer from other growth areas in Shepparton (exists), specifically focussed towards harness trainers and recreational equine residents.*

Mr Hazelman, represented the GVHGRC and outlined its history. He noted that the club purchased the land in 1964 and commenced racing in 1969. In 2002, it received a \$3 million grant to redevelopment of showgrounds and greyhounds moving to their Kialla complex. He explained that "significant investment has occurred predominately since 2002 – in the order of \$13 million."

He stated that the GVHGRC was one of the busiest for Harness and Greyhound Racing in the country, holding up to 104 events per year plus trials. He estimated that harness racing events occurred on average once every 9 days plus trials. He concluded by reinforcing support for the Council's Master Plan submitting "there are strong indicators for growth and development on the site."

Mr Lorenzini (submitter 13) spoke on behalf of his family and outlined that they had been adjacent the racecourse site since 1962 and were not informed about a floodway overlay

<sup>5</sup> Document 7

until the initial Master Plan was released. He argued that the use of land at the racecourse must not affect the amenity of adjoining landowners and the Amendment was taking away their rights to object. He questioned the Council vision and cited frustrations in obtaining necessary information, while he and his family were always abiding by the law.

A number of submitters argued that the Master Plan effectively “locked in” their future development options, including detailed aspects of cut and fill, public acquisition and future use. BPH argued that the Master Plan was a ‘de facto’ rezoning.

Council submitted that significant parts of the IA1 are subject to the Land Subject to Inundation Overlay (LSIO) and subject to the Floodway Overlay (FO). It explained that:

*This Amendment contains no rezoning of any kind and makes no change to the current flood zone or overlay controls affecting Investigation Area 1 ... A key aspect of a potential development of Investigation Area 1 is that it should not have adverse impact upon land outside of the Investigation Area.*

Council outlined that the Master Plan contemplates the potential development of IA1 “more broadly.” It explained that a number of additional steps would be required before any potential Public Acquisition Overlay (PAO) or Development Contribution Plan Overlay (DCPO) was contemplated. It was submitted that the Master Plan provided appropriate protections and guidance to the development of the SUZ4 land, and “protection and guidance to decision makers in relation to any current or future planning permit applications in the Investigation Area.”

BPH requested that the Explanatory Report be amended to better reflect the contents of the Amendment. Council submitted that there was “no value or purpose in subsequently and retrospectively amending an explanatory report after a Panel Hearing has occurred”, noting that there could be a variety of arguments why that would be inappropriate in seeking to effectively “change” the facts retrospectively.

**(i) Discussion and conclusions**

The Panel agrees with the submissions of Council that the Master Plan provides appropriate protections and guidance to the development of the SUZ4 land and guidance to decision makers in relation to any current or future planning permit applications in IA1.

There was some confusion at the Hearing on what version of the Master Plan was being discussed. Council’s expert, Mr Ruzzene, could not clarify to the Panel what version of the plan was last shared with the community prior to exhibition and why Version 10 (before the Panel) was ultimately chosen over previous versions. Mr Toll maintained that it was Version 8A that Council had endorsed, not the current Version 10 before the Panel.

Having said this, the Panel notes a plan prepared by Mr Toll in 2012 and tabled by Mr Hazelman<sup>6</sup>, bore remarkable resemblance to the Master Plan Version 10. This suggests to the Panel that there has at least been a working knowledge amongst landowners of what was being proposed. The major change relates to two of the submitters’ properties on the corner of River Road and the Goulburn Valley Highway, (Toll) and in the south-west corner

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<sup>6</sup> Document 20.

(Hamilton) previously earmarked for commercial and residential (resort eco-housing) now both shown as flood plains.

The landowners within IA1 have felt disenfranchised and disengaged, and both Council and GVHGRC need to now work hard and effectively to gain back the trust and support of its local community. This was illustrated in some point by the fact that the Master Plan was even labelled specifically to the GVHGRC and not the broader IA1 area. This was reinforced by the impassioned presentation of Mr Lorenzini. With regard to not knowing about the flood overlays, Mr Lorenzini was informed that these controls were not coming in as part of this Amendment, but had been introduced some years earlier.

The Panel is concerned about the amenity impacts on the Lorenzini property in particular. A step toward this would be the deletion of the straight training track that was proposed to be located directly next to the Lorenzini property. The Panel was not taken to any compelling reason or need for this track to be located where it was. The Panel has recommended that this be removed from the final Master Plan, due to its proximity to an existing residential property. The Panel has made recommendations with regard to acoustics to assist with amenity issues.

In reading the Master Plan, it is clear to the Panel that there is a broad plan for the future of IA1. As with all master plans, these are subject to change with future applications. No PAOs, or Flood Overlays are proposed as part of this Amendment.

It is apparent to the Panel that that the Master Plan relating to the broader IA1 and its implementation has not been clearly communicated. It is implicit in its Explanatory Report (not referencing the broader IA1) and the title of the Master Plan (missing the IA1).

The Panel agrees with the submission of BPH that the heading of the Master Plan should be amended to reflect the area impacted by it. Council subsequently agreed with this view as well, and this is reflected in Appendix E by proposing that the Master Plan title should read "Investigation Area 1: Feasibility Study and Master Plan." The appropriate date can be added once other changes are applied, prior to Gazettal. This title change is necessary as it assists all parties into the future.

### **3.4 Reference document and Clause 21.04**

During the course of the Hearing various submissions raised issues associated with the use of the Master Plan as a Reference Document its content. In a broader sense, these submissions raised issues about the statutory role that these documents have.

BPH submitted if the Master Plan was to be a reference document, then consistent with PPN13 requiring transparency, the heading should be amended to reflect the total area affected by the Master Plan. It argued that this and the Explanatory Report were misleading. BPH also submitted that the Explanatory Report conveyed the Amendment affecting 40 hectares (the SUZ4 land), and not the whole 310 hectares of IA1.

Mr Keaney, speaking to the drafting of the SUZ4 on behalf of Council submitted:

*There is no question that this reference document has informed SUZ4 – look to the first purpose. There is a link in Clause 21.04, therefore if its (sic) linked*

*under proper construction it needs identification in the MSS as a Reference Document.*

BPH submitted that the inclusion of the Master Plan as a Reference Document in the Planning Scheme elevated its status and was a 'de facto' rezoning of the land. It argued that the Master Plan and the weight afforded to it was a "hybrid" between a Reference Document and an Incorporated Document, but unlike an Incorporated Document a Reference Document could be amended at any time.

When asked what status should be afforded to the Master Plan, Mr Keaney replied:

*The Greater Shepparton planning scheme arising from its Housing Strategy went so far as identifying Investigation Areas. These provide a chance for further work to identify capacity. That further work has been done – it will assist in future requests for land outside SUZ4.*

*There's no question there's been extensive consultation and Council now has a document that will assist it in time to answer the orderly and proper planning test. My reading of the Practice Note – is that it provides guidance for the future. The Explanatory Report makes it clear this Master Plan is opening up opportunities for rural living but it is well short of finalisation of how that might appear and how landowners might respond. It's a good start.*

Mr Keaney raised an example in Warrnambool C93 where Council used the Amendment to implement the *Warrnambool Strategy Plan*. He proffered:

*It identified opportunities and left it for land owners to come forward and implement. This is a similar case. It is a higher level concept plan for the way this area might evolve. In the case of this Amendment, the Council had control over the SUZ4 land only and were satisfied the Master Plan gave them ammunition to refine the SUZ4.*

The wording of Clause 21.04 was the subject of several submissions, particularly by submitters Hamilton and BPH. They submitted that the "concept of cross referencing clause 21.04 to a Reference Document is a misuse of the concept of a Reference Document" and not in accordance with *Planning Practice Note 13 – Incorporated and Reference Documents, June 2015*.

BPH argued that the interplay of the proposed amendments to Clause 21.04 and its cross-referencing at Clause 21.09 created a "mandatory requirement" for the future development of IA1, and that any future use and development applications lodged in the 'non-precinct' land will have to be determined by giving weight to the Master Plan.

Council submitted:

*The Amendment is consistent with Planning Practice Note 13 – Incorporated and Reference Documents, June 2015. The Master Plan is proposed to be included as a reference document to inform the Scheme and to guide further strategic steps for the parts of Investigation Area No. 1 outside the Precinct. Such further work may include rezoning and further overlays, all of which is*

*consistent with the Housing Strategy as commented in Amendment C93. This is entirely appropriate.*

As part of its Table of proposed changes (Appendix E) Council proposed the following wording at Clause 21.04 to state:

- *Ensure that amendments and development in an Investigation Area, where the Investigation Area Study has been completed, are informed by and has regard to an approved Master Plan (included as a reference document at Clause 21.09 Reference Documents).*

BPH submitted that revisions to Clause 21.04 proffered by Council by the additional of the words “are informed by and has regard to” would not be interpreted meaning that the Master Plan is cross referenced merely to provide useful background information. BPH raised concerns that this had wider implications for the other investigation areas contained within the Planning Scheme.

BPH argued that the Master Plan had sufficient weight to be relied upon and that the Tribunal had considered the status of a masterplan that was a reference document but was not incorporated into the planning scheme as having effect:

*The masterplan is a reference document referred to in the planning scheme, but it is not, of itself, an incorporated document. Nevertheless, it is clearly of importance in relation to the future use and development of the CUB site and the review site in relation to the present case.<sup>7</sup>*

BPH submitted various case law examples to illustrate why the proposed amendments to clause 21.04 (with the revision) will result in any future use and development applications to non-precinct land having to be determined by giving weight to the Master Plan as the fundamental element by which applications must be determined. It argued that there was a long line of case law that established that these words, used in any statutory instrument, had the effect of creating a mandatory obligation on a decision maker.

Council submitted that the BPH submission was legally incorrect. It explained:

*It would be inappropriate to establish the Master Plan as an Incorporated Document in respect of the non-Precinct areas of Investigation Area 1 unless or until that land is actually rezoned ... At the present time that is not appropriate given the tasks associated with appropriate Development Contributions, potential PAO's and final development form.*

Council tabled a VCAT decision relevant to IA1 to illustrate this point. In this decision, VCAT explained:

*Reference documents provide background information and have only a limited role in decision-making as they are not part of the planning scheme. They should not be relied upon as a de facto planning control that sits outside the planning scheme<sup>8</sup>*

<sup>7</sup> *Queensberry Hotel Pty Ltd v Minister for Planning and Community Development.*

<sup>8</sup> Document 17: Hamilton v Greater Shepparton VCAT 1613/2014 para. 42.

It concluded by stating that the BPH submission:

*Re-states the inaccurate and wrong propositions that the adoption of the Master Plan as a Reference Document reflecting a potential development scenario for the broader land constitutes a de-facto rezoning or de-facto compulsory acquisition.*

**(i) Discussion and conclusions**

The use of reference documents comes up regularly at Panels. The Panel adopts the views held by the Greater Geelong C129 Panel that:

*While it was entirely appropriate that the veracity of the background work be rigorously tested, it seemed to us that Council and many submitters have an unwarranted expectation about the statutory role that these documents have. In some cases this expectation is based on the fact that the strategies in the MSS refer explicitly to implementing a particular plan or strategy.*

*It is clear to us that Reference Documents should only be relied upon to provide background or explanatory material in support of the planning scheme. They should not be relied upon as a de facto planning control that sits outside the planning scheme. If Council intended that these documents have a statutory function then it should have proposed that they be included as Incorporated Documents.<sup>9</sup>*

The Master Plan is clearly a background document, providing a vast array of explanatory material in setting out a vision for the IA1, most notably the GVHGRC and its facility. It provides background and context primarily to the updated SUZ4 (discussed at section 3.3). Importantly, the SUZ4 only relates to the land shown in Figure 2 (the precincts).

The *Table of Recommended Changes* with Panel comments contained at Appendix E outlines a discussion between BPH and Council and their response to the need for changes to wording to the Reference Document. The Panel does not believe that it is necessary or appropriate to recommend that they be substantially modified so that they are consistent with the planning scheme provisions. In addition the Panel does not believe that a detailed review or form conclusions about all of the material in the Master Plan is required except where they have an explicit link to the Amendment.

The Panel have considered these documents in so far as they are relevant to the exhibited Amendment provisions and where appropriate have recommended various changes to those provisions. The Panel does not see merit in reflecting the majority of suggested changes in Appendix E in a revised version of the Reference Document given that it is a background document. The Panel is satisfied that should any confusion arise between what is in the reference documents and what is in the final form of this Amendment, then this Panel Report is one means of resolving that confusion.

The Panel is cognisant of the fact that that revising reference documents to reflect the final content of the Amendment can, on occasion ignore the practical difficulties associated with

<sup>9</sup> Greater Geelong Planning Scheme Amendment C129 Panel Report: pg. 20-21.

the precedent that this would set. It was taken by Mr Keaney to the Greater Shepparton C112 Panel Report that dealt with the introduction of an Integrated Design Manual (IDM) and a critical issue was whether or not the document became a reference or an incorporated document.

That Panel determined that it should be a reference document because it is a guide and it embodies the discretion in the planning scheme. This Panel adopts the same view of the Master Plan. Where applicable, it guides the exercise of discretion but not to a point where it rules out other options. This is something lost on some of the objectors to this Amendment.

The Panel does not support an approach whereby reference documents are relied upon as a de facto statutory tool. This is discussed continually throughout this report. The Panel adopts the views of Greater Geelong C129 Panel that:

*Where elements of those documents are intended to have statutory weight, then they should be implemented through appropriate VPP tools. Where they provide broad strategies at an MSS level these strategies need to be an explicit part of the MSS.<sup>10</sup>*

The Panel agrees with submissions that Council has afforded a greater weight to the Master Plan through its cross-referencing in Clause 21.04 and SUZ4. Contrary to its arguments at the Hearing, Council does rely on the Master Plan in some places of its local policy and the SUZ4. The Panel concludes if the Council intended that the Master Plan was to have a statutory function, then it should have proposed that relevant parts of the document be included as an Incorporated Document. This is not the case.

By inserting explicit “hooks” in Clause 21.04 (and direct reference in the SUZ4) the Panel concludes that Council have, unintentionally, given greater statutory effect to the Master Plan than it perhaps thought. The Panel would not go so far as to agree with BPH that this has the effect of creating a mandatory obligation on a decision maker, however it certainly has elevated the status of the Master Plan beyond that of a reference document. The Panel concludes that such references be removed from Clause 21.04. This is expressed in the Panel’s preferred Clause 21.04 found at Appendix D of this report.

The Panel notes that when Council prepares or commissions planning studies in the future, it should give greater thought to how those studies will be implemented through the planning scheme. The Panel concludes that future applications for land outside the SUZ4 area are only broadly guided by the Master Plan, and not bound by anything. If Council is serious about applying future use and guidance outside of the SUZ4, it needs to consider applying other tools within the Victorian Planning Provisions (VPP) to achieve that function. For these reasons the Panel has amended some of the language and removed references to the Master Plan in the SUZ4 and Clause 21.04 to reflect the background role that the reference document plays.

The Panel is satisfied that the Council has undertaken necessary consultation in the preparation of the Master Plan and this Amendment. It questions at what point the

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<sup>10</sup> Greater Geelong C129: pg.22.

consultation stopped, as Mr Ruzzene was not clear in his evidence to the Panel what iteration of the Master Plan was last made available to the community prior to this Amendment process. Regardless of the versions before it, the Panel concludes that Master Plans by their very nature are open to interpretation, and as a reference document they are not afforded the same weight as an Incorporated Document.

The Panel notes that all Council's must be cognisant of their consultation methods and these are often dictated by project budgets. Ultimately, the final "version 10" has been put to the Panel and many stakeholders were able to provide comments to the Panel. Nevertheless, moving forward Council should be clear in what version Master Plan it is seeking comment on and clearly articulate changes between iterations so stakeholders are fully informed.

Ultimately, the Panel concurs with the statement of Mr Keane and concludes that the Master Plan identifies opportunities for land owners to come forward and implement, and should they wish to go another way that is for them to justify through a separate amendment process.

Other than for inconsistencies discussed in Appendix E, the Panel have not recommended that the Master Plan, as a reference document be substantially changed.

### **3.5 APA gas pipeline**

APA Operations (submission 17) sought changes to the Amendment. These related to detailed conditions concerning the high pressure APA gas pipeline (the Pipeline) that traverses IA1. In general terms, Council agreed to change the Master Plan to accommodate APA's request. These changes are contained in Appendix E.

BPH did not support the current or proposed wording change. Council suggested that if the Panel did not recommend the inclusion of the modified words in the Master Plan, then words related to the Pipeline would need to be reinserted into the SUZ4 to ensure APA were consulted.

#### **(i) Discussion and conclusions**

The Panel does not support constant updating of a reference document and as such does not support the Pipeline changes in such detail. It notes that the Master Plan clearly denotes the Pipeline easement and requirements such as the APA guidance should relate to future planning permit conditions rather than be contained in such detail within the Master Plan.

The Panel does not support the inclusion in such detail and believes the advice contained within the exhibited Master Plan is sufficient. Being cognisant of Council's suggestion, the Panel has inserted in the 'Decision Guidelines' to the SUZ4 (Appendix C) the following:

*For applications within 160m of the high pressure gas pipeline, the views of the relevant operator*

The Panel concludes this provides the necessary link for the relevant gas pipeline operator to make appropriate comments with future applications.



### 3.6 The Special Use Zone Schedule 4

A number of changes to the SUZ4 were tabled in response to the Ministerial Direction. Council submitted that “subject to some re-wording, the existing zone ‘purposes’ have been retained in the exhibited SUZ4. New purposes have also been introduced.”

Council and Mr Keaney explained that the other major input underlying the preparation of the exhibited SUZ4 is experience drawn from a number of recent amendments which have addressed very similar issues to those found at Kialla being:

- *Pakenham Racecourse (Cardinia Amendment C141)*
- *Dowling Forest Racecourse (Ballarat Amendment C149)*
- *Wangaratta Racecourse (Wangaratta Amendment C86)*
- *Cranbourne Racecourse (Casey Amendment C166).*

It was explained that each of these Amendments have sought either to:

- protect existing facilities near a racecourse; or
- encourage the growth of horse training facilities next to the course.

Mr Keaney outlined that the SUZ4 before the Panel was a combination of the existing schedule, rebranded to include best practice from other Councils with similar controls and the Master Plan vision. With regard to the Ministerial Direction, Mr Keaney proffered that “nearly all the red is ministerial direction related. We are caught in the middle of this – the modified version accords with this new Ministerial Direction.”

He explained that Council changed ‘equine or horse’ references to ‘harness’ and linked it to those registered under the relevant harness legislation. This was illustrated by the condition in Section 1 relating to ‘Animal Training’. Council, as explained throughout the Master Plan, was keen to ensure that a specific type of user, registered under the relevant Harness legislation was referenced.

Mr Keaney explained that the Ballarat C149 Panel concluded there was good reason for the SUZ because it was seeking a limited objective in a limited area – horse owners next to a track facility, not rural residential owners.

Mr Keaney submitted the same scenario applied to this Amendment for Harness Racing owners as the GVHGRC saw this as a potential magnet for trainers to establish their operations at this track. This in turn lead to the proposition of residential lots being proposed within the IA1, that may be subject to lower amenity standards (noise and light) but on the understanding that they were effectively industry specific owners living and working in their surrounds.

Council submitted that the Master Plan distinguishes between the existing racing facilities (Precinct A) and an associated area of land which is identified as a potential equine related residential area (Precinct B). It noted that “the exhibited SUZ4 adopts this distinction.”

Council took the Panel through its detailed changes to the SUZ4. These are contained in Appendix C of this report. In particular, the Council noted:

*The exhibited SUZ4 includes new requirements in respect of use of land for the purpose of a dwelling. The purpose of these new requirements is to limit the*

*circumstances in which a dwelling can be permitted, to require new dwellings to be, in general terms, in conjunction with the harness industry.*

Council submitted that the exhibited SUZ4 includes the need for a section 173 agreement to be entered into to require that the land on which the dwelling is located must be used for the purposes of horse training or horse stables. It proffered:

*This is an important feature of the Amendment, which seeks to better safeguard the greyhound and harness racing facility from the establishment of incompatible dwellings. The inappropriate establishment of dwellings without nexus to harness racing within the vicinity of the racing facility would be problematic, with the potential to compromise the amenity of the dwellings and the operation of the racing facility. The outcomes which have been allowed to eventuate at the Cranbourne and Ballarat racecourses are sought to be avoided by the Amendment.*

Council submitted that the required 'nexus' for a dwelling to the harness industry was a very important aspect of the Amendment. It was Council's view that:

*The recent examples of amendment C141 to the Cardinia Planning Scheme (which approved the new Pakenham Racecourse and training facility) and amendment C149 to the Ballarat Planning Scheme (at and adjoining the Dowling Forest Racecourse) has provided the 'model' that is sought for this facility at Kialla.*

BPH submitted that the Amendment results in a number of proposed uses in the SUZ4 being exempt from notification requirements of the Act. It argued that given the scale of potential developments that would benefit from these exemptions, it was inappropriate. BPH cited case law<sup>11</sup> to reinforce their argument. Council submitted that modifications to limit those exemptions have been advanced in the version of SUZ4 provided immediately prior to the Panel Hearing for consideration of the Panel. It argued that the SUZ4 was, in its revised form to incorporate the latest practice direction, appropriate for adoption.

Mr Keaney submitted that:

*Without question the existing schedule has been carried forward. The Master Plan is the key to the purpose of the SUZ4, and as such it has an elevated position.*

Council submitted that they had tightened the SUZ4 exemptions from notice and review in response to submissions. The Master Plan shows "indicative fill pads" of approximately 2500 square metres for low density and rural residential living, within the SUZ4 precinct and extending into the IA1.

Mr Keaney explained:

*You will see the schedule adopts a figure of 0.4 hectares – this has not been dragged from the master plan. It is based on interpretation and other*

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<sup>11</sup> Von Hartel V Macedon Ranges Shire Council (2014) 48 VR 632.

*experience. I cannot take you to a point in the master plan where this is specified – it is the absolute minimum.*

*In doing final edits we have prohibited warehouses but in the text – Rural Industry and Store are discretionary. In the exhibited draft the SUZ said ‘rural industry, store and warehouse’ and we deleted warehouse because you can’t have it. The other driver for the minimum lot size are septic requirements.*

Mr Keaney reiterated that there are no changes in relation to any controls outside the SUZ4, and that the Master Plan was a guide. In response to questions regarding issues that impacted on drainage outside the SUZ and notice exemptions, Mr Keaney replied that any application needs to be assessed on its merits and how it relates to the broader IA1. He added that this it would be subject to a separate application process, and including the GBMCMA.

Mr Toll and Webb Surveyors (submitters 7 and 8) objected on the basis that the SUZ4 was drafted to remedy a serious planning issue of intensive animal husbandry, and cover up for unapproved uses and development in the precinct. Council submitted that the Amendment did not retrospectively “remedy” any planning issues. During the Hearing Council produced relevant permits for the buildings Mr Toll had questioned (Document 16).

**(i) Discussion and conclusions**

Council produced the necessary documentation regarding previous approvals for certain structures questioned by Mr Toll. It was not for the Panel to interrogate these, only to comment that the documentation appeared tenuous at best. It notes that it is a somewhat unorthodox practice to endorse aerial photos for buildings and works as an endorsed plan.

The Panel concludes that the Amendment does not retrospectively remedy any planning issues. For the reasons explained, the Panel does not support explicitly referencing the Master Plan in the SUZ as it is a reference document.

The Panel notes Council’s submission that this is a refinement of the current zone that applies to the Precinct. The Council provided numerous examples of where the SUZ has been applied in similar circumstances. With the exception of Ballarat C149 and Casey C166, other examples tabled by Council did not refer to a specific Master Plan, or exempt notification rights within its SUZ schedules. In Casey C166, the Amendment incorporated *The Cranbourne Racing Complex and Surrounds Investment and Development Plan* which thereby allowed it to insert exemptions from notice. Ballarat C149 contained a blanket exemption “within the total boundary of the property.”

The Panel understands that the changes to the SUZ4 appear substantive, and could be viewed as transformative. The SUZ4 provides tailored guidance to the GVHGRC and its facility. When reviewing the changes, the Panel concludes it is not transformative, but a redistribution of material that already existed within the schedule, save for some specific outcomes of the Master Plan process.

The mechanism of the SUZ in itself is appropriate. The Panel adopts the views held by the Ballarat C149 Panel that stated:

*The principle of applying a SUZ to achieve a particular outcome is an appropriate use of the VPPs ... The Panel observes other examples of key infrastructure and sometimes surrounding land being included in a SUZ. Examples are associated with racecourses, airports and major tourist facilities.<sup>12</sup>*

The Panel concludes that it is common for the SUZ to apply to similar racing and training venues around Victoria and the SUZ4, subject to changes contained in Appendix C and should be supported.

Council outlined a strong submission as to how the Master Plan has informed the SUZ4. The Panel concludes that this Amendment process has clearly signalled to surrounding owners the intentions of the GVHGRC. It is a long standing and existing use, and the Master Plan has outlined its growth aspirations tied to that use. The Panel supports the notice exemptions in SUZ4, as they relate to the table of uses and Precinct Plan. It has removed references to the specific Master Plan in within the SUZ4, as it is only a Reference Document and should not appear in zone controls.

### 3.7 Acoustics

The issue is whether the controls as set out at clause 2.0 of the exhibited SUZ4 Schedule are appropriate with respect to noise emanating from uses within the SUZ4.

The proposed clause 2.0 in the exhibited SUZ4 Schedule requires that noise emission levels when measured in Precinct B must not exceed the following levels:

- Public Address Systems – 55 db. (A) LEQ
- Music or concerts – 65 db. (A) LEQ measured outside any residential property.

Council submitted that the proposed requirements in respect of acoustics are appropriate as they are consistent with the existing controls in the current SUZ4 and the acoustics report prepared by Watson Moss Growcott dated 16 May 2016.

Council submitted that:

*Under the option for potential development contemplated in the Master Plan ... the areas most affected by the flooding impacts associated with Sevens Creek ... are the least likely areas to be used for residential development. Whether further acoustic assessment and additional ameliorative measures are required at a future date, is yet to be established and need not be resolved at this stage.*

BPH quoted part of an email sent on 8 February 2016 by Mr Goddard of Watson Moss Growcott to the Council. In this email, Mr Goddard stated inter alia that due to the weather conditions prevailing on the night of attendance at the harness racing, it was necessary to use the results of the noise measurements relatively closely to the speakers where the wind did not influence the measured levels and to set up a noise model.

BPH asserted that this was *an entirely unsatisfactory basis on which the acoustic characteristics which underpinned the Amendment have been assessed.*

<sup>12</sup> Ballarat C149 Panel Report: pg.45

BPH added:

*Council's acoustic expert, Mr Goddard, conceded that the acoustic study was mainly directed at studying the acoustic impacts in areas designed for housing in the Master Plan. He conceded that more work would be required to properly assess the impact on properties to the south and the southeast of Precinct A. Such work should be carried out and examined prior to C199 going any further.*

BPH asserted that the failure to properly consider the impact on properties to the south and southeast of Precinct A "arguably constitutes a contravention of the *Charter of Human Rights and Responsibilities Act 2006 (Vic)*." He did not advance any further arguments on this point.

In his Expert Witness Statement, Mr Goddard noted that direct noise measurement of noise levels at affected receptor locations can be a valid means of identifying the resultant noise levels at receptor locations from a noise source (in this case, the public address system at the harness racing facility) but that direct measurement is subject to a number of limitations. He added that direct measurement is not the only way to assess noise emissions and that the science of acoustics is well established and noise modelling packages have been developed. He stated that:

*Noise modelling has therefore been used to provide a much more useful outcome in relation to both off-site noise effects and the functionality within the harness racing precinct than would have been possible by means of only direct noise measurements conducted in the investigation area.*

Mr Goddard noted that while 55dB(A) Leq was a reasonable target for events occurring 20-25 times per year during the evening, this was a prominent level and its acceptability to residents would depend on their expectations. He posited that:

*Residents in the vicinity of a racing venue who have an expectation of some noise impacts from that venue may well find up to 55dB(A) Leq occurring for a cumulative total of up to an hour and a half per evening on approximately 20-25 evenings per year acceptable.*

*However, residents with a more purely 'residential amenity' expectation may not be satisfied by such levels. Therefore further consideration has been given to lower levels based on the EPA approach to general commercial, industrial and trade noise.*

He considered that based on the assessment framework for general noise emission to residential premises in regional Victoria (Noise from Industry in Regional Victoria – NIRV), a level of 45dB(A) Leq be consistent with a purely 'residential' expectation of amenity as distinct from residents who chose to occupy land in an Equine Related Rural Living zone where up to 55dB(A) Leq is considered reasonable.

Mr Goddard proposed that a reasonable framework for considering the development of residential uses within the investigation area would be as follows:

- <45dB(A) Leq during use of Public Address system – Rural Living or Low Density Living
- 45dB(A) to 55dB(A) Leq during use of Public Address system – Equine Related Rural Living

- >55dB(A) Leq during use of Public Address system – Non-sensitive land uses.

He suggested that to align expectations with reality, there could be some benefit in including a notice on titles to the effect that Rural Equine Living Land will at times be subject to audible noise emission from the racing facilities.

He concluded that with the existing Public Address system at the harness racing facility, there could be adverse noise impacts at locations within the investigation area being considered for residential development under some weather conditions.

At the hearing, BPH referred to Figures 7 to 9 in Mr Goddard's Expert Witness Statement which showed noise level contours for various weather conditions. Mr Goddard agreed that these contours showed levels greater than 45 dB(A) Leq for areas immediately south of the Precinct depending on wind directions and that there was scope for further changes to the Public Address system to reduce noise impacts on existing residences. He stated that further modelling would be required to refine the design of the Public Address system to reduce source emissions should a maximum level of 45dB(A) Leq be specified for areas in the investigation area which were outside the SUZ4 Precinct.

**(i) Discussion and conclusions**

The Panel is satisfied that the noise impact assessment carried out by Mr Goddard provides a sound basis for assessing the impact of the acoustic controls proposed in the Amendment. In his written statement and in oral evidence at the hearing, Mr Goddard provided a thorough explanation as to why an assessment based on noise modelling rather than direct measurement was appropriate in these circumstances.

The proposed controls specify that noise emission levels from the Public Address system when measured in Precinct B must not exceed 55 dB(A) Leq. Mr Goddard suggested that the 55dB(A) Leq maximum may be acceptable to residents within the SUZ precinct as they would have some expectation of noise emanating from the horse racing facilities. He added, however, that this level may not be acceptable to those living outside the Equine Related Rural Living zone and that outside the Precinct, a maximum level of 45 dB(A) Leq would be appropriate.

The Panel agrees with Mr Goddard's assessment. A control at the lower level of less than 45 dB(A) Leq should be included in any future amendment with respect to development in the investigation area outside of the Precinct.

The difficulty remains, however, that the noise impact assessment done by Mr Goddard clearly shows that the existing residences south and southeast of the Precinct are subject now to noise levels above 45 dB(A) Leq during some weather conditions. The Panel understands that some adjustments to the horse racing Public Address system have been made to reduce noise emissions but, as explained by Mr Goddard, further modelling would need to be done to identify further refinements to reduce noise levels outside the Precinct to meet maximum levels of 45 dB(A) Leq at sensitive receptors (i.e. houses).

The Panel sees this evidence is integral to ensure ongoing amenity for existing surrounding residences, in line with industry standards. The Panel concludes that the acoustic evidence and further refinement of the PA system should be done now in advance of any future

amendment to lessen noise impacts on existing residences just outside the Precinct. It concludes that an additional consideration be added to the 'Amenity' section of the schedule that states:

*Noise emission levels when measured in the investigation area outside of the SUZ4 Precinct must not exceed a maximum level of 45dB(A) LEQ*

### 3.8 Compulsory acquisition

BPH submitted that the Amendment was a "de facto form of compulsory acquisition." BPH argued that the cross-referencing of the Master Plan in local policy at Clause 21.04 and previous decisions of VCAT meant that land in other areas of IA1 was undevelopable or "being cut off from other development options."

BPH raised a number of legal issues and that the Panel and Council needed to be aware of what the *Charter of Human Rights and Responsibilities Act 2006* set out with regard to these matters. It was BPH's submission that:

*The combination of the Master Plan and the findings from the flood mapping (i.e. the Water Technology Model of Flood Behaviour Report) reflected in the Master Plan and detailed in section 7 of the 'Precinct Study and Master Plan' is, in effect, a de facto Public Acquisition Overlay of part of Basic Property's land for a public purpose, but done in such a way as to not trigger the compensation provisions in Part 5 of the P&E Act.*

Council submitted that the BPH submission "misinterprets the proper application of the planning scheme provisions, the provisions of the Act and the provisions of the *Land Acquisition and Compensation Act 1986* (LAC Act) as they relate to acquisition of land. Council set out the responsibilities of acquisition under the Act and argued:

*Section 98 of the Act establishes when compensation can be sought before a relevant acquiring authority can compulsorily acquire land. That an acquiring authority can only do that (with some limited exceptions), after the land has been "reserved" through a planning scheme amendment to establish a Public Acquisition Overlay ("PAO").*

Council argued that s98(2) of the Act:

*... relates to the refusal to grant a permit due to the future need of land for a public purpose. Again, not advanced by C199. Theoretically, a future application by a land owner, if refused by the Council, because of an asserted future public purpose, triggers compensation. Note, however:*

- *the presence of a conceptual option in a Master Plan does not provide the basis for an asserted public purpose;*
- *no Council is going to be foolish enough to invite the compensation claim (which the Council then must pay) in these circumstances, where the infrastructure provision (including drainage) is to be provided by the land owners.*

Council argued that the BPH submission asserted that the designation of an equine recreational use on a Master Plan (a Reference Document only) effectively “rezones” the land to a public use. They stated that “this comment is legally and practically incorrect.”

BPH submitted that the Amendment, through the Master Plan and its changes to local policy particularly at Clause 21.04 and 21.09 conveys the message that the “Reference Document is intended to be part of the Planning Scheme ... there is an advanced and complex degree of strategic planning found in these interlocked documents.”

Council argued that BPH misconstrued the Master Plan and its weight given its Reference Document. It argued that reflecting a potential development scenario did not constitute a “de-facto rezoning” or “de-facto compulsory acquisition”.

### (i) Discussion and conclusion

A number of legal arguments were put to the Panel about whether or not the Master Plan was a “de facto” form of public acquisition overlay, effecting clamping future development rights of landowners outside of the SUZ4, but within the IA1. Put simply, s98(1) of the Act deals with situations where a PAO is proposed or access to land is restricted. None of this is proposed within this Amendment.

The Panel has constantly established throughout this report that Master Plans are background documents and by their very nature are subject to change once more detailed design, consultation and concepts are developed. The Master Plan in this case sets out a ‘possible future’, but does not lock in any acquisition by any means. No rezoning accompanies this Amendment.

The Panel concludes that changes it has proposed to the existing SUZ4 do not impact on the surrounding properties and any changes of use or development would be subject to future review and possibly a further amendment.

## 3.9 Overall conclusions

The Panel concludes:

- The Master Plan should be renamed to include the IA1. The Panel agrees with Council’s suggestion of *Investigation Area 1: Feasibility and Master Plan*
- The straight training track, located directly adjacent the Lorenzini property, should be removed from the Master Plan and it be renamed ‘Version 11’
- Other than for inconsistencies discussed in Appendix E, the Panel have not recommended that the Master Plan, as a reference document be substantially changed
- The Master Plan identified opportunities for land owners to come forward and implement, and should they wish to go another way that is for them to justify through a separate amendment process
- Council should be clearer in its consultation methodologies with similar processes to ensure that stakeholders are on the same page
- The SUZ4 provides tailored guidance to the GVHGRC and its facility. Outside the SUZ4 area, the Master Plan provides only very broad guidance and should not be solely relied upon



- the noise impact assessment based on modelling rather than direct measurement is an appropriate methodology in the circumstances and provides a sound basis for assessing the controls proposed in the Amendment
- the controls as set out at clause 2.0 of the exhibited SUZ4 are appropriate with respect to noise emanating from uses within the SUZ4 in so far as they relate to development within the Precinct
- a lower maximum level of 45 dB(A) Leq for development outside the Precinct should be considered appropriate to include now in the SUZ4 to protect the amenity of existing and future residences
- The Panel does not agree with the submissions put forward by BPH that the designation of an equine recreational use on a Master Plan (a Reference Document only) effectively “rezones” the land to a public use, nor does it force acquisition on any landowner. It agrees with Council that this comment is legally and practically incorrect
- The Panel does agree (in part) with BPH’s submission that the reference document, by way of links throughout Clause 21.04 and SUZ4, afford it more weight than what PPN13 specifies. For transparency, Panel has recommended changes to the SUZ4 and Clause 21.04 to reflect its status, as exhibited in the Amendment, as a Reference Document.

### 3.10 Recommendations

Based on the reasons set out in this Report, the Panel recommends that Greater Shepparton Planning Scheme Amendment C199 be adopted as exhibited subject to the following:

1. **Adopt the Master Plan as a Reference Document subject to the following modifications:**
  - Delete the ‘Straight Training Track’ from its current location on the Master Plan and rename this Version 11
  - Rename the document to Investigation Area 1: Feasibility and Master Plan (date to be inserted)
2. **Adopt Clause 21.04 subject to the changes contained in Appendix D of this report.**
3. **Adopt the Special Use Zone Schedule 4 subject to the changes contained in Appendix C of this report.**

#### Further recommendation

The Panel makes the following further recommendations:

- Council develop and implement a standard approach to defining those elements of Master Plans and other strategic documents that are intended to fulfil a statutory role and to ensure that they are implemented through appropriate VPP tools, such as Incorporated Plans.

## 4 Flooding

### 4.1 The issue

A number of submissions raise the issue the potential for flooding in the area, and how that is treated under the Amendment. The issues with respect to flooding can be considered in three parts:

- the existing conditions in the IA1 and the current zones and overlays
- the veracity of flood studies and their relevance to the Amendment
- the Shepparton Mooroopna Flood Mapping and Intelligence Study (ongoing).

### 4.2 Evidence and submissions

#### (i) Existing conditions

Almost the entire area of IA1 has been previously identified as flood prone. Approximately 209 hectares of the area's 301 hectares are covered by a Land Subject to Inundation Overlay (LSIO), 49 hectares by a Flood Overlay (FO) and 29 hectares is within the Urban Floodway Zone (UFZ). The current flood related zones and overlays as shown in Figure 4 are based on modelling done as part of the *Shepparton Mooroopna Floodplain Management Study* in 2002 and were introduced into the Planning Scheme on 1 April 2003.

In his expert statement prepared for Council, Mr Bishop of Water Technology described the existing conditions as follows:

*Sevens Creeks flows across the south-west corner of Investigation Area 1, crossing Mitchell Road on the southern boundary and the Goulburn Valley Highway on the western boundary. A smaller anabranch of Seven Creeks runs through the north-west corner of the site. This anabranch has been significantly modified into a straighter drainage channel through the site.*

*The site slopes to the north-west on a very flat gradient (approximately 1 in 1600) ... Several GMW channels traverse the site which form part of the 'backbone' and 'non-backbone' network of irrigation supply channels, including the No.6 Main Channel which runs east-west through the middle of the site, immediately south of the Kialla Paceway.*

There is no doubt that IA1 including the SUZ4 area is flood prone and subject to periodic flooding. The most recent significant flood event occurred in October 1993 when much of IA1 and the surrounding area were inundated.

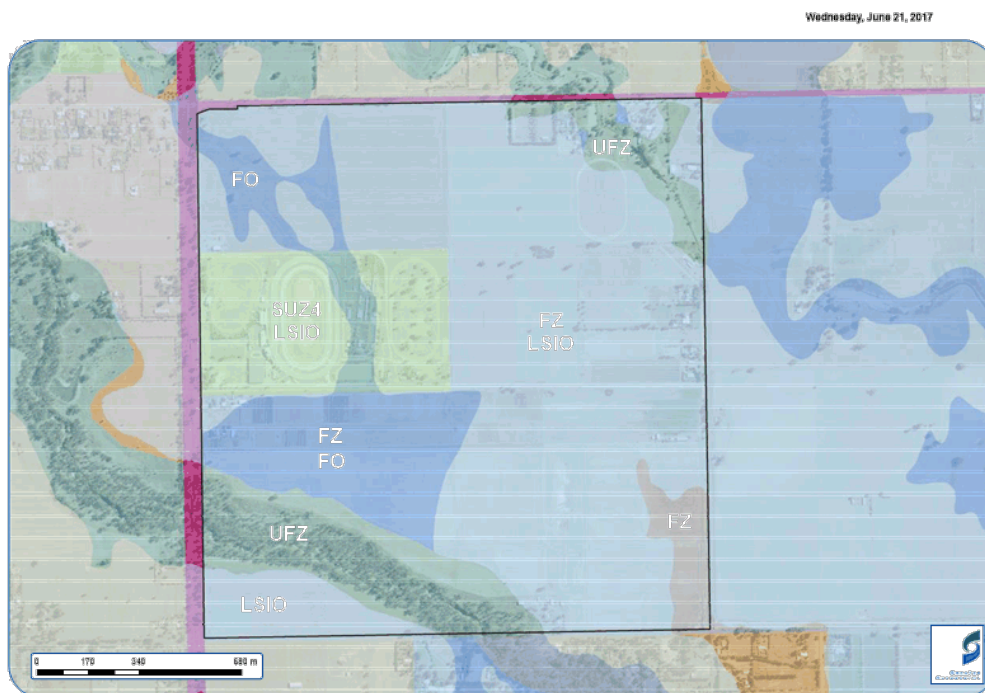


Figure 4 Current flood zones and overlays

**(ii) 2016 Water Technology Flood Behaviour Report (2016 Flood Report)**

Water Technology Pty Ltd was engaged by the Council in 2015 to undertake a model of flood behaviour in IA1. In its Part A Submission, Council stated that the objective of this work was to:

- review relevant information on flood behaviour
- develop an estimate of flood behaviour (levels, extents, velocities) for the 100 year ARI design flood event
- liaise with Urban Enterprise Pty Ltd to develop a plan of possible development within the Investigation Area
- assess change in flood behaviour (levels, extents, velocities) for the 100 year ARI design flood event due to the proposed Master Plan; and
- determine a suitable layout of major roads and residential areas together with any cut and fill requirements that will have acceptable level of change in floodplain characteristics.

Council submitted:

*It is significant that Goulburn-Murray Rural Water Corporation (G-MW) and Goulburn Broken Catchment Management Authority (GBCMA) and the Department of Environment, Land, Water and Planning (DELWP) all the key departments in relation to waterways, land inundation, catchment*

*management and like matter do not object to and effectively support the Amendment.*

*Council's submissions highlight that this Amendment contains no rezoning of any kind and makes no change to the current flood zone or overlay controls affecting Investigation Area 1. The 2016 Flood Report arose in particular out of consultation with landowners who raised concerns that a more detailed, site specific, investigation of potential flooding impacts needed to be undertaken. This was then used to inform a number of iterations of the Master Plan and establish what was considered to be a most appropriate outcome having regard to those flood impacts.*

Several submitters argued that the Amendment was premature until a formal flood study was undertaken or that the Amendment was inconsistent with the *Shepparton Floodplain Management Plan*.

The original submission (Submission 12) on behalf of BPH asserted that the Master Plan relied upon the 2016 Flood Report which had no legal status and used a model which did not match observed flood behaviours and therefore did not accurately reflect historical hydrological data. It was submitted that the effect of adopting the Amendment would be to designate most of the submitter's land as subject to flooding and unable to be developed.

A supplementary submission on behalf of BPH submitted that:

- *the 2016 Flood Report was not prepared in accordance with the Floodplain Management Strategy April 2016 nor the relevant Planning Practice Note*
- *there were errors in the Water Technology modelling; and*
- *the Amendment was a "backdoor" attempt to amend the planning scheme in relation to the identification of flood affected land.*

Mr Bishop explained that 2016 Flood Report although based on the model developed for the broader *Shepparton Mooroopna Flood Mapping and Intelligence Study*, was a reduced model to make it more workable. Its purpose was to model the impacts of the initial Master Plan and subsequent iterations of the Master Plan to find an acceptable floodplain outcome.

He stated that the results of the 2016 reduced model when compared with results from the Intelligence Study model showed some differences, generally less than 100mm, but were acceptable for the purposes of the 2016 Flood Study.

Council stated that modelling of the initial Master Plan showed unacceptable impacts in terms of off-site flood impacts and no compensation for loss of floodplain storage. A further three iterations of the Master Plan were modelled to determine one that met the criteria put forth by Goulburn Broken CMA and Council officers that the proposed Master Plan ... *did not adversely impact properties outside of the Investigation Area 1 by changing the course of flow, raising flood levels or increasing flood risk.* The modelling confirmed a Master Plan version that had acceptable floodplain outcomes and this version was the basis of the final Master Plan exhibited as part of the Amendment. Mr Bishop acknowledged that the modelling was done in response to the various Master Plan versions provided to Water Technologies by Urban Enterprise and Council officers.

In response to other submissions, Council stated that the 2016 Flood Report was consistent with other studies and it was not necessary for a formal flood study to be completed to inform the development of the Master Plan or assessment of other development proposals.

Mr Prout was commissioned on behalf of BPH to review the 2016 Flood Report. He stated in his expert witness report that in his view:

*... for flood studies to be accurate and credible that they should be based on models that represent what really happens when floods occur. My view in this matter is that there are some aspects of the Water Technology report that do not sufficiently meet this requirement.*

Mr Prout explained that he identified potential additional areas of development (shown as Areas X and Y at Figure 5) in the southern part of Investigation Area 1 using the adjusted flood model.

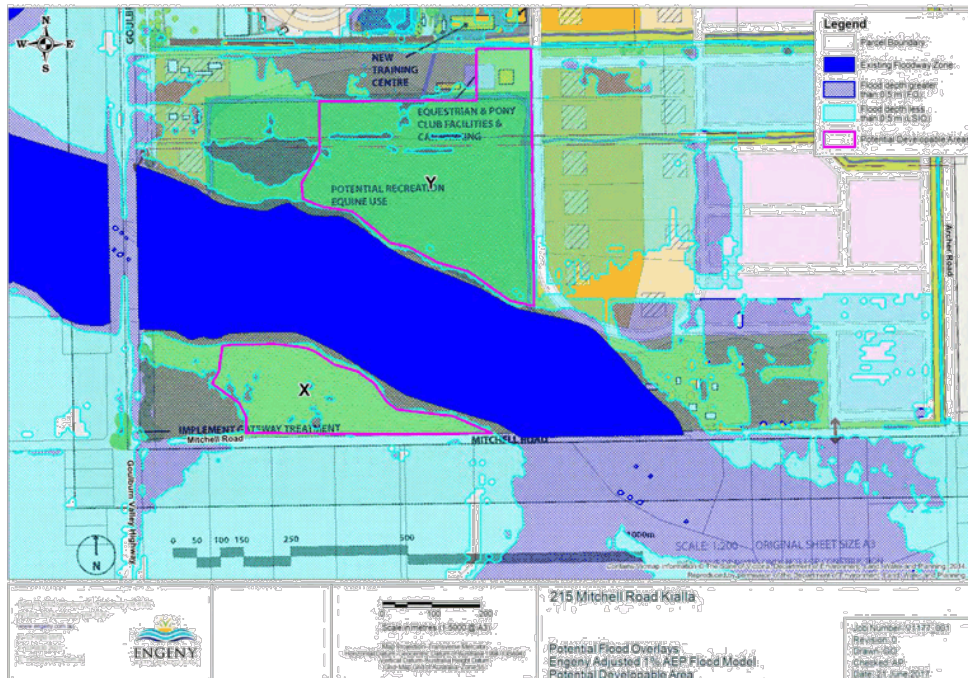


Figure 5 Engeny adjusted Flood Overlays

Source: Appendix O: Expert Evidence of Mr Prout

He concluded, amongst other things that:

- Water Technology made adjustments to the flood hydrology for flows into the Seven Creeks system which are not explained in the Water Technology report
- the Water Technology flood model for the 1993 flood overestimates the extent and depth of flooding in the southern part of Investigation Area 1
- Engeny has used adjusted roughness factors to get the flood model to better match the actual gauged flooding in 1993

- the Water Technology modelling significantly underestimated the flooding in the northern part of Investigation Area 1
- the differences between the Water Technology modelling and the actual flooding in 1993 of the northern part of Investigation Area 1 are so different that the Water Technology modelling cannot be relied upon to make flood management decisions in the northern part
- Engeny has identified areas in the northern part proposed for urban development incorrectly shown by Water Technology as being flooded to depths less than 300mm but expected to be subject to flood depths of up to 650 mm based on the current designated flood levels.

Mr Bishop subsequently prepared a *Supplementary Expert Report* (Document 4) in response to the Expert Statement submitted by Mr Prout. Mr Bishop refuted the conclusions of Mr Prout and in particular noted that:

*The Prout report adjusts the Water Technology model to lower flood levels at a single location for a single event. This selective adjustment of the model ignores the presence of the many readily available peak surveyed flood level across the site.*

*The (Water Technology) model does not set development flood heights for the area, nor will it be used to develop planning overlays for the area. For the purpose of evaluating development impact, the absolute flood levels are not as critical as the differences in flood depths, flow patterns and velocities between a before and after scenario. This is why some small differences in predicted flood levels between the broader floodplain model and the Investigation area 1 model are not of concern.*

Mr Bishop noted that variants with development in Mr Prout's Areas X and Y (Figure 5) were tested in the iterations modelled by Water Technology which showed that development with fill in Area X would cause detrimental impacts on adjacent properties. He added that Area Y was an obvious place to maintain flood plain storage and to compensate for fill to facilitate development in other locations within Investigation Area 1.

At the request of the Panel, a conclave of the two flood experts was held. They reached agreement on many points (see Document 2) including that:

- the purpose of the Investigation Area 1 model and report was not to update the LSIO or FO within the Planning Scheme
- the 1993 flood imagery shows flooding in the north area that is not associated with riverine flooding and is therefore not represented by the Shepparton Mooroopna Flood mapping and Intelligence Study flood model nor the Investigation Area 1 flood model
- the north and south areas of Investigation Area 1 operate as two largely separate floodplains except for very large floods
- from a hydraulics and safe access point of view in a 1% AEP flood there are likely to be constraints in developing Area X
- there may be alternative development layouts which could meet flood management requirements to allow for development in Area Y.

At the hearing, Mr Tierney of the Goulburn Broken CMA gave a presentation on the CMA's review of the calibration of the flood model prepared by Water Technology for the Shepparton Mooroopna Flood Mapping and Intelligence Study. Mr Tierney stated he had a fundamental issue with Mr Prout's report in that any hydraulic model based on a single flood height is by definition an uncalibrated model. He considered that:

- *the Water Technology model reflected well riverine flooding for the Intelligence Flood Study*
- *Mr Prout's reliance on a single flood height for model calibration was inappropriate*
- *generally development in the south-west portion of Investigation Area 1 was not supported by the CMA and should remain rural in nature.*

In response to the critique by Mr Bishop of his initial expert report, Mr Prout tabled at the hearing a Supplementary Expert Report (Document 13). Mr Prout explained that it was not his role to undertake his own fully independent calibrated regional flood study. His role was limited to reviewing all of available information relied on for the Amendment; seek and review other information; and independently advise his client and the Panel regarding the flooding issues. Mr Prout informed the Panel that he sought all information relied on by Water Technology. He was given the Water Technology Local Investigation Area 1 models and despite further requests regarding the origin and completeness of the hydrologic inputs to the model and model calibration, no additional information was provided to him.

Mr Prout stated that:

*We therefore only had the flood model and the statements above from the Water Technology Investigation Area 1 report to test and that is what I did.*

He acknowledged that Engeny's adjusted model is not appropriate for changing the flood overlays in the Planning Scheme. Mr Prout reiterated that his review identified areas X and Y in the south west of Investigation Area 1 which could be developed to meet the floodplain management requirements of the GBMCMA.

Mr Prout stated that as confirmed by Mr Bishop, some flows in the northern part of Investigation Area 1 had not been included in the flood model.

Mr Prout concluded that in order to reliably manage floodplain storage across IA1:

- the north area flood modelling needs to be updated to be accurately calibrated to historical flooding
- flood modelling for the south part may require updating
- the updated modelling could then be used to determine the amount of flood storage on each property for a 1% AEP flood which would form the basis for assessing changes in flood storage proposed by developments
- each property owner should be allowed to develop if they can demonstrate that they can fill and build above the 1% flood levels and offset any loss of flood storage on their property and that their development will not have an adverse impact on other properties.

Mr Watts stated that his client remained opposed to the Amendment as exhibited but that if the Amendment were to proceed, there should be notations added to the Master Plan to

indicate that the layout was indicative only and that additional development could occur on his client's land (Area Y identified by Mr Prout) subject to meeting the floodplain management requirements of the GBMCMA.

At the request of the Panel, subsequent to the hearing Council submitted a Table of Potential Recommended Changes which included at item 11 the proposal to insert a new dot point on page 63 of the Feasibility Study and Master Plan as follows:

- *The nature and extent of potential uses and development contemplated may vary dependent upon detailed assessment at any development approval stage provided the Master Plan objectives continue to be achieved.*

Council also suggested that an identical notation could be included on the actual Master Plan.

In response to the Potential Table Recommended Changes, BPH indicated that his client did not agree with the proposed wording of the additional dot point and submitted that the notation should clearly specify that:

- *No landowner is required to agree to cut being taken from his, her its land (sic) for the purposes of offsetting fill on another land owner's land.*

Council responded that the suggestion by BPH made no sense as no land owner can be required to agree to cut on their land through any mechanism and ... *certainly not through a Master Plan which is a reference document.*

Mr Toll (on behalf of the Landowner Members of the Kialla Investigation Area 1 Association Inc.) submitted that the Feasibility Study and Master Plan adopted by Council in September 2016 was based on a questionable flood study. He submitted that the model of flood behaviour differed substantially to the flood modelling done by Sinclair Knight Mertz in 2002.

### **(iii) Shepparton Mooroopna Flood Mapping and Intelligence Study**

*The Shepparton Mooroopna Flood Mapping and Intelligence Study* (the Intelligence Study) was initiated following the major flooding at Shepparton in September 2010 and other significant flood events throughout Victoria from 2010 to 2012. It is ongoing with an expected completion date later in 2017.

Mr Bishop explained that the Intelligence Study has three main components:

- hydrology – boundary conditions for hydraulic model
- calibration of hydrologic and hydraulic model; and
- design flood modelling with calibrated model to produce flood intelligence information including maps.

He noted that a key outcome of the study is to produce outputs that can be used in the future to update existing planning controls across the Shepparton Mooroopna area including Investigation Area 1.

Mr Bishop stated that to maintain consistency, the modelling being undertaken for the Intelligence Study was utilised to develop the model of flood behaviour in Investigation Area 1.



Mr Tierney confirmed that the Intelligence Study was intended to provide the basis for a future planning scheme amendment for flood zone and overlay controls to the Greater Shepparton Planning Scheme. He commented during the hearing that Goulburn Murray Water (GMW) infrastructure has changed riverine flood patterns and that flood overlays in the wider Shepparton Mooroopna region may well be out of date. In his view, the results of the Intelligence Study may lead to some minor changes to the LSIO and FO in Investigation Area 1 as part of a future planning scheme amendment.

During the hearing, Mr Hamilton and others made reference to statements in the adopted Feasibility Study and Master Plan (at pages 15, 18 and 49) that the existing flood overlays and flood zone in the Planning Scheme were “superseded” by the more recent flood mapping investigations, that is, the flood modelling of Investigation Area 1 by Water Technologies to assess the impacts of development as shown on the Master Plan. In cross-examination, Mr Ruzzene stated that the flood mapping in the Feasibility Study and Master Plan does not replace the existing overlays in the planning scheme. In closing, Council submitted that “supersede” was a poor choice of words and was incorrect. He invited the Panel to consider “tweaking the words” in the Feasibility Study and Master Plan.

Included in the Table of Potential Recommended Changes submitted by Council at items 7, 8, 9 and 10 were potential changes to the flooding references in the Feasibility Study and Master Plan.

#### **4.3 Discussion**

There is no doubt that the land within IA1 has flooded in the past and will do so again during significant flood events in the Shepparton Mooroopna region. The extent of flood overlays and flood zone covering the IA1 reflect the reality that the area is low lying and flood prone. The Panel also notes that the existing GMW No.6 Main Channel which runs east-west through the middle of IA1 affectively splits the area into two flood management parts. The Panel heard no evidence that GMW has plans to remove or pipe the channel in the foreseeable future.

The Master Plan sets out a guide for future development and the flood investigation work undertaken by Water Technology was intended to demonstrate that development in accordance with the adopted version of the Master Plan could in general terms meet flood management requirements. Some aspects of the Water Technology modelling were called into question by Mr Prout although the report of the conclave of the two flood modelling experts indicates to the Panel that the Water Technology modelling was generally sound for the purpose for which it was intended, that is to test the impacts on the floodplain of the various versions of the Master Plan.

The work of Mr Prout was refuted at some length by Mr Bishop and was considered to be flawed by Mr Tierney. The Panel has some sympathy, however, for Mr Prout. He was only engaged to do work with limited scope and as he noted, he was somewhat constrained by not having access to the full set of data and modelling done by Water Technology.

Mr Prout was able to show some deficiencies in the Water Technology model in the north part of IA1 in that the model did not take into account localised flooding. Mr Bishop agreed

that including local catchment flows would improve the model for the purposes of assessing development proposals.

Perhaps of more significance with respect to the Master Plan is that the review by Mr Prout raised the prospect of alternative development layouts on the Basic Property Holdings land (designated Areas X and Y by Mr Prout) that could meet flood management requirements. Developing Area X was considered to be problematic by Mr Bishop and Mr Tierney for hydraulics and safe access reasons due to likely speed of floodwater flows during a 1% AEP event. It was agreed, however, that development in Area Y could be considered subject to flood model testing of the effects of fill within Area Y and off-setting cut within other parts of the Investigation Area.

The 2016 Flood Report did not assess and nor was it designed to test specific development proposals. It may well be that development proposals which vary from the exhibited Master Plan could meet flood management requirements. It will be up to development proponents to demonstrate to the satisfaction of the GBCMA that their development will meet requirements. Indeed, that will be the case even for developments which accord with the exhibited Master Plan.

As discussed in Chapter 3, the Panel concludes that the Master Plan is intended as a guide for future development. To assist parties into the future, the Panel supports the suggestion by BPH that appropriate notations be added to the Master Plan to allow for alternative development proposals to be put forward for detailed assessment against flood management requirements. It goes without saying that the nature of planning requires alternative scenarios to be considered, particularly if they only exist in the form of a reference document.

The Panel agrees with Council that any notations should be general and should not, for example, be prescriptive in terms of the location cut and fill requirements on the Basis Property Holdings land or other land holdings. For this reason, and to assist all parties into the future, the Panel prefers the words suggested by Council at item 11 in the Table of Potential Recommended Changes with Panel comments at Appendix E and supports their inclusion as *a notation to the actual Master Plan*.

Notwithstanding the poor choice of wording in the Master Plan suggesting that the planning scheme flood overlays and flood zone have been “superseded”, it was made very clear by Mr Tierney that any future changes to the flood controls will flow from the Intelligence Study. Until that study is finalised and any subsequent planning scheme amendment approved, the current LSIO, FO and Flood Zone remain in place and will continue to be applied in assessing development applications.

The Panel does agree, however, that the wording in the Feasibility Study is misleading and could give rise to concerns for landowners. The words pertaining to flooding in the Feasibility Study at pages 4, 15, 18 and 49 should be amended as set out in items 7, 8, 9 and 10 in the Table of Potential Recommended Changes.

#### 4.4 Conclusions

The Panel concludes:

- land within IA1 is flood prone and will in all likelihood be inundated during future flood events
- the 2016 Flood Report modelling was generally sound and suitable for its intended purpose of assessing the Master Plan layout iterations
- the Water Technology flood model could be improved if it is to be used for assessing future development applications
- there may be development proposals at variance with the exhibited Master Plan which could meet floodplain management requirements and they should be assessed on merit
- the Master Plan should be annotated to make it clear that development proposals at variance with the exhibited Master Plan will be assessed in accordance with the planning scheme flood management requirements
- the Amendment does not change the current LSIO, FO and Flood Zone boundaries
- the Intelligence Report may identify the need for changes to the current LSIO, FO and Flood Zone and any such changes will be the subject of a future amendment
- the wording in the Master Plan referring to the current flood controls in the planning scheme being superseded is incorrect and should be amended as set out in items 7, 8, 9 and 10 in the Table of Potential Recommended Changes.

#### 4.5 Recommendations

- **Update wording as required in the Feasibility Study and Master Plan as set out in Items 7, 8, 9, 10 and 12 in the Table of Recommended Changes with Panel comments found at Appendix E of this report.**

## Appendix A Submitters to the Amendment

No.	Submitter
1	Goulburn-Murray Water
2	GBCMA
3	Department of Environment, Land, Water and Planning
4	EPA
5	Gordon Hamilton
6	Goulburn Valley Water
7	Kialla Investigations Area 1 Inc.
8	M & S Toll, and Webb and Toll Surveyors P/L
9	Tony Gagliardi
10	V & J Page
11	Louise Gagliardi
12	Stanton Grant Legal on behalf of Basic Property Holdings P/L
13	Rocco Lorenzini
14	Maria Lorenzini
15	Giuseppina Lorenzini
16	Alfredo Lorenzini
17	Michael Mielczarek of APA
18	Antonina Gagliardi
19	Giulio Gagliardi
20	Department of Economic Development, Jobs, Transport and Resources
21	S M & A Scaffidi

## Appendix B Document list

No.	Date	Description	Tabled by
1	20/06/2017	Council's Part A Submissions	A. Sherman
2	28/06/2017	Memorandum – Conclave of Experts	"
3	28/06/2017	Letters – APA (27 June 2017) and RK Lawyers (27 June 2017)	"
4	28/06/2017	Memorandum – Supplementary Expert Report	"
5	28/06/2017	PowerPoint – Expert Report – Amendment to C199	W. Bishop
6###	28/06/2017	Various emails tabled by L Watts	L. Watts
7	29/07/2017	Expert Evidence Statement PowerPoint	M. Ruzzene
8	29/07/2017	Feasibility Study & Master Plan – Draft Report – May 2015	L. Watts
9	29/06/2017	Council Part B submission	A. Sherman
10	29/06/2017	Proposal – Mitchell Road site	"
11	29/06/2017	PowerPoint – Submission – Goulburn Broken – CMA	G. Tierney
12	29/06/2017	Submission – Lorenzini Family	R. Lorenzini
13	29/06/2017	Memorandum – Supplementary Expert Report	A. Prout
14	29/06/2017	Court of Appeal Decision – Hoskin v Greater Bendigo CC	L. Watts
15	29/06/2017	Extract – Von Hartel v Macedon Ranges Shire Council	"
16	30/06/2017	Planning Permit – 2010-240	A. Sherman
17	30/06/2017	VCAT Decision – Hamilton v Greater Shepparton CC	"
18	30/06/2017	Bundle of letters – Greater Shepparton CC – 22 Sept 2015	"
19	30/06/2017	Submission – Landowner Members of Kialla IA1 Association	M. Toll
20	30/06/2017	Proposed Precinct Plan Kialla Investigation Area	C. Hazelman
21	30/06/2017	Folder – Minutes of Council Meetings	L. Watts
22	30/06/2017	Proposed Caravan Park Development Plan	A. Sherman
23*	10/07/2017	Council Table of Recommended Changes	A. Sherman
24*	10/07/2017	Modified Clause 21.04-1 with exhibited insertions remaining marked blue and potential changes highlighted green	"
25*	10/07/2017	Modified SUZ4 with minor change highlighted green	"
26*	14/07/2017	BPH Closing submission and table recommended changes	L. Watts
27*	20/07/2017	Council right of reply,	A Sherman
28*	20/07/2017	Table of recommended changes, Council response	"

## Document 6 was a series of emails tabled, then retracted as they required clear labelling. This document was not re-rendered.

\* Post-hearing documents as per the Panel's directions, and tabled electronically.

## Appendix C Panel preferred version of Special Use Zone Schedule 4

Tracked Added

~~Tracked Deleted~~

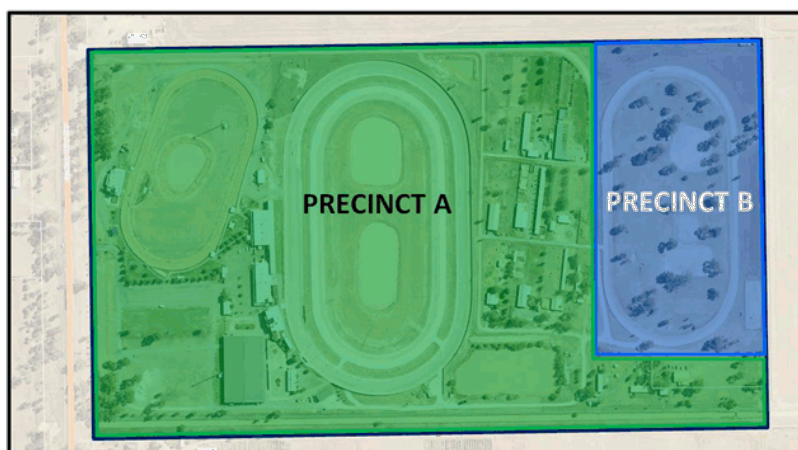
Adopted from Table of recommended changes

~~Proposed C199~~  
Proposed C199

### SCHEDULE 4 TO CLAUSE 37.01 ~~THE~~ SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ4**.

#### GOULBURN VALLEY HARNESS AND GREYHOUND RACING PRECINCT



#### Purpose – General

- ~~To facilitate use, development and subdivision in Precinct A and in Precinct B generally in accordance with the Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan, July 2016.~~
- To provide for the use and development of the land for harness and greyhound related purposes and a range of uses as set out in Precincts A and B.

#### Purpose – Precinct A – Harness and Greyhound Racing Facility

- To provide for use and development for harness and greyhound racing and a range of entertainment, recreational, commercial and community activities in Precinct A in a planned and orderly manner.
- To encourage the multiple use of land and buildings in Precinct A within the precinct in order to facilitate its usage throughout the year.
- ~~To ensure that the future use and development of the precinct occurs in a planned and orderly manner.~~

**Purpose – Precinct B – ~~Harness Racing~~ Equine Related Services Precinct**

- To encourage ~~use and development in Precinct B activities~~ that ~~is are~~ compatible in use, density, scale and character with Precinct A ~~and that benefits from the close proximity of the harness and greyhound racing facility in Precinct A.~~
- To ensure that use and development ~~in Precinct B~~ does not negatively impact on the ongoing operations of harness and greyhound racing ~~facility in Precinct A and occurs in an orderly manner, subject to the provision of appropriate infrastructure.~~
- ~~To ensure that permanent accommodation within the Precinct B is limited to persons registered by Harness Racing Victoria under part II of the Racing Act 1958, equine trainers (or their employees).~~
- ~~To encourage the use and development of harness racing equine related services that benefit from the close proximity of the Harness and Greyhound Racing Facility.~~
- ~~To provide for the subdivision of land for harness equine related used, subject to the provision of appropriate infrastructure.~~

1.0

**Table of uses**

Proposed C199

**Precinct A – Harness and Greyhound Racing Facility**

**Section 1 - Permit not required**

Use	Condition
Exhibition Centre	Must not operate for more than 3 consecutive days.
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Natural systems	
Place of assembly	Must be directly associated with the <a href="#">harness racing equine</a> or greyhound <a href="#">racing</a> industry.
Race course	
Stone exploration	Must not be costeaning or bulk sampling
Veterinary centre	Must be directly associated with the <a href="#">harness racing equine</a> or greyhound <a href="#">racing</a> industry.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

**Section 2 - Permit required**

Use	Condition
<del>Accommodation (other than Corrective institution)</del>	Must be directly associated with the <a href="#">harness racing equine</a> or greyhound <a href="#">racing</a> industry.
<del>Convenience shop</del>	
<del>Equestrian supplies</del>	
<del>Leisure and recreation (other than Race course)</del>	
<del>Market</del>	
<del>Place of assembly (other than Carnival, Circus and Exhibition centre)</del>	

Use	Condition
Retail premises (other than <a href="#">Adult sex bookshop</a> , Convenience shop or Equestrian supplies)	Must be directly associated with the <a href="#">harness racing equine</a> or greyhound <a href="#">racing</a> industry.
Rural Industry	Must be directly associated with the <a href="#">harness racing equine</a> or greyhound <a href="#">racing</a> industry.
Store (other than Freezing and cool storage)	Must not be a purpose listed in the table to Clause 52.10
<del>Utility installation (other than telecommunications facility and Minor utility installation)</del>	
<del>Any use not listed in Section 1 or 3</del>	

Section 3 - Prohibited

Use
Adult sex bookshop
Brothel
<del>Broiler farm</del>
<del>Cattle feedlot</del>
Child care centre
Cemetery
Corrective institution
<del>Fuel depot</del>
Freezing and cool storage
Industry (other than Rural Industry)
Intensive animal husbandry
Transport terminal
Warehouse (other than store)

Precinct B – [Harness Racing Equine](#)-Related Services Precinct

Section 1 - Permit not required

Use	Condition
Agriculture (other than Animal husbandry, <a href="#">Aquaculture</a> , <del>Apiculture, Intensive animal husbandry</del> , Rice growing and Timber production)	
<del>Animal Keeping (other than Animal boarding)</del>	<del>Must be no more than 5 animals.</del>
Animal training	<a href="#">Must be directly associated with the harness racing industry.</a> Must be conducted by a person registered in respect of harness racing under Part II of the <a href="#">Racing Act 1958</a> <del>under the relevant harness legislation.</del>



<b>Dependent Persons Unit</b>	Must be the only dependent person's unit on the lot.
<b>Horse stables</b>	<u>Must be directly associated with the harness racing industry.</u> Must be conducted by a person registered <u>in respect of harness racing under Part II of the Racing Act 1958.</u> <del>under the relevant harness legislation.</del>
<b>Home occupation</b>	
<b>Informal outdoor recreation</b>	
<b>Minor utility installation</b>	
<b>Railway</b>	
<b>Tramway</b>	
<b>Any use listed in Clause 62.01</b>	Must meet the requirements of Clause 62.01.
<b>Section 2 - Permit required</b>	
Use	Condition
<del>Animal Keeping (other than Animal boarding)</del>	<del>Must be no more than 5 animals.</del>
<del>Animal boarding Animal husbandry (other than Animal training, Animal keeping, Intensive animal husbandry and Horse stables)</del>	<del>Must be directly associated with the harness racing equine industry.</del>
<b>Bed and breakfast</b>	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
<b>Convenience shop</b>	The site must not have direct access to a rural freeway.
<b>Dwelling (other than Bed and breakfast)</b>	Must be <u>used</u> in conjunction with <u>horse Horse stables or harness racing Animal training</u> facilities conducted on the lot. <u>Must be occupied by a person registered in respect of harness racing under Part II of the Racing Act 1958.</u>
<del>Equestrian supplies Leisure and recreation</del>	
<del>Market</del>	
<b>Place of assembly</b>	Must not be used for more than 10 days in a calendar year.
<b>Primary produce sales</b>	Must not be within 100m of a dwelling in separate ownership. The area used for the display and sale of primary produce must not exceed 50 square metres.

Use	Condition
Rural Industry	Must be directly associated with the <a href="#">harness racing equine or greyhound</a> industry.
Store (other than Freezing and cool storage)	Must not be a purpose listed in the table to Clause 52.10
<del>Utility installation (other than telecommunications facility and Minor utility installation)</del>	
Any use not listed in Section 1 or 3	<a href="#">Must be directly associated with the harness racing industry.</a>

### Section 3 - Prohibited

Use
Adult sex bookshop
<a href="#">Animal keeping</a>
Brothel
<del>Broiler farm</del>
<del>Cattle feedlot</del>
Child care centre
Cemetery
Corrective institution
<del>Fuel depot</del>
Freezing and cool storage
Industry (other than Rural Industry)
Intensive animal husbandry
Retail premises (other than Convenience shop and Equestrian supplies)
Transport terminal
Warehouse (other than store)

## 2.0

### Use of land

Proposed C199

#### 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 when measured in the investigation area outside of the SUZ4 Precinct must not exceed a maximum level of 45dB\(A\) LEQ](#)
- Noise emission levels when measured in Precinct B must not exceed the following levels:
  - Public Address Systems 55db(A) LEQ.
  - Music or Concerts ~~\_\_\_\_\_~~ 65db(A) LEQ measured outside any residential property.

### Use of land for a dwelling

A permit may only be granted to use land for the purposes of a dwelling ~~'Dwelling'~~ if:

- The dwelling use is in conjunction with horse stables or harness racing training facilities conducted on the lot ~~the business of horse training.~~
- The occupier of the land is a ~~registered~~ person registered in respect of harness racing under Part II of the Racing Act 1958. For the avoidance of doubt, a dwelling may only be occupied by a person registered in respect of harness racing under Part II of the Racing Act 1958, together with their domestic partner and any dependants. ~~under the relevant harness legislation.~~
- There is only one dwelling on the lot.
- The permit ~~it~~ includes a condition requiring the owner of the land to enter into an agreement with the responsible authority under section 173 of the ~~Planning and Environment Act 1973~~. The agreement must be recorded on the certificate of title to the land prior to the commencement of the use of the dwelling and the agreement must require that:
  - ~~that provides that the land on which the use of the dwelling must be in conjunction withis located must be used for the purposes of horse~~ harness racing training facilities or horse stables on the lot; and
  - the occupier of the land must be a person registered in respect of harness racing under Part II of the Racing Act 1958.

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must 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 must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person's unit.

### Car parking

The number of car spaces to be provided on the land for any use in Precinct A must be to the satisfaction of the responsible authority, having regard to an assessment of the anticipated car parking demand.

### Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority.

- The purpose of the use and the types of activities that will be carried out.
- The likely effects, if any, on the amenity of the neighbourhood, including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill.
- A Traffic Impact Assessment having regard to the Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan, July 2016.
- For a Rural Industry or Store:
  - The type and quantity of goods to be stored, processed or produced.

- The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

#### Exemption from notice and review

~~An application for the use of land in Precinct A that is generally in accordance with the *Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan, July 2016. Investigation Area 1: Feasibility and Master Plan (date to be inserted)* 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/appeal rights of Section 82(1) of the Act.~~

Any application that is within Precinct A 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.

#### Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- How the use relates to the purposes of this schedule.
- The capability of the land to accommodate the use, including the disposal of effluent.
- How the use relates to sustainable land management.
- Whether the site is suitable for the use and whether the proposal is compatible with adjoining and nearby land uses.
- For land in Precinct B:
  - Whether the use will support and enhance harness racing training facilities or horse stables.
  - Whether the use will permanently remove land from harness racing training facilities or horse stables.
- The potential for the use to limit the operation and expansion of adjoining and nearby agricultural uses.
- For an application to use land for a dwelling:
  - Whether the dwelling is reasonably required for the operation of the activity conducted on the land.
  - Whether the dwelling is to be occupied by a person registered in respect of harness racing under Part II of the Racing Act 1958.
  - Whether the dwelling will adversely affect the operation or expansion of the Harness and Greyhound Racing Facility.
- Whether the use will require any traffic management measures having regard to the Goulburn Valley Harness and Greyhound Racing Precinct ~~Feasibility Study and Master Plan, July 2016.~~

### 3.0

#### Subdivision

~~Proposed C199~~

##### Permit requirement

A permit is required to subdivide land.

~~A permit is required to subdivide land.~~

~~An application for subdivision should be generally in accordance with the *Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan, July 2016. Investigation Area 1: Feasibility and Master Plan (date to be inserted)*.~~

~~An application for subdivision that is not generally in accordance with the *Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan, July 2016.*~~

~~Investigation Area 1: Feasibility and Master Plan (date to be inserted) must be accompanied by an assessment of the likely flooding impacts.~~

A permit may only be granted to subdivide land in Precinct B if:

- Each lot to be created is at least 4,000m<sup>2</sup>.
- The permit ~~includes~~ ~~is issued subject to~~ a condition requiring the owner of the land to enter into an agreement with the responsible authority under section 173 of the ~~Planning and Environment Act 1973~~. The agreement must be recorded on the certificate of title to the land prior to the issue of a statement of compliance for the subdivision and the agreement must:
  - ~~that provides that the land to be subdivided require that each lot created by the subdivision must be used for the purposes of harness racing, horse training or horse stables; and-~~
  - inform future land owners that the land is located in proximity to the Goulburn Valley Harness and Greyhound Racing Precinct and the land may be adversely affected by air emissions and noise.

~~This requirement does not apply to an application to subdivide land in Precinct B. A permit may only be granted to create smaller lots if the subdivision is~~ by a public authority or utility service provider to create a lot for a utility installation.

#### Application requirements

The following application requirements apply to an application for a permit to subdivide land in Precinct B under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Details of how the proposed subdivision will facilitate the future use of the land for harness racing related services.
- An Infrastructure Provision Plan that must be prepared to the satisfaction of the responsible authority and be generally in accordance with the 'Infrastructure Design Manual' of the responsible authority. The Infrastructure Provision Plan must address, or include, the following matters, as appropriate:
  - The provision, staging and timing of stormwater drainage works, both internal and external to the precinct.
  - The provision, staging and timing of any road works.
  - Any other infrastructure or related matters reasonably required by the responsible authority in association with the development of the land.
  - The location and nature of infrastructure services to be associated with the development.
  - Environmentally sustainable design principles for all infrastructure to ensure efficient and sustainable use of water.
  - How the stormwater management system and the sewerage system interrelates and responds to the principles of water sensitive design and establishes a mechanism to improve water quality for re-use or when exiting from the development site.
  - A stormwater management plan for the whole of the Precinct that demonstrates there are no off-site flooding impacts.
  - Details of any sewerage treatment plant for the development, including:
    - treatment technology;
    - construction standards;
    - operational procedures;
    - maintenance program; and
    - a risk assessment of possible plant upset conditions and malfunctions and how these can be responded to including the potential for odours to be generated from sludge drying bays.

- The landscaping of any land.
- The provision of public open space and land for any community facilities.
- How it is proposed to provide for a reticulated recycled water supply system to all residential and other uses.
- The location and method of operation of the sewerage treatment plant and the identification of appropriate buffers based on the type of treatment system to be used.
- How the provision, design and operation of the stormwater management system, the sewerage treatment system and reticulated water system responds to the State Environment Protection Policy (Waters of Victoria) 2003 . Gazette 4/6/2003.
- The appropriate staging of infrastructure and establishes a management system for co-ordination of infrastructure provision.

The Infrastructure Provision Plan must state that the provision of all infrastructure reasonably required for the development of the land, whether within or outside the developable area, is at no cost to the responsible authority.

#### Exemption from notice and review

~~An application for subdivision in Precinct A that is generally in accordance with the Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan, July 2016, Investigation Area 1: Feasibility and Master Plan (date to be inserted) 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 appeal rights of Section 82(1) of the Act.~~

Any application that is within Precinct A 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.

#### Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- How the subdivision relates to the purposes of this schedule.
- The layout of the subdivision.
- Access arrangements.
- The location and design of existing and proposed infrastructure services including gas, water, drainage, telecommunications and sewerage facilities.
- The capability of the land to accommodate necessary infrastructure, including the disposal of effluent.
- Whether the subdivision will require any traffic management measures having regard to the Goulburn Valley Harness and Greyhound Racing Precinct ~~Feasibility Study and Master Plan, July 2016.~~

#### 4.0

#### Buildings and works

A permit is not required for building or works:

- Used for crop raising, extensive animal husbandry or informal outdoor recreation.
- A rainwater tank with a capacity of more than 4500 litres.

~~A permit is required for buildings and/or works within any of the following setbacks:~~

- ~~1. The setback from a Road Zone Category 1 of 50 metres.~~
- ~~2. The setback from any other road of 20 metres.~~
- ~~3. The setback from any boundary of 5 metres.~~

- ~~4. The setback from a dwelling not in the same ownership of 5 metres.~~  
~~5. 100 metres from a waterway, wetlands or designated flood plain.~~

#### Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A plan drawn to scale that shows:
  - The boundaries and dimensions of the site and of each lot.
  - Adjoining roads.
  - The location, height and purpose of buildings and works.
  - 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.

#### **Exemption from notice and review**

~~An application for subdivision in Precinct A that is generally in accordance with the *Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan, July 2016. Investigation Area 1: Feasibility and Master Plan (date to be inserted)* 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/appeal rights of Section 82(1) of the Act.~~

Any application that is within Precinct A 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.

An application to construct a building or construct or carry out works for buildings and/or works in Precinct B associated with a Section 1 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/appeal rights of Section 82(1) of the Act.

#### Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- How the development relates to the purposes of this schedule.
- For land in Precinct B:
  - Whether the development will support and enhance harness racing training facilities or horse stables.
  - Whether the development will permanently remove land from harness racing training facilities or horse stables.
- The need to locate buildings in one area to avoid any adverse impacts on surrounding uses.
- 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.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- The impact of the proposal on the natural physical features and resources of the area.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.
- The views of the Goulburn Broken Catchment Management Authority.
- For applications within 160m of the high pressure gas pipeline, the views of the relevant operator
- Whether the subdivision will require any traffic management measures having regard to the Goulburn Valley Harness and Greyhound Racing Precinct ~~Feasibility Study and Master Plan, July 2016.~~

## 5.0 Advertising signs

None specified.

~~Proposed C199~~

~~Application requirements~~

~~An application to use, develop or subdivide land must be accompanied by the following information (as appropriate):~~

~~A plan drawn to scale that shows:~~

~~The boundaries and dimensions of the site and of each lot.~~

~~Adjoining roads.~~

~~The location, height and purpose of buildings and works.~~

~~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.~~

~~The purpose of the use and the types of activities that will be carried out.~~

~~The likely effects, if any, on the amenity of the neighbourhood, including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill.~~

~~A Traffic Impact Assessment having regard to the Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan, July 2016.~~

~~If a Rural Industry or Store or Warehouse:~~

~~The type and quantity of goods to be stored, processed or produced.~~

~~The likely effects on adjoining land, including air-borne emissions and emissions to land and water.~~

~~In addition to the above, an application to subdivide land in Precinct B must be accompanied by:~~

- ~~Details of how the proposed subdivision will facilitate the future use of the land for harness equine related services.~~
- ~~An Infrastructure Provision Plan as detailed below in accordance with Clause 6.~~



### ~~Infrastructure Provision Plan~~

~~An Infrastructure Provision Plan for the land identified in Precinct B must be prepared to the satisfaction of the responsible authority.~~

~~The Infrastructure Provision Plan must be generally in accordance with the 'Infrastructure Design Manual' of the responsible authority and should address (or include) the following matters:~~

~~The provision, staging and timing of stormwater drainage works, both internal and external to the precinct.~~

~~The provision, staging and timing of any road works.~~

~~Any other infrastructure or related matters reasonably required by the responsible authority in association with the development of the land.~~

~~The location and nature of infrastructure services to be associated with the development.~~

~~Environmentally sustainable design principles for all infrastructure to ensure efficient and sustainable use of water.~~

~~How the stormwater management system and the sewerage system interrelates and responds to the principles of water sensitive design and establishes a mechanism to improve water quality for re-use or when exiting from the development site.~~

~~A stormwater management plan for the whole of the Precinct that demonstrates there are no off-site flooding impacts.~~

~~Details of any sewerage treatment plant for the development, including:~~

~~treatment technology;~~

~~construction standards;~~

~~operational procedures;~~

~~maintenance program; and~~

~~a risk assessment of possible plant upset conditions and malfunctions and how these can be responded to including the potential for odours to be generated from sludge drying bays.~~

~~The landscaping of any land.~~

~~The provision of public open space and land for any community facilities.~~

~~How it is proposed to provide for a reticulated recycled water supply system to all residential and other uses.~~

~~The location and method of operation of the sewerage treatment plant and the identification of appropriate buffers based on the type of treatment system to be used.~~

~~How the provision, design and operation of the stormwater management system, the sewerage treatment system and reticulated water system responds to the State Environment Protection Policy (Waters of Victoria) 2003, Gazette 4/6/2003.~~

~~The appropriate staging of infrastructure and establishes a management system for co-ordination of infrastructure provision.~~

~~The Infrastructure Provision Plan must state that the provision of all infrastructure reasonably required for the development of the land, whether within or outside the developable area, is at no cost to the responsible authority.~~

#### ~~Proximity to Pipelines~~

~~Applications for use or subdivision within a distance of 15m to the north and 5m to the south of the high pressure gas pipeline must notify APA Group.~~

~~Development is not permitted within a distance of 15m to the north and 5m to the south of the high pressure gas pipeline.~~

#### ~~Acoustic Design Requirements for lots in Precinct B~~

~~Any permit for subdivision where land is located within Precinct B must include the following condition:~~

~~The permit is issued subject to a condition requiring the owner to enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1973 that provides information to future land owners that the site is located in proximity to the Goulburn Valley Harness and Greyhound Racing Precinct and may be affected by associated noise.~~

~~—— Car parking in Precinct A~~

~~The number of car spaces to be provided on the land for any use in Precinct A must be to the satisfaction of the responsible authority, having regard to an assessment of the anticipated car parking demand.~~

~~—— Decision guidelines~~

~~General issues~~

~~How the use or development relates to the purposes of the zone.~~

~~The capability of the land to accommodate the proposed use or development, including the disposal of effluent.~~

~~How the use or development relates to sustainable land management.~~

~~Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.~~

~~The layout of the subdivision;~~

~~The suitability of the location of the training facilities on the site;~~

~~Access arrangements;~~

~~The location and design of existing and proposed infrastructure services including gas, water, drainage, telecommunications and sewerage facilities.~~

~~Agricultural issues~~

~~Whether the use or development will support and enhance horse training facilities.~~

~~Whether the use or development will permanently remove land from horse training facilities.~~

~~The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.~~

~~Dwelling issues~~

~~Whether the dwelling is reasonably required for the operation of the activity conducted on the land.~~

~~Whether the dwelling is to be occupied by a registered horse trainer or employee.~~

~~Whether the dwelling will adversely affect the operation and expansion of the Harness and Greyhound Racing Facility.~~

~~Environmental issues~~

~~The impact of the proposal on the natural physical features and resources of the area.~~

~~The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.~~

~~The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.~~

~~The views of the Goulburn Broken Catchment Management Authority.~~

~~Design and siting issues~~

~~The need to locate buildings in one area to avoid any adverse impacts on surrounding uses.~~

~~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.~~

~~The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.~~

~~Traffic issues~~

~~Whether the use and development will require any traffic management measures having regard to the Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan, July 2016.~~

## Appendix D Panel preferred version of Clause 21.04

The following is a modified Clause 21.04-1 marked with exhibited insertions remaining (marked blue for additions and red for deletions). Post-hearing changes suggested by Council are highlighted in green, and the Panel's additions or deletions have a yellow highlight.

### 21.04 SETTLEMENT

#### 21.04-1 Urban Consolidation and Growth

31/08/2017  
Proposed C199

Population forecasts predict that the population of the City of Greater Shepparton will grow from 59,202 persons in 2006 to 71,509 by 2026. It is expected that to accommodate this additional population, there will need to be a corresponding growth in the number of dwellings (a separate estimate suggests a further 9,100 dwellings will be required by 2031). At the same time, changing demographic trends such as an increase of persons aged 65 and over, smaller household sizes and an increase in non-Australian born persons will create demand for a broad range of housing types within the municipality.

In facilitating the future growth and development of the municipality's towns, the Council is concerned to achieve urban consolidation thereby promoting walking, the use of bicycles and reducing the dependence on car use. In proximity to the Shepparton CBD and other key activity centres, people will be encouraged to live at higher densities in environments that offer individual, lifestyle and community benefits. The *Shepparton CBD Strategy October 2008* establishes key priorities including creating residential opportunities and expanding housing choice within the CBD. The strategy encourages the provision of additional medium density and apartment style accommodation including shop-top housing.

The *Greater Shepparton Housing Strategy 2011* (GSHS) outlines Council's approach to housing delivery and growth in the municipality and provides the basis for the objectives, strategies and policy guidelines outlined below. It provides for sufficient land supply to accommodate housing demand within a consolidated and sustainable development framework. In doing so, it defines settlement boundaries for the extent of urban expansion to ensure the sustainability of the urban community and the well-being of productive agricultural land.

A significant portion of residential growth in the short-medium term will be met by the four main growth corridors identified in the *Greater Shepparton 2030 Strategy*:

- The southern corridor to the south of the Broken River at Kialla.
- The south eastern corridor, along Poplar Avenue, Shepparton.
- The northern corridor, between Verney Road and the Goulburn Valley Highway, Shepparton.
- The western corridor, to the west of Mooroopna.

It is expected that the urban areas of Shepparton and Mooroopna along with the four major growth areas will accommodate the majority of new residential development, with remaining growth distributed throughout Tatura, Murchison, Merrigum, Dookie, Congupna, Katandra West, Tallygaroopna, Toolamba, and Undera. The location and timing of new development will be reviewed annually in accordance with the monitoring and evaluation framework contained in the GSHS.

The Council recognises that Toolamba is in a unique position as it is the only small town in the municipality which will have a dedicated freeway interchange as part of the proposed Goulburn Valley Highway Bypass. This, together with the development of the Goulburn Valley Freight Logistics Centre at Mooroopna, will present a very attractive opportunity for future residential development of the town. Connection to a reticulated sewerage system will enable Toolamba to develop at a higher residential density. However, Development Plan Overlays should be used in conjunction with any future township expansion. In the absence of sewer, all future residential development in Toolamba will be subject to a Land Capability Assessment.

It is important that growth is maintained on a number of fronts, providing choice and variety in the housing market and accommodating projected population growth over at least a 15 year period.

Future growth corridors are vital to ensure that residential development can continue once other estates and corridors are completed. The growth plans identify a number of longer term residential growth corridors in Shepparton North and Kialla to the east of Kialla Lakes once existing areas are nearing full development.

#### *Framework Plans*

The GSHS supports the growth of Greater Shepparton in a consolidated and sustainable fashion. This includes providing land for living opportunities in a variety of residential settings and locations. To provide guidance as to how and where Greater Shepparton will grow, a series of Growth Management Plans was developed.

Key elements of the Growth Management Plans from the GSHS have been incorporated into a series of *Framework Plans* which form part of the Municipal Strategic Statement (MSS). The *Framework Plans* specify the settlement boundary for each area, the direction for future growth, the types of potential zoning for each area and where applicable indicate Investigation Areas.

The Growth Management Plans within the GSHS indicate a sequencing of development over a 15-year period. While development will be encouraged in accordance with these plans, this detail has not been included in the *Framework Plans* to allow some flexibility following the ongoing monitoring of supply and demand.

#### *Settlement Boundaries*

The *Framework Plans* include a 'settlement boundary' for each urban area and town based on the Growth Management Plans within the GSHS. The settlement boundaries provide guidance to the potential type, location and amount of residential land required. The plans project the outward limit of growth to the year 2031 as well as in some instances providing the broad direction of longer-term growth of Greater Shepparton beyond 2031 as indicated by arrows on the *Framework Plans*.

Residential growth outside the nominated settlement boundaries will generally not be supported. As a result the *Framework Plans* do not indicate any future growth outside the nominated settlement boundary. The exception to this is the land contained within Investigation Areas which upon further investigation may support additional land for residential development.

#### *Investigation Areas*

Several Investigation Areas have been identified within the *Framework Plans*. These areas represent land which has potential to be rezoned to a higher density residential use due to the proximity to services and/or growth areas. The areas however presently have significant issues or constraints such as environmental, flooding, infrastructure and/or land use conflicts. The relevant issues will need to be resolved on a site-by-site basis through a more detailed analysis to determine the potential for higher density development and any subsequent changes to the *Framework Plans*.

These areas (which are nominated with the corresponding number on the *Framework Plans*) are:

- Investigation Area 1 – Kialla Paceway and Shepparton Greyhound Racing environs. This area surrounds and includes the greyhound and trotting facilities and is directly adjacent to the Shepparton South Growth Corridor. There is potential to extend services to this land. However, future residential development within this area will be dependent on amenity issues such as lighting, noise, odour and dust being addressed to ensure that the long term interests of the racing facilities are protected.
- Investigation Area 2 – Raftery Road, Kialla. The land is adjacent to the Shepparton South Growth Corridor and is situated between the Seven Creeks and Goulburn River corridors. Development is currently restricted by the 8ha minimum lot size under the Rural Living Zone. Higher density development is dependent on issues relating to servicing, flooding and the environmental assets of the two river corridors being resolved.
- Investigation Area 3 – Adams Road area, Kialla. This area is directly adjacent to the Kialla Lakes Estate though is significantly impacted by flooding. The potential to develop this land to a more intensive residential use is dependent on this issue being resolved.
- Investigation Area 4 – (Investigation Area 10 in Clause 21.06-4 Industry) east of Doyles Road, Grahamvale. There are a number of land use interface issues to be addressed in this

area. There is a mix of agriculture, residential estates such as Dobsons Estate and the Shepparton East and Lemnos industrial areas. Further investigation is required in this area following finalisation of the Industrial Strategy. Investigations will include issues associated with present industry, potential for expansion of industrial and / or residential uses and developments, future servicing requirements and agricultural impacts.

- Investigation Area 5 – Dhurringile Road, Tatura. The land is opposite the Tatura Milk Industries. The future role of this land is dependent on the identification of measures to ensure possible conflicts between the potential residential uses on this land and industry in the immediate area are effectively managed.
- Investigation Area 6 – Toolamba. The area is located to the south west of the existing township. The density of residential development will be dependent on the outcome of current investigations into the provision of sewerage to the land. In the absence of sewerage, the density of future residential development will be dependent on Land Capability Assessment.

#### Investigation Area Studies Completed

Referred to on the Framework Plans as ‘Investigation Area Study Complete’.

- Investigation Area 1 – Kialla Paceway and Shepparton Greyhound Racing Environs. The Study of this Investigation Area is now complete. The Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan, July 2016 Investigation Area 1. Feasibility and Master Plan (date to be inserted) (included as a reference document at Clause 21.09 Reference Documents) has been prepared to generally consider and address the amenity issues in this area.
- Schedule 4 to the Special Use Zone has been revised to support the ongoing use and development of the Goulburn Valley Harness and Greyhound Racing Facility. The approved Master Plan provides broad guidance and supports rezoning of the remaining land within Investigation Area 1.

#### **Objectives - Urban Consolidation and Growth**

To contain urban growth to identified growth areas in order to protect higher quality and intact agricultural areas and achieve a more compact built up area.

To encourage a variety of housing types, particularly in terms of tenure and price, to contribute to housing diversity and affordability.

To provide a greater range of housing choices to attract more people to live in the Shepparton CBD which will support the vibrancy and economy of the CBD.

To make better use of available land by allowing higher scale built form in appropriate locations within the CBD.

To minimise the impacts of housing on the natural environment.

To release land efficiently in terms of location, supply of services and infrastructure and in accordance with land capability.

To support increased residential densities, such as 15 dwellings per hectare, in established areas and the conventional living growth areas.

To increase the supply of medium density housing in appropriate locations.

To provide land for small township expansion, subject to a supply and demand analysis.

To coordinate the assessment, planning, development and servicing of identified investigation areas in an integrated manner.

To ensure any small township expansion occurs without impacting on the long-term growth potential of urban centres or productive agricultural land.

To ensure any small township expansion is dependent on land capability where no reticulated sewer is available.

To balance the need to achieve urban consolidation with the need to respect and retain the valued characteristics of existing neighbourhoods.

To ensure that land proposed for residential purposes is not contaminated.

To ensure protection of ground water and natural systems.

To ensure that provision is made for community infrastructure.

To provide for the appropriate development of Investigation Areas ~~only~~ generally where the Investigation Area Study has been completed.

#### Strategies - Urban Consolidation and Growth

- Maintain residential development targets outlined in the GSHS based on the type, amount and proportion of existing residential zones; the existing average lot sizes in each residential zone type; a qualitative assessment of dwelling demand and housing market conditions; sustainable development principles and the need to conserve land and energy; and the need to achieve the strategic directions and objectives of the GSHS. These targets are:
  - *Infill Development* – accommodate at least 10 percent of the 9,100 dwellings (910 dwellings) in existing areas through infill and redevelopment at higher densities. New dwelling construction in these areas is highly encouraged by the GSHS and this target should be exceeded where possible.
  - *Greenfield Development* – accommodate the remaining 8,190 dwellings in Greenfield locations with:
    - 60% as conventional living (450 – 800 square metres).
    - 20% as medium density housing (less than 450 square metres).
    - 15% as low density living (2,000 – 8,000 square metres).
    - 5% as rural living (2 – 8 hectares).
- Promote development in accordance with the attached Framework Plans.
- Maintain a supply of land to accommodate projected population growth over at least a 15 year period.
- Encourage the consolidation of existing residential areas in the municipality in accordance with the change areas identified in the Housing Change Area plans.
- Ensure the rezoning of future residential land is informed by the ‘Growth Management Plans’ and development principles identified in the Greater Shepparton Housing Strategy 2011.
- Ensure that township growth is determined by infrastructure provision (including water supply) and a supply and demand analysis, with developers funding the extension of water and sewerage services.
- Support applications to rezone land for residential purposes where the land has previously been used for orchard or other agricultural uses only where the application is accompanied by a soil report which confirms that the land is suitable for residential use (as required by Ministerial Direction No. 1).
- Support increased densities, such as 15 dwellings per hectare, where reticulated sewer and urban services are provided in the existing residential areas, while maintaining and protecting existing sewerage reticulation assets.
- Encourage medium density housing in preferred locations including within existing residential areas; near public transport; within major redevelopment sites; and adjacent to activity centres and open space areas.
- Encourage medium density, apartment style and shop-top housing, and including student accommodation, as part of the redevelopment of Shepparton CBD commercial sites.
- Encourage the provision of smaller lots to meet the changing demographics structure.
- Discourage multi dwelling developments within areas affected by the Floodway Overlay.
- Provide a settlement boundary beyond which additional urban growth and rezoning should not be supported.

- Encourage new subdivision and developments to promote walking and cycling between homes and schools, open spaces and shops.
- Ensure appropriate design, location and density for expanding residential areas in Shepparton North to maintain amenity protection between residential and other uses such as industry, agriculture and the Goulburn Valley Freeway.
- Link the parks, open spaces and bicycle paths to create connectivity between the three urban areas of Shepparton, Mooroopna and Kialla, with the floodplain becoming a recreation asset.
- Avoid incremental approvals and development in identified investigation areas until an integrated investigation has been completed to assess and resolve future land opportunities and constraints, land use, development opportunities, subdivisional layout and servicing for the area.
- Apply the Development Plan Overlay (DPO) to the growth areas to ensure coordinated development.
- Require development plans to be accompanied by an approved Development Contributions Plan (DCP) or an alternative such as a negotiated Pre-Development Agreement.
- ~~Ensure that amendments and development in an Investigation Area, where the Investigation Area Study has been completed, are informed by and has regard to an approved Master Plan (included as a reference document at Clause 21.09 Reference Documents).~~
- Consider the effect that use or development in an Investigation Area may have on nearby existing or proposed development.

#### Policy Guidelines - Urban Growth and Consolidation

When considering an application, the Council will be guided by the following provisions:

- Whether new development leap-frogs existing non-residential development.
- The protection of strategic riparian areas and the provision of public access.
- Flexibility in lot sizes based on, diversity of lot sizes, the proximity of services and the character of the area.
- Provision for community services (DCP or Pre-Development Agreement).
- Residential development should generally be in accordance with the sequencing indicated on the Growth Management Plans in the GSHS. Growth occurring out of sequence may be considered provided that a development proposal satisfies the following conditions:
  - It can be demonstrated that the land supply for the proposed type of development is being constricted elsewhere and that it is unlikely to become available within the designated sequencing.
  - The proposed development does not impact on the achievement of the objectives and strategies of the GSHS.
  - The development can be serviced and connected to sewer and drainage infrastructure in a timely and efficient manner to the satisfaction of the relevant service provider.
  - The full cost of extending infrastructure out of sequence is paid for by the developer.
  - The proposed development represents an exemplary development incorporating best practice standard and satisfying the objectives and strategies of the GSHS to a high degree.
- When assessing applications for use or development in an Investigation Area, where the Investigation Area Study has been completed, it is policy to:
  - ~~Ensure that applications in Schedule 4 to Clause 22.01 of the Special Use Zones, Goulburn Valley Harness and Greyhound Racing Precinct are generally in accordance with an approved Master Plan (included as a reference document at Clause 21.09 Reference Documents); and~~
  - ensure use or development in an Investigation Area has regard to the future development potential of the land identified in an approved Master Plan (including as a reference document at Clause 21.09 Reference Documents).



- Minimise any detrimental impacts on:
  - existing and future road networks, including the comments of the relevant authorities;
  - amenity of future residential development; and
  - sequencing of future residential development.

**21.04-2 Housing Change Areas**

**No other changes proposed from the existing Clause 21.04-2 onwards.**

**INVESTIGATION AREA MAPS NOT INCLUDED**

## Appendix E Table of Recommended Changes with Panel comments

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH)	Council Response to BPH (20 July)	Panel Comments
1	SUZ(4) The version submitted by the Council immediately prior to the Panel Hearing (post exhibition).	Under proposed clause 1.0 <i>Table of uses</i> and under <i>Precinct A</i> the second table for <i>Section 2 – Permit required</i> reinsert in the Use column: “Any use not listed in Section 1 or 3”	Agreed.		Supported – contained in Appendix D.
2	SUZ(4) The version submitted by the Council immediately prior to the Panel Hearing (post exhibition).	If the name of the Master Plan is changed make that consequential name change where referred to in the SUZ4.	Agreed.		As it is a Reference Document, the Panel does not support explicit referencing of the Master Plan in the SUZ4.
3	Clause 21.04 Strategy – Urban Consolidation and Growth (second last dot point, page 5 of	“● Ensure that <b>amendments and</b> development in an Investigation Area, where the Investigation Area Study has been completed, <b>are informed by and has regard to</b> an approved Master Plan	Both the proposed amendment and the revision are opposed. A problem with this amendment both in its original format, is that it was a one size fits all, in that its application would not be limited to the Area 1 Master	If any other Master Plan for any other Investigation Area is proposed to be a reference document then it must, itself, be the subject of a	Council’s proposed change is not supported. See discussion in Chapter 3 and the Panel’s preferred Clause 21.04 (Appendix D.)

## Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH)	Council Response to BPH (20 July)	Panel Comments
	33)	(including as a reference document at Clause 21.09 Reference Documents). Consider the effect that use or development in an Investigation Area may have on nearby existing or proposed development.”	Plan, but would have general application to all Master Plans in all Investigation Areas. Having regard to the problems identified with the present Master Plan, this does not bode well for the application of future Master Plans by reference to the proposed the amendment. Undoubtedly, residents in other areas of Shepparton might be surprised that this amendment is of general application and not just limited to IA1. The revised amendment proffered by Council, does not alleviate this problem. The principal objection to problem with this amendment in its original form relates to its impact on the non-Harness Racing Precinct of IA1. This will be addressed in the submissions.	planning scheme amendment allowing exhibition and response.	
4	Clause 21.04 Objectives – Urban Consolidation and Growth.	“When assessing applications for use or development in an Investigation Area, where the Investigation Area Study has been completed, it is policy to:	As with the preceding amendment to clause 21.04, it is a one size fits all, in that its application would not be limited to the Area 1 Master Plan, but would have general application	Adopting the BPH numbers: 1. As with Item 3, the reference to “one size fits all”	Council’s proposed change is not supported. See discussion in Chapter 3 and the Panel’s preferred Clause 21.04 (Appendix D.)

## Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH)	Council Response to BPH (20 July)	Panel Comments
	Last paragraph and last 2 major dot points.	<p>Ensure that applications in <b>Schedule 4 to Clause 37.01 of the Special Use Zone, Goulburn Valley Harness and Greyhound Racing Precinct</b>, are generally in accordance with an approved Master Plan (including as a reference document at Clause 21.09 Reference Documents);</p> <p>Ensure use or development in an Investigation Area has regard to the future development potential of the land identified in an approved Master Plan (included as a reference document at Clause 21.09 Reference Documents); and</p> <p>Minimise any detrimental impacts on:</p> <ul style="list-style-type: none"> <li>existing and future road networks, including the comments of the relevant authorities;</li> <li>amenity of future residential development;</li> <li>and</li> </ul>	<p>to all Master Plans in all Investigation Areas.</p> <p>Where an Investigation Area study has been completed it is appropriate, indeed necessary, that any mandatory changes to the Planning Scheme should not be introduced by way of referring to a "Reference Document".</p> <p>Subject to the above objections, BPH does not specifically object to the revised first bullet point:</p> <p>'Ensure that applications in <b>Schedule 4 to Clause 37.01 of the Special Use Zone, Goulburn Valley Harness and Greyhound Racing Precinct</b>, are generally in accordance with an approved Master Plan (including as a reference document at Clause 21.09 Reference Documents);'</p>	<p>represents a misunderstanding of how the provision and future amendments would operate.</p> <ol style="list-style-type: none"> <li>2. No mandatory change is introduced into the planning scheme by way of this reference document.</li> <li>3. Noted, however Council prefers the full suggested inclusion.</li> </ol>	

## Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH)	Council Response to BPH (20 July)	Panel Comments
		sequencing of future residential development.”			
5	Master Plan Title	Amend title potentially as follows: Investigation Area 1: Feasibility Study and Master Plan-Greater Shepparton City Council [insert month] 2017.	Agreed.		Agreed. See comments in item 2, 4.
6	Master Plan APA Gas Pipeline – page 51	Delete existing 2 paragraphs under heading “ <b>APA GAS PIPELINE</b> ” and insert the following: “ <b>APA GAS PIPELINE</b> A high pressure gas pipeline runs through the investigation area from east to west, generally to the south of the Harness and Greyhound racing precinct. The high pressure gas pipeline is potentially hazardous and it is important that future planning, land use and development within the investigation area	Not agreed as originally presented or as revised.	Accept APA requested inclusion.	As discussed in Chapter 3, Other than for inconsistencies discussed in Appendix E, the Panel have not recommended that the Master Plan, as a reference document be substantially changed. The Panel does not support an approach whereby Reference Documents are relied upon as a de facto statutory tool. The Master Plan clearly denotes the Gas Pipeline easement and requirements such as the

Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH)	Council Response to BPH (20 July)	Panel Comments
		<p>appropriately responds to the location of the high pressure gas pipeline and the associated potential risk.</p> <p>It will be necessary for future land use and development to appropriately respond to the risk associated with the Pipeline. At the time of the preparation of this document, the 'heat radiation zone' for the Pipeline is understood to be 160 m either side of the Pipeline, which may preclude particular uses, but will not preclude low density residential, rural equine living or rural residential living.</p> <p>A safety management study should be required to be undertaken before a change of land use or before development commences within the 'heat radiation zone' either side of the</p>			<p>APA guidance should relate to planning permit conditions rather than be contained in such detail within the Master Plan.</p> <p>The Panel does not support the inclusion in such detail and believes the advice contained within the exhibited Master Plan is sufficient.</p> <p>The Panel has recommended that the following be inserted into the Decision Guidelines of SUZ4:</p> <p><i>For applications within 160m of the high pressure gas pipeline, the views of the relevant operator</i></p>

## Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH)	Council Response to BPH (20 July)	Panel Comments
		Pipeline. Whether a safety management study will be required for a particular land use or development will need to be determined in consultation with the operator of the Pipeline at the relevant time."			
7	Master Plan – flooding issue Executive Summary – Strategic Context – page 4	"A Flood Overlay (FO) and Land Subject to Inundation Overlay (LSIO) exists over the south and North West corners of the <b>investigation area</b> , as well as the north east corner. Specialist consultants, Water Technology, have prepared a flood <b>behaviour study (report dated August 2016), the findings of which are reflected in the Master Plan outcomes detailed in Section 9.</b> "	Not agreed. Suggested replacement wording: "A Flood Overlay (FO) and Land Subject to Inundation Overlay (LSIO) exists over the south and North West corners of the investigation area, as well as the north east corner.  The 2012 Shepparton Mooroopna Flood Mapping and Flood Intelligence Project (as completed) and any subsequent flood studies that may in the future replace it, may result in future planning scheme amendments to the UFZ, FO and LSIO in the Municipality including Investigation Area	Noted. Council version preferred. Note: flood behaviour study is reflected in the Master Plan; and the 2012 date refers to the start date of that project and is not the appropriate reference (See Item 8).	As discussed in Chapter 4, this is an inconsistency as such the Panel agrees with the wording suggested by BPH, as it provides flexibility beyond the current flood studies should future work reveal that other changes are warranted.  The only recommended change to the BPH suggestion would be to apply the correct reference to the Mooroopna Flood Mapping and Flood Intelligence Project as discussed by Council in item 8.

## Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH)	Council Response to BPH (20 July)	Panel Comments
			1."		
8	Master Plan – flooding references Section 2.3 Planning Zones – page 15 – third paragraph	Either: delete paragraph 3 on page 15; or delete paragraph 3 on page 15 and insert:  "The Shepparton Mooroopna Flood Mapping and Flood Intelligence Project (Report dated April 2017) may result in future planning scheme amendment which changes the UFZ in Investigation Area 1 together with other areas of the Municipality."	Not agreed. The reference to the Intelligence Project Report dated April 2017 is not understood; we understand this report is still to be completed. Suggested replacement wording: "A Flood Overlay (FO) and Land Subject to Inundation Overlay (LSIO) exists over the south and North West corners of the investigation area, as well as the north east corner.  The 2012 Shepparton Mooroopna Flood Mapping and Flood Intelligence Project (as completed) and any subsequent flood studies that may in the future replace it, may result in future planning scheme amendments to the UFZ, FO and LSIO in the Municipality including Investigation Area 1."	The reference to April 2017 was a date of the report for the project, its full title being: "Shepparton Mooroopna Flood Mapping and Flood Intelligence – Data Review, Hydrology and Hydraulic Model Calibration – April 2017".  The 2012 reference is not appropriate, 2012 is when the project started.	See comments in Item 7.
9	Master Plan – flooding issue Section 2.4 Planning	Either: delete the second and third sentences of paragraph 2 on			Adopt the approach taken and applied to items 7 and 8. The Panel suggests the following replacement



## Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH)	Council Response to BPH (20 July)	Panel Comments
	Overlays Second and third sentences of second paragraph	page 18; or delete and insert: “The <a href="#">2012</a> Shepparton Mooroopna Flood Mapping and Flood Intelligence Project ( <del>Report dated April 2017</del> ) may result in future planning scheme amendment which changes the FO and LSIO in Investigation Area 1 together with other areas of the Municipality.”			text: <i>A Flood Overlay (FO) and Land Subject to Inundation Overlay (LSIO) exists over the south and North West corners of the investigation area, as well as the north east corner. The Shepparton Mooroopna Flood Mapping and Flood Intelligence Project (Report dated April 2017) (as completed) and any subsequent flood studies that may in the future replace it, may result in future planning scheme amendments to the UFZ, FO and LSIO in the Municipality including Investigation Area 1.</i>
10	Master Plan – flooding issue Section 7.3 – Investigation Area – Flooding (last paragraph page 49 and	“The initial Master Plan concepts for the investigation area were prepared on the basis of existing flood overlays and flood zones, incorporated into the Greater Shepparton Planning Scheme.	Not agreed as originally presented or as revised, save for the words: “The initial Master Plan concepts for the investigation area were prepared on the basis of	Noted – Council suggested version preferred, deletion of the balance does not reflect what occurred.	Noting the Panels comments in Chapter 3, references to the word “superseded” should be deleted for reasons already expanded upon in Chapter 3 and 4.

## Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH)	Council Response to BPH (20 July)	Panel Comments
	page 50)	<p>A flood behaviour study has been prepared for the investigation area and the surrounding land areas by specialist consultants Water Technology (Water Technology Investigation Area 1 – August 2016). Figure 11 shows the predicated flood impact of a 1 in 100 year flood event and predicts a large portion of the investigation area, affected by potentially high flood levels.</p> <p>The flood behaviour study impacts the potential for development in the investigation area due to the restriction on development in flood prone areas. To maximise developable land, there is an opportunity to provide flood mitigation infrastructure within the investigation area. Cut and fill areas would be required to facilitate development. The extent of land for development, together with the precise location, extent and quantities of cut and fill will be</p>	existing flood overlays and flood zones, incorporated into the Greater Shepparton Planning Scheme.		<p>The Panel suggests the following replacement text:</p> <p><i>The Master Plan concepts for the investigation area were prepared on the basis of existing flood overlays and flood zones, incorporated into the Greater Shepparton Planning Scheme.</i></p> <p><i>Figure 11 shows the predicated flood impact of a 1 in 100 year flood event and predicts a large portion of the investigation area, affected by potentially high flood levels.</i></p> <p><i>The flood behaviour study (reference) impacts the potential for development in the investigation area due to the restriction on development in flood prone areas. To maximise developable</i></p>

## Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH)	Council Response to BPH (20 July)	Panel Comments
		<p>subject to detailed assessment at any development approval stage.</p> <p>There is opportunity to use overland flood and flood storage areas for open space/recreation trails/horse tracks.</p> <p>The findings from the flood behaviour study are reflected in the Master Plan detailed in Section 9.”</p>			<p><i>land, there is an opportunity to provide flood mitigation infrastructure within the investigation area. Cut and fill areas would be required to facilitate development. The extent of land for development, together with the precise location, extent and quantities of cut and fill will be subject to detailed assessment at any development approval stage.</i></p>
11	Master Plan Boundaries of Development Section 9.1 Overview – page 63	<p>Insert new dot point on page 63.</p> <p>“● The nature and extent of potential uses and development contemplated may vary dependent upon detailed assessment at any development approval stage provided the Master Plan objectives continue to be achieved.”</p>	Not agreed as originally presented or as revised.		The Panel generally agrees with the comment, however feels the dot point addition is unnecessary and is best covered as a notation on plan (discussed in Item 12).

## Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH)	Council Response to BPH (20 July)	Panel Comments
12	Master Plan Boundaries of Development Master Plan – page 64	<p>A notation identical to that suggested for the new potential dot point on page 63 could be considered for inclusion on the actual Master Plan.</p> <p>At the Panel the potential for a notation specifically (and only) along the interface of the east side of the potential “Recreation Equine” use and the west side of the “Rural Equine Living” use was discussed. However, it is suggested the flexibility suggested by the proposed new dot point at page 63 (and potential notation on the actual Master Plan) should not be limited to just that interface.</p>	<p>Not agreed. The notation should clearly specify that:</p> <p>No landowner is required to agree to cut being taken from his, her its land for the purposes of offsetting fill on another land owner’s land.</p>	<p>The suggestion (of BPH) makes no sense, no land owner can be required to do this through any mechanism and certainly not through a Master Plan which is a Reference Document.</p>	<p>The Panel agrees to the notation being inserted on Master Plan at page 64.</p> <p>The straight training track should be deleted from the Master Plan as discussed in Chapter 3.</p> <p>The Master Plan should be updated to version number 11</p> <p>The notation should read:</p> <p><i>The nature and extent of potential uses and development contemplated may vary dependent upon detailed assessment at any development approval stage provided the Master Plan objectives continue to be achieved</i></p> <p>The Panel agrees with Council regarding the BPH comments.</p>
13	Master Plan Executive summary p.4		<p>After the paragraph:</p> <p>The Goulburn Valley Harness and Greyhound Precinct will continue to grow as an equine</p>	<p>Not appropriate for inclusion as Master Plan contemplates an adequate and broad</p>	<p>As discussed in Chapter 3, Other than for inconsistencies discussed in Appendix E, the Panel</p>

## Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH)	Council Response to BPH (20 July)	Panel Comments
			<p>and greyhound event hub through the development of additional equine recreation areas, equine focused residential areas, expanded training facilities and quality tourist accommodation.</p> <p>INSERT</p> <p>Land in Investigation Area 1 outside the Goulburn Valley Harness and Greyhound Precinct will be able to develop opportunities to develop accommodation and other tourist facilities as well as a providing a range of residential land.</p>	range of opportunities.	have not recommended that the Master Plan, as a reference document be substantially changed.
14	Master Plan – Explanatory Report		<p><b>Delete:</b> “the proposed Amendment C199 affects, in particular, the approximately 40 ha of land being the Precinct land.”</p> <p><b>Insert:</b> “the proposed Amendment C199 affects the whole of Investigation Area 1, being an area of approximately 310 hectares including approximately 40 ha of land being the Harness Racing</p>	An unnecessary inclusion.	As discussed in Chapter 3, Other than for inconsistencies discussed in Appendix E, the Panel have not recommended that the Master Plan, as a reference document be substantially changed.

## Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH) Precinct land."	Council Response to BPH (20 July)	Panel Comments
15	Master Plan – p.6		Due to the Goulburn Valley Harness and Greyhound Racing Precincts' distance from water and sewerage treatment plants, it is Goulburn Valley Water's preference that conventional development Precinct area be minimised otherwise large and costly infrastructure improvements will be required.	Note reference to "Goulburn Valley Harness and Greyhound Racing Precinct" should be changed to "Investigation Area 1".	As discussed in Chapter 3, Other than for inconsistencies discussed in Appendix E, the Panel have not recommended that the Master Plan, as a reference document be substantially changed.
16	Master Plan – p.7		There is strategic support for low density residential and rural living residential uses in the Goulburn Valley Harness and Greyhound Racing Precinct, however it will be important that these do not adversely impact the existing <b>Harness and Greyhound Racing</b> Precinct.  There is also strategic support for low density residential and rural living residential uses in Investigation Area 1 outside the Goulburn Valley Harness and Greyhound Racing Precinct.  It is important that developments in both areas do	Disagree - unnecessary.	As discussed in Chapter 3, Other than for inconsistencies discussed in Appendix E, the Panel have not recommended that the Master Plan, as a reference document be substantially changed.

Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH)	Council Response to BPH (20 July)	Panel Comments
			<p>not adversely impact on one another.</p> <p>If this were themed for equine, it would build on the synergies with the current Greyhound and Harness Racing functions in the precinct. Initial discussions with representatives of the equine recreation sector suggest a size range of 1-25 hectares for equine/greyhound lifestyle allotments. Further strategic support shows that the optimum lot sizes for low density residential is between 2,000 and 8,000 sqm.</p> <p>Strengthening the equine role of the Goulburn Valley Harness and Greyhound Racing precinct through land provided for equine recreational uses and commercial equine uses will provide greater market demand for equine themed rural living uses. This will also assist in growing the precinct as the home of the equine industry.</p> <p>Discussions with the equine recreational sector highlight a</p>		

Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH)	Council Response to BPH (20 July)	Panel Comments
			<p><del>lack of facilities to accommodate the growing needs of clubs in the region. In particular, the pony club has use conflicts with the training undertaken at the rear of the site.</del> The precinct provides the opportunity to collocate a number of the Goulburn Valley’s equine recreational clubs into one precinct.</p> <p>There is market support for visitor accommodation within the investigation area, notably to leverage off visitation to the racing precinct and equine recreation uses, but also to provide accommodation more broadly to Shepparton and the surrounding region.</p> <p>The Goulburn Valley Harness and Greyhound Racing precinct is best developed with a mix of the complementary uses listed above. A key outcome for the investigation is to spatially organise these uses in an effective and complementary manner.</p>		



## Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH)	Council Response to BPH (20 July)	Panel Comments
17	Master Plan p.9		The feasibility study and Master Plan will-guide provide the future development of the Goulburn Valley Harness and Greyhound Precinct and provide useful background information for the surrounding investigation area.	Disagree – unnecessary and inaccurate.	As discussed in Chapter 3, Other than for inconsistencies discussed in Appendix E, the Panel have not recommended that the Master Plan, as a reference document be substantially changed.
18	Master Plan p.12		Landowners have subsequently been provided with opportunity to provide comment on the Background Discussion Paper and the Draft Report after which many of the Landowners have continued to object to the Background Discussion Paper and the Draft Report and to the Final Report.	Disagree – unnecessary and inappropriate.	As discussed in Chapter 3, Other than for inconsistencies discussed in Appendix E, the Panel have not recommended that the Master Plan, as a reference document be substantially changed.
19	Master Plan p.15		Delete: Recent flood mapping for the Investigation Area and surrounding land areas has been prepared, which supersedes the Urban Floodway Zones identified in Figure 2. The findings from the flood mapping are reflected in the Master Plan	Dealt with at Item 8.	See comments relating to items 7 and 8.

## Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH) and are detailed in Section 7.	Council Response to BPH (20 July)	Panel Comments
20	Master Plan p.18		Partial deletion A Flood Overlay (FO) affects a portion of the investigation area. A Land Subject to Inundation Overlay (LSIO) affects a large portion of the land. <del>However, recent flood mapping for the Investigation Area and surrounding land areas has been prepared, which supersedes the FO and LSIO identified in Figure 3. The findings from the flood mapping are reflected in the Master Plan and are detailed further in Section 7.</del>	Unnecessary – dealt with at Item 9.	See Panel comments for item 9.
21	Master Plan p.48		The physical considerations for the Goulburn Valley Harness and Greyhound Racing Precinct have been recently updated to reflect new studies into <del>the flood impact and</del> noise considerations for the investigation area. Specialist independent consultants, Water Technology, were engaged to investigate the flooding potential of the	Reference to “Goulburn Valley Harness and Greyhound Racing Precinct” should be changed to “Investigation Area 1”. Otherwise, disagree, in particular the suggested change to reflect potential modifications in	Name change has been supported. No other change for reasons explained in Chapter 3 and throughout this table. The Panel notes it has recommended in its preferred Clause 21.04 at Appendix D a broadening of the policy guidance

## Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH)	Council Response to BPH (20 July)	Panel Comments
			<p>investigation area. This included the preparation of flood mapping for the precinct, conducted in May 2016.</p> <p>An acoustics report was also prepared by specialist independent consultant Watson Moss Growcott in May 2016, which considers the noise emissions for the Greyhound and Harness activities to propose future residential areas.</p> <p>These updated physical constraints are reflected in the spatial issues map on page 54. (subject to further investigations being extended to potential residential developments to the south and south east and implementation of any recommendations following such further investigations)</p>	<p>development contemplated under the Master Plan has already been suggested (see Items 11 and 12).</p> <p>BPH seeks a modification, solely for the benefit of BPH.</p>	<p>under "Investigation Areas – Studies Completed."</p>
22	Master Plan p.49		<p>SEVEN CREEKS</p> <p>A 60 metre setback is required for development adjoining/surrounding Seven Creeks. There is potential to utilise the Seven Creek buffer area for recreation purposes</p>	<p>The reference to prohibition under the relevant legislation is an inaccurate description of the processes associated with obtaining any</p>	<p>The Panel agrees with Council's response.</p>

## Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH)	Council Response to BPH (20 July)	Panel Comments
			<p>such as an equine cross country course or other equine friendly uses</p> <p>Note: the above activity is proposed to take place in a protected area and would be prohibited under the Aboriginal Heritage Act 2006 (Vic) and the Aboriginal Heritage Regulations 2007</p> <p>FLOODING</p> <p>The initial Master Plan concepts for the investigation area were prepared on the basis of existing flood overlays and flood zones, incorporated into the Greater Shepparton Planning Scheme.</p> <p><del>However, this information has been superseded by more recent flood mapping investigations, which further constrain the development potential of the investigation precinct.</del></p>	<p>relevant approval.</p> <p>There is no known automatic prohibition.</p> <p>Otherwise dealt with at Item 10.</p>	
23	Master Plan p.50		Flood mapping has been prepared for the investigation area and the surrounding land areas by specialist consultants Water Technology in May 2016.	Dealt with at Item 10.	See the Panel's comments for Item 10.

Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH)	Council Response to BPH (20 July)	Panel Comments
			<p>The flood mapping identifies significant flood impacts on particular sections of the investigation area as a result of the nearby Seven Creeks.</p> <p>Figure 11 shows the flood impacts of a 1 in 100-year flood event. The mapping shows a large proportion of the investigation area, notably in the south west corner and western and southern boundaries significantly affected by potentially high flood levels.</p> <p>The flood mapping will adversely impact the potential for development in the precinct due to the restriction on development in flood prone areas. To maximise developable land, there is an opportunity to provide flood mitigation infrastructure within the investigation area. Cut and fill areas would be required to facilitate development. There is</p>		

## Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH)	Council Response to BPH (20 July)	Panel Comments
			<p>opportunity to use overland flood areas<sup>13</sup> for open space/recreation trails/horse tracks.</p> <p>The findings from the recent flood mapping are reflected in the Master Plan detailed in Section 9.</p>		
24	Master Plan p.53		The Master Plan detailed in Section 9 reflects the restriction on development due to noise pollution from the racing precinct.	Disagree.	Unnecessary. The SUZ4 contains relevant guidance and is the appropriate mechanism. Additional wording has been added to the SUZ4 as discussed in Chapter 3.
25	Master Plan p.11		<p>After:</p> <p>PROJECT STEERING COMMITTEE</p> <p>The project steering committee consists of representatives from:</p> <p>Greater Shepparton City Council;</p> <p>The Shepparton Harness Racing Club; and</p>	Disagree. Unnecessary and inappropriate.	No change for reasons explained in Chapter 3 and throughout this table.

<sup>13</sup> This appears to extend to prohibited areas under the Aboriginal Heritage Act 2006 (Vic) and the Aboriginal Heritage Regulations 2007.

## Greater Shepparton Planning Scheme Amendment C199 | Panel Report | 1 September 2017

ITEM	Document	Proposed Change	Comments from Basic Property Holdings (BPH)	Council Response to BPH (20 July)	Panel Comments
			The Shepparton Greyhound Racing Club. Insert But did not include any community representatives.		



# INVESTIGATION AREA 1

## FEASIBILITY STUDY & MASTER PLAN

GREATER SHEPPARTON CITY COUNCIL | OCTOBER 2017



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**FILENAME:** InvestigationArea1-FeasibilityStudyandMasterPlan-GreaterSheppartonCityCouncil-Oct2017.docx**VERSION:** Final**DISCLAIMER**

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## CONTENTS

EXECUTIVE SUMMARY	4	4.1. INTRODUCTION	32	7.3. INVESTIGATION AREA	49
1. INTRODUCTION	9	4.2. KEY FINDINGS	32	7.4. GREYHOUND AND EQUINE PRECINCT FACILITIES	52
1.1. PROJECT OVERVIEW	9	4.3. SHEPPARTON GREYHOUND RACING CLUB	34	8. FUTURE LAND USE ASSESSMENT AND	
1.2. PROJECT OBJECTIVES	9	4.4. SHEPPARTON HARNESS RACING CLUB	35	RECOMMENDATIONS	55
1.3. METHODOLOGY	10	4.5. SHEPPARTON PONY CLUB	36	8.1. INTRODUCTION	55
1.4. KEY STAKEHOLDERS	11	4.6. SHARED FACILITIES	36	8.2. KEY FINDINGS	55
1.5. SITE DETAILS	12	4.7. PROPERTY OWNERSHIP	37	8.3. RESIDENTIAL LAND	56
2. STRATEGIC CONTEXT	14	5. HARNESS AND GREYHOUND PRECINCT BUSINESS GROWTH		8.4. RECREATIONAL EQUINE GROUPS	58
2.1. INTRODUCTION	14	OPPORTUNITIES	38	8.5. COMMERCIAL AND TOURISM USES	59
2.2. KEY FINDINGS	14	5.1. INTRODUCTION	38	8.6. SUMMARY OF LAND USES	62
2.3. PLANNING ZONES	15	5.2. POPULATION	38	9. MASTERPLAN	63
2.4. PLANNING OVERLAYS	18	5.3. VISITATION TO GREATER SHEPPARTON	39	9.1. OVERVIEW	63
2.5. LITERATURE REVIEW	20	5.4. VISITATION TO PRECINCT	40	10. ECONOMIC IMPACT	65
3. PROFILE OF THE HARNESS AND GREYHOUND RACING		5.5. OPPORTUNITIES TO INCREASE VISITATION TO THE		10.1. INTRODUCTION	65
CLUBS	25	PRECINCT	43	10.2. KEY FINDINGS	65
3.1. INTRODUCTION	25	6. CASE STUDIES	44	10.3. CONSTRUCTION PHASE IMPACTS	66
3.2. KEY FINDINGS	25	6.1. INTRODUCTION	44	10.4. OPERATIONAL PHASE IMPACTS	68
3.3. VICTORIAN GREYHOUND RACING INDUSTRY	26	6.2. KEY FINDINGS	44	APPENDIX A ACCOMMODATION ASSESSMENT	70
3.4. TRENDS	27	6.3. HARNESS, THOROUGHBRED AND GREYHOUND		APPENDIX B ACOUSTIC ASSESSMENT	75
3.5. VICTORIAN HARNESS RACING INDUSTRY	28	PRECINCTS	44		
4. EXISTING CONDITIONS: CLUB FACILITIES AND		6.4. RURAL RESIDENTIAL/LIFESTYLE FARMS	45		
OPERATIONS	32	7. PHYSICAL CONSIDERATIONS	48		
		7.2. KEY FINDINGS	48		

**FIGURES**

FIGURE 1 OVERVIEW OF METHODOLOGY	10
FIGURE 2 PLANNING ZONES - INVESTIGATION AREA	15
FIGURE 3 PLANNING OVERLAYS INVESTIGATION AREA	18
FIGURE 4 EXISTING GREYHOUND RACING CLUBS - VIC	26
FIGURE 5 TRENDS IN INDUSTRY REVENUE/INCOME (GRV)	28
FIGURE 6 EXISTING HARNESS RACING CLUBS	28
FIGURE 7 TRENDS IN KEY STATISTICS (HRV)	30
FIGURE 8 PROPERTY OWNERSHIP – LAND ALLOTMENTS	37
FIGURE 9 GOULBURN RIVER VALLEY REGION	39
FIGURE 10 ORIGIN OF SHEPPARTON HARNESS STARTERS 2013	41
FIGURE 11 FLOOD MAPPING – INVESTIGATION AREA 1	50
FIGURE 12 INVESTIGATION AREA PHYSICAL ISSUES MAP	54
FIGURE 13 EQUINE AND GREYHOUND RELATED INDUSTRIES: GREATER SHEPPARTON	60
FIGURE 14 RESIDENTIAL DEVELOPMENT IN KIALLA	61
FIGURE 15 PRECINCT MASTERPLAN	64
FIGURE 16 MAP OF CARAVAN PARKS NEAR SHEPPARTON	73

**TABLES**

TABLE 1 SUMMARY OF PERMIT REQUIREMENTS FOR PLANNING ZONES	16
TABLE 2 SUMMARY OF PERMIT REQUIREMENTS FOR PLANNING OVERLAYS	19
TABLE 3 KEY INDUSTRY STATISTICS – GREYHOUND RACING VICTORIA 2013	27
TABLE 4 KEY INDUSTRY STATISTICS – 2013	29
TABLE 5 PROJECTED POPULATION – GREATER SHEPPARTON	38
TABLE 6 VISITATION TO GREATER SHEPPARTON 2013	39
TABLE 7 REASON FOR VISIT-OVERNIGHT VISITORS	39
TABLE 8 VISITATION ESTIMATES	40
TABLE 9 RACES/EVENTS AND NUMBER OF VISITORS	42
TABLE 10 NUMBER OF VISITORS TO PRECINCT	42
TABLE 11 SUMMARY OF RURAL RESIDENTIAL/EQUINE LIFESTYLE FARM CASE STUDIES	47
TABLE 12 PROJECTED POPULATION – GREATER SHEPPARTON	56
TABLE 13 PROJECTED DWELLINGS - GREATER SHEPPARTON	56
TABLE 14 EQUINE AND GREYHOUND RELATED INDUSTRIES: GREATER SHEPPARTON	60
TABLE 15 ESTIMATED POTENTIAL LAND REQUIREMENTS PER LAND USE	62
TABLE 16 CONSTRUCTION PHASE COST ESTIMATES	67
TABLE 17 ONGOING ECONOMIC DRIVERS	69
TABLE 18 HOTELS, MOTELS AND MOTOR INNS IN SHEPPARTON	70
TABLE 19 SUPPLY OF CARAVAN PARK ACCOMMODATION NEAR SHEPPARTON	74

**TERMS**

**Investigation area** – The investigation area refers to the precinct bounded by the Goulburn Valley Highway to the west, River Road to the north, Archer Road to the east and Mitchell Road to the south. The investigation area includes the Goulburn Valley Harness Racing and Greyhound Racing facilities.

**ACRONYMS**

**GV** – Goulburn Valley

**GRV** – Goulburn River Valley

**HRV** – Harness Racing Victoria

**GRV** – Greyhound Racing Victoria

**SHRC** – Shepparton Harness Racing Club

**SGRC** – Shepparton Greyhound Racing Club

**SPC** – Shepparton Pony Club

**EA** – Equestrian Australia

**PCA** – Pony Clubs Australia

**PCAV** – Pony Club Association of Victoria

**HRCVA** – Horse Riding Club Association of Victoria

**NVSJC** – The Northern Victorian Show Jumping Club

**GRVT** – Goulburn River Valley Tourism

**DMP** – Destination Management Plan

**MSS** – Municipal Strategic Statement

**MOU** – Memorandum of Understanding

**GOTAFE** – Goulburn Ovens Institute of TAFE

**RLZ** – Rural Living Zone

**GRZ** – General Residential Zone

**FZ2** – Farming Zone 2

**SU4** – Special Use Zone 4

**UFZ** – Urban Floodway Zone

**FO** – Floodway Overlay

**LSIO** – Land Subject to Inundation Overlay

## EXECUTIVE SUMMARY

### BACKGROUND

Urban Enterprise was appointed to undertake a feasibility study and masterplan for the Goulburn Valley Harness and Greyhound Racing Precinct Investigation Area (**investigation area**) in 2013 by Greater Shepparton City Council.

The masterplan included in this document is the result of extensive consultation and market research into the various uses and options identified for the investigation area. The report has been progressively prepared between 2013 and 2016. The majority of the background analysis for the project was completed in 2013. The masterplan has undergone a number of iterations up to this point to reflect the outcomes of community consultation and new specialist technical reports. The masterplan provided in this document reflects the recent expert analysis into the flooding potential of the investigation area and the noise considerations from the Harness Racing public address system.

### VISION

The Goulburn Valley Harness and Greyhound Precinct will continue to grow as an equine and greyhound events hub through the development of additional equine recreation areas, equine focused residential areas, expanded training facilities and quality tourist accommodation.

The masterplan will deliver strong community and economic benefit for Greater Shepparton through the attraction of additional visitors to events, provision of quality training and recreational facilities and the provision of tourism accommodation uses.

The Goulburn Valley Harness and Greyhound Racing Precinct Masterplan will continue to strengthen Greater Shepparton as a premier equine region.

### STRATEGIC CONTEXT

The majority of the investigation area is Farming Zone 2 (FZ2), apart from the Harness and Greyhound Racing Precinct which is Special Use Zone 4 (SUZ4). The purpose of Farming Zone 2 is to provide the use of land for agriculture. The purpose for the Special Use Zone 4 is for harness and greyhound racing and a range of entertainment, recreational, commercial and community activities.

A Flood Overlay (FO) and Land Subject to Inundation Overlay (LSIO) exists over the south and North West corners of the investigation area, as well as the north east corner.

The Shepparton Mooroopna Flood Mapping and Flood Intelligence Project (Report dated April 2017) (as completed) and any subsequent flood studies that may in the future replace it, may result in future planning scheme amendments to the UFZ, FO and LSIO in the Municipality including Investigation Area 1.

The Greater Shepparton Housing Strategy (2011) has estimated a need for 365 new dwellings per year to meet demand. Low density and rural living are currently underrepresented and reflect a gap in the market. The Greater Shepparton Housing Strategy also identifies the potential for rural living in the investigation area and highlights the importance of careful planning in the 'Kialla Paceway' precinct to minimise land conflicts between the facility and future residents.

Greater Shepparton's Rural Land Use Strategy (2010) highlights the importance of the equine industry to the Goulburn Valley and emphasises its economic value and community contribution to the region.

The Goulburn River Valley Destination Management Plan (2013) identifies the opportunity for the equine and greyhound industry to become a major draw card for the region. The plan also identifies the need

for new tourism product to grow yield from the tourism sector such as accommodation targeted to market needs in Shepparton.

#### OVERVIEW OF THE HARNESS AND GREYHOUND SECTORS

There are 13 greyhound racing clubs in Victoria, with Shepparton being the only club in the north east of the State. This ensures that Shepparton has a large catchment for greyhound races, which includes north east Victoria, the Murray Region and southern NSW.

In 2013, Greyhound Racing Victoria held a total of 937 race meetings with an 11.3% increase in attendance from the previous year.

There are 38 harness racing clubs across Victoria. In 2013, Harness Racing Victoria held 452 race meetings. Shepparton Racing Club is one of many clubs situated in Victoria's north east, however it is one of the strongest performing clubs in the region.

Both the greyhound and harness racing industries have reported strong income growth over the past five years. In the case of the Harness Racing, much of this growth can be attributed to the introduction of Tabcorp Park and its non-racing entertainment, tourism and hospitality functions.

Greyhound Racing Victoria has had strong growth in revenue on the back of a greater share of income from Tabcorp and increased wagering as a result of more race meets.

Industry trends highlight that the opportunity for the Goulburn Valley Harness and Greyhound Racing Precinct is to grow visitation through events, and greater entertainment during race nights. Tabcorp Park provides a good example of how multiple strong revenue streams can be leveraged from Harness Racing facilities and wagering.

There is an opportunity for the Goulburn Valley Harness and Greyhound Precinct to become a premier racing precinct in Regional Victoria.

#### GOULBURN VALLEY HARNESS AND GREYHOUND RACING CLUBS FACILITIES AND OPERATIONS

The Harness and Greyhound Racing Precinct is largely built out across the site, with little room for broad scale expansion. The Greyhound Racing Club occupies the front of the site, with the Harness and Pony Club situated at the rear.

The precinct is home to excellent function room facilities including the Greyhound Racing Club's function room which accommodates 200 seated patrons. The Harness Racing Club's AH Rathjen Dining room and the Winning Post Complex has a capacity of 400 standing and 250 seated guests respectively.

Discussion with the clubs highlights that there is no requirement for short to medium term expansion of their operations, however both clubs concede that a straight track in the precinct will grow the training potential of the precinct. In the long term, consideration of other ancillary facilities may be made such as gaming facilities, full time bistro function and accommodation. These type of facilities will provide the potential to increase visitation to the precinct and complement the racing functions.

The Harness and Greyhound Racing Clubs would like to see buffers around the precinct to protect any long term potential conflict from residential encroachment that might impact on their long term use.

### BUSINESS GROWTH OPPORTUNITIES FOR THE CLUBS

Greater Shepparton is projected to grow substantially over the next 15-20 years. Victoria in Future projects that the Greater Shepparton population will experience 23% growth between 2014 and 2031. This will provide growth in local market demand for function spaces, events and memberships for the clubs.

Greater Shepparton is a key visitor node within the Goulburn River Valley Tourism Region, attracting 1.1 million visitors per annum. A large proportion of visitors to the Goulburn River Valley are visiting for special events or for business reasons. This highlights the strength of business and non-business event markets in Shepparton.

It is estimated that the Harness and Greyhound Racing Precinct attracts around 65,000 visitors per annum, of which around 9,500 are estimated to be overnight visitors to Shepparton. Visitation to the precinct creates demand for food, beverage, accommodation and equine/greyhound services in Shepparton.

There is opportunity for the equine precinct to grow visitation through attracting more social and non-social events and through development of the entertainment offer during race nights and non-racing times.

### PHYSICAL ISSUES AND OPPORTUNITIES

The key physical issues and opportunities to be considered when preparing the masterplan for the investigation area include:

- Minimise entry points to the precinct and investigation area from the Goulburn Valley Highway. A service road may be implemented to provide access to properties.
- Land on the corner of the Goulburn Valley Highway and River Road will be required to be reserved for potential future road realignment in the long term to support large vehicle transport.
- Entry points should be minimised on River Road as it is a heavy vehicle thoroughfare;
- Improved traffic management at all interactions surrounding the precinct will be required with further development of the investigation area;
- Large areas of the site are subject to flooding and development in these areas should be minimised;
- A gas pipeline travels underground from east to west directly south of the harness and greyhound racing precinct. Development cannot be undertaken above the pipeline. A setback of 15 metres north and 5 metres south of the pipeline must be adhered to;
- Due to the precinct's distance from water and sewerage treatment plants, it is Goulburn Valley Water's preference that conventional residential development in the area be minimised, otherwise large and costly infrastructure improvements will be required.
- Channel water is provided to the precinct by Goulburn Murray Water, which provides an important hydraulic control.
- General landscape amenity of the precinct could be improved with tree plantings, trails and way finding signage.

### CONSULTATION

The consultation process for the project has occurred over a number of years and in varying formats. The consultation process for the project is outlined below:

- Preparation of project information for stakeholders;
- Project information and invitations to attend a one-on-one interview sent to referral authorities and all landowners within and adjoining the investigation area;
- Arrangement of in region consultation including invites to a recreational equine industry workshop, council staff workshop and harness and greyhound industry workshop;
  - In region consultation;
  - Meetings with landowners who responded to the invitation to meet;
  - Meetings with referral authorities;
  - Workshop with Harness and Greyhound Clubs and State representatives;
  - Meetings with various Council departments; and
  - Workshop with recreation horse industry.
- Presentation of Issues, opportunities and options to steering committee and Greater Shepparton City Council;
- Exhibition of Background Discussion Paper;
- Submissions to Background Discussion Paper received and reviewed;
- Draft Report prepared and presented to Council;
- Exhibition of Draft Report with submissions received and reviewed;
- Preparation of Final Report (this report).

### FUTURE LAND USE ASSESSMENT AND RECOMMENDATIONS

The future land use opportunities of the investigation area include rural equine living allotments, rural living allotments, low density residential allotments, equine recreation, commercial, tourism accommodation and equine services.

There is strategic support for low density residential and rural living residential uses in the precinct, however it will be important that these do not adversely impact the existing Harness and Greyhound Racing Precinct. If this were themed for equine, it would build on the synergies with the current Greyhound and Harness Racing functions in the precinct. Initial discussions with representatives of the equine recreation sector suggest a size range of 1 - 2.5 hectares for equine/greyhound lifestyle allotments. Further strategic support shows that the optimum lot sizes for low density residential is between 2,000 and 8,000 sqm.

Strengthening the equine role of the precinct through land provided for equine recreational uses and commercial equine uses will provide greater market demand for equine themed rural living uses. This will also assist in growing the precinct as the home of the equine industry. Discussions with the equine recreational sector highlight a lack of facilities to accommodate the growing needs of clubs in the region. In particular, the pony club has use conflicts with the training undertaken at the rear of the site. The precinct provides the opportunity to collocate a number of the Goulburn Valley's equine recreational clubs into one precinct.

There is market support for visitor accommodation within the investigation area, notably to leverage off visitation to the racing precinct and equine recreation uses, but also to provide accommodation more broadly to Shepparton and the surrounding region.

The precinct is best developed with a mix of the complementary uses listed above. A key outcome for the investigation is to spatially organise these uses in an effective and complementary manner.



### MASTERPLAN

The masterplan has been designed to develop a strong integrated precinct that leverages off the existing equine and greyhound events and training role of the Kialla Paceway. Expansion of equine uses including a new purpose designed recreation equine area and rural equine residential will create a strong home for equine sector uses in Greater Shepparton.

The commercial accommodation uses are proposed to leverage from visitation to the precinct, but will also meet accommodation gaps in the Greater Shepparton region.

Low density residential uses will provide a greater diversity in the dwelling stock available in Greater Shepparton, creating a high quality and diverse residential precinct.

Section 9 provides an overview of the masterplan for the investigation area.

### ECONOMIC IMPACT OF THE MASTERPLAN

The proposed masterplan for the Equine and Greyhound Precinct will enable the following estimated economic benefits to the Victorian economy:

- \$220.8 million in output and 572 jobs during the construction phases of development;
- A minimum ongoing impact of \$4.9 million in output and 25 jobs.

The vast majority of these jobs will be sourced within Greater Shepparton due to the large scale of Shepparton's construction industry and population base to support ongoing service sector jobs.

The ongoing economic impact identified is conservative as it does not account for additional expenditure to Greater Shepparton by attracting new visitors to the region outside of accommodation expenditure and expenditure within the Equine and Greyhound Precinct.

## 1. INTRODUCTION

### 1.1. PROJECT OVERVIEW

Urban Enterprise was commissioned by Greater Shepparton City Council to prepare a feasibility study and masterplan for the development of the Goulburn Valley Harness and Greyhound Racing Precinct and surrounding investigation area (**investigation area**).

The key components of the project include:

- An assessment of the performance of the equine and greyhound industry in Victoria and Greater Shepparton;
- An assessment of the physical constraints of the investigation area;
- Potential future land use opportunities for the investigation area;
- A masterplan to provide direction for future development of the precinct; and
- The estimated economic impact of development of the investigation area.

The feasibility study and masterplan's project steering committee includes:

- The City of Greater Shepparton;
- The Shepparton Harness Racing Club; and
- The Shepparton Greyhound Racing Club.

The role of the project steering committee is to ensure the project brief is delivered by providing background information, as well as contributing to the consultation process. The steering committee is not a part of the decision making process. This role and responsibility rests solely with Greater Shepparton City Council.

The study is informed by Council strategies that identify the precinct as a future growth area of Shepparton, as well as project stakeholders including the Shepparton Harness and Greyhound Racing Clubs, Shepparton equine clubs, referral authorities and landowners within and adjoining the investigation area.

### 1.2. PROJECT OBJECTIVES

The feasibility study and masterplan will guide the future development of the Goulburn Valley Harness and Greyhound Precinct and surrounding investigation area. The objectives of this study are as follows:

1. **Understand the strategic context of the precinct** – Review local planning policy and Council documents that identify the precinct as a future growth area of Shepparton. This will require an analysis of the adequacy and functionality of current facilities within the precinct.
2. **Identify the current state of the equine and greyhound industry in Victoria** – Investigate the strengths and weaknesses of the equine and greyhound industry and investigate the regional demand for an upgrade or extension of facilities within the precinct.
3. **Assess potential demand and relative competitiveness for this precinct within the region and Victoria** – Identify the regional catchment for this precinct and assess competing precincts in the region.
4. **Determine the economic impact of any proposed development to Greater Shepparton and the region** – Assess the economic outcomes in terms of employment, tourism and the equine industry value add.
5. **Evaluate the development costs** – Assess the development cost associated with potential improvements to the racing complex and surrounding areas, and undertake a cost benefit analysis.

6. **Investigate the viability of ancillary activities within the precinct** – Investigate complementary activities to harness racing and greyhound racing that could be established within the precinct as a means of leveraging off existing operations.
7. **Investigate how the development of the precinct could be delivered** – including funding sources and land ownership within the precinct.

### 1.3. METHODOLOGY

Figure 1 shows the step by step methodology for the Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study.

The project has been delivered in five key stages as follows:

1. Inception, Background Review and Consultation
  - Project Inception – including agreement of the scope of works, project context and site visits.
  - Literature Review – providing a review of background information, literature and key policy/strategy.
  - Consultation – extensive stakeholder consultation with the project steering committee, key Council departments, referral authorities and landowners within the precinct and adjoining the investigation area.
2. Feasibility Study [Background Discussion Paper]
  - Regional Positioning – providing an assessment of the importance of the facility to the region and the potential to be positioned as a regional leader in the equine industry.
  - Analysis of Existing Conditions – an audit and condition report of existing facilities.
  - Market Analysis – including investigation of current uses, identification of demand and a review of market trends and potential markets.

- Assessment of Development Alternatives – examining the range of facilities and activities for inclusion in the masterplan and an assessment of potential development scenarios; with the ultimate selection of a preferred development alternative.
  - Economic considerations – analysing the viability of proposals, the economic impact of the preferred development alternative and potential funding opportunities.
3. Recommendations
    - Following consultation of the Background Discussion Paper a recommended concept was proposed.
  4. Masterplan & Draft Report
    - Preparation of a masterplan for the investigation area – to address the key objectives and recommended concept detailed in a Draft Report.
  5. Final Reporting
    - Final Report – the delivery of a final report that succinctly summaries all elements of the project in a consolidated report, including feedback on the Draft Report.

FIGURE 1 OVERVIEW OF METHODOLOGY



### 1.3.1. CONSULTATION PROCESS

Urban Enterprise conducted stakeholder workshops with the steering committee and recreational equine and greyhound clubs, as well as one-on-one meetings with council staff, referral authorities and affected land owners located within and adjoining the investigation area. The consultation process helped identify physical constraints and issues associated with the investigation area and presented potential opportunities for the future direction and development of the precinct.

The consultation process included the following steps:

- Preparation of project information for stakeholders;
- Project information and invitations to attend a one-on-one interview sent to referral authorities and all landowners within and adjoining the investigation area;
- Arrangement of in region consultation including invites to a recreational equine industry workshop, council staff workshop and harness and greyhound industry workshop;
  - In region consultation;
  - Meetings with landowners who responded to the invitation to meet;
  - Meetings with referral authorities;
  - Workshop with Harness and Greyhound Clubs and State representatives;
  - Meetings with various Council departments; and
  - Workshop with recreation horse industry.
- Presentation of Issues, opportunities and options to steering committee and Greater Shepparton City Council;
- Exhibition of Background Discussion Paper;
- Submissions to Background Discussion Paper received and reviewed;
- Draft Report prepared and presented to Council;
- Exhibition of Draft Report with submissions received and reviewed;
- Preparation of Final Report.

## 1.4. KEY STAKEHOLDERS

### PROJECT STEERING COMMITTEE

The project steering committee consists of representatives from:

- Greater Shepparton City Council;
- The Shepparton Harness Racing Club; and
- The Shepparton Greyhound Racing Club.

The role of the project steering committee is to ensure the project brief is delivered by providing background information and contributing to the consultation process. The steering committee is not a part of the decision making process, this role and responsibility rests solely with the Greater Shepparton City Council.

Urban Enterprise conducted a workshop with the project steering committee to understand existing conditions for the racing precinct, and understand current operations. The workshop helped inform an understanding of the physical constraints and opportunities for the precinct.

### REFERRAL AUTHORITIES

Urban Enterprise invited a number of referral authorities to participate in the consultation process. Thirty minute sessions were allocated for each authority in order to understand existing conditions. Urban Enterprise met with the following authorities: Vic Roads, Goulburn Valley Water, Goulburn Murray Water, Department of Primary Industries, GRVT and Tourism Greater Shepparton.

Referral authorities that were invited to participate, but could not attend include: Goulburn Broken Catchment Authority, CFA, APA Group, Powercor Australia, EPA and PTV. However, a number of these referral authorities made submissions to the Draft Report, including APA Group, Goulburn Broken Catchment Authority, the CFA and PTV.

### COUNCIL STAFF

Urban Enterprise met with a number of council staff from several departments including representatives from Strategic Planning, Sustainability and Environment, Events and Tourism, Waste Management and Property.

### LANDOWNERS

Landowners were formally contacted by Greater Shepparton City Council to participate and contribute in the consultation process. Landowners were informed of the project brief, as well as notified of specific times and dates in which consultation sessions would be occurring. Several weeks prior to the allocated dates, landowners were sent a letter in the post outlining the purpose of the study and the importance for them to contribute in the process to aid in understanding certain aspirations and opportunities for the investigation area, as well as physical issues and constraints.

Landowners were instructed to contact Urban Enterprise to book a specific thirty minute one-on-one session at the Greater Shepparton City Council offices.

Landowners have subsequently been provided with opportunity to provide comment on the Background Discussion Paper and the Draft Report.

### EQUINE CLUBS

Urban Enterprise conducted a workshop with the region's equine clubs to gain an understanding of physical issues facing the clubs, as well as the potential opportunities for equine clubs in the future. The following equestrian clubs attended the workshop: Shepparton Pony Club, Goulburn Valley Equestrian Club, Southern Seven Cutting Horse Association, Goulburn Valley Show Jumping Club and Goulburn Valley Pony Club.

Follow up meetings were conducted with the Shepparton Pony Club and Goulburn Valley Equestrian Club to determine their space and facilities requirements.

### 1.5. SITE DETAILS

The report refers to two separate areas including:

- The Investigation Area; and
- The Goulburn Valley Harness and Greyhound Racing Precinct.

#### INVESTIGATION AREA

The Investigation Area for this project is the area that is enclosed by the Goulburn Valley Highway, Mitchell Road, Archer Road and River Road, located in Kialla, Greater Shepparton. The area of the precinct is approximately 3.1 km<sup>2</sup> (310 hectares).

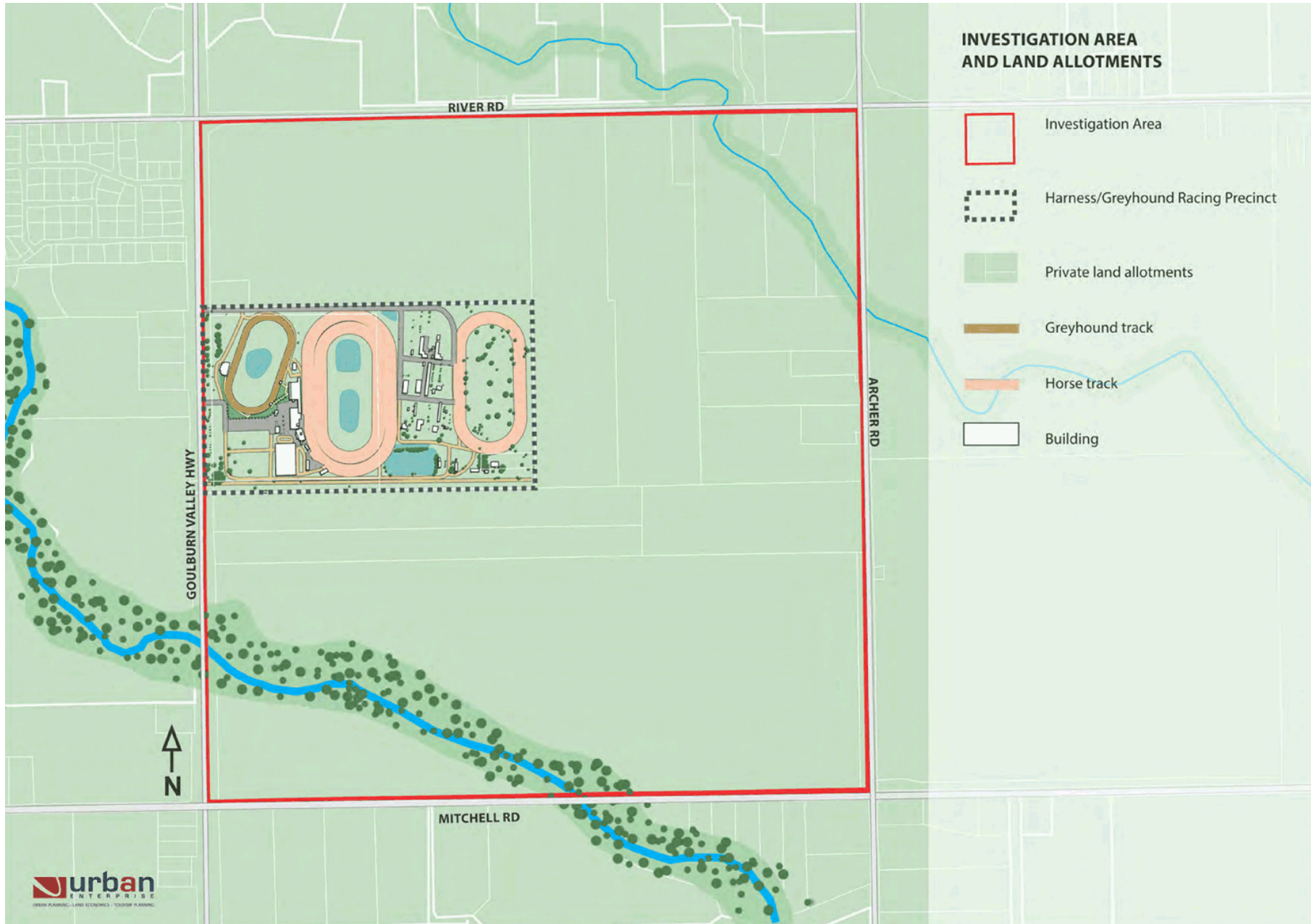
The investigation area is approximately 7.5 km south of the Shepparton CBD along the Goulburn Valley Highway. The Seven Creeks runs through the south west corner of the precinct.

Apart from the Harness and Greyhound Racing Precinct, the investigation area consists of privately owned allotments.

#### GOULBURN VALLEY HARNESS AND GREYHOUND RACING PRECINCT

The Harness and Greyhound Racing Precinct is defined by the Special Use Zone 4. The area includes the Shepparton Harness and Greyhound Racing Clubs and their ancillary facilities, as well as the training facilities, which includes a training track and stables. The area is located directly behind the harness racing track. The area is shared between the Shepparton Harness Racing Club and the Shepparton Pony Club.

There is one access point to the Shepparton Harness and Greyhound Racing Precinct from the Goulburn Valley Highway.



## 2. STRATEGIC CONTEXT

### 2.1. INTRODUCTION

This section analyses key background and reference documents, which will highlight any significant documentation or strategic work related to the equine and tourism industry, Shepparton's residential market, and the precinct and Investigation area.

Literature reviewed in this section include:

- Greater Shepparton Planning Scheme;
- Greater Shepparton Housing Strategy (2011);
- Greater Shepparton Council Plan and Strategic Resources Plan (2009-2013);
- Greater Shepparton 2030 Plan;
- Regional Rural Land Use Strategy (2010);
- Greater Shepparton Economic Development Strategy (2009-2012);
- Goulburn River Valley Tourism Development Plan (2011-2016); and
- Goulburn River Valley Destination Management Plan (2013).

### 2.2. KEY FINDINGS

The majority of the investigation area is Farming Zone 2 (FZ2), apart from the Harness and Greyhound Racing Precinct which is Special Use Zone 4 (SUZ4). The purpose of Farming Zone 2 is to provide the use of land for agriculture. The purpose for the Special Use Zone for the Harness and Greyhound Racing Precinct is for horse racing and a range of entertainment, recreational, commercial and community activities.

A Flood Overlay (FO) and Land Subject to Inundation Overlay (LSIO) exists over the south and north west corners of the precinct, as well as the north east corner. These zones and overlays restrict the level of development that can occur.

The Greater Shepparton Housing Strategy (2011) has estimated a need for 365 new dwellings per year to meet demand; low density, rural living is limited and currently indicates a gap in the market. The Greater Shepparton Housing Strategy also identifies the potential for rural living in the investigation area and highlights the importance of careful planning in the Kialla Paceway precinct to minimise land conflicts between the facility and future residents.

The Greater Shepparton Rural Land Use Strategy (2010) highlights the importance of the equine industry to the Goulburn Valley region and emphasises its economic value to the region

The Goulburn River Valley Destination Management Plan (2013) identifies the opportunity for the equine and greyhound industry to become a major draw card for the region. The plan also identifies the need for new tourism product to grow yield from the tourism sector such as accommodation targeted to market need.

**2.3. PLANNING ZONES**

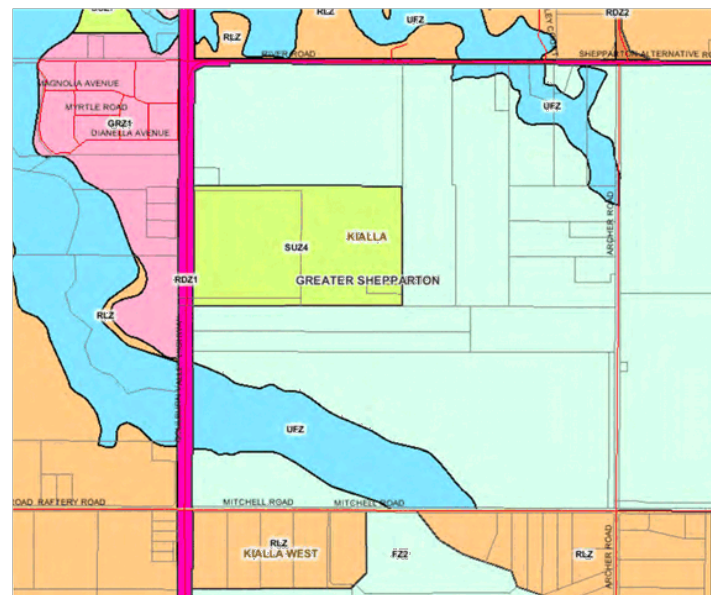
Figure 2 shows the planning zones for the land within and adjoining the Investigation area. The majority of land within the investigation area is Farming Zone 2 (FZ2). The Harness and Greyhound Racing Precinct adjoining The Goulburn Valley Highway is a Special Use Zone (SUZ4) and Seven Creeks which runs through the south west corner and the tributary of the Seven Creeks which runs through the north east corner of Investigation Area 1 is an Urban Floodway Zone (UFZ).

Across the Goulburn Valley Highway, directly west of the investigation area, is General Residential Zone (GRZ1) and Rural Living Zone (RLZ). The land directly north and directly south of the investigation area is Rural Living Zone (RLZ) and the land directly east of the investigation area is Farming Zone 2 (FZ2).

A Flood Overlay (FO) and Land Subject to Inundation Overlay (LSIO) exists over the south and North West corners of the investigation area, as well as the north east corner.

The Shepparton Mooroopna Flood Mapping and Flood Intelligence Project (Report dated April 2017) (as completed) and any subsequent flood studies that may in the future replace it, may result in future planning scheme amendments to the UFZ, FO and LSIO in the Municipality including Investigation Area 1.

**FIGURE 2 PLANNING ZONES - INVESTIGATION AREA**



Source: Planning Maps Online



**2.3.1. SUMMARY OF ZONING PERMIT REQUIREMENTS**

Table 1 summarises the permit requirements across each of the zones, sourced from the Greater Shepparton Planning Scheme’s table of uses. Table 1 is a general summary of permit requirements, and does not take into account unique requirements.

**TABLE 1** SUMMARY OF PERMIT REQUIREMENTS FOR PLANNING ZONES

USE	GRZ	RLZ	FZ2	SUZ4	UFZ
Dwelling					
Subdivision					
Building/works					
Accommodation					
Camping/caravan					
B&B					
Agriculture					
Leisure & recreation					
Retail Premises					
Animal keeping					
Animal boarding					
Horse stables					

No permit required
  Prohibited  
 Permit required
  Subject to requirements

**2.3.2. SUMMARY OF ZONES**

The following outlines the purpose of use for each zone and summarises the key clauses and schedules that directly relate to the land within and directly adjoining the investigation area.

**GENERAL RESIDENTIAL ZONE**

Clause 32.08 of the Greater Shepparton Planning Scheme states that the purpose of the General Residential Zone is to:

- *“Provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.*
- *Encourage residential development that respects the neighbourhood character.*
- *In appropriate locations, to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs.”*

The General Residential Zone, which is located directly west of the investigation area, does not require a permit for a dwelling, a bed and breakfast (no more than ten persons) and animal keeping (under two animals). However, a permit is required for subdivision, building and works, accommodation (other than B&B) and formal leisure and recreation. Animal boarding and horse stables are prohibited in the General Residential Zone.

**RURAL LIVING ZONE**

Clause 35.03 of the Greater Shepparton Planning Scheme state that the purpose of the Rural Living Zone is to:

- *“Provide for residential use in a rural environment.*
- *Provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.*
- *Protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.*

- *Encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.”*

Rural living zone is located directly north of the investigation area and there are no permits required for a dwelling, B&B (no more than ten persons), animal keeping and informal outdoor recreation. A permit is required for subdivision, building and works, accommodation (other than B&B), agriculture and leisure and recreation. Retail premises are prohibited under section 2 of clause 35.03-1.

#### **FARMING ZONE 2**

Clause 35.07 of the Greater Shepparton Planning Scheme states that the purpose of the Farming Zone is to:

- *“Provide for the use of land for agriculture.*
- *Encourage the retention of productive agricultural land.*
- *Ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *Encourage the retention of employment and population to support rural communities.*
- *Encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.”*

The majority of the investigation area is farming zone 2 (apart from the harness and greyhound racing precinct). Farming zone 2 does not require a permit for a dwelling as well as agriculture and animal keeping. A permit is required for subdivision, accommodation, camping and caravan, B&B and leisure and recreation. Retail premises are prohibited.

#### **SPECIAL USE ZONE 4**

Schedule four to Clause 37.01 of the Greater Shepparton Planning Scheme states that the purpose of the Special Use Zone 4 is to:

- *“Provide for the use of the Kialla Paceway for horse racing and a range of entertainment, recreational, commercial and community activities.*
- *Encourage the multiple use of land and buildings within the Kialla Paceway in order to facilitate its usage throughout the year.*
- *Ensure that the combination of uses, their density, and the scale and character of any development do not prejudice the amenity of surrounding land.*
- *Ensure that the future use and development of the Kialla Paceway occurs in a planned and orderly manner.”*

The Shepparton Harness and Greyhound Racing Precinct is a Special Use Zone 4. This relates specifically to Kialla Paceway and is designated for horse and greyhound racing and a range of entertainment, recreational, commercial and community activities.

Building and works and leisure and recreation infrastructure require permits.

#### **URBAN FLOODWAY ZONE**

Clause 37.03 of the Greater Shepparton Planning Scheme states that the purpose of the Urban Floodway Zone is to:

- *“Identify waterways, major floodpaths, drainage depressions and high hazard areas within urban areas which have the greatest risk and frequency of being affected by flooding.*
- *Ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.*
- *Protect water quality and waterways as natural resources.*

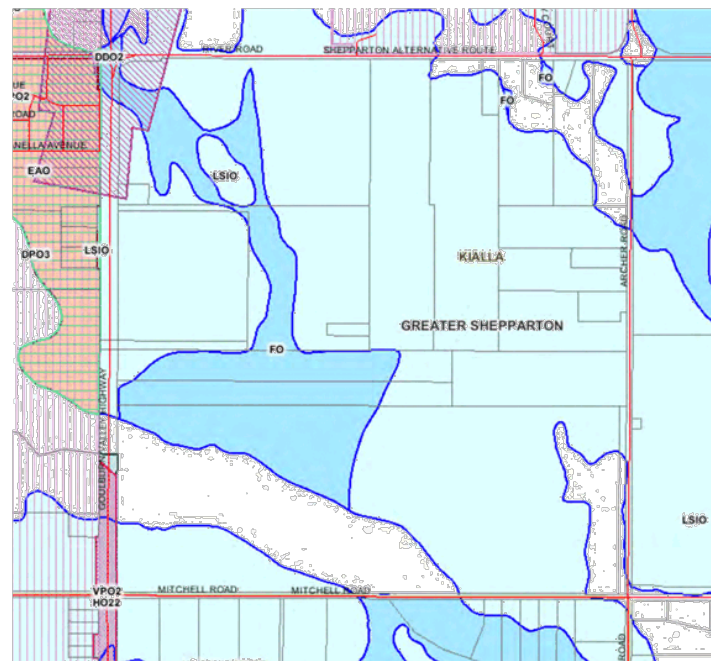
**2.4. PLANNING OVERLAYS**

Figure 3 shows the planning overlays that currently exist on the land within and adjoining the investigation area. Due to the Seven Creeks running through the south west corner and the tributary of Seven Creeks running through the north east of the investigation area, the precinct is subject to flooding and inundation.

A Flood Overlay (FO) and Land Subject to Inundation Overlay (LSIO) exists over the south and North West corners of the investigation area, as well as the north east corner.

The Shepparton Mooroopna Flood Mapping and Flood Intelligence Project (Report dated April 2017) (as completed) and any subsequent flood studies that may in the future replace it, may result in future planning scheme amendments to the UFZ, FO and LSIO in the Municipality including Investigation Area 1.

**FIGURE 3** PLANNING OVERLAYS INVESTIGATION AREA



Source: planning.lidapeOnline

### 2.4.1. SUMMARY OF OVERLAY PERMIT REQUIREMENTS

Planning overlays are detailed with specific allowances and restrictions. Permits are required for subdivision and building and works. Refer to Table 2 for a summary of overlay planning permit requirements.

**TABLE 2** SUMMARY OF PERMIT REQUIREMENTS FOR PLANNING OVERLAYS

	FO	LSIO
<b>Permit Required</b>		
<b>Building and Works</b>	Fence, roadworks, bicycle paths and trails	A fence, roadworks, rainwater tank with a capacity of less than 4500 litres, flood mitigation works
<b>Subdivision</b>	The subdivision must not create any new lots, which are entirely within this overlay. This does not apply if the subdivision creates a lot, which is to be transferred to an authority for a public purpose.	Permit required to subdivide land
<b>No Permit Required</b>		
<b>Building and Works</b>	A single or multiple industrial, retail or office building extension, a single or multiple dwelling extension, a sportsground, racecourse or recreation area (with no permanent grandstand or raised viewing area), pathways and trails constructed at general natural surface elevation, playground and roadworks carried out by a public authority.	A new dwelling within Residential 1 Zones of Mooroopna, Shepparton and Tatura, an upper storey extension to an existing building within the existing building footprint, an agricultural shed (other than one used for industrial, retail or office purposes and a sportsground, racecourse or recreation area (with no permanent grandstand or raised viewing area), pathways and trails constructed at general natural surface elevation, playground.

### 2.4.2. SUMMARY OF OVERLAYS

The following provides a summary of each of the overlays affecting the land within and directly adjoining the investigation area.

#### FLOODWAY OVERLAY

Clause 44.03 of the Greater Shepparton Planning Scheme states that the purpose of a floodway overlay is to:

- *"Identify waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.*
- *Ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.*
- *Protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).*
- *Ensure that development maintains or improves river and wetland health, waterway protection and flood plain health."*

#### LAND SUBJECT TO INUNDATION OVERLAY

Clause 44.04 of the Greater Shepparton Planning Scheme states that the purpose of the Land Subject to Inundation Overlay is to:

- *"Identify land in a flood storage or flood fringe area affected by the 1 in 100-year flood or any other area determined by the floodplain management authority.*

- *Ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *Protect water quality in accordance with the provisions of relevant State Environment*
- *Ensure that development maintains or improves river and wetland health, waterway protection and flood plain health."*

## 2.5. LITERATURE REVIEW

The literature review provides a summary of Greater Shepparton and equine/greyhound related documents so that this project aligns with the policy of local/regional equine and greyhound industry as well as any future residential/housing/population projections and locations in Greater Shepparton.

### 2.5.1. COUNCIL POLICY

#### GREATER SHEPPARTON MUNICIPAL STRATEGIC STATEMENT

The Municipal Strategic Statement (MSS) is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives.

The MSS identifies several investigation areas that have been earmarked for potential future housing settlement in the framework plans. These areas have been identified as potential future areas to be rezoned or for high density residential development due to their proximity to amenity and growth areas. The two investigation areas in Kialla include:

- ***Investigation Area 1** – Kialla Paceway and Shepparton Greyhound Racing environs. This area surrounds and includes the greyhound and trotting facilities and is directly adjacent to the Shepparton South Growth Corridor. There is potential to extend services to this land. However, future residential development within this area will be dependent on amenity issues such as lighting, noise, odour and dust being addressed to ensure that the long term interests of the racing facilities are protected.*
- ***Investigation Area 2** – Raftery Road, Kialla. The land is adjacent to the Shepparton South Growth Corridor and is situated between the Seven Creeks and Goulburn River corridors. Development is currently restricted by the 8ha minimum lot size under the Rural Living Zone. Higher density development is dependent on issues relating to servicing, flooding and the environmental assets of the two river corridors being resolved.*

The Kialla Paceway investigation area has the potential to be rezoned as residential, however there are concerns of noise, light and odour pollution from the Harness and Greyhound racing precinct. Any future development mustn't interfere with the long term interests and operations of the racing clubs.

The Municipal Strategic Statement (MSS) makes reference to future residential development. It states that the municipality must ensure that there is an adequate land supply for residential and rural residential purposes, as well as promoting a choice and variety of housing.

The need for housing diversity and choice is advocated in State Planning Policy and is reflected in Clause 21.05-1 of council's MSS. In addition, the predominant form of housing in Shepparton is a detached three to four-bedroom house on a large lot.

#### **GREATER SHEPPARTON HOUSING STRATEGY (2011)**

The Greater Shepparton Housing Strategy was prepared in order to provide a guide for the future provision and long term identification of residential land within the municipality.

The Greater Shepparton Housing Strategy (2011) has estimated that accommodating the growing population will require an additional 9,100 dwellings by 2031. This means that an average of 365 new dwellings will be needed every year to meet demand. Additional land for residential development will be required. While there is more than sufficient residential zoned land to accommodate conventional residential development over the next 10-20 years, opportunities for low density and rural living are quite limited.

Some of the relevant strategic directions of the Greater Shepparton Housing Strategy (2011) are:

- Locate residential development in locations appropriate to its intended use;
- Create sustainable living environments which conserve land and energy and are integrated with existing networks and systems; and
- Provide a diversity of housing options which become long-term assets to their neighbourhood.

The housing strategy plans for a mix of housing to be located in proximity to shops, jobs, public transport, entertainment and open space. This will allow people to take advantage of local amenity and services and spread the benefits of these areas as widely as possible.

Greater Shepparton currently has approximately 5,000 ha of zoned residential land which consist of 2,400 ha of Residential Zone 1 (R1Z), 775 ha of Low Density Residential Zone (LDRZ), and 1,000 ha of Rural Living Zone (RLZ).

The Greater Shepparton Housing Strategy also acknowledges that the investigation area is a potential location for future low density residential and rural living:

*"Low Density Residential and Rural Living development has been limited in Greater Shepparton in recent times. There is anecdotal evidence that the current minimum lot size of 8ha within the Rural Living Zone (RLZ) is inhibiting further development. Other explanations include the reluctance of landholders to subdivide land where there is a perception that there could be further development and rezoning opportunities for higher densities".*

And;

*"There is some potential for rural living and low density within the current growth boundaries of Shepparton, Mooroopna and Kialla, however the location of these developments should not inhibit the future growth of the urban area and encourage land banking or leapfrogging. One example is the Kialla Paceway precinct that will require careful planning to minimise land use conflicts between this facility and future residents".*

#### **GREATER SHEPPARTON 2030 PLAN**

The Greater Shepparton 2030 Plan was prepared in order to build sustainable economic activity and maximise the quality of life in the municipality over the next 20 years.

Some key predictions in the plan for housing and settlement for the next 20 years include:

- *"The municipality's population will continue to grow from its current level of 59,660 persons towards 71,000 persons in 2021 and on to 75,700 persons by 2030. The multicultural and ethnic base will broaden and expand and the aboriginal community will remain a significant group in the local area.*
- *The size of households will decrease towards 2.7 persons per household; household structures will become more diverse and complex leading to a need for greater diversity in house types for a broad range of socio-economic characteristics.*
- *The overall population will "age" with the "baby boomers" moving into the latter part of their life cycle with a consequential greater demand upon health and support services and housing specifically suited to the needs of this sector.*
- *The environment and climatic benefits of the region, linked to an exodus to regional centres and coastal areas (within convenient access to the metropolitan areas) will see higher rates of persons attracted to the region for retirement and lifestyle reasons.*
- *The demand for rural residential environments will be tempered by greater concern to protect the productive capacity of soils and areas of native vegetation, provide services efficiently and cut dependence on fossil fuels to access facilities."*

The plan outlines a number of factors that will influence the siting and layout of new residential areas. Some of these factors include:

- Access to services;
- Water management;
- Energy efficiency; and

<sup>1</sup>Essential Economics, 2007

- Provision of diverse housing opportunities.

#### REGIONAL RURAL LAND USE STRATEGY (2010)

The purpose of this strategy is to develop consistent strategies and regulatory controls for the management of land use and development across the regions rural land.

The Regional Rural Land Use Strategy (2010) highlights the economic value and contribution of the horse racing industry within the Goulburn Valley.

The Strategy provides the following economic indicators for the Goulburn Valley Equine Industry:

- The GV region produces approximately 60% of all Victorian foals from many of the nation's key breeders and trainers.
- In 2007, the Victorian harness racing industry had an estimated value of \$700 million per annum that included a significant employment component with over 11,000 people employed across the State. It is estimated that approximately \$72 million of industry value is derived out of the Goulburn Valley.
- \$36 million p.a. in industry turnover associated with racing, breeding and training activities.
- \$24 million p.a. in on-course and off-course wagering associated with the GV Region's harness racing meetings.
- \$12 million pa generated in State and Federal taxes levied on the GV Region's harness racing activities<sup>1</sup>.

The thoroughbred racing industry within the Goulburn Valley:

- Generates some \$97 million annually in real gross value added, and equivalent to 6% of real gross value added in the industry in Victoria.
- Comprises 251 breeders, 210 trainers and 1,931 owners.

- Generates \$23.9 million annually in expenditures by breeders and trainers.
- Supports 1,130 full-time jobs.
- Generates \$8.5 million in tax revenue to State Government and \$10.5 million in tax revenue to Commonwealth Government.
- Generates total wagering of \$239 million annually of which 95% is TAB off course.

Other significant factors within this strategy include:

- Horse racing has a positive social outcome for regional communities as it is important in providing community identity, social cohesion and facilities for community use and enjoyment.
- Kialla is recognised as a development area for rural living for residents to create hobby or lifestyle farms.

#### GREATER SHEPPARTON ECONOMIC DEVELOPMENT STRATEGY (2009-2012)

The Greater Shepparton Economic Development Strategy is intended to increase the Council's capacity to identify and pursue economic development initiatives. The focus is identifying opportunities to promote investment and employment growth within a continually changing domestic and international economic and environmental landscape.

The Greater Shepparton Economic Development Strategy (2009-2012) makes a number of references to the Shepparton residential market, as well as population growth and housing projections.

Greater Shepparton's residential property sales reflect the general pattern for regional Victoria. The projected growth in Greater Shepparton's resident population between 2009 and 2026 is an additional 10,000 persons, representing an average annual increase of 0.9%. This growth will have important economic development implications for the municipality, including the need to provide a significant number of new residential dwellings and a requirement for greater job creation, as well as expanding and improving the provision of infrastructure and services.

#### 2.5.2. TOURISM DEVELOPMENT PLANS

##### GOULBURN RIVER VALLEY TOURISM DEVELOPMENT PLAN (2011-2016)

A tourism development strategy for Mitchell, Strathbogie, Greater Shepparton and Murrindindi Shires, the Goulburn River Valley Tourism Development Plan (2011-2016) identifies existing equine facilities and services as well as equine tourism opportunities in the region.

The region is home to providers of specialist services, such as the Equine Hospital in Shepparton, and two post-secondary education institutions offer specialist equine-related courses in the region – The National Centre for Equine Education at Goulburn Owens Institute of TAFE (GOTAFE) and Northern Metropolitan Institute of TAFE.

The development plan identifies a number of equine tourism opportunities, and they include:

- **Continue to develop the Equine industry:** Equine festival, special race meetings, special tickets and passes, Horse parade, a festival dinner.
- **Equine tourism packages:** Food, wine and horse stud visits – combined with accommodation, bus trips to view equine activities.
- **Support the development of 'horse-friendly' accommodation:** Equine symposium.
- **Establish communication linkages with appropriate equine organisations.**
- **Develop an equine regional calendar of events.**
- **Develop on-farm viewing platforms.**
- **Attract new investment in accommodation to the region.**
- **Undertake a rural tourism planning review, to identify rural precincts which could be rezoned to support rural tourism development.**



### GOULBURN RIVER VALLEY DESTINATION MANAGEMENT PLAN (2013)

The Goulburn River Valley Destination Management Plan (DMP) was prepared on behalf of Goulburn River Valley Tourism (GRVT), to provide a strategic approach to growing tourism in the Goulburn River Valley (GRV) region; aligning with key visitor needs and building on the GRV region's existing strengths.

All four Local Government municipalities within the Goulburn River Valley Tourism Region (Greater Shepparton, Strathbogie, Mitchell and Murrindindi) are supportive of the equine industry and support the development of linkages with the tourism industry.

The DMP identifies a number of priority tourism projects that will look to strengthen destinations within the Goulburn River Valley Region.

In particular, the Goulburn Valley Equine Precinct is identified with the need to investigate the option to redevelop the Goulburn River Equine and Greyhound Precinct to position Shepparton and the Goulburn River Valley as a premier destination for racing, breeding, and equine education.

Other key opportunities for Shepparton which should be considered are:

- **Shepparton Events Program:** Identify event locations and engage with potential event organisers and operators. Secure access and use of events sites and promote co-operation between events operators and relevant Council Departments. Promote and market events regionally to target segments as part of the formal events calendar.
- **Goulburn Valley Harness and Greyhound Racing Precinct:** Support the undertaking of a masterplan and feasibility study in order to guide the future development of the Goulburn Valley Equine and Greyhound Precinct. This work will provide the framework for decision making and a platform for further detailed planning, design, funding and implementation.

- **Investigate Farm Gate Opportunities (Accommodation, Produce, and Retail):** Identify farm gate businesses with the potential for tourism product. Provide business support and notify businesses of changes to the Farming Zone, and the potential impact on tourism opportunities.

## 3. PROFILE OF THE HARNESS AND GREYHOUND RACING CLUBS

### 3.1. INTRODUCTION

This section provides a profile of Victoria's greyhound and harness racing industries. Key statistics include number of existing greyhound racing clubs and tracks, number of race meetings and attendees.

This section draws on information provided to Urban Enterprise from both sectors including annual reports and financial data.

### 3.2. KEY FINDINGS

There are 13 greyhound racing clubs in Victoria, with Shepparton the only club in the north east of the State. This ensures that Shepparton has a large catchment for races which includes north east Victoria, the Murray Region and southern NSW.

In 2013, Greyhound Racing Victoria held a total of 937 race meetings with an 11.3% increase in attendance from the previous year.

There are 39 harness racing clubs across Victoria and in 2013, Harness Racing Victoria held 452 race meetings.

Both the greyhound and harness racing industries have reported strong income growth over the past five years. In the case of the Harness Racing, much of this growth can be attributed to the introduction of Tabcorp Park and its non-racing entertainment, tourism and hospitality functions.

Greyhound Racing Victoria has had strong growth in revenue on the back of a greater share of income from TABCORP and increased wagering as a result of more race meets.

Industry trends highlight that the opportunity for the Goulburn Valley Harness and Greyhound Racing Precinct is to grow visitation through events, and greater entertainment during race nights. Tabcorp Park provides a good example of how multiple strong revenue streams can be leveraged from Harness Racing facilities in addition to wagering.

### 3.3. VICTORIAN GREYHOUND RACING INDUSTRY

#### 3.3.1. PROFILE OF VICTORIA'S GREYHOUND INDUSTRY

There are 71 Greyhound Racing Clubs in Australia, of those, 13 are operating in Victoria. According to Greyhounds Australia there were approximately 933 race meetings in Victoria during 2011, with 10,607 races.

2013 was a strong year for the greyhound racing industry in Victoria, including a five-year high for income, race meetings and attendance. Refer to Table 3 for a comprehensive list of Greyhound Racing Victoria's key industry statistics for 2013.

#### VICTORIAN RACING CLUBS

There are 13 Greyhound Racing Clubs currently operating in Victoria, Sandown being the premier racing club in the state hosting two race meetings per week. Shepparton has the potential to become a premier greyhound racing track as it too hosts 104 race meetings per annum. Clubs include:

- Bendigo;
- Geelong;
- Meadows;
- Shepparton;
- Warrnambool;
- Ballarat;
- Healesville;
- Sale;
- Traralgon;
- Cranbourne;

- Horsham;
- Sandown; and
- Warragul.

Figure 4 shows the location of Greyhound Racing Clubs in Victoria, highlighting that Shepparton is the only club in the north east of the state.

**FIGURE 4** EXISTING GREYHOUND RACING CLUBS - VIC



**TABLE 3** KEY INDUSTRY STATISTICS – GREYHOUND RACING VICTORIA 2013

Club	Number of Race Meetings	Attendance
Meadows	104	32,018
Sandown	105	35,943
Total Metro	209	67,961
Ballarat	67	9,010
Bendigo	97	10,337
Cranbourne	53	10,620
Geelong	103	10,459
Healesville	56	6,859
Horsham	49	5,319
Sale	58	28,330
Shepparton	100	8,877
Traralgon	54	5,573
Warragul	98	12,749
Warrnambool	59	11,696
<b>Total Country</b>	<b>728</b>	<b>119,829</b>
<b>Total</b>	<b>937</b>	<b>187,790</b>

Source: Greyhound Racing Victoria Annual Report, 2013

### 3.4. TRENDS

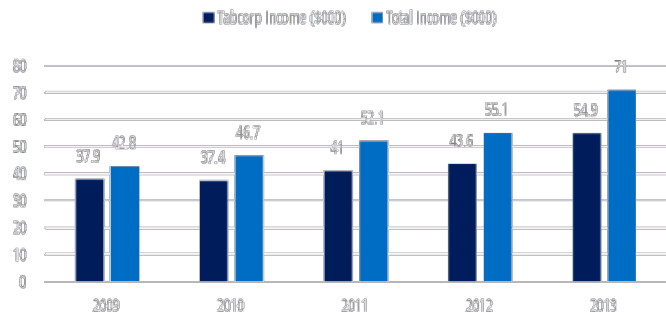
Figure 5 provides an overview of the Greyhound industry performance in Victoria. Income has grown significantly for Greyhound Racing Victoria due to:

- An overall increase in funding from the new wagering licence with Tabcorp that was also assisted by overall wagering revenues performing above budget;
- The Victorian Racing Industry obtained the benefit of a new joint venture with Tabcorp called 'Premium Gateway International' that provided GRV with an additional \$0.5 million in income and given the relevance of international wagering is likely to be an important source of income to GRV;
- Racefields income increased by \$4.1 million (43.1 per cent increase).

The greyhound industry is in a strong position, and Shepparton has been a strong regional performer. The growth of Shepparton is observed through increases in race days and wagering as a result.

Shepparton, being the only GRV track in Victoria's north east, highlights strong growth potential for the Shepparton Greyhound Racing Club.

FIGURE 5 TRENDS IN INDUSTRY REVENUE/INCOME (GRV)



Source: Greyhound Racing Victoria Annual Report

3.4.1. FUTURE OBJECTIVES

The Greyhound Racing Victoria Strategic Plan identifies the following areas of focus for developing the industry:

- Greyhound welfare excellence;
- Racing operations excellence;
- Membership experience excellence;
- Club enablement excellence;
- Wagering operations excellence;
- People and culture excellence;
- Technology, systems and processes excellence; and
- Brand, reputation and stakeholder engagement excellence.

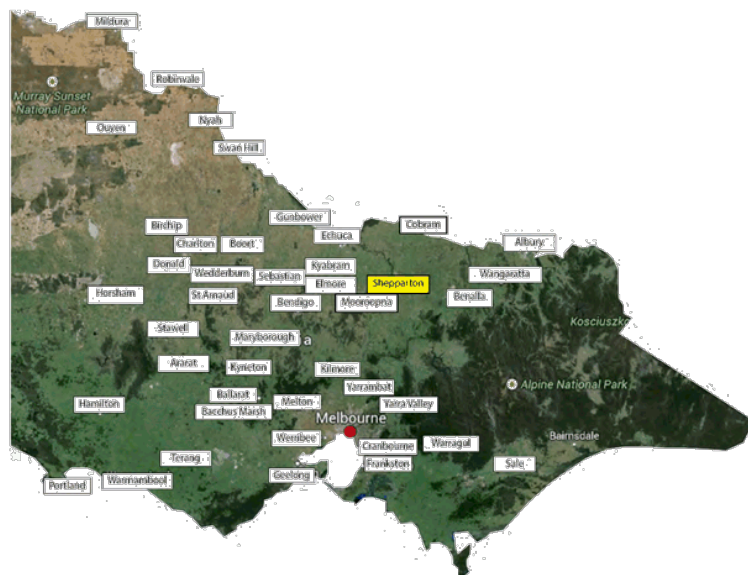
3.5. VICTORIAN HARNESS RACING INDUSTRY

3.5.1. PROFILE OF VICTORIA'S HARNESS RACING INDUSTRY

There are 117 Harness Racing Clubs in Australia, operating at 97 race tracks. Of those, 39 are located in Victoria. There are approximately 500 harness race meetings in Victoria alone, with 4,006 races and 3,303 club members.

In 2013, Harness Racing Victoria held 452 race meetings (TAB), with 3,814 races involving 4,099 horses.

FIGURE 6 EXISTING HARNESS RACING CLUBS



**HARNESS RACING CLUBS - VIC**

There are 39 harness racing clubs currently operating in Victoria. The majority of harness racing clubs in Victoria are found in a cluster throughout the Murray region, High Country and the Goulburn River Valley region. The Goulburn Valley Harness and Greyhound Racing Precinct's proximity to surrounding harness racing clubs suggests that it has the potential to attract visitors to the precinct for equine related events, and as a result has the opportunity to become a premier equine destination in the region. Harness racing Clubs in Victoria include:

- Ararat;
- Cobram;
- Kilmore;
- Nyah;
- Terang;
- Bacchus Marsh;
- Echuca;
- Kyabram;
- Ouyen;
- Wangaratta;
- Ballarat;
- Elmore;
- Kyneton;
- Robinvale;
- Boort;
- Hamilton;
- Mildura;
- St Arnaud;
- Yarrambat;
- Charlton;
- Horsham;
- Mooroopna;
- Stawell;
- Melton;
- Sebastian;
- Warrnambool;
- Birchip;
- Gunbower;

- Warragul;
- Bendigo;
- Geelong;
- Cranbourne;
- Donald;
- Wedderburn;
- Maryborough;
- Shepparton;
- Yarra Valley;
- Benalla;
- Swan Hill

**TABLE 4** KEY INDUSTRY STATISTICS - 2013

	2013
Race Meetings	452
Races	3,814
Horses Raced	4,099
Trainers	1,300
Stablehands	1,271
Foals	2,359

Harness Racing Victoria's - Annual Report (2013)

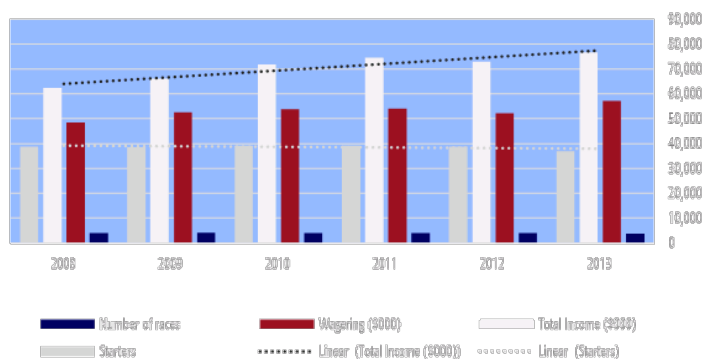
**3.5.2. INDUSTRY TRENDS**

Figure 7 shows trends in key statistics including number of harness races, revenue from wagering, race starters and total income for Harness Racing Victoria. The data shows that the number of races and number of starters has decreased over the past 5 years, whilst the total income has increased. Interestingly wagering has increased slightly, however much of the income growth for Harness Racing Victoria has been from non-wagering sources.

Revenue from Tabcorp Park has significantly improved the income for Harness Racing Victoria through the multiple revenue streams on offer which relate to entertainment and hospitality uses.

The trends in the harness industry highlight that there is likely to be limited growth in the number of starters and races held at Shepparton, however there is opportunity to strengthen other revenue streams for the precinct such as through growing events and strengthening visitation to existing races.

**FIGURE 7** TRENDS IN KEY STATISTICS (HRV)



Source: Harness Racing Victoria Annual Report 2013

**3.5.3. FUTURE OBJECTIVES**

The following is a summary of the objectives which have set the future direction of the Victorian harness racing industry. These objectives and strategic initiatives can be adopted by the Shepparton Harness Racing Club and will strengthen its position as a premier harness racing destination in Victoria.

The desired outcomes are identified as follows:

- Create more industry events;
- Reduce barriers into entering the Harness Racing Industry;
- Improve community perception of the Harness Racing Industry; and
- Re-brand and re-position Harness Racing as a sport of the future.
- Increased attendance;
- Increased economic benefits;
- Increased numbers of people involved in the industry as participants and spectators;
- Targeted education to attract and retain young people;
- Increased awareness of the industry, particularly at a local level;
- Improved racing stock;
- Improved breeding stock;
- Increased distributions of prize money;
- Significantly improved facilities;
- More young people to become a part of the industry; and
- Recognition of harness industry as a primary industry.

Some key strategic directions have been outlined and are summarised as follows:

- Develop a united and cohesive Goulburn Valley Harness industry through building enduring relationships with breeders, trainers, owners, administrators, clubs and allied professionals.
- Increase the profitability, profile and sustainability of the industry by developing mutually beneficial strategic partnerships and alliances.
- Develop quality facilities to feed future needs and encourage increased participation.
- Drive positive policy change by effectively representing the Goulburn Valley Harness Racing Industry.



## 4. EXISTING CONDITIONS: CLUB FACILITIES AND OPERATIONS

### 4.1. INTRODUCTION

This section provides an overview of the existing conditions in relation to club facilities and operations.

The existing conditions analysis is based on discussions with club members and a site visit to the precinct.

### 4.2. KEY FINDINGS

The Harness and Greyhound Racing Precinct is largely built out across the site, with little room for broad scale expansion. The Greyhound Racing Club occupies the front of the site, with the Harness and Pony Clubs situated at the rear.

There is opportunity for infill expansion of facilities and the layout of the training area does not use space efficiently.

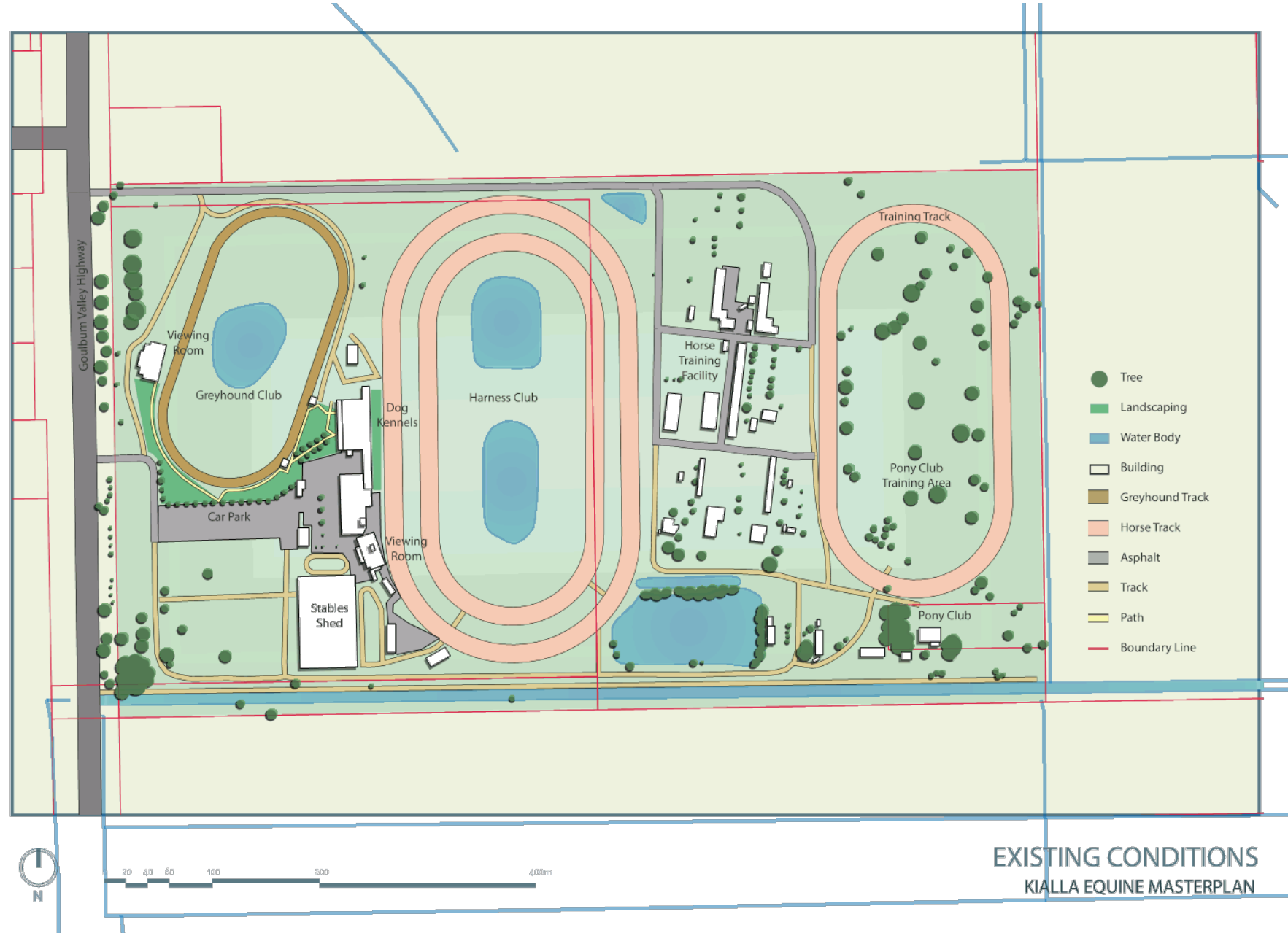
The precinct is home to excellent function room facilities including the Greyhound Racing Club's function room which accommodates 200 seated patrons, and the Harness Racing Club's AH Rathjen Dining room and the Winning Post Complex with capacity for 400 and 250 seated guests respectively.

The Harness and Greyhound facilities are largely in good order as a result of recent grant funding for the upgrade of both facilities.

The racing tracks and ancillary facilities are located on crown land and are leased to the Shepparton Harness and Greyhound Racing Clubs management committee.

The parcel of land utilised for training and stabling is owned by the harness racing club.

Shepparton Pony Club lease the land utilised for their clubroom facilities from Greater Shepparton City Council



### 4.3. SHEPPARTON GREYHOUND RACING CLUB

The Shepparton Greyhound Racing Club relocated to this precinct (Goulburn Valley Highway, Kialla) in 2005 after previously occupying the Shepparton Showgrounds.

Shepparton Greyhound Club is located on the left of the entrance to the precinct and is comprised of a greyhound racing track, club room/dining area and viewing deck. Directly behind the greyhound racing track are the holding yards, kennels and the office and administration building.

#### 4.3.1. OVERVIEW OF USE AND ACTIVITIES

The Shepparton Greyhound Racing Club host a race meeting every Monday and Thursday throughout the year. During a race meeting, the dining room and viewing area are occupied by attendee's and club members.

#### 4.3.2. JOBS

The Shepparton Greyhound Racing Club is made up of a committee and management team. The manager is aided by two full-time office and administration employees. During race meetings, additional staff are required for catering, bar and TAB duties.

#### 4.3.3. OVERVIEW OF FACILITIES

##### GREYHOUND RACE TRACK

The sand based track upholds a high industry standard for racing and offers trainers three separate distances for racing. The club has consistently increased the amount of race meetings it hosts, reaching its highest number of meetings in 2013 with 100. The Club is scheduled to hold race meetings every Monday and Thursday night throughout the year.

The track has some landscaping around the winning post as it is the focal point for the viewer. Apart from the water storage dam in the centre of the track, which is utilised for watering the track, the areas surrounding the track are barren and un-vegetated.

##### DINING ROOM/VIEWING AREA

The function area incorporates an enclosed dining room, bar and TAB facilities that overlook the home straight. This function area often hosts corporate and social events as the dining room can seat up to 200 guests. Events range from corporate functions to weddings and parties. The Club hosts approximately 20-25 corporate/social events per year.

##### OFFICE ADMINISTRATION

The office administration buildings are located at the rear end of the greyhound racing track and adjoins the harness racing club dining room and viewing areas. The full time office staff are based in this building.

##### KENNELS/HOLDING AREAS

The kennels, swabbing station, veterinary and stewards room are in the same building as the office administration and are adjoining the harness racing dining room/function and viewing area. The greyhounds are kept in the kennels until the lead up to their race. From there, they are taken out to the holding areas until moments prior to the race. The holding areas are directly behind the track in front of the office administration building.

#### 4.4. SHEPPARTON HARNESS RACING CLUB

The Shepparton Harness Racing Club is located in the centre of the Goulburn Valley Harness and Greyhound Racing Precinct. The Club incorporates a harness racing track, dual dining rooms, viewing grandstand, café, and big shed for stabling, administration office, commentary and corporate box. At the rear of the racing track there are training facilities that include a training track and stables.

Geographically, the club is centrally located to the racing and breeding industries and since 2004 the Industry, State Government and Greater Shepparton City Council have invested \$5 million to significantly upgrade the racing track, construct a new dining complex and develop an undercover stable complex. The Shepparton Club now boasts facilities more than comparable to any other provincial club and enjoys above state average performance in terms of racing entries and patron attendance.

##### 4.4.1. OVERVIEW OF USE AND ACTIVITIES

The Shepparton Harness Racing Club hosts approximately 40 race meetings, predominantly at night. Of those race meetings, 30 are conducted for the Shepparton Racing Club and the remaining ten are held on behalf of a combination of Wangaratta, Kyabram and Mooroopna Harness Racing Clubs. The Club also conducts approximately 52 trial sessions and a further 20-25 social events, seminars and trade functions. Social events and functions are generally hosted in the dining rooms and the trade functions in the stabling complex (big shed).

The Shepparton Harness Racing Club can cater for corporate and social events and can host a number of different exhibitions.

The Shepparton Harness Racing Club has a total of 140 members and the attendances at a race meeting range from between 200 to 600 people.

##### 4.4.2. JOBS

The Shepparton Harness Racing Club employs a racing and operations manager as well as an events and catering manager. There are a total of 4 full time equivalent staff employed by the club including maintenance and administration staff.

During a race meeting, the club employs an additional 13-25 staff depending on the scale and nature of the event. Race meeting staff are employed for catering, bar and TAB duties.

##### 4.4.3. OVERVIEW OF FACILITIES

###### SHEPPARTON RACE TRACK

The 1000 metre track is surfaced with granitic sand with a 200 metre straight and 100 metre turns. Races are run over 1609, 1690, 2190, 2690 & 3190 metres with 7 horses off the front for both mobile and standing starts and maximum field sizes of 12 for mobile and 11 in standing start events.

###### DINING ROOMS/VIEWING STAND

The Shepparton Harness Racing club have two dining rooms: The AH Rathjen Dining room and the Winning Post Complex. The Winning Post Complex overlooks the home straight and includes a boutique bar, bistro and TAB facilities. The Complex can cater for social and corporate events with up to 250 guests.

The AH Rathjen Dining Room is located below the Winning Post Complex and can host large events and exhibitions with up to 400 guests. It has a boutique bar, dance floor and fully equipped kitchen, however it does not have views of the track.

###### STABLING COMPLEX (BIG SHED)

The Stabling Shed is a purpose built complex. The shed was constructed to stable the horses prior to and post racing. This shed is an adequate facility which also has a washing and swabbing station.

The stable shed also has the ability to host non-race day trade events. Due to its magnitude, the stable shed can host an array of exhibitions and events, such as dairy week.

#### **HARNESS COMPLEX**

A feature of the Shepparton Harness Complex is its wide open, multi purpose spaces. The large grassed areas of the complex host a variety of events including dog shows, camp overs, rallies and trade displays.

#### **TRAINING FACILITIES**

Training facilities are located behind the Shepparton harness racing track. These facilities include: a training track, stables, clubhouses and storage huts. These facilities are used predominately by the Shepparton Harness Racing Club and their associated trainers.

#### **CORPORATE/COMMENTARY BOX**

The Cormican Corporate Box is perched above the track and slightly south of the winning post. The elevated Corporate Box is fitted with televisions and bar facilities. With a capacity of 15–20 people the corporate box is an ideal facility to entertain. The level below the corporate facility is the commentary box in which the broadcasters call each race.

### **4.5. SHEPPARTON PONY CLUB**

The Shepparton Pony Club is situated at the south east corner of the Shepparton Harness and Greyhound Racing Precinct. The club occupies a small space, which consists of stables, a clubhouse and shared use of the harness training track.

The Shepparton Pony Club has approximately 60 members and holds its club rallies at the first Sunday of every month.

The Pony Club utilises the space within the Harness training track for its rallies, training and events.

### **4.6. SHARED FACILITIES**

There are a number of facilities that are shared between the three clubs occupying the precinct.

#### **CAR PARK**

The car park is shared between the Greyhound Racing Club and the Shepparton Harness Racing Club. This is a non-issue for the majority of the racing calendar, however, there are irregular occurrences whereby a greyhound race meeting and a harness race meeting overlap. During these times, the car park does not have the capacity to accommodate the excess number of vehicles and is forced to spill over into the communal grass area surrounding the car park. In addition, it results in vehicle congestion issues within the car park and also on to the Goulburn Valley Highway.

#### **TRAINING TRACK**

A use conflict exists between the Shepparton Pony Club and the Harness Racing Club. There is a lack of adequate space to accommodate the Pony Club. The Pony Club does not have a cross country track and often experiences scheduling issues with the harness racing club.

#### **WATER**

The water dam at the south of the precinct is the major water catchment. The dam pumps water into smaller dams located inside the harness racing track and the greyhound racing track. The water from the dams are used to water the tracks and landscape gardens. There is currently an adequate supply of water to satisfy both clubs.

**4.7. PROPERTY OWNERSHIP**

Figure 8 shows the property ownership and land parcels for the Goulburn Valley Harness and Greyhound Racing Precinct and includes the entirety of the Special Use Zone 4.

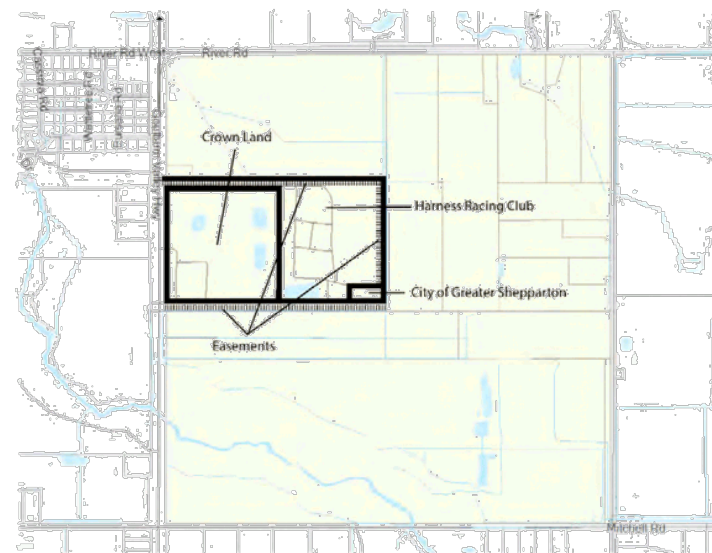
The crown land consists of all major racing operations including the harness and greyhound racing track, stabling complex, dining and function facilities, car park, kennels and administration buildings. This land is leased to a committee of management for the Shepparton Harness and Greyhound Racing Clubs.

The parcel of land owned by the Shepparton Harness Racing Club includes the training facilities (stables and track) as well as a clubhouse and storage huts.

The small parcel of land owned by the City of Greater Shepparton is leased to the Shepparton Pony Club. The parcel is only large enough for a clubhouse for the Pony Club.

A number of easements exist on the boundary of the precinct. A gas and electricity easement exists on the northern, eastern and south western boundary. There is also an easement on the water channel, on the southern boundary of the precinct. This is an easement to State Rivers Victoria and Water Supply Commission.

**FIGURE 8 PROPERTY OWNERSHIP – LAND ALLOTMENTS**



## 5. HARNESS AND GREYHOUND PRECINCT BUSINESS GROWTH OPPORTUNITIES

### 5.1. INTRODUCTION

The market assessment for the precinct provides an indication of the ability to grow visitation and attendance to the precinct.

Greater Shepparton is projected to grow substantially over the next 15-20 years with 23% projected growth between 2014 and 2031. This will provide growth in local market demand for function spaces, events and memberships for the clubs.

Greater Shepparton is a key visitor node within the Goulburn River Valley Tourism Region, attracting 1.1 million visitors per annum. A large proportion of visitors to the Goulburn River Valley are visiting for special events or for business. This highlights the strength of business and non-business events markets for Shepparton.

It is estimated that the Harness and Greyhound Racing Precinct attracts around 65,000 visitors per annum, of which around 9,500 are estimated to be overnight visitors to Shepparton. Visitation to the precinct creates demand for food, beverage, accommodation and equine/greyhound services in Shepparton.

There is opportunity for the equine precinct to grow visitation through attracting both more social and non-social events and through developing the entertainment offer on race nights.

### 5.2. POPULATION

The Greater Shepparton population is expected to increase significantly over the next 20 years, with the population projected to grow from 63,447 in 2014 to 77,675 in 2031, representing around 22% growth over the period.

This has consequences for the opportunities within the investigation area, such as increased demand for residential housing, increased demand for function spaces and accommodation and increased demand for equine related facilities.

**TABLE 5** PROJECTED POPULATION – GREATER SHEPPARTON

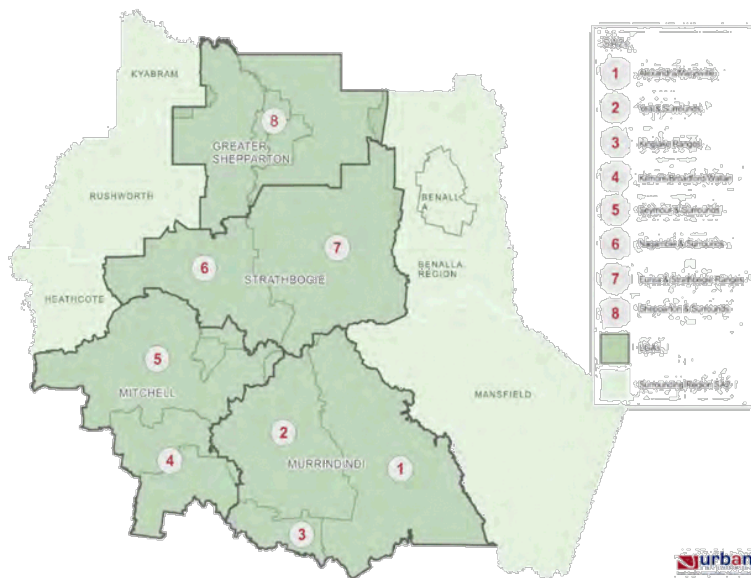
Year	2011	2016	2021	2026	2031
Population	61,744	64,775	68,973	74,189	77,675

### 5.3. VISITATION TO GREATER SHEPPARTON

Greater Shepparton is part of the Goulburn River Valley Tourism Region. The region includes the municipalities of Greater Shepparton, Strathbogie, Murrindindi and Mitchell, as shown in Figure 9.

Table 6 shows that Greater Shepparton attracts around 1.1 million visitors per annum which equates to 36% of all visitors to the Goulburn River Valley Region.

**FIGURE 9** GOULBURN RIVER VALLEY REGION



Source: Goulburn River Valley Tourism, Destination Management Plan 2019

**TABLE 6** VISITATION TO GREATER SHEPPARTON 2013

	Overnight Visitors	Daytrip Visitors	Total Visitors
Shepparton & Surrounds	545,795	634,000	1,179,795
Goulburn River Valley Region	1,311,218	1,971,000	3,282,218
	<b>41%</b>	<b>32%</b>	<b>36%</b>

Source: Goulburn River Valley Destination Management Plan

46% of visitors to Greater Shepparton visit for holiday leisure purposes, 17% for visiting friends and relatives and 29% for business. Greater Shepparton has a higher proportion of visitors coming for other reasons when compared to other Goulburn River Valley municipalities. This is largely due to the strong special event market in Greater Shepparton of which the Harness and Greyhound Racing Clubs contribute to.

**TABLE 7** REASON FOR VISIT-OVERNIGHT VISITORS

SA2	Holiday or leisure	Visiting friends and relatives	Business	Other
Shepparton & Surrounds	46%	17%	29%	7%

Source: Goulburn River Valley Destination Management Plan, National Visitor Survey



## 5.4. VISITATION TO PRECINCT

### 5.4.1. SHEPPARTON HARNESS RACING CLUB

Visitors to the precinct come from far and wide, Figure 10 shows the location origin of Harness Race starters for 2013. This highlights the large catchment for the Harness Racing Track with starters coming from as far north as Newcastle, NSW.

The highest proportion of harness starters originate from the Greater Shepparton area and the outskirts of northern Melbourne. However, there is a high proportion from the Bendigo Loddon region, Ballarat, the Riverina and metropolitan Sydney.

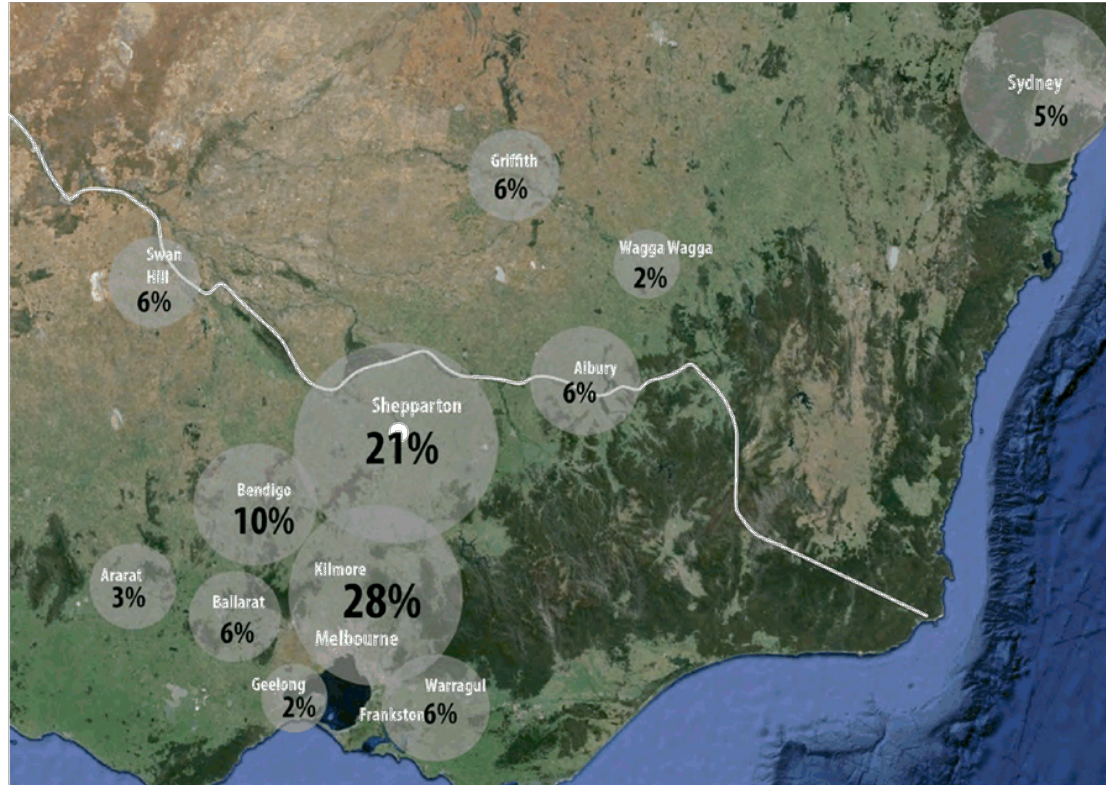
Based on the estimates above the Shepparton Harness Track attracts around 27,240 visitors per annum. Based on data provided by the Shepparton Harness Racing Club and Harness Racing Victoria, around 15% of visitors to the precinct are likely to require overnight accommodation in Shepparton. This means that the precinct is driving demand for around 4,000 overnight visitors to Shepparton.

The number of overnight visitors to Greater Shepparton may be increased through provision of equine specific accommodation, so trainers and owners can stay in proximity to their animals.

**TABLE 8** VISITATION ESTIMATES

Category	Assumptions	Visitors
Race meets	40 race meets 10 races per meet 10 horses per meet 2 people per horse 200 additional spectators per meet 400 visitors X 40 meets	16,000
Trial sessions	52 trial sessions 10 trials per session 6 horses per trial 2 people per horse	6,240
Other Events	25 events Venue capacity: AH Rathjen Dining Room 400 Winning Post Complex 250 Average no per event 200	5,000
<b>Total</b>		<b>27,240</b>

FIGURE 10 ORIGIN OF SHEPPARTON HARNESS STARTERS 2013



Source: Origin of Starters - Shepparton, Harness Racing Victoria 2013

#### 5.4.2. SHEPPARTON GREYHOUND RACING CLUB

The Shepparton Greyhound Racing Club hosts 110 race meetings with a total attendance of 27,720 visitors. This equates to around 252 people per meet.

In addition, the Greyhound Racing Club has an excellent dining and function room that can accommodate up to 200 seated guests. The function room attracts around 20 events per year, with an average of 130 people per event.

The Shepparton Greyhound Racing Club attracts around 36,560 visitors per year. Based on the previous assumption that 15% of harness racing visitors require overnight accommodation, the Greyhound Racing Club is estimated to attract 5,484 overnight visitors to Shepparton.

**TABLE 9 RACES/EVENTS AND NUMBER OF VISITORS**

Category	Assumptions	Visitors
Race meets	110 meetings per year 12 races per meeting 8 greyhounds per race 2 people per greyhound 16 x 12= 192 Plus 60 guests 252 x 110	27,720
Trial Sessions	Approx. 60 greyhound handlers per session 2 sessions per week	6,240
Other Events	20 events 130 average attendance at events	2,600
<b>Total</b>		<b>36,560</b>

#### 5.4.3. PONY CLUB

The Shepparton Pony Club has 60 members and has 12 club rallies per year at the Harness and Greyhound Racing Precinct.

It is estimated that around 80 people are in attendance on rally days. In total it is estimated that the Shepparton Pony Club attracts around 960 visitors annually.

#### 5.4.4. SUMMARY OF VISITORS ATTRACTED TO THE PRECINCT

The Shepparton Harness and Greyhound Racing Precinct currently attracts around 65,000 visitors per annum, of which around 9,500 are estimated to be overnight visitors to Shepparton.

**TABLE 10 NUMBER OF VISITORS TO PRECINCT**

Facility	Number of Visitors to Precinct	Overnight Visitors to Shepparton
Harness Track	27,240	4,000
Greyhound Track	36,560	5,484
Pony Club	960	0
<b>Total</b>	<b>64,760</b>	<b>9,484</b>

### 5.5. OPPORTUNITIES TO INCREASE VISITATION TO THE PRECINCT

Without any further expansion on the precinct, there is opportunity to grow the number of visitors to the precinct through growing the events calendar. Key opportunities include:

- **Local social events:** There is additional capacity within the function rooms to cater for more social events. The venues are of good quality and can attract larger social events of up to 400 people.
- **Business and special events:** The large 400 seat capacity AH Rathjen Dining room has great potential to attract large event special events. There are very few facilities in Shepparton and the broader region which can accommodate this number of visitors.
- **Shows and festivals:** The precinct is designed to accommodate a large number of visitors and there is opportunity to grow the number of outdoor events.
- **Special harness and greyhound nights:** Tabcorp Park has grown its attendance through the development of themed race nights. There is opportunity for both the Greyhound and Harness Tracks to explore themed nights.

In addition, there is expected to be natural growth to the precinct based on population growth within the catchment area.

## 6. CASE STUDIES

### 6.1. INTRODUCTION

This section highlights selected case studies of harness racing precincts and equine related rural residential/lifestyle farms. These case studies will inform the concepts and future land use options for the Shepparton investigation area.

### 6.2. KEY FINDINGS

Tabcorp Park is a purpose built sporting and community hub. The development leverages off premier harness racing operations, whilst hosting a number of business and entertainment events and functions.

Tabcorp Park's success can be attributed to a number of factors including a diverse mix of Harness racing operations, entertainment, functions and accommodation. The hub allows its users to experience a number of entertainment avenues.

Brighton and Globe Derby Park contain generous residential allotments varying in size, generally 1-5 hectares. These land allotments are desired due to the proximity to equine related industries and recreation allowing residents to leverage off the regions equine related facilities and operations.

Horse communities in the US are designed for equine recreation and provide a series of horse and nature trails with an abundance of public open space. Allotments are generally 1-3 hectares.

The success of horse communities can be attributed to a number of factors, including social cohesion through the provision of community infrastructure and recreational space such as horse trails, parks and public open space.

### 6.3. HARNESS, THOROUGHBRED AND GREYHOUND PRECINCTS

#### 6.3.1. DOWLING FOREST PRECINCT, BALLARAT

The Dowling Forest Precinct incorporates the Ballarat Thoroughbred Racecourse and the surrounding areas. Although the racecourse itself is Crown land, the land surrounding the racecourse was freehold Farming Zone land, which is ideal for horse trainers.

The development of this precinct was supported by local and state government, as well as the horse racing industry. A Dowling Forest Precinct Masterplan was prepared in 2011, which set aside the land surrounding the racecourse for horse trainers and equine enthusiast (hobby farms).

Planning controls were introduced via the Ballarat Planning Scheme which appropriately zoned surrounding land to encourage activities and practices associated with the equine industry which is not fragmented by other uses such as non-equine activities (hobby farms). The purposes of any new controls are very important and should aim:

- To provide certainty and allow for future growth in terms of appropriate uses in close proximity to a major sporting venue;
- To encourage the continued growth of the racing industry at Dowling Forest;
- To improve access to the Dowling Forest Racecourse facilities, which is safe and efficient by means of a suitably located "tunnel" under Midas Road and Kennedy's Road;
- To protect the interface of the racing industry with Miners Rest Township;
- To protect the environmental environs of Burrumbeet Creek;

- To set a minimum subdivision allotment size that satisfactorily addresses the needs of the equine industry whilst ensuring each lot is capable of retention of effluent discharge within the boundaries of the property; and
- To improve the overall traffic management of the precinct having regard to the purpose and use of the precinct.

The report recommended that the land identified within the precinct boundary be rezoned from Farming Zone to Rural Activity Zone or the Special Use Zone.

The Dowling Forest Precinct Masterplan was implemented through a planning scheme amendment and has implemented certain planning controls to ensure the future of the racing precinct and encourage equine related industries in the area.

#### **6.3.2. TABCORP PARK MELTON**

Tabcorp Park is located in Melton, 41 km west of Melbourne. Tabcorp Park is a unique sporting and community hub with a range of entertainment facilities operating seven days a week alongside a metropolitan harness racing track. The decision of Harness Racing Victoria to explore options for developing a major harness racing precinct came from the industry's five year strategic plan, developed in 2001. Melton was the ideal region for this development as it boasted the highest proportion of standardbreds in Victoria, identifying strong demand for this type of development in the region. In addition, Melton Shire recorded strong population growth, as well as providing attractive land that was required for a development of this size and scale.

Tabcorp Park is the premier harness racing facility in Victoria. Facilities include a 41 room 4-star hotel, function and conference rooms, bistro, sports bar, TAB and gaming room.

Tabcorp Park hosts harness race meets every Friday night and Thursday afternoon, as well as select Saturday nights and Sunday afternoons. Harness Racing Victoria have built a state-of-the-art 1040 metre track, which is the largest in Victoria. The track promotes fast, fair and competitive racing.

Tabcorp Park is designed to leverage off the Harness racing operations, however it is not the sole entertainment avenue in the precinct. The complex hosts an abundance of events and functions including weddings, parties, business conferencing as well as exhibitions and live music acts.

### **6.4. RURAL RESIDENTIAL/LIFESTYLE FARMS**

The following case studies provide an insight into some rural residential/lifestyle farms throughout Australia. These areas are purpose built for its residents to utilise surrounding equine and equestrian related infrastructure and amenity, as well as having an abundance of open space for horse trails and recreation.

#### **6.4.1. BRIGHTON TASMANIA**

Brighton is located 27 km north of Hobart. Brighton racecourse, now known as Brighton Training Centre, is located north of the town centre, on Racecourse Rd and is utilised for training thoroughbred, trotting and pacing industry. The track has undergone some significant changes in the past 30 years, notably the addition of a chip wood track on the outer part of the course.

The land surrounding the training facility, is typically characterised by small lifestyle farms, often containing a house, shed/stables and recreational open space. Some properties have set up show jumping obstacles and other horse friendly apparatus on their land.

The properties in Brighton have the luxury of being in close proximity to the horse training facility and the Pontville Park Equestrian and Recreation Facility, as well as an abundance of open space.

#### **6.4.2. MAHAINS ESTATE - GLOBE DERBY PARK, SOUTH AUSTRALIA**

Globe Derby Park Harness Racing Club is located 15 km north of Adelaide CBD and is considered the premier standard harness racing venue in South Australia. Race meetings are held every week on Saturdays and Mondays, as well as Friday nights throughout the winter months.

Similarly to Brighton/Pontville in Tasmania, Globe Derby Park is characterised by an even mix of medium density residential and rural residential/lifestyle farm developments. Globe Derby Park leverages off the harness racing clubs and surrounding equine related centres in the area. Globe Derby Park contains a number of areas that are medium density living, however there is vacant land to the west of Globe Derby Park harness racing track that has been subdivided into eight rural residential allotments and is known as Mahains Estate.

Mahains Estate consist of eight 4,000 square metre allotments that are surrounded by equine related infrastructure, as well as parks and wetlands. This estate is advertised as rural living in a metro area. Located 18 km from Adelaide CBD, it boasts an abundant amount of open space for horse riding, mountain biking and other outdoor adventure activities.

Mahains Estate has a particular focus on taking advantage of the equine amenity in the area. Nearby locations such as Betezy Park (Globe Derby Park Harness Racing Club), Globe Derby Equestrian Centre and Equus Horse and Pony Club and Public Riding Arena make it a prime destination for those seeking an equine lifestyle.

Allotments vary in size but are approximately 4,000 square metres and land prices are between \$180,000 and \$190,000.

#### **6.4.3. HORSE/EQUESTRIAN COMMUNITIES CASE STUDIES**

Horse or Equestrian Communities are planned and often gated developments in which residents can live with their horses on site and enjoy the pleasures of casual riding on a series of public horse trail networks. These communities have a number of equestrian related infrastructure and are becoming increasingly popular in rural areas of the United States as a result of a gradual decrease in horse trails and public equine facilities in semi-rural areas.

Horse/equestrian communities are often subdivided into 1-3 hectare allotments, and in addition to providing residents with equestrian related infrastructure, include a number of recreational facilities such as nature trails, picnic/recreation pavilions and parks.

#### **6.4.4. KING OAKS, TEXAS**

King Oaks is a horse/equestrian community that comprises a total land area of 380 hectares. This land is subdivided into 500 to 1,200 m<sup>2</sup> lots. This development was planned for the adventure/equine lover. The development incorporates a number of horse trail networks, as well as picnic/recreation and fishing areas.

#### **6.4.5. SEMINOLE WOODS, FLORIDA**

Seminole Woods is a rural/lifestyle farm estate in Florida. Its land area is approximately 650 hectares and is subdivided into 2-3 hectare lots. The estate includes a lake, which can be utilised for water activities such as fishing, kayaking and canoeing, as well as a series of nature and horse trails.

#### 6.4.6. CONCLUSION

Table 11 shows a summary of the five rural residential/equine lifestyle farm case studies. These properties and estates highlight the successful attributes that are implemented for these types of estates to be sought after. These attributes include:

- Allotments need to be subdivided into a minimum of 3-4 hectares to provide sufficient land to incorporate stables/kennels, water storage, septic units and a small horse yard;
- Are in close proximity to equine related infrastructure such as training facilities, trails, veterinary clinics and stockfeed;
- Provision of nature and horse trail networks, as well as a sufficient amount of public open space; and
- Create a network of rural residential/lifestyle farms that are of similar function in order to increase the number of residents leveraging off equine facilities in the area and maximise their use. Locate residential development in locations appropriate to its intended use.

**TABLE 11** SUMMARY OF RURAL RESIDENTIAL/EQUINE LIFESTYLE FARM CASE STUDIES

Location	Description	Lot Size	Equine/Community Facilities
Dowling Forest, Ballarat	Horse trainer, equine enthusiast, hobby farm precinct surrounding the Ballarat Racecourse. Leverages off the racing precinct operations to give rise to a state of the art horse training precinct.	Allotment size varies. Some areas have a minimum 4 ha lot size; other areas have a 10 ha minimum lot size. Zones vary between Farming Zone (schedule 1 & 2), Rural Residential and Special Use Zone.	Rural residential allotments incorporate day yards and stables Horse training facilities Ballarat Thoroughbred Racecourse Veterinary Recreation areas Horse related areas
Brighton, Tasmania	Rural residential/lifestyle farms situated around Brighton Training Centre	Vary significantly per lot. Range from approximately 1-10 hectares	Brighton Training Track Pontville Park Equestrian and Recreation Centre
Globe Derby Park, South Australia	Rural residential lots surrounding Betezy Park (Globe Derby Harness Racing Club) in South Australia. Mahains Estate is an estate purpose built to leverage off equine facilities in the area	A mix between medium density and rural residential. Existing lots range from 1-5 hectares. Mahains Estate has been subdivided into 4 hectare lots	Betezy Park (Globe Derby Harness Racing Club) Globe Derby Equestrian Centre Equus Horse and Pony Club and Public Riding Arena
King Oaks, Texas	Horse community located in Texas, USA. King Oaks is a gated community that is a total of 380 hectares	Residential lots range from 500-1,200 m <sup>2</sup>	Horse and Nature Trail Network throughout the estate Recreational Lake for water Activities such as fishing, swimming, kayaking and canoeing. Picnic and recreation areas
Seminole Woods, Florida	Horse community situated in Florida, USA. The estate is approximately 650 hectares	Lot Sizes vary between 2 and 3 hectares.	Series of public horse and nature trails Recreational lake utilised for water activities such as fishing, swimming, kayaking and canoeing



## 7. PHYSICAL CONSIDERATIONS

### 7.1. INTRODUCTION

An analysis of the physical issues that were identified from the consultation workshops with stakeholders such as Shepparton Harness and Greyhound Racing Clubs, Shepparton equine clubs, referral authorities such as Vic Roads, Goulburn Valley Water, Goulburn Murray Water, Goulburn River Valley Tourism, as well as various landowners who are situated within or adjoining the investigation area informed the preparation of the masterplan detailed in Section 9.

The physical considerations for the precinct have been recently updated to reflect new studies into the flood impact and noise considerations for the investigation area.

Specialist independent consultants, Water Technology, were engaged to investigate the flooding potential of the investigation area. This included the preparation of flood mapping for the precinct, conducted in May 2016.

An acoustics report was also prepared by specialist independent consultant Watson Moss Growcott in May 2016, which considers the noise emissions from the Greyhound and Harness activities to proposed future residential areas.

These updated physical constraints are reflected in the spatial issues map on page 54.

### 7.2. KEY FINDINGS

The key physical issues to be considered when preparing the masterplan for the investigation area include:

- Preference for one entry point to the racing precinct from the Goulburn Valley Highway. A service road may be implemented to provide access to properties.
- A portion of land on the corner of the Goulburn Valley Highway and River Road would need to be acquired to provide for future long term road changes, subject to Vic Roads investigations.
- An improvement to traffic management at all intersections surrounding the investigation area will be required with future development of the investigation area.
- Large sections of the investigation area are subject to flooding and development in these areas is restricted.
- An APA gas pipeline travels through the investigation area from east to west and development setbacks are in place.
- It is Goulburn Valley Water's preference that standard lot residential development in the area be minimised due to the investigation area's proximity from Shepparton's treatment plant.
- There is potential for the racing precinct to improve promotional and way finding signage.
- The existing GMW backbone channel running through the site was an important hydraulic control and changes to crest levels are likely to have a negative impact on properties downstream of the channel.

### 7.3. INVESTIGATION AREA

#### 7.3.1. ROADS

##### ENTRY POINT

The Goulburn Valley Highway is to have one entry point which will service the racing precinct as well as the potential commercial tenancies as discussed with Vic Roads. Currently the sole entrance to the Goulburn Valley Racing Precinct is located on Goulburn Valley Highway. During a race meeting for either the Harness or Greyhound Clubs, congestion becomes an issue on the Goulburn Valley Highway when vehicles are performing a right hand turn into the precinct. The traffic banks up and vehicles are forced to enter the emergency lane. This issue could be addressed by extending the turning lane into the precinct.

##### SWEEPING BEND

A potential long term requirement is to input a sweeping bend on the corner of Goulburn Valley Highway and River Road to improve the intersection and cater for increased traffic conditions. The sweeping bend would encroach on the North West corner of the precinct; therefore land would need to be acquired for this. Future traffic management arrangements at the corner of Goulburn Valley Highway and River Road are subject to further Vic Roads investigations.

##### ACCESS POINTS

There is a need to minimise access points to the precinct on River Rd, as it is a highly used thoroughfare that absorbs high vehicle numbers travelling east to west. Main access points to the precinct should be focused toward Archer Rd.

##### TRAFFIC

There will be a need to assess traffic conditions at the four intersection points around the perimeter of the precinct with further growth in use. Pending the outcome of analysis, there will be a requirement to treat each of the intersection points of the precinct.

#### 7.3.2. ENVIRONMENT

##### NATURAL VEGETATION

There would be an opportunity to maintain stands of trees throughout the precinct where present, notably on the banks of Seven Creeks.

There is also the potential to use vegetation buffers where required. These could act as barriers which would break up areas within the precinct as well as combatting unfavourable exposures such as noise, light and smells from the racing precinct.

##### SEVEN CREEKS

A 60 metre setback is required for development adjoining/surrounding Seven Creeks. There is potential to utilise the Seven Creeks buffer area for recreation purposes such as an equine cross country course or other equine friendly uses.

##### FLOODING

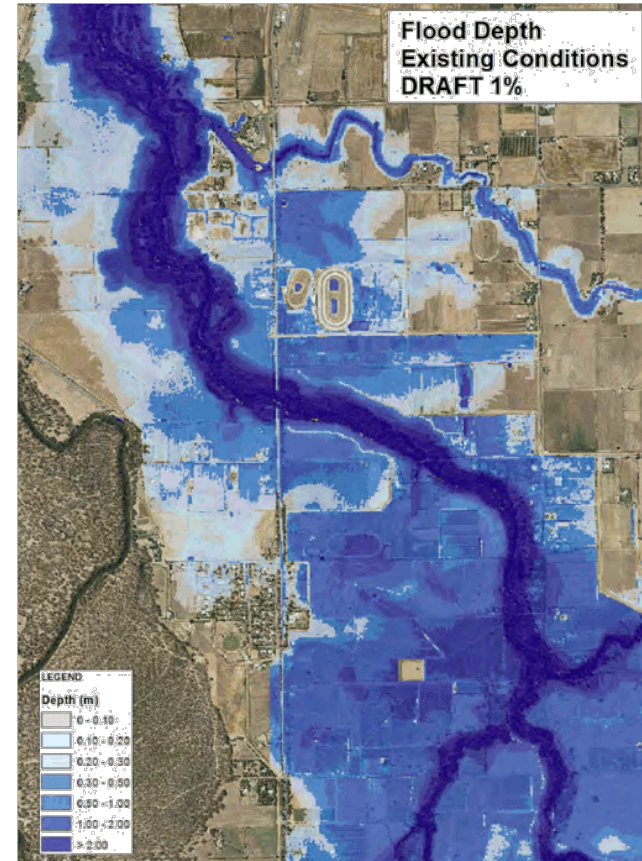
The Master Plan concepts for the investigation area were prepared on the basis of existing flood overlays and flood zones, incorporated into the Greater Shepparton Planning Scheme.

Figure 11 shows the predicted flood impact of a 1 in 100 year flood event and predicts a large portion of the investigation area, affected by potentially high flood levels.

The flood behaviour study (reference) impacts the potential for development in the investigation area due to the restriction on development in flood prone areas. To maximise developable land, there is an

opportunity to provide flood mitigation infrastructure within the investigation area. Cut and fill areas would be required to facilitate development. The extent of land for development, together with the precise location, extent and quantities of cut and fill will be subject to detailed assessment at any development approval stage.

FIGURE 11 FLOOD MAPPING – INVESTIGATION AREA 1



Source: Water Technology, May 2016

**7.3.3. SERVICING****RETICULATED WATER AND SEWERAGE**

Reticulated water stops at River Road and is pumped into the Harness Racing Club. The same conditions apply for the sewerage line.

The water mains are most likely to continue further down the Goulburn Valley Highway with the subsequent residential development potentially occurring opposite the Shepparton racing precinct.

Capacity constraints exist in relation to the water mains and sewerage drains into this part of Shepparton. Significant medium density, standard lot development will require significant infrastructure upgrades. These infrastructure upgrade costs would fall on the developer.

If the precinct was to take the direction of rural residential/lifestyle farms, lots would need to be large enough to be able to self-contain water. If this can be achieved there may not be a requirement to extend reticulated water. However, allotments can be provided with raw irrigation water, notably from the channel.

Approximately 1,000 sqm is required for septic disposal. This requirement needs to be considered when determining lot sizes, as they would need to be large enough to allow sufficient area for sewerage treatment on site.

**APA GAS PIPELINE**

A gas pipeline runs through the investigation area from east to west, directly south of the Harness and Greyhound racing precinct and should be noted for restrictions on future potential development.

APA has noted that development is not permitted along the gas pipeline and there must be a buffer of 15 metres to the north and 5 metres south of the pipeline. Development along the pipeline must comply with these requirements.

**CAPACITY**

The investigation area is at the extremity of servicing due to its distance from the Shepparton sewerage treatment plant. The treatment plant is in North Shepparton, putting a strain on its capacity to service the investigation area.

**7.3.4. WATER CHANNEL**

A Goulburn Murray Water (GMW) channel runs from east to west through the precinct directly south of the racing precinct, and also runs from north to south on the western edge of the precinct.

The channel running east-west through the centre of the site plays an important hydraulic control under existing conditions. The channel restricts the amount of water travelling north from Seven Creeks across the north of the Investigation Area. The channel is not scheduled for decommissioning in the near future. Development within the Investigation Area would be required to accommodate the existing channel and ensuring the current crest levels are not reduced.

The channel's water supply gets cut off from May 15<sup>th</sup> to August 15<sup>th</sup> every year for servicing and maintenance. Water storage would need to be present within each residential allotment in order to access water supply during these months.

Preliminary investigations into raising the channel crest level and formalising it into a flood protection levee were undertaken. Discussions with Greater Shepparton City Council and Goulburn Broken CMA suggested that under the current planning environment, levees were not encouraged as a way to develop greenfield areas and are often only used as a way to protect legacy development in flood prone areas.

If constructing near the water channel, a 30m setback is required for development.

## 7.4. GREYHOUND AND EQUINE PRECINCT FACILITIES

### 7.4.1. EVENT FACILITIES

The Shepparton Harness Racing Club and the Shepparton Greyhound Racing Club both have good quality, large capacity function facilities. Function facilities are used for social and corporate events such as weddings and parties, as well as greyhound and harness purposes. There is a potential and capacity to expand the use of their facilities for an array of events. The Harness Racing Club and Greyhound Racing Club could stage multiple events at the one time and potentially brand/promote the two clubs together. I.e. the Shepparton Racing Precinct.

The Shepparton Harness Racing Club could use their stabling complex (big shed) to hold events/exhibitions/trade shows due to its size and capacity.

### 7.4.2. PRECINCT AMENITY

There is potential for commercial amenity on the western face of the precinct, along the Goulburn Valley Highway. There is untapped space either side of the Greyhound Racing Club and car park that could be leased for commercial tenancy.

There is also a need to increase signage and car parking capacity. The signage on the Goulburn Valley Highway is non-existent and the sign at the entrance to the precinct is small and confusing. Once you enter into the precinct, the layout is confusing and signage needs to be introduced to direct patrons.

Car parking is adequate for the majority of the race meetings for both racing clubs, however on the occasion that two club race meetings overlap, the car parking facilities cannot cope with the additional number of vehicles, and therefore spills over into the grassed areas. The car parking is a shared facility between the two clubs, and creates conflict at times. An opportunity exists to extend the car parking further.

### 7.4.3. RACING CLUB FACILITIES

The Shepparton Harness Racing Club expressed interest in developing a straight line track for training purposes, ideally located to south of the precinct.

The unused land on the western face of the precinct, along the Goulburn Valley Highway has the potential to provide equine and greyhound friendly accommodation. This accommodation would require stables and kennels for owners and trainers to safely lock up their animals, as well as ample power outlets.

### 7.4.4. TRAINING TRACK AND FACILITIES

A use conflict exists between the Shepparton Pony Club and Shepparton Harness Racing Club. There is a lack of adequate space to accommodate the Pony Club on site (I.e. There is no cross country course and there are also scheduling conflicts).

### 7.4.5. PUBLIC ADDRESS SYSTEM/NOISE POLLUTION

Specialist consultants Watson Moss Growcott Acoustics prepared an assessment of the noise emissions to proposed future residential areas for the investigation area, in May 2016. The acoustic report is provided in Appendix B. An assessment of the noise impacts from the public address (PA) system used at the harness racing facility was conducted to determine the potential noise impacts for the precinct. The noise impacts from the PA system are reflected in Figure 12 on page 54.

The harness and greyhound racing precinct occupies land zoned SUZ4. The definition of SUZ4 includes the following in relation to use of the land:

#### *Amenity of the neighbourhood*

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

- *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.*

Indications are that the facility complies with this requirement for the public address system at present as it only applies at noise sensitive premises, that is, residential dwellings, of which there are few in the investigation area.

Given that PA levels within the harness racing facility were observed to be higher than required for effective communication, this provides scope to reduce the output of loudspeakers to reduce noise emission beyond the racing precinct boundaries, while maintaining effective communication locally at the harness track and immediate vicinity.

Contact has been made with the company responsible for the PA system at the racing precinct and modifications to the PA system developed, which will reduce off-site noise emission, maintain adequate communication at the facility and reduce power consumption.

The PA system modifications proposed, which have been accepted by the racing club, are:

- Turned the two long throw speakers that point west down by about 15dB as they did not need to emit such a high level and are on a separate circuit to the rest of the speakers.
- Replace the three long throw speakers facing east and south east with short throw speakers, probably angled down a bit more. These are also expected to reduce sound power output by at least 15dB(A).
- Add a switch so that the 6 loudspeakers in the north-south grandstand along the finish straight do not operate for all except one event per year, which is the only time they are required.

It has been concluded that, with the existing PA system at the harness racing facility, there is potential for adverse noise impacts at locations within the investigation area being considered for residential development under some weather conditions.

Modifications to the harness racing facility PA system have been identified, which would reduce noise emission beyond the racing precinct to a level consistent with residential occupation, while maintaining effective communication at the harness racing track and immediate vicinity.

The Harness and Greyhound racing PA system creates partial noise pollution during race meetings. Key recommendations for the public address system at the Harness and Greyhound Racing tracks include:

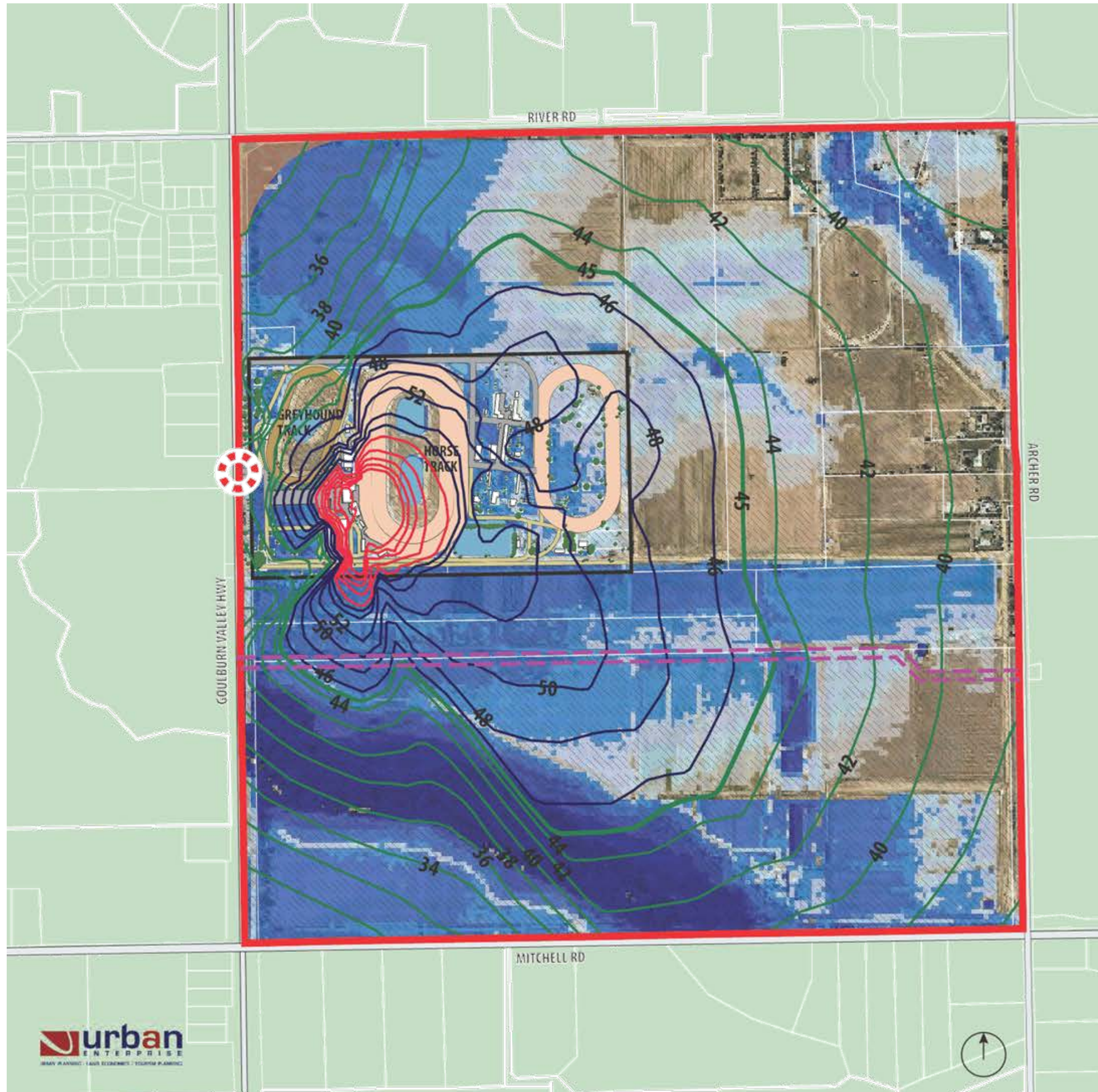
- <45 dB(A)  $L_{eq}$  during use of PA system: Rural Living or Low Density Residential;
- 45 dB(A) to 55dB(A)  $L_{eq}$  during use of PA: Equine Related Rural Living; and
- >55 dB(A)  $L_{eq}$  during use of PA: Non-Sensitive land uses.

The noise modelling results together with overall consideration of noise emission from the racing precinct imply that the proposed modifications to the PA system at the harness racing facility are the only noise control measures required in order for the residential development under consideration for the investigation area to proceed without adverse noise impacts at the future residential premises.






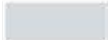








In order to align expectations with reality, there would be benefit in including a notice on titles to the effect that Rural Equine Living land will be subject to audible noise emission from the racing precinct at times.

The acoustics report for the investigation area is provided in Appendix B. The physical issues map provided on the following page provides consideration of the PA system noise impacts.

The masterplan detailed in Section 9 reflects the restriction on development due to noise pollution from the racing precinct.



**FIGURE 12** INVESTIGATION AREA PHYSICAL ISSUES MAP

-  INVESTIGATION AREA
  -  HARNESS/GREYHOUND RACING
  -  VICROADS PREFERENCE FOR ONE ENTRY POINT ALONG GOULBURN VALLEY HWY IN LONG TERM
  -  LONG TERM REQUIREMENT FOR LAND TO BE ACQUIRED BY VICROADS FOR TRUCK ROUTE, INCLUDING CHANGE TO GOULBURN VALLEY HWY/RIVER RD INTERSECTION
  -  NO ACCESS TO RETICULATED WATER AND SEWER, POTENTIAL ACCESS TO RAW WATER
- AREA SUBJECT TO FLOODING TO THE FOLLOWING DEPTHS:
-  0 - 0.10
  -  0.10 - 0.20
  -  0.20 - 0.30
  -  0.30 - 0.50
  -  0.50 - 1.00
  -  1.00 - 2.00
  -  > 2.00
-  ACOUSTIC ASSESSMENT - PA SYSTEM dB (A) - WESTERLY BREEZE, 10kph MODIFIED LOUDSPEAKERS
  -  APA HIGH PRESSURE GAS PIPELINE EASEMENT









## 8. FUTURE LAND USE ASSESSMENT AND RECOMMENDATIONS

### 8.1. INTRODUCTION

This section considers future land use opportunities that may be considered within the investigation area based on market information, consultation, workshops, planning policy and strategy, as well as the physical constraints and opportunities. Land use options considered include:

- Standard lot residential;
- Low density residential;
- Rural living (equine);
- Equine recreation;
- Commercial and tourism uses (visitor accommodation & small tourism uses);
- Village centre; and
- Equine/greyhound services.

Recommendations on land uses are based on a market assessment.

### 8.2. KEY FINDINGS

The future land use opportunities of the investigation area include residential (low density and rural living), equine recreation, commercial, tourism and equine/greyhound services.

There is strategic support for low density residential uses in the precinct, however it will be important that these do not adversely impact the existing Harness and Greyhound Racing Precinct. If this were themed for equine purposes, it would build on the synergies with the current Greyhound and Harness Racing functions in the precinct.

Strengthening the equine role of the precinct through land provided for equine recreational uses and commercial equine uses will provide greater market demand for equine themed low density residential uses. This will also assist in growing the precinct as the home of the equine industry.

There is market support for visitor accommodation within the investigation area, notably to leverage off visitation to the racing precinct and equine recreation uses.

The precinct is best developed with a mix of the above uses in mind as they can complement each other. The key for the investigation area is to bring all of these uses together in a spatial way that complements the existing function of the area.

**8.3. RESIDENTIAL LAND**

This section provides an overview of the residential housing market in Greater Shepparton. In particular, the current and future provision of residential land according to key council documents and demand through population projections.

The Greater Shepparton Housing Strategy 2011 identifies a number of growth opportunities for residential land to the north, south and east of Shepparton. The Housing Strategy allows for adequate land stocks for conventional and medium lot density (Residential 1 Zone) and Low Density Residential within the growth area of Shepparton to be delivered to 2031.

**8.3.1. GROWTH CONTEXT**

The Greater Shepparton population is expected to increase significantly over the next 20 years, with the population projected to grow from 63,447 in 2014 to 77,675 in 2031. This represents approximately 22% of growth over that period.

This has consequences for the opportunities within the investigation area such as increased demand for residential housing, increased demand for function spaces and accommodation and increased demand for equine related facilities.

The number of occupied private dwellings in Greater Shepparton are projected to steadily increase from 2011 to 2031. An estimated 7,700 additional occupied private dwellings are projected in Greater Shepparton.

**TABLE 12** PROJECTED POPULATION – GREATER SHEPPARTON

Year	2011	2016	2021	2026	2031
Population	61,744	64,775	68,973	74,189	77,675

Victoria In Future, Population Projections

**TABLE 13** PROJECTED DWELLINGS - GREATER SHEPPARTON

Year	2011	2016	2021	2026	2031
Number of Occupied Private Dwellings	24,256	25,711	27,788	29,898	31,985

Victoria In Future, Dwelling Projections

**8.3.2. STANDARD LOT RESIDENTIAL**

The Greater Shepparton Housing Strategy (GSHS), 2011, shows that there was a total of approximately 5,000 ha of zoned residential land in Shepparton which consists of:

- 2,400 ha of GRZ and NRZ;
- 775 ha of LDRZ;
- 775 ha of TZ; and
- 1,000 ha of RLZ.

Of the total zoned residential land, it is estimated that a total of 605 ha was available for future residential development in greenfield locations. This land consists of large, contiguous tracts of undeveloped land which is currently zoned for residential development and includes 476 ha of GRZ land and 41 ha of combined LDRZ and TZ land.

The residential development targets in the Housing Strategy seek to provide for a variety of choice in terms of location and type of living setting while also contributing to appropriate growth management and enhancing the viability of Greater Shepparton's small towns.

The residential development targets have been informed by:

- The type, amount and proportion of existing residential zones;
- The existing average lot sizes in each residential zone type;
- A qualitative assessment of dwelling demand and housing market conditions;

- An understanding of sustainable development and the need to conserve land and energy; and
- The need to achieve the strategic directions and objectives of the GSHS.

The residential targets in the Greater Shepparton Housing Strategy identify the proportion of dwellings that should be achieved in each zone type and the likely average lot size for residential development within each zone. Targets have been set for both infill developments in established areas and Greenfield development in new areas.

The residential development targets for the GSHS are as follows:

- Infill Development - accommodate at least 10 percent of the 9,100 dwellings (910 dwellings) in existing areas through infill and redevelopment at higher densities. New dwelling construction in these areas is highly encouraged by the GSHS and this target should be exceeded where possible.
- Greenfield Development -accommodate the remaining 8,190 dwellings in greenfield locations with:
  - 60% as conventional living (GRZ);
  - 20% as medium density housing (GRZ);
  - 15% as low density living (LDRZ and TZ); and
  - 5% as rural living (RLZ).

From a demand and supply perspective, there are adequate land reserves to accommodate conventional residential growth in the south of Shepparton with a number of areas already prioritised for conventional residential development to accommodate in advance of 15 years supply. Therefore, there is no requirement for the investigation area to deliver additional medium/conventional density residential land to meet demand.

### 8.3.3. LOW DENSITY RESIDENTIAL AND RURAL LIVING RESIDENTIAL ALLOTMENTS

The Greater Shepparton Housing Strategy also considers low density residential uses:

*“Low Density Residential and Rural Living development has been limited in Greater Shepparton in recent times. There is anecdotal evidence that the current minimum lot size of 8ha within the Rural Living Zone (RLZ) is inhibiting further development. Other explanations include the reluctance of landholders to subdivide land where there is a perception that there could be further development and rezoning opportunities for higher densities”.*

And;

*“There is some potential for rural living and low density within the current growth boundaries of Shepparton, Mooroopna and Kialla, however the location of these developments should not inhibit the future growth of the urban area and encourage land banking or leapfrogging. One example is the Kialla Paceway precinct that will require careful planning to minimise land use conflicts between this facility and future residents”.*

The housing strategy above acknowledges the potential conflict of use between the Goulburn Valley Harness and Greyhound Racing Precinct (Kialla Paceway). Based on this and also the current restrictions on servicing the precinct, some form of rural living uses would be well suited to the precinct as:

- It will allow for a buffer from the Goulburn Valley Harness and Greyhound activities;
- It may provide opportunities for equine and greyhound enthusiasts such as trainers to locate next to the facility; and
- It will provide for a diversity of uses to the south of Shepparton in line with the recommendations of the Shepparton Housing Strategy.

Discussions with horse owners from recreation equine clubs and trainers highlighted the need for allotments to be a minimum of 5000 sqm and up to 2.5 hectares to accommodate stabling and a small yard for horses. Case studies such as the Dowling Forrest Precinct Masterplan in Ballarat show that equine allotments between 4 and 10 hectares are ideal, with a minimum of 2 hectares to allow

animal keeping infrastructure on the premises. There must also be sufficient land for essential infrastructure such as septic and water storage. Sites of this size would also be required for effective wastewater treatment.

Review of the panel report provided for the implementation of the Greater Shepparton Housing Strategy (Amendment C93) determines average and minimum lot sizes for the Low Density Residential Zone (LDRZ) and the Rural Living Zone (RLZ). Average lot sizes provided for Low Density Residential Zone is 2,000 – 8,000 sqm and Rural Living Zone incorporates a lot size of 2 – 8 hectares.

For highest and best use, as well as allowing for potential horses on site with stables and day yards, the Rural Living Zone within the investigation area would be best suited to lot sizes of 1 – 2.5 hectares. For Low Density Residential Zone, optimal lot sizes will range from approximately 2,000 – 4,000 sqm. Consultation with local agents highlights that there is strong demand for rural lifestyle and low density residential allotments in close proximity to Shepparton CBD and suggest that Kialla, and in particular the investigation area would be an ideal location. Agents suggest that the lot sizes mentioned above are fitting, as anything less would be competing with residential estates such as Kialla Lakes and Seven Creeks Estate.

The Greater Shepparton Housing Strategy highlights the lack of diversity in the housing stock in Greater Shepparton. The investigation area may provide an opportunity to diversify the housing stock and provide greater choice for larger low density allotments and equine rural living allotments. These allotments would be suitable for trainers to locate in close proximity to the paceway and equine recreational uses to locate in a horse friendly estate.

#### 8.4. RECREATIONAL EQUINE GROUPS

Two recreational equine clubs have expressed interest in relocating to the area south of the Kialla Paceway within the investigation area. The two clubs in support of co-locating are the Shepparton Pony Club and Goulburn Valley Equestrian Club.

Both clubs have a strong existing membership base, with Goulburn Valley Equestrian Club experiencing growth in recent years and expecting growth in the future.

The Shepparton Pony Club's land and infrastructure requirements are as follows:

- 50 acres for a cross country course;
- 8 arenas approximately 60 x 80 metres;
- 200 car parking spaces with floats, clubrooms; and
- 55 day yards approximately 10 square metres each.

Goulburn Valley Equestrian Club's land and infrastructure requirements are as follows:

- 3 all-weather surface arenas (approximately 80 x 40 metres each) including external power outlets, PA system and lighting; and
- Sufficient provision of car and float parking, clubrooms with toilets/showers.

The total land requirements for both clubs is approximately 30 hectares.

With both clubs expecting growth in membership in the near future, an opportunity exists to create a regionally significant recreational equine precinct. This would not only benefit the Greater Shepparton community, but also grow tourism through the provision of equine and other tourism events. There is no existing equine cross country course in Shepparton and very few in Victoria. The delivery of a high quality recreation equine precinct would provide significant opportunity to grow outdoor equine events in the region.

## 8.5. COMMERCIAL AND TOURISM USES

There is opportunity for the precinct to consider commercial and tourism uses that may leverage from the Harness and Greyhound Racing activities. In particular, commercial uses may leverage from exposure along the Goulburn Valley Highway to passing trade. Specific commercial uses that may be suited to the precinct are highlighted below.

### 8.5.1. VISITOR ACCOMMODATION

The Harness and Greyhound events have a combined total of around 150 race meets per year with visitation to the precinct at around 65,000 per annum, which deliver around 10,000 overnight visitors to the precinct. Discussions with the racing clubs suggests that there is potential for this to increase and that the Goulburn Valley Racing Precinct could become one of the premier Harness and Greyhound precincts in Victoria. Race meetings hosted in Shepparton attract visitors from across Victoria and interstate. The precinct also accommodates an expanding number of events including special interest events such as automotive and trade shows, large family events and sporting events. A range of accommodation segments may be considered in the investigation area which appeal to different market need, including:

- Self-contained accommodation (farm stay/nature based tourism);
- Caravan park with potential equine holding infrastructure;
- 4-star motel/hotel accommodation; and
- B&B's.

In addition, allowing for equine recreational uses in the investigation area will create additional demand for overnight accommodation, particularly if cross country and pony club events are held in the area. This will provide additional demand for group accommodation and camping sites.

If the Shepparton Pony Club and Goulburn Valley Equestrian Club co-locate to the area south of the Kialla Paceway, it will generate an abundance of events within the investigation area. Assuming the

two recreation clubs host a combined 30 events annually, and attract an additional 200 visitors from outside the region including competitors and their friends and family per event the precinct has the potential to attract 6,000 visitors to the precinct, of which many will require overnight accommodation due to the duration of events.

The Kialla Paceway attracts an estimated 64,760 visitors, with approximately 9,484 overnight visitors. The equine recreation clubs in the precinct are likely to increase this to approximately 15,000 overnight visitors due to their events schedule.

There is scope for the accommodation type and capacity to increase over time as the investigation area develops, attributed to the growth in operations of the Kialla Paceway and Recreational Equine Groups.

There is an opportunity to provide a mid and budget market accommodation establishment in close proximity to Kialla Paceway that directly services the users of the Paceway, as well as recreational equine group users. For example, a caravan park which incorporates infrastructure to accommodate horses.

Refer to Appendix A for a more detailed accommodation assessment.

**8.5.2. EQUINE/GREYHOUND SERVICES**

There may be opportunity to explore equine and greyhound related services in the precinct such as stockfeed, farriers, saddlery and equipment. This will be largely left to market demand, however there are clearly synergies between these uses and the market for the precinct.

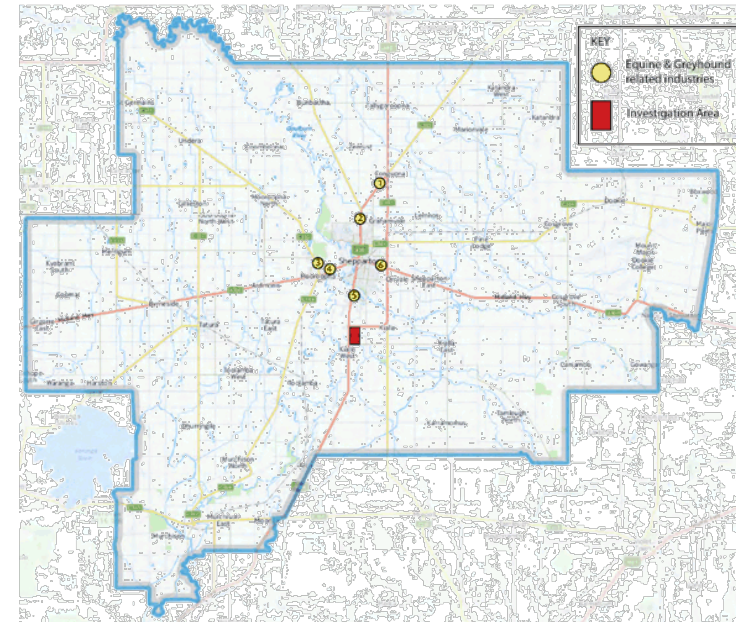
Table 14 and Figure 13 show the numerous veterinaries and stock feed establishments in Greater Shepparton.

The proposed commercial space in the alternative concepts considered presents an opportunity to add to the Harness and Greyhound racing precincts operations. A veterinary and/or wholesale stock feed and supplies establishment would add to the equine/greyhound hub already present in the area.

**TABLE 14** EQUINE AND GREYHOUND RELATED INDUSTRIES: GREATER SHEPPARTON

	Name	Address	Services
1	Goulburn Valley Equine Hospital	905 Goulburn Valley Hwy, Congupna	Lameness, radiography, arthroscopy, scintigraphy, fracture repair, respiratory repair, reproduction & surgical services
2	Shepparton Veterinary Clinic	2 Wanganui Rd, Shepparton	Pet care, healthcare, surgical and wellbeing services
3	Mooroopna Veterinary Clinic	71 Echuca Rd, Mooroopna	Dogs, Cats, Birds, Poultry and exotic pets. Breeders/Greyhound services, grooming, consultation, surgeries, vaccination & micro chipping
4	The Causeway Veterinary Clinic	10 McLennan St, Mooroopna	Healthcare, surgical and well-being services.
5	Kialla Veterinary Clinic	7966 Goulburn Valley Hwy, Kialla	Pet care, healthcare, surgical and wellbeing services
6	PETStock Shepparton	210 Benalla Rd, Shepparton	Domestic pet food, supplies and equipment. Caters for dogs, cats, fish, reptiles, horses and chickens.
7	Tatura Veterinary Clinic	29 Ross St, Tatura	Equine & Livestock services

**FIGURE 13** EQUINE AND GREYHOUND RELATED INDUSTRIES: GREATER SHEPPARTON



### 8.5.3. RETAIL

#### SHOPPING PRECINCTS

Riverside Plaza is located approximately 4.5 km from the investigation area and is the closest shopping precinct to the investigation area and thus services the residents of Kialla, including new medium density residential developments (Kialla Lakes, Kialla Green and Seven Creeks Estate).

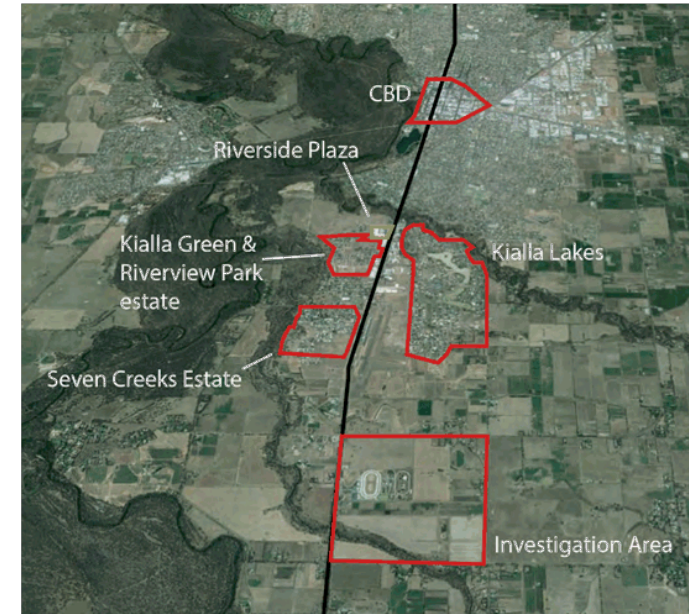
Riverside Plaza includes a Coles supermarket, larger format retail (Target), a medical centre, dentistry and speciality retail shops such as a butcher, bakery and casual dining.

Riverside Plaza more than satisfies the current demand from residents of Kialla and provides a good mix of amenity. If residential development continues to the south of Kialla, there will be a need for retail space.

Figure 14 shows the numerous medium density residential developments in Kialla. Kialla Green, Riverview Park Estate, Seven Creeks Estate and Kialla Lakes Estate are being delivered in stages and are experiencing strong take up rates.

Due to the lack of water and sewerage infrastructure to the south of the investigation area, residential development is likely to continue north of the investigation area, as well as through the northern growth corridor. As a result, Riverside Plaza is more than serviceable for the current provision of residents in the area. Thus the proposed commercial space reserved in the investigation area will best suit a service provider that leverages from the operations of the Harness and Greyhound racing clubs.

FIGURE 14 RESIDENTIAL DEVELOPMENT IN KIALLA



Base Map Source: Google Earth

#### DEMAND FOR RETAIL

Given the proximity of the precinct to Riverside Plaza, there will be no requirement for higher order retail within the precinct. Preliminary outcomes from the Greater Shepparton Commercial Land Use Study 2014/15 highlight that retail in the investigation area would not be suitable given the distance and isolation of the area from the existing retail core.



Some allowance may be made within the investigation area for retail that services the local catchment only such as a general store or food and beverage outlet. This could be included within a village centre concept within the precinct and have dual role of servicing visitors to the precinct and residents within the investigation area.

### 8.6. ESTIMATED SUMMARY OF POTENTIAL LAND USES

Table 15 summarises the potential land requirements needed to satisfy the different land uses which have been identified for the investigation area. This, in combination with the physical constraints of the investigation area, has been used as the basis of the preparation of the masterplan in Section 9.

Low Density Residential will comprise approximately 50-60 hectares of land, primarily along Archer Road and is expected to yield between 250 and 300 allotments.

Rural Residential Living is concentrated to the area east of the Kialla paceway and runs north -south within the investigation area. Rural Living will comprise an estimated 45-55 hectares of land yielding approximately 40-50 allotments, with 30-40 allotments being for rural equine residential and the remaining 10-15 allotments providing a rural residential buffer between rural equine uses and low density residential uses.

Recreational Equine is identified for the land directly south of the Kialla Paceway and includes approximately 30 hectares of land. The two clubs who have shown interest in co-locating here have specific land requirements, which are shown in Table 15.

Land for accommodation has been concentrated to the north of the investigation area, with land reserved for a caravan park, with a land requirement of around 12 hectares.

The North West corner of the precinct, in which the Goulburn valley Highway and River Road meet has been designated for future road alignment changes, subject to Vic Road investigations.

**TABLE 15** ESTIMATED POTENTIAL LAND REQUIREMENTS PER LAND USE

Land Use	Lot Sizes	Estimated Number of Lots	Estimated Land Budget
<b>Low Density Residential</b>	2,000 - 4,000 sqm	250-300	50-60 hectares
<b>Rural Residential Living</b>	10,000 Sqm	10	10 hectares
<b>Rural Equine Living</b>	10,000 - 25,000 sqm	30-40	35-45 hectares
<b>Accommodation</b>			
<i>Caravan Park</i>	N/A	1	12 hectares
<b>Recreational Equine Clubs</b>		1	30 hectares
<i>Shepparton Pony Club</i>			
Cross Country course	20 hectares	1	20 hectares
Arenas	60m x 80m	8	4 hectares
car spaces with floats	5m x 5m	200	0.5 hectares
Day yards	10 sqm each	55	0.055 hectares
Clubrooms	300 sqm	1	0.03 hectares
<i>Goulburn Valley Equestrian Club</i>			
Arenas	80m x 40m	3	0.1 hectares
Day yards	10 sqm each	70	0.07 hectares
Clubrooms	300 sqm	1	0.03 hectares
<b>Retarding basin</b>	2 hectares	1	2 hectares

## 9. MASTERPLAN

### 9.1. OVERVIEW

The masterplan has been designed to develop a strong integrated precinct which leverages off the existing equine and greyhound events and training role of the Kialla Paceway. Expansion of equine uses including a new purpose designed recreation equine area and rural equine residential will create a strong home for the equine sector uses in Greater Shepparton.

Commercial accommodation (caravan park) is proposed to leverage from visitation to the racing precinct, but will also meet accommodation gaps in the Greater Shepparton Region.

Low density residential uses will provide diversity in the dwelling stock for Shepparton, creating a high quality residential precinct.

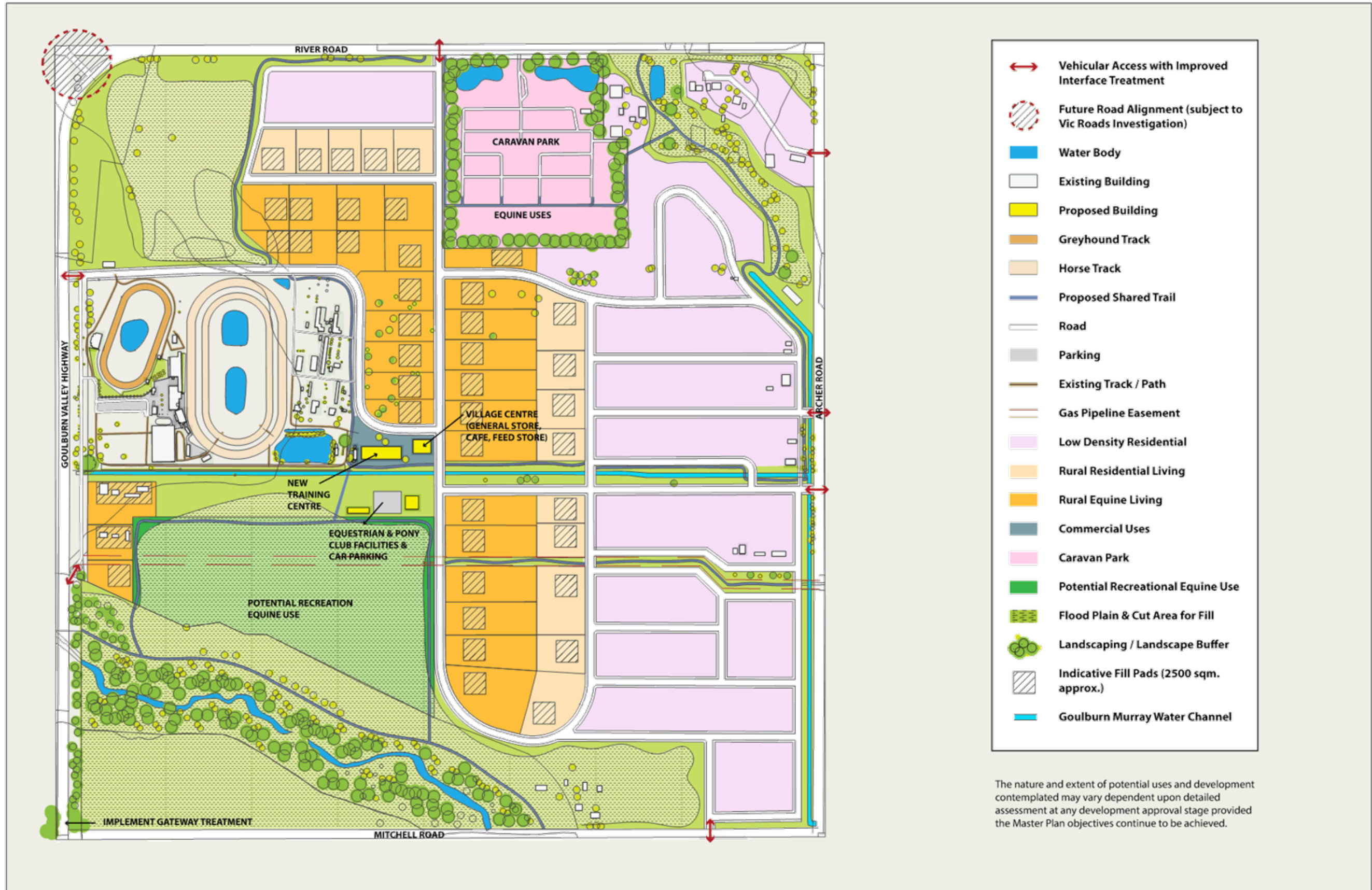
Key elements of the masterplan include:

- Expansion of recreational equine facilities will create stronger demand for rural lifestyle allotments. The recreation equine area will support purpose built facilities for the Shepparton Pony Club and Goulburn Valley Equestrian Club and provide opportunities to grow outdoor equine events.
- Relocation of training track into the centre of the harness racing track allows additional land for increased stabling and facilities for on-site trainers. This will also provide improved management of the training facilities by collocating training in one location.
- The masterplan satisfies the Greater Shepparton Housing Strategy by providing a viable mix of low density residential and rural living residential allotments, without interrupting the operations from the Kialla Paceway;

- Rural equine residential uses provide opportunity for horse trainers and other recreational equine enthusiasts to locate in a strongly focused equine precinct with equine trails and links to equine training facilities;
- An internal trail network will support the equine residential properties and provide direct access to the Harness Racing area and recreational equine area;
- Rural living provides a buffer between equine residential uses and low density residential uses;
- A village centre next to a newly developed indoor equine training centre will be established to service residents and visitors to the precinct. It is envisaged that this would house a café/general store and feed store.
- Road entry points are minimised on Goulburn Valley Highway and River Road;
- A caravan park is identified along River Road to support the equine uses within the broader precinct including the harness racing track and recreation equine events. If the Caravan Park is not pursued the Low Density Residential Zone should be applied to this land.

Figure 15, on the following page shows the masterplan for the investigation area. The masterplan reflects recent investigations into the flooding potential of the investigation area as well as the noise considerations from the Public Address system at the harness racing facility.





SCALE: 1:200 ORIGINAL SHEET SIZE A3  
INDICATIVE DRAWING ONLY. NOT FOR CONSTRUCTION

**MASTER PLAN**  
INVESTIGATION AREA 1 | VERSION 11



## 10. ECONOMIC IMPACT

### 10.1. INTRODUCTION

An economic impact assessment is provided below which identifies the estimated benefits of the proposed masterplan once fully developed.

The economic impact assessment provides an economic analysis of the following:

- **Economic impact during construction phases.** This estimates the economic impact from construction expenditure within the precinct and calculates direct and indirect output and jobs generated.
- **Economic impact during operational phases.** There are a number of facilities in the precinct which will drive ongoing economic benefit for Greater Shepparton. This includes a new training centre, events conducted within the equine recreational area, revenue generated from the integrated resort facility and caravan park. The below assessment analyses estimated output and jobs generated from these uses.

Urban Enterprise utilises input output modelling for Victoria to determine the flow on (indirect) benefits of expenditure and jobs.

### 10.2. KEY FINDINGS

The proposed masterplan for the Equine and Greyhound precinct will enable the following economic benefits to the Victorian economy:

- \$220.8 million in output and 572 jobs during the construction phases of development;
- A minimum ongoing impact of \$4.9 million in output and 25 jobs.

The vast majority of these jobs will be within Greater Shepparton due to the large scale of Shepparton's construction industry and population base to support ongoing service sector jobs.

The ongoing economic impact identified is conservative as it does not account for additional expenditure to Greater Shepparton by attracting new visitors to the region outside of accommodation expenditure and expenditure within the Equine and Greyhound Precinct.

### 10.3. CONSTRUCTION PHASE IMPACTS

Table 16 summarises the estimated cost during the construction phase which will implement the masterplan. This is likely to be staged and occur over a long time period, potentially up to 10 years. The source for the cost estimates provided in the table below. Further detailed design and documentation is required to arrive at more accurate costs, however for the purpose of a broad economic impact assessment a general allowance is useful to understand the scale of economic impact that the masterplan will enable.

The delivery of the masterplan concept is estimated at around \$138 million based on the assumptions included in Table 16. Using Urban Enterprises input-output model this will deliver around 358 direct full time equivalent jobs during the construction phase in the Victorian economy.

The flow on benefits are estimated to be \$82.8 million in output which equates to an additional 214 jobs in the Victorian economy.

**In total during the construction phase the output from delivery of the masterplan is estimated at \$220.8 million and will deliver 572 jobs to the Victorian economy.** Due to Shepparton's large and well developed construction sector it is anticipated that majority of the jobs identified will be locally based.

TABLE 16 CONSTRUCTION PHASE COST ESTIMATES

Item	Cost Estimate	Notes	Source
Equine Rural Living and Rural Residential Allotments	\$18 Million	Includes 42 newly established allotments, with one dwelling per allotment. Includes allowance for services, driveway landscaping, fencing and shedding Servicing: \$30,000 Dwelling: \$350,000 Landscaping, fencing, driveway, sheds \$50,000	Rawlinsons Construction Cost Handbook, Urban Enterprise
Low Density Allotments	\$106 Million	Includes approximately 265 newly established low density allotments with one dwelling per allotment. Includes allowance for servicing, driveway and landscaping Servicing: \$25,000 Dwelling: \$350,000 Landscaping, fencing, driveway, sheds \$25,000	Rawlinsons Construction Cost Handbook, Urban Enterprise
Road Network	\$3.5 Million	Approximately 10 kilometres of sealed road and drainage, excludes drainage as this is an unknown requirement 6m road = \$350 per metre	Rawlinsons
Caravan Park	\$5.9 million	This includes allowance for: \$500,000 in servicing (power, sewer, water etc) 40 cabins @ \$80K each = \$3.2 million Reception building \$800,000 Recreation facilities \$600,000 Amenities block \$800,000	Victoria Lake Caravan Park Masterplan (Urban Enterprise)
Village Centre and new Training Centre	\$2.5 Million	There are no concept plans for the indoor equine training centre. An allowance has been made of \$2 million for the training centre and \$500,000 for the village centre complex.	
Equine Recreation	\$2.26 Million	2 club houses (\$500,000 for each clubhouse). [\$1 million] 50 acres for a cross country course [allowance \$85,000] 8 arenas approximately 60m x 80m [\$300,000] 3 all-weather surface arenas approximately 80m x 40m each [\$250,000]; 200 car parking spaces with floats (level with drainage and crushed rock) [\$200,000] 70 day yards approximately 10m <sup>2</sup> (\$4000 per day yard) [\$280,000] External power outlets, PA system and lights for arenas [allowance \$150,000]	Source: Various Growth area DCPs, Kinglake Equestrian Centre Feasibility Study (Urban Enterprise)
<b>Total Construction Cost</b>	<b>\$138.16 Million</b>		



#### 10.4. OPERATIONAL PHASE IMPACTS

Unlike a conventional residential subdivision in the growth areas of Shepparton the proposed masterplan will provide strong ongoing economic benefits delivered from the various uses that attract and service visitors to Greater Shepparton.

Specifically, the following uses will drive new jobs in Greater Shepparton's economy:

- The training centre at the Kialla Paceway, through the attraction of new and visiting trainers;
- Additional events conducted within the recreation equine precinct, which would not have been attracted previously to Shepparton due to the lack of facilities; and
- Visitors staying in the proposed caravan park.

The annual economic impact from the above uses is estimated to be \$3 million as shown in Table 17. This is a highly conservative figure for the following reasons:

- Does not include revenue from additional trainers attracted to Shepparton through the strengthening of the harness and equine precinct;
- For accommodation establishment only takings from accommodation is included and not revenue from food and beverage and other visitor expenditure;
- Revenue generated from retail uses within the precinct such as the village centre concept;
- Expenditure attributed to visitors to the precinct spend outside of the precinct, such as food, beverage and retail expenditure.

Annual revenue of \$3 million in the precinct will support 19 full time equivalent jobs directly within the precinct.

Flow on indirect impacts will lead to an additional \$1.8 million in regional output and 6 jobs.

Total economic impact from businesses and organisations proposed for the Equine and Greyhound Precinct is estimated at a minimum of \$4.92 million in output and 25 jobs to the Victorian economy. The vast majority of these jobs are service sector related within the Greater Shepparton municipality.

TABLE 17 ONGOING ECONOMIC DRIVERS

Facility	Discussion	Additional Direct Expenditure in Region
Training Centre	It is estimated that a purpose built indoor training centre would require two new full time staff to service the facility. Based on input output modelling this would equate to an annual turnover of around \$500,000 for the facility. It is likely that the training centre would also attract new trainers to be locate in Shepparton, however further detailed investigation is required to determine the precise impacts of this.	\$500,000
Recreational Equine Uses	It is estimated that the recreational equine precinct would draw in 6000 visitors from outside Shepparton for various events conducted. Based on the National Visitor Survey, visitors would spend around \$153 per day. We may estimate that the average length of stay is a low 1.5 nights with around half of the events being one day events and the other half being multi-day events.	\$918,000
Caravan Park	Based on a caravan park that has 40 cabins and 80 sites, with an occupancy of 65% for the cabins and 35% for the sites, the annual turnover for the caravan park would be in the order of \$1.3 million for the cabins (@ \$140 per night) and \$357,700 for sites (@ \$35 per site night).	\$1,657,700
<b>Revenue</b>		<b>\$3,075,000</b>

## APPENDIX A ACCOMMODATION ASSESSMENT

This section provides an assessment of current accommodation supply in Greater Shepparton, as well as demand for accommodation establishments. There is an opportunity to provide accommodation within the investigation area to leverage off the harness and greyhound operations as well as taking advantage of the favourable location and aspect of the Seven Creeks, in the south west corner of Investigation Area 1.

### HOTELS, MOTELS

#### SUPPLY

There are 19 hotels, motels and motor inns in Shepparton equalling a total of 523 rooms.

**TABLE 18** HOTELS, MOTELS AND MOTOR INNS IN SHEPPARTON

Shepparton	Number of Establishments	Number of Rooms
Shepparton	19	523

Source: Urban Enterprise, Greater Shepparton Accommodation Opportunities Study, 2012

#### SIZE

The two largest motels are the Quality Hotel Parklake with 82 rooms available and the Quality Hotel Sherbourne Terrace, with 55 rooms available.

#### QUALITY

There is a broad range of accommodation ranging from AAA ratings between 3 & 4 stars. In addition, a number of smaller establishments are unrated, but are predominantly considered to rate at the lower

end of the quality scale. Whilst there are a number of establishments that have four star ratings, this does not reflect the age of the facilities on offer; many of which are aging and outdated.

#### AVERAGE ROOM RATES

Advertised room rates range from \$95 per standard double room per night to \$168 per standard double room per night. There is a significant difference in price based on the quality of establishments.

#### FACILITIES

The facilities provided range from basic amenities expected in 3 star establishments and below, to a more luxury offering in higher quality establishments; such as swimming pools, spas, a la carte restaurants and corporate function and conference facilities.

#### GAPS

There is a wide variety of motel, hotel and motor Inn accommodation in Shepparton. The motel and hotel stock is generally becoming dated, with a distinct lack of new or modern quality stock coming to market in recent years. There is no large format, high quality international branded hotel in Shepparton which services the significant business and conference market (other than the quality Inn).

## SERVICED APARTMENTS

### NUMBER AND TYPE OF ESTABLISHMENTS

There are five serviced apartment establishments operating within Shepparton. Establishments ranged from the high quality Quest apartment complex, to single self-contained units and apartments.

### ROOMS

There are 101 apartment rooms identified in Shepparton. The majority of these rooms are provided by Quest Apartments, supported by smaller establishments across the area.

### SIZE

The single largest serviced apartment provider in Shepparton is Quest, who operates 69 rooms on Welsford Street in a self-contained 4 storey building. Smaller establishments provide self-contained units, such as In-Style Apartments, who operate 4 apartments across 4 different sites in Shepparton.

### QUALITY

Two apartment providers in Shepparton are AAA rated – Quest Apartments (4.5 star) and Central Shepparton Apartments (4 star). These providers account for 84 of the 101 apartments within the catchment. These establishments provide a high quality of serviced apartment accommodation in Shepparton to meet the needs of business and luxury leisure travellers. These establishments are located in close proximity to Victoria Lake. Central Shepparton Apartments is opposite the lake and some rooms have views over the lake. Quest is located within walking distance north of Victoria Lake. The remaining serviced apartments in Shepparton are small scale, unrated establishments, though the offer provided is considered to be of a good quality based on facilities and price.

### AVERAGE ROOM RATES

Advertised room rates range from an average of \$165 to \$240 per standard double room apartment per night. All establishments are within a medium to high price bracket, representing the quality of the facilities on offer.

### FACILITIES

All apartments feature fully equipped kitchen and other facilities, alongside other household products/appliances expected in a serviced apartment unit. The higher quality apartments offer a range of facilities such as a gymnasium, pool and spa; and provide service aimed at the business traveller, such as shopping, business administration services and conference facilities.

### GAPS

Shepparton is served by an adequate supply of serviced apartments relative to its size.

Serviced apartment accommodation is primarily targeted at the business stay market and is reflected by the supply of apartments in Shepparton, which is the business and trade centre of the region.

Serviced apartments do not suit the market within this precinct, as they are generally service the business sector.

## BED & BREAKFAST & GUEST HOUSE ACCOMMODATION

### NUMBER AND TYPE OF ESTABLISHMENTS

There are currently 2 bed and breakfasts/guest house establishments operating in Shepparton, totalling 7 rooms.

#### ROOM RATES

Advertised room rates range from \$140 to \$150 per standard double room / establishment per night. These establishments are within a medium to high price bracket, representing the quality and boutique nature of the offer.

#### FACILITIES

Facilities within the B&B and guest house establishments provide facilities that create a more intimate, homely experience such as lounges, outdoor courtyards and BBQ facilities.

#### GAPS

The supply of bed and breakfast /guest house accommodation is relatively low in Shepparton; however, this is reflective of the business role of Shepparton and visitor market. This type of accommodation is generally more suited to rural areas of the region.

#### CARAVAN PARKS

This section provides an audit of Caravan Park accommodation in Shepparton. The audit is intended to assess the supply of Caravan Parks in the Shepparton area, their accommodation capacity, rates and general attributes.

There are seven caravan parks in close proximity to the Shepparton CBD. These parks have formed the basis of the assessment.

The majority of the Caravan Parks cater to visitors, apart from Aspen Lodge Caravan Park which is primarily for permanents/annuals. This Caravan Park has therefore not been assessed as a competitor.

The majority of parks offer a base level of services and amenities including amenity blocks, camp kitchens, shared facilities, accommodation cabins, powered and unpowered sites.

Parks such as BIG4 offer a greater level of services and amenities and cater to the holiday and leisure and in particular the family market.

Pricing of accommodation (cabins and sites) is generally consistent across the Caravan parks. However, parks that provide a higher level of services, amenities and higher quality cabins generally charge a premium rate for accommodation.

The majority of the parks are rated 3 star (AAA), with the two BIG4 parks rated 4 stars.

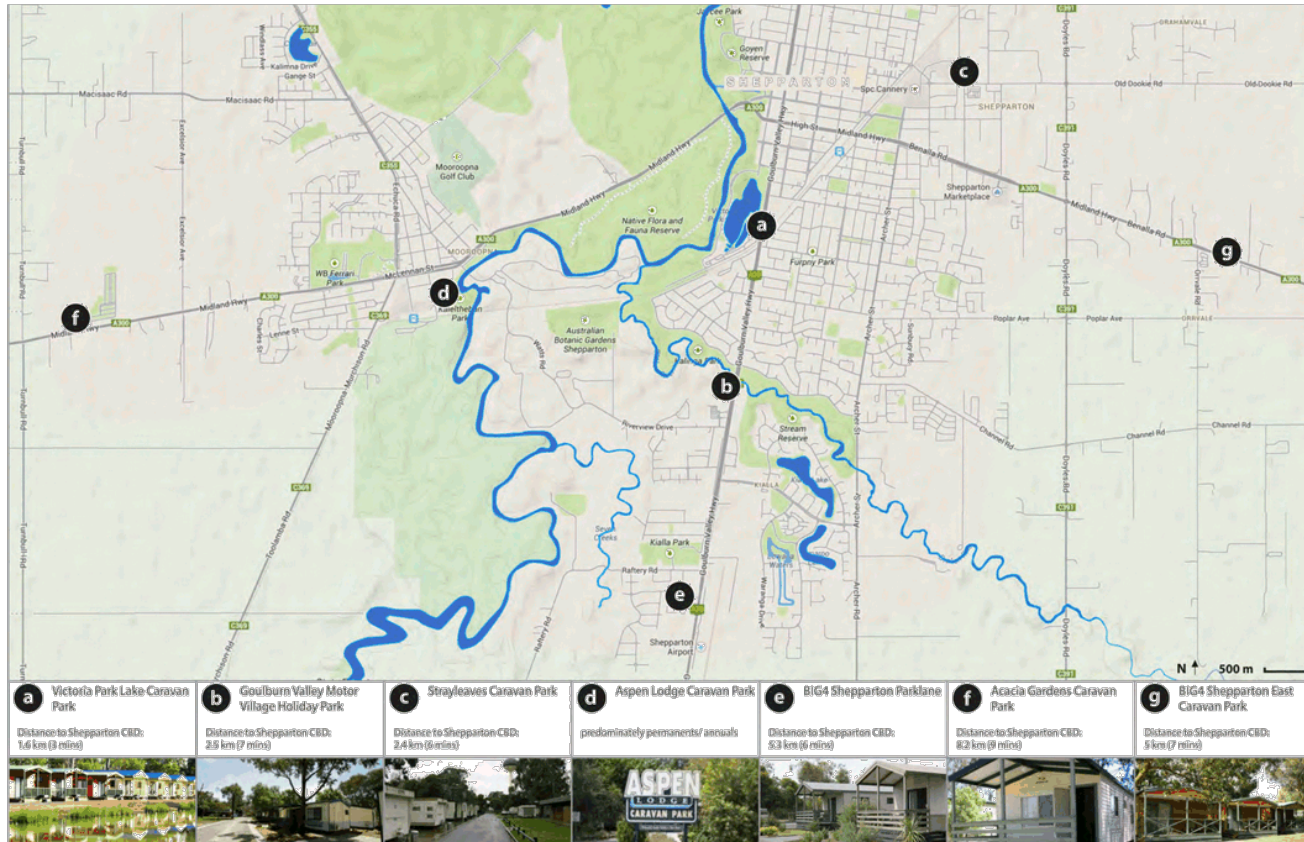
#### LOCATION

Using the Shepparton CBD as a reference point, there are seven Caravan Parks within close proximity to the Shepparton CBD. These parks include:

- Victoria Lake Caravan Park (south of Shepparton CBD);
- Goulburn Valley Motor Village Holiday Park (south of Shepparton CBD);
- Strayleaves Caravan Park (north east of Shepparton CBD);
- Aspen Lodge Caravan Park (west of Shepparton CBD);
- BIG4 Shepparton Parklane (south of Shepparton CBD);
- Acacia Gardens Caravan Park (west of Shepparton CBD); and
- BIG 4 Shepparton East Caravan Park (east of Shepparton CBD).

The map on the following page shows the location of the above Caravan Parks and their distance from the CBD in kilometres and drive time. The Victoria Lake Caravan Park is in the closest proximity to Shepparton CBD and is the only park that is within close walking distance to the CBD. This is a major point of difference for Victoria Lake Caravan Park when compared to other parks.

FIGURE 16 MAP OF CARAVAN PARKS NEAR SHEPPARTON



### CARAVAN PARK ACCOMMODATION

There are currently 7 caravan parks operating within close proximity to the Shepparton Area. These parks offer a broad range in accommodation and quality, from luxury cabins to unpowered sites. Table 10 summarises the number of sites and cabins for each Caravan Park. A more detailed analysis of these parks can be found on the following page in Table 11. There are approximately 403 powered sites and 115 cabins available across the seven Caravan Parks.

The Victoria Lake Caravan Park is the largest park in Shepparton, providing 129 powered sites and 17 ensuite cabins. Goulburn Valley Motor Village provides the largest amount of cabin accommodation, operating 27 separate cabins. The following table illustrates the number of unpowered sites, powered sites and cabins in the 5 caravan parks.

**TABLE 19** SUPPLY OF CARAVAN PARK ACCOMMODATION NEAR SHEPPARTON

Name	Powered Sites*	Cabins**	Star Rating
BIG4 Shepparton East Caravan Park	52	23	4
BIG4 Shepparton Parklane	26	29	4
Goulburn Valley Motor Village Caravan Park	26	30	3
Strayleaves Caravan Park	120	7	3
Victoria Lake Holiday Park	129	17	3
Acacia Gardens Caravan Park	50	9	3
Aspen Lodge Caravan Park	Predominately permanents		
<b>TOTAL</b>	<b>403</b>	<b>115</b>	

Source: compiled by Urban Enterprise using RACV Accommodation Guide, Greater Shepparton VC Data and website research

\*Powered Sites include ensuite sites

\*\*Cabins are for holiday and leisure purposes – this figure does not include permanent or annual accommodation cabins

### QUALITY

The quality of caravan parks within close proximity to Shepparton range from 3 to 4 star (AAA). There are two 4 star parks, operated by BIG4, at Shepparton East and Shepparton Parklands. There are four 3 star parks, including Victoria Lake Caravan Park.

### ROOM RATES

Rates for camping/caravan sites range from between \$12 and \$50 for powered, en-suite and un-powered sites; and \$50 to \$150 for cabins and villas. The price range reflects the diversity of offer available on caravan parks in Greater Shepparton.

### FACILITIES

The facilities on offer in Shepparton's caravan parks reflect the diversity of the offer and differences in quality available. Four star parks, operated by BIG4, provide a range of facilities which are additional to those provided in 3 star parks, such as swimming pools, adventure playgrounds and sporting/recreation facilities. Three star parks provided the range and breadth of facilities expected in a standard caravan/camping park, such as communal washing, kitchen, toilet and BBQ facilities.

### GAPS

There is a significant supply of caravan park accommodation in Shepparton, providing a range of accommodation options including cabins, villas, powered sites, powered en-suite sites and unpowered sites.

If the recreation equine component within the precinct is realised, this would provide additional demand for caravan park accommodation.

**APPENDIX B ACOUSTIC ASSESSMENT**





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**GOULBURN VALLEY EQUINE & GREYHOUND PRECINCT MASTER PLAN**

**Consideration of Noise Emission to Proposed Future Residential Areas**

**DRAFT**

Prepared for:  
 Greater Shepparton City Council  
 90 Welsford Street  
 Shepparton VIC 3632

Ref: 11785-2ng.docx  
 16 May 2016

MEMBER FIRM OF THE ASSOCIATION OF  
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**TABLE OF CONTENTS**

1. INTRODUCTION ..... 3

2. NOISE ASSESSMENT TERMINOLOGY ..... 4

3. SUBJECT SITE AND SURROUNDS ..... 4

4. AMBIENT BACKGROUND NOISE LEVELS IN THE VICINITY OF RESIDENTIAL LOCATIONS POTENTIALLY AFFECTED BY NOISE EMISSION FROM THE SUBJECT SITE ..... 4

5. CONSIDERATION OF NOISE LEVEL OBJECTIVES AT RESIDENTIAL RECEPTORS ..... 5

6. SITE NOISE MEASUREMENTS ..... 8

    6.1 Greyhound Racing ..... 8

    6.2 Harness Racing ..... 8

7. PREDICTED NOISE LEVELS DUE TO NOISE EMISSION FROM THE SUBJECT SITE ..... 9

    7.1 Noise Prediction Methodology ..... 9

    7.2 Noise Prediction Results ..... 9

8. NOISE CONTROL MEASURES ..... 17

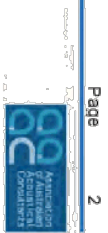
9. OVERVIEW ..... 17

APPENDIX ONE: SITE LAYOUT PLAN SHOWING GOULBURN VALLEY HARNESS AND GREYHOUND RACING PRECINCT AND INVESTIGATION AREA ..... 18

APPENDIX TWO: AERIAL PHOTO ILLUSTRATING AMBIENT NOISE MONITORING LOCATIONS ..... 19

APPENDIX THREE: EPA NOISE CONTROL GUIDELINES Publication 1254 October 2008 ..... 20

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**1. INTRODUCTION**

Greater Shepparton City Council is preparing a Master Plan for the Goulburn Valley Harness and Greyhound Racing Precinct and Investigation Area in Kialla, south of Shepparton, bounded by the Goulburn Valley Highway, River Road, Archer Road and Mitchell Road.

WMG Acoustics Pty Ltd has been requested to conduct an assessment of noise emission from the Harness and Greyhound Racing Precinct to the remainder of the investigation area. The purpose of the noise emission investigation is to ensure that adverse noise impacts on areas developed for residential purposes do not occur, and in turn to ensure that the viability of the Harness and Greyhound Racing Precinct is not threatened by complaints regarding noise emission from future residents of the investigation area.

The public address system at the harness racing facility is responsible for the highest level of audible noise emission beyond the boundaries of the racing precinct. The greyhound racing public address system is lower powered, producing sufficient level to be audible at the track, but not to generate audible off-site noise.

The only other noise sources that are clearly audible off-site are two generator sets, but noise emission from these is only audible in a relatively localised area north of the area between the two tracks.

Other sources such as vehicles driving around the tracks (tractors and trucks preparing the track, ambulance) and the greyhound lure are occasionally audible off-site at some locations, but not consistently audible enough to require specific consideration.

This report covers the following aspects:

- Consideration of appropriate noise level objectives for residential and equine related residential development in the investigation area.
- An overview of the findings of site investigations into noise emission from harness and greyhound racing events held at the precinct and ambient background levels in the investigation area.
- Prediction of resultant Public Address system noise levels in the investigation area using a three dimensional noise modelling software package, for the PA system as it presently exists and for a modified system providing sufficient audio coverage for the effective conduct of racing but less off-site noise emission.
- Recommendations to maximise the extent of residential development in the investigation area without resulting in adverse noise impacts on future residents or future constraints on the racing precinct arising from residential noise impacts.



**2. NOISE ASSESSMENT TERMINOLOGY**

The following terms are used in this report:

- dB(A) Decibels recorded on a sound level meter, which has had its frequency response modified electronically to an international standard, to quantify the average human loudness response to sounds of different character.
- L<sub>90</sub> the level exceeded for 90% of the measurement period, which is representative of the typical lower levels in a varying noise environment. It is the noise measure defined by the EPA as the measure of the background noise level to use in determining recommended maximum noise levels.
- L<sub>eq</sub> the equivalent continuous level that would have the same total acoustic energy over the measurement period as the actual varying noise level under consideration. It is the noise measure defined by the EPA as the measure of noise emission to use in assessing compliance with recommended maximum noise levels.

In short, L<sub>90</sub> is the measure of background noise (in the absence of the noise under investigation or other intrusive noises) used in determining recommended maximum noise levels, and L<sub>eq</sub> is the measure of noise emission used in assessing compliance with recommended maximum noise levels.

**3. SUBJECT SITE AND SURROUNDS**

The Goulburn Valley Harness and Greyhound Racing Precinct and Investigation Area is illustrated in the Plan attached at Appendix One.

**4. AMBIENT BACKGROUND NOISE LEVELS IN THE VICINITY OF RESIDENTIAL LOCATIONS POTENTIALLY AFFECTED BY NOISE EMISSION FROM THE SUBJECT SITE**

Unattended noise loggers were installed at two locations within the precinct area to monitor the ambient background level to assist in placing noise emission from the racing facilities in context. These locations are indicated on the aerial photo in Appendix Two. Noise monitoring occurred from 9 to 14 November 2015 at both locations.

Given that racing events occur during the day, evening and night periods on different occasions, it is the evening/night period that has the greatest potential to impact on future residents so this has been the focus of attention in this study.

Evening/night events typically run from approximately 6.30pm to approximately 11.00pm.

Ambient background levels were averaged over the period 6.30-11.00 pm at both locations, with the lowest average result during the monitoring period being 43dB(A) L<sub>90</sub> at logger location 1 and 40dB(A) L<sub>90</sub> at logger location 2.



**5. CONSIDERATION OF NOISE LEVEL OBJECTIVES AT RESIDENTIAL RECEPTORS**

There is no clear-cut State Policy limit for Public Address (PA) system noise on which to base decisions regarding the spread of noise around the precinct within the investigation area in relation to planning for residential development in the area. Therefore, consideration has been given to a number of sources of guidance in developing a framework for noise emission and resultant levels at different residential categories.

It was observed that for each harness race there were typically pre-race announcements about 5 minutes before the race with another announcement giving final odds about 2 minutes before the race, the race call and another announcement after the race confirming results.

The total duration of announcements was typically found to be in the range 8-9 minutes per race, with races occurring approximately every 30 minutes and an event comprising typically 10 races. This totals 80-90 minutes of announcements over an event duration of approximately 5 hours.

The non-continuous nature of the noise emission is relevant, as is the fact that there are only approximately 20-25 night/night harness events at the venue per year. Therefore the noise emission is far from continuous and the resultant off-site level is dependent on the weather conditions prevailing during an event, which will vary. These factors mitigate against the impact of noise emission.

A factor that would contribute to the potential for annoyance on the other hand, is the fact that the PA announcements are spoken words, which would be more noticeable and potentially annoying than a constant unidentifiable noise of the same overall level.

The harness and greyhound racing precinct occupies land zoned SUZ4. The definition of SUZ4 includes the following in relation to use of the land:

- Amenity of the neighbourhood*
- A use must not detrimentally affect the amenity of the neighbourhood, including through the emission of noise:*
  - *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.*

Indications are that the facility complies with this requirement for the Public Address system at present as it only applies at noise sensitive premises, that is, residential dwellings, of which there are few in the investigation area.

The Planning Permit for the use includes a Condition that refers to compliance with SEPP N-2, and the noise limit for outdoor venues under SEPP N-2, applicable to music, is 65dB(A) Leq as identified in the SUZ4 definition.



65dB(A) Leq is a relatively high noise level, a reflection of the fact that the outdoor venue noise limit under SEPP N-2 relates to an outdoor venue having no more than 6 'concerts' or events per year. Events typically happening twice a month, which appears to be the typical frequency of occurrence of night harness racing, would need to be at lower levels than concerts occurring only up to 6 times per year in order to avoid attracting complaints from people expecting normal residential amenity.

The fact that the way the Permit is worded and interpreted means that relatively high noise levels are allowed by the Permit at residential premises has not been an issue as there are relatively few residential premises in the vicinity of the facility, but this could change in future with residential development.

An event at an outdoor venue is only counted as a 'concert' under SEPP N-2 if the effective noise level exceeds 55dB(A) Leq outdoors at a measurement point in a noise sensitive area. This level is consistent with the 55dB(A) referred to in the definition of SUZ for PA system noise.

55dB(A) as a reasonable target for events occurring approximately 20-25 times per year during the evening, however, this is still a prominent level and the acceptability of it to residents would depend on the expectations of those residents.

Residents in the vicinity of a racing venue who have an expectation of some noise impacts from that venue may well find up to 55dB(A) Leq occurring for a cumulative total of up to an hour and a half per evening on approximately 20-25 evenings per year acceptable.

However, residents with a more purely 'residential amenity' expectation may not be satisfied by such levels. Therefore further consideration has been given to lower levels based on the EPA approach to general commercial, industrial and trade noise.

**NOISE FROM INDUSTRY IN REGIONAL VICTORIA Recommended Maximum Noise Levels from Commerce, Industry and Trade Premises in Regional Victoria (NIRV)** is the assessment framework for general noise emission to residential premises in regional Victoria.

Voices and noise from sporting events are not assessed by the NIRV guidelines, but it is considered useful to at least look at what the NIRV Recommended Maximum Noise Levels (RMNLs) would be in defining the extent of future residential development with an objective of avoiding adverse noise outcomes and land use conflict.

Recommended Maximum Noise Levels are determined under NIRV principally based on planning scheme zonings, with secondary consideration given to background levels in some circumstances. For a noise source in a Special Use Zone and a receptor in a Residential Zone, the zone RMNL for the evening period is 45dB(A).

NIRV includes some other subtleties in the derivation of RMNLs, but the lowest measured background level of 40dB(A) Leq during the evening period is consistent with the 45dB(A) Recommended Maximum Noise Level without pursuing other factors.



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The EPA-defined 'evening' period ends at 10pm and the last race is typically at more like 11pm, but considering the evening period NIRV RMLN is appropriate to the 'evening' nature of the event as it does not continue into the night beyond 11pm and only occurs a small number of times per month.

It is considered that 45dB(A) would represent a level consistent with a purely 'residential' expectation of amenity, as distinct from residents who have chosen to occupy land with a zoning of Equine Related Rural Living, where a level of up to 55dB(A) is considered to be reasonable.

Therefore, the following is proposed as a reasonable framework for considering the development of residential uses within the investigation area:

- <45dB(A) Leq during use of Public Address system: Rural Living or Low Density Residential;
- 45dB(A) to 55dB(A) Leq during use of Public Address: Equine Related Rural Living; and
- >55dB(A) Leq during use of Public Address: Non-Sensitive land uses.

The EPA NOISE CONTROL GUIDELINES (Publication 1254, October 2008) also contain guidance regarding noise due to PA systems in Section 13 'PUBLIC ADDRESS SYSTEMS'. The full PA section of EPA Publication 1254 is attached at Appendix Three.

The Guidelines have as an objective PA system noise intrusion of not more than 5 dB(A) above background at any affected residences or other noise-sensitive locations. This is consistent with an objective of 45 dB(A) Leq with a measured background level during the operational period of 40 dB(A) Leq.

The Guidelines suggest that corrections for tonal or impulsive noise usually are not necessary, and a further tolerance of up to 5 dB(A) may be allowed for unique or very infrequent activities with recognised social merit. This is consistent with allowing an additional 5 dB(A) for 'Equine Related Rural Living' in the context of the racing precinct, compared with Rural Living or Low Density Residential.

According to the Guidelines, amplifier level settings must be minimised whilst ensuring conveyance of information to audience or participants is adequate. The Guidelines note that restrictions on the times of use of public address systems should be considered, and noise from PA systems must not be audible inside a residential dwelling during normal sleeping hours.



**6. SITE NOISE MEASUREMENTS**

**6.1 GREYHOUND RACING**

A visit was made to the site and surrounds on the night of Monday 9 November 2015 to measure noise levels during a greyhound racing event. Weather conditions on the night of the visit were dry and calm, suitable for outdoor noise measurements.

Noise associated with the event was found to be localised and neither consistently audible nor measurable outside the racing precinct. A brief measurement during a lull in highway noise was possible just outside the southern boundary of the precinct due south of the track, where the PA system noise level was 51-52dB(A)  $L_{eq}$ .

At the track, PA system noise levels were found to be up to 69dB(A)  $L_{eq}$  at a distance 20m from the loudspeakers.

The generator set noise level was found to be 62dB(A) at 20m, but this reduced to 50dB(A) at the precinct boundary.

Overall, noise emission from greyhound racing was found to not present any constraints regarding the future development being considered within the investigation area.

**6.2 HARNESS RACING**

A visit was made to the site and surrounds on the night of Monday 14 November 2015 to measure noise levels during a harness racing event.

Actual weather conditions during the evening proved to be significantly windier than forecast, making it impossible to reliably measure off-site noise levels despite it being apparent that the PA system loudspeakers were generating significantly higher levels than the greyhound track loudspeakers.

The larger loudspeakers at the harness racing track were generating levels of 72-73dB(A)  $L_{eq}$  at a distance of 60m from the loudspeaker. This is equivalent to 82dB(A)  $L_{eq}$  at a distance of 20m, 13dB(A) higher than the greyhound track loudspeakers. To put this in context, a difference of 10dB(A) is usually considered to represent a doubling of perceived loudness.

Due to the weather conditions, the focus for the evening became measuring loudspeaker source noise levels close to the speakers to allow off-site noise levels to be calculated using noise modelling software, the results of which are the subject of the following section.





**7. PREDICTED NOISE LEVELS DUE TO NOISE EMISSION FROM THE SUBJECT SITE**

**7.1 NOISE PREDICTION METHODOLOGY**

Modelling of operational noise emissions has been conducted using the Australian developed computer software package known as the Environmental Noise Model (ENM). The ENM package, which runs in a 3 dimensional environment, has been successfully used to model noise emissions from sites at numerous locations within Victoria.

The noise modelling has allowed for the effects of light breezes from the noise sources to the investigation area enhancing sound propagation. Under other conditions, the resultant noise levels would be lower than predicted on this basis.

Apart from the reduction of sound due to distance and atmospheric effects, sound attenuation results from acoustic shielding. The model included solid fences and buildings within the precinct.

The model used as input the sound power level for 19 loudspeakers at the harness racing facility, based on the noise measurements conducted during the site visit

**7.2 NOISE PREDICTION RESULTS**

Modelling was initially conducted using the output of the loudspeakers as they presently exist for a range of breeze conditions with the potential to enhance sound propagation towards the investigation area.

Critical wind conditions for sound propagation are a light breeze only, up to approximately 10kph. Stronger winds also enhance sound propagation, but they increase the ambient background level significantly, reducing audibility of the sound in question.

The outputs of noise contour modelling for calm conditions and range of breeze conditions from southerly through westerly to northerly appear below superimposed over a plan of the development being considered for the investigation area.



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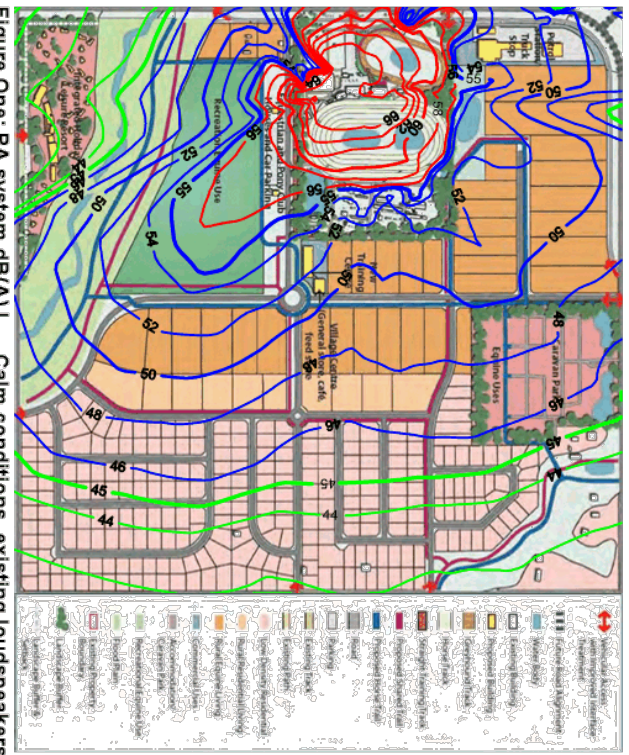


Figure One: PA system dB(A) Leq. Calm conditions, existing loudspeakers.

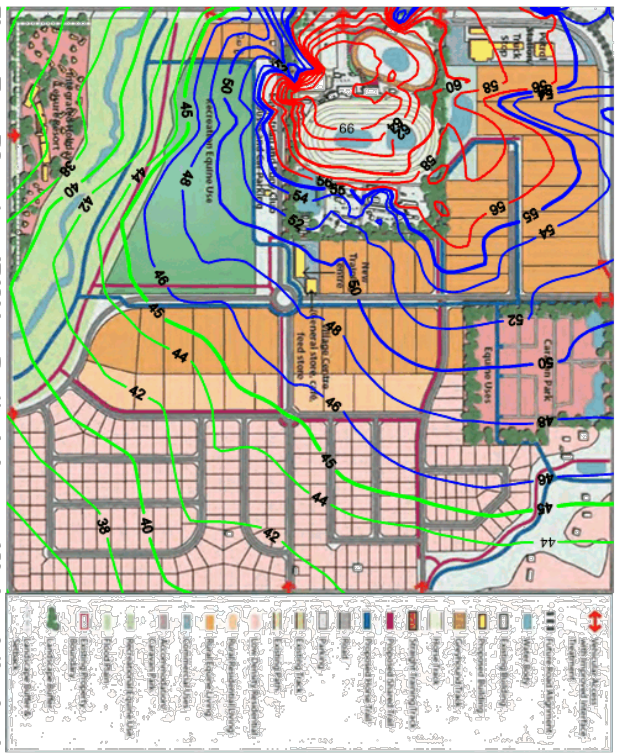
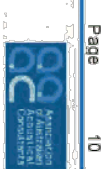


Figure Two: PA system dB(A) Leq. Southerly breeze, 10kph, existing loudspeakers.

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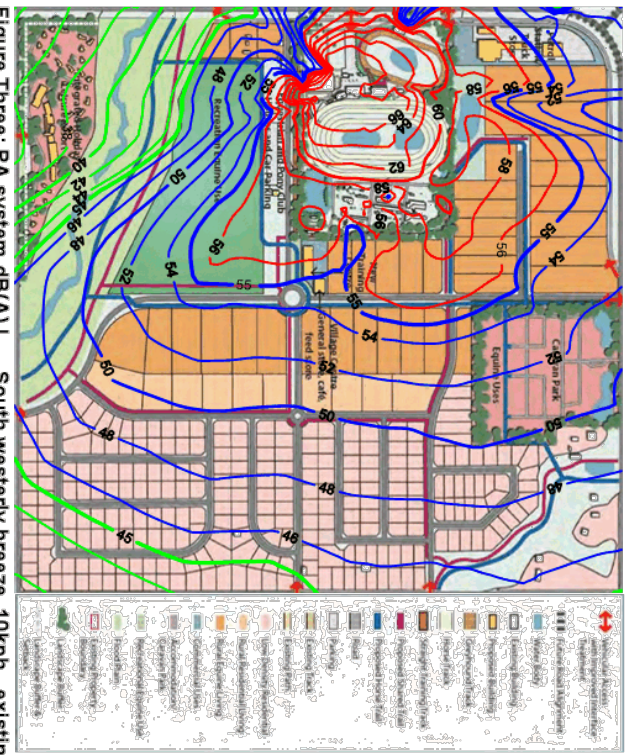


Figure Three: PA system dB(A) Leq. South westerly breeze, 10kph, existing loudspeakers.

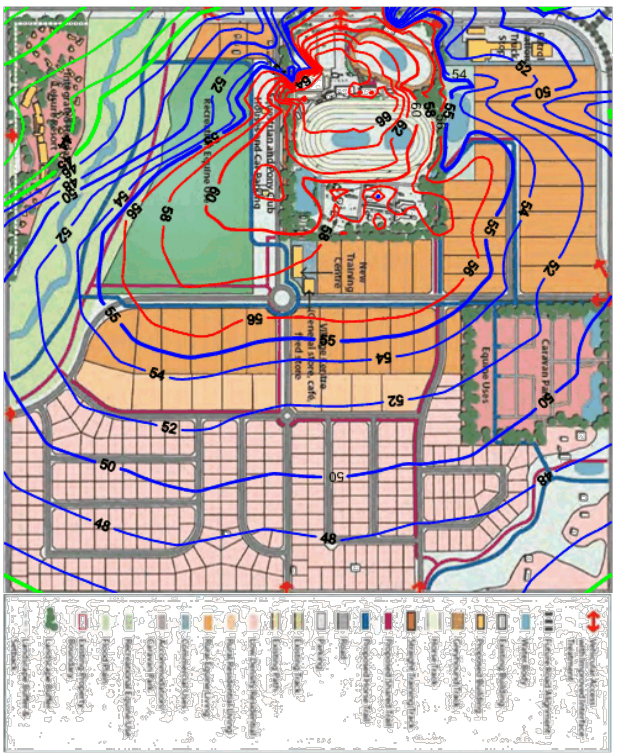


Figure Four: PA system dB(A) Leq. Westerly breeze, 10kph, existing loudspeakers.

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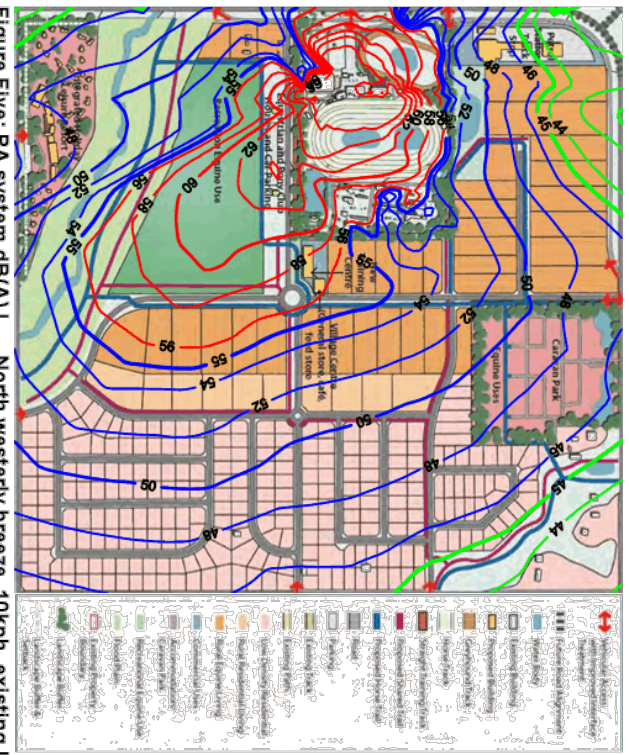


Figure Five: PA system dB(A) Leq. North westerly breeze, 10kph, existing loudspeakers.

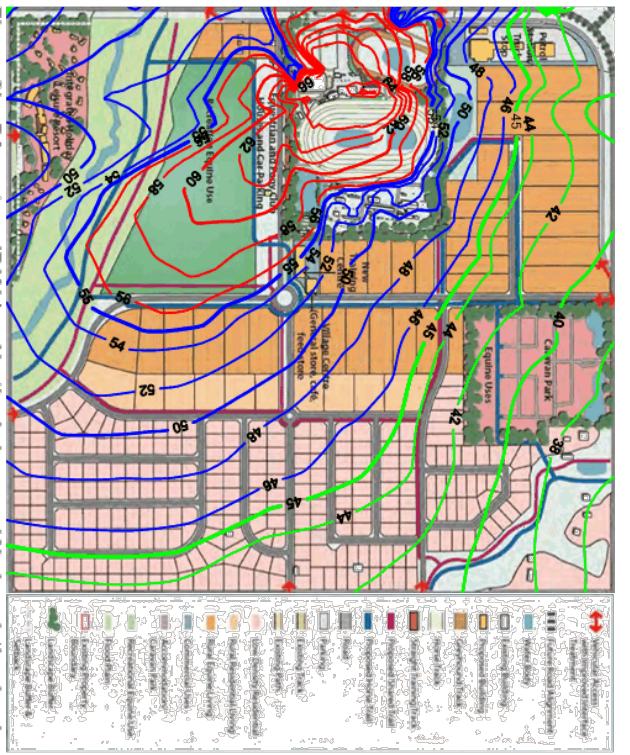


Figure Six: PA system dB(A) Leq. Northerly breeze, 10kph, existing loudspeakers.

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The noise modelling results therefore show:

- resultant noise levels exceeding 45dB(A) Leq during use of Public Address system in areas currently being considered for Rural Living or Low Density Residential use; and
- resultant noise levels exceeding 55dB(A) Leq during use of Public Address in areas currently being considered for Equine Related Rural Living use.

If accepted, the extent of the PA noise levels higher than the adopted framework levels would substantially limit the extent of residential development currently being considered in the investigation area.

Given that PA levels within the harness racing facility were observed to be higher than required for effective communication, this provides scope to reduce the output of loudspeakers to reduce noise emission beyond the racing precinct boundaries, while maintaining effective communication locally at the harness track and immediate vicinity.

Contact has been made with the company responsible for the PA system at the racing precinct and modifications to the PA system developed, which will reduce off-site noise emission, maintain adequate communication at the facility and reduce power consumption.

The PA system modifications proposed, which have been accepted by the racing club, are:

- Turned the two long throw speakers that point west down by about 15dB as they did not need to emit such a high level and are on a separate circuit to the rest of the speakers.
- Replace the three long throw speakers facing east and south east with short throw speakers, probably angled down a bit more. These are also expected to reduce sound power output by at least 15dB(A).
- Add a switch so that the 6 loudspeakers in the north-south grandstand along the finish straight do not operate for all except one event per year, which is the only time they are required.

The source files in the noise model were modified to reflect these changes and the model re-run, with the results set out below.



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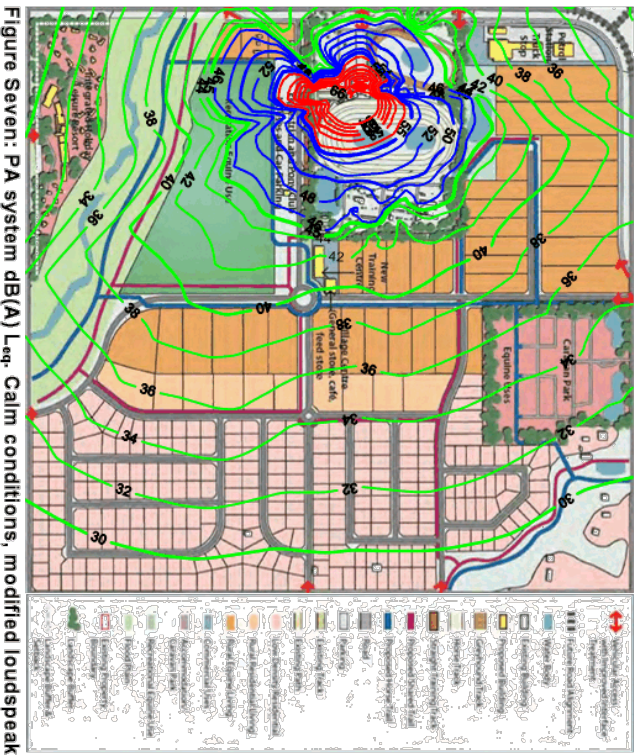


Figure Seven: PA system dB(A) Leq- Calm conditions, modified loudspeakers.

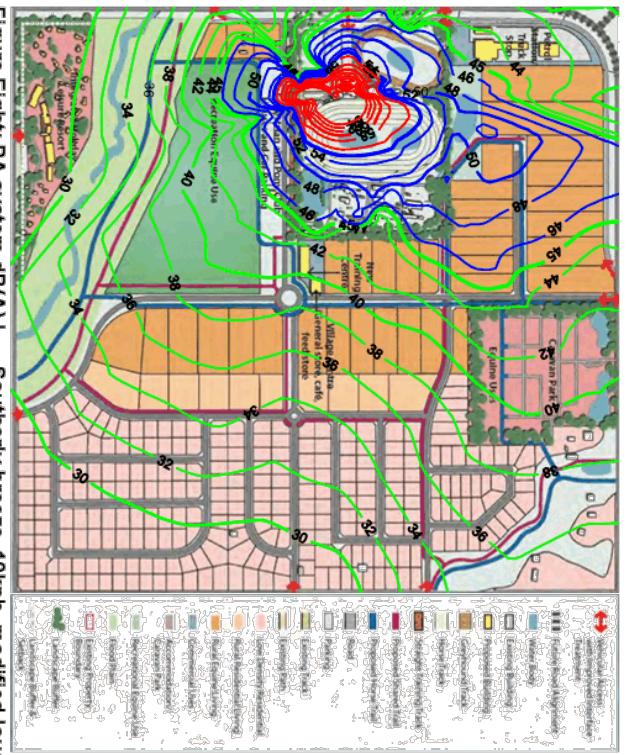


Figure Eight: PA system dB(A) Leq- Southerly breeze, 10kph, modified loudspeakers.

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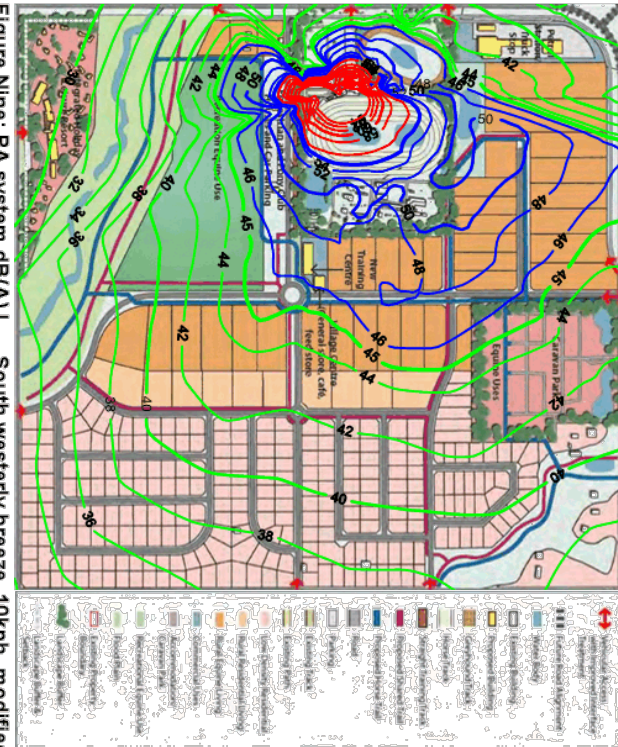


Figure Nine: PA system dB(A) L<sub>eq</sub> South westerly breeze, 10kph, modified loudspeakers.

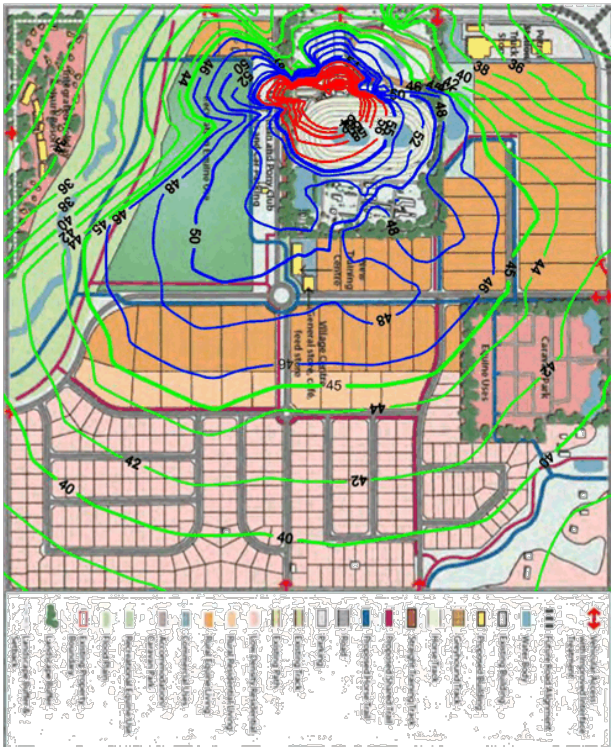


Figure Ten: PA system dB(A) L<sub>eq</sub> Westerly breeze, 10kph, modified loudspeakers.

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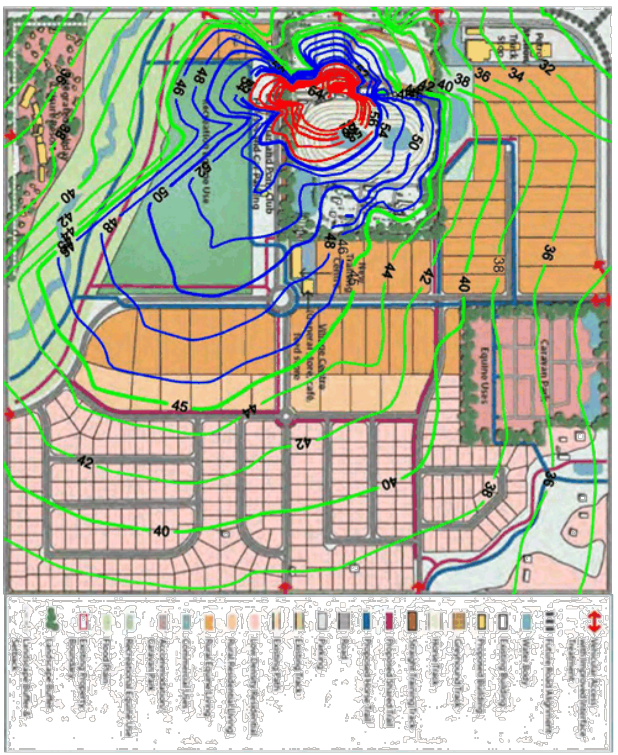


Figure Eleven: PA system dB(A) L<sub>eq</sub> North westerly breeze, 10kph, modified loudspeakers.

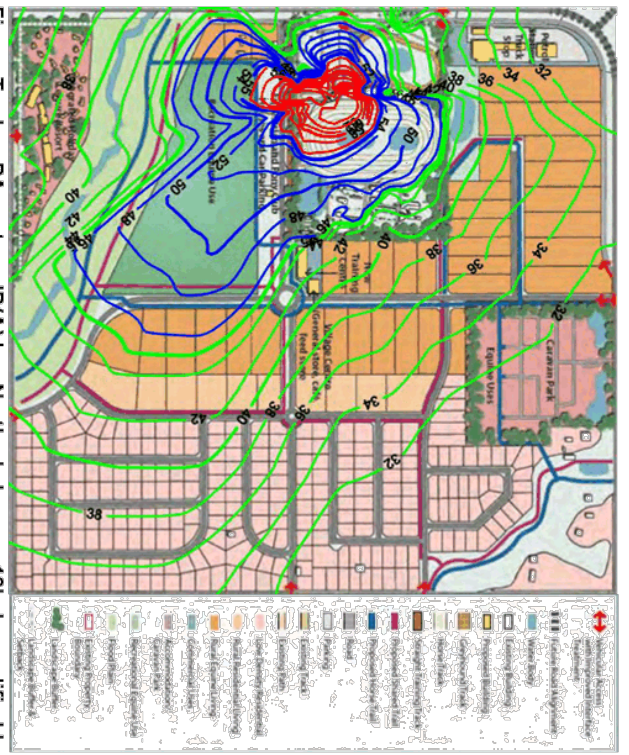


Figure Twelve: PA system dB(A) L<sub>eq</sub> Northerly breeze, 10kph, modified loudspeakers.

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The noise contour plots indicate achievement of the suggested framework for PA system noise emission under all conditions with the exception of:

- Predicted noise levels up to 46dB(A)  $L_{eq}$  at the proposed caravan park under south westerly breeze conditions. This is considered to be of negligible significance, particularly in view of the transitory nature of the occupation of a caravan park.
- Predicted noise levels up to 46dB(A)  $L_{eq}$  at the proposed 'Rural Residential Living' under westerly and north westerly breeze conditions. This is also considered to be of negligible significance, as the framework that has been developed is not a 'black and white' pass/fail criterion. It is a framework to provide guidance, and under all conditions other than westerly and north westerly breezes the resultant levels would be lower.

**8. NOISE CONTROL MEASURES**

The noise modelling results together with overall consideration of noise emission from the racing precinct imply that the proposed modifications to the PA system at the harness racing facility are the only noise control measures required in order for the residential development under consideration for the investigation area to proceed without adverse noise impacts at the future residential premises.

In order to align expectations with reality, there would be benefit in including a notice on titles to the effect that Rural Equine Living land will be subject to audible noise emission from the racing precinct at times.

**9. OVERVIEW**

A noise assessment has been conducted in order to investigate potential adverse noise impacts associated with the racing precinct on areas within the investigation area being considered for residential development.

It has been concluded that, with the existing Public Address system at the harness racing facility, there is potential for adverse noise impacts at locations within the investigation area being considered for residential development under some weather conditions.

Modifications to the harness racing facility Public Address system have been identified, which would reduce noise emission beyond the racing precinct to a level consistent with residential occupation, while maintaining effective communication at the harness racing track and immediate vicinity.

**NEVILLE GODDARD**  
**WATSON MOSS GROWCOTT**  
acoustics pty ltd

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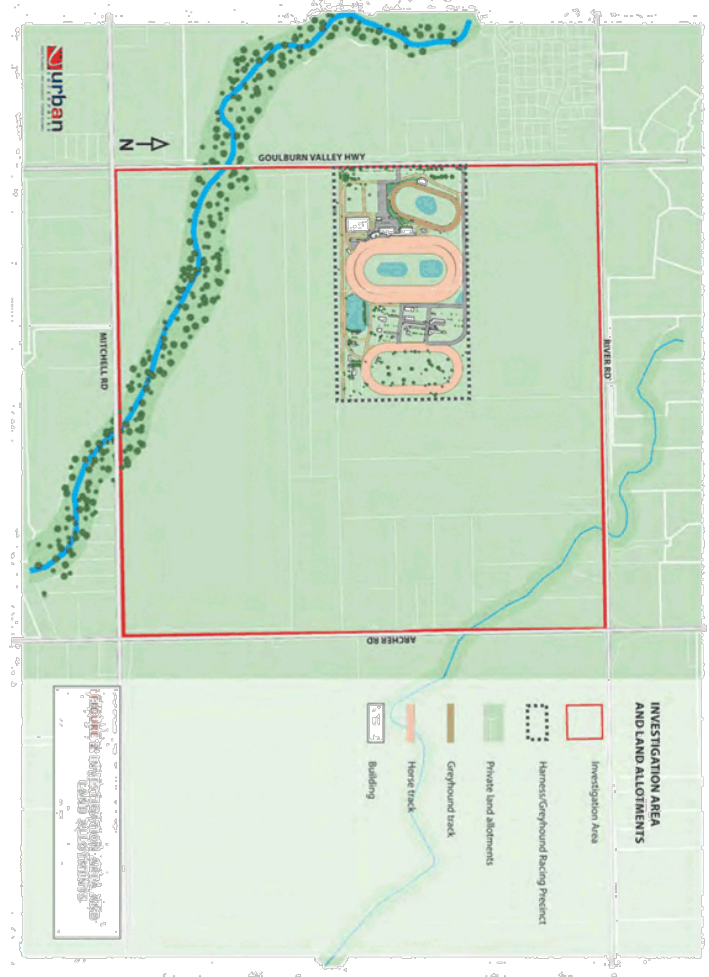


Wilson Moss Garrowcott  
Acoustics

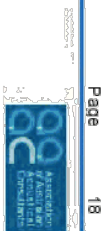
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APPENDIX ONE: SITE LAYOUT PLAN SHOWING GOULBURN VALLEY HARNES AND GREYHOUND RACING PRECINCT AND INVESTIGATION AREA



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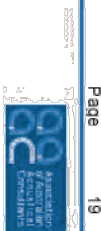


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APPENDIX TWO: AERIAL PHOTO ILLUSTRATING AMBIENT NOISE MONITORING LOCATIONS



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APPENDIX THREE: EPA NOISE CONTROL GUIDELINES PUBLICATION 1254 OCTOBER 2008

**13 PUBLIC ADDRESS SYSTEMS**

Public address systems are commonly used in conjunction with outdoor entertainment and sporting activities and can cause annoyance if used inappropriately. For the purpose of this guideline public address systems may be divided into two categories: low-power units needed for control of persons engaged in the activities or events; and high-power units used for making public commentaries and announcements.

**Objectives**

In all cases, the environmental objective should be noise intrusion of not more than 5 dB(A) above background at any affected residences or other noise-sensitive locations. Corrections for tonal or impulsive noise usually are not necessary, and further tolerance of up to 5 dB(A) may be allowed for unique or very infrequent activities with recognised social merit. Amplifier level settings must be minimised whilst ensuring conveyance of information to audience or participants is adequate. Restrictions on the times of use of public address systems should be considered. Noise from PA systems must not be audible inside a residential dwelling during normal sleeping hours.

**Low-power systems for event control**

These are usually small systems such as are used for controlling competitors in events like BMX bike races and go-kart races. Where such systems may cause noise annoyance, the following criteria should be applied:

- The public address system must only be used to control the event, not for giving commentaries, advertising or playing music.
- Speakers may only be installed in the essential control areas, such as marshalling sites.
- Speakers should be small, low-power horn units no more than 20 cm across the horn opening and operated by an amplifier of no more than 30 watts.
- Horn units are to incline downwards at an angle of approximately 45°, point in the appropriate direction and be mounted on poles approximately three metres tall, in such a way that the speaker is held firmly and cannot be rotated.
- A sound level limiting circuit should be incorporated in the amplifier to control the signal amplitude to a fixed level, regardless of the loudness of the operator's voice.
- Once the control knobs have been set to the correct positions, they should be removed and the potentiometer spindles covered with a fixed metal channel attached to the front panel of the amplifier.
- The spare microphone inputs should be covered with metal plates securely fitted to the rear or front panel of the amplifier, as the case may be.

**High-power systems for commentaries and announcements**

These are usually much larger systems used, for example, to give a running commentary during a sporting event or race meeting, to keep spectators entertained or for carnival-type advertising.

- Most of the criteria for lower power systems are applicable.
- Rather than use high-powered speakers placed in a few locations, it is preferable to place more low-powered speakers to cover the entire perimeter of the grounds, each pointing downward and inward towards the ground where the event is taking place.

**Note:**

1. Consideration should be given to substitution of sound systems by visual displays such as electronic scoreboards and video screens for large operations.
2. PA systems used for paging staff and patrons in business and catering operations may also be replaced where they adversely affect residences. In business, two-way radios or pocket beepers may be used. In hotels, meal ticket numbers may be presented on digital display boards instead of being announced.

