

## Panel Presentation

**Amendment C105**

Macedon Ranges Planning Scheme

**Special Use Zone 7, Kyneton**

14 April, 2016

## 1. The Amendment

Amendment C105 proposes to rezone land approximately bounded by the Kyneton Racecourse, residential areas, and the Campaspe River to Special Use Zone schedule 7 "Horse Training and Equine Services Precinct".

## 2. Strategic Justification

The amendment claims strategic justification from the Kyneton Structure Plan, which says at the Strategic Framework Map (page 2):

*"Support and promote equine and equine related land uses in accordance with the Macedon Ranges Equine Industry Strategy (2012) and Kyneton Racecourse Master Plan (February 2011)".*

The Association could find no specific support in either of these documents for what C105 proposes.

The Racecourse Master Plan confines itself to the racecourse.

The Macedon Ranges Equine Strategy likewise does not specifically say do what C105 is doing.

In addition, although the Equine strategy is included in the current planning scheme as a reference document (at Clause 21.10 Economic Development), the Amendment C84 panel expressed significant concerns about the document being included for implementation in the C84 scheme, and demoted its status from implementation, to reference document, accordingly, saying:

*"It is not appropriate to indicate in the MSS that this unexhibited document will be implemented in planning decisions."*

A copy of the C84 Panel's discussion of this document is attached to this submission.

Current Clause 21.13-2 includes the Kyneton Township Framework Plan, and at Strategy 1.1 requires the location, form and design of new development to be consistent with this Framework Plan. The Framework Plan says, "Racecourse: Investigate opportunities for establishment of training within or adjacent to complex."

Current Clause 21.13-2 at Specific Implementation also says: "Maximise opportunities to facilitate development of major industries in Kyneton, including... Facilitating development of the racehorse industry based on the Kyneton Racecourse complex."

**The Association submits** that while the Structure Plan provides support for an equine precinct, it is based upon the precinct responding to requirements in specific documents. Our reading of those documents is that neither provides the amendment with a strategic basis for what is proposed, and care would need to be exercised if the Equine Strategy did make such a recommendation. The current scheme confines its support to the racehorse rather than broader equine industry, and training, which is already occurring in the land affected by C105.

### 3. What Is The Special Use?

The amendment proposes a range of commercial use and development that has no explicit or exclusive relationship or interdependency with either the equine or racehorse industry.

Rather than being a special use the proposed zone schedule suggests the zoning is sought as a de facto business or commercial zone. We submit that such a land use change has not been assessed against the strategic, social and economic implications it presents including in terms of impacts on existing commercial activities in the town or adverse amenity impacts for surrounding residential areas.

Permit conditions requiring an 'association' with the *equine* industry, are at best ephemeral, and what is or isn't associated with the equine industry isn't defined. This is apparently to be left to the discretion of future decision-makers.

Other proposed allowable uses (for example, Hotel, and Motel) have no permit conditions for an association with the equine industry and so fall outside the amendment's purpose of creating an equine precinct.

The connection of this amendment to the equine industry is further diminished by post-exhibition deletion of the condition for Accommodation to have an association. There is also concern that the schedule defaults to Section 2 innominate use, which significantly expands what might be applied for on this land.

### 4. Conclusion

**The Association submits** that although claimed to be needed to create a precinct for horse training (which is already present) and the equine industry, that is not what this amendment is doing.

**We further submit** that the proposal is premature, and there would be greater benefit in first obtaining clear strategic justification for land use changes, and preparing a master plan – or at least a plan – for this area, before rezoning the land.

#### MRRA Request to Panel:

- A. The rezoning not be approved but that preparation of a master plan be included in Clause 21.13-2 as Further Strategic Work.

#### **MRRA contacts:**

Brian Whitefield, President, 5428 3197  
Christine Pruneau, Secretary, 5427 1481