

27/05/2010
C66**SCHEDULE 3 TO THE DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DDO3****KILMORE EQUINE LIFESTYLE PRECINCT****1.0 Design objectives**27/05/2010
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To allow for the establishment of horse stables with minimal adverse amenity affect on surrounding residential use within the Kilmore Equine Lifestyle precinct.

2.0 Buildings and works27/05/2010
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Building and works requiring a planning permit must be constructed with minimum setback distance and built form requirements as set out in this clause.

Setbacks

The setback distances described in the following table are required:

FEATURE	MINIMUM SETBACK OR SEPARATION DISTANCE		
	HORSE STABLE AND HORSE WASH DOWN AREA:		SIDE AND REAR TITLE BOUNDARY
	ON THE SAME LOT	ON AN ADJACENT OR ADJOINING LOT	
Building used for accommodation	10 metres	20 metres	10 metres
Swimming pools for human use	20 metres	20 metres	10 metres
Front title boundary	10 metres preferred	NA	NA

Built form

The built form and the positioning of any horse stable should consider:

- The construction of screens to prevent water spray from horse wash down areas entering neighbouring properties;
- The need to construct an adequate disposal system to collect effluent and used cleansing water from the stables and the wash down area;
- The positioning of horse stables and horse wash down areas which minimise the likelihood of odours and water spray travelling to neighbouring properties (e.g. consideration of prevailing winds)

Permit exemptions

The following buildings and works are exempt from requiring a planning permit:

- Single building used as a dwelling (must be the only dwelling on the lot) which maintains a set back distance of at least 10 metres from side and rear title boundaries and 20 metres from existing horse stables;
- Swimming pool for human use that is at least 10 metres from the side and rear title boundaries and 20 metres from existing horse stables;
- Minor utility installation;
- Development of an outbuilding less than 120 square metres in floor area (and where the floor area of the outbuilding does not exceed 200 square metres when additions have been made to an outbuilding originally less than 120 square metres in floor area);
- Extension or alteration to existing caravans, annexes and onsite cabins used in conjunction with an existing 'camping and caravan park' as long as the setback distance is at least 10 metres from side and rear title boundaries and at least 20 metres from horse stables; and
- Any development or works in accordance with any approved management plan adopted by the responsible authority or the Department of Sustainability and Environment.

Exemptions from notice and review

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

3.0 Decision guidelines

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

- A 'horse management plan' provided by the applicant if horse stable use is proposed;
- Whether spray from the horse wash down area will enter adjoining properties;
- Whether odours from horse stables and the horse wash down area will have adverse amenity impact on adjacent and adjoining properties;