

**35.05**05/09/2013  
VC103**GREEN WEDGE A ZONE**

Shown on the planning scheme mp as **GWAZ** with a number (if shown).

**Purpose**

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

To provide for the use of land for agriculture.

To protect, conserve and enhance the biodiversity, natural resources, scenic landscapes and heritage values of the area.

To ensure that use and development promotes sustainable land management practices and infrastructure provision.

To protect, conserve and enhance the cultural heritage significance and the character of rural and scenic non-urban landscapes.

To recognise and protect the amenity of existing rural living areas.

**35.05-1**05/09/2013  
VC103**Table of uses****Section 1 - Permit not required**

Use	Condition
<b>Agriculture (other than Animal keeping, Apiculture, Intensive animal husbandry, Rice growing and Timber production)</b>	
<b>Animal keeping (other than Animal boarding)</b>	Must be no more than 2 animals.
<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>Home occupation</b> <b>Informal outdoor recreation</b> <b>Minor utility installation</b>	
<b>Primary produce sales</b>	Must not be within 100 metres of a dwelling in separate ownership.  The area used for the display and sale of primary produce must not exceed 50 square metres.
<b>Railway</b>	
<b>Rural store</b>	Must be used in conjunction with Agriculture.  Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres.  Must be the only Rural store on the lot.
<b>Tramway</b>	

<b>Use</b>	<b>Condition</b>
<b>Any use listed in Clause 62.01</b>	Must meet the requirements of Clause 62.01.

## **Section 2 - Permit required**

<b>Use</b>	<b>Condition</b>
<b>Animal boarding</b>	
<b>Camping and caravan park</b>	
<b>Car park</b>	Must be used in conjunction with another use in Section 1 or 2.
<b>Dependent person's unit</b>	Must be the only dependent person's unit on the lot.  Must meet the requirements of Clause 35.05-2.
<b>Dwelling (other than Bed and breakfast)</b>	Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling.  Must meet the requirements of Clause 35.05-2.
<b>Exhibition centre</b>	
<b>Freezing and cool storage</b>	The goods stored must be agricultural produce, or products used in agriculture.  Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
<b>Function centre</b>	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.  The number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.  The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.
<b>Group accommodation</b>	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry, or Winery.  The number of dwellings must not exceed the number specified in a schedule to the zone or 40 dwellings, whichever is the lesser.  The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.
<b>Hall</b>	
<b>Host farm</b>	
<b>Indoor recreation facility</b>	Must be for equestrian based leisure, recreation or sport.
<b>Leisure and recreation (other than Informal outdoor recreation, Indoor</b>	

Use	Condition
recreation facility, Major sports and recreation facility and Motor racing track)	
<b>Major sports and recreation facility</b>	Must be for outdoor leisure, recreation or sport.
<b>Market</b>	
<b>Place of worship</b>	
<b>Plant nursery</b>	
<b>Primary school</b>	
<b>Research centre</b>	<p>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</p> <p>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</p>
<b>Residential building (other than Residential hotel)</b>	<p>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</p> <p>Must be used to provide accommodation for persons away from their normal place of residence.</p> <p>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</p>
<b>Restaurant</b>	<p>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</p> <p>The number of patrons present must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</p> <p>If used in conjunction with Function centre, the total number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</p> <p>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</p>
<b>Restricted place of assembly</b>	Must not be used for more than 30 days in a calendar year.
<b>Rural industry (other than Abattoir and Sawmill)</b>	
<b>Rice growing</b>	
<b>Rural store – if the Section 1 condition is not met</b>	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
<b>Secondary school</b>	
<b>Timber production</b>	Must meet the requirements of Clause 52.18.
<b>Utility installation (other than Minor</b>	

Use	Condition
utility installation and Telecommunications facility)	
<b>Vehicle store</b>	Must be in a building not a dwelling and used to store motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
<b>Any other use not in Section 1 or 3</b>	

### Section 3- Prohibited

Use
<b>Abattoir</b>
<b>Accommodation (other than Camping and caravan park, Dependant person's unit, Dwelling, Group accommodation, Host farm and Residential building)</b>
<b>Brothel</b>
<b>Child care centre</b>
<b>Cinema based entertainment facility</b>
<b>Display home</b>
<b>Education centre (other than Primary school and Secondary school)</b>
<b>Freeway service centre</b>
<b>Funeral parlour</b>
<b>Hospital</b>
<b>Industry (other than Rural industry)</b>
<b>Intensive animal husbandry</b>
<b>Motor racing track</b>
<b>Office</b>
<b>Place of assembly ( other than Carnival, Circus, Exhibition centre, Function centre, Hall, Place of worship and Restricted place of assembly)</b>
<b>Retail premises (other than Market, Plant nursery, Primary produce sales and Restaurant)</b>
<b>Saleyard</b>
<b>Sawmill</b>
<b>Service station</b>
<b>Transport terminal</b>
<b>Warehouse (other than Freezing and cool storage, Rural store and Vehicle store )</b>

### 35.05-2

19/01/2006  
VC37

### Use of land for a dwelling

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 fire fighting 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.

### **35.05-3**

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#### **Subdivision**

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 8 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

### **35.05-4**

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#### **Long term lease or licence for accommodation**

A permit is required to lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

Each portion of a lot leased or licensed for the purpose of Accommodation must be at least the minimum subdivision area specified for the land in a schedule to this zone. If no area is specified, each portion of a lot leased or licensed for the purpose of Accommodation must be at least 8 hectares.

### **35.05-5**

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#### **Buildings and works**

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.05-1. This does not apply to:
  - An alteration or extension to an existing dwelling with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 50 square metres.
  - A rainwater tank.
- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
  - 30 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
  - 20 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
  - 10 metres from any other road.
  - 5 metres from any other boundary.
  - 30 metres from a dwelling not in the same ownership.
  - 100 metres from a waterway, wetlands or designated flood plain.

## 35.05-6

### Decision guidelines

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Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

#### General issues

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, addressing site quality attributes including soil type, soil fertility, soil structure, soil permeability, aspect, contour and drainage patterns.
- How the use or development relates to agricultural land use, rural diversification and natural resource management.
- Whether the site is suitable for the use or development and whether the proposal will have an adverse impact on surrounding land uses.
- The need to protect the amenity of existing residents.
- The need to minimise adverse impacts on the character and appearance of the area or features of architectural, scientific or cultural heritage significance, or of natural scenic beauty or importance.

#### Rural issues

- The maintenance of agricultural production and the impact on the local rural economy.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed rural infrastructure.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agricultural and other land uses.
- Protection and retention of land for future sustainable agricultural activities.

#### Environmental issues

- The impact of the use or development on the flora and fauna on the site and its surrounds.
- An assessment of the likely environmental impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of effluent, noise, dust and odours.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and fauna habitat and the revegetation of land including riparian buffers along waterways, gullies, ridge lines, property boundaries and saline recharge and discharge areas.
- How the use or development relates to sustainable land management and the need to prepare a sustainable land management plan.
- The location of on site effluent disposal areas to minimise impact of nutrient loads on waterways and native vegetation.

### **Design and siting issues**

- The need to minimise adverse impacts of the siting, design, height, bulk, colours and materials to be used on major roads, landscape features and vistas.
- The location and design of existing and proposed infrastructure services including gas, water, drainage, telecommunications and sewerage facilities which minimise the visual impact on the landscape.
- The location and design of existing and proposed roads and their impact on the landscape and whether the use or development will require traffic management programs.

### **Primary school or secondary school issues**

- Access being provided via an all-weather road with dimensions adequate to accommodate emergency vehicles and not rely on local residential streets for access.
- Access by public transport, or if public transport is not available or adequate, transport may be provided by the school. Where transport is provided by the school the parking of buses should be accommodated on site.
- Connection 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.
- Connection to a reticulated potable water supply or an alternative potable water supply with adequate storage for school use as well as for fire fighting purposes.
- Connection to a reticulated electricity supply or an alternative energy source.

### **35.05-7**

31/10/2006  
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### **Advertising signs**

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

*Notes: Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.*

*Check whether an overlay also applies to the land.*

*Other requirements may also apply. These can be found at Particular Provisions.*