

## 35.04

05/09/2013

VC103

[Proposed](#)  
[VCXX](#)

## GREEN WEDGE ZONE

Shown on the planning scheme map as **GWZ** 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 recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.

To encourage use and development that is consistent with sustainable land management practices.

To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.

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

To protect and enhance the biodiversity of the area.

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### Table of uses

#### Section 1 - Permit not required

Use	Condition
<b>Agriculture (other than Animal keeping, Apiculture, Intensive animal husbandry, <a href="#">Racing dog training</a>, Rice growing and Timber production)</b>	
<b>Animal keeping (other than Animal boarding <a href="#">and Racing dog keeping</a>)</b>	Must be no more than 5 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><a href="#">Racing dog keeping</a></b>	<b>Must:</b>
<b><a href="#">Racing dog training</a></b>	<ul style="list-style-type: none"><li>▪ <a href="#">Be no more than 5 racing dogs.</a></li><li>▪ <a href="#">If more than 5 racing dogs are kept or trained, the performance measures in</a></li></ul>

Use	Condition
	<a href="#"><u>Guidelines for Racing Dog Keeping and Training Facilities (2016) must be met.</u></a>
<b>Railway</b>	
<b>Rural store</b>	<p>Must be used in conjunction with Agriculture.</p> <p>Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres.</p> <p>Must be the only Rural store on the lot.</p>
<b>Tramway</b>	
<b>Any use listed in Clause 62.01</b>	Must meet the requirements of Clause 62.01.

## Section 2 - Permit required

Use	Condition
<b>Animal boarding</b>	
<b>Broiler farm</b>	Must meet the requirements of Clause 52.31.
<b>Camping and caravan park</b>	
<b>Car park</b>	Must be used in conjunction with another use in Section 1 or 2.
<b>Cattle feedlot</b>	<p>Must meet the requirements of Clause 52.26.</p> <p>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.</p>
<b>Dependent person's unit</b>	<p>Must be the only dependent person's unit on the lot.</p> <p>Must meet the requirements of Clause 35.04-2.</p>
<b>Dwelling (other than Bed and breakfast)</b>	<p>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.</p> <p>Must meet the requirements of Clause 35.04-2.</p>
<b>Exhibition centre</b>	
<b>Freezing and cool storage</b>	The goods stored must be agricultural produce, or products used in agriculture.
<b>Function centre</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 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 40 hectares.</p>
<b>Group accommodation</b>	<p>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry, or Winery.</p> <p>The number of dwellings must not exceed the</p>

Use	Condition
	<p>number specified in a schedule to the zone or 40 dwellings, 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 40 hectares.</p>
<b>Hall</b>	
<b>Host farm</b>	
<b>Indoor recreation facility</b>	Must be for equestrian based leisure, recreation or sport.
<b>Intensive animal husbandry (other than Broiler farm and Cattle feedlot)</b>  <b>Leisure and recreation (other than Indoor recreation facility, Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</b>	
<b>Major sports and recreation facility</b>	Must be for outdoor leisure, recreation or sport.
<b>Manufacturing sales</b>	Must be an incidental part of Rural industry.
<b>Market</b>	
<b>Materials recycling</b>	<p>Must be used in conjunction with Refuse disposal or Transfer station.</p> <p>Must not include the collecting, dismantling, storing, recycling or selling of used or scrap construction and demolition materials.</p>
<b>Milk depot</b>	
<b>Place of assembly (other than Carnival, Circus, Exhibition centre, Function centre, Hall, Nightclub, Place of worship and Restricted place of assembly)</b>	Must not be used for more than 10 days in a calendar year.
<b>Place of worship</b>	
<b>Plant nursery</b>	
<b>Primary school</b>	
<a href="#"><u>Racing dog keeping - if the Section 1 condition is not met</u></a>  <a href="#"><u>Racing dog training - if the Section 1 condition is not met</u></a>	<a href="#"><u>Must meet the objectives in <i>Guidelines for Racing Dog Keeping and Training Facilities (2016)</i>.</u></a>
<b>Refuse disposal</b>	
<b>Research and development centre</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 40 hectares.</p>
<b>Residential building (other than Residential hotel)</b>	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility,

Use	Condition		
	<p>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 40 hectares.</p>		
<b>Residential hotel</b>	<p>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</p> <p>The number of bedrooms must not exceed the number specified in a schedule to the zone or 80 bedrooms, 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 40 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 40 hectares.</p>		
<b>Restricted place of assembly</b>	<p>Must not be used for more than 30 days in a calendar year.</p>		
<p><b>Rice growing</b></p> <p><b>Rural industry</b></p> <p><b>Secondary school</b></p> <p><b>Solid fuel depot</b></p>			
<b>Timber production</b>	<p>Must meet the requirements of Clause 52.18.</p>		
<b>Transfer station</b>	<p>Must not include the collecting, storing or processing of used or scrap construction and demolition materials.</p>		
<p><b>Utility installation (other than Minor utility installation and Telecommunications facility)</b></p> <p><b>Vehicle store</b></p> <p><b>Any other use not in Section 1 or 3</b></p>			
<b>Section 3 - Prohibited</b>			
<table border="1"> <thead> <tr> <th data-bbox="392 1957 1394 2018">Use</th> </tr> </thead> <tbody> <tr> <td data-bbox="392 2018 1394 2049"><b>Accommodation (other than Camping and caravan park, Dependent person's unit,</b></td> </tr> </tbody> </table>		Use	<b>Accommodation (other than Camping and caravan park, Dependent person's unit,</b>
Use			
<b>Accommodation (other than Camping and caravan park, Dependent person's unit,</b>			

## Use

Dwelling, Group accommodation, Host farm and Residential building)

Brothel

Child care centre

Cinema based entertainment facility

Display home

Education centre (other than Primary school and Secondary school)

Freeway service centre

Funeral parlour

Hospital

Industry (other than Materials recycling, Refuse disposal, Transfer station, Research and development centre and Rural industry)

Motor racing track

Office

Nightclub

Retail premises (other than Manufacturing sales, Market, Plant nursery, Primary produce sales and Restaurant)

Service station

Warehouse (other than Freezing and cool storage, Milk depot, Rural store, Solid fuel depot and Vehicle store)

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#### 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.

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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 40 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.

#### **35.04-4 Long term lease or licence for accommodation**

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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 40 hectares.

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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 35.04-1. 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.
  - An alteration or extension to an existing building used for agriculture with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. The building must not be used to keep, board, breed or train animals.
  - 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:
  - 100 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
  - 40 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
  - 20 metres from any other road.
  - 5 metres from any other boundary.
  - 100 metres from a dwelling not in the same ownership.
  - 100 metres from a waterway, wetlands or designated flood plain.

#### **35.04-6 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.
- How the use or development relates to rural land use, rural diversification, natural resource management, natural or cultural heritage management, recreation or tourism.
- Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.
- Whether the use or development is essential to the health, safety or well-being of the State or area but is not appropriate to locate in an urban area because of the effect it may have on existing or proposed urban areas or the effect that existing or proposed urban areas may have on the proposed use or development.
- 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.

### **Rural issues**

- The maintenance of agricultural production and the impact on the rural economy.
- The environmental capacity of the site to sustain the rural enterprise.
- 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 agriculture and other land uses.
- The 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.
- 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.
- How the use or development relates to sustainable land management and the need to prepare an integrated 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 any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.
- The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.

### **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.

### **35.04-7**

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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.*