

# WEV Special Use Zone - Agricultural Precincts A, B & C

SUMMARY OF PERMISSIBLE USES - CURRENT AS AT 18 OCTOBER 2022

## **P uses (Permitted)**

- Agriculture extensive (*Areas B & C*)
  - *Including the processing, packaging and sale of produce grown on the premises and in the Ecovillage.*
- Agriculture intensive (*Areas A, B, & C*)
  - *Including the processing, packaging and sale of produce grown on the premises and in the Ecovillage.*
- Art gallery (*Areas A, B, C*):
  - *Where the predominant land use is Agriculture extensive or Agriculture intensive (Areas A, B & C)*
- Garden Centre (*Areas A, B, & C*)
- Industry – Primary Production (*Areas A, B & C*)
- Winery (*Area C*)

## **D uses (Discretionary)**

- Brewery (*Area A*)
  - *Only on Lots 8, 9, 10 and 11 Strata Plan 77789*
  - *Where ingredients are mostly grown on the premises or in the Ecovillage and excluding tasting and retail sales*

## **A uses (Advertising required)**

- P and D uses where the Special Use condition is not met
- Other uses (*Areas A, B & C*)
  - *Where the land use is consistent with the objectives of the Witchcliffe Ecovillage and the Witchcliffe Ecovillage Structure Plan*
  - *Where the land use is an agricultural or agricultural related activity*

## Explanation

Special Uses	Area	Model Scheme Text (MST) Definition	Comments
<b>P uses</b>		<b><i>Means that the use is permitted if it complies with any relevant development standards and requirements of the Scheme</i></b>	
<b>Agriculture extensive</b> including the sale of produce grown on the premises	B & C	means premises used for the raising of stock or crops including outbuildings and earthworks but does not include agriculture - intensive or animal husbandry - intensive.	
<b>Agriculture intensive</b> including the processing, packaging and sale of produce grown on the premises and in the Ecovillage.	A, B & C	means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following – (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts (b) the establishment and operation of plant or fruit nurseries (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms); (d) aquaculture.	This is the primary land use anticipated on most of the Ag Lots.
<b>Art gallery / studio</b> where the predominant land use is agriculture extensive or agriculture intensive	A, B & C	means premises – (a) that are open to the public; and (b) where artworks are displayed for viewing or sale	Artist studio is not defined in the MST, with the land use difference essentially being an Artist studio for personal use and an Art Gallery where the art being created can also be for sale, and the premises can be open to the public.

Special Uses	Area	Model Scheme Text (MST) Definition	Comments
			Enables an artist to have their studio on the same lot as P use agriculture (extensive or intensive). Art Gallery on a lot by itself is probably not desired but the use will become an A use when the P or D condition is not met.
<b>Garden Centre</b>	A, B & C	means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens.	Plant nursery is covered by the broader Garden Centre definition. Plant and fruit nursery is covered in Agriculture – Intensive, whereas Garden Centre is about the retail sales plus sale of associated garden products.
<b>Industry - primary production</b>	A, B & C	means premises used – (a) to carry out a primary production business as that term is defined in the <i>Income Tax Assessment Act 1997 (Commonwealth)</i> section 995-1; or (b) for a workshop servicing plant or equipment used in primary production businesses.	
<b>Winery</b>	C	Winery means premises used for the production of viticultural produce and associated sale of the produce.	
<b>D uses</b>		<b><i>means that the use is not permitted unless the local government has exercised its discretion by granting development approval</i></b>	
<b>Brewery</b> <i>Only on Lots 8, 9, 10 and 11 Strata Plan 77789</i>	A	Brewery means premises the subject of a producer's licence authorising the production of beer, cider or spirits granted under the <i>Liquor Control Act 1988</i>	Brewery definition includes distillery and cidery. As a D use in Area A, tasting and sales is excluded.

Special Uses	Area	Model Scheme Text (MST) Definition	Comments
<i>Where ingredients are mostly grown on the premises or in the Ecovillage and excluding tasting and retail sales</i>			
<b>A use</b>		<b><i>Means that the use is not permitted unless the local government has exercised discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions</i></b>	
P and D uses where the Special Use condition is not met			Provides some discretion where the condition is not met but the use may still be suitable, subject to advertising / DA.
<b>Other uses</b> <ul style="list-style-type: none"> <li>• <i>where the land use is consistent with the objectives of the Witchcliffe Ecovillage and the Witchcliffe Ecovillage Structure Plan</i></li> <li>• <i>where the land use is an agricultural or agricultural related activity</i></li> </ul>	A & B		Noting consent of the strata body will be required to make an application. Given the Bylaws, this process will filter suitability of an application before it gets to the Shire. We have included this option because there may be uses in the future that don't fit in the specified definitions, but could be appropriate to permit, subject to a DA and giving notice. If not, a Scheme Amendment would be required, and this may be prohibitive for a use that is actually suited and aligned to the ethos of the Ecovillage.