

34.03 BUSINESS 3 ZONE

Shown on the planning scheme map as **B3Z**.

Purpose

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

To encourage the integrated development of offices and manufacturing industries and associated commercial and industrial uses.

34.03-1 Table of uses

Section 1 - Permit not required

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Carnival	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Circus	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Home occupation	
Industry (other than Materials recycling)	Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10. The land must be at least the following distances from land (not a road) which is in a residential zone, Business 5 Zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre: <ul style="list-style-type: none">• The threshold distance, for a purpose listed in the table to Clause 52.10.• 30 metres, for a purpose not listed in the table to Clause 52.10.
Informal outdoor recreation	
Mail centre	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Natural systems	
Office	The combined leasable floor area for all offices must not exceed any amount specified in the schedule to this zone.

Section 1 - Permit not required (continued)

USE	CONDITION
Postal agency Railway Road	
Search for stone	Must not be costeaning or bulk sampling.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19
Tramway	
Warehouse (other than Mail centre and Shipping container storage)	Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10. The land must be at least the following distances from land (not a road) which is in a residential zone, Business 5 Zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre: <ul style="list-style-type: none">• The threshold distance, for a purpose listed in the table to Clause 52.10.• 30 metres, for a purpose not listed in the table to Clause 52.10.

Section 2 - Permit required

USE	CONDITION
Adult sex bookshop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or Business 5 Zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Agriculture (other than Apiculture and Intensive animal husbandry) Caretaker's house Convenience shop	
Education centre	Must not be a primary or secondary school.
Equestrian supplies Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)	
Lighting shop	Must be in one occupation with a leasable floor area of at least the amount specified in the schedule to this zone. If no amount is specified, the leasable floor area must be at least 500 square metres.

Section 2 - Permit required (continued)

USE	CONDITION
Materials recycling	
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)	
Party supplies	
Place of assembly (other than Carnival or Circus)	
Restricted retail premises (other than Equestrian supplies, Lighting shop, and Party supplies)	Must be in one occupation with a leasable floor area of at least the amount specified in the schedule to this zone. If no amount is specified, the leasable floor area must be at least 1000 square metres.
Retail premises (other than Postal agency and Shop)	
Shipping container storage	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE
Accommodation (other than Caretaker's house)
Extractive industry
Hospital
Intensive animal husbandry
Major sports and recreation facility
Motor racing track
Shop (other than Adult sex bookshop, Convenience shop, and Restricted retail premises)

34.03-2 Use of land

Amenity of the neighbourhood

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Application requirements

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods or materials, hours of operation and light spill, solar access and glare.
- The means of maintaining areas not required for immediate use.
- If an industry or warehouse:
 - The type and quantity of goods to be stored, processed or produced.
 - Whether a Works Approval, or Waste Discharge Licence is required from the Environment Protection Authority.
 - Whether a licence under the Dangerous Goods Act 1985 is required.
 - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- If an industry or warehouse, the effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

34.03-3 Subdivision

Permit requirement

A permit is required to subdivide land.

Exemption 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. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- The interface with adjoining zones, especially the relationship with residential areas.

34.03-4 Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works. This includes the internal rearrangement of a building if the maximum leasable floor area specified in the schedule to this zone is exceeded.

This does not apply to a building or works which are a modification necessary to comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location, height and purpose of buildings and works on adjoining land.
 - Relevant ground levels.
 - The layout of existing and proposed buildings and works.
 - All driveway, car parking and loading areas.
 - Proposed landscape areas.
 - All external storage and waste treatment areas.
 - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

Exemption 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. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.

- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- Any natural or cultural values on or nearby the land.
- Interface with non industrial areas.
- Outdoor storage, lighting, and storm water discharge.
- The design of buildings to provide for solar access.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

34.03-5 Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 2.

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.