

### 33.03 INDUSTRIAL 3 ZONE

Shown on the planning scheme map as **IN3Z**.

#### 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 industries and associated uses in specific areas where special consideration of the nature and impacts of industrial uses is required or to avoid inter-industry conflict.

To provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities, which allows for industries and associated uses compatible with the nearby community.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.

#### 33.03-1 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.
Crop raising Extensive animal husbandry Home occupation Informal outdoor recreation Mail centre Mineral exploration	.
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation Natural systems Railway Road	
Search for stone	Must not be costeaning or bulk sampling.
Service station	The land must be at least 30 metres 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 school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

## Section 1 - Permit not required (continued)

USE	CONDITION
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19
Tramway	

## 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 or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.
Agriculture (other than Apiculture, Crop raising, Extensive animal husbandry, and Intensive animal husbandry) Caretaker's house Convenience shop	.
Education centre	Must not be a primary or secondary school.
Equestrian supplies Industry 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.
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)	
Office	The leasable floor area must not exceed 500 square metres.
Party supplies Place of Assembly (other than Carnival and Circus) Retail premises (other than Shop)	
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.

## Section 2 - Permit required (continued)

USE	CONDITION
Utility installation (other than Minor utility installation and Telecommunications facility)	
Warehouse (other than Mail centre)	
Any other use not in Section 1 or 3	

## Section 3 - Prohibited

USE
Accommodation (other than Caretaker's house)
Cinema based entertainment facility
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)

### 33.03-2 Use of land

#### Amenity of the neighbourhood

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

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

#### Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- 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, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

### **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 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.
- The effect that nearby industries 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.
- The effect on nearby industries.

### **33.03-3 Subdivision**

#### **Permit requirement**

A permit is required to subdivide land.

#### **Exemption from notice and appeal**

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 from land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

### **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.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

### **33.03-4 Buildings and works**

#### **Permit requirement**

A permit is required to construct a building or construct or carry out works.

This does not apply to a building or works which:

- Rearrange, alter or renew plant if the area or height of the plant is not increased.
- 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.
- Are used for crop raising, extensive animal husbandry or informal outdoor recreation.

## 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.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

## 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.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.
- The effect on nearby industries.

## Maintenance

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

### 33.03-5 Advertising signs

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

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#### **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.*