08/09/2011
C183

SCHEDULE 3 TO THE DOCKLANDS ZONE

Shown on the planning scheme map as **DZ3**.

BATMAN'S HILL PRECINCT

Purpose

To provide for a range of commercial, residential, recreational, educational, technology, business and leisure uses within a mixed use environment.

To provide for the development of a landmark mixed use tower development of a scale of international significance.

To ensure that the overall development of land will include public open spaces linking the southern Cross Station area, Harbour Esplanade and along the north bank of the Yarra River.

To acknowledge the importance of Wurundjeri Way as an arterial road.

1.0 Table of uses

21/11/2024
C451melb

Section 1 - Permit not required

Use	Condition
Any use permitted under the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975 or the Forest Act 1958.	
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Aquarium	
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Bar	Must be located at ground level.
Car park	Must be no more than 1,800 car spaces and made available for use by patrons of the Major Sports and Recreation Facility. Must not be an open lot carpark.
Commercial display area	
Dwelling **Education centre**	
Greenhouse gas sequestration	Must meet the requirements of Clause 52.08-6. Must be within the confines of the arterial road - Wurundjeri Way.
Greenhouse gas sequestration exploration	Must be within the confines of the arterial road - Wurundjeri Way.
Home occupation	
Hotel	Must be located south of Bourke Street and east of Waterview Walk and Batman's Hill Drive.
Informal outdoor recreation	
Market	Must be located within Goods Shed No. 2.

Use	Condition
Mineral exploration	
Mining	Must meet the requirements of 52.08-2.
Minor utility installation **Natural systems** **Railway**	Must be within the confines of the arterial road - Wurundjeri Way.
Railway station	The total leasable floor area for the selling of food, drink and other convenience goods and services must not exceed 50 square metres.
Office **Place of assembly** **Research centre** **Research and development centre** **Residential hotel** **Restaurant** **Road**	
Search for stone	Must not be costeaning or bulk sampling.
Shop (other than Adult sex bookshop, Department store, Restricted retail premises, and Supermarket exceeding 2,500 square metres of GFA) **Take away food premises**	Must be located at ground level.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19
Tramway	

Section 2 - Permit required

Use	Condition
Car park	Must be associated with a development in the surrounding area, or a Section 1 or 2 use.
Adult sex bookshop	Must be within the confines of the arterial road - Wurundjeri Way.
Animal husbandry	Must be within the confines of the arterial road - Wurundjeri Way.
Fuel depot	Must be within the confines of the arterial road - Wurundjeri Way.
Industry (other than Automated collection point, Car wash, Dry cleaner, Laundromat, Motor repairs and Research and development centre)	Must be within the confines of the arterial road - Wurundjeri Way.
Panel beating	Must be within the confines of the arterial road - Wurundjeri Way.
Any use not in Section 1 or 3.	

Section 3 - Prohibited

Use
Nil

2.0 Use of land

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Exemption from notice and appeal

An application for use 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.

Decision guidelines

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

- The existing and future use and amenity of the land and the locality.
- The provision of physical infrastructure and community services sufficient to meet the needs of the proposed use.
- The views of the relevant road authority if within the confines of the arterial road - Wurundjeri Way.
- The effect of the proposal on the operation of the road and on public safety if within the confines of the arterial road - Wurundjeri Way.

3.0 Subdivision

07/04/2008
C92

A permit is required to subdivide land.

Exemption from notice and appeal

An application to subdivide land 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.

4.0 Buildings and works

~~08/09/2011~~ --/--/----
~~C183~~Proposed C466melb

Prohibitions

The construction of buildings and works which would cast a shadow across the south bank of the Yarra River between 11.00 am and 2.00 pm on 22 June is prohibited.

This does not apply to buildings and works on land between Flinders Street, Collins Street, Aurora Lane, and the Rail Reserve.

Permit requirement

A permit is not required for the following:

- ~~The construction, or modification, of a waste pipe, flue, vent, duct, exhaust fan, air conditioning plant, lift motor room, skylight, security camera, street heater or similar minor works provided they are to the satisfaction of the responsible authority.~~
- A modification to the shop front window or entranceway of a building ~~to the satisfaction of the responsible authority having regard to the architectural character of the building~~.
- An addition or modification to a verandah, awning, sunblind or canopy of a building ~~to the satisfaction of the responsible authority~~.

- The painting, plastering and external finishing of a building or works to the satisfaction of the responsible authority.
- Changes to glazing of existing windows to not more than 15% reflectivity or to the satisfaction of the Responsible Authority.
- External works to provide disabled access that complies with all legislative requirements to the satisfaction of the responsible authority.
- Buildings or works for Railway purposes or carried out on behalf of the transport public land manager within the confines of the railway reserve.
- Buildings or works for road purposes or carried out on behalf of the roads authority and within the confines of the arterial road - Wurundjeri Way.

Exemption from notice and appeal

An application to construct a building or construct or carry out works or demolish or remove a building or works 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.

Decision guidelines

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

- The siting and design quality of all buildings and works and their suitability for the use proposed in the context of the adjacent area.
- Provision of site landscaping in the context of adjacent areas.
- Effect on the visual amenity, landscape and streetscape of the area.
- Impact on the importance, character and appearance of any building, area or place of scientific, aesthetic, architectural, or historical importance.
- Where new buildings incorporate dwellings, the design should respect and anticipate the development potential of adjacent sites, to ensure that the future development of the adjacent sites does not cause a significant loss of amenity to the subject site.
- For residential development, ensure appropriate noise attenuation measures are adopted to limit internal and external noise to appropriate levels.
- The design and treatment of the public realm including the solar access to existing open spaces.
- The wind effects of the proposed development at ground level
- Any overshadowing on the south bank of the Yarra from a building built between Flinders Street, Collins Street, Aurora Lane, and the Rail Reserve. Any new building should minimise as much as practical the effect on the amenity of the Yarra River corridor.

5.0 Referral of applications

07/04/2008
C92

An application to use land or to construct a building or carry out works must be referred in accordance with Section 55 of the Act to the referral authority specified in the schedule to Clause 66.04.

6.0 Advertising signs

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Advertising Signs within the confines of the arterial road - Wurundjeri Way.

Advertising sign controls are at Clause 52.05. A permit is required to display a sign over the road formation or over land within 600 millimetres of the road formation. For other land in this zone, the category of advertising control which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

Advertising signs for all other areas

A permit is required to erect an advertising sign, except for:

- Advertising signs exempted by Clause 52.05-4.
- An under-verandah business sign if:
- It does not exceed 2.5 metres measured horizontally, 0.5 metres vertically and 0.3 metres between the faces of the sign;
- It is located between 2.7 metres and 3.5 metres above ground level and perpendicular to the building façade;
- It does not contain any animation or intermittent lighting; and
- It meets the Docklands Signage Guidelines to the satisfaction of the responsible authority.
- A ground floor business sign cantilevered from a building if:
- It does not exceed 0.84 metres measured horizontally, 0.61 metres vertically and 0.3 metres between the faces of the sign;
- It is located between 2.7 metres and 3.5 metres above ground level and perpendicular to the building facade;
- It does not contain any animation or intermittent lighting; and
- It meets the Docklands Signage Guidelines to the satisfaction of the responsible authority.
- ~~A window display.~~
- A non-illuminated sign on a verandah fascia, provided no part of the sign protrudes above or below the fascia.
- Renewal or replacement of an existing internally illuminated business identification sign.

Exemption from notice and appeal

An application to erect or construct or carry out works for an advertising sign, 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.