

**37.05**31/07/2018  
VC148**DOCKLANDS ZONE**

Shown on the planning scheme map as **DZ** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that use and development take account of the unique nature of the water environment.

To encourage a variety of dwelling types within the Melbourne Docklands area to suit a diversity of needs.

To ensure that development takes account of the relationship of the Melbourne Docklands area to the Central Activities District and the policies relating to the future development of the Central Activities District and other parts of the capital city.

To encourage visual and physical linkages between the Melbourne Docklands and adjacent areas, in particular the Central Business District.

To provide for the conservation and enhancement of buildings, areas and places of scientific, aesthetic, architectural or historical significance.

**37.05-1**19/01/2006  
VC37**Table of uses****Section 1 - Permit not required**

Use	Condition
Any use in Section 1 of the schedule to this zone	Must comply with any condition in Section 1 of the schedule to this zone.

**Section 2 - Permit required**

Use	Condition
Any use in Section 2 of the schedule to this zone	Must comply with any condition in Section 2 of the schedule to this zone.
Any other use not in Section 1 or 3 of the schedule to this zone	

**Section 3 - Prohibited**

Use
Any use in Section 3 of the schedule to this zone

**37.05-2**31/07/2018  
VC148**Use of land**

Any requirement in the schedule to this zone must be met.

**Application requirements**

An application to use land must be accompanied by any information specified in the schedule to this zone.

**Exemption from notice and review**

The schedule to this zone may specify that 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.

## Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any guidelines in the schedule to this zone.

## 37.05-3

31/07/2018  
VC148

## Subdivision

### Permit requirement

A permit is required to subdivide land unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"><li>▪ The area of either lot is reduced by less than 15 percent.</li><li>▪ The general direction of the common boundary does not change.</li></ul>	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"><li>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li><li>▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</li></ul>	Clause 59.02
Subdivide land into 2 lots if: <ul style="list-style-type: none"><li>▪ The construction of a building or the construction or carrying out of works on the land:<ul style="list-style-type: none"><li>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</li><li>- Has started lawfully.</li></ul></li><li>▪ The subdivision does not create a vacant lot.</li></ul>	Clause 59.02

### Application requirements

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

### Exemption from notice and review

The schedule to this zone may specify that 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.

### Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any guidelines in the schedule to this zone.

## 37.05-4

31/07/2018  
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### Buildings and works

#### Permit requirement

A permit is required to construct a building or construct or carry out works, and to demolish or remove a building or works. This does not apply:

- If a schedule to this zone specifically states that a permit is not required;
- where the construction, carrying out, demolition or removal complies with an Existing Old Format Approval, as approved or varied with the consent of the responsible authority, including any conditions of that approval.

‘Existing Old Format Approval’ means a development plan that was approved by the responsible authority under Clause 415 of the former Melbourne Docklands Area Planning Provisions (September 2006), excluding any described in the following table.

**Table 1**

Approval description	Date of approval
Outline Development Plan, MAB Business Park Precinct	Approved by the Minister for Planning on 30 April 1999
Supplementary Outline Development Plan Business Park Precinct	As approved by the Minister for Planning on 22 November 1999
Amended MAB Docklands Outline Development Plan dated 3 June 2002	As approved by the Minister for Planning on 29 August 2002
Amended Lot 9 & 11 Outline Development Plan MAB East Precinct October 2003	As approved by the Minister for Planning on 8 April 2004
Waterfront City Outline Development Plan dated 15 September 2003	As approved by the Minister for Planning on 28 November 2003
Amended Victoria Harbour Outline Development Plan Sept 2006	As approved by the Minister for Planning on 6 February 2007
Outline Development Plan (Digital Harbour – Commonwealth Technology Port Masterplan, 1 February 2002 Comtechport Precinct	As approved by the Minister for Planning on 20 August 2002
Outline Development Plan Village Docklands, May 2007 revised August 2007 Volume 1 and 2	As approved by the Minister for Planning on 1 November 2007
Mirvac Yarra's Edge Revised Outline Development Plan	As approved by the Minister for Planning on 26 October 2006

Any requirement in the schedule to this zone must be met.

An apartment development must meet the requirements of Clause 58.

## VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to \$500,000 and the land is not used for a purpose listed in the table to Clause 53.10.	Clause 59.04

## Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

## Application requirements

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

- An urban design written statement which must include details of:
  - The urban design and landscaping of the site, in the context of its surrounding area.
  - Pedestrian, watercraft and vehicle (including motorcycle and bicycle) access locations.
  - The provision of infrastructure on the site, and how the development relates to the overall infrastructure network of the Melbourne Docklands area.
  - How the development provides for the conservation of and is compatible with buildings, areas or other places of scientific, aesthetic, architectural or historical importance where applicable.
  - Any proposed demolition.
- The location, height, dimensions, design and floor area of all buildings and works.
- Elevations detailing facade articulation and external materials, colours and finishes.
- Proposed uses within all buildings.
- Stages, if any, in which the land is to be developed.
- Proposed vehicle (including motorcycle and bicycle) access and parking arrangements.
- The location of public transport facilities relative to the proposal, access to them and where appropriate, proposed passenger facilities.
- Provision for vehicle loading areas, including the location of rubbish storage and removal facilities.
- The location, layout and planting schedule for all landscaped areas.
- Any other requirement in the schedule to this zone.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

### **Exemption from notice and review**

The schedule to this zone may specify that 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.

### **Decision guidelines**

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- Any guidelines in the schedule to this zone.

### **37.05-5**

05/06/2012  
VC90

### **Car parking**

Any requirement in relation to car parking in the schedule to this zone must be met.

### **37.05-6**

31/07/2018  
VC148

### **Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a different requirement is specified in the schedule to this zone.

### **37.05-7**

07/04/2008  
VC47

### **Effect of approved development plans**

In respect of any land that has been developed pursuant to a development plan approved by the responsible authority prior to 7 April 2008 under Clause 415 of the former Melbourne Docklands Area Planning Provisions (September 2006), the use and development of the land must comply with the approved development plan, including any conditions which apply to the plan, except with the further consent of the responsible authority.

### **37.05-8**

07/04/2008  
VC47

### **Environmental audits**

Before a sensitive use (residential use, child care centre, pre-school centre, primary school, education centre or informal outdoor recreation) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, the timing for which must be to the satisfaction of the responsible authority having regard to the Melbourne Docklands Environmental Management Plan as amended, either:

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970*, or
- An environmental auditor appointed under the *Environment Protection Act 1970* must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.