

09/05/2019
C095mild**SCHEDULE 1 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO1**.

DEAKIN AVENUE**1.0**09/05/2019
C095mild**Design objectives**

To establish the Deakin Avenue Urban Design Guidelines (2016) as the basis for design and development provisions along the avenue.

To reinforce the avenue as a prestigious boulevard with a lush ‘desert oasis’ appearance that celebrates Mildura’s history and transitions along its length from horticultural edge to inner city.

To encourage high quality development that enhances the boulevard style and image of the avenue, particularly at key opportunity sites.

To support development that is appropriate to the role and preferred character of each of the functional precincts along the avenue.

To minimise disruption to traffic flow and create a pleasant and safe environment for pedestrians and cyclists.

2.009/05/2019
C095mild**Buildings and works****Permit requirements**

A permit is not required to construct or extend the following within a General Residential Zone, provided it does not exceed the building heights and setback requirements in this schedule and is consistent with the design objectives of this schedule:

- Any buildings and works not visible from Deakin Avenue.
- Works normal to a dwelling.
- An open-sided verandah within the rear setback.
- A deck with a finished floor level of not more than 800 millimetres above natural ground level.
- A domestic swimming pool or spa and associated mechanical equipment or safety fencing.

A permit is required for:

- A fence of any height within the front setback.

A permit may be granted for buildings and works that do not accord with all of the requirements of this schedule provided the proposal is consistent with the design objectives and the built form outcomes are designed to the satisfaction of the responsible authority.

A permit cannot be granted to vary any mandatory requirements in this schedule.

Buildings and work requirements

The following requirements apply to an application to construct a building or construct or carry out works:

Design requirements

- Buildings should provide active frontages with weather protection and interesting articulation.
- Buildings should:
 - Be articulated by incorporating features such as windows, awnings, sun shading devices, pergolas, or a recognisable setback to the upper storey(s).
 - Reinforce, where appropriate, a fine grain presentation that reflects the lot subdivision pattern of each precinct along Deakin Avenue.

MILDURA PLANNING SCHEME

- Integrate verandahs on all new buildings where no front setbacks apply, and large eaves and entrance canopies to all buildings.
- Avoid large, bulky forms, façades with large areas of blank walls and the excessive use of bold and primary colours on walls that would detract from the quality of the streetscape image.
- Setbacks should not be dominated by hard surfaces, car parking structures, signage or other visual clutter.
- Historic buildings should be repurposed in ways that increase the interaction between the street and the building.
- Development adjoining heritage buildings should respect the height, form and setbacks of the heritage building.
- Feature lighting is encouraged to highlight historic and key civic buildings, significant trees and art installations/ structures.
- Fences should be minimised, except where necessary to delineate front and side boundaries.
- Low or permeable fencing, or vegetation, is encouraged.
- Environmentally Sustainable Design (ESD) principles should be applied in the design and construction of buildings.

Landscaping

- Lush landscaping should be incorporated, with large native canopy trees that provide shade on public and private land at rates shown in Table 3 to this schedule.
- The use of vertical gardens and roof top gardens should be considered, to provide insulation, environmental cooling and greenery.
- Permeable landscaping treatments such as lawn and grasses should be used in place of hard surfaces where possible.
- Plant and tree species that are low maintenance, resilient and drought resistant should be used where possible.
- Landscaped breaks should be provided within car parks.

Safe, activated streets

- Safety should be improved through visual surveillance.
- A sense of address should be created by placing windows and doors to face the street, providing appropriate lighting, and avoiding blank walls, planting that creates areas of concealment and vacant sites, especially on shared paths and near gathering spaces.

Parking and access

- Vehicular access (including car parking and loading facilities) should be provided from the rear of all sites wherever possible, new vehicular crossings should be minimised, and the following requirements should be met:
 - In Precinct 1, incorporate single width crossovers to the avenue.
 - In Precincts 3 and 4, restrict vehicle crossovers to one per frontage.
- Visually dominant car parking, garages and hard surfaces, including concrete, should be avoided by locating car parking to the rear of buildings and locating garages at least 1 metre behind the façade of dwellings.
- The placement of trees, hard landscaping areas and access crossings should have regard to road safety infrastructure and any applicable tree policy.

Advertising signs

In addition to the requirements of the zone, the following guidelines should be achieved:

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- High quality, non-dominant signage should be provided that is consistent with the desired character of Deakin Avenue and does not create visual clutter due to signs of excessive size, text or bold colours.
- Signage should be integrated with the built form of the development, but should not be painted on walls or windows.
- Signage should be consolidated into a single directory board where development contains multiple premises.
- Smaller signs should be located on buildings rather than within front setbacks.
- Stand-alone signs are discouraged in existing or proposed residential zoned land and should be low profile, with a display area of not more than 2 square metres, a height of no more than 1.8 metres and located within the landscaped front setback in other zones.
- Large sky signs, panel signs, promotional signs or animated signs and the use of coloured neon lighting are discouraged.

Key opportunity sites

Key opportunity sites identified in Maps 3 and 5 should:

- Retain and enhance large historic sites and wide setbacks, especially when they contribute to Mildura's historic fabric.
- Create an iconic landmark at the Fifteenth Street intersection with high quality architecture (where applicable) and have regard to truck movements.
- Enhance and respect the important role of the Fifteenth Street intersection as a key gateway site by orienting development to front both Deakin Avenue and Fifteenth Street, with key architectural features oriented towards the intersection.
- Incorporate contemporary expressions of the region through creative and innovative architectural forms.

Precinct specific requirements

Refer to Maps 1-5.

- Buildings should be set back from the front and side boundaries to respond to the desired character of the various precincts along the avenue.
- Building heights and setbacks should comply with requirements set out in Table 2 to this schedule.

Table 1: Precinct guidelines

Precinct	Design Guidelines
P1. Horticultural Edge	Maintain the wide, open feel to the precinct. Enhance the precinct by planting indigenous vegetation that highlights Mildura's horticultural / viticultural pursuits. Avoid hardscapes such as large areas of paving and/or concrete within front setbacks.
P2. Residential	Maintain high quality green verges, with sealed road shoulders and formal car parking that encourages increased community use. Create long, open views into the proposed sports reserve. Present a single frontage to the avenue for units and other medium density residential development.

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Precinct	Design Guidelines
	<p>Avoid access points and car parking along the avenue near the Sixteenth Street intersection and adjacent proposed open space. Vehicular access in this area should instead be provided from Sixteenth Street or from the rear via residential streets.</p> <p>Construct kerb and channel, as it exists north of Fifteenth Street, through the precinct to Seventeenth Street.</p>
P3. City Gate	<p>New development, including key development sites, should address the avenue and express the local vernacular.</p> <p>Encourage consistent street setbacks and well maintained gardens.</p> <p>Enhance the key development sites adjacent to the intersection identified in Map 3 to accommodate contemporary architecture and public artwork.</p> <p>Incorporate second storey balconies that front the avenue.</p>
P4. Mixed Use	<p>Development should provide a transition between uses with large setbacks (e.g. places of worship) and the avenue.</p> <p>Development should maintain view lines into and from Henderson Park, provide sensitive interfaces with the park and a strong, formal edge to the park.</p> <p>Large historic sites and wide setbacks that contribute to Mildura's historic fabric should be retained and enhanced.</p>
P5. City Core	<p>Include alternative methods to achieve 'greening' the streets and increase urban cooling.</p> <p>Prioritise pedestrians and cyclists in the precinct.</p> <p>Provide contiguous weather protection, including awnings, canopies, blinds or other shade devices.</p>

Table 2: Precinct heights and setbacks

Precinct	Max building height	Min setback from street	Min upper level setback from façade	Min side setback
P1. Horticultural Edge	9 metres 2 storeys	15 metres (any street frontage)	3 metres (above ground floor level)	Setbacks required on all sides, not specified
P2. Residential	9 metres 2 storeys	6 metres from any front boundary or the same setback as a building on an abutting lot (up to 10 metres)	3 metres (above ground floor level)	1 metre (1 side)

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Precinct	Max building height	Min setback from street	Min upper level setback from façade	Min side setback
P3. City Gate (except for land in DDO12)	9 metres 2 storeys (except key opportunity sites)	5 metres (any street frontage)	None specified	1 metre (1 side)
P3. City Gate Opportunity Sites (except for land in DDO12)	12 metres 3 storeys	2 metres (any street frontage)	None specified	None specified
P4. Mixed Use	12 metres 3 storeys	5 metres (any street frontage) except for lots identified with no setback in Map 4, where buildings should be built to the front boundary with no setbacks	1 metre (above a building height of 9 metres)	None specified
P5. City Core Between Tenth and Eleventh Streets	12 metres 3 storeys	3 metres from any front boundary or the same setback as a building on an abutting lot (up to 5 metres), except for lots identified with no setback in Map 5, where buildings should be built to the front boundary with no setbacks	1 metre (above a building height of 9 metres)	Buildings should be built to the side boundary with no setbacks
P5. City Core Between Seventh and Tenth Streets	16 metres 4 storeys	Buildings should be built to the front boundary with no setbacks, except 3 metres from the front boundary or the same setback as a building on	1 metre (above a building height of 12 metres)	Buildings should be built to the side boundary with no setbacks

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Precinct	Max building height	Min setback from street	Min upper level setback from façade	Min side setback
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an abutting lot
(up to 5 metres)
on the Tenth
Street frontage

Table 3: Precinct landscaping requirements

Precinct	Front setback	Rear setback
P1. Horticultural Edge	Encourage large indigenous canopy trees	2 large indigenous canopy trees that reach a mature height above the roof line of the building.
P2. Residential	At least 1 canopy tree	1 large native canopy tree that reaches a mature height of at least 10 metres.
P3. City Gate	At least 1 canopy tree within any setback, along with low level vegetation. Enhance the streetscape by planting medium to large canopy trees	
P4. Mixed Use	Plant low level vegetation and soft landscaping in all setbacks. Encourage the planting of large canopy trees between buildings where space permits. Incorporate vertical gardens and planter boxes where buildings are built to the boundary and / or blank walls exist.	
P5. City Core	Provide opportunities for large planter boxes and vine covered pergolas. Incorporate vertical gardens and planter boxes where buildings are built to the boundary and/or blank walls exist.	

Where permit requirements are specified insert specific permit requirements such as “A permit is not required to [insert specific requirement/s: construct a building or construct or carry out works/ construct a fence/ subdivide land / remove, destroy or lop any vegetation]” or “A permit cannot be granted to construct a building or construct or carry out works which are not in accordance with any requirement in a schedule to this overlay”.

or

Where permit requirements to construct a fence are specified insert specific permit requirements such as “A permit is required to [insert specific requirement/s: construct a fence]”.

Where specific buildings and works requirements are specified insert “The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

- [insert requirements as required].”

Where an exemption from notice and review is specified insert the precise wording of the exemption from notice and review such as: “An application for

construction of a building or to construct or carry out 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.”

See 43.02-2 for relevant provisions.

3.0

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Subdivision

A permit to subdivide land must meet the following requirements:

- Rear vehicular access must be provided to any lot fronting Deakin Avenue where possible.
- Lots must be oriented to ensure that all buildings can visually address Deakin Avenue and on-site car parking can be provided to the rear of lots and screened from Deakin Avenue.

A permit cannot be granted to subdivide land which is not in accordance with any requirement in this schedule.

4.0

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Signs

Sign requirements are at Clause 52.05. All land located within the DDO1 area is in Category 3.

5.0

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Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- An urban context report and design response. The urban context report and design response must show how the development achieves:
- The design objectives of this schedule;
- The height and setback requirements for the relevant precinct; and
- The design guidelines applicable to the relevant precinct.
- Within the City Gate, Mixed Use and City Core precincts, three dimensional diagrams or visualisation showing the proposed building in the context of the surrounding buildings.

6.0

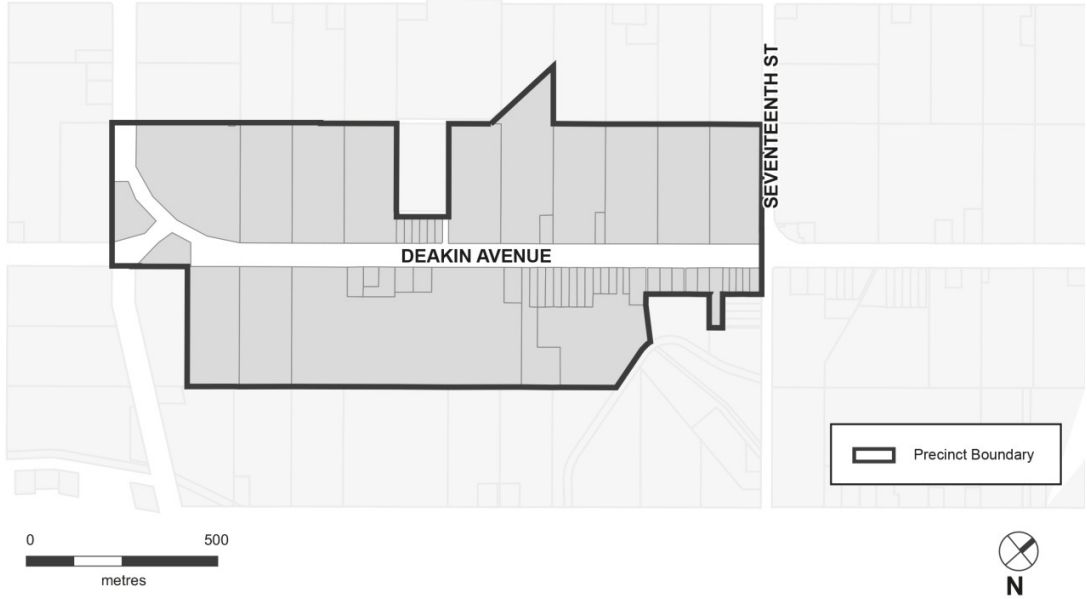
09/05/2019
C095mild

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the proposal meets the stated design objectives of this schedule;
- The impact on and enhancement of the heritage qualities of the boulevard;
- Whether there is likely to be any adverse overshadowing impacts on the landscaped median from any development;
- Connections between the avenue and the Murray River;
- The access and safety requirements of pedestrians and cyclists;
- The height, scale and massing of the proposed development and impact on surrounding development;
- The provision of landscaping, spacing and permeable areas;
- The contribution to creating high quality pedestrian environments and the provision of shade;
- The impact of car parking, vehicular movements and access; and
- Whether the development incorporates ecologically sustainable design principles.

Map 1 - P1. Horticultural Edge Precinct

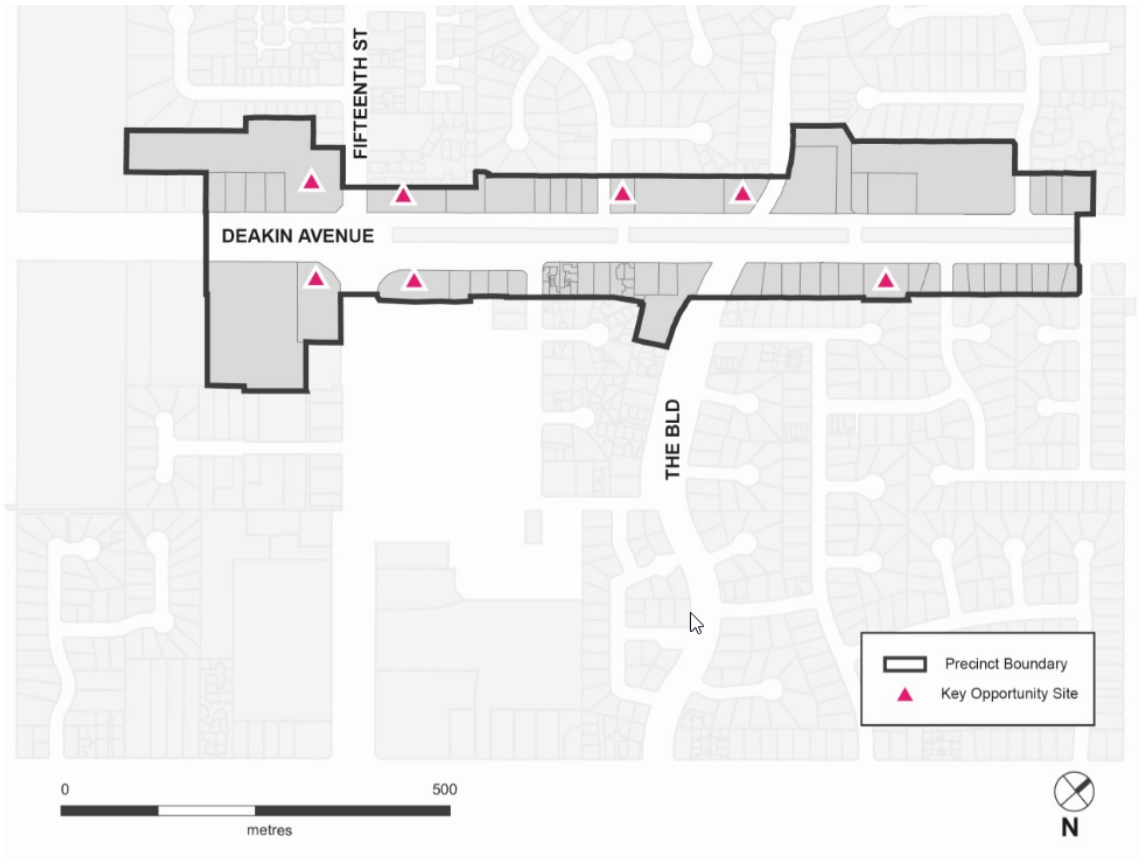


Map 2 - P2. Residential Precinct

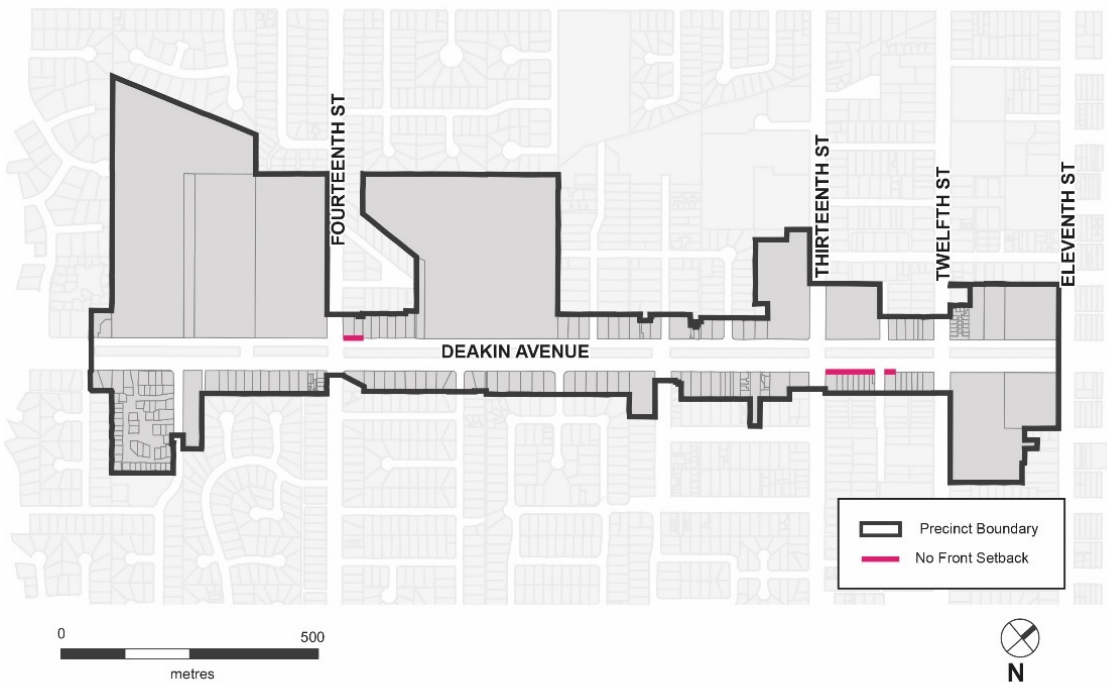


Map 3 - P3. City Gate Precinct

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Map 4 - P4. Mixed Use Precinct



Map 5 - P5. City Core Precinct

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