

## SITING PRINCIPLES

### Housing Development in the Mildura South & East Future Growth Areas – Farming Lots 0.2ha-10ha

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## 1. INTRODUCTION

The updated *Mildura Older Irrigation Area Incorporated Document, August 2016* (MOIA Document) relaxes the requirements for housing development in the Mildura South & East Growth Areas, particularly on lots between 0.2ha to 10ha. Most of the growth areas are still in the Farming Zone, the MOIA Document therefore mandates that the establishment of new dwellings and subdivisions must not compromise future urban development in those two areas.

The siting principles presented below provide directions for the development of the area and would be eventually superseded by an appropriate structure planning guidance. These principles comprise a collection of siting provisions described in the Mildura Planning Scheme (MPS) and other planning and building State policy documents.

- P1.** Any proposed dwellings must front the main avenues/streets and avoid unnecessary setbacks.
- P2.** Any proposed dwellings must not eliminate or reduce access to the back of the subject land, sufficient clearance of approximately 50m must be provided.
- P3.** Any proposed dwellings should consolidate within or close to existing neighbouring dwellings and avoid unnecessary frontage gaps.
- P4.** Near main intersection, dwellings must be located at or closest to the intersection.

## 2. POLICY CONTEXT

### Mildura Older Irrigation Areas Incorporated Document August 2016

The current version of the MOIA Document, introduced via Amendment C89 to the MPS, reads under *Subdivision: within the Mildura East Growth Area, the Mildura South Growth Area and the Mildura South By-pass Corridor, applications must also demonstrate, to the satisfaction of the responsible authority:*

- *That the subdivision does not compromise the future urban development of the land; and*
- *That the subdivision includes, where necessary, the provision of easements to allow for longer term servicing connections.*

In addition requirements for dwellings within those areas now include:

- *That the proposed dwelling will not compromise the future urban development of the land; and*
- *That the proposed dwelling includes, where necessary, the provision of setbacks to ensure longer term road access and servicing connections; and That the proposed dwelling will not compromise the future urban development of the land; and*
- *That the proposed dwelling includes, where necessary, the provision of setbacks to ensure longer term road access and servicing connections; and*

### Mildura Planning Scheme:

Clause 21.04 of the Mildura Planning Scheme in turn has the objective *to facilitate the orderly development of growth areas* with implementation strategies to achieve this objective including:

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- *Apply siting guidelines to growth areas to ensure any interim development of dwellings does not compromise longer term urban growth.*
- *Ensure that planning for the Mildura East Growth Area considers interface to existing industrial areas in Mildura East and does not compromise on-going industrial operations.*

A range of policy guidelines are also described in Clause 21.04 flowing from the above strategies including *that any application should demonstrate to the satisfaction of the responsible authority how efficient urban development could occur around the proposed dwelling in line with Clauses 22.03 and 56.*

#### **Building Regulations:**

Pursuant to Section 11 of the *Building Act 1993* and the regulation 401 of the *Building Regulations 2006*, building siting guidelines apply under the Building Act if the relevant planning scheme does not regulate the same matter.

In accordance to Section 188A of the Building Act 1993, the *Minister's Guideline MG-12: Siting and Design of Single Dwellings June 2006* have been prepared. These principles elaborate on regulations 408 – 424 of the *Building Regulations 2006* including a set of objectives and a range decision guidelines to support the implementation of these objectives.

MG-12 also emphasises that the siting of dwellings are to be consistent with any relevant neighbourhood character objective, policy or statement set out in the relevant planning scheme. This underpins the preparation of the principles presented here.

### **3. SITING PRINCIPLES:**

An application to develop the land for residential purposes within the prescribed areas must meet all of the following requirements to the satisfaction of Council:

<b>P1. Any proposed dwellings must front the main avenues/streets and avoid unnecessary setbacks.</b>
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By this means, subdivision applications which will result in the creation of battle-axe allotments should also be discouraged, including excision of dwellings and/or boundary realignments. This principle is consistent with the objective described in the *Minister's Guideline MG/12 to facilitate consistent streetscapes by discouraging the siting of single dwellings at the rear of lots.*

<b>P2. Any proposed dwellings must not eliminate or reduce access to the back of the subject land, sufficient clearance of approximately 50m must be provided.</b>
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This principle builds on the policy outlined in Clause 22.03 of the MPS which states under *Movement and infrastructure: require individual subdivision road layouts to provide for future connections, including any necessary easements, where adjoining parcels are not developed concurrently.*

The minimum clearance area is calculated to allow for a standard road layout in addition to a block of land to front this road which is consistent with the policy direction in Clause 22.03 of the MPS which states under *Public realm interfaces: encourage the design of building frontages at footpath level along key pedestrian routes to offer visual interest, passive surveillance, social interaction, safety, shelter and convenience.*

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<b>P3. Any proposed dwellings should consolidate within or close to existing neighbouring dwellings and avoid unnecessary frontage gaps.</b>
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Principle 3 builds on the objective outlined in the Minister's Guideline MG-12 *to ensure that the height and setback of a building from a boundary respects the existing or preferred character and limits the impact on the amenity of existing dwellings.*

This principle is also consistent with objective 4 under Clause 21.04-2 of the MPS *to facilitate the orderly development of growth areas* and the implementing strategy *ensure that residential growth areas of the Main Urban Area are contiguous with existing residential estates and in locations that reflect logical and cost effective infrastructure servicing options.*

<b>P4. Near main intersection, dwellings must be located at or closest to the intersection.</b>
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This principle aligns with the objective specified in the Minister's Guideline MG-12 *to ensure that the setbacks of buildings from a street respect the existing or preferred character of the neighbourhood and make efficient use of the site.* Clause 22.03 of the MPS also supports this direction as specified above.

## 4. REFERENCE DOCUMENTS

Mildura Older Irrigation Area Incorporated Document, August 2016

Mildura Planning Scheme

Planning Practice Not 37: Rural Residential Development June 2015

Building Act 1993

Building Regulations 2006

Minister's Guideline MG-12: Siting and Design of Single Dwellings June 2006