SCHEDULE 5 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO5.

BENDIGO CENTRAL BUSINESS DISTRICT (CBD) AREA

1.0

Design objectives

To allow for increased development densities while ensuring that the heights of new buildings fit reasonably with Bendigo’s character and protect the amenity of public spaces.

To ensure the heights of new buildings are generally consistent with the ‘low rise’ character of the CBD while responding to substantial heritage buildings in some locations.

To protect streets and other public spaces from overshadowing by new development.

To ensure that the built form of new development contributes to the CBD’s physical environment by controlling building front and side set backs.

To promote active frontages to streets, walkways and public spaces.

To ensure street spaces are safe, welcoming and provide weather protection for footpaths in the areas of highest pedestrian activity.

2.0

Buildings and works

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

Building heights

- New development and/or extensions to existing buildings should comply with the preferred maximum building heights specified in Table 1 and shown on Map 1 Building Heights.

Table 1 - Building heights

<table>
<thead>
<tr>
<th>Area</th>
<th>Maximum height</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>H1 Low scale</td>
<td>9 metres</td>
<td>Development consistent with the traditional low rise character of the area.</td>
</tr>
<tr>
<td>H2 Transitional area</td>
<td>9 metres</td>
<td>To provide a transition to typically lower buildings on adjoining properties.</td>
</tr>
<tr>
<td>H3 Medium scale</td>
<td>12 metres</td>
<td>Any building above 3 storeys should set back upper levels to avoid overshadowing of public streets, laneways, parks or other open spaces at winter solstice.</td>
</tr>
<tr>
<td>H4 Higher scale</td>
<td>20 metres</td>
<td>To avoid overshadowing of properties and public spaces beyond what would result from a 12 metre high building, the upper levels of a building must be set back.</td>
</tr>
</tbody>
</table>

Note: Building heights are to be measured from the central point at the adjoining footpath level.

- A permit may be granted to vary the preferred maximum building height where it can be demonstrated that the variation:
  - Meets the design objectives of this schedule;
  - Protects heritage places on the site or in proximity to the site; and
- Achieves the visions and objectives of the *Bendigo CBD Plan 2005*.

**Building frontages and set backs**
- New development and/or extensions to existing buildings must provide active street frontages on ground level.
- Development must comply with the set backs specified below and shown on Map 2 (Building frontages, set backs and weather protection).

**S1: Buildings with no front or side setback**
- At ground level:
  - Set buildings to front boundary with no side set back unless a set back is required to protect the heritage place on the site or adjoining site.
  - Avoid alcoves and recesses that may collect litter or be unsafe.
  - Avoid side set backs unless a pedestrian or service laneway is required.
- At first floor level and above:
  - Provide articulation and modelling of the facade which demonstrates a sympathetic and considered response to the scale, form and detailing of other buildings in the precinct, but particularly those adjoining and in immediate visual connection to the subject site.

**S2: Buildings within grounds**
- Provide front and side landscaped set backs consistent with adjoining buildings unless no set back or a non-landscaped set back is required to protect the heritage place on the site or adjoining the site.

**Weather protection**
- New development and/or extensions to existing buildings must be designed to provide weather protection, such as verandahs or canopies within the area shown on Map 2 (Building frontages, set backs and weather protection).

**Subdivision**
The following subdivision requirements apply to an application to subdivide land:
- Protect existing laneways and arcades in any subdivision application.
- Encourage the creation of new laneways and arcades in accordance with Map 7 of the *Bendigo CBD Plan 2005* in any subdivision application.

**Signs**
None specified.

**Application requirements**

**Buildings and works**
The following application requirements apply to an application for a permit under Clause 43.02 to exceed the preferred maximum building height, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:
- A site analysis plan and a written urban context report documenting how the development will achieve the design objectives of this schedule.
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 achieves excellence in architecture and urban design.
- Whether the proposal implements sustainable development principles.
- Whether the proposal enhances public and private amenity.
- Whether the proposal protects the development potential of nearby sites.

Background document

Planisphere, Bendigo CBD Plan: New Visions, New Opportunities, 2005
Map 1 to Schedule 5 to Clause 43.02

Building Heights

Refer to DDO13 for revised controls
Map 2 to Schedule 5 to Clause 43.02

Building frontages, set backs and weather protection

Refer to DDO13 for revised controls