



1. Residential Design Code Variations

- a) The provisions of this Local Development Plan (LDP) constitute both Residential Design Codes (R Codes) 'Deemed-to-comply' provisions and development standards under the City of Stirling Local Planning Scheme No. 3. Where there is a conflict between the R Codes and the LDP provisions, the LDP provisions prevail.
- b) The LDP 'Deemed-to-comply' provisions are 'as of right' subject to compliance with Local Planning Scheme No.3 to the satisfaction of the City of Stirling.
- c) All other 'Deemed-to-comply' provisions of the R Codes not varied by this LDP and the provisions of Local Planning Scheme No.3 apply.
- d) Compliance with the LDP 'Deemed-to-comply' provisions will not require consultation with adjoining landowners and/or other nearby landowners.
- e) The density coding of the lots contained within the LDP is R30 as identified on the Local Planning Scheme No.3 Map.
- f) The LDP applies to all lots identified in Diagram 1.

2. Development Standards

- a) Minimum open space shall be 40% to be provided in accordance with the following:
- An outdoor living area with an area of 10% of the lot size or 20m² whichever is the greater, directly accessible from a habitable room of the dwelling and located behind the setback area is to be provided;
 - At least 70% of the outdoor living area must be uncovered and includes areas under eaves which adjoin uncovered areas;
 - The outdoor living area has a minimum 3m length or width dimension.
- No other R-Codes site cover standards apply.
- b) Buildings (as defined by the R Codes) shall be setback a minimum of 2m (no average) and a maximum of 4m from the primary street boundary.
- c) Buildings (excluding garages) shall be setback a minimum of 1m from a secondary street boundary.
- d) Garages shall be setback a minimum of 4.5m from the primary street and 1.5m from the secondary street. The garage setback from the primary street may be reduced to 4m where an existing or planned footpath or shared path is located more than 0.5m from the street boundary.
- e) For lots less than 350m² in area, buildings with a wall height of 3.5m or less shall be setback from boundaries (other than street boundaries) a minimum of 1.2m for walls containing major openings and 1m for walls with no major openings. Buildings with a wall height above 3.5m are to be setback in accordance with Clause 5.1.3 of the R Codes.
- f) For lots 10m wide or less, boundary walls are permitted to both side boundaries (excluding street boundaries) behind the primary setback line, to a maximum length of two-thirds of one side boundary and one-third of the second side boundary to a maximum height of 3.5m.
- g) No maximum overshadowing provision applies to walls with a height of 3.5m or less.
- h) No maximum overshadowing provision applies to walls greater than 3.5m where overshadowing is limited to the front half of the adjoining lot. Where overshadowing occurs over the rear half of the adjoining lot, this overshadowing shall not exceed 35% of the total area of the lot.
- i) Garages shall be located in accordance with the 'Designated Garage Locations' identified on Diagram 1.
- j) Visual privacy shall be in accordance with Clause 5.4.1 of the R Codes except the minimum setback distance to major openings shall be 3m for bedrooms and studies, 4.5m for all other habitable rooms and 6m to unenclosed outdoor active habitable spaces.

3. Bushfire Management

- a) Buildings on lots designated as having a Bushfire Attack Level (BAL) rating are to be constructed in accordance with the requirements of Australian Standard AS3959 'Construction of Buildings in Bushfire-Prone Areas' to the applicable BAL rating.
- b) No buildings (as defined by the R Codes) shall be constructed within the Bushfire Protection Zone identified on Diagram 1.

4. Tree Retention

- a) The trees within the verge and those identified on this LDP are to be retained and are not to be pruned or interfered within in any way without the prior approval of the City. Any works undertaken on these trees along Gay Street shall be in accordance with the approved management plan.

5. Building Envelopes

- a) All buildings on lots abutting Gay Street are to be setback behind the applicable building envelope line identified on Diagram 1.

