

# STIRLING CITY CENTRE



## *Osborne Park Precinct*

# Local Development Plan

As Adopted by Council 21 March 2017

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## 1.0 INTRODUCTION

Where this Local Development Plan is inconsistent with the provisions of a local planning policy adopted under Local Planning Scheme No. 3, the provisions of this Local Development Plan shall prevail.

This Local Development Plan needs to be read in conjunction with the City's Local Planning Scheme No.3 and the Stirling City Centre Structure Plan.

This Local Development Plan applies to all development and subdivision applications situated within the boundaries of the Osborne Park Precinct of the Stirling City Centre, as defined in the Stirling City Centre Structure Plan. However if there is no sub precinct plan for a particular area then no redevelopment of sites are permitted.

### 1.1 Objectives

The key objectives of this Local Development Plan are to:

- Facilitate intensive redevelopment of the Osborne Park Precinct including residential uses, subject to the provision of appropriate sewer arrangements.
- Promote well-designed high density mixed use development overlooking and capitalising on the amenity provided by Stephenson Avenue.
- Provide new local parks and a new primary school, co-located where possible.
- Require non-residential uses on the ground floor to activate the street.
- Improve permeability through the precinct by facilitating future road linkages.

### 1.2 Applications

All Subdivision and Development Applications within the seven Osborne Park sub precinct areas are subject to this plan.

### 1.3 Precinct Area

This Local Development Plan applies to the Osborne Park Precinct in the Stirling City Centre as shown in **Figure 1**. Only one sub precinct area has been identified where development can be supported at this point in time. Future sub precincts may be added to this plan subject to meeting the requirements of the Stirling City Centre Structure Plan.



**Figure 1** –Osborne Park Precinct

## 1.4 Variations

Development applications seeking to vary the provisions of this Local Development Plan will be determined against the objectives of the provision being varied.

No variations shall be permitted for the following provisions:

- Clause 2.1.1.1—Lot Size;
- Clause 2.1.1.2—Lot Street Frontages;
- Clause 2.1.4.1—Street Setbacks;
- Clause 2.1.4.5—Minor projections into setback area;
- Clause 2.1.5.2—Outdoor Living Areas;
- Clause 2.2.1—Location of Land Use Category;
- Clause 2.2.2.3—Surveillance of Streets, Public Open Space and Public Access Ways;
- Clause 2.2.2.6—Street Walls and fences;
- Clause 2.2.5.3—Existing buildings; and
- Minimum and maximum number of storeys (as per relevant sub precinct provision).

A variation of up to a maximum of 20% may be considered for the following clauses:

- Clause 2.1.4.2—Side and rear setbacks (to a maximum of 30% of the length of this boundary);
- Clause 2.1.4.3—Setbacks between buildings on the same lot; and (to a maximum of 30% of length of wall facing other building)
- Clause 2.1.5.3—Communal Open Space.

## 1.5 Definitions

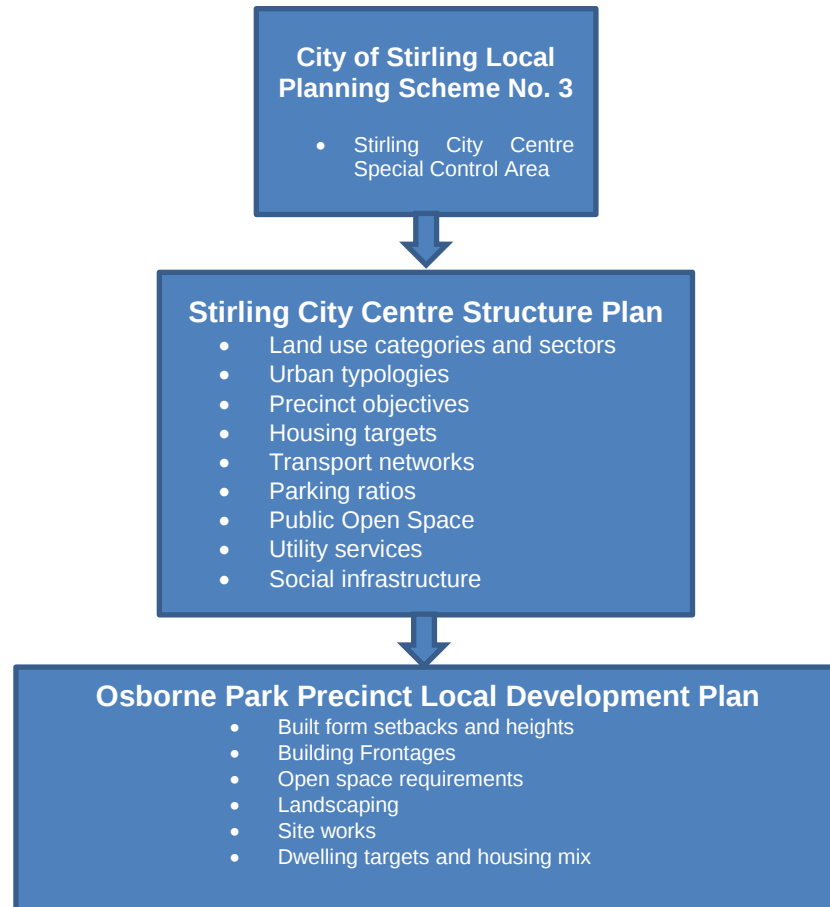
Definitions in this Local Development Plan shall be as per the Residential Design Codes, Local Planning Scheme No. 3 and the Stirling City Centre Structure Plan.

## 1.6 Applications of the Residential Design Codes

Unless otherwise provided for in this Local Development Plan, the Residential Design Codes do not apply.

## 1.7 Relationship with the Scheme and Structure Plan

The Local Development Plan needs to be read in conjunction with the City of Stirling Local Planning Scheme Number 3 and the Stirling City Centre Structure Plan. **Figure 2** depicts the relationships and hierarchies of these documents.



**Figure 2 – Planning Process**

## 2.0 GENERAL PROVISIONS

Unless otherwise stated the provisions of this part apply to all development and subdivision.

If there is a conflict between the general provisions in this section of the Local Development Plan and the provisions applicable to the Sub Precinct Areas then the provisions within the Sub Precinct Areas shall prevail.

### 2.1 Built Form & Design

#### 2.1.1 Lot Configuration

##### 2.1.1.1 Lot Size

###### *Objectives*

- *To prevent fragmentation of landholdings in order to enable development intensification with appropriate setbacks.*

###### Provision

- As per Sub Precinct Areas (Refer section 3).

##### 2.1.1.2 Lot Street Frontage

###### *Objective*

- *To ensure that lot frontages are not too narrow to limit the amount of crossovers.*

###### Provision

- As per Sub Precinct Areas (Refer section 3).

#### 2.1.2 Dwelling Targets and Size

##### 2.1.2.1 Dwelling Mix

###### *Objective*

- *To ensure a number of smaller dwellings are developed.*

###### Provisions

- All developments comprising ten or more dwellings shall provide a minimum of 10% single bedroom dwellings as part of the development; and
- Single bedroom dwelling provision is to be calculated by rounding to the nearest whole number. In the case of exactly 0.5 the requirement shall be rounded up to the nearest whole number.

##### 2.1.2.2 Dwelling Size

###### *Objective*

- *To ensure dwellings have sufficient space to cater for the needs of residents.*

###### Provision

- Minimum dwelling size of 40.0m<sup>2</sup>, excluding outdoor living areas and external storage areas and car parking areas.

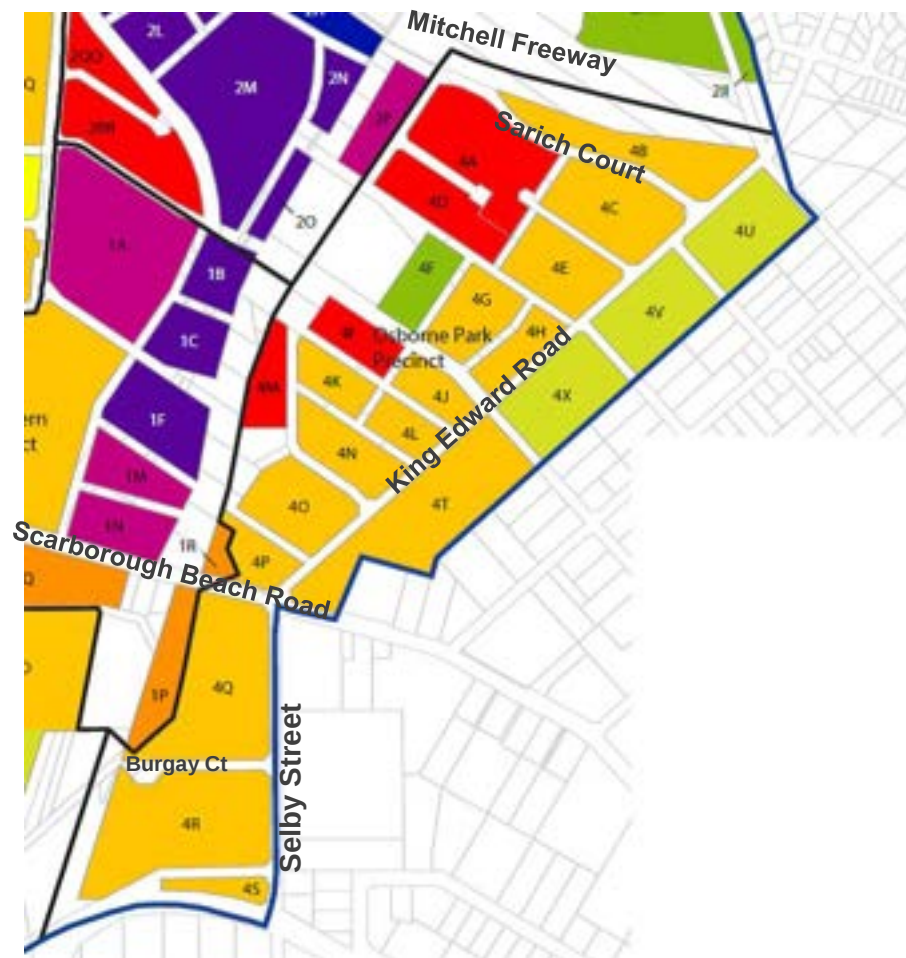
##### 2.1.2.3 Minimum number of Dwellings

###### *Objective*

- *To achieve the dwelling targets outlined in the Stirling City Centre Structure Plan.*

###### Provision

- Except for single dwellings, ancillary dwellings, and grouped dwellings, the minimum number of dwellings required in a development shall be calculated using the formula below and the numbers outlined in **Figures 3 and 4.**



**Figure 3 - Osborne Park Precinct Street Block Plan**

| Block Number | Street Block Land Area (M <sup>2</sup> ) | Min No of Dwellings |
|--------------|------------------------------------------|---------------------|
| 4A           | 27,000                                   | 200                 |
| 4B           | 22,000                                   | 52                  |
| 4C           | 24,000                                   | 58                  |
| 4D           | 16,000                                   | 107                 |
| 4E           | 18,000                                   | 45                  |
| 4F           | 11,000                                   | 0                   |
| 4G           | 14,000                                   | 84                  |
| 4H           | 9,000                                    | 55                  |
| 4I           | 9,000                                    | 78                  |
| 4J           | 8,000                                    | 49                  |
| 4K           | 9,000                                    | 65                  |
| 4L           | 7,000                                    | 42                  |
| 4M           | 10,000                                   | 65                  |
| 4N           | 14,000                                   | 84                  |
| 4O           | 18,000                                   | 110                 |
| 4P           | 9,000                                    | 55                  |
| 4Q           | 41,000                                   | 199                 |
| 4R           | 46,000                                   | 258                 |
| 4S           | 5,000                                    | 13                  |
| 4T           | 43,000                                   | 0                   |
| 4U           | 22,000                                   | 0                   |
| 4V           | 22,000                                   | 0                   |
| 4W           | 23,000                                   | 0                   |

$$\text{No. Dwellings} = \left( \frac{\text{Minimum No. of Dwellings per Street Block}}{\text{Street Block Land Area}} \right) \times \text{Lot Area}$$

**Figure 4 - Minimum number of dwellings required**

## 2.1.3 Building Heights

### 2.1.3.1 Wall Height

#### Objectives

- To limit the impact of overshadowing on adjoining neighbours and streets; and
- To ensure a mid-rise scale of buildings.

#### Provisions

- As per Sub Precinct Areas (Refer Section 3); and
- Average Natural Ground level calculated in accordance with the City's Residential Building Height Policy.
- Top of external wall (concealed roof) 1.0m above wall height limit outlined in sub precinct areas.

### 2.1.3.2 Roof Height

#### Objectives

- To limit the impact of overshadowing on adjoining neighbours; and
- To ensure mid-rise scale of buildings.

#### Provision

- As per Sub Precinct Area (Refer Section 3).

### 2.1.3.3 Minor Projections above Building Wall Height

#### Objective

To ensure walls are visually interesting.

#### Provision

- Maximum 1.0m projection for 15% on any frontage.

### 2.1.3.4 Bonus Height

#### Objective

To allow additional heights in return for improvement in building design and community facilities.

#### Provision

- As per Sub Precinct Areas (Refer Section 3).

| Height bonus  | No of Criteria satisfied |
|---------------|--------------------------|
| 1 – 4 Storeys | 1                        |
| 5 – 8 Storeys | 2                        |
| 9 + Storeys   | 3                        |

Table 1 – Height Bonus

- The following criteria shall be provided in accordance with **Table 1**:
  - A design rating of 5 stars under the national rating scheme of the Green Building Council of Australia, or an equivalent standard; and/or
  - The proposal provides community facilities, as defined in Local Planning Scheme No. 3 that is accessible to the public.

**Note:** To satisfy three (3) criteria more than one community facility needs to be provided.

## 2.1.4 Setbacks

### 2.1.4.1 Street Setbacks

#### Objective

- To ensure that buildings provide a consistent frontage to the street.
- To provide visually accessible areas of open space on privately owned land.

#### Provision

- As per Sub Precinct Area (Refer Section 3).
- A plaza or community space lined with awnings can be set back from the street subject to agreement of the City.

### 2.1.4.2 Side / Rear Setbacks

#### Objective

- To provide sufficient space for trees and landscaped areas; and
- To protect amenity of neighbouring properties by minimising visual intrusion and overshadowing.

#### Provisions

- 4.0m to a habitable window or balcony above ground level;
- Side and Rear setbacks as per Sub Precinct Areas (in section 3); and
- The provisions for achieving side and rear setbacks for single dwellings and ancillary dwellings developments shall be as per the Residential Design Codes.

### 2.1.4.3 Setbacks between Buildings/Boundaries

#### Objective

- To ensure that there is sufficient space between buildings to limit overlooking and overshadowing; and
- To allow sufficient space for landscaping and trees.

#### Provisions

| Building Height                           | 4 storeys<br>(up to 12m) | 5-8 storeys<br>(up to 25m) | ≥ 9 storeys<br>(over 25m) |
|-------------------------------------------|--------------------------|----------------------------|---------------------------|
| Between habitable rooms/balconies         | 12m<br>min               | 18m<br>min                 | 24m<br>min                |
| Between habitable and non-habitable rooms | 9m<br>min                | 12m<br>min                 | 18m<br>Min                |
| Between non-habitable rooms               | 6m<br>min                | 9m<br>min                  | 12m<br>min                |

**Table 2 – Building Separation Table**

Note: a lot boundary is classified as a wall with non-habitable rooms. The setback to the lot boundary shall be 50% of the setback required in Table 2.

### 2.1.4.4 Minor Projections into Setback Area

#### Objective

- To ensure that minor projections do not have an adverse impact on overshadowing and amenity of neighbouring properties.

#### Provision

- Maximum projection of 0.75m for chimneys, balconies, eaves over- hang and other architectural features.

### 2.1.4.5 Setback of garages, carports and parking areas

#### Objective

- To ensure that car parking and car parking structures are not visible from the street.

#### Provision

- As per Sub Precinct Area (Refer Section 3).

## **2.1.5 Open Space**

### **2.1.5.1 Open Rooftop Terraces**

#### *Objective*

- *To maximise the useability of roof space whilst minimising any negative impacts on adjoining properties.*

#### Provisions

- Rooftops may be used as an open terrace;
- Rooftops shall not include habitable rooms;
- All rooftop terraced areas shall be setback a minimum of 3.0m from the side and rear boundaries;
- Pergola rafters may extend to the edge of the terrace;
- Maximum 10% of rooftop terrace may be covered by impermeable roof; and
- Rooftop terraces can be included in the calculation of required communal open space.

### **2.1.5.2 Outdoor Living Areas**

#### *Objective*

- *To ensure that every dwelling has sufficient outdoor space to cater for the needs of residents.*

#### Provisions

Each dwelling shall be provided with either:

- One balcony with minimum dimension of 2.4m and minimum area of 10.0sqm; or
- One courtyard accessed directly from a habitable room with minimum dimension of 4.0m and minimum area of 20.0sqm.

### **2.1.5.3 Communal Open Space**

#### *Objective*

- *To encourage social interaction between residents and workers in a development and provide spaces for rest and recreation.*

#### Provisions

- Residential Developments incorporating between six and twelve dwellings (inclusive) shall provide a minimum of 40m<sup>2</sup> of communal open space with a minimum dimension of 4m; or
- Residential Developments incorporating between thirteen and twenty dwellings (inclusive) shall provide a minimum of 80m<sup>2</sup> of communal open space with a minimum dimension of 5m; or
- Residential Developments incorporating more than twenty one dwellings or all non- residential development shall provide communal open space of no less than 10% of the lot area with a minimum dimension of 8m;
- Non Residential Developments shall have a minimum of 10% of the site area for communal open space;
- A minimum of 50% of the communal open space shall be designed as a garden area and shall include shade trees; and
- A maximum 10% of total communal open space area to be covered with an impervious roof cover;
- Communal facilities such as BBQ's, seating, shade structures, tables etc. shall be provided.

## **2.1.6 Special Purpose Dwellings**

### *Objective*

- *To ensure residential development is provided for people with or without special needs, providing ancillary accommodation, which is independent or semi-independent to residents of the single house.*

### Provision

- As per the ancillary dwellings provisions of the Residential Design Codes.

## **2.1.7 Building Exterior**

### **2.1.7.1 Podium Facades and Walls (Ground Floor to 3<sup>rd</sup> Floor)**

#### *Objective*

- *To ensure that podium facades are architecturally interesting.*

#### Provisions

- Maximum 75% glazing on any podium façade; and
- The use of brick and masonry columns to break up glazing.

### **2.1.7.2 Balconies**

#### *Objective*

- *To ensure that the bulk of the building is reduced.*

#### Provision

- Balcony balustrades shall be 75% visually permeable.

### **2.1.7.3 Major Openings to Habitable Rooms**

#### *Objective*

- *To ensure that there is sufficient access to natural light, ventilation and outlook from all habitable rooms.*

#### Provision

- One major opening (min 1m<sup>2</sup>) shall be provided to each habitable room and have a sill height not more than 1.6m above floor height.

### **2.1.7.4 External Fixtures**

#### *Objective*

- *To ensure that services do not detract from the streetscape and adjoining properties.*

#### Provisions

- All service meters and related infrastructure are to be screened as viewed from the street; and
- All external fixtures such as television and radio antennae, satellite dishes, plumbing vents and pipes, air conditioners and hot water systems are to be screened as viewed from the street and adjoining properties.

#### **2.1.7.5 Essential Facilities**

##### *Objective*

- *To ensure provision is made for external storage, rubbish collection/storage areas and clothes drying areas that are adequate to meet the needs of residents.*

##### Provisions

- Every dwelling shall be provided with an enclosed storage area of at least 4.0sqm, minimum 1.5m dimension, which may be accessed from outside the dwelling.
- Every dwelling shall be provided with a clothes drying area (communal or private) that is not visible from the street. Alternatively, every dwelling shall be provided with a clothes dryer.
- Bin storage areas shall be provided in accordance with the City's Bin Storage policy and shall not be located within landscaped areas or building setback areas.

#### **2.1.7.6 Outbuildings**

##### *Objective*

- *To ensure that outbuildings do not detract from the streetscape or amenity of the area.*

##### Provision

- Outbuildings shall not be located within the street setback area or landscaping area; and
- Shall be in accordance with the relevant clauses relating to outbuildings as contained in the Residential Design Codes.

## 2.2 Streetscape Relationship

### 2.2.1 Location of Land Use Category

#### *Objectives*

- *To ensure active non-residential uses on the ground floor of mixed use developments; and*
- *To ensure that non-residential uses do not have a detrimental impact on residential uses.*

#### Provision

- As per Sub Precinct Areas (Refer Section 3).

### 2.2.2 Ground Floor Frontages

#### 2.2.2.1 Non-Residential Ground Floor Frontages

#### *Objective*

- *To ensure that active non-residential frontages face the street and portray an attractive and inviting frontage.*

#### Provision

- Minimum of 80% clear glazing.

#### 2.2.2.2 Non-Residential Entry Points

#### *Objective*

- *To ensure pedestrian entrances are clearly defined and designed to enable safe and comfortable access.*

#### Provisions

Entry points shall:

- Directly face the street;
- Be at ground level; and

Include at least two of the following:

- Signage above the entry door;

- Indentation of the entry point, where recessed entrances are provided, they should be truncated at an angle to the pedestrian route of no less than 60 degrees;
- Highlighting the entry point through the use of different materials; and
- Increasing the height of the awning above the entry point to no higher than 4.0m above footpath level.

#### 2.2.2.3 Residential Entry Points and Surveillance of the Street

#### *Objective*

- *To ensure that all residential buildings have an entry point facing the primary street on the ground level for passive surveillance.*

#### Provision

- Entry points to be no more than 1.2m above the ground level for residential and mixed use development.
- In a mixed use development, the residential entrance is to be differentiated from the commercial entrance.
- Each development shall have entry points facing all streets.

#### 2.2.2.4 Surveillance of Streets, Public Open Space & Public Access Ways

#### *Objectives*

- *To ensure there is passive surveillance of public open space areas and public access ways for safety.*
- *To ensure buildings address streets, Public Open Space and Public Access Ways with balconies and major openings to habitable rooms.*

#### Provisions

- The building shall have courtyards and balconies facing all streets; and
- The building shall provide a minimum of one habitable room

window for every dwelling that orientates to the street, public open space and public access way.

#### **2.2.2.5 Weather Protection**

##### *Objective*

- *To support a comfortable external environment for pedestrians.*

##### Provisions

- Awnings shall have a minimum depth of 2.5m;
- Awnings shall have a maximum vertical clearance from the pavement level of 3.5m;
- Awnings shall be constructed using materials that are opaque and non-reflective; and
- New awnings shall line up with existing awnings (where present).

### **2.2.3 Street Walls and Fences**

##### *Objective*

- *To promote surveillance of the street.*

##### Provision

- Front walls and fences facing the Primary Street and Secondary Street are visually permeable to 1.2m above the natural ground level.

### **2.2.4 Site Works**

#### **2.2.4.1 Excavation or Fill**

##### *Objective*

- *To ensure that development follows the topography of the land.*

##### Provision

- A maximum of 0.5m of fill above the natural ground level is

permitted; and

- Excavation within all boundaries shall have no limit.

#### **2.2.4.2 Retaining Walls**

##### *Objective*

- *To ensure development considers and responds to the natural features of the site and requires minimal excavation/fill. Where excavation/fill is necessary, all finished levels respecting the natural ground level at the lot boundary of the site as viewed from the street.*

##### Provision

- For Residential development as per Residential Design Codes; and
- For non-residential development a maximum of 500mm retaining is permitted.

#### **2.2.4.3 Levels**

##### *Objective*

- *To ensure that there is equitable access for pedestrians and that excessive differences will not have a negative impact on the amenity of the area.*

##### Provisions

- The ground floor level of buildings shall match footpath level for all non-residential and mixed use development; and
- Basement parking structures between a street frontage and the main front elevation are no more than 1.2m above natural ground level for residential developments; and
- A maximum of 500mm of fill is permitted.

#### **2.2.4.4 Landscaping**

##### *Objective*

- *To improve the visual appeal of development, screen service areas and provide shade and green relief in built up areas.*

#### Provisions

- A Landscaping Plan shall be submitted for all non-residential developments and residential developments with 5 or more dwellings in accordance with the City's Landscaping Policy;
- Landscaping shall be provided in all landscaping areas and setback areas as illustrated in **Section 3**;
- Landscaping strips and setback areas shall include large trees (min 45 litres, with a potential to reach 8-10m height)
- Trees shall have a minimum 5m spacing, and include other soft landscaping; and
- All developments shall make provision for deep planting zones in the rear landscaping strip and other landscaping areas.
- Street Trees shall be planted in front of all developments, where none exist, at 7.0m intervals, where possible.

#### **2.2.4.5 Lighting, Safety and Security**

##### *Objective*

- *To ensure appropriate lighting to improve safety.*

##### Provision

- Shall be in accordance with Local Planning Policy Number 4.2– Mixed Use and Commercial Centre Design Guidelines.

## 2.3 Access and Parking

### 2.3.1 Onsite Car Parking Provision

#### Objective

- To provide parking for short term visitors, residents and employees.

#### Provision

- Parking shall be provided in accordance with the Parking Policy applicable to this Local Development Plan.

### 2.3.2 Offsite Car Parking Provision

#### Objective

- To provide limited parking for short term visitors.

#### Provision

- Off-site parking shall be in accordance with the Parking Policy applicable to this Local Development Plan.

### 2.3.3 Design and Location of Car Parking Bays

#### Objectives

- To ensure that car parking areas do not disrupt the continuity of building frontages;
- To ensure that onsite parking is not visible from any street; and
- To ensure parking is sleeved with residential and non-residential buildings.

#### Provision

- Car parking bays located within a building shall be located in accordance with **Figures 6, 7, 8, 9 and 10.**

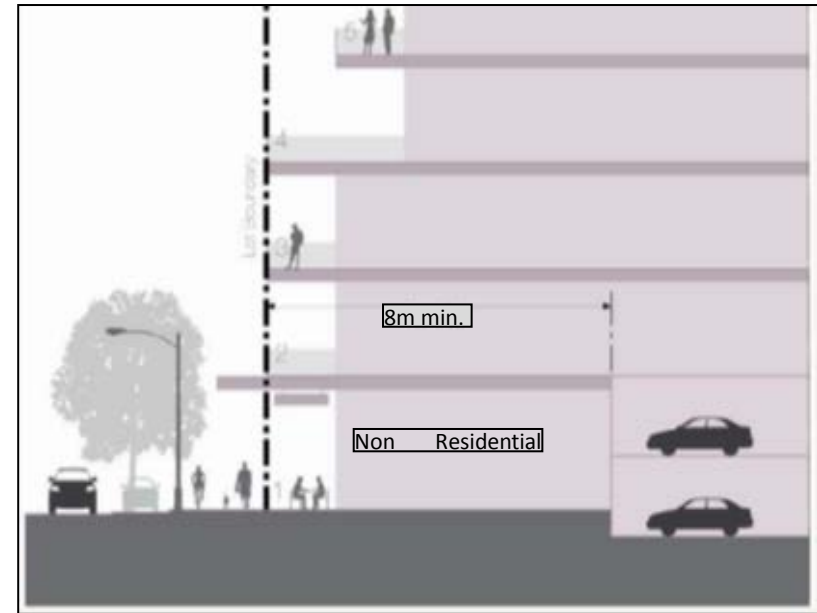


Figure 6 - Permitted parking location for mixed use developments

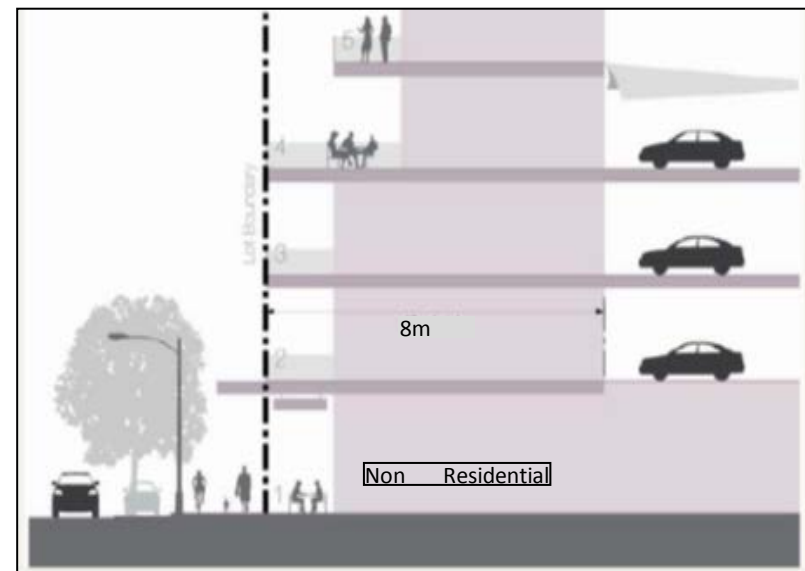
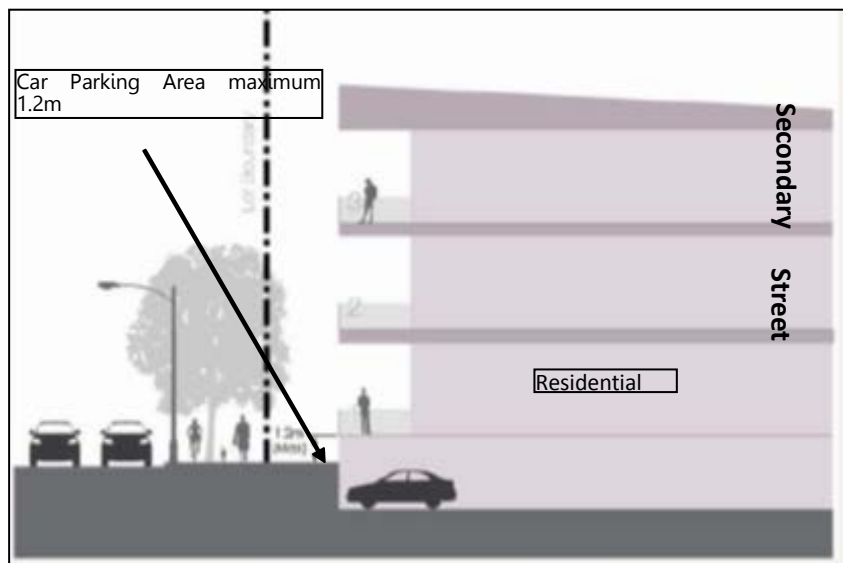
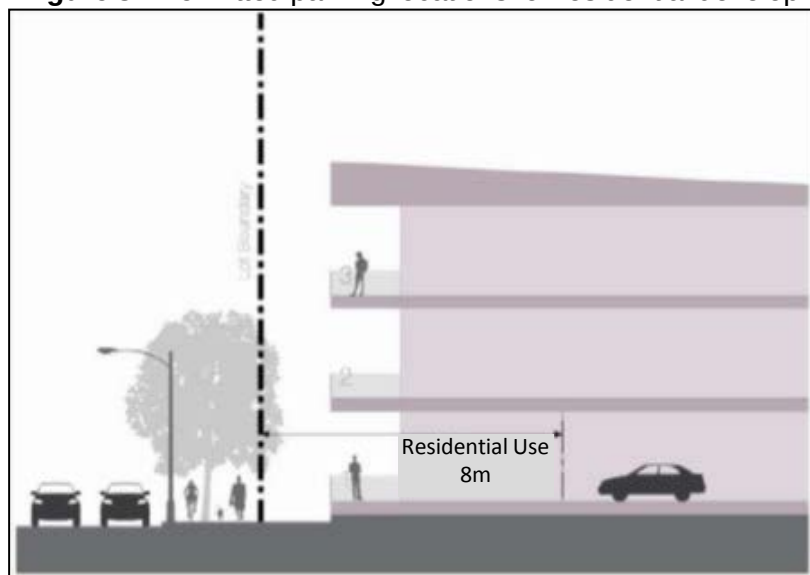


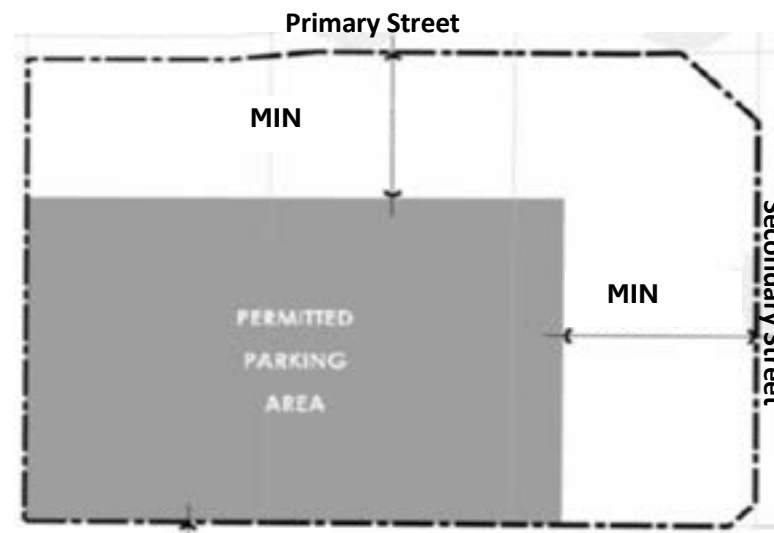
Figure 7 - Permitted parking areas to ground and upper floors



**Figure 8** - Permitted parking locations for residential developments



**Figure 9** - Permitted parking locations for residential developments



**Figure 10** - Permitted parking locations

### 2.3.4 Bicycle Parking Provision

#### Objective

- To provide adequate bicycle parking bays and facilities.

#### Provision

- Parking shall be in accordance with the relevant Bike Parking Policy.

### 2.3.5 Vehicle Access

#### *Objectives*

- *To ensure vehicle access ways are safe and easily traversed.*
- *To limit the number of, and width of crossovers, reducing the impact on pedestrians, traffic, movement and safety.*
- *To minimise the amount of land used for driveways.*

#### Provisions

- Driveways serving up to 15 dwellings shall be a maximum 3.0m wide;
- Driveways servicing mixed use developments and developments of more than 15 dwellings shall have a maximum width of 6.0m wide; and
- Convex mirrors and/or pedestrian warning devices shall be provided where driver line of sight is obscured by buildings or landscaping.

### 2.3.6 Crossovers

#### *Objective*

- *To limit the number of crossovers, reducing the impact on pedestrians and traffic.*

#### Provisions

- The number of crossovers shall be minimised for any site;
- Lots with a frontage of less than 50m shall have no more than one crossover;
- Existing redundant crossovers will be required to be removed at the expense of the developer.
- Maximum crossover width 6.0m.

## 2.4 Other Considerations

### 2.4.1 Signage

#### *Objective*

- *To ensure there is not a proliferation of signage within the streetscape.*

#### Provision

- Signage detail shall be in accordance with the City's Advertising Signs Policy.

### 2.4.2 Sound Attenuation

#### *Objective*

- *To ensure that noise from non-residential uses does not adversely affect the amenity of residential development.*

#### Provision

- Noise attenuation of non-residential uses shall be in accordance with the City's Local Planning Policy 4.2—Mixed Use and Commercial Centre Design Guidelines.

### 2.4.3 Existing Buildings

#### *Objective*

- *To ensure only major extensions to existing buildings are assessed under the provisions of the Local Development Plan.*

#### Provisions

- Major additions, two storey additions or single storey buildings and structures more than 200sqm shall be assessed under the provisions of this Local Development Plan.

### 3.0 SUB PRECINCT AREAS

The Osborne Park Precinct has one sub precinct area, as shown in **Figure 11**.

- Sub Precinct Area - A

Future sub precinct areas will be added to this local development plan over time. If no sub precinct area exists, no development is supported.

Where there is an inconsistency between the sub-precinct provisions and the general provisions of the overall Osborne Park Precinct, the provisions of the sub-precinct shall apply.



**Figure 11 - Osborne Park Sub Precinct Areas**

### 3.1 Sub Precinct Area - A

All land highlighted in **Figure 12** shall comply with the following provisions.

#### 3.1.1 Character Statement

Medium to high-rise mixed-use buildings with active non-residential uses on the ground floor and residential and non residential on upper levels. Development will be designed to address and facilitate the extension of Guthrie Street.



**Figure 12** - Osborne Park Sub Precinct Area - A

#### 3.1.2 Specific Provisions

| Development and Land Use Standards |                                                      |                                                                                                                                                                                                                                         |
|------------------------------------|------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ground Floor Height                | Min Ground to 1 <sup>st</sup> Floor                  | 3.5m                                                                                                                                                                                                                                    |
|                                    | Max Ground to 1 <sup>st</sup> Floor                  | 6.5m                                                                                                                                                                                                                                    |
| Street Setbacks                    | Street setbacks (Ground floor to third floor)        | Nil.<br>(Refer to <b>Figure 13</b> and <b>14.</b> )                                                                                                                                                                                     |
|                                    | Street setbacks (Fourth floor and above)             | 6.0m min<br>(Refer to <b>Figure 13</b> and <b>14.</b> )                                                                                                                                                                                 |
| Side Setbacks                      | Side boundary setbacks - Ground floor to third floor | Nil                                                                                                                                                                                                                                     |
|                                    | Side boundary setbacks - Fourth floor and above      | <ul style="list-style-type: none"> <li>Nil - with no openings or balconies</li> <li>As per clause 2.1.4.3 - for walls with openings or balconies (side and rear boundaries are classified as walls with non-habitable rooms)</li> </ul> |
| Location of Land Use Category      | Ground Floor                                         | Business                                                                                                                                                                                                                                |
|                                    | All Upper Floors                                     | Mixed Use and City Residential                                                                                                                                                                                                          |
| Building Height (m)                | Maximum Height                                       | Refer to <b>Figure 14.</b>                                                                                                                                                                                                              |
| Lots                               | Minimum size                                         | 2,000sqm                                                                                                                                                                                                                                |
|                                    | Minimum frontage                                     | 28m                                                                                                                                                                                                                                     |
| Awnings                            | Minimum                                              | Continuous awning required along Sarich and the future Guthrie Street extension.                                                                                                                                                        |

### 3.1.3 Special Provisions

#### *Objectives*

- *To allow for future development which address the future extension of Guthrie Street; and*
- *To ensure that sensitive uses are not located on contaminated sites.*

#### Provisions

- A 24m wide deferred development zone is required along the southern boundary of HN 3,5,7 & 9 Pitino Court;
- A 12m wide deferred development zone is required along the southern boundary of HN 6 Sarich Court;
- No Development (other than temporary at grade car parking and landscaping) is permitted in this deferred development zone until the extension of Guthrie Street is constructed.
- Lot 312, House Number 8 Sarich Court, is identified on the Department of Environmental Regulation's Contaminated Sites Database. The site's classification is 'remediated for restricted use' meaning "the land use of the site is restricted to commercial/industrial use, which excludes childcare centres, kindergartens, pre-schools and primary schools. The site should not be developed for a more sensitive use such as recreational open space; residential use or childcare centres without further contamination assessment and/or remediation".
- Developments shall construct on-street car parking bays where the provision of bays is possible and may be included in the calculation of parking bay requirements.
- For House No. 8, Lot 312 Sarich Court, temporary car parking may be approved for a maximum of 30% of the frontage.

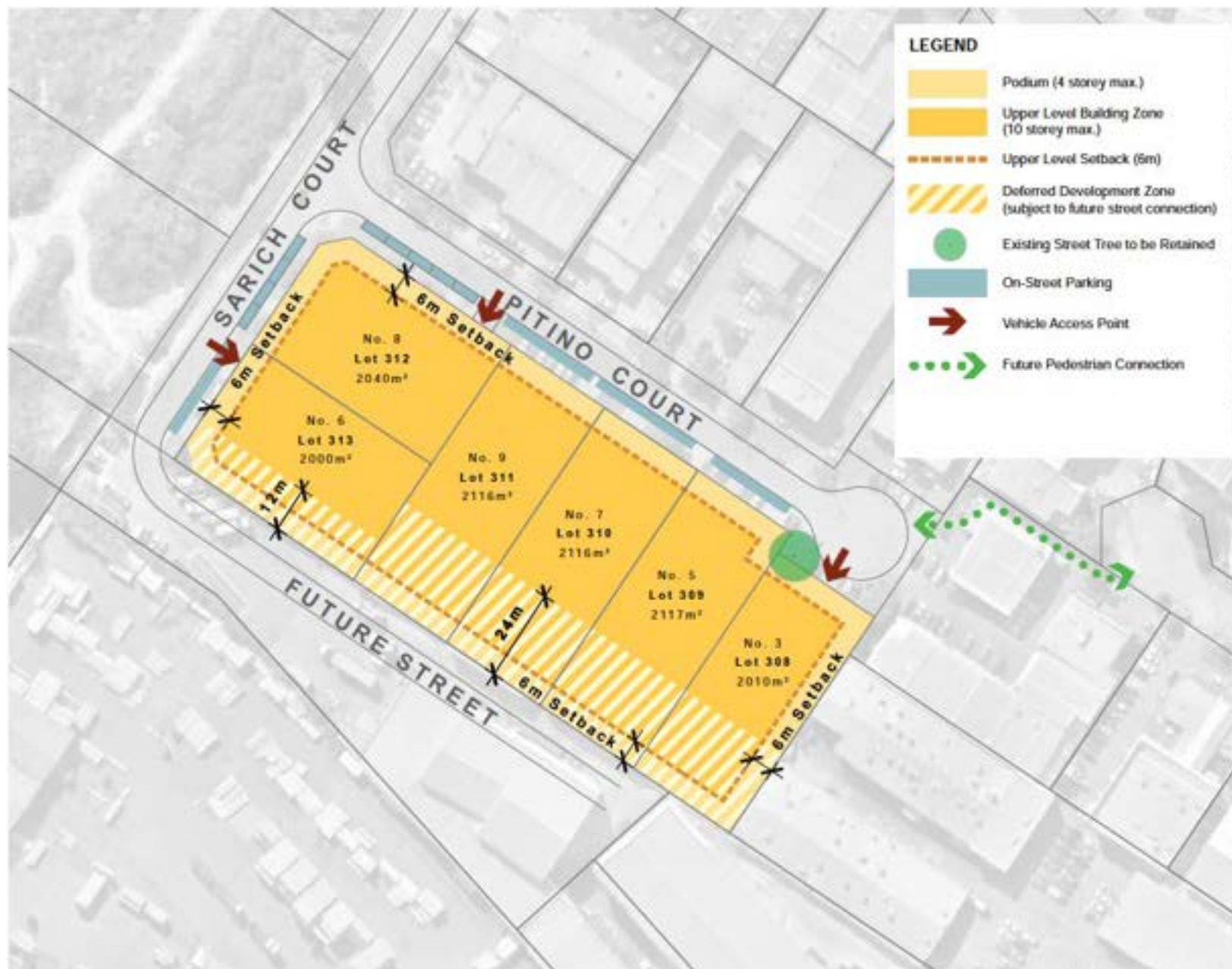


Figure 13 - Osborne Park Sub Precinct Area – A – Site Plan

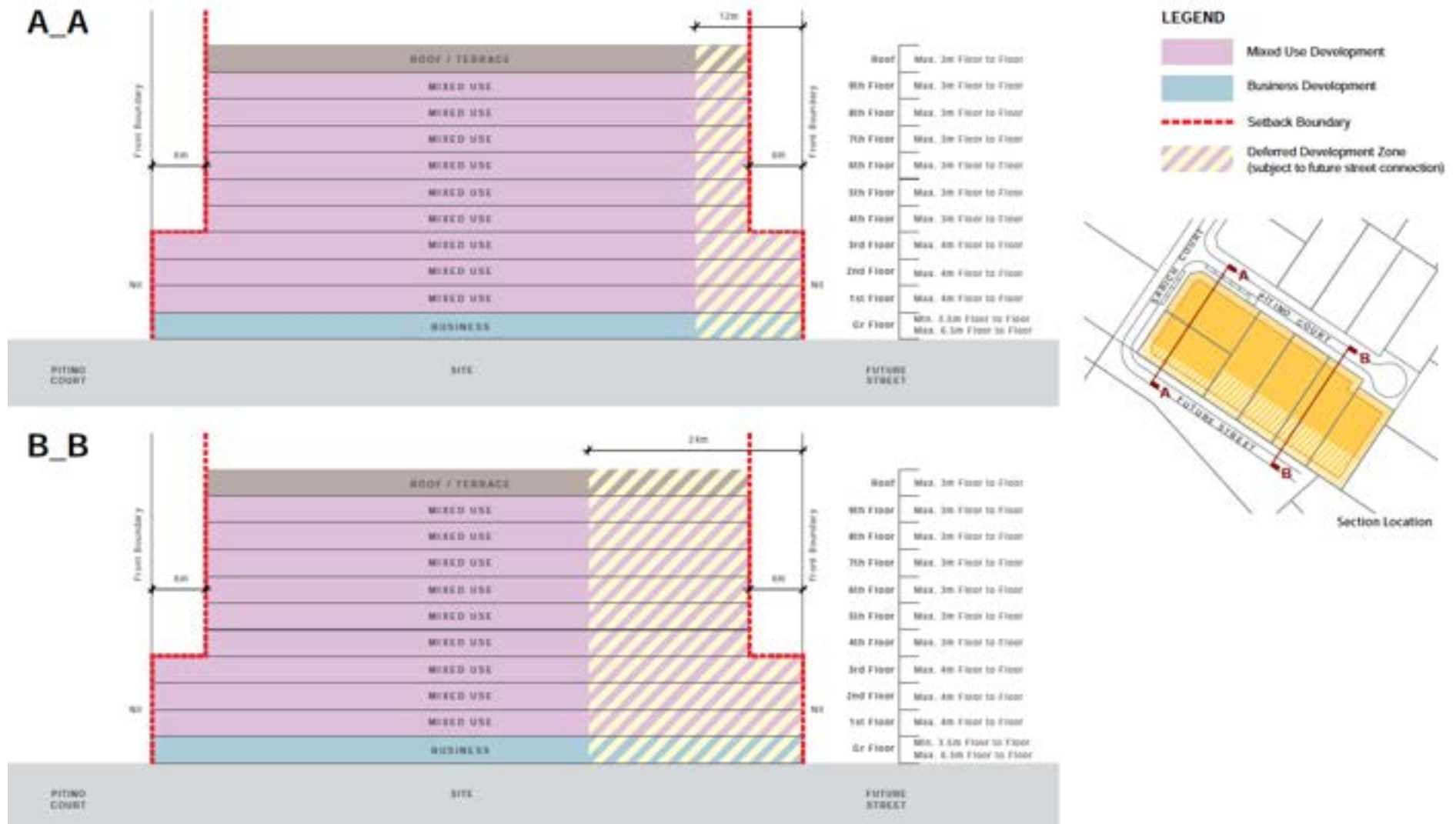


Figure 14 - Osborne Park Sub Precinct Area – A – Typical Lot Cross Section