

Enquiries: Ms Kyl Betteridge
Our Reference: LDP47

3 April 2019

Chappell Lambert Everett
PO Box 796
SUBIACO PO WA 6904

Dear Sir/Madam

**Proposed Osprey Waters LDP 3 - Modification
Lot 9511, 9515, 9517, 9521, No Old Coast Road ERSKINE**

I write with reference to your submission for the approval of a Local Development Plan (LDP) for the abovementioned subject lots.

An assessment of the Local Development Plan has been undertaken and in accordance with the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

In accordance with the provisions of Clause 52(1)(a) of the Deemed Provisions for Local Planning Schemes, the City of Mandurah has determined to approve the Local Development Plan.

An endorsed copy is endorsed for your records and the City will make arrangements for the Local Development Plan to be made available through its Geographic Information System online.

Should you have any queries regarding this matter please contact Ms Kyl Betteridge on 95503822 or via email Kyl.Betteridge@mandurah.wa.gov.au.

Yours sincerely



Aaron Lucas
**Coordinator
Planning Services**

Osprey Waters



LOCAL DEVELOPMENT PLAN 3



Legend

- Local Development Plan Boundary
- R20
- R25
- R40
- No vehicular access permitted
- Lots subject to Quiet House Design requirements - Package A
- R30
- R60
- Fencing and development to be setback 1m from laneway
- Lots subject to Quiet House Design requirements - Package B

Scale 1:5000

This Local Development Plan has been adopted by Council and signed by the Manager of Planning & Land Services

APPROVED LOCAL DEVELOPMENT PLAN LDP47

Manager of Planning & Land Services Date.....

City of Mandurah

(Delegated Officer)

R-CODE VARIATIONS

- The provisions of the Local Development Plan (LDP) constitute Residential Design Code (R-Code) 'Deemed-to-Comply' provisions. Where there is a conflict between the R-Codes and the LDP provisions, the LDP provisions shall prevail.
- Compliance with the 'Deemed-to-Comply' provisions will not require consultation with adjoining and / or nearby landowners.
- Modifications to the standards prescribed in this LDP shall require an R-Code variation application and be at the discretion of the Manager of Planning and Land Services.
- The LDP provisions apply to all lots below within the LDP boundary below.

Street Setback

1. For all lots coded R20, development shall have a minimum primary street setback of 3m to the dwelling and 2m to a verandah or porch, with no average setback requirement;
2. For all lots coded R25 and R30, development shall have a minimum primary street setback of 3m to the dwelling and 1m to a verandah or porch, with no average setback requirement;
3. For all lots coded R40 or higher, development shall have a minimum primary street setback of 2m to the dwelling and 1m to a verandah or porch, with no average setback requirement;
4. Garages must be setback a minimum of 1m behind the dwelling elevation including porches & verandahs. A garage on a secondary street is exempt from this additional setback requirement.

Side and Rear Boundary Setbacks

5. For lots coded R25 and higher, boundary walls are permitted to both sides of a lot behind the minimum street setback line as outlined in Table 1 below:

Description	Max. Wall Height	Max Wall Length
Dwelling - Single Storey	3.5m	No limit
Dwelling - Two Storey coded below R30	Not Permitted - setbacks as per R-Codes	Not permitted - setbacks as per R-Codes
Dwelling - Two Storey coded R30 and above	6.0m	15m

- Height to be measured from Natural Ground Level;
- For dwellings with a pitched roof, the height of walls on side boundaries may be increased to the top of the ridge line where this runs parallel to the front boundary and abuts a similarly configured wall or secondary street.

6. Boundary walls are not permitted to a secondary street.
7. For all lots identified with a blue line on the LDP with rear access to a laneway, development shall be setback a minimum of 1m from the laneway to provide for a landscape strip. In all other cases, garages shall be setback a minimum of 0.5m from the laneway to which it takes access.

Open Space

8. For all lots coded R20, site cover shall not exceed 55% of the site area;
9. For all lots coded R25, site cover shall not exceed 60% of the site area;
10. For all lots coded R30 and R40, site cover shall not exceed 70% of the site area;
11. For all lots coded R60, site cover shall not exceed 75% of the site area.
12. For all lots coded R30 and above, any portion of the outdoor living area which has permanent roof cover will be included as part of the site cover percentage for the lot

Vehicle Access

13. Lots abutting a laneway shall take sole vehicle access from that laneway with the exception of lots 194-199 (inclusive) which shall take primary vehicular access from Whistler Drive, and lot 193 which may have vehicular access from the laneway or Whistler Drive.

Garage Doors

14. For all lots without laneway access with a lot width of less than 12m at the street setback line, the garage door (internal dimension) may occupy up to 60% of the building frontage, where a separate street entrance (front door) is provided. The street entrance must be a minimum of 1m in front of the garages and a clear and dominant feature.

Visual Privacy

15. For lots coded R20-R40: Major openings and unenclosed outdoor active habitable spaces (balconies, verandahs, terraces or other outdoor living areas) which have a floor level more than 0.5m above natural ground level and which overlook any part of any other residential property behind its street setback line shall be setback in direct line of sight within a cone of vision from a boundary to a minimum 4.5m, or shall otherwise treat the opening or space to restrict overlooking by screening or treatment as outlined in the R-Code. This provision does not apply to R60 lots or where overlooking a lot to the south of the LDP area in which case the provisions of the R-Codes apply.

Solar Access for Adjoining Sites

16. In relation to lots coded R25 and above, the overshadowing provisions of the R-Codes do not apply except where the overshadowing affects a lot outside the LDP area.

Lots Abutting Public Open Space

17. Dwellings on lots adjoining public open space shall take their vehicle access from the laneway. Their primary visitor access (front door) shall be from the public open space other than for lot 182 which may take visitor (front door) access from the public open space, the laneway or the street.
18. Buildings shall be setback a minimum of 1.0m from the public open space boundary. Boundary walls are not permitted abutting the public open space.
19. Outbuildings are not permitted between the dwelling and the public open space unless designed as an integrated part and of the same material as the dwelling.
20. Dwellings on lots adjoining public open space must have a minimum of one habitable room with a major opening that has a clear view of the public open space.
21. All lots shall retain visually permeable fencing to the public open space boundary, to the specification and satisfaction of the City.
22. In addition to the standard clauses of the R-Codes relating to 'External Fixtures' and 'Utilities and Facilities', antennas, satellite dishes with a diameter of more than 1.5m and the like shall not be visible, and rubbish bin storage and clothes drying areas shall be screened from view, from the public open space adjoining the lot.

Quiet House Design

23. In addition to the above, those lots identified on the LDP shall comply with the appended 'Quiet House' design provisions.