

Name of area	Purpose	Additional provisions
Special Control Area 5 — Spencer Park Special Control Area	(1) The purpose of the Spencer Park Improvement Special Control Area is to facilitate mixed use development as part of an upgrade of the Spencer Park Neighbourhood Centre and enable higher residential densities surrounding the centre.	(1) For the land contained within the Spencer Park Improvement Special Control Area designated on the Scheme Map, the following provisions shall apply: a) <u>Whole Precinct</u> (i) Despite anything else in the Scheme, a Structure Plan and/or Local Development Plan is to be prepared in accordance with the <i>Planning and Development) Local Planning Schemes) Regulations 2015</i> of the Scheme before any subdivision or development of land within the Spencer Park Special Control Area may occur. (ii) The Structure Plan is to define: (1) Precinct and sub-precinct boundaries; (2) Precinct and sub-precinct character statements; (3) Whole of precinct objectives for each element; and (4) Development provisions by sub-precinct. (iii) All development within the Spencer Park Special Control Area shall demonstrate, to the satisfaction of the local government, consistency with both the relevant sub-precinct provisions and the Structure Plan and/or Local Development Plan objectives. Where any objective conflicts with the relevant sub-precinct development provisions, the development provisions shall take precedence. (iv) Overall Built Form Design Requirements: (1) All service areas shall be screened from view from the adjacent street (not including ROWs); (2) All openings to adjacent streets shall be of a vertical proportion of at least 2:1, or composed of similarly proportioned glazing panels; and (3) All street frontages shall incorporate at least two wall materials or colours to provide visual interest. (v) Floorspace Limits - Retail developments in the Spencer Park Improvement Special Control Area are subject to overall net lettable area floorspace limits for the Spencer Park Neighbourhood Centre under clause 33 (Table 17) of the Scheme. (vi)

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		(b) <u>Central Sub-Precinct</u> (i) The land within the Central Sub-Precinct is designated on the Scheme Map as R80. (ii) Notwithstanding those land uses generally permissible under Table 3: Zoning Table, within the Central Sub-Precinct the following uses are 'D' discretionary uses: (1) Child Care Premises (2) Club Premises (3) Consulting Rooms (4) Fast Food Outlet (5) Lunch Bar (6) Hotel (7) Medical Centre (8) Multiple Dwelling (9) Office (10) Restaurant/Cafe (11) Shop (12) Tavern (iii) Notwithstanding those land uses generally permissible under Table 3: Zoning Table, within the Central Sub-Precinct, a 'Single House' is 'X' not permitted: (iv) The following general provisions apply in the Central Sub-precinct: (1) Residential development is to achieve a density greater than the R60 density code. (2) Maximum plot ratio: 1.75:1 (3) Height: Maximum of 3 storeys with a maximum building height of 12 m as per Category C in Table 3 of the R-Codes. (4) Variations to the maximum heights will only be considered where ground floor heights are increased to facilitate commercial use in mixed use buildings. The maximum increase in such cases shall be 1 m. (5) Minimum setbacks from primary and secondary streets: (a) Non-residential uses and any floors above: Nil

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		(b) Ground floor residential and any floors above: 2.5 m (c) Side/rear setbacks: Nil (d) Vehicle access: (6) Only from ROW where available. Where access from a ROW is not possible, vehicle crossovers for car parking shall be limited to 1 per street for each lot. (7) On-site car parking provision: (a) Retail: 1 bay per 25 m² GFA (b) Other commercial: 1 bay per 30 m² (c) Residential: .5 bays per dwelling (of which 1 bay shall be assigned for each dwelling) (8) Landscaping: In lieu of minimum on-site provision, a development contribution shall be made to the local government towards landscaping upgrades in the adjacent streets at a prescribed rate per m² of site area. (9) Built Form Design Requirements: (a) Ground floor commercial uses shall incorporate full height glazing (floor level to at least 2.4 m above floor level) for 75% of the building frontage to adjacent streets. (b) All commercial street frontages built to within 2.5m of the front boundary shall incorporate a verandah or roof overhang to provide pedestrian shelter over the adjacent footpath with a minimum footpath overhang of 3 m and a minimum height of 3 m. (10) Additional 'Main Street' Sub-precinct provisions: The following additional provisions shall apply to development fronting Hardie Road (between Angove Road and Mokare Road): (a) No residential uses shall be permitted at ground floor level; (b) Ground floor commercial uses shall incorporate full height glazing (floor level to at least 2.4 m above floor level) for 85% of the building frontage to adjacent streets; (c) All ground floor tenancies must have a primary entrance to Hardie Road; and

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		(d) An additional development contribution for landscaping shall apply at a prescribed rate per linear metre of street frontage to Hardie Road. (c) <u>Mixed Use Sub-Precinct</u> (i) The land within the Mixed Use Sub-Precinct is designated on the Scheme Map as R60 (Mixed Use zone). (ii) Notwithstanding those land uses generally permissible under Table 3: Zoning Table, within the Mixed Use Sub-Precinct the following land uses are 'D' discretionary uses: (1) Consulting Rooms (2) Home Business (3) Medical Centre, (4) Office (limited to a maximum net lettable area of 150 m² per unit) (5) Single House (iii) Notwithstanding those land uses generally permissible under Table 3: Zoning Table, within the Central Sub-Precinct the following uses are 'X' not permitted: (1) Residential development below the density of the R40 residential density code. (iv) The following general provisions apply in the Mixed Use Sub-Precinct: (1) Maximum plot ratio: 1.5:1 (2) Height: Maximum of 3 storeys with a maximum building height of 12 m as per Category C in Table 3 of the R-Codes. (3) Variations to the maximum heights will only be considered where ground floor heights are increased to facilitate commercial use in mixed use buildings. The maximum increase in such cases shall be 1 m. (4) Minimum Setbacks: Primary and Secondary Streets: 2.5 m; Side: Nil; Rear: 4.5 m (except for ROWs). (5) Vehicle Access: Only from ROW where available. Where access from a ROW is not possible, vehicle crossovers shall be limited to 1 per street for each lot. Part of Lots 28 & 29 Pretious Street/Hardie Road shall be reserved for a public laneway.

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		(6) On-site Car Parking: (a) Commercial: 1 bay per 30 m² net lettable area (b) Residential: 1.5 bays per dwelling (of which 1 bay shall be assigned for each dwelling) (7) Landscaping: In lieu of minimum on-site provision, a development contribution shall be made to the local government towards landscaping upgrades in the adjacent streets at a prescribed rate per m² of site area. (8) Built Form Design Requirements: (a) Ground floor commercial uses shall incorporate full height glazing (floor level to at least 2.4 m above floor level) for 60% of the building frontage to adjacent streets. (b) All commercial street frontages built to within 2.5 m of the front boundary shall incorporate a verandah or roof overhang to provide pedestrian shelter over the adjacent footpath with a minimum footpath overhang of 3 m and a minimum height of 3 m. (c) Development of a Single House on a lot shall only be permitted where: • In the opinion of the local government, it is consistent with the sub-precinct objectives; • Design and location on the lot is such that further development of the site to achieve the required minimum (R40) density over the lot is not compromised; • An area suitable for or adaptable to a home-based workspace or office is incorporated at street level; and • If subdivision is proposed, construction is completed to plate height prior to Commission approval of a Deposited Plan or Strata Plan.

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		(c) <u>Residential Inner-Frame Sub-Precinct</u> (i) The land within the Residential Inner-Frame Sub-Precinct is designated on the Scheme Map as R60 (IF). (ii) Notwithstanding those land uses generally permissible under Table 3: Zoning Table, within the Residential Inner-Frame Sub-Precinct the following land uses are 'D' discretionary uses: Single House (iii) Notwithstanding those land uses generally permissible under Table 3: Zoning Table, within the Residential Inner-Frame Sub-Precinct the following land uses are 'X' not permitted: Residential development below the density of the R40 residential density code. (iv) The following general provisions apply in the Residential Inner-Frame precinct: (1) Maximum plot ratio 1:1 (2) Height: Maximum of 3 storeys with a maximum building height of 12 m as per Category C in Table 3 of the R-Codes. (3) Minimum Setbacks: (a) Primary Street: 4 m (b) Secondary Street: 1.5 m (c) Side/Rear: as per the R-Codes (4) Vehicle Access: (a) Vehicle crossovers shall be limited to 1 per street (not including ROWs) for each lot. (5) On-site Car Parking: (a) As per the R-Codes. (6) Landscaping: (a) In lieu of minimum on-site provision, a development contribution shall be made to the local government towards landscaping upgrades in the adjacent streets at a prescribed rate per m² of site area. (7) Development of a Single House: (a) Development of a Single House on a lot shall only be permitted where: (i) In the opinion of the local government, it is consistent with the sub-precinct objectives;

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		(ii) Design and location on the lot is such that further development of the site to achieve the required minimum (R40) density over the lot is not compromised; (iii) An area suitable for or adaptable to a home-based workspace or office is incorporated at street level; and (iv) If subdivision is proposed, construction is completed to plate height prior to Commission approval of a Deposited Plan or Strata Plan. (d) <u>Residential Outer-Frame Sub-Precinct</u> (i) The land within Residential Outer-Frame Sub-Precinct is designated on the Scheme Map as R40 (OF). (ii) Notwithstanding those land uses generally permissible under Table 3: Zoning Table, within the Residential Outer-Frame Sub-Precinct the following land uses are 'D' discretionary uses: Single House (iii) Notwithstanding those land uses generally permissible under Table 3: Zoning Table, within the Residential Outer-Frame Sub-Precinct the following land uses are 'X' not permitted: Residential development below the density of the R30 residential density code. (iv) The following general provisions apply in the Residential Outer-Frame Sub-Precinct: (1) Plot Ratio: As per the R-Codes (2) Height: 2 storeys as per Category B in Table 3 of the R-Codes (3) Setbacks: As per the R-Codes for the R40 residential density code (4) Vehicle Access: As per the R-Codes (5) On-site Car Parking: As per the R – Codes (6) Fencing: As per the R-Codes