





BURNS BEACH

## PLAN 1 - STRUCTURE PLAN

Burns Beach

NORTH

Scale: 1:8000 @ A3

0 80 160 240m

PLAN: PACBB-2-004  
DATE: 11/12/2020  
PROJECTION: PCG 94  
DATUM: AHD

REVISION: A  
DRAWN: JP  
PLANNER: JH  
CHECK: JH

**cdp**

Town Planning & Urban Design

Unit 2, 464 Murray Street  
Perth WA 6000  
(08) 6333 1888  
info@cdpau.com.au  
www.cdpau.com.au

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# ATTACHMENT 3



Attachment 3

## PROPOSED SUBDIVISION AREAS

Northern Design Precinct, BURNS BEACH

A Peet Limited Project


NORTH  
Scale: 1:2500 @ A3  
0 25 50 75m  
PLAN: PACBB-1-052  
DATE: 12/02/2021  
PROJECTION: PG 94  
DATUM: AHD  
REVISION: D  
DRAWN: JP  
PLANNER: BK  
CHECK: JH


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Attachment 4


LEGEND


 LOCAL DEVELOPMENT PLAN BOUNDARY


 RESIDENTIAL R25


 RESIDENTIAL R40


 RESIDENTIAL R60


 CORNER LOT DESIGN


 PRIMARY DWELLING ORIENTATION

 DESIGNATED GARAGE LOCATION

 RETAINING WALL

 NO VEHICLE ACCESS

 UNIFORM ESTATE FENCING


 BAL AFFECTED LOTS  
Asset Protection Zone setbacks may apply subject to detailed Bushfire Attack Level Assessment




LOCAL DEVELOPMENT PLAN

Northern Design Precinct, BURNS BEACH Page 1 of 3

A Peet Limited Project

  
NORTH

  
Scale: 1:2500 @ A3  
0 25 50 75m

PLAN: PACBB-4-006  
DATE: 31/03/2021  
PROJECTION: PCG 94  
DATUM: AHD

REVISION: A  
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## LOCAL DEVELOPMENT PLAN REQUIREMENTS

This Local Development Plan (LDP) and requirements detailed below relate to the Western Australian Planning Commission (WAPC) approved subdivision of Lot 9028 Marmion Avenue, Burns Beach (WAPC Reference(s): 156568, 159269, 159851 & 160429) – relating to the Burns Beach Local Structure Plan’s Northern Residential Precinct.

**This LDP applies to the development of Single Houses only.** Single Houses that are compliant with the provisions of this LDP and any relevant deemed-to-comply provisions of the Residential Design Codes (R-Codes) do not require an application for development approval. An application for development approval is required for Grouped Dwellings and Multiple Dwellings.

Where a development standard is specifically stipulated within this LDP, that standard prevails over the requirements of the R-Codes, and any other requirements of LPS3. For all other matters not addressed in the LDP, the requirements of the R-Codes, Burns Beach Structure Plan, local and state planning policies apply where relevant.

The proposed R-Codes densities as illustrated on plan conform to the densities in the corresponding WAPC subdivision approval(s). These densities supersede those designated within the approved Burns Beach Local Structure Plan.

This Local Development Plan amends/replaces/augments the following ‘deemed-to-comply’ provisions of the Residential Design Codes, in accordance with clause 7.3.1 of the R-codes.

Development Standard	‘Deemed to comply’ R-Codes Provision	Amend/ Replace/Augment	Local Development Plan ‘deemed-to-comply’ provision <i>NB. Provisions sourced from R-MD Codes unless otherwise stated below.</i>
<b>Open Space and Outdoor Living Areas</b>	5.1.4 C4 5.3.1 Table 1 – Provision 6	Replace	<ul style="list-style-type: none"><li>– Minimum 10% of the lot area or 20m<sup>2</sup> (whichever is the <u>greater</u>), directly accessible from a habitable room of the dwelling and located behind the street setback area.</li><li>– At least 70% of the OLA must be uncovered and includes areas under eaves which adjoin covered areas.</li><li>– OLA has minimum 3m length or width dimension.</li><li>– No other R-Codes site cover standards apply.</li></ul>
<b>Plot Ratio (R60)</b>	Burns Beach LSP Land Use General Provisions 9.2 I	Replace	No Plot ratio applies to R60 Single Houses – refer Open Space and Outdoor Living Area provisions above.
<b>Street Surveillance</b>	5.2.3 C3.1, C3.2	Augment	(Per Burns Beach LSP) <b>All Corner lot dwellings</b> must be designed to address both the primary and secondary street. This can be achieved by the following: <ul style="list-style-type: none"><li>– habitable rooms and major openings facing both the primary and secondary street.</li><li>– reducing the fencing along the secondary street boundary so that it is located at least 4m behind the front building line.</li><li>– open style fencing along the front portion of the secondary street boundary.</li></ul>
<b>Building Height</b>	5.1.6 C6 Table 3 – Maximum building heights	Augment	(Per Burns Beach LSP) Dwellings shall be constructed to a maximum height of 2-storeys with loft areas within the roof space permitted. The maximum building height measured from natural ground level shall be: <ul style="list-style-type: none"><li>– Maximum wall height (with pitched roof) – 6.5m</li><li>– Maximum total height to roof ridge – 9.5m</li><li>– Maximum wall and total height (parapet wall with concealed roof) – 7.5m</li></ul>
<b>Street Walls and Fences</b>	5.2.4 C4	Augment	(Per Burns Beach LSP) The maximum height of non-permeable front fencing, inclusive of retaining walls, is limited to 1.3m above the midpoint of the verge that it fronts and immediately adjacent to the lot. Any designated uniform estate fencing/retaining on private lots shall not be modified without written approval from the City of Joondalup and shall be maintained as visually permeable by landowners, where applicable.
<b>Site Works</b>	5.3.7 C7.1	Replace	(Per Burns Beach LSP) The ground lot level of each lot shall be +1/-0.5m from the level of the verge at the front of the lot, measured from the mid-point of the frontage of the lots. Lots with rear laneway access that are required to be accessed from the rear lane may be permitted to substitute +/- 2m in lieu of +1/-0.5m.
<b>Garage Width</b>	5.2.2 C2	Augment	(Per Burns Beach LSP) A garage door and its supporting structures (or a garage wall where a garage is aligned parallel to the street) facing the primary street is not to occupy more than 50 per cent of the width of the lot, as measured 4.5 metres from the primary street. <ul style="list-style-type: none"><li>– This may be increased to 60 per cent where the main entry (front door) and a major opening are included in the primary street elevation of a dwelling.</li><li>– This may be increased to 75 per cent of the width where the main entry and a major opening is included on the primary street elevation of the ground floor and an upper floor or balcony extends for the full width of the garage.</li></ul>
<b>Vehicular Access</b>	5.3.5 C5.1	Augment	<b>Front-Loaded Lots</b> Restricted vehicle access and/or designated garage locations apply to lots identified as shown on the Local Development Plan. Designated garage locations do not prescribe boundary walls, but reference the side of the lot to which the garage must be located to address site retaining, service infrastructure and other identified site constraints. Garages on corner lots are not mandated to be accessed from the secondary street. <b>Rear Loaded (Laneway) Lots</b> Where vehicular access is available from a dedicated rear laneway or internal private driveway, vehicular access and garage location must be from the rear laneway or internal private driveway.

# LOCAL DEVELOPMENT PLAN

Northern Design Precinct, BURNS BEACH Page 2 of 3

A Peet Limited Project

PLAN: PACBB-4-006  
DATE: 31/03/2021  
PROJECTION: PCG 94  
DATUM: AHD

REVISION: A  
DRAWN: JP  
PLANNER: MT  
CHECK: JH



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Perth WA 6000  
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Street Setbacks	5.1.2 C2.1 – C2.4 (inclusive)	Replace	<b>R-MD – 25</b> 3.0m minimum, no average 1.5m to porch / veranda, no maximum length 1.5m minimum to secondary street	<b>R-MD – 40</b> 2.0m minimum, no average 1.5m to porch / veranda, no maximum length 1.0m minimum to secondary street Laneways: <ul style="list-style-type: none"><li>– 1.0m minimum to rear boundary (ground floor only).</li><li>– 1.0m minimum visual truncation to garage opening.</li><li>– Nil setback to rear boundary (first floor).</li></ul>	<b>R-MD – 60</b> 2.0m minimum, no average 1.0m to porch / veranda, no maximum length 1.0m minimum to secondary street. Laneways: <ul style="list-style-type: none"><li>– 1.0m minimum to rear boundary (ground floor only).</li><li>– 1.0m minimum visual truncation to garage opening.</li><li>– Nil setback to rear boundary (first floor).</li></ul>
			NB. Secondary Street setbacks shall apply to walls siding a <b>Public Access Way (PAW)</b> .		
Garage Setbacks	5.2.1 C1.1 - C1.5 (inclusive)	Augment	<b>All Front Loaded Lots</b> 4.5m garage setback from the primary street and 1.5m from a secondary street. Garage setback to the primary street may be reduced to 4.0m where an existing or planned footpath or shared path is located more than 0.5m from the street boundary. For front loaded lots with street frontages between 10.5m and 12m, double garage is permitted to a maximum width of 6m as viewed from the street: subject to: <ul style="list-style-type: none"><li>– Garage setback a minimum of 0.5m behind the dwelling alignment;</li><li>– A major opening to a habitable room directly facing the primary street;</li><li>– An entry feature consisting of a porch or veranda with a minimum of 1.2m; and</li><li>– No vehicular crossover wider than 4.5m where it meets the street.</li></ul> Lots with a frontage less than 10.5m or not compliant with above require single or tandem garaging. <b>All Rear Loaded (Laneway) Lots</b> 1.0m garage setback to laneway		
Lot Boundary Setbacks	5.1.3 C3.1, C3.2	Replace	<b>R-MD – 25</b> 1.2m for wall height 3.5m or less with major openings 1.0m for wall height 3.5m or less without major openings Boundary Walls – to both side boundaries subject to: <ul style="list-style-type: none"><li>– 2/3 length to one side boundary,</li><li>– 1/3 max length to second side boundary for wall height 3.5m or less.</li></ul>	<b>R-MD – 40</b> 1.2m for wall height 3.5m or less with major openings 1.0m for wall height 3.5m or less without major openings Boundary Walls – to both side boundaries subject to: <ul style="list-style-type: none"><li>– no maximum length to one side boundary,</li><li>– 2/3 max length to second side boundary for wall 3.5m or less.</li></ul>	<b>R-MD – 60</b> 1.2m for wall height 3.5m or less with major openings 1.0m for wall height 3.5m or less without major openings Boundary Walls – No maximum length to both side boundaries.
Privacy	5.4.1 C1.1	Replace	<b>R-MD – 25</b> R-Codes clause 5.4.1 C1.1 applies, however, the setback distances are: <ul style="list-style-type: none"><li>– 3m to bedrooms and studies,</li><li>– 4.5m to major openings to habitable rooms other than bedrooms and studies, and</li><li>– 6m to unenclosed outdoor active habitable spaces.</li></ul>	<b>R-MD – 40</b> Per R-MD – 25 provisions	<b>R-MD – 60</b> No privacy provisions apply.
Solar Access for adjoining sites	5.4.2 C2.1, C2.2	Replace	<b>R-MD – 25</b> As per R-MD 40, however, if overshadowing intrudes into rear half of the lot, shadow cast does not exceed 35%.	<b>R-MD – 40</b> <ul style="list-style-type: none"><li>– No maximum overshadowing for wall height less than 3.5m or less.</li><li>– No maximum overshadowing for wall height greater than 3.5m where overshadowing is confined to the front half of the lot.</li><li>– If overshadowing intrudes into rear half of the lot, shadow cast does not exceed 35%.</li></ul>	<b>R-MD – 60</b> No maximum overshadowing.

LOCAL DEVELOPMENT PLAN

Northern Design Precinct, BURNS BEACH Page 3 of 3

A Peet Limited Project

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## Comparison Table

## ATTACHMENT 5

# BURNS BEACH LOCAL DEVELOPMENT PLAN

Development Standard	Current requirement (Burns Beach Structure Plan or R-Codes)	Proposed LDP 'deemed-to-comply' provision	Comment
Open space	<u>R-Codes requirement:</u> R25 - 50%  <u>Burns Beach Structure Plan requirement:</u> R40 and R60 - 35%	<u>R-MD requirement:</u> R25 to R60 Minimum 10% of the lot area or 20m <sup>2</sup> (whichever is greater), directly accessible from a habitable room of the dwelling and located behind the street setback area.  At least 70% of the OLA must be uncovered and includes areas under eaves which adjoin covered areas.  OLA has a 3m minimum length or width dimension.  No other R-Codes site cover standards apply.	Considered acceptable as the provisions are as per the WAPC approved R-MD Codes.
Outdoor living area (OLA)	<u>R-Codes requirement:</u> 4m minimum dimension R25 - 30m <sup>2</sup> R40 - 20m <sup>2</sup> R60 - 16m <sup>2</sup>		
Plot ratio (R60)	<u>Burns Beach Structure Plan requirement:</u> 0.85	No plot ratio applies	Considered acceptable as the open space and outdoor living provisions control dwelling size.
Street surveillance	<u>Burns Beach Structure Plan requirement:</u> All corner lot dwellings must be designed to address both the primary and secondary street. This can be achieved by the following: <ul style="list-style-type: none"> <li>• habitable rooms and major openings facing both the primary and secondary street.</li> <li>• reducing the fencing along the secondary street boundary so that it is located at least 4m behind the front building line.</li> <li>• open style fencing along the front portion of the secondary street boundary.</li> </ul>	Same requirement.	
Building height	<u>Burns Beach Structure Plan requirement:</u> Maximum wall height (with pitched room) – 6.5m Maximum height to roof ridge – 9.5m	Same requirement.	

Comparison Table

Attachment 5

	Maximum wall and total height (parapet with concealed roof) – 7.5m		
Street walls and fences	<u>Burns Beach Structure Plan requirement:</u> The maximum height of non permeable front fencing, inclusive of retaining walls, is limited to 1.3m above the midpoint of the verge that it fronts and immediately adjacent to the lot.	Same requirement.	
Site works	<u>Burns Beach Structure Plan requirement:</u> The finished level of the lot shall be +1/-0.5m from the level of the verge at the front of the lot, measured from the mid-point of the frontage of the lots. Lots with rear laneway access that are required to be accessed from the rear lane may be permitted to substitute +/-2m in lieu of +1/-0.5m.	Same requirement.	
Garage width	<u>R-Codes (as modified by the Residential Development Local Planning Policy) requirements:</u> A garage door and its supporting structures (or a garage wall where a garage is aligned parallel to the street) facing the primary street is not to occupy more than 50 per cent of the width of the lot, as measured 4.5 metres from the primary street. <ul style="list-style-type: none"> <li>• This may be increased to 60 per cent where the main entry (front door) and a major opening are included in the primary street elevation of a dwelling.</li> <li>• This may be increased to 75 per cent of the width where the main entry and a major opening is included on the primary street elevation of the ground floor and an upper floor or balcony extends for the full width of the garage.</li> </ul>	Same requirement.	This provision is not located in the Burns Beach Structure Plan or the R-MD Codes. It is recommended that this provision be removed.
Vehicular access Front-Loaded Lots	<u>R-Codes requirement:</u> Access to onsite car parking spaces to be provided: <ul style="list-style-type: none"> <li>• where available, from a communal street or right-of-way available for lawful use to access the relevant site and which is adequately paved and drained from the property boundary to a constructed street; or</li> </ul>	Restricted vehicle access and/or designated garage locations apply to lots identified as shown on the Local Development Plan. Designated garage locations do not prescribe boundary walls, but reference the side of the lot to which the garage must be located to address site retaining, service infrastructure and other identified site constraints.	The designated garage locations are considered to be acceptable and take into account the anticipated earthworks, servicing and retaining requirements.

# Comparison Table

# Attachment 5

Rear Loaded (Laneway) Lots	<ul style="list-style-type: none"> <li>from a secondary street where no right-of-way or communal street exists; or</li> <li>from the primary street frontage where no secondary street, right-of-way or communal street exists.</li> </ul> <p><u>Burns Beach Structure Plan requirement:</u> R40 and R60 Where vehicular access is available from a dedicated rear laneway or internal private driveway, vehicular access and garage location must be from the rear laneway or internal private driveway.</p>	<p>Garages on corner lots are not mandated to be accessed from the secondary street.</p> <p>Same requirement.</p>	
Street setbacks	<p><u>R-Codes requirement:</u></p> <p>R25 6.0m average, 3.0m minimum 1.5m to secondary street</p> <p>R40 4.0m average, 2.0m minimum 1.5m to secondary street</p> <p>R60 2.0m average, 1.0 minimum 1.5m to secondary street</p>	<p><u>R-MD requirement:</u></p> <p>R25 3.0 minimum 1.5m to porch/verandah, no maximum length 1.5m to secondary street</p> <p>R40 2.0 minimum, no average 1.5m to porch/verandah, no maximum length 1.0m to secondary street</p> <p>R60 2.0 minimum, no average 1.0m to porch/verandah, no maximum length 1.0m to secondary street</p>	<p>Considered acceptable as the provisions are as per the WAPC approved R-MD Codes.</p>
Garage setbacks Front Loaded Lots	<p><u>R-Codes requirement:</u> Garages setback 4.5, from the primary street except that the setback may be reduced:</p> <ol style="list-style-type: none"> <li>in accordance with Figure 8b where the garage adjoins a dwelling provided the garage is at least 0.5m behind the dwelling alignment (excluding any porch, verandah, or balcony); or</li> <li>to 3m where the garage allows vehicles to be parking parallel to the street. The wall parallel to the street must include openings.</li> </ol>	<p><u>R-MD requirement:</u> 4.5m garage setback from the primary street and 1.5m from a secondary street. Garage setback to the primary street may be reduced to 4.0m where an existing or planned footpath or shared path is located more than 0.5m from the street boundary. For front loaded lots with street frontages between 10.5m and 12m, double garage is permitted to a</p>	<p>Considered acceptable as the provisions are as per the WAPC approved R-MD Codes.</p>

Rear Loaded (Laneway) Lots	<p><u>R-Codes requirement:</u> Garages and carports built up to the boundary abutting a private street or right-of-way which is not the primary or secondary street boundary for the dwelling, with manoeuvring space of a least 6m, located immediately in front of the opening to the garage or carport and permanently available.</p>	<p>maximum width of 6m as viewed from the street: subject to:</p> <ul style="list-style-type: none"> <li>• Garage setback a minimum of 0.5m behind the dwelling alignment;</li> <li>• A major opening to a habitable room directly facing the primary street;</li> <li>• An entry feature consisting of a porch or veranda with a minimum of 1.2m; and</li> <li>• No vehicular crossover wider than 4.5m where it meets the street.</li> </ul> <p>Lots with a frontage less than 10.5m or not compliant with above require single or tandem garaging.</p> <p><u>R-MD requirement:</u> 1.0m garage setback to laneway</p>	
Lot boundary setbacks	<p><u>R-Codes requirement:</u> R25 1.5m for wall height 3.5m or less with major openings 1.0m for wall height 3.5m or less without major openings for a wall length of 14m</p> <p><u>Burns Beach Structure Plan requirement:</u> R40-R60 For side boundaries not subject to a nil setback, and where a side wall contains a major opening to a habitable room (but excluding a bedroom or enclosed swimming pool), the minimum side setback to be 2m</p>	<p><u>R-MD requirement:</u> R25 – R60 1.2m for wall height 3.5m or less with major openings 1.0m for wall height 3.5m or less without major openings</p>	Considered acceptable as the provisions are as per the WAPC approved R-MD Codes.
Boundary walls	<p><u>R-Codes requirement:</u> R25 Walls not higher than 3.5m, up to a maximum length of the greater of 9m or one-third the length of the balance of the site boundary behind the front setback up to two site boundaries</p>	<p><u>R-MD requirement:</u> R25 Walls to both side boundaries subject to: 2/3 length to one side boundary, 1/3 max length to second side boundary for wall height 3.5m or less.</p>	

## Comparison Table

## Attachment 5

	<u>Burns Beach Structure Plan requirement:</u> R40 and R60 Solar accessible courtyards are required. A nil setback onto a nominated side boundary is permitted to facilitate this (excluding street setbacks) For north-south lots the nil setback shall be on the western boundary For east-west lots the nil setback shall be on the southern boundary Walls not higher than 3.5m for 2/3 the length of the balance of the site boundary behind the front setback	R40 Walls to both side boundaries subject to: no maximum length to one side boundary, 2/3 max length to second side boundary for wall 3.5m or less.  R60 No maximum length to both side boundaries.	
Privacy	<u>R-Codes requirement:</u> R25 and R40 Major openings to bedrooms and studies setback 4.5m Major openings to habitable rooms other than bedrooms and studies setback 6.0m Unenclosed outdoor active habitable spaces setback 7.5m  R60 Major openings to bedrooms and studies setback 3m Major openings to habitable rooms other than bedrooms and studies setback 4.5m Unenclosed outdoor active habitable spaces setback 6m	<u>R-MD requirement:</u> R25 and R40 Major openings to bedrooms and studies setback 3m Major openings to habitable rooms other than bedrooms and studies setback 4.5m Unenclosed outdoor active habitable spaces setback 6m  R60 No privacy provisions apply	Considered acceptable as the provisions are as per the WAPC approved R-MD Codes.
Solar access for adjoining sites	<u>R-Codes requirement:</u> R25 25% of site area  R40 35% of site area	<u>R-MD requirement:</u> R25 As per R-MD 40, however, if overshadowing intrudes into rear half of the lot, shadow cast does not exceed 35%.  R40 No maximum overshadowing for wall height less than 3.5m or less. No maximum overshadowing for wall height greater than 3.5m where overshadowing is confined to the front half of the lot.	Considered acceptable as the provisions are as per the WAPC approved R-MD Codes.

# Comparison Table

Attachment 5

	R60 50% of site area	If overshadowing intrudes into rear half of the lot, shadow cast does not exceed 35%.  R60 No maximum overshadowing.	
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**BURNS BEACH LOCAL DEVELOPMENT PLAN**

No.	Provision	Issue	Recommended modification
1.	Legend	There are no retaining walls identified on the draft LDP plan	- Remove 'retaining wall' from the legend
2.	Legend	A notification is required to be placed on the certificate of title for all BAL affected lots	- Remove 'BAL affected lots' from the legend
3.	Local Development Plan Requirements	Missing word in paragraph four of the local development plan requirements	- Insert the word 'the' between 'illustrated on' and 'plan' in paragraph four of the local development plan requirements
4.	Garage width	Garage width is an R-Code provision, not a <i>Burns Beach Structure Plan</i> or R-MD Code provision	- Delete the row 'Garage Width'
5.	Building Height	The dwelling heights proposed in the LDP replace those in the structure plan and R-Codes, they are not in addition to those requirements	- Change 'augment' to 'replace'
6.	Street Walls and Fences	The provisions proposed in the LDP replace those in the structure plan and R-Codes, they are not in addition to those requirements	- Change 'augment' to 'replace'