

DA Selection Criteria
Community Facility Development Code
General Development Controls
Merit Track Statement

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| DA: 202341854 | Client: GOODWIN Aged Care | 15 Cockcroft Ave |
| Block: 7 | Section: 50 | Monash |
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Table A1 – Development codes applicable to development and uses in community facility zone

| DEVELOPMENT / USE | THIS CODE | SINGLE DWELLING HOUSING DEVELOPMENT CODE | MULTI UNIT HOUSING DEVELOPMENT CODE |
|-------------------------------------|-----------|--|--|
| ancillary use | ✗ | | |
| business agency | ✗ | | |
| child care centre | ✗ | | |
| community activity centre | ✗ | | |
| community theatre | ✗ | | |
| consolidation | ✗ | | |
| cultural facility | ✗ | | |
| demolition | ✗ | | |
| educational establishment | ✗ | | |
| emergency services facility | ✗ | | |
| health facility | ✗ | | |
| hospital | ✗ | | |
| indoor recreation facility | ✗ | | |
| lease variation | ✗ | | |
| minor use | Y | | |
| office | ✗ | | |
| outdoor recreation facility | ✗ | | |
| parkland | ✗ | | |
| place of worship | ✗ | | |
| public agency | ✗ | | |
| religious associated use | ✗ | | |
| residential care accommodation | ✗ | Y3 | Y4 |
| retirement village | Y | | |
| sign | ✗ | | |
| subdivision | ✗ | | |
| supportive housing | ✗ | Y3 | Y4 |
| temporary use | ✗ | | |
| 1 scientific research establishment | ✗ | | |
| 2 agriculture | ✗ | | |

Element 1: Restrictions on use

| Rules | Criteria | Response |
|--|---|--|
| 1.1 Supportive housing | | |
| <p>R1</p> <p>Development for <i>supportive housing</i> complies with all of the following:</p> <ul style="list-style-type: none"> a) the occupation of individual <i>dwellings</i> in a <i>supportive housing</i> complex is restricted by the lease to persons in need of support b) the site has not been identified in a suburb precinct code as being prohibited for <i>supportive housing</i> c) all dwellings comply with Class 'C' of <i>Australian Standard AS4299 – Adaptable Housing</i>. d) subdivision of a lease developed for <i>supportive housing</i>, including subdivision under the Unit Titles Act 2001, is not permitted. | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>N/A Storage Shed</p> |
| 1.2 Retirement village | | |
| <p>R2</p> <p>Development for <i>retirement village</i> complies with all of the following:</p> <ul style="list-style-type: none"> a) the site has not been identified in a suburb precinct code as being prohibited for retirement village b) Subdivision of a lease developed for retirement village, including subdivision under the <i>Unit Titles Act 2001</i>, is not permitted | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Storage Shed for Retirement Village</p> |

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| c) all dwellings comply with Class 'C' of Australian Standard AS4299 – Adaptable Housing. | | |
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| Rules | Criteria | |
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| 1.3 Business agency, office, public agency | | |
| R3 This rule applies to any of the following: <ul style="list-style-type: none"> i) business agency ii) office iii) public agency located within a surplus former ACT Government building. The maximum lease term is 5 years | This is a mandatory requirement. There is no applicable criterion. | N/A Not located within a surplus former ACT Government building. |
| R4 This rule applies to any of the following: <ul style="list-style-type: none"> i) business agency ii) office iii) public agency located in other than a surplus former ACT Government building. The use is conducted only by a not for profit organisation. | This is a mandatory requirement. There is no applicable criterion. | N/A, storage shed |

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| R5 This rule applies to any of the following: i) business agency ii) office iii) public agency located in other than a surplus former ACT Government building. The total gross floor area of all such uses does not exceed 400m ² . | C5 Business agencies, offices and public agencies are small scale. | N/A, storage shed |
| 1.4 Development proposals affected by approved lease and development conditions | | |
| R6 The development proposal complies with approved and current lease and development conditions applying to the site. Where there is an inconsistency between the lease and development conditions and the provisions of this code, the former shall take precedence, but only to the extent of the inconsistency. | C6 The development meets the intent of any approved and current lease and development conditions applying to the site. | N/A, storage shed located inside boundaries, no easements. |

Element 2: Building and site controls

In this element:

Desired character means the form of development in terms of siting, building bulk and scale, and the nature of the resulting *streetscape* that is consistent with the relevant zone objectives

| Rules | Criteria | |
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| 2.1 Building height | | |
| <p>R7</p> <p>The maximum building height is:</p> <p>a) for that part of the building within 30m of a <i>residential block</i> – the greater of the following:</p> <p>i) 2 storeys</p> <p>ii) the maximum number of storeys permitted on that <i>residential block</i></p> <p>b) in all other cases – the lesser of the following:</p> <p>i) 4 storeys ii) 15m height of building.</p> <p>For this rule:</p> <p>Residential block means a <i>block</i> that has at least one of the following characteristics –</p> <p>a) zoned residential</p> <p>b) affected by a lease which authorises residential use</p> <p>but does not include any land intended to remain as unleased Territory land or public open space.</p> | <p>C7</p> <p><i>Buildings</i> achieve all the following:</p> <p>a) consistency with the <i>desired character</i></p> <p>b) a scale appropriate to the proposed use</p> <p>c) reasonable separation from adjoining developments</p> <p>d) reasonable privacy for <i>dwellings</i> on adjoining <i>residential blocks</i></p> <p>e) reasonable privacy for <i>principal private open space</i> on adjoining <i>residential blocks</i></p> <p>f) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>principal private open space</i>.</p> | <p>Complies with all criteria a - f. The height is 4.8 metres to ridge, 3.0 to gutter.</p> |
| 2.2 Setbacks | | |

| <p>R8</p> <p>Minimum <i>setback</i> of <i>buildings</i> to boundaries of <i>blocks</i> in a residential zone is 6m.</p> | <p>C8</p> <p><i>Buildings</i> and other <i>structures</i> are sited to achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable separation from adjoining developments c) reasonable privacy for <i>dwellings</i> on adjoining <i>residential blocks</i> d) reasonable privacy for <i>principal private open space</i> on adjoining <i>residential blocks</i> | <p>Within all boundary setbacks and compliant with criteria a – d inclusive, storage shed located inside boundaries, no easements</p> |
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| Rules | Criteria | |
| | <p>e) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>principal private open space</i>.</p> | <p>Does not overshadow any neighbours.</p> |
| 2.3 Storage | | |
| <p>R9</p> <p>Outdoor storage areas are screened from view from any road or other public area.</p> | <p>C9</p> <p>Where the proposed use of the <i>site</i> requires open areas for storage of goods and materials, adequate provision is to be included in the design layout of the <i>site</i> and should not encroach on car parking areas, driveways or landscaped</p> | <p>N/A. No outdoor storage.</p> |

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| | areas and be adequately screened from public view. | |
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Element 3: Built form

| Rules | Criteria | |
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| 3.1 Materials and finishes | | |
| There is no applicable rule. | <p>C10</p> <p>Where development presents a blank façade to an <i>adjoining block</i> or public space, a visually interesting architectural treatment is applied to that wall, through the use of one or more elements such as colour, articulation, materials and shadows.</p> | No adjoining buildings or structures. The shed is Colourbond steel. |
| There is no applicable rule. | <p>C11</p> <p><i>Buildings</i> use high quality materials and have façade with visually interesting architectural treatments through the use of one or more elements such as colour, materials, shadows or deep framing profiles.</p> | The shed is Colourbond steel. |
| 3.2 Interface | | |

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| There is no applicable rule. | C12 Where appropriate, compatible uses of any existing <i>buildings</i> are integrated with new development and provide physical connections and linkages between <i>buildings</i> , and between <i>buildings</i> and public spaces. | Existing buildings are industrial brick with metal roof. |
| There is no applicable rule. | C13 Elements of the development that interface with a street promote an attractive <i>streetscape</i> . | Shed approximately 1000m from main road and has screening by Goodwin buildings, trees and shrubs. |

Element 4: Access

Intent

- a) To ensure safe and efficient access for pedestrians, cyclists and vehicles
- b) To ensure adequate parking facilities are provided

| Rules | Criteria | |
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| 4.1 Traffic generation | | |
| There is no applicable rule. | C14 The existing road network can accommodate the amount of traffic likely to be generated by the development. | N/A off existing carpark. |
| 4.2 Access | | |

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| There is no applicable rule. | <p>C14A</p> <p>Access to and within the site achieves all the following:</p> <ul style="list-style-type: none"> a) pedestrian and cyclist entrances and driveways are clearly visible from the front boundary b) reasonable pedestrian and cycle access is provided through the site to increase permeability c) pedestrian and cycle access paths to community facilities feed into and provide enhanced connections to appropriate offroad path networks and on-road cycle routes d) cyclist entry complies with the Bicycle Parking General Code. | N/A to transport, it has full access for maintenance and pedestrians utilizing the shed. |
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Element 5: Environment protection

| Rules | Criteria | |
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| 5.1 Water sensitive urban design | | |

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| <p>R15</p> <p>This rule applies to sites 5000m² or larger.</p> <p>The average annual stormwater pollutant export is reduced for all of the following:</p> <ul style="list-style-type: none"> a) suspended solids by at least 60 per cent b) total phosphorous by at least 45 per cent c) total nitrogen by at least 40 per cent compared with an urban catchment with no water quality management controls. <p>Note: Compliance with this rule is demonstrated by a water sensitive urban design outcomes plan endorsed by a suitably qualified person.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Connected to existing system.</p> <p>There will be no loadings of solids, phosphorous or nitrogen into the catchment.</p> <p>No phosphorous or nitrogen fall onto the roof from irrigated areas will be disbursed as per existing.</p> |
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| Rules | Criteria | |
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| <p>R16</p> <p>This rule applies to sites 2000m² or larger.</p> <p>Stormwater management complies with one of the following:</p> <ul style="list-style-type: none"> a) the capacity of the existing pipe (minor) stormwater connection is not exceeded in a 1-in-10-year storm event and the capacity of the existing major overland stormwater system is not exceeded in the 1-in-100-year storm event b) the 1-in-5 year and 1-in-100-year stormwater peak run off does not exceed pre-development levels. <p>Note: Compliance with this rule is demonstrated by a water sensitive urban design outcomes plan endorsed by a suitably qualified person.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Storm water directed to existing system.</p> <p>Floor area is 280m².</p> <p>Not more than 25% of original area, No additional vehicles from original planned layout</p> |

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| <p>R17</p> <p>This rule applies to <i>sites</i> 2,000m² or larger.</p> <p>Provision is made for one or more of the following:</p> <ul style="list-style-type: none"> a) the storage of stormwater equivalent to at least 1.4kl per 100m² of impervious area, and its release over a period of 1 to 3 days b) runoff peak flow for the 3-month ARI storm to be no more than pre-development levels and release of captured flow over a period of 1 to 3 days. <p>Note: Compliance with this rule is demonstrated by a water sensitive urban design outcomes plan endorsed by a suitably qualified person.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Storm water directed to existing system.</p> <p>Floor area is 280m².</p> <p>Not more than 25% of original area, No additional vehicles from original planned layout.</p> |
| <p>There is no applicable rule.</p> | <p>C18</p> <p>Underground piping of natural stormwater overland flow paths is minimised.</p> | <p>N/A.</p> |
| <p>5.2 Sediment and erosion control</p> | | |
| <p>R19</p> <p>This rule applies to sites larger than 3000m².</p> <p>Development complies with a sediment and erosion control concept plan endorsed by the Environment Protection Authority.</p> <p>Supporting document: A sediment and erosion control concept plan is prepared in accordance with Environment Protection Authority <i>Environmental Protection Guidelines for Construction and Land Development in the ACT 2011</i>. Note: A condition of development approval may be imposed to ensure compliance with this rule.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Erosion and sediment control plan Site Plan AO 1 – A is included with the DA submission.</p> |

5.3 Earthworks

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| There is no applicable rule. | C20 The extent of earthworks is minimised. | N/A |
| 5.4 Tree Protection | | |
| <p>R19</p> <p>This rule applies to sites larger than 3000m²</p> <p>Development complies with a sediment and erosion control concept plan endorsed by the Environment Protection Authority.</p> <p>Supporting document: A sediment and erosion control concept plan is prepared in accordance with Environment Protection Authority <i>Environmental Protection Guidelines for Construction and Land Development in the ACT 2011</i>. Note: A condition of development approval may be imposed to ensure compliance with this rule.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>No works in the vicinity of existing trees or shrubs.</p> |
| 5.5 Heritage | | |
| <p>R22</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, applications for developments on <i>land or buildings</i> subject to provisional registration or registration under s.41 of the <i>Heritage Act 2004</i> are accompanied by advice from the Heritage Council stating that the development meets the requirements of the <i>Heritage Act 2004</i>.</p> | <p>C22</p> <p>If advice from the Heritage Council is required however not provided, the application will be referred to the Heritage Council and its advice considered before the determination of the application.</p> | <p>N/A. Not a heritage building</p> |
| Rules | Criteria | |
| 5.6 Contamination | | |

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| <p>R23</p> <p>This rule applies where an assessment by the proponent in accordance with the <i>ACT Government Strategic Plan – Contaminated Sites Management 1995</i> and the <i>ACT Environment Protection Policy 2000</i> identifies contamination within or adjacent to the development area; but does not apply if the Environment Protection Authority has provided written advice that there are no contaminated sites within or adjacent to the development area.</p> <p>Development complies with an environmental site assessment report endorsed by Environment Protection Authority.</p> <p>Supporting document: Environmental site assessment report endorsed by Environment Protection Authority. Note: A condition of development approval may be imposed to ensure compliance with this rule.</p> | <p>This is a mandatory requirement. There is no applicable criterion</p> | <p>N/A. Not a contaminated site</p> |
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Element 6: Amenity

| Rules | Criteria | |
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| 6.1 Noise | | |
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| <p>R24</p> <p>This rule applies to any of the following:</p> <ul style="list-style-type: none"> i) emergency services facility ii) indoor <i>recreation facility</i> iii) outdoor <i>recreation facility</i> <p>Development complies with a noise management plan prepared by a suitably qualified person and endorsed by the Environment Protection Authority.</p> <p>The noise management plan will detail the proposed design, siting and construction methods that will be employed to ensure compliance with the Noise Zone Standard as detailed in the EPA's <i>Noise Environment Protection Policy, January 2010</i>, based on the estimated noise levels when the facility is in use.</p> <p>Supporting document: noise management plan endorsed by the Environment Protection Authority.</p> <p>Note: A condition of development approval may be imposed to ensure compliance with the endorsed noise management plan.</p> | <p>C24</p> <p>Development types specified in rule R24 do not unreasonably diminish the residential amenity of current or future neighbouring residents.</p> | <p>N/A; not any of the following:</p> <ul style="list-style-type: none"> iv) emergency services facility v) indoor <i>recreation facility</i> vi) outdoor <i>recreation facility</i> |

Element 7: Services and utilities

| Rules | Criteria | |
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| 7.1 Waste management | | |
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| <p>R25</p> <p>Development complies with the waste facilities and management measures endorsed by Territory and Municipal Services Directorate.</p> <p>Supporting document: Written confirmation by Territory and Municipal Services Directorate that with the waste facilities and management associated with the development are in accordance with the current version of the <i>Development Control Code for Best Practice Waste Management in the ACT</i>.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>No further waste management applicable to the use of the storage facility. Anticipated 2 x 3.5m3 anticipated from the build process and this is placed into a bin and disposed of at the tip</p> |
| 7.2 Utilities | | |
| <p>R26</p> <p>A statement of compliance from each relevant utility provider (for water, sewerage, stormwater, electricity and gas) is provided, which confirms that the location and nature of earthworks, utility connections, proposed buildings, pavements and landscape features comply with utility access provisions and asset clearance zones.</p> <p>Note: Where there is a conflict between planning and utility requirements, the utility requirements take precedence over other codified or merit provisions.</p> | <p>C26</p> <p>If a statement of compliance is not provided the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p> | <ul style="list-style-type: none"> Standard DA procedure applies to all services clearances |
| 7.3 Waste water | | |
| <p>R27</p> <p>Subject to ActewAGL approval, all under cover areas drain to the sewer.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>N/A. No sewer to shed</p> |

Element 8: Demolition

| Rules | Criteria | |
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| 8.1 Utilities | | |
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| <p>R28</p> <p>This rule applies to demolition.</p> <p>The application is accompanied by a statement of endorsement for utilities (including water, sewerage, stormwater, electricity and gas) in accordance with section 148 of the <i>Planning and Development Act 2007</i> for all of the following:</p> <ul style="list-style-type: none"> a) all network infrastructure on or immediately adjacent to the site has been identified on the plan b) all potentially hazardous substances and conditions (associated with or resulting from the demolition process) that may constitute a risk to utility services have been identified c) all required network disconnections have been identified and the disconnection works comply with utility requirements d) all works associated with the demolition comply with and are in accordance with utility asset access and protection requirements. | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>N/A; No demolition</p> |
| 8.2 Hazardous materials | | |

| <p>R29</p> <p>Demolition of:</p> <p>a) <i>Multi unit housing</i> (including garages and carports) for which a certificate of occupancy was issued prior to 1985, or</p> <p>b) commercial or industrial premises for which a certificate of occupancy was issued before 2005,</p> <p>is undertaken in accordance with hazardous materials survey (including an asbestos survey) endorsed by the Environment Protection Authority.</p> <p>A hazardous materials survey includes, as a minimum, the identification of a disposal <i>site</i> for hazardous materials, including asbestos, that complies with one (1) of the following:</p> | <p>C29</p> <p>If an endorsed hazardous material survey is required however evidence of an endorsed hazardous materials survey is not provided, the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p> | <p>a) N/A; Not units, no demolition</p> <p>b) Community storage Facility, not commercial or industrial</p> <p>New storage shed, no demolition works, no contact with existing materials</p> |
|---|---|---|
| Rules | Criteria | |
| <p>i) is a licensed disposal facility in the ACT</p> <p>ii) another site outside the ACT.</p> <p>If hazardous materials, including asbestos, are to be transported for disposal interstate, approval from the Environment Protection Authority prior to removal of material from the <i>site</i>.</p> <p>An appropriately licensed contractor is engaged for the removal and transport of all hazardous materials (including asbestos) present at the <i>site</i>.</p> <p>Note: If an endorsed hazardous materials survey is required but not provided, the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p> | | |

Element 9: Subdivision

| Rules | Criteria | |
|---|---|--------------------------------|
| 9.1 Subdivision | | |
| <p>R30</p> <p>Subdivision is only permitted where all of the following are met:</p> <p>a) the subdivision is part of a development application for another assessable development</p> <p>b) it is demonstrated that any residual block can accommodate another assessable development designed in accordance with the relevant sections of this code.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>N/A; not a sub division</p> |