

# Statement Against Rules and Criteria

Blocks 1, 7, and 20  
Section 102  
Yarralumla

## EDP DA

Attachment A

Prepared for:

Doma Group

September 23



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Version Control

4.09.2023: EDP DA tech-check submission

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# 1

## Introduction

This Statement against Rules and Criteria report (**SARC**) has been prepared for the Estate Development Plan Development Application (**EDP DA**) only. Separate SARCs will be prepared and submitted to Environment, Planning and Sustainable Development Directorate (**EPSDD**) for each individual Precinct within the EDP DA.

As further detailed in the Design Response Report (**DRR**) submitted with the EDP DA, the EDP DA will be submitted as a single application in the Impact Track. A revised Environmental Impact Statement (**EIS**) has been progressed and finalised for the site which was submitted for consideration in May 2022 (**Attachment AR – Canberra Brickworks Precinct Environmental Impact Assessment**) and completed on 13 June 2023. The proposal's performance against the EIS recommendations has been addressed under the DRR. A Conservation Management Plan (**CMP**) has been progressed for the site (please refer to the EIS for further information) and approved by the ACT Heritage Council. An Interpretation Strategy has also been prepared and endorsed by the ACT Heritage Council which has been included in this submission (**Attachment AS**). A Statement of Heritage Effect (**SHE**) is being progressed with the ACT Heritage Council parallel to this DA.

Please refer to the DRR, EIS, and attachments for further information.

# 2

## Statement Of Strategic Directions

The Statement of Strategic Directions sets out the principles for giving effect to the main object of the Territory Plan as required by the Planning and Development Act 2007 (**the Act**). Section 128 of the Act provides that a development proposal in Impact Track needs to be consistent with the Statement of Strategic Directions. The provisions of the Statement of Strategic Directions have been reproduced in **Table 1** below along with the proposal’s performance against these provisions.

Table 1: Statement of Strategic Directions (effective 3 May 2018)

| Provision   | Response   |
|---|--|
| <b>1. Principles For Sustainable Development</b>  |  |
| <b>General Principles</b>   |  |
| 1.1 Planning processes and decisions will be focused on the combined achievement of economic vitality, community wellbeing, and environmental quality. Broad community involvement will be a key element in the pursuit of sustainable development, as will complementary regional strategies and agreements.   | The proposal seeks to revitalise the existing Brickworks buildings while developing surrounding vacant land to create a mixed-use commercial, community, and residential precinct that would enhance the local economy and improve the social wellbeing of the future residents and existing Yarralumla residents. |
| 1.2 Matters of broader National Capital, metropolitan and regional significance will be carefully considered when formulating Territory Plan policies and when making decisions about development proposals and sequencing.   | The proposal carefully considers the environmentally significant features of the site and provides mitigation measures to reduce potential environmental impacts. An EIS application has been progressed for the proposal which was completed in June 2023.  |
| 1.3 Economic, social and environmental objectives will be pursued in a balanced and integrated way, having regard to both short-term and long-term factors, such that present needs can be met without prejudicing the welfare of future generations, and without serious or irreversible loss of life-supporting natural resources or damage to the environment. | The proposed landscape strategy for the site enhances the existing landscape setting while improving the site conditions to be accessible by future occupants and visitors.  |
| 1.4 Wherever appropriate, the broader global and regional context and potential cumulative impacts of decisions will be taken into account. Where there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for failing to prevent environmental degradation.   | Community engagement has been a key driver of this project. A comprehensive program of community consultation has been undertaken since February 2020 and is still ongoing as at the submission of this EDP DA.  |

| Provision   | Response   |
|---|--|
| <b>Environmental Sustainability</b>   |  |
| <p>1.5 Planning policies will seek to ensure the efficient use of all resources and to reduce consumption of non-renewable resources. Waste minimisation, reuse and recycling will be encouraged, whilst energy-rating and conservation measures will be applied wherever appropriate, particularly in transport, subdivision planning, and building design and construction.</p>   | <p>Environmental considerations have been addressed extensively as part of the EIS preparation and the precinct designs have been progressed considering the recommendations of various consultants that were engaged to assess the environmental qualities of the site, potential impacts, and mitigation measures.</p>   |
| <p>1.6 The pattern of development is to reflect land capability constraints resulting from topography, soils, geotechnical factors, drainage, natural hazards, microclimate and the sensitivity of ecosystems. Particular attention will be given to the need to conserve soil, water and vegetation; maintain biological diversity; safeguard important ecosystems and ecological processes; and provide and protect wildlife corridors.</p>       | <p>The substantial body of work done to date to address the site existing environmental conditions and future aspirations has been reflected in the EIS submission. This includes but is not limited to considerations towards the site's distinct topography, soil and geotechnical features, natural and human-made hazards and mitigation measures, local ecosystem, significant species and offset measures, waste management, water management and WSUD principles, reduction of greenhouse gas emissions, integrated land use and transport network, sustainable energy solutions, and public health and safety.</p> |
| <p>1.7 Land and water resources will be planned in accordance with the principles of integrated catchment management and water sensitive urban design. Policies will seek to protect identified environmental values, whilst focusing on opportunities for multi-purpose use of resources. Special attention is to be given to protecting sources of the Territory's water supply and to maintaining environmental flows in rivers and streams.</p> | <p>The proposal is considered to be environmentally sustainable and will achieve a 5 Star Green Star rating which the Green Building Council considers as "Australian Excellence".</p>   |
| <p>1.8 Planning policies will provide for the sustainable management of rural areas, ensuring that rural lands nominated for future urban development or other purposes can be retained in productive use and properly managed for the time being. Appropriate activities to reduce net greenhouse gas emissions will be encouraged.</p>  | <p>Please refer to the DRR, EIS, and attachments for further information.</p>  |
| <p>1.9 Urban expansion will be contained in order to minimise impacts on valuable natural and rural areas.</p>  |  |
| <p>1.10 Integrated land use and transport planning will seek to maximise accessibility and transport efficiency, prioritise active travel, reduce energy consumption, increase physical activity, support the preferred pattern of development, promote safety, safeguard environmental quality, and minimise greenhouse gas emissions.</p>   |  |
| <p>1.11 Policies for environmental planning and management will ensure amenity, minimise pollution, and protect public health and safety.</p>   |  |
| <b>Economic Sustainability</b>  |  |
| <p>1.12 Planning policies will facilitate the widest possible range of commercial, retail, industrial, rural, tourism, and other forms of economic activity in order to promote new investment and a more diversified economy, to underpin employment growth, and to respond to changing economic opportunities.</p>  | <p>The revitalisation proposal for the existing Brickworks site not only will ensure future conservation of this heritage listed site but also will create various opportunities for a range of commercial, retail, community, and tourism</p>   |

| Provision  | Response   |
|--|--|
| <p>1.13 The characteristics of the city that contribute to economic growth: Canberra's role as the national capital and the seat of Federal Parliament; the ease of getting around the city; the safe and clean environment; and the vibrancy of centres as places of social, cultural and business exchange, will be enhanced.</p> <p>1.14 An adequate and diverse supply of industrial land will be maintained to facilitate both conventional and new forms of industry.</p> <p>1.15 Tourism will be fostered by permitting a variety of entertainment, leisure and accommodation facilities, including opportunities for ecotourism, in appropriate locations throughout the Territory.</p> <p>1.16 Sufficient land will be set aside for major communications, educational, scientific, or other activities requiring broadacre sites in appropriate locations outside urban areas.</p> <p>1.17 In planning future development and redevelopment, particular emphasis will be placed on cost-effective provision and management of existing and new infrastructure and services, taking into account whole-of-life and whole-of-system costs, including the ecological footprint of proposed developments and activities.</p> | <p>activities that diversify the local economy and promote and attract investment to the site.</p> <p>The proposal seeks to create a vibrant mixed-use precinct for social, cultural, and businesses interactions to coexist within a landscaped precinct that responds to the site's environmental attributes.</p> <p>A variety of entertainment and leisure facilities have been proposed across the precinct which also provide opportunities for ecotourism.</p> <p>Educational establishment is a use proposed for the Heritage Site Crown Lease. Although no educational facility is currently proposed for this site, the provision of this use within the Crown Lease would provide an opportunity for future facilities and diversify the available uses while providing flexibility if/when the need arises.</p> <p>The proposed alteration and additions to the existing Brickworks buildings (one and two-storeys) with an existing building footprint of circa 2 hectares would be highly economical while reducing the development ecological footprint.</p> <p>The proposal is therefore considered to be economically sustainable.</p>   |
| Social Sustainability  |  |
| <p>1.18 Provision will be made for a comprehensive range of readily accessible community, cultural, sporting and recreational facilities, distributed according to the varying needs of different localities and population groups. In major centres and developing areas, sites will be safeguarded where necessary for particular community needs.</p> <p>1.18A Development is planned to promote active living through the following six principles:</p> <ol style="list-style-type: none"><li>providing connectivity between uses and activity nodes</li><li>preserving open space</li><li>encouraging mixed land use and density</li><li>ensuring public places are safe and attractive for all</li><li>providing supportive infrastructure that encourages regular physical activity</li><li>ensuring environments promote social inclusion, and are equitable and where practicable are accessible by all.</li></ol> <p>1.19 A variety of open space types will be provided in each district or local area to meet the diverse recreational needs of residents and visitors, and to contribute to community health.</p>   | <p>The proposal is aiming to create a vibrant mixed-use precinct that provides for a range of readily accessible community, cultural, sporting, and recreation facilities that are easily accessible by the future and existing residents within the locality and across Canberra. The proposed mixed-use nature of the Heritage site would create a new neighbourhood centre within Yarralumla that provides for a range of activities for Canberrans.</p> <p>The proposal promotes active living through:</p> <ol style="list-style-type: none"><li>Providing connectivity between various uses and activity nodes via the proposed shared path network</li><li>Preserving open space by creating two massive parks with a total area of circa 40 hectares and enhancing the existing landscape characters of the site to be safely enjoyed by all.</li><li>The proposal creates a vibrant mixed-use precinct across circa 16 hectares of land including various compatible and complementary uses such as residential, commercial, community, cultural, and entertainment use. The proposed density for the site is low to medium density which is appropriate for the site considering the existing various constraints and opportunities while advocating the</li></ol> |

| Provision  | Response   |
|--|--|
| <p>1.20 Planning policies for community facilities and open space will encourage multiple use and flexible design to allow for changing needs.</p> <p>1.21 Provision of affordable, adaptable and special-needs housing will be promoted throughout the city, as well as modification or redevelopment of existing stock to meet emerging social needs.</p> <p>1.22 Urban development will be planned in a manner that promotes community vitality and safety, applying principles of crime prevention through environmental design. Provision will also be made for emergency services infrastructure necessary to ensure a high standard of safety for residents and visitors.</p> <p>1.23 The needs of people with disabilities will be recognised in all facets of urban planning, particularly including the design and operation of transport and access systems and the assessment of development proposals.</p> <p>1.24 All new developments and re-developments will be planned with appropriate and segregated network facilities for pedestrians and cyclists; provision for accessible public transport; a legible and permeable hierarchy of roads; conveniently located commercial and community facilities; and a network of open spaces.</p> <p>1.25 Heritage and cultural values will be safeguarded, including in particular those of the Territory’s Aboriginal peoples and those derived from both its rural history and urban development as the National Capital. The distinctive qualities of residential areas and other places, as well as elements of community heritage, will also be recognised and their conservation promoted.</p> <p>1.26 Identified places of heritage significance will be protected in accordance with requirements for their conservation contained in the Heritage Register and any relevant heritage guidelines under the Heritage Act 2004. Special provisions are included in the Heritage Act for the recognition, registration and conservation of Aboriginal heritage.</p> | <p>community aspirations for the site as heard during public consultation period.</p> <p>d) The proposed mixed-use nature of the site would provide opportunities for active and passive surveillance. The designs have been progressed with CPTED considerations as further detailed in <b>Section 9.2</b> below. The proposed external lighting has been designed to sufficiently illuminate the paths for safe pedestrian and cyclist use after hours. The proposed materiality and landscaping would create attractive places to be used by all.</p> <p>e) The proposed infrastructure across the precinct will encourage regular physical activity through design and accessibility.</p> <p>f) The proposed path network has been designed to be inclusive for use by all.</p> <p>A variety of open spaces have been provided across the proposed precinct while allowing flexibility for future adaptability.</p> <p>The estate provides adaptable housing in accordance with the relevant Planning provisions.</p> <p>Provision for emergency service infrastructure has been considered across the estate to ensure a high standard of safety for occupants and visitors.</p> <p>The needs of people with disabilities will be addressed in detail as part of each precinct Design and Siting DA. Whilst the site angulates the design considers 1:20 accessible access along the main pedestrian thoroughfares.</p> <p>The proposed transport and path networks are legible and designed in accordance with relevant Australian Standards and progressed through consultation with TCCS and other stakeholders.</p> <p>The proposed revitalisation of the Heritage site in accordance with the approved CMP will ensure the ongoing conservation of the heritage and cultural values of the precinct.</p> |
| <p><b>2. Spatial Planning And Urban Design Principles</b></p>  |  |
| <p><b>Urban Areas</b></p>  |  |
| <p>2.1 Canberra will continue to develop as a series of discrete urban areas within a landscape setting of hills, ridges and other open spaces. Each town will offer a diversity of housing types; the broadest possible range of employment opportunities; and convenient, linked access prioritising active travel to centres, community facilities and open space.</p>  | <p>The proposed designs consider the local and broader landscape setting of the site and maintain/enhance the site’s landscape characteristics while developing the site in a manner to create continuity within the surrounding landscaped areas. The proposal is designed to integrate the distinct topography, heritage, and environmental characteristics of the site by</p>   |



| Provision  | Response  |
|--|---|
| 2.2 Future residential settlement will be accommodated through development of greenfields areas, subject to detailed feasibility and suitability studies; some expansion of existing towns; and appropriate use of suitable vacant or underdeveloped sites.  | transforming various limitations into opportunities through exceptional design practice that is sustainable and inclusive to all.   |
| 2.3 Commercial and retail activity will be concentrated in centres and other planned nodes of intensive activity that are well served by public transport to ensure an efficient pattern of development. Primary emphasis will be placed on strengthening and enhancing existing and new centres and nodes, including improved urban design and encouragement of more mixed-use development.   | The site is located within the well-established suburb of Yarralumla which has provided the perfect setting for connection to the existing transport/path network. The commercial and retail activity is concentrated within the Heritage site which, once established, would act as a local mixed-use node for the precinct.   |
| 2.4 Planning policies will support revitalisation of the City Centre as the preeminent centre of governance, commerce and entertainment for the ACT and its region, while keeping the City Centre in appropriate balance with other town centres. Within the City Centre, provision will also be made for a range of major community facilities and opportunities for high-density residential development.                              | The proposed development, being located away but relatively close to the City Centre, is considered to comprise low to medium density housing typology to maintain the 'garden city' character of Canberra.   |
| 2.5 A wide range of housing types will be permitted in identified residential areas close to centres and major transport routes to increase choice; maximise opportunities for affordable housing; and secure some intensification of development consistent with maintaining residential amenity. Outside of these areas, planning policies will protect the typically low density, garden city character of Canberra's suburban areas. | The proposed Master Plan brings together an urban fabric that fosters active living and physical activity by providing a network of shared paths that is augmented with a well-designed landscaping strategy.   |
| 2.6 Higher density development will be encouraged within and near major centres, and in other suitable locations that are well served by public transport.   | The proposed road hierarchy for the estate has been designed to consider the existing traffic network capacities while connections to existing infrastructure have been carefully considered to minimise transport impacts and avoid rat-running. Public safety and amenity of occupants have been considered in the designs while providing efficient vehicular movement and traffic flow. |
| 2.6A Development will provide suitable and well-designed supportive infrastructure that enhances the experience of the urban environment for people of all abilities and encourages and supports regular physical activity.  | Substantial open space has been retained within the estate in form of parklands (Quarry Park and Remnants Park) in addition to other landscaped areas as evident on the Landscape Master Plan.  |
| 2.7 Development will be planned to encourage use of public transport, walking and cycling, including commuter cycling. Routes will be reserved for an enhanced inter-town public transport system. Requirements for vehicle parking will be related to commercial needs and transport policy objectives.   |   |
| 2.8 Industrial areas will be in locations accessible to suitable freight services, and where industrial activity is unlikely to have a significant adverse effect on the environment or the amenity of residential areas.  |   |
| 2.9 A planned hierarchy of roads will be maintained in order to promote road safety, protect the amenity of residential and commercial areas, and facilitate the efficient movement of major traffic flows and heavy vehicles.   |   |
| 2.10 Adequate provision of open space throughout the Territory will remain a high priority. Open space will be planned and carefully maintained as an  |   |

| Provision   | Response   |
|---|--|
| <p>integrated, hierarchical system that provides for a diversity of sport and recreation activities, contributes to the legibility and character of urban development, is cost-effective to maintain, and assists in the effective management of stormwater.</p>  |  |
| <p><b>Non-urban Areas</b></p>   |  |
| <p>2.11 Planning policies will protect the landscape and environmental qualities of the hills and ridges surrounding urban areas, the Murrumbidgee and other river corridors, the mountains and forests west of the Murrumbidgee River, and productive rural landscapes.</p> <p>2.12 Planning for non-urban and natural areas will also recognise the values of land for research, education, recreation and tourism purposes.</p> <p>2.13 Clearance zones will be established where necessary around major facilities to protect the operational efficiency of those facilities and to minimise adverse environmental impacts.</p>   | <p>Not applicable as the site is located within the established urban area of Yarralumla within Canberra Central District.</p>   |
| <p><b>Urban Design</b></p>  |  |
| <p>2.14 Policies and procedures to promote high quality, creative design of development, urban spaces and landscape settings will be applied throughout the Territory, and innovation encouraged, in keeping with the spirit of the National Capital as an exemplar of best practice. Particular care will be taken to ensure high-amenity, quality design outcomes within residential areas, heritage areas, major centres and activity nodes, and along principal approach routes. The relationship between the public and private realms will also be emphasised in terms of the design quality of precincts and shared spaces, including spaces around buildings, as well as that of individual developments.</p> <p>2.15 Policies will acknowledge Canberra as the national capital and the symbolic heart of Australia and will seek to preserve the landscape features that give the national capital its character and setting; respect and reinforce the key elements of Walter Burley Griffin’s formally adopted plan for Canberra within the proposed urban settlement pattern; enhance and strengthen approaches and backdrops to the city and its national institutions; conserve open space between urban areas as visual separation buffers consistent with the landscape setting; retain areas that are identified as the rural setting surrounding the city; and retain key vistas created by the landscape network within new settlement areas.</p> <p>2.16 Retention of Canberra’s unique landscape setting, including the integration of natural and cultural elements that create its ‘garden city’ and ‘bush capital’ qualities, will be accorded the highest priority. Special attention will be given to safeguarding visual amenity, protecting vegetation and other</p> | <p>A series of high-quality precincts from parks to residential units and a central revitalised mixed-use heritage precinct have been brought together in this well-designed urban project that protects and enhances the landscape features of the site while keeping with the ‘garden city’ and ‘bush capital’ spirit of Canberra.</p> <p>The proposal retains key landscape features that define this area of Canberra and respects the surrounding context in relation to scale and configuration of development. The landscape strategy to the perimeter of the precinct seeks to preserve the landscape character of Yarralumla and address visual impacts of development, for example from key active travel links such as the Uriarra Track running to the south of the precinct.</p> <p>Proposed signs strategy across the estate has been carefully designed with environmental considerations. An “all of site” precinct wide signage strategy will be implemented to ensure ease of access whilst also conveying important heritage messaging through a Heritage Implementation Strategy that has been approved by the ACT Heritage Council.</p> |

| <b>Provision</b>  | <b>Response</b> |
|---|-----------------|
| important features within the established urban landscape, and ensuring the high quality of environmental design in new developments or redevelopment.<br>2.17 Advertisements and signs will be carefully controlled to maintain environmental amenity. |                 |

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# 3

## Yarralumla Precinct Code

The Yarralumla Precinct Code includes controls that apply to specific sites within the Yarralumla District. The relevant controls (rules and criteria) are reproduced below along with how they are addressed by the proposed application.

These rules and criteria are taken from the Yarralumla Precinct Code, effective 14 December 2012.

The site is identified as 'RC1 - Yarralumla Brickworks' (**Figure 1**) and is subject to Additional Merit Track assessable development for 'Business Agency', 'Office', and 'RESIDENTIAL USE'. The site is not subject to any Additional Prohibited Development under the Precinct Code.

It is important to note that some uses are proposed to be prohibited/allowed as additional merit track across the estate as per the proposed Planning Control Plans. Once approved, these controls would be uplifted to the Precinct Code via a technical amendment.

A response to Rules and Criteria relating to area RC1 is shown in **Table 2** below.

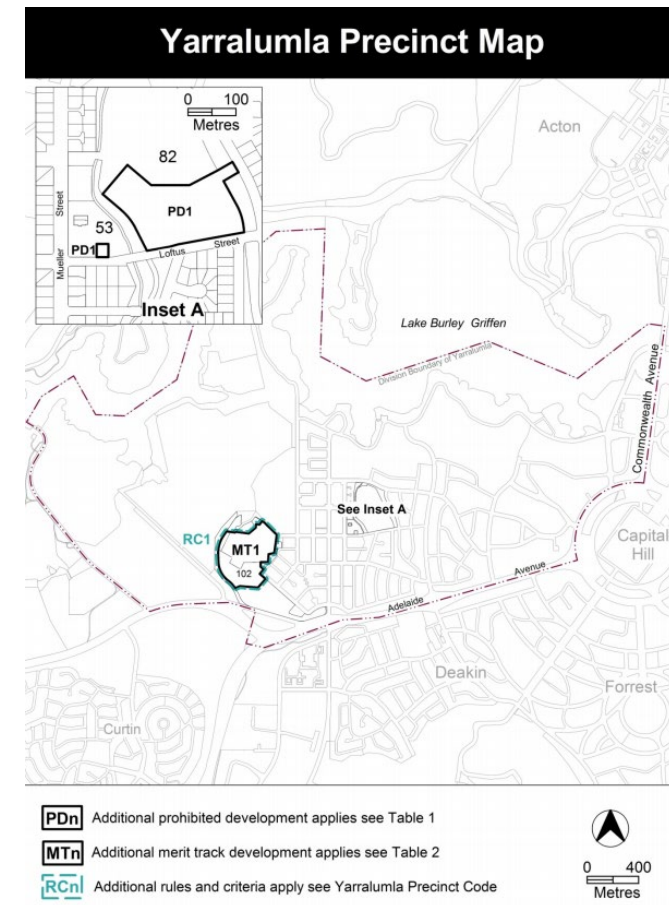
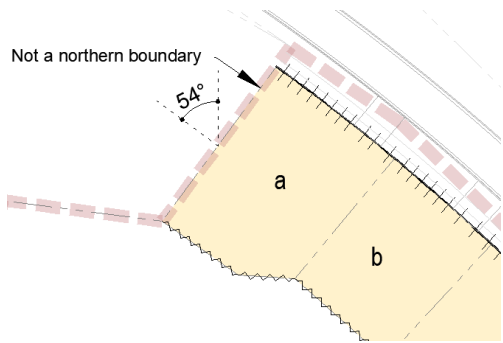


Figure 1: Yarralumla Precinct Map (Effective: 7 October 2022)

Table 2: Yarralumla Precinct Code (effective 7 October 2022)

| Rule  | Criteria  | Response  |
|---|---|---|
| <b>Element 1: Use</b>   |   |   |
| <b>1.1 Shop and Offices – Floor Area Limit</b>  |   |   |
| R1<br>Total maximum gross floor area across the RC1 area for all:<br>a) SHOP except where associated with or related to entertainment, accommodation and leisure uses – 500m <sup>2</sup><br>b) office – 1500m <sup>2</sup> | This is a mandatory requirement. There is no applicable rule.   | Rule met.<br>A technical amendment has been proposed for the site that provides a GFA definition for Office and SHOP use to exclude the thick kiln walls.<br>Based on the above and calculations on the Area Plans provided, the GFA for SHOP use is under 500m <sup>2</sup> and the GFA for Office use is less than 1500m <sup>2</sup> .   |
| <b>Element 2: Buildings</b>   |   |   |
| <b>2.1 Number of Storeys</b>  |   |   |
| There is not applicable rule.   | C2<br>Buildings achieve all of the following:<br>a) consistency with the desired character<br>b) scale appropriate to the function of the use<br>c) minimal detrimental impacts including overshadowing and excessive scale<br>The maximum number of storeys is<br>a) residential use – 3<br>b) in all other uses – 2 | Criterion satisfied<br>a) No desired character has been identified for Yarralumla District or the site under the Precinct Code. However, the proposal’s performance against the Statement of Strategic Directions and the relevant zone objectives has been addressed under <b>Section 2</b> and <b>4</b> respectively.<br>b and c) The block configuration has been designed to support a future development scale that is appropriate for each proposed use and reduces shadow impacts while accounting for the site’s topography.<br>The maximum number of storeys for residential use is 3 storeys. Other uses are proposed within the existing Heritage Site and the heritage buildings are not more than 2 storeys. |
| <b>2.2 Setbacks</b>   |   |   |
| R3<br>The minimum setback to the northern and eastern boundaries is 20m.  | C3<br>Buildings achieve minimal detrimental impacts including overshadowing and excessive scale   | This rule currently applies to the estate boundary and the proposed buildings on site are proposed to be set back by 20m from the estate boundary (to the north and east).  |

| Rule | Criteria | Response  |
|------|----------|---|
|      |          | <p>Proposed setbacks for the blocks have also been identified under the proposed Planning Control Plans which would provide for the intention of the Rule to be met where applicable.</p> <p>Please refer to the documents submitted with this application for more information.</p> <p>It is important to note that this rule does not apply to the boundary Block a Section A (screenshot below) shares with the neighbour, as the shared boundary with the neighbouring resident is not a northern boundary. Please see below Territory Plan definition for context.</p> <p><b>Northern boundary means a boundary of a block where a line drawn perpendicular to the boundary outwards is oriented between 45° west of north and 45° east of north.</b></p>  <p>Block a Section A is therefore required to setback development from the shared boundary in accordance with the applicable setback provisions of the Single Dwelling Housing Development Code.</p> <p>The criterion has been addressed for the remainder of the blocks:</p> |

| Rule | Criteria | Response  |
|------|----------|---|
|      |          | <p>Criterion Satisfied</p> <p>Buildings are sufficiently setback to achieve minimal detrimental impacts including overshadowing and excessive scale (noting the maximum allowable number of stories for Residential Use accords the precinct is 3 storeys). Furthermore, a control is proposed to further control the number of storeys where blocks are close to the existing neighbours to the west of the estate. Please refer to the shadow diagrams provided that demonstrate the shadow impacts are only minimal (if anything).</p> |

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The Planning Controls Plan (PCP) that accompanies this submission further proposes additional controls for inclusion into the Yarralumla Precinct Code for specific blocks proposed within the Estate. Please refer to the submitted PCPs and **Attachment U – Proposed Planning Controls** for more information.

# 4

## Zone Objectives

The site is zoned CZ6 Leisure and Accommodation Zone. The relevant zone objectives have been addressed below.

### CZ6 Leisure and Accommodation Zone – Objectives (effective 19 August 2016)

| Zone Objective   | Planning Response  |
|--|--|
| a) Provide for the development of entertainment, accommodation and leisure facilities for residents of and visitors to the ACT and surrounding region  | The proposed mix of uses considered for the Heritage Core along with the proposed parks would provide opportunities for entertainment and leisure uses. The rest of the proposed blocks across the estate are considered for residential use.  |
| b) Protect leisure and accommodation uses from competition from higher order commercial uses, and encourage activities that enhance the region's economic diversity and employment prospects | The proposed revitalisation of the existing heritage building along with the proposed mixed-use nature of the site will enhance the local economy and provide opportunities for employment.  |
| c) Ensure leisure and accommodation facilities have convenient access to public transport  | Existing bus stops are located along Novar Street and Dudley Street within 300-600m of the site to the east and southeast.   |
| d) Protect the amenity of nearby residential areas, with regard to noise, traffic, parking and privacy   | The amenity of the residential areas within the precinct and surrounding the site has been considered throughout the design of the development. Various design and landscape treatments have been considered to ensure the amenity of the residential areas would not be adversely affected. |
| e) Ensure the location of facilities, and their design and landscaping is compatible with environmental values   | The site's environmental values have been considered during the design stage. An EIS has been submitted parallel to this application and completed. The EIS recommendations have been considered through the designs.  |
| f) Ensure that the bulk, scale, size, design and landscaping of development is compatible with the surrounding landscape   | A comprehensive Landscape Master Plan and landscape strategy has been proposed for the site which considers and builds on the existing landscape features of the site. Existing significant vegetation has been retained where practicable.  |
| g) Encourage activity at street frontage level and provide an appropriate level of surveillance of the public realm  | The estate encourages activity through the proposed design of the centre and revitalisation of the Heritage Core. Opportunities for active and passive surveillance have been considered throughout the designs.   |



# 5

## Estate Development Code

The Estate Development Code includes development controls and requirements for agency endorsement. The following parts of the code are applicable to this proposal.

- **Part A – Estate planning in all zones**
- **Part D – Endorsement by government agencies (entities)**

All of the relevant controls (rules and criteria) are reproduced below along with how they are addressed by the proposed EDP DA.

These rules and criteria are taken from the Estate Development Code, dated 28 August 2020.

Table 3: Estate Development Code (effective 28 August 2020)

| Rule   | Criteria  | Response  |
|--|---|---|
| <b>Part A – Estate Planning in all Zones</b> |   |   |
| <b>Element 1: Layout</b>                     |   |   |
| <b>1.1 Estate Layout</b>                     |   |   |
| There is no applicable rule.                 | <p>C1</p> <p>The subdivision layout and movement networks achieve all of the following:</p> <p>a) blocks that are suited to their intended use and are consistent with the desired character of the relevant land use zone.</p> <p>b) a high level of internal accessibility</p> <p>c) effective external connections for local vehicle, pedestrian and cycle movements</p> <p>d) effective traffic management to restrain vehicle speed, deter through-traffic and create safe conditions for other road users</p> | <p>Criterion satisfied</p> <p>The subdivision layout and movement networks achieve all of the following:</p> <p>a) blocks that are suited to their intended use and are consistent with the desired character of their CZ6 zoning.</p> <p>b) the site layout promotes internal accessibility through the proposed shared paths and vehicular access.</p> <p>c) the proposal effectively integrates with existing surrounding infrastructure including cycle and pedestrian networks and roads in accordance with the required standards.</p> <p>d) the proposed internal road network has been designed to incorporate laneways, bends, and other traffic calming measures to deter through</p> |

| Rule | Criteria   | Response   |
|------|--|--|
|      | e) retention of significant vegetation and habitat areas including consideration of ecological connectivity  | <p>traffic and speeding as indicated on the plans provided.</p> <p>e) retention of significant vegetation and habitat areas including consideration of ecological connectivity and providing offset measures, as assessed and proposed in the final EIS that has now been completed with recommendations incorporated where relevant.</p>  |
|      | f) incorporation of natural and cultural features  | f) incorporation of natural and cultural features, as assessed in the documentation prepared and with the final EIS that is now completed.   |
|      | g) minimal risk of soil erosion including the risk of soil erosion from cut and fill   | g) erosion control measures have been incorporated into the design of the estate, including for cut and fill, and are outlined in plans provided in this submission.   |
|      | h) enhanced personal safety and perceptions of safety including way finding, passive surveillance and avoidance of entrapment points.  | h) the design of the estate incorporates crime prevention design features to enhance legibility and wayfinding, whilst the orientation of blocks promotes passive surveillance throughout the site. The alignment and location of public walkways promotes clear sightlines to avoid dead ends and reduce opportunities for entrapment. The proposed signage across the Heritage Core will further improve wayfinding. |
|      | i) minimised potential for crime and vandalism and through estate design and surveillance by drivers of passing vehicles and pedestrians   | i) the design of the estate affords ample opportunity for passive surveillance from proposed blocks and from passing vehicles/pedestrians both internally and externally to the site from surrounding public roads.  |
|      | j) integration with the surrounding urban environment, existing attractive streetscapes and landscapes, and provision for shared use of public facilities by adjoining communities | j) the proposed development is designed to integrate with its surrounds, including the adjoining residential areas and open spaces, through the design and integration of common open space landscaping areas connected through shared path networks. The proposed revitalisation of the Heritage Core will create a new community hub that can be enjoyed by the residents in the locality.                           |
|      | k) a reasonable level of protection for residents from known sources of noise, odour and light   | k) a reasonable level of protection has been provided for residents from known sources of  |

| Rule   | Criteria  | Response  |
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|  | pollution through measures including earth mounds, sound walls, landscaping or separation.  | noise, odour, and light pollution as outlined in EIS Noise Impact Assessment.   |
| <b>Element 2: Walking, Cycling and Public Transport</b>  |   |   |
| <b>2.1 Bus Routes</b>  |   |   |
| There is no applicable rule  | C2<br>Convenient access is provided to bus routes and bus stops by residents of the estate  | Criterion satisfied<br>Existing bus stops and routes are available to the residents of the estate located within 300 to 800 meters (reasonable walking distance) of the future residential buildings (to the east and southeast of the site on Novar Street and Dudley Street).   |
| R3<br>Schools are adjacent to at least one bus stop on a nominated bus route.  | C3<br>Convenient access is provided to bus routes and bus stops for students of existing or proposed schools.   | Not applicable<br>No schools are proposed.  |
| <b>2.2 Bus Stops</b>   |   |   |
| R4<br>At least 90 per cent of dwellings proposed for the estate comply with at least one of the following:<br>a) are within 500m of a bus stop on an existing or proposed coverage route with well-lit and connected walking access<br>b) are within 800m of a bus stop on an existing or proposed frequent network. | C4<br>The location of bus stops achieves all of the following:<br>a) a reasonable distance from all dwellings in the estate<br>b) reasonable way-finding<br>c) convenient access for users  | Criterion satisfied<br>Existing bus stops and routes are available to the residents of the estate located within 300 to 800 meters (reasonable walking distance) of the future residential buildings (to the east and southeast of the site on Novar Street and Dudley Street).<br>The proposed shared path network across the estate provides convenient access to these bus stops while the proposed signage across the Heritage Core will improve wayfinding (the Signage will form part of the Heritage Core DA). |
| There is no applicable rule  | C5<br>Bus stops are provided in locations that achieve all of the following:<br>a) passive surveillance from adjoining areas<br>b) minimal impacts on adjoining land uses<br>c) links with the path network<br>d) passenger convenience | Not applicable as no new bus stops are proposed.  |

| Rule   | Criteria   | Response  |
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| R6<br>Bus stops on coverage routes and frequent local service routes are located not less than 400m apart.   | C6<br>Bus stops are located to achieve legibility and convenience for passengers.  | Not applicable as no new bus stops are proposed.  |
| R7<br>No bus stop is more than 100m from another bus stop serving buses travelling in the opposite direction on the same bus route   | C7<br>Bus stops are located to achieve legibility and convenience for passengers.  | Not applicable as no new bus stops are proposed.  |
| <b>2.3 Pedestrian and Cyclist Facilities</b>   |  |   |
| <b>2.3.1 On-road Cycling</b>   |  |   |
| R8<br>Major collectors are provided with a 1.5m wide on-road cycling lane on each side.<br>Major collectors are defined in table 1A.   | C8<br>On road cycling lanes achieve all of the following:<br>a) opportunities for high speed commuter cycling<br>b) safe and convenient use by cyclists.   | Not relevant to this submission – the proposal does not include the creation of any new major collector roads.  |
| R9<br>Designated on-road cycle lanes connect with the existing or proposed shared path network.  | C9<br>On road cycling lanes are integrated with the existing or proposed shared path network.  | Not applicable<br>No new on-road cycle lanes are proposed.  |
| <b>2.3.2 Shared Path Design</b>  |  |   |
| R10<br>Shared paths are provided in the following locations:<br>a) the entire frontage of any block used or proposed to be used for one or more of the following:<br>i) schools<br>ii) shops<br>iii) community facilities<br>b) the entire frontage of any block adjacent to an existing or proposed bus stop<br>c) the entire frontage of any block used or proposed to be used for multi unit housing containing 10 or more dwellings:<br>d) on both sides of endorsed bus routes. | C10<br>Shared paths achieve all of the following:<br>a) physical and visual connections to the wider shared path network that promote way finding and avoid entrapment points<br>b) accommodation of all likely users (eg. School children, parents with prams, the aged, people with disabilities, commuter and recreational cyclists). | Rule met<br>Shared paths are proposed across the precinct, including but not limited to surrounding and within the Heritage Core (mixed-use) and the proposed multi-unit blocks. No new bus stops are proposed. |

| Rule  | Criteria   | Response  |
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| <b>2.3.3 Shared Path Network</b>  |  |   |
| R11<br>Shared paths are connected to one or more of the following:<br>a) any existing or proposed shared path networks, including any nearby Main Routes (as defined in TAMS Design Standards for Urban Infrastructure DS13-Pedestrian and Cycle Facilities or its successor)<br>b) open space networks<br>c) community facilities such as educational establishments and local activity centres<br>d) public transport routes and bus stops. | C11<br>Shared paths achieve all of the following:<br>a) physical and visual connections to the wider shared path network that promote way finding and avoid entrapment points<br>b) accommodation of all likely users (e.g. school children, parents with prams, the aged, people with disabilities, commuter and recreational cyclists) | Rule met<br>The proposed paths network connects to the existing pedestrian network, existing and proposed open space within and surrounding the site, the proposed revitalised Heritage Core which would act as a local activity centre, and facilitate access to the existing bus stops in the vicinity.   |
| There is no applicable rule.  | C12<br>Shared path networks achieve a reasonable level of passive surveillance from public streets, existing or future leased land, community facilities, commercial areas or other public spaces.   | Criterion satisfied<br>The proposed paths network and new infrastructure along with the estate layout have been designed to provide opportunities for active and passive surveillance of these paths.   |
| <b>Element 3: Street Network</b>  |  |   |
| <b>3.1 Street Layout</b>  |  |   |
| There is no applicable rule.  | C13<br>The street layout achieves all of the following:<br><br>a) distribution of traffic flows to reflect the function and type of the streets proposed<br><br><br>b) legibility, convenience and safety  | Criteria satisfied<br>The proposed street layout achieves:<br><br>a) distribution of traffic flows to reflect the function and type of the streets proposed, by providing an internal distribution of traffic within the estate and towards the Heritage Core, the Single Dwelling, and Multi Unit blocks that separates and reduces flows to provide direct routes to the future garage/basement parking spaces.<br><br>b) legibility, convenience, and safety through the road geometry and road hierarchy, designed in accordance with relevant standards. |

| Rule                                | Criteria  | Response  |
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|                                     | <p>c) avoidance of through traffic from external areas (other than for pedestrians, cyclists and public transport) and 'rat runs'</p> <p>d) opportunities for permeable and direct bus routes that</p> <p>i) minimise bus travel time</p> <p>ii) are not circuitous</p> <p>iii) avoid back tracking.</p>  | <p>c) avoidance of through traffic from external areas through incorporating turns and speed calming features that discourage 'rat-running'.</p> <p>d) not applicable as no new bus routes are proposed.</p> <p>Please refer to Road Hierarchy and Details Plan and Public Transport and Offroad Movement Plan submitted with this application for more information.</p>  |
| <p>There is no applicable rule.</p> | <p>C14</p> <p>Vehicle entry and egress points to the estate achieve all of the following:</p> <p>a) reasonable distribution of traffic flows in consideration of all of the following –</p> <p>i) road hierarchy</p> <p>ii) forecast traffic volumes</p> <p>b) safe and convenient vehicular ingress and egress</p> <p>c) integration with the street network within the estate</p> | <p>Criteria satisfied</p> <p>The proposed entry and egress points achieve:</p> <p>a) reasonable distribution of traffic flows anticipated for the development and in relation to the impact on existing road users and forecast traffic volumes in surrounding areas</p> <p>b) safe and convenient vehicular ingress and egress, including minimising vehicle entry and egress points and driveways on external adjoining roads</p> <p>c) integration with the street network within the estate, including the location of driveways in relation to internal road junctions and intersections.</p> <p>Please refer to the Traffic Impact Assessment report and Road Hierarchy and Details Plans submitted with this application which demonstrate the performance of the proposed entry points in relation to the surrounding street network.</p> |

| Rule  | Criteria   | Response  |
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| There is no applicable rule.  | C15<br>Street verge widths provide reasonable levels of amenity for all likely users appropriate to the expected use of adjoining land   | Criterion satisfied<br>The proposed street verge widths provide reasonable amenity for likely users, street tree plantings, and pedestrian paths.<br>Please refer to the Civil Documentation submitted with this application for more information.  |
| <b>3.2 Rear Lanes</b>   |  |   |
| There is no applicable rule.  | C16<br>Rear lanes do not contribute to a more desirable alternative to the higher level street network (i.e. do not contribute to 'rat running')   | Not applicable as no rear lanes are proposed.   |
| R17<br>Rear lanes comply with all of the following:<br>a) do not directly align with rear lanes across higher order streets<br>b) include threshold or other treatments to differentiate the rear lane from other streets<br>c) do not terminate in a cul-de-sac. | C17<br>Rear lanes achieve all of the following:<br>a) do not contribute to a pattern of long, continuous straight lengths of rear lanes<br>b) differentiation of the rear lane from other streets<br>c) convenient access<br>d) accommodation of service vehicles. | Not applicable as no rear lanes are proposed.   |
| <b>3.3 Culs-de-sac</b>  |  |   |
| R18<br>No more than 15 per cent of blocks in an estate have vehicular access to culs-de-sac   | C18<br>Culs-de-sac achieve all of the following:<br><br>a) legibility<br><br>b) reasonable neighbourhood connectivity<br><br>c) access to blocks where alternate access is not feasible.   | Criterion satisfied.<br>The proposed road network has been designed to reduce impacts to the existing road network.<br>The proposed cul-de-sacs achieve all of the following:<br>a) legibility through design<br><br>b) reasonable connectivity to the existing road network in the locality<br><br>c) provide access to blocks where alternative access is not feasible. |

| Rule   | Criteria  | Response   |
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| <p>R19</p> <p>This rule applies to culs-de-sac that are greater than 50m in length.</p> <p>A shared path at least 1.2m wide is provided within an access way from the head of the cul-de-sac to one or more of the following:</p> <p>a) another local street</p> <p>b) existing or proposed shared path network.</p> | <p>C19</p> <p>Culs-de-sac are provided with convenient and legible pedestrian and cyclist access with connections to a local street or the shared path network.</p>   | <p>Rule met</p> <p>1.5 and 2.5 metre shared paths have been provided along the cul-de-sacs that are connected to another local streets and the proposed shared path network across the estate.</p>   |
| <b>3.4 On-street Car Parking</b>   |   |  |
| <p>R20</p> <p>The dimensions of designated on-street car spaces comply with Australian Standard AS 2890.5 Parking – on street</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p>   | <p>Not applicable as no designated on-street parking is proposed.</p> <p>Proposed loading/drop off zones have been designed in accordance with associated Australian Standards.</p>  |
| <b>3.5 Design of Streets in Bushfire Prone Areas</b>   |   |  |
| <p>R21</p> <p>Edge streets are provided within or adjacent to a bushfire prone area on the long-term urban edge or conservation area.</p>  | <p>C21</p> <p>Edge treatments on the long term urban edge provide all of the following:</p> <p>a) reasonable protection to people and property from bush fire</p> <p>b) reasonable access for emergency vehicles.</p> | <p>Rule met</p> <p>This site is located within an existing urban area; however, an edge road has been considered to the southeast of the estate to provide protection to people and properties from bushfire.</p> <p>It is also recommended that buildings fronting these areas are constructed to BAL provisions as proposed in the Planning Control Plans submitted.</p> <p>b) reasonable access for emergency vehicles has been provided where required.</p> <p>Please refer to <b>Attachment H – Bushfire Risk Assessment Report</b> for more information.</p> |
| <p>R22</p> <p>Street trees and vegetation within the verge of edge streets referred to in the previous rule comply with the asset protection zone requirements in the Planning for Bushfire Risk Mitigation General Code.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p>   | <p>Rule met</p> <p>The street trees and vegetation within the bushfire prone areas comply with the applicable asset protection zone requirements as per the relevant Code.</p>   |



| Rule  | Criteria  | Response  |
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| Note: Fire hydrants are required in accordance with the requirements of ESA – see part D. |   | Please refer to <b>Attachment H – Bushfire Risk Assessment Report</b> for more information.   |
| <b>Element 4: Public Realm</b>  |   |   |
| <b>4.1 Networks</b>   |   |   |
| There is no applicable rule   | <p>C23<br/>Public realm spaces achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) accommodation of a range of uses, users and activities (such as those listed in table 4)</p> <p>c) contribute to providing an attractive streetscape and public places</p> <p>d) links between existing or proposed areas of open space</p> <p>e) opportunities for recreational facilities, including facilities for pedestrians and cyclists</p> <p>f) opportunities for wildlife corridors between natural areas</p> <p>g) stormwater management</p> | <p>Criterion satisfied</p> <p>Proposed public realm spaces within the Estate achieve:</p> <p>a) consistency with the Statement of Strategic Directions and the relevant zone objectives (in the absence of a desired character statement), as conceptualised in the Landscape Master Plan prepared for the estate including the retention and enhancement of the environmental and heritage values of the site.</p> <p>b) accommodation of a range of uses and activities within the Heritage Core, Remnants Park, and Quarry Park.</p> <p>c) contribute to providing an attractive streetscape and public places as depicted in the Plans included in this submission.</p> <p>d) link between existing areas of open space between the Brickworks Precinct, greater Yarralumla, and beyond.</p> <p>e) opportunities for recreational facilities, with provision for pedestrians and cyclist networks.</p> <p>f) opportunities for wildlife corridors between natural areas as retained within the Quarry Parklands and The Remnants Park.</p> <p>g) stormwater management appropriate to the function of the estate, as demonstrated in Civil plans provided in this submission.</p> |

| Rule  | Criteria   | Response   |
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| <b>4.2 Street Trees</b>   |  |  |
| <p>R24</p> <p>Street trees are provided in the street types identified in the following:</p> <p>a) for estates in other than industrial zones – table 2A</p> <p>b) for estates in industrial zones – table 2B</p>   | <p>C24</p> <p>Street tree plantings achieve an attractive streetscape.</p>   | <p>Criterion satisfied</p> <p>The proposed street tree planting achieve an attractive streetscape as shown on the Landscape Master Plan submitted with this application.</p>   |
| <p>R25</p> <p>Street trees will, at maturity, shade not less than 30% of footpaths and shared paths in the estate at noon on the summer solstice.</p> <p>Note: Maturity is the estimated canopy size at 20 years of age</p>   | <p>C25</p> <p>Street trees at maturity achieve reasonable summer shade to foot paths and shared paths with regard to heat gain and user comfort.</p>   | <p>Criterion satisfied</p> <p>Street tree species have been selected and plantings are to be located to provide reasonable summer shade to footpaths to facilitate user comfort.</p> <p>Please refer to Landscape Plans submitted for more information.</p>              |
| <b>4.3 Safety</b>   |  |  |
| <p>R26</p> <p>This rule applies to public realm spaces with all of the following characteristics:</p> <p>a) adjoin watercourses, drainage swales or stormwater detention basins</p> <p>b) contain or are likely to contain shared paths, formalised meeting places (such as picnic and barbeque areas), playgrounds or play spaces that adjoin watercourses, drainage swales and stormwater detention basins.</p> <p>Inundation only occurs in storm events greater than the two year average recurrence interval (ARI).</p> <p>Note: Compliance with this rule is demonstrated by a stormwater master plan prepared by a suitably qualified person</p> | <p>C26</p> <p>The nature and location of services and facilities in public realm spaces that adjoin watercourses, drainage swales or stormwater detention basins achieve reasonable levels of public safety in relation to their actual or intended use</p> <p>Note: Compliance with this criterion is demonstrated by a stormwater master plan prepared by a suitably qualified person.</p> | <p>Criterion satisfied</p> <p>Public realm spaces achieve stormwater performance that provides reasonable levels of public safety in relation to the intended use of these areas.</p> <p>Please refer to the Stormwater Management Plan included in this submission.</p> |
| <p>R27</p> <p>This rule applies to all public realm spaces except for the following:</p>  | <p>C27</p>   | <p>Criterion satisfied</p> <p>Public realm spaces provide all of the following:</p>  |

| Rule  | Criteria  | Response   |
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| i) street verges<br>ii) street medians<br>iii) access ways (as defined in table 4)<br>iv) pedestrian lanes (as defined in table 4)<br>A minimum of 75% of the perimeter of public realm spaces is bordered by one or more of the following:<br>a) edge roads with kerbside parking<br>b) public car parking areas<br>c) trunk shared paths<br>d) blocks with a commercial or community facility zoning. | Public realm spaces (excluding street verges and medians, access ways and pedestrian lanes) are bounded by uses that provide all of the following:<br>a) reasonable levels of surveillance, through the use of such measures as edge roads, address frontages and lighting<br>b) reasonable public access including links from footpaths to the existing or proposed shared path network and the provision of public car parking in convenient locations. | a) reasonable levels of surveillance in provision of edge roads, active commercial uses, and residential dwellings with direct frontage and surveillance over public spaces and the provision of public realm lighting.<br>b) reasonable public access through internal path network and integration into the broader Yarralumla context, and the provision of public car parking in a central location (within Precinct 3). |
| R28<br>The minimum width of pedestrian parkland and access ways, as defined in table 4, is as follows:<br>a) where the pedestrian parkland or access way is 60m or longer - 6m<br>b) where the pedestrian parkland or access way is less than 60m in length - 4m.   | This is a mandatory requirement. There is no applicable criterion   | Rule met<br>The minimum width of public pedestrian parkland and access ways comply with the requirements of the rule.  |
| There is no applicable rule.  | C29<br>Reasonable levels of public safety are achieved in pedestrian parkland and access ways (as defined in table 4).<br>This may be achieved by all of the following:<br>a) reasonable legibility<br>b) reasonable sightlines<br>c) avoidance of potential entrapment spots or hiding places.<br>Note: The proposal must also comply with the Crime Prevention through Environmental Design General Code.   | Criterion satisfied<br>Reasonable levels of public safety is achieved in pedestrian parkland and access ways through:<br>a) Designated legible pedestrian routes through spaces<br>b) Maintaining open sightlines and avoiding entrapment spaces.<br>Please refer to assessment against the relevant requirements of the Crime Prevention Through Environmental Design General Code under <b>Section 10.2</b> .              |
| <b>Element 5: Environment Protection</b>  |   |  |
| <b>5.2 Sediment and Erosion Control</b>   |   |  |
| R34<br>This rule applies to estates greater than 3000m <sup>2</sup> .   |   | Rule met   |

| Rule  | Criteria   | Response  |
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| <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 the ACT EPA Environmental Protection Guidelines for Construction and Land Development in the ACT 2011.</p> <p>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>Please refer to the Sediment and Erosion Control Concept Plan provided in this submission.</p>   |
| <p><b>5.3 Earthworks</b></p>  |  |   |
| <p>There is no applicable rule.</p>   | <p>C35<br/>The extent of earthworks is minimised.<br/>The proposed street and block layout minimises the extent of earthworks.</p> | <p>Criterion satisfied<br/>The estate utilises the existing site conditions and topography, including the preservation of ecological and heritage values, to minimise the extent of earthworks.<br/>Block layouts have been developed to correspond to the natural and historic features of the site.</p> |
| <p>R36<br/>Earthworks are managed in accordance with an Environmental Management Concept Plan endorsed by Environment Protection Authority.<br/>Supporting document: Environmental Management Concept Plan endorsed by Environment Protection Authority.<br/>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>Rule to be met<br/>Please refer to Environmental Management Concept Plan provided in this submission.</p>  |
| <p><b>5.4 Tree Protection</b></p>   |  |   |
| <p>R37<br/>This rule applies to a development that has one or more of the following characteristics:<br/>a) requires groundwork within the tree protection zone of a protected tree</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p>  | <p>Rule met<br/>The proposal includes the removal/retention of a number of trees and groundworks within the vicinity of protected trees.</p>  |

| Rule  | Criteria  | Response  |
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| <p>b) is likely to cause damage to or removal of any protected trees</p> <p>c) is a declared site.</p> <p>The authority shall refer the development application to the Conservator or Flora and Fauna.</p> <p>Note 1: The authority will consider any advice from the Conservator or Flora and Fauna before determining the application.</p> <p>Note 2: Protected tree and declared site are defined under the Tree Protection Act 2005</p>   |   | <p>It should be noted that many of the trees that are proposed for removal are at the end of their 100 year life.</p> <p>Please refer to Tree Management Plan and Assessment Report provided in this submission.</p>  |
| <b>5.5 Heritage</b>   |   |   |
| <p>R38</p> <p>This rule applies to estates where sites within the development area are either listed or nominated to the Heritage Register.</p> <p>Development complies with the mitigation measures recommended in a heritage statement endorsed by the Heritage Council.</p> <p>Supporting document: Heritage statement including mitigation measures (see Heritage Act, 2004)</p> <p>Note: A condition of development approval may be imposed to ensure compliance with the endorsed measures.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule to be met</p> <p>The estate includes an ACT Heritage Council heritage listed place being the Canberra Brickworks (item 20068).</p> <p>A revised Conservation Management Plan (September 2021) was submitted and approved by the Heritage Council (please refer to the EIS for further information).</p> <p>A Statement of Heritage Effects was submitted to ACT Heritage on 20 July 2023 and is being progressed in parallel to this application.</p> |
| <p>R39</p> <p>This rule applies to an estate unless the Heritage Council has provided written confirmation that there are no Aboriginal sites and/or objects are located within the development area,</p> <p>Development complies with the relevant cultural heritage assessment and conservation management plan endorsed by the ACT Heritage Council.</p> <p>Supporting document: Cultural heritage assessment and conservation management plan endorsed by the Heritage Council.</p>               | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule met</p> <p>The proposed works have been designed to retain the heritage values of the Brickworks.</p>   |

| Rule   | Criteria   | Response  |
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| <p>Note: A condition of development approval may be imposed to ensure compliance with the endorsed cultural heritage assessment and conservation management plan.</p>  |  |   |
| <p><b>5.6 Contamination</b></p>  |  |   |
| <p>R40</p> <p>This rule applies to an estate unless the EPA has provided written confirmation that there are no contaminated sites within or adjacent to the development area.</p> <p>Development complies with the relevant environmental site assessment report endorsed by EPA.</p> <p>Supporting document: Environmental site assessment report endorsed by EPA</p> <p>Note: A condition of development approval may be imposed to ensure compliance with the endorsed environmental site assessment report.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p>  | <p>Rule to be met</p> <p>The subject site is listed as a contaminated site on the ACT Contaminated Sites Register, being a former brickworks dump area.</p> <p>Information has been provided in this submission for EPA endorsement.</p> <p>An EIS application has also been progressed and completed that addresses the contamination issues and provide mitigation measures.</p> <p>Please refer to <b>Attachment AT – Canberra Brickworks Precinct Environmental Impact Assessment</b> for more information.</p> |
| <p><b>5.7 Matters of National Environmental Significance</b></p>   |  |   |
| <p>R41</p> <p>This rule applies to land affected by a plan for the protection of matters of national environmental significance (NES plan) approved under the Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth).</p> <p>Development is not inconsistent with the relevant NES plan.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p>  | <p>Not applicable. The site is not subject to an NES Plan.</p> <p>An EIS has been completed for the estate that addresses EPBC Act triggers.</p>  |
| <p><b>Element 6: Services and Infrastructure</b></p>   |  |   |
| <p><b>6.1 Buffer Zones to Utility Services</b></p>   |  |   |
| <p>There is no applicable rule.</p>  | <p>C42</p> <p>Buffer zones or suitable barriers are provided between blocks proposed for residential, commercial or community facility use and utility service equipment, such as sewer vents, sewer pump stations and water pump stations, to reduce the impacts of noise and odour in accordance with the requirements of the relevant utility service</p> | <p>Criterion satisfied</p> <p>Adequate buffer zones are provided between blocks for commercial/mixed use and residential uses to accommodate utility functions.</p>   |

| Rule   | Criteria  | Response   |
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|  | provider. Utility service equipment must also be adequately screened from public view.  |  |
| <b>6.2 Utility Services</b>  |   |  |
| <p>R43</p> <p>Utility services, including water, sewer, stormwater, electricity and telecommunications are provided to each block.</p> <p>Note 1: A condition of development approval may be imposed to ensure compliance with this rule.</p> <p>Note 2: The provision of other utility services including the provision of gas is optional.</p> | This is a mandatory requirement. There is no applicable criterion.  | <p>Rule met</p> <p>The proposed blocks are to be provided with utility services in accordance with this rule.</p> <p>Refer to Utility Service Plans included in this submission.</p>   |
| <p>R44</p> <p>Utility services are located within road verges or other territory land.</p>   | <p>C44</p> <p>Utility services may be located within leased blocks where all of the following are achieved:</p> <p>a) located within service easements and accessed by means of emergency or maintenance access routes in accordance with the requirements of utility service providers</p> <p>b) located on blocks that are of sufficient size to accommodate the required service easements and access routes whilst providing comparable building footprint area to that of unencumbered blocks.</p> | <p>Criterion satisfied</p> <p>Proposed services are to be located in both verges and leased blocks.</p> <p>Where services are located in leased blocks, easements are proposed to be created that will ensure that maintenance and access clearance requirements are maintained for the required services.</p> <p>Refer to Civil plans included in this submission demonstrating the proposed location of utility service infrastructure and associated easements within the estate.</p> |
| <p>There is no applicable rule.</p>  | <p>C45</p> <p>Above ground utility services that are located in pedestrian parkland or access ways avoid potential entrapment spots or hiding places.</p>   | <p>Criterion satisfied</p> <p>Where above ground infrastructure is required, these items are sited to avoid potential entrapment and hiding spots.</p>   |
| <b>Part D – Endorsement by Government Agencies (Entities)</b>  |   |  |
| <b>Element 13: Public Transport, Walking and Cycling</b>   |   |  |
| <b>13.1 Public Transport</b>   |   |  |
| <p>R78</p> <p>Bus routes are to be endorsed by TAMS.</p>   |   | <p>Not applicable as no new bus routes are proposed.</p>   |

| Rule  | Criteria  | Response  |
|---|---|---|
| <p>Note: In making its assessment TAMS will consider all of the following:</p> <ul style="list-style-type: none"> <li>a) Strategic Public Transport Network, including the Frequent Network structure and service characteristics</li> <li>b) TAMS Design Standards for Urban Infrastructure DS02- Road Planning or its successor</li> <li>c) TAMS Design Standards for Urban Infrastructure DS03- Road Design or its successor</li> <li>d) whether the configuration of the bus route meets all of the following – <ul style="list-style-type: none"> <li>i) allows for the movement of buses unimpeded by parked cars</li> <li>ii) safely accommodates on-road cycling</li> <li>iii) avoids the need for cars to overtake parked buses</li> <li>iv) ensures that buses maintain priority en route and from departing bus stops</li> </ul> </li> <li>e) whether the nominated bus routes are consistent with – <ul style="list-style-type: none"> <li>i) for estates in other than industrial zones – table 2A</li> <li>ii) for estates in industrial zones – table 2B.</li> </ul> </li> <li>f) whether the any of the following features on the proposed route will adversely affect its function as a bus route – <ul style="list-style-type: none"> <li>i) local area traffic management</li> <li>ii) traffic calming</li> </ul> </li> <li>g) whether bus priority is facilitated through one or more of the following – <ul style="list-style-type: none"> <li>i) queue jump lanes</li> <li>ii) local signal priority</li> <li>iii) local traffic/parking controls</li> <li>iv) bus only lanes</li> <li>v) bus only streets</li> <li>vi) no turning exemptions.</li> </ul> </li> </ul> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |   |
| <p>R79</p> <p>Bus stop locations are to be endorsed by TAMS.</p> <p>Note: In making its assessment TAMS will consider all of the following:</p>   | <p>This is a mandatory requirement. There is no applicable criterion</p>  | <p>Not applicable as no new bus stops are proposed.</p> |



| Rule  | Criteria  | Response   |
|---|---|--|
| <p>a) TAMS Design Standards for Urban Infrastructure DS02-Road Planning or its successor</p> <p>b) whether bus stops on coverage routes and frequent local service routes are located not less than 400m apart</p> <p>c) whether bus stops on the same route but serving opposite directions of bus travel are located not less than 100m apart</p> <p>d) whether bus stops are located to achieve legibility and convenience for passengers</p>  |   |  |
| <p>R80</p> <p>Bus routes that cross busy roads are to be endorsed by TAMS.</p> <p>Note: TAMS will endorse the intersection of a bus route with a road that carries or is forecast to carry in excess of 6000 vehicles per day (arterial road) if one or more of the following are provided:</p> <p>a) a left turn onto the arterial road and right turn from the arterial road into the adjoining area</p> <p>b) a signalised intersection.</p> <p>TAMS may consider departures. In making its assessment TAMS will consider all of the following:</p> <p>i) whether the intersection will allow buses to safely gain access to adjoining neighbourhoods without the need for complicated turning manoeuvres</p> <p>ii) whether the intersection will unreasonably add to bus travel times</p> <p>iii) TAMS Design Standards for Urban Infrastructure DS02-Road Planning or its successor.</p> <p>iv) TAMS Design Standards for Urban Infrastructure DS03-Road Design or its successor.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not applicable as no new bus routes are proposed.</p>   |
| <p><b>13.2 Pedestrian and Cycling Facilities</b></p>  |   |  |
| <p>R81</p> <p>On-road cycling is to be endorsed by TAMS.</p> <p>Note: TAMS will endorse on-road cycling lanes if they comply with all of the following:</p> <p>a) 1.5m wide</p> <p>b) AUSTROADS Guidelines</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not relevant to this proposal as no on-road cycling lanes are proposed within the estate.</p> |

| Rule   | Criteria  | Response  |
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| <p>c) TAMS Design Standards for Urban Infrastructure DS13- Pedestrian and Cycle Facilities or its successor.</p> <p>R82</p> <p>Shared paths are to be endorsed by TAMS.</p> <p>Note: TAMS will endorse shared paths if they comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) for estates in other than industrial zones – table 2A</li> <li>b) for estates in industrial zones – table 2B</li> <li>c) table 5</li> <li>d) TAMS Design Standards for Urban Infrastructure DS13- Pedestrian and Cycle Facilities or its successor</li> <li>e) pram crossings are provided for all shared paths at street intersections. Driveway verge crossings cannot be substituted for pram crossings.</li> <li>f) lighting is provided to shared paths in accordance with Australian Standards AS115.3.1- Lighting for roads and public spaces.</li> </ul> <p>TAMS may endorse departures. In making its assessment TAMS will consider the following;</p> <ul style="list-style-type: none"> <li>i) TAMS Design Standards for Urban Infrastructure DS12-Public Lighting or its successor.</li> <li>ii) TAMS Design Standards for Urban Infrastructure DS13- Pedestrian and Cycle Facilities or its successor.</li> </ul> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule met</p> <p>TCCS have been consulted on the proposed shared paths across the estate. Information has been provided with this application for referral to TCCS.</p> |
| <p>R83</p> <p>Shared path crossings of streets where the actual or forecast traffic volumes exceed 3000 vehicles per day are to be endorsed by TAMS.</p> <p>Note: TAMS will endorse shared path crossings if one or more of the following are provided:</p> <ul style="list-style-type: none"> <li>a) signals</li> <li>b) pedestrian refuges</li> <li>c) slow points</li> </ul> <p>TAMS may consider the following:</p> <ul style="list-style-type: none"> <li>i) TAMS Design Standards for Urban Infrastructure DS12- Public Lighting or its successor.</li> <li>ii) TAMS Design Standards for Urban Infrastructure DS13- Pedestrian and Cycle Facilities or its successor.</li> </ul>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not relevant to this proposal.</p> <p>No streets are designed or forecast to exceed volumes of 3,000 vehicles per day.</p>   |

| Rule   | Criteria  | Response   |
|--|---|--|
| <p>R84</p> <p>Sight distances at shared path street crossings are to be endorsed by TAMS.</p> <p>Note: In making its assessment TAMS will consider all of the following –</p> <ul style="list-style-type: none"> <li>a) AUSTRROADS Guidelines</li> <li>b) Australian Standard AS1742.10 – Pedestrian control and protection</li> <li>c) TAMS Design Standards for Urban Infrastructure DS 03 Road Design or its successor.</li> <li>d) TAMS Design Standards for Urban Infrastructure DS13 Pedestrian and Cycle Facilities or its successor.</li> </ul>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule met</p> <p>TCCS have been consulted on the proposed shared path and sight distances. Information has been provided with this application for referral to TCCS.</p> |
| <p><b>Element 14: Street Networks</b></p>  |   |  |
| <p><b>14.1 Street Function</b></p>   |   |  |
| <p>R85</p> <p>Street types are to be endorsed by TAMS.</p> <p>Note: TAMS will endorse street types if they comply with the design speed and traffic volume provisions in the following:</p> <ul style="list-style-type: none"> <li>a) for estates in other than industrial zones – table 2A</li> <li>b) for estates in industrial zones – table 2B.</li> </ul> <p>TAMS may endorse the upgrading of a street (from the level complying with the relevant table specified in this rule) to the next highest level in the hierarchy of roads. In making its assessment TAMS will consider whether the street in question performs the function of the specified street type.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule met</p> <p>TCCS have been consulted on the proposed street types and network. Information has been provided with this application for referral to TCCS.</p>        |
| <p>R86</p> <p>Connections between streets with different hierarchies are to be endorsed by TAMS.</p> <p>Note: TAMS will endorse connections between streets with different hierarchies where there are no more than two levels of separation in the hierarchy. For the purposes of this rule the street hierarchy is:</p> <ul style="list-style-type: none"> <li>i) rear lane or shared access street</li> </ul>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule met</p> <p>TCCS have been consulted on the proposed road network. Information has been provided with this application for referral to TCCS.</p>                    |

| Rule   | Criteria  | Response  |
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| <p>ii) access street A<br/>iii) access street B<br/>iv) minor collector<br/>v) major collector<br/>vi) arterial road</p> <p>These street types are defined in tables 1A, 1B and 1C. For the purposes of this note an arterial road is one level higher than a major collector.</p>   |   |   |
| <p>R87</p> <p>Intersection designs are to be endorsed by TAMS.<br/>Note: TAMS may endorse intersection designs where left-in and left-out intersections supplement crossroads or staggered intersections.<br/>In making its assessment TAMS will consider the following:</p> <p>i) AUSTRROADS Guidelines<br/>ii) TAMS Design Standards for Urban Infrastructure DS02-Road Planning or its successor<br/>iii) TAMS Design Standards for Urban Infrastructure DS03-Road Design or its successor<br/>iv) TAMS Design Standards for Urban Infrastructure DS13-Pedestrian and Cycle Facilities or its successor</p> | <p>This is a mandatory requirement. There is no applicable criterion</p>  | <p>Rule met</p> <p>TCCS have been consulted on the proposed road network. Information has been provided with this application for referral to TCCS.</p> |
| <p>R88</p> <p>This rule applies to residential zones and CZ5.<br/>Spacing of intersections is to be endorsed by TAMS.<br/>Note: TAMS will endorse the spacing of intersections if they comply with table 6. TAMS may consider departures.<br/>In making its assessment TAMS will consider whether the proposed spacing of intersections will allow for safe and convenient vehicle movements.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not applicable as the site is zoned CZ6.</p>   |
| <p>R89</p> <p>This rule applies to zones other than residential zones and CZ5.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule met</p>   |

| Rule   | Criteria  | Response   |
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| <p>Spacing of intersections is to be endorsed by TAMS.</p> <p>Note: In making its assessment TAMS will consider whether the proposed spacing of intersections will allow for safe and convenient vehicle movements.</p>  |   | <p>TCCS have been consulted on the proposed road network. Information has been provided with this application for referral to TCCS.</p>  |
| <p>R90</p> <p>Four-way intersections are to be endorsed by TAMS.</p> <p>Note: TAMS will endorse four-way intersections where they are controlled by traffic signals or a roundabout. TAMS may consider departures, except in the circumstances listed below. In making its assessment TAMS will consider whether</p> <p>a) the intersection design and forecast traffic volumes meet the recommended limits as specified in AUSTRoads Guidelines</p> <p>b) whether physical measures are correctly designed to define priorities and enhance safety.</p> <p>c) TAMS Design Standards for Urban Infrastructure DS03-Road Design or its successor</p> <p>TAMS will not consider departures in the case of the following intersections:</p> <p>i) minor collector with minor collector</p> <p>ii) major collector with major collector.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not relevant to this proposal as four way intersections are not proposed.</p>   |
| <p>R91</p> <p>Vehicle entry and egress points are endorsed by the Emergency Services Authority (ESA).</p> <p>Note: ESA will endorse vehicle entry and egress points where they allow access by a 12.5m single unit truck (Hazmat vehicle).</p> <p>ESA may consider departures.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule met</p> <p>Please refer to the Civil plans included in this submission and refer to the ESA for endorsement.</p>   |
| <p><b>14.2 Street Geometry</b></p>   |   |  |
| <p>R92</p> <p>Street verge widths are to be endorsed by TAMS.</p> <p>Note: TAMS will endorse street verge widths where they comply with the following:</p> <p>a) for estates in other than industrial zones – table 2A</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule met</p> <p>Street verge widths have been designed in accordance with the relevant standards. Information has been provided with this application for referral to TCCS.</p> |

| Rule  | Criteria   | Response  |
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| <p>b) for estates in industrial zones – table 2B.</p> <p>TAMS may consider departures. In making its assessment TAMS will consider whether street verge widths achieve all of the following:</p> <p>i) all relevant utility providers comply with TAMS Design Standards for Urban Infrastructure DS02-Road Planning or its successor</p> <p>ii) all relevant utility providers comply with TAMS Design Standards for Urban Infrastructure DS04-Verge Design or its successor</p> <p>iii) are capable of accommodating the required utility services, street tree planting, shared paths, and street lighting</p> <p>iv) reasonable maintenance costs</p> <p>v) will encourage traffic speeds consistent with the street design speed and function when all relevant utility providers agree</p> <p>vi) compliance with the requirements of relevant utility providers</p> <p>vii) sufficient clearance to paths, trees and utilities according to AUSTRROADS Guidelines</p> <p>viii) agreement on shared trench usage</p> |  |   |
| <p>R93</p> <p>Street carriageway widths are to be endorsed by TAMS.</p> <p>Note 1: TAMS will endorse street carriageway widths where they comply with the following:</p> <p>a) for estates in other than industrial zones – table 2A</p> <p>b) for estates in industrial zones – table 2B. TAMS may consider departures. In making its assessment TAMS will consider whether proposed carriageway widths achieves all of the following:</p> <p>i) compliance with TAMS Design Standards for Urban Infrastructure DS02-Road Planning or its successor</p> <p>ii) compliance with TAMS Design Standards for Urban Infrastructure DS03-Road Design or its successor</p> <p>iii) safe and efficient movement of all road users. Note 2: Streets proposed as bus routes have additional requirements in table 3.</p>   | <p>This is a mandatory requirement. There is no applicable criterion</p> | <p>Rule met</p> <p>TCCS have been consulted on the proposed street network. Information has been provided with this application for referral to TCCS.</p> |

| Rule   | Criteria  | Response   |
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| <p>Note 3: Refer to the notes supporting tables 2A, 2B and 2C for how to measure the carriageway width.</p>  |   |  |
| <p>R94</p> <p>Street pavement cross-falls are to be endorsed by TAMS.</p> <p>Note: TAMS will endorse street pavement cross-falls where they are 3%.</p> <p>TAMS may consider departures. In making its assessment TAMS will consider the following:</p> <ul style="list-style-type: none"> <li>a) whether proposed pavement cross-falls reflect the physical land characteristics and major drainage functions</li> <li>b) safety criteria for vehicle movement</li> <li>c) overland flow paths</li> <li>d) TAMS Design Standards for Urban Infrastructure DS01-Stormwater or its successor.</li> <li>e) TAMS Design Standards for Urban Infrastructure DS-03-Road Design or its successor.</li> </ul>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule to be met</p> <p>Information has been provided with this application for referral to TCCS.</p>                                 |
| <p>R95</p> <p>Street longitudinal gradients are to be endorsed by TAMS.</p> <p>Note 1: TAMS will endorse street longitudinal gradients where they comply with the following:</p> <ul style="list-style-type: none"> <li>a) for estates in other than industrial zones – table 2A</li> <li>b) for estates in industrial zones – table 2B.</li> </ul> <p>TAMS may consider departures. In making its assessment TAMS will consider the following:</p> <ul style="list-style-type: none"> <li>i) reasonable access for pedestrian, cyclists and waste collection vehicles</li> <li>ii) adequate stormwater management</li> <li>iii) reasonable levels of public safety iv) TAMS Design Standards for Urban Infrastructure DS01-Stormwater or its successor.</li> <li>v) TAMS Design Standards for Urban Infrastructure DS03-Road Design or its successor.</li> </ul> <p>Note 2: Streets proposed as bus routes have additional requirements in table 3.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule to be met</p> <p>Please refer to Road Longitudinal Sections included in this submission and refer to TCCS for endorsement.</p> |

| Rule   | Criteria  | Response  |
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| <p>R96</p> <p>Geometric design for intersections, roundabouts and slow points are to be endorsed by TAMS.</p> <p>Note: In making its assessment TAMS will consider all of the following:</p> <ul style="list-style-type: none"> <li>a) AUSTRROADS Guidelines</li> <li>b) Australian Road Rules for the relevant vehicle speed</li> <li>c) TAMS Design Standards for Urban Infrastructure DS02- Road Planning or its successor.</li> <li>d) TAMS Design Standards for Urban Infrastructure DS13- Pedestrian and Cycle Facilities or its successor.</li> </ul>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule to be met</p> <p>Please refer to the Civil Plans submitted for referral to TCCS.</p>  |
| <p>R97</p> <p>Intersection turning path designs are to be endorsed by TAMS.</p> <p>Note: TAMS will endorse intersection turning path designs where vehicle turning movements (using AUSTRROADS Design Vehicles and Turning Templates) enable turns in a single forward movement to comply with the following:</p> <ul style="list-style-type: none"> <li>a) for turns between a major collector and a minor collector or access street, the 'design articulated vehicle' provides a turning path radius of at least 15m in accordance with the Australian Road Rules</li> <li>b) for turns between a minor collector street and access streets, the 'design heavy rigid vehicle' provides a turning path radius of at least 12.5m, using any part of the pavement, in accordance with the Australian Road Rules</li> <li>c) for turns between access streets, the B99 'design car' provides a turning path radius of at least 8m using the correct side of the pavement only</li> <li>d) TAMS Design Standards for Urban Infrastructure DS03- Road Design or its successor</li> <li>e) for intersections on bus routes – <ul style="list-style-type: none"> <li>i) table 3</li> <li>ii) turning templates for buses.</li> </ul> </li> </ul> <p>TAMS will not consider departures</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule met</p> <p>TCCS have been consulted on the proposed road network. Information has been provided with this application for referral to TCCS.</p> |



| Rule  | Criteria  | Response   |
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| <p>R98</p> <p>Kerb types are to be endorsed by TAMS.</p> <p>Note: TAMS will endorse kerb types where they comply with the following:</p> <ul style="list-style-type: none"> <li>a) for estates in other than industrial zones – table 2A</li> <li>b) for estates in industrial zones – table 2B.</li> <li>c) in all zones, all bus routes have upright kerbs.</li> </ul> <p>TAMS may consider departures. In making its assessment TAMS will consider:</p> <ul style="list-style-type: none"> <li>i) public safety</li> <li>ii) maintenance costs</li> <li>iii) whether water sensitive urban design outcomes are achieved</li> <li>iv) TAMS Design Standards for Urban Infrastructure DS03-Road Design or its successor.</li> <li>v) Streets designed to service buses.</li> </ul> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule to be met</p> <p>Information has been provided with this application for referral to TCCS.</p> |
| <p>R99</p> <p>Kerb radii are to be endorsed by TAMS.</p> <p>Note: TAMS will endorse kerb radii where they comply with the following:</p> <ul style="list-style-type: none"> <li>a) for residential zones and CZ5 – minimum 8m</li> <li>b) for commercial zones (excluding CZ5) – minimum 10m</li> <li>c) for industrial zones – minimum 10m</li> </ul> <p>TAMS may consider departures. In making its assessment TAMS will consider:</p> <ul style="list-style-type: none"> <li>i) AUSTROADS Guidelines</li> <li>ii) TAMS Design Standards for Urban Infrastructure DS03-Road Design or its successor.</li> </ul>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule to be met</p> <p>Information has been provided with this application for referral to TCCS.</p> |
| <p><b>14.3 Traffic Control and Management</b></p>   |   |  |
| <p>R100</p> <p>Street leg lengths are to be endorsed by TAMS.</p> <p>Note: For streets other than major collector streets TAMS will endorse street leg lengths that do not exceed the relevant length given in table 8.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule to be met</p> <p>Information has been provided with this application for referral to TCCS.</p> |

| Rule   | Criteria  | Response  |
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| <p>TAMS may consider departures. In making its assessment TAMS will consider whether the proposed traffic speed reduction measures will achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) traffic speeds no greater than the design speeds of the street</li> <li>b) minimal noise</li> <li>c) convenience and safety for cyclists and public transport.</li> </ul> <p>Street leg lengths are defined by figure 1.</p>   |   |   |
| <p>R101</p> <p>Bends introduced to control speed are to be endorsed by TAMS.</p> <p>Note: TAMS will endorse slow points that are created through the introduction of bends if they comply with tables 7 and 8.</p> <p>TAMS may consider departures.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule to be met</p> <p>Information has been provided with this application for referral to TCCS.</p>                  |
| <b>14.4 Shared Zones</b>   |   |   |
| <p>R102</p> <p>Shared use zones are to be endorsed by TAMS.</p> <p>Note: TAMS may endorse shared use zones after consideration of all of the following:</p> <ul style="list-style-type: none"> <li>a) pedestrian priority</li> <li>b) AUSTRoads Guidelines</li> <li>c) TAMS Design Standards for Urban Infrastructure.</li> </ul>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule to be met</p> <p>Please refer to the Civil documentation submitted with this application and refer to TCCS.</p> |
| <b>14.5 Rear Lanes</b>   |   |   |
| <p>R103</p> <p>The configuration of rear lanes is to be endorsed by TAMS.</p> <p>Note 1: TAMS will endorse the configuration of a rear lane if it complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) the relevant provisions of tables 1A, 1B, 2A and 2B</li> <li>b) the number of dwellings accessed from it is not more than 40 (see Note 1)</li> <li>c) maximum leg length is 120m (figure 1)</li> <li>d) maximum peak hour traffic volume at any intersection with a higher order street is 160 vehicles per day</li> </ul> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not relevant to this proposal as rear lanes are not proposed.</p>  |

| Rule  | Criteria  | Response   |
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| <p>e) the relevant Australian Standard for sight lines (particularly at bends and intersections)</p> <p>f) a suitable median is provided in a higher order street where rear lanes directly align across that street</p> <p>g) there are no dead ends</p> <p>h) TAMS Design Standard for Urban Infrastructure DS12- Public Lighting or its successor</p> <p>i) if waste collection from a rear lane is proposed, turning circles at the intersection of the rear lane and higher order streets and/or intersections between different legs of rear lane, accommodate 12.5m single unit truck (refuse vehicles) and comply with TAMS Design Standard for Urban Infrastructure DS02-Road Planning or its successor</p> <p>j) incorporates fire hydrants located not less than 60m from any location within the rear lane.</p> <p>k) TAMS Design Standards for Urban Infrastructure DS01- Stormwater</p> <p>l) Crime Prevention through Environmental Design General Code.</p> <p>TAMS may consider departures.</p> <p>Note 2: For the purposes of this rule, a rear lane comprises all interconnecting sections of a lane within an area bounded by higher order streets.</p> |   |  |
| <p>R104</p> <p>The configuration of rear lanes is endorsed by ESA.</p> <p>Note: ESA will endorse the configuration of a rear lane if it complies with one of the following:</p> <p>a) caters for access by a 12.5m single unit truck (Hazard vehicle).</p> <p>b) no part of the rear lane is more than 100m from where a 12.5m single unit truck (Hazard vehicle) can park.</p> <p>ESA may consider departures.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not relevant to this proposal as rear lanes are not proposed.</p> |
| <p>R105</p> <p>The location of fire hydrants in rear lanes is endorsed by ESA.</p> <p>Note: ESA will endorse the configuration of a rear lane if it incorporates fire hydrants located not less than 60m from any location within the rear lane.</p> <p>ESA may consider departures.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not relevant to this proposal as rear lanes are not proposed.</p> |

| Rule   | Criteria  | Response   |
|--|---|--|
| <p>R106</p> <p>The length of rear lanes is to be endorsed by TAMS.</p> <p>Note: Where street lights are provided only at the entry and exit points of the rear lane TAMS will endorse the length of the rear lane provided that it does not exceed 60m.</p> <p>TAMS may consider departures. In making its assessment TAMS will consider all of the following:</p> <ul style="list-style-type: none"> <li>a) the adequacy of proposed street lighting</li> <li>b) TAMS Design Standard for Urban Infrastructure DS12-Public Lighting or its successor</li> <li>c) principles of Crime Prevention through Environmental Design General Code</li> </ul>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not relevant to this proposal as rear lanes are not proposed.</p> |
| <p>R107</p> <p>The location of street lighting in rear lanes is to be endorsed by TAMS.</p> <p>Note: TAMS will endorse street lighting in rear lanes , if it complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) minimum clearance to back of kerb – 1.7m</li> <li>b) minimum clearance to any boundary or indented boundary of block that is leased (or intended to be leased) – 0.5m</li> <li>c) upright kerb along the side where street lighting is located</li> </ul> <p>TAMS may consider departures. In making its assessment TAMS will consider all of the following:</p> <ul style="list-style-type: none"> <li>i) the design and location of proposed street lighting</li> <li>ii) maintenance access to proposed street lighting</li> <li>iii) TAMS Design Standard for Urban Infrastructure DS12-Public Lighting or its successor.</li> <li>iv) principles of Crime Prevention through Environmental Design General Code.</li> </ul> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not relevant to this proposal as rear lanes are not proposed.</p> |
| <p>R108</p> <p>Reticulation of utility services for blocks with frontage to a rear lane is to be endorsed by TAMS.</p> <p>Note: TAMS will endorse local stormwater drainage located within a rear lane, where it is located along the</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not relevant to this proposal as rear lanes are not proposed.</p> |

| Rule   | Criteria   | Response  |
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| centreline of the rear lane and include grated sumps designed for zero capacity.   |  |   |
| <b>14.6 Cul-de-sac</b>   |  |   |
| R109<br>Culs-de-sac lengths are to be endorsed by TAMS<br>Note: TAMS will endorse the length of a cul-de-sac if it is no longer than 100m.<br>TAMS may consider departures. In making its assessment TAMS will consider TAMS Design Standard for Urban Infrastructure DS03-Road Design or its successor.   | This is a mandatory requirement. There is no applicable criterion. | Rule met<br>TCCS have been consulted on the proposed road network. Information has been provided with this application for referral to TCCS.  |
| R110<br>Culs-de-sac lengths are endorsed by ESA<br>Note: ESA will endorse the length of a cul-de-sac if it is no longer than 100m.<br>ESA may consider departures. In making its assessment ESA will consider the availability of alternative emergency access.  | This is a mandatory requirement. There is no applicable criterion. | Rule to be met<br>Information has been provided with this application for referral to ESA.  |
| R111<br>Culs-de-sac head diameters are to be endorsed by TAMS<br>Note: TAMS will endorse the diameter of the head of a cul-de-sac if it is not less than 17m.<br>TAMS may consider departures. In making its assessment TAMS will consider whether the head of culs-de-sac head will accommodate a three point turn by a 'design refuse vehicle'.  | This is a mandatory requirement. There is no applicable criterion. | Rule met<br>TCCS have been consulted on the proposed road network. Information has been provided with this application for referral to TCCS.  |
| <b>14.7 Edge Treatments in Bushfire Prone Areas</b>  |  |   |
| R112<br>Edge streets within or adjacent to a bushfire prone area on the long-term urban edge or conservation areas are to be endorsed by TAMS.<br>Note: TAMS will endorse such edge streets if they have a 7.5m wide carriageway.<br>TAMS may consider departures. In making its assessment TAMS will consider whether other treatments, including fire trails will offer suitable protection. | This is a mandatory requirement. There is no applicable criterion. | Rule met<br>TCCS have been consulted on the proposed edge road to the south of the estate.<br>Refer to <b>Attachment H – Bushfire Risk Assessment Report</b> included in this submission for details of bushfire protection requirements. |

| Rule   | Criteria  | Response  |
|--|---|---|
| <p>R113</p> <p>Edge streets within or adjacent to a bushfire prone area on the long-term urban edge or conservation areas are to be endorsed by ESA.</p> <p>Note: ESA may endorse an edge street of this sort after considering all of the following:</p> <ul style="list-style-type: none"> <li>a) the provision of fire hydrants</li> <li>b) whether intersection and kerb returns are sufficient to accommodate emergency services vehicles</li> <li>c) whether roadside embankments allow vehicular access to surrounding areas (maximum embankment gradients are 1 vertical to 4 horizontal).</li> </ul>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule to be met</p> <p>Refer to <b>Attachment H – Bushfire Risk Assessment Report</b> included in this submission for details of bushfire protection requirements and refer to ESA for endorsement.</p> |
| <p><b>14.8 Driveway Verge Crossings</b></p>  |   |   |
| <p>R114</p> <p>This rule applies to driveway verge crossings that are not within 40m of a roundabout or signalised intersection. Driveway verge crossings are to be endorsed by TAMS.</p> <p>Note: TAMS will endorse driveway verge crossings where they comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) 6m horizontally clear of the tangent point of the radius of the curve on a corner block.,</li> <li>b) AS2890.1 – The Australian Standard for Off Street Parking as amended from time to time, in relation to sightlines and cross fall of the site</li> <li>c) clear of any existing or proposed indented on-street car parking bays, valves, fire hydrants and electricity equipment</li> <li>d) TAMS Design Standard for Urban Infrastructure DS05-Driveways or its successor</li> <li>e) standard drawing DS5-02 Heavy Duty Driveways. TAMS may consider departures</li> </ul> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule to be met</p> <p>TCCS have been consulted on the proposed road network. Information has been provided with this application for referral to TCCS.</p>   |
| <p>R115</p> <p>This rule applies to driveway verge crossings that are within 40m of a roundabout or signalised intersection.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule to be met</p> <p>TCCS have been consulted on the proposed road network. Information has been provided with this application for referral to TCCS.</p>   |

| Rule  | Criteria  | Response  |
|---|---|---|
| <p>Driveway verge crossings are to be endorsed by TAMS.</p> <p>Note: TAMS may endorse driveway verge crossings after considering all of the following:</p> <ul style="list-style-type: none"> <li>a) horizontal clearance from tangent point of the radius of the curve on a corner block</li> <li>b) AS2890.1 – The Australian Standard for Off Street Parking as amended from time to time, in relation to sightlines and cross fall of the site</li> <li>c) the location of any existing or proposed indented on street car parking bays, valves, fire hydrants and electricity equipment</li> <li>d) TAMS Design Standard for Urban Infrastructure DS05- Driveways or its successor</li> <li>e) standard drawing DS5-02- Heavy Duty Driveways.</li> </ul> |   |   |
| <b>Element 15: Public Realm</b>   |   |   |
| <b>15.1 Street Trees</b>  |   |   |
| <p>R116</p> <p>The selection and location of street trees is to be endorsed by TAMS.</p> <p>Note: TAMS will endorse the selection and location of street trees if they comply with TAMS Design Standards for Urban Infrastructure DS23-Plant Species for Urban Landscape Projects or its successor</p> <p>TAMS may consider departures.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule to be met</p> <p>Please refer to the Landscape Plans submitted with this application and refer to TCCS for endorsement.</p> |
| <b>15.2 Neighbourhood Ovals</b>   |   |   |
| <p>R117</p> <p>The configuration of neighbourhood ovals is to be endorsed by EDD.</p> <p>Note: EDD may endorse the configuration of neighbourhood ovals. In making its assessment EDD will consider all of the following:</p> <ul style="list-style-type: none"> <li>a) whether it is has a minimum area of 3.8ha</li> <li>b) TAMS Design Standards for Urban Infrastructure DS24 - Sportsgrounds Design or its successor</li> <li>c) the specific needs of the neighbourhood</li> </ul>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not relevant to this proposal as no neighbourhood ovals are proposed.</p>  |

| Rule  | Criteria  | Response  |
|---|---|---|
| <p>d) the provision of site access, car parking, amenities and required engineering treatments</p> <p>e) the cost of maintenance</p>  |   |   |
| <b>15.3 Bushfire</b>  |   |   |
| <p>R118</p> <p>The selection and location of vegetation in public realm spaces within bushfire prone areas is to be endorsed by TAMS.</p> <p>Note: In making its assessment TAMS will consider all of the following:</p> <p>a) TAMS Design Standards for Urban Infrastructure DS20-Urban Edge Management Zone or its successor</p> <p>b) TAMS (Parks Conservation and Lands) Roding Manual version 1.1, January 2006 or its successor.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule to be met</p> <p>Please refer to Landscape Plans included in this submission and refer to TCCS for endorsement.</p>       |
| <p>R119</p> <p>Provision for access by emergency vehicles to public realm spaces within bushfire prone areas is endorsed by ESA.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule met</p> <p>Refer to Bushfire Assessment Report included in this submission addressing ACTF&amp;R requirements.</p>        |
| <b>Element 16: Environment Protection</b>   |   |   |
| <b>16.1 Waste Management</b>  |   |   |
| <p>R120</p> <p>Waste management facilities are to be endorsed by TAMS.</p> <p>Note: TAMS will endorse waste management facilities that comply with one of the following:</p> <p>a) on-street collection points for standard blocks and multi-unit blocks of up to 10 dwellings</p> <p>b) internal collection points for the following –</p> <p>i) multi-unit blocks greater than 10 dwellings</p> <p>ii) commercial blocks</p> <p>iii) industrial blocks.</p> <p>TAMS may consider departures. In making its assessment TAMS will consider Development Control Code for Best Practice Waste Management in the ACT or its successor.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule to be met</p> <p>Please refer to Waste Collection Plan included in this submission and refer to TCCS for endorsement.</p> |



| Rule   | Criteria   | Response   |
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| R121<br>Waste management plans are to be endorsed by TAMS.<br>Note: In making its assessments TAMS will consider Development Control Code for Best Practice Waste Management in the ACT or its successor | This is a mandatory requirement. There is no applicable criterion. | Rule to be met<br>Please refer to the Waste Collection Plan included in this submission and refer to TCCS for endorsement.                       |
| <b>Element 17: Services and Infrastructure</b>   |  |  |
| <b>17.1 Utility Services</b>   |  |  |
| R122<br>The reticulation of water, sewer, electricity and gas is endorsed by ActewAGL.   | This is a mandatory requirement. There is no applicable criterion. | Rule to be met<br>Please refer to Utility Service Plans included in this submission and refer to the relevant utility providers for endorsement. |
| R123<br>The reticulation of stormwater is endorsed by TAMS.  | This is a mandatory requirement. There is no applicable criterion. | Rule to be met<br>Refer to Utility Service Plans included in this submission and refer to TCCS for endorsement.                                  |
| R124<br>The provision of telecommunications infrastructure including reticulation is endorsed by the relevant service providers.   | This is a mandatory requirement. There is no applicable criterion. | Rule to be met<br>Refer to Civil Plans included in this submission and refer to the relevant telecommunications providers for endorsement.       |
| R125<br>The placement of utility service reticulation in shared trenching in the street verge is endorsed by the relevant utility service providers.   | This is a mandatory requirement. There is no applicable criterion. | Rule to be met<br>Please refer to Utility Service Plans included in this submission and refer to the relevant utility providers for endorsement. |

# 6

## Commercial Zones Development Code

The Commercial Zones Development Code includes both Zone specific and general development controls. The relevant parts of the code that apply to development on this site include:

- **Part A - General controls**
- **Part E - Additional Controls for CZ6**
- **Part F - Residential uses**
- **Part G - Endorsement by government agencies (entities)**

All of the relevant controls (rules and criteria) are reproduced below along with how they are addressed by the proposal. These rules and criteria are taken from the Commercial Zones Development Code, effective 30 November 2022.

Table 4: Commercial Zones Development Code (30 November 2022)

| Rule  | Criteria  | Response                       |
|---|---|--------------------------------|
| <b>Part A – General Controls</b>  |   |                                |
| <b>Element 1: Lease and development conditions</b>  |   |                                |
| <b>1.1 Approved lease and development conditions</b>  |   |                                |
| R1<br>This rule applies to blocks affected by approved lease and development conditions that provide for one or more of the following matters:<br>a) plot ratio      b) building envelope<br>c) building height   d) front street setback<br>e) side setback      f) rear setback<br>g) building design   h) materials and finish<br>i) interface          j) vehicle access<br>k) parking            l) solar access<br>m) private open space<br>n) landscaping      o) water sensitive urban design.<br>Approved lease and development conditions for the matters listed above shall take precedence over | C1<br>The development meets the intent of any current, relevant lease and development conditions. | Not relevant to this proposal. |

| Rule  | Criteria  | Response   |
|---|---|--|
| the provisions of this code, but only to the extent of any inconsistency.   |   |  |
| <b>Element 2: Use</b>   |   |  |
| <b>2.1 Existing Community and Recreation Sites</b>  |   |  |
| R2<br>A development proposal does not reduce the range of community or recreation facilities available.   | C2<br>A proposal that reduces the range of community or recreation facilities available demonstrates through a social impact assessment that there is enough land or sufficient other facilities in the locality to meet anticipated demand.  | Rule met<br>The proposal does not reduce the range of community or recreation facilities. Instead, some COMMUNITY USE has been proposed within the Heritage Core.  |
| <b>Element 3: Buildings</b>   |   |  |
| Not relevant to this EDP DA.<br>This element of the Commercial Zones Development Code has been addressed separately under the Heritage Core Design and Siting DA. |   |  |
| <b>Element 4: Site</b>  |   |  |
| <b>4.1 Landscaping</b>  |   |  |
| There is no applicable rule   | C14<br>Landscaping associated with the development achieves all of the following:<br>a) response to site attributes, including streetscapes and landscapes of documented heritage significance<br>b) appropriate scale relative to the road reserve width and building bulk<br>c) vegetation types and landscaping styles which complement the streetscape<br>d) integration with parks, reserves and public transport corridors<br>e) minimal adverse effect on the structure of the proposed buildings or adjoining buildings<br>f) contribution to energy efficiency and amenity by providing substantial shade in summer, especially to west-facing windows and open car park areas, and admitting winter sunlight to outdoor and indoor living areas | Criterion satisfied<br>The proposed Landscape elements have been designed to integrate the land's heritage, cultural, and geological elements to maintain the connection to the industrial process that took place at the Brickworks. The Master Plan sees the Brickworks become the public centrepiece of an open, landscaped park/plaza, with a pedestrian network that is highly permeable with an abundance of interesting spaces to visit.<br>The Remnants Park and Quarry Park are central to this approach and will be publicly accessible parkland.<br>Strong design direction from Doma focussed the design team to achieve a unique and distinctive destination that provides for a diversity of activities that the broader community will enjoy. |

| Rule   | Criteria   | Response   |
|--|--|--|
|  | <p>g) minimal overlooking between buildings</p> <p>h) satisfies utility maintenance requirements</p> <p>i) minimises the risk of damage to aboveground and underground utilities</p> <p>j) screens aboveground utilities</p> <p>k) provides adequate sight lines for pedestrians, cyclists and vehicles, especially near street corners and intersections</p> <p>l) does not obscure or obstruct building entries, paths and driveways to reduce the actual or perceived personal safety and security.</p> | <p>It is important to note that no buildings are proposed as part of this EDP DA. Also, detailed landscape designs are subject to the detail design stage.</p>                                       |
| There is no applicable rule.   | <p>C15</p> <p>Tree planting in and around car parks provides shade and softens the visual impact of parking areas.</p>   | <p>Not applicable as no open at-grade parking areas are proposed as part of this EDP DA.</p>   |
| <b>4.2 Lighting</b>  |  |  |
| <p>R16</p> <p>External lighting is provided to building frontages, to all pathways, roads, laneways and car-parking areas in accordance with Australian Standard AS1158.3.1 Pedestrian Lighting.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p>  | <p>Rule met</p> <p>External lighting will be provided to associated Australian Standards (subject to detail design). Please refer to the submitted External Lighting Plan for more information.</p>  |
| <p>R17</p> <p>All external lighting provided is in accordance with Australian Standard AS4282 - Control of the Obtrusive Effects of Outdoor Lighting.</p>  | <p>C17</p> <p>Light spill is minimised.</p>  | <p>Rule met</p> <p>External lighting will be provided to associated Australian Standards (subject to detail design). Please refer to the submitted External Lighting Plan for more information.</p>  |
| <b>4.3 Easements</b>   |  |  |
| <p>R18</p> <p>Buildings do not encroach over easements or rights of way.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p>  | <p>Rule met</p> <p>Easements on blocks have been considered in a location that the future buildings on the blocks do not encroach over these (no buildings are proposed as part of this EDP DA).</p> |

| Rule   | Criteria  | Response  |
|--|---|---|
| <b>Element 5: Access</b>   |   |   |
| <b>5.1 Access</b>  |   |   |
| There is no applicable rule  | <p>C19</p> <p>Pedestrian and cyclist entrances, and driveways to the site achieves all of the following:</p> <p>a) are clearly visible from the front boundary</p> <p>b) pedestrian and cycle access is provided through the site to increase permeability</p> <p>c) pedestrian and cycle access paths to commercial buildings feed into and provide connections to existing path networks</p> <p>d) priority is provided for pedestrian and cyclist access</p> | <p>Criterion satisfied</p> <p>The pedestrian and shared paths along with the internal driveways across the estate have been designed to be:</p> <p>a) clearly visible from each site front boundary</p> <p>b) paths are provided through the sites and across the estate to increase permeability</p> <p>c) the proposed paths connect to the existing path network in the locality</p> <p>d) priority will be provided for pedestrian and cyclist access (subject to detail design).</p> |
| R20<br>Loading docks or vehicular entries to buildings are not located on frontages to the street.   | <p>C20</p> <p>Loading docks and vehicular entries do not dominate the street frontage or conflict with parking and pedestrian movements in front of the building.</p>   | <p>Not applicable as no buildings are proposed as part of this EDP DA.</p>  |
| <b>5.2 Traffic Generation</b>  |   |   |
| There is no applicable rule  | <p>C21</p> <p>The existing road network can accommodate the amount of traffic that is likely to be generated by the development.</p>  | <p>Criterion satisfied</p> <p>The existing and proposed road network can accommodate the future development traffic generation.</p> <p>Please refer to <b>Attachment C – Traffic Impact and Parking Report</b> for more information.</p>  |
| <b>5.3 Service Access and Delivery</b>   |   |   |
| R22<br>Goods loading and unloading facilities comply with all of the following:<br>a) are located within the site<br>b) allow for service vehicles to enter and leave the site in a forward direction. | <p>C22</p> <p>Facilities for the loading and unloading of goods achieve all of the following:</p> <p>a) safe and efficient manoeuvring of service vehicles</p> <p>b) does not unreasonably compromise the safety of pedestrians or cyclists</p>   | <p>Not applicable as no goods loading or unloading facilities are proposed as part of this EDP DA submission (this will be addressed within the Heritage Core Design and Siting DA).</p>  |

| Rule  | Criteria  | Response   |
|---|---|--|
| <p>Note: Loading, unloading and associated manoeuvring areas are in addition to minimum parking requirements.</p>   | <p>c) does not unreasonably compromise traffic movement or the operation of any adjoining road, cycleway or pedestrian pathway</p> <p>d) does not unreasonably affect on-street or off-street car parking</p> <p>e) adequate provision for the manoeuvring of vehicles.</p> |  |
| <b>Element 6: Noise</b>   |   |  |
| <b>6.1 Potentially Noisy Uses</b>   |   |  |
| <p>R23</p> <p>This rule applies to any of the following:</p> <ul style="list-style-type: none"> <li>a) club</li> <li>b) drink establishment</li> <li>c) emergency services facility</li> <li>d) hotel</li> <li>e) indoor recreation facility</li> <li>f) industry (except light industry)</li> <li>g) indoor entertainment facility</li> <li>h) outdoor recreation facility</li> <li>i) restaurant.</li> </ul> <p>Development complies with a noise management plan prepared by a suitably qualified person and endorsed by the Environment Protection Authority (EPA).</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 Environment Protection Regulation 2005, based on the estimated noise levels when the facility is in use.</p> <p>Note: A condition of development approval may be imposed to ensure compliance with the endorsed noise management plan.</p> | <p>This is a mandatory requirement. There is no applicable criterion</p>  | <p>Rule to be met as some of the listed noisy uses are proposed for the development.</p> <p>Please refer the NIA to the EPA for endorsement (Please refer to the EIS Noise Impact Assessment for further information).</p> |

| Rule  | Criteria   | Response   |
|---|--|--|
| <b>Element 7: Environment</b>   |  |  |
| <b>7.2 Earthworks</b>   |  |  |
| There is no applicable rule.  | C29<br>The extent of earthworks is minimised.  | Criterion satisfied<br>The extent of earthworks has been minimised.<br>Please refer to the Fill Plan submitted with this application for more information.   |
| <b>7.3 Tree Protection</b>  |  |  |
| R30<br>This rule applies to a development that has one or more of the following characteristics:<br>a) requires groundwork within the tree protection zone of a protected tree<br>b) is likely to cause damage to or removal of any protected trees<br>c) is a declared site.<br>The authority shall refer the development application to the Conservator of Flora and Fauna.<br>Note 1: The authority will consider any advice from the Conservator of Flora and Fauna before determining the application.<br>Note 2: Protected tree and declared site are defined under the Tree Protection Act 2005. | This is a mandatory requirement. There is no applicable criterion.   | Rule to be met<br>Please refer to the tree assessment and management documentation submitted with this application and refer to the Conservator of Flora and Fauna for endorsement.                                      |
| R31<br>Trees on development sites may be removed only with the prior agreement in writing of the Territory.   | C31<br>Retained trees are protected and maintained during construction to the satisfaction of the Territory. | Rule to be met<br>Please refer to the tree assessment, removal, and management documentation submitted with this application and refer to the Conservator of Flora and Fauna for endorsement.                            |
| <b>7.4 Heritage</b>   |  |  |
| R32<br>This rule applies to land containing places or objects registered or provisionally registered under section 41 of the Heritage Act 2004. The authority shall refer a development application to the Heritage Council.  | This is a mandatory requirement. There is no applicable criterion.   | Rule to be met<br>The estate includes an ACT Heritage Council heritage listed place being the Canberra Brickworks (item 20068).<br>A revised Conservation Management Plan (September 2021) was submitted and approved by |

| Rule  | Criteria  | Response   |
|---|---|--|
| <p>Note: The authority will consider any advice from the Heritage Council before determining the application</p>  |   | <p>the Heritage Council (please refer to the EIS for further information).</p> <p>A Statement of Heritage Effects was submitted to ACT Heritage on 20 July 2023 and is being progressed in parallel to this application.</p> |
| <b>Element 8: Subdivision</b>   |   |  |
| <b>8.1 Subdivision</b>  |   |  |
| <p>R33</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>Not applicable as subdivision is not proposed.</p> <p>The EDP DA proposes to create blocks across the state.</p>  |
| <b>Element 9: Demolition</b>  |   |  |
| <b>9.1 Statement of Endorsement</b>   |   |  |
| <p>R34</p> <p>The development application for demolition is accompanied by a statement of endorsement for utilities (including water, sewerage, stormwater, electricity and gas) in accordance with section 148 of the Planning and Development Act 2007 confirming all of the following:</p> <p>a) all network infrastructure on or immediately adjacent the site has been identified on the plan</p> <p>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</p> <p>c) all required network disconnections have been identified and the disconnection works comply with utility requirements</p> | <p>This is a mandatory requirement. There is no applicable criterion</p>  | <p>Not applicable as no demolition works are proposed as part of this EDP DA (this has been proposed and addressed within the Heritage Core DA).</p>   |



| Rule  | Criteria  | Response   |
|---|---|--|
| <p>d) all works associated with the demolition comply with and are in accordance with utility asset access and protection requirements.</p>   |   |  |
| <p><b>9.2 Hazardous Materials Survey</b></p>  |   |  |
| <p>R35 This rule applies to one of the following:</p> <p>a) the demolition of multi-unit housing (including garages and carports) for which a certificate of occupancy was issued prior to 1985</p> <p>b) demolition of commercial or industrial premises for which a certificate of occupancy was issued before 2005.</p> <p>Demolition 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 site for hazardous materials, including asbestos, that complies with one of the following:</p> <p>a) is a licensed disposal facility in the ACT</p> <p>b) 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 site. An appropriately licensed contractor is engaged for the removal and transport of all hazardous materials (including asbestos) present at the site.</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 Planning and Development Act 2007.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not applicable as no demolition works are proposed as part of this EDP DA (this has been proposed and addressed within the Heritage Core DA).</p> |

| Rule   | Criteria  | Response  |
|--|---|---|
| <b>Element 10: Neighbourhood Plans</b>   |   |   |
| <b>10.1 Consideration</b>  |   |   |
| There is no applicable rule.   | C36<br>Where a Neighbourhood Plan exists, development demonstrates a response to the key strategies of the relevant Neighbourhood Plan  | Criterion satisfied<br>The proposal's performance against the applicable key strategies of the Yarralumla Neighbourhood Plan has been provided in the Design Response Report.             |
| <b>Part E – Additional Controls for CZ6</b>  |   |   |
| <b>Element 17: Use</b>   |   |   |
| <b>17.1 Shops</b>  |   |   |
| R55<br>Shops are permitted only where related to the sale of entertainment, accommodation and leisure goods such as specialty items or arts, crafts and souvenirs.   | C55<br>Shops are appropriate to the primary function of the zone for tourist, recreation and leisure purposes.  | Criterion satisfied<br>Shop use is appropriate to the primary functions of the zone and is consistent with the CMP requirements.  |
| R56<br>The maximum gross floor area for each shop is 250m <sup>2</sup> .<br>This rule does not apply to shops selling predominantly one or more of the following:<br>a) arts<br>b) crafts<br>c) souvenirs. | This is a mandatory requirement. There is no applicable criterion   | Not applicable as Rule 1 of the Yarralumla Precinct Code takes precedence.<br>Please refer to <b>Section 3</b> for assessment against this Code.  |
| <b>Element 18: Buildings – CZ6</b>   |   |   |
| <b>18.1 Number of storeys</b>  |   |   |
| R57<br>The maximum number of storeys is 2.   | C57<br>Buildings achieve all of the following:<br>a) consistency with the desired character<br>b) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space. | This rule is not applicable as Criterion 2 of the Yarralumla Precinct Code takes precedence.<br>Please refer to <b>Section 3</b> for an assessment against the requirements of this Code. |

| Rule  | Criteria   | Response   |
|---|--|--|
| <b>18.2 Setbacks</b>  |  |  |
| <p>R58</p> <p>Minimum boundary setback is 6m.</p> <p>Note: This applies to front, side and rear boundaries.</p>           | <p>C58</p> <p>Buildings comply with all of the following:</p> <p>a) are compatible with the desired character</p> <p>b) are appropriate to the scale and function of the use</p> <p>c) minimise detrimental impacts including overshadowing and excessive scale.</p> | <p>Not applicable to this proposal as no buildings are proposed as part of this EDP DA.</p> <p>The intent of the criterion can be satisfied for the future buildings on-site.</p> <p>a) the proposal's performance against the Statement of Strategic Directions and the site's CZ6 zone objectives have been addressed above.</p> <p>b) the proposed setbacks provide opportunities for erection of buildings with appropriate scales and functions.</p> <p>c) the proposed setbacks have been considered to minimise impacts including overshadowing and excessive scale (it is important to note that the maximum building height for residential use across the site is 3 storeys as per Criterion 2 of the Precinct Code).</p> <p>Alternative setbacks have been identified for the precinct as per the Planning Control Plans submitted with this application.</p> <p>The setbacks shown are proposed to be uplifted to the Precinct Code with associated figures.</p> |
| <b>Part F – Residential Uses</b>  |  |  |
| <b>Element 19: Residential Development</b>  |  |  |
| <b>19.1 Single Dwelling Housing</b>   |  |  |
| <p>R59</p> <p>Single dwelling housing complies with the Residential Zones - Single Dwelling Housing Development Code.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p>  | <p>Rule met</p> <p>Blocks have been designed to ensure that single dwelling housing can achieve the requirements of the Single Dwelling Housing Development Code.</p> <p>Please refer to <b>Section 7</b> for assessment against this Code.</p>  |

| Rule   | Criteria   | Response  |
|--|--|---|
| <b>19.2 Multi Unit Housing</b>   |  |   |
| R60<br>Multi unit housing or residential components of commercial mixed use complies with the Residential Zones – Multi Unit Housing Development Code.   | This is a mandatory requirement. There is no applicable criterion. | Rule met<br><br>Blocks have been designed to ensure that multi-unit housing and mixed use developments can achieve the requirements of the Multi Unit Housing Development Code.<br><br>Please refer to <b>Section 8</b> for assessment against this Code. |
| <b>19.3 Residential Care Accommodation (Where Permitted)</b>   |  |   |
| R61<br>Residential care accommodation complies with the relevant parts of the Residential Zones Development Code.  | This is a mandatory requirement. There is no applicable criterion. | Not relevant to this proposal.  |
| <b>Part G – Endorsement by Government Agencies (Entities)</b>  |  |   |
| <b>Element 20: Loading and Unloading Facilities</b>  |  |   |
| <b>20.1 Goods</b>  |  |   |
| R62<br>Goods loading and unloading facilities are endorsed by TAMS.  | This is a mandatory requirement. There is no applicable criterion. | Not applicable as no goods loading or unloading facilities are proposed as part of this EDP DA (this has been proposed and addressed within the Heritage Core DA).  |
| <b>Element 21: Waste Management</b>  |  |   |
| <b>21.1 Management of Construction Waste</b>   |  |   |
| R63<br>This rule applies to development that is likely to generate more than 20m <sup>3</sup> of waste comprising one or more of the following:<br>a) demolition waste<br>b) construction waste<br>c) excavation material.<br><br>The management of construction waste is to be endorsed by TAMS.<br><br>Notes: 1. TAMS will endorse waste facilities and management associated with the development if they | This is a mandatory requirement. There is no applicable criterion. | Not applicable to this EDP DA. Construction waste management will be addressed as part of the Design and Siting Development Applications (this has been proposed and addressed within the Heritage Core DA).  |

| Rule  | Criteria  | Response   |
|---|---|--|
| <p>comply with the current version of the Development Control Code for Best Practice Waste Management in the ACT. 2. TAMS may endorse departures</p>  |   |  |
| <p><b>21.2 Post Occupancy Waste Management</b></p>  |   |  |
| <p>R64<br/>Post occupancy waste management facilities are to be endorsed by TAMS.<br/><br/>Note: TAMS will endorse post occupancy waste management facilities where they are in accordance with the current version of the Development Control Code for Best Practice Waste Management in the ACT.<br/><br/>TAMS may endorse departures.</p>                                      | <p>This is a mandatory requirement. There is no applicable criterion.</p>   | <p>Rule met<br/><br/>On-street collection points are proposed across the estate in consultation with TCCS.<br/><br/>Please refer to the Waste Collection Plan submitted with this application for more information.</p>                                      |
| <p>R65<br/>A statement of compliance from the relevant agency is provided, which confirms that the discharge (or potential discharge by accident or spillage) of non-domestic liquid waste to the sewerage or stormwater networks complies with utility standards and requirements.</p>   | <p>C65<br/>If a statement of compliance is not provided the application will be referred to the relevant agency in accordance with the requirements of the Planning and Development Act 2007.</p> | <p>Not applicable to this EDP DA.</p>  |
| <p><b>Element 22: Utilities</b></p>   |   |  |
| <p><b>22.1 Utilities</b></p>  |   |  |
| <p>R66<br/>This rule applies to any proposed encroachment into a registered easement. The proposed encroachment is approved in writing by the relevant service provider.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p>   | <p>Not applicable as the site does not include any easements. New easements are proposed across the estate to provide for utility infrastructure.<br/><br/>Please refer to the Civil documentation submitted with this application for more information.</p> |
| <p>R67<br/>A statement of compliance from each relevant utility provider (for water, sewerage, electricity, stormwater and gas) is provided, which confirms that the location and nature of earthworks, utility connections, proposed buildings, pavements and landscape features comply with utility standards, access provisions and asset clearance zones.<br/><br/>Notes:</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p>   | <p>Rule to be met<br/><br/>Information is provided with this application for referral to relevant entities.</p>  |

| Rule   | Criteria  | Response   |
|--|---|--|
| <p>1. If there is no stormwater easement or Territory owned stormwater pipes located within the property boundary, a "Statement of Compliance" for stormwater from TAMSD (Asset Acceptance) is not required to be obtained</p> <p>2. Where there is conflict between planning and utility requirements, the utility requirements take precedence over other codified or merit provisions. If a statement of compliance is not provided the application will be referred to the relevant agency in accordance with the requirements of the Planning and Development Act 2007.</p> |   |  |
| <p>R68</p> <p>All new permanent or long-term electricity supply lines are underground.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule met</p> <p>All new electrical supplies are proposed to be underground.</p> <p>Please refer to the Electrical Infrastructure Plan for more information.</p> |
| <p>R69</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>Not applicable as no buildings are proposed as part of this EDP DA.</p>   |
| <p><b>Element 23: Environmental Management</b></p>   |   |  |
| <p><b>23.1 Erosion and Sediment Control</b></p>  |   |  |
| <p>R70</p> <p>This rule applies to sites greater than 3000m<sup>2</sup>. 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 the ACT EPA Environmental Protection Guidelines for Construction and Land Development in the ACT 2011.</p> <p>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>Not applicable to this EDP DA (to be addressed as part of the future Design and Siting Development Applications).</p>   |
| <p><b>23.2 Contamination</b></p>   |   |  |
| <p>R71</p> <p>This rule applies where an assessment by the proponent in accordance with the ACT Government Strategic Plan – Contaminated Sites Management 1995 and the ACT Environment Protection Policy</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule to be met</p> <p>The subject site is listed as a contaminated site on the ACT Contaminated Sites Register, being a former brickworks dump area.</p>        |

| Rule  | Criteria | Response   |
|---|----------|--|
| <p>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</p> <p>Note: A condition of development approval may be imposed to ensure compliance with the endorsed site assessment report.</p> |          | <p>Information has been provided in this submission for EPA endorsement.</p> |

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# 7

## Single Dwelling Housing Development Code

This application proposes the creation of a number of single dwelling blocks, and the subsequent Design and Siting Development Application of these blocks will be subject to the requirements of the Single Dwelling Housing Development Code.

Described below is an assessment of the capacity of the proposed single dwelling blocks to meet the requirements of the Single Dwelling Housing Development Code.

Table 5: Single Dwelling Housing Development Code (effective: 20 January 2023)

| Rule   | Criteria   | Response   |
|--|--|--|
| <b>Element 1: Building and site controls</b>   |  |  |
| <b>1.1 Plot ratio – standard blocks</b>  |  |  |
| R1<br>This rule applies to standard blocks.<br>Plot ratio is:<br>a) for large blocks, other than those referred to in item b) – not more than 50%<br>b) for blocks created by subdivision of dual occupancy housing, the greater of –<br>i) the plot ratio of the approved development at the time of creation of the new block, or<br>ii) the maximum plot ratio calculated for the original block (ie. before subdivision) under:<br>A) for RZ1- R6 of the Multi Unit Housing Development Code<br>B) for RZ2- R7 of the Multi Unit Housing Development Code<br>c) in all other cases – not applicable.<br><br>For the purpose of calculating plot ratio for this rule, the gross floor area includes 18m <sup>2</sup> for each roofed car space provided to meet Territory | This is a mandatory requirement. There is no applicable criterion. | Rule to be met<br><br>Future development of the proposed single dwelling blocks is capable of achieving this design outcome. |



| Rule   | Criteria   | Response   |
|--|--|--|
| requirements for resident car parking, but does not include basement car parking.  |  |  |
| <b>1.2 Number of Storeys</b>   |  |  |
| R2<br>The number of storeys does not exceed:<br>a) in RZ1, RZ2 and RZ3 – 2<br>b) in RZ4 – 3.<br>Rooftop plant that is set back and screened from the street is not included in the maximum number of storeys | This is a mandatory requirement. There is no applicable criterion.                         | Not applicable as the site is zoned CZ6.   |
| <b>1.3 Attics and basement car parking – standard blocks - RZ1</b>   |  |  |
| R3<br>In RZ1, on standard blocks, attics are not permitted where they are located directly above any 2 storey element of a single dwelling house.  | This is a mandatory requirement. There is no applicable criterion.                         | Not applicable as the site is zoned CZ6.   |
| R4<br>In RZ1, on standard blocks, basement car parking is not permitted where located directly below any 2 storey element of a single dwelling house.  | This is a mandatory requirement. There is no applicable criterion.                         | Not applicable as the site is zoned CZ6.   |
| <b>1.4 Height of buildings</b>   |  |  |
| R5<br>Maximum height of building is:<br>a) in RZ1, RZ2 and RZ3 – 8.5m<br>b) in RZ4 – 12m.<br>Note: For the purposes of this rule all height measurements are taken from datum ground level.                  | C5<br>Buildings are consistent with the desired character.                                 | Not applicable as the site is zoned CZ6.   |
| <b>1.5 Building envelope - all large blocks; mid sized blocks approved on or after 5 July 2013</b>   |  |  |
| R6<br>This rule applies to:<br>a) large blocks<br>b) mid sized blocks approved under an estate development plan on or after 5 July 2013  | C6<br>Buildings achieve all of the following:<br>a) consistency with the desired character | This rule would apply to the proposed large and mid-sized single dwelling blocks where not proposed to be built to the boundary. Although single dwelling blocks will be subject to their future Design and Siting DA, this provision has been |

| Rule  | Criteria  | Response   |
|---|---|--|
| <p>but does not apply to that part of a building that is required to be built to a boundary of the block by a precinct code.</p> <p>Buildings are sited wholly within the building envelope formed by planes projected over the subject block at 45° to the horizontal from a height of 3.5m above each side and rear boundary, except as required by the next rule.</p> <p>An example of a typical building envelope is shown at Figure 1.</p> <p>Note: For the purposes of this rule all height measurements are taken from datum ground level.</p> | <p>b) reasonable levels of privacy for dwellings on adjoining residential blocks and their associated private open space.</p> | <p>addressed herein as a Planning Control is proposed for these blocks against this rule.</p> <p>The intent of the criterion can be satisfied for the future buildings on-site.</p> <p>a) the proposal's performance against the Statement of Strategic Directions and the zone objectives of the C26 Zone have been addressed above.</p> <p>b) the proposed setbacks have been considered to provide reasonable levels of privacy for dwellings on adjoining residential blocks and their associated private open space.</p> <p>Alternative setbacks have been identified for the precinct as per the Planning Control Plans submitted with this application.</p> <p>In order to achieve the desired outcome, it is proposed that Rule 6 does not apply to the parcels where a setback has been identified in the Planning Control Plans. These setbacks along with the proposed associated wording have been carefully considered to achieve a reasonable level of privacy for future dwellings and their associated private open space.</p> <p>Please refer to the proposed Planning Control Plans, <b>Attachment U- Proposed Planning Controls (wording)</b> and block typologies for further information.</p> <p>The setbacks shown are proposed to be uplifted to the Precinct Code with associated figures.</p> |
| <p><b>1.6 Solar building envelope - all large blocks approved before 5 July 2013</b></p>  |   |  |
| <p>R7</p> <p>This rule applies to large blocks approved before 5 July 2013 but does not apply to that part of a</p>   | <p>C7</p> <p>Buildings achieve all of the following:</p> <p>a) consistency with the desired character</p>                     | <p>Not applicable.</p>   |

| Rule  | Criteria  | Response   |
|---|---|--|
| <p>building that is required to be built to a boundary of the block by a precinct code.</p> <p>Buildings are sited wholly within the solar building envelope formed by planes projected over the subject block at X° to the horizontal from the height of the 'solar fence' on any northern boundary of an adjoining residential block.</p> <p>X° is the apparent sun angle at noon on the winter solstice.</p> <p>Values for X are given in Table 1.</p> <p>The height of the 'solar fence' is:</p> <p>i) in the primary building zone – 2.4m</p> <p>ii) all other parts of the boundary – 1.8m</p> <p>This rule does not apply to those parts of a boundary where the adjacent part of the adjoining residential block comprises only an access driveway (i.e. a "battleaxe handle").</p> <p>The previous rule applies to this part of the boundary.</p> <p>An example of a typical building envelope is shown at Figure 1.</p> <p>Note: For the purposes of this rule all height measurements are taken from datum ground level.</p> | <p>b) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space</p> <p>c) do not shadow the windows of habitable rooms (other than bedrooms) of any approved and constructed dwelling on an adjoining residential block at noon on the winter solstice</p> <p>d) do not overshadow the principal private open space of any approved and constructed dwelling on an adjoining residential block to a greater extent than a 2.4m fence on the boundary at noon on the winter solstice.</p> |  |
| <p><b>1.6A Solar building envelope - all blocks approved on or after 5 July 2013</b></p>  |   |  |
| <p>R7A</p> <p>This rule applies to blocks approved under an estate development plan on or after 5 July 2013 but does not apply to that part of a building that is required to be built to a boundary of the block by a precinct code.</p> <p>Buildings are sited wholly within the solar building envelope formed by planes projected over the subject block at X° to the horizontal from the height of the 'solar fence' on any northern boundary of an adjoining residential block.</p> <p>X° is the apparent sun angle at noon on the winter solstice.</p>   | <p>C7A</p> <p>Buildings achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) do not overshadow the windows of habitable rooms (other than bedrooms) of any dwelling on an adjoining residential block at noon on the winter solstice to a greater extent than the height of the 'solar fence' on a northern boundary of that block</p> <p>c) do not overshadow any principal private open space on an adjoining residential block at noon on the winter solstice to a greater extent</p>                | <p>This rule would apply to the proposed single dwelling blocks where not proposed to be built to the boundary. Although single dwelling blocks will be subject to their future Design and Siting DA, this provision has been addressed herein as a Planning Control is proposed for these blocks against this rule.</p> <p>The intent of the criterion can be satisfied for the future buildings on-site.</p> <p>a) the proposal's performance against the Statement of Strategic Directions and the zone objectives of the C26 Zone have been addressed above.</p> |

| Rule  | Criteria   | Response   |
|---|--|--|
| <p>Values for X are given in Table 1. The height of the 'solar fence' is:</p> <ul style="list-style-type: none"> <li>i) in the primary building zone – 3m</li> <li>ii) all other parts of the boundary – 2.3m</li> </ul> <p>This rule does not apply to those parts of a boundary where the adjacent part of the adjoining residential block comprises only an access driveway (i.e. a "battleaxe handle").</p> <p>The previous rule applies to this part of the boundary.</p> <p>An example of a typical building envelope is shown at Figure 1.</p> <p>Note: For the purposes of this rule all height measurements are taken from datum ground level.</p> | <ul style="list-style-type: none"> <li>than the height of the 'solar fence' on a northern boundary of that block</li> <li>d) reasonable levels of solar access for dwellings on adjoining residential blocks and their associated private open space</li> <li>e) where an adjoining residential block is not yet developed, the potential for reasonable solar access and privacy on the adjoining residential block(s) is maintained</li> </ul> | <p>b) the proposed setbacks have been considered to provide reasonable solar access to dwellings on adjoining residential blocks and their associated private open space. Please refer to the Block Compliance Plans submitted with this application that demonstrate the blocks compliance with Rule 47 of the Estate Development Code (although this rule does not apply to this proposal as the site is entirely zoned CZ6).</p> <p>c and d) the proposed setbacks have been considered to minimise overshadowing of the adjoining residential blocks. Please refer to the Shadow Diagrams submitted for further information.</p> <p>Alternative setbacks have been identified for the single dwelling blocks as per the Planning Control Plans submitted with this application that is proposed to reduce overshadowing of the future neighbouring residential developments.</p> <p>In order to achieve the desired outcome, it is proposed that Rule 7A does not apply to the parcels where a setback has been identified in the Planning Control Plans. These setbacks along with the proposed associated wording have been carefully considered to achieve a reasonable level of solar access for future dwelling and their associated private open space.</p> <p>Please refer to the proposed Planning Control Plans, <b>Attachment U - Proposed Planning Controls (wording)</b>, Shadow Diagrams, and block typologies for further information.</p> <p>The setbacks shown are proposed to be uplifted to the Precinct Code with associated figures.</p> |
| <p><b>1.7 Building envelope – mid sized blocks and compact blocks approved before 5 July 2013</b></p>   |  |  |
| R8  | C8   | Not applicable.  |

| Rule   | Criteria  | Response |
|--|---|----------|
| <p>This rule applies to mid sized blocks approved under an estate development plan before 5 July 2013 or for which a lease was granted before 5 July 2013, but does not apply to that part of a building that is required to be built to a boundary of the block by a precinct code.</p> <p>Buildings are sited wholly within the building envelope comprising:</p> <p>a) for 'north facing boundaries' of adjoining residential blocks:</p> <p>i) within the primary building zone –</p> <p>A) planes projected at 45° from a height of 2m above the boundary</p> <p>B) where a nil setback is permitted, building elements may encroach beyond the building envelope provided they do not encroach beyond a plane projected at 30° from a height of 3m above the boundary</p> <p>ii) within the rear zone – planes projected at 30° from a height of 2m above each side and rear boundary</p> <p>b) for boundaries other than 'north facing boundaries' of adjoining residential blocks:</p> <p>i) within the primary building zone – planes projected at 45° from a height of 4.5m above each side boundary</p> <p>ii) within the rear zone – planes projected at 30° from a height of 3.5m above each side and rear boundary</p> <p>For this rule:</p> <p>North facing boundary means a boundary of a block where a line drawn perpendicular to the boundary outwards is orientated between 30° east of north and 20° west of north</p> <p>An example of a typical building envelope is shown at Figure 2.</p> <p>Note: For the purposes of this rule all height measurements are taken from datum ground level.</p> | <p>Buildings achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) reasonable levels of privacy for dwellings on adjoining residential blocks and their associated private open space</p> <p>c) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space</p> |          |

| Rule   | Criteria  | Response  |
|--|---|---|
| <p>R9</p> <p>This rule applies to mid-sized blocks and compact blocks with one of the following characteristics:</p> <p>a) approved under an estate development plan before 5 July 2013</p> <p>b) for which a lease was granted before 5 July 2013</p> <p>Where a garage wall is located on, or setback from, the northern boundary of an adjoining residential block, a 1m encroachment of the wall is permitted vertically beyond the building envelope, provided the wall and roof element associated with the wall do not encroach beyond a plane projected at 30o from a height of 3m above the respective boundary.</p> <p>Refer Figure 2.</p> <p>Note: For the purposes of this rule all height measurements are taken from datum ground level.</p> | <p>C9 Buildings achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) reasonable levels of privacy for dwellings and their associated private open space on adjoining residential blocks</p> <p>c) reasonable solar access to dwellings and their associated private open space on adjoining residential blocks.</p> | <p>Not applicable.</p>  |
| <p><b>1.8 Bushfire</b></p>   |   |   |
| <p>R10</p> <p>Where identified in a precinct code or current and approved lease and development conditions as being within a bushfire prone area, buildings are constructed in accordance with the specified bushfire construction level of Australian Standard AS 3959 - Construction of buildings in bushfire-prone areas.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p>   | <p>Rule to be met</p> <p>The site is identified to be in a bushfire prone area. The buildings within the single dwelling blocks that are fronting bushfire prone areas are required to be constructed to the relevant BAL provisions.</p> <p>These requirements have been incorporated as planning controls within this submission.</p> <p>Please refer to <b>Attachment H – Bushfire Risk Assessment Report</b> and the Planning Control Plans for more information.</p> |
| <p><b>1.9 Front boundary setbacks – all blocks</b></p>   |   |   |
| <p>R11</p> <p>Front boundary setbacks comply with the following:</p> <p>a) large blocks - tables 2A, 2B or 2C, as applicable</p> <p>b) mid-sized blocks - tables 3A, 3B or 3C, as applicable</p>   | <p>C11</p> <p>Front boundary setbacks achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) the efficient use of the site</p> <p>c) reasonable amenity for residents</p>   | <p>Development on proposed single dwelling blocks is capable of satisfying the criterion. The proposed front setbacks:</p> <p>a) are consistent with the Statement of Strategic Directions and the site’s zone objectives (CZ6 zone) as addressed above.</p>  |

| Rule   | Criteria   | Response   |
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| <p>c) compact blocks - tables 3A, 3B or 4, as applicable.</p> <p>The minimum boundary setbacks for corner blocks apply only to one street frontage nominated by the applicant or nominated in a precinct code as a secondary street frontage. Nomination by a precinct code takes precedence.</p> <p>Chamfers may be included in the secondary street frontage, but only if the length of the chamfer is less than the length of the front boundary.</p> <p>Note: Chamfers are ordinarily found at the corner of a block at the junction of streets.</p> | <p>d) pedestrian scale at street level</p> <p>e) space for street trees to grow to maturity.</p> | <p>b) setbacks internally within the site allow for the efficient use of the site to permit on-site parking for residents and a mix of dwelling typologies</p> <p>c) setbacks achieve a reasonable amenity for residents to permit private open space areas and achieve privacy between dwellings</p> <p>d) setbacks create pedestrian scale at street level</p> <p>e) setbacks allow space for establishment of street trees as shown on landscaping plans provided.</p> <p>Alternative setbacks have been identified for the single dwelling blocks as per the Planning Control Plans submitted with this application that are created based on dwelling typologies/Integrated Housing Development Plans considered across the single dwelling blocks.</p> <p>The setbacks shown are proposed to be uplifted to the Precinct Code with associated figures.</p> |

### 1.10 Side and rear setbacks – all blocks

|  |  |   |
|--|--|---|
| <p>R12</p> <p>This rule applies to one of the following:</p> <p>i) standard blocks that are not part of an integrated housing development parcel</p> <p>ii) standard blocks in an integrated housing development parcel that adjoin residential blocks that are not part of that parcel.</p> <p>Side and rear setbacks for:</p> <p>a) large blocks - comply with table 5</p> <p>b) mid-sized blocks - comply with tables 6A or 6B, as applicable</p> <p>c) mid-sized blocks nominated for alternative side boundary setbacks in a precinct code - comply with table 6C</p> <p>d) compact blocks - comply with table 7.</p> <p>In relation to the tables referred to in this rule, side boundary 1 and side boundary 2 are nominated by</p> | <p>C12</p> <p>Buildings and other structures are sited to achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) reasonable separation between adjoining developments</p> <p>c) reasonable privacy for dwellings on adjoining residential blocks</p> <p>d) reasonable privacy for principal private open space on adjoining residential blocks</p> <p>e) reasonable solar access to dwellings on adjoining residential blocks and their associated principal private open space.</p> | <p>Development on proposed single dwelling blocks is capable of satisfying the criterion. The proposed setbacks:</p> <p>a) are consistent with the Statement of Strategic Directions and the site's zone objectives (CZ6 zone) as addressed above.</p> <p>b) provide for reasonable separation between adjoining developments</p> <p>c and d) achieve a reasonable amenity for residents to provide for private open space area and achieve privacy between dwellings and their associated PPOS</p> <p>e) the proposed setbacks have been considered to minimise overshadowing of the adjoining residential blocks.</p> <p>Alternative setbacks have been identified for the precinct as per the Planning Control Plans</p> |
|--|--|---|

| Rule  | Criteria  | Response  |
|---|---|---|
| <p>the applicant unless otherwise specified in this code or in a precinct code</p> <p>Note: Ordinarily a corner block has two front boundaries, one of which is the secondary frontage, two side boundaries, but no rear boundary.</p>  |   | <p>submitted with this application that are created based on dwelling typologies/Integrated Housing Development Plans considered across the single dwelling blocks.</p> <p>The setbacks and controls shown are proposed to be uplifted to the Precinct Code with associated figures.</p>                    |
| <p><b>1.11 Setbacks less than 900mm</b></p>   |   |   |
| <p>R13</p> <p>External walls within 900mm of a side or rear boundary are set back from the boundary by not more than 180mm</p>  | <p>C13</p> <p>Buildings and other structures are sited to achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) reasonable separation between adjoining developments</li> <li>b) reasonable access for maintenance.</li> </ul>  | <p>The future development is able to comply with this criterion.</p> <p>The proposed setbacks have been considered to provide reasonable separation between adjoining developments while providing reasonable access for maintenance. Easements are proposed where required for utility infrastructure.</p> |
| <p><b>1.12 Garages and carports on or near side and rear boundaries – large blocks</b></p>  |   |   |
| <p>R14</p> <p>This rule applies to large blocks.</p> <p>Garages and carports within 900mm of a side or rear boundary comply with the following:</p> <p>The maximum length of all walls facing the boundary is 8m.</p>   | <p>C14</p> <p>Garages and carports are sited to achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) consistency with the desired character</li> <li>b) reasonable privacy for dwellings on adjoining residential blocks</li> <li>c) reasonable privacy for principal private open space on adjoining residential blocks.</li> </ul> | <p>The future development is able to comply with the Rule.</p> <p>The only large block typology that considers a garage to be built to boundary is Block p Section A. The length of the garage wall facing the boundary would be considered to be 8m or less.</p>   |
| <p><b>1.13 Walls on or near side and rear boundaries – mid sized blocks</b></p>   |   |   |
| <p>R15</p> <p>This rule applies to mid sized blocks, but does not apply to that part of the building that is required to be built to a boundary of the block by a precinct code applying to an integrated housing development parcel of which the block is a part.</p> <p>A wall with a setback of less than 900mm to a side or rear boundary complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) not more than 13m in length</li> <li>b) extends no more than 2.5m into the rear zone</li> </ul> | <p>C15</p> <p>Walls are sited to achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) consistency with the desired character</li> <li>b) reasonable privacy for dwellings on adjoining residential blocks</li> <li>c) reasonable privacy for principal private open space on adjoining residential blocks</li> </ul>                 | <p>Not applicable as all mid-sized single dwelling blocks proposed are contained within an integrated housing development parcel.</p>   |



| Rule  | Criteria   | Response  |
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| <b>1.14 Allowable encroachments – setbacks</b>  |  |   |
| <p>R16</p> <p>Encroachments into the minimum side and/or rear boundary setback are permitted for any of the following building elements:</p> <p>a) an eave or roof overhang with a horizontal width of not more than 600mm</p> <p>b) fascias, gutters, downpipes, rainwater tanks, chimneys, flues, domestic fuel tanks, cooling or heating appliances, light fittings, electricity and gas meters, aerials, antennae, unroofed pergolas, sun blinds</p> <p>c) unroofed terraces, landings, steps or ramps, none of which are more than 1m above finished ground level.</p> | <p>C16</p> <p>Buildings and other structures achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) reasonable levels of privacy on adjoining residential blocks for dwellings and their associated private open space</p> <p>c) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space.</p> | <p>Not applicable to this EDP DA (subject to Design and Siting Development Applications).</p> |
| <p>R17</p> <p>Encroachments into the front setback are permitted for one or more of the following building elements:</p> <p>a) an eave or roof overhang with a horizontal width of not more than 600mm</p> <p>b) fascias, gutters, downpipes, light fittings, sun blinds</p> <p>c) landings, steps or ramps, none of which are more than 1m above finished ground level.</p>  | <p>C17</p> <p>Buildings and other structures achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) reasonable levels of privacy on adjoining residential blocks for dwellings and their associated private open space</p> <p>c) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space.</p> | <p>Not applicable to this EDP DA (subject to Design and Siting Development Applications).</p> |
| <b>1.15 Allowable encroachments – building envelopes</b>  |  |   |
| <p>R18</p> <p>Encroachments outside the building envelope specified in this element are permitted for one or more of the following:</p> <p>a) flues</p> <p>b) chimneys</p> <p>c) antennae</p> <p>d) aerials</p>   | <p>C18</p> <p>Buildings and other structures achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) reasonable levels of privacy on adjoining residential blocks for dwellings and their associated private open space</p>   | <p>Not applicable to this EDP DA (subject to Design and Siting Development Applications).</p> |

| Rule   | Criteria   | Response  |
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| e) cooling appliances<br>f) heating appliances.  | c) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space.   |   |
| <b>1.16 Surveillance blocks</b>  |  |   |
| R19<br>Where identified in a precinct code or current and approved lease and development conditions as a surveillance block, provide habitable room(s) above the garage with windows facing and overlooking the rear lane.   | This is a mandatory requirement. There is no applicable criterion.   | Not applicable to the proposed single dwelling blocks identified as surveillance blocks on the Planning Control Plans as no rear lanes are proposed across the estate.  |
| <b>1.17 Cut and fill</b>   |  |   |
| R20<br>The total change in ground level resulting from cut or fill must not exceed 1.5m within 1.5m of a side or rear boundary. The change in ground level is the cumulative total of all level changes within 1.5m of the boundary taken from the Datum Ground Level (DGL) to the new Finished Ground Level (FGL) | C20<br>Cut and fill is limited so that both of the following are achieved;<br>a) reasonable access to sunlight on the block<br>b) compatibility with the streetscape | The future development of the single dwelling blocks can achieve the intent of the criterion.<br>Cut and fill for the single dwelling blocks is limited across the estate to provide reasonable sunlight on the blocks and compatibility with the streetscape is achieved.<br><br>Please refer to the Fill Plan submitted with this application for more information. |
| <b>1.18 Blocks between 500m<sup>2</sup> and 550m<sup>2</sup></b>   |  |   |
| R21<br>The provisions of this code relating to mid-sized blocks apply to blocks from 500m <sup>2</sup> or greater but less than 550m <sup>2</sup> that are identified in a precinct code as mid-sized blocks.  | This is a mandatory requirement. There is no applicable criterion.   | Not applicable<br>No blocks between 500m <sup>2</sup> and 550m <sup>2</sup> are proposed.   |
| <b>Element 2: Lease and development conditions</b>   |  |   |
| <b>2.1 Approved lease and development conditions</b>   |  |   |
| R22<br>This rule applies to blocks affected by approved lease and development conditions that provide for one or more of the following matters:<br>a) plot ratio      b) building envelope   | C22<br>The development meets the intent any approved lease and development conditions.   | Not relevant to this EDP DA submission.   |

| Rule   | Criteria   | Response  |
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| <p>c) building height<br/>e) side setback<br/>g) building design<br/>i) interface<br/>k) parking<br/>m) private open space<br/>n) water sensitive urban design<br/>o) landscaping.</p> <p>d) front street setback<br/>f) rear setback<br/>h) materials and finish<br/>j) vehicle access<br/>l) solar access</p> <p>Approved lease and development conditions for the matters listed above shall take precedence over the provisions of this code, but only to the extent of any inconsistency.</p> |  |   |
| <b>Element 3: Building design</b>  |  |   |
| <b>3.1 Materials and finishes</b>  |  |   |
| <p>R23</p> <p>Structures, plant and equipment situated on the roof are not visible from the street frontage or other unleased territory land unless exempt under Planning and Development Act 2007.</p>  | <p>C23</p> <p>Structures and plant and equipment situated on the roof that are not exempt under Planning and Development Act 2007 achieve all of the following:</p> <p>a) do not diminish the value of the streetscape<br/>b) do not diminish residential amenity of neighbouring blocks</p> | <p>Future development of the proposed single dwelling blocks is capable of achieving this design outcome.</p>   |
| <b>3.2 Fencing – large blocks and mid sized blocks</b>   |  |   |
| <p>R24</p> <p>This rule applies to large blocks and mid-sized blocks.</p> <p>Walls or fencing are not permitted forward of the building line except where they comply with one or more of the following:</p> <p>a) a previously approved estate development plan<br/>b) a relevant precinct code<br/>c) form a gate to a maximum height of 1.8m in an established, vigorous hedge</p>  | <p>C24</p> <p>Fences comply with the Residential Boundaries Fences General Code.</p>   | <p>Rule met</p> <p>Fencing has been proposed forward of the building line for a number of large and mid-sized blocks. Please refer to the Planning Control Plans and Fencing Plans submitted with this EDP DA for more information.</p> |

| Rule  | Criteria  | Response   |
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| <p>d) otherwise complies with this code (eg courtyard wall provisions)</p> <p>e) is exempt under the Planning and Development Act 2007.</p>   |   |  |
| <p><b>3.3 Courtyard walls – large blocks</b></p>  |   |  |
| <p>R25</p> <p>This rule applies to large blocks.</p> <p>Courtyard walls forward of the building line comply with all of the following:</p> <p>a) total length complies with one of the following</p> <p>i) not more than 50% of the width of the block</p> <p>ii) not more than 70% where the width of the block at the line of the wall is less than 12m</p> <p>b) setback from the front boundary not less than 50% of the minimum front setback applying to the block</p> <p>c) height does not exceed 1.8m</p> <p>d) constructed only of brick, block or stonework, any of which may be combined with feature panels</p> <p>e) incorporate shrub planting between the wall and the front boundary</p> <p>f) do not obstruct sight lines for vehicles and pedestrians on public paths on driveways in accordance with Australian Standard AS2890.1-Off-Street Parking.</p> | <p>C25</p> <p>Courtyard walls achieve all of the following:</p> <p>a) consistent with the desired character</p> <p>b) the dominance of the building’s facade in the streetscape taking all of the following aspects of the proposed courtyard wall into account</p> <p>i) height</p> <p>ii) relationship to verge footpath</p> <p>iii) total proportion relative to the building width</p> <p>iv) colour and design features</p> <p>v) transparency</p> <p>vi) articulation</p> <p>vii) protection of existing desirable landscape features</p> <p>viii) tree and shrub planting forward of the wall</p> <p>c) do not obstruct sight lines for vehicles and pedestrians on public paths or driveways in accordance with Australian Standard AS2890.1-Off-Street Parking</p> | <p>Future courtyard walls on the proposed large single dwelling blocks are capable of satisfying the intent of the criterion. The future proposed courtyard walls:</p> <p>a) would be consistent with the Statement of Strategic Directions and the site’s zone objectives (CZ6 zone) as addressed above.</p> <p>b) would not diminish the streetscape presence of the future developments on these sites in terms of height, relationship to verge footpaths, total proportion relative to building width, colour and design features, transparency, articulation, protection of the proposed landscaping, and opportunity for tree and shrub planting forward of the wall.</p> <p>c) would not obstruct sight lines for vehicles and pedestrians on public paths or driveways as per the associated Australian Standards.</p> <p>Mandatory courtyard walls have been proposed in the front zone to allow flexibility for the garages to be located forward of the building line as per the typologies and soften the visual impact of garage doors as viewed from the streets. This has been proposed as a control in the Planning Control Plans submitted with this application that are created based on dwelling typologies considered across the estate.</p> <p>Typical Courtyard Wall Diagrams have also been included in this submission for consideration.</p> <p>The Planning Controls are proposed to be uplifted to the Precinct Code with associated figures.</p> |

| Rule  | Criteria   | Response   |
|---|--|--|
| <b>3.4 Courtyard walls – mid sized blocks</b>   |  |  |
| <p>R26</p> <p>This rule applies to mid-sized blocks.</p> <p>Courtyard walls forward of the building line comply with all of the following:</p> <p>a) have a maximum total length of</p> <p>i) where the width of the block at the line of the wall is less than 12m – 70% of the width of the block</p> <p>ii) in all other cases - 50% of the width of the block</p> <p>b) have a minimum setback from the front boundary of not less than –</p> <p>i) where the total length of the courtyard wall measured parallel to the front street boundary does not exceed 6.5m and the courtyard wall does not exceed 1.5m in height - 1m</p> <p>ii) in all other cases – 50% of the minimum front setback applying to the block</p> <p>c) do not exceed 1.8m in height</p> <p>d) are constructed of one of the following –</p> <p>i) only of brick, block or stonework, any of which may be combined with feature panels</p> <p>ii) finished to match or complement the dwelling house</p> <p>e) incorporate shrub planting between the wall and the front boundary</p> <p>f) do not obstruct sight lines for vehicles and pedestrians on public paths on driveways in accordance with A2890.1-The Australian Standard for Off-Street Parking.</p> | <p>C26</p> <p>Courtyard walls achieve all of the following:</p> <p>a) consistent with the desired character</p> <p>b) the dominance of the building’s facade in the streetscape taking all of the following aspects of the proposed courtyard wall into account</p> <p>i) height</p> <p>ii) relationship to verge footpath</p> <p>iii) total proportion relative to the building width</p> <p>iv) colour and design features</p> <p>v) transparency</p> <p>vi) articulation</p> <p>vii) protection of existing desirable landscape features</p> <p>viii) tree and shrub planting forward of the wall</p> <p>c) do not obstruct sight lines for vehicles and pedestrians on public paths or driveways in accordance with Australian Standard AS2890.1- Parking facilities, part 1 off-street parking.</p> | <p>Future courtyard walls on the proposed mid-sized single dwelling blocks are capable of satisfying the intent of the criterion. The future proposed courtyard walls:</p> <p>a) would be consistent with the Statement of Strategic Directions and the site’s zone objectives (C26 zone) as addressed above.</p> <p>b) would not diminish the streetscape presence of the future developments on these sites in terms of height, relationship to verge footpaths, total proportion relative to building width, colour and design features, transparency, articulation, protection of the proposed landscaping, and opportunity for tree and shrub planting forward of the wall.</p> <p>c) would not obstruct sight lines for vehicles and pedestrians on public paths or driveways as per the associated Australian Standards.</p> <p>Mandatory courtyard walls have been proposed in the front zone to allow flexibility for the garages to be located forward of the building line as per the typologies and soften the visual impact of garage doors as viewed from the streets. This has been proposed as a control in the Planning Control Plans submitted with this application that are created based on dwelling typologies considered across the estate.</p> <p>Typical Courtyard Wall Diagrams have also been included in this submission for consideration.</p> <p>The Planning Controls are proposed to be uplifted to the Precinct Code with associated figures.</p> |
| <b>3.5 Front fences and courtyard walls – compact blocks</b>  |  |  |
| <p>R27</p> <p>This rule applies to compact blocks.</p>  | <p>C27</p> <p>Courtyard walls achieve all of the following:</p> <p>a) consistency with the desired character</p>   | <p>Future courtyard walls on the proposed compact single dwelling blocks are capable of satisfying the intent of the criterion. The future proposed courtyard walls:</p>   |

| Rule   | Criteria   | Response   |
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| <p>Courtyard walls forward of the building line comply with all of the following:</p> <p>a) have a maximum total length of-</p> <p>i) where the width of the block at the line of the wall is less than 12m – 60% of the width of the block</p> <p>ii) in all other cases - 50% of the width of the block</p> <p>b) have a minimum setback from the front boundary of not less than –</p> <p>i) where the courtyard encloses north facing principal private open space – 1m</p> <p>ii) in all other cases – 2m</p> <p>c) have a maximum height of –</p> <p>i) where the courtyard encloses principal private open space – 1.5m</p> <p>ii) where both of the following apply</p> <p>A) the courtyard encloses principal private open space</p> <p>B) the block is a corner block – 1.8m</p> <p>iii) in all other cases – 1.2m</p> <p>d) comply with one or more of the following –</p> <p>i) constructed of brick, block or stonework, any of which may be combined with feature panels</p> <p>ii) constructed and finished to match or complement the single dwelling house</p> <p>e) provide for sight lines for vehicles and pedestrians on public paths on driveways in accordance with A2890.1-The Australian Standard for Off-Street Parking.</p> | <p>b) dominance of the building’s facade in the streetscape taking all of the following aspects of the proposed courtyard wall into account:</p> <p>i) height</p> <p>ii) relationship to verge footpath</p> <p>iii) total proportion relative to the building width</p> <p>iv) colour and design features v) transparency vi) articulation</p> <p>vii) protection of existing desirable landscape features</p> <p>viii) tree and shrub planting forward of the wall</p> <p>c) sight lines for vehicles and pedestrians on public paths or driveways in accordance with Australian Standard AS2890.1- Parking facilities, part 1 off-street parking</p> | <p>a) would be consistent with the Statement of Strategic Directions and the site’s zone objectives (CZ6 zone) as addressed above.</p> <p>b) would not diminish the streetscape presence of the future developments on these sites in terms of height, relationship to verge footpaths, total proportion relative to building width, colour and design features, transparency, articulation, protection of the proposed landscaping, and opportunity for tree and shrub planting forward of the wall.</p> <p>c) would not obstruct sight lines for vehicles and pedestrians on public paths or driveways as per the associated Australian Standards.</p> |
| <p>R28</p> <p>For compact blocks, front fences and side fences forward of the building line comply with all of the following:</p> <p>a) do not exceed one of the following –</p>   | <p>C28</p> <p>Front and side fences achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) appropriate proportions and character with respect to –</p> <p>i) height</p>  | <p>Future fences on the proposed compact single dwelling blocks are capable of satisfying the intent of the criterion. The fences:</p> <p>a) would be consistent with the Statement of Strategic Directions and the site’s zone objectives (CZ6 zone) as addressed above.</p>  |

| Rule  | Criteria   | Response  |
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| <p>i) where located adjacent to the dwelling's principal private open space – 1.5m in height</p> <p>ii) where located adjacent to the dwelling's principal private open space, where the block is a corner block - 1.8m in height</p> <p>iii) in all other cases – 1.2m in height</p> <p>b) A2890.1-The Australian Standard for Off-Street Parking in relation to site lines for vehicles and pedestrians on public paths or driveways.</p>   | <p>ii) relationship to verge footpath</p> <p>iii) total proportion relative to the building width</p> <p>iv) colour and design features</p> <p>v) transparency and articulation</p> <p>vi) protection of existing desirable landscape features</p> <p>c) do not obstruct sight lines for vehicles and pedestrians on public paths or driveways in accordance with Australian Standard AS2890.1- Parking facilities, part 1 off-street parking.</p> | <p>b) would have appropriate character with respect to height, relationship to the verge footpaths, total proportion relative to building width, colour and design features, transparency, articulation, and protection of the proposed landscaping.</p> <p>c) would not obstruct sight lines for vehicles and pedestrians on public paths or driveways as per the associated Australian Standards.</p> |
| <b>Element 4: Parking and site access</b>   |  |   |
| <b>4.1 Pedestrian access</b>  |  |   |
| <p>R29</p> <p>For blocks with a boundary to a rear lane, pedestrian access is provided from the street address.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p>  | <p>Not applicable as rear lanes are not proposed.</p>   |
| <b>4.2 Vehicle access</b>   |  |   |
| <p>R30</p> <p>Driveway verge crossings comply with all of the following:</p> <p>a) 1.2m horizontally clear of stormwater sumps and other services</p> <p>b) 1.5m horizontally clear of transformers, bus stops, public light poles</p> <p>c) 6m horizontally clear of the tangent point of the radius of the curve on a corner block (excluding locations with roundabouts and signalised intersections, which require separate formal approval and support from Asset Acceptance)</p> <p>d) uphill grade of less than 17% as measured from the kerb; downhill grade of less than 12% as measured from the kerb</p> | <p>C30</p> <p>Driveway verge crossings are endorsed by Department of Territory and Municipal Services.</p>   | <p>Rule to be met.</p> <p>Driveway verge crossings will be designed in accordance with this requirement for the Design and Siting Development Applications (indicative driveway locations have been nominated on the Development Intentions Plan).</p>  |

| Rule   | Criteria  | Response   |
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| <p>e) at a right angle to the kerb line with a maximum 10% deviation</p> <p>f) for large blocks and mid sized blocks, a maximum of 5.5 m wide, and a minimum of 5m wide at the kerb, a minimum 3m wide at the front boundary, and a maximum width no greater than the width at the kerb</p> <p>g) for compact blocks, 3m wide at the front street boundary</p> <p>h) outside of the drip line of mature trees</p> <p>i) minimum of 3m clear of small and new street trees</p> <p>j) compliant with Australian Standard AS2890.1- Parking facilities as amended from time to time, having particular regard for sightlines and cross fall of the site</p> <p>k) where there is a public footpath across the driveway verge crossing, the footpath is continuous (i.e. the footpath is to have precedence).</p> <p>l) If the existing footpath is replaced, it is constructed at the same level in the same material and colour as the original.</p> |   |  |
| <b>4.3 Parking</b>   |   |  |
| <p>R31</p> <p>The minimum number of car parking spaces provided on the block complies with the following:</p> <p>a) for a single dwelling house on compact blocks containing not more than 1 bedroom – 1</p> <p>b) in all other cases - 2.</p>   | <p>C31</p> <p>Car parking provided on the block is adequate for residents and visitors.</p>   | <p>Rule to be met</p> <p>Each single dwelling block would be designed to afford two car parking spaces in accordance with the requirements of Rules 32 and 33 below.</p> <p>A mandatory on-site visitor parking control has been proposed as part of the Planning Control Plans submitted with this application for consideration.</p> |
| <p>R32</p> <p>Dimensions of car parking spaces are not less than the following:</p> <p>i) single roofed space - 6m x 3m</p> <p>ii) double roofed space - 6m x 5.5m</p>   | <p>C32</p> <p>Car parking spaces are sized to allow for all of the following:</p> <p>a) convenient access to the vehicle by the driver and passengers</p> | <p>Rule to be met</p> <p>All single dwelling blocks can include car parking spaces that meet the minimum dimensions requirements under the rule.</p>   |



| Rule   | Criteria  | Response  |
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| <p>iii) single unroofed space - 5.5m x 3m<br/>iv) multiple unroofed spaces side by side - 5.5m x 2.6m<br/>v) parallel parking spaces - 6.7m x 2.3m<br/>vi) 2.1m minimum clearance to any overhead structure.<br/>For this rule dimensions for roofed spaces are internal dimensions.</p>   | <p>b) reasonable side and overhead clearance to vehicles<br/>c) reasonable access by vehicles (ie minimal turning movements).</p>   |   |
| <p>R33<br/>Car parking spaces on the block comply with all of the following:<br/>a) are not located in the front zone, except on:<br/>i) compact blocks<br/>ii) any part of a driveway in tandem with another car parking space that is located behind the front building line.<br/>b) do not encroach any property boundaries<br/>c) at least one car parking space is roofed and is behind the front zone<br/>d) comply with sightlines for off-street car-parking facilities and other relevant requirements in Australian Standard AS2890.1- Parking facilities.</p> | <p>C33<br/>Car parking and related access on block achieve all of the following:<br/>a) reasonable amenity of neighbouring residential blocks<br/>b) consistency with the value of the streetscape<br/>c) public safety especially in relation to pedestrians and cyclists<br/>d) reasonable surveillance of parking spaces</p> | <p>Rule to be met<br/>All single dwelling blocks can include car spaces that meet the minimum dimensions requirements under the rule.</p> |
| <p>R34<br/>In RZ1 and RZ2, on standard blocks ramps accessing basement car parking are behind the building line, where the block is less than 30 m wide as measured at the street frontage. Ramps comply with the relevant requirements in Australian Standard AS2890.1- Parking facilities.</p>   | <p>C34<br/>Ramps to basement car parking maintain the value of the streetscape and allow safe and efficient vehicle and pedestrian movement.</p>  | <p>Not applicable as the site is zoned CZ6.</p>   |
| <p>R35<br/>Car parking is not permitted on verges.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p>   | <p>Not applicable as car parking on the verge is not proposed.</p>  |
| <p>R36<br/>This rule applies to street frontages except frontages to laneways (rear loading blocks).</p>   | <p>C36<br/>Garages or carports achieve all of the following:</p>  | <p>Future development of the proposed single dwelling blocks is capable of satisfying the criterion.</p>                                  |

| Rule  | Criteria  | Response  |
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| <p>The maximum total width of garage doors and external width of carports is the lesser of the following:</p> <p>a) 6m</p> <p>b) 50% of the façade of the dwelling.</p>   | <p>a) consistency with the streetscape</p> <p>b) consistency with the desired character</p> <p>c) compatibility with the façade of the associated dwelling.</p> | <p>The maximum garage width of 6m has been proposed for a number of single dwelling blocks as per the Planning Control Plans.</p> <p>The proposed garage door width is:</p> <p>a) consistent with the streetscape character</p> <p>b) consistent with the Statement of Strategic Directions and the site's zone objectives (CZ6 zone) as addressed above.</p> <p>b) capable of being compatible with the future façade of the dwelling typology considered for the block.</p> <p>Please refer to the Planning Control Plans submitted with this application for more information.</p> <p>The controls shown are proposed to be uplifted to the Precinct Code with associated figures.</p> |
| <p><b>Element 5: Amenity</b></p>  |   |   |
| <p><b>5.1 Solar access – blocks which were approved or had a lease granted before 5 July 2013</b></p>   |   |   |
| <p>R37</p> <p>This rule applies to blocks approved under an estate development plan before 5 July 2013 or for which a lease was granted before 5 July 2013.</p> <p>The floor or internal wall of a daytime living area of a dwelling is exposed to not less than 3 hours of direct sunlight between the hours of 9am and 3pm on the winter solstice (21 June).</p> <p>For this rule:</p> <p>Daytime living area means a habitable room other than a bedroom</p> <p>Note: Overshadowing from vegetation is not considered when assessing solar access.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p>   | <p>Not applicable.</p>  |

| Rule  | Criteria   | Response   |
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| <b>5.1A Solar access – blocks which were approved on or after 5 July 2013</b>   |  |  |
| <p>R37A</p> <p>This rule applies to blocks approved under an estate development plan on or after 5 July 2013 for:</p> <p>a) new dwellings</p> <p>b) additions and alterations, only if the addition or alteration affects:</p> <p>i) habitable room (see 1 below)</p> <p>ii) habitable room other than a bedroom (see 2 below)</p> <p>1. Where the front boundary of the block is the northern boundary:</p> <p>A habitable room is provided with a minimum of 4m<sup>2</sup> of transparent vertical glazing that:</p> <p>a) is oriented between 45° east of north and 45° west of north; and</p> <p>b) is not overshadowed at noon on the winter solstice (21 June) by buildings and structures on the subject block, excluding the eaves of the building.</p> <p>2. For all other blocks:</p> <p>A habitable room other than a bedroom is provided with a minimum of 4m<sup>2</sup> of transparent vertical glazing that:</p> <p>a) is oriented between 45° east of north and 45° west of north; and</p> <p>b) is not overshadowed at noon on the winter solstice (21 June) by:</p> <p>i) buildings and structures on the subject block, excluding the eaves of the building</p> <p>ii) the 'solar fence' on the northern boundary of the subject block.</p> <p>For this rule:</p> | <p>C37A</p> <p>One or more daytime living areas is provided with reasonable access to direct sunlight between the hours of 9am and 3pm on the winter solstice (21 June).</p> <p>For this criterion:</p> <p>Daytime living area means a habitable room other than a bedroom</p> | <p>Future development of the proposed single dwelling blocks is capable of achieving this design outcome.</p> <p>The proposed single dwelling blocks have been configured and oriented to achieve reasonable solar access to daytime living areas of future dwellings.</p> <p>Please refer to the Shadow Diagrams for further information.</p> |

| Rule   | Criteria   | Response   |
|--|--|--|
| <p>A. The height of the 'solar fence' is: i) in the primary building zone – 3m ii) all other parts of the boundary – 2.3m.</p> <p>B. A roofed outdoor area (e.g. an alfresco area) is not considered to be an eave.</p> <p>Note: Compliance with this rule may be demonstrated through plans, elevations and supporting documentation (e.g. shadow diagrams) showing that the required minimum area of glazing is not overshadowed.</p>  |  |  |
| <p><b>5.2 Private open space</b></p>   |  |  |
| <p>R38</p> <p>For large blocks approved under an estate development plan on land for which the original Crown lease was granted on or after 1 January 2020, private open space complies with all of the following:</p> <p>a) has a minimum area equal to 60% of the block area, less 50m<sup>2</sup></p> <p>b) has a minimum dimension of 6m for an area not less than 10% of the block</p> <p>c) at least 50% of the minimum area in a) is planting area.</p> <p>Note: Private open space includes principal private open space, as required elsewhere in this element.</p> | <p>C38</p> <p>Private open space provides residential amenity on the subject site and protects the residential amenity of adjoining sites by achieving all of the following:</p> <p>a) limits site coverage of buildings and vehicle parking and manoeuvring areas</p> <p>b) provides space for planting</p> <p>c) facilitates on-site infiltration of stormwater run-off</p> <p>d) provides outdoor areas that are readily accessible by residents for a range of uses and activities</p> <p>e) provides space for service functions such as clothes drying and domestic storage.</p> | <p>Future development of the large single dwelling blocks is capable of achieving this design outcome.</p> |
| <p>R38A</p> <p>For large blocks approved under an estate development plan before 1 January 2020, or land for which the original Crown lease was granted before 1 January 2020, private open space complies with all of the following:</p> <p>a) has a minimum area equal to 60% of the block area</p> <p>b) has a minimum dimension of 6m for an area not less than 10% of the block</p>   | <p>C38A</p> <p>To reduce urban heat island effects, retain water and maintain ecosystem services, and to provide residential amenity on the subject site and protect residential amenity of adjoining sites, private open space achieves all of the following:</p> <p>a) limits site coverage of buildings and vehicle parking and manoeuvring areas</p> <p>b) facilitates on-site infiltration of stormwater run-off</p>  | <p>Not applicable as the EDP DA has been submitted after 1 January 2020.</p>                               |

| Rule  | Criteria  | Response   |
|---|---|--|
| <p>c) at least 30% of the block area is planting area, with a minimum dimension of 2.5m.</p> <p>Note: Private open space includes principal private open space, as required elsewhere in this element.</p>  | <p>c) provides substantial outdoor areas that are readily accessible by residents for a range of uses and activities</p> <p>d) provides space for service functions such as clothes drying and domestic storage</p> <p>e) provides planting areas that demonstrates:</p> <p>i) establishment of landscaping to provide substantial shade in summer and admit winter sunlight to outdoor and indoor living areas</p> <p>ii) enhancement of living infrastructure through water-sensitive urban design and providing adequate areas for deep soil zones for ground water recharge, canopy trees and vegetation.</p> |  |
| <p>R39</p> <p>For mid-sized blocks approved under an estate development plan for which the original Crown lease was granted on or after 1 January 2020, private open space complies with all of the following:</p> <p>a) a minimum area equal to 40% of the block area, less 50m<sup>2</sup></p> <p>b) a minimum dimension as follows –</p> <p>i) blocks that are identified in a precinct code as an alternative boundary setback block – 4m for an area not less than 20% of the block area</p> <p>ii) blocks less than 360m<sup>2</sup> – 5m for an area not less than 10% of the block</p> <p>iii) in all other cases - 6m for an area not less than 10% of the block area</p> <p>c) at least 50% of the minimum area specified in a) is planting area.</p> <p>Note: Private open space includes principal private open space, as required elsewhere in this element.</p> | <p>C39</p> <p>Private open space provides residential amenity on the subject site and protects the residential amenity of adjoining sites by achieving all of the following:</p> <p>a) limits site coverage of buildings and vehicle parking and manoeuvring areas</p> <p>b) provides space for planting</p> <p>c) facilitates on-site infiltration of stormwater run-off</p> <p>d) provides outdoor areas that are readily accessible by residents for a range of uses and activities</p> <p>e) provides space for service functions such as clothes drying and domestic storage.</p>                            | <p>Future development of the mid-sized single dwelling blocks is capable of achieving this design outcome.</p> |
| <p>R39A</p> <p>For mid-sized blocks approved under an estate development plan before 1 January 2020, or land</p>  | <p>C39A</p> <p>To reduce urban heat island effects, retain water and maintain ecosystem services, and to provide</p>  | <p>Not applicable as the EDP DA has been submitted after 1 January 2020.</p>                                   |

| Rule   | Criteria  | Response   |
|--|---|--|
| <p>for which the original Crown lease was granted before 1 January 2020, private open space complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) a minimum area is not less than 40% of the block area</li> <li>b) a minimum dimension as follows: <ul style="list-style-type: none"> <li>i) blocks that are identified in a precinct code as an alternative boundary setback block – 4m for an area not less than 20% of the block area</li> <li>ii) blocks less than 360m<sup>2</sup> – 5m for an area not less than 10% of the block</li> <li>iii) in all other cases - 6m for an area not less than 10% of the block area</li> </ul> </li> <li>c) at least 20% of the block area is planting area, with a minimum dimension of 2.5m.</li> </ul> <p>Note: Private open space includes principal private open space, as required elsewhere in this element.</p> | <p>residential amenity on the subject site and protect residential amenity of adjoining sites, private open space achieves all of the following:</p> <ul style="list-style-type: none"> <li>a) limits site coverage of buildings and vehicle parking and manoeuvring areas</li> <li>b) facilitates on-site infiltration of stormwater run-off</li> <li>c) provides substantial outdoor areas that are readily accessible by residents for a range of uses and activities</li> <li>d) provides space for service functions such as clothes drying and domestic storage</li> <li>e) provides planting areas that demonstrates: <ul style="list-style-type: none"> <li>i) establishment of landscaping to provide substantial shade in summer and admit winter sunlight to outdoor and indoor living area</li> <li>ii) enhancement of living infrastructure through water-sensitive urban design and providing adequate areas for deep soil zones for ground water recharge, canopy trees and vegetation.</li> </ul> </li> </ul> |  |
| <p>R40</p> <p>For compact blocks approved under an estate development plan for which the original Crown lease was granted on or after 1 January 2020, private open space complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) a minimum area is not less than 20% of the block area</li> <li>b) at least 50% of the minimum area specified in a) is planting area.</li> </ul> <p>Note: Private open space includes principal private open space, as required elsewhere in this element.</p>   | <p>C40</p> <p>Private open space provides residential amenity on the subject site and protects the residential amenity of adjoining sites by achieving all of the following:</p> <ul style="list-style-type: none"> <li>a) limits site coverage of buildings and vehicle parking and manoeuvring areas</li> <li>b) provides space for planting</li> <li>c) facilitates on-site infiltration of stormwater run-off</li> <li>d) provides outdoor areas that are readily accessible by residents for a range of uses and activities</li> <li>e) provides space for service functions such as clothes drying and domestic storage.</li> </ul>   | <p>Future development of the compact single dwelling blocks is capable of achieving this design outcome.</p> |

| Rule  | Criteria  | Response   |
|---|---|--|
| <p>R40A</p> <p>For compact blocks approved under an estate development plan before 1 January 2020, or land for which the original Crown lease was granted before 1 January 2020, private open space complies with the following:</p> <ul style="list-style-type: none"> <li>a) a minimum area is not less than 30% of the block area</li> <li>b) at least 15% of the block area is planting area with a minimum dimension of 2.5m.</li> </ul> <p>Note: Private open space includes principal private open space, as required elsewhere in this element.</p> | <p>C40A</p> <p>To reduce urban heat island effects, retain water and maintain ecosystem services, and to provide residential amenity on the subject site and protect residential amenity of adjoining sites, private open space achieves all of the following:</p> <ul style="list-style-type: none"> <li>a) limits site coverage of buildings and vehicle parking and manoeuvring areas</li> <li>b) facilitates on-site infiltration of stormwater run-off</li> <li>c) provides substantial outdoor areas that are readily accessible by residents for a range of uses and activities</li> <li>d) provides space for service functions such as clothes drying and domestic storage</li> <li>e) provides planting areas that demonstrates: <ul style="list-style-type: none"> <li>i) establishment of landscaping to provide substantial shade in summer and admit winter sunlight to outdoor and indoor living areas</li> <li>ii) enhancement of living infrastructure through water-sensitive urban design and providing adequate areas for deep soil zones for ground water recharge, canopy trees and vegetation</li> </ul> </li> </ul> | <p>Not applicable as the EDP DA has been submitted after 1 January 2020.</p> |
| <p><b>5.2A Site coverage and tree planting</b></p>  |   |  |
| <p>R40B</p> <p>This rule applies to blocks approved under an estate development plan before 1 January 2020, or land for which the original Crown lease was granted before 1 January 2020. Site coverage is a maximum of:</p> <ul style="list-style-type: none"> <li>a) for large blocks: 40% of the block area</li> <li>b) for mid-sized blocks: 60% of the block area</li> <li>c) for compact blocks: 70% of the block area.</li> </ul>  | <p>C40B</p> <p>Site coverage and vehicle parking and manoeuvring areas is limited to:</p> <ul style="list-style-type: none"> <li>a) maximise outdoor areas that are readily accessible by residents for a range of uses and activities</li> <li>b) provide adequate space for service functions such as clothes drying and domestic storage</li> <li>c) provide adequate planting area on the site.</li> </ul>  | <p>Not applicable as the EDP DA has been submitted after 1 January 2020.</p> |

| Rule  | Criteria   | Response  |
|---|--|---|
| <p>R40C</p> <p>This rule applies to blocks approved under an estate development plan before 1 January 2020, or land for which the original Crown lease was granted before 1 January 2020.</p> <p>Development provides a minimum level of tree planting in deep soil zones, with associated planting requirements as described in table 7a, consistent with the following:</p> <p>a) for compact blocks, at least one small tree</p> <p>b) for mid-sized blocks, at least two small trees</p> <p>c) for large blocks less than or equal to 800m<sup>2</sup> one small tree and one medium tree (or equivalent existing tree/s– see Table 7b)</p> <p>d) for large blocks more than 800m<sup>2</sup> , at least:</p> <p>i) one medium tree and one large tree (or equivalent existing tree/s – see Table 7b), and</p> <p>ii) one additional large tree or two additional medium trees for each additional 800m<sup>2</sup> block area (or equivalent existing tree/s – see Table 7b).</p> <p>Note: Existing canopy trees being retained as part of development may be considered to meet these requirements.</p> | <p>C40C</p> <p>Tree planting provided in the development ensures:</p> <p>a) Planting or retention of suitably sized canopy trees in deep soil zones, including adequate dimensions for deep soil zones to support healthy canopy tree growth, and provide adequate room for canopy trees</p> <p>b) planting canopy trees of semi-advanced stock and reasonable heights at maturity.</p>  | <p>Not applicable as the EDP DA has been submitted after 1 January 2020.</p>  |
| <p><b>5.3 Principal private open space</b></p>  |  |   |
| <p>R41</p> <p>At least one area of principal private open space on the block complies with all of the following:</p> <p>a) minimum area and dimensions specified in table 8.</p> <p>b) at ground level</p> <p>c) directly accessible from, and adjacent to, a habitable room other than a bedroom</p> <p>d) screened from adjoining public streets and public open space</p>  | <p>C41</p> <p>Principal private open space achieves all of the following:</p> <p>a) is proportionate to the size of the dwelling</p> <p>b) capable of enabling an extension of the function of the dwelling for relaxation, dining, entertainment, recreation, and it is directly accessible from the dwelling</p> <p>c) accommodates service functions such as clothes drying and domestic storage</p> <p>d) is screened from public streets and public open space with pedestrian or cycle paths</p> | <p>Future development of the proposed single dwelling blocks is capable of achieving this design outcome.</p> <p>Please refer to the block typology plans and Integrated Housing Development Plans for further information.</p> |



| Rule   | Criteria   | Response  |
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| <p>e) located behind the building line, except where enclosed by a courtyard wall</p> <p>f) is not located to the south, south-east or south-west of the dwelling, unless it achieves not less than 3 hours of direct sunlight onto 50% of the minimum principal private open space area between the hours of 9am and 3pm on the winter solstice (21 June)</p>   | <p>e) reasonable access to sunlight to enable year round use.</p>  |   |
| <p><b>5.4 Noise attenuation – external sources</b></p>   |  |   |
| <p>R42</p> <p>This rule applies to all new dwellings (including in established areas), as well as extensions and alterations that add a habitable room exposed directly to the source of noise.</p> <p>Where a block has one or more of the following characteristics:</p> <p>i) identified in a precinct code as being potentially affected by noise from external sources</p> <p>ii) adjacent to a road carrying or forecast to carry traffic volumes greater than 12000 vehicles per day</p> <p>iii) is otherwise identified to be noise affected</p> <p>dwellings shall be constructed to comply with the following:</p> <p>1. road carrying traffic volumes between 12,000 and 25,000 vpd –</p> <p>a. dwelling located less than 20m from the nearside edge of the road:</p> <p>i. AS/NZS 2107:2000 - Acoustics – Recommended design sound levels and reverberation times for building interiors (the relevant satisfactory recommended interior design sound level)</p> <p>ii. AS/NZS 3671 - Acoustics – Road Traffic Noise Intrusion Building Siting and Design.</p> <p>b. dwelling located more than 20m from the nearside edge of the road:</p> | <p>C42</p> <p>This criterion applies to all new dwellings (including in established areas), as well as extensions and alterations that add a habitable room exposed directly to the source of noise.</p> <p>A noise management plan must be provided where:</p> <p>i) A block is identified in a precinct code as being potentially affected by noise from external sources; or</p> <p>ii) A dwelling is located in the first row of housing near a road carrying or forecast to carry traffic volumes greater than 12000 vehicles per day; or</p> <p>iii) A block is otherwise identified to be noise affected</p> <p>Noise management plan requirements:</p> <p>a) For other than road traffic noise - a noise management plan prepared by a member of the Australian Acoustical Society with experience in the assessment of noise, and endorsed by the EPA. The noise level immediately adjacent to the dwelling is assumed to be the relevant noise zone standard specified in the ACT Environment Protection Regulation 2005. The plan must indicate compliance with the relevant Australian standard.</p> <p>b) For road traffic noise - an acoustic assessment and noise management plan, prepared by a member of the Australian Acoustical Society with experience in the assessment of road traffic noise,</p> | <p>Not applicable as no single dwelling blocks are affected by external noise sources.</p> <p>Please refer to the EIS Noise Impact Assessment for more information.</p> |

| Rule   | Criteria  | Response  |
|--|---|---|
| <p>i. glazing is 6.38mm laminated glass or equivalent and fitted with acoustic seals other than brush seals</p> <p>ii. any external doors are solid core and fitted with acoustic seals other than brush seals</p> <p>2. road carrying traffic volumes greater than 25,000 vpd –</p> <p>a) dwelling located less than 40m from the nearside edge of the road:</p> <p>i. AS/NZS 2107:2000 - Acoustics – Recommended design sound levels and reverberation times for building interiors (the relevant satisfactory recommended interior design sound level)</p> <p>ii. AS/NZS 3671 - Acoustics – Road Traffic Noise Intrusion Building Siting and Design.</p> <p>b) dwelling located more than 40m from the nearside edge of the road:</p> <p>i. glazing is 10.38mm laminated glass or equivalent and fitted with acoustic seals other than brush seals</p> <p>ii. any external doors are solid core and fitted with acoustic seals other than brush seals</p> <p>3. in all other cases where a dwelling is affected by noise from external sources-</p> <p>i. AS/NZS 2107:2000 - Acoustics – Recommended design sound levels and reverberation times for building interiors (the relevant satisfactory recommended interior design sound level)</p> <p>ii. AS/NZS 3671 - Acoustics – Road Traffic Noise Intrusion Building Siting and Design.</p> | <p>and endorsed by the ACT Government entity responsible for transport planning. The plan must indicate compliance with the relevant Australian standard.</p> <p>Note: A condition of development approval may be imposed to ensure compliance with the endorsed noise management plan.</p> |   |
| <b>Element 6: Environment</b>  |   |   |
| <b>6.1 Water sensitive urban design</b>  |   |   |
| <p>R43</p> <p>This rule applies to</p> <p>a) all new single dwellings</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p>   | <p>Future development of the proposed single dwelling blocks is capable of achieving this design outcome.</p> |

| Rule  | Criteria | Response  |
|---|----------|---|
| <p>b) secondary residences and</p> <p>c) extensions and alterations but does not apply to:</p> <p>i) extensions of a size 50% or less of existing floor area or</p> <p>ii) development where no new plumbing is proposed</p> <p>The development complies with one of the following:</p> <p>i) Option A</p> <p>ii) Option B</p> <p>iii) Option C</p> <p>For this rule</p> <p>Option A is:</p> <p>a) on compact blocks –</p> <p>i) no minimum water storage requirement</p> <p>ii) minimum *** WELS rated plumbing fixtures</p> <p>b) on mid-sized blocks –</p> <p>i) minimum on site water storage of water from roof harvesting is 2,000 litres</p> <p>ii) 50% or 75m<sup>2</sup> of roof plan area, whichever is the lesser, is connected to the tank</p> <p>iii) the tank is connected to at least a toilet, laundry cold water and external taps that are attached to the house. The connection will require a pump where it cannot be elevated sufficiently to give adequate pressure.</p> <p>c) on large blocks up to 800m<sup>2</sup> –</p> <p>i) minimum on site water storage of water from roof harvesting is 4,000 litres</p> <p>ii) 50% or 100m<sup>2</sup> of roof plan area, whichever is the lesser, is connected to the tank</p> <p>iii) the tank is connected to at least a toilet, laundry cold water and external taps that are attached to the house. The connection will require a pump</p> |          | <p>Please refer to <b>Attachment B – Stormwater Treatment Systems</b> for more information.</p> |

| Rule  | Criteria | Response |
|---|----------|----------|
| <p>where it cannot be elevated sufficiently to give adequate pressure.</p> <p>d) on large blocks 800m<sup>2</sup> or greater –</p> <p>i) minimum on site water storage of water from roof harvesting is 5,000 litres</p> <p>ii) 50% or 125m<sup>2</sup> of roof plan area, whichever is the lesser, is connected to the tank</p> <p>iii) the tank is connected to at least a toilet, laundry cold water and external taps that are attached to the house. The connection will require a pump where it cannot be elevated sufficiently to give adequate pressure.</p> <p>Option B is:</p> <p>A greywater system captures all bathroom and laundry greywater and treats it to Class A standard. The treated greywater is connected to all laundry cold water, toilet flushing and all external taps.</p> <p>Option C is:</p> <p>Evidence is provided that the development achieves a minimum 40% reduction in mains water consumption compared to an equivalent development constructed in 2003, using the online assessment tool or another tool. The 40% target is met without any reliance on landscaping measures to reduce consumption</p> |          |          |

**6.2 Heritage**

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|---|---|--|
| <p>R44</p> <p>This rule applies to land containing places or objects registered or provisionally registered under section 41 of the Heritage Act 2004. The authority shall refer a development application to the Heritage Council.</p> <p>Note: The authority will consider any advice from the Heritage Council before determining the application.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule to be met</p> <p>The estate includes an ACT Heritage Council heritage listed place being the Canberra Brickworks (item 20068).</p> <p>A revised Conservation Management Plan (September 2021) was submitted to and approved by the Heritage Council (please refer to the EIS for further information).</p> <p>A Statement of Heritage Effects was submitted to ACT Heritage on 20 July 2023 and is being progressed in parallel to this application.</p> |
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| Rule  | Criteria  | Response  |
|---|---|---|
| <b>6.3 Tree protection</b>  |   |   |
| <p>R45</p> <p>This rule applies to a development that has one or more of the following characteristics:</p> <p>a) requires groundwork within the tree protection zone of a protected tree</p> <p>b) is likely to cause damage to or removal of any protected trees.</p> <p>The authority shall refer the development application to the Conservator of Flora and Fauna.</p> <p>Notes:</p> <ol style="list-style-type: none"> <li>Under the Planning and Development Regulation 2008 a development application for a declared site under the Tree Protection Act 2005, must be referred to the Conservator of Flora and Fauna.</li> <li>The authority will consider any advice from the Conservator of Flora and Fauna before determining the application in accordance with the Planning and Development Act 2007.</li> <li>Protected tree and declared site are defined under the Tree Protection Act 2005.</li> </ol> | <p>This is a mandatory requirement. There is no applicable criterion</p>  | <p>Protected trees are intended to be removed or be retained in some areas of the site as identified in this submission.</p> <p>Future development of the relevant single dwelling blocks is capable of achieving this design outcome.</p> <p>Please refer to the Landscape documentation for more information.</p> |
| <b>6.4 Erosion and sediment control</b>   |   |   |
| <p>R46</p> <p>For sites less than 3,000m<sup>2</sup>, development complies with the Environment Protection Authority, Environment Protection Guidelines for Construction and Land Development in the ACT, August 2007.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not relevant to this EDP DA submission (to be addressed as part of the Design and Siting Development Applications).</p>  |
| <p>R47</p> <p>For sites 3,000m<sup>2</sup> or larger, the application is accompanied by an erosion and sediment control plan endorsed by the ACT Environment Protection Authority.</p> <p>Note: If an erosion and sediment control plan is required but not provided, the application will be referred to the</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not applicable as the single dwelling blocks proposed are less than 3,000m<sup>2</sup>.</p>  |

| Rule  | Criteria  | Response  |
|---|---|---|
| ACT Environment Protection Authority before the determination of the application.   |   |   |
| <b>Element 7: Services</b>  |   |   |
| <b>7.1 Construction waste management – all zones</b>  |   |   |
| <p>R48</p> <p>This rule applies to residential development that is likely to generate more than 20m<sup>3</sup> of construction waste comprising one or more of the following:</p> <ul style="list-style-type: none"> <li>a) demolition waste</li> <li>b) construction waste</li> <li>c) excavation material.</li> </ul> <p>The management of construction waste is to be endorsed by TAMS.</p> <p>TAMS will endorse waste facilities and management associated with the development if they comply with the current version of the Development Control Code for Best Practice Waste Management in the ACT.</p> <p>TAMS may endorse departures.</p> <p>Note: a condition of approval may be imposed to ensure compliance.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not applicable to this EDP DA. Construction waste management will be addressed as part of the future Design and Siting Development Application for the single dwelling blocks.</p>   |
| <b>7.2 Utilities – all zones</b>  |   |   |
| <p>R49</p> <p>This rule applies to any proposed encroachment into a registered easement. The encroachment is to be approved in writing by the relevant service provider.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Single dwelling blocks have been designed so that future easements could be accommodated within blocks if and where required without requiring building encroachments.</p> <p>Please refer to the Civil documentation for more information about the proposed easements across the estate.</p> |

# 8

## Multi Unit Housing Development Code

This application proposes the creation of a number of multi unit blocks. The following parts from this Code is applicable to this proposal:

- **Part A - General Controls** for multi unit housing in all zones
- **Part C - Additional controls for multi unit housing in commercial zones**
- **Part D - Endorsement by government agencies (entities)**

Described below is an assessment of the capacity of the proposed multi unit blocks to meet the requirements of the Multi Unit Housing Development Code.

Table 6: Multi Unit Dwelling Housing Development Code (effective 10 June 2023)

| Rule  | Criteria   | Response  |
|---|--|---|
| <b>Part A – General controls</b>                          |  |   |
| <b>Element 1: Restrictions on use</b>                     |  |   |
| <b>1.1 Dual occupancy housing – standard blocks – RZ1</b> |  |   |
| R1  | In RZ1, the minimum area of standard blocks for dual occupancy housing is as follows:<br>a) For a surrendered residential block - 700m <sup>2</sup><br>b) For all other blocks - 800m <sup>2</sup> . | This is a mandatory requirement. There is no applicable criterion.  |
|   |  | Not applicable<br>No dual occupancy housing is proposed as part of this EDP DA submission and the multi-unit blocks proposed are zoned CZ6. |
| <b>1.2 Dual occupancy housing – standard blocks – RZ2</b> |  |   |
| R2  | In RZ2, the minimum area of standard blocks for dual occupancy housing is 700m <sup>2</sup> .  | This is a mandatory requirement. There is no applicable criterion.  |
|   |  | Not applicable<br>No dual occupancy housing is proposed as part of this EDP DA submission and the multi-unit blocks proposed are zoned CZ6. |
| <b>1.3 Apartments - standard blocks – RZ1 and RZ2</b>     |  |   |
| R3  |  |   |
|   |  | Not applicable  |

| Rule  | Criteria   | Response   |
|---|--|--|
| This rule applies to standard blocks in RZ1 and RZ2. No new apartments are permitted.   | This is a mandatory requirement. There is no applicable criterion.                       | The multi-unit blocks proposed as part of this EDP DA are zoned CZ6. |
| <b>Element 2: Lease and development conditions</b>  |  |  |
| <b>2.1 Development proposals affected by approved lease and development conditions</b>  |  |  |
| R4<br>This rule applies to blocks affected by approved lease and development conditions that provide for one or more of the following matters:<br>a) plot ratio      b) building envelope<br>c) building height   d) front street setback<br>e) side setback      f) rear setback<br>g) building design   h) materials and finish<br>i) interface          j) vehicle access<br>k) parking            l) solar access<br>m) private open space<br>n) water sensitive urban design<br>o) landscaping.<br>Approved lease and development conditions for the matters listed above shall take precedence over the provisions of this code, but only to the extent of any inconsistency. | C4<br>The development meets the intent of any approved lease and development conditions. | Not applicable to this EDP DA submission.                            |
| <b>Element 3: Building and site controls</b>  |  |  |
| <b>3.1 Dwelling replacement – standard blocks</b>   |  |  |
| R5<br>This rule applies to standard blocks in all residential zones that are proposed to be redeveloped for multi unit housing, but does not apply to supportive housing.<br>a) where there has been no consolidation of blocks – 1 replacement dwelling<br>b) in all other cases – a number equal to the total number of blocks originally leased or used for the  | This is a mandatory requirement. There is no applicable criterion.                       | Not applicable to this EDP DA submission.                            |



| Rule  | Criteria  | Response  |
|---|---|---|
| <p>purpose of single dwelling housing that have been consolidated or proposed to be consolidated.</p> <p>For this rule the following number of bedrooms per replacement dwelling are provided:</p> <p>a) where the original dwelling is one or two bedrooms – 2 or more</p> <p>b) where the original dwelling is three or more bedrooms – 3 or more</p>   |   |   |
| <p><b>3.2 Plot ratio – dual occupancy – standard blocks – RZ1 – except for surrendered residential blocks</b></p>   |   |   |
| <p>R6</p> <p>This rule applies to standard blocks in RZ1 unless the block is a surrendered residential block.</p> <p>The maximum plot ratio for dual occupancy housing is determined by the formula: <math>P = (140/B + 0.15) \times 100</math>.</p> <p>The maximum plot ratio for any additional new dwelling which is part of a dual occupancy and does not directly front a public road from which vehicular access is permitted is the lesser of:</p> <p>a) the plot ratio determined by the formula <math>P = (140/B + 0.15) \times 50</math> and</p> <p>b) 17.5%.</p> <p>For the purpose of calculating plot ratio for this rule, the gross floor area includes 18m<sup>2</sup> for each roofed car space provided to meet Territory requirements for resident car parking, but does not include basement car parking.</p> <p>For the formulae used in this rule:</p> <p>P is the maximum permissible plot ratio expressed as a percentage</p> <p>B is the block area in square metres.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not applicable as no dual occupancy is proposed as part of this EDP DA submission. Also, the multi-unit blocks proposed are zoned CZ6.</p> |
| <p><b>3.3 Plot ratio – dual occupancy – standard blocks – RZ2 and surrendered residential blocks – RZ1</b></p>  |   |   |
| <p>R7</p> <p>This rule applies to the following:</p> <p>a) standard blocks in RZ2</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not applicable as no dual occupancy is proposed as part of this EDP DA submission. Also, the multi-unit blocks proposed are zoned CZ6.</p> |

| Rule  | Criteria  | Response  |
|---|---|---|
| <p>b) blocks defined as a surrendered residential block in RZ1.</p> <p>The maximum plot ratio for dual occupancy housing is:</p> <p>i) where at least one dwelling does not directly front a public road from which vehicular access is permitted – 35%</p> <p>ii) in all other cases – 50%</p> <p>The maximum plot ratio for any additional new dwelling which is part of a dual occupancy and does not directly front a public road from which vehicular access is permitted is 17.5%.</p> <p>For the purpose of calculating plot ratio for this rule, the gross floor area includes 18m<sup>2</sup> for each roofed car space provided to meet Territory requirements for resident car parking, but does not include basement car parking.</p> |   |   |
| <p><b>3.4 Plot ratio – large standard blocks – RZ2, RZ3 and RZ4</b></p>   |   |   |
| <p>R8</p> <p>This rule applies to large blocks that are standard blocks in RZ2, RZ3 and RZ4.</p> <p>In RZ2 the maximum plot ratio is 50%.</p> <p>In RZ3 the maximum plot ratio is 65%.</p> <p>In RZ4 the maximum plot ratio is 80%.</p> <p>For the purpose of calculating plot ratio for this rule, the gross floor area includes 18m<sup>2</sup> for each roofed car space provided to meet Territory requirements for resident car parking, but does not include basement car parking.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not applicable</p> <p>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p> |
| <p><b>3.5 Plot ratio – other than standard blocks – RZ1, RZ2, RZ3 and RZ4</b></p>   |   |   |
| <p>R9</p> <p>This rule applies to blocks other than standard blocks in RZ1, RZ2, RZ3 and RZ4</p> <p>The maximum plot ratio is:</p> <p>a) in RZ1, RZ2 and RZ3 – 65%</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not applicable</p> <p>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p> |

| Rule   | Criteria  | Response  |
|--|---|---|
| <p>b) in RZ4 – 80%.</p> <p>This rule does not apply to:</p> <p>a) blocks subject to a residential B1 or B8 area specific policy under the Territory Plan at 30 March 2008 with any of the following characteristics:</p> <p>i) lawfully approved and constructed</p> <p>ii) held under a holding lease at 30 March 2008</p> <p>b) blocks in RZ1 approved before 5 July 2013</p> <p>For the purpose of calculating plot ratio for this rule, the gross floor area includes 18m<sup>2</sup> for each roofed car space provided to meet Territory requirements for resident car parking, but does not include basement car parking.</p> |   |   |
| <b>3.6 Additional dwellings – standard blocks – RZ1</b>  |   |   |
| <p>R10</p> <p>This rule applies to standard blocks in RZ1 but not to blocks that are intended to be used for supportive housing.</p> <p>The maximum number of dwellings permitted on a standard block is 2.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not applicable</p> <p>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p> |
| <b>3.7 Residential density – supportive housing – standard blocks - RZ1</b>  |   |   |
| <p>R11</p> <p>This rule applies to standard blocks in RZ1 that are intended to be used for supportive housing. Despite any other rule in this element, the maximum number of dwellings is shown in table A1.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not applicable</p> <p>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p> |
| <b>3.8 Residential density – standard blocks – RZ2</b>   |   |   |
| <p>R12</p> <p>This rule applies to standard blocks in RZ2.</p> <p>The maximum number of dwellings is shown in table A2.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not applicable as the estate does not include any blocks zoned RZ2.</p>                        |

| Rule   | Criteria  | Response  |
|--|---|---|
| <p>Note 1: Refer to element 4 of the Residential Zones Development Code for provisions relating to supportive housing.</p> <p>Notes 2: Refer to element 3 for provisions relating to the number of dwellings permitted in each building.</p>   |   |   |
| <b>3.9 Additional dwellings – standard blocks – RZ2</b>  |   |   |
| <p>R13</p> <p>This rule applies to standard blocks in RZ2 where the length of the front boundary facing a public road that allows vehicular access is 20m or less.</p> <p>Despite any other rule in this element, the maximum number of dwellings is 3.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not applicable as the estate does not include any blocks zoned RZ2.</p>                        |
| <b>3.10 Residential density – adaptable housing – standard blocks - RZ2</b>  |   |   |
| <p>R14</p> <p>This rule applies to standard blocks in RZ2:</p> <p>All dwellings are to be shown as capable of being adapted. The additional dwelling/s permitted for adaptable housing above those shown in Table A2 shall be built to an adapted standard in compliance with Australian Standard AS4299 Adaptable Housing (Class C).</p> <p>Despite R2 and R12, the maximum number of dwellings is shown in table A3.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not applicable as the estate does not include any blocks zoned RZ2.</p>                        |
| <b>3.11 Number of dwellings in each building – standard blocks – RZ2</b>   |   |   |
| <p>R15</p> <p>In RZ2 on standard blocks the maximum number of dwellings in any building is 4.</p> <p>For the purposes of this rule, basements are not part of a building.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not applicable as the estate does not include any blocks zoned RZ2.</p>                        |
| <b>3.12 Number of storeys – standard blocks – RZ1</b>  |   |   |
| <p>R16</p> <p>In RZ1 on standard blocks buildings comply with all of the following:</p> <p>a) The number of storeys does not exceed:</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not applicable</p> <p>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p> |

| Rule   | Criteria  | Response   |
|--|---|--|
| <p>i) 1 storey for dual occupancies (both dwellings) on surrendered residential blocks 700m2 and larger to which the 35% plot ratio applies (refer to Rule R7)</p> <p>ii) 2 storeys for all other standard blocks.</p> <p>b) attics or basement car parking are not permitted where they are located directly above or below any 2 storey element of the dwelling.</p> <p>Note: Where 50% plot ratio is permitted, two storey dwellings are also permitted. The single storey rule for dual occupancies on surrendered residential blocks applies to blocks where one or both of the dwellings does not directly front a public road from which vehicular access is permitted.</p> |   |  |
| <p>R17</p> <p>This rule applies to a dwelling with all of the following characteristics:</p> <p>i) located on a standard block</p> <p>ii) located in RZ1</p> <p>iii) is part of a dual occupancy housing</p> <p>iv) does not directly front a public road</p> <p>Despite the previous rule the dwelling complies with all of the following:</p> <p>a) contains no more than 1 storey</p> <p>b) has no basement car parking.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not applicable as dual occupancy is not proposed. Also, the multi-unit blocks proposed are zoned CZ6.</p> |
| <p><b>3.13 Number of storeys – other than standard blocks – RZ1</b></p>  |   |  |
| <p>R18</p> <p>In RZ1 on blocks other than standard blocks, the maximum number of storeys is 2.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not applicable</p> <p>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p>            |
| <p><b>3.14 Number of storeys – RZ2</b></p>   |   |  |
| <p>R19</p> <p>In RZ2 the number of storeys does not exceed 2. Rooftop plant that is set back from the building's facade and screened from the street is not included in the number of storeys.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not applicable as the estate does not include any blocks zoned RZ2.</p>                                   |

| Rule  | Criteria   | Response   |
|---|--|--|
| <b>3.15 Number of storeys – RZ3</b>   |  |  |
| <p>R20</p> <p>In RZ3 the maximum number of storeys is 2.</p> <p>Rooftop plant that is set back from the building's facade and screened from the street is not included in the number of storeys.</p>  | <p>C20</p> <p>Buildings achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) the appearance from the street of not more than two storeys for that part of the building facing the street</p> <p>c) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space.</p>   | <p>Not applicable as the estate does not include any blocks zoned RZ3.</p> |
| <b>3.16 Number of storeys – RZ4</b>   |  |  |
| <p>R21</p> <p>In RZ4 the maximum number of storeys is 3.</p> <p>Rooftop plant that is set back and screened from the street is not included in the number of storeys.</p>   | <p>C21</p> <p>Buildings achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) the appearance from the street of not more than three storeys for that part of the building facing the street</p> <p>c) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space.</p> | <p>Not applicable as the estate does not include any blocks zoned RZ4.</p> |
| <b>3.17 Number of storeys – RZ5</b>   |  |  |
| <p>R22</p> <p>In RZ5, the maximum number of storeys is:</p> <p>a) for that part of the building within 50m of the boundaries of blocks in RZ1, RZ2 or RZ3 - 3</p> <p>b) for that part of the building within 40m of the boundaries of blocks in CFZ, PRZ1 or PRZ2 - 3</p> <p>c) for that part of the building within 30m of the boundaries of blocks in RZ4 - 4</p> <p>d) in all other cases – 6.</p> <p>Roof top plant that is set back and screened from the street is not included in the number of storeys.</p> | <p>C22</p> <p>Buildings achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space</p>  | <p>Not applicable as the estate does not include any blocks zoned RZ5.</p> |

| Rule  | Criteria  | Response   |
|---|---|--|
| <b>3.18 Height of buildings – RZ1 and RZ2</b>   |   |  |
| <p>R23</p> <p>In RZ1 and RZ2 the maximum height of building is 8.5m.</p> <p>Note: For the purposes of this rule all height measurements are taken from datum ground level.</p>  | <p>C23</p> <p>Buildings achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space.</p>      | <p>Not applicable</p> <p>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p>  |
| <b>3.19 Height of buildings – RZ3, RZ4 and RZ5</b>  |   |  |
| <p>Rule 24</p> <p>Maximum height of building is:</p> <p>a) in RZ3 – 9.5m</p> <p>b) in RZ4 – 12.5m</p> <p>c) in RZ5 – 21.5m.</p> <p>Note: For the purposes of this rule all height measurements are taken from datum ground level.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p>   | <p>Not applicable</p> <p>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p>  |
| <b>3.20 Building envelope – all blocks except buildings over 3 storeys in RZ5 and commercial zones</b>  |   |  |
| <p>R25</p> <p>This does not apply to either of the following:</p> <p>a) buildings with more than 3 storeys in RZ5</p> <p>b) buildings with more than 3 storeys in commercial zones.</p> <p>Buildings are sited wholly within the building envelope formed by planes projected over the subject block at 45° to the horizontal from a height of 3.5m above each side and rear boundary, except as required by the next rule.</p> <p>Refer figure A1.</p> <p>Note 1: To remove any doubt, the reference to a building with more than 3 storeys is a reference to the whole building, not just that part of the building over 3 storeys.</p> <p>Note 2: For the purposes of this rule all height measurements are taken from datum ground level.</p> | <p>C25</p> <p>Buildings achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) reasonable levels of privacy for dwellings on adjoining residential blocks and their associated private open space</p> | <p>This rule would apply to the proposed multi unit blocks as the future buildings on these blocks would be 3 storeys or less within CZ6 zone. Although multi unit buildings will be subject to the future Design and Siting DA for each Precinct across the estate, this provision has been addressed herein as a Planning Control is proposed for these blocks against this rule.</p> <p>The intent of the criterion can be satisfied for the future buildings on-site.</p> <p>a) the proposal's performance against the Statement of Strategic Directions and the multi unit site's CZ6 zone objectives have been addressed above.</p> <p>b) although not applicable as there are no dwellings on adjoining residential blocks, the proposed setbacks have been considered to provide reasonable privacy to future dwellings on</p> |

| Rule  | Criteria  | Response  |
|---|---|---|
|   |   | <p>proposed residential blocks and their associated private open space.</p> <p>Alternative setbacks have been identified for the precinct as per the Planning Control Plans submitted with this application that consider privacy of the dwellings on the adjoining residential blocks.</p> <p>In order to achieve the desired outcome, it is proposed that Rule 25 does not apply to the parcels where a setback has been identified in the Planning Control Plans. These setbacks along with the proposed associated wording have been carefully considered to achieve a reasonable level of privacy for future dwellings and their associated private open space.</p> <p>Please refer to the proposed Planning Control Plans, <b>Attachment U- Proposed Planning Controls (wording)</b>, and Development Intentions Plans for further information.</p> <p>The setbacks shown are proposed to be uplifted to the Precinct Code with associated figures.</p> |
| <p>R26</p> <p>This does not apply to either of the following:</p> <p>a) buildings with more than 3 storeys in RZ5</p> <p>b) buildings with more than 3 storeys in commercial zones.</p> <p>Buildings are sited wholly within the solar building envelope formed by planes projected over the subject block at X° to the horizontal from the height of the 'solar fence' on any northern boundary of an adjoining residential block.</p> <p>X° is the apparent sun angle at noon on the winter solstice. Values for X are given in Table A4. The height of the 'solar fence' is:</p> <p>For a block approved under an estate development plan on or after 5 July 2013:</p> | <p>C26</p> <p>Buildings achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space</p> <p>c) reasonable levels of privacy for dwellings on adjoining residential blocks and their associated private open space</p> <p>d) where an adjoining block is not yet developed, the potential for reasonable solar access and privacy on the adjoining residential block(s) is maintained</p> | <p>This rule would apply to the proposed multi unit blocks as the future buildings on these blocks would be 3 storeys or less within CZ6 zone. Although multi unit buildings will be subject to the future Design and Siting DA for each Precinct across the estate, this provision has been addressed herein as a Planning Control is proposed for these blocks against this rule.</p> <p>The intent of the criterion can be satisfied for the future buildings on-site.</p> <p>a) the proposal's performance against the Statement of Strategic Directions and the multi unit site's CZ6 zones objectives have been addressed above.</p>  |



| Rule   | Criteria | Response   |
|--|----------|--|
| <p>i) in the primary building zone – 3m<br/>ii) all other parts of the boundary – 2.3m</p> <p>For all other blocks:</p> <p>i) in the primary building zone – 2.4m<br/>ii) all other parts of the boundary – 1.8m</p> <p>This rule does not apply to those parts of a boundary where the adjacent part of the adjoining residential block comprises only an access driveway (i.e. a “battleaxe handle”).</p> <p>The previous rule applies to this part of the boundary.</p> <p>An example of a typical building envelope is shown at Figure A1.</p> <p>Note 1: To remove any doubt, the reference to a building with more than 3 storeys is a reference to the whole building, not just that part of the building over 3 storeys.</p> <p>Note 2: For the purposes of this rule all height measurements are taken from datum ground level.</p> |          | <p>b and c) not applicable as there is no dwelling on adjoining blocks.</p> <p>d) the proposed setbacks have been considered to provide reasonable privacy and solar access to future dwellings on proposed residential blocks and their associated private open space. Please refer to the Development Intention Plans, Planning Control Plans, and Shadow Diagrams submitted for further information.</p> <p>Alternative setbacks have been identified for the precinct as per the Planning Control Plans submitted with this application that is proposed to reduce overshadowing of the future neighbouring residential developments.</p> <p>In order to achieve the desired outcome, it is proposed that Rule 26 does not apply to multi unit developments where a setback has been identified in the Planning Control Plans.</p> <p>The setbacks shown are proposed to be uplifted to the Precinct Code with associated figures.</p> |

### 3.22 Front boundary setbacks

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|--|--|---|
| <p>R29</p> <p>Front boundary setbacks comply with Table A5. Minimum boundary setbacks for corner blocks apply only to the street frontage nominated as a secondary street frontage. If street frontages on corner blocks are of equal length, the minimum setbacks apply only to one secondary street frontage. Chamfers may be included in the secondary street frontage.</p> | <p>C29</p> <p>Front boundary setbacks achieve all of the following:</p> <p>a) consistency with the desired character<br/>b) reasonable amenity for residents<br/>c) sufficient space for street trees to grow to maturity.</p> | <p>Development on proposed multi-unit blocks is capable of satisfying the criterion. The proposed front setbacks:</p> <p>a) are consistent with the Statement of Strategic Directions and the multi unit site’s zone objectives (CZ6 zones) as addressed above.<br/>b) setbacks achieve a reasonable amenity for residents to permit private open space areas and achieve privacy between dwellings<br/>c) setbacks allow space for establishment of street trees as shown on landscaping plans provided.</p> <p>Alternative setbacks have been identified for the precinct as per the Planning Control Plans</p> |
|--|--|---|

| Rule  | Criteria   | Response   |
|---|--|--|
|   |  | <p>submitted with this application that are created based on dwelling typologies considered across the estate.</p> <p>The setbacks shown are proposed to be uplifted to the Precinct Code with associated figures.</p>   |
| <b>3.23 Side and rear boundary setbacks</b>   |  |  |
| <p>R30</p> <p>Side and rear boundary setbacks comply with the following:</p> <p>a) in RZ1 and RZ2 - Table A6</p> <p>b) in RZ3, RZ4, RZ5 and commercial zones - Table A7</p> <p>c) in all other zones – the relevant zone development code</p> | <p>C30</p> <p>Buildings and other structures are sited to achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) reasonable separation between adjoining developments</p> <p>c) reasonable privacy for dwellings on adjoining residential blocks</p> <p>d) reasonable privacy for principal private open space on adjoining residential blocks</p> <p>e) reasonable solar access to dwellings on adjoining residential blocks and their associated principal private open space.</p> | <p>Development on proposed multi-unit blocks is capable of satisfying the criterion. The proposed setbacks:</p> <p>a) are consistent with the Statement of Strategic Directions and the multi unit site’s zone objectives (CZ6 zones) as addressed above.</p> <p>b) provide for reasonable separation between adjoining developments</p> <p>c) and d) achieve reasonable privacy between dwellings on adjoining residential blocks and their associated PPOS</p> <p>e) the proposed setbacks have been considered to minimise overshadowing of the adjoining residential blocks.</p> <p>Alternative setbacks have been identified for the precinct as per the Planning Control Plans submitted with this application that are created based on dwelling typologies considered across the estate.</p> <p>The setbacks shown are proposed to be uplifted to the Precinct Code with associated figures.</p> |
| <b>3.24 Allowable encroachments - setbacks</b>  |  |  |
| <p>R31</p> <p>Encroachments into one or more of the following:</p> <p>i) minimum side setback</p> <p>ii) minimum rear setback</p> <p>are permitted for one or more of the following building elements:</p>                                    | <p>C31</p> <p>Buildings and other structures achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) reasonable levels of privacy on adjoining residential blocks for dwellings and their associated private open space</p>   | <p>Not applicable to this EDP DA (subject to Design and Siting Development Applications).</p>  |

| Rule  | Criteria  | Response  |
|---|---|---|
| <p>a) an eave or roof overhang with a horizontal width of not more than 600mm</p> <p>b) fascias, gutters, downpipes, rainwater tanks, chimneys, flues, domestic fuel tanks, cooling or heating appliances, light fittings, electricity and gas meters, aerials, antennae, pergolas, sun blinds</p> <p>c) unroofed terraces, landings, steps or ramps, none of which are more than 1m above finished ground level.</p> | <p>c) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space.</p>   |   |
| <p>R32</p> <p>Encroachments into the front setback are permitted for one or more of the following building elements:</p> <p>a) an eave or roof overhang with a horizontal width of not more than 600mm</p> <p>b) fascias, gutters, downpipes, light fittings, sun blinds</p> <p>c) landings, steps or ramps, none of which are more than 1m above finished ground level.</p>  | <p>C32</p> <p>Buildings and other structures achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) reasonable levels of privacy on adjoining residential blocks for dwellings and their associated private open space</p> <p>c) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space</p> | <p>Not applicable to this EDP DA (subject to Design and Siting Development Applications).</p> |
| <p><b>3.25 Allowable encroachments – building envelopes</b></p>   |   |   |
| <p>R33</p> <p>Encroachments outside the building envelope specified in this element are permitted for one or more of the following:</p> <p>a) flues</p> <p>b) chimneys</p> <p>c) antennae</p> <p>d) aerials</p> <p>e) cooling appliances</p> <p>f) heating appliances.</p>  | <p>C33</p> <p>Buildings and other structures achieve all of the following:</p> <p>a) consistency with the desired character</p> <p>b) reasonable levels of privacy on adjoining residential blocks for dwellings and their associated private open space</p> <p>c) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space</p> | <p>Not applicable to this EDP DA (subject to Design and Siting Development Applications).</p> |
| <p><b>3.27 Building separation – standard blocks – RZ2</b></p>  |   |   |
| <p>R36</p> <p>This rule applies to standard blocks in RZ2.</p>  | <p>C36</p> <p>The siting of buildings on standard blocks in RZ2 achieves all of the following:</p>  | <p>Not applicable as the estate does not include any blocks zoned RZ2.</p>                    |

| Rule   | Criteria  | Response  |
|--|---|---|
| <p>The minimum horizontal separation between a building containing 2 or more dwellings and any other building on the site is 4m.</p> <p>For the purposes of this rule, basements are not part of a building.</p>   | <p>a) consistency with the desired character</p> <p>b) consistency with the separation of existing buildings in the immediate neighbourhood.</p>  |   |
| <b>Element 4: Site design</b>  |   |   |
| <b>4.1 Site design</b>   |   |   |
| <p>R37</p> <p>For developments (other than apartments) of 40 dwellings or more, the design of the common areas, pedestrian and vehicle access areas comply with all of the following provisions of the Estate Development Code:</p> <p>a) public realm standards for on-street parking</p> <p>b) pedestrian paths</p> <p>c) verge landscaping.</p> | <p>C37</p> <p>Publicly accessible and communal areas within large developments that are intended to be unit titled or community titled achieve all of the following:</p> <p>a) reasonable safety and lighting</p> <p>b) reasonable functionality and space to support active living</p> <p>c) reasonable accessibility and inclusion for all residents</p> <p>d) reasonable residential amenity</p> <p>e) landscaping beside internal driveways</p> <p>f) provision for pedestrians and cyclists</p> <p>g) sufficient off-street parking</p> <p>h) reasonable connectivity for pedestrians and cyclists to key local destinations and community uses.</p> | <p>Not applicable as the proposed multi unit blocks other than apartments propose less than 40 dwellings.</p> <p>However, the Estate Development Code relevant provisions have been addressed above for the estate.</p> |
| <b>4.2 Site open space – RZ1 and RZ2</b>   |   |   |
| <p>R38</p> <p>This rule applies to RZ1 and RZ2.</p> <p>Not less than 40% of the total site area is allocated to one or more of the following:</p> <p>a) communal open space with a minimum dimension of 2.5m</p> <p>b) private open space that complies with all of the following –</p> <p>i) a minimum dimension of 2.5m</p>                      | <p>C38</p> <p>Open space on the site achieves all of the following:</p> <p>a) sufficient space for the recreation and relaxation of residents</p> <p>b) sufficient space for planting, particularly trees with deep root systems, to accommodate on-site infiltration of stormwater run-off</p>   | <p>Not applicable</p> <p>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p>   |

| Rule   | Criteria  | Response  |
|--|---|---|
| <p>ii) is associated with dwellings at the lower floor level.<br/>Not less than 20% of the total site area is planting area.</p>   | <p>c) provision of outdoor areas that are readily accessible by residents for a range of uses and activities.<br/><br/>One or more of the following matters may be considered when determining compliance with this criterion:<br/><br/>i) whether the total area of upper floor level private open space contributes to the function of other open space on the site<br/><br/>ii) whether any adjoining or adjacent public open space is readily available for the use of residents.</p>   |   |
| <p>R38A<br/>This rule applies to all development in RZ1 and RZ2 zones on blocks approved under an estate development plan before 1 January 2020, or land for which the original Crown lease was granted before 1 January 2020.<br/>Not less than 40% of the total site area is allocated to one or more of the following:<br/>a) communal open space with a minimum dimension of 2.5m; and/or<br/>b) private open space that complies with the following:<br/>i) a minimum dimension of 2.5m; and<br/>ii) is associated with dwellings at the lower floor level.</p> | <p>C38A<br/>To reduce urban heat island effects, retain water and maintain ecosystem services, open space on the site achieves all of the following:<br/>a) adequate space for the recreation and relaxation of residents<br/>b) adequate space for planting, particularly trees with deep root systems, to accommodate on-site infiltration of stormwater run-off<br/>c) outdoor areas that are readily accessible by residents for a range of uses and activities. One or more of the following matters may be considered when determining compliance with this criterion:<br/>i) whether the total area of upper floor level private open space contributes to the function of other open space on the site<br/>ii) whether any adjoining or adjacent public open space is readily available for the use of residents.</p> | <p>Not applicable<br/><br/>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p> |
| <p>R38B<br/>This rule applies to all development in RZ1 and RZ2 zones on blocks approved under an estate development plan before 1 January 2020, or land for which the original Crown lease was granted before 1 January 2020.<br/>Site coverage is a maximum of 40% of the block</p>  | <p>C38B<br/>To reduce urban heat island effects, retain water and maintain ecosystem services, development complies with all of the following:<br/>a) limits site coverage and vehicle parking and manoeuvring areas</p>  | <p>Not applicable<br/><br/>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p> |

| Rule  | Criteria   | Response  |
|---|--|---|
| area.   | <p>b) provides outdoor areas that are readily accessible by residents for a range of uses and activities</p> <p>c) provides space for service functions such as clothes drying and domestic storage.</p>   |   |
| <p>R38C</p> <p>This rule applies to all development in RZ1 and RZ2 zones on blocks approved under an estate development plan before 1 January 2020, or land for which the original Crown lease was granted before 1 January 2020.</p> <p>Planting area is a minimum of 35% of the block area.</p> <p>The minimum dimension of any area included in the planting area calculation is 2.5 metres.</p> | <p>C38C</p> <p>Planting area provided in the development achieves all of the following:</p> <p>a) landscaping to provide substantial shade in summer and admit winter sunlight to outdoor and indoor living areas</p> <p>b) enhance living infrastructure through watersensitive urban design, providing deep soil zone areas for ground water recharge, canopy trees and vegetation</p> <p>c) infiltration of stormwater run-off and allow a greater ability to plant</p> | <p>Not applicable</p> <p>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p> |
| <p>R38D</p> <p>This rule applies to all development in RZ1 and RZ2 zones on blocks approved under an estate development plan before 1 January 2020 or land for which the original Crown lease was granted before 1 January 2020.</p> <p>Existing and new trees on the block are to provide at least 15% canopy cover to the block at maturity. Trees are to be planted in deep soil zones.</p>      | <p>This is a mandatory rule. There is no applicable criterion.</p>   | <p>Not applicable</p> <p>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p> |
| <p>There is no applicable rule.</p>   | <p>C38E</p> <p>This criterion applies to all development in RZ1 and RZ2 zones on blocks approved under an estate development plan before 1 January 2020 or land for which the original Crown lease was granted before 1 January 2020. Planting area provided in the development achieves all of the following:</p>   | <p>Not applicable</p> <p>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p> |

| Rule  | Criteria  | Response  |
|---|---|---|
|   | <p>a) Planting of suitably sized plants in deep soil zones, including adequate dimensions for deep soil zones to support healthy canopy tree growth, and provide adequate room for canopy trees</p> <p>b) deep soil zones should allow subsoil drainage to support groundwater infiltration</p> <p>c) planting of canopy trees with semi advanced stock and suitable heights at maturity</p> <p>d) landscaping to provide substantial shade in summer and admit winter sunlight to outdoor and indoor living areas.</p> |   |
| <p>R38F</p> <p>This rule applies to all development in RZ1 and RZ2 zones on blocks approved under an estate development plan before 1 January 2020, or land for which the original Crown lease was granted before 1 January 2020.</p> <p>Development provides a minimum level of tree planting, with associated planting requirements as described in table A7a, consistent with the following:</p> <p>a) for large blocks less than or equal to 800m<sup>2</sup> at least one small tree and one medium tree</p> <p>b) for large blocks more than 800m<sup>2</sup> , at least:</p> <p>i) one medium tree and one large tree,<br/>and</p> <p>ii) one additional large tree or two additional medium trees for each additional 800m<sup>2</sup> block area.</p> <p>Note: Existing canopy trees being retained as part of development may be considered to meet these requirements.</p> | <p>C38F</p> <p>Tree planting in the development ensures:</p> <p>a) planting or retention of suitably sized canopy trees in deep soil zones, including adequate dimensions for deep soil zones to support healthy tree growth, and provide adequate room for canopy trees</p> <p>b) planting canopy trees of semi-advanced stock and reasonable heights at maturity.</p>   | <p>Not applicable</p> <p>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p> |

| Rule  | Criteria  | Response  |
|---|---|---|
| <b>4.3 Site open space – RZ3, RZ4, RZ5 and commercial zones</b>   |   |   |
| <p>R39</p> <p>This rule applies to:</p> <p>a) all development in commercial zones</p> <p>b) all development in RZ3, RZ4 and RZ5 zones on blocks approved under an estate development plan for which the original Crown lease was granted on or after 1 January 2020.</p> <p>Not less than 20% of the total site area is allocated to the following:</p> <p>a) for developments with fewer than 20 dwellings, none of which are apartments, one or more of the following –</p> <p>i) communal open space that complies with all of the following</p> <p>a) a minimum dimension of 2.5m</p> <p>b) is directly accessible from common entries and pathways</p> <p>ii) private open space that complies with all of the following</p> <p>a) a minimum dimension of 2.5m</p> <p>b) is associated with dwellings at the lower floor level</p> <p>b) in all other cases, communal open space that complies with all of the following –</p> <p>i) a minimum dimension of 2.5m</p> <p>ii) is directly accessible from common entries and pathways.</p> <p>Not less than 10% of the total site area is planting area.</p> | <p>C39</p> <p>Open space on the site achieves all of the following:</p> <p>a) sufficient useable space for a range of recreational activities for residents to support active living</p> <p>b) sufficient space for planting, particularly trees with deep root systems</p> <p>c) a contribution to on-site infiltration of stormwater run-off</p> <p>d) reasonable accessibility that is designed to be inclusive for all residents</p> <p>e) reasonable connectivity for pedestrians and cyclists to key local destinations and community uses.</p> <p>One or more of the following matters may be considered when determining compliance with this criterion:</p> <p>i) whether the total area of upper floor level private open space contributes to the function of other open space on the site</p> <p>ii) whether any adjoining or adjacent public open space is readily available for the use of residents.</p> | <p>The future development of the multi-unit sites is able to achieve this design outcome.</p>     |
| <b>4.4 Site open space – RZ3, RZ4 and RZ5 zones</b>   |   |   |
| <p>R39A</p> <p>This rule applies to all development in RZ3, RZ4</p>   | <p>C39A</p>   | <p>Not applicable</p> <p>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p> |



| Rule  | Criteria  | Response   |
|---|---|--|
| and RZ5 zones on blocks approved under an estate development plan before 1 January 2020 or land for which the original Crown lease was granted before 1 January 2020. Site coverage is a maximum of 45% of the block area.  | To reduce urban heat island effects, retain water and maintain ecosystem services, development complies with all of the following:<br>a) limits site coverage of buildings and vehicle parking and manoeuvring areas<br>b) provides outdoor areas that are readily accessible by residents for a range of uses and activities<br>c) provides space for service functions such as clothes drying and domestic storage.   |  |
| R39B<br>This rule applies to all development in RZ3, RZ4 and RZ5 zones on blocks approved under an estate development plan before 1 January 2020 or land for which the original Crown lease was granted before 1 January 2020. Planting area is a minimum of 25% of the block area.<br>The minimum dimension of any area included in the planting area calculation is 2.5 metres.   | C39B<br>Planting area provided in the development achieves all of the following:<br>a) landscaping to provide substantial shade in summer and admit winter sunlight to outdoor and indoor living areas<br>b) enhance living infrastructure through water-sensitive urban design, providing areas for deep soil zones for ground water recharge, large canopy trees and vegetation<br>c) if the minimum required planting area can't be provided on site, an equivalent area should be ac      | Not applicable<br>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6. |
| R39C<br>This rule applies to all development in RZ3, RZ4 and RZ5 zones on blocks approved under an estate development plan before 1 January 2020 or land for which the original Crown lease was granted before 1 January 2020.<br>Existing and new trees on the block are to provide at least 20% canopy cover of the block at maturity. Trees are to be planted in deep soil zones in communal areas.<br>Note: for the purposes of this rule deep soil zones are areas of natural or structured soil medium with a minimum unobstructed depth of 1.2m, minimum surface area of 64m <sup>2</sup> and minimum volume of 85m <sup>3</sup> | C39C<br>Planting area provided in the development achieves all of the following:<br>a) planting in deep soil zones, including minimum dimensions for deep soil zones, to support healthy tree growth, and provide adequate room for canopy trees<br>b) planting of canopy trees with appropriate species and with a semi-advanced stock and minimum heights at maturity<br>c) landscaping to provide substantial shade in summer and admit winter sunlight to outdoor and indoor living areas | Not applicable<br>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6. |

| Rule   | Criteria   | Response   |
|--|--|--|
|  | d) if the minimum required canopy trees cannot be provided on site, an equivalent area should be achieved through planting on structures.  |  |
| <p>R39D</p> <p>This rule applies to all development in RZ3, RZ4 and RZ5 zones on blocks approved under an estate development plan before 1 January 2020 or land for which the original Crown lease was originally granted before 1 January 2020.</p> <p>Not less than 20% of the total site area is allocated to the following:</p> <p>a) for developments with fewer than 20 dwellings, none of which are apartments, one or more of the following:</p> <p>i) communal open space that complies with the following:</p> <p>a) a minimum dimension of 2.5m</p> <p>b) is directly accessible from common entries and pathways; and/or</p> <p>ii) private open space that complies with the following:</p> <p>a) a minimum dimension of 2.5m</p> <p>b) is associated with dwellings at the lower floor level</p> <p>b) in all other cases, communal open space that complies with the following:</p> <p>i) a minimum dimension of 2.5m</p> <p>ii) is directly accessible from common entries and pathways.</p> | <p>C39D</p> <p>To reduce urban heat island effects, retain water and maintain ecosystem services, open space on the site achieves all of the following:</p> <p>a) adequate useable space for a range of recreational activities for residents to support active living</p> <p>b) a contribution to on-site infiltration of stormwater run-off</p> <p>c) reasonable accessibility that is designed to be inclusive for all residents</p> <p>d) utilise planting on structures where planting area, canopy trees cannot be achieved on site</p> <p>e) reasonable connectivity for pedestrians and cyclists to key local destinations and community uses</p> <p>f) if the minimum required planting area can't be provided on site, an equivalent area should be achieved through planting on structures.</p> <p>One or more of the following matters may be considered when determining compliance with this criterion:</p> <p>i) whether the total area of upper floor level private open space contributes to the function of other open space on the site; and/or</p> <p>ii) whether any adjoining or adjacent public open space is readily available for the use of residents.</p> | <p>Not applicable</p> <p>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p>  |
| <b>4.4 Landscape design</b>  |  |  |
| <p>There is no applicable rule.</p>  | <p>C40</p> <p>This criterion applies to all development on blocks approved under an estate development plan for which the original Crown lease was granted on or after 1 January 2020.</p>   | <p>The future landscape design of the multi-unit sites is able to achieve this design outcome.</p> |

| Rule   | Criteria  | Response   |
|--|---|--|
|  | <p>Landscape and site design achieves all of the following:</p> <ul style="list-style-type: none"> <li>a) planting of trees of semi-mature stock</li> <li>b) planting of trees with a minimum mature height of 4m</li> <li>c) a contribution to energy efficiency by providing substantial shade in summer, especially to west-facing windows and open car-parking areas, and admitting winter sunlight to outdoor and indoor living areas, especially to the north</li> <li>d) reasonable residential amenity</li> <li>e) reasonable visibility along paths and driveways</li> <li>f) visual interest in pavement materials and finishes</li> <li>g) species with appropriate growth habits and mature height in relation to site conditions.</li> </ul> |  |
| <p>R40A</p> <p>This rule applies to all development on blocks approved under an estate development plan before 1 January 2020 or land for which the original Crown lease was granted before 1 January 2020. Development provides a minimum level of tree planting, with associated planting requirements as described in table A7b, consistent with the following:</p> <ul style="list-style-type: none"> <li>a) for large blocks less than or equal to 800m<sup>2</sup>, one small tree and one medium tree</li> <li>b) for large blocks more than 800m<sup>2</sup> <ul style="list-style-type: none"> <li>i) one medium tree and one large tree, and</li> <li>ii) one additional large tree or two additional medium trees for each additional 800m<sup>2</sup> block area.</li> </ul> </li> </ul> | <p>C40A</p> <p>Tree planting provided in the development ensures:</p> <ul style="list-style-type: none"> <li>a) planting in deep soil zones, including minimum dimensions for deep soil zones, to support healthy canopy tree growth, and provide adequate room for canopy trees</li> <li>b) planting of canopy trees with appropriate species and with a semi-advanced stock and minimum heights at maturity</li> <li>c) landscaping to provide substantial shade in summer and admit winter sunlight to outdoor and indoor living areas</li> </ul>  | <p>Not applicable</p> <p>The EDP DA is submitted after 1 January 2020.</p> |
| <p>There is no applicable rule.</p>  | <p>C40B</p> <p>This criterion applies to all development on blocks approved under an estate development plan</p>  | <p>Not applicable</p> <p>The EDP DA is submitted after 1 January 2020.</p> |

| Rule   | Criteria  | Response   |
|--|---|--|
|  | <p>before 1 January 2020 or land for which the original Crown lease was granted before 1 January 2020.</p> <p>Where one or more existing canopy trees located within the subject block are to be retained as part of development to count towards canopy tree coverage requirements as described elsewhere in this code, development applications are supported by a report prepared by a suitably qualified person demonstrating how the development complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) shows the tree(s) are in good health and likely to actively grow at the completion of works</li> <li>b) details how the tree(s) will be suitably protected during construction works</li> <li>c) provides adequate deep soil area to ensure the tree(s) will remain viable</li> <li>d) confirms that the tree(s) to be retained are sited appropriately and will not detrimentally impact the development in the future.</li> </ul> |  |
| <b>4.5 Fences</b>  |   |  |
| <p>R41</p> <p>Fences are permitted forward of the building line in the front zone or on the front boundary only where they comply with any of the following:</p> <ul style="list-style-type: none"> <li>a) it is a gate to a maximum height of 1.8m and 1m width in an established hedge</li> <li>b) exempt under the Planning and Development Act 2007</li> <li>c) permitted under the Common Boundaries Act 1981.</li> </ul> | <p>C41</p> <p>Fences may be permitted where the proposal meets the requirements contained in the Residential Boundary Fences General Code.</p>  | <p>Criterion satisfied</p> <p>Please refer to Residential Boundary Fences General Code in this report.</p> <p>Fencing is also proposed as a Planning Control across the estate in accordance with the proposed Fencing Plan.</p> <p>Please refer to the Planning Control Plans and Fencing Plan submitted for further information.</p> |
| <b>4.6 Courtyard walls – RZ1 and RZ2</b>   |   |  |
| <p>R42</p> <p>Courtyard walls are permitted forward of the building line where they comply with all of the following:</p>  | <p>C42</p> <p>Courtyard walls achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) consistent with the desired character</li> </ul>  | <p>No applicable as the multi-unit sites in this EDP DA are zoned CZ6.</p>   |

| Rule   | Criteria  | Response   |
|--|---|--|
| <p>a) a total length not exceeding 60% of the width of the block at the line of the wall</p> <p>b) a minimum setback from the front boundary of not less than 2m</p> <p>c) trees and/or shrubs between the wall and the front boundary, in accordance with an approved landscape plan</p> <p>d) a maximum height not exceeding 1.8m above datum ground level</p> <p>e) constructed of brick, block or stonework, any of which may be combined with timber or metal panels that include openings not less than 25% of the surface area of the panel</p> <p>f) do not obstruct sight lines for vehicles and pedestrians on public paths or driveways in accordance with Australian Standard AS2890.1-Off-Street Parking.</p> | <p>b) the dominance of the building's facade in the streetscape taking all of the following aspects of the proposed courtyard wall into account:</p> <p>i) height</p> <p>ii) relationship to verge footpath</p> <p>iii) total proportion relative to the building</p> <p>iv) width</p> <p>v) colour and design features</p> <p>vi) transparency vii) articulation viii) protection of existing desirable landscape features</p> <p>ix) tree and shrub planting forward of the wall</p> <p>c) do not obstruct sight lines for vehicles and pedestrians on public paths or driveways in accordance with Australian Standard AS2890.1-Off-Street Parking</p> |  |
| <b>4.6A Courtyard walls – other than RZ1 and RZ2</b>   |   |  |
| <p>R42A</p> <p>Courtyard walls are permitted forward of the building line where they comply with all of the following:</p> <p>a) maximum height of 1.8m above datum ground level</p> <p>b) a minimum setback to the front boundary complying with the following:</p> <p>i) where the wall encloses the principal private open space at ground floor level that is located to the west, north-west, north, north-east or east of the dwelling – 0.7m</p> <p>ii) in all other cases - half the front boundary setback nominated elsewhere in this code</p> <p>c) trees and/or shrubs between the wall and the front boundary, in accordance with an approved landscape plan</p>  | <p>C42A</p> <p>Courtyard walls achieve all of the following:</p> <p>a) consistent with the desired character</p> <p>b) the dominance of the building's facade in the streetscape taking all of the following aspects of the proposed courtyard wall into account:</p> <p>i) height</p> <p>ii) relationship to verge footpath</p> <p>iii) total proportion relative to the building</p> <p>iv) width</p> <p>v) colour and design features</p> <p>vi) transparency</p> <p>vii) articulation</p> <p>viii) protection of existing desirable landscape features</p> <p>ix) tree and shrub planting forward of the wall</p>                                     | <p>Rule to be met</p> <p>Future development of the Multi Unit Housing can achieve this design outcome.</p> |

| Rule  | Criteria  | Response  |
|---|---|---|
| <p>d) a variety of materials or indentations not less than 15m apart where the indents are not less than 1m in depth and 4m in length</p> <p>e) constructed of brick, block or stonework, any of which may be combined with timber or metal panels that include openings not less than 25% of the surface area of the panel</p> <p>f) do not obstruct sight lines for vehicles and pedestrians on public paths or driveways in accordance with Australian Standard AS2890.1-Off-Street Parking.</p> | <p>c) do not obstruct sight lines for vehicles and pedestrians on public paths or driveways in accordance with Australian Standard AS2890.1-Off-Street Parking.</p>   |   |
| <b>4.7 External facilities</b>  |   |   |
| <p>There is no applicable rule.</p>   | <p>C43</p> <p>The following external facilities or equipment are screened or adequately separated from public areas:</p> <p>a) external storage areas</p> <p>b) water tanks</p> <p>c) waste storage enclosures</p> <p>d) mechanical services (including air conditioners and hot water storage units)</p> <p>e) clothes drying areas.</p> | <p>Not applicable to this EDP DA (subject to future Design and Siting DAs).</p>   |
| <p>There is no applicable rule.</p>   | <p>C44</p> <p>Mailboxes are located for convenient access by residents and deliverers with passive surveillance from the street or from active uses. To demonstrate compliance with this criterion a site plan is submitted with the application showing the location and design of mail boxes.</p>                                       | <p>Not applicable to this EDP DA (subject to future Design and Siting DAs).</p>   |
| <b>4.8 Electrical and telecommunication facilities</b>  |   |   |
| <p>R45</p> <p>Electrical and telecommunication reticulation within existing residential areas or streets with residential access complies with all of the following:</p>  | <p>C45</p> <p>Electrical and telecommunication reticulation within existing residential areas or streets with residential access limits the amount of visual</p>  | <p>Not applicable as no additional electrical supply poles are proposed on the site.</p> <p>All proposed electrical and telecommunication reticulation are underground.</p> |

| Rule   | Criteria   | Response   |
|--|--|--|
| <p>a) do not result in continuous rows of supply poles erected on residential streets</p> <p>b) for developments involving up to 2 blocks or 2 dwellings, are underground or along the rear spine or side of blocks</p> <p>c) for developments involving more than 2 blocks or 2 dwellings, are underground</p> <p>d) there is no overhead cabling to dwellings within the site.</p> | <p>clutter in the streetscape, particularly from supply poles and overhead cabling.</p>  | <p>Please refer to the Electrical Plans submitted with this application for more information.</p>  |
| <p>There is no applicable rule.</p>  | <p>C46</p> <p>Ground level electrical and telecommunication facilities (such as electrical substations, switching stations, telecommunications nodes) within existing residential areas or streets with residential access are screened from public view whilst allowing for reasonable access for service providers</p> | <p>Criterion to be satisfied</p> <p>The future substations will be screened from public views (subject to Design and Siting Development Applications).</p> |
| <p><b>Element 5: Building design</b></p>   |  |  |
| <p><b>5.1 Surveillance</b></p>   |  |  |
| <p>R47</p> <p>This rule applies to building facades facing a public street or public open space.</p> <p>Building facades have all of the following:</p> <p>a) at least one window to a habitable room that is not screened by a courtyard wall</p> <p>b) at least one door with roofed element such as a verandah or balcony.</p>  | <p>C47</p> <p>Buildings achieve passive surveillance of all of the following:</p> <p>a) adjoining streets</p> <p>b) adjoining public open space.</p>   | <p>The future development of the multi-unit blocks is capable of achieving this design outcome.</p>  |
| <p><b>5.2 Building entries</b></p>   |  |  |
| <p>R48</p> <p>Common entries to dwellings have all of the following features:</p> <p>a) an external sheltered area outside the entrance</p>  | <p>C48</p> <p>Common entries to dwellings achieve all of the following:</p> <p>a) a transitional area from the street</p> <p>b) secure, all-weather access</p>   | <p>The future development of the multi-unit blocks is capable of achieving this design outcome.</p>  |

| Rule  | Criteria  | Response  |
|---|---|---|
| <p>b) a direct line of sight between the front door and the public footpath or road</p> <p>c) separate access to any non-residential uses, which are clearly distinguishable and secured after hours.</p>   | <p>c) surveillance of public areas (including between buildings and open space areas, paths, dwelling entries, car parking areas and driveways)</p> <p>d) safety, security and convenience for residents and visitors</p> <p>e) the separation of residential entries and commercial entries.</p>     |   |
| <b>5.3 Building design</b>  |   |   |
| <p>R49</p> <p>This rule applies to buildings containing more than 2 dwellings.</p> <p>Maximum length of unarticulated walls in buildings is 15m.</p> <p>Wall articulation is provided by at least one of the following:</p> <p>a) changes in wall planes of a minimum 1m in depth and 4m in length</p> <p>b) inclusion of balconies, bay windows, verandas, fin walls, etc.</p> <p>c) horizontally stepping facades by at least 1m.</p> | <p>C49</p> <p>Building design, articulation, detailing and finish provide an appropriate scale, add visual interest and enable visual differentiation between dwellings when viewed from adjoining public spaces and adjoining residential blocks</p>   | <p>The future development of the multi-unit blocks is capable of achieving this design outcome.</p> |
| <p>R50</p> <p>This rule applies to buildings containing more than 2 dwellings.</p> <p>Maximum length of an unarticulated roof is 15m.</p>   | <p>C50</p> <p>Building design, articulation, detailing and finish provide an appropriate scale, add visual interest and enable visual differentiation between dwellings when viewed from adjoining public spaces and adjoining residential blocks.</p>  | <p>The future development of the multi-unit blocks is capable of achieving this design outcome.</p> |
| <p>R51</p> <p>Garages and carports within 15m of the front boundary are constructed with the same material as the corresponding elements of the dwelling.</p>   | <p>C51</p> <p>The exterior colours and finishes of garages and carports achieve all of the following:</p> <p>a) compatibility with the dwelling design when viewed from public spaces</p> <p>b) integration with the overall design</p> <p>c) a contribution to the articulation of the building.</p> | <p>The future development of the multi-unit blocks is capable of achieving this design outcome.</p> |



| Rule   | Criteria   | Response   |
|--|--|--|
| <b>5.4 Building design – RZ2</b>   |  |  |
| <p>R52</p> <p>This rule applies to standard blocks in RZ2 containing 2 or more dwellings.</p> <p>All dwellings adjacent to a public street (other than a rear lane) have at least one of the following facing the street:</p> <p>a) front door</p> <p>b) living room window</p> <p>c) living room glass sliding door.</p>  | <p>C52</p> <p>Dwellings address the street wherever practicable.</p>   | <p>Not applicable</p> <p>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p>  |
| <b>5.5 Basements and undercroft parking</b>  |  |  |
| <p>R53</p> <p>This rule applies to all of the following:</p> <p>i) basements</p> <p>ii) undercroft parking.</p> <p>Exposed external walls comply with all of the following:</p> <p>a) except for ventilation openings, are finished in the same manner as the building</p> <p>b) where ventilation openings are provided, they are treated as part of the façade with grilles and screens.</p> | <p>C53</p> <p>Basements and undercroft parking structures achieve all of the following:</p> <p>a) visual interest through architectural elements, features or modulation</p> <p>b) visual softening by landscaping</p> <p>c) avoidance of prominent ventilation openings</p> | <p>The future development of the multi-unit blocks is capable of achieving this design outcome.</p>  |
| <b>5.6 Adaptable housing – multi-unit housing comprising 10 or more dwellings</b>  |  |  |
| <p>R54</p> <p>This rule applies to multi-unit housing comprising 10 or more dwellings.</p> <p>The minimum number of dwellings designed to meet Australian Standard AS4299 – Adaptable Housing (Class C) is shown in table A8.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p>  | <p>The required minimum adaptable housing will be provided as part of the Design and Siting Development Applications of multi unit developments in accordance with the associated standards.</p> |
| <b>5.7 Minimum dwelling size</b>   |  |  |
| <p>R55</p> <p>Minimum dwelling floor areas are as follows:</p>   | <p>C55</p> <p>Dwelling sizes and layouts provide functional living spaces, flexibility in furniture layout, and adequate</p>   | <p>The future development of the multi-unit blocks is capable of achieving this design outcome.</p>  |

| Rule  | Criteria   | Response  |
|---|--|---|
| <p>a) studio dwellings - 40 m<sup>2</sup><br/> b) one-bedroom dwellings - 50 m<sup>2</sup><br/> c) 2-bedroom dwellings - 70 m<sup>2</sup><br/> d) dwellings with 3 or more bedrooms - 95 m<sup>2</sup></p> <p>The minimum dwelling floor area excludes balconies and car parking facilities. Storage within dwellings is included in the area calculations.</p>         | <p>storage and service areas. The provision of shared facilities (eg. open space, laundry, lounge and storage) may be considered when determining compliance with the criterion.</p>   |   |
| <b>5.8 Housing diversity</b>  |  |   |
| <p>R56</p> <p>For developments containing 40 or more dwellings, a combination of dwelling types, including studio or 1-bedroom dwellings, 2- bedroom dwellings, and dwellings with 3 or more bedrooms are provided.</p>   | <p>C56</p> <p>Housing developments comprising multiple dwellings are required to achieve all of the following:</p> <p>a) a range of housing types<br/> b) increased diversity of dwelling types within a neighbourhood.</p>  | <p>The future development of the multi-unit blocks is capable of achieving this design outcome.</p> |
| <b>5.9 Building design – dual occupancy on surrendered residential blocks in RZ1</b>  |  |   |
| <p>There is no applicable rule.</p>   | <p>C56A</p> <p>This criterion applies to dual occupancy development on surrendered residential blocks. The design of buildings encourages high quality architectural standards that contribute to a visually harmonious streetscape character with variety and interest, whilst not detrimental to, or overtly detracting from the existing streetscape character.</p> | <p>Not applicable</p> <p>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p>   |
| <b>Element 6: Amenity</b>   |  |   |
| <b>6.1 Solar access –other than apartments</b>  |  |   |
| <p>R57</p> <p>This rule applies to all multi unit housing on blocks with the exception of blocks subject to R57A.</p> <p>This rule does not apply to apartments.</p> <p>The floor or internal wall of a daytime living area of a dwelling is exposed to not less than 3 hours of direct sunlight between the hours of 9am and 3pm on the winter solstice (21 June).</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p>  | <p>Not applicable as Rule 57A is applicable.</p>  |

| Rule  | Criteria   | Response  |
|---|--|---|
| <p>For this rule:<br/>Daytime living area means a habitable room other than a bedroom</p> <p>Note: Where a development comprises a mixture of apartments and other multi unit housing, this rule applies to the other multi unit housing, but does not apply to the apartments.</p>   |  |   |
| <p>R57A</p> <p>This rule applies to multi unit housing on blocks approved under an estate development plan on or after 5 July 2013. This rule does not apply to apartments.</p> <p>A daytime living area of each new dwelling is provided with a minimum of 4m<sup>2</sup> of transparent vertical glazing that:</p> <ul style="list-style-type: none"> <li>a) is oriented between 45° east of north and 45° west of north; and</li> <li>b) is not overshadowed at noon on the winter solstice (21 June) by: <ul style="list-style-type: none"> <li>i) buildings and structures on the subject block</li> <li>ii) the solar fence on the northern boundary of the subject block</li> </ul> </li> </ul> <p>For this rule:<br/>Daytime living area means a habitable room other than a bedroom</p> <p>The height of the 'solar fence' is:</p> <ul style="list-style-type: none"> <li>i) in the primary building zone – 3m</li> <li>ii) all other parts of the boundary – 2.3m</li> </ul> <p>Note: Where a development comprises a mixture of apartments and other multi unit housing, this rule applies to the other multi unit housing, but does not apply to the apartments.</p> <p>Compliance with this rule may be demonstrated through plans, elevations and supporting documentation (e.g. shadow diagrams) showing</p> | <p>C57A</p> <p>One or more daytime living areas in each dwelling is provided with reasonable access to direct sunlight between the hours of 9am and 3pm on the winter solstice (21 June).</p> <p>For this criterion:<br/>Daytime living area means a habitable room other than a bedroom</p> | <p>The future development of the multi-unit blocks is capable of achieving this design outcome.</p> |

| Rule  | Criteria   | Response  |
|---|--|---|
| <p>that the required minimum area of glazing is not overshadowed.</p> <p>Note: Overshadowing from vegetation is not considered when assessing solar access.</p> <p>Note: To remove any doubt, when assessing a development on a block with existing dwellings, the development must comply and must not cause an existing dwelling to then contravene this requirement. However, if the existing dwelling does not currently comply, the development must not increase the level of non compliance for that other dwelling.</p> |  |   |
| <b>6.2 Solar access - apartments</b>  |  |   |
| <p>R58</p> <p>This rule applies to apartments.</p> <p>The floor or internal wall of a daytime living area of not fewer than 70% of apartments on a site is exposed to not less than 3 hours of direct sunlight between the hours of 9am and 3pm on the winter solstice (21 June).</p> <p>Note: Overshadowing from vegetation is not considered when assessing solar access.</p>   | <p>C58</p> <p>Daytime living areas have reasonable access to sunlight.</p>   | <p>The future development of the multi-unit blocks is capable of achieving this design outcome.</p> |
| <b>6.3 Privacy</b>  |  |   |
| <p>R59</p> <p>This rule applies to dwellings on the same block.</p> <p>A person with an eye height of 1.5m standing at any point on the extremity of an unscreened element of one dwelling shall not have a direct line of sight into the primary window of any other dwelling.</p> <p>The direct line of sight is a minimum distance of 12m.</p>   | <p>C59</p> <p>Evidence is provided demonstrating that reasonable privacy between dwellings on the same block is achieved through design solution.</p> <p>Note: this does not include installing high sill windows, obscured glass, and/or angled louvres</p> | <p>The future development of the multi-unit blocks is capable of achieving this design outcome.</p> |
| <p>R60</p> <p>This rule applies to principal private open space on the same block and on adjacent blocks.</p> <p>A person with an eye height of 1.5m standing at any point on the extremity of an unscreened element of one dwelling shall not have a direct line</p>   | <p>C60</p> <p>Evidence is provided demonstrating that reasonable privacy of principal private open space of each dwelling is achieved through design solution.</p>   | <p>The future development of the multi-unit blocks is capable of achieving this design outcome.</p> |

| Rule  | Criteria   | Response  |
|---|--|---|
| of sight to more than 50% of the minimum principal private open space of any other dwelling.<br>The direct line of sight is a minimum distance of 12m.  | Note: this does not include installing high sill windows, obscured glass, and/or angled louvres.   |   |
| <b>6.4 Principal private open space</b>   |  |   |
| R61<br>Each dwelling has at least one area of principal private open space that complies with all of the following:<br>a) located on the site<br>b) has minimum area and dimensions specified in table A9<br>c) is screened from adjoining public streets and public open space<br>d) is directly accessible from, and adjacent to, a habitable room other than a bedroom<br>e) is not located to the south, south-east or south-west of the dwelling, unless it achieves one or more of the following –<br>i) not less than 3 hours of direct sunlight onto 50% of the minimum required area between the hours of 9am and 3pm on the winter solstice (21 June)<br>located at an upper floor level and overlooks a public street or public open space<br>Note: Overshadowing from vegetation is not considered when assessing solar access. | C61<br>Principal private open space for each dwelling achieves all of the following:<br>a) an area proportionate to the size of the dwelling<br>b) an extension of the function of the dwelling for relaxation, dining, entertainment, recreation<br>c) directly accessible from the dwelling<br>d) service functions such as clothes drying and mechanical services<br>e) reasonable privacy<br>f) reasonable solar access. | Future development of the proposed multi-unit blocks is capable of achieving this design outcome. |
| <b>6.5 Separation between external walls</b>  |  |   |
| R62<br>The minimum separation between an unscreened element and an external wall on the same block or an adjoining block, is 3m.  | C62<br>The outlook from an unscreened element is not unreasonably impeded by external walls on the same or adjoining blocks.   | Future development of the proposed multi-unit blocks is capable of achieving this design outcome. |
| R63<br>The separation between external walls at the lower floor level on the same block or an adjoining block is not less than 1m.  | C63<br>The separation between blank walls on the same or adjoining blocks at ground level achieves both of the following:  | Future development of the proposed multi-unit blocks is capable of achieving this design outcome. |

| Rule  | Criteria  | Response   |
|---|---|--|
|   | <ul style="list-style-type: none"> <li>a) reasonable access for maintenance</li> <li>b) reasonable management of rodents.</li> </ul>  |  |
| <b>6.6 Balustrades</b>  |   |  |
| <p>R64</p> <p>This rule applies to balconies with both of the following characteristics:</p> <ul style="list-style-type: none"> <li>i) located on the third upper floor level or lower (ie the first four storeys)</li> <li>ii) facing public streets or public open space.</li> </ul> <p>Balustrades are constructed of one or more of the following:</p> <ul style="list-style-type: none"> <li>a) obscure glass panels</li> <li>b) solid panels with a total of all openings or clear glass panels not more than 25% of the surface area of the balustrade.</li> </ul> <p>For this rule obscure glass prevents printed text of 10mm high characters from being read through the glass when positioned 1m from the glass.</p> | <p>C64</p> <p>Balustrades achieve reasonable privacy for residents and screen household items from adjoining public streets and public open space</p>   | <p>Future development of the proposed multi-unit blocks is capable of achieving this design outcome.</p> |
| <b>6.7 Storage</b>  |   |  |
| <p>R65</p> <p>This rule applies to dwellings without an associated garage.</p> <p>An enclosed storage area complying with all of the following is provided for each dwelling:</p> <ul style="list-style-type: none"> <li>a) at least 2m in height and 0.6m internal dimension</li> <li>b) an area of not less than – <ul style="list-style-type: none"> <li>i) in RZ1 and RZ2 - 4m<sup>2</sup></li> <li>ii) in all other zones -1.5m<sup>2</sup></li> </ul> </li> <li>c) one of the following – <ul style="list-style-type: none"> <li>i) accessible externally from the dwelling</li> <li>ii) adjacent to a dedicated car space.</li> </ul> </li> </ul>  | <p>C65</p> <p>All dwellings are provided with adequate and secure storage areas for all of the following:</p> <ul style="list-style-type: none"> <li>a) equipment such as gardening, sporting, leisure and fitness equipment</li> <li>b) accommodate bicycles as per Bicycle Parking Code.</li> </ul> | <p>Future development of the proposed multi-unit blocks is capable of achieving this design outcome.</p> |
| <b>6.8 Natural Ventilation</b>  |   |  |

| Rule  | Criteria  | Response  |
|---|---|---|
| <p>There is no applicable rule.</p>   | <p>C66<br/>For buildings containing 3 or more dwellings, dwelling layouts are to ensure natural ventilation is provided to habitable rooms by cross or stack effect ventilation by maximising separation between opening windows.</p> | <p>Future development of the proposed multi-unit blocks is capable of achieving this design outcome.</p>  |
| <p><b>6.9 Noise attenuation – external sources</b></p>  |   |   |
| <p>R67<br/>Where a block has one or more of the following characteristics:<br/>i) identified in a precinct code as being potentially affected by noise from external sources<br/>ii) adjacent to a road carrying or forecast to carry traffic volumes greater than 12,000 vehicles per day<br/>iii) located in a commercial zone<br/>iv) adjacent to a commercial or industrial zone<br/>dwellings shall be constructed to comply with the relevant sections of all of the following:<br/>a) AS/NZS 2107:2000 - Acoustics – Recommended design sound levels and reverberation times for building interiors (the relevant satisfactory recommended interior design sound level)<br/>b) AS/NZS 3671 - Acoustics – Road Traffic Noise Intrusion Building Siting and Design.<br/><br/>For other than road traffic noise, compliance with this rule is demonstrated by a noise management plan prepared by a member of the Australian Acoustical Society with experience in the assessment of noise, and endorsed by the EPA. For other than road traffic noise, the noise level immediately adjacent to the dwelling is assumed to be the relevant noise zone standard specified in the ACT Environment Protection Regulation 2005.<br/><br/>For road traffic noise, compliance with this rule is demonstrated by an acoustic assessment and noise management plan, prepared by a member of the</p> | <p>This is a mandatory requirement. There is no applicable criterion</p>  | <p>Not applicable as no blocks are noise affected.<br/><br/>Please refer to the EIS Noise Impact Assessment for more information.<br/><br/>As detailed under the NIA, a Noise Management Plan will be prepared for each precinct for the Design and Siting Development Applications (where relevant).</p> |

| Rule   | Criteria  | Response  |
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| <p>Australian Acoustical Society with experience in the assessment of road traffic noise, and endorsed by the ACT Government entity responsible for Transport Planning.</p> <p>Note: A condition of development approval may be imposed to ensure compliance with the endorsed noise management plan.</p>                                      |   |   |
| <b>Element 7: Parking and vehicular access</b>   |   |   |
| <b>7.1 Ramps to basement car parking – RZ1 and RZ2</b>   |   |   |
| <p>R68</p> <p>This rule applies to blocks with all of the following characteristics:</p> <ul style="list-style-type: none"> <li>a) zoned RZ1 or RZ2</li> <li>b) standard blocks</li> <li>c) less than 30 m wide at the street frontage.</li> </ul> <p>Ramps accessing basement car parking are not permitted forward of the building line.</p> | <p>C68</p> <p>Ramps accessing basement car parking forward of the building line may be allowed where all of the following are achieved:</p> <ul style="list-style-type: none"> <li>i) compatibility with the streetscape</li> <li>ii) retention of existing street trees</li> <li>iii) safe and convenient pedestrian and bicycle crossings</li> <li>iv) adequate line of sight for cars entering and/or leaving the car parking area</li> </ul>  | <p>Not applicable</p> <p>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p>   |
| <b>7.2 Driveway verge crossings</b>  |   |   |
| <p>R69</p> <p>This rule applies to previously undeveloped blocks. No more than one driveway verge crossing is provided to each block.</p>  | <p>C69</p> <p>More than one driveway verge crossing to each block may be allowed in one of the following circumstances:</p> <ul style="list-style-type: none"> <li>a) where forward entry to roads carrying more than 3000 vehicles per day is desirable</li> <li>b) where all of the following are achieved: <ul style="list-style-type: none"> <li>i) compatibility with the streetscape</li> <li>ii) priority for pedestrians and cyclists</li> <li>iii) retention of existing street trees</li> <li>iv) protection of existing landscape features</li> <li>v) public safety</li> </ul> </li> <li>c) where the block is a corner block.</li> </ul> | <p>Rule to be met</p> <p>Driveway verge crossings will be designed in accordance with this requirement for the Design and Siting Development Applications (indicative driveway locations have been nominated on the Development Intentions Plan).</p> |



| Rule   | Criteria   | Response  |
|--|--|---|
| <p>R70</p> <p>This rule applies to previously developed blocks or the consolidation of previously developed blocks. No additional driveway verge crossings are permitted.</p>  | <p>C70</p> <p>Additional driveway verge crossings may be allowed in one of the following circumstances:</p> <ul style="list-style-type: none"> <li>a) where forward entry to roads carrying more than 3000 vehicles per day is desirable</li> <li>b) where all of the following are achieved – <ul style="list-style-type: none"> <li>i) compatibility with the streetscape</li> <li>ii) priority for pedestrians and cyclists</li> <li>iii) retention of existing street trees</li> <li>iv) protection of existing landscape features</li> <li>v) public safety</li> </ul> </li> <li>c) where the block is a corner block.</li> </ul> | <p>Rule to be met</p> <p>Driveway verge crossings will be designed in accordance with this requirement for the Design and Siting Development Applications (indicative driveway locations have been nominated on the Development Intentions Plan).</p> |
| <p>R71</p> <p>This rule applies to previously developed blocks or the consolidation of previously developed blocks. Redundant driveway verge crossings are removed, and the verge and kerb restored.</p> <p>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>Not applicable to this EDP DA submission.</p>  |
| <p>R72</p> <p>Driveway verge crossings comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) 1.2m horizontally clear of stormwater sumps and other services</li> <li>b) 1.5m horizontally clear of transformers, bus stops, public light poles</li> <li>c) 6m horizontally clear of the tangent point of the radius of the curve on a corner block (excluding locations with roundabouts and signalised intersections, which require separate formal approval and support from Asset Acceptance)</li> <li>d) uphill grade of less than 17% as measured from the kerb; downhill grade of less than 12% as measured from the kerb</li> </ul> | <p>C72</p> <p>Driveway verge crossings are endorsed by the Territory and Municipal Services Directorate.</p>   | <p>Rule to be met</p> <p>Driveway verge crossings will be designed in accordance with this requirement for the Design and Siting Development Applications (indicative driveway locations have been nominated on the Development Intentions Plan).</p> |

| Rule  | Criteria   | Response  |
|---|--|---|
| <p>e) at a right angle to the kerb line with a maximum 10% deviation</p> <p>f) a maximum of 5.5m wide, and a minimum of 5m wide at the kerb, a minimum 3m wide at the front boundary, and a maximum width no greater than the width at the kerb</p> <p>g) except for blocks 250m<sup>2</sup> or less, 3m wide at the front street boundary</p> <p>h) outside of the drip line of mature street trees</p> <p>i) a minimum of 3m clear of small and new street trees</p> <p>j) compliant with Australian Standard AS2890.1 – Off Street Parking, having particular regard for sightlines and cross fall of the site</p> <p>k) where there is a public footpath across the driveway verge crossing, the footpath is continuous (i.e. the footpath is to have precedence)</p> <p>l) if the existing footpath is replaced, it is to be constructed at the same level in the same material and colour as the original.</p> <p>Note: a condition of development approval may be imposed to ensure compliance with this rule.</p> |  |   |
| <p><b>7.3 Internal driveways</b></p>  |  |   |
| <p>R73</p> <p>This rule applies to internal driveways that are used by residents of more than one dwelling.</p> <p>Internal driveways comply with all of the following:</p> <p>a) are set back from external block boundaries by not less than 1m</p> <p>b) are set back from the external walls of buildings on the site by not less than 1m</p> <p>c) the setbacks referred to in items a) and b) are planted to a width of not less than 1m</p> <p>d) windows to habitable rooms and exterior doors within 1.5 of an internal driveway have at least one of the following –</p>  | <p>C73</p> <p>Internal driveways achieve all of the following:</p> <p>a) sufficient space for planting along property boundaries</p> <p>b) sufficient space for planting between internal driveways and buildings</p> <p>c) reasonable residential amenity, particularly in relation to the intrusion of light and noise into habitable rooms</p> <p>d) clear differentiation between the driveway and parking spaces.</p> | <p>Rule to be met</p> <p>Internal driveways will be designed in accordance with this requirement for the Design and Siting Development Applications (indicative internal driveway locations have been identified on the Development Intentions Plan).</p> |

| Rule   | Criteria  | Response   |
|--|---|--|
| <p>i) an intervening fence or wall not less than 1.5m high</p> <p>ii) for windows, a sill height not less than 1.5m above the driveway</p> <p>e) the relevant requirements in Australian Standard AS2890.1 - Off Street Parking for sightlines and gradients</p> <p>f) provide internal radius of at least 4m at changes in direction and intersections</p> <p>g) have a surface treatment that is distinct from car parking spaces.</p> |   |  |
| <p>R74</p> <p>This rule applies to internal driveways with both of the following characteristics:</p> <p>a) serve 4 or more car parking spaces</p> <p>b) connect to a major road.</p> <p>Turning spaces are provided on the block to allow vehicles to leave in a forward direction.</p>   | <p>C74</p> <p>Internal driveways achieve reasonable levels of public safety.</p>  | <p>Future development of the proposed multi-unit blocks is capable of achieving this design outcome.</p> |
| <p>R75</p> <p>This rule applies to internal driveways with both of the following characteristics:</p> <p>a) serve more than 10 car parking spaces</p> <p>b) connect to a public road.</p> <p>The internal driveway is not less than 5m wide for not less than the first 7m of its length measured from the relevant block boundary.</p>  | <p>C75</p> <p>Internal driveways avoid unreasonable levels of queuing and congestion at vehicular entrances.</p>  | <p>Future development of the proposed multi-unit blocks is capable of achieving this design outcome.</p> |
| <p>There is no applicable rule.</p>  | <p>C76</p> <p>Internal driveways are designed to be safely used by both pedestrians and vehicles, including emergency vehicles.</p> <p>Measures to reduce vehicle speed on internal driveways will be considered when determining compliance with this criterion, including one or more of the following:</p> <p>a) changes in pavement materials</p> | <p>Future development of the proposed multi-unit blocks is capable of achieving this design outcome.</p> |

| Rule  | Criteria   | Response  |
|---|--|---|
|   | <ul style="list-style-type: none"> <li>b) the lack of kerb and gutters</li> <li>c) difference in height to adjacent streets</li> <li>d) avoiding long lengths of driveway</li> <li>e) suitable planting</li> <li>f) signage</li> </ul>   |   |
| <b>7.4 Residents' car parking</b>   |  |   |
| <p>R77</p> <p>Car-parking spaces on the site for residents comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) located behind the front zone (except for apartment car parking)</li> <li>b) can be in tandem where they belong to the same dwelling</li> <li>c) do not encroach any property boundaries</li> <li>d) one car space per dwelling is roofed and located behind the front zone</li> <li>e) are separated by not less than 1.5m from windows or doors to habitable rooms of dwellings that are not associated with the parking space.</li> </ul> | <p>C77</p> <p>Car parking for residents achieves all of the following:</p> <ul style="list-style-type: none"> <li>a) reasonable residential amenity</li> <li>b) consistency with the desired character</li> <li>c) public safety</li> <li>d) reasonable opportunities for surveillance</li> <li>e) the reasonable requirements of residents for car parking</li> <li>f) reasonable privacy.</li> </ul> | <p>Car parking spaces on the multi-unit blocks are to be provided in basements or garages. These parking spaces are capable of achieving this design outcome.</p> |
| <p>R78</p> <p>This rule applies to resident car parking spaces with both of the following characteristics:</p> <ul style="list-style-type: none"> <li>a) not allocated to a particular dwelling</li> <li>b) shared between 2 or more dwellings.</li> </ul> <p>Parking spaces are located within 50m walking distance of any dwelling that is sharing the space.</p>   | <p>C78</p> <p>Car parking spaces are located close to, and with convenient access to dwellings.</p>  | <p>Not applicable to this EDP DA submission.</p>  |
| <p>R79</p> <p>The maximum total width of garage door openings and external width of carports facing a street complies with the following:</p> <ul style="list-style-type: none"> <li>a) for up to 3 dwellings, the lesser of the following <ul style="list-style-type: none"> <li>i) 6m</li> </ul> </li> </ul>  | <p>C79</p> <p>Garages and car parking structures are consistent with the desired character.</p>  | <p>Future development of the proposed multi-unit blocks is capable of achieving this design outcome.</p>  |

| Rule  | Criteria   | Response   |
|---|--|--|
| <p>ii) 50% of the total length of the building façade facing that street</p> <p>b) for more than 3 dwellings, 50% of the total length of the building façade facing that street.</p>  |  |  |
| <p>R80</p> <p>The maximum total width of an entry and/or exit to basement car parking facing the street is 8m</p>   | <p>C80</p> <p>Entries to basements do not dominate the streetscape.</p>  | <p>Future development of the proposed multi-unit blocks is capable of achieving this design outcome.</p> |
| <p>R81</p> <p>This rule applies to all of the following:</p> <p>i) developments containing 10 dwellings or more</p> <p>ii) development with a combined entry and exit to apartment car parking less than 6m wide.</p> <p>Approaches to basements containing car parking comply with one of the following:</p> <p>a) include sufficient areas for vehicles to wait to allow for an entering or leaving vehicle to pass</p> <p>b) at least one waiting area and traffic signals</p> | <p>C81</p> <p>Approaches to basements achieve all of the following:</p> <p>a) public safety</p> <p>b) convenience for all users.</p>                                       | <p>Future development of the proposed multi-unit blocks is capable of achieving this design outcome.</p> |
| <p><b>7.5 Visitor parking</b></p>   |  |  |
| <p>R82</p> <p>Visitor car-parking spaces on the site comply with all of the following:</p> <p>a) located behind the front zone (except for apartment car parking)</p> <p>b) do not encroach any property boundaries</p> <p>c) are separated by not less than 1.5m from windows and doors to habitable rooms of dwellings</p> <p>d) are not more than 50m walking distance from any common building entry e) clearly identified and visible from driveways.</p>                    | <p>C82</p> <p>Visitor parking achieves all of the following:</p> <p>a) accessible for all visitors</p> <p>b) safe and direct visitor entry to common building entries.</p> | <p>Future development of the proposed multi-unit blocks is capable of achieving this design outcome.</p> |
| <p>R83</p>  | <p>C83</p>   | <p>Future development of the proposed multi-unit blocks is capable of achieving this design outcome.</p> |

| Rule   | Criteria  | Response  |
|--|---|---|
| <p>Visitor car parking complies with one of the following:</p> <p>a) is located outside of any security barriers</p> <p>b) an intercom and remote barrier release system allows access to visitor parking located behind security barriers.</p>  | <p>Visitor parking is accessible to all visitors.</p>   |   |
| <b>7.6 Number of co-located parking spaces – RZ2</b>   |   |   |
| <p>R84</p> <p>In RZ2 on standard blocks, co-located car parking spaces on the site comply with all of the following:</p> <p>a) the maximum number of car parking spaces (including spaces in garages but excluding those in basements) is 4</p> <p>b) the minimum separation between groups of co-located car parking spaces (including spaces in garages but excluding those in basements) is 4m.</p> | <p>C84</p> <p>Car parking spaces on the site (including garages but excluding basement car parking) achieves all of the following:</p> <p>a) do not dominate site landscaping</p> <p>b) are consistent with the desired character</p> | <p>Not applicable</p> <p>The multi-unit blocks proposed as part of this EDP DA are zoned CZ6.</p>   |
| <b>7.7 Delivery and removalist vans</b>  |   |   |
| <p>R85</p> <p>For developments with 40 or more dwellings, at least one short stay parking space and associated access is provided for delivery trucks such as furniture delivery and removalist vans.</p>  | <p>C85</p> <p>Reasonable provision is made for short stay parking for delivery trucks.</p>  | <p>Future development of the proposed multi-unit blocks is capable of achieving this design outcome.</p>  |
| <b>Element 8: Environment</b>  |   |   |
| <b>8.2 Heritage</b>  |   |   |
| <p>R90</p> <p>This rule applies to land containing places or objects registered or provisionally registered under section 41 of the Heritage Act 2004. The authority shall refer a development application to the Heritage Council.</p> <p>Note: The authority will consider any advice from the Heritage Council before determining the application.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p>   | <p>Rule to be met</p> <p>The estate includes an ACT Heritage Council heritage listed place being the Canberra Brickworks (item 20068).</p> <p>A revised Conservation Management Plan (September 2021) was submitted and approved by the Heritage Council (please refer to the EIS for further information).</p> |

| Rule   | Criteria  | Response  |
|--|---|---|
| <p>A Statement of Heritage Effects was submitted to ACT Heritage on 20 July 2023 and is being progressed in parallel to this application.</p>  |   |   |
| <p><b>8.3 Tree protection</b></p>  |   |   |
| <p>R91</p> <p>This rule applies to a development that has one or more of the following characteristics:</p> <p>a) requires groundwork within the tree protection zone of a protected tree</p> <p>b) is likely to cause damage to or removal of any protected trees</p> <p>The authority shall refer the development application to the Conservator of Flora and Fauna.</p> <p>Note: The authority will consider any advice from the Conservator of Flora and Fauna before determining the application in accordance with the Planning and Development Act 2007. Protected tree and declared site are defined under the Tree Protection Act 2005.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Protected trees are intended to be removed or be retained in some areas of the site as identified in this submission.</p> <p>Future development of the multi-unit blocks is capable of achieving this design outcome.</p> <p>Please refer to the Landscape documentation for more information.</p>   |
| <p><b>8.4 Bushfire</b></p>   |   |   |
| <p>R92</p> <p>Where identified in a precinct code or lease and development conditions as being within a bushfire prone area, buildings are to be constructed in accordance with the relevant Building Code of Australia bushfire provisions.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule to be met</p> <p>The site is identified in a bushfire prone area. The buildings that are close to bushfire prone areas are constructed to the BAL provisions as detailed earlier and under <b>Attachment H – Bushfire Risk Assessment Report</b>.</p> <p>These requirements have been incorporated as planning controls within this submission.</p> |
| <p><b>8.5 Erosion and sediment control</b></p>   |   |   |
| <p>R93</p> <p>For sites less than 3,000m<sup>2</sup>, the development complies with the Environment Protection Authority, Environment Protection Guidelines for Construction and Land Development in the ACT.</p> <p>Note 1: If no evidence of compliance with the above guideline is provided, the application may be referred to</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not applicable to this EDP DA submission.</p>  |

| Rule   | Criteria  | Response  |
|--|---|---|
| <p>the relevant agency in accordance with the requirements of the Planning and Development Act 2007.</p> <p>Note 2: see part D for sites over 3000m<sup>2</sup></p>  |   |   |
| <b>Element 9: Services</b>   |   |   |
| <b>9.1 Post occupancy waste management</b>   |   |   |
| <p>There is no applicable rule.</p>  | <p>C94</p> <p>Post occupancy waste management achieves all of the following:</p> <ul style="list-style-type: none"> <li>a) consistency with the desired character</li> <li>b) reasonable levels of residential amenity for dwellings and their associated private open space on the subject site</li> <li>c) reasonable levels of amenity for dwellings on adjoining residential blocks and their associated private open space.</li> </ul> | <p>Future development of the proposed multi-unit blocks is capable of achieving this design outcome.</p>  |
| <b>Part C – Additional controls for multi unit housing in commercial zones</b>   |   |   |
| <b>Element 11: Ground floor commercial use</b>   |   |   |
| <b>11.1 Ground floor commercial use in commercial zones</b>  |   |   |
| <p>R97</p> <p>This rule applies to all of the following:</p> <ul style="list-style-type: none"> <li>a) commercial zones</li> <li>b) blocks nominated in a precinct code for ground floor commercial use</li> <li>c) buildings containing one or more dwellings</li> <li>d) the building line for any ground floor dwelling is less than 6m</li> </ul> <p>The ground floor finished floor level to finished ceiling level height is not less than 3.6m.</p> <p>Note: Noise attenuation provisions in part A may also apply.</p> | <p>C97</p> <p>In commercial zones, buildings afford the opportunity to accommodate non-residential uses, including office and retail, at the ground floor.</p>  | <p>Not applicable to this EDP DA submission.</p> <p>Office and retail uses are limited to the Heritage site and are not proposed for multi unit blocks.</p> |
| <b>Part D – Endorsement by government agencies (entities)</b>  |   |   |
| <b>12.1 Construction waste management</b>  |   |   |



| Rule   | Criteria  | Response   |
|--|---|--|
| <p>R98</p> <p>This rule applies to residential development that is likely to generate more than 20m<sup>3</sup> of construction waste comprising one or more of the following:</p> <p>a) demolition waste<br/>b) construction waste<br/>c) excavation material.</p> <p>The management of construction waste is to be endorsed by TAMS.</p> <p>TAMS will endorse waste facilities and management associated with the development if they comply with the current version of the Development Control Code for Best Practice Waste Management in the ACT.</p> <p>TAMS may endorse departures.</p> <p>Note: a condition of approval may be imposed to ensure compliance.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Future development of the proposed multi-unit blocks is capable of achieving this design outcome.</p>   |
| <b>12.2 Post occupancy waste management</b>  |   |  |
| <p>R99</p> <p>Post occupancy waste management facilities are to be endorsed by TAMS.</p> <p>TAMS will endorse post occupancy waste management facilities where they are in accordance with the current version of the Development Control Code for Best Practice Waste Management in the ACT.</p> <p>TAMS may endorse departures.</p> <p>Note: a condition of approval may be imposed to ensure compliance.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule to be met</p> <p>Please refer to the Waste Collection Plan submitted with this application for more information.</p> <p>Post occupancy waste management will be addressed as part of the Design and Siting Development Applications.</p> |
| <b>Element 13: Utilities</b>   |   |  |
| <b>13.1 Utilities</b>  |   |  |
| <p>R100</p> <p>This rule applies to any proposed encroachment into a registered easement.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Multi-unit dwelling blocks have been designed so that future easements could be accommodated within blocks if and where required without requiring building encroachments.</p>  |

| Rule   | Criteria  | Response   |
|--|---|--|
| <p>The proposed encroachment is to be approved in writing by the relevant service provider.</p>  |   | <p>Please refer to the Civil documentation for more information about the proposed easements across the estate.</p>  |
| <p>R101</p> <p>A statement of compliance from each relevant utility provider (for water, sewerage, electricity, stormwater and gas) confirms that the location and nature of earthworks, utility connections, proposed buildings, pavements and landscape features comply with utility standards, access provisions and asset clearance zones.</p> <p>Note 1: If there is no stormwater easement or Territory owned stormwater pipes located within the property boundary, a "Statement of Compliance" for stormwater from TAMS (Asset Acceptance) is not required to be obtained</p> <p>Note 2: Where there is conflict between planning and utility requirements, the utility requirements take precedence over other codified or merit provisions</p> <p>Note 3: If a statement of compliance is not provided the application will be referred to the relevant agency in accordance with the requirements of the Planning and Development Act 2007.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Future development of the proposed multi-unit blocks is capable of achieving this design outcome.</p>   |
| <p><b>Element 14: Environmental management</b></p>   |   |  |
| <p><b>14.1 Contamination</b></p>   |   |  |
| <p>R102</p> <p>This rule applies to any site located adjacent to a potentially polluting source (including a site used or formerly used as a petrol station).</p> <p>The site is assessed for the potential for land contamination in accordance with the ACT Government Strategic Plan – Contaminated Sites Management 1995 and the Contaminated Sites Environment Protection Policy 2000.</p> <p>If land contamination is identified, the development complies with the requirements of Environment Protection Authority.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Rule to be met</p> <p>The subject site is listed as a contaminated site on the ACT Contaminated Sites Register, being a former brickworks dump area.</p> <p>An EIS has been completed prior to this application which addresses the contamination matter and provides mitigation measures.</p> <p>Information has been provided in this submission for EPA endorsement.</p> |

| Rule   | Criteria  | Response   |
|--|---|--|
| <p>Note 1: If no evidence of assessment of the site for land contamination is provided, the application may be referred to the relevant agency in accordance with the requirements of the Planning and Development Act 2007.</p> <p>Note 2: a condition of approval may be imposed to ensure compliance.</p>   |   |  |
| <p><b>14.2 Erosion and sediment control</b></p>  |   |  |
| <p>R103</p> <p>This rule applies to sites 3,000m<sup>2</sup> or larger.</p> <p>The development complies with an erosion and sediment control plan endorsed by the ACT Environment Protection Authority.</p> <p>Note 1: If no evidence of assessment of the site for erosion and sediment control is provided, the application may be referred to the relevant agency in accordance with the requirements of the Planning and Development Act 2007.</p> <p>Note 2: a condition of approval may be imposed to ensure compliance.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> | <p>Not relevant to this EDP DA submission (to be addressed as part of the Development Applications).</p> |

# 9

## General Codes

### Residential Boundary Fences General Code

This General Code applies to boundary fences in the Residential Zones. Although the Estate is zoned CZ6, Rule 24 of the Single Dwelling Housing Development Code and Criterion 41 of the Multi Unit Housing Development Code refer to this Code. Therefore this Code has been addressed for the proposed residential blocks and their associated proposed fencing/courtyard walls.

Table 7: Residential Boundary Fences General Code (effective 11 July 2008)

| Rule  | Criteria  | Response   |
|---|---|--|
| <b>Element 2: Building and Site Controls</b>  |   |  |
| <b>2.1 Front Fences – All Blocks</b>  |   |  |
| R1  | This is a mandatory requirement. There are no merit criteria. | Rule met   |
| Front boundary walls or fencing are not permitted forward of the building line except as provided for in: |   | Courtyard walls and fencing have been proposed forward of the building line across the estate. Please refer to the Planning Control Plans and Fencing Plans submitted with this EDP DA for more information. |
| a) Accordance with the Residential Zone Development Code in the case of a courtyard wall;                 |   |  |
| b) A previous approval as part of an Estate Development Plan (EDP);                                       |   | The controls shown are proposed to be uplifted to the Precinct Code with associated figures.   |
| c) An approved fencing plan;  |   |  |
| d) Development conditions released prior to the issue of the lease  |   |  |
| e) Items 2.2 – 2.7 of this Code.  |   |  |
| AND   |   |  |
| f) fences are constructed so that the front fence faces Territory land                                    |   |  |

| Rule   | Criteria  | Response  |
|--|---|---|
| <b>2.2 Corner Blocks – where the residence faces the corner (both street frontages)</b>    |   |   |
| There is no rule applicable.   | <p>C2</p> <p>Where a residence faces the corner of a block, and the original intent of the subdivision pattern was for no front fencing, a front fence forward of the building line on one side of the residence can be considered subject to the fence being:</p> <p>a) Of transparent construction</p> <p>b) A maximum height of 1.5m above natural ground level</p> <p>c) Visually mitigated with planting grown as a hedge that is located wholly within the property boundary when grown</p> | <p>Not applicable. The proposed fencing has been identified in the Planning Control Plans and Fencing Plan submitted with this application.</p> <p>The controls shown are proposed to be uplifted to the Precinct Code with associated figures.</p>       |
| There is no rule applicable.   | <p>C3</p> <p>The location of the fence does not adversely affect the streetscape qualities.</p>   | <p>Criterion satisfied</p> <p>The location of the proposed fencing does not adversely affect the streetscape qualities.</p> <p>Please refer to the Fencing Plans for more information.</p>  |
| <b>2.3 Corner Blocks – where the Residence is Setback from a secondary street frontage</b> |   |   |
| There is no rule applicable.   | <p>C4</p> <p>Where a residence has a secondary frontage to a street and the residence is setback, a fence forward of the building line can be considered subject to the fence being:</p> <p>a) Transparent type</p> <p>b) A maximum height of 1.5m above natural ground level</p> <p>c) Visually mitigated with planting grown as a hedge that is located wholly within the property boundary when grown</p>  | <p>Not applicable</p> <p>The proposed fencing has been identified in the Planning Control Plans and Fencing Plan submitted with this application.</p> <p>The controls shown are proposed to be uplifted to the Precinct Code with associated figures.</p> |
| There is no rule applicable.   | <p>C5</p> <p>The location of the fence does not adversely affect the streetscape qualities.</p>   | <p>Criterion satisfied</p> <p>The location of the proposed fencing does not adversely affect the streetscape qualities.</p>   |

| Rule   | Criteria   | Response   |
|--|--|--|
| Please refer to the Fencing Plans submitted with this application for more information.  |  |  |
| <b>2.4 Corner blocks where the Residence has a Zero Setback to a secondary street frontage</b>   |  |  |
| There is no rule applicable.   | C6<br>Where a residence has a secondary frontage with a zero setback, a fence abutting the residence can be considered subject to the fence being:<br>a) A maximum height of 1.8m.   | Not applicable<br>The proposed fencing has been identified in the Planning Control Plans and Fencing Plan submitted with this application.<br>The controls shown are proposed to be uplifted to the Precinct Code with associated figures. |
| There is no rule applicable.   | C7<br>The location of the fence does not adversely affect the streetscape qualities.   | Criterion satisfied<br>The location of the proposed fencing does not adversely affect the streetscape qualities.<br>Please refer to the Fencing Plans for more information.  |
| <b>2.5 Battle-axe Blocks and Blocks with frontages to Open Space (including public walkways &gt; 6m wide)</b>                                      |  |  |
| There is no rule applicable  | C8<br>Where a residence has a frontage to open space or is a battle-axe block, a fence forward of the building line can be considered subject to the fence being:<br>a) Constructed of visually harmonious materials, colours and finishes with the surrounding area<br>b) Transparent type<br>c) A maximum height of 1.8m above natural ground level<br>d) Visually mitigated with planting grown as a hedge that is located wholly within the property boundary when grown | Not applicable<br>The proposed fencing has been identified in the Planning Control Plans and Fencing Plan submitted with this application.<br>The controls shown are proposed to be uplifted to the Precinct Code with associated figures. |
| <b>2.6 Fences Beside Major Roads</b>   |  |  |
| R9<br>Fences beside major roads are permitted where allowed in Lease and Development Conditions or previously approved in an EDP or Precinct Code. | C9<br>Fencing beside major roads to a height greater than 1.8m, but not exceeding 2.4m above natural ground level and other materials can be considered provided that:   | Not applicable as the estate does not front any major roads.   |

| Rule   | Criteria   | Response  |
|--|--|---|
|  | a) Justification of need for visual privacy to private open space is provided<br>b) No long lengths (more than one block width) are proposed<br>c) The fence contains consistency of material, colour, style and height<br>d) Variation is achieved through repeat patterns or subtle change in colour or texture<br>e) The proposal is designed with site specific responses to slope, follow contours, except in the case of steep slopes in which case the fence should be stepped. |   |
| <b>2.7 Diplomatic Residences and Chancelleries</b>   |  |   |
| There is no rule applicable.   | C10<br>Where the lease permits a diplomatic residence or chancellery, fences can be located on the front boundary for security purposes when:<br>a) Fences do not exceed a height of 1.8m above natural ground level<br>b) The selection of fence materials and plants ensure existing streetscape and neighbourhood character and context is retained<br>c) Fences are constructed of transparent fence types.  | Not applicable<br>No Diplomatic Residences and Chancelleries are proposed as part of this EDP DA. |
| <b>Element 3: Built Form</b>   |  |   |
| <b>3.1 Building Materials</b>  |  |   |
| R11<br>Building materials that are not permitted for fences adjoining unleased Territory land because of fire and safety risks include:<br>a) Tea tree and brush fencing<br>b) Bamboo<br>c) Pine and other softwoods<br>d) Copper chrome arsenate (CCA) treated timber | This is a mandatory requirement. There are no merit criteria.  | The future development of the site is capable of achieving this design outcome.                   |

| Rule   | Criteria   | Response   |
|--|--|--|
| R12<br>Fences are constructed of materials identified in an approved fencing plan or development conditions released prior to the issue of the lease.  | C12<br>Other fencing materials such as timber (plantation grown hardwood) and metal (wire or tubular steel such as swimming pool or mesh) may be considered where:<br>a) Written justification of the requested material is provided with the application;<br>b) Visual mitigation is provided with planting grown as a hedge that is located wholly within the property boundary when grown; and<br>c) The proposal ensures the existing character and context are considered | Rule to be met<br>Please refer to the Fencing Plans included in this EDP DA submission.  |
| There is no rule applicable.   | C13<br>Solid fences (including sheet metal, masonry and hardwood lapped and capped) may be considered but only where the block is adjacent to an urban edge, which has been classified under the Bushfire Hazard Map as either a 'primary' or 'secondary' edge, in terms of potential bushfire risk.   | Not applicable<br>No solid fences are proposed.  |
| <b>Element 6: Environment</b>  |  |  |
| <b>6.1 Heritage</b>  |  |  |
| R14<br>In accordance with section 148 of the Planning and Development Act 2007, applications for developments on land or buildings subject to interim or full heritage registration are to be accompanied by a advice from the Heritage Council stating that the development meets the requirements of the Heritage Act 2004 | C14<br>If advice from the Heritage Council is required, but not provided, then the application will be referred to the Heritage Council in accordance with the requirements of the Planning and Development Act 2007.  | Rule to be met<br>The estate includes an ACT Heritage Council heritage listed place being the Canberra Brickworks (item 20068).<br>A revised Conservation Management Plan (September 2021) was submitted and approved by the Heritage Council (please refer to the EIS for further information).<br>A Statement of Heritage Effects was submitted to ACT Heritage on 20 July 2023 and is being progressed in parallel to this application. |



| Rule  | Criteria  | Response  |
|---|---|---|
| <b>6.2 Trees</b>  |   |   |
| <p>R15</p> <p>In accordance with section 148 of the Planning and Development Act 2007, where the development proposal requires groundwork within the tree protection zone of a protected tree, or is likely to cause damage to or removal of, any protected trees, the application is accompanied by a Tree Management Plan approved under the Tree Protection Act 2005.</p> <p>Note: "Protected tree" is defined under the Tree Protection Act 2005.</p> | <p>C15</p> <p>If an approved Tree Management Plan is required, but not provided, then a draft Tree Management Plan is to accompany the application. The draft Tree Management Plan will be referred to the relevant agency in accordance with the requirements of the Planning and Development Act 2007</p> | <p>Protected trees are intended to be removed or be retained in some areas of the site as identified in this submission.</p> <p>Future development of the relevant blocks is capable of achieving this design outcome.</p> <p>Please refer to the Landscape documentation for more information.</p> |

## Crime Prevention Through Environmental Design General Code

This General Code applies to developments across all zones in the ACT, except for development in rural and broadacre zone, and for proposals for single dwellings regardless of the zone. This SARC addresses the EDP DA components and includes servicing and subdivision. While we note the CPTED General Code requires consideration for 'subdivision', few of the controls are assessable for the current proposal. The subsequent Design and Siting Development Applications will consider the CPTED General Code in relation to the detailed planning and design for each proposed precinct.

Table 8: Crime Prevention Through Environmental Design General Code (effective 16 December 2011)

| Rule   | Criteria  | Response  |
|--|---|---|
| <b>Element 1: Neighbourhood Design</b>             |   |   |
| <b>1.1 Neighbourhood Design</b>                    |   |   |
| There is no rule applicable.                       | C1<br>Design is in accordance with the recommendations of a crime risk assessment as outlined in the ACT Crime Prevention and Urban Design Resource Manual. | Criterion satisfied<br><br>The design of estate has been considered with reference to the Manual in relation to the creation of blocks and communal spaces within the development.<br><br>This includes block configurations that promote surveillance, provide legible paths of travel that promote clear sightlines, minimise opportunities for hiding and entrapment and support the establishment of buildings and landscaping areas that facilitate crime prevention outcomes. |
| <b>Element 2: Use</b>                              |   |   |
| <b>2.1 General Code</b>                            |   |   |
| There is no applicable rule.                       | C2<br>The development described in Table 1 meet the Crime Prevention Through Environmental Design General Code.   | Criterion satisfied<br><br>The proposal satisfies the criterion. Refer to this assessment against the Code.   |
| <b>Element 3: Public Realm</b>                     |   |   |
| <b>3.1 Open Space and Community (Shared) Areas</b> |   |   |
| There is no rule applicable.                       | C3<br>Natural surveillance of open space and community areas is provided by:  | Criterion satisfied<br><br>The estate design has considered block layouts and paths of travel in relation to open spaces and  |

| Rule                                | Criteria  | Response  |
|-------------------------------------|---|---|
|                                     | <p>a) locating to adjacent activity centres;</p> <p>b) encouraging pedestrian (or cyclist) movement through the space;</p> <p>c) ensuring clear site lines from, and between, buildings and open space areas: community areas; and</p> <p>d) designing out any entrapment spaces.</p> | <p>community areas. This design considers areas of activity and movement through the site to promote surveillance and provide legible paths of travel that promote clear sightlines, minimise opportunities for hiding and entrapment, and support the establishment of buildings and landscaping areas that facilitate crime prevention outcomes.</p> <p>Please refer to the submitted documentation for more information.</p> |
| <p>There is no rule applicable.</p> | <p>C4</p> <p>Natural access is considered, providing clear entry and exit points and a legible, accessible route through the space.</p>   | <p>Criterion satisfied</p> <p>The configuration of blocks and the paths of travel through the site has considered natural access through the site while considering the Heritage requirements, with clear entry and exit points and accessibility through the spaces.</p>   |
| <p>There is no rule applicable.</p> | <p>C5</p> <p>Planting in public spaces do not obscure views along paths and streets, or to entrances and should not create secluded, hiding areas.</p>  | <p>Criterion satisfied</p> <p>Planting proposed in public spaces and do not obstruct views along paths and streets and avoid creation of hiding spots.</p>  |
| <p>There is no rule applicable.</p> | <p>C6</p> <p>Selection of plant material are sturdy and in areas of high crime, to make it difficult to snap main growing stems, heavy standard (140-160mm girth) or semi-mature trees (200-270mm girth) should be used to increase their chance of survival.</p>                     | <p>Criterion satisfied</p> <p>Trees of appropriate size are proposed in public realm areas. The material palette proposed satisfies the intention of the criterion.</p>   |
| <p>There is no rule applicable.</p> | <p>C7</p> <p>Plant material, such as creepers or low hedges may be used to deter to access and limit the opportunity for graffiti on fences and walls.</p>  | <p>Criterion satisfied</p> <p>Plant material proposed reduce opportunity for graffiti on the walls.</p>   |
| <p>There is no rule applicable.</p> | <p>C8</p> <p>Hard landscape features such as low walls, bollards are used to delineate movement areas from semi-private areas.</p>  | <p>Criterion satisfied</p> <p>Hard landscaping features are used to delineate movement areas from semi-private areas. Landscape edges and fencing are proposed to delineate the edge of the estate. Please refer to the Landscape documentation submitted with this application for more information.</p>   |

| Rule                             | Criteria  | Response   |
|----------------------------------|---|--|
| <b>3.2 Children's Play Areas</b> |   |  |
| There is no rule applicable.     | <p>C9</p> <p>Children's play areas are located and designed to comply with each of the following:</p> <p>a) there is natural surveillance from adjoining areas</p> <p>b) adjacent areas are used by compatible groups</p> <p>c) there are multiple entry/exits</p>  | <p>Criterion satisfied</p> <p>Children's play area has been proposed within the remnant park and is designed to comply with the following:</p> <p>a) natural surveillance from the adjacent areas have been provided where practicable.</p> <p>b) adjacent areas are used by compatible groups (residential and commercial use proposed around the park)</p> <p>c) multiple entry and access points have been incorporated in the children's play area design.</p> |
| <b>3.3 Lighting</b>              |   |  |
| There is no rule applicable.     | <p>C10</p> <p>Provide a schedule of lighting showing that lighting complies with each of the following:</p> <p>a) Australian Standard AS1158 Lighting for Roads and Public Spaces Part 3.1: Pedestrian Area (Category P) Lighting – Performance and Design Requirements</p> <p>b) Australian Standard AS1158: Lighting for Roads and Public Spaces Part 2: Computer Procedures for the Calculations of Light Technical Parameters for Category V and Category P Lighting</p> <p>c) Australian Standard AS4282: The Control of Obtrusive Effects of Outdoor Lighting, in the case of security lighting</p> | <p>Criterion satisfied</p> <p>The public spaces within the development have been designed to achieve the relevant lighting standards. Please refer to the Lighting documentation submitted with this application.</p> <p>Details of external building lighting will accompany the Design and Siting Development Applications for the precincts.</p>  |
| There is no rule applicable.     | <p>C11</p> <p>Legitimate users and activities at night are encouraged by lighting:</p> <p>a) spaces evenly and consistently (except where accent/feature lighting is necessary)</p> <p>b) inset spaces, entries/exits and paths</p>   | <p>Criterion satisfied</p> <p>The public spaces within the development have been designed to achieve the relevant lighting standards. Please refer to the Lighting documentation submitted with this application.</p>  |

| Rule   | Criteria   | Response  |
|--|--|---|
|  | <ul style="list-style-type: none"> <li>c) to reduce the casting of shadows that could hide intruders</li> <li>d) directional signage</li> <li>e) building entries</li> <li>f) exterior to interior spaces evenly to allow for surveillance</li> </ul>  | Details of external building lighting will accompany the Design and Siting Development Applications for the precincts.  |
| There is no rule applicable.   | <p>C12</p> <p>Areas that are not intended for night time are not lit and are closed off to pedestrians.</p>  | <p>Criterion satisfied</p> <p>The public spaces within the development have been designed to achieve the relevant lighting standards. Please refer to the Lighting documentation submitted with this application.</p> |
| There is no rule applicable.   | <p>C13</p> <p>Damage to light fixtures are minimised by selecting vandal-resistant, high mounted light fixtures. All light bulbs are protected with a suitable lantern bowl.</p>   | <p>Criterion satisfied</p> <p>Vandal resistance, high mounted lighting has been proposed across the estate.</p>   |
| <b>3.4 Signs</b>   |  |   |
| <p>R14</p> <p>A statement is provided that all directional signage will comply with the requirements of AS1742.10 (1991) Manual of Uniform Traffic Control Devices – Pedestrian Control and Protection</p> | This is a mandatory requirement. There is no applicable criterion.   | <p>Not applicable</p> <p>Details of signage will accompany Design and Siting Development Applications (this has been proposed and addressed under the Heritage Core DA).</p>  |
| There is no rule applicable  | <p>C15</p> <p>Locate signs so that they comply with each of the following:</p> <ul style="list-style-type: none"> <li>a) they are clearly visible from a distance at all times</li> <li>b) they are not likely to be obscured by growing vegetation</li> <li>c) they are strategically placed at entrances and near activity centres including bus stops, taxi rank and public facilities</li> </ul> | <p>Not applicable</p> <p>Details of signage will accompany Design and Siting Development Applications (this has been proposed and addressed under the Heritage Core DA).</p>  |
| There is no rule applicable  | <p>C16</p> <p>Provide legible signs for all users:</p>   | Not applicable  |

| Rule  | Criteria  | Response   |
|---|---|--|
|   | <p>a) specify signs of high contrast, with light lettering on dark backgrounds with non-reflective surfaces;<br/>b) signs should be developed as a system with a consistent pattern, based on a hierarchy of most important messages.</p> | <p>Details of signage will accompany Design and Siting Development Applications (this has been proposed and addressed under the Heritage Core DA).</p>   |
| <b>Element 4: Built Form</b>                            |   |  |
| <b>4.1 Interface between buildings and public realm</b> |   |  |
| <p>There is no rule applicable.</p>                     | <p>C17<br/>Building entrances are easily identified, providing easy access to all users, affording visibility to and from the street and minimising the potential for hiding spots.</p>   | <p>The future development of the estate is capable of achieving this outcome.<br/>Although no buildings are proposed in this submission, the estate design has considered the future interface of the buildings and open spaces, to promote accessibility, surveillance, and to minimise potential for entrapment.</p> |
| <p>There is no rule applicable.</p>                     | <p>C18<br/>Provide clear sightlines from the building foyer so that occupants can see the nearest pedestrian area/car park before leaving the building</p>  | <p>Not applicable<br/>The Design and Siting Development Applications will consider sightlines from foyers to nearby pedestrian areas.</p>  |
| <p>There is no rule applicable.</p>                     | <p>C19<br/>Recessed sections in the building elevation/façade are detailed and located so as that there is opportunity for natural surveillance, for spill lighting and the potential for hiding is minimised.</p>                        | <p>Not applicable<br/>The Design and Siting Development Applications will consider building design to minimise potential for hiding spots.</p>   |
| <p>There is no rule applicable.</p>                     | <p>C20<br/>Buildings are detailed in a manner that deters scaling (climbing) the building to access balconies from the ground and/or access between individual balconies.</p>   | <p>Not relevant to this EDP DA submission.</p>   |
| <p>There is no rule applicable.</p>                     | <p>C21<br/>Where buildings are set back from the street and/or pedestrian path, the area is developed to minimise hiding and entrapment spots.</p>  | <p>Not applicable<br/>The Design and Siting Development Applications will consider setbacks to address this criterion.</p>   |
| <b>4.2 Materials and Finish</b>                         |   |  |
|   | <p>C22</p>  | <p>Not relevant to this EDP DA submission.</p>   |

| Rule  | Criteria   | Response  |
|---|--|---|
| There is no rule applicable.                          | Building materials and finishes are of an appropriate quality and detailed in a manner to: <ul style="list-style-type: none"> <li>a) reduce opportunities for graffiti and vandalism</li> <li>b) facilitate cleaning and replacement</li> <li>c) avoid facilitating illegal access to the building and to services</li> </ul>  |   |
| <b>Element 6: Travel and Access</b>                   |  |   |
| <b>6.1 Pedestrian Routes, Bicycle Paths and Lanes</b> |  |   |
| There is no rule applicable.                          | C23<br>Pedestrian Routes, Bicycle Paths and Lanes are designed to maximise opportunities for natural surveillance by: <ul style="list-style-type: none"> <li>a) maintaining sightlines along paths between destination points</li> <li>b) allowing overlooking from adjacent areas</li> </ul>  | Criterion satisfied<br>The estate design has considered block configurations and access paths to allow for surveillance along paths and overlooking from buildings onto these paths.<br>Please refer to Development Intentions Plan for more information.   |
| There is no rule applicable.                          | C24<br>Provide direct access routes to buildings streets, car parks and public transport. Signs should be used to assist pedestrians where it is not possible to establish clear sightlines between destinations.  | Criterion satisfied<br>Access paths have been designed to provide direct access routes through the site and to the surrounding road network and these will be clearly signposted.   |
| There is no rule applicable.                          | C25<br>Security of pedestrian routes, bicycle paths and lanes are provided by: <ul style="list-style-type: none"> <li>a) selecting and lighting 'safe routes' to the standard required for pedestrian areas so that these become the focus of legitimate movement after dark;</li> <li>b) ensuring that laneways have more than one entrance to avoid "dead-ends" and entrapment spots, where possible.</li> </ul> | Criterion satisfied <ul style="list-style-type: none"> <li>a) the proposed shared paths have been designed and will be lit to related Australian standards</li> <li>b) where possible, laneways have been designed to avoid dead ends. Appropriate lighting to Australian Standards have been considered where required.</li> </ul> |
| There is no rule applicable.                          | C26<br>When planting adjacent to pedestrian /bicycle routes:   | Criterion satisfied<br>Appropriate planting in accordance with TCCS design standards have been selected.  |

| Rule   | Criteria   | Response  |
|--|--|---|
|  | <p>a) ensuring there are open sightlines. Low planting (maximum height 600mm) and high-branching trees (two metres) should be used;</p> <p>b) avoiding tall bushes, dense shrubbery and dense clusters of trees, especially immediately adjacent to routes and at predictable stopping points such as road crossings.</p>  | <p>Please refer to the Landscape documentation for more information.</p>                                      |
| <p>R27<br/>A Statement is provided that pedestrian paths are designed in accordance with AUSTRROADS Guide to Traffic Engineering Practice Part 13. – Pedestrians</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p>  | <p>Rule to be met<br/>Shared paths will be designed in accordance with the relevant Australian Standards.</p> |
| <p>R28<br/>A Statement is provided that Bicycle Paths are designed in accordance with AUSTRROADS Guide to Traffic Engineering Practice Part 14. – Bicycles.</p>      | <p>This is a mandatory requirement. There is no applicable criterion.</p>  | <p>Rule to be met<br/>Shared paths will be designed in accordance with the relevant Australian Standards.</p> |
| <p><b>6.2 Pedestrian Underpasses and Overpasses</b></p>  |  |   |
| <p>There is no rule applicable.</p>  | <p>C29<br/>The use of pedestrian underpasses is to be avoided. Where there is no practical or feasible alternative underpasses are designed:</p> <p>a) wide enough to accommodate both pedestrian and cycle traffic</p> <p>b) straight and without recesses</p> <p>c) with mirrors so pedestrians can see around corners if there is a turn of 60 degrees or more</p> <p>d) with entrances and exits that are visible from shops, homes or other areas of frequent pedestrian traffic</p> <p>e) to ensure there is no screening of entries/exits</p> <p>f) with signs at each end indicating where it leads and an alternative route to use at night</p> | <p>Not applicable<br/>No underpasses are proposed.</p>  |
| <p>There is no rule applicable</p>   | <p>C30<br/>Overpasses are designed to reduce opportunities to throw missiles at cars or pedestrians.</p>   | <p>Not applicable<br/>No overpasses are proposed.</p>   |



| Rule   | Criteria   | Response   |
|--|--|--|
| <b>6.3 Bus Interchange, Bus Stops and Taxi Ranks</b> |  |  |
| There is no rule applicable.                         | <p>C31</p> <p>Locate bus stops and taxi ranks so that:</p> <p>a) natural surveillance is possible</p> <p>b) there are no walls, landscaping, fences or other structures which block sightlines to bus stops and taxi ranks</p> <p>c) they are not located adjacent to vacant land, alleys, car parks or near possible entrapment spots</p> <p>d) there are short, safe routes to bus stops and taxi ranks from night-time venues such as cinemas, theatres etc</p> | Not applicable as no new bus stops or taxi ranks are proposed.               |
| There is no rule applicable.                         | <p>C32</p> <p>Major bus stops and taxi ranks are well lit and protected from the weather, or adjacent to areas which are well lit or that provide protection from the weather.</p>   | <p>Not applicable</p> <p>Major bus stops or taxi ranks are not proposed.</p> |
| There is no rule applicable.                         | <p>C33</p> <p>Directional signage makes it easy to find bus stops or taxi ranks, and provides up-to-date passenger information.</p>  | Not applicable as bus stops or taxi ranks are not proposed.                  |
| There is no rule applicable.                         | <p>C34</p> <p>Interchanges are located on the same level as significant activity generators to avoid entrapment, increase natural surveillance and provide direct routes of access.</p>  | <p>Not applicable</p> <p>The proposal does not include any interchange.</p>  |
| <b>Element 7: Services</b>                           |  |  |
| <b>7.1 Automatic Teller Machines (ATMs)</b>          |  |  |
|  | <p>C35</p>   | Not applicable as ATMs are not proposed.                                     |

| Rule                                       | Criteria   | Response   |
|--|--|--|
| There is no rule applicable.               | Approaches and entrances to ATMs are highly visible and adequately lit so that people cannot loiter, or enter, without being seen.                   |  |
| There is no rule applicable.               | C36<br>Locations near licensed premises, and bus stops should be avoided to discourage loitering by potential offenders.                             | Not applicable as ATMs are not proposed.   |
| There is no rule applicable.               | C37<br>Where ATMs are enclosed in a vestibule or similar, the vestibule should be securely glazed, adequately and secure from non-legitimate users   | Not applicable as ATMs are not proposed.   |
| There is no rule applicable.               | C38<br>Use bollards, or other landscaping, to restrict the potential for vehicle incursions.   | Not applicable as ATMs are not proposed.   |
| <b>7.2 Local Waste Storage Facilities</b>  |  |  |
| There is no rule applicable                | C39<br>Screening does not provide entrapment or hiding spots and safe access and adequate lighting is provided near the waste storage areas.         | Criterion satisfied<br>The Waste Common Collection Points have been located to avoid creating hiding spots.<br>Adequate lighting will be provided to Australian Standards. |
| <b>7.3 Local Utility Facilities</b>        |  |  |
| There is no rule applicable.               | C40<br>Air conditioning plants, meter boxes and other service points are mounted within a secure building / enclosure for protection.                | Not applicable as no buildings are proposed as part of this EDP DA submission.   |
| <b>7.4 Delivery and Storage Facilities</b> |  |  |
| There is no rule applicable.               | C41<br>Ensure that:<br>a) Delivery and storage areas are not isolated from the main building<br>b) Secure storage areas are provided for shop owners | Not applicable as no buildings are proposed as part of this EDP DA submission.   |

| Rule                         | Criteria   | Response   |
|------------------------------|--|--|
| <b>7.5 Public Toilets</b>    |  |  |
| There is no rule applicable. | <p>C42</p> <p>Ensure that:</p> <p>a) Public toilets are located in obvious locations, but not in isolated areas of activity centres</p> <p>b) Entrances are highly visible so that people cannot loiter or enter without being seen, particularly for toilets close to Children’s playgrounds</p> <p>c) Public seating and telephones are located away from public toilets to avoid opportunities for loitering.</p> | Not applicable as no public toilets are proposed as part of this EDP DA submission.    |
| <b>7.6 Public Telephones</b> |  |  |
| There is no rule applicable. | <p>C43</p> <p>Public telephones are located in obvious locations, are well lit and well signposted, eg near bus stops or taxi ranks.</p>   | Not applicable as no public telephones are proposed as part of this EDP DA submission. |

### Waterways: Water Sensitive Urban Design

Details of how the proposed development complies with this Code can be found in the Stormwater Treatment Systems report (prepared by Alluvium - **Attachment B**) submitted as part of this application.

### Parking and Vehicular Access General Code

Details of how the proposed development complies with this Code can be found in the Traffic Impact and Parking Report (prepared by Calibre – **Attachment C**) submitted as part of this application.

## Community and Recreation Facilities Location Guidelines General Code

This Code is for use in making decisions about where to locate a broad range of community and recreational facilities. The Code (effective: 3 May 2018) covers those facilities used for community purposes and which need public access: health, education, community services, arts, sport, and recreation.

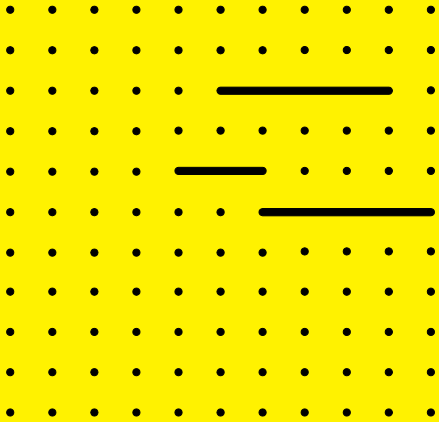
COMMUNITY USE (umbrella term under the Territory Plan Definitions) proposed for the site are only considered for the proposed Heritage Core and therefore are in close proximity of each other. The Community uses proposed would fall under the Territory Plan Definitions of Community Activity Centre, Cultural Facility, and Health Facility (Educational Establishment and Community Theatre are only considered under the site's proposed Crown Lease to provide flexibility for future - proposed uses are not considered to fall under these definitions and therefore have not been addressed herein).

The key location requirements of this Code for the proposed uses have been addressed in the below table.

| Detailed Location Guidelines for community and recreation facilities |   | Planning Response  |
|--|---|--|
| <b>Development</b>   | <b>Cultural Facility</b><br>Public Art Gallery  |  |
| Relationship to Shops  | -   | No requirements have been identified for the relationship to shops. However, the Heritage Core is proposed to include a mix of uses including SHOP use.  |
| Relationship to other uses – Close to                                | Near public transport routes; Close to arterial road; near major car parking areas; close to major pedestrian paths, adjacent to park or open space | Proposed shared paths have been considered throughout the design of the estate, including adjacent to and through the proposed Heritage Core.<br>The Heritage Core is proposed to be located adjacent to Quarry Park (to the east) and the Remnants Park (to the southwest). The proposed transport network has been further addressed under <b>Attachment C – Traffic Impact and Parking Report</b> . |
| Separated from   | Separated from residential areas to preserve amenity, particularly in relation to traffic.  | Please refer to the EIS Noise Impact Assessment which addresses potential noise impacts and mitigation measures.<br>The proposed transport network has been further addressed under <b>Attachment C – Traffic Impact and Parking Report</b> .  |
| Co-location Opportunity  | Museum; other cultural or entertainment facilities  | Other entertainment facilities have been proposed for the Heritage Core as detailed in the Design Response Report submitted.   |
| Other Issues   | Safe drop-off area and bus bay.<br>Ground floor access essential<br>Separate loading facilities   | Opportunity for pickup and drop-off has been provided on-site. Moreover, a publicly accessible car parking has been provided within the basement under Precinct 3 (to the south of the Heritage Core) with provisions for safe access considered where relevant.   |

| Detailed Location Guidelines for community and recreation facilities |   | Planning Response  |
|--|---|--|
|  |   | The Art Gallery is proposed to be located on the ground level with direct access from the public areas.<br>Loading and service areas have been considered to the southeast of the Heritage Core.   |
| <b>Development</b>   | <b>Community</b><br>Scout/Guide Hall, Community Hall  |  |
| Relationship to Shops  | -   | No requirements have been identified for the relationship to shops. However, the heritage site is proposed to include a mix of uses including SHOP use.  |
| Relationship to other uses – Close to                                | Bicycle networks and pedestrian paths   | Proposed shared paths have been considered throughout the design of the estate, including adjacent to and through the proposed Heritage Core.  |
| Separated from   | At residential fringe to minimise noise impact on residents                                 | Please refer to the EIS Noise Impact Assessment that addresses potential noise impacts and mitigation measures.<br>A Noise Management Plan will also form part of the Design and Siting Development Application for the Precinct which has been prepared in accordance with the relevant guidelines (submitted as part of the Heritage Core DA). |
| Co-location Opportunity  | Park; oval or playing field   | Two local parks (Quarry Park and The Remnants Park) have been proposed to the east and southwest of the Heritage Core .  |
| Other Issues   | Provision for safe drop-off area at site  | Opportunity for pickup and drop-off has been provided on-site. Moreover, a publicly accessible car parking has been provided within the basement under Precinct 3 (to the south of the Heritage Core) with provisions for safe access considered where relevant.   |
| <b>Development</b>   | <b>Health</b><br>Medical Centre/Surgery/Dental Surgery<br>(medical/dental consulting rooms) |  |
| Relationship to Shops  | In or within 200 metres of retail centre  | The Heritage Core is proposed to become a local retail/mixed-use precinct.   |
| Relationship to other uses – Close to                                | Residential areas   | The proposed Heritage Core is located close to proposed residential precincts.   |
| Separated from   | -   | No separation requirements have been identified.   |
| Co-location Opportunity  | Health facility; retail centre  | The Heritage Core is proposed to become a local retail/mixed-use precinct.   |
| Other Issues   | Provision for emergency vehicle access  | Opportunity for emergency vehicle access has been provided on-site.  |

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