

# Statement against Rules and Criteria

Block a Section C  
Yarralumla  
Brickworks

Precinct 3 Design  
and Siting DA

Prepared for:

Doma Group

September 23

Prepared by:

Audrey Rahimi

Project Officer

[audrey@canberratownplanning.com.au](mailto:audrey@canberratownplanning.com.au)

Hamed Vaziri Pashkam

Manager - Town Planner

[hamed@canberratownplanning.com.au](mailto:hamed@canberratownplanning.com.au)

[canberratownplanning.com.au](http://canberratownplanning.com.au)

Version Control

27.09.2023: Final for submission

**Contents**

---

**1 Introduction..... 4**

**2 Statement Of Strategic Directions ..... 4**

**3 Yarralumla Precinct Code ..... 12**

**4 Zone Objectives ..... 15**

**5 Commercial Zones Development Code ..... 17**

**6 General Codes..... Error! Bookmark not defined.**

6.1 Crime Prevention Through Environmental Design General Code .....**Error! Bookmark not defined.**

6.2 Waterways: Water Sensitive Urban Design **Error! Bookmark not defined.**

6.3 Parking and Vehicular Access General Code ..... **Error! Bookmark not defined.**

6.4 End-of-Trip Facilities General Code .....**Error! Bookmark not defined.**

6.5 Access and Mobility General Code .....**Error! Bookmark not defined.**



# 1

## Introduction

This Statement against Rules and Criteria report (**SARC**) has been prepared for the Precinct 3 Development Application (**DA**) which is a part of the Brickworks Estate Development Plan (**EDP**) DA. A separate SARC will be prepared and submitted to the 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 (and included in this submission as a supporting document), the Precinct 3 DA will be submitted in the Impact Track. A revised 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 (**Attachment M – Conservation Management Plan (September 2021)**) 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**).

Please refer to the DRR 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 Merit 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>	
<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>	<p>The proposed EDP DA 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. The proposed Precinct 3 would deliver one of the residential and commercial (car park) components of the EDP DA.</p> <p>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.</p> <p>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.</p> <p>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 Design and Siting DA.</p>

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 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</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>to promote new investment and a more diversified economy, to underpin employment growth, and to respond to changing economic opportunities.</p> <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>The proposed DA for Precinct 3 would deliver one of the residential and commercial (car park) components of the EDP DA.</p> <p>A variety of entertainment and leisure facilities have been proposed across the precinct which also provide opportunities for ecotourism.</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. The adjacent residential precinct would work in conjunction with the revitalised commercial space to ensure commercial viability and reduce travel time.</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>a) providing connectivity between uses and activity nodes</li> <li>b) preserving open space</li> <li>c) encouraging mixed land use and density</li> <li>d) ensuring public places are safe and attractive for all</li> <li>e) providing supportive infrastructure that encourages regular physical activity</li> <li>f) ensuring environments promote social inclusion, and are equitable and where practicable are accessible by all.</li> </ol>	<p>The Proposed EDP DA 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. The proposed DA for Precinct 3 would deliver one of the residential and the commercial (car park) components of the EDP DA. The Precinct 3 DA proposes to include various opportunities for residential and recreational activities.</p> <p>The proposal promotes active living through:</p> <ol style="list-style-type: none"> <li>a) Providing connectivity between various uses and activity nodes via the proposed shared path network</li> <li>b) Preserving open space by creating two massive parks with a total area of circa 40 hectares within the estate while enhancing the landscaping where preserving open space where possible within the</li> </ol>

Provision	Response
<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>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>existing and proposed landscape characters of the site to be safely enjoyed by all.</p> <p>c) The proposal facilitates the creation of a vibrant mixed-use precinct through considering compatible and complementary uses to other surrounding uses proposed. The proposed density for the site is medium density which is appropriate for the site considering the existing various constraints and opportunities while advocating the community aspirations for the site as heard during the public consultation period.</p> <p>d) The proposed designs would provide opportunities for active and passive surveillance. The designs have been progressed with CPTED considerations as further detailed in <b>Section 6.1</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 precinct provides adaptable housing in accordance with the relevant Planning provisions.</p> <p>Provision for emergency service infrastructure has been considered across the precinct to ensure a high standard of safety for occupants and visitors.</p> <p>The needs of people with disabilities have been addressed as part of Precinct 3 Design and Siting DA.</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 approved CMP provisions have been addressed where relevant.</p>
<b>2. Spatial Planning And Urban Design Principles</b>	
<b>Urban Areas</b>	
<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</p>	<p>The proposed designs consider the local and broader landscape setting of the site and maintain/enhance the site's landscape characteristics while</p>



Provision	Response
<p>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>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 transforming various limitations into opportunities through exceptional design practice that is sustainable and inclusive to all.</p>
<p>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.</p>	<p>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 core which, once established, would act as a local mixed-use node for the precinct and within convenient walking distance of the proposed Precinct 3.</p>
<p>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.</p>	<p>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.</p>
<p>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.</p>	<p>The proposed EDP DA 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.</p>
<p>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.</p>	<p>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.</p>
<p>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.</p>	<p>Substantial open space has been retained within the estate in form of parklands (Quarry Park and Remnants Park) in addition to other landscaped areas within Precinct 3 (and other proposed precincts) as evident on the Landscape Master Plan.</p>
<p>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.</p>	
<p>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.</p>	
<p>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.</p>	

Provision	Response
<p>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.</p> <p>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 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>	
<b>Non-urban Areas</b>	
<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 the Canberra Central district.</p>
<b>Urban Design</b>	
<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</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. The proposed DA for Precinct 3 would deliver one of the residential and commercial (car park) components of the EDP DA.</p> <p>The proposal EDP DA 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</p>

<b>Provision</b>	<b>Response</b>
<p>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 important features within the established urban landscape, and ensuring the high quality of environmental design in new developments or redevelopment.</p> <p>2.17 Advertisements and signs will be carefully controlled to maintain environmental amenity.</p>	<p>heritage messaging through a Heritage Implementation Strategy that has been approved by the ACT Heritage Council.</p>

---

# 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 7 October 2022.

Block a Section C (**the site**) is identified within '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 Commercial uses are proposed to be prohibited for the site as part of the EDP DA works. Once approved, this 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.

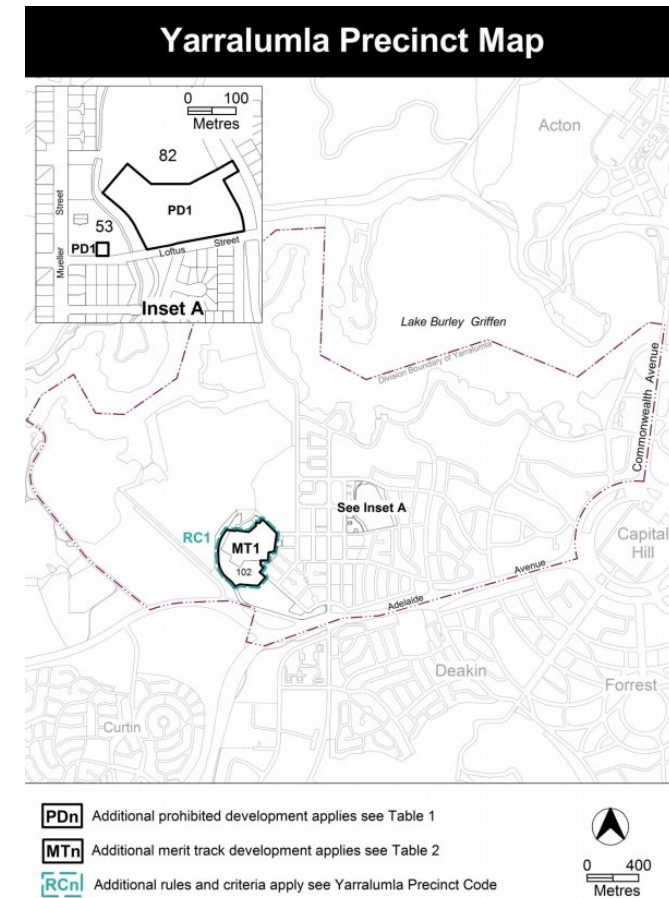


Figure 1: Yarralumla Precinct Map (effective :7 October 2022)

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 The maximum gross floor area across the RC1 area for all: a) SHOP except where associated with or related to entertainment, accommodation and leisure uses – 500m <sup>2</sup> b) office – 1500m <sup>2</sup>	This is a mandatory requirement. There is no applicable rule.	Not applicable SHOP and Office use are not proposed within Precinct 3.
<b>Element 2: Buildings</b>		
<b>2.1 Number of Storeys</b>		
There is not applicable rule.	C2 Buildings achieve all of the following: a) consistency with the desired character b) scale appropriate to the function of the use c) minimal detrimental impacts including overshadowing and excessive scale  The maximum number of storeys is a) residential use – 3 b) in all other uses – 2	Criterion satisfied 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. b and c) The block configuration and buildings have been designed with a scale that is appropriate for the proposed use and reduce shadow impacts while accounting for the site's topography. The number of storeys for the residential use proposed is 3 storeys (2 storeys above carparking where these areas are not considered basement parking per Territory Plan definitions for 'basement').
<b>2.2 Setbacks</b>		
R3 The minimum setback to the northern and eastern boundaries is 20m.	C3 Buildings achieve minimal detrimental impacts including overshadowing and excessive scale	This rule currently applies to the estate boundary. Proposed setbacks for each block have been identified under the proposed Planning Control Plans (as part of the EDP DA) which would provide

Rule	Criteria	Response
		<p>for the intention of the Rule to be met where practicable.</p>
		<p>The criterion has been addressed below for Precinct 3.</p> <p>The proposed block boundary (as part of the EDP) and buildings proposed as part of this application have been designed to provide for dwellings with reasonable scale while having reasonable solar access and avoiding excessive overshadowing of the adjoining blocks, while accounting for the site topography.</p>
		<p>Please refer to the documents submitted with this application for more information.</p>

---

The Planning Controls Plan (PCP) that accompanies this submission (for reference) further proposes additional controls for inclusion into the Yarralumla Precinct Code for the site (as part of the EDP DA).

# 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 estate along with the proposed parks would provide opportunities for entertainment and leisure uses. Precinct 3 is proposed for residential and commercial (car park) use that complement the other uses proposed across the estate. The proposed open space on site provides for a range of reaction activities. Further amenities are proposed to the north of the Heritage Core area within the Community Title land for the future resident to enjoy. These amenities are within walking distance of Precinct 3. The Remnants is also proposed further to the east and northeast of Precinct 3 which provides additional opportunities for entertainment and leisure.
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. The proposed residential and commercial (car parking) component within Precinct 3 adjacent to the Heritage Core commercial area would improve the commercial viability and encourage activity within the Heritage Core area.
c) Ensure leisure and accommodation facilities have convenient access to public transport	Existing bus stops are located along Novar Street and Dudley Street within 800m of the site to the west and southwest.
d) Protect the amenity of nearby residential areas, with regard to noise, traffic, parking and privacy	The amenity of the residential areas to the west (Precinct 4), to the south (Precinct 5) and, to the east (Precinct 2) has been considered throughout the design of Precinct 3. The buildings have been set back from the west by approximately 12m and from the south by approximately 5m. 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 as part of the EDP DA which considers and builds on the existing landscape features of the site. Existing significant vegetation has been retained where practicable. The proposed landscape design of Precinct 3 is consistent with the proposed broader landscape strategy for the estate.

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 Precinct 3 designs.



# 5

## 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 3: Commercial Zones Development Code (effective 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	C1	Not relevant to this proposal.
This rule applies to blocks affected by approved lease and development conditions that provide for one or more of the following matters:	The development meets the intent of any current, relevant lease and development conditions.	
a) plot ratio      b) building envelope c) building height   d) front street setback e) side setback      f) rear setback g) building design   h) materials and finish i) interface          j) vehicle access k) parking            l) solar access m) private open space n) landscaping      o) water sensitive urban design.		

Rule	Criteria	Response
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.		
<b>Element 2: Use</b>		
<b>2.1 Existing Community and Recreation Sites</b>		
R2 A development proposal does not reduce the range of community or recreation facilities available.	C2 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. The proposal does not reduce the range of community or recreation facilities.
<b>Element 3: Buildings</b>		
<b>3.1 Building design and materials</b>		
There is no applicable rule.	C3 Buildings achieve all of the following: a) a contribution to the amenity and character of adjacent public spaces b) interesting, functional and attractive facades that contribute positively to the streetscape, pedestrian and cycling experience c) minimal reflected sunlight d) articulated building forms e) a contribution to permeability by providing pedestrian access through or around buildings and connections to external path networks f) floor plans that encourage walking within the building, including the use of stairwells g) physically open or visually permeable stairwells to facilitate natural surveillance.	Criterion satisfied. a) The proposed buildings contribute to the amenity and character of adjoining public spaces by providing design and materiality consistent with the overall design theme of the Brickworks project. b) the facades have been designed to be interesting, functional, and attractive while positively contribute to streetscape, pedestrian, and cyclist experience. c) sunlight reflectivity has been reduced through the material palette proposed. d) building forms have been articulated to provide visual interest. e) permeability has been provided by the proposed paths surrounding and through the site. These paths connect to the wider path network. f) floor plans encourage walking within the building, including the use of internal stairs. g) stairwells have been incorporated within the design and are open where practicable (and in

Rule	Criteria	Response
		accordance with the fire engineering requirements).
There is no applicable rule.	C4 Buildings are of permanent construction.	Criterion satisfied. Buildings are of permanent construction.
<b>3.2 Plant and structures</b>		
There is no applicable rule.	C5 Plant installations and service structures are integrated with the building design, so they are set back from the building facade and screened from public areas.	Criterion satisfied. Services and utilities are integrated with the building design and they are screened from public views while providing access for servicing requirements.
<b>3.3 Parking structures</b>		
There is no applicable rule.	C6 Parking structures achieve all of the following: a) integrate with the built form of adjacent existing development b) avoid blank walls and provide interesting and attractive facades when facing public areas.	Criterion satisfied. The proposed parking structures achieve all of the following: a) integrate with the built form and overall design. b) avoidance of blank walls as much as practicable while providing interesting and attractive facades through design materiality and articulation.
<b>3.4 Materials and finishes</b>		
There is no applicable rule.	C7 Building materials and finishes provide for visual expression and interest. Where extensive glass or solid wall facades are incorporated in buildings: a) transparency is maximized b) reflectivity is minimized c) shadow profiles or visible joint detailing are included d) visually interesting building elements are applied through the use of elements such as colour, articulation, materials selection, shadows or deep framing profiles.	Criterion satisfied. Building materials and finishes provide for visual interest and expression. Extensive glass is not proposed. Where glass is proposed: a) and b) Transparency is maximised while reflectivity minimized. c) shadow profiles and visible joint detailing are included. d) visually interesting building elements are applied though the use of colour, articulation, material selection, shadow, and deep framing profiles.

Rule	Criteria	Response
<b>3.5 Storage</b>		
<p>R8</p> <p>Outdoor storage areas comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) are located behind the building line</li> <li>b) are screened from view from any road or other public area</li> <li>c) do not encroach on car-parking areas, driveways, or landscape areas.</li> </ul>	<p>C8</p> <p>Where the proposed use requires open areas for storage of goods and materials, adequate provision is included in the design and layout of the site for these areas, and they do not encroach on car parking, driveways or landscaped areas.</p>	<p>Not applicable as outdoor storage areas are not proposed.</p>
<b>3.6 Wind</b>		
<p>There is no applicable rule.</p>	<p>C9</p> <p>This criterion applies to buildings with a height of building greater than 19m but less than 28m.</p> <p>The wind patterns associated with the proposed building will not unreasonably reduce the safety and comfort of people in the public realm or other open spaces associated with the development, compared with a similar building on the site with a height of building of 19m.</p> <p>Compliance with this criterion will be demonstrated by a wind assessment report prepared by a suitably qualified person.</p>	<p>Not applicable as the height of building is less than 19m.</p>
<p>R10</p> <p>This rule applies to buildings with a height of building greater than 28m.</p> <p>As a consequence of the proposed development wind speeds do not exceed the following:</p> <ul style="list-style-type: none"> <li>a) adjacent main pedestrian areas and routes (as defined in the relevant precinct code) - 10m/s</li> <li>b) all other adjacent streets and public places - 16 m/s.</li> </ul> <p>Compliance with this rule is demonstrated by a wind assessment report prepared by a suitably qualified person.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Not applicable as the height of the building is less than 28m.</p>

Rule	Criteria	Response
<b>3.7 Ventilation</b>		
<p>R11</p> <p>This rule applies to buildings used or proposed to be used for one or more of the following:</p> <p>a) food retail</p> <p>b) restaurant.</p> <p>All exhaust and ventilation systems are installed and operated to comply with Australian Standard AS1668.1 The Use of Ventilation and Airconditioning in Buildings.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Not applicable as food retail or restaurant are not proposed as part of this DA.</p>
<b>3.8 Shopping arcades and malls – CZ3</b>		
<p>R12</p> <p>This rule applies to CZ3.</p> <p>Internal shopping arcades or malls are not permitted.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Not applicable as the site is zoned CZ6.</p>
<b>3.9 Supportive housing and residential care accommodation</b>		
<p>R13</p> <p>All dwellings for the purposes of supportive housing and/or residential care accommodation are designed to comply with the relevant parts of the Residential Zones – Multi Unit Housing Development Code and the relevant Australian Standard for Adaptable Housing.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Not applicable as supportive housing or residential care accommodation are not proposed as part of this DA.</p>
<b>Element 4: Site</b>		
<b>4.1 Landscaping</b>		
<p>There is no applicable rule</p>	<p>C14</p> <p>Landscaping associated with the development achieves all of the following:</p> <p>a) response to site attributes, including streetscapes and landscapes of documented heritage significance</p>	<p>Criterion satisfied.</p> <p>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 Landscape Master Plan sees the Brickworks become the public centrepiece of an open, landscaped park/plaza, with a pedestrian</p>

Rule	Criteria	Response
	<ul style="list-style-type: none"> <li>b) appropriate scale relative to the road reserve width and building bulk</li> <li>c) vegetation types and landscaping styles which complement the streetscape</li> <li>d) integration with parks, reserves and public transport corridors</li> <li>e) minimal adverse effect on the structure of the proposed buildings or adjoining buildings</li> <li>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</li> <li>g) minimal overlooking between buildings</li> <li>h) satisfies utility maintenance requirements</li> <li>i) minimises the risk of damage to aboveground and underground utilities</li> <li>j) screens aboveground utilities</li> <li>k) provides adequate sight lines for pedestrians, cyclists and vehicles, especially near street corners and intersections</li> <li>l) does not obscure or obstruct building entries, paths and driveways to reduce the actual or perceived personal safety and security.</li> </ul>	<p>network that is highly permeable with an abundance of interesting spaces to visit.</p> <p>The Remnants Park and Quarry Park are central to this approach and will be publicly accessible parkland.</p> <p>The proposed landscaping on-site has been designed in line with the broader landscape strategy for the estate. The landscaping proposed responds to the site attributes, provides an appropriate scale relative to the road reserves and the building bulk, complement the streetscape design, and integrates with the surrounding proposed landscape elements. The proposed landscaping connects with the parks and path networks and contributes to energy efficiency and amenity by providing shade in summer, especially to the windows facing west, and admitting winter sunlight to outdoor and indoor living areas. The landscaping proposed reduces overlooking between buildings, is located away from utilities in accordance with the requirements and provide screening where practicable. The proposed landscaping does not obstruct sight lines for pedestrians, cyclists, and vehicles, and does not obstruct or obscure building entries, paths, and driveways to improve safety and security.</p>
<p>There is no applicable rule.</p>	<p>C15 Tree planting in and around car parks provides shade and softens the visual impact of parking areas.</p>	<p>Not applicable.</p> <p>No at grade parking has been proposed. (Two basement parking areas and garages have been proposed for the site).</p>
<p><b>4.2 Lighting</b></p>		
<p>R16 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).</p> <p>Please refer to the submitted External Lighting Plan for more information.</p>

Rule	Criteria	Response
R17 All external lighting provided is in accordance with Australian Standard AS4282 - Control of the Obtrusive Effects of Outdoor Lighting.	C17 Light spill is minimised.	Rule met. External lighting will be provided to associated Australian Standards (subject to detail design). Please refer to the submitted External Lighting Plan for more information.
<b>4.3 Easements</b>		
R18 Buildings do not encroach over easements or rights of way.	This is a mandatory requirement. There is no applicable criterion.	Rule met. The designed building does not encroach the easements or rights of way. Easements on blocks have been considered in a location that buildings on the blocks do not encroach over these.
<b>Element 5: Access</b>		
<b>5.1 Access</b>		
There is no applicable rule	C19 Pedestrian and cyclist entrances, and driveways to the site achieves all of the following: a) are clearly visible from the front boundary b) pedestrian and cycle access is provided through the site to increase permeability c) pedestrian and cycle access paths to commercial buildings feed into and provide connections to existing path networks d) priority is provided for pedestrian and cyclist access	Criterion satisfied. The pedestrian and shared paths along with the internal driveways across the estate have been designed to be: a) clearly visible from each site front boundary b) paths are provided through the sites and across the estate to increase permeability c) the proposed paths connect to the existing path network in the locality d) priority will be provided for pedestrian and cyclist access (subject to detail design).
R20 Loading docks or vehicular entries to buildings are not located on frontages to the street.	C20 Loading docks and vehicular entries do not dominate the street frontage or conflict with parking and pedestrian movements in front of the building.	Criterion satisfied. Vehicular access proposed does not dominate the street frontage or conflict with pedestrian and vehicular movement in front of the site.

Rule	Criteria	Response
<b>5.2 Traffic Generation</b>		
There is no applicable rule	C21 The existing road network can accommodate the amount of traffic that is likely to be generated by the development.	Criterion satisfied. The existing and proposed road network can accommodate the development traffic generation. Please refer to <b>Attachment C – Traffic Impact and Parking Report</b> for more information.
<b>5.3 Service Access and Delivery</b>		
R22 Goods loading and unloading facilities comply with all of the following: a) are located within the site b) allow for service vehicles to enter and leave the site in a forward direction. Note: Loading, unloading and associated manoeuvring areas are in addition to minimum parking requirements.	C22 Facilities for the loading and unloading of goods achieve all of the following: a) safe and efficient manoeuvring of service vehicles b) does not unreasonably compromise the safety of pedestrians or cyclists c) does not unreasonably compromise traffic movement or the operation of any adjoining road, cycleway or pedestrian pathway d) does not unreasonably affect on-street or off-street car parking e) adequate provision for the manoeuvring of vehicles.	Not applicable. No goods loading and unloading facilities are proposed on-site.
<b>Element 6: Noise</b>		
<b>6.1 Potentially Noisy Uses</b>		
R23 This rule applies to any of the following: a) club b) drink establishment c) emergency services facility d) hotel e) indoor recreation facility f) industry (except light industry) g) indoor entertainment facility	This is a mandatory requirement. There is no applicable criterion	Not applicable as these noisy uses are not proposed within Precinct 3.



Rule	Criteria	Response
<p>h) outdoor recreation facility i) restaurant.</p> <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>		
<b>Element 7: Environment</b>		
<b>7.2 Earthworks</b>		
There is no applicable rule.	<p>C29 The extent of earthworks is minimised.</p>	<p>Criterion satisfied. The extent of earthworks has been minimised. Please refer to the Fill Plan submitted with this application for more information.</p>
<b>7.3 Tree Protection</b>		
<p>R30 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 b) is likely to cause damage to or removal of any protected trees c) is a declared site.</p> <p>The authority shall refer the development application to the Conservator or Flora and Fauna.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Rule to be met. Please refer to the tree assessment and management documentation submitted with this application and refer to the Conservator of Flora and Fauna for endorsement.</p>

Rule	Criteria	Response
<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>		
R31 Trees on development sites may be removed only with the prior agreement in writing of the Territory.	C31 Retained trees are protected and maintained during construction to the satisfaction of the Territory.	Rule to be met. 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 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.  Note: The authority will consider any advice from the Heritage Council before determining the application	This is a mandatory requirement. There is no applicable criterion.	Rule met. Heritage requirements has been addressed as part of the EPD documentation. A SHE has been proposed and is with the ACT Heritage Council for endorsement.
<b>Element 8: Subdivision</b>		
<b>8.1 Subdivision</b>		
R33 Subdivision is only permitted where all of the following are met: a) the subdivision is part of a development application for another assessable development b) it is demonstrated that any residual block can accommodate another assessable development designed in accordance with the relevant sections of this code	This is a mandatory requirement. There is no applicable criterion.	Not applicable as subdivision is not proposed. The EDP proposes to create blocks across the estate.

Rule	Criteria	Response
<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>d) all works associated with the demolition comply with and are in accordance with utility asset access and protection 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 Design and Siting DA.</p>
<b>9.2 Hazardous Materials Survey</b>		
<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</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 Design and Siting DA.</p>

Rule	Criteria	Response
<p>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>		
<b>Element 10: Neighbourhood Plans</b>		
<b>10.1 Consideration</b>		
There is no applicable rule.	<p>C36</p> <p>Where a Neighbourhood Plan exists, development demonstrates a response to the key strategies of the relevant Neighbourhood Plan</p>	<p>Criterion satisfied.</p> <p>The proposal's performance against the applicable key strategies of the Yarralumla Neighbourhood Plan has been provided in the Design Response Report.</p>
<b>Part E – Additional Controls for CZ6</b>		
<b>Element 17: Use</b>		
<b>17.1 Shops</b>		
<p>R55</p> <p>Shops are permitted only where related to the sale of entertainment, accommodation and leisure goods such as specialty items or arts, crafts and souvenirs.</p>	<p>C55</p> <p>Shops are appropriate to the primary function of the zone for tourist, recreation and leisure purposes.</p>	<p>Not applicable.</p> <p>No shops have been proposed within Precinct 3.</p>
<p>R56</p> <p>The maximum gross floor area for each shop is 250m<sup>2</sup>.</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>	<p>Not applicable.</p> <p>No shops have been proposed within Precinct 3.</p>

Rule	Criteria	Response
<p>This rule does not apply to shops selling predominantly one or more of the following:</p> <ul style="list-style-type: none"> <li>a) arts</li> <li>b) crafts</li> <li>c) souvenirs.</li> </ul>		
<b>Element 18: Buildings – CZ6</b>		
<b>18.1 Number of storeys</b>		
<p>R57 The maximum number of storeys is 2.</p>	<p>C57 Buildings achieve all of the following: a) consistency with the desired character b) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space.</p>	<p>Not applicable as Criterion 2 of the Precinct Code takes precedence. The number of storeys proposed is 3 (2 storey above carparking where not considered basement per the definitions) which is compliant with Criterion 2 of the Precinct Code as addressed above.</p>
<b>18.2 Setbacks</b>		
<p>R58 Minimum boundary setback is 6m. Note: This applies to front, side and rear boundaries.</p>	<p>C58 Buildings comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) are compatible with the desired character</li> <li>b) are appropriate to the scale and function of the use</li> <li>c) minimise detrimental impacts including overshadowing and excessive scale.</li> </ul>	<p>Criterion satisfied Buildings comply with the following:</p> <ul style="list-style-type: none"> <li>a) are compatible with the future desired character of the precinct.</li> <li>b) are appropriate to the scale and function of the use, being a three storey multi unit dwelling.</li> <li>c) the scale has been carefully designed considering the pedestrian experience. Shadow diagrams have been provided that indicate minimal shadow impacts.</li> </ul> <p>In addition to the above, Planning Control Plans have been proposed for the site that would allow reduced setbacks, once approved and uplifted to the Precinct Code (proposed as part of the EDP DA that has been submitted for assessment).</p>

Rule	Criteria	Response
<b>Part F – Residential uses</b>		
<b>Element 19: Residential development</b>		
<b>19.1 Single dwelling housing</b>		
R59 Single dwelling housing complies with the Residential Zones - Single Dwelling Housing Development Code.	This is a mandatory requirement. There is no applicable criterion.	Not applicable as Single Dwelling Housing is not proposed.
<b>19.2 Multi unit housing</b>		
R60 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. Multi Unit Housing Code provisions have been addressed under <b>Section 6</b> below.
<b>19.3 Residential care accommodation (where permitted)</b>		
R61 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 applicable as Residential Care Accommodation is not proposed.
<b>Part G – Endorsement by Government Agencies (Entities)</b>		
<b>Element 20: Loading and Unloading Facilities</b>		
<b>20.1 Goods</b>		
R62 Goods loading and unloading facilities are endorsed by TAMS.	This is a mandatory requirement. There is no applicable criterion.	Not applicable as goods loading and unloading areas are not proposed as part of this DA.
<b>Element 21: Waste Management</b>		
<b>21.1 Management of Construction Waste</b>		
R63 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:	This is a mandatory requirement. There is no applicable criterion.	Rule to be met. Please refer the provided documentation to TCCS for endorsement.

Rule	Criteria	Response
<p>a) demolition waste b) construction waste c) excavation material.</p> <p>The management of construction waste is to be endorsed by TAMS.</p> <p>Notes: 1. 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. 2. TAMS may endorse departures</p>		
<b>21.2 Post Occupancy Waste Management</b>		
<p>R64</p> <p>Post occupancy waste management facilities are to be endorsed by TAMS.</p> <p>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.</p> <p>TAMS may endorse departures.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Rule to be met.</p> <p>Waste collection is proposed to be to the south of the Heritage Core Area for the multi unit sites.</p> <p>Please refer to the Waste Collection Plan submitted with this application for more information and refer to TCCS for endorsement.</p>
<p>R65</p> <p>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</p> <p>If a statement of compliance is not provided the application will be referred to the relevant agency in accordance with the requirements of the Planning and Development Act 2007.</p>	<p>Not applicable as only domestic activities are proposed within Precinct 3 (other than the commercial car park proposed in the basement levels).</p>
<b>Element 22: Utilities</b>		
<b>22.1 Utilities</b>		
<p>R66</p> <p>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 encroachment over easements is not proposed.</p>
<p>R67</p>		<p>Rule to be met.</p>

Rule	Criteria	Response
<p>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.</p> <p>Notes:</p> <ol style="list-style-type: none"> <li>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</li> <li>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.</li> </ol>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Information is provided with this application for referral to relevant entities.</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>Rule met.</p> <p>All undercover areas are proposed to drain to the sewer.</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>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Rule Met</p> <p>Please refer to the Erosion and Sediment Control Plan submitted for further information.</p>



Rule	Criteria	Response
<p>Note: A condition of development approval may be imposed to ensure compliance with this rule.</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 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>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 former brickworks dump area.</p> <p>Information has been provided in this submission for referral to the EPA.</p>

# 6

## Multi-Unit Housing Development Code

This application proposes multi unit dwellings and the following parts from this Code are 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 proposed multi unit dwellings against the requirements of the Multi Unit Housing Development Code.

Table 4: 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: a) For a surrendered residential block - 700m <sup>2</sup> b) For all other blocks - 800m <sup>2</sup> .	This is a mandatory requirement. There is no applicable criterion.
<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.
<b>1.3 Apartments - standard blocks – RZ1 and RZ2</b>		
R3	This rule applies to standard blocks in RZ1 and RZ2.	Not applicable as the entire estate is zoned CZ6.

Rule	Criteria	Response
No new apartments are permitted.	This is a mandatory requirement. There is no applicable criterion.	
<b>Element 2: Lease and development conditions</b>		
<b>2.1 Development proposals affected by approved lease and development conditions</b>		
<p>R4</p> <p>This rule applies to blocks affected by approved lease and development conditions that provide for one or more of the following matters:</p> <p>a) plot ratio      b) building envelope c) building height   d) front street setback e) side setback      f) rear setback g) building design   h) materials and finish i) interface          j) vehicle access k) parking            l) solar access m) private open space n) water sensitive urban design o) landscaping.</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>	<p>C4</p> <p>The development meets the intent of any approved lease and development conditions.</p>	<p>Formal lease and development conditions do not apply to the site; however, development conditions would be created under the Deed of Agreement for the estate which have been met in the development of the EDP DA under which this Design and Siting DA complies with.</p>
<b>Element 3: Building and site controls</b>		
<b>3.1 Dwelling replacement – standard blocks</b>		
<p>R5</p> <p>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.</p> <p>a) where there has been no consolidation of blocks – 1 replacement dwelling b) in all other cases – a number equal to the total number of blocks originally leased or used for the</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Not applicable.</p> <p>The subject block is not a standard block.</p>

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>		
<b>3.2 Plot ratio – dual occupancy – standard blocks – RZ1 – except for surrendered residential blocks</b>		
<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 the entire estate is zoned CZ6.</p>

Rule	Criteria	Response
<b>3.3 Plot ratio – dual occupancy – standard blocks – RZ2 and surrendered residential blocks – RZ1</b>		
<p>R7</p> <p>This rule applies to the following:</p> <p>a) standard blocks in RZ2</p> <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>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Not applicable as the entire estate is zoned CZ6.</p>
<b>3.4 Plot ratio – large standard blocks – RZ2, RZ3 and RZ4</b>		
<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 as the entire estate is zoned CZ6.</p>

Rule	Criteria	Response
<b>3.5 Plot ratio – other than standard blocks – RZ1, RZ2, RZ3 and RZ4</b>		
R9 This rule applies to blocks other than standard blocks in RZ1, RZ2, RZ3 and RZ4 The maximum plot ratio is: a) in RZ1, RZ2 and RZ3 – 65% b) in RZ4 – 80%. This rule does not apply to: 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: i) lawfully approved and constructed ii) held under a holding lease at 30 March 2008 b) blocks in RZ1 approved before 5 July 2013 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.	This is a mandatory requirement. There is no applicable criterion.	Not applicable as the entire estate is zoned CZ6.
<b>3.6 Additional dwellings – standard blocks – RZ1</b>		
R10 This rule applies to standard blocks in RZ1 but not to blocks that are intended to be used for supportive housing. The maximum number of dwellings permitted on a standard block is 2.	This is a mandatory requirement. There is no applicable criterion.	Not applicable as the entire estate is zoned CZ6.
R10A This rule applies to blocks other than standard blocks in RZ1 for which the crown lease explicitly permits 2 dwellings, but not to blocks that are intended to be used only for supportive housing.	This is a mandatory requirement. There is no applicable criterion.	Not applicable as the entire estate is zoned CZ6.

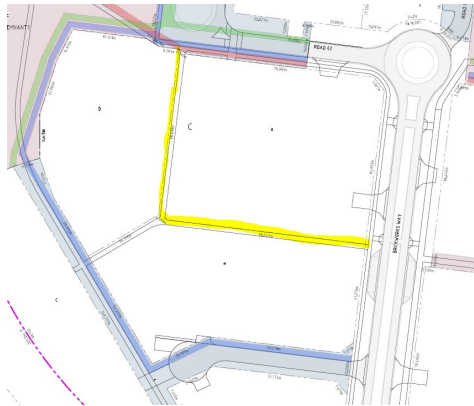
Rule	Criteria	Response
<p>The maximum number of dwellings permitted on a block is 2.</p> <p>Note: This rule does not apply to blocks for which the crown lease does not specify the number of dwellings permitted, or permits a number of dwellings greater than 2.</p>		
<p><b>3.7 Residential density – supportive housing – standard blocks - RZ1</b></p>		
<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 as the entire estate is zoned CZ6.</p>
<p><b>3.8 Residential density – standard blocks – RZ2</b></p>		
<p>R12</p> <p>This rule applies to standard blocks in RZ2 but does not apply co-housing.</p> <p>The maximum number of dwellings is shown in table A2.</p> <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>	<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>
<p><b>3.9 Additional dwellings – standard blocks – RZ2</b></p>		
<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. This rule does not apply to co-housing.</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>

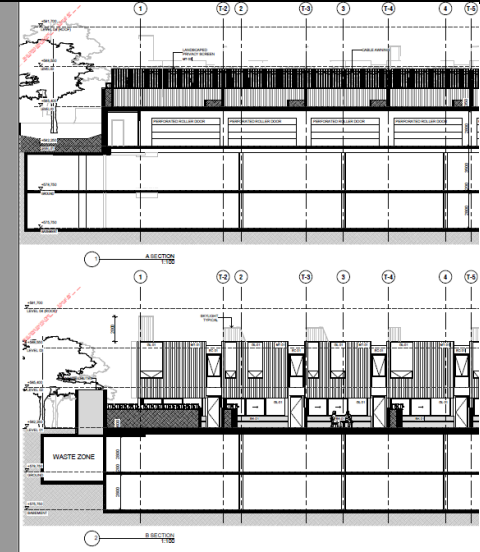
Rule	Criteria	Response
<b>3.10 Residential density – adaptable housing – standard blocks - RZ2</b>		
R14 This rule applies to standard blocks in RZ2: All dwellings are to be shown as capable of being adapted. The additional dwelling/s permitted for adaptable housing above those shown in Table A2 shall be built to an adapted standard in compliance with Australian Standard AS4299 Adaptable Housing (Class C). Despite R2 and R12, the maximum number of dwellings is shown in table A3.	This is a mandatory requirement. There is no applicable criterion.	Not applicable as the estate does not include any blocks zoned RZ2.
<b>3.11 Number of dwellings in each building – standard blocks – RZ2</b>		
R15 In RZ2 on standard blocks the maximum number of dwellings in any building is 4. This rule does not apply to co-housing. For the purposes of this rule, basements are not part of a building.	This is a mandatory requirement. There is no applicable criterion.	Not applicable as the estate does not include any blocks zoned RZ2.
<b>3.12 Number of storeys – standard blocks – RZ1</b>		
R16 In RZ1 on standard blocks buildings comply with all of the following: a) The number of storeys does not exceed: 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) ii) 2 storeys for all other standard blocks. b) attics or basement car parking are not permitted where they are located directly above or below any 2 storey element of the dwelling. 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	This is a mandatory requirement. There is no applicable criterion.	Not applicable as the entire estate is zoned CZ6.

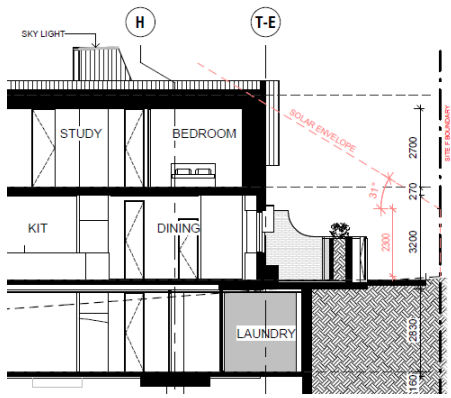


Rule	Criteria	Response
not directly front a public road from which vehicular access is permitted.		
R17 This rule applies to a dwelling with all of the following characteristics: i) located on a standard block ii) located in RZ1 iii) is part of a dual occupancy housing iv) does not directly front a public road Despite the previous rule the dwelling complies with all of the following: a) contains no more than 1 storey b) has no basement car parking.	This is a mandatory requirement. There is no applicable criterion.	Not applicable as the entire estate is zoned CZ6.
<b>3.13 Number of storeys – other than standard blocks – RZ1</b>		
R18 In RZ1 on blocks other than standard blocks, the maximum number of storeys is 2.	This is a mandatory requirement. There is no applicable criterion.	Not applicable as the entire estate is zoned CZ6.
<b>3.14 Number of storeys – RZ2</b>		
R19 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.	This is a mandatory requirement. There is no applicable criterion.	Not applicable as the estate does not include any blocks zoned RZ2.
<b>3.15 Number of storeys – RZ3</b>		
R20 In RZ3 the maximum number of storeys is 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.	C20 Buildings achieve all of the following: a) consistency with the desired character b) the appearance from the street of not more than two storeys for that part of the building facing the street	Not applicable as the estate does not include any blocks zoned RZ3.

Rule	Criteria	Response
	c) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space.	
<b>3.16 Number of storeys – RZ4</b>		
R21 In RZ4 the maximum number of storeys is 3. Rooftop plant that is set back and screened from the street is not included in the number of storeys.	C21 Buildings achieve all of the following: a) consistency with the desired character b) the appearance from the street of not more than three storeys for that part of the building facing the street c) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space.	Not applicable as the estate does not include any blocks zoned RZ4.
<b>3.17 Number of storeys – RZ5</b>		
R22 In RZ5, the maximum number of storeys is: a) for that part of the building within 50m of the boundaries of blocks in RZ1, RZ2 or RZ3 - 3 b) for that part of the building within 40m of the boundaries of blocks in CFZ, PRZ1 or PRZ2 - 3 c) for that part of the building within 30m of the boundaries of blocks in RZ4 - 4 d) in all other cases – 6. Roof top plant that is set back and screened from the street is not included in the number of storeys.	C22 Buildings achieve all of the following: a) consistency with the desired character b) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space	Not applicable as the entire estate is zoned CZ6.
<b>3.18 Height of buildings – RZ1 and RZ2</b>		
R23 In RZ1 and RZ2 the maximum height of building is 8.5m.	C23 Buildings achieve all of the following: a) consistency with the desired character	Not applicable as the entire estate is zoned CZ6.

Rule	Criteria	Response
<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><b>3.19 Height of buildings – RZ3, RZ4 and RZ5</b></p>		
<p>R24</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 as the entire estate is zoned CZ6.</p>
<p><b>3.20 Building envelope – all blocks except buildings over 3 storeys in RZ5 and commercial zones</b></p>		
<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, <b>except as required by the next rule.</b></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>The site has two side boundaries as highlighted below (the remainder of the block boundaries would be a front boundary per the Territory Plan Definitions):</p>  <p>Rule met for the west boundary (please see below diagram that indicates compliance). This is because the buildings are sufficiently setback from the west.</p>

Rule	Criteria	Response
		 <p>The building envelope is shown in red and is located well-away from the buildings – please refer to the sections submitted for a more zoomed in version of this diagram.</p> <p>The rule is not applicable to the southern boundary as the next rule is applicable.</p> <p>Please also note that the Planning Control Plans proposed as part of the EDP DA provide that this rule would not apply to Block d Section B.</p>
<p>R26</p> <p>This does not apply to either of the following:</p> <ul style="list-style-type: none"> <li>a) buildings with more than 3 storeys in RZ5</li> <li>b) buildings with more than 3 storeys in commercial zones.</li> </ul> <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</p>	<p>C26</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) consistency with the desired character</li> </ul>	<p>This rule applies to the south boundary of Precinct 3.</p> <p>The below diagram indicates that there is only a minimal encroachment within the solar building envelope. Therefore the criterion has been addressed herein.</p>

Rule	Criteria	Response
<p>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> <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>For all other blocks:</p> <ul style="list-style-type: none"> <li>i) in the primary building zone – 2.4m</li> <li>ii) all other parts of the boundary – 1.8m</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 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>	<ul style="list-style-type: none"> <li>b) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space</li> <li>c) reasonable levels of privacy for dwellings on adjoining residential blocks and their associated private open space</li> <li>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.</li> </ul>	 <p>The solar building envelope is shown in red and is only minimally encroached by the buildings – please refer to the sections submitted for a more zoomed in version of this diagram.</p> <p>Criterion satisfied.</p> <ul style="list-style-type: none"> <li>a) the proposal's performance against the Statement of Strategic Directions and the site's CZ6 zones objectives have been addressed above.</li> <li>b and c) not applicable as no residential dwellings are located to the south of the site.</li> <li>d) shadow diagrams have been provided that indicate reasonable solar access has been provided to the dwellings proposed on the adjoining block (block e Section C). The separation proposed between the dwellings on site and the future dwellings proposed on the block e Section C (to the south) is approximately 8m which is considered to provide reasonable privacy for the future residents. Privacy has been further improved through landscaping elements proposed to the south. Proposed setbacks (as part of the EDP) have been</li> </ul>

Rule	Criteria	Response
		<p>considered to provide reasonable solar access to dwellings on adjoining residential blocks and their associated private open space.</p> <p>Please also note that the Planning Control Plans proposed as part of the EDP DA provide that this rule would not apply to Block a Section C.</p>
<b>3.22 Front boundary setbacks</b>		
<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</p> <p>b) reasonable amenity for residents</p> <p>c) sufficient space for street trees to grow to maturity.</p>	<p>Criterion satisfied.</p> <p>The proposed front setbacks:</p> <p>a) are consistent with the Statement of Strategic Directions and the multi unit site's zone objectives as addressed above.</p> <p>b) setbacks achieve a reasonable amenity for residents to permit private open space areas and achieve privacy between dwellings.</p> <p>c) setbacks allow space for establishment of street trees as shown on the landscaping plans provided.</p> <p>Alternative setbacks have been identified for the precinct as per the Planning Control Plans submitted with the EDP DA and the proposed buildings are generally consistent with the proposed PCPs.</p> <p>The setbacks shown on the PCPs are proposed to be uplifted to the Precinct Code with associated figures as part of the separate EDP DA.</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>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>Criterion satisfied.</p> <p>The proposed setbacks:</p> <p>a) are consistent with the Statement of Strategic Directions and the multi unit site's zone objectives as addressed above.</p> <p>Although b), c), and d) are not applicable as there are no existing adjoining dwellings, the design</p>

Rule	Criteria	Response
<p>c) in all other zones – the relevant zone development code</p>	<p>c) reasonable privacy for dwellings on adjoining residential blocks d) reasonable privacy for principal private open space on adjoining residential blocks e) reasonable solar access to dwellings on adjoining residential blocks and their associated principal private open space.</p>	<p>considers these amenities for the future dwellings proposed on the adjoining residential blocks. The buildings setbacks: b) provide for reasonable separation between adjoining future developments c) and d) achieve reasonable privacy between future dwellings on adjoining residential blocks and their associated PPOS 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>
<p><b>3.24 Allowable encroachments - setbacks</b></p>		
<p>R31 Encroachments into one or more of the following: i) minimum side setback ii) minimum rear setback are permitted for one or more of the following building elements: a) an eave or roof overhang with a horizontal width of not more than 600mm 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 c) unroofed terraces, landings, steps or ramps, none of which are more than 1m above finished ground level.</p>	<p>C31 Buildings and other structures achieve all of the following: a) consistency with the desired character b) reasonable levels of privacy on adjoining residential blocks for dwellings and their associated private open space c) reasonable solar access to dwellings on adjoining residential blocks and their associated private open space.</p>	<p>Not applicable as Criterion 30 has been addressed above.</p>

Rule	Criteria	Response
<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 as Criterion 29 has been addressed above.</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 as the proposal is rule compliant for Rule 25 (regarding the building envelope) and Criterion 26 has been addressed above (regarding the solar building envelope).</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>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>C36</p> <p>The siting of buildings on standard blocks in RZ2 achieves all of the following:</p> <p>a) consistency with the desired character</p> <p>b) consistency with the separation of existing buildings in the immediate neighbourhood.</p>	<p>Not applicable as the estate does not include any blocks zoned RZ2.</p>



Rule	Criteria	Response
<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 only 22 dwellings are proposed.</p>
<b>4.2 Site open space – RZ1 and RZ2</b>		
<p>R38</p> <p>This rule applies to all development in RZ1 and RZ2 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 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; and/or</p> <p>b) private open space that complies with all of the following:</p> <p>i) a minimum dimension of 2.5m; and</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>c) provision of outdoor areas that are readily accessible by residents for a range of uses and activities.</p> <p>One or more of the following matters may be considered when determining compliance with this criterion:</p>	<p>Not applicable as the entire estate is zoned CZ6.</p>

Rule	Criteria	Response
<p>ii) is associated with dwellings at the lower floor level. Not less than 20% of the total site area is planting area.</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>R38A</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. 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; and/or</p> <p>b) private open space that complies with the following:</p> <p>i) a minimum dimension of 2.5m; and</p> <p>ii) is associated with dwellings at the lower floor level.</p>	<p>C38A</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 space for the recreation and relaxation of residents</p> <p>b) adequate space for planting, particularly trees with deep root systems, to accommodate on-site infiltration of stormwater run-off</p> <p>c) outdoor areas that are readily accessible by residents for a range of uses and activities.</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>Not applicable as the entire estate is zoned CZ6.</p>
<p>R38B</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>Site coverage is a maximum of 40% of the block area.</p>	<p>C38B</p> <p>To reduce urban heat island effects, retain water and maintain ecosystem services, development complies with all of the following:</p> <p>a) limits site coverage and vehicle parking and manoeuvring areas</p> <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>Not applicable as the entire estate is zoned CZ6.</p>

Rule	Criteria	Response
<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. 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> <ul style="list-style-type: none"> <li>a) landscaping to provide substantial shade in summer and admit winter sunlight to outdoor and indoor living areas</li> <li>b) enhance living infrastructure through water sensitive urban design, providing deep soil zone areas for ground water recharge, canopy trees and vegetation</li> <li>c) infiltration of stormwater run-off and allow a greater ability to plant.</li> </ul>	<p>Not applicable as the entire estate is 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 as the entire estate is 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> <ul style="list-style-type: none"> <li>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</li> <li>b) deep soil zones should allow subsoil drainage to support groundwater infiltration</li> <li>c) planting of canopy trees with semi advanced stock and suitable heights at maturity</li> </ul>	<p>Not applicable as the entire estate is zoned CZ6.</p>

Rule	Criteria	Response
	d) landscaping to provide substantial shade in summer and admit winter sunlight to outdoor and indoor living areas	
<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. 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, 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</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 as the entire estate is zoned CZ6.</p>
<p><b>4.3 Site open space – RZ3, RZ4, RZ5 and commercial zones</b></p>		
<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>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>Criterion satisfied</p> <p>Open space on site achieves all of the following:</p> <p>a) sufficient useable space for a range of recreational activities has been provided for the residents on-site including within the communal open spaces provided to the west of the site and within the private open space provided for each dwelling.</p> <p>b) sufficient space for tree planting has been provided on-site.</p>

Rule	Criteria	Response
<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; and</p> <p>b) is associated with dwellings at the lower floor level; and/or</p> <p>b) in all other cases, communal open space that complies with the following:</p> <p>i) a minimum dimension of 2.5m; and</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>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>c) a contribution to infiltration of stormwater run-off has been considered throughout the site by providing permeable surfaces where practicable.</p> <p>d) Reasonable accessibility has been considered so the space is inclusive for all, as much as practicable.</p> <p>e) the path proposed between the dwellings and surrounding the site is connected to the wider path network proposed which is connected to local destinations and community uses proposed within the site and beyond.</p> <p>The following matters are in addition to the above considerations:</p> <p>i) The substantial private open space proposed on the ground level and upper level contribute to the function of other open spaces proposed on-site.</p> <p>ii) the site is located within walking distance of two local parks and opposite the Heritage Core which are readily available for the use of the future residents.</p>
<p><b>4.4 Site open space – RZ3, RZ4 and RZ5 zones</b></p>		
<p>R39A</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 granted before 1 January 2020.</p> <p>Site coverage is a maximum of 45% of the block area.</p>	<p>C39A</p> <p>To reduce urban heat island effects, retain water and maintain ecosystem services, development complies with all of the following:</p> <p>a) limits site coverage of buildings and vehicle parking and manoeuvring areas</p> <p>b) provides outdoor areas that are readily accessible by residents for a range of uses and activities</p>	<p>Not applicable.</p> <p>The entire site is zoned CZ6.</p>

Rule	Criteria	Response
	c) provides space for service functions such as clothes drying and domestic storage.	
<p>R39B</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 granted before 1 January 2020.</p> <p>Planting area is a minimum of 25% of the block area. The minimum dimension of any area included in the planting area calculation is 2.5 metres.</p>	<p>C39B</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 water-sensitive urban design, providing areas for deep soil zones for ground water recharge, large canopy trees and vegetation</p> <p>c) if the minimum required planting area can't be provided on site, an equivalent area should be achieved through planting on structures.</p>	<p>Not applicable.</p> <p>The entire site is zoned CZ6.</p>
<p>R39C</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 granted before 1 January 2020.</p> <p>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.</p> <p>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>.</p>	<p>C39C</p> <p>Planting area provided in the development achieves all of the following:</p> <p>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</p> <p>b) planting of canopy trees with appropriate species and with a semi-advanced stock and minimum heights at maturity</p> <p>c) landscaping to provide substantial shade in summer and admit winter sunlight to outdoor and indoor living areas</p> <p>d) if the minimum required canopy trees cannot be provided on site, an equivalent area should be achieved through planting on structures.</p>	<p>Not applicable.</p> <p>The entire site is zoned CZ6.</p>
<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</p>	<p>C39D</p>	<p>Not applicable.</p> <p>The entire site is zoned CZ6.</p>

Rule	Criteria	Response
<p>for which the original Crown lease was originally granted before 1 January 2020. 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>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>	

#### 4.4 Landscape design

There is no applicable rule.	<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>Landscape and site design achieves all of the following:</p> <p>a) planting of trees of semi-mature stock</p>	<p>Criterion satisfied.</p> <p>Please refer to the Landscape documentation provided with this application for more information.</p> <p>The proposed landscaping achieves all of the following:</p> <p>a) and b) planting of trees of semi mature stock and with a minimum height of 4m has been provided where suitable.</p>
------------------------------	---	--

Rule	Criteria	Response
	<ul style="list-style-type: none"> <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>	<ul style="list-style-type: none"> <li>c) contributes to energy efficiency by providing shade in summer and admitting winter sunlight to residential spaces.</li> <li>d) improves residential amenity</li> <li>e) does not block sight lines</li> <li>f) visual interest has been provided in pavement materiality and finishes</li> <li>g) species selected consider the site landscape setting.</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.</p> <p>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 Crown lease for the subject block will be granted after the applicable dates under this rule.</p> <p>The EDP has been submitted for assessment parallel to this DA.</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 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</p>	<p>Not applicable.</p> <p>The EDP has been submitted for assessment parallel to this DA.</p>



Rule	Criteria	Response
	<p>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>Not applicable as fences are not proposed.</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> <ul style="list-style-type: none"> <li>a) a total length not exceeding 60% of the width of the block at the line of the wall</li> <li>b) a minimum setback from the front boundary of not less than 2m</li> </ul>	<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> <li>b) the dominance of the building’s facade in the streetscape taking all of the following aspects of the proposed courtyard wall into account: <ul style="list-style-type: none"> <li>i) height</li> <li>ii) relationship to verge footpath</li> </ul> </li> </ul>	<p>Not applicable as the entire estate is zoned CZ6.</p>

Rule	Criteria	Response
<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>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>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</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>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>Criterion satisfied</p> <p>Courtyard walls proposed achieve all of the following:</p> <p>a) are consistent with the Statement of Strategic Directions and the multi unit site's zone objectives as addressed above.</p> <p>b) are designed with consideration towards all of the items listed in the criterion including colour and design features, response to adjoining public realm and inclusion of soft landscaping elements.</p> <p>c) do not obstruct sight lines for vehicles and pedestrians.</p> <p>Planning control Plans submitted with the EDP DA propose a reduced setback as detailed earlier.</p>

Rule	Criteria	Response
<p>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>4.7 External facilities</b></p>		
<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>Criterion satisfied.</p> <p>All external facilities (such as AC units) are adequately screened from public views.</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>Criterion satisfied.</p> <p>Mailboxes are located at the street frontages close to the central path for convenient access by the residents and deliverers with passive surveillance from the street, the adjacent path, and the townhouses.</p> <p>Please refer to the floor plans submitted for further information.</p>
<p><b>4.8 Electrical and telecommunication facilities</b></p>		
<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>a) do not result in continuous rows of supply poles erected on residential streets</p>	<p>C45</p> <p>Electrical and telecommunication reticulation within existing residential areas or streets with residential access limits the amount of visual clutter in the streetscape, particularly from supply poles and overhead cabling.</p>	<p>Rule met.</p> <p>No additional electrical supply poles are proposed on the site.</p> <p>All proposed electrical and telecommunication reticulation are underground.</p> <p>Please refer to the Electrical Plans submitted with this application for more information.</p>

Rule	Criteria	Response
<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>		
There is no applicable rule.	<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 satisfied.</p> <p>All proposed electrical and telecommunication reticulation are underground.</p> <p>Please refer to the Electrical Plans submitted with this application for more information.</p>
<b>Element 5: Building design</b>		
<b>5.1 Surveillance</b>		
<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>Criterion satisfied.</p> <p>Buildings achieve passive surveillance of the adjoining streets and public open spaces through the designs.</p>
<b>5.2 Building entries</b>		
<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>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>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>c) surveillance of public areas (including between buildings and open space areas, paths, dwelling entries, car parking areas and driveways)</p>	<p>Not applicable as common entry to dwellings are not proposed (the terraces will be accessed individually).</p>

Rule	Criteria	Response
	<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>Criterion satisfied.</p> <p>Building design, articulation, detailing, and finishes 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>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>Rule met.</p> <p>The maximum length of an unarticulated roof is under 15m.</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>Criterion satisfied.</p> <p>The exterior colours and finishes of the garages achieve all of the following:</p> <p>a) are compatible with the dwelling design when viewed from public spaces</p> <p>b) integrate with the overall design</p> <p>c) contribute to building articulation by providing contrast.</p>

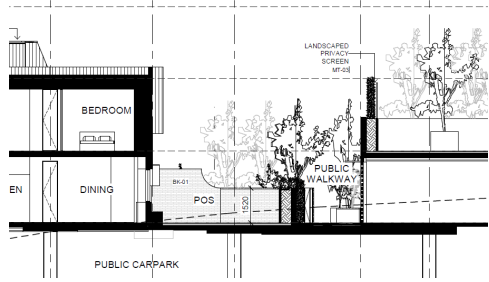
Rule	Criteria	Response
<b>5.4 Building design – RZ2</b>		
<p>R52</p> <p>This rule applies to standard blocks in RZ2 containing 2 or more dwellings.</p> <p>All dwellings adjacent to a public street (other than a rear lane) have at least one of the following facing the street:</p> <p>a) front door</p> <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 block proposed as part of this DA is 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>Criterion satisfied.</p> <p>The exposed walls of the basement/parking structure achieve all of the following:</p> <p>a) Visual interest through architectural elements, features, and modulation.</p> <p>b) visual softening through landscaping where practicable.</p> <p>c) avoidance of prominent ventilation openings (the ventilation has become an element of the overall design).</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>Rule met.</p> <p>The required minimum adaptable housing has been provided 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>Rule met.</p> <p>The minimum dwelling sizes have been exceeded.</p>

Rule	Criteria	Response
<p>a) studio dwellings - 40 m<sup>2</sup>  b) one-bedroom dwellings - 50 m<sup>2</sup>  c) 2-bedroom dwellings - 70 m<sup>2</sup>  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>Dwelling sizes and layouts provide functional living spaces, flexibility in furniture layout, and adequate 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  b) increased diversity of dwelling types within a neighbourhood.</p>	<p>Not applicable as only 22 dwellings are proposed.</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 as the entire estate is 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</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>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: 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:</p> <p>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</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:</p> <p>Daytime living area means a habitable room other than a bedroom.</p>	<p>Criterion satisfied.</p> <p>All dwellings receive 3 hours of direct sunlight into a daytime living area between 9am and 3pm on the winter solstice, as shown in the Solar Diagrams submitted with this application.</p>



Rule	Criteria	Response
<p>documentation (e.g. shadow diagrams) showing 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>		
<p><b>6.2 Solar access - apartments</b></p>		
<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>Not applicable as apartments are not proposed.</p>
<p><b>6.3 Privacy</b></p>		
<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>Criterion satisfied.</p> <p>Building separation has been provided as much as practicable to provide reasonable privacy. Additionally, landscaped privacy screens have been proposed where required to improve privacy between the dwellings and the public walkway proposed in between. Please see below extract from the architectural sections. Please refer to the documentation provided for further information.</p>

Rule	Criteria	Response
<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 of sight to more than 50% of the minimum principal private open space of any other dwelling.</p> <p>The direct line of sight is a minimum distance of 12m.</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>Note: this does not include installing high sill windows, obscured glass, and/or angled louvres.</p>	 <p>Rule met.</p> <p>No direct line of sight to more than 50% of the minimum principal private open space of any other dwelling has been proposed.</p>
<p><b>6.4 Principal private open space</b></p>		
<p>R61</p> <p>Each dwelling has at least one area of principal private open space that complies with all of the following:</p> <ol style="list-style-type: none"> <li>located on the site</li> <li>has minimum area and dimensions specified in table A9</li> <li>is screened from adjoining public streets and public open space</li> <li>is directly accessible from, and adjacent to, a habitable room other than a bedroom</li> <li>is not located to the south, south-east or south-west of the dwelling, unless it achieves one or more of the following –</li> </ol>	<p>C61</p> <p>Principal private open space for each dwelling achieves all of the following:</p> <ol style="list-style-type: none"> <li>an area proportionate to the size of the dwelling</li> <li>an extension of the function of the dwelling for relaxation, dining, entertainment, recreation</li> <li>directly accessible from the dwelling</li> <li>service functions such as clothes drying and mechanical services</li> <li>reasonable privacy</li> <li>reasonable solar access.</li> </ol>	<p>Criterion Satisfied.</p> <p>For each dwelling at least one area of principal private open space (<b>PPOS</b>) has been provided which achieves all of the following:</p> <ol style="list-style-type: none"> <li>The area proposed for PPOS is compliant with the minimum area identified under the rule (and table 9)</li> <li>provides an extension of residential functions of the dwelling</li> <li>is directly accessible from the dwelling</li> <li>provides areas for service functions</li> <li>provides reasonable privacy</li> </ol>

Rule	Criteria	Response
<p>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)</p> <p>ii) located at an upper floor level and overlooks a public street or public open space.</p> <p>Note: Overshadowing from vegetation is not considered when assessing solar access.</p>		f) affords reasonable solar access to PPOS areas throughout the day as shown on the shadow diagrams submitted.
<b>6.5 Separation between external walls</b>		
<p>R62</p> <p>The minimum separation between an unscreened element and an external wall on the same block or an adjoining block, is 3m.</p>	<p>C62</p> <p>The outlook from an unscreened element is not unreasonably impeded by external walls on the same or adjoining blocks.</p>	<p>Criterion satisfied.</p> <p>The outlook from an unscreened element is not unreasonably impeded by the external walls.</p>
<p>R63</p> <p>The separation between external walls at the lower floor level on the same block or an adjoining block is not less than 1m.</p>	<p>C63</p> <p>The separation between blank walls on the same or adjoining blocks at ground level achieves both of the following:</p> <p>a) reasonable access for maintenance</p> <p>b) reasonable management of rodents.</p>	<p>Rule met.</p> <p>The separation between external walls at the lower floor level on the same block or an adjoining block is more than 1m.</p>
<b>6.6 Balustrades</b>		
<p>R64</p> <p>This rule applies to balconies with both of the following characteristics:</p> <p>i) located on the third upper floor level or lower (ie the first four storeys)</p> <p>ii) facing public streets or public open space.</p> <p>Balustrades are constructed of one or more of the following:</p> <p>a) obscure glass panels</p> <p>b) solid panels with a total of all openings or clear glass panels not more than 25% of the surface area of the balustrade.</p> <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>Rule met.</p> <p>The balustrades facing the public streets are proposed to be constructed with solid material.</p>

Rule	Criteria	Response
<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> <p>a) at least 2m in height and 0.6m internal dimension b) an area of not less than –</p> <p>i) in RZ1 and RZ2 - 4m<sup>2</sup></p> <p>ii) in all other zones -1.5m<sup>2</sup></p> <p>c) one of the following –</p> <p>i) accessible externally from the dwelling</p> <p>ii) adjacent to a dedicated car space.</p>	<p>C65</p> <p>All dwellings are provided with adequate and secure storage areas for all of the following:</p> <p>a) equipment such as gardening, sporting, leisure and fitness equipment</p> <p>b) accommodate bicycles as per Bicycle Parking Code.</p>	<p>Not applicable as all dwellings proposed have associated garages.</p>
<b>6.8 Natural Ventilation</b>		
<p>There is no applicable rule.</p>	<p>C66</p> <p>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>Criterion satisfied.</p> <p>The north-south layout of the townhouses along with openings on opposite sides will ensure cross ventilation is provided within the residential spaces.</p>
<b>6.9 Noise attenuation – external sources</b>		
<p>R67</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 12,000 vehicles per day</p> <p>iii) located in a commercial zone</p> <p>iv) adjacent to a commercial or industrial zone</p> <p>dwellings shall be constructed to comply with the relevant sections of all of the following:</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>	<p>Rule met.</p> <p>Please refer to the NMP submitted for further information.</p>

Rule	Criteria	Response
<p>a) 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>b) AS/NZS 3671 - Acoustics – Road Traffic Noise Intrusion Building Siting and Design.</p> <p>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.</p> <p>For road traffic noise, compliance with this rule is demonstrated by 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, 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> <p>a) zoned RZ1 or RZ2</p> <p>b) standard blocks</p> <p>c) less than 30 m wide at the street frontage.</p> <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> <p>i) compatibility with the streetscape</p> <p>ii) retention of existing street trees</p> <p>iii) safe and convenient pedestrian and bicycle crossings</p>	<p>Not applicable as the entire estate is zoned CZ6.</p>

Rule	Criteria	Response
	iv) adequate line of sight for cars entering and/or leaving the car parking area	
<b>7.2 Driveway verge crossings</b>		
R69 This rule applies to previously undeveloped blocks. No more than one driveway verge crossing is provided to each block.	C69 More than one driveway verge crossing to each block may be allowed in one of the following circumstances: a) where forward entry to roads carrying more than 3000 vehicles per day is desirable b) where all of the following are achieved: i) compatibility with the streetscape ii) priority for pedestrians and cyclists iii) retention of existing street trees iv) protection of existing landscape features v) public safety c) where the block is a corner block.	Criterion satisfied. The block has not been previously developed. More than one driveway crossing is proposed and under the criterion this is permitted because: c) the site is a corner block.
R70 This rule applies to previously developed blocks or the consolidation of previously developed blocks. No additional driveway verge crossings are permitted.	C70 Additional driveway verge crossings may be allowed in one of the following circumstances: a) where forward entry to roads carrying more than 3000 vehicles per day is desirable b) where all of the following are achieved – i) compatibility with the streetscape ii) priority for pedestrians and cyclists iii) retention of existing street tress iv) protection of existing landscape features v) public safety c) where the block is a corner block.	Not applicable as the site has not been previously developed.
R71 This rule applies to previously developed blocks or the consolidation of previously developed blocks.	This is a mandatory requirement. There is no applicable criterion.	Not applicable as the site has not been previously developed.

Rule	Criteria	Response
<p>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>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> <li>e) at a right angle to the kerb line with a maximum 10% deviation</li> <li>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</li> <li>g) except for blocks 250m<sup>2</sup> or less, 3m wide at the front street boundary</li> <li>h) outside of the drip line of mature street trees</li> <li>i) a minimum of 3m clear of small and new street trees</li> <li>j) compliant with Australian Standard AS2890.1 – Off Street Parking, having particular regard for sightlines and cross fall of the site</li> <li>k) where there is a public footpath across the driveway verge crossing, the footpath is continuous (i.e. the footpath is to have precedence)</li> </ul>	<p>C72</p> <p>Driveway verge crossings are endorsed by the Territory and Municipal Services Directorate.</p>	<p>Rule met</p> <p>Driveway verge crossing has been designed in accordance with the rule requirement.</p>

Rule	Criteria	Response
<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>		
<b>7.3 Internal driveways</b>		
<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>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>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>Not applicable as vehicular circulation is proposed in the basement/car parking structures.</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>C74</p> <p>Internal driveways achieve reasonable levels of public safety.</p>	<p>Not applicable as vehicular circulation is proposed in the basement/car parking structures.</p>



Rule	Criteria	Response
b) connect to a major road. Turning spaces are provided on the block to allow vehicles to leave in a forward direction.		
R75 This rule applies to internal driveways with both of the following characteristics: a) serve more than 10 car parking spaces b) connect to a public road. 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.	C75 Internal driveways avoid unreasonable levels of queuing and congestion at vehicular entrances.	Not applicable as vehicular circulation is proposed in the basement/car parking structures.
There is no applicable rule.	C76 Internal driveways are designed to be safely used by both pedestrians and vehicles, including emergency vehicles. Measures to reduce vehicle speed on internal driveways will be considered when determining compliance with this criterion, including one or more of the following: a) changes in pavement materials b) the lack of kerb and gutters c) difference in height to adjacent streets d) avoiding long lengths of driveway e) suitable planting f) signage	Not applicable as vehicular circulation is proposed in the basement/car parking structures.
<b>7.4 Residents' car parking</b>		
R77 Car-parking spaces on the site for residents comply with all of the following: a) located behind the front zone (except for apartment car parking) b) can be in tandem where they belong to the same dwelling	C77 Car parking for residents achieves all of the following: a) reasonable residential amenity b) consistency with the desired character c) public safety d) reasonable opportunities for surveillance	Rule met. Car parking for residents have been proposed in garages underneath the dwellings. These are located behind the front zone, are not shared between dwellings, do not encroach property boundaries, and are located one level below the habitable rooms of the associated dwellings.

Rule	Criteria	Response
<p>c) do not encroach any property boundaries</p> <p>d) one car space per dwelling is roofed and located behind the front zone</p> <p>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.</p>	<p>e) the reasonable requirements of residents for car parking</p> <p>f) reasonable privacy.</p>	
<p>R78</p> <p>This rule applies to resident car parking spaces with both of the following characteristics:</p> <p>a) not allocated to a particular dwelling</p> <p>b) shared between 2 or more dwellings.</p> <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 as shared residential parking spaces are not proposed.</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> <p>a) for up to 3 dwellings, the lesser of the following</p> <p>i) 6m</p> <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>C79</p> <p>Garages and car parking structures are consistent with the desired character.</p>	<p>Rule met.</p> <p>The maximum basement/car park door entry is less than 50% of the total length of the building façade.</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>Rule met.</p> <p>The basement/car park entry is less than 8m.</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>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>Criterion satisfied.</p> <p>Approach to the basement achieves public safety and convenience for users.</p>

Rule	Criteria	Response
Approaches to basements containing car parking comply with one of the following: a) include sufficient areas for vehicles to wait to allow for an entering or leaving vehicle to pass b) at least one waiting area and traffic signals		
<b>7.5 Visitor parking</b>		
R82 Visitor car-parking spaces on the site comply with all of the following: a) located behind the front zone (except for apartment car parking) b) do not encroach any property boundaries c) are separated by not less than 1.5m from windows and doors to habitable rooms of dwellings d) are not more than 50m walking distance from any common building entry e) clearly identified and visible from driveways.	C82 Visitor parking achieves all of the following:  a) accessible for all visitors b) safe and direct visitor entry to common building entries.	Criterion satisfied. Residential visitor parking has been provided in the basement level.  a) Parking is accessible for all visitors. b) Safe and direct visitor entry has been provided.
R83 Visitor car parking complies with one of the following: a) is located outside of any security barriers b) an intercom and remote barrier release system allows access to visitor parking located behind security barriers.	C83 Visitor parking is accessible to all visitors.	Criterion satisfied. Visitor parking is proposed in basement levels which is accessible to all visitors.
<b>7.6 Number of co-located parking spaces – RZ2</b>		
R84 In RZ2 on standard blocks, co-located car parking spaces on the site comply with all of the following: a) the maximum number of car parking spaces (including spaces in garages but excluding those in basements) is 4 b) the minimum separation between groups of co-located car parking spaces (including spaces in garages but excluding those in basements) is 4m.	C84 Car parking spaces on the site (including garages but excluding basement car parking) achieves all of the following: a) do not dominate site landscaping b) are consistent with the desired character	Not applicable The blocks proposed are zoned CZ6.

Rule	Criteria	Response
<b>7.7 Delivery and removalist vans</b>		
R85 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.	C85 Reasonable provision is made for short stay parking for delivery trucks.	Not applicable as only 22 dwellings are proposed.
<b>Element 8: Environment</b>		
<b>8.2 Heritage</b>		
R90 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.  Note: The authority will consider any advice from the Heritage Council before determining the application.	This is a mandatory requirement. There is no applicable criterion.	Rule met. Heritage requirements have been addressed as part of the EPD documentation. A SHE has been proposed and is with the ACT Heritage Council for endorsement.
<b>8.3 Tree protection</b>		
R91 This rule applies to a development that has one or more of the following characteristics: a) requires groundwork within the tree protection zone of a protected tree b) is likely to cause damage to or removal of any protected trees  The authority shall refer the development application to the Conservator of Flora and Fauna.  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.	This is a mandatory requirement. There is no applicable criterion.	Rule to be met. The proposal includes the removal/retention of a number of trees and groundworks within the vicinity of protected trees. It should be noted that many of the trees that are proposed for removal are at the end of their 100 year life. Please refer to Tree Management Plan and Assessment Report provided in this submission for further information.

Rule	Criteria	Response
<b>8.4 Bushfire</b>		
R92 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.	This is a mandatory requirement. There is no applicable criterion.	Rule met. The estate is identified in a bushfire prone area. The buildings that are close to bushfire prone areas are to be constructed to the BAL provisions as detailed under <b>Attachment H – Bushfire Risk Assessment Report</b> . These requirements have been incorporated as planning controls within the EDP DA submission. Block a Section C is not considered to require any bushfire mitigation measures.
<b>8.5 Erosion and sediment control</b>		
R93 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. Note 1: If no evidence of compliance with the above guideline is provided, the application may be referred to the relevant agency in accordance with the requirements of the Planning and Development Act 2007. Note 2: see part D for sites over 3000m <sup>2</sup>	This is a mandatory requirement. There is no applicable criterion.	Not applicable as the site is more than 3,000m <sup>2</sup> .
<b>Element 9: Services</b>		
<b>9.1 Post occupancy waste management</b>		
There is no applicable rule.	C94 Post occupancy waste management achieves all of the following: a) consistency with the desired character b) reasonable levels of residential amenity for dwellings and their associated private open space on the subject site c) reasonable levels of amenity for dwellings on adjoining residential blocks and their associated private open space.	Criterion satisfied. Post occupancy waste management provides for the criterion requirements. Please refer to the Waste Management Plan submitted for further information and refer to TCCS for endorsement.

Rule	Criteria	Response
<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 proposal as commercial parking is the only commercial use proposed . Most Commercial uses can only be proposed in the Heritage Core Area.</p> <p>A Planning Control Plan has been proposed as part of the EDP DA to ensure this matter in the future.</p>
<b>Part D – Endorsement by government agencies (entities)</b>		
<b>12.1 Construction waste management</b>		
<p>R98</p> <p>This rule applies to residential development that is likely to generate more than 20m3 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 TCCS.</p> <p>TCCS 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>TCCS may endorse departures.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Rule to be met.</p> <p>Please refer the provided documentation to TCCS for endorsement.</p>

Rule	Criteria	Response
Note: a condition of approval may be imposed to ensure compliance.		
<b>12.2 Post occupancy waste management</b>		
R99 Post occupancy waste management facilities are to be endorsed by TCCS. TCCS 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. TCCS may endorse departures. Note: a condition of approval may be imposed to ensure compliance.	This is a mandatory requirement. There is no applicable criterion.	Rule to be met. Waste collection is proposed to be to the south of the Heritage Core Area for the multi unit sites. Please refer to the Waste Collection Plan submitted with this application for more information and refer to TCCS for endorsement.
<b>Element 13: Utilities</b>		
<b>13.1 Utilities</b>		
R100 This rule applies to any proposed encroachment into a registered easement. The proposed encroachment is to be approved in writing by the relevant service provider.	This is a mandatory requirement. There is no applicable criterion.	Not applicable as encroachment is not proposed.
R101 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. 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 TCCS (Asset Acceptance) is not required to be obtained	This is a mandatory requirement. There is no applicable criterion.	Rule to be met. Please refer the documentation provided to entities for endorsement.

Rule	Criteria	Response
<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>		
<b>Element 14: Environmental management</b>		
<b>14.1 Contamination</b>		
<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>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>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Rule to be met.</p> <p>The estate is listed as a contaminated site on the ACT Contaminated Sites Register, being a former brickworks dump area.</p> <p>Contamination remediation works are proposed as part of the EDP DA.</p> <p>Please refer the documentation to the EPA for endorsement.</p>
<b>14.2 Erosion and sediment control</b>		
<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</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Rule to be met.</p> <p>Please refer the provided Erosion and Sediment Control Plan to the EPA for endorsement.</p>



Rule	Criteria	Response
with the requirements of the Planning and Development Act 2007.  Note 2: a condition of approval may be imposed to ensure compliance.		

---

# 7

## General Codes

### 7.1 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 application is for a Draft EDP submission 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 5: 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 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. The precinct has been designed with CPTED considerations and with reference to the CPTED Manual in relation to the proposed design layout. This includes design 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 The development described in Table 1 meet the Crime Prevention Through Environmental Design General Code.	Criterion satisfied. The proposal satisfies the criterion. Refer to this assessment against the Code.

Rule	Criteria	Response
<b>Element 3: Public Realm</b>		
<b>3.1 Open Space and Community (Shared) Areas</b>		
There is no rule applicable.	<p>C3</p> <p>Natural surveillance of open space and community areas is provided by:</p> <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>Criterion satisfied.</p> <p>a) Precinct 3 is proposed adjacent to the Heritage Core would act as the future activity centre of the estate.</p> <p>b) pedestrian/cyclist movement have been promoted where appropriate throughout the site.</p> <p>c) the designs provide clear site lines from and between buildings and open areas.</p> <p>d) opportunities for hiding and entrapment space has been minimised through the proposed design.</p> <p>Please refer to the submitted documentation for more information.</p>
There is no rule applicable.	<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 designs have considered natural access through the site, with clear entry and exit points and accessibility through the spaces.</p>
There is no rule applicable.	<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 within the site do not obscure view along paths or to the entrances and the designs minimise hiding spots.</p>
There is no rule applicable.	<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 areas. The material palette selected for the site considers this criterion.</p>
There is no rule applicable.	<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 and designs have been considered to deter opportunities for illegal activity.</p>

Rule	Criteria	Response
There is no rule applicable.	C8 Hard landscape features such as low walls, bollards are used to delineate movement areas from semi-private areas.	Criterion satisfied. Hard landscaping features are used to delineate movement areas from semi-private areas. Please refer to the Landscape documentation submitted with this application for more information.
<b>3.2 Children's Play Areas</b>		
There is no rule applicable.	C9 Children's play areas are located and designed to comply with each of the following: a) there is natural surveillance from adjoining areas b) adjacent areas are used by compatible groups c) there are multiple entry/exits	Not applicable. No children's play areas are proposed on-site.
<b>3.3 Lighting</b>		
There is no rule applicable.	C10 Provide a schedule of lighting showing that lighting complies with each of the following: a) Australian Standard AS1158 Lighting for Roads and Public Spaces Part 3.1: Pedestrian Area (Category P) Lighting – Performance and Design Requirements 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 c) Australian Standard AS4282: The Control of Obtrusive Effects of Outdoor Lighting, in the case of security lighting	Criterion satisfied. The public spaces within the development have been designed to achieve the relevant lighting standards. Please refer to the lighting plan submitted for further information.
There is no rule applicable.	C11 Legitimate users and activities at night are encouraged by lighting: a) spaces evenly and consistently (except where accent/feature lighting is necessary)	Criterion satisfied. The public spaces within the development have been designed to achieve the relevant lighting standards. Please refer to the External Lighting Plan submitted with this application.

Rule	Criteria	Response
	b) inset spaces, entries/exits and paths c) to reduce the casting of shadows that could hide intruders d) directional signage e) building entries f) exterior to interior spaces evenly to allow for surveillance	
There is no rule applicable.	C12 Areas that are not intended for night time are not lit and are closed off to pedestrians.	Criterion satisfied. The public spaces within the development have been designed to achieve the relevant lighting standards. Areas that are not intended for night time use will not be lit. Please refer to the External Lighting Plan submitted with this application.
There is no rule applicable.	C13 Damage to light fixtures are minimised by selecting vandal-resistant, high mounted light fixtures. All light bulbs are protected with a suitable lantern bowl.	Criterion satisfied. The light fixtures have been selected to minimise damage through illegal activity. Please refer to the submitted Lighting plans for more information.
<b>3.4 Signs</b>		
R14 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	This is a mandatory requirement. There is no applicable criterion.	Not applicable as signage is not proposed for the site.
There is no rule applicable	C15 Locate signs so that they comply with each of the following: a) they are clearly visible from a distance at all times b) they are not likely to be obscured by growing vegetation	Not applicable as signage is not proposed for the site.

Rule	Criteria	Response
	c) they are strategically placed at entrances and near activity centres including bus stops, taxi rank and public facilities	
There is no rule applicable	C16 Provide legible signs for all users: a) specify signs of high contrast, with light lettering on dark backgrounds with non-reflective surfaces; b) signs should be developed as a system with a consistent pattern, based on a hierarchy of most important messages.	Not applicable as signage is not proposed for the site.
<b>Element 4: Built Form</b>		
<b>4.1 Interface between buildings and public realm</b>		
There is no rule applicable.	C17 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.	Criterion satisfied. Building entrances have been designed to be easily identified, providing easy access to all users including people with disability, affording visibility to and from the street and open spaces, minimising the potential for hiding spots.
There is no rule applicable.	C18 Provide clear sightlines from the building foyer so that occupants can see the nearest pedestrian area/car park before leaving the building	Criterion satisfied. Clear sightlines from the building entries have been provided so that occupants and visitors to the space can see the nearest pedestrian areas before leaving the building.
There is no rule applicable.	C19 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.	Criterion satisfied. Recessed sections have been detailed so that the opportunity for natural surveillance and spill lighting is maximised, while hiding spots are minimised.
There is no rule applicable.	C20 Buildings are detailed in a manner that deters scaling (climbing) the building to access balconies from the ground and/or access between individual balconies.	Criterion satisfied. Buildings have been designed to deter scaling to access the balconies from the ground level.
	C21	Criterion satisfied.

Rule	Criteria	Response
There is no rule applicable.	Where buildings are set back from the street and/or pedestrian path, the area is developed to minimise hiding and entrapment spots.	The proposed buildings minimise hiding spots through design detailing.
<b>4.2 Materials and Finish</b>		
There is no rule applicable.	<p>C22</p> <p>Building materials and finishes are of an appropriate quality and detailed in a manner to:</p> <p>a) reduce opportunities for graffiti and vandalism</p> <p>b) facilitate cleaning and replacement</p> <p>c) avoid facilitating illegal access to the building and to services</p>	<p>Criterion satisfied.</p> <p>The proposed building materiality is of high quality and selected to reduce opportunities for graffiti and vandalism, facilitate cleaning and replacement, and avoid facilitating illegal access to buildings and services.</p>
<b>Element 6: Travel and Access</b>		
<b>6.1 Pedestrian Routes, Bicycle Paths and Lanes</b>		
There is no rule applicable.	<p>C23</p> <p>Pedestrian Routes, Bicycle Paths and Lanes are designed to maximise opportunities for natural surveillance by:</p> <p>a) maintaining sightlines along paths between destination points</p> <p>b) allowing overlooking from adjacent areas</p>	<p>Criterion satisfied.</p> <p>The designs of these spaces maximise opportunities for natural surveillance through maintaining sightlines along paths between destination points while allowing overlooking from adjacent areas from the ground floor and upper levels.</p>
There is no rule applicable.	<p>C24</p> <p>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.</p>	<p>Criterion satisfied.</p> <p>Access paths have been designed to provide direct access routes through the site and to the surrounding road network.</p>
There is no rule applicable.	<p>C25</p> <p>Security of pedestrian routes, bicycle paths and lanes are provided by:</p> <p>a) selecting and lighting 'safe routes' to the standard required for pedestrian areas so that these become the focus of legitimate movement after dark;</p>	<p>Criterion satisfied.</p> <p>Security of paths and lanes are provided by:</p> <p>a) selecting and lighting 'safe routes' to the standard required for pedestrian areas so that these become the focus of legitimate movement after dark;</p>

Rule	Criteria	Response
	b) ensuring that laneways have more than one entrance to avoid “dead-ends” and entrapment spots, where possible.	b) ensuring that more than one entrance is provided to avoid “dead-ends” and entrapment spots, where practicable.
There is no rule applicable.	<p>C26</p> <p>When planting adjacent to pedestrian /bicycle routes:</p> <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>Criterion satisfied.</p> <p>Appropriate planting in accordance with the criterion have been selected.</p> <p>Please refer to the Landscape documentation for more information.</p>
R27 A Statement is provided that pedestrian paths are designed in accordance with AUSTRROADS Guide to Traffic Engineering Practice Part 13. – Pedestrians	This is a mandatory requirement. There is no applicable criterion.	<p>Rule met.</p> <p>Proposed paths have been designed in accordance with the relevant Australian Standards.</p>
R28 A Statement is provided that Bicycle Paths are designed in accordance with AUSTRROADS Guide to Traffic Engineering Practice Part 14. – Bicycles.	This is a mandatory requirement. There is no applicable criterion.	<p>Not applicable.</p> <p>No dedicated bicycle paths are proposed in this DA.</p>
<b>6.2 Pedestrian Underpasses and Overpasses</b>		
There is no rule applicable.	<p>C29</p> <p>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>Not applicable.</p> <p>No underpasses are proposed.</p>



Rule	Criteria	Response
	e) to ensure there is no screening of entries/exits f) with signs at each end indicating where it leads and an alternative route to use at night	
There is no rule applicable	C30 Overpasses are designed to reduce opportunities to throw missiles at cars or pedestrians.	Not applicable. No overpasses are proposed.
<b>6.3 Bus Interchange, Bus Stops and Taxi Ranks</b>		
There is no rule applicable.	C31 Locate bus stops and taxi ranks so that: a) natural surveillance is possible b) there are no walls, landscaping, fences or other structures which block sightlines to bus stops and taxi ranks c) they are not located adjacent to vacant land, alleys, car parks or near possible entrapment spots d) there are short, safe routes to bus stops and taxi ranks from night-time venues such as cinemas, theatres etc	Not applicable as no new bus stops or taxi ranks are proposed.
There is no rule applicable.	C32 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.	Not applicable. Major bus stops or taxi ranks are not proposed.
There is no rule applicable.	C33 Directional signage makes it easy to find bus stops or taxi ranks, and provides up-to-date passenger information.	Not applicable as bus stops or taxi ranks are not proposed across the estate.
	C34	Not applicable

Rule	Criteria	Response
There is no rule applicable.	Interchanges are located on the same level as significant activity generators to avoid entrapment, increase natural surveillance and provide direct routes of access.	The proposal does not include any interchange.
<b>Element 7: Services</b>		
<b>7.1 Automatic Teller Machines (ATMs)</b>		
There is no rule applicable.	C35 Approaches and entrances to ATMs are highly visible and adequately lit so that people cannot loiter, or enter, without being seen.	Not applicable as ATMs are not proposed.
There is no rule applicable.	C36 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 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 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 Screening does not provide entrapment or hiding spots and safe access and adequate lighting is provided near the waste storage areas.	Criterion satisfied. The Waste Common Collection Points have been located on the adjacent site (to the southwest of the Heritage Core) to avoid creating hiding spots. Adequate lighting will be provided to Australian Standards.

Rule	Criteria	Response
<b>7.3 Local Utility Facilities</b>		
There is no rule applicable.	C40 Air conditioning plants, meter boxes and other service points are mounted within a secure building / enclosure for protection.	Criterion satisfied. Where proposed, these facilities will be mounted within a secured area for protection.
<b>7.4 Delivery and Storage Facilities</b>		
There is no rule applicable.	C41 Ensure that: a) Delivery and storage areas are not isolated from the main building b) Secure storage areas are provided for shop owners	Not applicable as SHOP use is not proposed within Precinct 3.
<b>7.5 Public Toilets</b>		
There is no rule applicable.	C42 Ensure that: a) Public toilets are located in obvious locations, but not in isolated areas of activity centres b) Entrances are highly visible so that people cannot loiter or enter without being seen, particularly for toilets close to Children's playgrounds c) Public seating and telephones are located away from public toilets to avoid opportunities for loitering.	Not applicable as no public toilets are proposed within Precinct 3.
<b>7.6 Public Telephones</b>		
There is no rule applicable.	C43 Public telephones are located in obvious locations, are well lit and well signposted, eg near bus stops or taxi ranks.	Not applicable as no public telephones are proposed within the site.

### **7.2 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.

### **7.3 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.

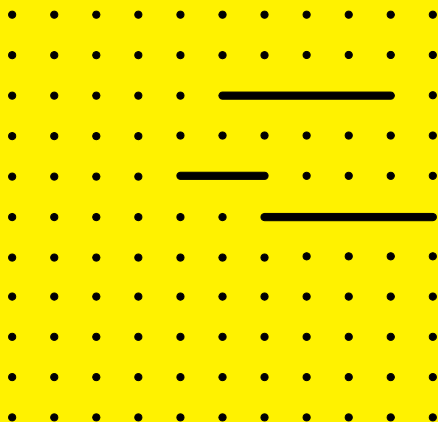
### **7.4 End-of-Trip Facilities General Code**

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.

### **7.5 Access and Mobility General Code**

Details of how the proposed development complies with this Code can be found in the Compliance Report (prepared by Indesign Access) submitted as part of this application.

---



---