



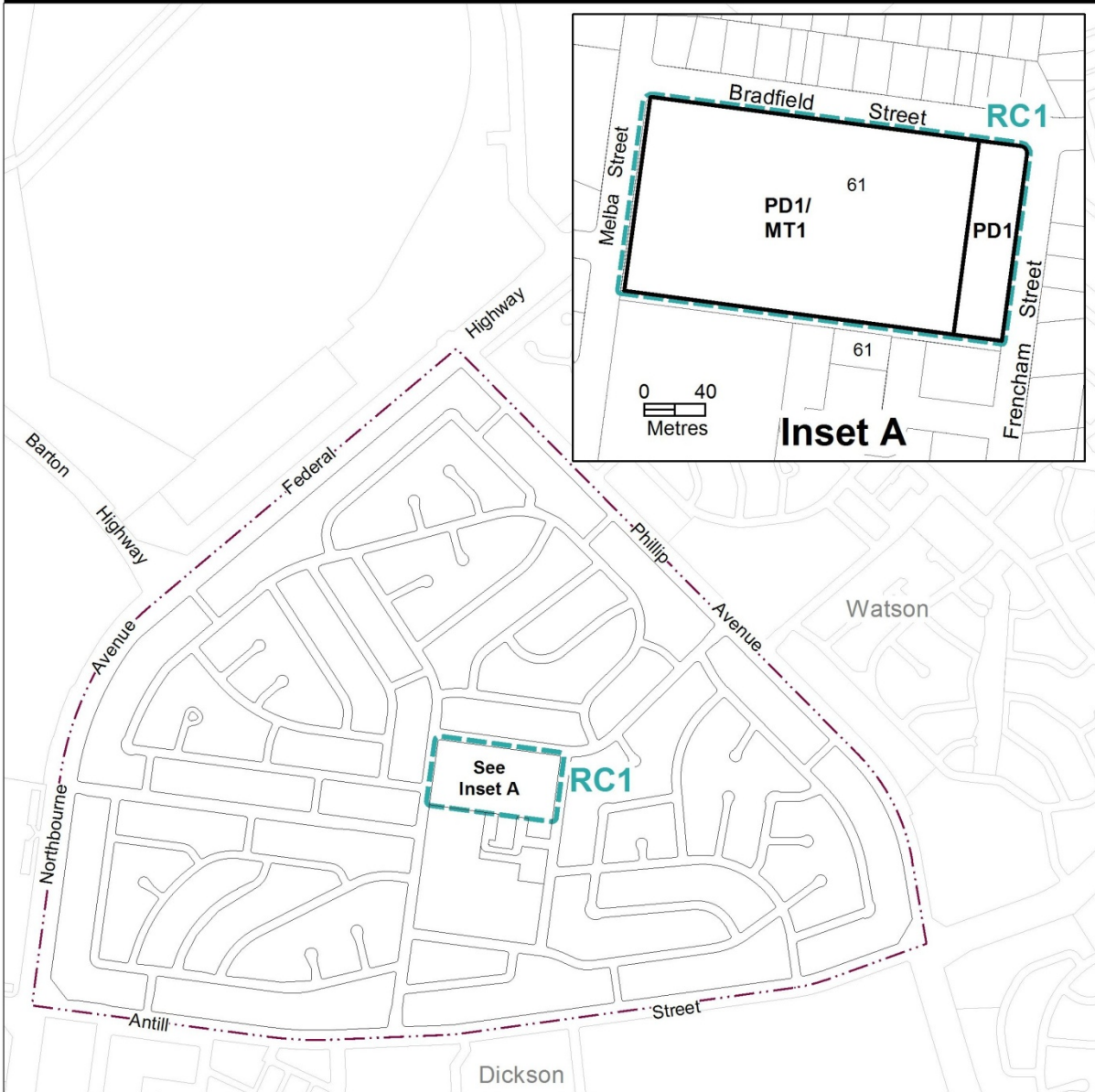
**ACT**  
Government

Environment and Planning

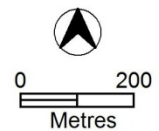
# Downer Precinct Map and Code

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# Downer Precinct Map



- PDn** Additional prohibited development applies see Table 1
- MTn** Additional merit track development applies see Table 2
- RCn** Additional rules and criteria apply see Downer Precinct Code



# Assessment Tracks

The following tables identify the additional prohibited development and additional merit track development for blocks and parcels shown in the Downer precinct map (identified as PDn or MTn). Development that is exempt from requiring development approval, other prohibited development and the minimum assessment track applicable to each development proposal is set out in the relevant zone development table.

The following tables constitute part of the relevant zone development table.

**Table 1 – Additional prohibited development**

Additional prohibited development		
Suburb precinct map label	Zone	Development
PD1	RZ5	<i>boarding house</i> <i>guest house</i> <i>special dwelling</i>

**Table 2 – Additional merit track development**

Additional merit track development that may be approved subject to assessment		
Suburb precinct map label	Zone	Development
MT1	RZ5	<i>Child care centre</i> <i>Community activity centre</i> <i>Health facility</i> <i>Non retail commercial use</i> <i>Personal service</i>

# Downer Precinct Code

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# Introduction

## Name

The name of this code is **Downer Precinct Code**.

## Application

The code applies to the Division of Downer.

## Purpose

This code provides additional planning, design and environmental controls for specific areas or blocks and may also contain references to provisions in other codes.

In conjunction with other relevant codes it will be used by the *Authority* to assess development applications and offer guidance to intending applicants in designing development proposals and preparing development applications.

## Structure

This code contains additional rules and/or criteria for particular blocks or parcels identified as areas RCn on the precinct map, to be read in conjunction with the relevant development code. It may also contain sub-parts.

Each element has one or more rules and, unless the respective rule is mandatory, each rule has an associated criterion. Rules provide quantitative, or definitive, controls. By contrast, criteria are chiefly qualitative in nature.

In some instances rules are mandatory. Such rules are accompanied by the words “This is a mandatory requirement. There is no applicable criterion.” Non-compliance with a mandatory rule will result in the refusal of the development application. Conversely, the words “There is no applicable rule” is found where a criterion only is applicable.

## Code hierarchy

Under the *Planning and Development Act 2007*, where more than one type of code applies to a development, the order of precedence if there is inconsistency of provisions between codes is: precinct code, development code and general code.

## Definitions

Defined terms, references to legislation and other documents are italicised.

Definitions of terms used in this code are listed in part 13 of the Territory Plan or, for terms applicable only to this code, associated with the respective rule.

**Acronyms**

ACTPLA	Planning and Land Authority within the ACT Environment and Planning Directorate
EPA	ACT Environment Protection Authority
ESA	ACT Emergency Services Agency
EPD	ACT Environment and Planning Directorate
NCA	National Capital Authority
P&D Act	Planning and Development Act 2007
TAMS	ACT Territory and Municipal Services Directorate

## Additional rules and criteria

This part applies to blocks and parcels identified in the Downer Precinct Map (RCn). It should be read in conjunction with the relevant zone development code and related codes.

### RC1 – Downer Urban Renewal Area

This part applies to blocks and parcels identified in area RC1 shown on the Downer precinct map.

#### Desired Character

The desired character for the Downer urban renewal area includes:

- Appropriate arrangement of buildings and spaces which enhances solar access to active public spaces on the site and surrounding the site and to private open space and landscaped areas on the site
- Open pedestrian access and permeability through the site, especially from Bradfield Street through to the Downer Local Centre
- High quality finishes with interesting building facades, detailing and articulation that provide visual interest and differentiation
- The townhouse elements up to a maximum of 2 storeys are located to the east of the site, along Frencham Street. Taller building elements up to a maximum of 4 storeys are located on the remainder of the site, providing a range and diversity of housing choices
- Landscaped spaces between the buildings are of a high quality that link the overall development together and contribute to the amenity of the area
- The built form and landscaping to maintain and enhance the visual relationship with the Downer Local Centre, Downer Oval and Mount Ainslie
- Development and active uses at the ground floor level promoting community and outdoor activity as well as crime prevention through active surveillance
- Provision of Childcare Centre to meet demand and retain an educational component to the site
- A high-level of sustainability, with a large percentage of the units facing north, and construction to achieve high-energy performance ratings
- Maintaining and enhancing the heritage listed trees and other mature trees on the site, and maintaining public access to the heritage listed stand of pine trees along Bradfield and Melba Streets.



## Element 1: Use

Rules	Criteria
<b>1.1 General (replaces Rule R47 and Criterion C47 of the residential zones development code)</b>	
<p>R1</p> <p>Within area A, identified in Figure 1 the following uses are only permitted at ground floor level.</p> <p>a) <i>Non retail commercial</i></p> <p>b) <i>Personal service</i></p> <p>c) <i>Child care centre,</i></p> <p>d) <i>Community activity centre</i></p> <p>e) <i>Health facility</i></p> <p>Note: this does not exclude other uses from the ground floor level.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<b>1.2 Non residential uses</b>	
<p>R2</p> <p>Within area A, identified in Figure 1, the total maximum <i>gross floor area</i> of the following uses are:</p> <p>a) <i>Non retail commercial uses</i> - 250m<sup>2</sup></p> <p>b) <i>Personal service</i> - 250m<sup>2</sup></p> <p>Note: this does not apply to child care centre, community activity centre or health facility</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<b>1.3 Number of dwellings</b>	
<p>R3</p> <p>The maximum number of <i>dwellings</i> on the site is 300.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

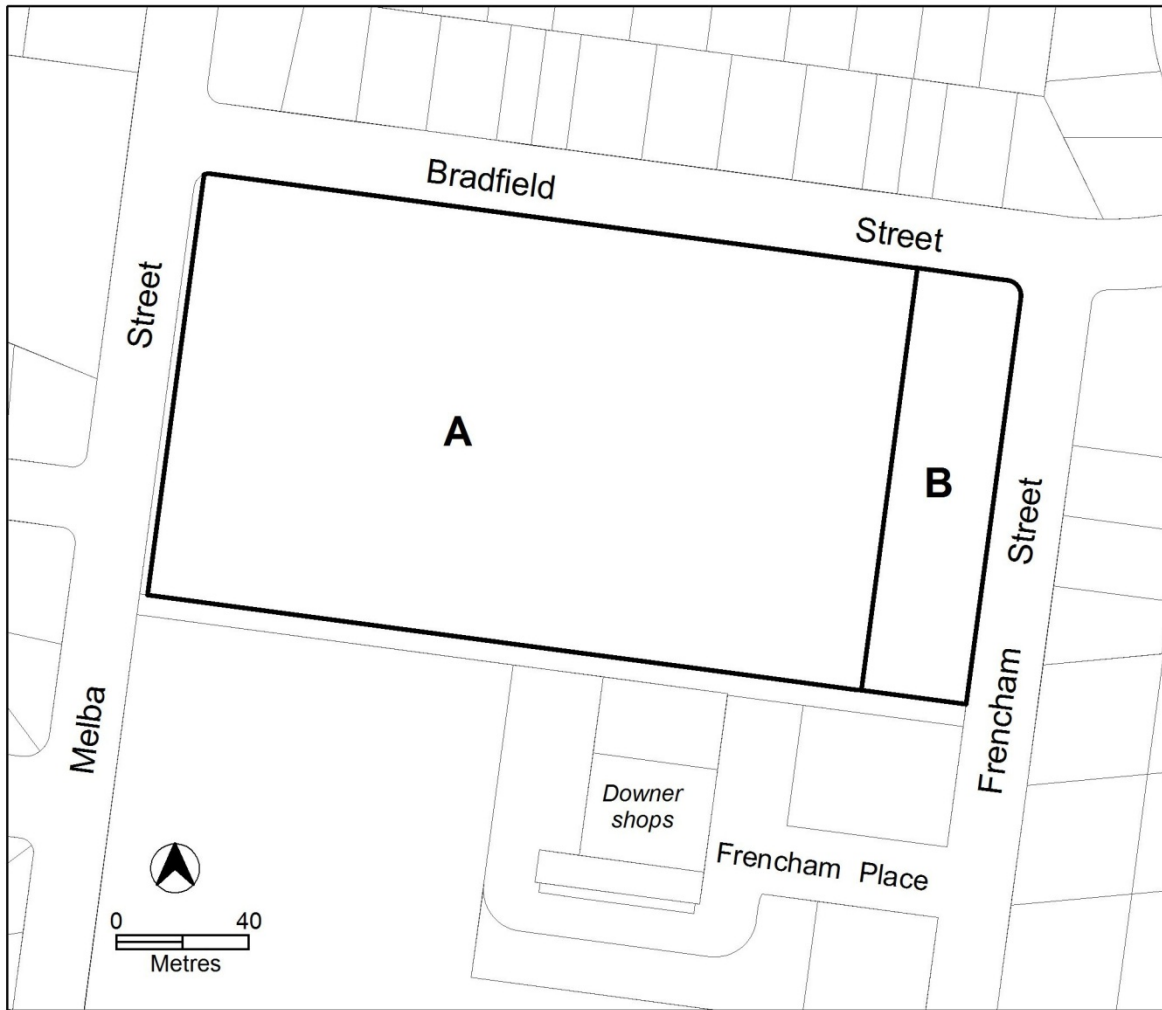
## Element 2: Building and site controls

Rules	Criteria
<b>2.1 Site access</b>	
<p>R4</p> <p>Site access is provided by development of roads from Bradfield Street and from Melba Street which will be accessible by the public.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<b>2.2 Desired character</b>	
<p>There is no applicable rule.</p>	<p>C5</p> <p>Development of the Downer urban renewal area is in accordance with the desired character.</p>
<b>2.3 Height of buildings</b>	
<p>R6</p> <p>This rule applies to the areas identified as <i>A</i> and <i>B</i> shown on figure 1.</p> <p>The maximum <i>height of building</i> for the areas shown in figure 1 is:</p> <ul style="list-style-type: none"> <li>a) for area 'A', 4 storeys</li> <li>b) for area 'B', 2 storeys – area 'B' is measured as a minimum of 32 metres wide from the frontage of Frencham Street.</li> </ul> <p>For this rule the building height excludes all of the following:</p> <ul style="list-style-type: none"> <li>a) roof top plant</li> <li>b) lift overruns</li> <li>c) antennas</li> <li>d) photovoltaic panels</li> <li>e) air conditioning units</li> <li>f) chimneys, flues and vents</li> </ul> <p>Excluded items are setback from the building facade of the floor immediately below a minimum distance of 3m.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<b>2.4 Setbacks</b>	
<p>R7</p> <p>This rule applies to buildings fronting Bradfield Street or Melba Street.</p> <p>Buildings are setback a minimum of 30 metres from the boundary.</p>	<p>C7</p> <p>The heritage listed trees on the boundaries fronting Bradfield and Melba Streets are not adversely impacted by development.</p>
<p><b>Note:</b> setbacks to Melba, Bradfield and Frencham Streets are also subject to ACT Heritage Registration in relation to the heritage registered trees around the perimeter of the site.</p>	

Rules	Criteria
<b>2.5 Communal open space</b>	
<p>There is no applicable rule</p>	<p>C8</p> <p>Communal open space is to achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) Elements of the communal open space is provided in the form of central courtyards</li> <li>b) The courtyard communal open space is located on both sides of the public roads</li> <li>c) The courtyard communal open space is of a sufficient size to allow deep root planting for trees</li> <li>d) Wherever possible communal open space incorporates existing mature trees, including any heritage listed trees and elements of the old school courtyard.</li> </ul> <p><i>Note: this criterion does not override the requirements for communal open space contained in the multi unit housing development code.</i></p>

### Element 3: Entity (Government agency) endorsement

Rules	Criteria
<b>3.1 Off-site works</b>	
<p>R9</p> <p>The following off-site works are to be endorsed by TAMS.</p> <ul style="list-style-type: none"> <li>a) on-street car parking</li> <li>b) other public car parking</li> <li>c) cycle paths</li> <li>d) pedestrian connections</li> <li>e) footpaths</li> <li>f) signalised intersections</li> </ul> <p><b>Note:</b></p> <p>TAMS will endorse the plan if it complies with the relevant TAMS standards.</p> <p>TAMS may endorse departures.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>



**Figure 1 Development provisions – Downer section 61 block 17**