



**ACT**

Government

Environment and  
Sustainable Development

# Multi Unit Housing Development Code



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# Introduction

## Name

The name of this code is **Multi Unit Housing Development Code**.

## Application

This code applies to *multi unit housing* in all zones and to development that another code states is subject to it.

It does not apply to:

- *residential care accommodation* except for the provisions of this code specified as applicable to *residential care accommodation* in the Residential Zones Development Code
- *secondary residences*.

## National Capital Plan

Where a development is subject to special requirements under the National Capital Plan, or any relevant development control plan prepared under the National Capital Plan, the development must not be inconsistent with the special requirements or development control plan. Where any provision of this code is inconsistent with special requirements under the National Capital Plan, or any relevant development control plan prepared under the National Capital Plan, that provision has no effect.

## Purpose

This code provides additional planning, design and environmental controls to support the objectives of the relevant zone.

It will be used by the *Authority* to assess development applications. It also offers guidance to applicants in designing development proposals and preparing development applications.

## Structure

This code has 4 parts:

**Part A – General controls for multi unit housing in all zones**

**Part B – Additional controls for multi unit housing with 4 or more storeys**

**Part C – Additional controls for multi unit housing in commercial zones**

**Part D – Endorsement by government agencies**

Generally, each part is divided into one or more elements. Each element has one or more rules, each having an associated criterion (unless the rule is mandatory). Rules provide quantitative or definitive controls, while criteria are chiefly qualitative in nature.

In some instances rules are mandatory. Such rules 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.

## Assessment tracks

Assessment tracks for particular developments are specified in the relevant zone development table.

Proposals in the **code track** must comply with all rules relevant to the development.

Proposals in the **merit track** and **impact track** must comply with each rule or satisfy its associated criterion, unless the rule is mandatory (ie. it has no related criterion). Where a rule is fully met, no

reference to the related criterion needs to be made. Where there is a departure from a rule, or where a criterion only applies, the onus is on the applicant to demonstrate that the relevant criterion is satisfied, through supporting drawings and/or written documentation. In addition, the applicant for proposals in the impact track must justify any non-compliance by reference to the Statement of Strategic Directions.

### **Code hierarchy**

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

### **Endorsement by government agencies**

Endorsement by “entities” (as government agencies are known under the *Planning and Development Act 2007*) is not necessarily required when a development application is lodged. At least some entity endorsements may be obtained before the application is determined or, in some instances, after approval through a condition of development approval. The assessing officer can provide guidance in this regard.

### **Related codes**

#### *Residential Zones Development Code*

Applies to all forms of development in residential zones and makes reference to development codes and general codes that may also apply.

#### *Precinct codes*

Precinct codes may contain additional provisions that apply to specified *blocks*. Precinct codes are found in part 10 of the Territory Plan.

#### *General codes*

The following general codes, in particular, may be relevant:

- Access and Mobility General Code
- Crime Prevention through Environmental Design General Code
- Home Business General Code
- Parking and Vehicular Access General Code
- Planning for Bushfire Risk Management General Code
- Residential Boundary Fences General Code
- Water Ways: Water Sensitive Urban Design General Code

General codes are found in part 11 of the Territory Plan..Development must comply with the relevant codes (including other general codes that may not be listed above), subject to the code hierarchy outlined above.

### **Definitions**

Defined terms and 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  | ACT Planning and Land Authority                         |
| EDD     | ACT Economic Development Directorate                    |
| EPA     | ACT Environment Protection Authority                    |
| ESA     | Emergency Services Authority                            |
| ESDD    | ACT Environment and Sustainable Development Directorate |
| NCA     | National Capital Authority                              |
| NCC     | National Construction Code                              |
| P&D Act | Planning and Development Act 2007                       |
| TAMS    | ACT Territory and Municipal Services Directorate        |

## Part A – General controls

This part applies to all multi-unit housing development irrespective of zone. Part B contains additional controls that apply to multi-unit housing with four or more storeys. Part C contains additional controls that apply to multi-unit housing in commercial zones.

### Element 1: Restrictions on use

| Rules  | Criteria   |
|--|--|
| <b>1.1 Dual occupancy housing – single dwelling blocks – RZ1</b>   |  |
| R1<br>In RZ1, the minimum area of <i>single dwelling blocks</i> for <i>dual occupancy housing</i> is 800m <sup>2</sup> . | This is a mandatory requirement. There is no applicable criterion. |
| <b>1.2 Dual occupancy housing – single dwelling blocks – RZ2</b>   |  |
| R2<br>In RZ2, the minimum area of <i>single dwelling blocks</i> for <i>dual occupancy housing</i> is 700m <sup>2</sup> . | This is a mandatory requirement. There is no applicable criterion. |
| <b>1.3 Apartments - single dwelling blocks – RZ1 and RZ2</b>   |  |
| R3<br>This rule applies to <i>single dwelling blocks</i> in RZ1 and RZ2.<br>No new <i>apartments</i> are permitted.      | This is a mandatory requirement. There is no applicable criterion. |

### Element 2: Lease and development conditions

| Rules  | Criteria   |
|--|--|
| <b>2.1 Development proposals affected by approved lease and development conditions</b>   |  |
| R4<br>This rule applies to <i>blocks</i> affected by approved <i>lease and development conditions</i> that provide for one or more of the following matters:<br>a) plot ratio<br>b) building envelope<br>c) building height<br>d) front street setback<br>e) side setback<br>f) rear setback<br>g) building design<br>h) materials and finish<br>i) interface<br>j) vehicle access<br>k) parking | C4<br>The development meets the intent of any approved <i>lease and development conditions</i> . |



| Rules  | Criteria |
|--|----------|
| l) solar access<br>m) private open space<br>n) water sensitive urban design<br>o) landscaping.<br><br>Approved <i>lease and development conditions</i> for the matters listed above shall take precedence over the provisions of this code, but only to the extent of any inconsistency. |          |

### Element 3: Building and site controls

| Rules  | Criteria   |
|--|--|
| <b>3.1 Dwelling replacement – single dwelling blocks</b>   |  |
| R5<br>This rule applies to <i>single dwelling blocks</i> in all residential zones that are proposed to be redeveloped for <i>multi unit housing</i> , but does not apply to <i>supportive housing</i> .<br>a) where there has been no consolidation of blocks – 1 replacement dwelling<br>b) in all other cases – a number equal to the total number of blocks originally leased or used for the purpose of <i>single dwelling housing</i> that have been consolidated or proposed to be consolidated.<br>For this rule the following number of bedrooms per replacement dwelling are provided:<br>c) where the original dwelling is one or two bedrooms – 2<br>d) where the original dwelling is three or more bedrooms – 3 or more | This is a mandatory requirement. There is no applicable criterion. |
| <b>3.2 Plot ratio – dual occupancy - single dwelling blocks – RZ1</b>  |  |
| R6<br>This rule applies to <i>single dwelling blocks</i> in RZ1.<br>The maximum <i>plot ratio</i> for <i>dual occupancy housing</i> is determined by the formula:<br>$P = (140/B + 0.15) \times 100.$ The maximum <i>plot ratio</i> for any additional new <i>dwelling</i> which is part of a <i>dual occupancy</i> and does not directly front a public road from which vehicular access is permitted is the lesser of:<br>a) the <i>plot ratio</i> determined by the formula<br>$P = (140/B + 0.15) \times 50$   | This is a mandatory requirement. There is no applicable criterion. |

| Rules   | Criteria  |
|---|---|
| <p>and</p> <p>b) 17.5%.</p> <p>For the purpose of calculating <i>plot ratio</i> for this rule, the <i>gross floor area</i> includes 18m<sup>2</sup> for each roofed car space provided to meet Territory requirements for resident car parking, but does not include <i>basement</i> car parking.</p> <p>For the formulae used in this rule:</p> <p>P is the maximum permissible <i>plot ratio</i> expressed as a percentage</p> <p>B is the <i>block</i> area in square metres.</p>  |   |
| <b>3.3 Plot ratio – dual occupancy - single dwelling blocks – RZ2</b>   |   |
| <p>R7</p> <p>This rule applies to <i>single dwelling blocks</i> in RZ2.</p> <p>The maximum <i>plot ratio</i> for <i>dual occupancy housing</i> is:</p> <ul style="list-style-type: none"> <li>i) where at least one dwelling does not directly front a public road from which vehicular access is permitted – 35%</li> <li>ii) in all other cases – 50%</li> </ul> <p>The maximum <i>plot ratio</i> for any additional new <i>dwelling</i> which is part of a <i>dual occupancy</i> and does not directly front a public road from which vehicular access is permitted is 17.5%.</p> <p>For the purpose of calculating <i>plot ratio</i> for this rule, the <i>gross floor area</i> includes 18m<sup>2</sup> for each roofed car space provided to meet Territory requirements for resident car parking, but does not include <i>basement</i> car parking</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| <b>3.4 Plot ratio – large single dwelling blocks – RZ2, RZ3 and RZ4</b>   |   |
| <p>R8</p> <p>This rule applies to <i>large blocks</i> that are <i>single dwelling blocks</i> in RZ2, RZ3 and RZ4.</p> <p>In RZ2 the maximum <i>plot ratio</i> is 50%.</p> <p>In RZ3 the maximum <i>plot ratio</i> is 65%.</p> <p>In RZ4 the maximum <i>plot ratio</i> is 80%.</p> <p>For the purpose of calculating <i>plot ratio</i> for this rule, the <i>gross floor area</i> includes 18m<sup>2</sup> for each roofed car space provided to meet Territory requirements for resident car parking, but does not include <i>basement</i> car parking.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> |

| Rules   | Criteria  |
|---|---|
| <b>3.5 Plot ratio – other than single dwelling blocks – RZ1, RZ2, RZ3 and RZ4</b>   |   |
| <p>R9</p> <p>This rule applies to blocks other than <i>single dwelling blocks</i> in RZ1, RZ2, RZ3 and RZ4.</p> <p>The maximum <i>plot ratio</i> is:</p> <p>a) in RZ1, RZ2 and RZ3 – 65%</p> <p>b) in RZ4 – 80%.</p> <p>This rule does not apply to:</p> <p>i) <i>blocks</i> with both of the following characteristics:</p> <ul style="list-style-type: none"> <li>• subject to either a residential B1 or B8 area specific policy under the Territory Plan at 30 March 2008</li> <li>• held under a holding lease at 30 March 2008</li> </ul> <p>ii) <i>blocks</i> in RZ1 approved before 5 July 2013</p> <p>For the purpose of calculating <i>plot ratio</i> for this rule, the <i>gross floor area</i> includes 18m<sup>2</sup> for each roofed car space provided to meet Territory requirements for resident car parking, but does not include <i>basement</i> car parking.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| <b>3.6 Additional dwellings – single dwelling blocks – RZ1</b>  |   |
| <p>R10</p> <p>This rule applies to <i>single dwelling blocks</i> in RZ1 but not to <i>blocks</i> that are intended to be used for <i>supportive housing</i>.</p> <p>The maximum number of <i>dwellings</i> permitted on a <i>single dwelling block</i> is 2.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| <b>3.7 Residential density – supportive housing – single dwelling blocks - RZ1</b>  |   |
| <p>R11</p> <p>This rule applies to <i>single dwelling blocks</i> in RZ1 that are intended to be used for <i>supportive housing</i>.</p> <p>Despite any other rule in this element, the maximum number of <i>dwellings</i> is shown in table A1.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> |

| Rules  | Criteria  |
|--|---|
| <b>3.8 Residential density – single dwelling blocks – RZ2</b>  |   |
| <p>R12</p> <p>This rule applies to <i>single dwelling blocks</i> in RZ2. The maximum number of <i>dwellings</i> is shown in table A2.</p> <p><b>Note 1:</b> Refer to element 4 of the Residential Zones Development Code for provisions relating to supportive housing.</p> <p><b>Notes 2:</b> 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> |
| <b>3.9 Additional dwellings – single dwelling blocks – RZ2</b>   |   |
| <p>R13</p> <p>This rule applies to <i>single dwelling blocks</i> in RZ2 where the length of the <i>front boundary</i> facing a public road that allows vehicular access is 20m or less.</p> <p>Despite any other rule in this element, the maximum number of <i>dwellings</i> is 3.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| <b>3.10 Residential density – adaptable housing – single dwelling blocks - RZ2</b>   |   |
| <p>R14</p> <p>This rule applies to single dwelling blocks in RZ2 where all dwellings comply with Australian Standard <i>AS4299 Adaptable Housing (Class C)</i>. Despite R2 and R12, the maximum number of dwellings is shown in table A3.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| <b>3.11 Number of dwellings in each building – single dwelling blocks – RZ2</b>  |   |
| <p>R15</p> <p>In RZ2 on <i>single dwelling blocks</i> the maximum number of dwellings in any building is 4.</p> <p>For the purposes of this rule, <i>basements</i> are not part of a building.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| <b>3.12 Number of storeys – single dwelling blocks – RZ1</b>   |   |
| <p>R16</p> <p>In RZ1 on <i>single dwelling blocks</i> buildings comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) contain no more than 2 <i>storeys</i></li> <li>b) <i>attics</i> or <i>basement</i> car parking are not permitted where they are located directly above or below any 2 <i>storey</i> element of the <i>dwelling</i>.</li> </ul>                       | <p>This is a mandatory requirement. There is no applicable criterion.</p> |

| Rules   | Criteria   |
|---|--|
| <p>R17</p> <p>This rule applies to a <i>detached house</i> with all of the following characteristics:</p> <ul style="list-style-type: none"> <li>i) located on a <i>single dwelling block</i></li> <li>ii) located in RZ1</li> <li>iii) is part of a <i>dual occupancy housing</i></li> <li>iv) does not directly front a public road</li> </ul> <p>Despite the previous rule the building complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) contains no more than 1 <i>storey</i></li> <li>b) has no <i>basement</i> car parking.</li> </ul> | <p>This is a mandatory requirement. There is no applicable criterion.</p>  |
| <b>3.13 Number of storeys – other than single dwelling blocks – RZ1</b>   |  |
| <p>R18</p> <p>In RZ1 on <i>blocks</i> other than <i>single dwelling blocks</i>, the maximum number of <i>storeys</i> is 2.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p>  |
| <b>3.14 Number of storeys – RZ2</b>   |  |
| <p>R19</p> <p>In RZ2 the number of <i>storeys</i> 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 <i>storeys</i>.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p>  |
| <b>3.15 Number of storeys – RZ3</b>   |  |
| <p>R20</p> <p>In RZ3 the maximum number of <i>storeys</i> 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 <i>storeys</i>.</p>   | <p>C20</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) consistency with the <i>desired character</i></li> <li>b) the appearance from the street of not more than two <i>storeys</i> for that part of the building facing the street</li> <li>c) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.</li> </ul>   |
| <b>3.16 Number of storeys – RZ4</b>   |  |
| <p>R21</p> <p>In RZ4 the maximum number of <i>storeys</i> is 3. Rooftop plant that is set back and screened from the street is not included in the number of <i>storeys</i>.</p>  | <p>C21</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) consistency with the <i>desired character</i></li> <li>b) the appearance from the street of not more than three <i>storeys</i> for that part of the building facing the street</li> <li>c) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.</li> </ul> |

| Rules  | Criteria   |
|--|--|
| <b>3.17 Number of storeys – RZ5</b>  |  |
| <p>R22</p> <p>In RZ5, the maximum number of <i>storeys</i> is:</p> <ol style="list-style-type: none"> <li>for that part of the building within 50m of the boundaries of <i>blocks</i> in RZ1, RZ2 or RZ3 - 3</li> <li>for that part of the building within 40m of the boundaries of <i>blocks</i> in CFZ, PRZ1 or PRZ2 - 3</li> <li>for that part of the building within 30m of the boundaries of <i>blocks</i> in RZ4 - 4</li> <li>in all other cases – 6.</li> </ol> <p>Roof top plant that is set back and screened from the street is not included in the number of storeys.</p>   | <p>C22</p> <p>Buildings achieve all of the following:</p> <ol style="list-style-type: none"> <li>consistency with the <i>desired character</i></li> <li>reasonable solar access to <i> dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.</li> </ol>       |
| <b>3.18 Height of buildings – RZ1 and RZ2</b>  |  |
| <p>R23</p> <p>In RZ1 and RZ2 the maximum <i>height of building</i> is 8.5m.</p>  | <p>C23</p> <p>Buildings achieve all of the following:</p> <ol style="list-style-type: none"> <li>consistency with the <i>desired character</i></li> <li>reasonable solar access to <i> dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.</li> </ol>       |
| <b>3.19 Height of buildings – RZ3, RZ4 and RZ5</b>   |  |
| <p>R24</p> <p>Maximum <i>height of building</i> is:</p> <ol style="list-style-type: none"> <li>in RZ3 – 9.5m</li> <li>in RZ4 – 12.5m</li> <li>in RZ5 – 21.5m.</li> </ol>   | <p>This is a mandatory requirement. There is no applicable criterion.</p>  |
| <b>3.20 Building envelope – all blocks except buildings over 3 storeys in RZ5 and commercial zones</b>   |  |
| <p>R25</p> <p>This does not apply to either of the following:</p> <ol style="list-style-type: none"> <li>buildings with more than 3 storeys in RZ5</li> <li>buildings with more than 3 storeys in commercial zones.</li> </ol> <p>Buildings are sited wholly within the building envelope formed by planes projected over the subject <i>block</i> at 45° to the horizontal from a height of 3.5m above each side and rear boundary, except as required by the next rule.</p> <p>Refer figure A1.</p> <p><b>Note:</b> 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>C25</p> <p>Buildings achieve all of the following:</p> <ol style="list-style-type: none"> <li>consistency with the <i>desired character</i></li> <li>reasonable levels of privacy for <i> dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.</li> </ol> |

| Rules   | Criteria   |
|---|--|
| <p>R26</p> <p>This rule does not apply to either of the following:</p> <ul style="list-style-type: none"> <li>i) <i>buildings</i> with more than 3 storeys in RZ5</li> <li>ii) <i>buildings</i> with more than 3 storeys in commercial zones</li> </ul> <p><i>Buildings</i> are sited wholly within the building envelope formed by planes projected over the subject <i>block</i> at X° to the horizontal from the height of the solar fence on any <i>northern boundary</i> of an adjoining <i>residential block</i>.</p> <p>The height of the solar fence is:</p> <ul style="list-style-type: none"> <li>A) in the <i>primary building zone</i> – 2.4m</li> <li>B) all other parts of the boundary – 1.8m</li> </ul> <p>This rule does not apply to any part of a <i>northern boundary</i> to an adjoining <i>residential block</i> that is used primarily to provide access to the main part of the <i>residential block</i> (ie a “battleaxe” handle). The previous rule applies to this boundary.</p> <p>X° is the apparent sun angle at noon on the winter solstice. For the purposes of this rule values for X are given in Table A4.</p> <p>Refer figure A1.</p> <p><b>Note:</b> 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>C26</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) consistency with the <i>desired character</i></li> <li>b) reasonable levels of privacy for <i>dwelling</i>s on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.</li> <li>c) reasonable solar access to <i>dwelling</i>s on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.</li> </ul> |

**Table A1 - Maximum number of dwellings for supportive housing allowable on single dwelling blocks in RZ1**

| block size (m <sup>2</sup> ) | maximum number of dwellings  |
|------------------------------|--|
| <600                         | 1*   |
| over 600                     | 1 + 1 for every 250m <sup>2</sup> ** of site area over 600m <sup>2</sup> |

\* not including a secondary residence

\*\* not less than 250m<sup>2</sup> is required for every additional dwelling

**Table A2 - Maximum number of dwellings allowable on single dwelling blocks in RZ2**

| block size (m <sup>2</sup> ) | maximum number of dwellings  |
|------------------------------|--|
| <700                         | 1*   |
| 700 to <1050                 | 2  |
| 1050 to <1400                | 3  |
| 1400 to <1750                | 4  |
| 1750 to <2100                | 5  |
| 2100 and over                | 6 + 1 for every 250m <sup>2</sup> **<br>of site area over 2100m <sup>2</sup> |

\* not including a secondary residence

\*\* not less than 250m<sup>2</sup> is required for every additional dwelling

**Table A3 - Maximum number of dwellings for adaptable housing allowable on single dwelling blocks in RZ2**

| block size (m <sup>2</sup> ) | maximum number of dwellings  |
|------------------------------|--|
| <600                         | 1*   |
| 600 to <850                  | 2  |
| 850 to <1100                 | 3  |
| 1100 to <1350                | 4  |
| 1350 and over                | 5 + 1 for every 250m <sup>2</sup> **<br>of site area over 1350m <sup>2</sup> |

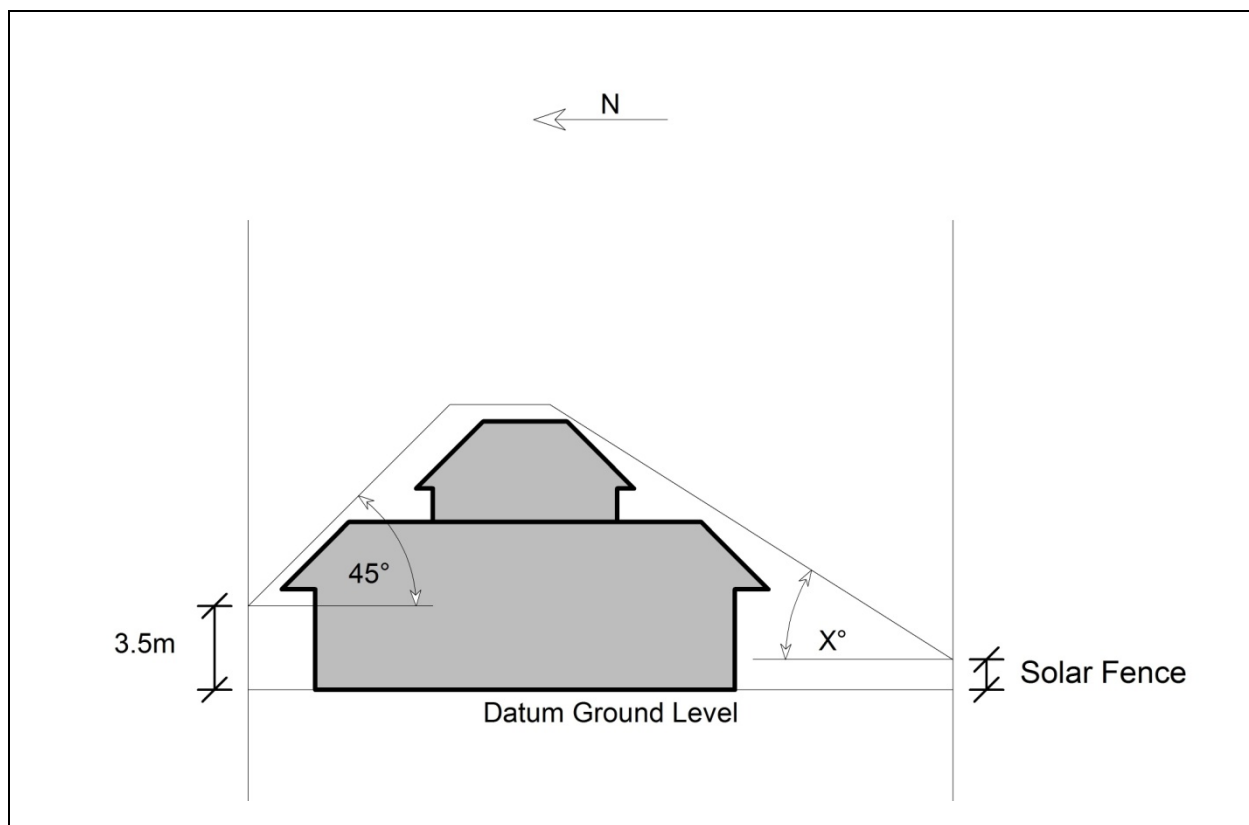
\* not including a secondary residence

\*\* not less than 250m<sup>2</sup> is required for every additional dwelling



**Table A4 – Apparent sun angle at noon on the winter solstice**

| <b>Aspect of northern boundary</b><br>(bearing of line drawn perpendicular to the boundary) | <b>Angle (X)</b> |
|---|------------------|
| North 0° to <10° East<br>North 0° to <10° West  | 31°              |
| North 10° to <20° East<br>North 10° to <20° West  | 32°              |
| North 20° to <30° East<br>North 20° to <30° West  | 34°              |
| North 30° to <40° East<br>North 30° to <40° West  | 36°              |
| North 40° to 45° East<br>North 40° to 45° West  | 39°              |



**Figure A1 - Typical Building Envelope**

**Note:** building height and boundary setback provisions also apply.

| Rules   | Criteria   |
|---|--|
| <b>3.22 Front boundary setbacks</b>   |  |
| R29<br>Front boundary setbacks comply with Table A5. Minimum boundary setbacks for corner <i>blocks</i> apply only to the street frontage nominated as a <i>secondary street frontage</i> . If street frontages on corner <i>blocks</i> are of equal length, the minimum setbacks apply only to one <i>secondary street frontage</i> . Chamfers may be included in the <i>secondary street frontage</i> . | C29<br>Front boundary setbacks achieve all of the following:<br>a) consistency with the <i>desired character</i><br>b) reasonable amenity for residents<br>c) sufficient space for street trees to grow to maturity.   |
| <b>3.23 Side and rear boundary setbacks</b>   |  |
| R30<br>Side and rear boundary setbacks comply with the following:<br>a) in RZ1 and RZ2 - Table A6<br>b) in RZ3, RZ4, RZ5 and commercial zones - Table A7<br>c) in all other zones – the relevant zone development code  | C30<br>Buildings and other structures are sited to achieve all of the following:<br>a) consistency with the <i>desired character</i><br>b) reasonable separation between adjoining developments<br>c) reasonable privacy for <i> dwellings</i> on adjoining <i>residential blocks</i><br>d) reasonable privacy for <i>principal private open space</i> on adjoining <i>residential blocks</i><br>e) reasonable solar access to <i> dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>principal private open space</i> . |

**Table A5: All Zones - Front Boundary Setbacks – (explanatory diagram in Appendix 1)**

| Minimum front boundary setbacks |  |  |   |   |   |
|---------------------------------|--|--|---|---|---|
| floor level                     | blocks in subdivisions approved on or after 18 October 1993  | blocks in subdivisions approved before 18 October 1993 | exceptions  |   |   |
|                                 |  |  | corner blocks                                       |   | public open space or pedestrian paths wider than 6m |
|                                 |  |  | <i>secondary street frontage - mid-sized blocks</i> | <i>secondary street frontage - large blocks</i> |   |
| <b>lower floor level</b>        | 4m   | 6m   | 3m  | 4m  | 4m  |
| <b>upper floor levels</b>       | 6m   | 6m   | 3m  | 6m  | 4m  |
| <b>garage</b>                   | 5.5 m with a minimum of 1.5 m behind the front building line | 6m   | 5.5m  | 5.5m  | 4m  |

**Table A6: RZ1 and RZ2 - Side and Rear Boundary Setbacks (explanatory diagram in Appendix 1)**

|  | <b>Minimum side boundary setback within the <i>primary building zone</i></b> | <b>Minimum side boundary setback within the <i>rear zone</i></b> | <b>Minimum rear boundary setback</b> |
|--|--|--|--------------------------------------|
| <b><i>Lower floor level – external wall, unscreened element and basement</i></b> | 3m   | 3m   | 3m                                   |
| <b><i>Upper floor level – external wall</i></b>                                  | 3m   | 6m   | 6m                                   |
| <b><i>Upper floor level – unscreened element</i></b>                             | 6m   | 6m   | 6m                                   |

**Table A7: RZ3, RZ4, RZ5 and commercial zones - Side and Rear Boundary Setbacks (explanatory diagram in Appendix 1)**

|   | <b>Minimum side boundary setback within the <i>primary building zone</i></b> | <b>Minimum side boundary setback within the <i>rear zone</i></b> | <b>Minimum rear boundary setback</b> |
|---|--|--|--------------------------------------|
| <b><i>lower floor level – external wall</i></b>             | nil <sup>^</sup>   | 3m   | 3m                                   |
| <b><i>lower floor level – unscreened element</i></b>        | 1m   | 3m   | 3m                                   |
| <b><i>first upper floor level – external wall</i></b>       | nil <sup>^</sup>   | 3m   | 6m                                   |
| <b><i>first upper floor level – unscreened element</i></b>  | 6m   | 6m   | 6m                                   |
| <b><i>second upper floor level – external wall</i></b>      | nil <sup>^</sup>   | 6m   | 6m                                   |
| <b><i>second upper floor level – unscreened element</i></b> | 6m   | 6m   | 6m                                   |

<sup>^</sup> does not apply to that part of a wall with a window of any sort

| Rules  | Criteria   |
|--|--|
| <b>3.24 Allowable encroachments - setbacks</b>   |  |
| <p>R31</p> <p>Encroachments into one or more of the following:</p> <ul style="list-style-type: none"> <li>i) minimum side setback</li> <li>ii) minimum rear setback</li> </ul> <p>are permitted for one or more of the following building elements:</p> <ul style="list-style-type: none"> <li>a) an eave or roof overhang with a horizontal width of not more than 600mm</li> <li>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</li> <li>c) unroofed terraces, landings, steps or ramps, none of which are more than 1m above finished ground level.</li> </ul> | <p>C31</p> <p>Buildings and other structures achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) consistency with the <i>desired character</i></li> <li>b) reasonable levels of privacy on adjoining <i>residential blocks</i> for <i>dwellings</i> and their associated <i>private open space</i></li> <li>c) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.</li> </ul> |
| <p>R32</p> <p>Encroachments into the front setback are permitted for one or more of the following building elements:</p> <ul style="list-style-type: none"> <li>a) an eave or roof overhang with a horizontal width of not more than 600mm</li> <li>b) fascias, gutters, downpipes, light fittings, sun blinds</li> <li>c) landings, steps or ramps, none of which are more than 1m above finished ground level.</li> </ul>  | <p>C32</p> <p>Buildings and other structures achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) consistency with the <i>desired character</i></li> <li>b) reasonable levels of privacy on adjoining <i>residential blocks</i> for <i>dwellings</i> and their associated <i>private open space</i></li> <li>c) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.</li> </ul> |
| <b>3.25 Allowable encroachments – building envelopes</b>   |  |
| <p>R33</p> <p>Encroachments outside the building envelope specified in this element are permitted for one or more of the following:</p> <ul style="list-style-type: none"> <li>a) flues</li> <li>b) chimneys</li> <li>c) antennae</li> <li>d) aerials</li> <li>e) cooling appliances</li> <li>f) heating appliances.</li> </ul>  | <p>C33</p> <p>Buildings and other structures achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) consistency with the <i>desired character</i></li> <li>b) reasonable levels of privacy on adjoining <i>residential blocks</i> for <i>dwellings</i> and their associated <i>private open space</i></li> <li>c) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.</li> </ul> |
| <b>3.27 Building separation – single dwelling blocks – RZ2</b>   |  |
| <p>R36</p> <p>This rule applies to <i>single dwelling blocks</i> in RZ2. The minimum horizontal separation between a</p>   | <p>C36</p> <p>The siting of buildings on <i>single dwelling blocks</i> in RZ2 achieves all of the following:</p>   |

| Rules   | Criteria  |
|---|---|
| <p>building containing 2 or more <i>dwelling</i>s and any other building on the <i>site</i> is 4m.</p> <p>For the purposes of this rule, <i>basements</i> are not part of a building.</p> | <p>a) consistency with the <i>desired character</i></p> <p>b) consistency with the separation of existing buildings in the immediate neighbourhood.</p> |

#### Element 4: Site design

| Rules   | Criteria   |
|---|--|
| <b>4.1 Site design</b>  |  |
| <p>R37</p> <p>For developments (other than <i>apartments</i>) of 40 <i>dwelling</i>s 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>d) water sensitive urban design.</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</p> <p>b) reasonable functionality</p> <p>c) reasonable residential amenity</p> <p>d) landscaping beside internal driveways</p> <p>e) provision for pedestrians</p> <p>f) sufficient off-street parking.</p>  |
| <b>4.2 Site open space – RZ1 and RZ2</b>  |  |
| <p>R38</p> <p>This rule applies to RZ1 and RZ2.</p> <p>Not less than 40% of the total site area is allocated to one or more of the following:</p> <p>a) <i>communal open space</i> with a minimum dimension of 2.5m</p> <p>b) <i>private open space</i> that complies with all of the following -</p> <p>i) a minimum dimension of 2.5m</p> <p>ii) is associated with dwellings at the <i>lower floor level</i>.</p> <p>Not less than 20% of the total site area is <i>planting area</i>.</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</p> <p>c) provision for on-site infiltration of stormwater run-off</p> <p>d) 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>i) whether the total area of <i>upper floor level private open space</i> 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> |

| Rules  | Criteria   |
|--|--|
| <b>4.3 Site open space – RZ3, RZ4, RZ5 and commercial zones</b>  |  |
| <p>R39</p> <p>This rule applies to RZ3, RZ4, RZ5 and commercial zones.</p> <p>Not less than 20% of the total site area is allocated to the following:</p> <ul style="list-style-type: none"> <li>a) for developments with fewer than 20 <i> dwellings</i>, none of which are <i> apartments</i>, one or more of the following - <ul style="list-style-type: none"> <li>i) <i> communal open space</i> that complies with all of the following <ul style="list-style-type: none"> <li>a) a minimum dimension of 2.5m</li> <li>b) is directly accessible from common entries and pathways</li> </ul> </li> <li>ii) <i> private open space</i> that complies with all of the following <ul style="list-style-type: none"> <li>a) a minimum dimension of 2.5m</li> <li>b) is associated with <i> dwellings</i> at the <i> lower floor level</i></li> </ul> </li> </ul> </li> <li>b) in all other cases, <i> communal open space</i> that complies with all of the following - <ul style="list-style-type: none"> <li>i) a minimum dimension of 2.5m</li> <li>ii) is directly accessible from common entries and pathways.</li> </ul> </li> </ul> <p>Not less than 10% of the total site area is <i> planting area</i>.</p> | <p>C39</p> <p>Open space on the site achieves all of the following:</p> <ul style="list-style-type: none"> <li>a) sufficient space for a range of recreational activities for residents</li> <li>b) sufficient space for planting, particularly trees with deep root systems</li> <li>c) a contribution to on-site infiltration of stormwater run-off</li> <li>d) reasonable accessibility to all residents.</li> </ul> <p>One or more of the following matters may be considered when determining compliance with this criterion:</p> <ul style="list-style-type: none"> <li>i) whether the total area of <i> upper floor level private open space</i> contributes to the function of other open space on the site</li> <li>ii) whether any adjoining or adjacent public open space is readily available for the use of residents.</li> </ul> |
| <b>4.4 Landscape design</b>  |  |
| <p>There is no applicable rule.</p>  | <p>C40</p> <p>Landscape and site design achieves all of the following:</p> <ul style="list-style-type: none"> <li>a) planting of trees of semi-mature stock</li> <li>b) planting of trees with a minimum mature height of 4m</li> <li>c) a contribution to energy efficiency by providing substantial shade in summer, especially to west-facing windows and open car-parking areas, and admitting winter sunlight to outdoor and indoor living areas, especially to the north</li> <li>d) reasonable residential amenity</li> <li>e) reasonable visibility along paths and driveways</li> <li>f) visual interest in pavement materials and finishes</li> </ul>  |

| Rules   | Criteria   |
|---|--|
|   | g) species with appropriate growth habits and mature height in relation to site conditions.  |
| <b>4.5 Fences</b>   |  |
| <p>R41</p> <p>Fences are permitted forward of the <i>building line</i> in the <i>front zone</i> or on the <i>front boundary</i> 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 <i>Planning and Development Act 2007</i></li> <li>c) permitted under the <i>Common Boundaries Act 1981</i>.</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>   |
| <b>4.6 Courtyard walls</b>  |  |
| <p>R42</p> <p>Courtyard walls are permitted forward of the <i>building line</i> where they comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) maximum height of 1.8m above <i>datum ground level</i></li> <li>b) a minimum setback to the front boundary complying with the following: <ul style="list-style-type: none"> <li>i) where the wall encloses the <i>principal private open space</i> of a ground floor <i>dwelling</i>s that is located to the west, north-west, north, north-east or east of the <i>dwelling</i> – 0.7m</li> <li>ii) in all other cases - half the front boundary setback nominated elsewhere in this code</li> </ul> </li> <li>c) trees and/or shrubs between the wall and the front boundary, in accordance with an approved landscape plan</li> <li>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</li> <li>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</li> <li>f) maintain clear sightlines between vehicles on driveways and pedestrians on public paths in accordance with A2890.1- <i>The Australian Standard for Off-Street Parking</i>.</li> </ul> | <p>C42</p> <p>Courtyard walls achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) consistency with the <i>desired character</i></li> <li>b) visual softening though associated planting</li> <li>c) reduced traffic noise, where necessary</li> <li>d) reasonable privacy to <i>lower floor level</i> windows</li> <li>e) opportunities for natural surveillance of public areas and the street</li> <li>f) the articulation of elements</li> <li>g) a variety of materials</li> <li>h) reasonable solar access to <i>principal private open space</i>.</li> </ul> |

| Rules  | Criteria   |
|--|--|
| <b>4.7 External facilities</b>   |  |
| There is no applicable rule.   | <p>C43</p> <p>The following external facilities or equipment are screened or adequately separated from public areas:</p> <ul style="list-style-type: none"> <li>a) external storage areas</li> <li>b) water tanks</li> <li>c) waste storage enclosures</li> <li>d) mechanical services (including air conditioners and hot water storage units)</li> <li>e) clothes drying areas.</li> </ul> |
| There is no applicable rule.   | <p>C44</p> <p>Mailboxes are located for convenient access by residents and deliverers with passive surveillance from the street or from active uses.</p> <p>To demonstrate compliance with this criterion a site plan is submitted with the application showing the location and design of mail boxes.</p>   |
| <b>4.8 Electrical and telecommunication facilities</b>   |  |
| <p>R45</p> <p>Electrical and telecommunication reticulation within existing residential areas or streets with residential access complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) do not result in continuous rows of supply poles erected on residential streets</li> <li>b) for developments involving up to 2 <i>blocks</i> or 2 <i>dwellings</i>, are underground or along the rear spine or side of <i>blocks</i></li> <li>c) for developments involving more than 2 <i>blocks</i> or 2 <i>dwellings</i>, are underground</li> <li>d) there is no overhead cabling to <i>dwellings</i> within the site.</li> </ul> | <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 <i>streetscape</i>, particularly from supply poles and overhead cabling.</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>  |



## Element 5: Building design

Related code: Access and Mobility General Code

| Rules   | Criteria   |
|---|--|
| <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> <ul style="list-style-type: none"> <li>a) at least one window to a habitable room that is not screened by a courtyard wall</li> <li>b) at least one door with roofed element such as a verandah or <i>balcony</i>.</li> </ul>   | <p>C47</p> <p>Buildings achieve passive surveillance of all of the following:</p> <ul style="list-style-type: none"> <li>a) adjoining streets</li> <li>b) adjoining <i>public open space</i>.</li> </ul>   |
| <b>5.2 Building entries</b>   |  |
| <p>R48</p> <p>Common entries to <i>dwellings</i> have all of the following features:</p> <ul style="list-style-type: none"> <li>a) an external sheltered area outside the entrance</li> <li>b) a direct line of sight between the front door and the public footpath or road</li> <li>c) separate access to any non-residential uses, which are clearly distinguishable and secured after hours.</li> </ul>   | <p>C48</p> <p>Common entries to <i>dwellings</i> achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) a transitional area from the street</li> <li>b) secure, all-weather access</li> <li>c) surveillance of public areas (including between <i>buildings</i> and open space areas, paths, <i>dwelling</i> entries, car parking areas and driveways)</li> <li>d) safety, security and convenience for residents and visitors</li> <li>e) the separation of residential entries and commercial entries.</li> </ul> |
| <b>5.3 Building design</b>  |  |
| <p>R49</p> <p>This rule applies to buildings containing more than 2 <i>dwellings</i>.</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> <ul style="list-style-type: none"> <li>a) changes in wall planes of a minimum 1m in depth and 4m in length</li> <li>b) inclusion of balconies, bay windows, verandas, fin walls, etc.</li> <li>c) horizontally stepping facades by at least 1m.</li> </ul> | <p>C49</p> <p>Building design, articulation, detailing and finish provide an appropriate scale, add visual interest and enable visual differentiation between <i>dwellings</i> when viewed from adjoining public spaces and adjoining <i>residential blocks</i>.</p>   |

| Rules   | Criteria  |
|---|---|
| <p>R50</p> <p>This rule applies to buildings containing more than 2 <i>dwelling</i>s.</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 <i>dwelling</i>s when viewed from adjoining public spaces and adjoining <i>residential blocks</i>.</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 <i>dwelling</i>.</p>  | <p>C51</p> <p>The exterior colours and finishes of garages and carports achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) compatibility with the <i>dwelling</i> design when viewed from public spaces</li> <li>b) integration with the overall design</li> <li>c) a contribution to the articulation of the building.</li> </ul> |
| <b>5.4 Building design – RZ2</b>  |   |
| <p>R52</p> <p>This rule applies to <i>single dwelling blocks</i> in RZ2 containing 2 or more <i>dwelling</i>s.</p> <p>All <i>dwelling</i>s adjacent to a public street (other than a <i>rear lane</i>) have at least one of the following facing the street:</p> <ul style="list-style-type: none"> <li>a) front door</li> <li>b) living room window</li> <li>c) living room glass sliding door.</li> </ul>   | <p>C52</p> <p>Dwellings address the street wherever practicable.</p>  |
| <b>5.5 Basements and undercroft parking</b>   |   |
| <p>R53</p> <p>This rule applies to all of the following:</p> <ul style="list-style-type: none"> <li>i) <i>basements</i></li> <li>ii) <i>undercroft parking</i>.</li> </ul> <p>Exposed <i>external walls</i> comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) except for ventilation openings, are finished in the same manner as the building</li> <li>b) where ventilation openings are provided, they are treated as part of the façade with grilles and screens.</li> </ul> | <p>C53</p> <p><i>Basements and undercroft parking</i> structures achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) visual interest through architectural elements, features or modulation</li> <li>b) visual softening by landscaping</li> <li>c) avoidance of prominent ventilation openings.</li> </ul>                         |
| <b>5.6 Adaptability of dwelling for use by people with a disability</b>   |   |
| <p>R54</p> <p>This rule applies to <i>multi-unit housing</i> comprising more than 9 dwellings.</p> <p>The minimum number of dwellings designed to meet Australian Standard <i>AS4299 – Adaptable Housing</i> (Class C) is shown in table A8.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p>   |

| Rules   | Criteria   |
|---|--|
| <b>5.7 Minimum dwelling size</b>  |  |
| <p>R55</p> <p>Minimum <i>dwelling</i> floor areas are as follows:</p> <p>a) studio <i>dwelling</i>s - 40 m<sup>2</sup></p> <p>b) one-bedroom <i>dwelling</i>s - 50 m<sup>2</sup></p> <p>c) 2-bedroom <i>dwelling</i>s - 70 m<sup>2</sup></p> <p>d) <i>dwelling</i>s with 3 or more bedrooms - 95 m<sup>2</sup></p> <p>The minimum <i>dwelling</i> floor area excludes balconies and car parking facilities. Storage within <i>dwelling</i>s is included in the area calculations.</p> | <p>C55</p> <p><i>Dwelling</i> sizes and layouts provide functional living spaces, flexibility in furniture layout, and adequate storage and service areas.</p> <p>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 <i>dwelling</i>s, a combination of dwelling types, including studio or 1-bedroom <i>dwelling</i>s, 2-bedroom <i>dwelling</i>s, and <i>dwelling</i>s with 3 or more bedrooms are provided.</p>  | <p>C56</p> <p>Housing developments comprising multiple <i>dwelling</i>s are required to achieve all of the following:</p> <p>a) a range of housing types</p> <p>b) increased diversity of <i>dwelling</i> types within a neighbourhood.</p>  |

**Table A8 – Minimum number of dwellings designed to meet Australian Standard AS4299 – Adaptable Housing (Class C)**

| total number of dwellings | minimum number of dwellings designed to meet Australian Standard AS4299 – Adaptable Housing (Class C) |
|---------------------------|---|
| 9                         | nil   |
| 10                        | 1   |
| 11 to 20                  | 2   |
| 21 to 30                  | 3   |
| 31 to 40                  | 4   |
| 41 and over               | 4 + 1 for every 10 dwellings (or part thereof)  |

## Element 6: Amenity

| Rules   | Criteria  |
|---|---|
| <b>6.1 Solar access –other than apartments</b>  |   |
| <p>R57</p> <p>This rule applies to multi unit housing other than <i>apartments</i>.</p> <p>The floor or internal wall of a daytime living area of a dwelling is exposed to not less than 3 hours of direct sunlight between the hours of 9am and 3pm on the winter solstice (21 June).</p> <p><b>Note:</b> Where a development comprises a mixture of <i>apartments</i> and other multi unit housing, this rule will apply to the multi unit housing.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p>                           |
| <b>6.2 Solar access - apartments</b>  |   |
| <p>R58</p> <p>This rule applies to <i>apartments</i>.</p> <p>The floor or internal wall of a daytime living area of not fewer than 70% of <i>apartments</i> 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><b>Note:</b> Where a development comprises a mixture of <i>apartments</i> and other multi unit housing, this rule will apply to the <i>apartments</i>.</p>   | <p>C58</p> <p>Daytime living areas have reasonable access to sunlight.</p>                          |
| <b>6.3 Privacy</b>  |   |
| <p>R59</p> <p>This rule applies to <i>dwelling</i>s on the same <i>block</i>.</p> <p>The relationship between <i>unscreened elements</i> of one <i>dwelling</i> and the <i>primary windows</i> of another <i>dwelling</i> complies with one of the following:</p> <p>a) a person (with an eye height of 1.5m) standing at any and every point on the extremity of an <i>unscreened element</i> of one <i>dwelling</i> shall not have a direct line of sight into the <i>primary window</i> of any other <i>dwelling</i></p> <p>b) the direct line of sight referred to in item a) is more than 12m.</p> | <p>C59</p> <p>Reasonable privacy between <i>dwelling</i>s on the same <i>block</i> is achieved.</p> |

| Rules   | Criteria  |
|---|---|
| <p>R60</p> <p>This rule applies to <i>principal private open space</i> on the same <i>block</i> and on adjacent <i>blocks</i>.</p> <p>The relationship between <i>unscreened elements</i> of one <i>dwelling</i> and the <i>principal private open space</i> of another <i>dwelling</i> complies with one of the following:</p> <ul style="list-style-type: none"> <li>a) a person (with an eye height of 1.5m) standing at any and every point on the extremity of an <i>unscreened element</i> of one <i>dwelling</i> shall not have a direct line of sight to more than 50% of the minimum <i>principal private open space</i> of any other <i>dwelling</i></li> <li>b) the direct line of sight referred to in item a) is more than 12m.</li> </ul>   | <p>C60</p> <p>Reasonable privacy of <i>principal private open space</i> of each <i>dwelling</i> is achieved.</p>  |
| <b>6.4 Principal private open space</b>   |   |
| <p>R61</p> <p>Each <i>dwelling</i> has at least one area of <i>principal private open space</i> that complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) located on the site</li> <li>b) has minimum area and dimensions specified in table A9</li> <li>c) is screened from adjoining public streets and public open space</li> <li>d) is directly accessible from, and adjacent to, a <i>habitable room</i> other than a bedroom</li> <li>e) is not located to the south, south-east or south-west of the <i>dwelling</i>, unless it achieves one or more of the following - <ul style="list-style-type: none"> <li>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)</li> <li>ii) located at an <i>upper floor level</i> and overlooks a public street or public open space.</li> </ul> </li> </ul> | <p>C61</p> <p><i>Principal private open space</i> for each <i>dwelling</i> achieves all of the following:</p> <ul style="list-style-type: none"> <li>a) an area proportionate to the size of the <i>dwelling</i></li> <li>b) an extension of the function of the <i>dwelling</i> for relaxation, dining, entertainment, recreation</li> <li>c) directly accessible from the <i>dwelling</i></li> <li>d) service functions such as clothes drying and mechanical services</li> <li>e) reasonable privacy</li> <li>f) reasonable solar access.</li> </ul> |

**Table A9 - Principal Private Open Space**

|                                 |                      | <i> dwellings wholly or partially at lower floor level</i> |                          | <i> dwellings located entirely on an upper floor level</i>   |                          |
|---------------------------------|----------------------|--|--------------------------|--|--------------------------|
| <b>zone</b>                     | <b>dwelling size</b> | <b>minimum area</b>  | <b>minimum dimension</b> | <b>minimum area</b>  | <b>minimum dimension</b> |
| <b>RZ1<br/>RZ2</b>              | 1 bedroom            | 28m <sup>2*</sup>  | 5m                       | 6m <sup>2</sup> plus 2m <sup>2</sup> for service functions** | 1.8m                     |
|                                 | 2 or 3 bedrooms      | 36m <sup>2*</sup>  | 6m                       | 36m <sup>2*</sup>  | 2.5m                     |
|                                 | 4 or more bedrooms   | 45m <sup>2*</sup>  | 6m                       | 45m <sup>2*</sup>  | 2.5m                     |
| <b>RZ3<br/>RZ4</b>              | 1 or 2 bedrooms      | 24m <sup>2*</sup>  | 4m                       | 6m <sup>2</sup> plus 2m <sup>2</sup> for service functions** | 1.8m                     |
|                                 | 3 or more bedrooms   | 36m <sup>2*</sup>  | 6m                       | 24m <sup>2*</sup>  | 2.5m                     |
| <b>RZ5 and commercial zones</b> |                      | 24m <sup>2*</sup>  | 4m                       | 6m <sup>2</sup> plus 2m <sup>2</sup> for service functions** | 1.8m                     |

\* Includes allowance of 2m<sup>2</sup> area for service functions such as clothes drying and air conditioners and require screening from public areas as described under Rule R61.

\*\* Service functions include clothes drying and air conditioners and require screening from public areas. Service functions may be provided on a separate balcony to the *principal private open space*.

| <b>Rules</b>   | <b>Criteria</b>   |
|--|---|
| <b>6.5 Separation between external walls</b>   |   |
| R62<br>The minimum separation between an <i>unscreened element</i> and an <i>external wall</i> on the same <i>block</i> or an adjoining <i>block</i> , is 3m.  | C62<br>The outlook from an <i>unscreened element</i> is not unreasonably impeded by <i>external walls</i> on the same or adjoining <i>blocks</i> .  |
| R63<br>The separation between <i>external walls</i> at the <i>lower floor level</i> on the same <i>block</i> or an adjoining <i>block</i> is not less than 1m. | C63<br>The separation between blank walls on the same or adjoining blocks at ground level achieves both of the following:<br>a) reasonable access for maintenance<br>b) reasonable management of rodents. |

| Rules  | Criteria   |
|--|--|
| <b>6.6 Balustrades</b>   |  |
| <p>R64</p> <p>This rule applies to balconies with both of the following characteristics:</p> <ul style="list-style-type: none"> <li>i) located on the third <i>upper floor level</i> or lower (ie the first four storeys)</li> <li>ii) facing public streets or public open space.</li> </ul> <p>Balustrades are constructed of one or more of the following:</p> <ul style="list-style-type: none"> <li>a) <i>obscure glass</i> panels</li> <li>b) solid panels</li> </ul> <p>with a total of all openings or clear glass panels not more than 25% of the surface area of the balustrade. For this rule <i>obscure glass</i> 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>   |
| <b>6.7 Storage</b>   |  |
| <p>R65</p> <p>This rule applies to <i>dwellings</i> without an associated <i>garage</i>.</p> <p>An enclosed storage area complying with all of the following is provided for each <i>dwelling</i>:</p> <ul style="list-style-type: none"> <li>a) at least 2m in height and 0.6m internal dimension</li> <li>b) an area of not less than - <ul style="list-style-type: none"> <li>i) in RZ1 and RZ2 - 4m<sup>2</sup></li> <li>ii) in all other zones -1.5m<sup>2</sup></li> </ul> </li> <li>c) one of the following - <ul style="list-style-type: none"> <li>i) accessible externally from the <i>dwelling</i></li> <li>ii) adjacent to a dedicated car space.</li> </ul> </li> </ul>   | <p>C65</p> <p>All <i>dwellings</i> are provided with adequate and secure storage areas for all of the following:</p> <ul style="list-style-type: none"> <li>a) equipment such as gardening, sporting, leisure and fitness equipment</li> <li>b) accommodate bicycles as per Bicycle Parking Code.</li> </ul> |
| <b>6.8 Natural Ventilation</b>   |  |
| <p>There is no applicable rule.</p>  | <p>C66</p> <p>For buildings containing 3 or more <i>dwellings</i>, dwelling layouts are to ensure natural ventilation is provided to <i>habitable rooms</i> by cross or stack effect ventilation by maximising separation between opening windows.</p>   |

| Rules   | Criteria  |
|---|---|
| <b>6.9 Noise attenuation – external sources</b>   |   |
| <p>R67</p> <p>Where a <i>block</i> has one or more of the following characteristics:</p> <ul style="list-style-type: none"> <li>i) identified in a precinct code as being potentially affected by noise from external sources</li> <li>ii) adjacent to a road carrying or forecast to carry traffic volumes greater than 12,000 vehicles per day</li> <li>iii) located in a commercial zone</li> <li>iv) adjacent to a commercial or industrial zone</li> </ul> <p>dwellings shall be constructed to comply with the relevant sections of all of the following:</p> <ul style="list-style-type: none"> <li>a) AS/NZS 2107:2000 - <i>Acoustics – Recommended design sound levels and reverberation times for building interiors</i> (the relevant satisfactory recommended interior design sound level)</li> <li>b) AS/NZS 3671 - <i>Acoustics – Road Traffic Noise Intrusion Building Siting and Design</i>.</li> </ul> <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 Transport Planning &amp; Projects Section in ESDD.</p> <p><b>Note:</b> A condition of development approval may be imposed to ensure compliance with the endorsed noise management plan.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |



## Element 7: Parking and vehicular access

Related codes: Parking and Access General Code, Bicycle Parking General Code

| Rules  | Criteria   |
|--|--|
| <b>7.1 Ramps to basement car parking – RZ1 and RZ2</b>   |  |
| <p>R68</p> <p>This rule applies to blocks with all of the following characteristics:</p> <ul style="list-style-type: none"> <li>a) zoned RZ1 or RZ2</li> <li>b) <i>single dwelling blocks</i></li> <li>c) less than 30 m wide at the street frontage.</li> </ul> <p>Ramps accessing <i>basement</i> car parking are not permitted forward of the <i>building line</i>.</p> | <p>C68</p> <p>Ramps accessing <i>basement</i> car parking forward of the <i>building line</i> may be allowed where all of the following are achieved:</p> <ul style="list-style-type: none"> <li>i) compatibility with the streetscape</li> <li>ii) retention of existing street trees</li> <li>iii) safe and convenient pedestrian and bicycle crossings</li> <li>iv) adequate line of sight for cars entering and/or leaving the car parking area</li> </ul>   |
| <b>7.2 Driveway verge crossings</b>  |  |
| <p>R69</p> <p>This rule applies to previously undeveloped <i>blocks</i>.</p> <p>No more than one driveway verge crossing is provided to each <i>block</i>.</p>   | <p>C69</p> <p>More than one driveway verge crossing to each <i>block</i> may be allowed in one of the following circumstances:</p> <ul style="list-style-type: none"> <li>a) where forward entry to roads carrying more than 3000 vehicles per day is desirable</li> <li>b) where all of the following are achieved: <ul style="list-style-type: none"> <li>i) compatibility with the <i>streetscape</i></li> <li>ii) priority for pedestrians and cyclists</li> <li>iii) retention of existing street trees</li> <li>iv) protection of existing landscape features</li> <li>v) public safety</li> </ul> </li> <li>c) where the <i>block</i> is a corner block.</li> </ul> |
| <p>R70</p> <p>This rule applies to previously developed <i>blocks</i> or the consolidation of previously developed <i>blocks</i>.</p> <p>No additional driveway verge crossings are permitted.</p>   | <p>C70</p> <p>Additional driveway verge crossings may be allowed in one of the following circumstances:</p> <ul style="list-style-type: none"> <li>a) where forward entry to roads carrying more than 3000 vehicles per day is desirable</li> <li>b) where all of the following are achieved - <ul style="list-style-type: none"> <li>i) compatibility with the <i>streetscape</i></li> <li>ii) priority for pedestrians and cyclists</li> <li>iii) retention of existing street trees</li> <li>iv) protection of existing landscape features</li> <li>v) public safety</li> </ul> </li> <li>c) where the <i>block</i> is a corner block.</li> </ul>                       |

| Rules  | Criteria   |
|--|--|
| <p>R71</p> <p>This rule applies to previously developed <i>blocks</i> or the consolidation of previously developed <i>blocks</i>.</p> <p>Redundant driveway verge crossings are removed, and the verge and kerb restored.</p> <p><b>Note:</b> a condition of development approval may be imposed to ensure compliance with this rule.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p>                                    |
| <p>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 <i>block</i> (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 <i>blocks</i> 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 <i>AS2890.1 – Off Street Parking</i>, 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> <li>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.</li> </ul> <p><b>Note:</b> a condition of development approval may be imposed to ensure compliance with this rule.</p> | <p>C72</p> <p>Driveway verge crossings are endorsed by the Territory and Municipal Services Directorate.</p> |

| Rules   | Criteria   |
|---|--|
| <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 <i>dwelling</i>.</p> <p>Internal driveways comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) are set back from external <i>block</i> boundaries by not less than 1m</li> <li>b) are set back from the <i>external walls</i> of buildings on the site by not less than 1m</li> <li>c) the setbacks referred to in items a) and b) are planted to a width of not less than 1m</li> <li>d) windows to <i>habitable rooms</i> and exterior doors within 1.5 of an internal driveway have at least one of the following - <ul style="list-style-type: none"> <li>i) an intervening fence or wall not less than 1.5m high</li> <li>ii) for windows, a sill height not less than 1.5m above the driveway</li> </ul> </li> <li>e) the relevant requirements in Australian Standard <i>AS2890.1 - Off Street Parking</i> for sightlines and gradients</li> <li>f) provide internal radius of at least 4m at changes in direction and intersections</li> <li>g) have a surface treatment that is distinct from car parking spaces.</li> </ul> | <p>C73</p> <p>Internal driveways achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) sufficient space for planting along property boundaries</li> <li>b) sufficient space for planting between internal driveways and buildings</li> <li>c) reasonable residential amenity, particularly in relation to the intrusion of light and noise into <i>habitable rooms</i></li> <li>d) clear differentiation between the driveway and parking spaces.</li> </ul> |
| <p>R74</p> <p>This rule applies to internal driveways with both of the following characteristics:</p> <ul style="list-style-type: none"> <li>a) serve 4 or more car parking spaces</li> <li>b) connect to a major road.</li> </ul> <p>Turning spaces are provided on the block to allow vehicles to leave in a forward direction.</p>   | <p>C74</p> <p>Internal driveways achieve reasonable levels of public safety.</p>   |
| <p>R75</p> <p>This rule applies to internal driveways with both of the following characteristics:</p> <ul style="list-style-type: none"> <li>a) serve more than 10 car parking spaces</li> <li>b) connect to a public road.</li> </ul> <p>The internal driveway is not less than 5m wide for not less than the first 7m of its length measured from the relevant <i>block</i> boundary.</p>   | <p>C75</p> <p>Internal driveways avoid unreasonable levels of queuing and congestion at vehicular entrances.</p>   |

| Rules   | Criteria  |
|---|---|
| <p>There is no applicable rule.</p>   | <p>C76</p> <p>Internal driveways are designed to be safely used by both pedestrians and vehicles, including emergency vehicles.</p> <p>Measures to reduce vehicle speed on internal driveways will be considered when determining compliance with this criterion, including one or more of the following:</p> <ul style="list-style-type: none"> <li>a) changes in pavement materials</li> <li>b) the lack of kerb and gutters</li> <li>c) difference in height to adjacent streets</li> <li>d) avoiding long lengths of driveway</li> <li>e) suitable planting</li> <li>f) signage.</li> </ul> |
| <p><b>7.4 Residents' car parking</b></p>  |   |
| <p>R77</p> <p>Car-parking spaces on the site for residents comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) located behind the <i>front zone</i> (except for <i>apartment</i> car parking)</li> <li>b) can be in tandem where they belong to the same <i>dwelling</i></li> <li>c) do not encroach any property boundaries</li> <li>d) one car space per <i>dwelling</i> is roofed and located behind the <i>front zone</i></li> <li>e) are separated by not less than 1.5m from windows or doors to <i>habitable rooms of dwellings</i> that are not associated with the parking space.</li> </ul> | <p>C77</p> <p>Car parking for residents achieves all of the following:</p> <ul style="list-style-type: none"> <li>a) reasonable residential amenity</li> <li>b) consistency with the <i>desired character</i></li> <li>c) public safety</li> <li>d) reasonable opportunities for surveillance</li> <li>e) the reasonable requirements of residents for car parking</li> <li>f) reasonable privacy.</li> </ul>   |
| <p>R78</p> <p>This rule applies to resident car parking spaces with both of the following characteristics:</p> <ul style="list-style-type: none"> <li>a) not allocated to a particular <i>dwelling</i></li> <li>b) shared between 2 or more <i>dwellings</i>.</li> </ul> <p>Parking spaces are located within 50m walking distance of any <i>dwelling</i> that is sharing the space.</p>  | <p>C78</p> <p>Car parking spaces are located close to, and with convenient access to <i>dwellings</i>.</p>  |
| <p>R79</p> <p>The maximum total width of garage door openings and external width of <i>carports</i> facing a street complies with the following:</p> <ul style="list-style-type: none"> <li>a) for up to 3 <i>dwellings</i>, the lesser of the following <ul style="list-style-type: none"> <li>i) 6m</li> <li>ii) 50% of the total length of the building</li> </ul> </li> </ul>   | <p>C79</p> <p>Garages and car parking structures are consistent with the <i>desired character</i>.</p>  |

| Rules   | Criteria  |
|---|---|
| <p>façade facing that street</p> <p>b) for more than 3 <i>dwelling</i>s, 50% of the total length of the building façade facing that street.</p>   |   |
| <p>R80</p> <p>The maximum total width of an entry and/or exit to <i>basement</i> car parking facing the street is 8m.</p>   | <p>C80</p> <p>Entries to <i>basements</i> do not dominate the <i>streetscape</i>.</p>   |
| <p>R81</p> <p>This rule applies to all of the following:</p> <ul style="list-style-type: none"> <li>i) developments containing 10 <i>dwelling</i>s or more</li> <li>ii) development with a combined entry and exit to <i>apartment</i> car parking less than 6m wide.</li> </ul> <p>Approaches to <i>basements</i> containing car parking comply with one of the following:</p> <ul style="list-style-type: none"> <li>a) include sufficient areas for vehicles to wait to allow for an entering or leaving vehicle to pass</li> <li>b) at least one waiting area and traffic signals.</li> </ul> | <p>C81</p> <p>Approaches to <i>basements</i> achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) public safety</li> <li>b) convenience for all users.</li> </ul>                                |
| <b>7.5 Visitor parking</b>  |   |
| <p>R82</p> <p>Visitor car-parking spaces on the site comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) located behind the <i>front zone</i> (except for <i>apartment</i> car parking)</li> <li>b) do not encroach any property boundaries</li> <li>c) are separated by not less than 1.5m from windows and doors to <i>habitable rooms</i> of <i>dwelling</i>s</li> <li>d) are not more than 50m walking distance from any common building entry</li> <li>e) clearly identified and visible from driveways.</li> </ul>  | <p>C82</p> <p>Visitor parking achieves all of the following:</p> <ul style="list-style-type: none"> <li>a) accessible for all visitors</li> <li>b) safe and direct visitor entry to common building entries.</li> </ul> |
| <p>R83</p> <p>Visitor car parking complies with one of the following:</p> <ul style="list-style-type: none"> <li>a) is located outside of any security barriers</li> <li>b) an intercom and remote barrier release system allows access to visitor parking located behind security barriers.</li> </ul>   | <p>C83</p> <p>Visitor parking is accessible to all visitors.</p>  |

| Rules   | Criteria  |
|---|---|
| <b>7.6 Number of co-located parking spaces – RZ2</b>  |   |
| <p>R84</p> <p>In RZ2 on <i>single dwelling blocks</i>, co-located car parking spaces on the <i>site</i> comply with all of the following:</p> <p>a) the maximum number of car parking spaces (including spaces in garages but excluding those in basements) is 4</p> <p>b) the minimum separation between groups of co-located car parking spaces (including spaces in garages but excluding those in basements) is 4m.</p> | <p>C84</p> <p>Car parking spaces on the <i>site</i> (including garages but excluding basement car parking) achieves all of the following:</p> <p>a) do not dominate site landscaping</p> <p>b) are consistent with the <i>desired character</i></p> |
| <b>7.7 Delivery and removalist vans</b>   |   |
| <p>R85</p> <p>For developments with 40 or more <i>dwellings</i>, at least one short stay parking space and associated access is provided for delivery trucks such as furniture delivery and removalist vans.</p>  | <p>C85</p> <p>Reasonable provision is made for short stay parking for delivery trucks.</p>  |

## Element 8: Environment

Related codes: Water Ways: Water Sensitive Urban Design General Code, Planning for Bushfire Risk Mitigation General Code.

| Rules  | Criteria  |
|--|---|
| <b>8.1 Water sensitive urban design</b>  |   |
| <p>R86</p> <p>This rule applies to all multi-unit residential development except for <i>minor extensions</i>. The development achieves a minimum 40% reduction in mains water consumption compared to an equivalent development constructed in 2003, without any reliance on landscaping measures.</p> <p>Compliance with this rule is demonstrated by a report by a suitably qualified person using the ACTPLA on-line assessment tool or another tool referred to in the Water Ways: Water Sensitive Urban Design General Code.</p> <p>For this element:</p> <p><b>minor extension</b> means an extension where the increase in the combined roof plan area, driveway, car manoeuvring areas and car parking areas is less than 25% of the total of the areas of these components at the date of lodgement of the development application.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |

| Rules   | Criteria   |
|---|--|
| <p>R87</p> <p>This rule applies to all <i>multi-unit housing</i> except <i>minor extensions</i>.</p> <p>On sites larger than 2,000m<sup>2</sup> stormwater management measures comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) provision for the retention of stormwater on the <i>block</i> is equivalent to at least 1.4kl per 100m<sup>2</sup> of impervious area</li> <li>b) the retained stormwater complies with one or more of the following - <ul style="list-style-type: none"> <li>i) it is stored for later reuse</li> <li>ii) it is released to the stormwater system over a period of not less than 1 day.</li> </ul> </li> </ul> <p>Rainwater tanks connected to at least the toilet and all external taps may be counted towards this requirement.</p> | <p>C87</p> <p>On sites larger than 2,000m<sup>2</sup> all of the following stormwater management measures are achieved:</p> <ul style="list-style-type: none"> <li>a) the equivalent of 1-in-3 month stormwater peak pre-development stormwater run-off is retained on the <i>block</i></li> <li>b) the retained stormwater complies with one or more of the following - <ul style="list-style-type: none"> <li>i) it is stored for later reuse</li> <li>ii) its is released to the stormwater system over a reasonable period.</li> </ul> </li> </ul> <p>Compliance with this criterion is demonstrated by a report by a suitably qualified person.</p> |
| <p>R88</p> <p>This rule applies to all <i>multi-unit housing</i> except <i>minor extensions</i>.</p> <p>For <i>blocks</i> 5,000m<sup>2</sup> or larger, the average annual stormwater pollutant export is reduced for all of the following:</p> <ul style="list-style-type: none"> <li>a) suspended solids by at least 60%</li> <li>b) total phosphorous by at least 45%</li> <li>c) total nitrogen by at least 40%</li> </ul> <p>compared with an urban catchment with no water quality management controls.</p> <p>Compliance with this rule is demonstrated by a report by a suitably qualified person, using the MUSIC model or another nationally recognised model.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p>  |
| <p>R89</p> <p>On previously developed <i>blocks</i> larger than 2,000m<sup>2</sup> the capacity of the existing pipe (minor) stormwater connection is not exceeded in 1-in-10 year storm event and the capacity of the existing major overland stormwater system is not exceeded in 1-in-100 year storm event</p> <p>Compliance with this rule is demonstrated by a report by a suitably qualified person.</p>  | <p>C89</p> <p>On previously developed <i>blocks</i> larger than 2,000m<sup>2</sup> the 1-in-5 year and 1-in-100 year stormwater peak run off does not exceed pre-development levels.</p> <p>Compliance with this criterion is demonstrated by a report by a suitably qualified person.</p>   |

| Rules  | Criteria  |
|--|---|
| <b>8.2 Heritage</b>  |   |
| <p>R90</p> <p>This rule applies to land containing places or objects registered or provisionally registered under section 41 of the <i>Heritage Act 2004</i>. The authority shall refer a development application to the Heritage Council.</p> <p><b>Note:</b> The authority will consider any advice from the Heritage Council before determining the application.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| <b>8.3 Tree protection</b>   |   |
| <p>R91</p> <p>This rule applies to a development that has one or more of the following characteristics:</p> <ol style="list-style-type: none"> <li>a) requires groundwork within the tree protection zone of a <i>protected tree</i></li> <li>b) is likely to cause damage to or removal of any <i>protected trees</i>.</li> </ol> <p>The authority shall refer the development application to the Conservator of Flora and Fauna.</p> <p><b>Note:</b> The authority will consider any advice from the Conservator of Flora and Fauna before determining the application in accordance with the <i>Planning and Development Act 2007</i>. Protected tree and declared site are defined under the Tree Protection Act 2005.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| <b>8.4 Bushfire</b>  |   |
| <p>R92</p> <p>Where identified in a precinct code or <i>lease and development conditions</i> as being within a bushfire prone area, buildings are to be constructed in accordance with the relevant Building Code of Australia bushfire provisions.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| <b>8.5 Erosion and sediment control</b>  |   |
| <p>R93</p> <p>For sites less than 3,000m<sup>2</sup>, the development complies with the Environment Protection Authority, <i>Environment Protection Guidelines for Construction and Land Development in the ACT</i>.</p> <p><b>Note 1:</b> 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 <i>Planning and Development Act 2007</i>.</p> <p><b>Note 2:</b> see part D for sites over 3000m<sup>2</sup>.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> |



## Element 9: Services

| Rules                                      | Criteria   |
|--|--|
| <b>9.1 Post occupancy waste management</b> |  |
| There is no applicable rule.               | C94<br>Post occupancy waste management achieves all of the following:<br>a) consistency with the <i>desired character</i><br>b) reasonable levels of residential amenity for <i>dwellings</i> and their associated <i>private open space</i> on the subject site<br>c) reasonable levels of amenity for <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i> . |

## Part B – Additional controls for multi unit housing with 4 or more storeys

Part B contains rules and criteria additional to those in part A. They apply to *multi-unit housing* with 4 or more storeys.

To remove any doubt, the provisions of this part apply to the whole building, including the first 3 storeys.

Where there is an inconsistency between part A and part B, the latter shall prevail to the extent of that inconsistency.

### Element 10: Building and site design – buildings with 4 or more storeys

| Rules   | Criteria  |
|---|---|
| <b>10.1 Side and rear boundary setbacks</b>                         |   |
| R95<br>In RZ5 side and rear boundary setbacks comply with table B1. | C95<br>Buildings and other structures are sited to achieve all of the following: <ol style="list-style-type: none"> <li>consistency with the <i>desired character</i></li> <li>reasonable separation between adjoining developments</li> <li>reasonable privacy for <i> dwellings</i> on adjoining <i>residential blocks</i></li> <li>reasonable privacy for <i>principal private open space</i> on adjoining <i>residential blocks</i></li> <li>reasonable solar access to <i> dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>principal private open space</i>.</li> </ol> |

**Table B1: Side and Rear Boundary Setbacks - buildings with 4 or more storeys**

| parts of buildings   | minimum side boundary setback | minimum rear boundary setback |
|--|-------------------------------|-------------------------------|
| <b>first 4 storeys - external wall</b>                         | 3m                            | 3m                            |
| <b>first 4 storeys - unscreened element</b>                    | 6m                            | 6m                            |
| <b>between 5 and 8 storeys - external wall</b>                 | 4.5m                          | 4.5m                          |
| <b>between 5 and 8 storeys - unscreened element</b>            | 6m                            | 6m                            |
| <b>9 storeys or more - external wall or unscreened element</b> | 6m                            | 6m                            |

| Rules   | Criteria  |
|---|---|
| <b>10.2 Access to lifts or stairs</b>   |   |
| <p>R96</p> <p>No more than 9 <i>apartments</i> on each floor are accessible from a single common lift or stair lobby.</p> | <p>C96</p> <p>Convenient access to <i>apartments</i> is achieved. One or more of the following matters may be considered when determining compliance with this criterion:</p> <ul style="list-style-type: none"> <li>a) whether there is a high level of public amenity and safety in common lobbies</li> <li>b) whether spaces are well-proportioned with clear sightlines</li> <li>c) whether there is a high proportion of dual aspect <i>apartments</i></li> <li>d) whether there is a high proportion of <i>apartments</i> with northern orientation.</li> </ul> |

## Part C – Additional controls for multi unit housing in commercial zones

### Element 11: Ground floor commercial use

| Rules   | Criteria   |
|---|--|
| <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) <i>blocks</i> nominated in a precinct code for ground floor commercial use</li> <li>c) buildings containing one or more <i>dwellings</i></li> <li>d) the <i>building line</i> for any ground floor <i>dwelling</i> 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><b>Note:</b> 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> |

## Part D – Endorsement by government agencies (entities)

### Element 12: Waste management

| Rules  | Criteria  |
|--|---|
| <b>12.1 Construction waste management</b>  |   |
| <p>R98</p> <p>This rule applies to <i>residential</i> development that is likely to generate more than 20m<sup>3</sup> of construction waste comprising one or more of the following:</p> <ul style="list-style-type: none"> <li>a) demolition waste</li> <li>b) construction waste</li> <li>c) excavation material.</li> </ul> <p>The management of construction waste is to be endorsed by TAMS.</p> <p>TAMS will endorse waste facilities and management associated with the development if they comply with the current version of the <i>Development Control Code for Best Practice Waste Management in the ACT</i>.</p> <p>TAMS may endorse departures.</p> <p><b>Note:</b> a condition of approval may be imposed to ensure compliance.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| <b>12.2 Post occupancy waste management</b>  |   |
| <p>R99</p> <p>Post occupancy waste management facilities are to be endorsed by TAMS.</p> <p>TAMS will endorse post occupancy waste management facilities where they are in accordance with the current version of the <i>Development Control Code for Best Practice Waste Management in the ACT</i>.</p> <p>TAMS may endorse departures.</p> <p><b>Note:</b> a condition of approval may be imposed to ensure compliance.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> |

## Element 13: Utilities

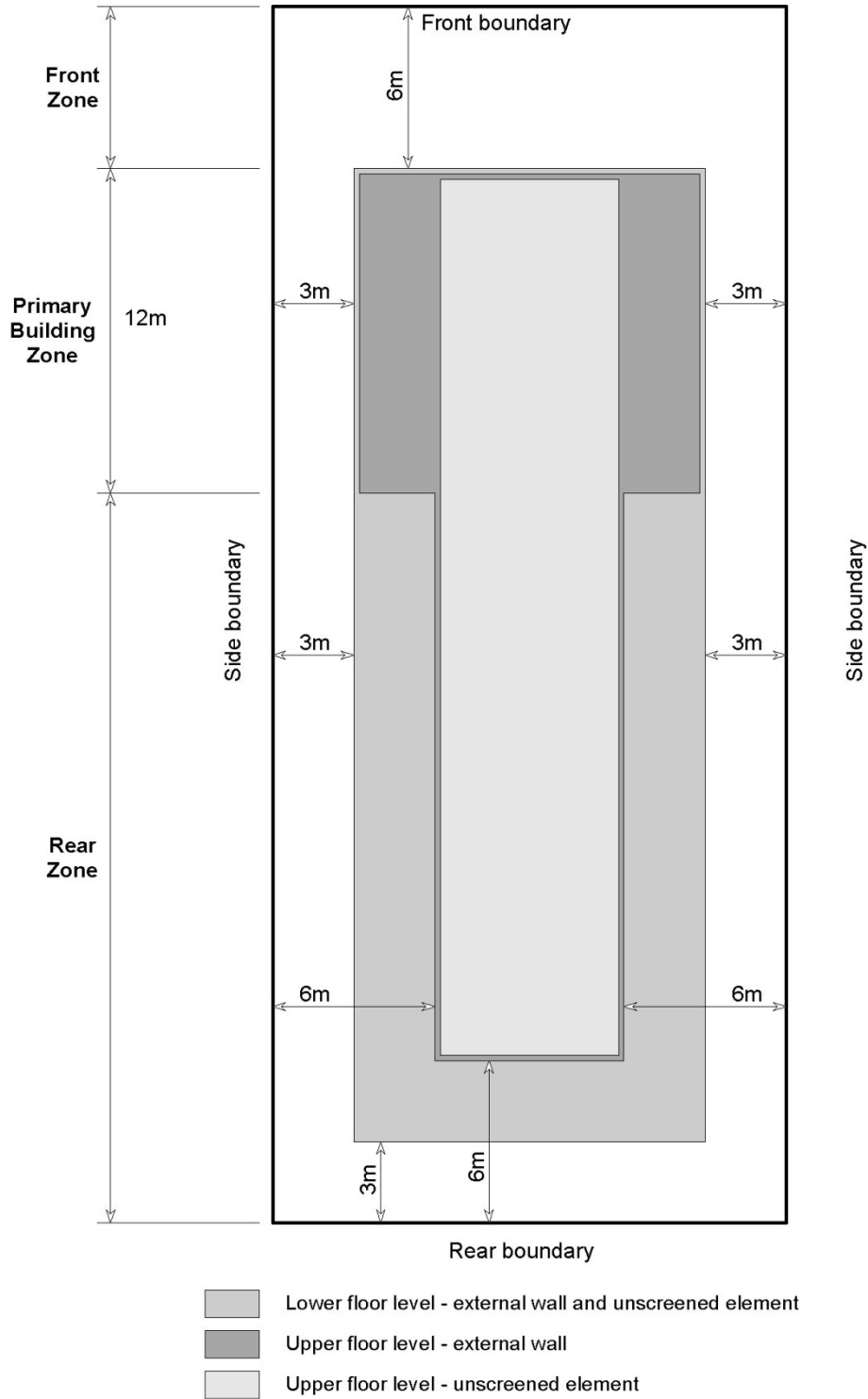
| Rules  | Criteria  |
|--|---|
| <b>13.1 Utilities</b>  |   |
| <p>R100</p> <p>This rule applies to any proposed encroachment into a registered easement.</p> <p>The proposed encroachment is to be approved in writing by the relevant service provider.</p>  | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| <p>R101</p> <p>A statement of compliance from each relevant utility provider (for water, sewerage, electricity, stormwater and gas) confirms that the location and nature of earthworks, utility connections, proposed buildings, pavements and landscape features comply with utility standards, access provisions and asset clearance zones.</p> <p><b>Note 1:</b> If there is no stormwater easement or Territory owned stormwater pipes located within the property boundary, a "Statement of Compliance" for stormwater from TAMS (Asset Acceptance) is not required to be obtained</p> <p><b>Note 2:</b> Where there is conflict between planning and utility requirements, the utility requirements take precedence over other codified or merit provisions</p> <p><b>Note 3:</b> If a statement of compliance is not provided the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |

## Element 14: Environmental management

| Rules   | Criteria  |
|---|---|
| <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 <i>ACT Government Strategic Plan – Contaminated Sites Management 1995</i> and the <i>Contaminated Sites Environment Protection Policy 2000</i>.</p> <p>If land contamination is identified, the development complies with the requirements of Environment Protection Authority.</p> <p><b>Note 1:</b> 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 <i>Planning and Development Act 2007</i>.</p> <p><b>Note 2:</b> a condition of approval may be imposed to ensure compliance.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</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><b>Note 1:</b> If no evidence of assessment of the site for erosion and sediment control is provided, the application may be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p> <p><b>Note 2:</b> a condition of approval may be imposed to ensure compliance.</p>   | <p>This is a mandatory requirement. There is no applicable criterion.</p> |

# Appendix 1 – Boundary setback diagrams

**Diagram 1: RZ1 and RZ2**  
Blocks approved before 18 October 1993





**Diagram 2: RZ1 and RZ2**  
 Blocks approved on or after 18 October 1993

