



ACT

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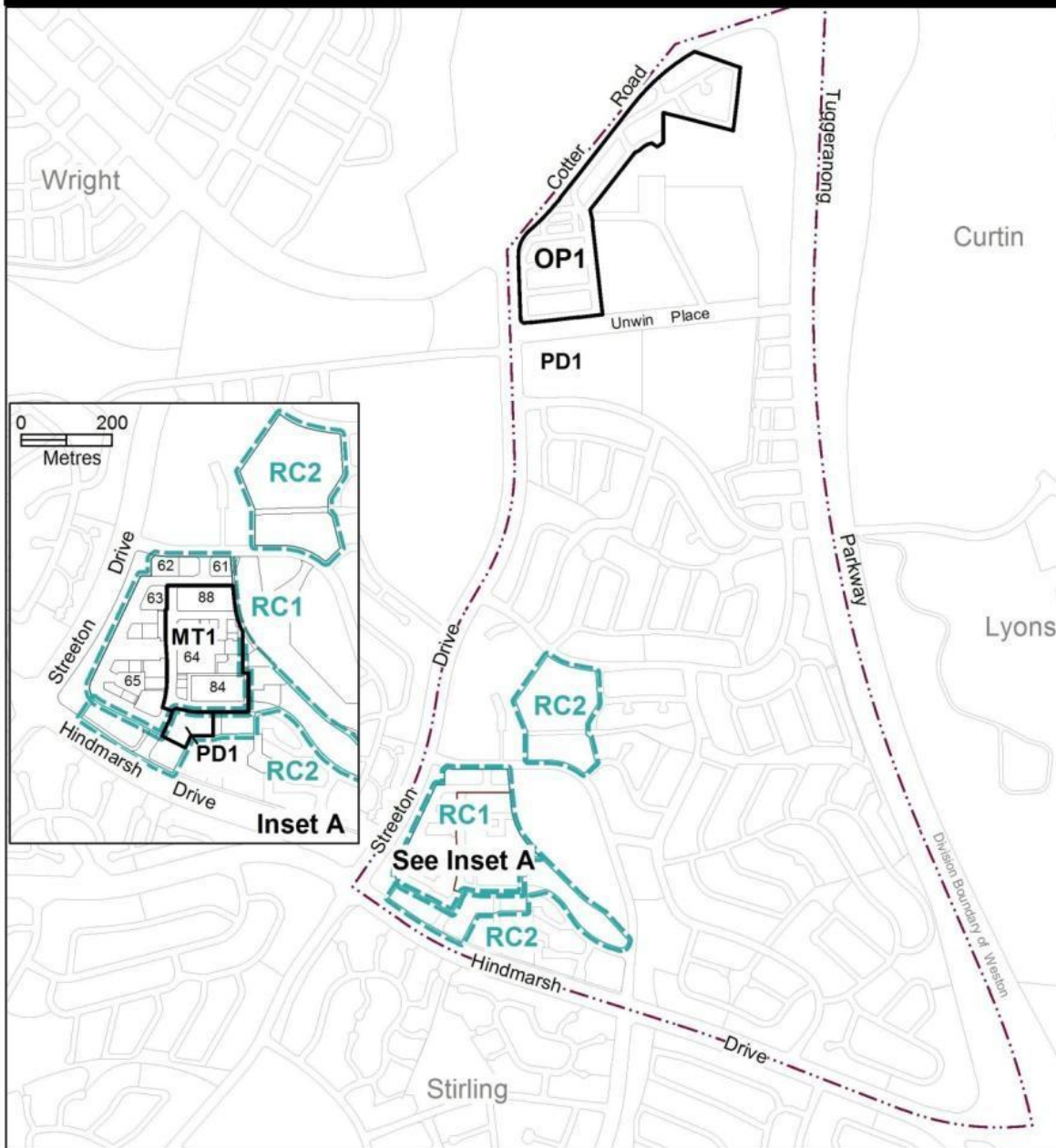
Environment and
Sustainable Development

Weston Precinct Map and Code

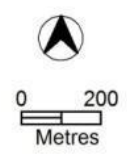
includes
Weston Group Centre

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Weston Precinct Map



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



Assessment Tracks

The following tables identify the prohibited development and additional merit track development for blocks and parcels shown in the Weston 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	CFZ	<i>community theatre</i> <i>indoor recreation facility</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	CZ1	<i>industrial trades</i> <i>municipal depot</i> <i>store</i>

Weston Precinct Code

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Introduction

Name

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

Application

The code applies to the Division of Weston.

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.

If more than one precinct code applies to the site, the most recent precinct code takes precedence to the extent of any inconsistency.

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 Sustainable Development Directorate
EPA	ACT Environment Protection Authority

ESA	ACT Emergency Services Agency
ESDD	ACT Environment and Sustainable Development 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 Weston Precinct Map (RCn). It should be read in conjunction with the relevant zone development code and related codes.

RC1 – Weston Group Centre

This part applies to blocks and parcels identified in area RC1 shown on the Weston Precinct Map. RC1 includes the Weston Group Centre.

Element 1: Use

Rules	Criteria
1.1 Ground floor uses	
<p>R1</p> <p>This rule applies to sites in CZ1 with boundaries to primary active frontages shown in figure 3.</p> <p>Only the following uses are permitted along the primary active frontage at the ground floor level:</p> <ul style="list-style-type: none"> a) <i>business agency</i> b) <i>club</i> c) <i>community activity centre</i> d) <i>drink establishment</i> e) <i>financial establishment</i> f) <i>hotel</i> g) <i>indoor entertainment facility</i> h) <i>indoor recreation facility</i> i) <i>public agency</i> j) <i>restaurant</i> k) <i>SHOP</i> 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>There is no applicable rule.</p>	<p>C2</p> <p>This criterion applies to sites in CZ3 with boundaries to primary active frontages shown in figure 3.</p> <p>Buildings incorporate uses on the ground floor that generate activity in the public space.</p>

Rules	Criteria
1.2 Industrial trades, Municipal depot, Store	
<p>R3</p> <p>This rule applies to the areas shaded grey shown in figure 1.</p> <p>Development involving one or more of the following uses is only permitted in association with a structured <i>car park</i>:</p> <ul style="list-style-type: none"> a) <i>industrial trades</i> b) <i>municipal depot</i> c) <i>store</i> 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
1.3 Development on nominated car parking areas	
<p>R4</p> <p>This rule applies to the areas shaded grey shown in figure 1.</p> <p>Development complies with all of the following:</p> <ul style="list-style-type: none"> a) the existing number of car parking spaces is retained on the site and made available for public use at all times b) provides car parking that is generated by the development on site in accordance with the <i>Parking and Vehicular Access General Code</i>, in addition to the spaces required by item a) 	<p>C4</p> <p>Development achieves all of the following:</p> <ul style="list-style-type: none"> a) any additional parking provision requirements (under the <i>Parking and Vehicular Access General Code</i>) for the development b) makes a substantial contribution to the long term publicly accessible parking supply at the group centre
1.4 Residential use	
<p>R5</p> <p>This rule applies to CZ3.</p> <p><i>Dwellings</i> are not permitted on the ground floor, except in area 'a' shown in figure 1.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

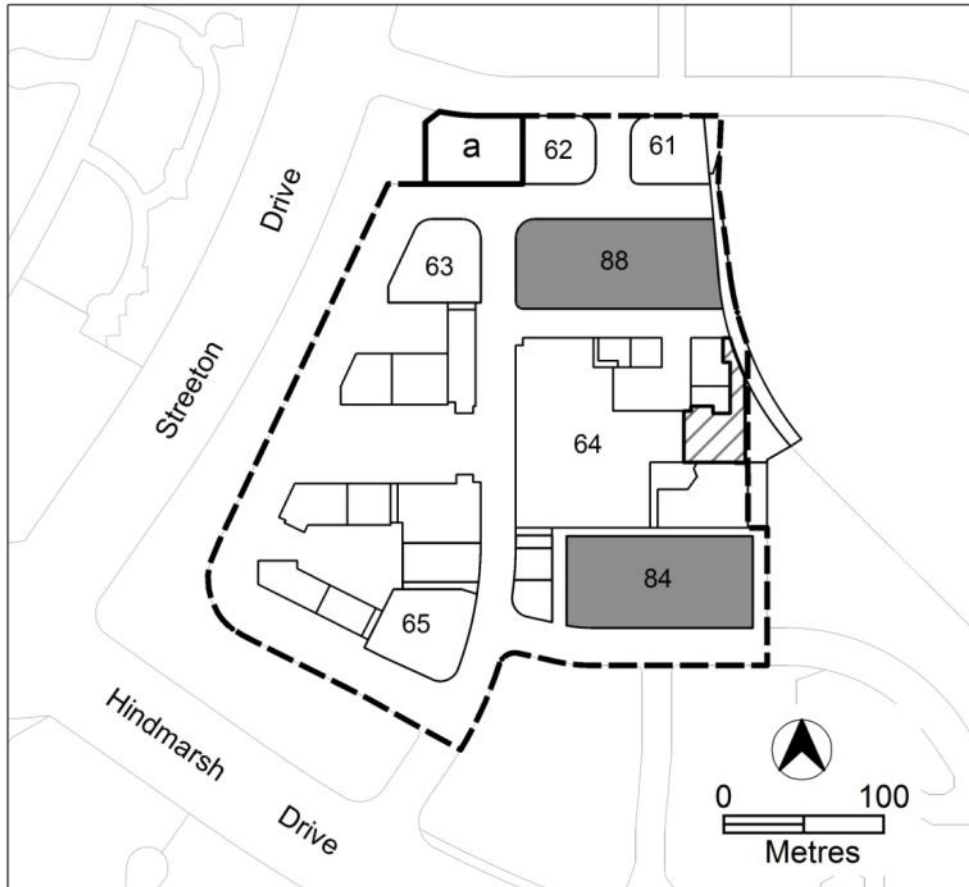


Figure 1 Parking areas, ground floor residential use and unexpected finds area

Rules	Criteria
1.5 Potential contamination	
<p>R6</p> <p>This rule applies to the hatched area in figure 1. Applications for development of the site are accompanied by a site specific unexpected finds protocol (UFP) prepared by a suitably qualified environmental consultant.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 2: Buildings

Rules	Criteria
2.1 Building heights	
<p>R7</p> <p>The maximum <i>height of building</i> is the lesser of 12m and 3 storeys, except for the following areas described in figure 2:</p> <ul style="list-style-type: none"> a) area A: the lesser of 15m and 4 <i>storeys</i> b) area B: the lesser of 19m and 5 <i>storeys</i> c) area C: the lesser of 22m and 6 <i>storeys</i> d) area D: the lesser of RL588 and four <i>storeys</i> e) area E: the lesser of RL594 and six <i>storeys</i>. <p>Building height excludes all of the following:</p> <ul style="list-style-type: none"> i) roof top plant ii) lift overruns iii) antennas iv) photovoltaic panels v) air conditioning units vi) chimneys, flues and vents <p>Excluded items are setback from the building facade of the floor immediately below a minimum distance of 3m.</p> <p>Note: Setbacks apply to higher building elements</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
2.2 Building design	
<p>R8</p> <p>This rule applies to development addressing Brierly Street.</p> <p>The minimum building front setbacks are:</p> <ul style="list-style-type: none"> a) 0m for the portion of development up to four <i>storeys</i> b) 4m for the portion of development above four <i>storeys</i> 	<p>C8</p> <p>Building setbacks:</p> <ul style="list-style-type: none"> a) are permitted at the ground floor level to accommodate active uses, building entrances and landscaped areas b) contribute to the pedestrian orientated environment c) do not prejudice the future development of adjoining sites d) provide a reduction of the visual bulk and potential overshadowing impacts of taller buildings e) provide reasonable solar access to pedestrian areas and public spaces f) transition to lower scale areas

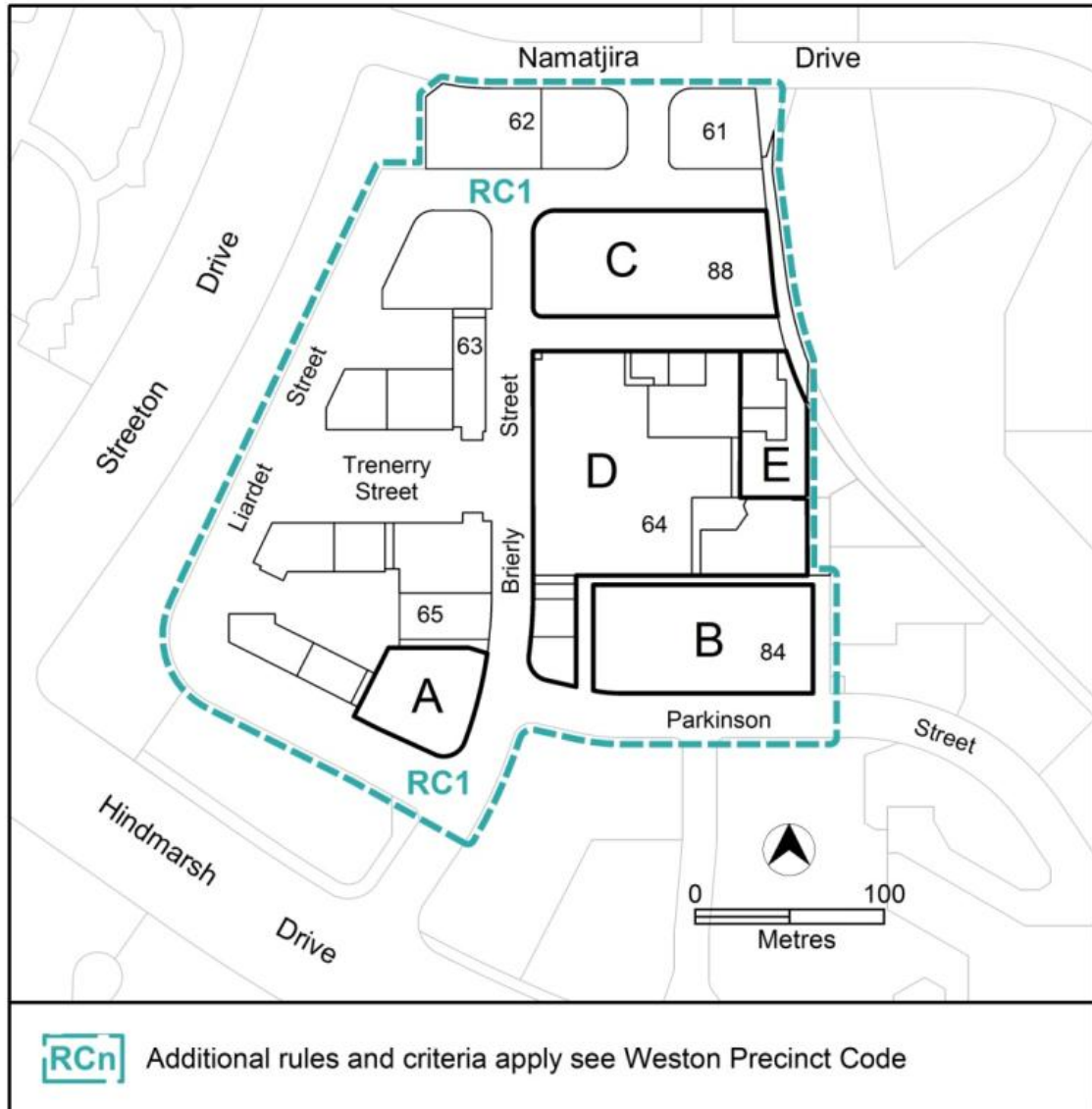


Figure 2 building heights – RC1

Rules	Criteria
<p>R9</p> <p>The minimum building front setback of development in section 84 to:</p> <p>a) Parkinson Street is:</p> <ul style="list-style-type: none"> i) 4m for the portion of development up to four <i>storeys</i> ii) 8m for the portion of development above four <i>storeys</i> <p>b) Whitney Place is:</p> <ul style="list-style-type: none"> i) 0m for the portion of development up to four <i>storeys</i> ii) 4m for development above four <i>storeys</i> 	<p>C9</p> <p>Building setbacks:</p> <ul style="list-style-type: none"> a) provide reasonable solar access to pedestrian areas and public spaces b) provide a reduction of the visual bulk and potential overshadowing impacts of taller buildings

Rules	Criteria
<p>R10</p> <p>The minimum floor to ceiling height at ground floor level is 3.6m.</p>	<p>C10</p> <p>The ground floor level of buildings is adaptable for commercial uses.</p>
<p>There is no applicable rule.</p>	<p>C11</p> <p>Building design achieves all of the following:</p> <ul style="list-style-type: none"> a) corner buildings at the intersection of two roads provide architectural interest and variety to the building design b) entrances to common areas for residential use provide strong visual connection to the street and ensure a high level of surveillance c) driveways and pedestrian entrances to the site are visible from the block boundary d) west-facing facades incorporate sun shading into building designs.
<p>2.3 Active frontages</p>	
<p>R12</p> <p>For buildings located along primary active frontage areas identified in figure 3, frontages and building design comply with all of the following:</p> <ul style="list-style-type: none"> a) buildings incorporate clear display windows and/or shop fronts at the ground floor level b) buildings incorporate direct pedestrian access at grade with the verge level for access and egress for persons with disabilities c) any small areas of walls without windows contain displays, showcases and/or public art, with a maximum of 30% blank frontage per tenancy. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R13</p> <p>Where primary active frontages are located adjacent to pedestrian laneways (existing or proposed) shown in figure 3, the active frontage continues into the laneway for a minimum distance of 3m.</p>	<p>C13</p> <p>Development provides opportunities for activity and passive surveillance into pedestrian laneways.</p>

Rules	Criteria
<p>R14</p> <p>For buildings located along secondary active frontage areas identified in figure 3 adjoining public roads, the design of building frontages complies with all of the following:</p> <ul style="list-style-type: none"> a) buildings incorporate clear display windows and shop fronts at the ground floor level b) buildings incorporate direct pedestrian access at grade with the verge level for access and egress for persons with disabilities. 	<p>C14</p> <p>Development at ground floor level achieves all of the following:</p> <ul style="list-style-type: none"> a) is adaptable for shops b) where building access is provided, direct pedestrian access at street level c) provide opportunities for views into and out of the building.
<p>R15</p> <p>For buildings located along secondary active frontage areas identified in figure 3 adjoining public open space, the design of building frontages complies with all of the following:</p> <ul style="list-style-type: none"> a) buildings incorporate clear display windows at the ground floor level b) buildings incorporate direct pedestrian access at grade with the verge level for access and egress for persons with disabilities c) buildings provide windows and/or balconies above the ground floor level facing onto the public space d) fencing is restricted to transparent mesh or pool type fencing. 	<p>C15</p> <p>Development provides opportunities for:</p> <ul style="list-style-type: none"> a) passive surveillance of the public open space area from the building or open space area, and b) access to and/or from the public open space.
<p>R16</p> <p>This rule applies to residential development adjoining primary active frontages identified in figure 3.</p> <p>Development includes balconies and/or windows to main living areas addressing the street.</p>	<p>C16</p> <p>Residential development provides opportunities for passive surveillance of public spaces.</p>
<p>There is no applicable rule.</p>	<p>C17</p> <p>Extensive lengths of blank facades, open structured car parks and loading docks are not located along primary active frontage areas, and do not dominate secondary active frontage areas shown in figure 3.</p>

Rules	Criteria
There is no applicable rule.	<p>C18</p> <p>Utility infrastructure, such as electricity substations and water boosters required to be located along primary active frontages are minimised and/or screened from public view where possible.</p>
2.4 Awnings	
<p>R19</p> <p>This rule applies to buildings fronting primary active frontage areas on Brierly Street and Trenerry Square shown in figure 3.</p> <p>Buildings incorporate cantilevered awnings for the full extent of the building frontage that comply with all of the following:</p> <ul style="list-style-type: none"> a) provide a minimum height clearance of 3m b) are integrated into the building design at the first floor level c) are a minimum of 3m in cantilever depth, except <ul style="list-style-type: none"> i) where opposing primary active frontages are 6m apart or less, awning depth may be reduced to ensure awnings are separated by 0.5m ii) where a reduction in awning depth is required to avoid impacting on existing infrastructure and/or street trees. 	<p>C19</p> <p>Awnings provide continuous all weather pedestrian shelter and activity in a form compatible with existing awnings.</p>
2.5 Pedestrian connections	
There is no applicable rule.	<p>C20</p> <p>The pedestrian laneways shown in figure 3 are retained for public use and are permanently open.</p>
<p>R21</p> <p>This rule applies to section 64.</p> <p>Publicly accessible pedestrian links connecting Whitney Place to Mahony Court and connecting Brierly Street to the area of open space to the east are to be retained as part of any redevelopment.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>R22</p> <p>This rule applies to areas shown in figure 3 where proposed pedestrian laneways are required.</p> <p>Redevelopment of the existing car park includes a publicly accessible laneway or internal arcade connecting the northern and southern boundaries as shown in figure 3.</p>	<p>C22</p> <p>Redevelopment provides publicly accessible pedestrian laneways generally in accordance with the proposed pedestrian laneways shown in figure 3.</p>
<p>R23</p> <p>This rule applies to areas shown in figure 3 where proposed pedestrian laneways are required.</p> <p>Proposed pedestrian laneways are provided that comply with all of the following:</p> <ul style="list-style-type: none"> a) minimum unobstructed internal width is: <ul style="list-style-type: none"> i) for internal arcades- 3m ii) for uncovered open laneways- 6m b) a minimum extent of 50% glazing at the ground floor measured along the length of the pedestrian laneway c) access to ground floor commercial tenancies adjoining the pedestrian laneway. 	<p>C23</p> <p>Pedestrian connections achieve all of the following:</p> <ul style="list-style-type: none"> a) reasonable public access b) views into and out of adjoining commercial premises c) clearly identifiable entrances.
<p>There is no applicable rule.</p>	<p>C24</p> <p>Development on section 88 retains pedestrian access along the northern side of Mahony Court (adjacent to section 88) with a minimum width of 5m.</p>
<p>2.6 Vehicle access</p>	
<p>R25</p> <p>This rule applies to section 84.</p> <p>Redevelopment of the site includes a road reserve for Whitney Place along the northern length of the site with a minimum width of 24m.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>There is no applicable rule.</p>	<p>C26</p> <p>Access is retained to Whitney Place for:</p> <ul style="list-style-type: none"> a) on street parking b) access to basement parking c) service and delivery vehicles.

Rules	Criteria
There is no applicable rule.	C27 Access is retained to Mahoney Court for service and delivery vehicles.
There is no applicable rule.	C28 This rule applies to the development of section 88. Public vehicle access along the eastern side of the section connecting Liardet Street and Mahony Court is established and maintained.
2.7 Plot ratio	
There is no applicable rule.	C29 <i>Plot ratio</i> rule in the commercial zones development code does not apply.
2.8 Solar access	
R30 Development retains a minimum 3 hours solar access to the main daytime living areas and <i>private open space</i> of <i>dwellings</i> on adjoining blocks during 21 June (winter solstice).	C30 Development retains reasonable solar access to <i>dwellings</i> on adjoining <i>blocks</i> and their associated <i>private open space</i> .
There is no applicable rule.	C31 Development on section 64 ensures the retention of a reasonable level of solar access to development on the southern side of Whitney Place.
There is no applicable rule.	C32 Development on section 88 ensures the retention of a reasonable level of solar access to development on the southern side of Mahony Court.

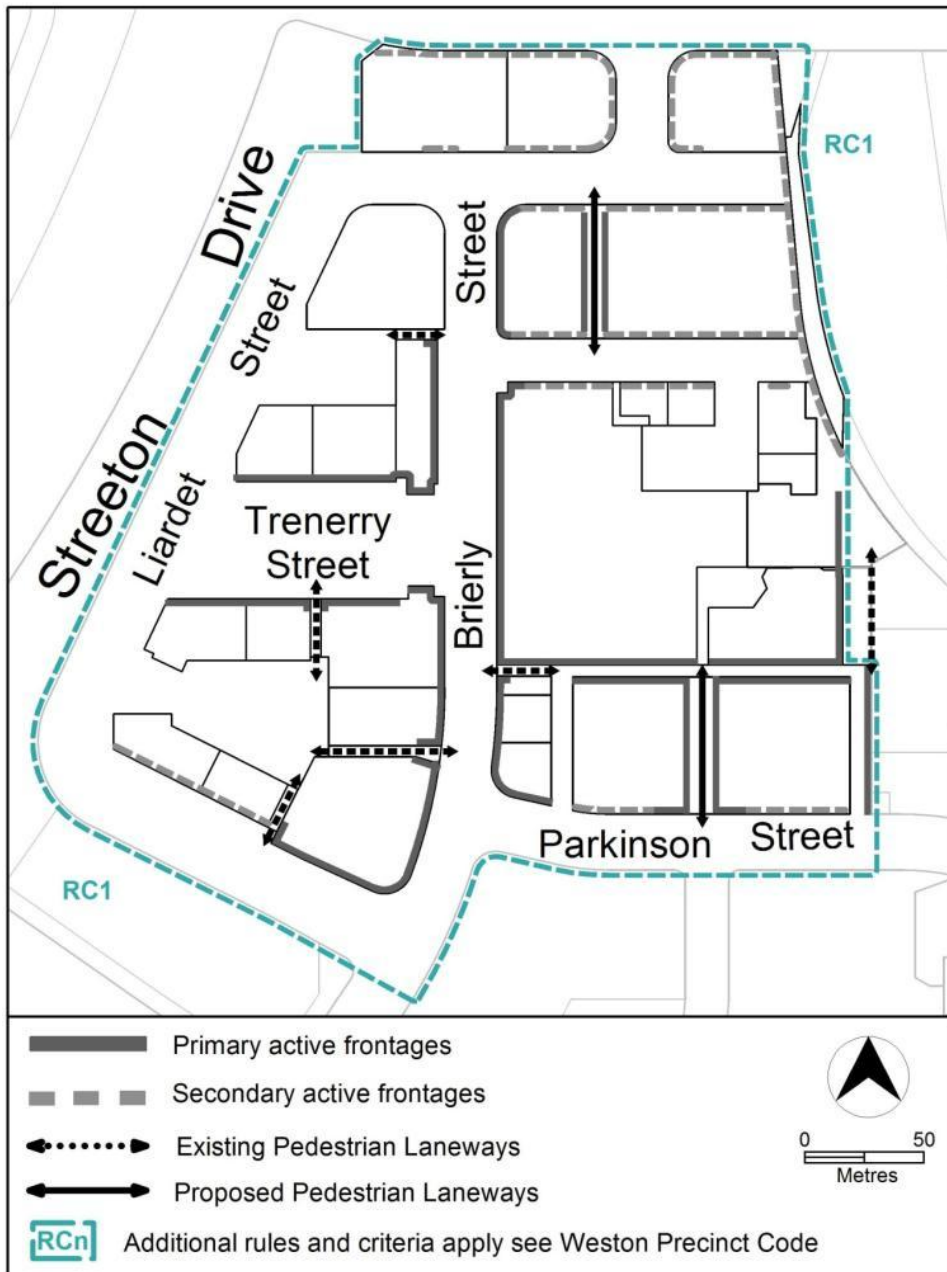


Figure 3 Active frontages and pedestrian laneways – RC1

RC2 – Weston Community Facility and Leisure and Accommodation areas

This part applies to blocks and parcels identified in area RC2 shown on the Weston Precinct Map. RC2 includes areas zoned CFZ and CZ6.

Element 3: Uses

Rules	Criteria
3.1 Community activity centre	
<p>R33</p> <p>This rule applies to section 75.</p> <p><i>Community activity centre</i> is limited to <i>public health, welfare or information services</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
3.2 Potential contamination	
<p>R34</p> <p>This rule applies to area D in figure 4.</p> <p>Applications for development of the site are accompanied by a site specific unexpected finds protocol (UFP) prepared by a suitably qualified environmental consultant.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 4: Buildings

Rules	Criteria
4.1 Building heights	
<p>R35</p> <p>This rule applies to area A, area B, area C and area D shown in figure 4.</p> <p>The maximum <i>height of building</i> is the lesser of two <i>storeys</i> and 9 metres.</p> <p>Building height excludes all of the following:</p> <ul style="list-style-type: none"> i) roof top plant ii) lift overruns iii) antennas iv) photovoltaic panels v) air conditioning units vi) chimneys, flues and vents <p>Excluded items are setback a minimum of 3m from the building facade of the floor immediately below.</p>	<p>C35</p> <p>Building heights may be increased to:</p> <ul style="list-style-type: none"> a) in area A: the lesser of four <i>storeys</i> and 15m b) in area B: the lesser of five <i>storeys</i> and 19m c) in area C: the lesser of six <i>storeys</i> and 22m <p>provided the development does not restrict reasonable solar access to the main daytime living area and/or associated area of <i>principal private open space</i> of dwellings on surrounding blocks.</p>

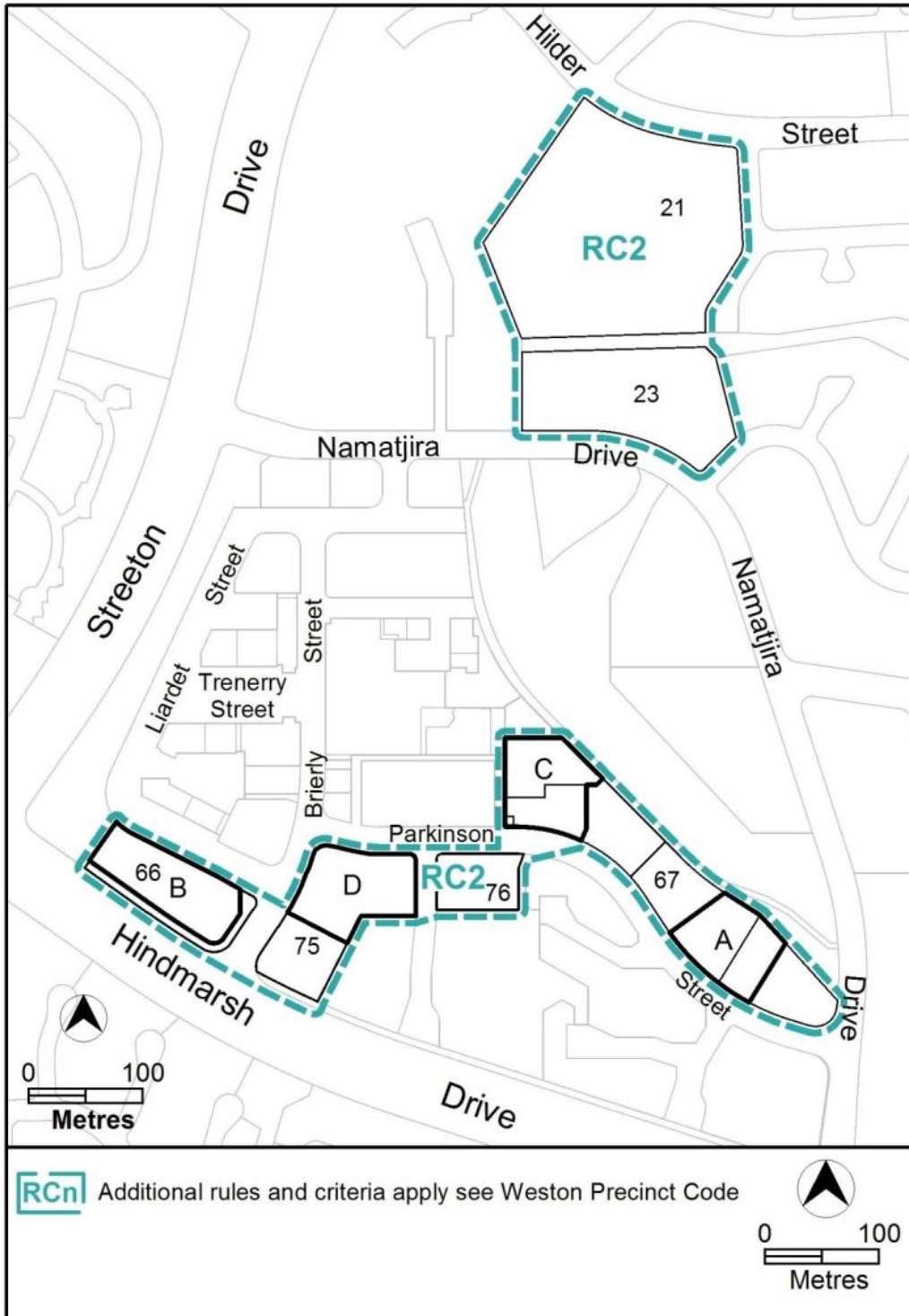


Figure 4 building heights – RC2

Rules	Criteria
4.2 Setbacks	
<p>R36</p> <p>This rule applies to area 'D' in section 75 shown in figure 4.</p> <p>Development complies with each of the following:</p> <ul style="list-style-type: none"> a) Buildings are setback a minimum of 10m from each side and rear boundary adjoining residential blocks b) development includes a minimum 3m wide landscaped area along the full length of each side and rear boundary adjoining residential blocks c) development retains a permanently open publicly accessible pedestrian link connecting the existing pedestrian link from Hindmarsh Drive underpass to Parkinson Street. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R37</p> <p>The minimum building front setback to Parkinson Street is:</p> <ul style="list-style-type: none"> a) 4m for the portion of development up to four <i>storeys</i> b) 8m for the portion of development above four <i>storeys</i>. 	<p>C37</p> <p>Building setbacks:</p> <ul style="list-style-type: none"> a) provide reasonable solar access to pedestrian areas and public spaces b) provide a reduction of the visual bulk and potential overshadowing impacts of taller buildings.
4.3 Active frontages	
<p>R38</p> <p>For buildings located along primary active frontage areas identified in figure 5, frontages and buildings design complies with all of the following:</p> <ul style="list-style-type: none"> a) buildings incorporate clear windows at the ground floor level b) buildings incorporate direct pedestrian access at grade with the verge level for access and egress for persons with disabilities c) building facades are not dominated by extensive lengths of blank facades, open structured carparks, loading docks, substations or other service infrastructure. 	<p>C38</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> a) direct pedestrian access from main pedestrian areas b) avoid extensive lengths of blank walls unrelieved by doors, display windows or the like.

Rules	Criteria
<p>R39</p> <p>For buildings located along secondary active frontage areas identified in figure 5 adjoining public roads, frontages and building design complies with all of the following:</p> <ul style="list-style-type: none"> a) buildings incorporate clear windows and foyers at the ground floor level b) buildings incorporate direct pedestrian access at grade with the verge level for access and egress for persons with disabilities c) building facades are not dominated by extensive lengths of blank facades, open structured carparks, loading docks, substations or other service infrastructure d) buildings provide windows and/or balconies above the ground floor level facing onto the public space e) fencing is restricted to transparent mesh or pool type fencing 	<p>C39</p> <p>Development at ground floor level achieves all of the following:</p> <ul style="list-style-type: none"> a) where building access is provided, direct pedestrian access at street level b) provide opportunities for views into and out of the building
<p>R40</p> <p>For buildings located along secondary active frontage areas identified in figure 5 adjoining public open space, frontages and building design complies with all of the following:</p> <ul style="list-style-type: none"> a) buildings incorporate clear windows at the ground floor level b) buildings provide windows and/or balconies above the ground level facing onto the public space c) building facades are not dominated by extensive lengths of blank walls, open structured carparks, loading docks, substations or other service infrastructure. 	<p>C40</p> <p>Development provides opportunities for passive surveillance of the public open space area.</p>
<p>4.4 Solar access</p>	
<p>R41</p> <p>Development retains a minimum 3 hours solar access to the main daytime living areas and <i>private open space</i> of <i>dwellings</i> on adjoining blocks between the hours of 9am and 3pm on the winter solstice (21 June).</p>	<p>C41</p> <p>Development retains reasonable solar access to dwellings on adjoining <i>blocks</i> and their associated <i>private open space</i>.</p>

Rules	Criteria
4.5 Landscaping	
There is no applicable rule.	<p>C42</p> <p>Development on section 75 provides for all of the following:</p> <ul style="list-style-type: none"> a) opportunities for deep root planning b) replacement or retention of existing trees c) incorporates landscaping which achieves reasonable visual and physical separation from adjoining residential blocks

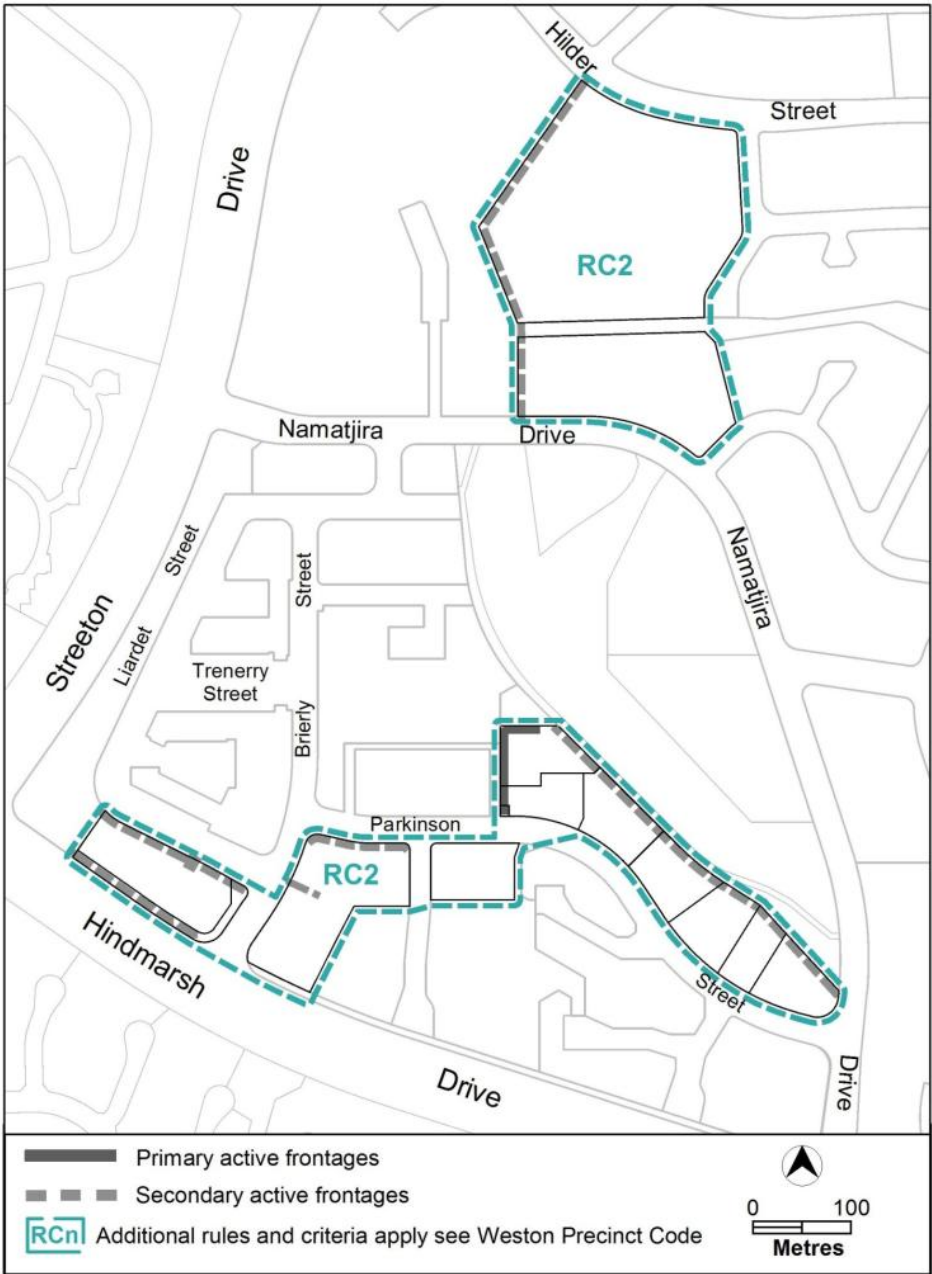


Figure 5 Active frontages – RC2

Other ongoing provisions

This part applies to blocks and parcels identified as ongoing provisions (OPn) in the Weston Precinct Map. It should be read in conjunction with the relevant zone development code and related codes.

OP1 - Weston residential area

This part applies to blocks and parcels identified in area OP1 shown on the Weston Precinct Map.

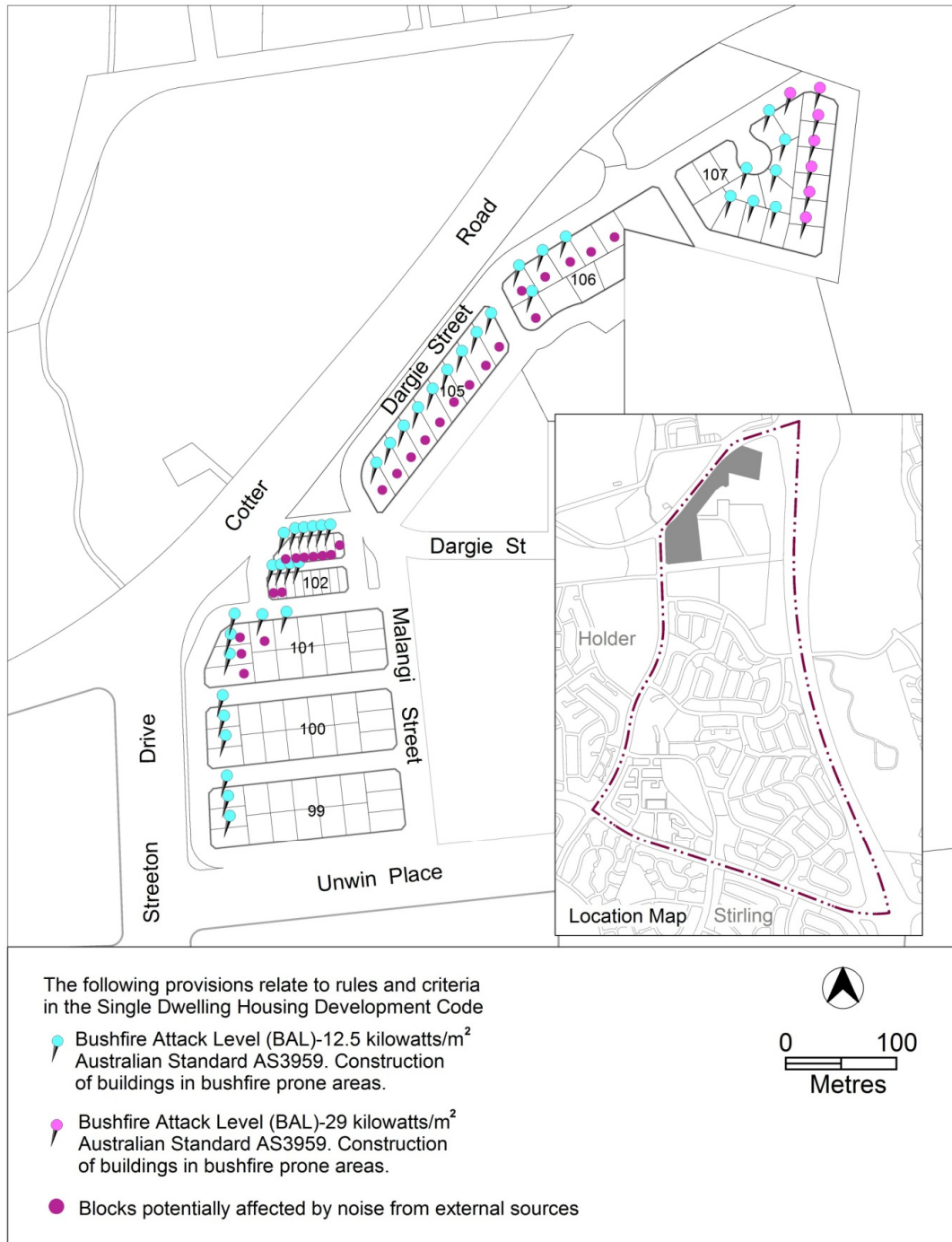


Figure 1 Weston residential area

OP2 - Weston residential area 2

This part applies to blocks and parcels identified in area OP2 shown on the Weston Precinct Map.

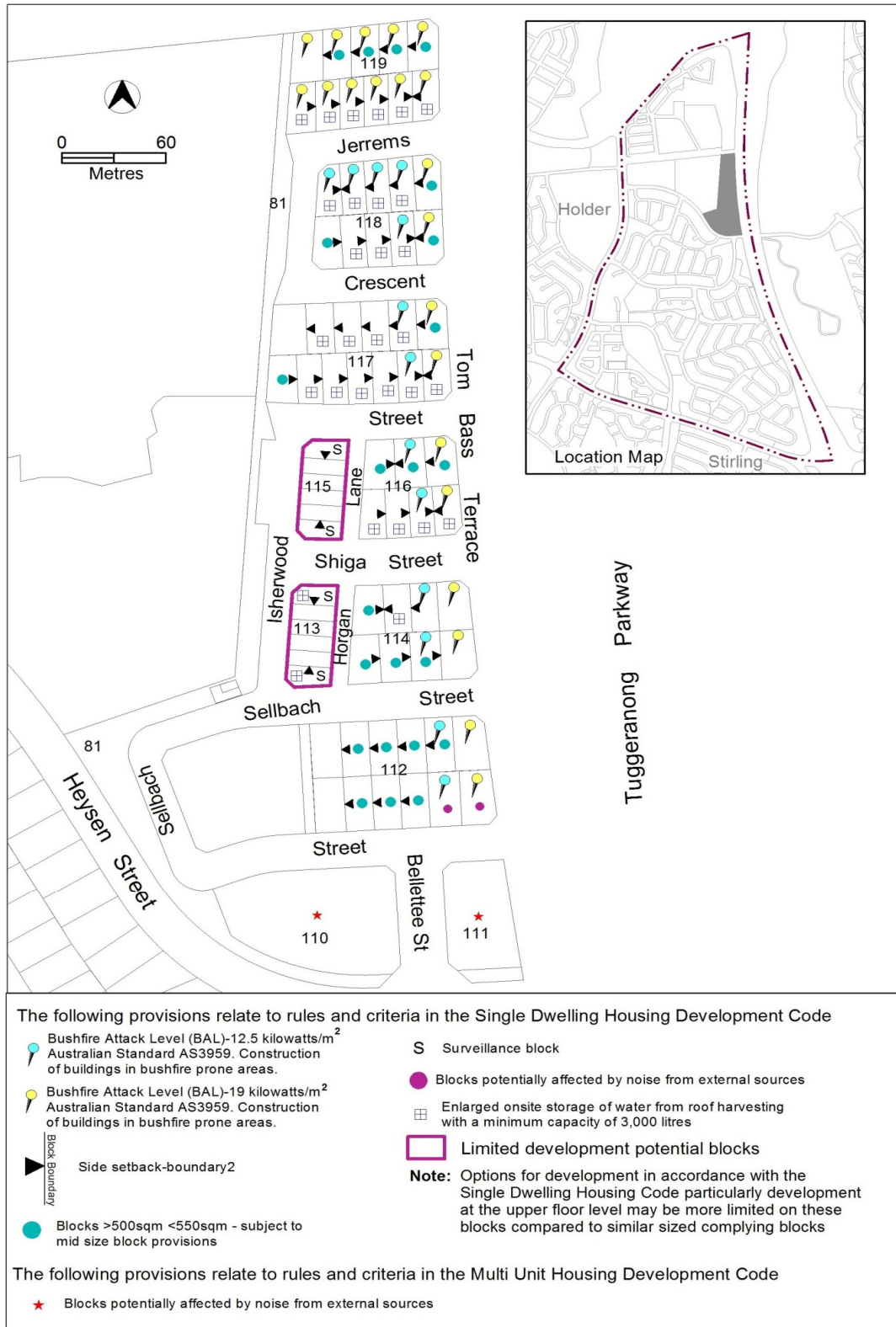


Figure 2 Weston residential area 2