



ACT

Government

Environment and
Sustainable Development

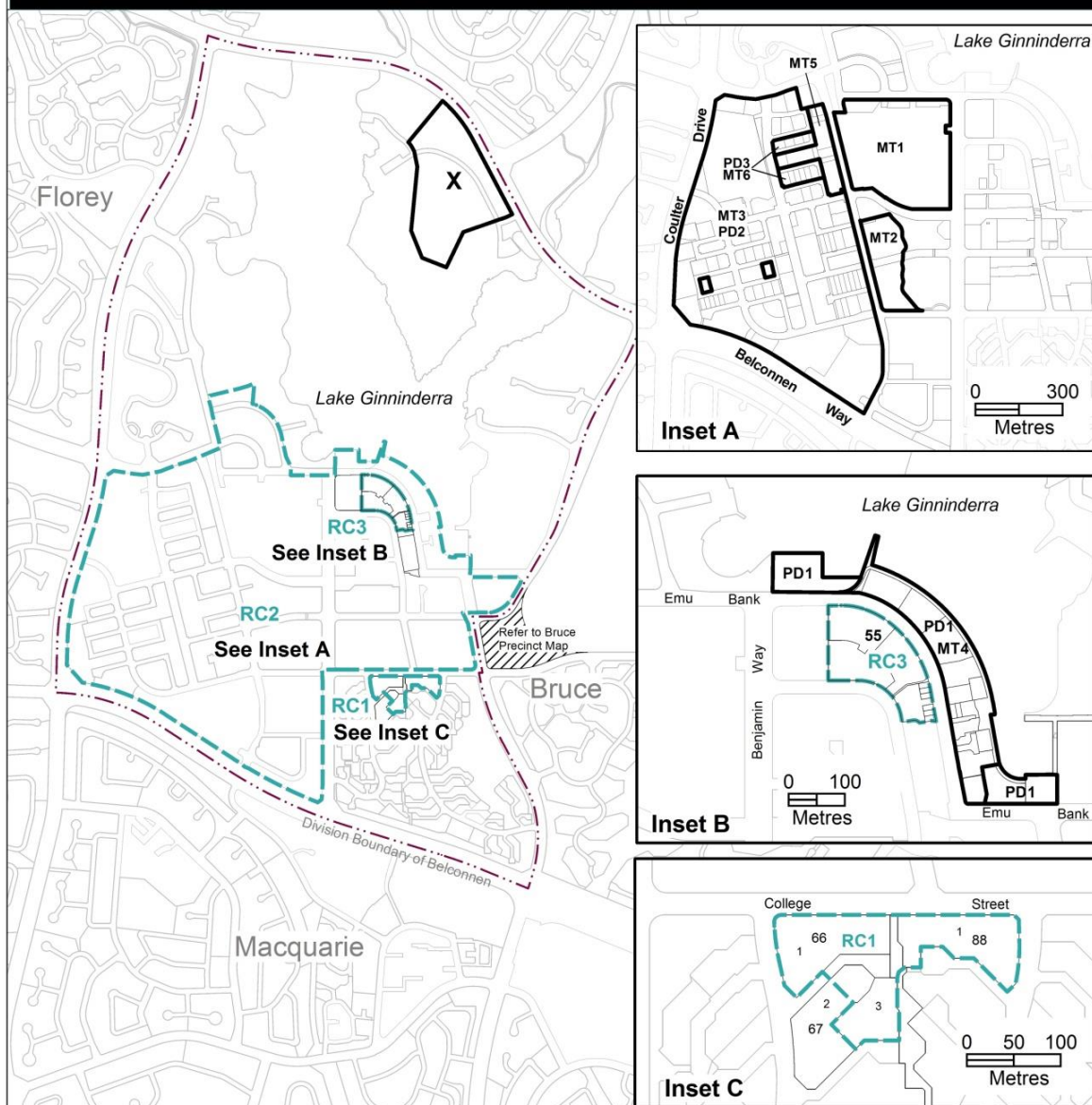
Belconnen Precinct Map and Code

includes

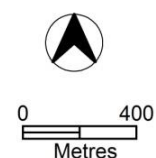
Belconnen Town Centre

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Belconnen Precinct Map



- PDn** Additional prohibited development applies see Table 1
- MTn** Additional merit track development applies see Table 2
- RCn** Additional rules and criteria apply see Belconnen Precinct Code
- X** Urban open space - not public land
- Refer to Bruce Precinct Map



Assessment Tracks

The following tables identify the additional prohibited development and additional merit track development for blocks and parcels shown in the Belconnen 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	CZ6	caravan park / camping ground drive in cinema group or organised camp overnight camping area
PD2	CZ3	RESIDENTIAL USE
PD3	CZ2	RESIDENTIAL USE

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	produce market
MT2	CZ2	service station
MT3	CZ3	corrections facility
MT4	CZ6	office RESIDENTIAL USE
MT5	CZ2	Industrial trades light industry plant and equipment hire establishment store veterinary hospital warehouse
MT6	CZ2	light industry plant and equipment hire establishment store veterinary hospital warehouse

add definitions to Belconnen precinct code:

Active Frontage: ground level building facades adjoining public spaces that encourage pedestrian interaction through display windows, public entrances, shop fronts and the like.

Podium: refers to the lower storeys of a building addressing public space, designed to present a human scale to the public space. Upper floor levels are set back to reduce apparent bulk and scale.

Belconnen Precinct Code

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Introduction

Name

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

Application

The code applies to the Division of Belconnen.

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 Belconnen Precinct Map (RCn). It should be read in conjunction with the relevant zone development code and related codes.

RC1 – Residential area 1

This part applies to blocks and parcels identified in area RC1 shown on the Belconnen Precinct Map.

Element 1: Buildings

Rules	Criteria
1.1 Number of storeys	
There is no applicable rule.	C1 Buildings are predominately the lesser of three <i>storeys</i> and 11 metres, with a maximum <i>height of building</i> the lesser of six <i>storeys</i> and 21 metres where development addresses College Street.
1.2 Solar access	
R2 There is no applicable rule.	C2 Development does not significantly impact on solar access to main daytime living areas and areas of principal private open space of dwellings on adjacent blocks.

RC2 – Belconnen Town Centre

This part applies to area RC2 shown on the Belconnen Precinct Map. RC2 includes the larger part of the Belconnen Town Centre. See also the Bruce Precinct Code which contains part of the Belconnen Town Centre.

Element 2: Use

Rules	Criteria
2.1 Ground floor use	
<p>R3</p> <p>This rule applies to sites in CZ1 with boundaries to primary active frontages shown in figure 1.</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>C4</p> <p>This criterion applies to sites in CZ2 and CZ6 with boundaries to primary active frontage shown in figure 1.</p> <p>Buildings incorporate uses on the ground floor that generate activity in the public space.</p>
2.2 SHOP – floor area limit	
<p>R5</p> <p>This rule applies to CZ2.</p> <p>The maximum <i>gross floor area</i> of any <i>SHOP</i> is 200m².</p> <p>In the hatched area shown in figure 1, the maximum <i>gross floor area</i> of supermarket is 1,500m² per section.</p>	<p>C5</p> <p><i>SHOPS</i> are limited to a scale appropriate to providing convenient shopping and personal services for the local workforce and residents.</p> <p>This criterion does not apply to supermarket in the hatched area in figure 1.</p>

Rules	Criteria
2.3 Office and residential use	
<p>R6</p> <p>This rule applies to section 65 in CZ6.</p> <p>The following uses are not permitted on the ground floor level:</p> <ul style="list-style-type: none"> a) office b) RESIDENTIAL USE 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

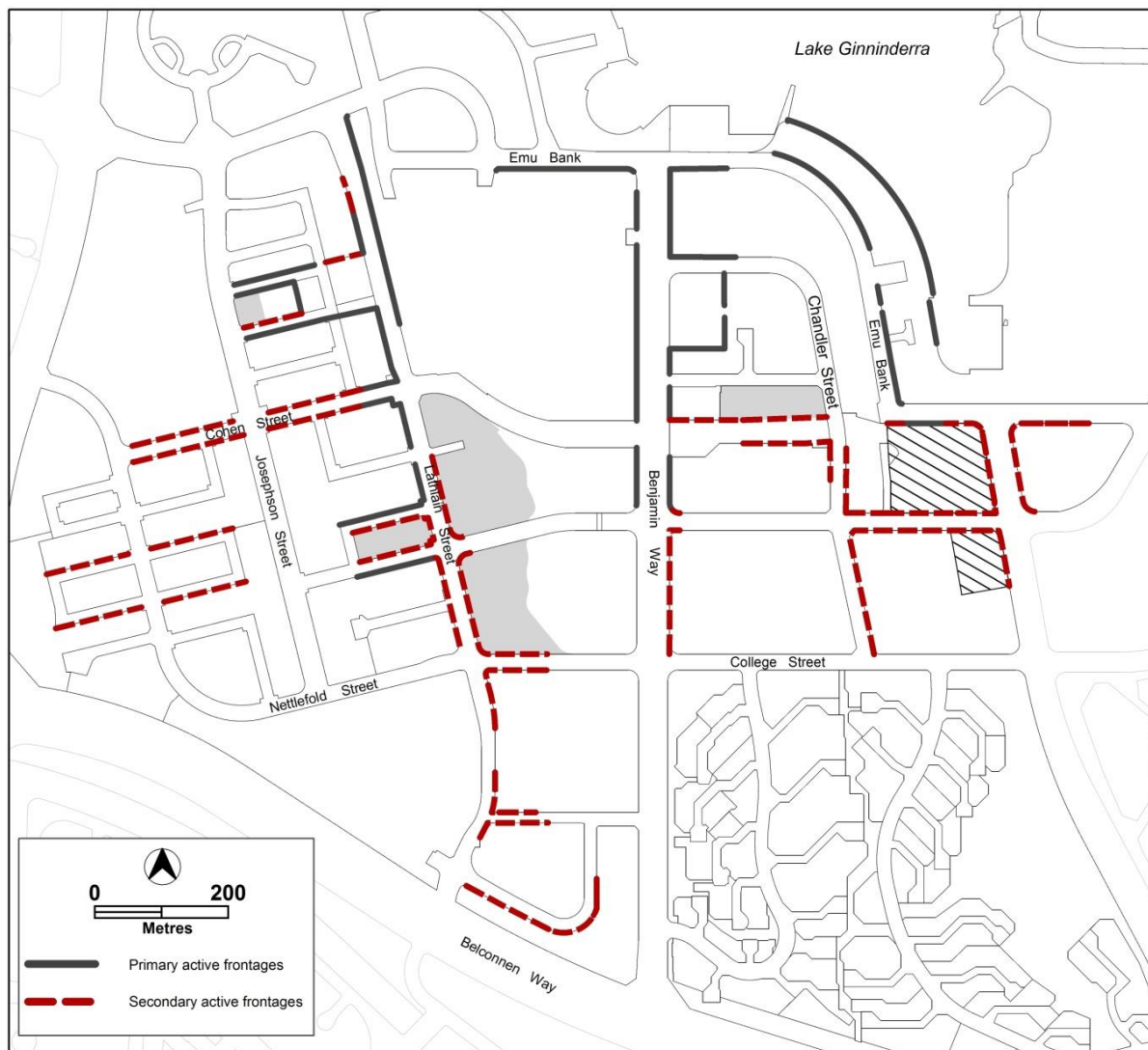


Figure 1 Active frontages, car parking areas and permitted supermarket area in CZ2

Rules	Criteria
<p>R7</p> <p>This rule applies to section 23 and 21.</p> <p><i>RESIDENTIAL USE</i> is not permitted on the ground and/or first level along Lathlain Street.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R8</p> <p>This rule applies to section 21.</p> <p><i>RESIDENTIAL USE</i> is not permitted within 100m of block 23 section 21.</p>	<p>C8</p> <p>Development applications for development that includes residential use are submitted with written endorsement from the Environment Protection Authority.</p>
2.4 Service station	
<p>R9</p> <p>This rule applies to the areas shaded grey shown in figure 1.</p> <p>Development of a service station, where permitted by the Belconnen precinct map, is only permitted in association with a structured <i>car park</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
2.5 Development on nominated car parking areas	
<p>R10</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; and 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>C10</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; and b) makes a substantial contribution to the long term publicly accessible parking supply at the town centre as endorsed by the Territory.

Element 3: Buildings

Rules	Criteria
3.1 Building heights	
<p>R11</p> <p>This rule applies to areas shown in figure 2 and figure 3.</p> <p>Maximum <i>height of building</i> is:</p> <ul style="list-style-type: none"> a) for area 'a1': the lesser of 28 storeys and 96m b) for area 'a2': the lesser of 25 <i>storeys</i> and 80m c) for area 'b': the lesser of 23 <i>storeys</i> and 76m d) for area 'c': the lesser of 20 <i>storeys</i> and 66m e) for area 'd': the lesser of 18 <i>storeys</i> and 60m f) for area 'e': the lesser of 12 <i>storeys</i> and 42m g) for area 'f': the lesser of 10 <i>storeys</i> and 35m h) for area 'g': the lesser of 8 <i>storeys</i> and 29m i) for area 'h': the lesser of 6 <i>storeys</i> and 23m j) for area 'i': the lesser of 4 <i>storeys</i> and 16m k) for area 'j': the lesser of 3 <i>storeys</i> and 12m l) for area 'NCA': RL613.7 m) for area k: the lesser of 2 <i>storeys</i> and 9m. <p>Plant room set back a minimum of 3m from the building facade of the floor immediately below is not included in the number of <i>storeys</i>.</p> <p>Plant room screening and other non gross floor area rooftop architectural features are not included in building height.</p> <p>Note: Maximum building heights that are not nominated in Figure 2 are as per the relevant zone development code requirements.</p>	<p>C11</p> <p>The maximum <i>height of building</i> in areas 'b' and 'c' may be increased by an additional four <i>storeys</i> or twelve metres, whichever is the lesser, where development achieves all of the following:</p> <ul style="list-style-type: none"> a) where a block contains more than one taller building element, there is clear difference in height between elements b) the development achieves a high quality design outcome; and c) development is close to public transport stops and/or stations.

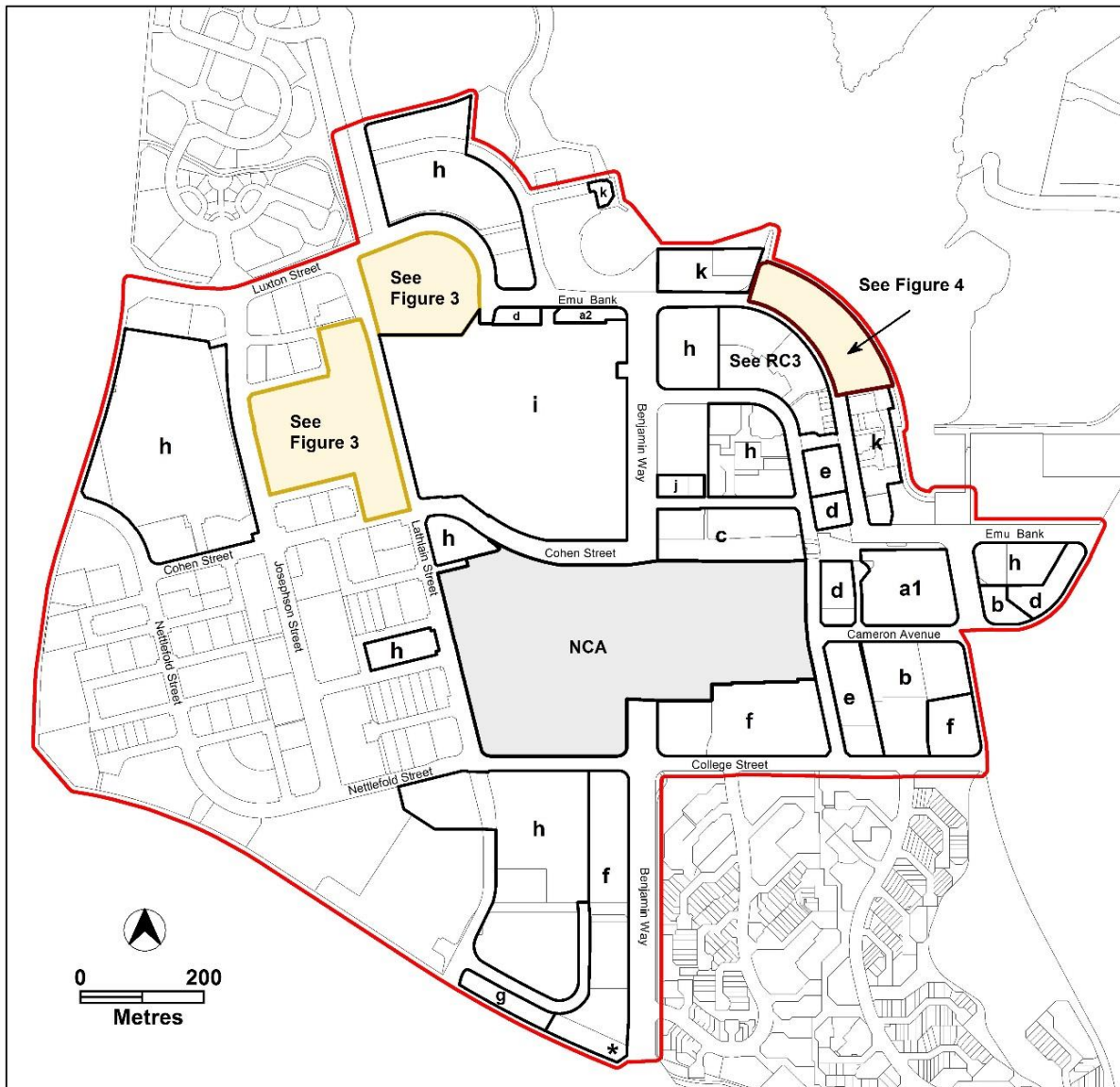


Figure 2 Building heights

Rules	Criteria
There is no applicable rule.	<p>C12</p> <p>This criterion applies to development in the area indicated by an asterisk shown in figure 2, at the corner of Benjamin Way and Belconnen Way.</p> <p>One higher building element up to the lesser of 16 storeys and 55m may be permitted where development suitably addresses the adjoining Benjamin Way and Belconnen Way intersection.</p>

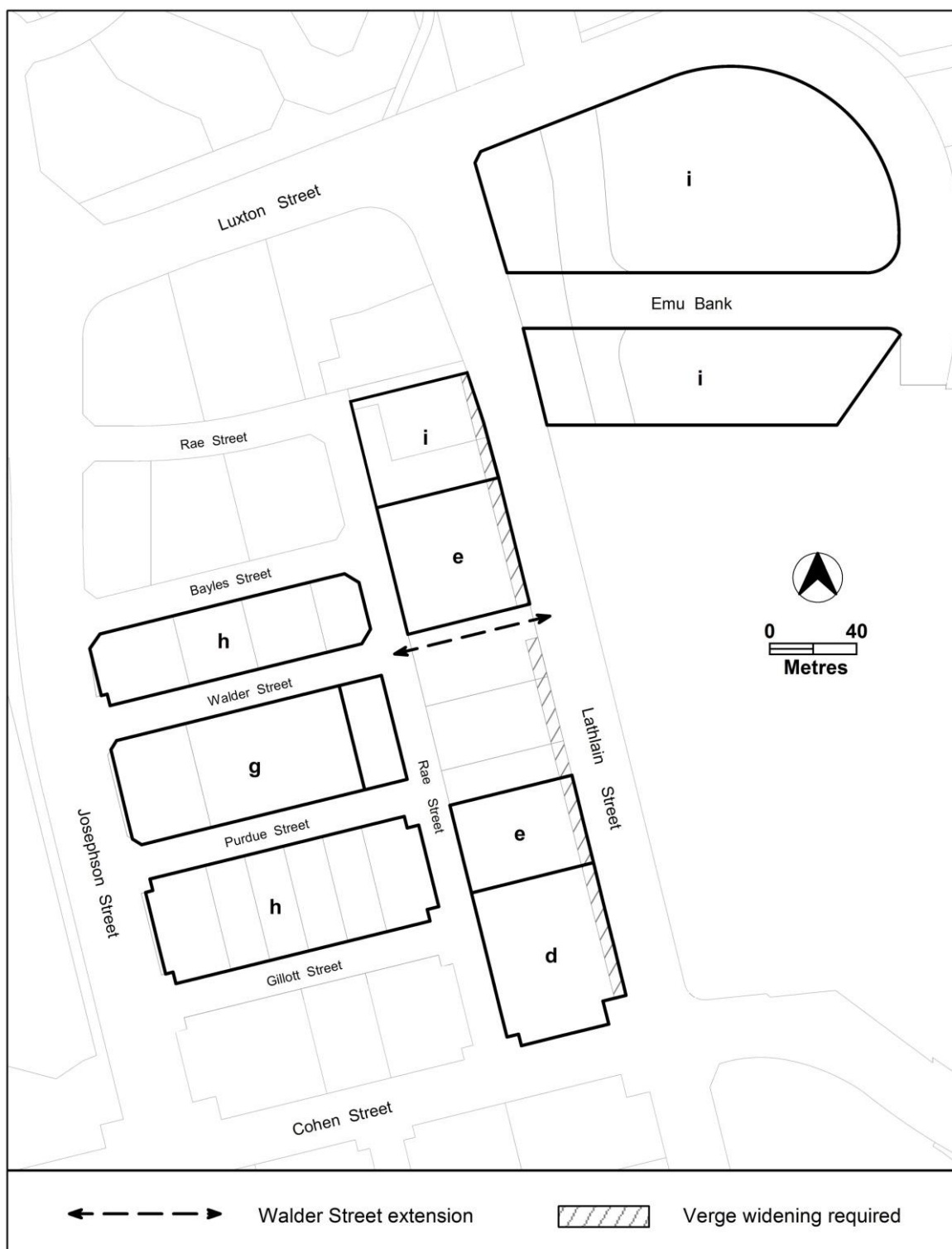


Figure 3 Lathlain Street precinct

Rules	Criteria
<p>There is no applicable rule.</p>	<p>C13</p> <p>This criterion applies to area 'i' in section 52 and section 151, shown in figure 3.</p> <p>Development up to the lesser of 12 <i>storeys</i> or 42m, measured from the Emu Bank frontage, is permitted subject to the preparation of a master plan for the site that achieves all of the following:</p> <ul style="list-style-type: none"> a) A clear public pedestrian connection linking Lathlain Street to the lower end of Luxton Street or Emu Bank. b) Opportunities for the lower levels of the block to be used for a structured carpark. c) vehicle access to be provided from Joynton Smith Drive or Emu Bank only d) Enable the existing road (Joynton Smith Drive) and proposed cycle / pedestrian path to continue under the development. e) Any podium levels along Lathlain Street are limited to a maximum two storey height limit to Lathlain Street.
<p>R14</p> <p>This rule applies to the subject area shown in figure 4.</p> <p>Development complies with all of the following:</p> <ul style="list-style-type: none"> a) The maximum <i>height of building</i> is: <ul style="list-style-type: none"> i) in area 'a' – the lesser of two <i>storeys</i> and 9 metres ii) in area 'b' – the lesser of four <i>storeys</i> and 15 metres b) The minimum building setback to Ginninderra Lake boundary, including basements, is 10m c) The four storey elements located between Emu Bank and Lake Ginninderra comply with all of the following: <ul style="list-style-type: none"> i) the total combined area of all of the four storey elements within a block does not exceed 40% of the block area ii) each four storey element is separated from the pedestrian connections shown in figure 4 and each side boundary by a minimum of 4m 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>iii) each four storey element has a maximum width of 16m when viewed from Emu Bank front boundary, and</p> <p>iv) each four storey element has a minimum separation from any other four storey element of 10m.</p>	

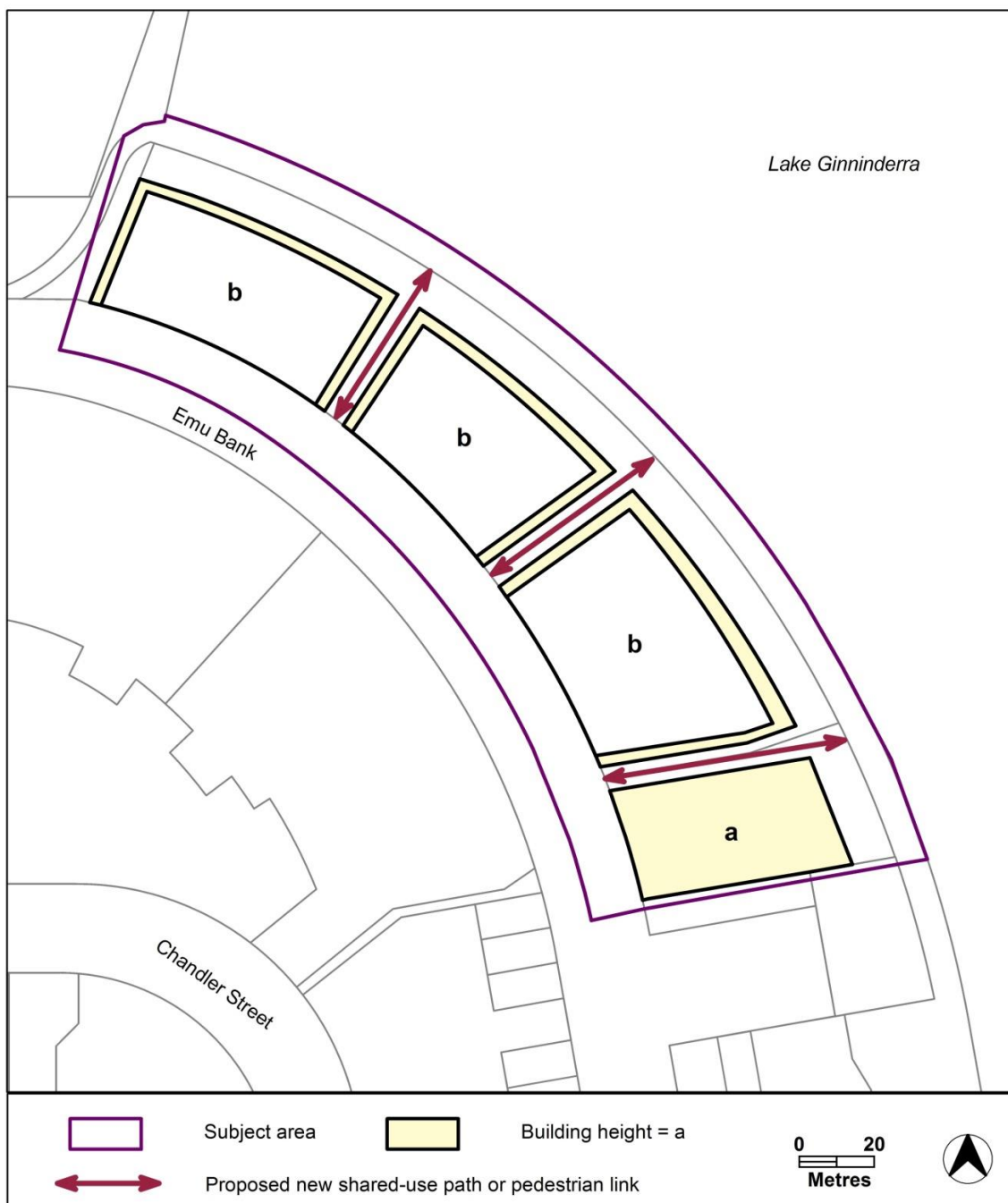


Figure 4 **Emu Bank development**

Rules	Criteria
3.2 Built form	
<p>R15</p> <p>This rule applies to development of 12 <i>storeys</i> or more.</p> <p>Buildings are built to the <i>front boundary</i> at the ground floor level.</p> <p>The minimum front boundary setbacks above ground floor level are:</p> <ul style="list-style-type: none"> a) 0m for the portion of development up to 6 <i>storeys</i> b) 3m for the portion of development above 6 <i>storeys</i> up to 12 <i>storeys</i> c) 6m for the portion of development above 12 <i>storeys</i>. 	<p>C15</p> <p>Minor departures from the building setbacks are permitted at the ground level up to 6 <i>storeys</i> where development:</p> <ul style="list-style-type: none"> a) contributes to the pedestrian orientated environment b) reflects the existing street character; and c) accommodates active uses, building entrances and/or landscaped areas. <p>Departures from the building setbacks above 6 <i>storeys</i> are permitted where development:</p> <ul style="list-style-type: none"> a) demonstrates exceptional design quality b) provides a strong relationship with the public domain; and c) avoids towers that continue to the ground.
There is no applicable rule.	<p>C16</p> <p>This criterion applies to development of 8 <i>storeys</i> or more in height.</p> <p>Development applications include a visual impact assessment that addresses landscape setting of the town centre and analysis of the town centre urban form to demonstrate how the development positively contributes to the future desired character. The assessment will include a site context plan that illustrates the developments relationship to primary pedestrian routes, streetscape and nearby development.</p>
There is no applicable rule.	<p>C17</p> <p>Large blocks supporting more than one building above 12 <i>storeys</i> are required to provide a clear variety in building heights, and avoid having several buildings all at or near the maximum height limit.</p>
3.3 Consolidation	
<p>R18</p> <p>This rule applies to CZ2 zoned blocks in section 22, 185 and section 186.</p> <p>Development of more than 2 <i>storeys</i> in each section is not permitted until all of the <i>blocks</i> in each section are consolidated into one <i>block</i>.</p>	<p>C18</p> <p>Development above 2 <i>storeys</i> in sections 185 and 186 demonstrates that adjoining blocks within the section are capable of developing up to the maximum building height.</p>

Rules	Criteria
<p>R19</p> <p>This rule applies to development in area B shown in figure 5.</p> <p>Development of 2 <i>storeys</i> or more is not permitted until all of the blocks are consolidated into one <i>block</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
3.4 Subdivision	
<p>There is no applicable rule.</p>	<p>C20</p> <p>Development of section 5 and/or section 11 includes subdivision of the section to retain the PRZ1 zoned land as a separate block.</p>
3.5 Boundary re-alignment	
<p>R21</p> <p>This rule applies to the hatched area in figure 3. Development incorporates a re-alignment of the Lathlain Street boundary to ensure a minimum 6m verge width to Lathlain Street.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
3.6 Structured car parks	
<p>R22</p> <p>This rule applies to structured car parks or podium car parks located along active frontage areas shown in figure 1.</p> <p>Structured car parks, or the podium car park component of a building, comply with all of the following:</p> <ol style="list-style-type: none"> have a maximum <i>height of building</i> of six <i>storeys</i> have commercial development along the street frontage at ground level do not permit vehicle access along the frontage to main pedestrian areas provides an unimpeded, permanently open pedestrian path of travel from the front boundary to public car parking spaces within the development. 	<p>C22</p> <p>Structured car parks and podium car parks provide active frontages at street level, minimise potential pedestrian/vehicle conflicts and where public parking is provided, ensure public access is provided at all times.</p>
3.7 Building design	
<p>R23</p> <p>The minimum ground floor level floor to ceiling height is:</p> <ol style="list-style-type: none"> in CZ1 and CZ2 – 3.6m in CZ3 – 4m. 	<p>C23</p> <p>The ground floor level of buildings is adaptable for commercial uses.</p>

Rules	Criteria
There is no applicable rule.	<p>C24</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> a) contribution to the character and amenity of adjacent public spaces b) interesting, functional and attractive facades that contribute positively to the <i>streetscape</i> and pedestrian experience; and c) articulated building forms.
<p>R25</p> <p>Residential development along primary or secondary active frontages shown in figure 1 or public open space areas includes balconies and/or windows to main living areas addressing each street frontage and public spaces.</p>	<p>C25</p> <p>Residential development provides opportunities for passive surveillance of public spaces and pedestrian areas.</p>
There is no applicable rule.	<p>C26</p> <p>Ground floor public entrances, including residential lobby and lift areas are clearly visible from external public spaces.</p>
There is no applicable rule.	<p>C27</p> <p>Ground floor dwellings addressing unleased territory land retain privacy and safety for the residents without obstructing opportunities for passive surveillance.</p> <p>This may be achieved through:</p> <ul style="list-style-type: none"> a) elevation of private open space areas above the territory land level b) providing sill heights that minimise sight lines into dwellings, and/or c) integrating constructed or vegetative screens into the external design.
3.8 Setbacks to Lake Ginninderra	
<p>R28</p> <p>This rule applies to development in area A shown in figure 5.</p> <p>The minimum setback to each boundary is 0m.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
3.9 Section 22 setback	
<p>R29</p> <p>This rule applies to section 22.</p> <p>Development complies with all of the following:</p> <ul style="list-style-type: none"> a) Buildings, including basement, are setback a minimum of 20m from the Rae Street front boundary. b) Development within the setback area is limited to: <ul style="list-style-type: none"> i) landscaping ii) pedestrian paths iii) awnings iv) street furniture v) utilities <p>and remains publicly accessible at all times.</p>	<p>C29</p> <p>Development provides a substantial area of landscaped publicly accessible open space along the Rae Street front boundary.</p>
3.10 Pedestrian access	
<p>R30</p> <p>This rule applies to development in the subject area shown in figure 4.</p> <p>A pedestrian easement is provided in each of the areas identified as containing a proposed new shared-use path or pedestrian link that complies with all of the following:</p> <ul style="list-style-type: none"> a) has a minimum internal unobstructed width of 6m b) provides direct pedestrian access between Emu Bank street frontage and Lake Ginninderra frontage c) remains permanently open and publicly accessible. 	<p>C30</p> <p>Development provides permanently accessible unobstructed pedestrian access between Emu Bank front boundary and the lake.</p>
<p>There is no applicable rule.</p>	<p>C31</p> <p>Development of large sites provides a fine grain and permeable movement network that supports filtering of pedestrians through the centre, and supports the main pedestrian areas.</p>
<p>There is no applicable rule.</p>	<p>C32</p> <p>Commercial and or residential units located on the ground floor have individual entries directly accessible from public space.</p>

Rules	Criteria
3.11 Solar access	
R33 Development retains a minimum 3 hours solar access to the main daytime living areas and <i>private open space</i> of <i>dwelling</i> s on adjoining blocks between the hours of 9am and 3pm on the winter solstice (21 June).	C33 Development retains reasonable solar access to <i>dwelling</i> s on adjoining <i>blocks</i> and their associated area of <i>principal private open space</i> .

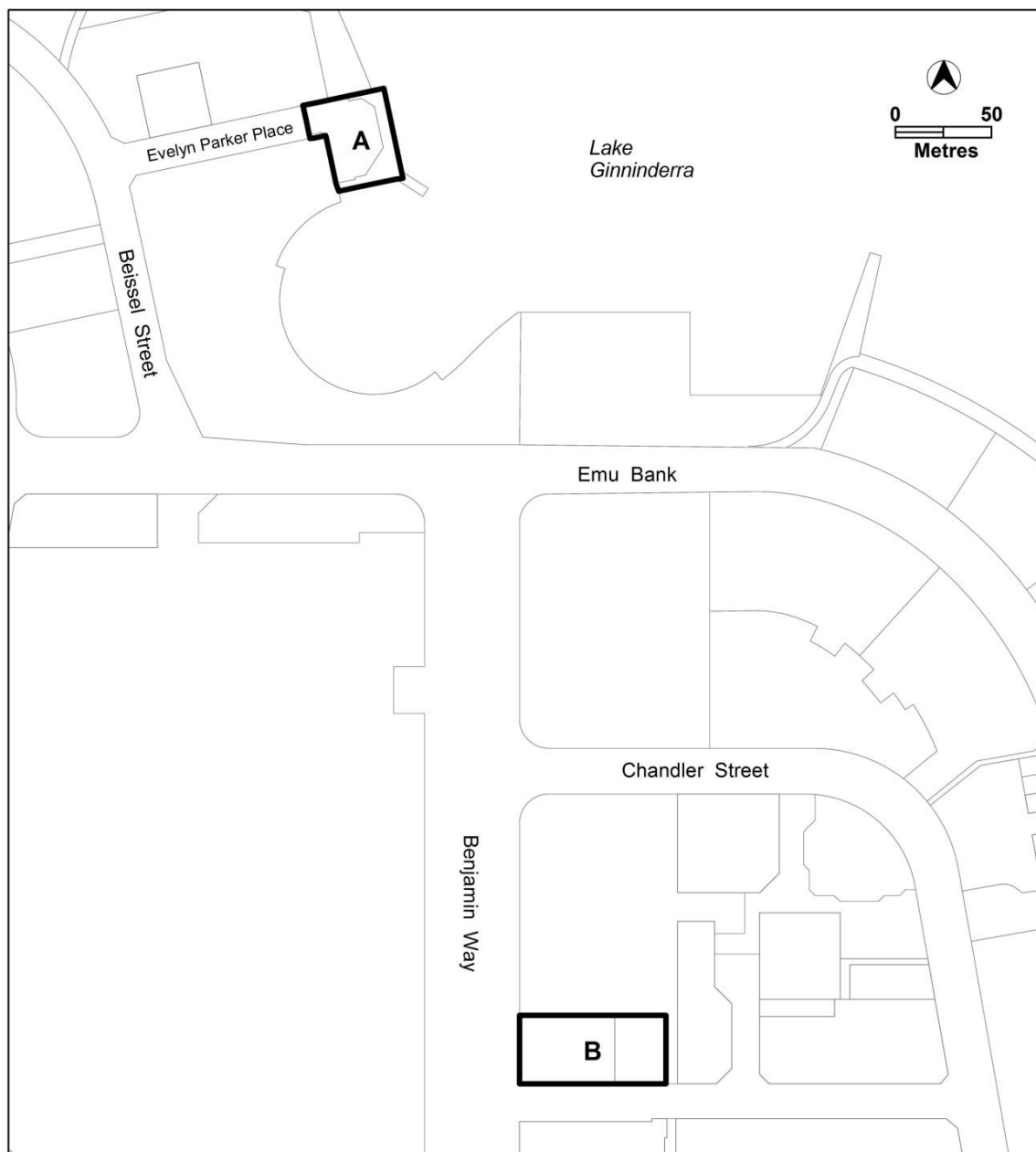


Figure 5

Rules	Criteria
3.12 Active frontages	
<p>R34</p> <p>For buildings located along primary active frontage areas identified in figure 1, 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 d) blank facades, open structured car parks and/or loading docks are not located along the frontage. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R35</p> <p>For buildings located along secondary active frontage areas identified in figure 1, frontages and building design 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>C35</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, and c) provide opportunities for views into and out of the building.
<p>There is no applicable rule.</p>	<p>C36</p> <p>For buildings located along secondary active frontages, building facades are not dominated by extensive lengths of blank facades, open structured carparks, loading docks, substations or other service infrastructure</p>
<p>There is no applicable rule.</p>	<p>C37</p> <p>Utility infrastructure such as electricity substations and water boosters located along primary active frontages shown in figure 1 are minimised and/or screened where possible.</p>

Rules	Criteria
<p>There is no applicable rule.</p>	<p>C38</p> <p>This criterion applies to development along primary and secondary active frontages shown in figure 1.</p> <p>Commercial uses with both internal public access and external public access are designed to ensure the external frontage provides the primary public access point.</p>
3.13 Awnings	
<p>R39</p> <p>This rule applies to buildings fronting primary active frontage areas shown in figure 1.</p> <p>Awnings are provided that comply with all of the following:</p> <ul style="list-style-type: none"> a) extend the full length of the building frontage b) are a minimum height of 3m above finished pavement or ground level of the verge c) are integrated into the building design at the first floor level, and d) have a minimum 3m cantilever depth, except where: <ul style="list-style-type: none"> i) opposing primary active frontages are 6m apart or less, awning depth may be reduced to ensure awnings are separated by at least 0.5m, and/or ii) a reduction in awning depth is required to accommodate existing infrastructure and/or street trees. 	<p>C39</p> <p>Awnings provide continuous all weather pedestrian shelter and activity in a form compatible with existing awnings.</p>
3.14 New roads	
<p>R40</p> <p>This rule applies to development in section 21.</p> <p>Redevelopment incorporates the proposed road shown in figure 2.</p>	<p>C40</p> <p>Development does not preclude the future provision of an access road connecting Walder Street to Lathlain Street.</p>

Rules	Criteria
3.15 Easements	
There is no applicable rule.	<p>C41</p> <p>This criterion applies to area A shown in figure 5.</p> <p>Development complies with all of the following:</p> <ul style="list-style-type: none"> a) A right of way easement is provided along the entire eastern and southern boundaries to facilitate pedestrian access along the lake foreshore b) Any and all encroachments over utility easements are endorsed by the relevant utility provider; and c) any and all encroachments over right of way easements: <ul style="list-style-type: none"> i) do not obstruct access to the right of way, and ii) are endorsed by the Territory.
3.16 Parking rate – CZ6	
There is no applicable rule.	<p>C42</p> <p>This criterion applies to development in CZ6.</p> <p>Short and/or long stay parking is located on site or within 500m of the subject site.</p>

RC3 – Residential area 2

This part applies to blocks and parcels identified in area RC3 shown on the Belconnen Precinct Map.

Element 4: Buildings

Rules	Criteria
4.1 Number of storeys	
<p>R43</p> <p>This rule applies to the area shown in figure 6.</p> <p>The maximum <i>height of building</i> is:</p> <ul style="list-style-type: none"> a) in area 'a' – the lesser of four <i>storeys</i> and 14 metres b) in area 'b' – the lesser of six <i>storeys</i> and 20 metres. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>



Figure 6 building heights