



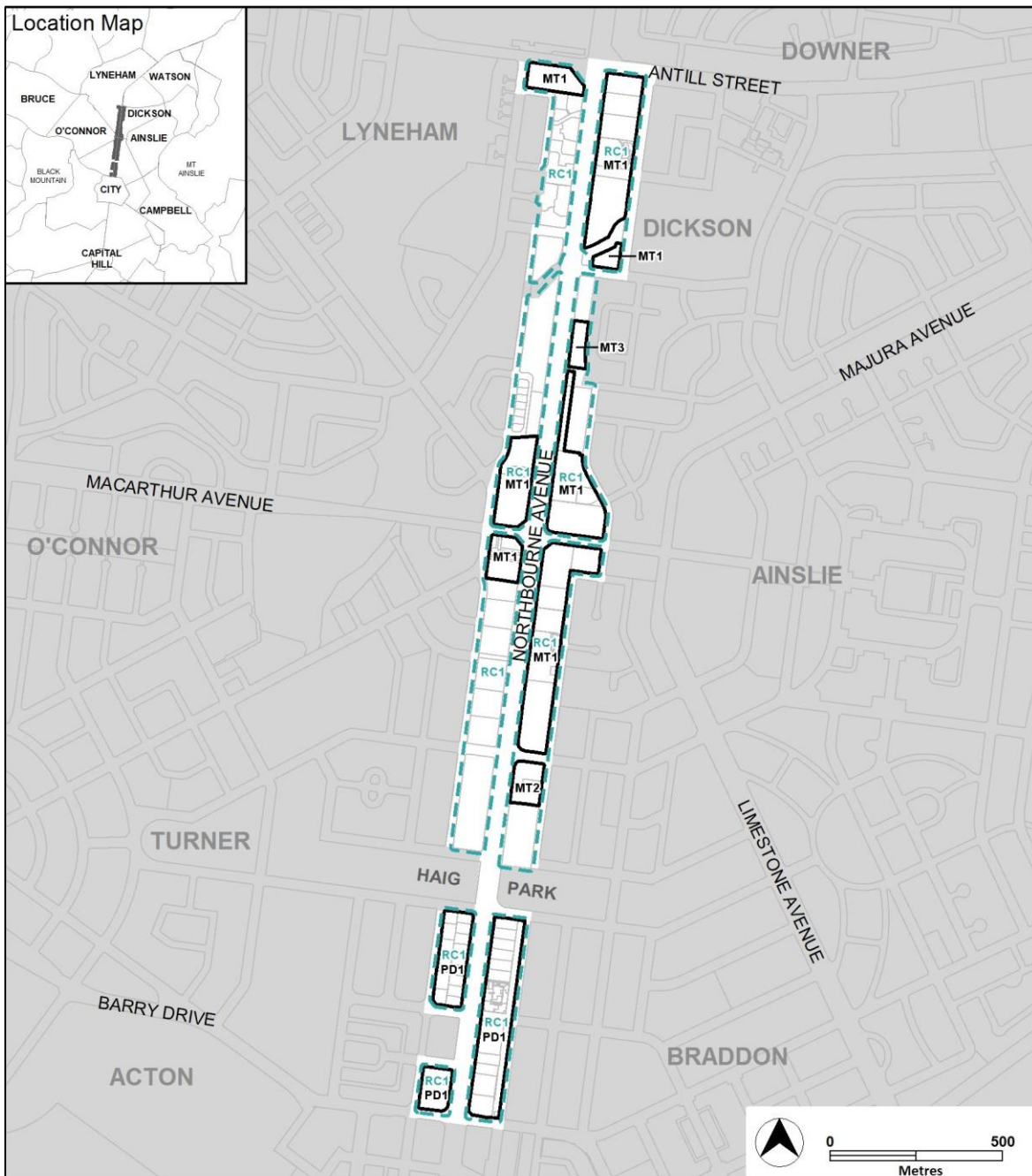
**ACT**  
Government

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Environment, Planning and  
Sustainable Development

# Northbourne Avenue Corridor Precinct Map and 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 Northbourne Avenue Corridor Precinct Code
- Refer to suburb precinct code

## Assessment Tracks

The following tables identify the additional prohibited development and additional merit track development for blocks and parcels shown in the Northbourne Avenue Corridor 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	CZ2	<i>place of assembly place of worship</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	CZ5	<i>club scientific research establishment</i>
MT2	CZ5	<i>club</i>
MT3	CZ5	<i>tourist facility (tourist information centre only)</i>

# Northbourne Avenue Corridor Precinct Code

## Contents

<b>Introduction</b> .....	<b>5</b>
<b>Additional rules and criteria</b> .....	<b>7</b>
<b>RC1 – Northbourne Avenue</b> .....	<b>7</b>
<b>Element 1: Restrictions on use</b> .....	<b>7</b>
Shop – floor area limit .....	7
Community use – minimum floor area .....	7
Residential use – ground floor .....	8
Additional uses.....	9
<b>Element 2: Building controls and design</b> .....	<b>9</b>
National Capital Plan.....	9
Height of building .....	10
2.3 Front boundary setback .....	14
Side and rear boundary setback .....	14
Building separation.....	15
Floor to ceiling heights .....	17
Internal dwelling design.....	17
Housing diversity.....	18
<b>Element 3: Site controls and design</b> .....	<b>20</b>
Landscape design – Deep soil zones .....	20
Pedestrian shelters .....	20
Mid-block links.....	21
Courtyard walls .....	24
<b>Element 4: Amenity</b> .....	<b>24</b>
Solar Access to adjoining blocks .....	24
Private open space .....	25
External facilities .....	26
Noise .....	26
<b>Element 5: Parking and vehicular access</b> .....	<b>27</b>
Vehicular access.....	27
Parking .....	27
Parking structures .....	28
<b>Element 6: Environment</b> .....	<b>29</b>
Erosion and sediment control .....	29
<b>Element 7: Waste management</b> .....	<b>29</b>
Post occupancy waste management .....	29

## Figures

Figure 1:	Building heights and required community use area .....	12
Figure 2:	Front boundary setbacks .....	13
Table 1:	Minimum building separation for Areas B1 and B2 .....	16
Table 2:	Minimum building separation to commercial zones for Areas B1 and B2 .....	16
Table 3:	Minimum building separation to residential zones for area B2 .....	17
Figure 3:	Additional requirements .....	19
Figure 4:	Active travel links .....	23
Table 4:	Principal private open space area requirements.....	26

## Introduction

### Name

The name of this code is **Northbourne Avenue Corridor Precinct Code**.

### Application

The code applies to any block identified on the Northbourne Avenue Corridor Precinct Map. Part RC1 applies to sites adjoining Northbourne Avenue.

### 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, to the extent of the inconsistency. Development in RC1 of this code must be read in conjunction with the relevant provisions of the National Capital Plan.

### 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, either associated with the respective rule or listed below:

TCCS            Transport Canberra and City Services



## Additional rules and criteria

This part applies to blocks and parcels identified in the Northbourne Avenue Corridor Precinct Map (RCn). It should be read in conjunction with the relevant zone development and general codes.

### RC1 – Northbourne Avenue

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

#### Element 1: Restrictions on use

Rules	Criteria
<b>Shop – floor area limit</b>	
R1 The maximum <i>gross floor area per supermarket</i> is 750m <sup>2</sup> .	This is a mandatory requirement. There is no applicable criterion.
<b>Community use – minimum floor area</b>	
R2 This rule applies to the hatched area shown in Figure 1. A <i>COMMUNITY USE</i> development is provided within the development that complies with all of the following: a) minimum <i>gross floor area</i> – 500m <sup>2</sup> b) located at ground floor level and/or first floor level.	This is a mandatory requirement. There is no applicable criterion.

Rules	Criteria
<b>Residential use – ground floor</b>	
<p>R3</p> <p>This rule applies to the Dickson node and Macarthur node shown in Figure 1.</p> <p><i>RESIDENTIAL USE</i> is not permitted at the ground floor.</p>	<p>C3</p> <p>Development at ground floor level achieves all of the following:</p> <ul style="list-style-type: none"> <li>a) On the frontage of Northbourne Avenue, Wakefield Avenue, Antill Street or Mouat Street: <ul style="list-style-type: none"> <li>i) <i>RESIDENTIAL USE</i> is not permitted</li> <li>ii) Buildings incorporate uses on the ground floor that generate activity in the public space</li> <li>iii) where building access is provided, direct pedestrian access is provided at street level</li> <li>iv) buildings provide opportunities for views into and out of the building</li> <li>v) buildings avoid extensive lengths of blank walls unrelieved by doors, display windows or the like.</li> </ul> </li> <li>b) where not on the frontage of Northbourne Avenue, Wakefield Avenue, Antill Street or Mouat Street, <i>RESIDENTIAL USE</i> at the ground floor: <ul style="list-style-type: none"> <li>i) is designed to comply with the Australian Standard AS4299 – Adaptable housing (class C) and the Access and Mobility General Code.</li> <li>ii) is designed to be adaptable for commercial uses</li> <li>iii) is separated and screened from commercial accesses and services including waste disposal areas, loading docks, delivery areas, driveways and basement ramps.</li> </ul> </li> </ul>

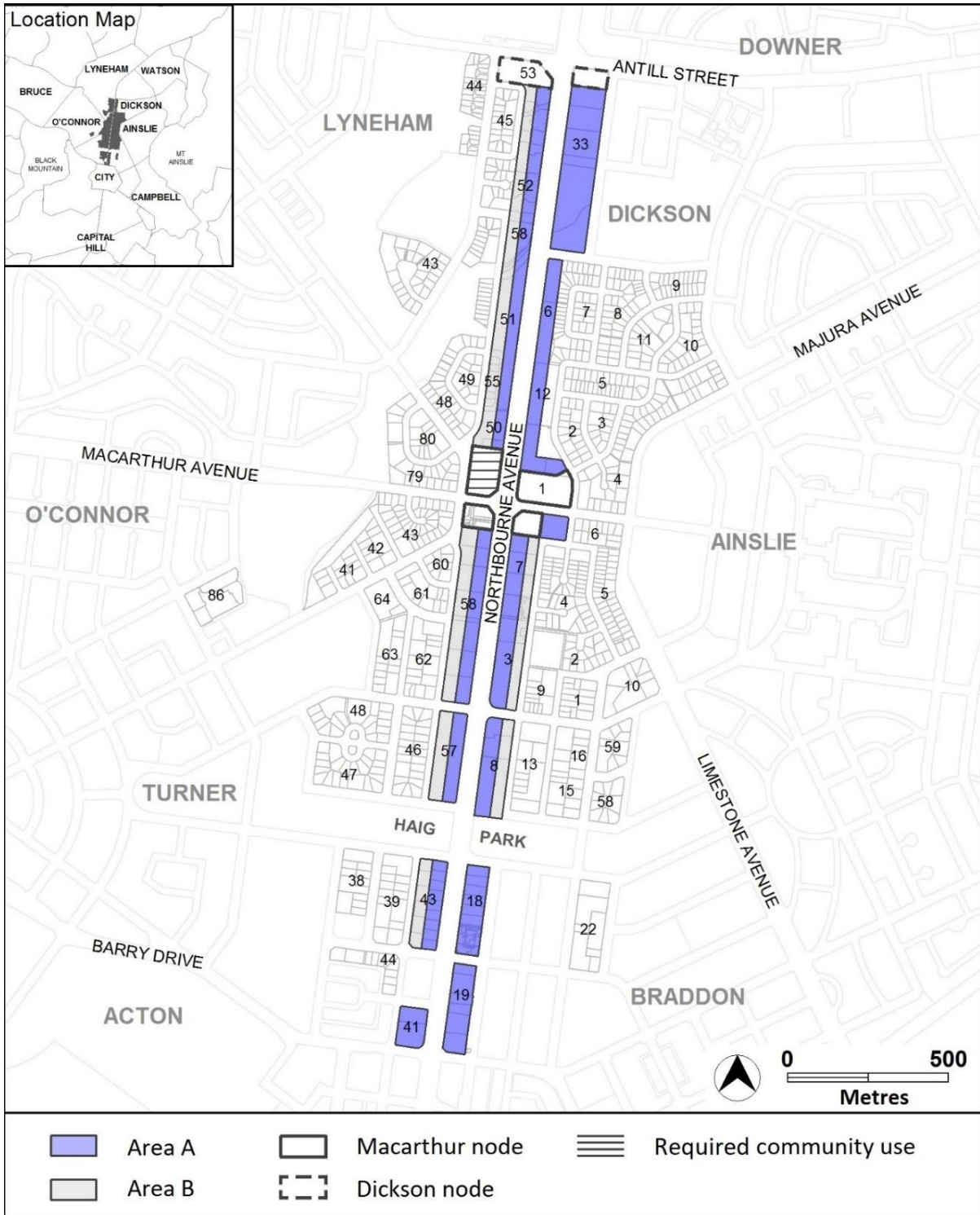
Rules	Criteria
<b>Additional uses</b>	
<p>R4</p> <p>This rule applies to the Dickson node and Macarthur node shown in Figure 1.</p> <p>Only the following uses are provided in <i>buildings</i> at ground floor level on frontages to Northbourne Avenue, MacArthur Avenue, Wakefield Avenue and Antill Street:</p> <ul style="list-style-type: none"> <li>a) <i>business agencies</i></li> <li>b) <i>commercial activity centres</i></li> <li>c) <i>financial establishments</i></li> <li>d) <i>indoor entertainment facilities</i></li> <li>e) <i>indoor recreation facilities</i></li> <li>f) <i>public agencies</i></li> <li>g) <i>restaurants</i></li> <li>h) <i>SHOP</i></li> </ul> <p>In addition to these uses, <i>COMMUNITY USE</i> is permitted in the hatched area shown in Figure 1.</p>	<p>C4</p> <p><i>Buildings</i> fronting Northbourne Avenue, Macarthur Avenue, Wakefield Avenue and Antill Street incorporate uses on the ground floor that generate activity in the public space, in a form that is with the needs of the area.</p>

## Element 2: Building controls and design

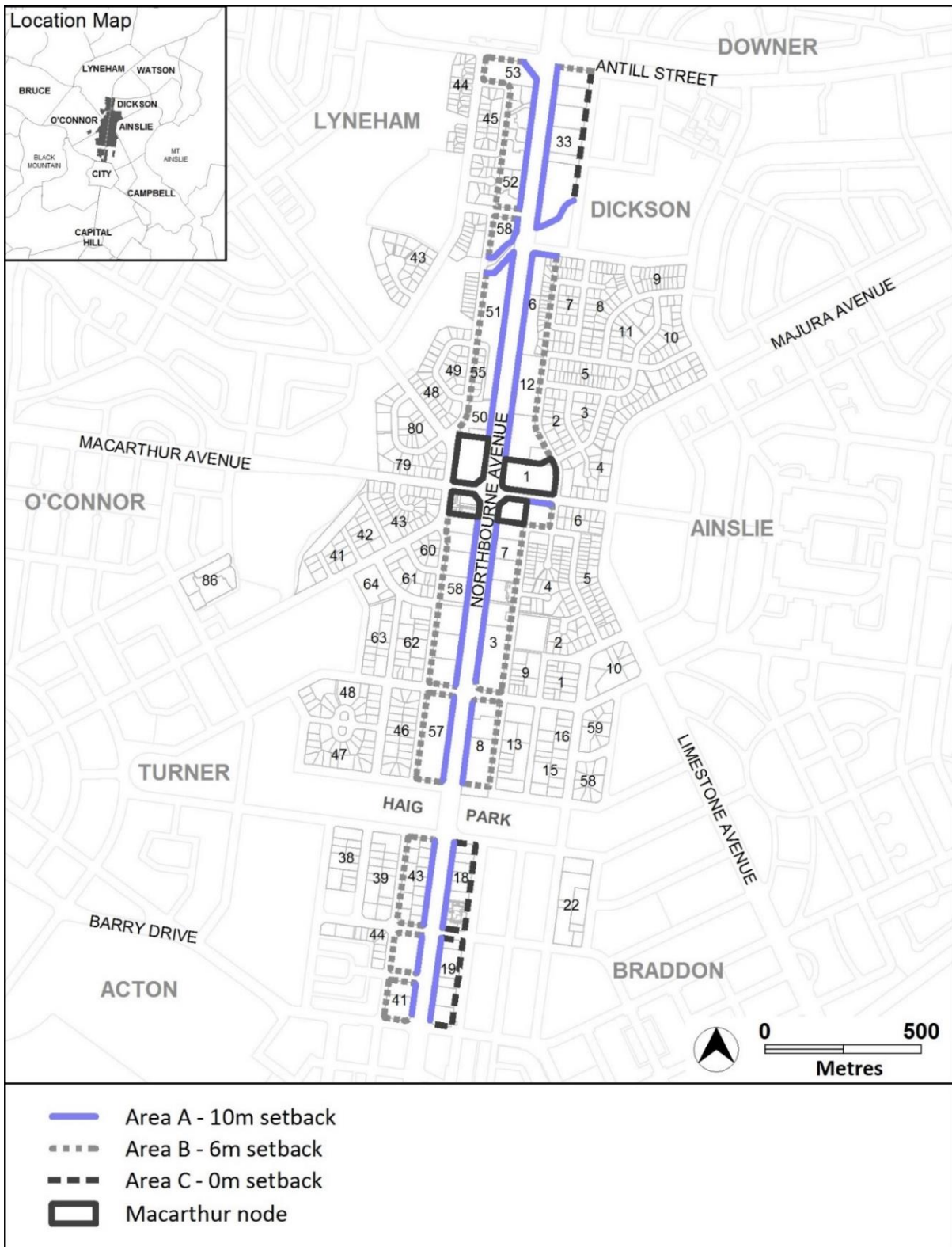
Rules	Criteria
<b>National Capital Plan</b>	
<p>R5</p> <p>Development applications for development in Area A shown in Figure 1 are supported by written documentation demonstrating compliance with the relevant requirements of the National Capital Plan.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<b>Height of building</b>	
<p>R6</p> <p>This rule applies to Area A shown in Figure 1. The minimum <i>height of building</i> is 20m and the maximum <i>height of building</i> is 25m.</p> <p>For the purpose of this rule and associated criterion <i>height of building</i> means the vertical distance between <i>datum ground level</i> at the <i>front boundary</i> to Northbourne Avenue and the highest point or points of the <i>building</i>.</p>	<p>C6</p> <p>Maximum <i>height of building</i> is 27.5m where the <i>building</i> includes an <i>apartment</i> which complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) the apartment is at least partially or wholly two storeys high</li> <li>b) the apartment includes at least two storeys that are above <i>finished ground level</i>.</li> </ul> <p>'Minor building elements' may exceed the maximum <i>height of building</i> where they do not increase the scale of the <i>building</i> when viewed from a public street.</p> <p>For the purpose of this criterion 'minor building elements' include but are not limited to: rooftop plant, photo-voltaic panels, antennas, pergolas and rooftop garden structures. <i>Habitable room</i>, or part thereof, occupiable room and fully enclosed pergolas are not 'minor building elements'.</p>
<p>R7</p> <p>This rule applies to Area B shown in Figure 1. The minimum <i>height of building</i> is 14.5m, and the maximum <i>height of building</i> is 18m.</p> <p>Area B extends from the common boundary with Area A in Figure 1 to the street front boundary parallel to Northbourne Avenue.</p>	<p>C7</p> <p>Maximum <i>height of building</i> may be increased to 25m where development complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) adequate transition in building height from the building to the <i>adjacent</i> residential zone</li> <li>b) reasonable amenity for residents of the adjacent residential zone.</li> </ul> <p>'Minor building elements' may exceed the maximum <i>height of building</i> where they do not increase the scale of the <i>building</i> when viewed from a public street.</p> <p>For the purpose of this criterion 'minor building elements' include but are not limited to: rooftop plant, photo-voltaic panels, antennas, pergolas and rooftop garden structures. <i>Habitable room</i>, or part thereof, occupiable room and fully enclosed pergolas are not 'minor building elements'.</p>

Rules	Criteria
<p>R8</p> <p>This rule applies to the Dickson node and Macarthur node shown in Figure 1.</p> <p>a) For the Dickson node:</p> <ul style="list-style-type: none"> <li>i) The minimum <i>height of building</i> is 25.5m, and</li> <li>ii) the maximum <i>height of building</i> is 32m.</li> </ul> <p>b) for the Macarthur node:</p> <ul style="list-style-type: none"> <li>i) The minimum <i>height of building</i> is not less than 80% of the maximum building height for each site as described in the National Capital Plan</li> <li>ii) The maximum <i>height of building</i> is as described in the National capital Plan.</li> </ul> <p>For the purpose of this rule and associated criterion <i>height of building</i> means the vertical distance between <i>datum ground level</i> at the <i>front boundary</i> to Northbourne Avenue and the highest point or points of the <i>building</i>.</p>	<p>C8</p> <p>'Minor building elements' may exceed the maximum <i>height of building</i> where they do not increase the scale of the <i>building</i> when viewed from a public street.</p> <p>For the purpose of this criterion 'minor building elements' include but are not limited to: rooftop plant, photo-voltaic panels, antennas, pergolas and rooftop garden structures. <i>Habitable room</i>, or part thereof, and occupiable room are not 'minor building elements'.</p>
<p>There is no applicable rule.</p>	<p>C9</p> <p>Where a lawfully constructed <i>building</i> exceeds the <i>height of building</i> stipulated in this code, a new <i>building</i> or <i>buildings</i> up to the height of the existing <i>building</i> may be permitted provided there are no additional adverse impacts on adjoining properties including, but not limited to, solar access.</p>



**Figure 1: Building heights and required community use area**



**Figure 2: Front boundary setbacks**

Rules	Criteria
<b>2.3 Front boundary setback</b>	
<p>R10</p> <p>This rule applies to Area B shown in Figure 2.</p> <p>Minimum <i>front boundary setback</i> is 6m.</p>	<p>C10</p> <p><i>Front boundary setbacks</i> achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) reasonable amenity for residents</li> <li>b) sufficient space for street trees to grow to maturity</li> </ul> <p>Where a utility (such as electrical sub station or community battery storage) is required by the utility provider to be incorporated within the building fabric, a reduced front setback is permitted where it demonstrates consistency with the <i>desired character</i>.</p>
<p>R11</p> <p>This rule applies to Area C shown in Figure 2.</p> <p>Minimum <i>front boundary setback</i> is 0m.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<b>Side and rear boundary setback</b>	
<p>R12</p> <p>This rule applies to <i>blocks</i> in Areas A and B shown in Figure 2.</p> <p>Minimum <i>side boundary and rear boundary setback</i> is:</p> <ul style="list-style-type: none"> <li>a) northern or southern boundary – 5m</li> <li>b) eastern or western boundary – 10m.</li> </ul>	<p>C12</p> <p><i>Side boundary and rear boundary setback</i> provides reasonable amenity for residents.</p>
<p>R13</p> <p>This rule applies to Area C shown in Figure 2.</p> <p>Minimum <i>side boundary and rear boundary setback</i> is 0m.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>



Rules	Criteria
<b>Building separation</b>	
<p>R14</p> <p>This rule applies to Areas B1 and B2 shown in Figure 3.</p> <p>Minimum separation distances between a dwelling and another dwelling or non-residential use on the same block is described in Table 1.</p> <p>For the purpose of this rule and associated criterion, building separation is measured to the outer face of external walls, external windows or outer edge of balconies where relevant.</p> <p>Note: This rule does not override the setback requirements of this code.</p> <p>Note: This rule replaces building separation requirements in the relevant development code.</p> <p>Note: Building separation provisions for Area A are contained within the National Capital Plan.</p>	<p>C14</p> <p>Building separation may be reduced where building complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) reasonable levels of visual and acoustic privacy</li> <li>b) suitable areas for soft landscaping and deep root planting between buildings.</li> </ul>
<p>R15</p> <p>This rule applies to Areas B1 and B2 shown in Figure 3.</p> <p>A dwelling or non-residential use on the subject block is setback from the common boundary with a commercial zoned block the minimum distances identified in Table 2.</p> <p>For the purpose of this rule and associated criterion, building separation is measured to the outer face of external walls, external windows or outer edge of balconies where relevant.</p> <p>Note: This rule does not override the setback requirements of this code.</p> <p>Note: This rule replaces building separation requirements in the relevant development code.</p> <p>Note: Building separation provisions for Area A are contained within the National Capital Plan.</p>	<p>C15</p> <p>Building separation may be reduced where building complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) reasonable levels of visual and acoustic privacy are achieved</li> <li>b) suitable areas for soft landscaping and deep root planting are provided between buildings</li> <li>c) The physical distances identified in Table 2 can be achieved between dwellings and non-residential uses on the subject block and the adjoining commercial zoned block.</li> </ul>

Rules	Criteria
<p>R16</p> <p>This rule applies to area B2 shown on Figure 3.</p> <p>A dwelling or non-residential use on the subject block is setback from the common boundary with a residential zoned block the minimum distances identified in Table 3.</p> <p>For the purpose of this rule and associated criterion, building separation is measured to the outer face of external walls, external windows or outer edge of balconies where relevant.</p> <p>Note: This rule does not override the setback requirements of this code.</p> <p>Note: This rule replaces building separation requirements in the relevant development code.</p> <p>Note: Building separation provisions for the area outside Area A are contained within the National Capital Plan.</p>	<p>C16</p> <p>Building separation may be reduced where building complies with all of the following:</p> <ol style="list-style-type: none"> <li>reasonable levels of visual and acoustic privacy are achieved</li> <li>suitable areas for soft landscaping and deep root planting are provided between buildings</li> <li>the physical distances identified in Table 3 can be achieved between dwellings and non-residential uses on the subject block and the adjoining residential zoned block.</li> </ol>

Number of storeys	Between windows in <i>habitable rooms/ balconies</i> (metres)	Between windows in <i>habitable rooms/ balconies</i> and windows in <i>non-habitable rooms</i> (metres)	Between windows in <i>non-habitable rooms</i> (metres)
Up to 4 storeys	12	9	6
5 to 8 storeys	18	12	9
9 storeys and above	24	18	12

**Table 1: Minimum building separation for Areas B1 and B2**

Number of storeys	Between the block boundary and windows in <i>habitable rooms/ balconies</i> (metres)	Between the block boundary and windows in <i>habitable rooms/ balconies</i> and windows in <i>non-habitable rooms</i> (metres)	Between the block boundary and windows in <i>non-habitable rooms</i> (metres)
Up to 4 storeys	6	4.5	3
5 to 8 storeys	9	6	4.5
9 storeys and above	12	9	6

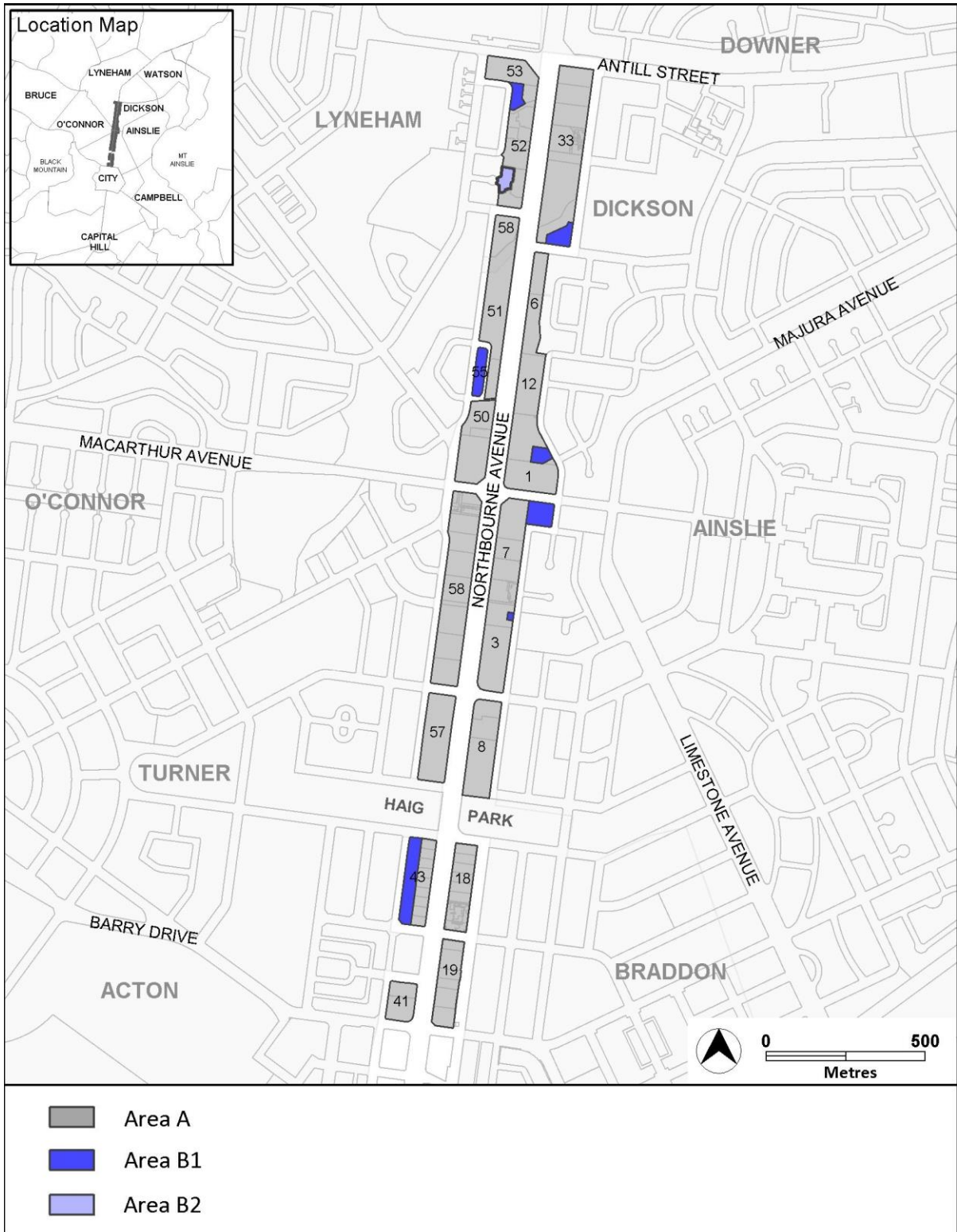
**Table 2: Minimum building separation to commercial zones for Areas B1 and B2**

Number of storeys	Between the block boundary and windows in <i>habitable rooms/ balconies</i> (metres)	Between the block boundary and windows in <i>habitable rooms/ balconies</i> and windows in <i>non-habitable rooms</i> (metres)	Between the block boundary and windows in <i>non-habitable rooms</i> (metres)
Up to 4 storeys	7.5	6	4.5
5 to 8 storeys	10.5	7.5	6
9 storeys and above	13.5	10.5	7.5

**Table 3: Minimum building separation to residential zones for area B2**

Rules	Criteria
<b>Floor to ceiling heights</b>	
<p>R17</p> <p>This rule applies to Area B shown in Figure 3. Minimum <i>finished floor level</i> to ceiling heights are as follows:</p> <ul style="list-style-type: none"> <li>a) <i>storey of dwellings</i> containing the main daytime living area: 2.7m</li> <li>b) non-habitable rooms in a <i>dwelling</i>: 2.4m</li> <li>c) non-residential development: 3.3m.</li> </ul> <p>Note: finished floor level to ceiling heights for Area A are contained within the National Capital Plan.</p>	<p>C17</p> <p>Floor to ceiling heights achieve sufficient natural ventilation and daylight access.</p>
<b>Internal dwelling design</b>	
<p>R18</p> <p>Habitable rooms comply with the following:</p> <ul style="list-style-type: none"> <li>a) master bedrooms have a minimum area of 10m<sup>2</sup> and other bedrooms 9m<sup>2</sup> (excluding wardrobe space)</li> <li>b) bedrooms have a minimum dimension of 3m (excluding wardrobe space)</li> <li>c) living rooms or combined living/dining rooms have a minimum width of: <ul style="list-style-type: none"> <li>i) 3.6m for studio and 1 bedroom apartments</li> <li>ii) 4m for 2 or more bedroom apartments</li> </ul> </li> <li>d) the width of cross-over or cross-through dwellings are at least 4m internally to avoid deep narrow dwelling layouts.</li> </ul>	<p>C18</p> <p><i>Habitable rooms</i> are of a size suitable to accommodate the daily activities of their occupants and visitors.</p>

Rules	Criteria
<p>R19</p> <p>Habitable room depths are limited to a maximum of 2.5m x the ceiling height. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m, measured from an external window.</p>	<p>C19</p> <p>Habitable room depth may be increased where finished floor level to ceiling heights are above the minimum permitted, provided reasonable solar access to each habitable room is maintained.</p>
<p><b>Housing diversity</b></p>	
<p>R20</p> <p>This rule applies to developments containing 40 or more dwellings.</p> <p>Development contains:</p> <ul style="list-style-type: none"> <li>a) not more than 40% studio or one bedroom <i>dwellings</i></li> <li>b) not more than 40% two bedroom <i>dwellings</i></li> <li>c) not less than 20% three or more bedroom <i>dwellings</i>.</li> </ul>	<p>C20</p> <p>Multi-unit residential development provides dwellings with a variety of bedroom numbers.</p>



**Figure 3: Additional requirements**

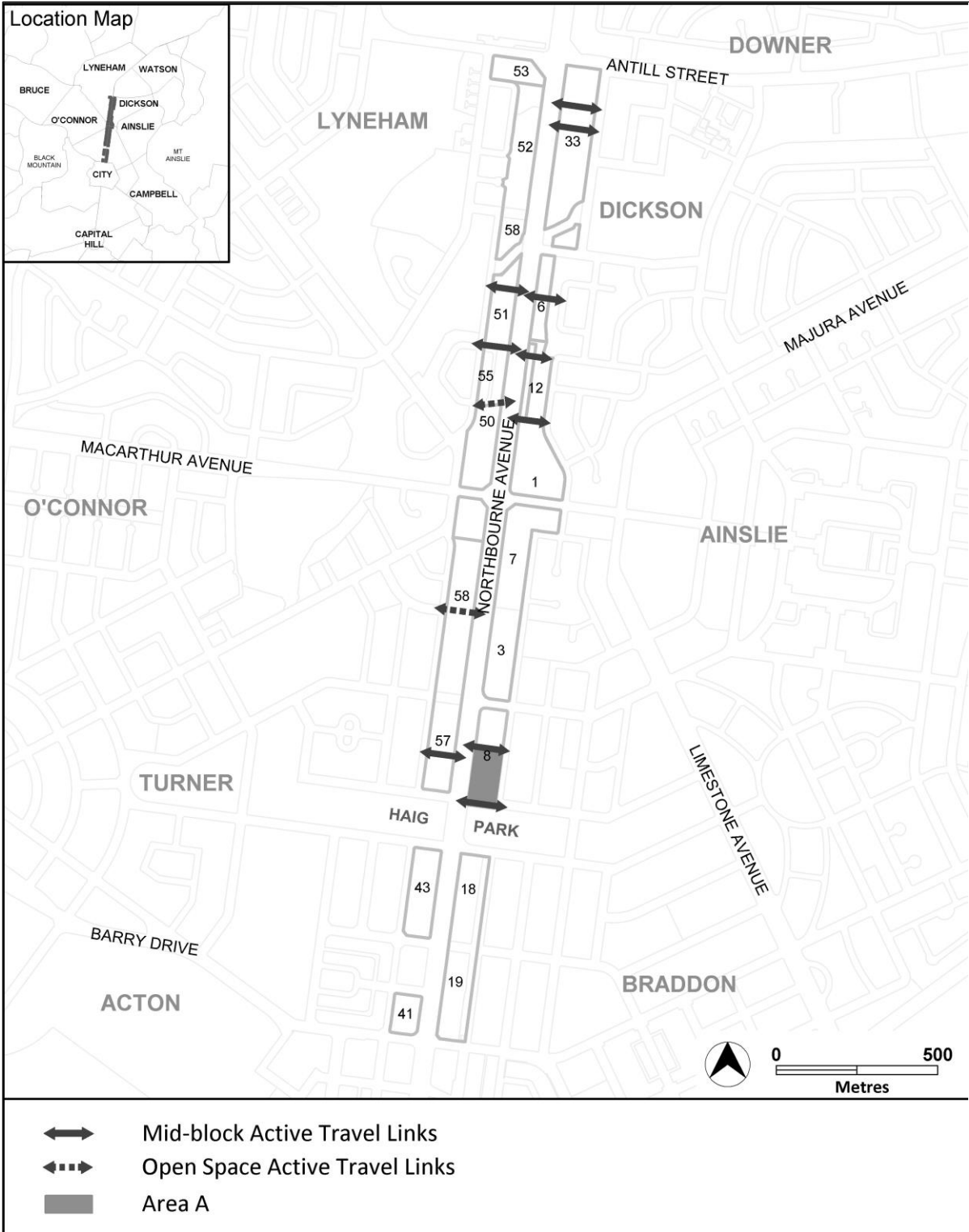
### Element 3: Site controls and design

Rules	Criteria
<b>Landscape design – Deep soil zones</b>	
<p>There is no applicable rule.</p>	<p>C21</p> <p>This criterion applies to development fronting Northbourne Avenue.</p> <p>Deep soil zones are provided that comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) have a minimum horizontal dimension of 5m</li> <li>b) incorporate any <i>protected trees</i></li> <li>c) allow for the development of healthy root systems and provide anchorage and stability for mature trees</li> <li>d) co-located near deep soil zones on <i>adjacent</i> blocks where possible.</li> </ul> <p>Note: <i>Protected tree</i> is defined under the <i>Tree Protection Act 2005</i>.</p>
<b>Pedestrian shelters</b>	
<p>R22</p> <p>This rule applies to all <i>blocks</i>, except for the <i>blocks</i> within the Dickson node or Macarthur node shown in Figure 1.</p> <p>Awnings, canopies or colonnades are provided at each active travel entrance to a building and each active travel path along a building edge.</p>	<p>C22</p> <p>Awnings, canopies or colonnades are provided that achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) provide protection from natural elements along buildings and building entrances</li> <li>b) are integrated with the design of the building.</li> </ul>

Rules	Criteria
<b>Mid-block links</b>	
<p>There is no applicable rule.</p>	<p>C23</p> <p>This criterion applies to ‘mid-block active travel links’ shown in Figure 4, except for the link on the southern boundary on Braddon Section 8, Block 10.</p> <p>‘Mid-block active travel links’ comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) in a location generally in accordance with Figure 4 and connects with the <i>community path system</i> through the area and public transport connections</li> <li>b) provides unimpeded public access at all times for the length of the active travel mid-block link shown in Figure 4</li> <li>c) not less than 5m wide</li> <li>d) development within ‘mid-block active travel link’ is limited to <i>planting area</i>, surface landscaping, <i>buildings</i> and <i>structures</i> which are consistent with active travel pathways or open space and does not limit accessibility</li> <li>e) where vehicular access is designed adjacent or as part of pedestrian mid-block travel links, these are to be well designed spaces coordinating pedestrian, vehicular and landscaping/planting in a safe and desirable environment or shared spaces demonstrating similar attributes</li> <li>f) suitably landscaped to provide a welcoming environment for path users</li> <li>g) adequate lighting and other safety features that promote active, passive and perceived surveillance of the area</li> <li>h) Development of and within ‘active travel mid-block links’ are to be endorsed by TCCS.</li> </ul>

Rules	Criteria
<p>There is no applicable rule.</p>	<p>C24</p> <p>This criterion applies to the mid-block active travel link on the southern boundary of Area A in Figure 4.</p> <p>The mid-block link complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) in the location consistent with Figure 4, and located entirely within the block boundaries</li> <li>b) provides unimpeded public access at all times for the length of the mid-block active travel link shown in Figure 4</li> <li>c) not less than 10m wide at any point</li> <li>d) development within 'mid-block active travel link' is limited to <i>planting area</i>, surface landscaping, <i>buildings</i> and <i>structures</i> which are consistent with active travel pathways or open space and does not limit accessibility</li> <li>e) suitably landscaped to provide a welcoming environment for path users</li> <li>f) adequate lighting and other safety features that promote active, passive and perceived surveillance of the area.</li> </ul>
<p>There is no applicable rule.</p>	<p>C25</p> <p>This criterion applies to 'open space active travel links' shown in Figure 4.</p> <p>'Open space active travel links' provide unimpeded public access at all times for the length of the mid-block active travel link shown in Figure 4.</p>





**Figure 4: Active travel links**

Rules	Criteria
<b>Courtyard walls</b>	
<p>There is no applicable rule.</p>	<p>C26</p> <p>This criterion applies to courtyard walls for <i>dwelling</i>s which have their <i>private open space</i> at ground floor and fronting Northbourne Avenue.</p> <p>Courtyard walls comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) not higher than 1.8m above <i>datum ground level</i></li> <li>b) non-transparent components not higher than 1m above <i>datum ground level</i></li> <li>c) constructed of high quality materials, specifically excluding pre-coloured metal, unfinished timber panels, chain-link, barbed or razor wire</li> <li>d) integrated with landscaping</li> <li>e) designed and constructed to match or compliment the design of the associated building</li> <li>f) must not occupy more than 40% of the façade at ground floor level.</li> </ul> <p>Note: This criterion replaces the relevant rules and criterion relating to courtyard walls in the relevant development code.</p>

#### Element 4: Amenity

Rules	Criteria
<b>1 Solar Access to adjoining blocks</b>	
<p>R27</p> <p>This rule applies to <i>buildings</i> with more than three storeys.</p> <p><i>Buildings</i> do not reduce the hours of direct sunlight between 9am-4pm to any <i>habitable room</i> in any adjoining residential or commercial accommodation developments to less than 2 hours.</p>	<p>C27</p> <p>Daytime living areas have reasonable access to sunlight.</p>

Rules	Criteria
<b>Private open space</b>	
<p>R28</p> <p>This rule applies to <i>multi-unit housing</i> or residential components of commercial mixed use development in Area A shown in Figure 3.</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) has a minimum area and dimensions specified in Table 4</li> <li>b) maintains visual privacy of the occupants from adjoining public streets and public open space</li> <li>c) is directly accessible from, and adjacent to, a <i>habitable room</i> other than a bedroom</li> <li>d) 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>C28</p> <p>Principal private open space for each dwelling 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>

Rules	Criteria
<b>External facilities</b>	
There is no applicable rule.	<p>C29</p> <p>Development complies with all of the following:</p> <p>a) storage units and plant equipment (including air-conditioning plant) are not permitted on <i>balconies</i></p> <p>b) clothes drying facilities are only permitted on <i>balconies</i> where they are screened from view of streets and public areas.</p>
<b>Noise</b>	
There is no applicable rule.	<p>C30</p> <p>This criterion applies to <i> dwellings on the block and dwellings on adjoining blocks.</i></p> <p>Transfer of noise between noise sources and habitable rooms, particularly bedrooms, are minimised through the siting, design and layouts of buildings.</p> <p>For the purpose of this criterion noise sources include, but are not limited to, garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, communal open space and circulation areas.</p>

Type	<i>dwellings wholly or partially at lower floor level or on a podium or similar structure</i>		<i>dwellings located entirely on an upper floor level</i>	
	minimum area	minimum dimension	minimum area	minimum dimension
<i>studio apartment</i>	18m <sup>2</sup>	4m	4m <sup>2</sup>	nil
<i>1 bedroom dwelling</i>	24m <sup>2</sup>	4m	8m <sup>2</sup>	2m
<i>2 bedroom dwelling</i>	24m <sup>2</sup>	4m	10m <sup>2</sup>	2m
<i>3 or more bedroom dwelling</i>	36m <sup>2</sup>	6m	12m <sup>2</sup>	2m

**Table 4: Principal private open space area requirements**

## Element 5: Parking and vehicular access

Rules	Criteria
<b>Vehicular access</b>	
<p>There is no applicable rule.</p>	<p><b>C31</b></p> <p>Vehicular access arrangements must comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) ensure pedestrian and bicycle priority and desire lines and paths are maximised</li> <li>b) contains high quality public realm treatments that add visual interest, including tree planting, landscaping, materials, footpaths and lighting</li> <li>c) where a <i>block</i> has a <i>front boundary</i> to another road which is parallel with Northbourne Avenue, vehicular access continues from Northbourne Avenue through the <i>block</i> to that road at the other frontage.</li> </ul> <p>Note: This criterion, particularly b), does not replace TCCS requirements, standards and endorsements relating to waste collection and service vehicles.</p>
<p>There is no applicable rule.</p>	<p><b>C32</b></p> <p>Pedestrian and cyclist access to <i>blocks</i> must be clearly separated from vehicular access and be distinguishable through surface materials, level changes and landscaping.</p>
<b>Parking</b>	
<p><b>R33</b></p> <p>This rule applies to multi-unit residential development in residential and commercial zones.</p> <p>The maximum parking provision rate is as follows:</p> <ul style="list-style-type: none"> <li>a) studio or one-bedroom <i>dwelling</i> – 1 space maximum</li> <li>b) two-bedroom <i>dwelling</i> – 1.3 spaces maximum</li> <li>c) three or more bedroom <i>dwelling</i> – 1.5 spaces</li> <li>d) every 8 <i>dwellings</i> – 1 visitor space</li> </ul> <p>Note: Minimum and maximum parking provision rates contained within the relevant development or general codes do not apply.</p> <p>Note: Parking calculations are rounded up to the nearest whole number.</p>	<p><b>C33</b></p> <p>Additional on-site car parking spaces can be provided within the basement of the building compliant with all of the following:</p> <ul style="list-style-type: none"> <li>a) the additional car park areas does not require an expansion to the building footprint or to the basement area</li> <li>b) car parking is endorsed by the ACT Government agency responsible for car parking.</li> </ul>

Rules	Criteria
There is no applicable rule.	<p>C34</p> <p>Visitor car parking spaces are allocated for visitors of occupants of the residential parts of the development.</p> <p>Visitor car parks must not be allocated to any other purpose, including private spaces for dwellings or workers of the commercial components of the development.</p>
There is no applicable rule.	<p>C35</p> <p>Adequate spaces and areas, suitably screened from public view, are provided for the loading and unloading of service vehicles.</p>
<b>Parking structures</b>	
<p>R36</p> <p>Vehicle parking is only permitted in a <i>basement</i>. At-grade, podium or other above ground vehicle parking is not permitted.</p>	<p>C36</p> <p>At-grade, podium or other above ground parking is only permitted where the following are met:</p> <ul style="list-style-type: none"> <li>a) the parking area is located away from Northbourne Avenue and intersections of Northbourne Avenue with Macarthur Avenue, Wakefield Avenue, Mouat Street or Antill Street</li> <li>b) the parking area is suitably screened from Northbourne Avenue and major cross streets through use of buildings, <i>communal open space area</i>, <i>private open space</i> and/or landscaping</li> <li>c) podium parking structures are screened with high quality architectural treatment</li> <li>d) In addition to the above, the following requirements also apply to at-grade car parking: <ul style="list-style-type: none"> <li>i) is incorporated into the landscape design for the <i>block</i></li> <li>ii) does not reduce the amenity of <i>communal open space areas</i> or <i>private open space</i></li> <li>iii) incorporates the use of materials, including permeable or light coloured paving, to reduce the increase of surface temperature</li> </ul> </li> </ul>

Rules	Criteria
	iv) includes shade trees planted at least every 5 vehicle spaces to reduce the car park surface temperature.

### Element 6: Environment

Rules	Criteria
<b>Erosion and sediment control</b>	
<p>R37</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>Note: 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>This is a mandatory requirement. There is no applicable criterion.</p>

### Element 7: Waste management

Rules	Criteria
<b>Post occupancy waste management</b>	
<p>R38</p> <p>Facilities for waste disposal, recycling and composting:</p> <p>a) complies with the <i>Development Control Code for Best Practice Waste Management in the ACT 2019</i></p> <p>b) are suitably screened from public view.</p> <p>Note: This rule does not replace the provisions relating to post occupancy waste management endorsement in the relevant development code.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>