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Government

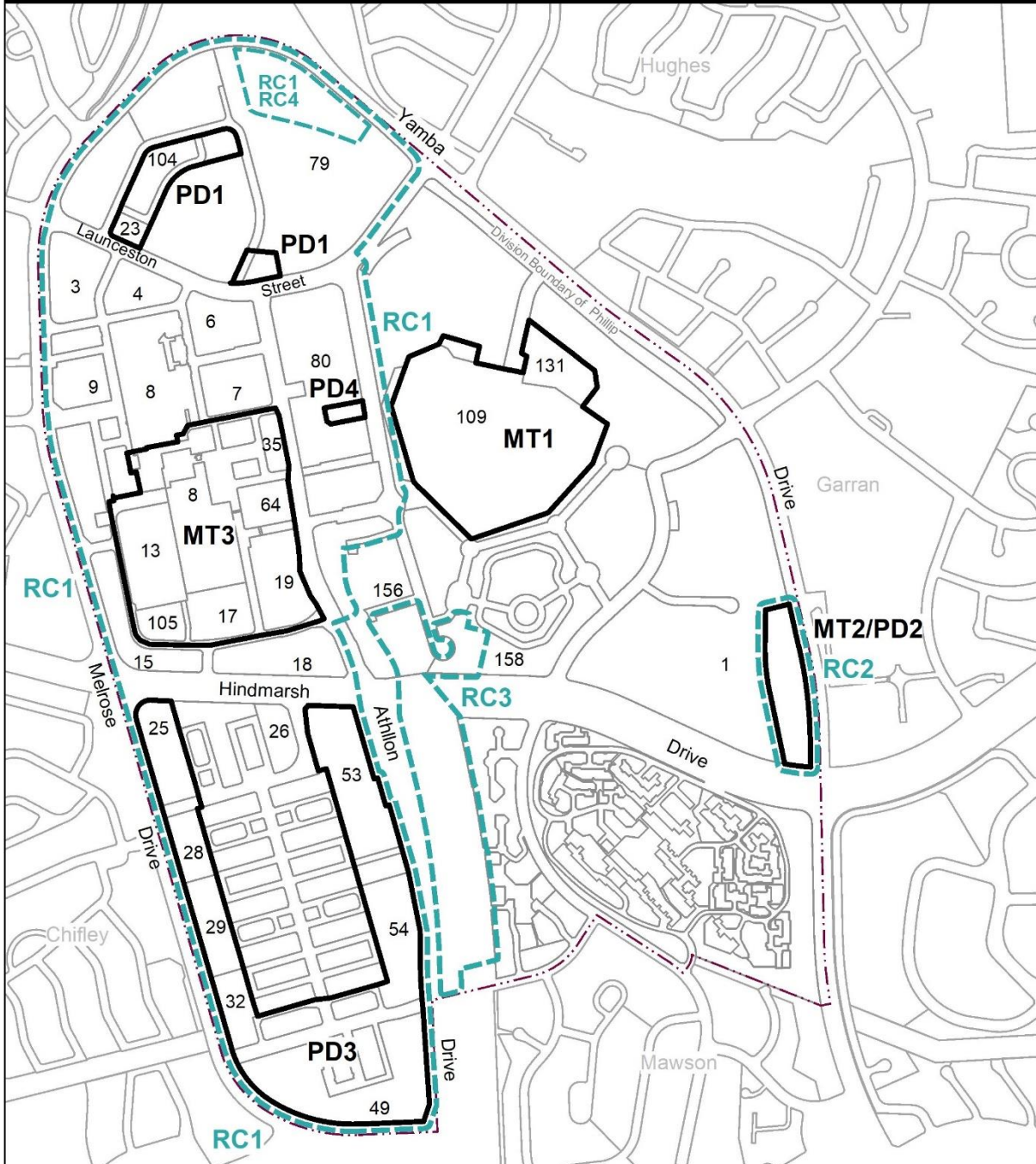
Environment and
Sustainable Development

Phillip Precinct Map and Code

includes
Woden Town Centre

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Phillip Precinct Map



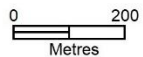
Additional prohibited development applies see Table 1



Additional merit track development applies see Table 2



Additional rules and criteria apply see Phillip Precinct Code



Assessment Tracks

The following tables identify the additional prohibited development and additional merit track development for blocks and parcels shown in the Phillip 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>RESIDENTIAL USE</i>
PD2	CZ2	<i>drink establishment indoor recreation facility restaurant (except where ancillary to other permitted use) SHOP tourist facility</i>
PD3	CZ3	<i>RESIDENTIAL USE COMMERCIAL ACCOMMODATION</i>
PD4	CFZ	<i>business agency educational establishment emergency services facility health facility hospital office place of worship public agency religious associated use residential care accommodation retirement village supportive housing</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	PRZ1	<i>cemetery</i>
MT2	CZ2	<i>scientific research establishment</i>
MT3	CZ1	<i>produce market</i>

Phillip Precinct Code

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Introduction

Name

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

Application

The code applies to the Division of Phillip.

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

EPA	ACT Environment Protection Authority
EPSDD	Environment, Planning and Sustainable Development Directorate
ESA	ACT Emergency Services Agency
NCA	National Capital Authority
P&D Act	Planning and Development Act 2007
TCCS	Transport Canberra and City Services

Additional rules and criteria

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

RC1 – Woden Town Centre

This part applies to blocks and parcels identified in area RC1 shown on the Phillip Precinct Map. RC1 includes the Woden Town Centre.

Element 1: Use

Rules	Criteria
1.1 Ground floor use	
<p>R1</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 USE</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 CZ2 and CZ3 with boundaries to primary active frontages shown in figure 1.</p> <p>Buildings incorporate uses on the ground floor that generate activity in the public space.</p>
1.2 SHOP – CZ2 – floor area limit	
<p>R3</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>For Block 13 Section 81 Phillip, the maximum <i>gross floor area</i> of supermarket is 800m².</p>	<p>C3</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 Block 13 Section 81 Phillip.</p>

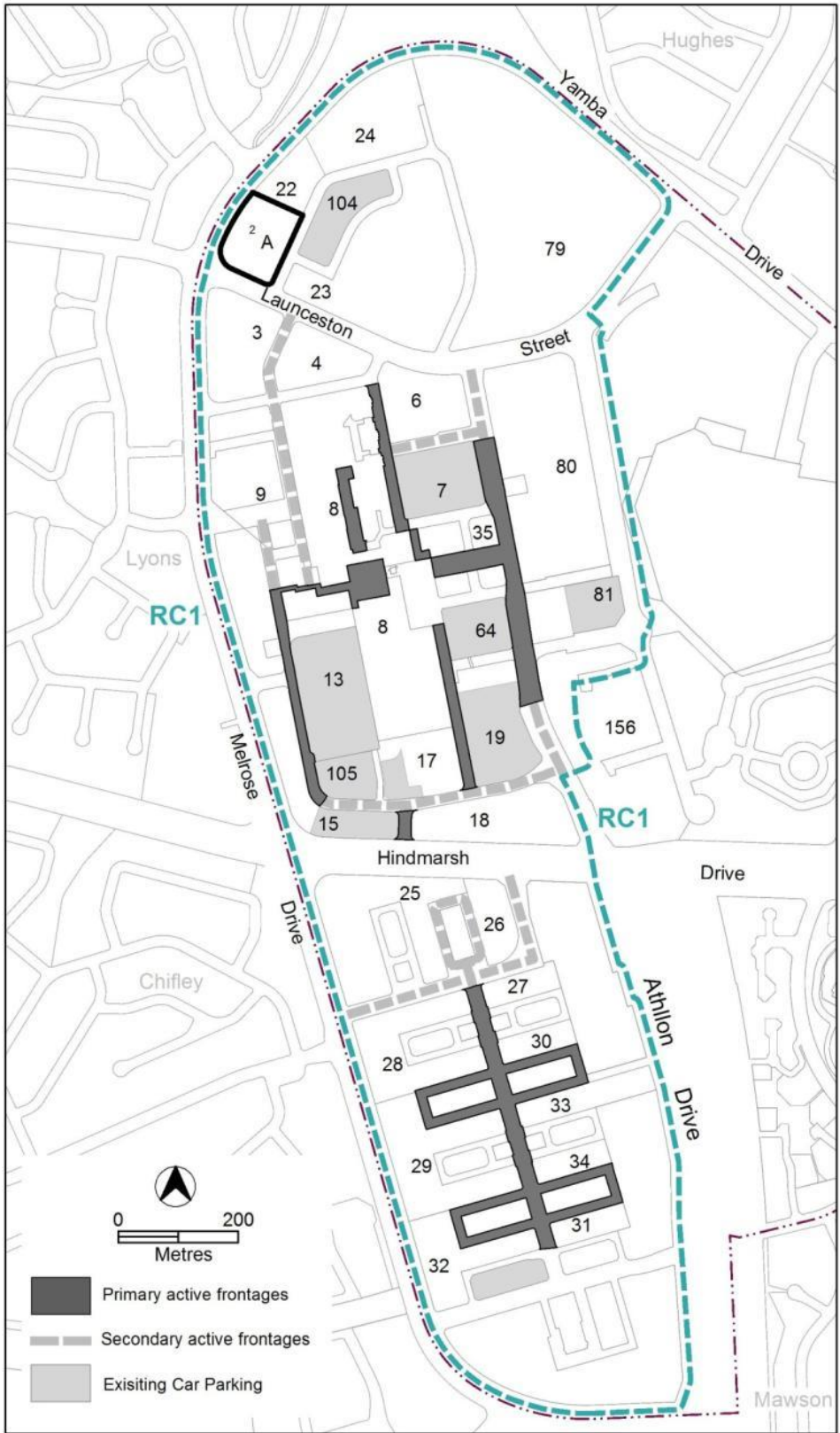


Figure 1 Existing car parks, active frontages and community recreation facilities

Rules	Criteria
1.3 Permissible use restrictions	
<p>R4</p> <p>This rule applies to area 'a', 'b' and area 'e' in figure 2.</p> <p><i>RESIDENTIAL USE</i> is only permitted above the first floor level.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R5</p> <p>This rule applies to development in section 7.</p> <p>The following uses:</p> <p>a) <i>RESIDENTIAL USE</i></p> <p>b) <i>COMMERCIAL ACCOMMODATION USE</i></p> <p>are only permitted on land located within 36m of the Callam Street road reserve.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
1.4 NON RETAIL COMMERCIAL USE – Phillip Oval	
<p>There is no applicable rule.</p>	<p>C6</p> <p>This criterion applies to sections 23 and 104.</p> <p><i>NON RETAIL COMMERCIAL USE</i> is only permitted where it is demonstrated to be compatible with the operation of a day and night sporting oval.</p>
1.5 Development on nominated car parking areas	
<p>R7</p> <p>This rule applies to the shaded blocks shown in figure 1 noted as existing parking.</p> <p>Development complies with all of the following:</p> <p>a) the existing number of car parking spaces is retained on the site and made available for public use at all times</p> <p>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>	<p>C7</p> <p>Development achieves all of the following:</p> <p>a) any additional parking provision requirements (under the <i>Parking and Vehicular Access General Code</i>) for the development</p> <p>b) makes a substantial contribution to the long term parking supply for the town centre as endorsed by the Territory</p>

Rules	Criteria
1.6 Additional development – Phillip swimming and ice skating centre	
<p>R8</p> <p>This rule applies to area ‘A’ in figure 1.</p> <p>Development complies with all of the following:</p> <ul style="list-style-type: none"> a) provides or retains an ice skating rink suitable for national ice hockey competition b) provides or retains a 50–metre public pool with direct public address to Irvine Street c) development for other uses involves redevelopment of the pool as an indoor facility. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 2: Buildings

Rules	Criteria
2.1 Building heights	
<p>R9</p> <p>This rule applies to CZ1 and CZ2.</p> <p>The maximum <i>height of building</i> for the areas shown in figure 2 is:</p> <ul style="list-style-type: none"> a) for area ‘a’, 24 storeys b) for area ‘b’, 16 storeys c) for area ‘c’, 12 storeys d) for area ‘d’, 6 storeys <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 storeys.</p>	<p>C9</p> <p>The maximum <i>height of building</i> for one building tower element per block in areas ‘a’, ‘b’ and ‘c’ may be increased by an additional four storeys where development achieves all of the following:</p> <ul style="list-style-type: none"> a) the development maintains the building height hierarchy of the centre by retaining the taller buildings at the middle of the town centre; and b) development is close to public transport stops and stations. <p>Note: This criterion does not apply to area ‘d’.</p>



Figure 2 Building heights and marker buildings

Rules	Criteria
There is no applicable rule.	<p>C10</p> <p>For development that is 12 storeys and above, the applicant shall provide a visual assessment that:</p> <ul style="list-style-type: none"> a) Provides a description of the project and assessment of the physical and visual environment (local context) for the site and surrounding areas including existing landform, vegetation, land use, cycle and pedestrian connections, streetscape and nearby developments b) Provides analysis and relevant illustrations of the key views and approach roads to the proposed development that addresses potential impacts that the development could have on the surrounding landscape character and visual amenity c) Provides evidence and supporting material that outlines how the development has been designed to respond to the local context, mitigate any impacts on the broader landscape setting and visual environment and how it responds to the town centre skyline.
There is no applicable rule.	<p>C11</p> <p>This criterion applies to development in the area indicated by the hatched area shown in figure 2. One higher building element up to 24 storeys may be permitted where development complies with all of the following:</p> <ul style="list-style-type: none"> a) is set back from each road frontage, and b) does not significantly impact on the existing solar access of nearby residential development between the hours of 9am and 3pm on the winter solstice (21 June).
There is no applicable rule.	<p>C12</p> <p>Development in section 80 that is higher than the Callam Offices is setback from Callam Office building at least one metre for each metre of height greater than that of the Callam Offices main roof.</p>

Rules	Criteria
<p>R13</p> <p>This rule applies to section 81.</p> <p>A marker building is permitted up to a maximum <i>height of building</i> of RL670AHD.</p> <p>Note: RL670AHD equates to approximately 92m above <i>datum ground level</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R14</p> <p>This rule applies to section 81.</p> <p>The maximum gross floor area of each floor above 12 storeys is not more than 850m².</p>	<p>C14</p> <p>Development complies with all of the following:</p> <ul style="list-style-type: none"> a) provides a narrow silhouette and minimises overshadowing to surrounding dwellings area of principal private open space and main daytime living area b) creates architectural interest and visually reduces the overall scale of the building mass; and c) provides an elegant conclusion to the lower built form.
<p>There is no applicable rule.</p>	<p>C15</p> <p>This criterion applies to section 81.</p> <p>Development complies with all of the following:</p> <ul style="list-style-type: none"> a) retains the existing active travel path, or relocates it to a suitable alternate location with written endorsement from TCCS, and b) provides active uses at the ground floor facing Wilbow Street.
<p>R16</p> <p>This rule applies to CZ3.</p> <p>The maximum <i>height of building</i> for area 'e' and area 'f' shown in figure 2 is four <i>storeys</i>.</p> <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>C16</p> <p>In area 'e':</p> <ul style="list-style-type: none"> a) five <i>storeys</i> is permitted where development complies with all of the following: <ul style="list-style-type: none"> i) development fronts on to either Townshend Street, Colbee Court or Dundas Court ii) the fifth <i>storey</i> is setback a minimum of 3 metres from the front boundary b) six <i>storeys</i> is permitted for development facing Altree Court. <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>

Rules	Criteria
<p>R17</p> <p>This rule applies to CZ3.</p> <p>The portion of development above the first floor fronting on to Grenville Court, Prospect Court, Bellona Court or Devine Court is set back a minimum of 6m from the street front boundary.</p>	<p>C17</p> <p>Setbacks for development above the first floor in sections 37, 40, 42, 46 and 112 may be reduced, up to 0m from each boundary, where development does not significantly impact on adjoining dwellings through overlooking or overshadowing.</p>
<p>2.2 Solar access</p>	
<p>R18</p> <p>Development retains a minimum 3 hours solar access to at least 1,000m² of the town square area shown in figure 3 between the hours of 9am and 3pm on the winter solstice (21 June).</p>	<p>C18</p> <p>Development retains reasonable solar access to the town square.</p>
<p>R19</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>C19</p> <p>Development retains reasonable solar access to the main daytime living areas of <i>dwellings</i> on adjoining <i>blocks</i> and their associated <i>principal private open space</i>.</p>
<p>2.3 Built form</p>	
<p>R20</p> <p>This rule applies to development in CZ1 and CZ2 addressing:</p> <ul style="list-style-type: none"> a) Bowes Street b) Furzer Street <p>Buildings are set back a minimum of four metres from the <i>front boundary</i> adjoining each street at the ground floor level, up to 12 storeys. The minimum front setback for development above 12 storeys is 6m.</p>	<p>C20</p> <p>Building setbacks:</p> <ul style="list-style-type: none"> a) provide sufficient space for large canopy street trees b) provide reasonable space for pedestrians and cyclists c) are consistent with the front boundary setbacks of existing adjacent buildings; and d) do not prejudice the future development of adjoining sites.

Rules	Criteria
<p>R21</p> <p>This rule applies to development in CZ1 and CZ2 addressing:</p> <ul style="list-style-type: none"> a) the pedestrian spine shown in figure 3 b) Callam Street c) Corinna Street d) Easty Street e) Irving Street f) Matilda Street g) Melrose Drive h) Wilbow Street <p>Buildings are built to the <i>front boundary</i> at the ground floor level. The minimum front setbacks above ground floor level are:</p> <ul style="list-style-type: none"> a) 0m for the portion of development up to 22m above datum ground level b) 3m for the portion of development above 22m up to 12 <i>storeys</i> c) 6m for the portion of development above 12 <i>storeys</i>. 	<p>C21</p> <p>Minor departures from the building setbacks are permitted at the ground level where development:</p> <ul style="list-style-type: none"> a) contributes to the pedestrian orientated environment b) reflects the existing street character c) accommodates active uses, building entrances, public amenities and landscaped areas. <p>Minor departures from the building setbacks are permitted for the portion of development above 12 storeys where the building is designed to limit the building floor plate size of the tower to reduce the bulk and scale of the development and allow for solar access on to the public spaces, streets and adjacent development.</p>
<p>R22</p> <p>This rule applies to development in CZ1 and CZ2 addressing the town square.</p> <p>Buildings are built to the front boundary at the ground floor level. The minimum front setbacks above ground floor level are:</p> <ul style="list-style-type: none"> a) 0m for the portion of development up to 12m above datum ground level b) 6m for the portion of development above 12m up to 12 storeys c) 9m for the portion of development above 12 storeys. 	<p>C22</p> <p>Minor departures from the building setbacks are permitted at the ground level where development:</p> <ul style="list-style-type: none"> a) contributes to the pedestrian orientated environment b) reflects the existing street character c) accommodates active uses, building entrances and landscaped areas. <p>Minor departures from the building setbacks are permitted for the portion of development above 12 storeys where the building is designed to limit the building floor plate size of the tower to reduce the bulk and scale of the development and allow for adequate solar access on to the town square.</p>

Rules	Criteria
<p>R23</p> <p>This rule applies to development in CZ1 and CZ2 addressing Bradley Street.</p> <p>The minimum front setbacks are:</p> <ul style="list-style-type: none"> a) 0m for the portion of development up to 12m above datum ground level b) 3m for the portion of development above 12m up to 9 storeys c) 6m for the portion of development above 9 storeys. 	<p>C23</p> <p>Minor departures from the building setbacks are permitted at the ground level where development:</p> <ul style="list-style-type: none"> a) contributes to the pedestrian orientated environment b) reflects the existing street character c) accommodates active uses, building entrances and landscaped areas.
<p>R24</p> <p>This rule applies to section 7.</p> <p>Redevelopment complies with the following:</p> <ul style="list-style-type: none"> a) a publicly accessible road is provided in the location shown in figure 3 b) a landscaped area is provided adjoining and parallel to the Matilda Street road reserve as shown by the hatched area in figure 3 that complies with all of the following: <ul style="list-style-type: none"> i. is publicly accessible at all times ii. has a minimum width measured perpendicular to the block boundary adjoining Matilda Street of 20m. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>There is no applicable rule.</p>	<p>C25</p> <p>Buildings achieve a high standard of design quality demonstrated through the following:</p> <ul style="list-style-type: none"> a) Building are designed to include a range of high quality building materials and colours that are compatible with adjacent development and that contribute to a pedestrian scale, particularly at the lower levels of the building b) Buildings are designed to be well articulated to reduce the bulk and scale of development and provide architectural expression in the built form c) Residential buildings include elements that improve the use and performance of the building, such as wintergarden balconies and passive surveillance of primary and secondary active frontage streets and places d) Providing effective sun shading to areas of west facing glazing and balconies, through measures such as overhangs, adjustable external screens or vegetation. e) Residential buildings provide a range of apartment sizes and types, such as dual-key, cross-over, shop-top and apartments suitable for families. f) Providing green infrastructure, such as roof top planting, green walls, deep root planting areas or garden areas incorporating shrubs and rain gardens. g) Plant rooms that are integrated or concealed within building form.
<p>R26</p> <p>This rule applies to development addressing primary active frontages in CZ3.</p> <p>The minimum floor to ceiling height at the ground floor is 3.6m.</p>	<p>C26</p> <p>Floor to ceiling heights:</p> <ul style="list-style-type: none"> a) contribute to natural ventilation b) promote penetration of daylight c) are adaptable for commercial uses.

Rules	Criteria
<p>There is no applicable rule.</p>	<p>C27</p> <p>Above ground structured car parks comply with all of the following:</p> <ul style="list-style-type: none"> a) incorporate commercial tenancies at ground floor along the front boundary b) use high quality architectural elements, landscaping and/or green infrastructure to screen the structures from public spaces and streets c) pedestrian access points are well lit and clearly visible from the street, and d) where publicly accessible parking is provided, ensures direct public access to and from the car parking to the public space.
<p>2.4 Active frontages</p>	
<p>R28</p> <p>For buildings located along primary active frontage areas shown in figure 1, ground floor frontages and building designs comply 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 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>C28</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> a) direct pedestrian access from main pedestrian areas, and b) avoid extensive lengths of blank walls unrelieved by doors, display windows or the like.
<p>R29</p> <p>This rule applies to residential development adjoining primary and secondary active frontages shown in figure 1.</p> <p>Development includes balconies and/or windows to main living areas addressing the public space/street.</p>	<p>C29</p> <p>Residential development provides opportunities for passive surveillance of public spaces.</p>

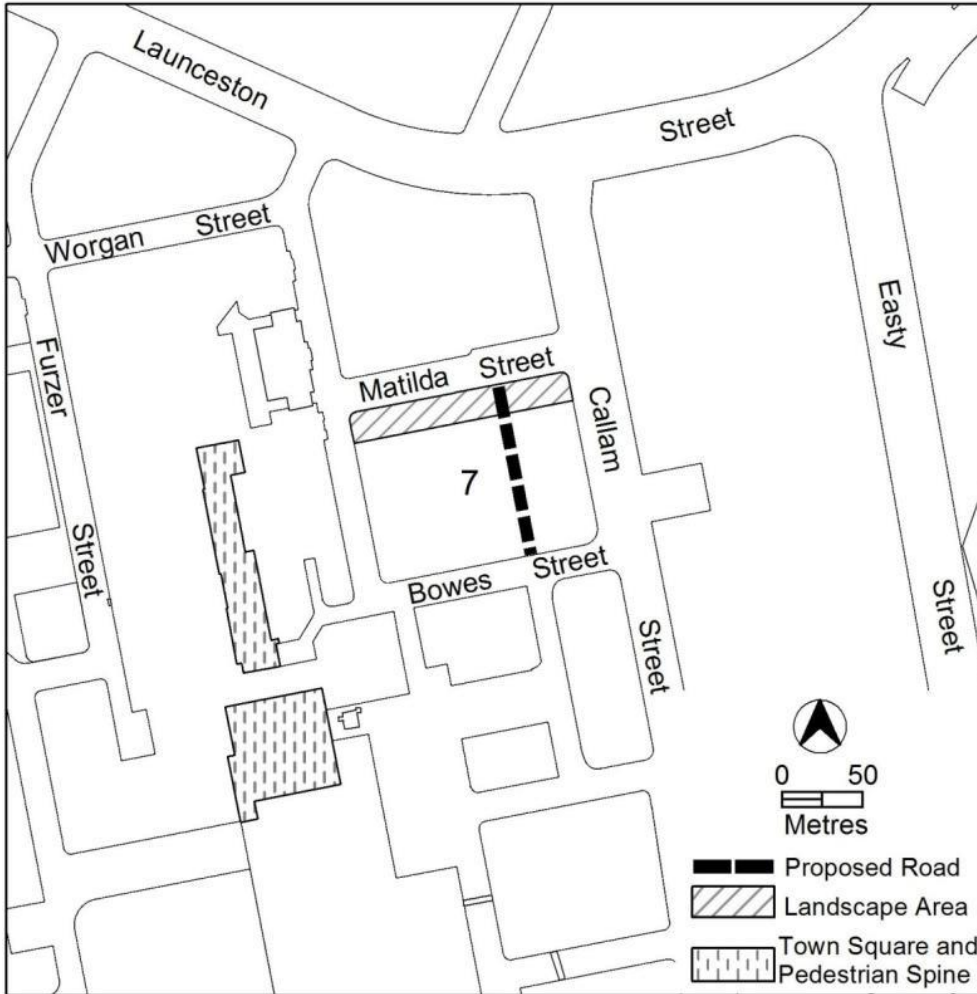


Figure 3

Rules	Criteria
<p>R30</p> <p>For buildings located along secondary active frontage areas shown in figure 1, ground floor 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 for access and egress for persons with disabilities. 	<p>C30</p> <p>Development at ground level achieves all of the following:</p> <ul style="list-style-type: none"> a) is adaptable for commercial use b) where building access is provided, direct pedestrian access at street level c) provide opportunities for views into and out of the building.
<p>There is no applicable rule.</p>	<p>C31</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 1.</p>

Rules	Criteria
<p>There is no applicable rule.</p>	<p>C32 Utility infrastructure, such as electricity substations and water boosters, located along primary active frontages are minimised and/or screened where possible.</p>
2.5 Landscape zone	
<p>R33 This rule applies to secondary active frontages shown in figure 1. Where a building frontage is greater than 30m in length and active uses are not incorporated on the ground floor, a landscaped area with a minimum depth into the block of 3m from the front boundary is provided for a minimum of 20% of the length of the front boundary. Planting is wholly contained within the leased block boundaries. Note: It is the responsibility of the lessee to ensure that any proposed plantings do not conflict with existing services.</p>	<p>C33 Landscaped areas are provided along secondary frontages to soften the street environment and add points of interest. The landscaped areas are integrated with the adjacent verge level, and contained wholly within the block boundaries.</p>
2.6 Awnings	
<p>R34 This rule applies to buildings fronting:</p> <ul style="list-style-type: none"> a) Ball Street b) Bradley Street c) Brewer Street d) Callam Street e) Colbee Court f) Corinna Street g) Dundas Court h) Townshend Street i) bus interchange. j) town square k) pedestrian spine <p>Buildings provide a continuous awning along the entire length of the building located along the front boundary with a minimum:</p> <ul style="list-style-type: none"> a) height from <i>datum ground level</i> of 3.2m, and b) depth from the building facade of 3m. 	<p>C34 Protection from the natural elements is provided along pedestrian movement corridors by incorporating:</p> <ul style="list-style-type: none"> a) continuous awnings that are compatible with existing structures b) shelter that allows for street trees and other landscaping c) visually safe and amenable shelter design.

Rules	Criteria
2.7 Screening	
There is no applicable rule.	C35 Waste collection areas are screened from public view.
2.8 Driveways	
<p>R36</p> <p>No new driveways are permitted along:</p> <ul style="list-style-type: none"> a) Callam Street, north of Wilbow Street b) Launceston Street. c) Melrose Drive d) Townshend Street <p>Note: Replacement or relocation of existing driveways is not restricted by this rule.</p>	This is a mandatory requirement. There is no applicable criterion.

RC2 – Yamba Drive Corridor Site

This part applies to blocks and parcels identified in area RC2 shown on the Phillip Precinct Map.

RC2 includes the Yamba Drive corridor site.

Element 3: Buildings

Rules	Criteria
3.1 Number of storeys	
<p>R37</p> <p>The maximum number of <i>storey</i> is 4.</p>	<p>C37</p> <p>The number of <i>storeys</i> comply with all of the following:</p> <ul style="list-style-type: none"> a) compatibility with existing, or future desired character of, adjacent development b) appropriate to the scale and function of the use c) minimise detrimental impacts, including overshadowing and excessive scale d) no higher than the established tree canopy along main avenues with primarily landscaped frontage.
3.2 Setback	
<p>R38</p> <p>The minimum front setback to Yamba Drive is 10m.</p>	<p>C38</p> <p>Building frontages to Yamba Drive achieve all of the following:</p> <ul style="list-style-type: none"> a) consistent with established building lines b) a landscaped setting.
3.3 Materials and finishes	
<p>R39</p> <p>Building colours are off-white to light buff/grey.</p>	<p>C39</p> <p>Any alternative colours used achieve all of the following:</p> <ul style="list-style-type: none"> a) Relate to clearly defined elements of the building b) are predominantly earthy toned c) minor elements in the building facade may be accented d) subsidiary to the main off-white to light buff/grey materials.

RC3 – Callam Street/Athllon Drive Corridor

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

Element 4: Buildings

Rules	Criteria
4.1 Number of storeys	
<p>R40</p> <p>This rule applies to area 'a' in figure 4.</p> <p>Development is limited to 6 storeys, with a marker building permitted up to a maximum <i>height of building</i> of RL648AHD.</p> <p>Note: RL648AHD equates to approximately 58m above <i>datum ground level</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R41</p> <p>This rule applies to area 'a' in figure 4.</p> <p>The portion of development above 6 storeys is limited to 850m² <i>gross floor area</i> per floor.</p>	<p>C41</p> <p>Development complies with all of the following:</p> <ul style="list-style-type: none"> a) provides a narrow silhouette and minimises overshadowing to surrounding residential areas b) creates architectural interest and visually reduces the overall scale of the building mass; and c) provides an elegant conclusion to the lower built form.
<p>R42</p> <p>This rule applies to area 'b' in figure 4.</p> <p>The maximum number of <i>storeys</i> is 4.</p>	<p>C42</p> <p>Building heights may be increased to 6 <i>storeys</i> where development:</p> <ul style="list-style-type: none"> a) provides an appropriate transition in height from the existing adjoining development b) does not adversely impact on surrounding residential development through overshadowing and/or overlooking; and c) includes areas for deep root planting.
<p>R43</p> <p>This rule applies to area 'c' in figure 4.</p> <p>The maximum number of <i>storeys</i> is 3, except where within 52m of Yarralumla Creek centre line, where the maximum number of <i>storeys</i> is 6.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
4.2 Setback	
<p>R44</p> <p>The minimum front building setback to block boundaries addressing Athllon Drive is 4m.</p>	<p>C44</p> <p>Building frontages to Athllon Drive provide a landscaped setting.</p>

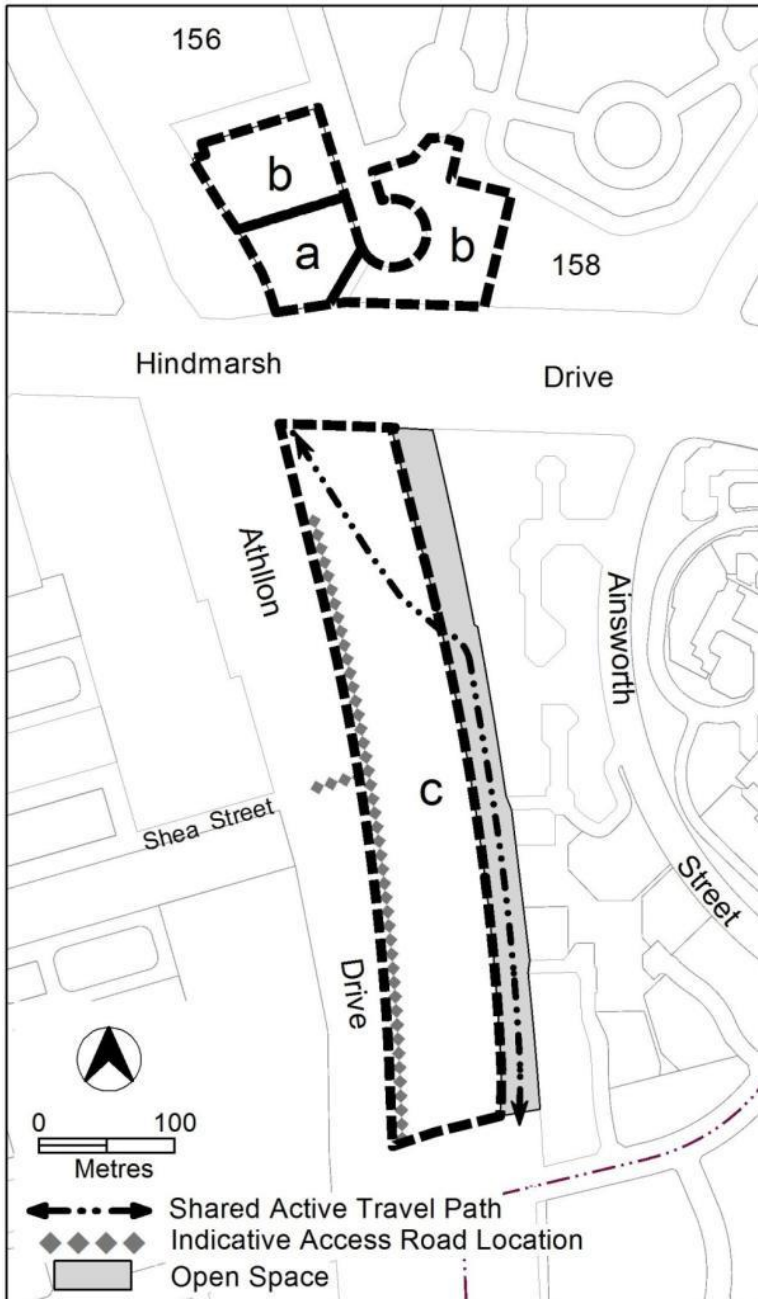


Figure 4

Rules	Criteria
<p>4.3 1 in 100 year flood levels</p>	
<p>There is no applicable rule.</p>	<p>C45 This criterion applies to area 'C' in figure 4. Residential development is not permitted within the 1 in 100 year flood level of Yarralumla Creek.</p>

Rules	Criteria
4.4 Vehicle access	
There is no applicable rule.	C46 This criterion applies to area 'C' in figure 4. Development incorporates the indicative access road in the location shown.
4.5 Open space interface	
R47 This rule applies to area 'c' in figure 4. Development retains the existing shared active travel path connection to the Hindmarsh Drive underpass.	C47 Any changes to the existing shared active travel path alignment complies with all of the following: a) retains easy and direct continuous active travel connection between Woden town centre and Mawson group centre b) are endorsed by TCCS.
R48 This rule applies to area 'c' in figure 4. Development along the open space area and shared active travel path provides all of the following: a) addresses the open space and shared active travel path with windows to habitable rooms, balconies and areas of open space adjoining the shared boundary b) openings for direct pedestrian access to the shared active travel path.	C48 Development provides passive surveillance and pedestrian access to the shared active travel path and open space area.

Element 5: Heritage

5.1 Potential archaeological deposits	
There is no applicable rule.	C49 This criterion applies to area 'C' in figure 4. Development applications will be referred to the ACT Heritage Council, and its advice considered before the determination of the application.

RC4 –Phillip Section 79 part Block 4

This part applies to blocks and parcels identified in area RC4 shown on the Phillip Precinct Map.

Element 6: Estate planning

Rules	Criteria
6.1 Yarralumla and Long Gully Creeks	
<p>There is no applicable rule.</p>	<p>C50</p> <p>This criterion applies to land contained within the <i>setback</i> area to Yarralumla Creek and Long Gully Creek identified in C60.</p> <p>Development complies with all of the following (where relevant):</p> <ul style="list-style-type: none"> a) maintain or increase flood conveyance capacity and storage volume for these watercourses b) create and maintain opportunity for flora and fauna habitat and movement c) provide a landscape setting to improve visual and environmental amenity d) provide an infrastructure corridor for existing and future utility services including an existing trunk sewer and major gas main e) demonstrated adequate space for active travel routes and open spaces for the use and enjoyment of the local community and commuters f) improve the landscape quality and setting on Yarralumla and Long Gully Creeks through the use of natural construction materials and vegetation g) development of b) and d) is completed prior to or at the same stage as surrounding residential development. <p>Note: The planning and land authority may consult, where relevant, with TCCS and other areas of EPSDD (or future relevant agencies) when determining compliance with this criterion.</p>

Rules	Criteria
<p>R51</p> <p>A Flood Risk Study is to be undertaken for the site. The risk assessment should incorporate:</p> <ul style="list-style-type: none"> a) Current Australian Rainfall and Runoff and ACT Government standards for stormwater management b) Mapping of the 1% and 0.2% AEP flood event c) Responses to the management of high (>4m/s) channel velocities d) Impacts of climate change e) Access and design responses to mitigate risks within the site. <p>The study is to be undertaken by consultants familiar with floodplain management issues related to urban development adjacent to major watercourses and endorsed by the relevant agency.</p> <p><i>Note: The planning and land authority may consult, where relevant, with TCCS and other areas of EPSDD (or future relevant agencies) when determining compliance with this rule.</i></p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R52</p> <p>This rule applies to the following:</p> <ul style="list-style-type: none"> a) filling within one of the following (whichever is greater): <ul style="list-style-type: none"> i) 1% AEP (annual exceedance probability) flood extent for Yarralumla and Long Gully Creeks ii) 20 metres of Yarralumla and Long Gully Creek stormwater easements, or within the setback determined by C60 b) compensatory excavation to offset filling specified in a) c) reducing or increasing flood conveyance capacity and storage volume for Yarralumla Creek d) increased 'naturalisation' of Yarralumla and Long Gully Creeks. <p>Development complies with all of the following:</p> <ul style="list-style-type: none"> i) is endorsed by TCCS ii) is prepared by a 'suitably qualified professional' 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>For the purpose of this rule 'naturalisation' means changing the appearance and functionality to more closely represent natural characteristics which may include the use of natural construction materials and vegetation.</p> <p>For the purpose of this rule a 'suitably qualified professional' is familiar with the design and analysis of flood management measures related to development adjacent to major watercourses.</p> <p><i>Note: The planning and land authority may consult, where relevant, with TCCS and other areas of EPSDD (or future relevant agencies) when determining compliance with this rule.</i></p>	
<p>R53</p> <p>This rule applies to development wholly or partially within 1% AEP (annual exceedance probability) flood extent for Yarralumla and Long Gully Creeks.</p> <p>Development of the site is consistent with a flood risk study, prepared by a 'suitably qualified professional' and endorsed by TCCS, which includes all of the following:</p> <ul style="list-style-type: none"> a) protections for ongoing safety of the public against impacts of floods are provided b) protections for property against the impacts of floods are provided c) the site is planned and developed with consideration for flood risks d) where flood impacts on development are less than 20m from the Yarralumla Creek and Long Gully Creek stormwater easements, identification of a minimum <i>setback</i> for development for the site. <p>For the purpose of this rule a 'suitably qualified professional' is familiar with the design and analysis of flood management measures related to development adjacent to major watercourses.</p> <p>If TCCS endorsement is not provided the application will be referred to TCCS.</p> <p><i>Note: The planning and land authority may consult, where relevant, with TCCS and other areas of EPSDD (or future relevant agencies) when determining compliance with this rule.</i></p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
6.2 Site access and internal road layout	
<p>R54</p> <p>The following is endorsed by TCCS:</p> <ul style="list-style-type: none"> a) a transport impact assessment for the site, prepared by a suitably qualified professional b) location, nature and number of new and existing external vehicular site access points to/from the site, including vehicular access from Yamba Drive c) active travel connection/s to Yarralumla Creek shared path network. <p>Plans and drawings clearly demonstrate that the development is consistent with TCCS endorsements for a), b) and c).</p> <p>Note: TCCS may endorse development or works in addition to items identified in this rule.</p>	<p>C54</p> <p>If TCCS endorsement is not provided with the application, it will be referred to TCCS for endorsement.</p>
6.3 Pedestrian and bicycle network and active travel	
<p>There is no applicable rule.</p>	<p>C55</p> <p>Internal pedestrian and bicycle network through the site complies with all of the following:</p> <ul style="list-style-type: none"> a) provides an efficient, safe and legible pedestrian and bicycle network through the site b) connect with existing pedestrian and bicycle network around the site c) predominantly utilises routes which are not also used by vehicles d) aligns with light rail stations and crossing points to reduce informal light rail crossings for cyclists and pedestrians e) allows pedestrian and cyclists to travel between open space areas on the site, the light rail stops and light rail crossing points in the vicinity of the site f) provide unimpeded public pedestrian and bicycle access at all times g) a landscape corridor, which includes a path, approximately 10 metres wide but is not less than 5 metres wide at any point and accommodates all of the following: <ul style="list-style-type: none"> i) a shared path for pedestrians and cyclists

Rules	Criteria
	<ul style="list-style-type: none"> ii) the landscape corridor and path are both of adequate width to meet the current and future usage demand iii) tree planting along the length of the corridor with appropriate offsets to path, services and other infrastructure. <p>Development of and within the internal pedestrian and bicycle network are to be endorsed by TCCS where relevant.</p> <p>Note: The width of the landscape corridor should be able to accommodate potential future path widening without impacts to planted trees. This is especially important if the laneway is bounded by walls and built structures.</p>
There is no applicable rule.	<p>C56</p> <p>Pedestrian and cyclist access to the site are clearly separated from vehicular access and be distinguishable through surface materials, level changes, landscaping and/or slow-speed shared pedestrian road zones.</p>
<p>R57</p> <p>Shared access for pedestrians and cyclists shall be provided across Yarralumla Creek, connecting Irving Street with Section 79 and the general public footpath network to the satisfaction of TCCS.</p>	This is a mandatory requirement. There is no applicable criterion.
6.4 Canopy cover	
<p>R58</p> <p>Development demonstrates that a minimum of 30% of the area has or will have canopy tree cover measured at a mature height.</p> <p>Note: Existing trees which are being retained may contribute towards the 30% requirement.</p>	<p>C58</p> <p>Development demonstrates that a minimum 30% of the RC2 area has a combination of the following:</p> <ul style="list-style-type: none"> a) at least half of the area required by this criterion contains canopy tree cover measured at a mature height b) the area of planting on green roofs (including rooftop gardens) c) the area of planting on external green walls, where measurement of the area of planting is taken along the vertical plane of the surface that contains the planting and vegetation. <p>For this criterion, the area of planting must:</p> <ul style="list-style-type: none"> i) have a minimum dimension of 2.5m

Rules	Criteria
	<ul style="list-style-type: none"> ii) include watering (e.g. automatic irrigation) and maintenance systems to ensure survival of vegetation iii) comprise vegetation which is easily maintained and is suited to the microclimate in which it is to be installed iv) comprise vegetation (density and species selection) which is likely to have a positive summer cooling impact on the immediate urban environment. <p>Note 1: existing trees contribute towards the canopy tree cover mentioned in a).</p> <p>Note 2: trees planted on green roofs or in roof gardens can count towards canopy tree cover.</p> <p>Note 3: The calculations for the area of planting for this provision do not include any form of impermeable or non-living element (i.e. terraces, pergolas, patios, decks, pools, mechanical plant, (such as ventilation systems and lift over-runs), artificial lawn, gravel substrate and the like).</p>
6.5 Community facilities	
<p>There is no applicable rule.</p>	<p>C59</p> <p>A community and social needs assessment report is to be prepared to determine and prescribe the future needs within the development. The assessment report is to be endorsed by the relevant authority.</p> <p>Provision is required to be made within the development to accommodate the identified community uses to the satisfaction of the relevant authority.</p> <p>Note: EPSDD will co-ordinate a response with other agencies such as TCCS and CMTEDD on the endorsement of the report.</p>

Element 7: Buildings

Rules	Criteria
7.1 Building controls and design	
<p>R60</p> <p>This rule does not apply to development mentioned in R52.</p> <p>The minimum <i>setback</i> from the centre line of the Yarralumla Creek and Long Gully Creek stormwater easements to development provides all of the following:</p> <ul style="list-style-type: none"> a) adequate space for development in C50 b) a minimum <i>setback</i> (whichever is greater): <ul style="list-style-type: none"> i) 20 metres ii) as recommended by the TCCS endorsed flood risk study mentioned in R51. 	<p>C60</p> <p>This criterion does not apply to development mentioned in R52.</p> <p>The minimum setback from the centreline of the Yarralumla Creek and Long Gully Creek stormwater easements to development may be less than 20 metres, provided that it is demonstrated that all of the following can be achieved within the nominated setback:</p> <ul style="list-style-type: none"> a) adequate space for development in C50 b) appropriate waterway management practices to facilitate the functioning of riparian zones c) adequate space to support and enhance wildlife connectivity d) adequate space for active travel routes e) provision of adequate living infrastructure (including provision of adequate tree canopy cover for shading) f) recommendations of the TCCS endorsed flood risk study mentioned in R53 (if less than 20 metres). <p>Compliance with this criterion is to be endorsed by the Conservator of Flora and Fauna.</p>
<p>R61</p> <p>This rule applies to development mentioned in Criterion C9.</p> <p>Only one tower element of 16 storeys is permitted on Section 79.</p> <p>The tower element is to be located in the northern part of the site.</p> <p>The tower element is to present as one distinct tower and the portion of development above 6 storeys is limited to 850m² floor plate per floor.</p> <p>For the purpose of calculating floor plate for this rule, all internal areas such as dwellings, office space, indoor amenities, elevator cores, storage spaces, stairwells and hallways are included.</p> <p>Inset or projecting balconies are excluded from the floor plate limit.</p>	<p>C61</p> <p>Departures from the 850m² floor plate limit can be considered where development complies with all of the following:</p> <ul style="list-style-type: none"> a) provides a narrow silhouette and is located and designed to minimise overshadowing to surrounding areas, particularly nearby existing residential. b) creates architectural interest and visually reduces the overall scale of the building mass, and c) designed to minimise its visual bulk and scale as viewed when approaching the site along Yamba Drive.

Rules	Criteria
There is no applicable rule.	<p>C62</p> <p>The tower element referred to in R61 demonstrates that it:</p> <ul style="list-style-type: none"> a) makes a positive contribution to the neighbourhood and landscape character of the area, particularly as viewed when approaching the town centre along Yamba Drive b) does not have unreasonable negative impacts on neighbouring properties c) is located and designed to minimise overshadowing to surrounding areas, particularly nearby existing residential, and d) provides an interesting and distinct architectural design with a distinct base, middle and top.
There is no applicable rule.	<p>C63</p> <p>Development achieves all of the following:</p> <ul style="list-style-type: none"> a) provides a gradual transition in density and scale, from a lower density and building height to the south-east of the site to the tower element to the north of the site with a maximum height as specified in R61 b) building heights to the south-east of the site are compatible with the adjacent health and fitness centre.
<p>R64</p> <p>This rule applies to buildings fronting Yamba Drive:</p> <p><i>Buildings</i> are no more than 55m in length and width at their longest/widest point.</p>	This is a mandatory requirement. There is no applicable criterion.
There is no applicable rule.	<p>C65</p> <p>Buildings (not fronting Yamba Drive) exceeding 55m in length and/or width comply with all the following:</p> <ul style="list-style-type: none"> a) strong design justification b) provide continuous active street frontage c) at least every 55 metres of <i>building</i>, provide a publicly accessible pedestrian link between 5 and 10 metres wide.

Rules	Criteria
<p>R66</p> <p><i>Habitable rooms</i> comply with the following:</p> <ul style="list-style-type: none"> a) master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space) b) bedrooms have a minimum dimension of 3m (excluding wardrobe space) c) living rooms or combined living/dining rooms have a minimum width of: <ul style="list-style-type: none"> i) 3.6m for studio and 1 bedroom apartments ii) 4m for 2 or more bedroom apartments iii) the width of cross-over or cross-through dwellings are at least 4m internally to avoid deep narrow dwelling layouts. 	<p>C66</p> <p><i>Habitable rooms</i> are of a size suitable to accommodate the daily activities of their occupants and visitors.</p>
<p>R67</p> <p><i>Habitable rooms</i> limit depth 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>C67</p> <p><i>Habitable room</i> depth may increase where finished floor level to ceiling height is above the minimum permitted, provided reasonable solar access to each habitable room is maintained.</p>
<p>R68</p> <p>Minimum <i>finished floor level</i> to ceiling heights are as follows:</p> <ul style="list-style-type: none"> a) <i>storey of dwellings</i> containing the main daytime living area: 2.7m b) non-habitable rooms in a <i>dwelling</i>: 2.4m c) non-residential development: 3.3m. 	<p>C68</p> <p>Floor to ceiling heights achieve sufficient natural ventilation and daylight access.</p>
<p>R69</p> <p>The minimum <i>gross floor area</i> for a dwelling is:</p> <ul style="list-style-type: none"> a) Studio – 40m² b) 1 bedroom – 50m² c) 2 bedroom – 70m² d) 3 bedroom – 100m² e) each additional bedroom after the 3rd – an additional 12m² f) Each bathroom after the first – 5m² <p>The minimum area mentioned in a), b), c) and d) may include only one bathroom.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
There is no applicable rule.	<p>C70</p> <p>Dwellings provide a high quality, interesting façade by providing active or passive surveillance through the use of balconies, screened and unscreened windows and access stairs to address the following:</p> <ul style="list-style-type: none"> a) communal open space areas and internal pedestrian and bicycle network within the site b) Yarralumla Creek active travel connection and <i>block</i> boundaries to Yarra Glen, Yamba Drive, Launceston Street, Yarralumla Creek and Long Gully Creek c) Where a building contains multiple dwellings, which face the areas listed in a) and b), dwellings in a development predominately provide occasional surveillance rather than passive surveillance of those areas.
7.2 Housing diversity	
There is no applicable rule.	<p>C71</p> <p>Buildings contain a variety of dwelling designs such as dual aspect apartments, shallow apartment layouts, two storey dwellings and two-level apartment / townhouses.</p>

Element 8: Site controls and design

Rules	Criteria
8.1 Deep soil zones	
<p>There is no applicable rule.</p>	<p>C72</p> <p>Deep soil zones are provided and comply with all of the following:</p> <ul style="list-style-type: none"> a) are unimpeded by <i>buildings or structures</i> above and below ground¹ b) have adequate dimensions to allow for the growth of healthy trees c) incorporate any <i>protected trees</i>² d) allow for the development of healthy root systems and provide anchorage and stability for mature trees e) co-located near deep soil zones on adjacent <i>blocks and sites</i> where possible. <p>Note 1: Deep soil zones exclude <i>basements, services, swimming pools, tennis courts and impervious surfaces</i> including car parks, driveways, podium and roof areas.</p> <p>Note 2: An individual assessment of each existing tree, the Tree Protection Zone, the site, and appropriate protection requirements will be required to substantiate this criterion.</p>
8.2 Site access and internal road layout	
<p>R73</p> <p>The following is endorsed by TCCS:</p> <ul style="list-style-type: none"> a) a transport impact assessment for the site, prepared by a suitably qualified professional b) location, nature and number of new and existing external vehicular site access points to/from the site, including vehicular access from Yamba Drive as a slip road c) active travel connection/s to Yarralumla Creek shared path network. <p>Plans and drawings clearly demonstrate that the development is consistent with TCCS endorsements for a), b) and c).</p> <p><i>Note: TCCS may endorse development or works in addition to items identified in this rule.</i></p>	<p>C73</p> <p>If TCCS endorsement is not provided with the application, it will be referred to TCCS for endorsement.</p>

Rules	Criteria
8.3 Pedestrian and bicycle network and active travel	
There is no applicable rule.	<p>C74</p> <p>Internal pedestrian and bicycle network through the site complies with all of the following:</p> <ul style="list-style-type: none"> a) provides an efficient, safe and legible pedestrian and bicycle network through the site b) connect with existing pedestrian and bicycle network around the site c) predominantly utilises routes which are not also used by vehicles d) aligns with light rail stations and crossing points to reduce informal light rail crossings for cyclists and pedestrians e) allows pedestrian and cyclists to travel between open space areas on the site, the light rail stops and light rail crossing points in the vicinity of the site f) provide unimpeded public pedestrian and bicycle access at all times g) a landscape corridor, which includes a path, approximately 10 metres wide but is not less than 6 metres wide at any point and accommodates all of the following: <ul style="list-style-type: none"> i) a shared path for pedestrians and cyclists ii) the landscape corridor and path are both of adequate width to meet the current and future usage demand iii) tree planting along the length of the corridor with appropriate offsets to path, services and other infrastructure. <p>Development of and within the internal pedestrian and bicycle network are to be endorsed by TCCS where relevant.</p> <p>Note: The width of the landscape corridor should be able to accommodate potential future path widening without impacts to planted trees. This is especially important if the laneway is bounded by walls and built structures.</p>
There is no applicable rule.	<p>C75</p> <p>Pedestrian and cyclist access to the site are clearly separated from vehicular access and be distinguishable through surface materials, level changes, landscaping and/or slow-speed shared pedestrian road zones.</p>

Rules	Criteria
<p>R76</p> <p>Shared access for pedestrians and cyclists shall be provided across Yarralumla Creek, connecting Irving Street with Section 79 and the general public footpath network to the satisfaction of TCCS.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>There is no applicable rule.</p>	<p>C77</p> <p>Adequate spaces and areas, suitably screened from public view, are provided for the loading and unloading of service vehicles.</p>
<p>8.4 Open space</p>	
<p>There is no applicable rule.</p>	<p>C78</p> <p>Open space on the site achieves all of the following:</p> <ul style="list-style-type: none"> a) sufficient useable space for a range of recreational activities for residents to support active living b) sufficient space for planting, particularly trees with deep root systems c) a contribution to on-site infiltration of stormwater run-off d) reasonable accessibility that is designed to be inclusive for all residents e) reasonable connectivity for pedestrians and cyclists to key local destinations and community uses. <p>One or more of the following matters may be considered when determining compliance with this criterion:</p> <ul style="list-style-type: none"> i) whether the total area of upper floor level private open space contributes to the function of other open space on the site ii) whether any adjoining or adjacent public open space is readily available for the use of residents.

Rules	Criteria
8.5 Light rail	
<p>R79</p> <p>This rule applies to the following development within 30m of the centreline of the Yarralumla Creek stormwater easement:</p> <ul style="list-style-type: none"> a) Flood and stormwater mitigation measures from a flood risk assessment that is endorsed by TCCS / EPSDD b) Road design c) Utility relocations d) Access to light rail stop including pedestrian/cycle path connections. <p>A statement of endorsement for these matters is provided by Major Projects Canberra (MPC).</p>	<p>C79</p> <p>If a statement of endorsement is not provided the application will be referred to Major Projects Canberra (MPC) for endorsement.</p>

Element 9: Parking and vehicular access

Rules	Criteria
9.1 Visitor car parking and service vehicles	
<p>There is no applicable rule.</p>	<p>C80</p> <p>Visitor car parking spaces are allocated for visitors of occupants of the residential parts of the development.</p> <p>Visitor car parking spaces are conveniently located for visitors to the development and are not allocated to any other purpose, including private spaces for dwellings or workers of the commercial components of the development.</p>

Element 10: Amenity

Rules	Criteria
10.1 Pedestrian shelters	
<p>R81</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>C81</p> <p>Awnings, canopies or colonnades achieve all of the following:</p> <ul style="list-style-type: none"> a) provide protection from natural elements along <i>buildings</i> and <i>building</i> entrances b) are integrated with the design of the building.

Rules	Criteria
10.2 Solar access	
<p>R82</p> <p>This rule applies to <i>apartments</i> only.</p> <p>Not more than 15% of <i>apartments</i> within a development receive less than 1 hour of direct sunlight between 9am and 3pm on the winter solstice (21 June).</p> <p><i>Note: This rule applies in addition to the relevant provisions relating to solar access for apartments in the relevant development code.</i></p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
10.3 Overshadowing	
<p>R83</p> <p>Development within 50 metres of the Stellar Health and Wellness Centre and Block 16 Section 79 (Canberra College) is limited to a maximum of 6 storeys.</p>	<p>C83</p> <p>Development demonstrates that only minimum overshadowing occurs from any proposed buildings on the site over the surrounding area.</p>
10.4 Noise	
<p>R84</p> <p>The following uses are not permitted where located directly adjacent (including beneath or above) residential apartments and in building frontages directly facing onto Yamba Drive:</p> <ul style="list-style-type: none"> a) club b) drink establishment c) hotel d) indoor recreation facility e) indoor entertainment facility f) restaurant. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 11: Environment

Rules	Criteria
11.1 Contamination	
<p>R85</p> <p>Development Applications for development on the site must be accompanied by an environmental assessment into the site's suitability from a contamination perspective in accordance with the ACT Contaminated Sites Environment Protection Policy and be endorsed by the Environment Protection Authority.</p> <p>This rule does not apply if the Environment Protection Authority has provided written advice that the site has been assessed for contamination to its satisfaction.</p> <p>Endorsement by the Environment Protection Authority is required if it is not provided with the application.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
11.2 Environmentally sustainable design	
<p>There is no applicable rule.</p>	<p>C86</p> <p>The development incorporates measures recommended by an environmentally sustainable design (ESD) assessment undertaken by a 'suitably qualified professional'.</p> <p>The assessment must consider ESD principles and best practice ESD, which at a minimum must include:</p> <ul style="list-style-type: none"> a) energy efficiency, including passive design b) water efficiency c) reducing greenhouse gas emissions d) active and sustainable transport, e) living infrastructure f) urban design, including building materials and finishes. <p>All recommended measures determined by the assessment are:</p> <ul style="list-style-type: none"> i) not inconsistent with the relevant development and general codes of the Territory Plan ii) identified on plans and endorsed by the relevant authority to ensure delivery

Rules	Criteria
	<p>and retention as a feature of the development.</p> <p>For the purpose of this criterion a 'suitably qualified professional' is a person with qualifications, experience and/or skills relevant to ESD.</p> <p><i>Note: The Planning and Land Authority may consult with EPSDD Climate Change and Energy Division (or future relevant agency responsible for the same functions) when determining compliance with this criterion.</i></p>
11.3 Microclimate	
<p>There is no applicable rule.</p>	<p>C87</p> <p>The development incorporates mitigation measures recommended by a microclimate assessment undertaken by a 'suitably qualified professional' as endorsed by the relevant authority. The assessment must identify the urban heat risk factors that apply to the site and recommend appropriate urban heat mitigation measures.</p> <p>All recommended measures determined by the assessment are:</p> <ul style="list-style-type: none"> a) not inconsistent with the relevant development and general codes of the Territory Plan b) identified on plans and endorsed by the relevant authority to ensure delivery and retention as a feature of the development. <p>For the purpose of this criterion a 'suitably qualified professional' is a person with qualifications, experience and/or skills, relevant to urban climate science, urban heat modelling and microclimate assessment.</p> <p><i>Note: The Planning and Land Authority may consult with EPSDD Climate Change and Energy (or future relevant agency responsible for the same functions) when determining compliance with this criterion.</i></p>

Rules	Criteria
11.4 Permeability	
<p>R88</p> <p>This rule applies to at least one of the following:</p> <ul style="list-style-type: none"> a) development on <i>sites</i> greater than 2000m² involving works that have potential to alter the stormwater regime for the <i>site</i> b) development within existing urban areas that increase the impervious area of the site by 100m² or more. <p>Development achieves all of the following:</p> <ul style="list-style-type: none"> i) minimum of 30% of the <i>site</i> area to be permeable. ii) generally equitable distribution of permeability across the site area. <p>This rule and associated criterion overrides rules and/or criteria that require a percentage of an individual development site area to be permeable.</p> <p><i>Note: Compliance with this rule and associated criteria is demonstrated through a report from a 'suitably qualified professional' consistent with the methods specified in the ACT Practice Guidelines for Water Sensitive Urban Design.</i></p>	<p>C88</p> <p>It is demonstrated that the development of the site achieves all of the following:</p> <ul style="list-style-type: none"> a) increases permeable surfaces and living infrastructure through green spaces b) plants that require irrigation are supported by sustainable water systems such as onsite stormwater harvesting to achieve microclimate benefits c) promotes evapotranspiration to mitigate extreme temperatures, improve air humidity and overall human comfort d) equitable distribution of a), b) and c) across both the public and private realms of the site.
11.5 Tree retention	
<p>R89</p> <p>Development applications demonstrate that the two high-quality trees on the site are protected and as many good quality and medium quality regulated trees as possible are retained.</p> <p>The authority shall refer the development applications to the Conservator of Flora and Fauna.</p> <p>Note 1: The authority will consider any advice from the Conservator or Flora and Fauna before determining the application in accordance with the <i>Planning and Development Act 2007</i>.</p> <p>Note 2: This rule does not replace the provisions relating to tree protection in the relevant development code.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>