



ACT Planning &  
Land Authority

# **CZ6 Leisure and Accommodation Zone Development Code**

March 2008



# Contents

Introduction .....	1
Commercial Zones – Overview .....	3
<b>Part A – General Development Controls.....</b>	<b>5</b>
<b>Element 1: Restrictions on Use .....</b>	<b>5</b>
1.1 Shops.....	5
1.2 Residential Use.....	5
<b>Element 2: Building and Site Controls.....</b>	<b>7</b>
2.1 Height - General .....	7
2.2 Setbacks .....	7
2.3 Subdivision .....	7
2.4 Demolition.....	8
2.5 National Capital Plan Requirements .....	8
<b>Element 3: Built Form .....</b>	<b>9</b>
3.1 Building Design and Materials .....	9
3.2 Crime Prevention Through Environmental Design .....	9
3.3 Access and Mobility .....	10
3.4 Car Parking Structures .....	10
<b>Element 4: Parking and Site Access .....</b>	<b>11</b>
4.1 Traffic Generation .....	11
4.2 Main Pedestrian Areas and Routes.....	11
4.3 Access .....	11
4.4 Parking.....	12
4.5 Circulation.....	12
<b>Element 5: Amenity .....</b>	<b>13</b>
5.1 Landscape .....	13
5.2 Lighting .....	14
5.3 Signs.....	14
5.4 Neighbourhood Plans .....	14
<b>Element 6: Environment .....</b>	<b>15</b>
6.1 Water Sensitive Urban Design .....	15
6.2 Heritage .....	16
6.3 Trees.....	16
6.4 Hazardous Material .....	17
6.5 Contamination.....	17
6.6 Erosion and Sediment Control.....	18
6.7 Excavation .....	18
6.8 Wind.....	18
6.9 Air Emissions – Odours .....	19
6.10 Noise.....	19
<b>Element 7: Services .....</b>	<b>20</b>
7.1 Waste Management .....	20
7.2 Servicing and Site Management.....	20
7.3 Utilities .....	21
7.4 Waste Water .....	21
7.5 Storage .....	21
7.6 Easements.....	21
<b>Part B – Site Specific Development Controls.....</b>	<b>22</b>
<b>Element 1: Restrictions on Use .....</b>	<b>22</b>
1.1 Belconnen Section 65 and 187.....	22
1.2 Yarralumla Section 102 .....	22
1.3 Greenway Sections 28 and 46 and Lake Tuggeranong .....	22
1.4 Narrabundah Section 34 Block 1 .....	23

<b>Element 2:</b>	<b>Building and Site Controls</b> .....	<b>24</b>
2.1	Belconnen Sections 65 and 187.....	24
2.2	Yarralumla Section 102.....	25
2.3	Greenway Sections 28 and 46 and Lake Tuggeranong.....	25
<b>Element 3:</b>	<b>Built form</b> .....	<b>26</b>
3.1	Nicholls Section 2 and Section 39 (Gold Creek).....	26

# Introduction

## Application of this code

The CZ6 Leisure and Accommodation Zone Precinct Code applies to development within the all areas zoned CZ6. This code is intended to ensure that the type and form of development within the Zone is responsive and sympathetic to the character, or proposed character, of the locality.

The CZ6 Zone provides for Residential Use in specific locations (refer CZ6 Leisure and Accommodation Zone Development Table). Additional requirements for Residential Use in these areas are included in the Residential Zones Development Code. For multi unit housing refer to part C (5) of the Multi Unit Housing Development Code. For single dwelling housing refer to the relevant provisions in the Single Dwelling Housing Development Code.

## Purpose of codes

Codes provide additional planning, design and environmental controls to support the zone objectives and assessable uses in the Development Tables.

The Codes are used by the Authority to assess development applications. The Codes therefore also provide guidance to intending applicants in designing their developments and preparing their development applications.

Each Code's controls are expressed as either **rules**, which are generally quantitative, or as qualitative **criteria**.

- Proposals in the **code track** must comply with all rules relevant to the development.
- Proposals in the **merit track** and **impact track** have the option to comply with the rules or criteria, unless the rule is mandatory. Where it is proposed to meet the criteria, the onus is on the applicant to demonstrate, by supporting plans and written documentation, that the proposed development satisfies the criteria and therefore the intent of the element.
- Proposals in the **impact track** also have the option to justify any non-compliance with the rules and the criteria, unless the rule is mandatory. Where it is proposed to not meet the rules and the criteria, the onus is on the applicant to justify the non-compliance by demonstrating that the proposed development is consistent with the relevant principles of the Statement of Strategic Directions. Supporting plans and written documentation, providing consideration of the relevant Intents of the Code and the Zone objectives, are to accompany the development application.

## Structure of codes

The CZ6 Leisure and Accommodation Zone Precinct Code is divided into two Parts:

**Part A – General Development Controls** provide general controls that are applicable to all development within the CZ6 Accommodation and Leisure Zone

**Part B – Site Specific Controls** provide any additional specific controls for particular areas or sites. Care is needed to check whether any specific controls apply to individual sites.

Each Part is divided into sections referred to as **Elements**, although each Part may not include provisions for every Element. The Elements describe the various issues for consideration:

1. Restrictions on Use
2. Building and Site Controls
3. Built Form
4. Parking and Site Access
5. Amenity
6. Environment
7. Services

Each Element consists of Intents and Items under which are Rules and Criteria.

**Intent** describes the purpose of the development controls

**Rules** provide the quantitative, or definitive, controls for development

**Criteria** provide the qualitative controls for development

In some instances, there are rules that are mandatory. For clarity of use, the mandatory rules are emphasized by the following words: “**This is a mandatory requirement. There is no applicable criterion**”. Non-compliance with these provisions will result in the refusal of a development application. Conversely, the words “**There is no applicable rule**” is used when controls cannot be quantitative or definitive and only criteria exist.

Any application of a **General Code** to a development proposal is identified as part of the relevant rule or criteria.

Where more than one type of Code applies to a development, the order of precedence when there is inconsistency of provisions between Codes, as defined by the Act, is **Precinct Code**, then **Development Code**, and then **General Code**.

### **Further information**

Please refer to the Planning Explained Guide for more information on preparing applications under the Territory Plan, including the use of assessment codes.

### **Abbreviations**

GFA = gross floor area

m = metres

m<sup>2</sup> = square metres

## Commercial Zones – Overview

The Commercial Zones are established to recognise the various functions, values and characteristics within commercial areas, and to provide a level of consistency and equity across the geographic range of commercial centres. Commercial areas are structured to reflect the principles of a hierarchical system of centres, which comprise the City Centre, town centres, group centres, and local centres.

The City Centre is also known as Canberra City or Civic.

The Town Centres include Belconnen, Gungahlin, Tuggeranong and Woden.

The Group Centres include, Calwell, Charnwood, Chisholm, Conder, Curtin, Dickson, Erindale, Hawker, Jamison, Kaleen, Kambah, Kingston, Kippax, Manuka, Mawson, Wanniasa, Weston

The hierarchy has been developed to ensure that people have a wide choice of facilities and services wherever they live or work within Canberra. Outside this hierarchy, there are other commercial areas in office parks and in corridors along main avenues. The Commercial Zones also include areas for residential mixed and multi-use development, and leisure and accommodation.

All major centres include a number of commercial zones (Table 1) to reflect the different primary functions of their core, business and services areas. The Commercial Zones are described below.

City Centre	CZ1 CZ2 CZ3 Zones
Town Centres	CZ1 CZ2 CZ3 Zones
Group Centres	CZ1 CZ2 CZ3 Zones
Local Centres	CZ4 Zone
Office sites outside centres	CZ2 Zone
Mixed Use Areas	CZ5 Zone
Leisure and Accommodation areas	CZ6 Zone

**Table 1: Location of Commercial Zones**

### **CZ1 Core Zone**

This Zone is the main business core of higher order commercial centres and is the primary location of shops, non-retail commercial uses, restaurants, commercial accommodation, and indoor entertainment facilities. Residential and community uses are also permissible, subject to design and siting to minimise incompatibility with primary uses.

### **CZ2 Business Zone**

This Zone is intended for more fringe commercial activities, primarily non-retail commercial uses, commercial accommodation, and some restaurants and indoor entertainment and recreation facilities. Residential and community uses are also permissible, subject to design and siting, provided they are not incompatible with primary uses.

### **CZ3 Services Zone**

This Zone is intended for fringe retailing, which includes bulky goods, light industry, service trades, service stations, restaurants and indoor entertainment and recreation facilities. Residential, non-retail commercial and community uses are also permitted subject to compatibility with predominant land uses.

### **CZ4 Local Centre Zone**

This Zone is intended for local shops, non-retail commercial and community uses, service stations, and restaurants to service a local community. Residential uses may also be permitted.

### **CZ5 Mixed Use Zone**

This Zone provides for high-density residential uses in highly accessible locations (such as major Avenues) in conjunction with non-retail commercial uses, commercial accommodation, and limited shops, restaurants and community uses.

### **CZ6 Leisure and Accommodation Zone**

This Zone provides for indoor entertainment and recreation facilities, clubs, drink establishments, restaurants and commercial accommodation. Limited shops, residential, and non-retail commercial and community uses may also be included.

## Part A – General Development Controls

The CZ6 Leisure and Accommodation Zone provides opportunities for recreation, tourism and leisure. The main uses within these areas are cultural, entertainment and tourist facilities such as cinemas, theatres, concert halls, galleries, clubs, hotels, motels, convention centres, tourist attractions and restaurants. A number of these uses specifically cater for tourists to the ACT, but many others provide entertainment opportunities for both visitors and residents of the ACT and surrounding region.

### Element 1: Restrictions on Use

#### Intent:

- a) To ensure that retail development in leisure and accommodation areas does not undermine the function of commercial centres
- b) To provide opportunities for higher density residential development in specific locations, while protecting existing commercial uses and the amenity of residents living in commercial zones

Rules	Criteria
<b>1.1 Shops</b>	
R1 Shops are related to the sale of entertainment, accommodation and leisure goods such as specialty items or arts, crafts and souvenirs.	C1 Shops are appropriate to the primary function of the zone for tourist, recreation and leisure purposes.
R2 Shop (excluding or arts, crafts and souvenirs): maximum 250m <sup>2</sup> per shop.	This is a mandatory requirement. There is no applicable criterion.
<b>1.2 Residential Use</b>	
R3 Where permitted, all multi-unit housing is designed to comply with Part C (5) of the Residential Zones Multi Unit Housing Development Code.	This is a mandatory requirement. There is no applicable criterion.
R4 Where permitted, all single dwelling housing is designed to comply with the relevant parts of the Residential Zones Single Dwelling Housing Development Code.	This is a mandatory requirement. There is no applicable criterion.

Rules	Criteria
<p>R5</p> <p>Where permitted, all dwellings for the purposes of supportive housing and/or residential care accommodation are designed to comply with the relevant parts of the Residential Zones Development Code and the relevant Australian Standard or Building Code for Adaptable Housing.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

## Element 2: Building and Site Controls

### Intent:

- a) To ensure that buildings are compatible with the built form, siting and scale of development in adjacent areas or the desired future character of the area established within the Plan
- b) To ensure that development is compatible with, and does not adversely impact on, the environment

Rules	Criteria
<b>2.1 Height - General</b>	
<p>R6</p> <p>Maximum building heights are 2 storeys.</p>	<p>C6</p> <p>Building heights comply with all of the following:</p> <ol style="list-style-type: none"> <li>a) are compatible with existing, or future desired character of, adjacent development</li> <li>b) are appropriate to the scale and function of the use</li> <li>c) minimise detrimental impacts including overshadowing and excessive scale.</li> </ol>
<b>2.2 Setbacks</b>	
<p>R7</p> <p>Minimum setbacks are 6m.</p>	<p>C7</p> <p>Setbacks comply with all of the following:</p> <ol style="list-style-type: none"> <li>a) are compatible with existing, or future desired character of, adjacent development</li> <li>b) are appropriate to the scale and function of the use</li> <li>c) minimise detrimental impacts including overshadowing and excessive scale.</li> </ol>
<b>2.3 Subdivision</b>	
<p>R8</p> <p>Subdivision is only permitted where it meets all of the following:</p> <ol style="list-style-type: none"> <li>a) it is part of a development application for another assessable development</li> <li>b) it is demonstrated that any residual block can accommodate another assessable development designed in accordance with the relevant sections of this Code.</li> </ol>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<b>2.4 Demolition</b>	
<p>R9</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, the application is accompanied by a Statement of Endorsement from utilities (including Water, Sewerage, Stormwater, Electricity and Gas) stating that:</p> <ul style="list-style-type: none"> <li>a) All network infrastructure on or immediately adjacent the site has been identified on the plan</li> <li>b) All potentially hazardous substances and conditions (associated with or resulting from the demolition process) that may constitute a risk to utility services have been identified</li> <li>c) All required network disconnections have been identified and the disconnection works comply with utility requirements</li> <li>d) All works associated with the demolition comply with and are in accordance with utility asset access and protection requirements.</li> </ul>	<p>C9</p> <p>If a Statement of Endorsement is not provided the application will be referred to relevant utilities in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
<b>2.5 National Capital Plan Requirements</b>	
<p>There is no applicable rule.</p>	<p>C10</p> <p>Where a development is subject to Special Requirements under the National Capital Plan (including any relevant Development Control Plan) the development is not inconsistent with the Special Requirements.</p>

## Element 3: Built Form

### Intent:

- a) To ensure that buildings are compatible with the built form, siting and scale of development in adjacent areas or the desired future character of the area within the Plan
- b) To ensure that the massing, scale, colours and materials used for buildings results in harmonious and high quality urban design outcomes
- c) To provide for buildings that promote a safe and accessible environment

*Note: Under the Building Act 2004, most buildings need to meet the requirements of the Building Code of Australia. For certain classes of buildings, this will include prescribed energy requirements.*

Rules	Criteria
<b>3.1 Building Design and Materials</b>	
There is no applicable rule.	<p>C11</p> <p>Development contributes to the amenity and character of the adjacent public spaces by addressing all of the following:</p> <ul style="list-style-type: none"> <li>a) providing interesting, functional and attractive facades that contribute positively to the streetscape setting and pedestrian experience</li> <li>b) minimising the visual impact of reflected sunlight</li> <li>c) incorporating articulated building forms to compliment the existing, or future desired character of, adjacent development</li> <li>d) integrating plant installations and service structures with the building design, so they are set back from the building facade and screened from public areas.</li> </ul>
<b>3.2 Crime Prevention Through Environmental Design</b>	
There is no applicable rule.	<p>C12</p> <p>The development meets the requirements of the Crime Prevention Through Environmental Design General Code.</p>

Rules	Criteria
<b>3.3 Access and Mobility</b>	
There is no applicable rule.	C13 The development meets the requirements of the Access and Mobility General Code.
<b>3.4 Car Parking Structures</b>	
There is no applicable rule.	C14 Car parking structures are designed to integrate with the built form of adjacent existing development.

## Element 4: Parking and Site Access

### Intent:

- a) To ensure safe and efficient access for vehicles and pedestrians
- b) To ensure adequate parking facilities are provided

Rules	Criteria
<b>4.1 Traffic Generation</b>	
There is no applicable rule.	C15 The existing road network can accommodate the amount of traffic that is likely to be generated by the development.
<b>4.2 Main Pedestrian Areas and Routes</b>	
There is no applicable rule.	C16 Main pedestrian areas and routes are retained unless it can be shown that as part of any change, the legibility of the pedestrian system is adequately maintained.
<b>4.3 Access</b>	
There is no applicable rule.	C17 Driveways and pedestrian entrances to the site are clearly visible from the front site boundary.
R18 Loading docks or vehicular entries to buildings are not located on frontages to the street.	C18 Loading docks and vehicular entries do not dominate the street frontage or conflict with parking and pedestrian movements in front of the building.
There is no applicable rule.	C19 Site access complies with the requirements of the Parking and Vehicular Access General Code.

Rules	Criteria
<b>4.4 Parking</b>	
There is no applicable rule.	C20 Car Parking complies with the requirements of the Parking and Vehicular Access General Code.
There is no applicable rule.	C21 Bicycle Parking complies with the requirements of the Bicycle Parking General Code.
<b>4.5 Circulation</b>	
R22 Onsite provision is made for the loading and unloading of vehicles, with adequate manoeuvring space so that vehicles can enter and leave the site travelling in a forward direction. <i>Note: Loading, unloading and associated manoeuvring area is in addition to minimum parking requirements.</i>	This is a mandatory requirement. There is no applicable criterion.

## Element 5: Amenity

### Intent:

- a) To promote a high level of amenity through consideration of personal safety, landscaping and visual impact

Rules	Criteria
<b>5.1 Landscape</b>	
<p>There is no applicable rule.</p>	<p>C23</p> <p>A documented landscape design concept shows how landscape associated with the development addresses all of the following:</p> <ul style="list-style-type: none"> <li>a) is sensitive to site attributes, including streetscapes and landscapes of documented heritage significance</li> <li>b) is of an appropriate scale relative to the road reserve width and building bulk</li> <li>c) uses vegetation types and landscaping styles which complement the streetscape</li> <li>d) integrates with parks, reserves and public transport corridors</li> <li>e) does not adversely affect the structure of the proposed buildings or adjoining buildings</li> <li>f) contributes to energy efficiency and amenity by providing substantial shade in summer, especially to west-facing windows and open car park areas, and admitting winter sunlight to outdoor and indoor living areas</li> <li>g) improves privacy and minimises overlooking between buildings</li> <li>h) satisfies utility maintenance requirements and minimises the visual impact and risk of damage to aboveground and underground utilities</li> <li>i) provides adequate sight lines for vehicles and pedestrians, especially near street corners and intersections</li> <li>j) does not obscure or obstruct building entries, paths and driveways to reduce the actual or perceived personal safety and security.</li> </ul>

Rules	Criteria
There is no applicable rule.	<p>C24</p> <p>Tree planting in and around car parks provides shade and softens the visual impact of parking areas.</p>
<b>5.2 Lighting</b>	
<p>R25</p> <p>External lighting is provided to building frontages, to all pathways, roads, laneways and car-parking areas in accordance with Australian Standard AS1158.1.3 <i>Pedestrian Lighting</i>.</p>	<p>C25</p> <p>External lighting is provided in accordance with the Crime Prevention Through Environmental Design General Code.</p>
There is no applicable rule.	<p>C26</p> <p>All outdoor lighting, including security and car park lighting, is designed and sited to minimise light spill.</p>
<b>5.3 Signs</b>	
There is no applicable rule.	<p>C27</p> <p>Signs comply with the Signs General Code.</p>
<b>5.4 Neighbourhood Plans</b>	
There is no applicable rule.	<p>C28</p> <p>Where a Neighbourhood Plan exists development demonstrates response to the key strategies and actions of the relevant Neighbourhood Plan.</p>

## Element 6: Environment

### Intent:

- a) To identify and mitigate potential onsite and offsite environmental impacts of development and incorporate alternative design options where necessary

Rules	Criteria
<b>6.1 Water Sensitive Urban Design</b> Note: Refer to the Water Ways: Water Sensitive Urban Design General Code for more information on Water Sensitive Urban Design	
<b>R29</b>  Evidence is provided that shows the development achieves a minimum 40% reduction in mains water consumption compared to an equivalent development constructed in 2003 using the ACTPLA on-line assessment tool or the NSW BASIX tool. The 40% target is met without any reliance on landscaping measures to reduce consumption.	This is a mandatory requirement. There is no applicable criterion.
<b>R30</b>  Evidence is provided that demonstrates that for developments on sites <2000m <sup>2</sup> , a reduction of 1-in-3 month stormwater peak run off flow to pre-development levels with release of captured flow over a period of 1 to 3 days can be achieved.	This is a mandatory requirement. There is no applicable criterion.
<b>R31</b>  Evidence is provided that demonstrates that for developments on sites >2000m <sup>2</sup> , a reduction in average annual stormwater pollutant export load of all of the following: <ul style="list-style-type: none"> <li>a) suspended solids by 60%</li> <li>b) total phosphorous by 45%</li> <li>c) total nitrogen by 40% using the MUSIC model to demonstrate compliance.</li> </ul>	<b>C31</b>  For developments on sites >2000m <sup>2</sup> the development is demonstrated to achieve a reduction in average annual stormwater pollutant export load of all of the following: <ul style="list-style-type: none"> <li>a) suspended solids by 60%</li> <li>b) total phosphorous by 45%</li> <li>c) total nitrogen by 40% compared to an urban catchment with no water quality management controls, using any other method, eg XP-AQUALM, PURRS, Aquacycle, that can demonstrate, to the satisfaction of the Authority, compliance.</li> </ul>

Rules	Criteria
<p>R32</p> <p>Evidence is provided that shows the development achieves:</p> <p>a) a reduction of 1-in-3 month stormwater peak run off flow to pre-development levels with release of captured flow over a period of 1 to 3 days, and</p> <p>b) a reduction of 1-in-5 year and 1-in-100 year stormwater peak run off flow to pre-development levels using XP-RAFTS, DRAINS (ILSAX), RORB or WBNM models to demonstrate compliance.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<b>6.2 Heritage</b>	
<p>R33</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, applications for development on land or buildings subject to interim or full heritage registration are to be accompanied by advice from the Heritage Council stating that the development meets the requirements of the <i>Heritage Act 2004</i>.</p>	<p>C33</p> <p>If advice from the Heritage Council is required, but not provided, then the application will be referred to the Heritage Council in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
<b>6.3 Trees</b>	
<p>R34</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, where the development proposal requires groundwork within the tree protection zone of a protected tree, or is likely to cause damage to or removal of, any protected trees, the application must be accompanied by a Tree Management Plan approved under the <i>Tree Protection Act 2005</i>.</p> <p>Note: "Protected tree" is defined under the <i>Tree Protection Act 2005</i>.</p>	<p>C34</p> <p>If an approved Tree Management Plan is required, but not provided, then a draft Tree Management Plan is to accompany the application. The draft Tree Management Plan will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
<p>R35</p> <p>Trees on development sites may be removed only with the prior agreement in writing of the Territory.</p>	<p>C35</p> <p>Retained trees are protected and maintained during construction to the satisfaction of the Territory.</p>

Rules	Criteria
<b>6.4 Hazardous Material</b>	
<p>R36</p> <p>For the demolition of multi-unit housing (including garages and carports) constructed* prior to 1985, and Commercial / Industrial premises constructed prior to 2005, a Hazardous Materials Survey (including an asbestos survey) is carried out and signed by an appropriately licensed person and is endorsed by Environment Protection.</p> <p>The Survey is provided and covers the disposal of hazardous materials, showing that:</p> <ul style="list-style-type: none"> <li>a) Hazardous material disposal (including asbestos) is to be at a licensed disposal facility in the ACT</li> <li>b) b) If hazardous materials are to be transported for disposal interstate, approval from the Environment Protection Authority is obtained prior to removal of material from the site</li> <li>c) An appropriately licensed contractor is engaged for the removal and transport of all hazardous materials (including asbestos) present at the site.</li> </ul> <p>* construction date means the date when the Certificate of Occupancy was issued</p>	<p>C36</p> <p>If an endorsed Hazardous Materials Survey is not provided the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
<b>6.5 Contamination</b>	
<p>R37</p> <p>A statement is provided that the potential for land contamination has been assessed in accordance with the <i>ACT Government Strategic Plan – Contaminated Sites Management 1995</i> and the <i>ACT Environment Protection Authority Contaminated Sites Environmental Protection Policy 2000</i>, and it is demonstrated that the land is suitable for the proposed development.</p>	<p>C37</p> <p>If a statement that the site has been assessed is not provided, the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>

Rules	Criteria
<b>6.6 Erosion and Sediment Control</b>	
<p>R38</p> <p>For sites less than 0.3 of a hectare, a plan is provided to demonstrate that the development complies with the <i>ACT Environment Protection Authority, Environment Protection Guidelines for Construction and Land Development in the ACT, August 2007</i>.</p>	<p>C38</p> <p>If a plan is not provided, the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
<p>R39</p> <p>For development on a site greater than 0.3 of a hectare, the application is accompanied by an Erosion and Sediment Control Plan endorsed by ACT Environment Protection.</p>	<p>C39</p> <p>If an endorsed Sediment and Erosion Control Plan is not provided the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
<b>6.7 Excavation</b>	
<p>There is no applicable rule.</p>	<p>C40</p> <p>Onsite cut and fill is minimised and managed to ameliorate negative off site impacts.</p>
<b>6.8 Wind</b>	
<p>There is no applicable rule.</p>	<p>C41</p> <p>For buildings higher than 19 m but less than 28 m, a wind assessment report prepared by a suitably qualified person demonstrates that the development will not impact adversely on safety and comfort in the public realm and other open spaces associated with the development.</p>
<p>R42</p> <p>For buildings higher than 28 m, a report on wind testing conducted by a suitably qualified person establishes that the following wind speeds are met by the development:</p> <p>a) main pedestrian areas and routes: 10 m/s, and</p> <p>b) all other streets and public places: 16 m/s.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<b>6.9 Air Emissions – Odours</b>	
<p>R43</p> <p>A statement is provided that all exhaust and ventilation systems for food retail premises are installed and operated to comply with <i>AS1668.1 The Use of Ventilation and Air-conditioning in Buildings</i></p>	<p>C43</p> <p>This is a mandatory requirement. There is no applicable criterion.</p>
<b>6.10 Noise</b>	
<p>R44</p> <p>A Noise Management Plan, prepared by an accredited acoustic specialist who is a member of the Australian Acoustical Society, endorsed by Environment Protection is provided for the following uses:</p> <ul style="list-style-type: none"> <li>-club</li> <li>-drink establishment</li> <li>-hotel</li> <li>-industry (except light industry)</li> <li>-indoor entertainment facility</li> <li>-restaurant</li> </ul> <p>The Noise Management Plan details the design, siting and construction methods, which will be used to minimise the impact of noise on neighbours.</p>	<p>C44</p> <p>If an endorsed Noise Management Plan is not provided, the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>

## Element 7: Services

### Intent:

- a) To ensure, to the satisfaction of the relevant authority, provision of all necessary onsite services required for the construction and operation stages of the proposed use

Rules	Criteria
<b>7.1 Waste Management</b>	
<p>R45</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, applications are to be accompanied by a statement of compliance from the Department of Territory and Municipal Services stating that the waste facilities and management associated with the development are in accordance with the <i>Development Control Code for Best Practice Waste Management in the ACT 1999</i>.</p>	<p>C45</p> <p>If a statement of compliance is not provided the application will be referred to the Department of Territory and Municipal Services in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
<p>R46</p> <p>A Statement of Compliance from the relevant agency is provided, which confirms that the discharge (or potential discharge by accident or spillage) of non-domestic liquid waste to the sewerage or stormwater networks complies with utility standards and requirements.</p>	<p>C46</p> <p>If a Statement of Compliance is not provided the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
<b>7.2 Servicing and Site Management</b>	
<p>R47</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, the application is accompanied by a Statement of Endorsement from the relevant agency stating that the waste facilities and management associated with the development are in accordance with the <i>Design Standards for Urban Infrastructure</i>.</p>	<p>C47</p> <p>If a Statement of Endorsement is not provided the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>

Rules	Criteria
<b>7.3 Utilities</b>	
<p>R48</p> <p>A Statement of Compliance from each relevant utility provider (for water, sewerage, stormwater, electricity and gas) is provided, which confirms that the location and nature of earthworks, utility connections, proposed buildings, pavements and landscape features comply with utility standards, access provisions and asset clearance zones.</p> <p>Note: Where there is a conflict between planning and utility requirements, the utility requirements take precedence over other provisions of this Code.</p>	<p>C48</p> <p>If a Statement of Compliance is not provided the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
<p>R49</p> <p>All new permanent or long-term electricity supply lines are underground</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<b>7.4 Waste Water</b>	
<p>R50</p> <p>Subject to ACTEWAGL approval, all under cover areas drain to the sewer.</p>	<p>C50</p> <p>This is a mandatory requirement. There is no applicable criterion.</p>
<b>7.5 Storage</b>	
<p>R51</p> <p>Outdoor storage areas address all of the following:</p> <ul style="list-style-type: none"> <li>a) are located behind the building line</li> <li>b) are screened from view from any road or other public area</li> <li>c) do not encroach on car-parking areas, driveways, or landscape areas.</li> </ul>	<p>C51</p> <p>Where the proposed use requires open areas for storage of goods and materials, adequate provision is included in the design and layout of the site for these areas, and they do not encroach on car parking, driveways or landscaped areas.</p>
<b>7.6 Easements</b>	
<p>R52</p> <p>There is no encroachment over easements or rights of way.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

## Part B – Site Specific Development Controls

### Element 1: Restrictions on Use

#### Intent:

- a) To ensure that development in leisure and accommodation areas does not undermine the function of commercial centres
- b) To provide for additional uses in appropriate locations to complement tourist, recreation and leisure facilities and promote better use of existing infrastructure
- c) To promote leisure and recreation activities in Belconnen along the lake foreshore
- d) To provide for uses that relate functionally and visually to the Tuggeranong Town Centre and the Murrumbidgee River Corridor and/or the Lake, while protecting the water quality of the River

Rules	Criteria
<b>1.1 Belconnen Section 65 and 187</b>	
<p>R53</p> <p>On Belconnen Sections 65 and 187 (Figure B1) the following uses are permitted on upper floors only:</p> <ol style="list-style-type: none"> <li>a) Office</li> <li>b) Residential use</li> </ol>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<b>1.2 Yarralumla Section 102</b>	
<p>R54</p> <p>For Yarralumla Section 102 Blocks 1, 7 and 20 (Figure B2):</p> <ol style="list-style-type: none"> <li>a) Shops a total maximum 500 m<sup>2</sup> excluding shops associated with or related to entertainment, accommodation and leisure uses</li> <li>b) Offices a total maximum of 1500 m<sup>2</sup>.</li> </ol>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<b>1.3 Greenway Sections 28 and 46 and Lake Tuggeranong</b>	
<p>R55</p> <p>Land uses or subdivisions on Greenway Section 28 and Section 46 that may jeopardise water quality or the visual character of the river corridor or lake foreshores are prohibited (Figure B3).</p>	<p>C55</p> <p>Land uses on Greenway Section 28 and Section 46 are compatible visually and functionally with both the town centre and the river and lake environments, have minimal servicing and structural demands and generally contain storm water runoff on-site, or direct stormwater away from the river to Lake Tuggeranong.</p>

Rules	Criteria
<b>1.4 Narrabundah Section 34 Block 1</b>	
<p>R55A</p> <p>Where permitted, all multi-unit housing is designed to comply with Part A(3) – RZ3 – Urban Residential Zone, Part B and Part C(3) of the Residential Zones - Multi Unit Housing Development Code.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

## Element 2: Building and Site Controls

### Intent:

- a) To ensure that buildings are compatible with the built form, siting and scale of development in adjacent areas or the desired future character of the area established within the Plan.
- b) To provide for development that relates functionally and visually to the Tuggeranong Town Centre and the Murrumbidgee River Corridor and/or the Lake, while protecting the water quality of the River

Rules	Criteria
<b>2.1 Belconnen Sections 65 and 187</b>	
There is no applicable rule.	<p>C56</p> <p>For Belconnen Sections 65 and 187 (Figure B1)</p> <ul style="list-style-type: none"> <li>a) building heights comply with all of the following:               <ul style="list-style-type: none"> <li>i) are compatible with existing, or future desired character of, adjacent development</li> <li>ii) are appropriate to the scale and function of the use</li> <li>iii) minimise detrimental impacts including overshadowing and excessive scale.</li> </ul> </li> <li>b) Maximum building heights are:               <ul style="list-style-type: none"> <li>i) 4 storeys on southern and western boundary of Section 187; and</li> <li>ii) 2 storeys elsewhere.</li> </ul> </li> </ul>
There is no applicable rule.	<p>C57</p> <p>Setbacks on Belconnen Section 65 and 187 (Figure B1) retain a continuous pedestrian plaza along the shore of Lake Ginninderra.</p>

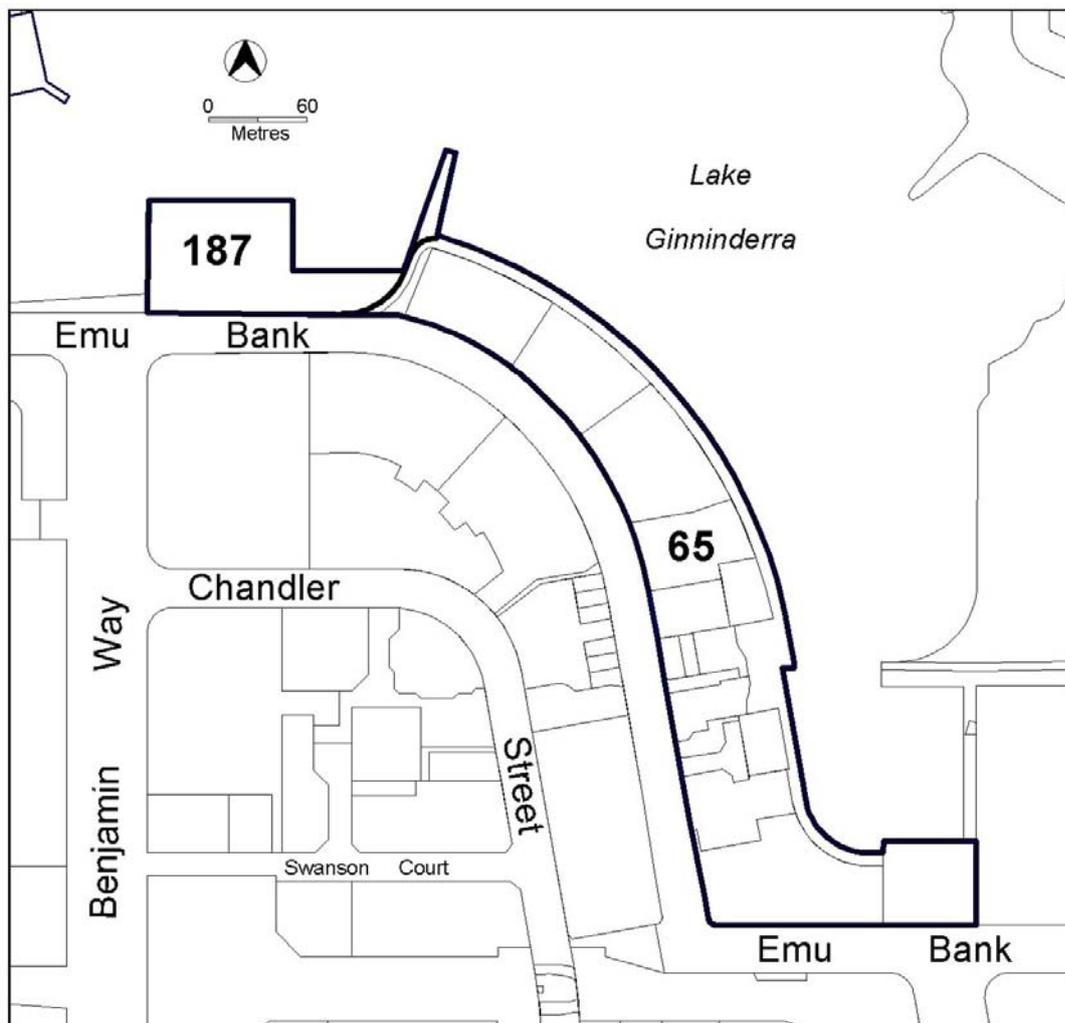
Rules	Criteria
<b>2.2 Yarralumla Section 102</b>	
There is no applicable rule.	<p>C58</p> <p>For Yarralumla Section 102 (Figure B2)</p> <p>a) Building heights comply with all of the following:</p> <ul style="list-style-type: none"> <li>i) are compatible with existing, or future desired character of, adjacent development</li> <li>ii) are appropriate to the scale and function of the use</li> <li>iii) minimise detrimental impacts including overshadowing and excessive scale.</li> </ul> <p>b) Maximum building heights are:</p> <ul style="list-style-type: none"> <li>i) 3 storeys for residential use; and</li> <li>ii) 2 storeys for other uses.</li> </ul>
<p>R59</p> <p>Minimum setbacks are 20m on the northern and eastern boundaries of Yarralumla Section 102 (Figure B2).</p>	<p>C59</p> <p>The impact of development on adjacent uses is minimised.</p>
<b>2.3 Greenway Sections 28 and 46 and Lake Tuggeranong</b>	
There is no applicable rule.	<p>C60</p> <p>For Greenway Sections 28 and 46 (Figure B3) a) Development does not prejudice water quality in the Murrumbidgee River.</p> <p>b) Development intensity is low and allows for point source retention of storm water and landscaping opportunities.</p>

### Element 3: Built form

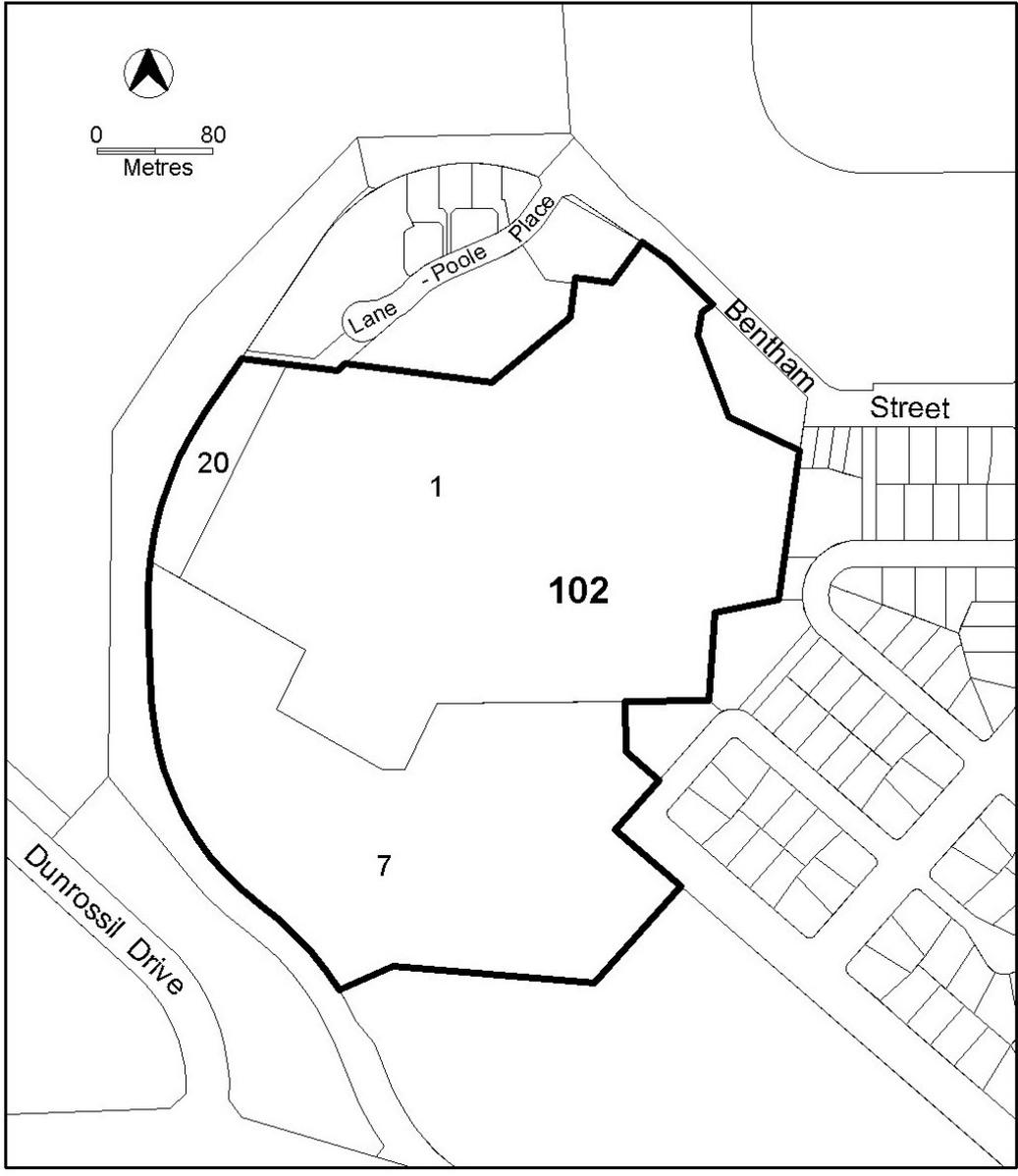
**Intent:**

- a) To ensure that buildings are compatible with the built form, siting and scale of development in adjacent areas

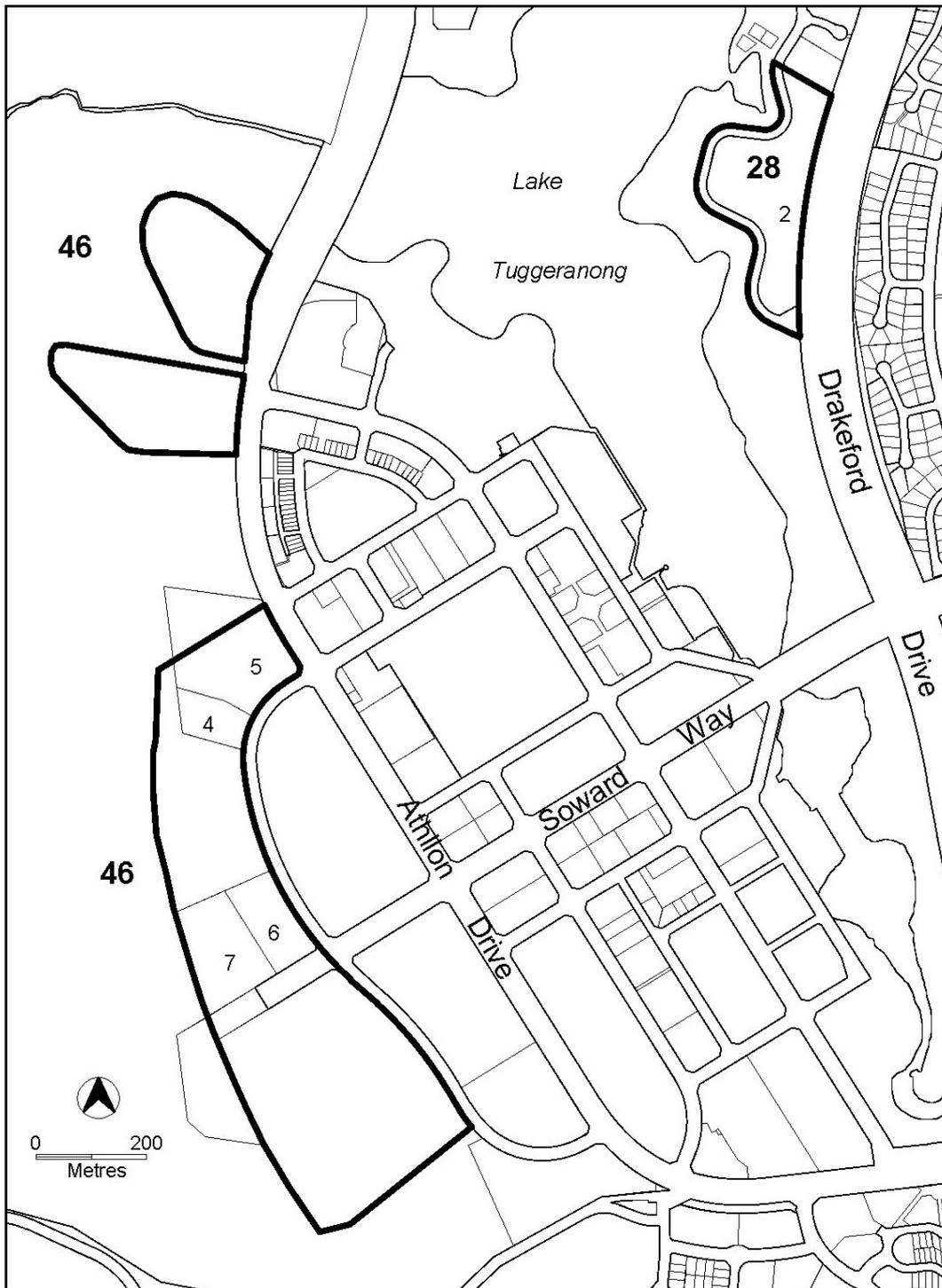
Rules	Criteria
<b>3.1 Nicholls Section 2 and Section 39 (Gold Creek)</b>	
There is no applicable rule.	C61 Development within and adjacent to the <i>Ginninderra Village Complex</i> heritage area is sympathetic in materials and form to the historic features of the area.



**Figure B1 Belconnen Section 65 and 187**



**Figure B2 Yarralumla Section 102**



**Figure B3 Greenway Sections 28 and 46**