



ACT Planning &
Land Authority

Town Centres Development Code

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Introduction

Application of this code

The Town Centres Development Code applies to development within the, Belconnen, Gungahlin Tuggeranong and Woden/Weston Creek Town Centres CZ1 – CZ3 Zones (Figures A1-A4). This code is intended to ensure that the type and form of development within the Town Centres is responsive and sympathetic to the character, or proposed character, of the locality.

Additional requirements for Residential Use in commercial 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 Town Centres Development Code is divided into two Parts:

Part A – Zone 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.

Part B – General Development Controls provide general controls that are applicable to all zones within the Town Centres.

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

m² = 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 – Centre and Zone Specific Controls

Part A - Town Centres – Overview

Town centres provide the main commercial and community focus for the district populations of Belconnen, Gungahlin, Tuggeranong and Woden/ Weston Creek. They also provide opportunities for business investment and employment and facilitate decentralisation. Planning policies seek to promote town centres as vibrant and viable centres with a wide range of services, facilities and employment and provide opportunities for higher density residential development.

Objectives:

The objectives for the town centres are to:

- a) Provide the main focus for shopping, community, business and recreation activity for the district populations of Belconnen, Gungahlin, Tuggeranong and Woden/ Weston Creek.
- b) Provide opportunities for business investment and employment while facilitating decentralisation of employment from the Central National Area
- c) Encourage a mix of land uses, including medium and higher density residential uses, which contribute to an active and diverse character.
- d) Provide an urban structure which is simple, legible and flexible
- e) Maintain and enhance environmental amenity and encourage a high standard of urban design that is consistent with the function of the centre.
- f) Encourage activities, particularly at street frontage level, that contribute to pedestrian activity and social interaction.

Town centres are divided into three specific zones – CZ1 Core, CZ2 Business and CZ3 Services. The controls set out below apply to the areas included in these zones as shown in Figures A1 to A4.

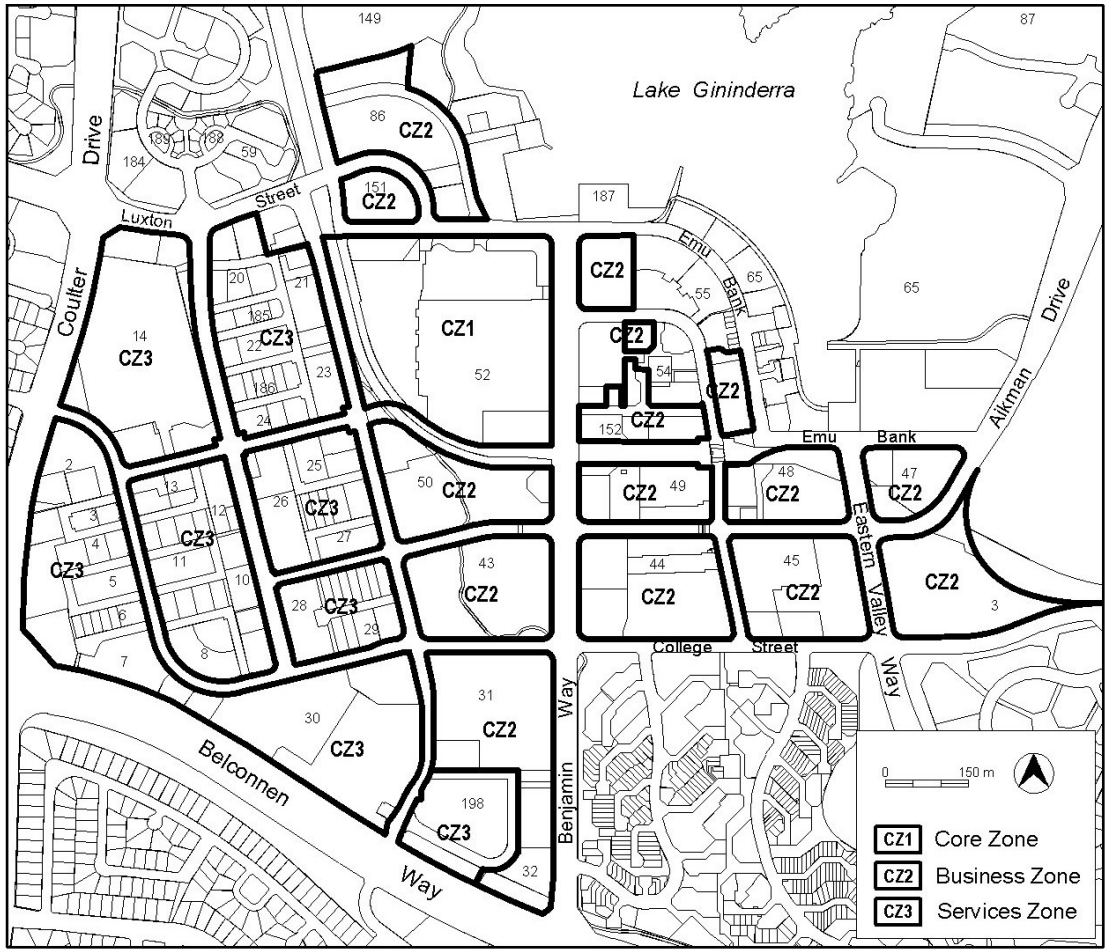


Figure A1 Belconnen Town Centre Zones

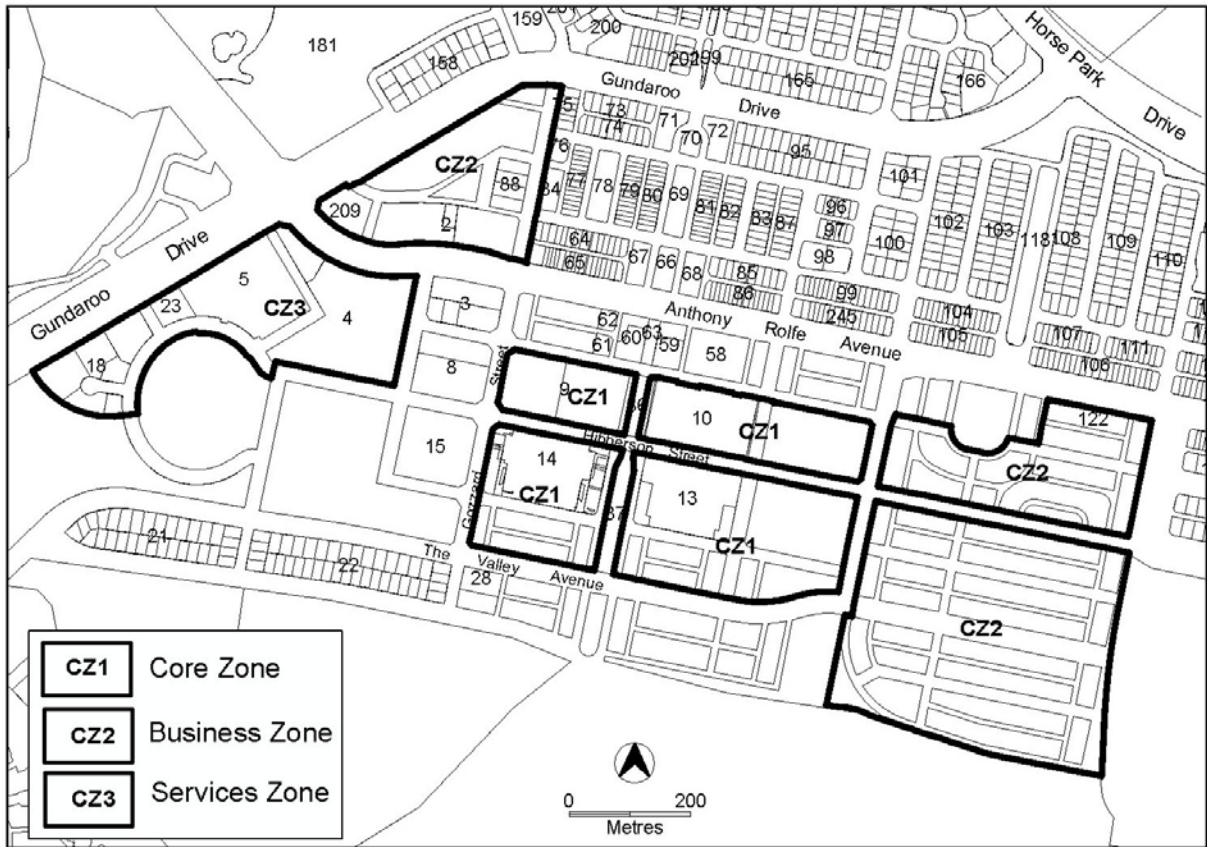


Figure A2 Gungahlin Town Centre Zones

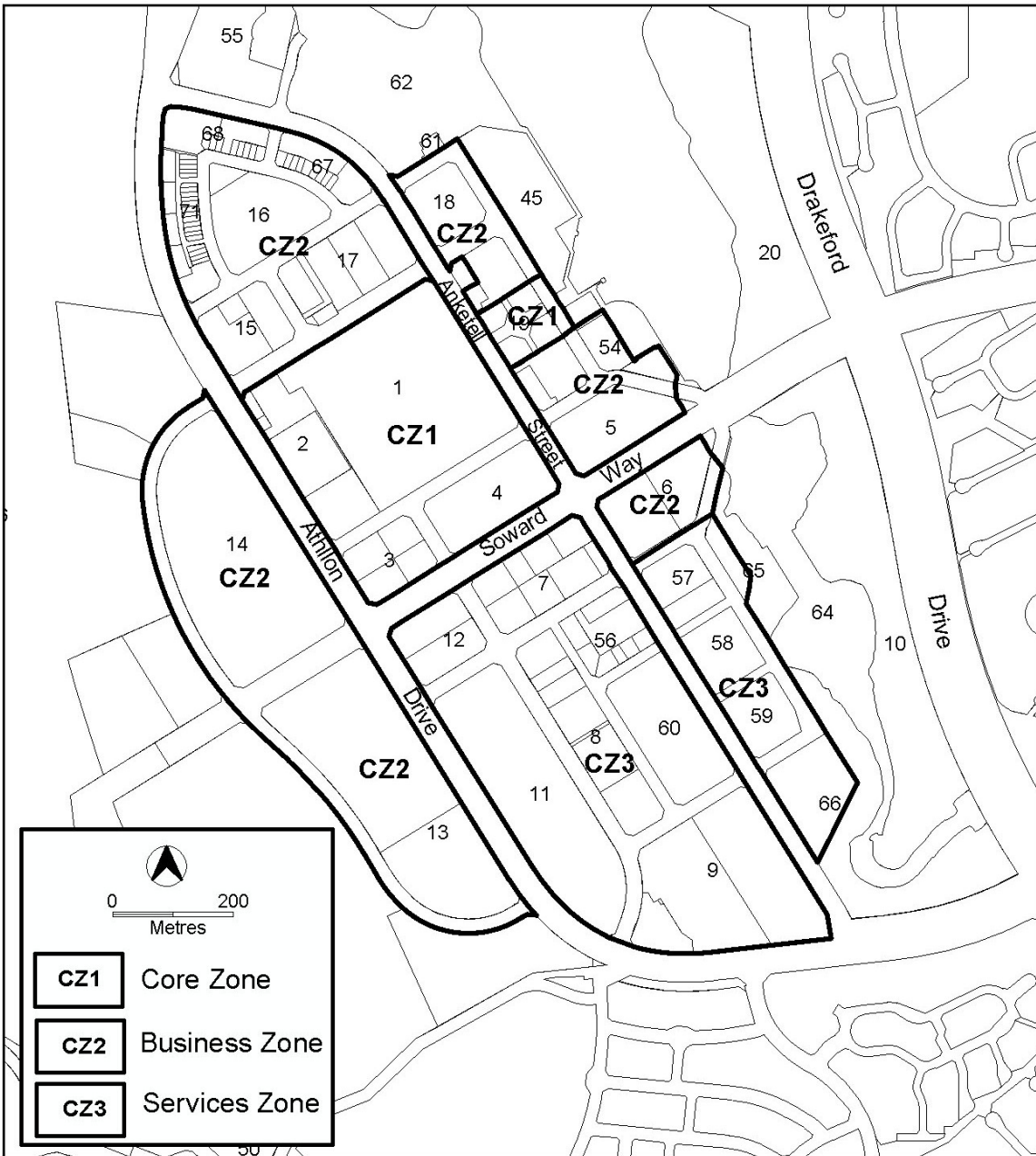


Figure A3 Tuggeranong Town Centre Zones

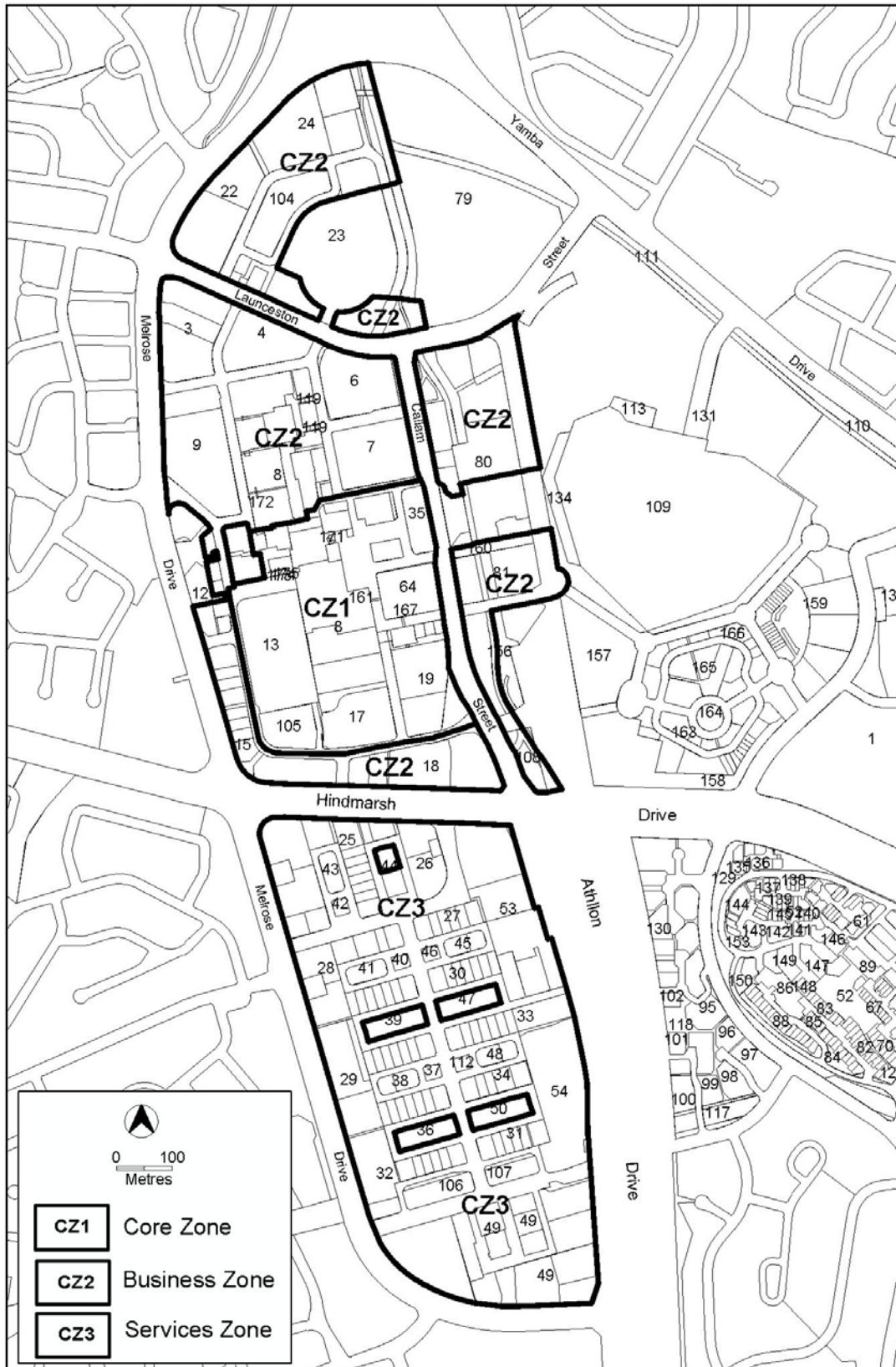


Figure A4 Woden Town Centre Zones

Part A (1) - Town Centres – CZ1 Core Zone

Element 1: Restrictions on Use

Intent:

- a) To provide for and consolidate a range of retail and service outlets that are accessible to consumers.
- b) To encourage shop fronts and similar active frontages at street level and create a lively, vibrant character that is based around main pedestrian systems.

Rules	Criteria
1.1 Active Frontages	
<p>R1</p> <p>Only the following uses are provided in buildings at ground floor level on frontages to main pedestrian areas and routes as defined in Figures A5 – A9:</p> <p style="padding-left: 40px;">business agencies, clubs, community activity centres, drink establishments, financial establishments, hotels, indoor entertainment facilities, indoor recreation facilities, public agencies, restaurants, shops.</p>	<p>C1</p> <p>Buildings fronting main pedestrian areas and routes incorporate uses on the ground floor that generate activity in the public space.</p>
1.2 Gungahlin	
<p>R2</p> <p>Maximum of one supermarket or department store per section.</p>	<p>C2</p> <p>Retail anchors, such as supermarkets or department stores, are located to encourage a multiplicity of movement routes along main streets and increase the vitality of speciality retail at street frontages.</p>
<p>R3</p> <p>The first floor level of buildings includes only the following uses:</p> <p style="padding-left: 40px;">business agency, cultural facility, office, RESIDENTIAL USE, restaurant, shop.</p>	<p>C3</p> <p>Development incorporates a mix of land uses to provide for commercial activities that are consistent with Zone's role as the main retail area in conjunction with residential use.</p>
<p>R4</p> <p>Offices are not located above the first floor level of buildings.</p>	<p>C4</p> <p>Development incorporates a mix of land uses to provide for commercial activities that are consistent with Zone's role as the main retail area and to encourage RESIDENTIAL USE and COMMERCIAL ACCOMMODATION USE above the first floor.</p>

Element 2: Building and Site Controls

Intent:

- a) To encourage a built form and scale of development that reflects the town centre's role as the main commercial focus for its district
- b) 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
- c) To promote an attractive pedestrian environment

Rules	Criteria
2.1 Belconnen	
There is no applicable rule.	<p>C5</p> <p>Building heights comply with all of the following:</p> <ul style="list-style-type: none"> a) are compatible with existing, or future desired character of, adjacent development b) are appropriate to the scale and function of the use c) minimise detrimental impacts, including overshadowing and excessive scale.
2.2 Gungahlin	
There is no applicable rule.	<p>C6</p> <ul style="list-style-type: none"> a) Building heights comply with all of the following: <ul style="list-style-type: none"> i) are compatible with existing, or future desired character of, adjacent development ii) are appropriate to the scale and function of the use iii) minimise detrimental impacts, including overshadowing and excessive scale. b) Maximum building heights are 4 storeys. c) Minimum building heights are 2 storeys except that uses such as service stations, community facilities or ancillary structures may be one storey where circumstances require.

Rules	Criteria
<p>R7</p> <p>Buildings are joined at party walls and built to the front property boundary.</p>	<p>C7</p> <p>Building setbacks promote a compact and walkable urban form.</p>
<p>R8</p> <p>Buildings maintain a continuous building line along main streets and pedestrian areas and routes (Figure A6).</p>	<p>C8</p> <p>a) Frontages to main streets and pedestrian areas and routes generally maintain a continuous building line.</p> <p>b) Setbacks in building alignment may be permitted to provide small spaces for active uses.</p>
<p>2.3 Tuggeranong</p>	
<p>There is no applicable rule.</p>	<p>C9</p> <p>a) Maximum building heights comply with all of the following:</p> <ul style="list-style-type: none"> i) are compatible with existing, or future desired character of, adjacent development ii) are appropriate to the scale and function of the use iii) minimise detrimental impacts, including overshadowing and excessive scale. <p>b) Maximum building heights are generally 4 storeys.</p>
<p>R10</p> <p>Buildings maintain a continuous building line along main streets and pedestrian areas and routes (Figure A7)</p>	<p>C10</p> <p>a) Frontages to main streets and pedestrian areas and routes generally maintain a continuous building line.</p> <p>b) Setbacks in building alignment may be permitted to provide small spaces for active uses.</p>

Rules	Criteria
2.4 Woden	
There is no applicable rule.	<p>C11</p> <p>Building heights comply with all of the following:</p> <ul style="list-style-type: none"> a) are compatible with existing, or future desired character of, adjacent development b) are appropriate to the scale and function of the use c) minimise detrimental impacts, including overshadowing and excessive scale.

Element 3: Built Form

Intent:

- a) To ensure that the design of buildings reinforces the town centre's role as the main commercial focus for its district
- b) To ensure that the massing, scale, colours and materials used for buildings results in harmonious and a high quality urban design outcomes
- c) To promote development that creates a diverse, lively and attractive character and provides an attractive and interlinked pedestrian environment

Rules	Criteria
3.1 Materials and Finish - General	
There is no applicable rule.	<p>C12</p> <p>Building colours and materials are consistent with existing development within the particular town centre.</p>
There is no applicable rule.	<p>C13</p> <p>Extensive areas of highly reflective glass are not permitted.</p>
3.2 Building Design - General	
<p>R14</p> <p>Buildings incorporate display windows and shop fronts with direct pedestrian access at ground floor level on frontages to main pedestrian areas and routes as defined in Figures A5 – A9.</p>	<p>C14</p> <p>Buildings fronting main pedestrian areas and routes are designed to incorporate active frontages with direct pedestrian access.</p>

Rules	Criteria
3.3 Gungahlin	
There is no applicable rule.	<p>C15</p> <p>Public pedestrian walkways or arcades with active frontages are provided in the centre of sections between Hibberson Street and parking and other uses. Walkways may be covered.</p>
There is no applicable rule.	<p>C16</p> <p>a) Visible frontages, including side or return elevations, are designed to integrate with the main building elevation.</p> <p>b) Building fronting streets are articulated into narrow-width modules except for community facilities and clubs with may be wider where circumstances require.</p> <p>c) Building facades along streets incorporate elements such as awnings, balconies, emphasised entrances, verandahs, loggias, or colonnades.</p> <p>d) Special architectural emphasis is given to corner buildings and focal points to provide interest and variety. Corner alignments are chamfered and provide entrances to activities within the buildings.</p> <p>e) Ground floor levels of buildings are integrated with adjoining verges or finished site levels for easy access, with any necessary level changes occurring within property boundaries.</p> <p>f) Blank facades or open structure car parks are not located along main pedestrian areas and routes.</p>
3.4 Tuggeranong	
<p>R17</p> <p>Pitched roofs and awnings are incorporated into the building form consistent with development within the centre.</p>	<p>C17</p> <p>Buildings have a built form and character that is compatible with existing development.</p>
<p>R18</p> <p>a) Masonry materials are of earth tone colours and roofs are predominantly red to match existing roof scapes.</p> <p>b) Pedestrian areas are treated with block paving to match existing paving.</p>	<p>C18</p> <p>Buildings use consistent materials and finishes that are compatible with adjacent development.</p>

Part A (2) - CZ2 Business Zone

Element 1: Restrictions on Use

Intent:

- a) To provide for office accommodation and business services to facilitate the decentralisation of employment
- b) To enable Australian Government departments and ACT Government departments to efficiently consolidate in town centres

Rules	Criteria
1.1 Active Frontages	
There is no applicable rule.	C19 Buildings fronting main pedestrian areas and routes incorporate uses that generate activity in the public space.
1.2 Shop	
R20 The following GFA restrictions apply: shop: maximum 200m ² per shop	C20 Shops are limited to a scale appropriate to providing convenient shopping and personal services for the local workforce and residents.
1.3 Belconnen - Service Station	
R21 For Belconnen Section 43 Block 2, Section 44 Blocks 10 and 11, Section 50 Blocks 7 and 8 and Section 152 Blocks 5 and 6 a Service station is only permitted where associated with a car parking structure.	This is a mandatory requirement. There is no applicable criterion.
1.4 Woden - Phillip Section 22 Block 2	
R22 a) The lessee of Phillip Section 22 Block 2 must continue to provide a 50 metre public pool and an ice skating rink suitable for a national ice hockey competition, located on the northern portion of the block with unimpeded visual connection and direct public address to Irving Street. b) Development of the site for uses other than a swimming pool and ice skating rink is restricted to the Southern portion of the block and is only permitted in conjunction with the redevelopment of the pool as an indoor facility.	This is a mandatory requirement. There is no applicable criterion.

Rules	Criteria
1.5 Woden – Phillip Section 23	
There is no applicable rule.	C23 NON RETAIL COMMERCIAL USE is only permitted on land contiguous with the Phillip Oval where of a type compatible with the operation of a day and night sporting oval.

Element 2: Building and Site Controls

Intent:

- a) To encourage a built form and scale of development that reflects the town centre's role as the main commercial focus for its district
- b) 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
- c) To promote an attractive pedestrian environment

Rules	Criteria
2.1 Belconnen	
There is no applicable rule.	C24 Building heights comply with all of the following: <ol style="list-style-type: none"> a) are compatible with existing, or future desired character of, adjacent development b) are appropriate to the scale and function of the use c) minimise detrimental impacts, including overshadowing and excessive scale.
2.2 Gungahlin	
R25 Buildings maintain a continuous building line along main streets and pedestrian areas and routes Figure A6.	C25 <ol style="list-style-type: none"> a) Frontages to main streets and pedestrian areas and routes generally maintain a continuous building line. b) Setbacks in building alignment may be permitted to provide small spaces for active uses.
R26 Buildings are joined at party walls and built to the front property boundary.	C26 Building setbacks promote a compact and walkable urban form.

Rules	Criteria
There is no applicable rule.	<p>C27</p> <p>a) Building heights comply with all of the following:</p> <ul style="list-style-type: none"> i) are compatible with existing, or future desired character of, adjacent development ii) are appropriate to the scale and function of the use iii) minimise detrimental impacts, including overshadowing and excessive scale. <p>b) Minimum building heights are 2 storeys except that uses such as service stations, community facilities or ancillary structures may be one storey where circumstances require.</p>
2.3 Tuggeranong	
<p>R28</p> <p>Buildings maintain a continuous building line along main streets and pedestrian areas and routes Figure A7.</p>	<p>C28</p> <p>a) Frontages to main streets and pedestrian areas and routes generally maintain a continuous building line.</p> <p>b) Setbacks in building alignment may be permitted to provide small spaces for active uses.</p>
There is no applicable rule.	<p>C29</p> <p>a) Maximum building heights comply with all of the following:</p> <ul style="list-style-type: none"> i) are compatible with existing, or future desired character of, adjacent development ii) are appropriate to the scale and function of the use iii) minimise detrimental impacts, including overshadowing and excessive scale. <p>b) Maximum building heights are generally 4 storeys.</p>

Rules	Criteria
2.4 Woden (Phillip north of Launceston Street)	
There is no applicable rule.	<p>C30</p> <ul style="list-style-type: none"> a) Building Heights comply with all of the following: <ul style="list-style-type: none"> i) are compatible with existing, or future desired character of, adjacent development ii) are appropriate to the scale and function of the use iii) minimise detrimental impacts, including overshadowing and excessive scale b) Maximum building heights are generally 6 storeys c) Buildings up to 12 storeys may be permitted to create marker buildings and provide architectural emphasis on corner sites and other appropriate locations.
2.5 Woden (Phillip south of Launceston Street)	
There is no applicable rule.	<p>C31</p> <p>Building heights comply with all of the following:</p> <ul style="list-style-type: none"> a) are compatible with exiting, or future desired character of, adjacent development b) are appropriate to the scale and function of the use c) minimise detrimental impacts, including overshadowing and excessive scale.

Element 3: Built Form

Intent:

- a) To ensure that the design of buildings reinforces the town centre's role as the main commercial focus for its district
- b) To ensure that the massing, scale, colours and materials used for buildings results in harmonious and a high quality urban design outcomes
- c) To promote development that creates a diverse, lively and attractive character and provides an attractive and interlinked pedestrian environment

Rules	Criteria
3.1 Building Design - General	
R32 Buildings incorporate display windows and entrances with direct pedestrian access at ground floor level on frontages to main pedestrian areas and routes as defined in Figures A5 – A9.	C32 Buildings fronting main pedestrian areas and routes are designed to incorporate active frontages with direct pedestrian access.
3.2 Materials and Finish - General	
There is no applicable rule.	C33 Building colours and materials are consistent with existing development within the particular town centre.
There is no applicable rule.	C34 Extensive areas of highly reflective glass are not permitted.
3.3 Gungahlin	
There is no applicable rule.	C35 <ol style="list-style-type: none"> a) Visible frontages, including side or return elevations, are designed to integrate with the main building elevation. b) Building facades along streets incorporate elements such as awnings, balconies, emphasised entrances, verandahs, loggias or colonnades. c) Special architectural emphasis is given to corner buildings and focal points to provide interest and variety. Corner alignments are chamfered and provide entrances to activities within the buildings. d) Ground floor levels of buildings are integrated with adjoining verges or finished site levels for easy access, with any necessary level changes occurring within property boundaries.

Rules	Criteria
	e) Blank facades or open structure car parks are not located along main pedestrian areas and routes.
3.4 Tuggeranong	
R36 Pitched roofs and awnings are incorporated into the building form consistent with development within the centre.	C36 Buildings have a built form and character that is compatible with existing development.
R37 a) Masonry materials are of earth tone colour and roofs are predominantly red to match existing roofscapes. b) Pedestrian areas are treated with block paving to match existing paving.	C37 Buildings utilise consistent materials and finishes and are compatible with adjacent development.
There is no applicable rule.	C38 For Sections 5, 6, 18 and 19 buildings are designed to provide an attractive frontage to and promote pedestrian activity along the water front.

Part A (3) - CZ3 Services Zone

Element 1: Restrictions on Use

- a) To provide for a range of conveniently located and relatively low rent service trades and commercial uses close to residential areas
- b) To accommodate retail-related uses requiring large floor areas
- c) To ensure that commercial development in the Services Zone does not undermine the function of the Core and Business Zones

Rules	Criteria
1.1 Restrictions on Use	
There is no applicable rule.	C39 Buildings fronting main streets incorporate uses that generate activity or provide for service trades at the ground floor level.
R40 The following GFA restrictions apply: supermarket or shop selling food (except for produce market) – maximum 200m ² per lease.	This is a mandatory requirement. There is no applicable criterion.
1.2 Residential Use – Woden	
R41 Residential use is prohibited at ground floor level within the Phillip Residential and Mixed Service Area (Figure A10).	This is a mandatory requirement. There is no applicable criterion.

Element 2: Building and Site Controls

Intent:

- a) To encourage a built form and scale of development that reflects the town centre's role as the main commercial focus for its district and recognises the mixed services nature of the CZ3 Zone
- b) 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
- c) To promote an attractive pedestrian environment

Rules	Criteria
2.1 Height - General	
R43 Maximum building heights are 2 storeys.	C43 Building heights comply with all of the following: <ul style="list-style-type: none"> a) are compatible with existing, or future desired character of, adjacent development b) are appropriate to the scale and function of the use c) minimise detrimental impacts, including overshadowing and excessive scale.
2.2 Gungahlin	
R44 Buildings are joined at party walls and built to the front property boundary.	C44 Building setbacks promote a compact and walkable urban form.
R45 Buildings maintain a continuous building line along main streets and pedestrian areas and routes.	C45 <ul style="list-style-type: none"> a) Frontages to main streets and pedestrian areas and routes generally maintain a continuous building line. b) Setbacks in building alignment may be permitted to provide small spaces for active uses.
2.3 Tuggeranong	
R46 Buildings maintain a continuous building line along main streets and pedestrian areas and routes.	C46 <ul style="list-style-type: none"> a) Frontages to main streets and pedestrian areas and routes generally maintain a continuous building line. b) Setbacks in building alignment may be permitted to provide small spaces for active uses.

Rules	Criteria
2.4 Woden	
R47 Maximum building heights are 3 storeys.	C47 a) Within the area shown in Figure A10, building heights: i) are compatible with existing, or future desired character of, adjacent development ii) minimise detrimental impacts including overshadowing and excessive scale iii) are predominantly 3 storeys, with a maximum of 4 storeys. b) Additional height above the maximum building height specified in R47 may be allowed for a 5 th level (as attic) only on corner blocks fronting Townsend Street.

Element 3: Built Form

Intent:

- a) To ensure that the design of buildings reinforces the town centre's role as the main commercial focus for its district and recognises the mixed services nature of the CZ3 Zone
- b) To ensure that the massing, scale, colours and materials used for buildings results in harmonious and a high quality urban design outcomes
- c) To promote development that creates a diverse, lively and attractive character and provides an attractive and interlinked pedestrian environment

Rules	Criteria
3.1 Building Design - General	
R49 Buildings incorporate display windows and shop fronts with direct pedestrian access at ground floor level on frontages to main pedestrian areas and routes (defined in Figures A5 – A9).	C49 Buildings fronting main pedestrian areas and routes are designed to incorporate active frontages with direct pedestrian access.
R50 Internal retail arcades or retail malls are not permitted.	This is a mandatory requirement. There is no applicable criterion.

Rules	Criteria
3.2 Materials and Finish – General	
There is no applicable rule.	C51 Building colours and materials are consistent with existing development within the particular town centre.
There is no applicable rule.	C52 Extensive areas of highly reflective glass are not permitted.
3.3 Gungahlin	
There is no applicable rule.	C53 <ul style="list-style-type: none"> a) Visible frontages, including side or return elevations, are designed as part of the main building elevation. b) Buildings facades along streets incorporate elements such as awnings, balconies, emphasised entrances, verandahs, loggias or colonnades. c) Special architectural emphasis is given to corner buildings and focal points to provide interest and variety. Corner alignments are chamfered and provide entrances to activities within the buildings. d) Ground floor levels of buildings are integrated with adjoining verges or finished site levels for easy access, with any necessary level changes occurring within property boundaries. e) Blank facades or open structure car parks are not located along main pedestrian areas and routes.
3.4 Tuggeranong	
R54 Pitched roofs and awnings are incorporated into the building form consistent with development within the centre.	C54 Buildings have a built form and character that is compatible with existing development.

Rules	Criteria
<p>R55</p> <p>a) Masonry materials are of earth tone colours and roofs are predominantly red to match existing roofscapes.</p> <p>b) Pedestrian areas are treated with block paving to match existing paving.</p>	<p>C55</p> <p>Buildings use consistent materials and finishes and are compatible with adjacent development.</p>
<p>There is no applicable rule.</p>	<p>C56</p> <p>For Sections 57, 58, 59 and 66 buildings are designed to provide an attractive frontage to and promote pedestrian activity along the water front.</p>

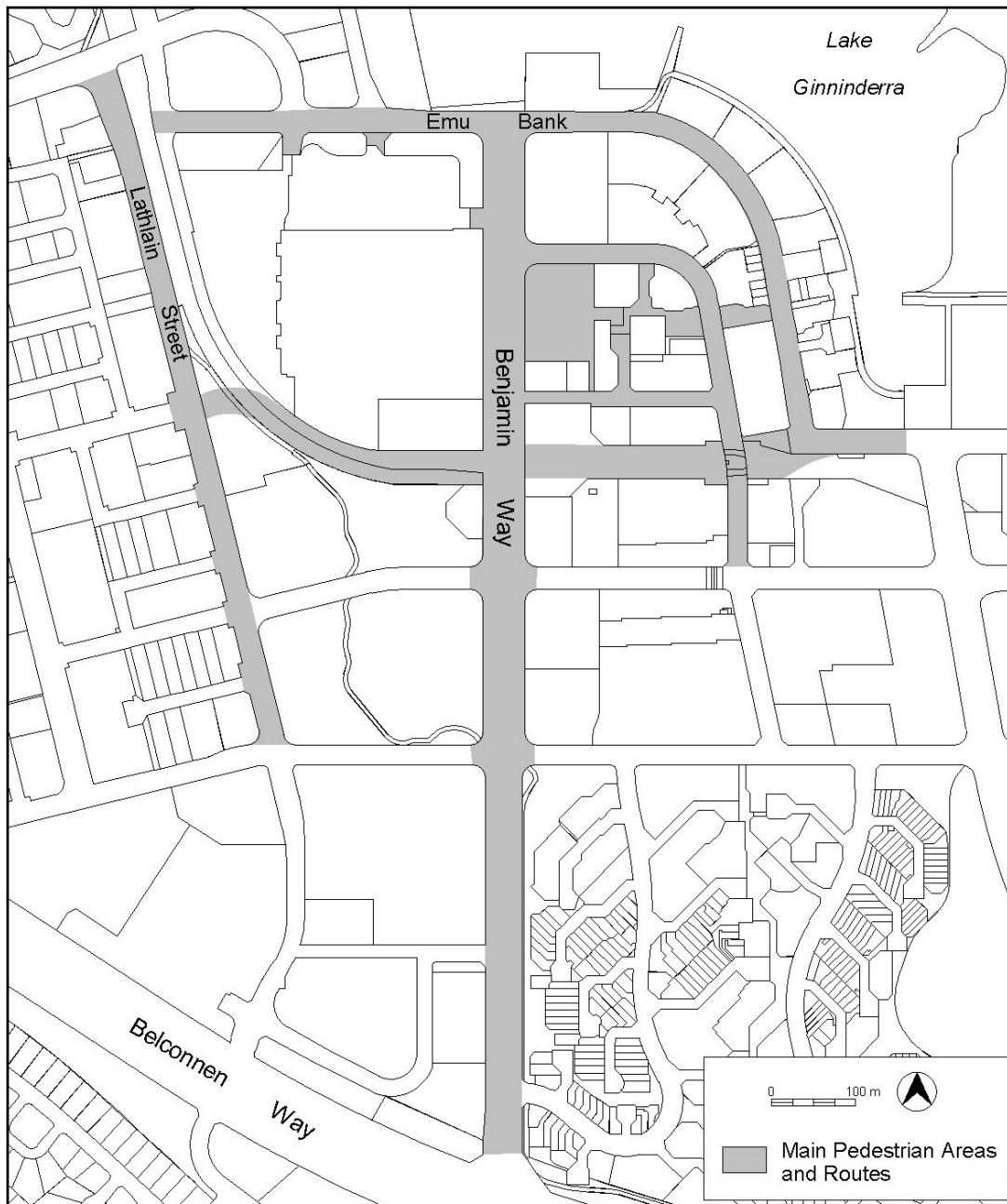


Figure A5 Belconnen - Main Pedestrian Areas and Routes

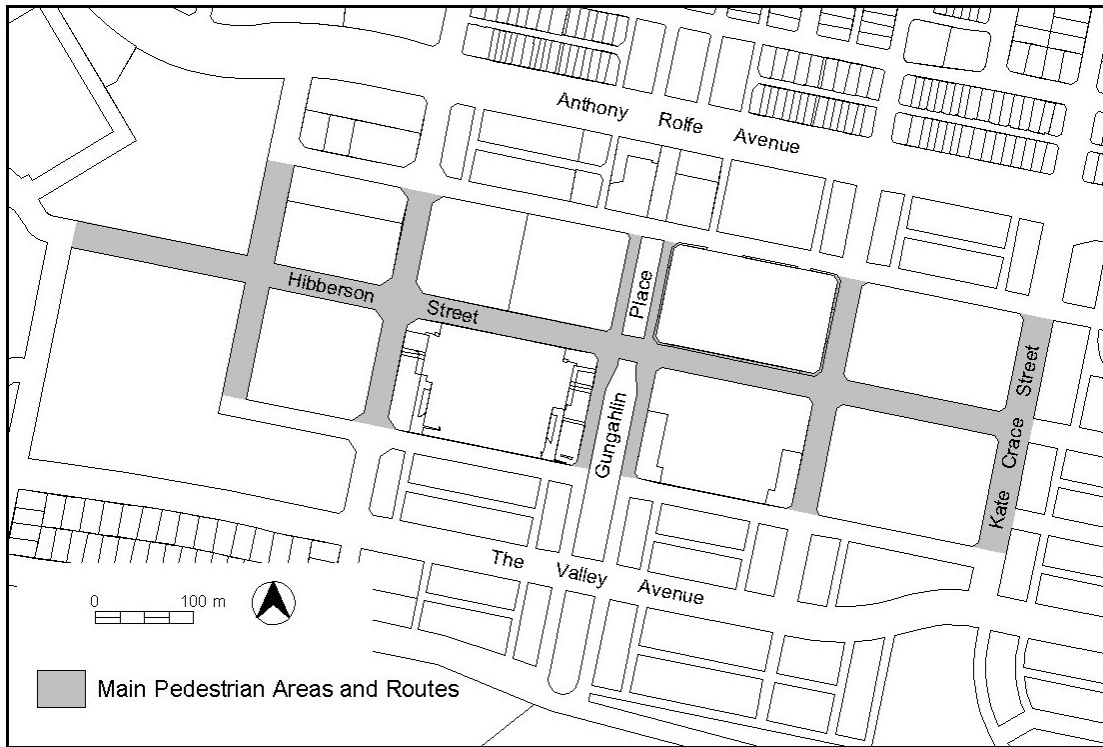


Figure A6 Gungahlin - Main Pedestrian Areas and Routes

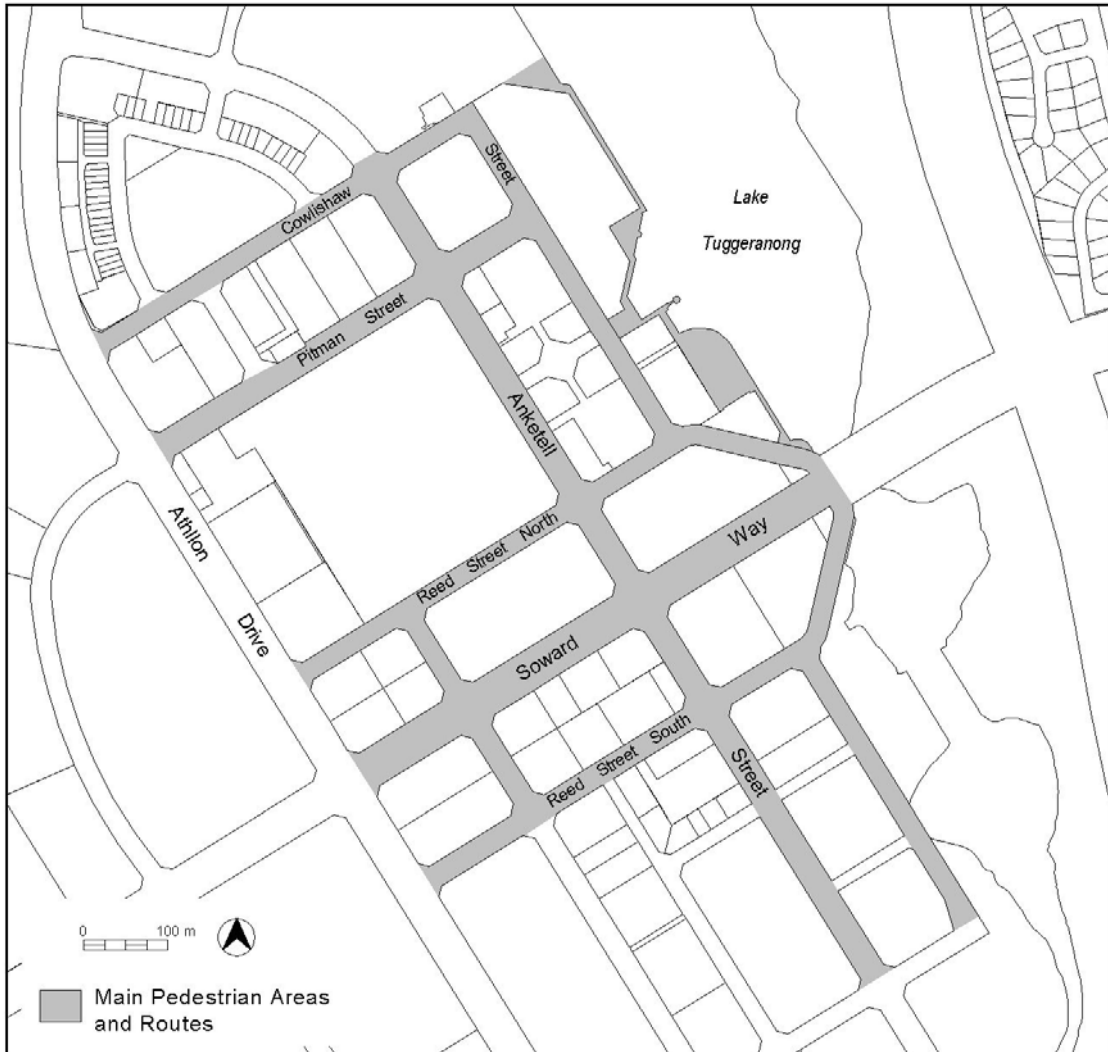


Figure A7 Tuggeranong - Main Pedestrian Areas and Routes

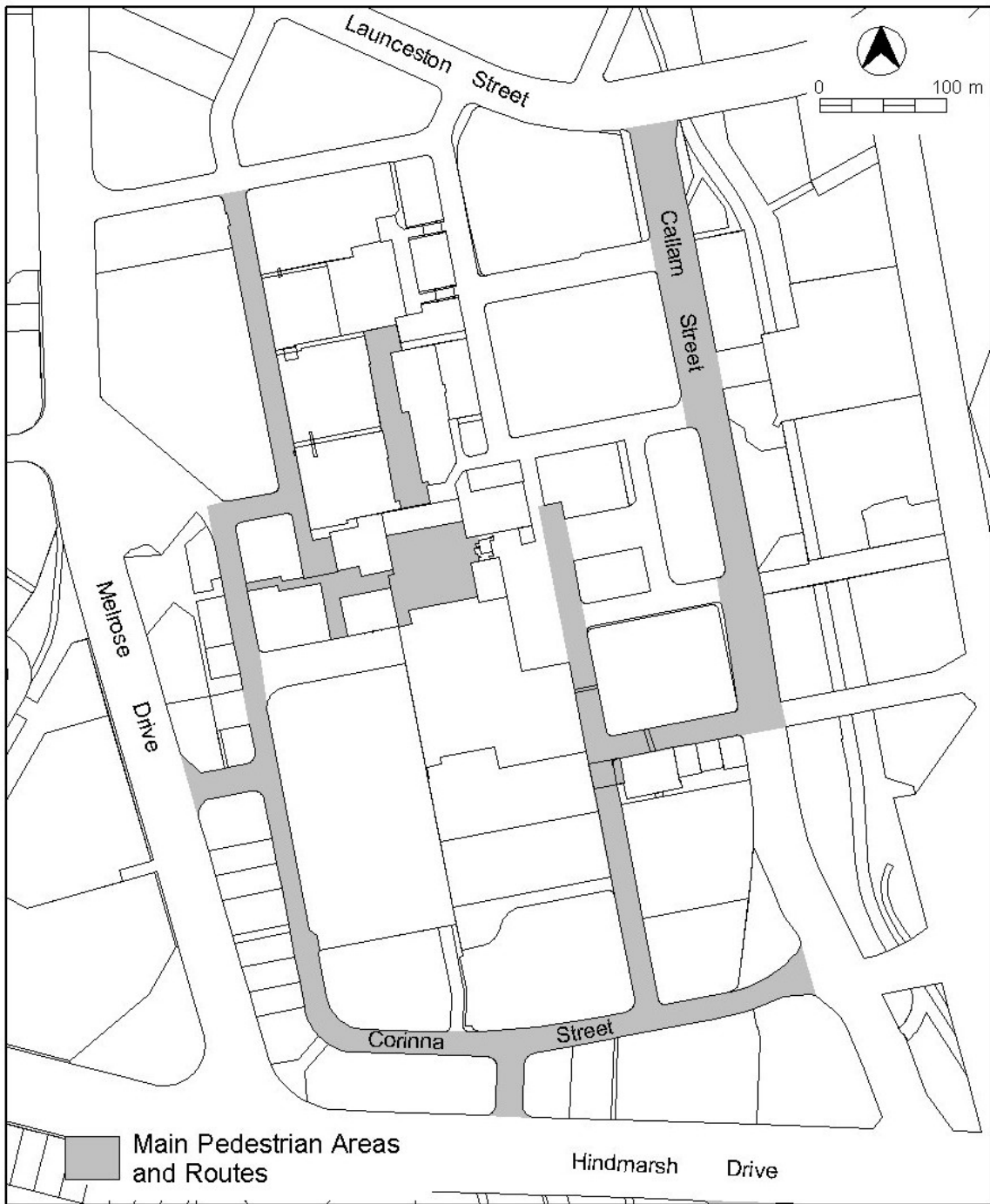


Figure A8 Woden (north of Hindmarsh Drive) - Main Pedestrian Areas and Routes

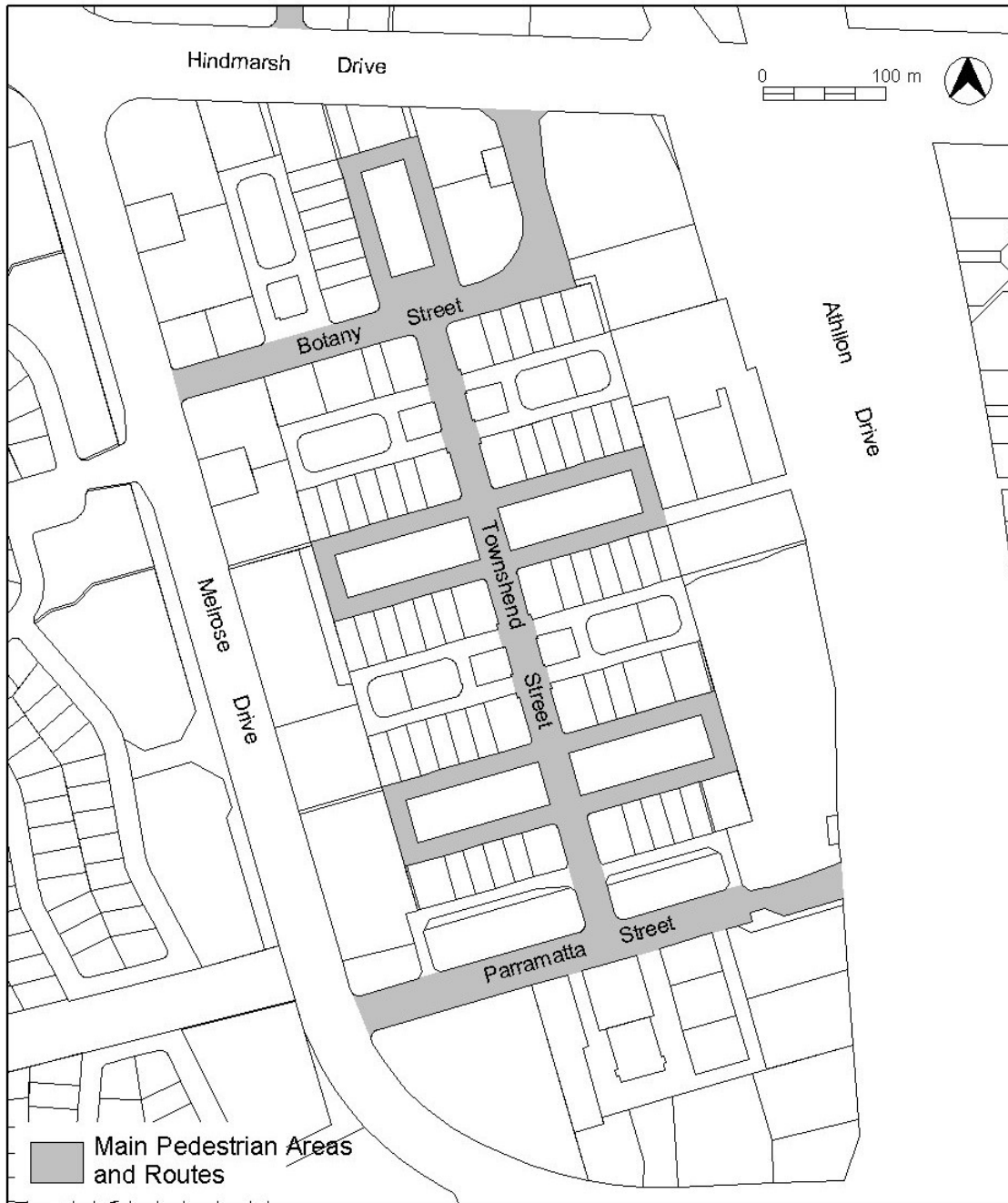


Figure A9 Woden (south of Hindmarsh Drive) - Main Pedestrian Areas and Routes



Figure A10 Woden - Building Heights

Part B – General Development Controls

Element 1: Restrictions on Use

Intent:

- a) To ensure that community and recreation facilities remain available to the community
- b) To ensure there is sufficient off-road parking to serve commercial centres
- c) To provide opportunities for higher density residential development, while protecting existing commercial uses and the amenity of residents living in commercial zones

Rules	Criteria
1.1 Existing Community and Recreation Sites	
<p>R57</p> <p>A development proposal does not reduce the range of community or recreation facilities available within a centre.</p>	<p>C57</p> <p>A proposal that reduces the range of community or recreation facilities available within a centre demonstrates through a social impact assessment that there is enough land or sufficient other facilities in the locality to meet anticipated demand.</p>
1.2 Existing Car Parks	
<p>R58</p> <p>Development on existing car parks (Figures B1-B3) complies with all of the following:</p> <ul style="list-style-type: none"> a) retains the existing level of car parking b) accommodates onsite any additional demand for car parking that is generated by the development c) ensures that car parking remains available for public access d) complies with the Parking and Vehicular Access General Code. 	<p>C58</p> <p>Development on existing car parks (Figures B1-B3) may be considered where it meets all of the following:</p> <ul style="list-style-type: none"> a) in accordance with the Parking and Vehicular Access General Code, there is enough car parking for the needs of the centre as a whole b) the development does not adversely affect the overall function of the centre in terms of economic, social, traffic and parking and urban design impacts.
1.3 Residential Use	
<p>R59</p> <p>All multi-unit housing is designed to comply with Part C (5) of the Residential Zones Multi Unit Housing Development Code.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>R60</p> <p>All single dwelling housing is designed to comply with the relevant parts of the Residential Zones Single Dwelling Housing Development Code.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R61</p> <p>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 for Adaptable Housing.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R61A</p> <p>Where more than one development code applies to a development, this development code takes precedence when there is inconsistency of provisions between codes.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

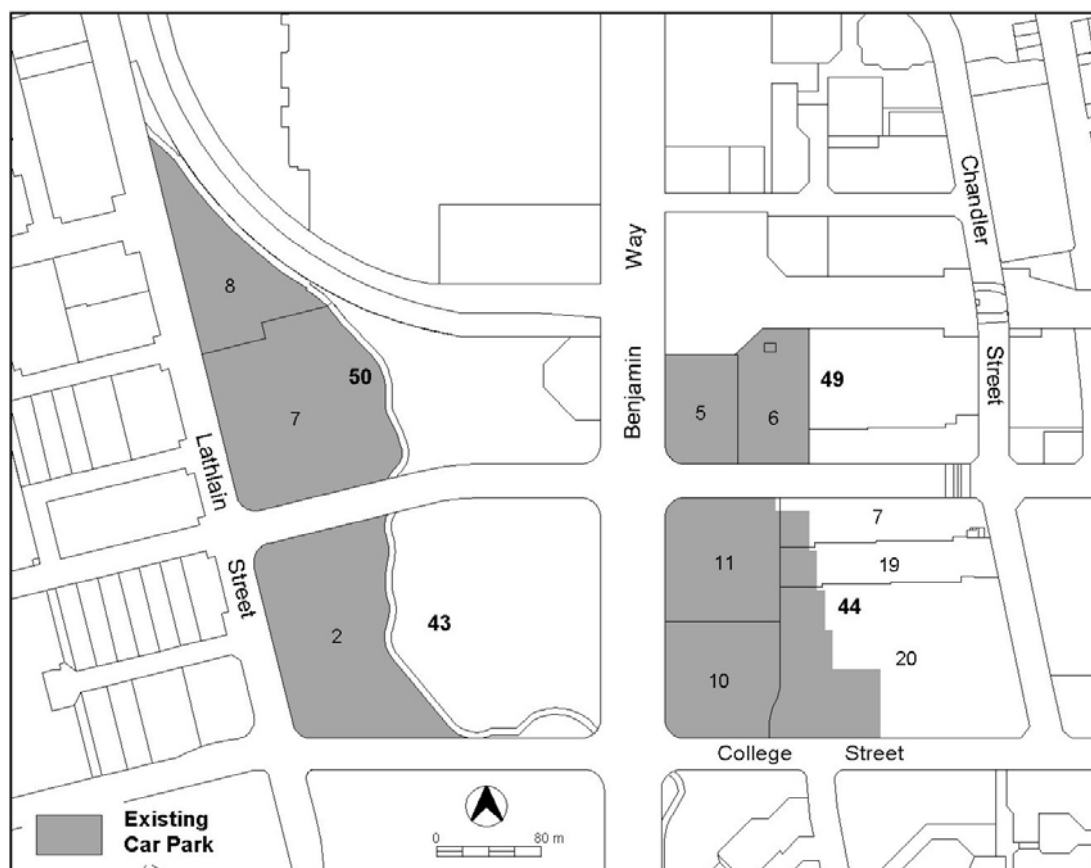


Figure B1 Belconnen Town Centre – Existing Car Parks

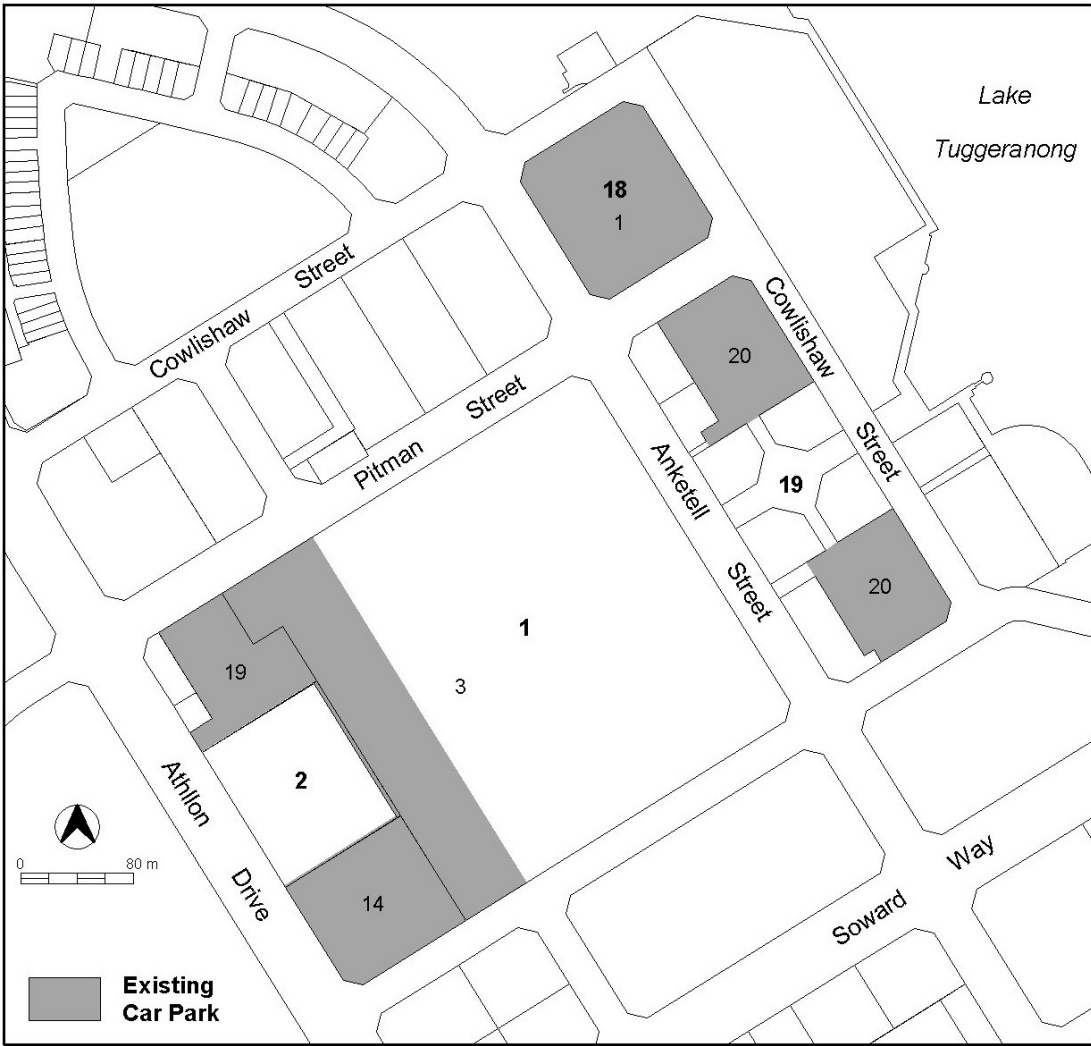


Figure B2 Tuggeranong Town Centre – Existing Car Parks

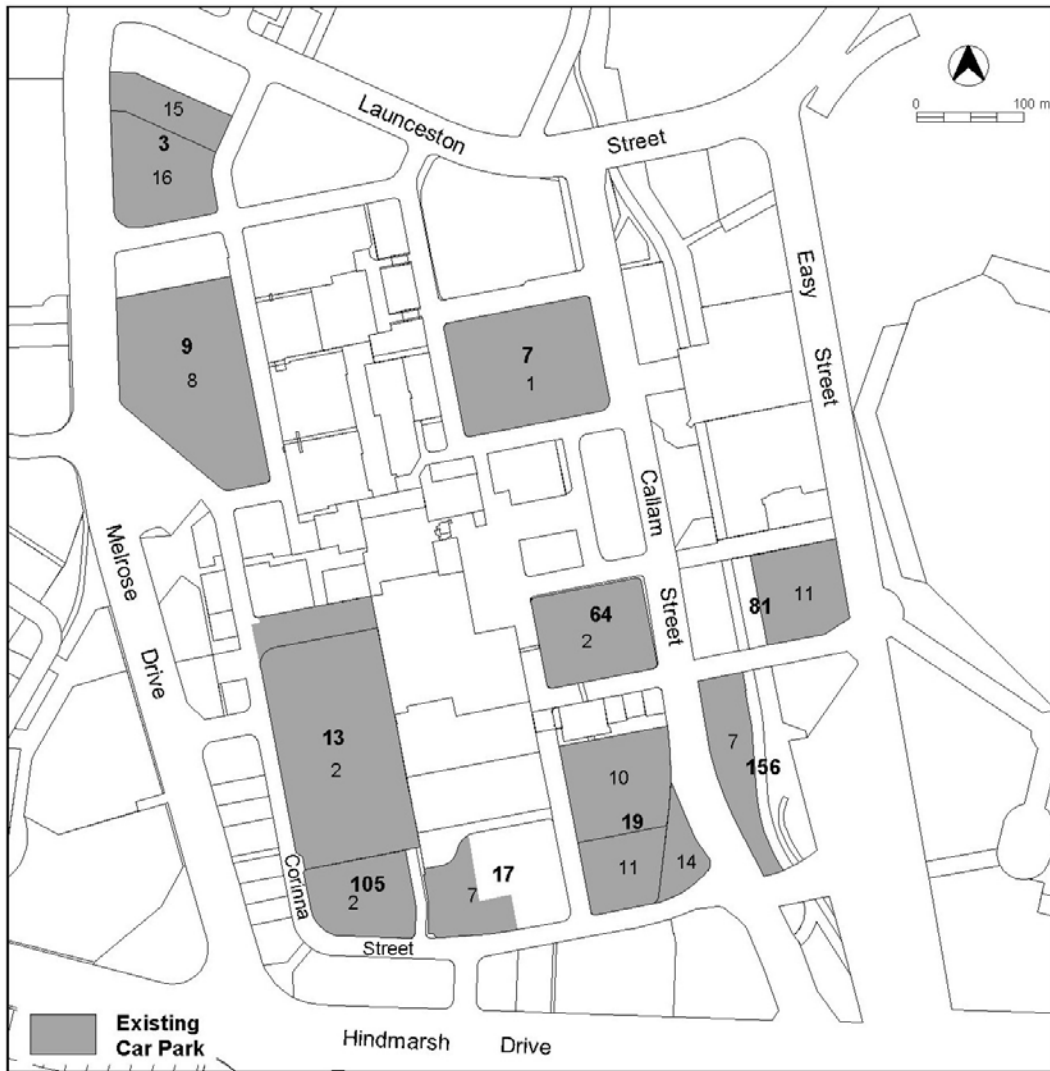


Figure B3 Woden Town Centre – Existing Car Parks

Element 2: Building and Site Controls

Intent:

- a) To ensure that development is compatible with, and does not adversely impact on, the environment

Rules	Criteria
2.1 Subdivision	
<p>R62</p> <p>Subdivision is only permitted where it meets all of the following:</p> <ul style="list-style-type: none"> a) it is part of a development application for another assessable development b) it is demonstrated that any residual block can accommodate another assessable development designed in accordance with the relevant sections of this Code. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
2.2 Demolition	
<p>R63</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"> a) All network infrastructure on or immediately adjacent the site has been identified on the plan 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 c) All required network disconnections have been identified and the disconnection works comply with utility requirements d) All works associated with the demolition comply with and are in accordance with utility asset access and protection requirements. 	<p>C63</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>

Rules	Criteria
2.3 National Capital Plan Requirements	
There is no applicable rule.	<p>C64</p> <p>Where a development is subject to Special Requirements under the National Capital Plan, or any relevant Development Control Plan prepared under the National Capital Plan, the development is not inconsistent with the Special Requirements or Development Control Plan. Where any provision of this code is inconsistent with Special Requirements under the National Capital Plan, or any relevant Development Control Plan prepared under the National Capital Plan, that provision has no effect.</p>

Element 3: Built Form

Intent:

- a) To ensure that the massing, scale, colours and materials used for buildings results in harmonious and high quality urban design outcomes
- b) 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
- c) To provide for buildings that promote a safe and assessable urban 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
3.1 Building Design and Materials	
There is no applicable rule.	<p>C65</p> <p>Development contributes to the amenity and character of the adjacent public spaces by addressing all of the following:</p> <ol style="list-style-type: none"> a) providing interesting, functional and attractive facades that contribute positively to the streetscape setting and pedestrian experience b) minimising the visual impact of reflected sunlight c) incorporating articulated building forms to compliment the existing, or future desired character of, adjacent development 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.

Rules	Criteria
3.2 Crime Prevention Through Environmental Design	
There is no applicable rule.	C66 The development meets the requirements of the Crime Prevention Through Environmental Design General Code.
3.3 Access and Mobility	
There is no applicable rule.	C67 The development meets the requirements of the Access and Mobility General Code.
3.4 Car Parking Structures	
There is no applicable rule.	C68 Car parking structures are designed to integrate with the built form of adjacent existing development.
3.5 Location Requirements for Community and Recreation Facilities	
There is no applicable rule.	C68A The development meets the requirements of the Community and Recreation Facilities Location Guidelines General Code.

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
4.1 Traffic Generation	
There is no applicable rule.	C69 The existing road network can accommodate the amount of traffic that is likely to be generated by the development.
4.2 Main Pedestrian Areas and Routes	
There is no applicable rule.	C70 Main pedestrian areas and routes are retained unless it can be shown that as part of any change, the pedestrian access, circulation system, structure and legibility of the centre is adequately maintained.

Rules	Criteria
4.3 Access	
There is no applicable rule.	C71 Driveways and pedestrian entrances to the site are clearly visible from the front site boundary.
R72 Loading docks or vehicular entries to buildings are not located on frontages to the street.	C72 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.	C73 Site access complies with the requirements of the Parking and Vehicular Access General Code.
4.4 Parking	
There is no applicable rule.	C74 Car Parking complies with the requirements of the Parking and Vehicular Access General Code.
There is no applicable rule.	C75 Bicycle Parking complies with the requirements of the Bicycle Parking General Code.
4.5 Service Access and Delivery	
R76 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>	C76 Provision is made for associated loading and unloading of goods which complies with all of the following: a) demonstrates adequate justification for the proposed arrangements when not entering and exiting in a forward direction b) does not unreasonably compromise the safety of pedestrian and traffic movement and operation of any adjoining facilities such as road, cycleway or pedestrian pathway, and on-street and off-street parking c) provides adequate space for the manoeuvring of vehicles d) is endorsed by the Department of Territory and Municipal Services.

Element 5: Amenity

Intent:

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

Rules	Criteria
5.1 Landscape	
<p>There is no applicable rule.</p>	<p>C77</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"> a) is sensitive to site attributes, including streetscapes and landscapes of documented heritage significance b) is of an appropriate scale relative to the road reserve width and building bulk c) uses vegetation types and landscaping styles which complement the streetscape d) integrates with parks, reserves and public transport corridors e) does not adversely affect the structure of the proposed buildings or adjoining buildings 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 g) improves privacy and minimises overlooking between buildings h) satisfies utility maintenance requirements and minimises the visual impact and risk of damage to aboveground and underground utilities i) provides adequate sight lines for vehicles and pedestrians, especially near street corners and intersections j) does not obscure or obstruct building entries, paths and driveways to reduce the actual or perceived personal safety and security.

Rules	Criteria
There is no applicable rule.	C78 Tree planting in and around car parks provides shade and softens the visual impact of parking areas.
5.2 Lighting	
R79 External lighting is provided to building frontages, to all pathways, roads, laneways and car-parking areas in accordance with Australian Standard AS1158.3.1 <i>Pedestrian Lighting</i> .	C79 External lighting is provided in accordance with the Crime Prevention Through Environmental Design General Code.
R80 All external lighting provided is in accordance with AS 4282 <i>Control of the Obtrusive Effects of Outdoor Lighting</i> .	C80 All outdoor lighting, including security and car park lighting, is designed and sited to minimise light spill.
5.3 Signs	
There is no applicable rule.	C81 Signs comply with the Signs General Code.
5.4 Neighbourhood Plans	
There is no applicable rule.	C82 Where a Neighbourhood Plan exists, development demonstrates a response to the key strategies of the relevant Neighbourhood Plan.

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
<p>6.1 Water Sensitive Urban Design</p> <p>Note: Refer to the Water Ways: Water Sensitive Urban Design General Code for more information on Water Sensitive Urban Design</p>	
<p>R83</p> <p>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 another tool as included in the Water Ways: Water Sensitive Urban Design General Code. The 40% target is met without any reliance on landscaping measures to reduce consumption.</p> <p>This requirement does not apply for extensions with an increase in the combined roof area, driveway, car manoeuvring areas and car parking areas of less than 25% of the original area.</p>	<p>C83</p> <p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R84</p> <p>All sites of size greater than 2,000m² need to provide evidence of stormwater storage greater than or equal to the volume of 1.4kL per 100m² of impervious area and release over a period of 1 to 3 days. 50% of the volume of rainwater tanks with a toilet connection may be regarded as contributing towards this requirement.</p> <p>This requirement does not apply for extensions with an increase in the combined roof area, driveway, car manoeuvring areas and car parking areas of less than 25% of the original area.</p>	<p>C84</p> <p>Evidence is provided that demonstrates that for all sites of size greater than 2,000m², 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.</p> <p>This requirement does not apply for extensions with an increase in the combined roof area, driveway, car manoeuvring areas and car parking areas of less than 25% of the original area.</p>

Rules	Criteria
<p>R85</p> <p>Sites of size greater than 5,000m² need to provide evidence showing a reduction in average annual stormwater pollutant export load of:</p> <ul style="list-style-type: none"> a) suspended solids by 60% b) total phosphorous by 45% c) total nitrogen by 40% <p>compared to an urban catchment with no water quality management controls, using the MUSIC model to demonstrate compliance.</p> <p>This requirement does not apply for extensions with an increase in the combined roof area, driveway, car manoeuvring areas and car parking areas of less than 25% of the original area.</p>	<p>C85</p> <p>Sites of size greater than 5,000m² need to provide evidence showing a reduction in average annual stormwater pollutant export load of:</p> <ul style="list-style-type: none"> a) suspended solids by 60% b) total phosphorous by 45% c) total nitrogen by 40% <p>compared to an urban catchment with no water quality management controls, using any other method.</p> <p>This requirement does not apply for extensions with an increase in the combined roof area, driveway, car manoeuvring areas and car parking areas of less than 25% of the original area.</p>
<p>R86</p> <p>All sites of size greater than 2,000m² and subject to redevelopment need to ensure that the capacity of the existing pipe (minor) stormwater connection to the site is not exceeded in the 1-in-20 year storm event.</p> <p>All sites of size greater than 2,000m² and subject to redevelopment need to ensure that the capacity of the existing overland (major) stormwater system to the site is not exceeded in the 1-in-100 year storm event.</p> <p>For estate and multiple block developments larger than 5000 m², retardation of stormwater to meet the above requirements are to be met at the estate scale rather than by measures on individual blocks..</p>	<p>C86</p> <p>Evidence is provided by a suitably qualified person that shows that for all sites of size greater than 2,000m² and subject to redevelopment</p> <p>EITHER</p> <p>a reduction of 1-in-5 year and 1-in-100 year stormwater peak run off flow to pre-development levels. See WaterWays General Code for more detail.</p> <p>OR</p> <p>That the capacity of the downstream piped stormwater system to its outlet with an open channel is not exceeded in the 1-in-20 year storm event.</p> <p>For estate and multiple block developments larger than 5000 m², retardation of stormwater to meet the above requirements are to be met at the estate scale unless it can be demonstrated that this is less feasible than measures on individual blocks..</p>

Rules	Criteria
6.2 Heritage	
<p>R87</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>C87</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>
6.3 Trees	
<p>R88</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>C88</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>R89</p> <p>Trees on development sites may be removed only with the prior agreement in writing of the Territory.</p>	<p>C89</p> <p>Retained trees are protected and maintained during construction to the satisfaction of the Territory.</p>

Rules	Criteria
6.4 Hazardous Material	
<p>R90</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"> a) Hazardous material disposal (including asbestos) is to be at a licensed disposal facility in the ACT 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 c) An appropriately licensed contractor is engaged for the removal and transport of all hazardous materials (including asbestos) present at the site. <p>* construction date means the date when the Certificate of Occupancy was issued</p>	<p>C90</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>
6.5 Contamination	
<p>R91</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>C91</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
6.6 Erosion and Sediment Control	
<p>R92</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>C92</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>R93</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>C93</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>
6.7 Excavation	
<p>There is no applicable rule.</p>	<p>C94</p> <p>Onsite cut and fill is minimised and managed to ameliorate negative off site impacts.</p>
6.8 Wind	
<p>There is no applicable rule.</p>	<p>C95</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>R96</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>
6.9 Air Emissions - Odours	
<p>R97</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>C97</p> <p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
6.10 Noise	
<p>R98</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"> -club -drink establishment -hotel -industry (except light industry) -indoor entertainment facility -restaurant <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>C98</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
7.1 Waste Management	
<p>R99</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 current version of the <i>Development Control Code for Best Practice Waste Management in the ACT</i>.</p>	<p>C99</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>

Rules	Criteria
<p>R100</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>C100</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>7.2 Servicing and Site Management</p>	
<p>R101</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>C101</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>
<p>7.3 Utilities</p>	
<p>R102</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>C102</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>R103</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>
<p>7.4 Waste Water</p>	
<p>R104</p> <p>Subject to ACTEWAGL approval, all under cover areas drain to the sewer.</p>	<p>C104</p> <p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
7.5 Storage	
<p>R105</p> <p>Outdoor storage areas address all of the following:</p> <ul style="list-style-type: none"> a) are located behind the building line b) are screened from view from any road or other public area c) do not encroach on car-parking areas, driveways, or landscape areas. 	<p>C105</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>
7.6 Easements	
<p>R106</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>