

Australian Capital Territory

Planning and Development (Draft Variation No 318) Consultation Notice 2013

Notifiable instrument NI2013—571

made under the

***Planning and Development Act 2007*, section 63 (Public consultation—notification) and section 64 (Public consultation—notice of interim effect etc)**

Under the *Planning and Development Act 2007* (the Act), section 63(1), the planning and land authority has prepared Draft Variation No 318 to the Territory Plan – Tuggeranong Town Centre (see Annexure A).

Draft Variation No 318 to the Territory Plan proposes to implement key elements of the Tuggeranong town centre master plan 2012 including:

- amendment of the Greenway precinct map and code, primarily in relation to increased building heights
- zone changes to expand the retail core area and proposed residential development on the eastern side of the lake
- amendment to the parking and vehicular access general code to reduce parking requirements for offices in the town centre.

The draft variation and background documents are available online at **www.act.gov.au/draftvariations** until the closing date for written comments.

Printed copies of the draft variation and background documents are available for inspection and purchase at the Environment and Sustainable Development Directorate Customer Service Centre, 16 Challis Street, Dickson, Monday to Friday (except public holidays) between 8:30am and 4:30pm. Please call 6207 1923 to arrange a copy for purchase.

Written comments from the public are invited from the public by **Monday 17 February 2014**.

Comments should include reference to the draft variation, your name and contact details, and be addressed to the Territory Plan Section.

Comments can be:

- emailed to terrplan@act.gov.au

- mailed to Territory Plan Comments, GPO Box 158, Canberra, ACT 2601
- delivered to ESDD's Customer Service Centre at 16 Challis Street, Dickson

Copies of written comments will be made publicly available 10 working days after the closing date for no less than 15 working days at ESDD's Customer Service Centre in Dickson and may be published on ESDD's website.

Comments made available will include personal contact details unless excluded under section 411 or 412 of the Act. A request for exclusion under these sections must be in writing, clearly identifying what you are seeking to exclude and how the request satisfies the exclusion criteria.

Effect of the draft variation

Section 65 of the Act applies to the draft variation. This means that, in addition to the Territory Plan, the provisions of Draft Variation No 318 apply to development applications lodged on or after **14 December 2013**. The draft variation is part of the Territory Plan for a period of up to one year unless the draft variation is commenced, is withdrawn or rejected by the Legislative Assembly. During this period, the ACT Government must not do or approve anything that would be inconsistent with the Territory Plan.

Jim Corrigan
Delegate of the Planning and Land Authority
11 December 2013

Annexure A



ACT

Government

Environment and
Sustainable Development

Planning and Development Act 2007

Draft Variation to the Territory Plan No 318

**Tuggeranong Town Centre –
amendment to the Greenway precinct
map and code
and zone changes
amendment to the Parking and Vehicular
Access General Code
December 2013**

Draft variation for public consultation prepared
under s60 of the *Planning and Development Act 2007*

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1. INTRODUCTION

1.1 Summary of the Proposal

This draft variation is the first stage in the implementation of the Tuggeranong Town Centre Master Plan 2012. Draft Variation 318 - Tuggeranong Town Centre (DV318) amends the Greenway precinct map and code primarily to increase building heights in strategic locations in the town centre. DV318 also proposes the rezoning of a number of parcels of land to bring it in line with the master plan's expansion of the retail core area and proposed residential development on the eastern side of Lake Tuggeranong. This is intended to stimulate development and redevelopment in these locations consistent with the master plan.

DV318 amends the parking and vehicular access general code to reduce car parking requirements for offices in the Tuggeranong Town Centre consistent with recent surveys of public car park vacancies and public transport access to the town centre. This reduction in car parking requirements also presents an incentive for redevelopment in the town centre consistent with the master plan.

1.2 Outline of the process

The Commonwealth's *Australian Capital Territory (Planning and Land Management) Act 1988* allows for the Legislative Assembly to make laws to establish a Territory Planning Authority and for that Authority to prepare and administer a Territory Plan. The *Planning and Development Act 2007* (the Act) establishes the Planning and Land Authority as the Authority which prepares and administers the Territory Plan, including continually reviewing and proposing amendments as necessary. The functions of the Authority are administered by the Environment and Sustainable Development Directorate (ESDD).

The Territory Plan is comprised of a written statement and a map. The written statement contains a number of parts, namely governance; strategic directions; zones (including objectives and development tables and zone or centre development codes); precinct codes; general codes; overlays; definitions; structure plans, concept plans and development codes for future urban areas.

The Territory Plan Map graphically represents the applicable land use zones (under the categories of residential, commercial, industrial, community facility, urban parks and recreation, transport and services and non urban), precincts and overlays. The zone, precinct and overlay requirements are detailed in the volumes of the Territory Plan.

Draft variations to the Territory Plan are prepared in accordance with the Act. Following the release of the draft variation under section 63 of the Act, submissions from the public are invited. At the conclusion of the consultation period the ESDD submits a report on consultation and a recommended final variation to the Minister responsible for planning for approval. The Minister has the discretion to determine if referral to the Legislative Assembly standing committee responsible for planning is warranted prior to approval, depending on the nature and significance of the proposal. If the draft variation is referred to the committee by the Minister or otherwise, the Minister must consider the findings of the committee before deciding whether to approve the draft variation. If the Minister approves the variation, the variation and associated documents will be tabled in the Legislative Assembly. Unless disallowed by the Legislative Assembly within five sitting days, the variation commences on a day nominated by the Minister.

1.3 This document

This document contains the background information in relation to the proposed variation. It comprises the following parts

Part 1 This Introduction

Part 2 An Explanatory Statement, which gives reasons for the proposed variation and describes its effect

Part 3 The Draft Variation, which details the precise changes to the Territory Plan that are proposed

1.4 Public Consultation

Written comments about the draft variation are invited from the public by **17 February 2014**.

Comments should include reference to the draft variation, your name and contact details, and be addressed to the Territory Plan Section.

Comments can be:

- emailed to terrplan@act.gov.au
- mailed to Territory Plan Comments, GPO Box 1908, Canberra, ACT 2601
- delivered to ESDD's Customer Service Centre at 16 Challis Street, Dickson

Public comments received will be made available 10 working days after the closing date. The comments will be available for not less than 15 working days at ESDD's customer service centre in Dickson and may be published on ESDD's website.

Comments made available will include personal contact details unless excluded under section 411 or 412 of the *Planning and Development Act 2007*. A request for exclusion under these sections must be in writing, clearly identifying what you are seeking to exclude and how the request satisfies the exclusion criteria.

Further Information

The draft variation and background documents will be available online at **www.act.gov.au/draftvariations**.

Printed copies of the draft variation (this document) and background documents are available for inspection and purchase at the Environment and Sustainable Development Customer Service Centre, 16 Challis Street, Dickson, Monday to Friday (except public holidays) between 8:30am and 4:30pm. Please call 6207 1923 to arrange a copy for purchase.

2. EXPLANATORY STATEMENT

2.1 Background

The primary purpose of this draft variation is to implement key elements of the Tuggeranong Town Centre Master Plan – 2012. For this reason the master plan constitutes a ‘background document’ in support of this draft variation and can be found on the Environment and Sustainable Development Directorate’s (ESDD) website at www.act.gov.au/tuggeranong

The master plan was prepared by the ACT Government in consultation with the Canberra community in four distinct stages between November 2010 and February 2012. The final stage 4 of consultation on the draft master plan was undertaken between December 2011 and February 2012. The ACT Government endorsed the master plan in September 2012.

The master plan provides a vision for how the town centre will look and function in approximately 30 years time. This draft variation implements key elements of the master plan. There may be subsequent amendments to the Territory Plan to further incorporate relevant provisions of the master plan in the future. The timing, nature and extent of these amendments will be dependent on ACT Government resources and priorities.

The following changes to the Territory Plan are intended to establish the policy framework for the Tuggeranong town centre master plan in the Greenway precinct code and to achieve the indicative development sequencing proposed in the master plan.

Tuggeranong Town Centre - rezoning of land

It is proposed to change the zoning of a number of parcels of land to encourage development and redevelopment outcomes consistent with the master plan:

- Rezoning parts of Greenway sections 57, 58, 59, 65 and 66 CZ3 services zones to the CZ2 business zone to encourage a mix of residential and small scale commercial development in this location whilst maintaining public access to the lake foreshore.
- Rezoning sections 7 and 12 from the CZ3 services zone to the CZ2 business zone to extend the business area of the town centre to both sides of Soward Way.
- Rezoning of Greenway section 10, part of block 5 from the PRZ1 urban open space zone to the RZ4 medium density residential zone to promote residential development in this key lake side location.

Greenway precinct map and code - amendments

Amendment of the Greenway precinct map and code is proposed to include planning controls to guide future development at the town centre as recommended in the master plan including:

- Introduce a new regime for maximum building heights across the town centre informed by the master plan.
- Protection and enhancement of key views of the distance hills and mountains primarily through building setbacks in key locations.
- Provision of landscape areas in key locations to increase pedestrian connectedness and access throughout the town centre.
- Consequential amendments to the existing provisions of the precinct code to ensure the proposed CZ2 zoned parcels are subject to the limitations on gross floor area (GFA) of shops as is the case for the existing CZ2 zoned areas.

Parking and vehicular access general code – schedule 2 amendment

The parking and vehicular access general code is proposed to be amended to reduce car parking requirements for offices in the town centre from 2.5 car parking spaces per 100m² of GFA to 2 spaces per 100m² GFA. This is based on recent analysis of car parking availability and public transport access across the town centre.

2.2 Site Description

Tuggeranong

The Tuggeranong town centre is located within the suburb of Greenway and is the southern-most town centre in the ACT. The town centre sits between Lake Tuggeranong to the east and the Murrumbidgee River corridor to the west and provides visual and physical access to the surrounding hills and distant mountains. The town centre provides residential, commerce, retail, trade, office, education, community and government services and leisure and entertainment opportunities to the broader Tuggeranong community.

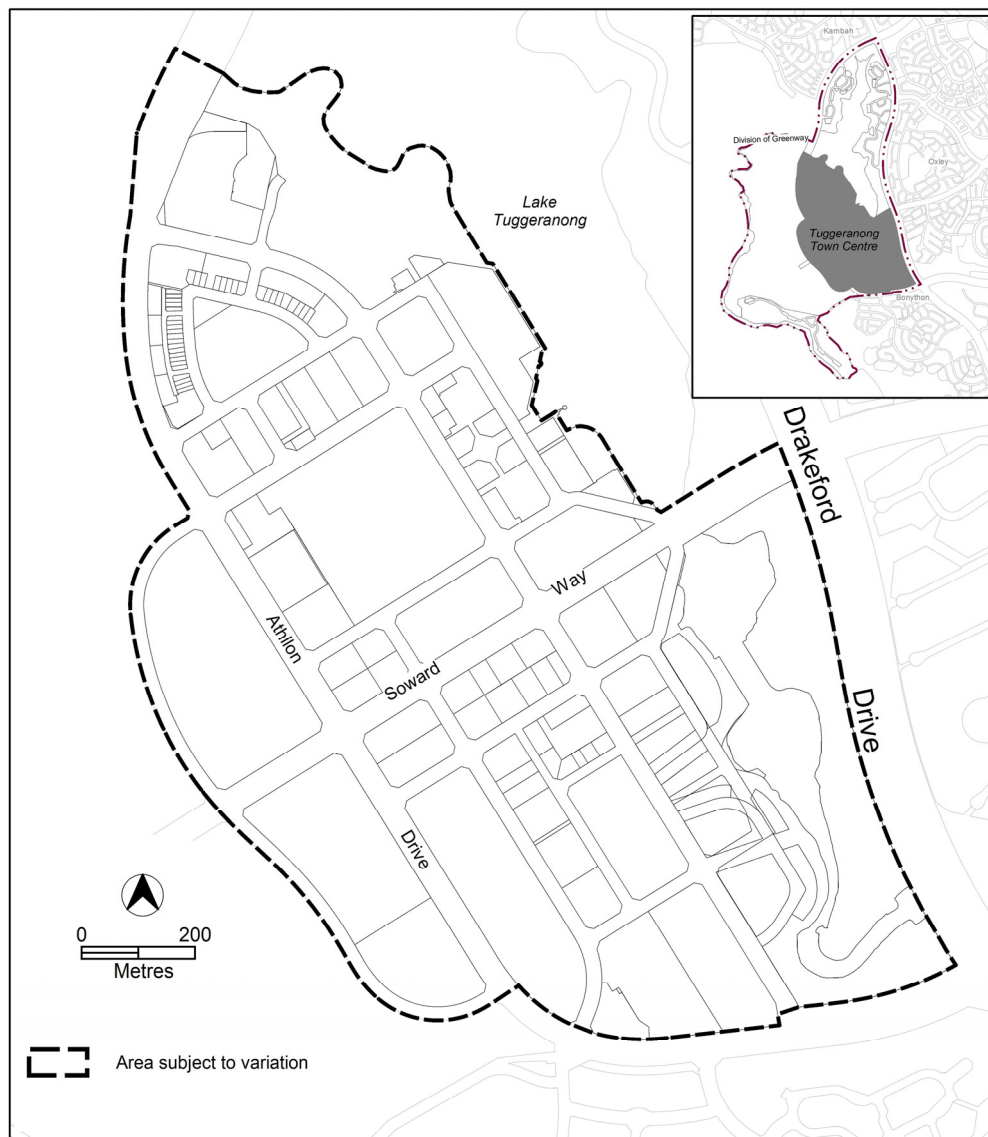


Figure 1 Area subject to DV318 –Tuggeranong town centre

2.3 Current Territory Plan Provisions

Tuggeranong

The Tuggeranong town centre comprises a mixture of commercial zonings including CZ1 core, CZ2 business and the CZ3 services zone (refer to figure 2). The Tuggeranong College on section 45 section 61 and parts of section 54 and 19 are zoned CF community facility. Land fronting the lake and the town park are included in the parks and recreations PRZ1 urban open space zone. The Tuggeranong swimming complex along with the other recreation facilities on section 55 are included in the PRZ2 restricted access recreation zone.

The Territory Plan map zones for the area subject to this variation are shown in **Figure 2**.

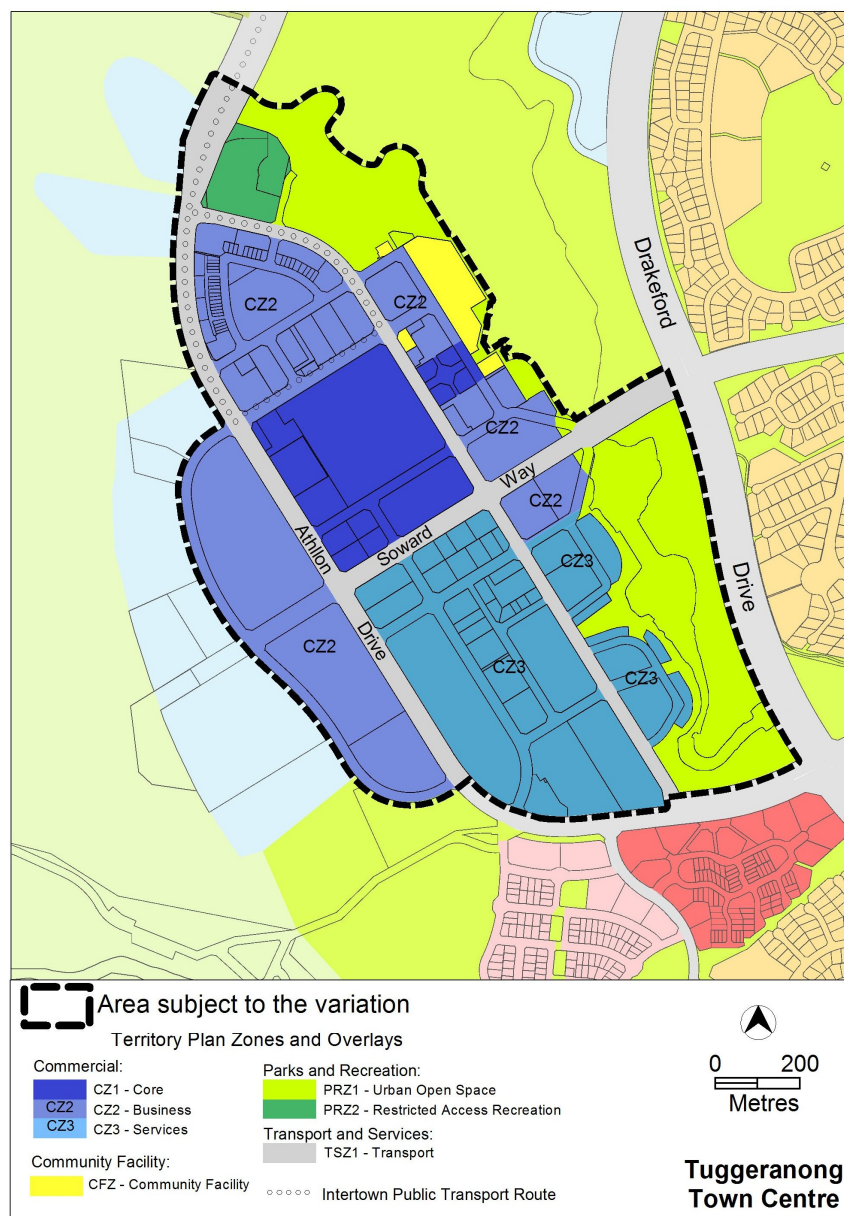


Figure 2 Territory Plan Zones Map

2.4 Proposed Changes

2.4.1 Proposed Changes to the Territory Plan Map

The proposed changes to the Territory Plan map are indicated in **Figure 3** at Part 3 of this document and are detailed as follows:

- Greenway part sections 57, 58, 59, 65 and 66 from the commercial CZ3 services zone to commercial CZ2 business zone
- Greenway sections 7 and 12 from the commercial CZ3 services zone to the commercial CZ2 business zone.
- Greenway section 10, part block 5 from the parks and recreation PRZ1 urban open space zone to the RZ4 medium density residential zone.

2.4.2 Proposed Changes to Territory Plan

The proposed changes to the Territory Plan written statement are outlined in detail in part 3 of this draft variation and involve changes to the Greenway precinct map and code and the car parking and vehicular access general code.

2.5 Reasons for the Proposed Draft Variation

The draft variation is primarily intended to make changes to the Territory Plan to implement key elements of the Tuggeranong town centre master plan.

2.6 Planning Context

2.6.1 National Capital Plan

The *Australian Capital Territory (Planning and Land Management) Act 1988* established the National Capital Authority (NCA) with two of its functions being to prepare and administer a National Capital Plan (NCP) and to keep the NCP under constant review and to propose amendments to it when necessary.

The NCP, which was published in the Commonwealth Gazette on 21 January 1990, is required to ensure that Canberra and the Territory are planned and developed in accordance with their national significance. The *Planning and Land Management Act 1988* also required that the Territory Plan is not inconsistent with the NCP.

2.6.2 Territory Plan

Draft variation 318 is consistent with the Territory Plan's statement of strategic directions in terms of environmental, economic and social sustainability and spatial planning and urban design principles in the following ways:

- DV318 is consistent with the general principles as it promotes 'economic vitality, community wellbeing and environmental quality'. There has been broad community involvement in the preparation of the Tuggeranong Town Centre Master Plan 2012. There is also statutory public notification in relation to DV318.
- DV318 promotes increased residential development and redevelopment within the Tuggeranong town centre resulting in increased accessibility and transport efficiency for residents of the town centre.
- DV318 does not impact upon the existing range of commercial and retail activity and community uses in the town centre whilst promoting residential development and redevelopment in the town centre.
- DV318 seeks to protect and enhance the unique characteristics of the Tuggeranong town centre by promoting physical and visual access to the surrounding hills, mountains, the lake and the river.
- DV318 intends to revitalise the Tuggeranong town centre by encouraging mixed uses including increased residential development and redevelopment. This will assist in strengthening and enhancing the centre.

2.7 Interim Effect

Section 65 of the *Planning and Development Act 2007* applies to the draft variation. This means that, in addition to the Territory Plan, the provisions of Draft Variation No 318 apply to development applications lodged on or after 16 December 2013.

The effect of section 65 during the defined period means that the ACT Government must not do or approve anything that would be inconsistent with the Territory Plan. Put simply, the provisions of the draft variation are part of the Territory Plan for a period of up to one year from the date of this notice, unless the draft variation commences, is withdrawn or rejected by the ACT Legislative Assembly.

2.8 Consultation with Government Agencies

The ESDD is required to, in preparing a draft variation under section 61(b) consult with each of the following in relation to the proposed draft variation:

- the national capital authority
- the conservator of flora and fauna
- the environment protection authority
- the heritage council
- if the draft variation would, if made, be likely to affect unleased land or leased public land – each custodian for the land likely to be affected

National Capital Authority

The National Capital Authority provided the following comments on 20 November 2013

DV318 as released for consultation with mandatory agencies is not inconsistent with the National Capital Plan.

Response

Noted.

Conservator of Flora and Fauna

The Conservator of Flora and Fauna made the following comments on 21 November 2013

There are no issues of concern with the proposed changes and the variation can be supported.

It is noted that there have been some misunderstandings for the reason for Criteria C4, Protection of Water Quality in the RC2 zone. This requirement is there to protect the Murrumbidgee River from the impacts of direct runoff from developments. To avoid confusion in the future it is recommended that the opportunity be taken to amend the Criteria to clarify that the requirement relates to those areas that drain directly to the Murrumbidgee River and not the RC2 zone that drained to Lake Tuggeranong.

Response

Noted. DV318 does not deal with matters within the RC2 area of the Greenway precinct code. As the suggested changes are a matter of clarification it is proposed to prepare a technical amendment to the Territory Plan under section 87 of the *Planning and Development Act 2007*.

Environment Protection Authority

The Environment Protection Authority provided the following comments on 3 December 2013

I have reviewed the draft variation and support the variation in its current form.

However, during the review it was noted that there could be potential confusion regarding rule 3.1. The rule is intended to prohibit stormwater flowing directly into the Murrumbidgee River without being treated by Lake Tuggeranong, however this is not made clear in the rule and there is room for interpretation as to its purpose. The wording of the rule should be revisited in any future Territory Plan variation or improved by a simple addition of an explanatory note detailing its purpose.

Response

Noted. DV318 does not deal with matters within the RC2 area of the Greenway precinct code. As the suggested changes are a matter of clarification it is proposed to prepare a technical amendment to the Territory Plan under section 87 of the *Planning and Development Act 2007*.

Heritage Council

The Heritage Council provided the following comments on 26 November 2013

DV318 includes changes to allow commercial and residential development on Greenway section 10 which has previously been zoned PRZ1 urban open space zone. That section, along with sections 57,58,59,65 and 66 were part of a cultural heritage study approved by the Heritage Council in 2011. The study found no artefacts in the sections and there are no further heritage constraints in relation to those blocks.

The heritage place Tuggeranong Boundary Marker Complex is partly within the area of DV318. However, no changes to existing planning controls are proposed that will have an impact on the heritage place.

DV318 does not appear to include any other changes that might impact previously undeveloped land or places nominated to or included on the ACT Heritage Register.

There are no objections on the basis of potential heritage impacts in relation to DV318.

Response

Noted. It should be clarified that the proposed RZ4 zoning for part of section 10 does not include commercial uses.

Land Custodian – Greenway section 10 part of block 5

The land custodian provided the following comments on 29 November 2013

1. *A full traffic volume study must be undertaken to determine the performance of the existing intersections particularly at the morning peak resulting from the proposed developments.*

(The five year accidents data 2008 to 2013 collated by Roads ACT, TAMS, identified the following existing danger spots:

- *Athllon Drive/Drakeford Drive/Isabella Drive roundabout showed 191 vehicle crashes, five requiring medical treatment, two hospitalisation*
 - *Mid-block Drakeford Drive between Athllon Drive/Isabella Drive and Erindale Drive/Soward Way showed 23 vehicle crashes, two requiring treatment, one hospitalisation*
 - *The signalised intersection on Drakeford Drive/Erindale Drive/Soward Way showed 100 vehicle crashes, four requiring treatment, one hospitalisation).*
2. *A swept path analysis is required at the intersection of Erindale Drive/Soward Way/Drakeford Drive to ensure vehicles do not hit street furniture infrastructure.*
 3. *Access to the proposed development must be via a service road onto Drakeford Drive with left in/left out at the road intersection.*
 4. *The opportunity to review and comment on the Planning Report supporting the proposed rezoning of Part Block 5 Section 10 Greenway from UOS to Residential.*

Additional comments received from TAMS also on 29 November 2013 were as follows:

TAMS supports release for public consultation now but will need the issues raised fully addressed at DA.

Response

Noted. By way of clarification the 'DA' referred to in the TAMS comments means a 'development application'.

3. DRAFT VARIATION

3.1 Variation to the Territory Plan Map

The Territory Plan map is varied as indicated in **Figure 3** for the area shown as subject to the variation.

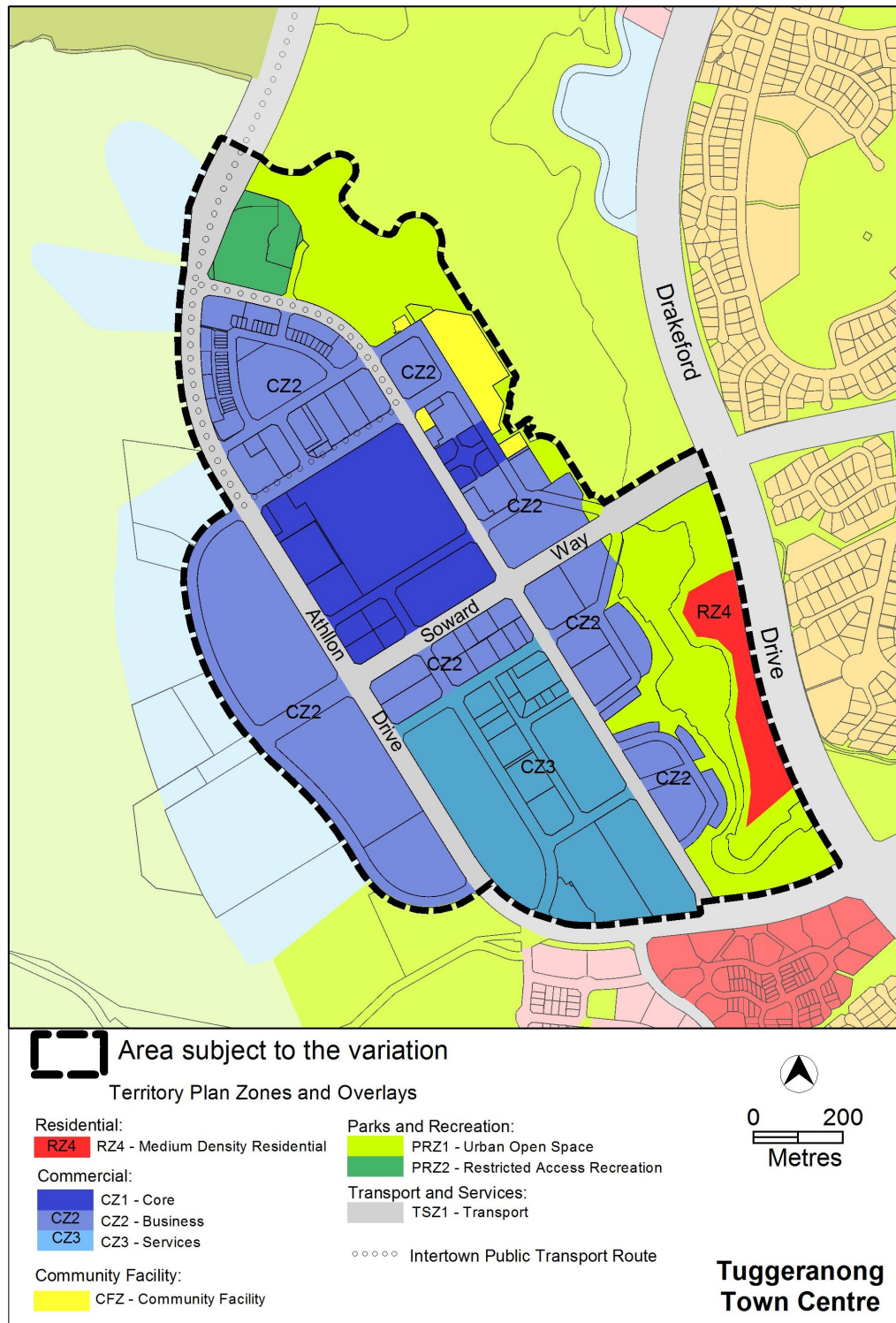


Figure 3: Variation to the Territory Plan map

3.2 Variation to the Territory Plan

Variation to the Greenway precinct map

1. MT2 and RC4 - Tuggeranong Town Centre - boundary amendments

Substitute with Appendix A

Variation to the Greenway precinct code

2. RC3 – Tuggeranong Town Centre

Insert Appendix B (desired character) above Element 4: Use

Substitute figure 1 with Appendix C (figure 1)

Insert Appendix D (figure 3) after figure 2

Substitute Criterion C9 with Appendix E (mandatory Rule R9)

Insert Appendix F (C13A and R31B and C13B) after 5.4 built form rule and criterion R13 and C13

Insert Appendix G (gateway buildings, setbacks, landscape areas and figure 5) after 5.5.

3. RC4– Lake side residential

Insert Appendix H

Variation to the car parking and vehicular access general code

4. Schedule 2 – offices in town centres

Replace –

Gungahlin & Tuggeranong 2.5 spaces/100m² GFA

With -

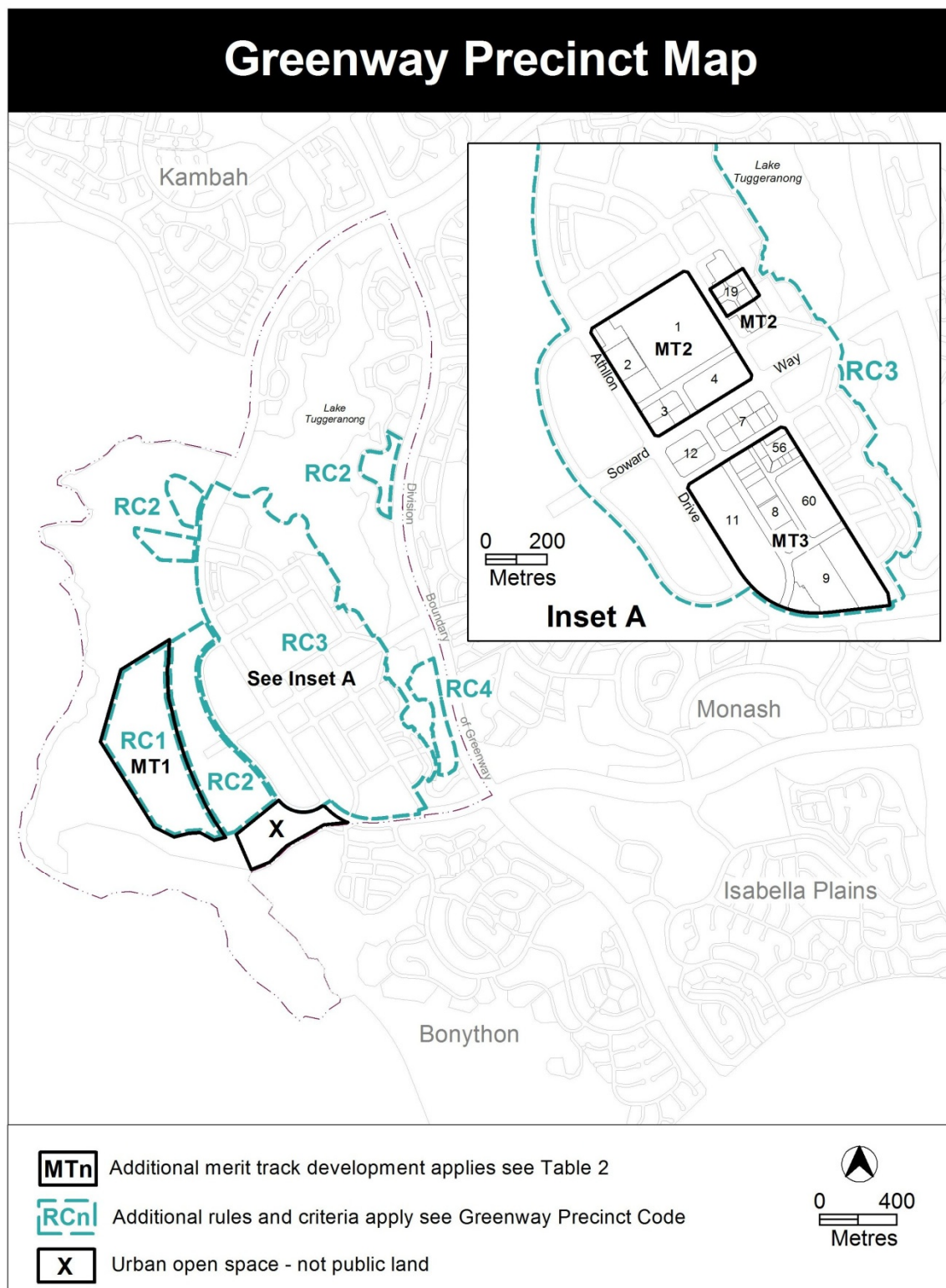
Gungahlin 2.5 spaces/100m² GFA

Tuggeranong 2 spaces/100m²GFA

Interpretation service

ENGLISH	If you need interpreting help, telephone:
ARABIC	إذا احتجت لمساعدة في الترجمة الشفوية ، إتصل برقم الهاتف :
CHINESE	如果你需要传译员的帮助，请打电话：
CROATIAN	Ako trebate pomoć tumača telefonirajte:
GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήστε στο
ITALIAN	Se avete bisogno di un interprete, telefonate al numero:
MALTESE	Jekk għandek bżonn l-għajnuna t'interpretu, ċempel:
PERSIAN	اگر به ترجمه شفاهی احتیاج دارید به این شماره تلفن کنید:
PORTUGUESE	Se você precisar da ajuda de um intérprete, telefone:
SERBIAN	Ако вам је потребна помоћ преводиоца телефонирајте:
SPANISH	Si necesita la asistencia de un intérprete, llame al:
TURKISH	Tercümana ihtiyacınız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

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Desired Character

Settlement Pattern

The Tuggeranong town centre has a strong urban edge whilst maintaining extensive physical and visual connections to the surrounding landscape including the mountains, open space, the river corridor and the lake.

The town centre enjoys a high level of connectedness through a fine grain grid pattern network of roads and pedestrian and cycle thoroughfares.

There is a network of high quality open spaces throughout the urban area of the town centre with links to the lake foreshore, community gardens and other public spaces.

Land use

A substantial component of the town centre is given over to residential development, with a focus on a mix of retail, commercial and other activating uses primarily at ground level and on key frontages.

Built form

There is a modern approach to the pitched red roofs and cream buildings, with a variety of roof forms including roof gardens, flat and skillion roofs.

Precincts

The foreshore area including Anketell Street has the following character:

- Development that embraces the lake through physical and visual connections to the foreshore
- Development that provides vibrancy through activity at the street level and finer grain shop fronts along major pedestrian areas
- Development that provides a pedestrian friendly environment
- Built form that steps down toward the foreshore.

The area along Athllon Drive has the following character:

- Taller building elements to match the taller building elements fronting the lake shore.
- Office buildings which address Athllon Drive to create a continuous building line, without excessive blank walls.
- Framing of the views north along Athllon Drive to distant hills
- A mix of residential uses on the western side of Athllon Drive, located to maximize views of the mountains to the west and access to employment and services in the town centre
- Pedestrian links to the town centre.

The Soward Way area has the following character:

- Taller building elements to create a pedestrian friendly boulevard on Soward Way
- Development frames the views to the mountains to the west

- Development provides a mix of uses with retail at ground level.

Appendix C

Figure 1

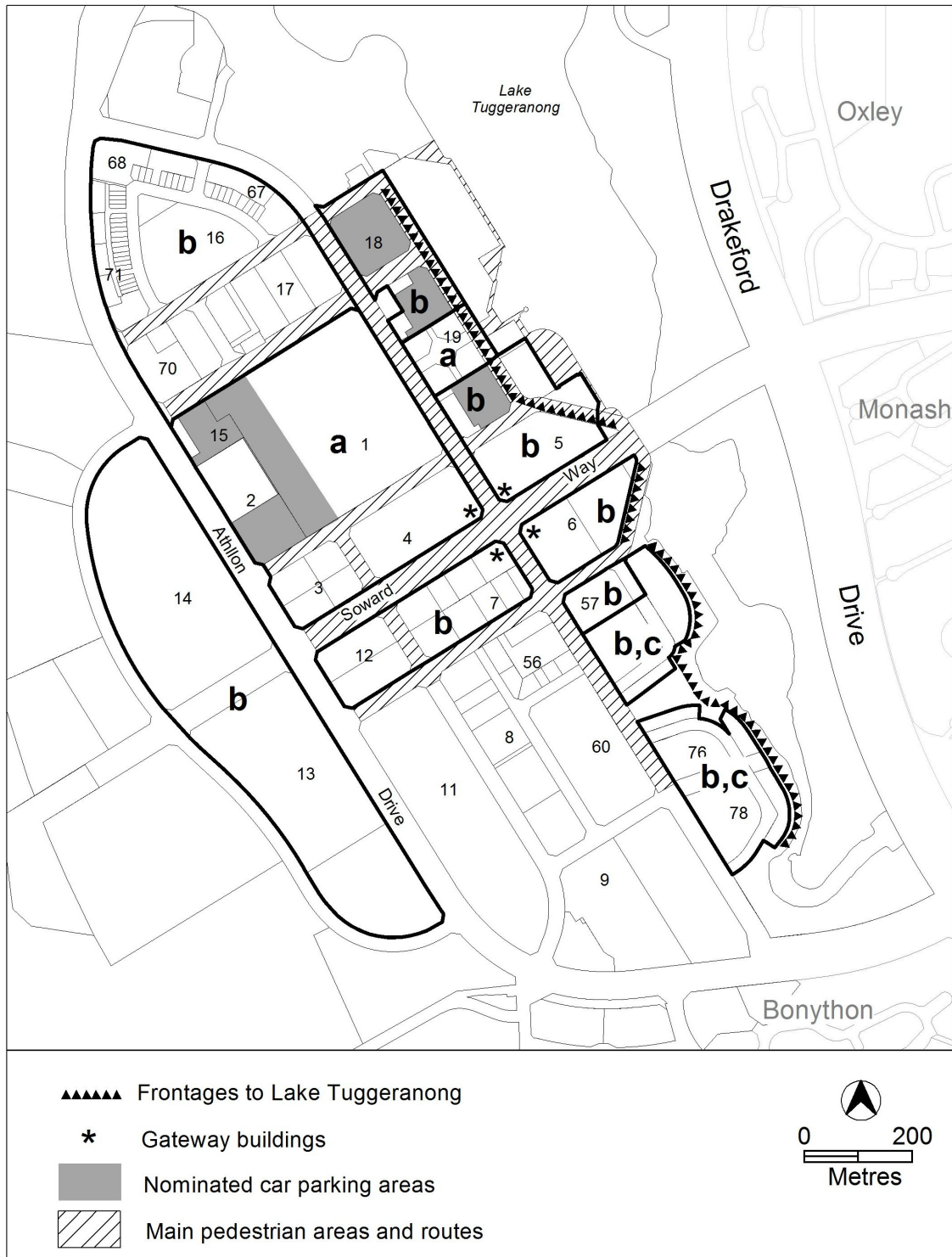


Figure 1 Frontages, car parking, restrictions on use and gateway buildings.

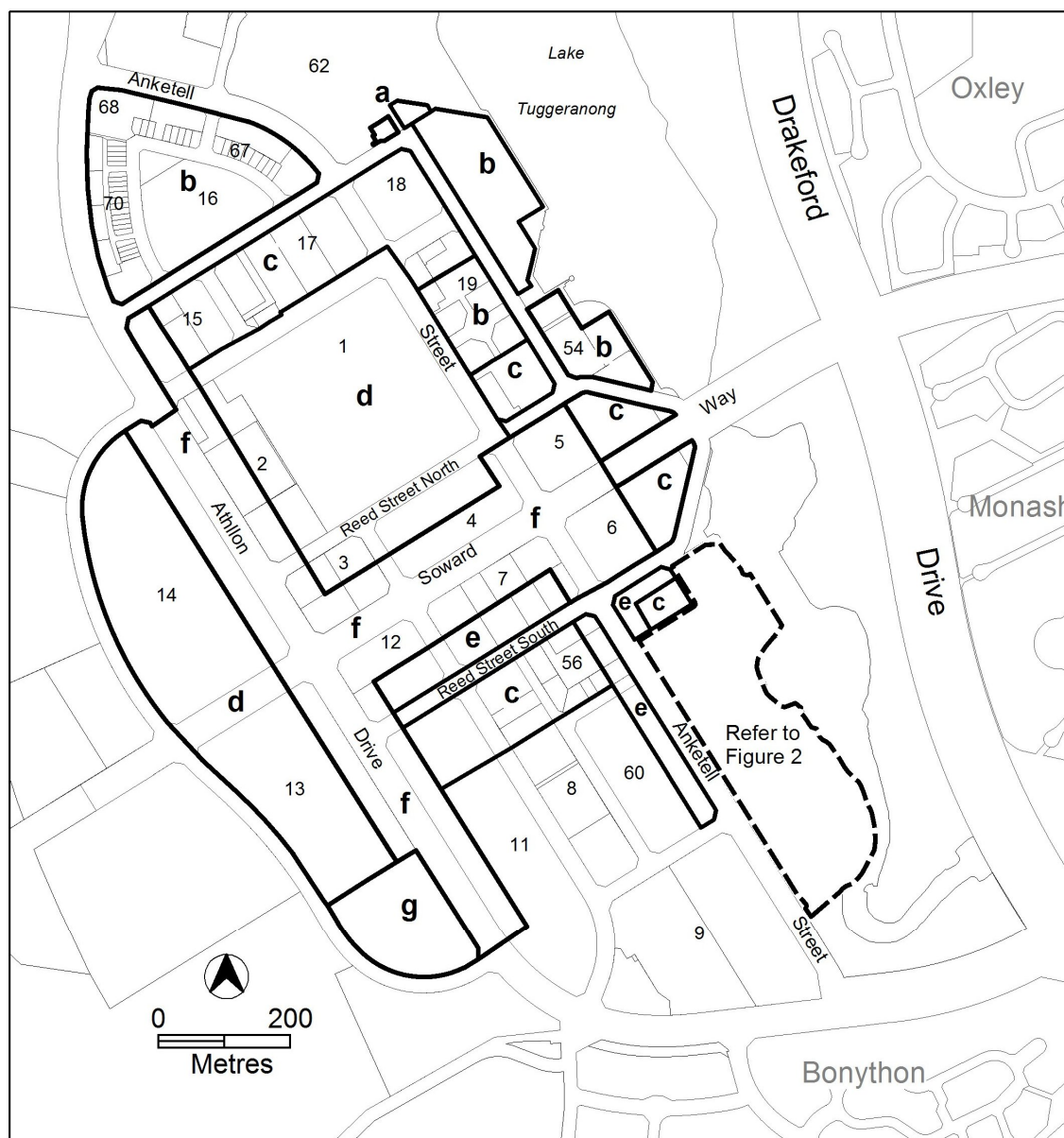


Figure 3 – building heights

Appendix E- R9 height of buildings

<p>R9</p> <p>This rule applies to areas shown in figure 3. The maximum <i>height of buildings</i> in the areas shown on figure 3 are as follows:</p> <ul style="list-style-type: none"> a) in area 'a' - 9.5 metres b) in area 'b' - 17 metres c) in area 'c' - 20.5 metres d) in area 'd' - 24 metres e) in area 'e' – 24metres. Area 'e' is measured as the area up to a maximum of 30 metres from the front boundary with Anketell Street or Reed Street South f) in area 'f' - 31 metres. Area 'f' is measured as follows: <ul style="list-style-type: none"> i. the area a maximum of 30 metres from the front boundary for blocks adjoining the western side of Ankertell Street ii. the area a maximum of 30 metres from the front boundary of blocks adjoining Soward Way west of Ankertell Street iii. the area a maximum of 30 metres from the front boundary of blocks adjoining the eastern side of Athllon Drive iv. the area a maximum of 40 metres from the front boundary of blocks adjoining the western side of Athllon Drive. g) in area 'g' – 38 metres with a maximum of 9 storeys fronting Athllon Drive. <p>For this rule the building height excludes all of the following:</p> <ul style="list-style-type: none"> a) roof top plant b) lift overruns c) antennas d) photovoltaic panels e) air conditioning units f) chimneys, flues and vents <p>Excluded items are setback from the building facade of the floor immediately below a minimum distance of 3m.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
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Appendix F
C13A & R13B and C13B

<p>There is no applicable rule.</p>	<p>C13A</p> <p>Built form in the town centre achieves all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) roofs are articulated to reduce the bulk and scale of the building form c) responds to the street hierarchy d) minimizes blank walls e) creates attractive interfaces with the public domain.
<p>R13B</p> <p>This rule applies to area 'I' shown in figure 4.</p> <p>The minimum ground floor level, floor to ceiling height is 3.6m</p>	<p>C13B</p> <p>Building achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with <i>desired character</i> b) the ground floor level of buildings is adaptable for commercial uses.

Gateway buildings, setbacks, landscape areas and figure 4

5.6 Gateway buildings	
<p>R15</p> <p>This criterion applies to gateway buildings in locations shown on figure 1</p> <p>Buildings address the intersection of Anketell Street and Soward Way.</p>	<p>This is a mandatory provision. There is no applicable criterion.</p>
5.7 Building setbacks	
<p>R16</p> <p>This rule applies to buildings in area 'a' shown in figure 4</p> <p>Buildings have a zero setback to Athllon Drive.</p>	<p>C16</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> a) are consistent with the <i>desired character</i> b) maintain a continuous building line along Athllon Drive c) frame the views of hills along Athllon Drive.
<p>R17</p> <p>This rule applies to the front setbacks for buildings (excluding basements) in the areas shown on figure 4.</p> <p>The minimum front setbacks are as follows:</p> <ul style="list-style-type: none"> a) in area 'b' - 12 metres b) in area 'c' - 13 metres c) in area 'd' - 16 metres. 	<p>C17</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> a) are consistent with <i>desired character</i> b) protect and enhance the views of hills, distant mountains and/or the Tuggeranong Town Park.

5.8 Landscape areas	
<p>R18</p> <p>This rule applies to landscape areas shown in figure 4</p> <ul style="list-style-type: none"> a) Landscape areas are provided with the following minimum dimensions: b) in area 'e' 26 metres wide and 40 metres deep c) in area 'f' 30 metres wide and 40 metres deep d) in area 'g' 52 metres deep from the north western apex of the block. e) In area 'h' 25 metres wide and 30 metres deep. 	<p>C18</p> <p>Landscaped areas achieve the following:</p> <ul style="list-style-type: none"> a) are consistent with <i>desired character</i> b) protect and enhance views of hills, distant mountains and key open spaces c) have no buildings or structures located within the area (excluding basements) d) are publicly accessible e) are landscaped f) receive reasonable solar access g) present a soft landscaped interface to the street.

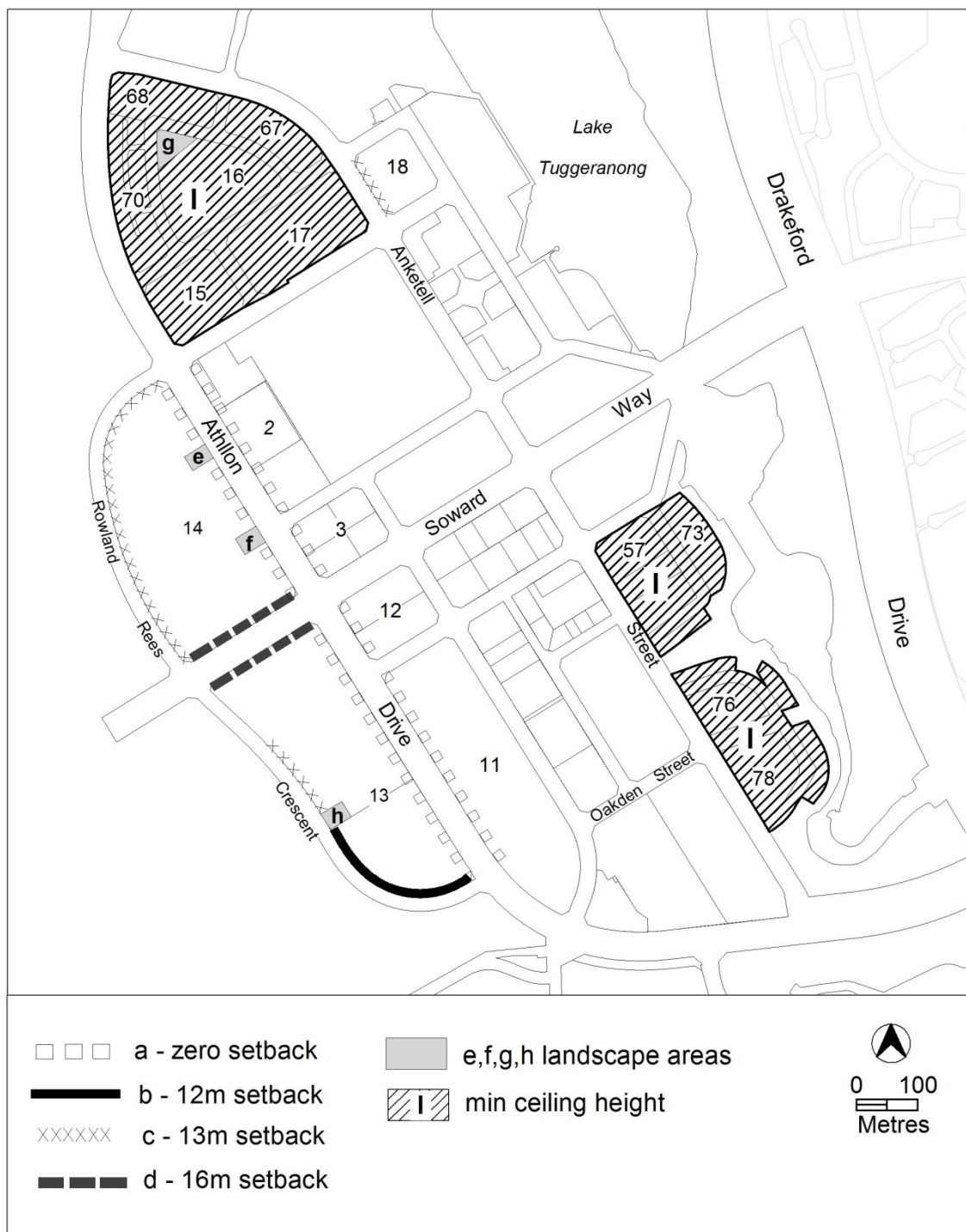


Figure 4 – setbacks and landscape areas

RC4 – Lake side residential

This part applies to blocks and parcels identified in area RC4 shown on the Greenway Precinct Map. RC4 includes the lake side residential land.

Element 5: Built form

Rules	Criteria
5.1 Height of buildings	
<p>R19</p> <p>This rule applies to areas shown in figure 5.</p> <p>The maximum <i>height of buildings</i> in the areas shown on figure 5 are as follows:</p> <ul style="list-style-type: none"> a) in area 'a' - 9.5 metres b) buildings in area 'b' - 13 metres. Area 'b' is measured as a maximum depth of 20 metres. <p>For this rule the building height excludes all of the following:</p> <ul style="list-style-type: none"> a) roof top plant b) lift overruns c) antennas d) photovoltaic panels e) air conditioning units f) chimneys, flues and vents <p>Excluded items are setback from the building facade of the floor immediately below a minimum distance of 3m.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

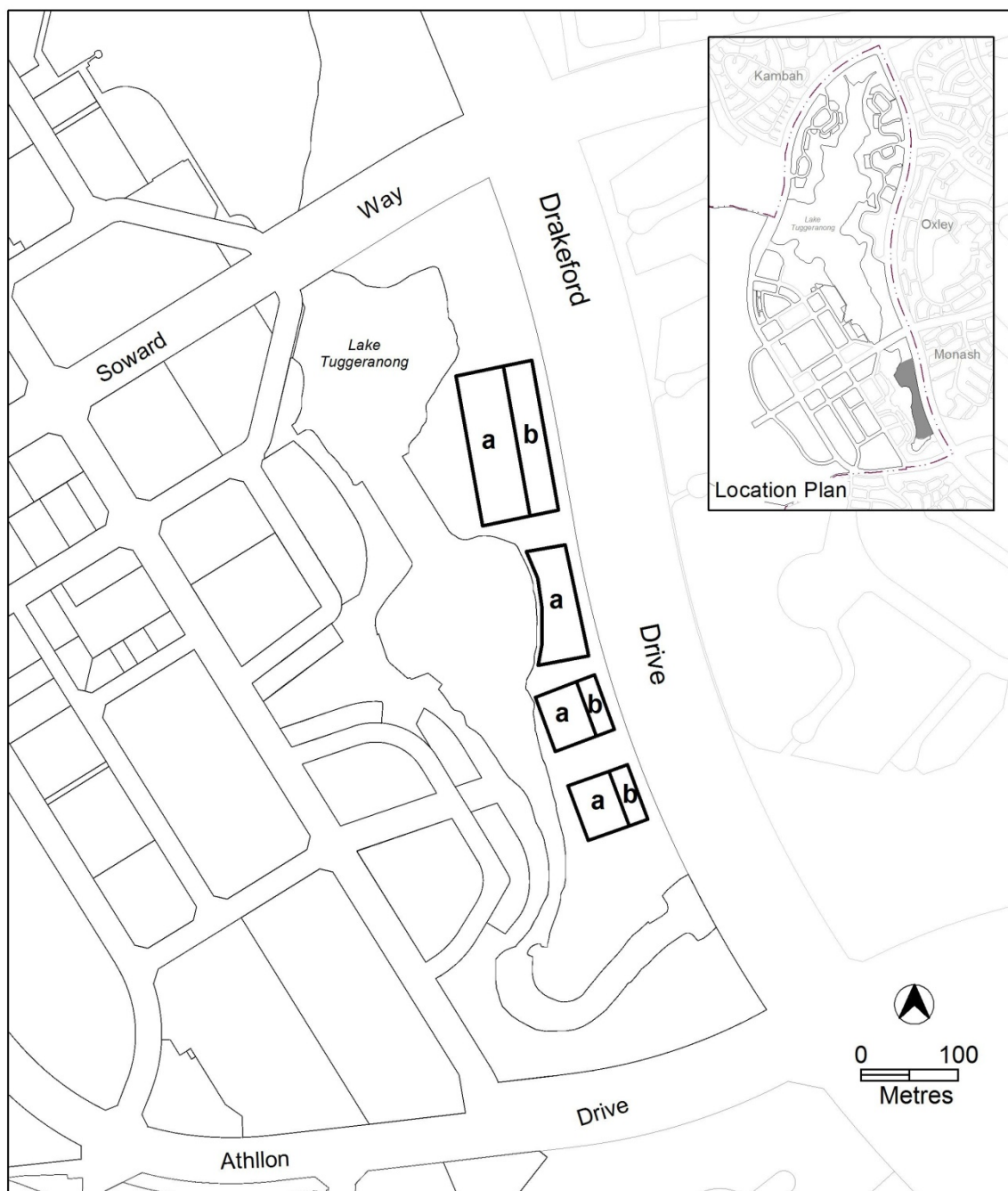


Figure 5 – building heights