

Australian Capital Territory

Planning and Development (Plan Variation No 306) Notice 2013

Notifiable Instrument NI2013-93

made under the

Planning and Development Act 2007, section 76 (Minister's powers in relation to draft plan variations)

1 Name of instrument

This instrument is the *Planning and Development (Plan Variation No 306) Notice 2013*.

2 Plan Variation 306

On 22 February 2013, the Minister for the Environment and Sustainable Development approved a draft of the attached plan variation to the Territory Plan (***Annexure A***) under s76 (3).

Jim Corrigan
Delegate of the Planning and Land Authority

25 February 2013



ACT

Government

Environment and
Sustainable Development

ANNEXURE A

Planning and Development Act 2007

Variation to the Territory Plan No 306

Residential development, estate
development and leasing codes:

Replacement of residential zones objectives, development
tables, and housing development codes

Introduction of Residential Zones Development Code and
Lease Variation General Code

Replacement of
Residential Subdivision Development Code with
Estate Development Code.

Final variation submitted to the Minister for approval
under s76 of the *Planning and Development Act 2007*

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1. EXPLANATORY STATEMENT

1.1 Background

As part of the reform of the ACT planning system, a restructured Territory Plan came into effect on 31 March 2008. In response to undertakings by the ACT government at the time, residential housing codes were reformatted, but no significant policy changes were made.

In 2009, ESDD (formerly ACTPLA) commenced a general review of the policy content of the Territory Plan, including policy relating to all forms of development in residential zones and the subdivision of land, particularly greenfield estates. The desirability of a general code applicable to the varying of leases also emerged during this process.

In response to commitments made by the ACT Government, a key focus of the Territory Plan review is improving solar performance, particularly of housing. The policy initiatives contained in this variation are based largely on a comprehensive review of solar access policy undertaken by ESDD in 2009. Many of these initiatives were initially presented to the public for comment in DV 301 and DV 303, following their release in June 2010. DV301 and DV303 were withdrawn and replaced by the draft variation 306 (DV306) on 3 June 2011.

1.2 Summary of the proposal

The purpose of this variation is to:

- revise residential zones objectives
- replace the residential zones development tables with revised versions
- introduce a Residential Zones Development Code
- replace the current Residential Subdivision Development Code with a new Estate Development Code
- introduce a Lease Variation General Code
- replace the current Residential Zones - Single Residential Housing Development Code with a new Single Dwelling Housing Development Code
- replace the current Residential Zones - Multi Unit Housing Development Code with a new Multi Unit Housing Development Code.

1.3 The 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.

In accordance with section 10 of the *Australian Capital Territory (Planning and Land Management) Act 1988*, the National Capital Plan defines the planning principles and policies for Canberra and the Territory, for giving effect to the object of the NCP and sets out the general policies to be implemented throughout the Territory, including the range and nature of permitted land uses.

It also sets out the detailed conditions of planning, design and development for areas that have special significance to the National Capital known as designated areas and identifies special requirements for the development of some other areas.

1.4 Current Territory Plan Provisions for residential development

Planning controls for residential zones are found in section 3 of the Territory Plan. Each zone has a list of zone objectives and a development table. Two development codes are pertinent: *Residential Zones – Single Residential Housing Development Code* and *Residential Zones - Multi Unit Housing Development Code*. Provisions for non-residential development in residential zones are currently found in the *Residential Zones - Multi Unit Housing Development Code*.

1.4.1 Zone objectives

Zone objectives provide context to the formulation of proposals to vary the plan, including the preparation of codes. Their key role is in the assessment of development proposals in the merit and impact tracks under sections 120 and 129 of the *Planning and Development Act 2007*.

1.4.2 Development tables

Under section 54 of the *Planning and Development Act 2007* development tables have four functions:

1. identify the minimum assessment track (ie code, merit or impact) applicable to a particular proposal
2. identify development that is exempt from requiring development approval
3. identify development that is prohibited
4. specify the code relevant to a particular development proposal.

Currently the Territory Plan contains a development table for each residential zone.

1.4.3 Residential Zones - Single Dwelling Housing Development Code

The current *Residential Zones - Single Dwelling Housing Development Code* applies to development for single dwelling housing in residential zones, commercial zones and NUZ2 rural zone.

1.4.4 Residential Zones - Multi Unit Housing Development Code

The current *Residential Zones - Multi Unit Housing Development Code* applies chiefly to multi unit housing in residential zones. Part C(5) of the code applies to multi unit housing in commercial zones, and part D applies to non-residential development (eg. home business) and other forms of residential development (eg. supportive housing).

1.4.5 Definitions

Definitions of terms used in the Territory Plan are found in section 13 of the plan, in the *Planning and Development Act 2007* and in the *Planning and Development Regulation 2008*.

1.5 Current Territory Plan provisions for estate development

The current *Residential Subdivision Development Code* applies to developments involving the subdivision of land and the installation of new public infrastructure. These applications are defined as *estate development plans* under the *Planning and Development Act 2007*.

The current code has two parts:

Part A – Residential estate planning and design process

Part B – Subdivision Development Code

Part B(1) – estate development plans supported by a precinct code

Part B(2) – additional requirements that apply when an estate development plan is not supported by a precinct code.

1.6 Changes to the Territory Plan

Changes to the Territory Plan proposed by this variation are detailed in section 2 of this document.

1.7 Consultation on the Draft Variation

Draft Variation No 306 (DV306) was released for public comment between 3 June 2011 and 6 September 2011. A consultation notice under section 63 of the *Planning and Development Act 2007* (P&D Act) was published on the ACT Legislation Register on 2 June 2011, in *The Canberra Times* on 8 June 2011 and 11 June 2011 and in *the Chronicle* on 7 June 2011.

A total of 76 written submissions were received, which included submissions from the following organisations:

Housing Industry Association
ACT Greens
Woden Valley Community Council
Griffith Narrabundah Community Association
Dickson Residents Group
Tuggeranong Community Council
Inner South Community Council
Old Narrabundah Community Council
ACT Master Builders Association
Weston Creek Community Council
Australian Institute of Architects ACT Chapter
Yarralumla Residents Association
Engineers Australia

Main issues raised by submitters related to:

- RZ2 redevelopment (42 submissions)
- solar access (31 submissions)

The above issues were considered and are detailed in a report on consultation. Changes were informed by the issues raised. The outcomes of consultation were considered by the Minister responsible for planning prior to approval of this variation.

1.8 Revisions to the draft variation recommended to the Minister

The following changes were made in response to the Legislative Assembly's Standing Committee on Planning, Public Works and Municipal Services report No.15 of 20 September 2012:

- Adjusting the new solar envelope provision to enable more flexibility of building design on a block. This introduces a solar fence that is 2.4m high for a section of the boundary between the minimum front setback and a point 10m rearward. Other parts of the boundary have a solar fence of 1.8m (Single Dwelling Housing Development Code and Multi Unit Housing Development Code)
- Rephrasing the provision relating to the minimum floor area of a secondary residence to clarify its intent (Residential Zones Development Code)
- Introducing criteria to the mandatory rules relating to secondary residence parking (Residential Zones Development Code)
- Adding the terms 'habitable suite' and 'relocatable unit' to the list of redundant definitions with the introduction of secondary residences (Residential Zones Development Code)

The following additional changes were made:

Residential Zones Development Code

- Relocating the provisions for redevelopment in residential zones to ensure that they apply to all development in residential zones and not just to single dwelling or multi unit housing
- Reinserting the provisions for retirement village back into the residential zones development code
- Adding the requirement for residential care accommodation to comply with the Access and Mobility General Code and Australian Standard AS4299 Adaptable housing (Class C)
- Adding to the subdivision and consolidation provision to ensure that it does not apply to the consolidation of a single dwelling block with surplus unleased territory land

Single Dwelling Housing Development Code

- Reinserting the plot ratio provision for RZ1 blocks created by the subdivision of dual occupancy housing
- Removing the reference to 'or northern boundary of adjoining residential block' from the side and rear setback tables in the Single Dwelling Housing Development Code
- Adding a provision to limit the amount of cut and fill within 1.5m of the side and rear boundaries of a block to protect the stability of blocks
- Changing the principal private open space provision in the Single Dwelling Housing Development Code to be based on gross floor area rather than number of bedrooms
- Updating the wording of the noise attenuation provision to be consistent with changes made in a recent technical amendment (TA2012-30)
- Clarifying in the water sensitive urban design provision that it relates to the area of components at the date of building application as well as development application, whichever is earlier

Multi Unit Housing Development Code

- Clarifying that the maximum number of dwellings in a building in RZ2 does not apply to basement car parking
- Updating the wording of the noise attenuation provision to be consistent with changes made in a recent technical amendment (TA2012-30)

Estate Development Code

- Clarifying the intent of the block layout and orientation provisions by:
 - adding that the block compliance tables and minimum block depth and width requirements do not apply to single dwelling blocks within an integrated housing development parcel
 - changing the criterion for single dwelling blocks to require the block to be sized and oriented to allow a house to be built on the block that has a reasonable gross floor area and access to sunlight as well as complies with the rules of the Single Dwelling Housing Development Code

- adding a new mandatory rule stating that not less than 95% of single dwelling blocks comply with the block compliance tables and minimum block depth and width requirements or are contained in an integrated housing development parcel
- requiring that blocks that do not comply with the block compliance tables and minimum block depth and width requirements or are contained in an integrated housing development parcel, are identified in the estate development plan as 'limited development potential blocks'
- adding a criterion that the proportion of single dwelling blocks that comply with the block compliance tables and minimum block depth and width requirements is maximised
- removing the requirement for the separation between blank walls at ground level to demonstrate reasonable access for maintenance and reasonable management of rodents

General

- Consequential changes to the codes to reflect changes outlined above such as to contents pages, rule/criterion numbers, introductions, headings etc as well as minor editorial changes such as spelling mistakes, formatting etc.

Changes made to the draft variation in response to public submissions are outlined in the recommended final version of DV306 made publicly available on the legislation register on 8 March 2012.

2. VARIATION

The Territory Plan is varied as follows.

a) Residential zones

Substitute RZ1, RZ2, RZ3, RZ4 and RZ5 objectives with the relevant items in Appendix A

Substitute RZ1, RZ2, RZ3, RZ4 and RZ5 development tables (including any figures) with the relevant items in Appendix A

b) Residential development codes

Insert Residential Zones Development Code at Appendix B.

Substitute Residential Zones – Single Dwelling Housing Development Code with Single Dwelling Housing Development Code at Appendix C

Substitute Residential Zones – Multi Unit Housing Development Code with Multi Unit Housing Development Code at Appendix D

Substitute Residential Subdivision Development Code with Estate Development Code at Appendix E

c) General codes

Insert Lease Variation General Code at Appendix F

d) Definitions

Omit the definitions listed in Appendix G1

Insert the definitions listed in Appendix G2

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GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήσετε στο
ITALIAN	Se avete bisogno di un interprete, telefonate al numero:
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Residential Zones Objectives and Development Tables

RZ1 – Suburban zone

Zone objectives

- a) Provide for the establishment and maintenance of residential areas where the housing is low rise and predominantly single dwelling and low density in character
- b) Protect the character of established single dwelling housing areas by limiting the extent of change that can occur particularly with regard to the original pattern of subdivision and the density of dwellings
- c) Provide for a wide range of affordable and sustainable housing choices that meet changing household and community needs
- d) Ensure development respects valued features of the neighbourhood and landscape character of the area and does not have unreasonable negative impacts on neighbouring properties
- e) Provide opportunities for home based employment consistent with residential amenity
- f) Provide for a limited range of small-scale facilities to meet local needs consistent with residential amenity
- g) Promote good solar access
- h) Promote energy efficiency and conservation
- i) Promote sustainable water use

RZ1 – Suburban zone development table

EXEMPT DEVELOPMENT	
Development approval is not required. Building approval may be required. On leased land, development must be authorised by a lease.	
Single dwelling housing – new residential land, subject to section 20 and schedule 1 of the Planning and Development Regulation 2008.	
Exempt development identified in section 20 and schedule 1 of the Planning and Development Regulation 2008.	
ASSESSABLE DEVELOPMENT	
Development application required. On leased land, development must be authorised by a lease.	
MINIMUM ASSESSMENT TRACK CODE	
Development application required and assessed in the code track	
Development	
Single dwelling housing that complies with the relevant rules, except where exempted from requiring development approval by section 20 and schedule 1 of the Planning and Development Regulation 2008.	
Varying a lease to do one or more of the following:	
<ol style="list-style-type: none"> 1. express the number of approved or lawfully erected dwellings 2. remove, relocate or change easements. 	
Development specified as additional code track development in a suburb precinct code for land shown on the relevant suburb precinct map	
MINIMUM ASSESSMENT TRACK MERIT	
Development application required and assessed in the merit track, unless specified in schedule 4 of the Planning and Development Act 2007 (as impact track)	
Development	
ancillary use	parkland
boarding house	residential care accommodation
child care centre	retirement village
community activity centre	sign
consolidation	single dwelling housing (where not exempt development or code track assessable)
demolition	secondary residence
development specified as additional merit track development in a suburb precinct code for land shown on the relevant suburb precinct map	special dwelling
guest house	subdivision
health facility	supportive housing
home business	temporary use
minor use	varying a lease (where not code track or impact track assessable)
multi-unit housing	
MINIMUM ASSESSMENT TRACK IMPACT	
Development application required and assessed in the impact track	
1. Development that is not an exempt, code track or merit track development (see section 134 of the Planning and Development Act 2007).	
2. Development specified in schedule 4 of the Planning and Development Act 2007 and not listed as a prohibited use in this table.	
3. Development that is authorised by a lease and listed as a prohibited use in this table.	

4. Development declared under section 123 or section 124 of the Planning and Development Act 2007 and not listed as a prohibited development in this table.	
5. Varying a lease add a use assessable under the impact track.	
PROHIBITED DEVELOPMENT	
Development listed below is prohibited development except where it is listed elsewhere in this development table.	
Agriculture	liquid fuel depot
Airport	mining industry
animal care facility	mobile home park
animal husbandry	motel
aquatic recreation facility	municipal depot
bulk landscape supplies	nature conservation area
business agency	offensive industry
car park	office
caretakers residence	outdoor recreation facility
caravan park/camping ground	overnight camping area
Cemetery	pedestrian plaza
civic administration	place of assembly
Club	place of worship
communications facility	plant and equipment hire establishment
community theatre	plantation forestry
commercial accommodation unit	produce market
corrections facility	public agency
craft workshop	public transport facility
cultural facility	railway use
defence installation	recyclable materials collection
development specified as additional prohibited development in a suburb precinct code for land shown on the relevant suburb precinct map	recycling facility
drink establishment	religious associated use
drive-in cinema	restaurant
educational establishment	sand and gravel extraction
emergency services facility	scientific research establishment
farm tourism	serviced apartment
freight transport facility	service station
funeral parlour	SHOP
general industry	stock/sale yard
group or organised camp	store
hazardous industry	tourist facility
hazardous waste facility	tourist resort
hospital	transport depot
Hotel	varying a lease to add a use listed as "prohibited development" in this development table
incineration facility	vehicle sales
indoor entertainment facility	veterinary hospital
indoor recreation facility	warehouse
industrial trades	waste transfer station
land fill site	woodlot
land management facility	zoological facility
light industry	

RELEVANT CODE

Development proposals in residential zones must comply with the Residential Zones Development Code.

NOTE ABOUT ANCILLARY AND MINOR USE

Some development that would otherwise be prohibited may be assessed under the merit track if they can be defined as *ancillary* or *minor use*. For example, a *car park* alone is prohibited, but could be considered if it is ancillary to a *child care centre* which is an assessable development under the merit track.

RZ2 – Suburban core zone

Zone objectives

- a) Provide for the establishment and maintenance of residential areas where the housing is low rise and contains a mix of single dwelling and multi-unit development that is low to medium density in character particularly in areas close to facilities and services in commercial centres
- b) Provide opportunities for redevelopment by enabling a limited extent of change with regard to the original pattern of subdivision and the density of dwellings
- c) Provide for a wide range of affordable and sustainable housing choices that meet changing household and community needs
- d) Contribute to the support and efficient use of existing social and physical infrastructure and services in residential areas close to commercial centres
- e) Ensure redevelopment is carefully managed so that it achieves a high standard of residential amenity, makes a positive contribution to the neighbourhood and landscape character of the area and does not have unreasonable negative impacts on neighbouring properties
- f) Provide opportunities for home based employment consistent with residential amenity
- g) Provide for a limited range of small-scale facilities to meet local needs consistent with residential amenity
- h) Promote good solar access
- i) Promote energy efficiency and conservation
- j) Promote sustainable water use

RZ2 – Suburban core zone development table

EXEMPT DEVELOPMENT	
Development approval is not required. Building approval may be required. On leased land, development must be authorised by a lease.	
Single dwelling housing – new residential land, subject to section 20 and schedule 1 of the Planning and Development Regulation 2008.	
Exempt development identified in section 20 and schedule 1 of the Planning and Development Regulation 2008.	
ASSESSABLE DEVELOPMENT	
Development application required. On leased land, development must be authorised by a lease.	
MINIMUM ASSESSMENT TRACK CODE	
Development application required and assessed in the code track	
Development	
Single dwelling housing that complies with the relevant rules, except where exempted from requiring development approval by section 20 and schedule 1 of the Planning and Development Regulation 2008.	
Development specified as additional code track development in a suburb precinct code for land shown on the relevant suburb precinct map	
Varying a lease to do one or more of the following: <ol style="list-style-type: none"> 1. express the number of approved or lawfully erected dwellings 2. remove, relocate or change easements. 	
MINIMUM ASSESSMENT TRACK MERIT	
Development application required and assessed in the merit track, unless specified in schedule 4 of the Planning and Development Act 2007 (as impact track)	
Development	
ancillary use	parkland
boarding house	residential care accommodation
child care centre	retirement village
community activity centre	sign
consolidation	single dwelling housing (where not exempt development or code track assessable)
demolition	secondary residence
development specified as additional merit track development in a suburb precinct code for land shown on the relevant suburb precinct map	special dwelling
guest house	subdivision
health facility	supportive housing
home business	temporary use
minor use	varying a lease (where not code track or impact track assessable)
multi-unit housing	
MINIMUM ASSESSMENT TRACK IMPACT	
Development application required and assessed in the impact track	
1. Development that is not an exempt, code track or merit track development (see section 134 of the Planning and Development Act 2007).	
2. Development specified in schedule 4 of the Planning and Development Act 2007 and not listed as a prohibited use in this table.	
3. Development that is authorised by a lease and listed as a prohibited use in this table.	

4. Development declared under section 123 or section 124 of the Planning and Development Act 2007 and not listed as a prohibited development in this table.	
5. Varying a lease add a use assessable under the impact track.	
PROHIBITED DEVELOPMENT	
Development listed below is prohibited development except where it is listed elsewhere in this development table.	
agriculture	liquid fuel depot
airport	mining industry
animal care facility	mobile home park
animal husbandry	motel
aquatic recreation facility	municipal depot
bulk landscape supplies	nature conservation area
business agency	offensive industry
car park	office
caretakers residence	outdoor recreation facility
caravan park/camping ground	overnight camping area
cemetery	pedestrian plaza
civic administration	place of assembly
club	place of worship
communications facility	plant and equipment hire establishment
community theatre	plantation forestry
commercial accommodation unit	produce market
corrections facility	public agency
craft workshop	public transport facility
cultural facility	railway use
defence installation	recyclable materials collection
development specified as additional prohibited development in a suburb precinct code for land shown on the relevant suburb precinct map	recycling facility
drink establishment	religious associated use
drive-in cinema	restaurant
educational establishment	sand and gravel extraction
emergency services facility	scientific research establishment
farm tourism	serviced apartment
freight transport facility	service station
funeral parlour	SHOP
general industry	stock/sale yard
group or organised camp	store
hazardous industry	tourist facility
hazardous waste facility	tourist resort
hospital	transport depot
hotel	varying a lease to add a use listed as "prohibited development" in this development table.
incineration facility	vehicle sales
indoor entertainment facility	veterinary hospital
indoor recreation facility	warehouse
industrial trades	waste transfer station
land fill site	woodlot
land management facility	zoological facility
light industry	

RELEVANT CODE

Development proposals in residential zones must comply with the Residential Zones Development Code.

NOTE ABOUT ANCILLARY AND MINOR USE

Some development that would otherwise be prohibited may be assessed under the merit track if they can be defined as *ancillary* or *minor use*. For example, a *car park* alone is prohibited, but could be considered if it is ancillary to a *child care centre* which is an assessable development under the merit track.

RZ3 – Urban residential zone

Zone objectives

- a) Provide for the establishment and maintenance of residential areas where the housing is low rise and predominantly medium density in character and particularly in areas that have good access to facilities and services and/ or frequent public transport services
- b) Provide opportunities for redevelopment by enabling changes to the original pattern of subdivision and the density of dwellings
- c) Provide for a wide range of affordable and sustainable housing choices that meet changing household and community needs
- d) Ensure development and redevelopment is carefully managed so that it achieves a high standard of residential amenity, makes a positive contribution to the neighbourhood and landscape character of the area and does not have unreasonable negative impacts on neighbouring properties
- e) Provide opportunities for home based employment consistent with residential amenity
- f) Provide for a limited range of small-scale facilities to meet local needs consistent with residential amenity
- g) Promote good solar access
- h) Promote energy efficiency and conservation
- i) Promote sustainable water use

RZ3 – Urban residential zone development table

EXEMPT DEVELOPMENT	
Development approval is not required. Building approval may be required. On leased land, development must be authorised by a lease.	
Single dwelling housing – new residential land, subject to section 20 and schedule 1 of the Planning and Development Regulation 2008.	
Exempt development identified in section 20 and schedule 1 of the Planning and Development Regulation 2008.	
ASSESSABLE DEVELOPMENT	
Development application required. On leased land, development must be authorised by a lease.	
MINIMUM ASSESSMENT TRACK CODE	
Development application required and assessed in the code track	
Development	
Single dwelling housing that complies with the relevant rules, except where exempted from requiring development approval by section 20 and schedule 1 of the Planning and Development Regulation 2008.	
Development specified as additional code track development in a suburb precinct code for land shown on the relevant suburb precinct map	
Varying a lease to do one or more of the following: <ol style="list-style-type: none"> 1. express the number of approved or lawfully erected dwellings 2. remove, relocate or change easements. 	
MINIMUM ASSESSMENT TRACK MERIT	
Development application required and assessed in the merit track, unless specified in schedule 4 of the Planning and Development Act 2007 (as impact track)	
Development	
ancillary use	parkland
boarding house	residential care accommodation
child care centre	retirement village
community activity centre	sign
consolidation	single dwelling housing (where not exempt development or code track assessable)
demolition	secondary residence
development specified as additional merit track development in a suburb precinct code for land shown on the relevant suburb precinct map	special dwelling
guest house	subdivision
health facility	supportive housing
home business	temporary use
minor use	varying a lease (where not code track or impact track assessable)
multi-unit housing	
MINIMUM ASSESSMENT TRACK IMPACT	
Development application required and assessed in the impact track	
1. Development that is not an exempt, code track or merit track development (see section 134 of the Planning and Development Act 2007).	
2. Development specified in schedule 4 of the Planning and Development Act 2007 and not listed as a prohibited use in this table.	
3. Development that is authorised by a lease and listed as a prohibited use in this table.	

4. Development declared under section 123 or section 124 of the Planning and Development Act 2007 and not listed as a prohibited development in this table.	
5. Varying a lease to add a use assessable under the impact track.	
PROHIBITED DEVELOPMENT	
Development listed below is prohibited development except where it is listed elsewhere in this development table.	
agriculture	liquid fuel depot
airport	mining industry
animal care facility	mobile home park
animal husbandry	motel
aquatic recreation facility	municipal depot
bulk landscape supplies	nature conservation area
business agency	offensive industry
car park	office
caretakers residence	outdoor recreation facility
caravan park/camping ground	overnight camping area
cemetery	pedestrian plaza
civic administration	place of assembly
club	place of worship
communications facility	plant and equipment hire establishment
community theatre	plantation forestry
commercial accommodation unit	produce market
corrections facility	public agency
craft workshop	public transport facility
cultural facility	railway use
defence installation	recyclable materials collection
development specified as additional prohibited development in a suburb precinct code for land shown on the relevant suburb precinct map	recycling facility
drink establishment	religious associated use
drive-in cinema	restaurant
educational establishment	sand and gravel extraction
emergency services facility	scientific research establishment
farm tourism	serviced apartment
freight transport facility	service station
funeral parlour	SHOP
general industry	stock/sale yard
group or organised camp	store
hazardous industry	tourist facility
hazardous waste facility	tourist resort
hospital	transport depot
hotel	varying a lease to add a use listed as "prohibited development" in this development table.
incineration facility	vehicle sales
indoor entertainment facility	veterinary hospital
indoor recreation facility	warehouse
industrial trades	waste transfer station
land fill site	woodlot
land management facility	zoological facility
light industry	

RELEVANT CODE

Development proposals in residential zones must comply with the Residential Zones Development Code.

NOTE ABOUT ANCILLARY AND MINOR USE

Some development that would otherwise be prohibited may be assessed under the merit track if they can be defined as *ancillary* or *minor use*. For example, a *car park* alone is prohibited, but could be considered if it is ancillary to a *child care centre* which is an assessable development under the merit track.

RZ4 – Medium density residential zone

Zone objectives

- a) Provide for the establishment and maintenance of residential areas where the housing is medium rise and predominantly medium density in character and particularly in areas that have very good access to facilities and services and/ or frequent public transport services
- b) Provide opportunities for redevelopment by enabling changes to the original pattern of subdivision and the density of dwellings
- c) Provide for a wide range of affordable and sustainable housing choices that meet changing household and community needs
- d) Ensure development and redevelopment is carefully managed so that it achieves a high standard of residential amenity, makes a positive contribution to the neighbourhood and landscape character of the area and does not have unreasonable negative impacts on neighbouring properties
- e) Provide opportunities for home based employment consistent with residential amenity
- f) Provide for a limited range of small-scale facilities to meet local needs consistent with residential amenity
- g) Promote good solar access
- h) Promote energy efficiency and conservation
- i) Promote sustainable water use

RZ4 – Medium density residential zone development table

EXEMPT DEVELOPMENT	
Development approval is not required. Building approval may be required. On leased land, development must be authorised by a lease.	
Single dwelling housing – new residential land, subject to section 20 and schedule 1 of the Planning and Development Regulation 2008.	
Exempt development identified in section 20 and schedule 1 of the Planning and Development Regulation 2008.	
ASSESSABLE DEVELOPMENT	
Development application required. On leased land, development must be authorised by a lease.	
MINIMUM ASSESSMENT TRACK CODE	
Development application required and assessed in the code track	
Development	
Single dwelling housing that complies with the relevant rules, except where exempted from requiring development approval by section 20 and schedule 1 of the Planning and Development Regulation 2008.	
Development specified as additional code track development in a suburb precinct code for land shown on the relevant suburb precinct map	
Varying a lease to do one or more of the following: <ol style="list-style-type: none"> 1. express the number of approved or lawfully erected dwellings 2. remove, relocate or change easements. 	
MINIMUM ASSESSMENT TRACK MERIT	
Development application required and assessed in the merit track, unless specified in schedule 4 of the Planning and Development Act 2007 (as impact track)	
Development	
ancillary use	parkland
boarding house	residential care accommodation
child care centre	retirement village
community activity centre	sign
consolidation	single dwelling housing (where not exempt development or code track assessable)
demolition	secondary residence
development specified as additional merit track development in a suburb precinct code for land shown on the relevant suburb precinct map	special dwelling
guest house	subdivision
health facility	supportive housing
home business	temporary use
minor use	varying a lease (where not code track or impact track assessable)
multi-unit housing	
MINIMUM ASSESSMENT TRACK IMPACT	
Development application required and assessed in the impact track	
1. Development that is not an exempt, code track or merit track development (see section 134 of the Planning and Development Act 2007).	
2. Development specified in schedule 4 of the Planning and Development Act 2007 and not listed as a prohibited use in this table.	
3. Development that is authorised by a lease and listed as a prohibited use in this table.	

4. Development declared under section 123 or section 124 of the Planning and Development Act 2007 and not listed as a prohibited development in this table.	
5. Varying a lease to add a use assessable under the impact track.	
PROHIBITED DEVELOPMENT	
Development listed below is prohibited development except where it is listed elsewhere in this development table.	
agriculture	liquid fuel depot
airport	mining industry
animal care facility	mobile home park
animal husbandry	motel
aquatic recreation facility	municipal depot
bulk landscape supplies	nature conservation area
business agency	offensive industry
car park	office
caretakers residence	outdoor recreation facility
caravan park/camping ground	overnight camping area
cemetery	pedestrian plaza
civic administration	place of assembly
club	place of worship
communications facility	plant and equipment hire establishment
community theatre	plantation forestry
commercial accommodation unit	produce market
corrections facility	public agency
craft workshop	public transport facility
cultural facility	railway use
defence installation	recyclable materials collection
development specified as additional prohibited development in a suburb precinct code for land shown on the relevant suburb precinct map	recycling facility
drink establishment	religious associated use
drive-in cinema	restaurant
educational establishment	sand and gravel extraction
emergency services facility	scientific research establishment
farm tourism	serviced apartment
freight transport facility	service station
funeral parlour	SHOP
general industry	stock/sale yard
group or organised camp	store
hazardous industry	tourist facility
hazardous waste facility	tourist resort
hospital	transport depot
hotel	varying a lease to add a use listed as "prohibited development" in this development table.
incineration facility	vehicle sales
indoor entertainment facility	veterinary hospital
indoor recreation facility	warehouse
industrial trades	waste transfer station
land fill site	woodlot
land management facility	zoological facility
light industry	

RELEVANT CODE

Development proposals in residential zones must comply with the Residential Zones Development Code.

NOTE ABOUT ANCILLARY AND MINOR USE

Some development that would otherwise be prohibited may be assessed under the merit track if they can be defined as *ancillary* or *minor use*. For example, a *car park* alone is prohibited, but could be considered if it is ancillary to a *child care centre* which is an assessable development under the merit track.

RZ5 – High density residential zone

Zone objectives

- a) Provide for the establishment and maintenance of residential areas where the housing is generally high density in character particularly in areas that have very good access to facilities and services and/ or frequent public transport services
- b) Provide opportunities for redevelopment by enabling changes to the original pattern of subdivision and the density of dwellings
- c) Provide for a wide range of affordable and sustainable housing choices that meet changing household and community needs
- d) Ensure development and redevelopment is carefully managed so that it achieves a high standard of residential amenity, makes a positive contribution to the neighbourhood and landscape character of the area and does not have unreasonable negative impacts on neighbouring properties
- e) Provide opportunities for home based employment consistent with residential amenity
- f) Provide for a limited range of small-scale facilities to meet local needs consistent with residential amenity
- g) Promote good solar access
- h) Promote energy efficiency and conservation
- i) Promote sustainable water use

RZ5 – High density residential zone development table

EXEMPT DEVELOPMENT	
Development approval is not required. Building approval may be required. On leased land, development must be authorised by a lease.	
Single dwelling housing – new residential land, subject to section 20 and schedule 1 of the Planning and Development Regulation 2008.	
Exempt development identified in section 20 and schedule 1 of the Planning and Development Regulation 2008.	
ASSESSABLE DEVELOPMENT	
Development application required. On leased land, development must be authorised by a lease.	
MINIMUM ASSESSMENT TRACK CODE	
Development application required and assessed in the code track	
Development	
Single dwelling housing that complies with the relevant rules, except where exempted from requiring development approval by section 20 and schedule 1 of the Planning and Development Regulation 2008.	
Development specified as additional code track development in a suburb precinct code for land shown on the relevant suburb precinct map	
Varying a lease to do one or more of the following: <ol style="list-style-type: none"> 1. express the number of approved or lawfully erected dwellings 2. remove, relocate or change easements. 	
MINIMUM ASSESSMENT TRACK MERIT	
Development application required and assessed in the merit track, unless specified in schedule 4 of the Planning and Development Act 2007 (as impact track)	
Development	
ancillary use	parkland
boarding house	residential care accommodation
child care centre	retirement village
community activity centre	sign
consolidation	single dwelling housing (where not exempt development or code track assessable)
demolition	secondary residence
development specified as additional merit track development in a suburb precinct code for land shown on the relevant suburb precinct map	special dwelling
guest house	subdivision
health facility	supportive housing
home business	temporary use
minor use	varying a lease (where not code track or impact track assessable)
multi-unit housing	
MINIMUM ASSESSMENT TRACK IMPACT	
Development application required and assessed in the impact track	
1. Development that is not an exempt, code track or merit track development (see section 134 of the Planning and Development Act 2007).	
2. Development specified in schedule 4 of the Planning and Development Act 2007 and not listed as a prohibited use in this table.	
3. Development that is authorised by a lease and listed as a prohibited use in this table.	

4. Development declared under section 123 or section 124 of the Planning and Development Act 2007 and not listed as a prohibited development in this table.	
5. Varying a lease to add a use assessable under the impact track.	
PROHIBITED DEVELOPMENT	
Development listed below is prohibited development except where it is listed elsewhere in this development table.	
agriculture	liquid fuel depot
airport	mining industry
animal care facility	mobile home park
animal husbandry	motel
aquatic recreation facility	municipal depot
bulk landscape supplies	nature conservation area
business agency	offensive industry
car park	office
caretakers residence	outdoor recreation facility
caravan park/camping ground	overnight camping area
cemetery	pedestrian plaza
civic administration	place of assembly
club	place of worship
communications facility	plant and equipment hire establishment
community theatre	plantation forestry
commercial accommodation unit	produce market
corrections facility	public agency
craft workshop	public transport facility
cultural facility	railway use
defence installation	recyclable materials collection
development specified as additional prohibited development in a suburb precinct code for land shown on the relevant suburb precinct map	recycling facility
drink establishment	religious associated use
drive-in cinema	restaurant
educational establishment	sand and gravel extraction
emergency services facility	scientific research establishment
farm tourism	serviced apartment
freight transport facility	service station
funeral parlour	SHOP
general industry	stock/sale yard
group or organised camp	store
hazardous industry	tourist facility
hazardous waste facility	tourist resort
hospital	transport depot
hotel	varying a lease to add a use listed as "prohibited development" in this development table.
incineration facility	vehicle sales
indoor entertainment facility	veterinary hospital
indoor recreation facility	warehouse
industrial trades	waste transfer station
land fill site	woodlot
land management facility	zoological facility
light industry	

RELEVANT CODE

Development proposals in residential zones must comply with the Residential Zones Development Code.

NOTE ABOUT ANCILLARY AND MINOR USE

Some development that would otherwise be prohibited may be assessed under the merit track if they can be defined as *ancillary* or *minor use*. For example, a *car park* alone is prohibited, but could be considered if it is ancillary to a *child care centre* which is an assessable development under the merit track.



ACT
Government

Environment and
Sustainable Development

Residential Zones Development Code

February 2013

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Introduction

Name

The name of this code is **Residential Zones Development Code**.

Application

This code applies to all development in the following residential zones

RZ1 – Suburban Zone

RZ2 – Suburban Core Zone

RZ3 - Urban Residential Zone

RZ4 - Medium Density Residential Zone

RZ5 - High Density Residential Zone

National Capital Plan

Where a development is subject to special requirements under the National Capital Plan, or any relevant development control plan prepared under the National Capital Plan, the development cannot be inconsistent with the special requirements or development control plan. Where any provision of this code is inconsistent with special requirements under the National Capital Plan, or any relevant development control plan prepared under the National Capital Plan, that provision has no effect.

Purpose

This code provides additional planning, design and environmental controls to support the objectives of the relevant residential zone.

It will be used by the Authority to assess development applications. It also offers guidance to intending applicants in designing development proposals and preparing development applications, and makes reference to other relevant codes, where appropriate.

Structure

This code has an introduction, a reference to other relevant codes and the following parts:

Part A – Residential housing development makes reference to other development codes for single dwelling housing development and multi-unit housing development.

Part B – Other forms of residential development

Part C – Demolition

Part D – Subdivision contains provisions relating to residential subdivision that are not covered by the Estate Development Code.

Part E – Non-residential development provides controls that are applicable to forms of non-residential development located in a residential zone, but only where such uses are authorised by the P&D Act or a *lease*.

Part F – Other development

Part G – General controls

This code has a number of elements. Each element has one or more rules, and each rule has an associated criterion (unless the rule is mandatory). Rules provide quantitative, or definitive, controls. By contrast, criteria are chiefly qualitative in nature.

In some instances rules are mandatory. Such rules are accompanied by the words “This is a mandatory requirement. There is no applicable criterion.” Non-compliance with a mandatory rule will result in the refusal of the development application. Conversely, the words “There is no applicable rule” is found where a criterion only is applicable.

Assessment tracks

Assessment tracks for particular developments are specified in the relevant residential zone development table.

Proposals in the **code track** must comply with all rules relevant to the development.

Proposals in the **merit track** and **impact track** must comply with a rule or its associated criterion, unless the rule is mandatory (ie. it has no related criterion). Where a rule is fully met, no reference to the related criterion needs to be made. Where there is a departure from a rule, or where a criterion only applies, the onus is on the applicant to demonstrate, through supporting drawings and/or written documentation, that the relevant criterion is satisfied. In addition, the applicant for proposals in the impact track must justify any non-compliance by reference to the Statement of Strategic Directions.

Code hierarchy

Under the *Planning and Development Act 2007*, where more than one type of code applies to a development and there is inconsistency between provisions, the order of precedence is: precinct code, development code, and general code.

Definitions

Defined terms, references to legislation and references to other documents are italicised.

Definitions of terms used in this code are listed in part 13 of the Territory Plan or, for terms applicable only to this code, associated with the respective rule.

Acronyms

ACTPLA	ACT Planning and Land Authority
EDD	ACT Economic Development Directorate
EDP	estate development plan
EPA	ACT Environment Protection Authority
ESA	Emergency Services Authority
ESDD	ACT Environment and Sustainable Development Directorate
NCA	National Capital Authority
NCC	National Construction Code
P&D Act	Planning and Development Act 2007
TAMS	ACT Territory and Municipal Services Directorate

Relevant Development Codes and General Codes

Development codes that may be relevant to certain development or use in the residential zone are marked Y in table 1. Where more than one development code applies, and there is an inconsistency between the provisions of the codes, the residential zones development code shall prevail to the extent of that inconsistency.

Table 1 – Development codes applicable to development and uses in residential zones.

development/ use	this code	Multi Unit Housing Development Code	Single Dwelling Housing Development Code
ancillary use	Y		
boarding house	Y	Y	
business agency	Y		
chancellery	Y		
child care centre	Y		
community activity centre	Y		
consolidation	Y		
demolition	Y		
diplomatic residence	Y		Y
guest house	Y	Y	
health facility	Y		
home business*			
multi unit housing	Y	Y	
office	Y		
residential care accommodation	Y	Y	
restaurant	Y		
retirement village	Y	Y	
secondary residence	Y		Y
shop	Y		
sign	Y		
single dwelling housing	Y		Y
special dwelling (one dwelling)	Y		Y
special dwelling (more than one dwelling)	Y	Y	
subdivision	Y		
supportive housing	Y	Y	
temporary use	Y		

* see Home Business General Code

In addition to the **development codes** specified above, **precinct codes** and **general codes** may be relevant.

Precinct codes are located in section 10 of the Territory Plan.

The following **general codes**, in particular, may be relevant to development in residential zones.

Access and Mobility General Code
Bicycle Parking General Code
Communications Facilities and Associated Infrastructure General Code
Community and Recreational Facilities Location Guidelines General Code
Crime Prevention through Environmental Design General Code
Home Business General Code
Lease Variation General Code
Parking and Vehicular Access General Code
Planning for Bushfire Risk Management General Code
Residential Boundary Fences General Code
Signs General Code
Water Use and Catchment General Code
Water Ways: Water Sensitive Urban Design General Code

General codes are found in part 11 of the Territory Plan.

Development must comply with the relevant codes (including other general codes that may not be listed above), subject to the code hierarchy outlined in the introduction to this code.

Part A – Residential housing development

This part refers to the relevant general codes for single dwelling housing and multi-unit housing development.

Element 1: Single dwelling housing development

Rules	Criteria
1.1 Single dwelling housing development code	
R1 <i>Single dwelling housing</i> complies with the Single Dwelling Housing Development Code.	This is a mandatory requirement. There is no applicable criterion.

Element 2: Multi unit housing development

Rules	Criteria
2.1 Multi unit housing development code	
R2 <i>Multi unit housing</i> complies with the Multi-unit Housing Development Code.	This is a mandatory requirement. There is no applicable criterion.

Part B – Other forms of residential development

This part applies to development applications for residential development other than *single dwelling housing* and *multi-unit housing* in all residential zones.

Element 3: Supportive housing and retirement village

Rules	Criteria
3.1 Design and siting	
There is no applicable rule.	<p>C3</p> <p>Buildings accommodating <i>supportive housing</i> or <i>retirement village</i> achieve all of the following:</p> <ol style="list-style-type: none"> consistency with the <i>desired character</i> reasonable levels of privacy for <i>dwelling</i>s on adjoining <i>residential blocks</i> and their associated <i>private open space</i> reasonable solar access to <i>dwelling</i>s on adjoining <i>residential blocks</i> and their associated <i>private open space</i> compatibility with exterior building materials of existing buildings in the locality.
<p>R4</p> <p>All <i>dwelling</i>s for the purpose of <i>supportive housing</i> or <i>retirement village</i> meet both of the following:</p> <ol style="list-style-type: none"> Australian Standard AS4299 <i>Adaptable housing</i> (Class C) Access and Mobility General Code. 	This is a mandatory requirement. There is no applicable criterion.
<p>R5</p> <p>For a <i>single dwelling block</i> containing <i>supportive housing</i> or <i>retirement village</i> the maximum <i>plot ratio</i> for the whole block is specified in table 2.</p>	This is a mandatory requirement. There is no applicable criterion.

Element 4: Secondary residences

Secondary residences are subject to this element and element 1 of the Single Dwelling Housing Development Code. Where there is an inconsistency between this element and the Single Dwelling Housing Development Code, this element shall prevail to the extent of that inconsistency.

Rules	Criteria
4.1 Design and siting	
<p>R6</p> <p>A <i>secondary residence</i> is developed only in association with <i>single dwelling housing</i>.</p>	This is a mandatory requirement, there is no applicable criterion.

Rules	Criteria
<p>R7</p> <p>The maximum <i>gross floor area</i> of a <i>secondary residence</i> is 75m².</p>	<p>This is a mandatory requirement, there is no applicable criterion.</p>
<p>R8</p> <p>The minimum <i>gross floor area</i> of a <i>secondary residence</i> is 40m².</p>	<p>C8</p> <p>A <i>secondary residence</i> is of a size sufficient to meet the needs of a typical resident.</p> <p>Residents of the secondary residence sharing facilities such as storage or a laundry with the residents of the primary residence may be considered when determining compliance with this criterion.</p>
<p>R9</p> <p>The minimum block size for <i>secondary residence</i> is 500m².</p>	<p>This is a mandatory requirement, there is no applicable criterion.</p>
<p>R10</p> <p>The <i>plot ratio</i> for all buildings on a block with a <i>secondary residence</i> does not exceed the maximum <i>plot ratio</i> for <i>single dwelling housing</i> on the <i>block</i>, as prescribed in Element 1 of the Single Dwelling Housing Development Code.</p>	<p>This is a mandatory requirement, there is no applicable criterion.</p>
<p>R11</p> <p><i>Secondary residences</i> comply with Element 1 of the Single Dwelling Housing Development Code.</p>	<p>This is a mandatory requirement, there is no applicable criterion.</p>
<p>R12</p> <p>No <i>block</i> contains more than one <i>secondary residence</i>.</p>	<p>This is a mandatory requirement, there is no applicable criterion.</p>
<p>R13</p> <p>A <i>secondary residence</i> complies with <i>Australian Standard AS 4299 Adaptable housing (Class C)</i>.</p>	<p>C13</p> <p>Secondary residence is easily adaptable to suit the needs of people with disabilities.</p>
<p>There is no applicable rule.</p>	<p>C14</p> <p>The development is consistent with the <i>desired character</i>.</p>
<p>R15</p> <p>The minimum separation between an <i>unscreened element</i> and an <i>external wall</i> on the same <i>block</i> is 3m.</p>	<p>C15</p> <p>The outlook from an <i>unscreened element</i> is not unreasonably impeded by <i>external walls</i>.</p>
<p>R16</p> <p>The separation between <i>external walls</i> at the <i>lower floor level</i> on the same <i>block</i> is not less than 1m.</p>	<p>C16</p> <p>The separation between blank walls on the same or adjoining blocks at ground level achieves reasonable access for maintenance.</p>
<p>4.2 Subdivision</p>	

Rules	Criteria
R17 <i>Subdivision</i> to provide separate title to a <i>secondary residence</i> , including <i>subdivision</i> under the <i>Unit Titles Act 2001</i> , is not permitted.	This is a mandatory requirement, there is no applicable criterion.
4.3 Parking	
R18 At least one parking space is provided in addition to that required for the primary residence.	C18 Car parking on the block is adequate for current and future residents and visitors.
R19 The parking space associated with the <i>secondary residence</i> is not located in the <i>front zone</i> .	C19 Car parking and related access on the block achieve all of the following: <ul style="list-style-type: none"> a) Reasonable amenity of neighbouring <i>residential blocks</i> b) Consistency with the value of the <i>streetscape</i> c) Public safety especially in relation to pedestrians and cyclists d) Reasonable surveillance of parking spaces

Element 5: Residential care accommodation

Rules	Criteria
5.1 Design and siting	
R20 <i>Residential care accommodation</i> comprising 2 or more <i>dwelling</i> s complies with Element 3 of the Multi Unit Housing Development Code, except provisions applying to <i>plot ratio</i> .	This is a mandatory requirement. There is no applicable criterion.
R21 <i>Residential care accommodation</i> comprising one dwelling complies with Element 1 of the Single Dwelling Housing Development Code, except for provisions relating to <i>plot ratio</i> .	This is a mandatory requirement. There is no applicable criterion.
R22 For <i>residential care accommodation</i> developments, the maximum plot ratio is specified in table 2.	C22 Buildings accommodating <i>residential care accommodation</i> achieve all of the following: <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable levels of privacy for <i>dwelling</i>s on adjoining <i>residential blocks</i> and their associated <i>private open space</i> c) reasonable solar access to <i>dwelling</i>s on adjoining <i>residential blocks</i> and their associated <i>private open space</i>

Rules	Criteria
	d) compatibility with exterior building materials of existing buildings in the locality.
R23 All <i>dwelling</i> s for the purpose of <i>residential care accommodation</i> meet both of the following: a) Australian Standard <i>AS4299 Adaptable housing</i> (Class C) b) Access and Mobility General Code.	This is a mandatory requirement. There is no applicable criterion.
5.2 Distribution	
R24 No <i>section</i> has more than one <i>residential care accommodation</i> development.	C24 <i>Residential care accommodation</i> developments are distributed to protect the amenity of residential areas.

Element 6: Boarding houses

Rules	Criteria
6.1 Design and siting	
R25 The minimum <i>gross floor area</i> of a boarding room is: a) for a single occupant - 12m ² b) for 2 or more occupants - 16m ² .	This is a mandatory requirement, there is no applicable criterion.
R26 If a <i>boarding house</i> is to be occupied by five or more adults, at least one communal living room of at least 16m ² with a minimum dimension of 3 metres is to be provided.	This is a mandatory requirement, there is no applicable criterion.
R27 The maximum plot ratio for <i>boarding houses</i> is specified in table 2.	C27 <i>Boarding houses</i> achieve all of the following: a) consistency with the <i>desired character</i> b) reasonable levels of privacy for <i>dwelling</i> s on adjoining <i>residential blocks</i> and their associated <i>private open space</i> c) reasonable solar access to <i>dwelling</i> s on adjoining <i>residential blocks</i> and their associated <i>private open space</i> d) compatibility with exterior building materials of existing buildings in the locality.
R28 Except where otherwise provided for above, <i>boarding houses</i> comply with Multi Unit Housing	This is a mandatory requirement, there is no applicable criterion.

Rules	Criteria
<p>Development Code Elements 3, 4, 5, 6 and 8.</p> <p>Note: Adequate bathroom and kitchen facilities are provided within the boarding house for the use of residents. Individual boarding rooms may have kitchen and/or bathroom facilities, but these are not mandatory.</p>	
6.2 Subdivision	
<p>R29</p> <p>The land is held as a single undivided parcel. <i>Subdivision</i> to provide separate title to an individual boarding room, including subdivision under the <i>Unit Titles Act 2001</i>, is not permitted.</p>	<p>This is a mandatory requirement, there is no applicable criterion.</p>
6.3 Distribution	
<p>R30</p> <p>No <i>section</i> has more than one <i>boarding house</i>.</p>	<p>C30</p> <p>The amenity of the area is protected by restricting the agglomeration of non-residential activities.</p>

Element 7: Guest houses

Rules	Criteria
7.1 Design and siting	
<p>R31</p> <p>Except where otherwise provided for in this code <i>guest houses</i> comply with the Multi Unit Housing Development Code.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
7.2 Distribution	
<p>R32</p> <p><i>Guest houses</i> are permitted only where:</p> <ol style="list-style-type: none"> a) there is a maximum of one per section b) the block is adjacent to a commercial zone <p>This rule does not apply to the following parcels:</p> <ol style="list-style-type: none"> i) Belconnen Section 55 Block 37 ii) Belconnen Section 66 iii) Belconnen Section 67 Block 3 and part Block 2 iv) Belconnen Section 88 part Block 1 v) Downer Section 34 Blocks 1-18 vi) Downer Section 44 Block 1 and Blocks 29-49 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Part C – Demolition

This part applies to demolition in all residential zones

Element 8: Demolition

Rules	Criteria
8.1 Statement of endorsement	
<p>R33</p> <p>The <i>development application</i> for demolition is accompanied by a statement of endorsement for utilities (including water, sewerage, stormwater, electricity and gas) in accordance with section 148 of the <i>Planning and Development Act 2007</i> confirming all of the following:</p> <ol 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>This is a mandatory requirement. There is no applicable criterion.</p>
8.2 Hazardous materials survey	
<p>R34</p> <p>This rule applies to one of the following:</p> <ol style="list-style-type: none"> a) the demolition of <i>multi-unit housing</i> (including <i>garages</i> and <i>carports</i>) for which a certificate of occupancy was issued prior to 1985 b) demolition of commercial or industrial premises for which a certificate of occupancy was issued before 2005. <p>Demolition is undertaken in accordance with hazardous materials survey (including an asbestos survey) endorsed by the Environment Protection Authority.</p> <p>A hazardous materials survey includes, as a minimum, the identification of a disposal site for hazardous materials, including asbestos, that complies with one of the following:</p> <ol style="list-style-type: none"> i) is a licensed disposal facility in the 	<p>C34</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>

Rules	Criteria
<p style="text-align: center;">ACT</p> <p>ii) another site outside the ACT.</p> <p>If hazardous materials, including asbestos, are to be transported for disposal interstate, approval from the Environment Protection Authority prior to removal of material from the site.</p> <p>An appropriately licensed contractor is engaged for the removal and transport of all hazardous materials (including asbestos) present at the site.</p> <p>Note: If an endorsed hazardous materials survey is required but 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>	

Part D – Subdivision and consolidation

This part applies to the *subdivision* or *consolidation* of existing residential blocks, but not to proposals lodged as an *estate development plan*.

Element 9: Subdivision and consolidation

The next element (element 11) applies to blocks that are registered or provisionally registered under the *Heritage Act 2004*.

Rules	Criteria
9.1 Subdivision and consolidation of blocks – general	
<p>R35</p> <p>This rule applies to all <i>blocks</i>.</p> <p><i>Subdivision</i> or <i>consolidation</i> is only permitted where one or more of the following apply:</p> <ol style="list-style-type: none"> a) all the <i>dwellings</i> on the land are lawfully constructed b) the proposed development complies with all of the following - <ol style="list-style-type: none"> i) it is part of an <i>integrated housing development</i> ii) it is demonstrated that any building on a consequent <i>lease</i> is, or can be designed, in accordance with the relevant sections of this code. <p>For this rule, <i>subdivision</i> does not include a minor boundary adjustment, unless that boundary adjustment results in the creation of one or more additional blocks.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
9.2 Consolidation of single dwelling blocks – RZ1	
<p>R36</p> <p>This rule applies to <i>consolidation of blocks</i> in RZ1, one or more of which is a <i>single dwelling block</i>, but does not apply to the consolidation of a <i>single dwelling block</i> with unleased territory land.</p> <p><i>Consolidation</i> complies with all of the following:</p> <ol style="list-style-type: none"> a) the consolidated block is to be used only for the purpose of <i>supportive housing</i> b) not more than 2 <i>blocks</i> are consolidated c) all <i>blocks</i> proposed to be consolidated have adjoining street frontages d) none of the <i>blocks</i> proposed to be consolidated has been previously consolidated. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
9.3 Consolidation of single dwelling blocks – RZ2	
<p>R37</p> <p>This rule applies to <i>consolidation of blocks</i> in RZ2, one or more of which is a <i>single dwelling block</i>.</p> <p>The consolidated <i>block</i> has a single continuous street frontage.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
9.4 Subdivision of single dwelling blocks – RZ1	
<p>R38</p> <p>This rule applies to <i>single dwelling blocks</i> in RZ1. <i>Subdivision</i> (including subdivision under the <i>Unit Titles Act 2001</i>) is permitted only where all <i>dwellings</i> on the <i>block</i> comply with one of the following:</p> <ol style="list-style-type: none"> a) were lawfully constructed on or before 1 September 2003 b) were subject to <i>development approval</i> issued on or before 1 September 2003 c) were the subject of a <i>development application</i> lodged on or before 1 September 2003 that was subsequently approved. <p>This rule does not apply to <i>single dwelling blocks</i> in RZ1 that were subject to the A10 residential core area specific policy under Territory Plan 2002 at the time the development was approved.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
9.5 Subdivision under the Unit Titles Act	
<p>R39</p> <p><i>Subdivision</i> under the <i>Unit Titles Act 2001</i> is permitted only where the <i>lease</i> expressly provides for the number of units or <i>dwellings</i> provided for in the proposed <i>subdivision</i>.</p> <p>Note: The <i>Unit Titles Act 2001</i> contains provisions affecting the subdivision two dwellings.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
9.6 Subdivision of a dual occupancy – other than RZ1	
<p>R40</p> <p>This rule applies to blocks with all of the following characteristics:</p> <ol style="list-style-type: none"> i) located in a residential zone other than RZ1 ii) the site of an approved and constructed <i>dual occupancy development</i>. <p><i>Subdivision</i> is permitted only where all of the</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>following are met:</p> <ul style="list-style-type: none"> a) not more than 2 <i>leases</i> are created b) each proposed <i>block</i> contains a lawfully constructed <i>dwelling</i> c) new boundaries created as a result of the <i>subdivision</i> are located such that the buildings comply with the relevant <i>setback</i> and building envelope provisions of the Single Dwelling Housing Development Code with respect to those boundaries d) each <i>block</i> is or can be (on the written advice of the relevant service provider) provided with separate utility services. <p><i>Blocks</i> created under this rule cannot be further subdivided.</p>	
9.7 Requirements for access and utility easements	
<p>R41</p> <p>For developments involving shared access ways, the <i>leases</i> created as a consequence of the <i>subdivision</i> specify the location of any necessary easements for access.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R42</p> <p>For developments involving utility services crossing adjoining leases (including electricity, gas, telecommunications, stormwater, sewer and water supply), the <i>leases</i> created as a consequence of the subdivision specify the location and width of any necessary utility service easements.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
9.8 Restrictions on irregular shaped blocks	
<p>R43</p> <p><i>Blocks</i> created by the <i>subdivision</i> of a <i>single dwelling block</i> are rectangular or battleaxe in shape.</p>	<p>C43</p> <p>Where possible, <i>blocks</i> created by the <i>subdivision</i> a <i>single dwelling block</i> have a regular shape without multiple corners or bends.</p>

Element 10: Subdivision and consolidation – heritage listed

This element applies to blocks that are registered or provisionally registered under the *Heritage Act 2004*. The previous element also applies. If there is an inconsistency between the provisions of this element and the previous element, the provisions of this element shall prevail to the extent of that inconsistency.

Rules	Criteria
10.1 Consolidation of single dwelling blocks - RZ1	
<p>R44</p> <p>In RZ1, <i>consolidation</i> involving one or more <i>single dwelling blocks</i> registered or provisionally registered under the <i>Heritage Act 2004</i> is not permitted.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
10.2 Subdivision of single dwelling blocks – heritage registered - RZ1	
<p>R45</p> <p>This rule applies to <i>single dwelling blocks</i> in RZ1 that are registered or provisionally registered under the <i>Heritage Act 2004</i>.</p> <p><i>Subdivision</i> (including subdivision under the <i>Unit Titles Act 2001</i>) is permitted only where all <i>dwellings</i> on the <i>block</i> comply with one of the following:</p> <ul style="list-style-type: none"> a) were lawfully constructed on or before 1 September 2002 b) were subject to <i>development approval</i> issued on or before 1 September 2002 c) were the subject of a <i>development application</i> lodged on or before 1 September 2002 that was subsequently approved. <p>This rule does not apply to <i>single dwelling blocks</i> in RZ1 that were subject to the A10 residential core area specific policy under Territory Plan 2002 at the time the development was approved.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
10.3 Subdivision or consolidation of blocks – other than RZ1	
<p>R46</p> <p>This rule applies to blocks other than blocks in RZ1 that are registered or provisionally registered under the <i>Heritage Act 2004</i>.</p> <p><i>Subdivision</i> or <i>consolidation</i> of <i>blocks</i> is permitted where all of the following apply:</p> <ul style="list-style-type: none"> a) the <i>subdivision</i> or <i>consolidation</i> is not specifically prohibited by a guideline, order or agreement made under that act b) the <i>subdivision</i> or <i>consolidation</i> complies with the relevant provisions of element 12. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Part E – Non-residential uses

This part applies to non-residential development in all residential zones.

Element 11: Community uses

Rules	Criteria
11.1 Distribution	
<p>R47</p> <p>No section has more than one of each of the following:</p> <ul style="list-style-type: none"> a) <i>child care centre</i> b) <i>community activity centre</i> c) <i>health facility</i>. <p>This rule does not apply to <i>child care centres</i> or <i>health facilities</i> on the following parcels:</p> <ul style="list-style-type: none"> i) Belconnen Section 55 Block 37 ii) Belconnen Section 66 iii) Belconnen Section 67 Block 3 and part Block 2 iv) Belconnen Section 88 part Block 1. 	<p>C47</p> <p><i>Community uses</i> are distributed to avoid the concentration of non-residential uses in residential zones.</p>
<p>There is no applicable rule.</p>	<p>C48</p> <p>Buildings accommodating <i>community uses</i> achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable levels of privacy for <i> dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i> c) reasonable solar access to <i> dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i> d) compatibility of exterior building materials with existing buildings in the locality.
<p>There is no applicable rule</p>	<p>C49</p> <p><i>Child care centres</i> and <i>community activity centres</i> achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable levels of privacy for <i> dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i> c) reasonable solar access to <i> dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i> d) compatibility with exterior building materials of existing buildings in the locality.

Rules	Criteria
<p>R50</p> <p>For <i>child care centres</i> and <i>community activity centres</i>, the maximum plot ratio is specified in table 2.</p>	<p>C50</p> <p><i>Child care centres</i> and <i>community activity centres</i> are consistent with the <i>desired character</i>.</p>
<p>R51</p> <p>The design of <i>community activity centres</i> is in accordance with a noise management plan prepared by a suitably qualified person and endorsed by the Environment Protection Authority.</p> <p>A noise management plan shall address, as a minimum:</p> <ol style="list-style-type: none"> anticipated noise levels from the use of proposed building appropriate noise thresholds for dwellings in the vicinity building construction measures that will attenuate the expected noise to levels at or below the identified thresholds. 	<p>C51</p> <p>Buildings intended to be used as <i>community activity centres</i> attenuate noise from expected uses to a level that does not unreasonably diminish the residential amenity of <i>dwellings</i> in the vicinity.</p> <p>All of the following matters may be considered when determining compliance with this criterion:</p> <ol style="list-style-type: none"> a noise management plan prepared on behalf of the applicant by a suitably qualified person advice from the Environment Protection Authority.

Table 2: Plot ratios

zone	RZ 1	RZ 2	RZ 3	RZ 4	RZ 5
<i>plot ratio</i>	35%	50%	65%	80%	not specified

Part F – Other development

This part applies to all development in residential zones other than *RESIDENTIAL USE*, *COMMUNITY USE*, demolition, *subdivision*, and *consolidation*.

Element 12: Matters for consideration

Rules	Criteria
12.1 Suitability of the site for the proposed development	
<p>There is no applicable rule.</p>	<p>C52</p> <p>This criterion applies to all development in residential zones other than <i>RESIDENTIAL USE</i>, <i>COMMUNITY USE</i>, demolition, <i>subdivision</i>, and <i>consolidation</i>.</p> <p>The site is suitable for the proposed development.</p> <p>Compliance with this criterion is demonstrated by reference to all of the following that are relevant to the proposal:</p> <ul style="list-style-type: none"> a) any effect that the development may have on the environment, including social and economic effects b) the <i>desired character</i> c) the availability of public transport d) links to the shared path network e) accessibility to and within the site for those with a disability f) the availability of adequate reticulated services including water, electricity, drainage and sewerage g) the provision of car parking h) the provision of loading and unloading facilities i) the adequacy of post occupancy waste management.

Part G – General controls

This part applies all development in residential zones. It also includes controls that apply to the subdivision of existing residential blocks.

Element 13: Redevelopment

Rules	Criteria
13.1 Redevelopment generally – RZ1 and RZ2	
There is no applicable rule.	<p>C53</p> <p>In RZ1 and RZ2, residential re-development on blocks originally used for <i>multi-unit housing</i> may be approved subject to consideration of adverse impacts on adjoining properties resulting from any increase in building bulk.</p>
13.2 Plot ratio – redevelopment	
There is no applicable rule.	<p>C54</p> <p>On land where a lawfully constructed building exceeds the stipulated maximum <i>plot ratio</i>, a new building or buildings up to the same <i>plot ratio</i> may be permitted provided that all of the following are achieved:</p> <ol style="list-style-type: none"> a) the development does not involve an increase in the number of <i>dwellings</i> on the site b) there are no additional adverse impacts on adjoining properties including, but not limited to, solar access.
13.3 Number of storeys – redevelopment – RZ1, RZ2, RZ3, RZ4 and RZ5	
There is no applicable rule.	<p>C55</p> <p>In all residential zones, where the number of <i>storeys</i> in a lawfully constructed building exceeds the maximum stipulated in the relevant code, a new building or buildings with no more <i>storeys</i> than the existing building may be permitted provided there are no additional adverse impacts on adjoining properties including, but not limited to, solar access.</p>
13.4 Height of buildings – redevelopment	
There is no applicable rule.	<p>C56</p> <p>In all residential zones, where a lawfully constructed building exceeds the <i>height of building</i> stipulated in the relevant code, a new building or buildings up to the height of the</p>

Rules	Criteria
	existing building may be permitted provided there are no additional adverse impacts on adjoining properties including, but not limited to, solar access.

Element 14: Environment

Related codes: Water Ways: Water Sensitive Urban Design General Code, Planning for Bushfire Risk Mitigation General Code.

Rules	Criteria
14.1 Water sensitive urban design	
<p>R57</p> <p>This rule applies to all multi-unit residential development except for <i>minor extensions</i>.</p> <p>The development achieves a minimum 40% reduction in mains water consumption compared to an equivalent development constructed in 2003, without any reliance on landscaping measures.</p> <p>Compliance with this rule is demonstrated by a report by a suitably qualified person using the ACTPLA on-line assessment tool or another tool referred to in the Water Ways: Water Sensitive Urban Design General Code.</p> <p>For this element:</p> <p>minor extension means an extension where the increase in the combined roof plan area, driveway, car manoeuvring areas and car parking areas is less than 25% of the total of the areas of these components at the date of lodgement of the development application.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R58</p> <p>This rule applies to all <i>multi-unit housing</i> except <i>minor extensions</i>.</p> <p>On sites larger than 2,000m² stormwater management measures comply with all of the following:</p> <p>a) provision for the retention of stormwater on the <i>block</i> is equivalent to at least 1.4kl per 100m² of impervious area</p> <p>b) the retained stormwater complies with one or more of the following -</p> <p>i) it is stored for later reuse</p> <p>ii) it is released to the stormwater system</p>	<p>C58</p> <p>On sites larger than 2,000m² all of the following stormwater management measures are achieved:</p> <p>a) the equivalent of 1-in-3 month stormwater peak pre-development stormwater run-off is retained on the <i>block</i></p> <p>b) the retained stormwater complies with one or more of the following -</p> <p>i) it is stored for later reuse</p> <p>ii) its is released to the stormwater system over a reasonable period.</p> <p>Compliance with this criterion is demonstrated by a report by a suitably qualified person.</p>

Rules	Criteria
<p>over a period of not less than 1 day.</p> <p>Rainwater tanks connected to at least the toilet and all external taps may be counted towards this requirement.</p>	
<p>R59</p> <p>This rule applies to all <i>multi-unit housing</i> except <i>minor extensions</i>.</p> <p>For <i>blocks</i> 5,000m² or larger, the average annual stormwater pollutant export is reduced for all of the following:</p> <ul style="list-style-type: none"> a) suspended solids by at least 60% b) total phosphorous by at least 45% c) total nitrogen by at least 40% <p>compared with an urban catchment with no water quality management controls.</p> <p>Compliance with this rule is demonstrated by a report by a suitably qualified person, using the MUSIC model or another nationally recognised model.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R60</p> <p>On previously developed <i>blocks</i> larger than 2,000m² the capacity of the existing pipe (minor) stormwater connection is not exceeded in 1-in-10 year storm event and the capacity of the existing major overland stormwater system is not exceeded in 1-in-100 year storm event</p> <p>Compliance with this rule is demonstrated by a report by a suitably qualified person.</p>	<p>C60</p> <p>On previously developed <i>blocks</i> larger than 2,000m² the 1-in-5 year and 1-in-100 year stormwater peak run off does not exceed pre-development levels.</p> <p>Compliance with this criterion is demonstrated by a report by a suitably qualified person.</p>
14.2 Heritage	
<p>R61</p> <p>This rule applies to land containing places or objects registered or provisionally registered under section 41 of the <i>Heritage Act 2004</i>. The authority shall refer a development application to the Heritage Council.</p> <p>Note: The authority will consider any advice from the Heritage Council before determining the application.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
14.3 Tree protection	
<p>R62</p> <p>This rule applies to a development that has one or more of the following characteristics:</p> <ul style="list-style-type: none"> a) requires groundwork within the tree protection zone of a <i>protected tree</i> b) is likely to cause damage to or removal of 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>any <i>protected trees</i>.</p> <p>The authority shall refer the development application to the Conservator of Flora and Fauna.</p> <p>Notes:</p> <ol style="list-style-type: none"> Under the <i>Planning and Development Regulation 2008</i> a development application for a <i>declared site</i> under the <i>Tree Protection Act 2005</i>, must be referred to the Conservator of Flora and Fauna. The authority will consider any advice from the Conservator of Flora and Fauna before determining the application in accordance with the <i>Planning and Development Act 2007</i>. <i>Protected tree</i> and <i>declared site</i> are defined under the <i>Tree Protection Act 2005</i>. 	
14.4 Bushfire	
<p>R63</p> <p>Where identified in a precinct code or <i>lease and development conditions</i> as being within a bushfire prone area, buildings are to be constructed in accordance with the relevant Building Code of Australia bushfire provisions.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
14.5 Erosion and sediment control	
<p>R64</p> <p>For sites less than 3,000m², the development complies with the Environment Protection Authority, <i>Environment Protection Guidelines for Construction and Land Development in the ACT</i>.</p> <p>Notes:</p> <ol style="list-style-type: none"> If no evidence of compliance with the above guideline is provided, the application may be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>. see part D for sites over 3000m². 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
14.6 Contamination	
<p>R65</p> <p>This rule applies where an assessment by the proponent in accordance with the <i>ACT Government Strategic Plan – Contaminated Sites Management 1995</i> and the <i>ACT Environment Protection Policy 2000</i> identifies contamination within or adjacent to the development area, but does not apply if the Environment Protection Authority has provided written advice that there are no contaminated sites within or adjacent to the development area.</p> <p>Development complies with an environmental</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>

Rules	Criteria
<p>site assessment report endorsed by Environment Protection Authority.</p> <p>Supporting document: Environmental site assessment report endorsed by Environment Protection Authority</p> <p>Note: A condition of development approval may be imposed to ensure compliance with the endorsed site assessment report.</p>	



ACT
Government

Environment and
Sustainable Development

Single Dwelling Housing Development Code

February 2013

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Introduction

Name

The name of this code is **Single Dwelling Housing Development Code**.

Application

This code applies to *single dwelling housing* in all zones

National Capital Plan

Where a development is subject to special requirements under the National Capital Plan, or any relevant development control plan prepared under the National Capital Plan, the development must not be inconsistent with the special requirements or development control plan. Where any provision of this code is inconsistent with special requirements under the National Capital Plan, or any relevant development control plan prepared under the National Capital Plan, that provision has no effect.

Purpose

This code provides additional planning, design and environmental controls to support the objectives of the relevant zone.

It will be used by the *Authority* to assess development applications. It also offers guidance to applicants in designing development proposals and preparing development applications.

Structure

This code has a number of elements. Each element has one or more rules, and each rule has an associated criterion (unless the rule is mandatory). Rules provide quantitative, or definitive, controls. By contrast, criteria are chiefly qualitative in nature.

In some instances rules are mandatory. Such rules are accompanied by the words “This is a mandatory requirement. There is no applicable criterion.” Non-compliance with a mandatory rule will result in the refusal of the development application. Conversely, the words “There is no applicable rule” is found where a criterion only is applicable.

Assessment tracks

Assessment tracks for particular developments are specified in the relevant zone development table.

Proposals in the **code track** must comply with all rules relevant to the development.

Proposals in the **merit track** and **impact track** must comply with a rule or its associated criterion, unless the rule is mandatory (ie. it has no related criterion). Where a rule is fully met, no reference to the related criterion needs to be made. Where there is a departure from a rule, or where a criterion only applies, the onus is on the applicant to demonstrate that the relevant criterion is satisfied, through supporting drawings and/or written documentation. In addition, the applicant for proposals in the impact track must justify any non-compliance by reference to the Statement of Strategic Directions.

Code hierarchy

Under the *Planning and Development Act 2007*, where more than one type of code applies to a development and there is inconsistency between provisions, the order of precedence is: precinct code, development code, and general code.

Related codes

Residential Zones Development Code

Applies to all forms of development in residential zones and makes reference to development codes and general codes that may also apply.

Precinct codes

Precinct codes may contain additional provisions that apply to specified *blocks*. Precinct codes are found in part 10.

Development codes

The following general codes, in particular, may be relevant. Access and Mobility General Code

Crime Prevention through Environmental Design General Code

Home Business General Code

Parking and Vehicular Access General Code

Planning for Bushfire Risk Management General Code

Residential Boundary Fences General Code

Water Ways: Water Sensitive Urban Design General Code

General codes are found in part 11 of the Territory Plan.

Development must comply with the relevant codes (including other general codes that may not be listed above), subject to the code hierarchy outlined in the introduction to this code.

Definitions

Defined terms, references to legislation and other documents are italicised.

Definitions of terms used in this code are listed in part 13 of the Territory Plan or, for terms applicable only to this code, associated with the respective rule.

Acronyms

ACTPLA	ACT Planning and Land Authority
EDD	ACT Economic Development Directorate
EPA	ACT Environment Protection Authority
ESA	Emergency Services Authority
ESDD	ACT Environment and Sustainable Development Directorate
NCA	National Capital Authority
NCC	National Construction Code
P&D Act	Planning and Development Act 2007
TAMS	ACT Territory and Municipal Services Directorate

Element 1: Building and site controls

Related code: Planning for Bushfire Risk Mitigation General Code

Rules	Criteria
1.1 Plot ratio – single dwelling blocks	
<p>R1</p> <p>This rule applies to <i>single dwelling blocks</i>.</p> <p><i>Plot ratio</i> is:</p> <ul style="list-style-type: none"> a) for <i>large blocks</i>, other than those referred to in item b) – not more than 50% b) for <i>blocks</i> in RZ1 created by subdivision of <i>dual occupancy housing</i>, the greater of – <ul style="list-style-type: none"> i) the <i>plot ratio</i> at the creation of the block, and ii) the maximum <i>plot ratio</i> calculated for the original block (ie. before subdivision) under R6 of the Multi Unit Housing Development Code c) in all other cases – not applicable. <p>For the purpose of calculating <i>plot ratio</i> for this rule, the <i>gross floor area</i> includes 18m² for each roofed car space provided to meet Territory requirements for resident car parking, but does not include <i>basement</i> car parking.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
1.2 Number of storeys	
<p>R2</p> <p>The number of <i>storeys</i> does not exceed:</p> <ul style="list-style-type: none"> a) in RZ1, RZ2 and RZ3 – 2 b) in RZ4 – 3. <p>Rooftop plant that is set back and screened from the street is not included in the maximum number of storeys.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
1.3 Attics and basement car parking – single dwelling blocks - RZ1	
<p>R3</p> <p>In RZ1, on <i>single dwelling blocks</i>, <i>attics</i> are not permitted where they are located directly above any 2 storey element of a <i>single dwelling house</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R4</p> <p>In RZ1, on <i>single dwelling blocks</i>, <i>basement</i> car parking is not permitted where located directly below any 2 storey element of a <i>single dwelling house</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
1.4 Height of buildings	
<p>R5</p> <p>Maximum <i>height of building</i> is:</p> <p>a) in RZ1, RZ2 and RZ3 – 8.5m</p> <p>b) in RZ4 – 12m.</p>	<p>C5</p> <p>Buildings are consistent with the <i>desired character</i>.</p>
1.5 Building envelope - all large blocks, mid sized blocks approved after (commencement date), all large and mid sized blocks in the Molonglo Valley and integrated housing development parcels	
<p>R6</p> <p>This rule applies to all of the following:</p> <p>a) <i>large blocks</i></p> <p>b) <i>mid sized blocks</i> approved under an estate development plan after (commencement date)</p> <p>c) <i>mid sized blocks</i> in the district of Molonglo Valley</p> <p>d) <i>integrated housing development parcels</i></p> <p>but does not apply to that part of the building on a <i>single dwelling block</i> that is required to be built to a boundary of the block by a precinct code applying to an <i>integrated housing development parcel</i> of which the block is a part.</p> <p>Buildings are sited wholly within the building envelope formed by projecting planes over the subject <i>block</i> comprising lines projected at 45° to the horizontal from an infinite number of points on a line of infinite length 3.5m above each side and rear boundary, except as required by the next rule</p> <p>Refer to figure 1.</p>	<p>C6</p> <p>Buildings achieve all of the following:</p> <p>a) consistency with the <i>desired character</i></p> <p>b) reasonable levels of privacy for <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.</p>
1.6 Sun angle building envelope - all large blocks, mid sized blocks approved after (commencement date), compact blocks approved after (commencement date), all blocks in the Molonglo Valley and integrated housing development parcels	
<p>R7</p> <p>This rule applies to all of the following:</p> <p>a) <i>large blocks</i></p> <p>b) <i>mid sized blocks</i> approved under an estate development plan after (commencement date)</p> <p>c) <i>compact blocks</i> approved under an estate development plan after (commencement date)</p> <p>d) all blocks in the district of Molonglo Valley</p> <p>e) <i>integrated housing development parcels</i></p>	<p>C7</p> <p>Buildings achieve all of the following:</p> <p>a) consistency with the <i>desired character</i></p> <p>b) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i></p> <p>c) do not shadow the windows of habitable rooms (other than bedrooms) of any approved and constructed dwelling on an adjoining <i>residential block</i> at noon on the winter solstice</p>

Rules	Criteria
<p>but does not apply to that part of the building on a <i>single dwelling block</i> that is required to be built to a boundary of the block by a precinct code applying to an <i>integrated housing development parcel</i> of which the block is a part.</p> <p>Buildings are sited wholly within the building envelope formed by projecting planes over the subject <i>block</i> comprising lines projected at X° to the horizontal from an infinite number of points on a line of infinite length at the height of the <i>solar fence</i> on the <i>northern boundary</i> or boundaries of an adjoining <i>residential block</i>.</p> <p>This rule does not apply to any part of a <i>northern boundary</i> to an adjoining <i>residential block</i> that is used primarily to provide access to the main part of the <i>residential block</i> (ie a “battleaxe” handle). The previous rule applies to this boundary.</p> <p>The height of the <i>solar fence</i> is given in table 1A.</p> <p>X° is the apparent sun angle at noon on the winter solstice. For the purposes of this rule values for X are given in table 1B.</p> <p>Refer to figure 1.</p>	<p>d) do not overshadow the <i>principal private open space</i> of any approved and constructed dwelling on an adjoining <i>residential block</i> to a greater extent than a 1.8m fence on the boundary at noon on the winter solstice.</p>
<p>1.7 Building envelope – mid sized blocks approved before (commencement date) except in Molonglo Valley</p>	
<p>R8</p> <p>This rule applies to <i>mid-sized blocks</i> with one of the following characteristics:</p> <ul style="list-style-type: none"> i) approved under an <i>estate development plan</i> before (commencement date) ii) for which a <i>lease</i> was granted before (commencement date) <p>but does not apply to <i>blocks</i> located in the district of Molonglo Valley.</p> <p>Buildings are sited wholly within the building envelope formed by projecting planes over the subject <i>block</i> comprising:</p> <ul style="list-style-type: none"> a) within the <i>primary building zone</i> - <ul style="list-style-type: none"> i) lines projected at 45° to the horizontal from an infinite number of points on a line of infinite length 4.5m above each side boundary, except for <i>northern boundaries</i> of adjoining <i>residential blocks</i> ii) from <i>northern boundaries</i> of adjoining <i>residential blocks</i>, lines projected at 45° to the horizontal from an infinite 	<p>C8</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable levels of privacy for <i>dwellings</i> and their associated <i>private open space</i> on adjoining <i>residential blocks</i> c) reasonable solar access to <i>dwellings</i> and their associated <i>private open space</i> on adjoining <i>residential blocks</i>.

Rules	Criteria
<p>number of points on a line of infinite length 2m above these boundaries.</p> <p>iii) despite item ii), where a wall is located on a <i>northern boundary</i> lines projected at 30° to the horizontal from an infinite number of points on a line of infinite length 3m above these boundaries.</p> <p>b) within the <i>rear zone</i> -</p> <p>i) lines projected at 30° to the horizontal from an infinite number of points on a line of infinite length 3.5m above each side and rear boundary, except for <i>northern boundaries</i> of adjoining <i>residential blocks</i></p> <p>ii) from <i>northern boundaries</i> of <i>adjoining residential blocks</i>, lines projected at 30° to the horizontal from an infinite number of points on a line of infinite length 2m above these boundaries.</p> <p>Refer Figure 2.</p>	
<p>R9</p> <p>This rule applies to <i>mid-sized blocks</i> and <i>compact blocks</i> with one of the following characteristics:</p> <p>i) approved under an <i>estate development plan</i> before (commencement date)</p> <p>ii) for which a <i>lease</i> was granted before (commencement date)</p> <p>but does not apply to blocks located in the district of Molonglo Valley.</p> <p>Where a garage wall is located on, or setback from, the <i>northern boundary</i> of an adjoining <i>residential block</i>, a 1m encroachment of the wall is permitted vertically beyond the building envelope, provided the wall and roof element associated with the wall do not encroach beyond a plane comprising lines projected at 30° to the horizontal from an infinite number of points on a line of infinite length 3m above the respective boundary.</p> <p>Refer Figure 2.</p>	<p>C9</p> <p>Buildings achieve all of the following:</p> <p>a) consistency with the <i>desired character</i></p> <p>b) reasonable levels of privacy for <i>dwellings</i> and their associated <i>private open space</i> on adjoining <i>residential blocks</i></p> <p>c) reasonable solar access to <i>dwellings</i> and their associated <i>private open space</i> on adjoining <i>residential blocks</i>.</p>

Rules	Criteria
1.8 Bushfire	
<p>R10</p> <p>Where identified in a precinct code or current and approved <i>lease and development conditions</i> as being within a bushfire prone area, buildings are constructed in accordance with the specified bushfire construction level of Australian Standard AS 3959 - <i>Construction of buildings in bushfire-prone areas</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Table 1A – Height of solar fence

Location	Height of solar fence (m)
<p>from:</p> <p>i) a point on the boundary at a distance from the front boundary equivalent to the minimum front boundary setback applying to that block</p> <p>to:</p> <p>ii) a point on the boundary 10m from point i)</p>	2.4
all other parts of the boundary	1.8

Table 1B – Apparent sun angle (X) at noon on the winter solstice (21 June)

Aspect of <i>northern boundary</i> (bearing of line drawn perpendicular to the boundary)	Angle (X)
North 0-9° East North 0-9° West	31°
North 10-19° East North 10-19° West	32°
North 20-29° East North 20-29° West	34°
North 30-39° East North 30-39° West	36°
North 40-45° East North 40-45° West	39°

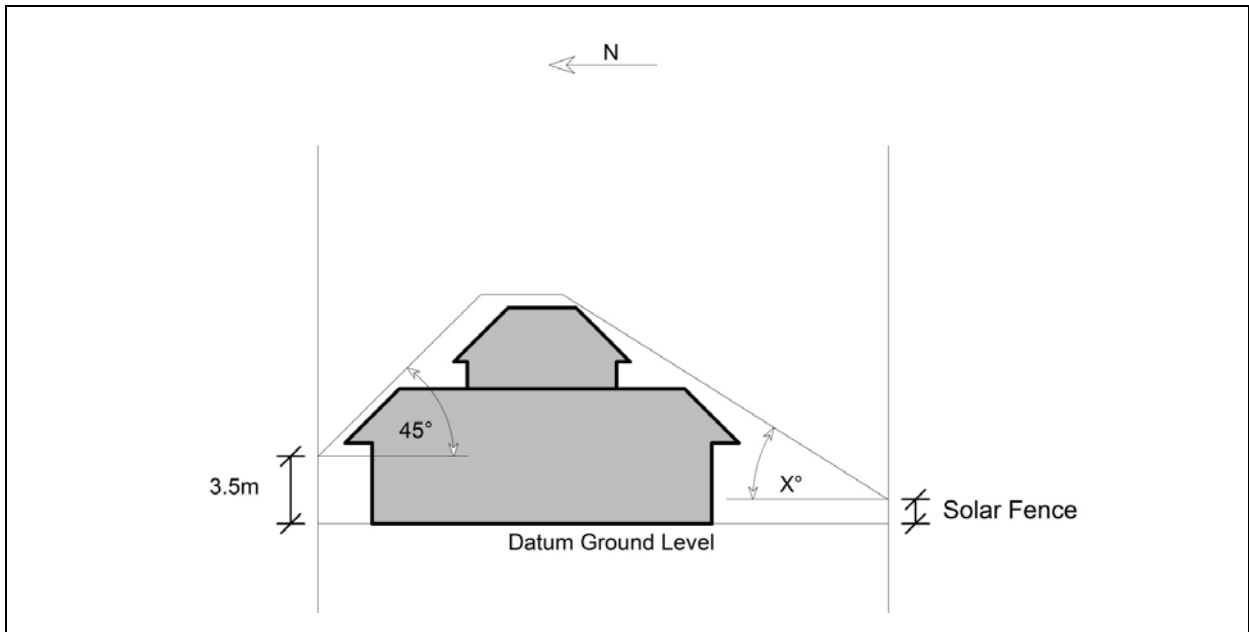


Figure 1 - Typical building envelope

Note: height of building and boundary setback provisions also apply

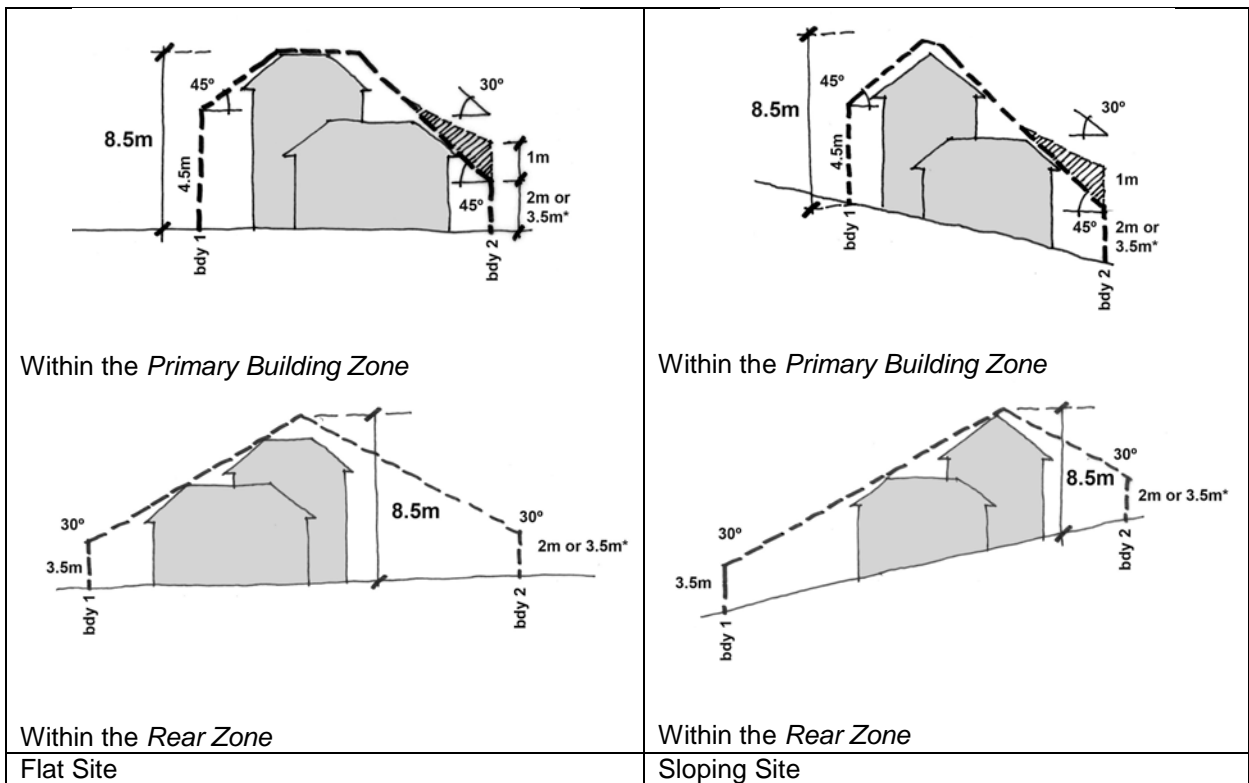


Figure 2 - Typical building envelope - mid sized blocks approved before (commencement date) – except in Molonglo Valley

Note: height of building and boundary setback provisions also apply

* 2m dimension applies to the northern boundary of an adjoining residential block

Hatched area indicates permissible encroachment under R9.

Rules	Criteria
1.9 Front boundary setbacks – all blocks	
<p>R11</p> <p>Front boundary setbacks comply with the following:</p> <p>a) <i>large blocks</i> - tables 2A, 2B or 2C, as applicable</p> <p>b) <i>mid-sized blocks</i> - tables 3A, 3B or 3C, as applicable</p> <p>c) <i>compact blocks</i> - tables 3A, 3B or 4, as applicable.</p> <p>The minimum boundary setbacks for corner <i>blocks</i> apply only to one street frontage nominated by the applicant or nominated in a precinct code as a <i>secondary street frontage</i>. Nomination by a precinct code takes precedence.</p> <p>Chamfers may be included in the <i>secondary street frontage</i>, but only if the length of the chamfer is less than the length of the front boundary.</p> <p>Note: Chamfers are ordinarily found at the corner of a <i>block</i> at the junction of streets.</p>	<p>C11</p> <p>Front boundary setbacks achieve all of the following:</p> <p>a) consistency with the <i>desired character</i></p> <p>b) the efficient use of the site</p> <p>c) reasonable amenity for residents</p> <p>d) pedestrian scale at street level</p> <p>e) space for street trees to grow to maturity.</p>

Table 2A: Front boundary setbacks – large blocks in subdivisions approved before 18 October 1993 (refer appendix 1 diagram 1)

	minimum front boundary setback	exceptions	
		minimum front boundary setback to <i>secondary street frontage</i>	minimum front boundary setback to open space or pedestrian paths wider than 6m
<i>lower floor level</i>	6m	4m	4m
<i>upper floor level</i>	6m	6m	4m
<i>garage</i>	6m	5.5m	4m

Table 2B: Front boundary setbacks – large blocks in subdivisions approved on or after 18 October 1993 but before 31 March 2008 (refer appendix 1 diagram 2)

	minimum front boundary setback	exceptions	
		minimum front boundary setback to <i>secondary street frontage</i>	minimum front boundary setback to open space or pedestrian paths wider than 6m
<i>lower floor level</i>	4m	4m	4m
<i>upper floor level</i>	6m	6m	4m
<i>garage</i>	5.5m with a minimum of 1.5 m behind the front building line	5.5m	4m

Table 2C: Front boundary setbacks – large blocks in subdivisions approved on or after 31 March 2008 (refer appendix 1 diagram 3)

	minimum front boundary setback	exceptions		
		minimum front boundary setback to <i>secondary street frontage</i>	minimum front boundary setback to open space or pedestrian paths wider than 6m	minimum front boundary setback to rear lane front boundary or pedestrian paths less than 6m wide
<i>lower floor level</i>	4m	3m	4m	nil
<i>upper floor level</i>	6m	3m	4m	nil
<i>garage</i>	5.5m with a minimum of 1.5m behind the front building line except where there is a courtyard wall in the <i>front zone</i>		4m	nil

Table 3A: Front boundary setbacks – mid sized and compact blocks in subdivisions approved before 18 October 1993 (refer appendix 1 diagrams 4 and 9)

	minimum front boundary setback	exceptions	
		minimum front boundary setback to <i>secondary street frontage</i>	minimum front boundary setback to open space or pedestrian paths wider than 6m
<i>lower floor level</i>	6m	3m	4m
<i>upper floor level</i>	6m	3m	4m
<i>garage</i>	6m	5.5m	4m

Table 3B: Front boundary setbacks – mid sized and compact blocks in subdivisions approved on or after 18 October 1993 but before 31 March 2008 (refer appendix 1 diagrams 5 and 10)

	minimum front boundary setback	exceptions	
		minimum front boundary setback to <i>secondary street frontage</i>	minimum front boundary setback to open space or pedestrian paths wider than 6m
<i>lower floor level</i>	4m	3m	4m
<i>upper floor level</i>	6m	3m	4m
<i>garage</i>	5.5m with a minimum of 1.5 m behind the front building line	5.5 m	4m

Table 3C: Front boundary setbacks – mid sized blocks in subdivisions approved on or after 31 March 2008 (refer appendix 1 diagrams 6, 7 and 8)

	minimum setback to front boundary	exceptions		
		minimum setback to <i>secondary street frontage</i>	minimum setback to open space or pedestrian paths wider than 6m	minimum setback to rear lane or pedestrian paths less than 6m wide
all floor levels	4m	3m	3m	nil
<i>articulation elements</i> – all floor levels	3m	not applicable	not applicable	not applicable
garage	5.5m with a minimum of 1.5m behind the front building line except where there is a courtyard wall in the <i>front zone</i>		3m	nil

Table 4: Front boundary setbacks – compact blocks in subdivisions approved on or after 31 March 2008 (refer appendix 1 diagrams 11)

	minimum setback to front boundary	exceptions		
		minimum setback to <i>secondary street frontage</i>	minimum setback to open space or pedestrian paths wider than 6m	minimum setback to rear lane or pedestrian paths less than 6m wide
all floor levels	3m	3m	3m	nil
garage	5.5m with a minimum of 1.5m behind the front building line except where there is a courtyard wall in the <i>front zone</i>		3m	nil

Note: see tables 3A and 3B for compact *blocks* in subdivisions approved before 31 March 2008

Rules	Criteria
1.10 Side and rear setbacks – all blocks	
<p>R12</p> <p>This rule applies to one of the following:</p> <ul style="list-style-type: none"> i) <i>single dwelling blocks</i> that are not part of an <i>integrated housing development parcel</i> ii) <i>single dwelling blocks</i> in an <i>integrated housing development parcel</i> that adjoin <i>residential blocks</i> that are not part of 	<p>C12</p> <p>Buildings and other structures are sited to achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable separation between adjoining developments c) reasonable privacy for <i>dwellings</i> on

Rules	Criteria
<p>that parcel.</p> <p>Side and rear setbacks for:</p> <p>a) <i>large blocks</i> - comply with table 5</p> <p>b) <i>mid-sized blocks</i> - comply with tables 6A or 6B, as applicable</p> <p>c) <i>mid-sized blocks</i> nominated for alternative side boundary setbacks in a precinct code - comply with table 6C</p> <p>d) <i>compact blocks</i> - comply with table 7.</p> <p>In relation to the tables referred to in this rule, side boundary 1 and side boundary 2 are nominated by the applicant unless otherwise specified in this code or in a precinct code</p> <p>Note: Ordinarily a corner block has a front boundary, a secondary frontage, two side boundaries, but no rear boundary.</p>	<p>adjoining <i>residential blocks</i></p> <p>d) reasonable privacy for <i>principal private open space</i> on adjoining <i>residential blocks</i></p> <p>e) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>principal private open space</i>.</p>
1.11 Setbacks less than 900mm	
<p>R13</p> <p>Where a setback less than 900mm is permitted, the <i>external wall</i> is set back from the boundary in compliance with one of the following:</p> <p>a) not less than 900mm</p> <p>b) not more than 180mm.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
1.12 Garage walls on or near side and rear boundaries – large blocks	
<p>R14</p> <p>This rule applies to <i>large blocks</i>.</p> <p>The maximum total length of all garage walls at a setback of less than 900mm to a side or rear boundary is 8m.</p>	<p>C14</p> <p>Garages are sited to achieve all of the following:</p> <p>a) consistency with the <i>desired character</i></p> <p>b) reasonable privacy for <i>dwellings</i> on adjoining <i>residential blocks</i></p> <p>c) reasonable privacy for <i>principal private open space</i> on adjoining <i>residential blocks</i>.</p>
1.13 Walls on or near side and rear boundaries – mid sized blocks	
<p>R15</p> <p>This rule applies to <i>mid sized blocks</i>, but does not apply to that part of the building that is required to be built to a boundary of the block by a precinct code applying to an <i>integrated housing development parcel</i> of which the block is a part.</p> <p>A wall with a setback of less than 900mm to a side or rear boundary complies with all of the following:</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
a) not more than 13m in length b) extends no more than 2.5m into the rear zone	

Table 5: Side and rear setbacks – large blocks (refer appendix 1 diagrams 1, 2 and 3)

	minimum side boundary setback within the <i>primary building zone</i>		minimum side boundary setback within the <i>rear zone</i>		minimum rear boundary setback
	side boundary 1	side boundary 2	side boundary 1	side boundary 2	
<i>lower floor level – external wall</i>	3m	1.5m	3m	1.5m	3m
<i>upper floor level – external wall</i>	3m	3m	6m	6m	6m
<i>upper floor level – unscreened element</i>	6m	6m	6m	6m	6m
<i>garage or carport</i>	3m	nil* ^	3m	nil* ^	3m

* see R14

^ does not apply to that part of a wall with a window of any sort

Table 6A: Side and rear setbacks – mid sized blocks in subdivisions approved before 2 October 2009 (refer appendix 1 diagrams 4, 5 and 6)

	minimum side boundary setback within the <i>primary building zone</i>		minimum side boundary setback within the <i>rear zone</i>		minimum rear boundary setback
	side boundary 1	side boundary 2	side boundary 1	side boundary 2	
lower floor level	3m	>15m frontage 1.5m <15m frontage nil ^	3m	1.5m	3m
upper floor level – external wall	3m	3m	6m	6m	6m
upper floor level – unscreened element	6m	6m	6m	6m	6m

^ does not apply to that part of a wall with a window of any sort

Note: Minimum side boundary setbacks requirements apply to buildings and Class 10 structures, except for side boundary 2 on blocks >800m², where the minimum side boundary setback for Class 10 structures is 1.5m.

Table 6B: Side and rear setbacks – mid sized blocks in subdivisions approved on or after 2 October 2009 (refer appendix 1 diagram 7)

	minimum side boundary setback within the <i>primary building zone</i>		minimum side boundary setback within the <i>rear zone</i>		minimum rear boundary setback
	side boundary 1	side boundary 2	side boundary 1	side boundary 2	
lower floor level	1.5m	1.5m nil* ^	3m	0.9	3m nil** ^
upper floor level – external wall	3m	1.5m nil* ^ **	6m	6m	6m nil** ^
upper floor level – unscreened element	6m	6m	6m	6m	6m

* see R15

** only where specifically permitted under a precinct code.

^ does not apply to that part of a wall with a window of any sort

Table 6C: Alternative side and rear setbacks – mid sized blocks in subdivisions approved on or after 2 October 2009 – applicable only to blocks nominated in a precinct code as an alternative boundary setback block (refer appendix 1 diagram 8)

	minimum side boundary setback within the <i>primary building zone</i>		minimum side boundary setback within the <i>rear zone</i>		minimum rear boundary setback
	side boundary 1	side boundary 2	side boundary 1	side boundary 2	
lower floor level	1.5m 4m [^]	1.5m nil* ^{^^}	1.5 4m [^]	1.5	3m nil** ^{^^}
upper floor level – external wall	3m	1.5m nil* ^{^^} **	not applicable		
upper floor level – unscreened element	6m	6m			

* see R15

** only where specifically permitted under a precinct code.

[^] minimum setback applies to not less than 50% of the building length. That part of the building at this set back is not less than 4m rearwards of the front building line. The building length is measured 4m behind the front building line.

^{^^} does not apply to that part of a wall with a window of any sort

Table 7: Side and rear setbacks – compact blocks (refer appendix 1 diagrams 9,10 and 11)

	minimum side boundary setback			Minimum rear boundary setback
	side boundary 1 or longer side boundary of a corner block	side boundary 2	shorter side boundary of a corner block	
lower floor level – <i>external wall</i>	nil [^]	nil [^]	3m	3m nil* [^]
lower floor level – <i>unscreened element</i>	1.5m	1.5m	3m	3m
upper floor level – <i>external wall</i>	nil** [^]	nil** [^]	3m	4m nil* [^]
upper floor level – <i>unscreened element</i>	1.5m	1.5m	3m	4m
garage or carport	nil [^]	nil [^]	nil [^]	3m nil* [^]

* only where specifically permitted under a precinct code.

** only where the lower floor level is built to the boundary

[^] does not apply to that part of a wall with a window of any sort

Rules	Criteria
1.14 Allowable encroachments - setbacks	
<p>R16</p> <p>Encroachments into one or more of the following:</p> <ul style="list-style-type: none"> i) minimum side setback ii) minimum rear setback <p>are permitted for one or more of the following building elements:</p> <ul style="list-style-type: none"> a) an eave or roof overhang with a horizontal width of not more than 600mm b) fascias, gutters, downpipes, rainwater tanks, chimneys, flues, domestic fuel tanks, cooling or heating appliances, light fittings, electricity and gas meters, aerials, antennae, pergolas, sun blinds c) unroofed terraces, landings, steps or ramps, none of which are more than 1m above finished ground level. 	<p>C16</p> <p>Buildings and other structures achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable levels of privacy on adjoining <i>residential blocks</i> for <i>dwellings</i> and their associated <i>private open space</i> c) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.

Rules	Criteria
<p>R17</p> <p>Encroachments into the front setback are permitted for one or more of the following building elements:</p> <ul style="list-style-type: none"> a) an eave or roof overhang with a horizontal width of not more than 600mm b) fascias, gutters, downpipes, light fittings, sun blinds c) landings, steps or ramps, none of which are more than 1m above finished ground level. 	<p>C17</p> <p>Buildings and other structures achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable levels of privacy on adjoining <i>residential blocks</i> for <i>dwellings</i> and their associated <i>private open space</i> c) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.
1.15 Allowable encroachments – building envelopes	
<p>R18</p> <p>Encroachments outside the building envelope specified in this element are permitted for one or more of the following:</p> <ul style="list-style-type: none"> a) flues b) chimneys c) antennae d) aerials e) cooling appliances f) heating appliances. 	<p>C18</p> <p>Buildings and other structures achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable levels of privacy on adjoining <i>residential blocks</i> for <i>dwellings</i> and their associated <i>private open space</i> c) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.
1.16 Surveillance blocks	
<p>R19</p> <p>Where identified in a precinct code or current and approved <i>lease and development conditions</i> as a surveillance block, provide <i>habitable room(s)</i> above the garage with windows facing and overlooking the rear lane.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
1.17 Cut and fill	
<p>R20</p> <p>The maximum cut or fill within 1.5m of side and rear boundaries is 1.5m</p>	<p>C20</p> <p>Cut and fill is limited so that all of the following are achieved:</p> <ul style="list-style-type: none"> a) stability of the block and adjoining blocks b) reasonable access to sunlight on the block c) compatibility with the <i>streetscape</i>.
1.18 Blocks between 500m² and 550m²	
<p>R21</p> <p>The provisions of this code relating to <i>mid-sized blocks</i> apply to <i>blocks</i> from 500m² or greater but less than 550m² that are identified in a precinct code as <i>mid-sized blocks</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 2: Lease and development conditions

2.1 Approved lease and development conditions	
<p>R22</p> <p>This rule applies to <i>blocks</i> affected by approved <i>lease and development conditions</i> that provide for one or more of the following matters:</p> <ul style="list-style-type: none"> a) plot ratio b) building envelope c) building height d) front street setback e) side setback f) rear setback g) building design h) materials and finish i) interface j) vehicle access k) parking l) solar access m) private open space n) water sensitive urban design o) landscaping. <p>Approved <i>lease and development conditions</i> for the matters listed above shall take precedence over the provisions of this code, but only to the extent of any inconsistency.</p>	<p>C22</p> <p>The development meets the intent any approved <i>lease and development conditions</i>.</p>

Element 3: Building design

Related legislation: *Common Boundaries Act 1981*

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 Materials and finishes	
<p>R23</p> <p>Structures, plant and equipment situated on the roof are not visible from the street frontage or other unleased territory land unless exempt under <i>Planning and Development Act 2007</i>.</p>	<p>C23</p> <p>Structures and plant and equipment situated on the roof that are not exempt under <i>Planning and Development Act 2007</i> achieve all of the following:</p> <ul style="list-style-type: none"> a) do not diminish the value of the <i>streetscape</i> b) do not diminish residential amenity of neighbouring <i>blocks</i>.

Rules	Criteria
3.2 Fencing – large blocks and mid sized blocks	
<p>R24</p> <p>This rule applies to <i>large blocks</i> and <i>mid-sized blocks</i>.</p> <p>Walls or fencing are not permitted forward of the <i>building line</i> except where they comply with one or more of the following:</p> <ul style="list-style-type: none"> a) a previously approved estate development plan b) a relevant precinct code c) form a gate to a maximum height of 1.8m in an established, vigorous hedge d) otherwise complies with this code (eg courtyard wall provisions) e) is exempt under the <i>Planning and Development Act 2007</i>. 	<p>C24</p> <p>Fences comply with the Residential Boundaries Fences General Code.</p>
3.3 Courtyard walls – large blocks	
<p>R25</p> <p>This rule applies to <i>large blocks</i>.</p> <p>Courtyard walls forward of the <i>building line</i> comply with all of the following:</p> <ul style="list-style-type: none"> a) total length complies with one of the following <ul style="list-style-type: none"> i) not more than 50% of the width of the <i>block</i> ii) not more than 70% where the width of the <i>block</i> at the line of the wall is less than 12m b) setback from the front boundary not less than 50% of the minimum front setback applying to the <i>block</i> c) height does not exceed 1.8m d) constructed only of brick, block or stonework, any of which may be combined with feature panels e) incorporate shrub planting between the wall and the front boundary f) do not obstruct site lines for vehicles and pedestrians on public paths on driveways in accordance with Australian Standard <i>AS2890.1- Off-Street Parking</i>. 	<p>C25</p> <p>Courtyard walls achieve all of the following:</p> <ul style="list-style-type: none"> a) consistent with the <i>desired character</i> b) the dominance of the building's facade in the <i>streetscape</i> taking all of the following aspects of the proposed courtyard wall into account <ul style="list-style-type: none"> i) height ii) relationship to verge footpath iii) total proportion relative to the building width iv) colour and design features v) transparency vi) articulation vii) protection of existing desirable landscape features viii) tree and shrub planting forward of the wall c) do not obstruct sight lines for vehicles and pedestrians on public paths or driveways in accordance with Australian Standard <i>AS2890.1- Off-Street Parking</i>.

Rules	Criteria
3.4 Courtyard walls – mid sized blocks	
<p>R26</p> <p>This rule applies to <i>mid-sized blocks</i>.</p> <p>Courtyard walls forward of the <i>building line</i> comply with all of the following:</p> <ul style="list-style-type: none"> a) have a maximum total length of <ul style="list-style-type: none"> i) where the width of the <i>block</i> at the line of the wall is less than 12m – 70% of the width of the <i>block</i> ii) in all other cases - 50% of the width of the <i>block</i> b) have a minimum <i>setback</i> from the <i>front boundary</i> of not less than - <ul style="list-style-type: none"> i) where the total length of the courtyard wall measured parallel to the front street boundary does not exceed 6.5m and the courtyard wall does not exceed 1.5m in height - 1m ii) in all other cases – 50% of the minimum front setback applying to the <i>block</i> c) do not exceed 1.8m in height d) are constructed of one of the following - <ul style="list-style-type: none"> i) only of brick, block or stonework, any of which may be combined with feature panels ii) finished to match or complement the dwelling house e) incorporate shrub planting between the wall and the front boundary f) do not obstruct site lines for vehicles and pedestrians on public paths on driveways in accordance with A2890.1-<i>The Australian Standard for Off-Street Parking</i>. 	<p>C26</p> <p>Courtyard walls achieve all of the following:</p> <ul style="list-style-type: none"> a) consistent with the <i>desired character</i> b) the dominance of the building’s facade in the <i>streetscape</i> taking all of the following aspects of the proposed courtyard wall into account <ul style="list-style-type: none"> i) height ii) relationship to verge footpath iii) total proportion relative to the building width iv) colour and design features v) transparency vi) articulation vii) protection of existing desirable landscape features viii) tree and shrub planting forward of the wall c) do not obstruct sight lines for vehicles and pedestrians on public paths or driveways in accordance with Australian Standard AS2890.1- <i>Parking facilities, part 1 off-street parking</i>.
3.5 Front fences and courtyard walls – compact blocks	
<p>R27</p> <p>This rule applies to <i>compact blocks</i>.</p> <p>Courtyard walls forward of the <i>building line</i> comply with all of the following:</p> <ul style="list-style-type: none"> a) have a maximum total length of- <ul style="list-style-type: none"> i) where the width of the <i>block</i> at the line of the wall is less than 12m – 60% of the width of the <i>block</i> ii) in all other cases - 50% of the width of the <i>block</i> 	<p>C27</p> <p>Courtyard walls achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) dominance of the building’s facade in the <i>streetscape</i> taking all of the following aspects of the proposed courtyard wall into account: <ul style="list-style-type: none"> i) height ii) relationship to verge footpath

Rules	Criteria
<p>b) have a minimum <i>setback</i> from the <i>front boundary</i> of not less than -</p> <ul style="list-style-type: none"> i) where the courtyard encloses north facing <i>principal private open space</i> – 1m ii) in all other cases – 2m <p>c) have a maximum height of -</p> <ul style="list-style-type: none"> i) where the courtyard encloses <i>principal private open space</i> – 1.5m ii) where both of the following apply <ul style="list-style-type: none"> a) the courtyard encloses <i>principal private open space</i> b) the <i>block</i> is a corner <i>block</i> – 1.8m iii) in all other cases – 1.2m <p>d) comply with one or more of the following -</p> <ul style="list-style-type: none"> i) constructed of brick, block or stonework, any of which may be combined with feature panels ii) constructed and finished to match or complement the <i>single dwelling house</i> <p>e) provide for sight lines for vehicles and pedestrians on public paths on driveways in accordance with <i>A2890.1-The Australian Standard for Off-Street Parking</i>.</p>	<ul style="list-style-type: none"> iii) total proportion relative to the building width iv) colour and design features v) transparency vi) articulation vii) protection of existing desirable landscape features viii) tree and shrub planting forward of the wall <p>c) sight lines for vehicles and pedestrians on public paths or driveways in accordance with <i>Australian Standard AS2890.1- Parking facilities, part 1 off-street parking</i>.</p>
<p>R28</p> <p>For <i>compact blocks</i>, front fences and side fences forward of the building line comply with all of the following:</p> <ul style="list-style-type: none"> a) do not exceed one of the following - <ul style="list-style-type: none"> i) where located adjacent to the dwelling's <i>principal private open space</i> – 1.5m in height ii) where located adjacent to the dwelling's <i>principal private open space</i>, where the <i>block</i> is a corner <i>block</i> - 1.8m in height iii) in all other cases – 1.2m in height b) <i>A2890.1-The Australian Standard for Off-Street Parking</i> in relation to site lines for vehicles and pedestrians on public paths or driveways. 	<p>C28</p> <p>Front and side fences achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) appropriate proportions and character with respect to - <ul style="list-style-type: none"> i) height ii) relationship to verge footpath iii) total proportion relative to the building width iv) colour and design features v) transparency and articulation vi) protection of existing desirable landscape features c) do not obstruct sight lines for vehicles and pedestrians on public paths or driveways in accordance with <i>Australian Standard AS2890.1- Parking facilities, part 1 off-street parking</i>.

Element 4: Parking and site access

Related code: Parking and Access General Code

Rules	Criteria
4.1 Pedestrian access	
<p>R29</p> <p>For <i>blocks</i> with a boundary to a rear lane, pedestrian access is provided from the street address.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
4.2 Vehicle access	
<p>R30</p> <p>Driveway verge crossings comply with all of the following:</p> <ul style="list-style-type: none"> a) 1.2m horizontally clear of stormwater sumps and other services b) 1.5m horizontally clear of transformers, bus stops, public light poles c) 6m horizontally clear of the tangent point of the radius of the curve on a corner <i>block</i> (excluding locations with roundabouts and signalised intersections, which require separate formal approval and support from Asset Acceptance) d) uphill grade of less than 17% as measured from the kerb; downhill grade of less than 12% as measured from the kerb e) at a right angle to the kerb line with a maximum 10% deviation f) for <i>large blocks</i> and <i>mid sized blocks</i>, a maximum of 5.5 m wide, and a minimum of 5m wide at the kerb, a minimum 3m wide at the front boundary, and a maximum width no greater than the width at the kerb g) for <i>compact blocks</i>, 3m wide at the front street boundary h) outside of the drip line of mature trees i) minimum of 3m clear of small and new street trees j) compliant with Australian Standard AS2890.1- <i>Parking facilities</i> as amended from time to time, having particular regard for sightlines and cross fall of the site k) where there is a public footpath across the 	<p>C30</p> <p>Driveway verge crossings are endorsed by Department of Territory and Municipal Services.</p>

Rules	Criteria
<p>driveway verge crossing, the footpath is continuous (i.e. the footpath is to have precedence).</p> <p>l) If the existing footpath is replaced, it is constructed at the same level in the same material and colour as the original.</p>	
4.3 Parking	
<p>R31</p> <p>The minimum number of car parking spaces provided on the <i>block</i> complies with the following:</p> <p>a) for a <i>single dwelling house on compact blocks</i> containing not more than 1 bedroom – 1</p> <p>b) in all other cases - 2.</p>	<p>C31</p> <p>Car parking provided on the <i>block</i> is adequate for residents and visitors.</p>
<p>R32</p> <p>Dimensions of car parking spaces are not less than the following:</p> <p>i) single roofed space - 6m x 3m</p> <p>ii) double roofed space - 6m x 5.5m</p> <p>iii) single unroofed space - 5.5m x 3m</p> <p>iv) multiple unroofed spaces side by side - 5.5m x 2.6m</p> <p>v) parallel parking spaces - 6.7m x 2.3m</p> <p>vi) 2.1m minimum clearance to any overhead structure.</p> <p>For this rule dimensions for roofed spaces are internal dimensions.</p>	<p>C32</p> <p>Car parking spaces are sized to allow for all of the following:</p> <p>a) convenient access to the vehicle by the driver and passengers</p> <p>b) reasonable side and overhead clearance to vehicles</p> <p>c) reasonable access by vehicles (ie minimal turning movements).</p>
<p>R33</p> <p>Car parking spaces on the <i>block</i> comply with all of the following:</p> <p>a) are not located in the <i>front zone</i>, except on <i>compact blocks</i> or on any part of a <i>driveway</i>.</p> <p>b) do not encroach any property boundaries</p> <p>c) at least one car parking space is roofed and is behind the <i>front zone</i></p> <p>d) comply with sightlines for off-street car-parking facilities and other relevant requirements in Australian Standard AS2890.1- <i>Parking facilities</i>.</p> <p>For this rule a <i>driveway</i> is a driveway to a car parking space that is located behind the <i>front building line</i>.</p>	<p>C33</p> <p>Car parking and related access on <i>block</i> achieve all of the following:</p> <p>a) reasonable amenity of neighbouring <i>residential blocks</i></p> <p>b) consistency with the value of the <i>streetscape</i></p> <p>c) public safety especially in relation to pedestrians and cyclists</p> <p>d) reasonable surveillance of parking spaces.</p>

Rules	Criteria
<p>R34</p> <p>In RZ1 and RZ2, on <i>single dwelling blocks</i> ramps accessing <i>basement</i> car parking are behind the building line, where the <i>block</i> is less than 30 m wide as measured at the street frontage. Ramps comply with the relevant requirements in Australian Standard AS2890.1- <i>Parking facilities</i>.</p>	<p>C34</p> <p>Ramps to <i>basement</i> car parking maintain the value of the <i>streetscape</i> and allow safe and efficient vehicle and pedestrian movement.</p>
<p>R35</p> <p>Car parking is not permitted on verges.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R36</p> <p>This rule applies to street frontages except frontages to laneways.</p> <p>The maximum total width of garage doors and external width of carports the lesser of the following:</p> <p>a) 6m</p> <p>b) 50% of the frontage.</p>	<p>C36</p> <p>Garages or carports achieve all of the following:</p> <p>a) consistency with the <i>streetscape</i></p> <p>b) consistency with the <i>desired character</i></p> <p>c) compatibility with the façade of the associated <i>dwelling</i>.</p>

Element 5: Amenity

Rules	Criteria
5.1 Solar access	
<p>R37</p> <p>The floor or internal wall of a daytime living area of a dwelling is exposed to not less than 3 hours of direct sunlight between the hours of 9am and 3pm on the winter solstice (21 June).</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
5.2 Private open space	
<p>R38</p> <p>For <i>large blocks</i>, <i>private open space</i> complies with all of the following:</p> <p>a) has a minimum area equal to 60% of the block area, less 50m²</p> <p>b) has a minimum dimension of 6m for an area not less than 10% of the block</p> <p>c) at least 50% of the minimum area in a) is <i>planting area</i>.</p> <p>Note: Private open space includes principal private open space, as required elsewhere in this element.</p>	<p>C38</p> <p><i>Private open space</i> provides residential amenity on the subject site and protects the residential amenity of adjoining sites by achieving all of the following:</p> <p>a) limits site coverage of buildings and vehicle parking and manoeuvring areas</p> <p>b) provides space for planting</p> <p>c) facilitates on-site infiltration of stormwater run-off</p> <p>d) provides outdoor areas that are readily accessible by residents for a range of uses and activities</p> <p>e) provides space for service functions such as clothes drying and domestic storage.</p>

Rules	Criteria
<p>R39</p> <p>For <i>mid-sized blocks</i>, <i>private open space</i> complies with all of the following:</p> <ul style="list-style-type: none"> a) a minimum area equal to 40% of the block area, less 50m² b) a minimum dimension as follows - <ul style="list-style-type: none"> i) blocks that are identified in a precinct code as an alternative boundary setback block – 4m for an area not less than 20% of the block area ii) in all other cases - 6m for an area not less than 10% of the block area c) at least 50% of the minimum area specified in a) is <i>planting area</i>. <p>Note: Private open space includes principal private open space, as required elsewhere in this element.</p>	<p>C39</p> <p><i>Private open space</i> provides residential amenity on the subject site and protects the residential amenity of adjoining sites by achieving all of the following:</p> <ul style="list-style-type: none"> a) limits site coverage of buildings and vehicle parking and manoeuvring areas b) provides space for planting c) facilitates on-site infiltration of stormwater run-off d) provides outdoor areas that are readily accessible by residents for a range of uses and activities e) provides space for service functions such as clothes drying and domestic storage.
<p>R40</p> <p>For <i>compact blocks</i>, <i>private open space</i> complies with all of the following:</p> <ul style="list-style-type: none"> a) a minimum area is not less than 20% of the block area b) at least 50% of the minimum area specified in a) is <i>planting area</i>. <p>Note: Private open space includes principal private open space, as required elsewhere in this element.</p>	<p>C40</p> <p><i>Private open space</i> provides residential amenity on the subject site and protects the residential amenity of adjoining sites by achieving all of the following:</p> <ul style="list-style-type: none"> a) limits site coverage of buildings and vehicle parking and manoeuvring areas b) provides space for planting c) facilitates on-site infiltration of stormwater run-off d) provides outdoor areas that are readily accessible by residents for a range of uses and activities e) provides space for service functions such as clothes drying and domestic storage.
5.3 Principal private open space	
<p>R41</p> <p>At least one area of <i>principal private open space</i> on the block complies with all of the following:</p> <ul style="list-style-type: none"> a) minimum area and dimensions specified in table 8. b) at ground level c) directly accessible from, and adjacent to, a <i>habitable room</i> other than a bedroom d) screened from adjoining public streets and public open space e) located behind the building line, except where enclosed by a courtyard wall 	<p>C41</p> <p><i>Principal private open space</i> achieves all of the following:</p> <ul style="list-style-type: none"> a) is proportionate to the size of the dwelling b) capable of enabling an extension of the function of the dwelling for relaxation, dining, entertainment, recreation, and it is directly accessible from the dwelling c) accommodates service functions such as clothes drying and mechanical services d) is screened from public streets and public open space with pedestrian or cycle paths.

Rules	Criteria
f) is not located to the south, south-east or south-west of the dwelling, unless it achieves not less than 3 hours of direct sunlight onto 50% of the minimum principal private open space area between the hours of 9am and 3pm on the winter solstice (21 June).	

Table 8: Principal Private Open Space

Zone	Dwelling Size	Minimum Area	Minimum Dimension
RZ1	Up to 105m ² GFA	28m ²	4m
RZ2	105m ² GFA or greater	36m ²	6m
RZ3 RZ4	all	24m ²	4m

Rules	Criteria
5.4 Noise attenuation – external sources	
<p>R42</p> <p>Where a <i>block</i> has one or more of the following characteristics:</p> <ul style="list-style-type: none"> i) identified in a precinct code as being potentially affected by noise from external sources ii) adjacent to a road carrying or forecast to carry traffic volumes greater than 6,000 vehicles per day iii) located in a commercial zone iv) adjacent to a commercial or industrial zone <p> dwellings shall be constructed to comply with the relevant sections of all of the following:</p> <ul style="list-style-type: none"> a) AS/NZS 2107:2000 - <i>Acoustics – Recommended design sound levels and reverberation times for building interiors</i> (the relevant satisfactory recommended interior design sound level) b) AS/NZS 3671 - <i>Acoustics – Road Traffic</i> 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p style="text-align: center;"><i>Noise Intrusion Building Siting and Design.</i></p> <p>For other than road traffic noise, compliance with this rule is demonstrated by a noise management plan prepared by a member of the Australian Acoustical Society with experience in the assessment of noise, and endorsed by the EPA. For other than road traffic noise, the noise level immediately adjacent to the dwelling is assumed to be the relevant noise zone standard specified in the ACT Environment Protection Regulation 2005.</p> <p>For road traffic noise, compliance with this rule is demonstrated by an acoustic assessment and noise management plan, prepared by a member of the Australian Acoustical Society with experience in the assessment of road traffic noise, and endorsed by the Transport Planning & Projects Section in ESDD.</p> <p>Note: A condition of development approval may be imposed to ensure compliance with the endorsed noise management plan.</p>	

Element 6: Environment

Water Ways: Water Sensitive Urban Design General Code

Rules	Criteria
6.1 Water sensitive urban design	
<p>R43</p> <p>This rule applies to all new single <i>dwelling</i>s, except <i>minor extensions</i>.</p> <p>The development complies with one of the following:</p> <ul style="list-style-type: none"> i) Option A ii) Option B <p>For this rule</p> <p>Option A is:</p> <ul style="list-style-type: none"> a) on <i>compact blocks</i> - <ul style="list-style-type: none"> i) no minimum water storage requirement ii) minimum ★★★ WELS rated plumbing fixtures b) on <i>mid-sized blocks</i> - <ul style="list-style-type: none"> i) minimum on site water storage of water 	<p>C43</p> <p>Evidence is provided that 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. The 40% target is met without any reliance on landscaping measures to reduce consumption.</p>

Rules	Criteria
<p>from roof harvesting is 2,000 litres</p> <p>ii) 50% or 75m² of roof plan area, whichever is the lesser, is connected to the tank and the tank is connected to at least a toilet, laundry cold water and all external taps</p> <p>c) on <i>large blocks</i> up to 800m² -</p> <p>i) minimum on site water storage of water from roof harvesting is 4,000 litres</p> <p>ii) 50% or 100m² of roof plan area, whichever is the lesser, is connected to the tank and the tank is connected to at least a toilet, laundry cold water and all external taps</p> <p>d) on <i>large blocks</i> 800m² or greater -</p> <p>i) minimum on site water storage of water from roof harvesting is 5,000 litres</p> <p>ii) 50% or 125m² of roof plan area, whichever is the lesser, is connected to the tank and the tank is connected to at least a toilet, laundry cold water and all external taps.</p> <p>Option B is:</p> <p>A greywater system captures all bathroom and laundry greywater and treats it to Class A standard. The treated greywater is connected to all laundry cold water, toilet flushing and all external taps.</p> <p>For this rule minor extension means an extension where the increase in the combined roof plan area, driveway, car manoeuvring areas and car parking areas is less than 25% of the total of the areas of these components at the date of lodgement of the development application or building application, whichever is earlier.</p>	
6.2 Heritage	
<p>R44</p> <p>This rule applies to land containing places or objects registered or provisionally registered under section 41 of the <i>Heritage Act 2004</i>. The authority shall refer a development application to the Heritage Council.</p> <p>Note: The authority will consider any advice from the Heritage Council before determining the application.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
6.3 Tree protection	
<p>R45</p> <p>This rule applies to a development that has one or more of the following characteristics:</p> <ol style="list-style-type: none"> a) requires groundwork within the tree protection zone of a <i>protected tree</i> b) is likely to cause damage to or removal of any <i>protected trees</i>. <p>The authority shall refer the development application to the Conservator of Flora and Fauna.</p> <p>Notes:</p> <ol style="list-style-type: none"> 1. Under the <i>Planning and Development Regulation 2008</i> a development application for a <i>declared site</i> under the <i>Tree Protection Act 2005</i>, must be referred to the Conservator of Flora and Fauna. 2. The authority will consider any advice from the Conservator of Flora and Fauna before determining the application in accordance with the <i>Planning and Development Act 2007</i>. 3. <i>Protected tree</i> and <i>declared site</i> are defined under the <i>Tree Protection Act 2005</i>. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
6.4 Erosion and sediment control	
<p>R46</p> <p>For sites less than 3,000m², development complies with the Environment Protection Authority, <i>Environment Protection Guidelines for Construction and Land Development in the ACT</i>, August 2007.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R47</p> <p>For sites 3,000m² or larger, the application is accompanied by an erosion and sediment control plan endorsed by the ACT Environment Protection Authority.</p> <p>Note: If an erosion and sediment control plan is required but not provided, the application will be referred to the ACT Environment Protection Authority to the Heritage Council before the determination of the application.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 7: Services

Rules	Criteria
7.1 Construction waste management – all zones	
<p>R48</p> <p>This rule applies to <i>residential</i> development that is likely to generate more than 20m³ of construction waste comprising one or more of the following:</p> <ul style="list-style-type: none"> a) demolition waste b) construction waste c) excavation material. <p>The management of construction waste is to be endorsed by TAMS.</p> <p>TAMS will endorse waste facilities and management associated with the development if they comply with the current version of the <i>Development Control Code for Best Practice Waste Management in the ACT</i>.</p> <p>TAMS may endorse departures.</p> <p>Note: a condition of approval may be imposed to ensure compliance.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
7.2 Utilities – all zones	
<p>R49</p> <p>This rule applies to any proposed encroachment into a registered easement.</p> <p>The encroachment is to be approved in writing by the relevant service provider.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Appendix 1 – Boundary setback diagrams

Diagram 1: Large blocks approved before 18 October 1993
(refer Tables 2A and 5)

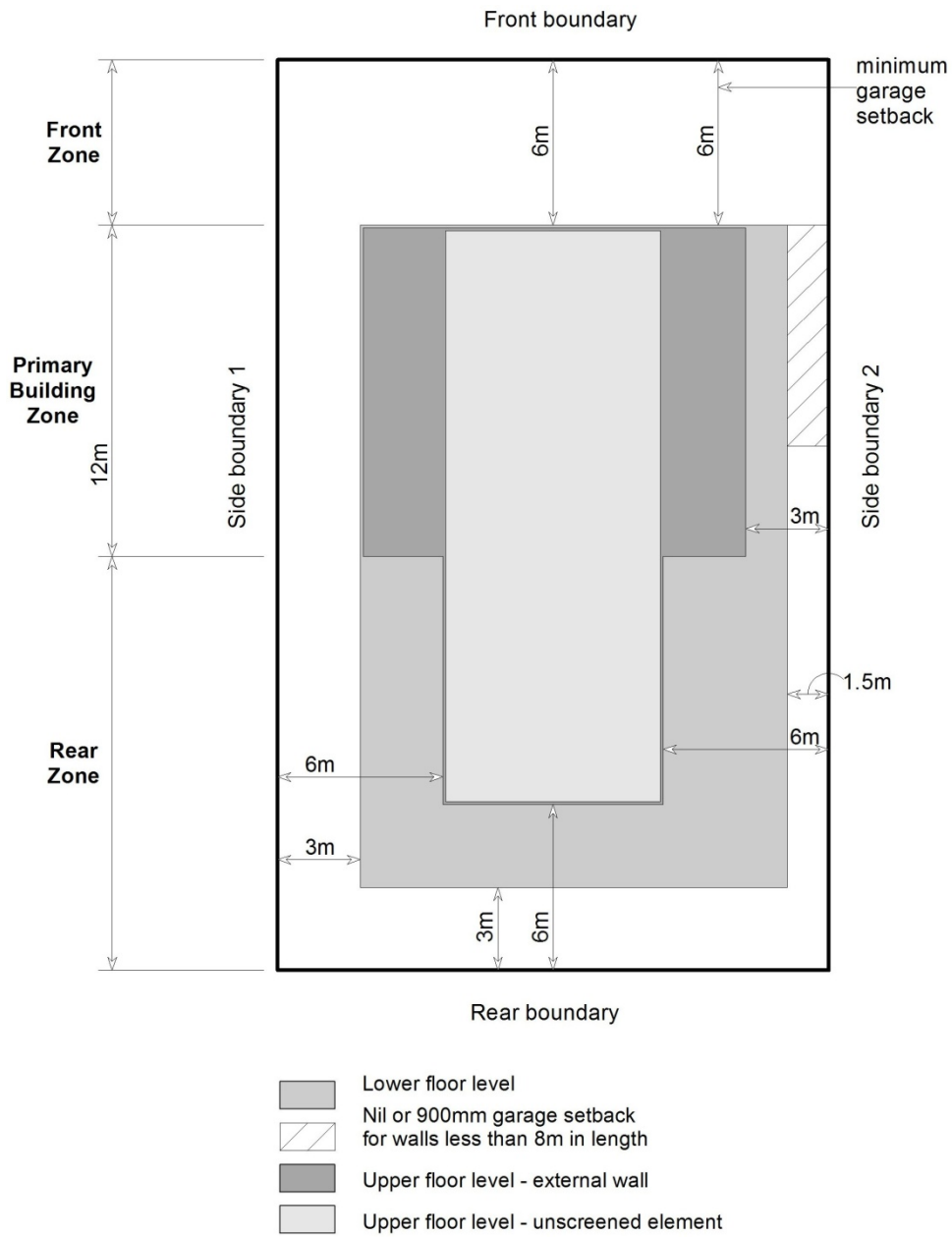


Diagram 2: Large blocks approved on or after 18 October 1993 but before 31 March 2008 (refer Tables 2B and 5)

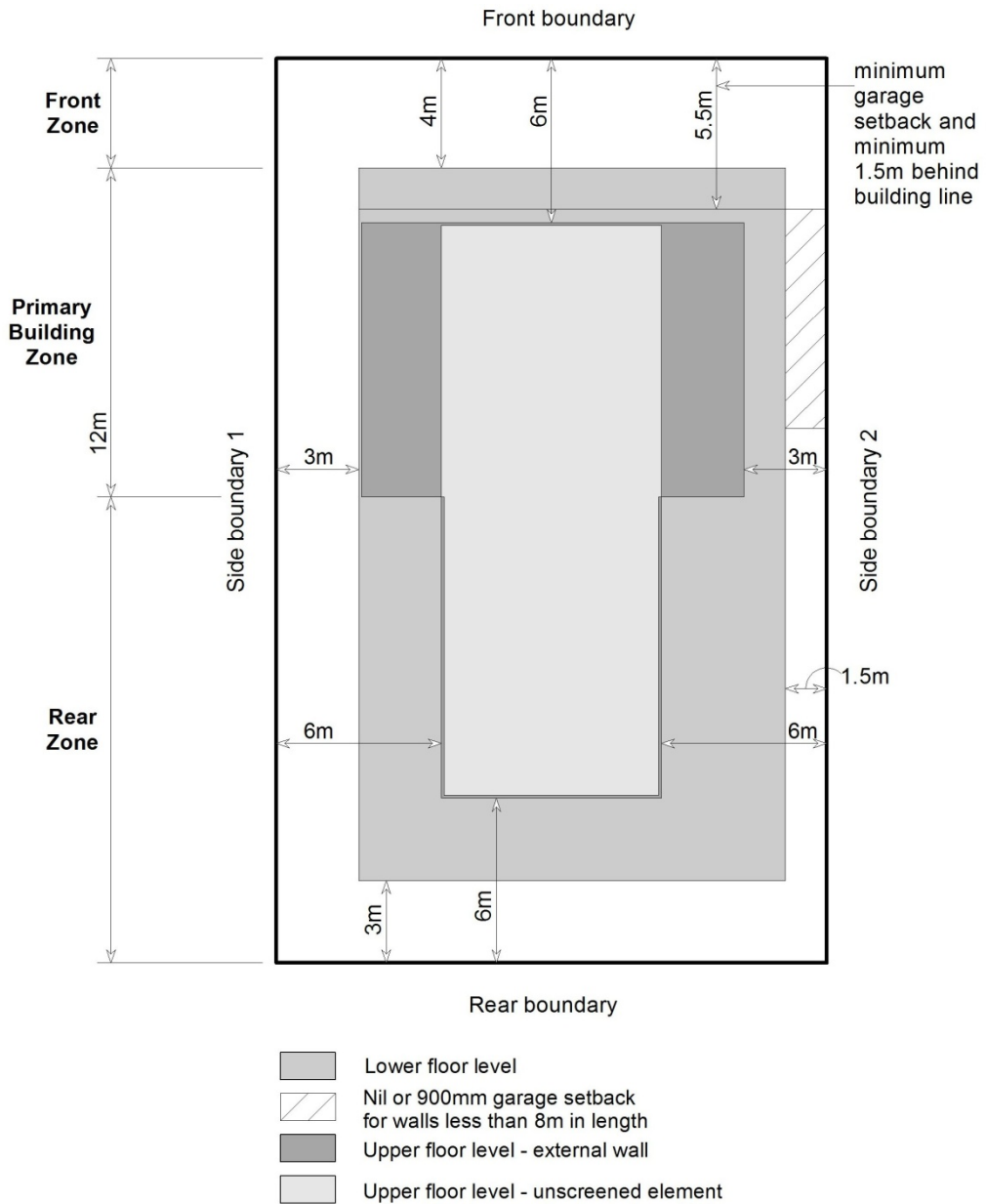


Diagram 3: Large blocks approved on or after 31 March 2008
(refer Tables 2C and 5)

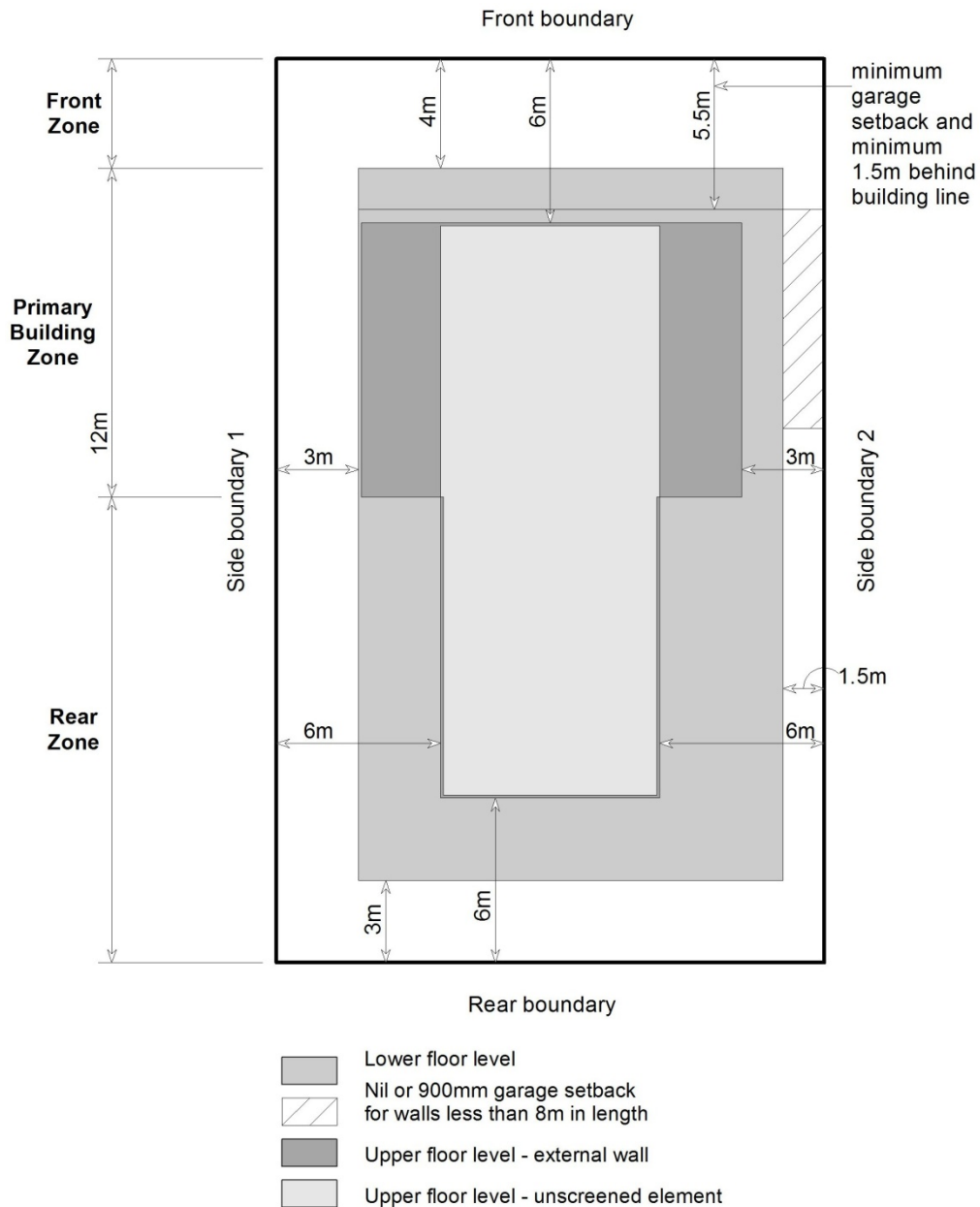


Diagram 4: **Mid-sized blocks approved before 18 October 1993**
 (refer Tables 3A and 6A)

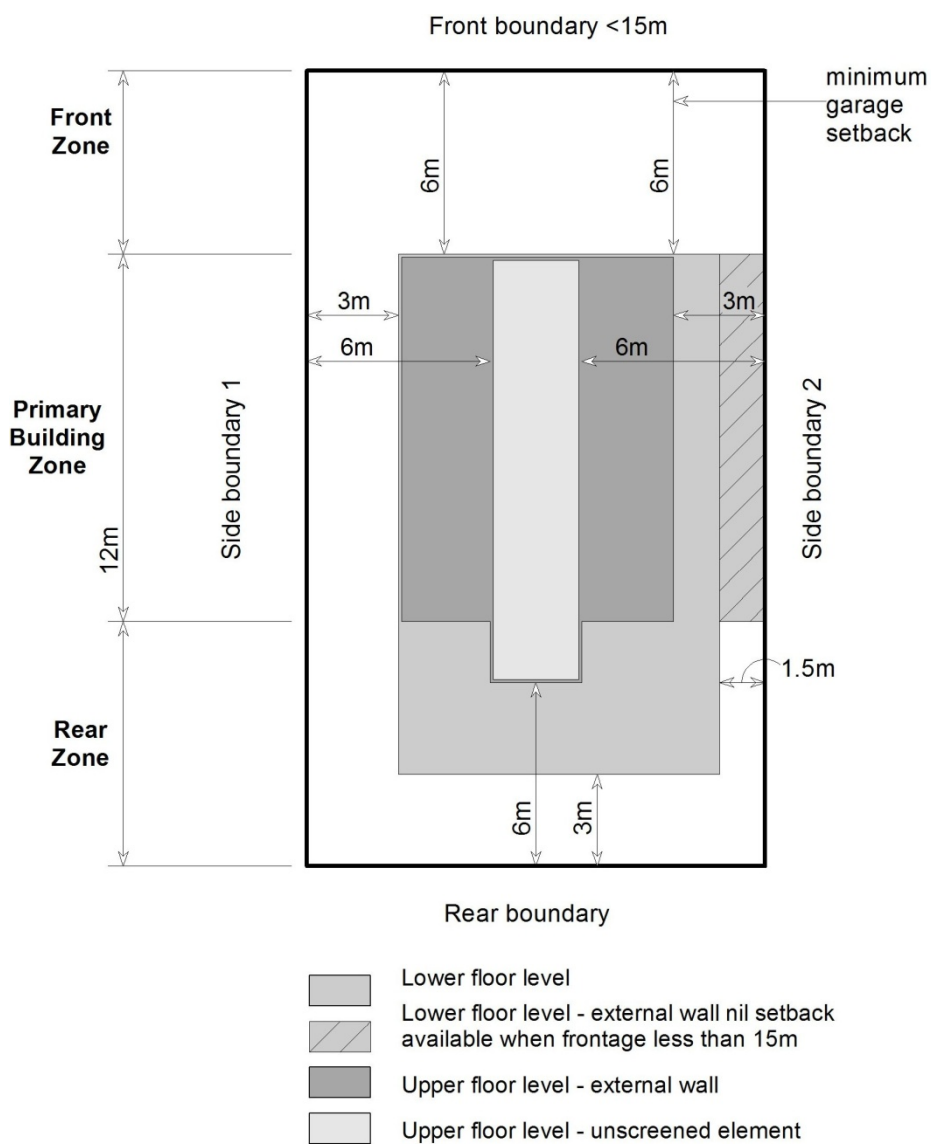


Diagram 5: **Mid-sized blocks approved on or after 18 October 1993 but before 31 March 2008** (refer Tables 3B and 6A)

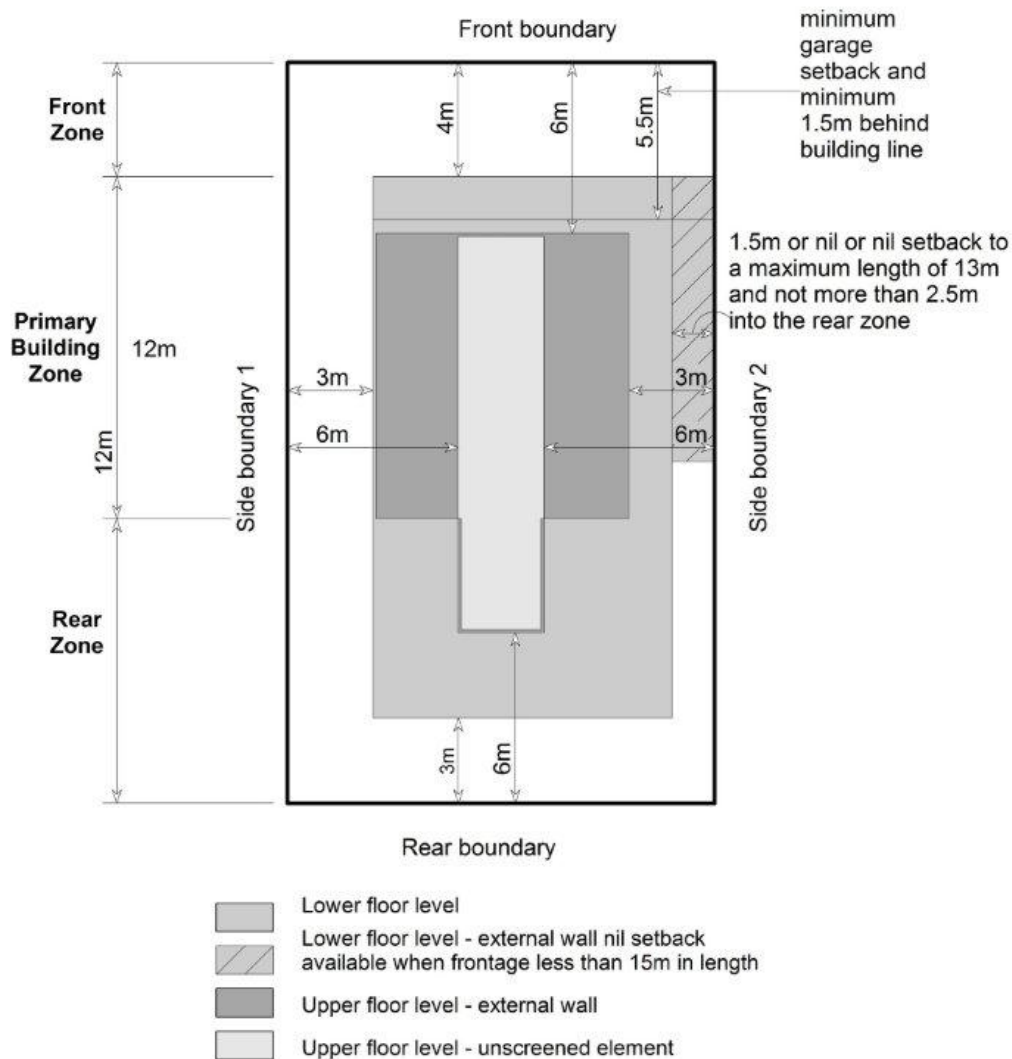


Diagram 6: **Mid-sized blocks approved on or after 31 March 2008 but before 2 October 2009** (refer Tables 3C and 6A)

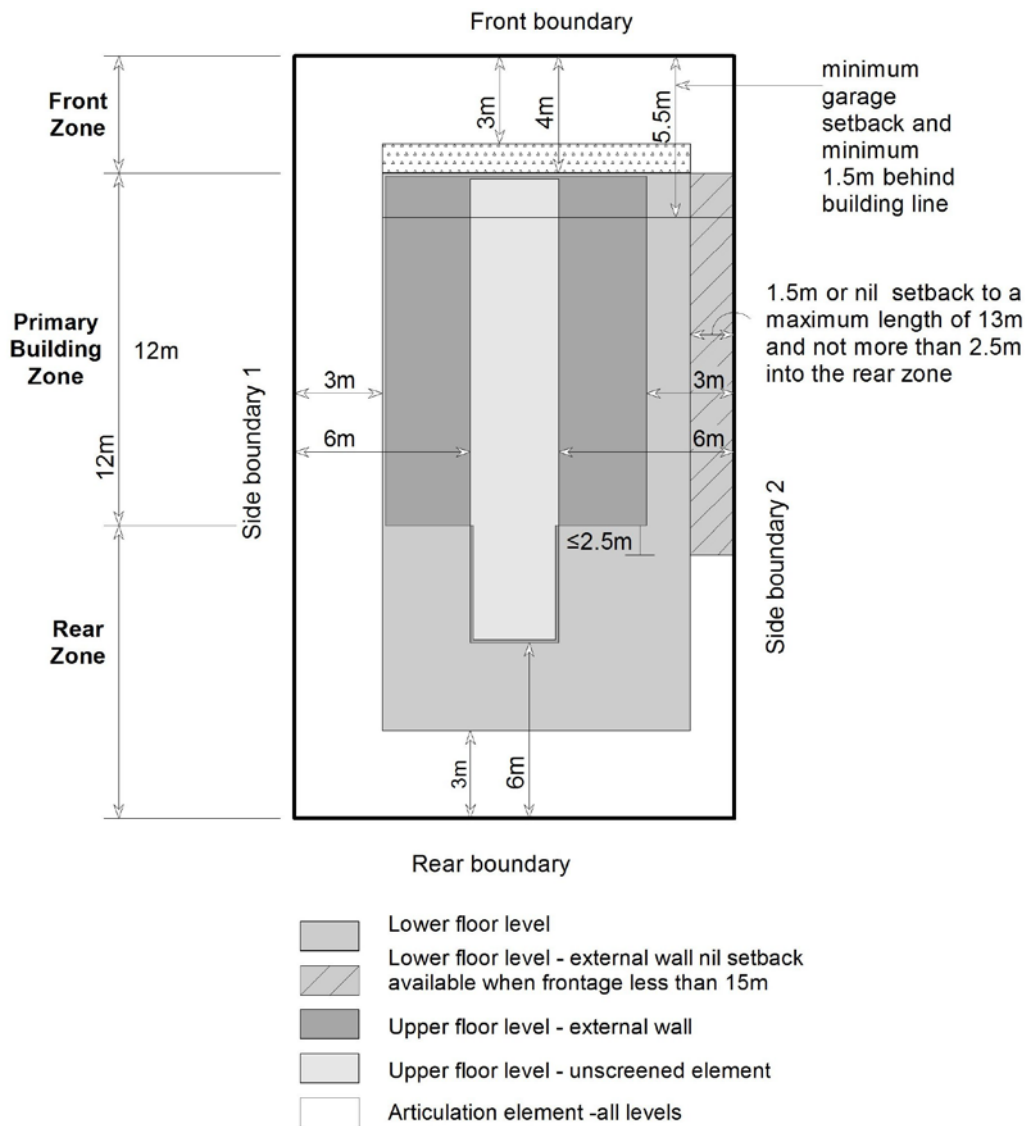


Diagram 7: **Mid-sized blocks approved on or after 2 October 2009**
(refer Tables 3C and 6B)

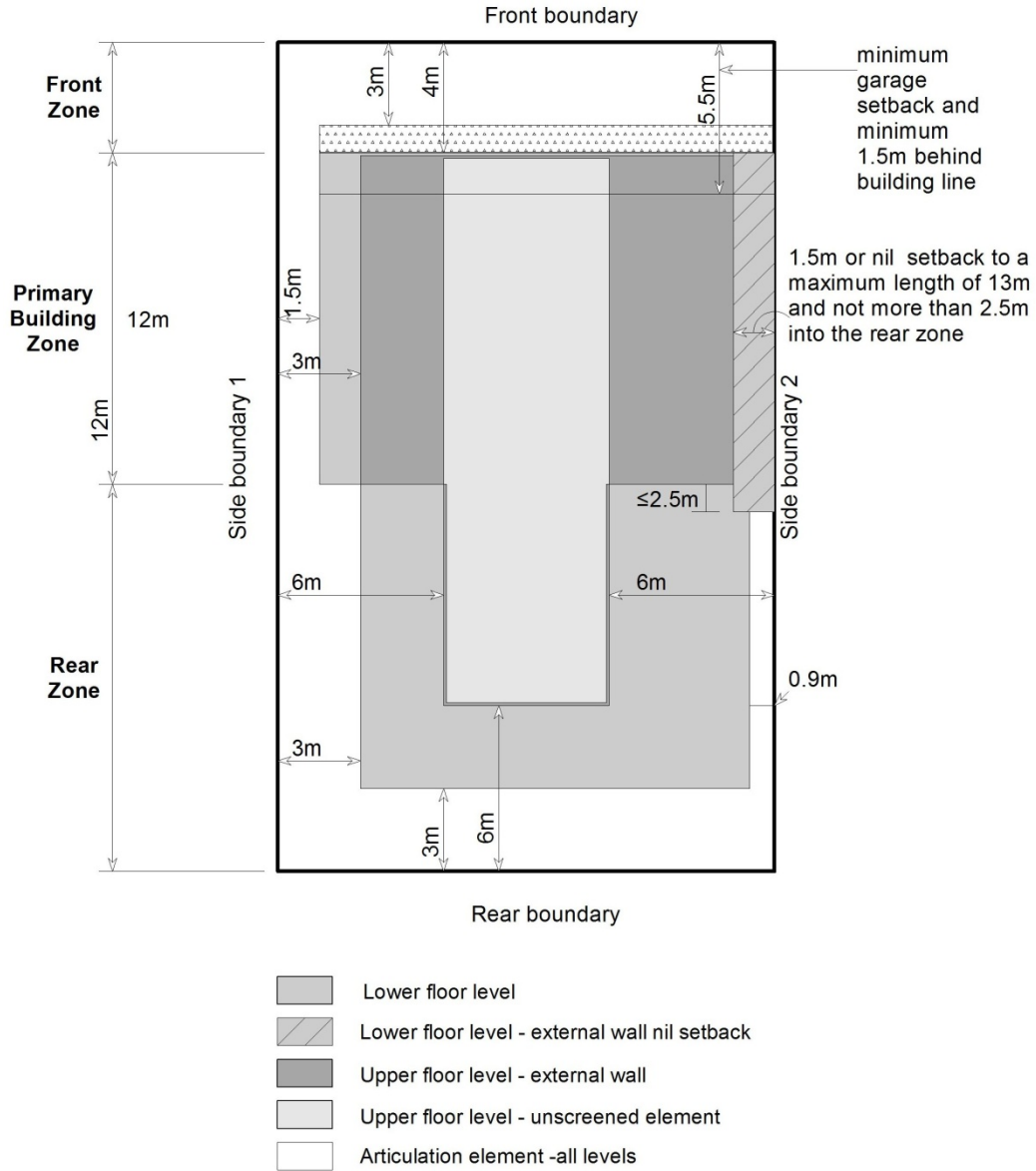


Diagram 8: Mid-sized blocks approved on or after 2 October 2009 – alternative side and rear setbacks applicable only to nominated blocks in a precinct code (refer Tables 3C and 6C)

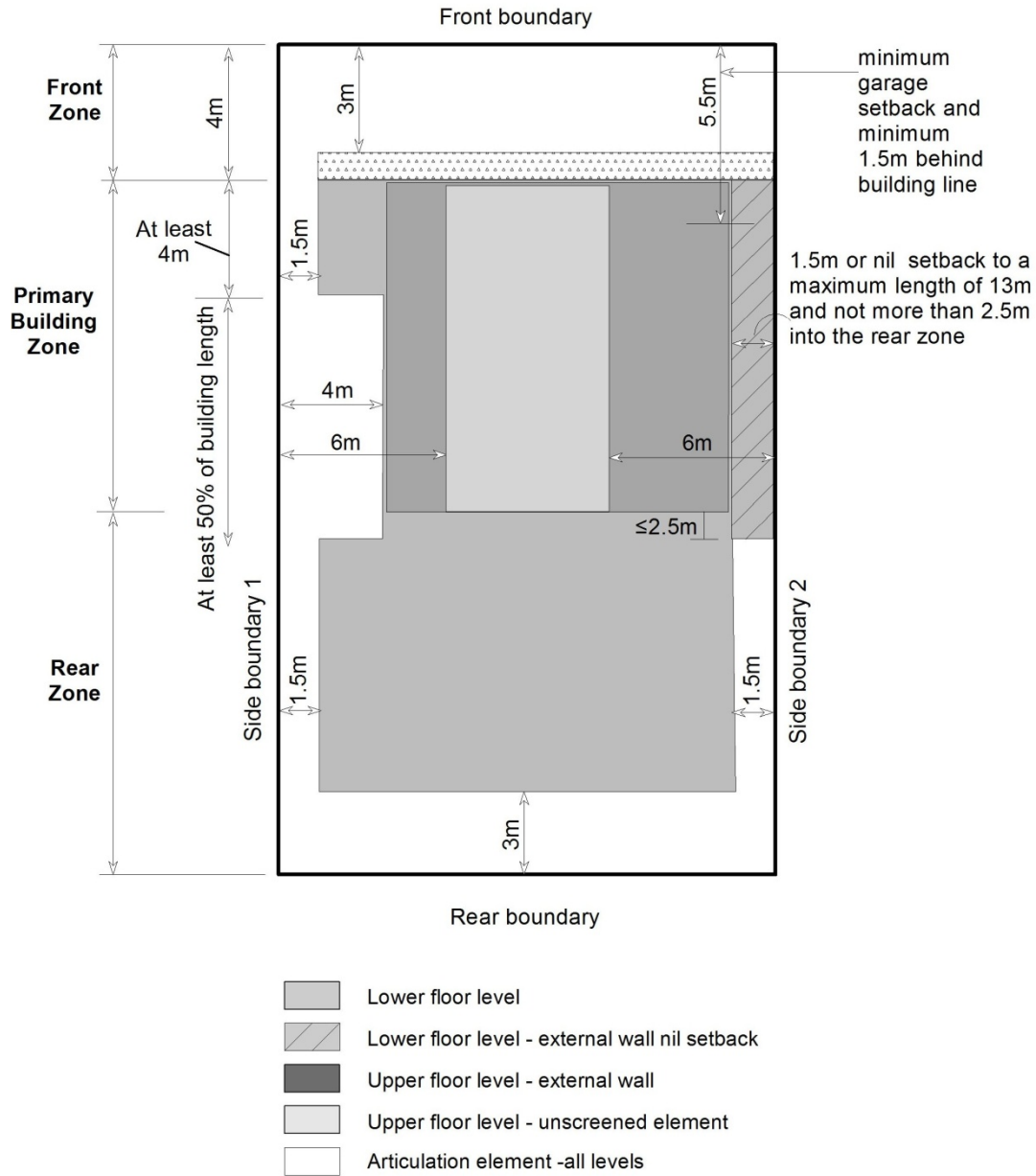


Diagram 9: **Compact blocks approved before 18 October 1993**
 (refer Tables 3A and 7)

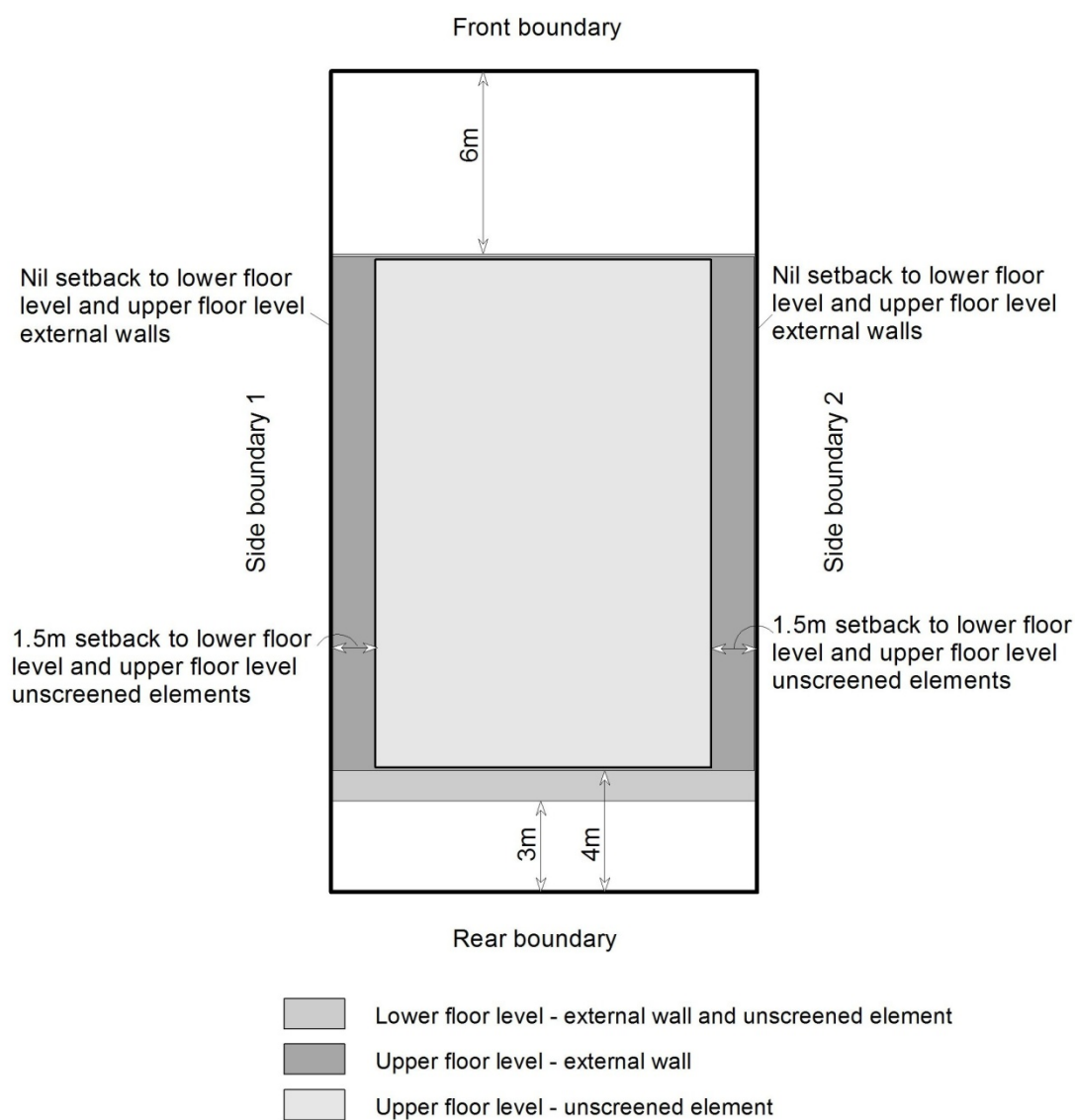


Diagram 10: **Compact blocks approved on or after 18 October 1993 but before 31 March 2008** (refer Tables 3B and 7)

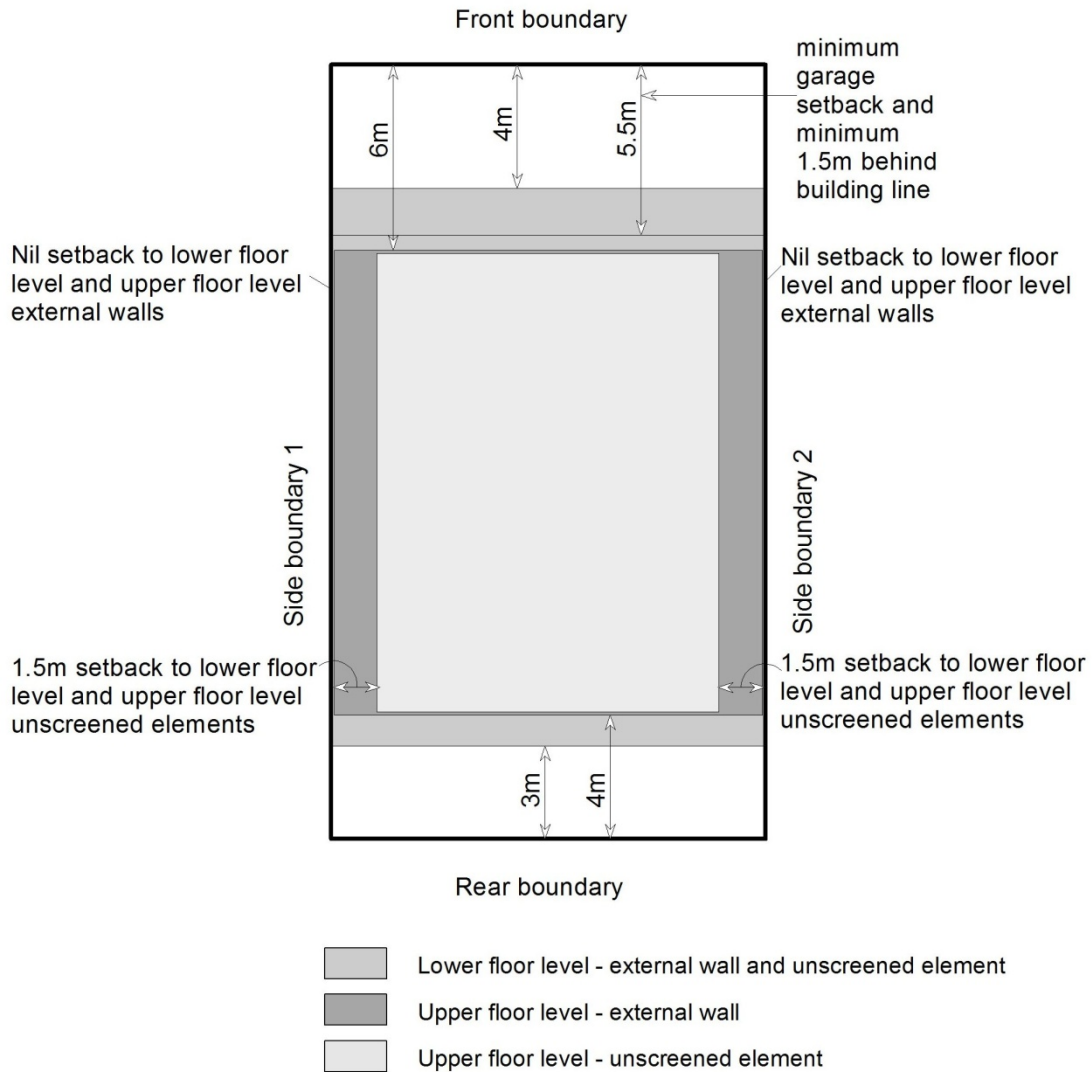
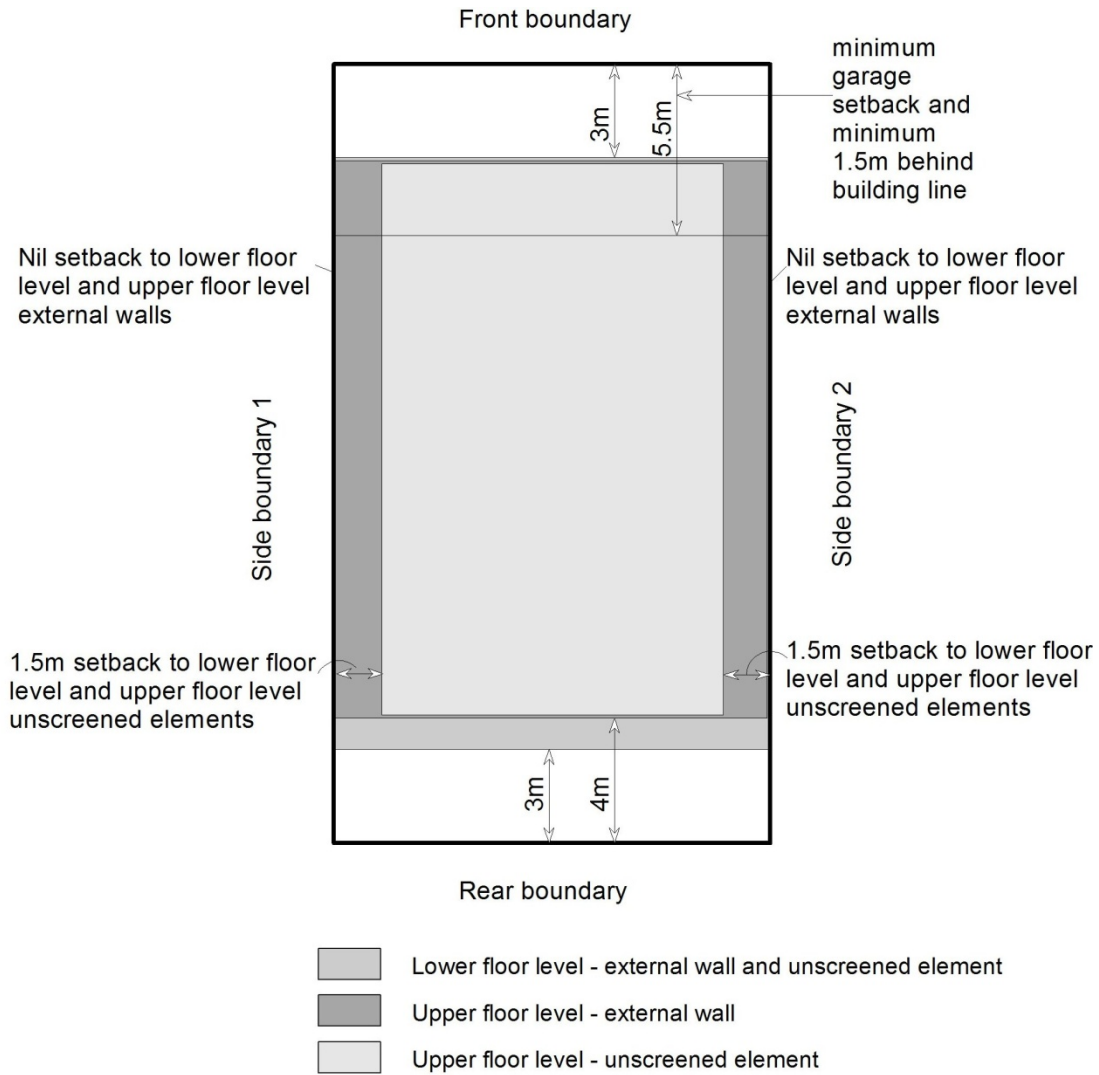


Diagram 11: **Compact blocks approved on or after 31 March 2008 but before 2 October 2009** (refer Table 4 and 7)





ACT
Government

Environment and
Sustainable Development

Multi Unit Housing Development Code

February 2013

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Introduction

Name

The name of this code is **Multi Unit Housing Development Code**.

Application

This code applies to *multi unit housing* in all zones and to development that another code states is subject to it.

It does not apply to:

- *residential care accommodation* except for the provisions of this code specified as applicable to *residential care accommodation* in the Residential Zones Development Code
- *secondary residences*.

National Capital Plan

Where a development is subject to special requirements under the National Capital Plan, or any relevant development control plan prepared under the National Capital Plan, the development must not be inconsistent with the special requirements or development control plan. Where any provision of this code is inconsistent with special requirements under the National Capital Plan, or any relevant development control plan prepared under the National Capital Plan, that provision has no effect.

Purpose

This code provides additional planning, design and environmental controls to support the objectives of the relevant zone.

It will be used by the *Authority* to assess development applications. It also offers guidance to applicants in designing development proposals and preparing development applications.

Structure

This code has 4 parts:

Part A – General controls for multi unit housing in all zones

Part B – Additional controls for multi unit housing with 4 or more storeys

Part C – Additional controls for multi unit housing in commercial zones

Part D – Endorsement by government agencies

Generally, each part is divided into one or more elements. Each element has one or more rules, each having an associated criterion (unless the rule is mandatory). Rules provide quantitative or definitive controls, while criteria are chiefly qualitative in nature.

In some instances rules are mandatory. Such rules accompanied by the words “This is a mandatory requirement. There is no applicable criterion.” Non-compliance with a mandatory rule will result in the refusal of the development application. Conversely, the words “There is no applicable rule” is found where a criterion only is applicable.

Assessment tracks

Assessment tracks for particular developments are specified in the relevant zone development table.

Proposals in the **code track** must comply with all rules relevant to the development.

Proposals in the **merit track** and **impact track** must comply with each rule or satisfy its associated criterion, unless the rule is mandatory (ie. it has no related criterion). Where a rule is fully met, no reference to the related criterion needs to be made. Where there is a departure from a rule, or where

a criterion only applies, the onus is on the applicant to demonstrate that the relevant criterion is satisfied, through supporting drawings and/or written documentation. In addition, the applicant for proposals in the impact track must justify any non-compliance by reference to the Statement of Strategic Directions.

Code hierarchy

Under the *Planning and Development Act 2007*, where more than one type of code applies to a development and there is inconsistency between provisions, the order of precedence is: precinct code, development code, and general code.

Endorsement by government agencies

Endorsement by “entities” (as government agencies are known under the *Planning and Development Act 2007*) is not necessarily required when a development application is lodged. At least some entity endorsements may be obtained before the application is determined or, in some instances, after approval through a condition of development approval. The assessing officer can provide guidance in this regard.

Related codes

Residential Zones Development Code

Applies to all forms of development in residential zones and makes reference to development codes and general codes that may also apply.

Precinct codes

Precinct codes may contain additional provisions that apply to specified *blocks*. Precinct codes are found in part 10 of the Territory Plan.

General codes

The following general codes, in particular, may be relevant:

- Access and Mobility General Code
- Crime Prevention through Environmental Design General Code
- Home Business General Code
- Parking and Vehicular Access General Code
- Planning for Bushfire Risk Management General Code
- Residential Boundary Fences General Code
- Water Ways: Water Sensitive Urban Design General Code

General codes are found in part 11 of the Territory Plan..Development must comply with the relevant codes (including other general codes that may not be listed above), subject to the code hierarchy outlined above.

Definitions

Defined terms and references to legislation and other documents are italicised.

Definitions of terms used in this code are listed in part 13 of the Territory Plan or, for terms applicable only to this code, associated with the respective rule.

Acronyms

ACTPLA	ACT Planning and Land Authority
EDD	ACT Economic Development Directorate
EPA	ACT Environment Protection Authority
ESA	Emergency Services Authority
ESDD	ACT Environment and Sustainable Development Directorate
NCA	National Capital Authority
NCC	National Construction Code
P&D Act	Planning and Development Act 2007
TAMS	ACT Territory and Municipal Services Directorate

Part A – General controls

This part applies to all multi-unit housing development irrespective of zone. Part B contains additional controls that apply to multi-unit housing with four or more storeys. Part C contains additional controls that apply to multi-unit housing in commercial zones.

Element 1: Restrictions on use

Rules	Criteria
1.1 Dual occupancy housing – single dwelling blocks – RZ1	
R1 In RZ1, the minimum area of <i>single dwelling blocks</i> for <i>dual occupancy housing</i> is 800m ² .	This is a mandatory requirement. There is no applicable criterion.
1.2 Dual occupancy housing – single dwelling blocks – RZ2	
R2 In RZ2, the minimum area of <i>single dwelling blocks</i> for <i>dual occupancy housing</i> is 700m ² .	This is a mandatory requirement. There is no applicable criterion.
1.3 Apartments - single dwelling blocks – RZ1 and RZ2	
R3 This rule applies to <i>single dwelling blocks</i> in RZ1 and RZ2. No new <i>apartments</i> are permitted.	This is a mandatory requirement. There is no applicable criterion.

Element 2: Lease and development conditions

Rules	Criteria
2.1 Development proposals affected by approved lease and development conditions	
R4 This rule applies to <i>blocks</i> affected by approved <i>lease and development conditions</i> that provide for one or more of the following matters: a) plot ratio b) building envelope c) building height d) front street setback e) side setback f) rear setback g) building design h) materials and finish i) interface j) vehicle access k) parking l) solar access	C4 The development meets the intent of any approved <i>lease and development conditions</i> .

Rules	Criteria
<p>m) private open space n) water sensitive urban design o) landscaping.</p> <p>Approved <i>lease and development conditions</i> for the matters listed above shall take precedence over the provisions of this code, but only to the extent of any inconsistency.</p>	

Element 3: Building and site controls

Rules	Criteria
3.1 Dwelling replacement – single dwelling blocks	
<p>R5</p> <p>This rule applies to <i>single dwelling blocks</i> in all residential zones that are proposed to be redeveloped for <i>multi unit housing</i>, but does not apply to <i>supportive housing</i>.</p> <p>The number of <i>dwellings</i> with three or more bedrooms is not fewer than:</p> <p>a) where there has been no consolidation of blocks – 1</p> <p>b) in all other cases – a number equal to the total number of blocks originally leased or used for the purpose of <i>single dwelling housing</i> that have been consolidated or proposed to be consolidated.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
3.2 Plot ratio – dual occupancy - single dwelling blocks – RZ1	
<p>R6</p> <p>This rule applies to <i>single dwelling blocks</i> in RZ1.</p> <p>The maximum <i>plot ratio</i> for <i>dual occupancy housing</i> is determined by the formula:</p> $P = (140/B + 0.15) \times 100.$ <p>The maximum <i>plot ratio</i> for any additional new <i>dwelling</i> which is part of a <i>dual occupancy</i> and does not directly front a public road from which vehicular access is permitted is the lesser of:</p> <p>a) the <i>plot ratio</i> determined by the formula</p> $P = (140/B + 0.15) \times 50$ <p>and</p> <p>b) 17.5%.</p> <p>For the purpose of calculating <i>plot ratio</i> for this rule, the <i>gross floor area</i> includes 18m² for each roofed car space provided to meet Territory requirements for resident car parking, but does</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>not include <i>basement</i> car parking.</p> <p>For the formulae used in this rule:</p> <p>P is the maximum permissible <i>plot ratio</i> expressed as a percentage</p> <p>B is the <i>block</i> area in square metres.</p>	
3.3 Plot ratio – dual occupancy - single dwelling blocks – RZ2	
<p>R7</p> <p>This rule applies to <i>single dwelling blocks</i> in RZ2.</p> <p>The maximum <i>plot ratio</i> for <i>dual occupancy housing</i> is:</p> <ul style="list-style-type: none"> i) where at least one dwelling does not directly front a public road from which vehicular access is permitted – 35% ii) in all other cases – 50% <p>The maximum <i>plot ratio</i> for any additional new <i>dwelling</i> which is part of a <i>dual occupancy</i> and does not directly front a public road from which vehicular access is permitted is 17.5%.</p> <p>For the purpose of calculating <i>plot ratio</i> for this rule, the <i>gross floor area</i> includes 18m² for each roofed car space provided to meet Territory requirements for resident car parking, but does not include <i>basement</i> car parking</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
3.4 Plot ratio – large single dwelling blocks – RZ2, RZ3 and RZ4	
<p>R8</p> <p>This rule applies to <i>large blocks</i> that are <i>single dwelling blocks</i> in RZ2, RZ3 and RZ4.</p> <p>In RZ2 the maximum <i>plot ratio</i> is 50%.</p> <p>In RZ3 the maximum <i>plot ratio</i> is 65%.</p> <p>In RZ4 the maximum <i>plot ratio</i> is 80%.</p> <p>For the purpose of calculating <i>plot ratio</i> for this rule, the <i>gross floor area</i> includes 18m² for each roofed car space provided to meet Territory requirements for resident car parking, but does not include <i>basement</i> car parking.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
3.5 Plot ratio – other than single dwelling blocks – RZ1, RZ2, RZ3 and RZ4	
<p>R9</p> <p>This rule applies to blocks other than <i>single dwelling blocks</i> in RZ1, RZ2 and RZ3.</p> <p>The maximum <i>plot ratio</i> is:</p> <ul style="list-style-type: none"> a) in RZ1, RZ2 and RZ3 – 65% b) in RZ4 – 80%. <p>This rule does not apply to:</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>i) <i>blocks</i> with both of the following characteristics:</p> <ul style="list-style-type: none"> • subject to either a residential B1 or B8 area specific policy under the Territory Plan at 30 March 2008 • held under a holding lease at 30 March 2008 <p>ii) <i>blocks</i> in RZ1 approved before (commencement date)</p> <p>For the purpose of calculating <i>plot ratio</i> for this rule, the <i>gross floor area</i> includes 18m² for each roofed car space provided to meet Territory requirements for resident car parking, but does not include <i>basement</i> car parking.</p>	
3.6 Additional dwellings – single dwelling blocks – RZ1	
<p>R10</p> <p>This rule applies to <i>single dwelling blocks</i> in RZ1 but not to <i>blocks</i> that are intended to be used for <i>supportive housing</i>.</p> <p>The maximum number of <i>dwellings</i> permitted on a <i>single dwelling block</i> is 2.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
3.7 Residential density – supportive housing – single dwelling blocks - RZ1	
<p>R11</p> <p>This rule applies to <i>single dwelling blocks</i> in RZ1 that are intended to be used for <i>supportive housing</i>.</p> <p>Despite any other rule in this element, the maximum number of <i>dwellings</i> is shown in table A1.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
3.8 Residential density – single dwelling blocks – RZ2	
<p>R12</p> <p>This rule applies to <i>single dwelling blocks</i> in RZ2. The maximum number of <i>dwellings</i> is shown in table A2.</p> <p>Note 1: Refer to element 4 of the Residential Zones Development Code for provisions relating to supportive housing.</p> <p>Notes 2: Refer to element 3 for provisions relating to the number of dwellings permitted in each building.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
3.9 Additional dwellings – single dwelling blocks – RZ2	
<p>R13</p> <p>This rule applies to <i>single dwelling blocks</i> in RZ2 where the street frontage that allows vehicular</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>access is 20m or less.</p> <p>Despite any other rule in this element, the maximum number of <i>dwelling</i>s is 3.</p>	
3.10 Residential density – adaptable housing – single dwelling blocks - RZ2	
<p>R14</p> <p>This rule applies to <i>single dwelling blocks</i> in RZ2 where all dwellings comply with Australian Standard <i>AS4299 Adaptable Housing (Class C)</i></p> <p>Despite R12, the maximum number of <i>dwelling</i>s is shown in table A3.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
3.11 Number of dwellings in each building – single dwelling blocks – RZ2	
<p>R15</p> <p>In RZ2 on <i>single dwelling blocks</i> the maximum number of dwellings in any building is 4.</p> <p>For the purposes of this rule, <i>basements</i> are not part of a building.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
3.12 Number of storeys – single dwelling blocks – RZ1	
<p>R16</p> <p>In RZ1 on <i>single dwelling blocks</i> buildings comply with all of the following:</p> <ul style="list-style-type: none"> a) contain no more than 2 <i>storeys</i> b) <i>attics</i> or <i>basement</i> car parking are not permitted where they are located directly above or below any 2 <i>storey</i> element of the <i>dwelling</i>. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R17</p> <p>This rule applies to a <i>detached house</i> with all of the following characteristics:</p> <ul style="list-style-type: none"> i) located on a <i>single dwelling block</i> ii) located in RZ1 iii) is part of a <i>dual occupancy housing</i> iv) does not directly front a public road <p>Despite the previous rule the building complies with all of the following:</p> <ul style="list-style-type: none"> a) contains no more than 1 <i>storey</i> b) has no <i>basement</i> car parking. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
3.13 Number of storeys – other than single dwelling blocks – RZ1	
<p>R18</p> <p>In RZ1 on <i>blocks</i> other than <i>single dwelling blocks</i>, the maximum number of <i>storeys</i> is 2.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
3.14 Number of storeys – RZ2	
<p>R19</p> <p>In RZ2 the number of <i>storeys</i> does not exceed 2. Rooftop plant that is set back from the building's facade and screened from the street is not included in the number of storeys.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
3.15 Number of storeys – RZ3	
<p>R20</p> <p>In RZ3 the maximum number of <i>storeys</i> is 2. Rooftop plant that is set back from the building's facade and screened from the street is not included in the number of storeys.</p>	<p>C20</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) the appearance from the street of not more than two storeys for that part of the building facing the street c) reasonable solar access to <i> dwellings</i> on adjoining <i> residential blocks</i> and their associated <i> private open space</i>.
3.16 Number of storeys – RZ4	
<p>R21</p> <p>In RZ4 the maximum number of <i>storeys</i> is 3. Rooftop plant that is set back and screened from the street is not included in the number of storeys.</p>	<p>C21</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) the appearance from the street of not more than three storeys for that part of the building facing the street c) reasonable solar access to <i> dwellings</i> on adjoining <i> residential blocks</i> and their associated <i> private open space</i>.
3.17 Number of storeys – RZ5	
<p>R22</p> <p>In RZ5, the maximum number of <i>storeys</i> is:</p> <ul style="list-style-type: none"> a) for that part of the building within 50m of the boundaries of <i> blocks</i> in RZ1, RZ2 or RZ3 - 3 b) for that part of the building within 40m of the boundaries of <i> blocks</i> in CFZ, PRZ1 or PRZ2 - 3 c) for that part of the building within 30m of the boundaries of <i> blocks</i> in RZ4 - 4 d) in all other cases – 6. <p>Roof top plant that is set back and screened from the street is not included in the number of storeys.</p>	<p>C22</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable solar access to <i> dwellings</i> on adjoining <i> residential blocks</i> and their associated <i> private open space</i>.

Rules	Criteria
3.18 Height of buildings – RZ1 and RZ2	
<p>R23</p> <p>In RZ1 and RZ2 the maximum <i>height of building</i> is 8.5m.</p>	<p>C23</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.
3.19 Height of buildings – RZ3, RZ4 and RZ5	
<p>R24</p> <p>Maximum <i>height of building</i> is:</p> <ul style="list-style-type: none"> a) in RZ3 – 9.5m b) in RZ4 – 12.5m c) in RZ5 – 21.5m. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
3.20 Building envelope – all blocks approved before (commencement date) except in Molonglo Valley and buildings over 3 storeys in RZ5 and commercial zones	
<p>R25</p> <p>This rule applies to <i>blocks</i> with one of the following characteristics:</p> <ul style="list-style-type: none"> a) approved under an <i>estate development plan</i> before (commencement date) b) for which a <i>lease</i> was granted before (commencement date) <p>but does not apply to one or more of the following:</p> <ul style="list-style-type: none"> i) blocks located in the district of Molonglo Valley ii) buildings with more than 3 storeys in RZ5 iii) buildings with more than 3 storeys in commercial zones. <p>Buildings are sited wholly within the building envelope formed by projecting planes over the subject <i>block</i> comprising lines projected at 45° to the horizontal from an infinite number of points on a line of infinite length 3.5m above each side and rear boundary, except as required by the next rule.</p> <p>Refer figure A1.</p> <p>Note: To remove any doubt, the reference to a building with more than 3 storeys is a reference to the whole building, not just that part of the building over 3 storeys.</p>	<p>C25</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable levels of privacy for <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.

Rules	Criteria
<p>R26</p> <p>This rule applies to <i>blocks</i> with one of the following characteristics:</p> <ul style="list-style-type: none"> a) approved under an <i>estate development plan</i> before (commencement date) b) for which a <i>lease</i> was granted before (commencement date). <p>but does not apply to one or more of the following:</p> <ul style="list-style-type: none"> i) blocks located in the district of Molonglo Valley ii) buildings with more than 3 storeys in RZ5 iii) buildings with more than 3 storeys in commercial zones <p>Buildings are sited wholly within the building envelope formed by projecting planes over the subject <i>block</i> comprising lines projected at X° to the horizontal from an infinite number of points on a line of infinite length at the height of the <i>solar fence</i> on the <i>northern boundary</i> or boundaries of an adjoining <i>residential block</i>.</p> <p>This rule does not apply to any part of a <i>northern boundary</i> to an adjoining <i>residential block</i> that is used primarily to provide access to the main part of the <i>residential block</i> (ie a “battleaxe” handle). The previous rule applies to this boundary.</p> <p>The height of the <i>solar fence</i> is given in table A4A.</p> <p>X° is the apparent sun angle at noon on the winter solstice. For the purposes of this rule values for X are given in table A4B.</p> <p>Refer figure A1.</p> <p>Note: To remove any doubt, the reference to a building with more than 3 storeys is a reference to the whole building, not just that part of the building over 3 storeys.</p>	<p>C26</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable levels of privacy for <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>. c) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.
<p>3.21 Building envelope – blocks approved on or after (commencement date) and in Molonglo Valley, except buildings over 3 storeys in RZ5 and commercial zones</p>	
<p>R27</p> <p>This rule applies to <i>blocks</i> with one or more of the following characteristics:</p> <ul style="list-style-type: none"> a) approved under an <i>estate development plan</i> on or after (commencement date) b) located in the district of Molonglo Valley. <p>but does not apply to buildings with both of the</p>	<p>C27</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable levels of privacy for <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.

Rules	Criteria
<p>following characteristics –</p> <ul style="list-style-type: none"> i) more than 3 storeys ii) on land zoned RZ5 or commercial. <p>Buildings are sited wholly within the building envelope formed by projecting planes over the subject <i>block</i> comprising lines projected at 45° to the horizontal from an infinite number of points on a line of infinite length 3.5m above each side and rear boundary, except for <i>northern boundaries</i> of adjoining <i>residential blocks</i>, which are dealt with by the next rule.</p> <p>Refer figure A1.</p> <p>Note: To remove any doubt, the reference to a building with more than 3 storeys is a reference to the whole building, not just that part of the building over 3 storeys.</p>	
<p>R28</p> <p>This rule applies to <i>blocks</i> with one or more of the following characteristics:</p> <ul style="list-style-type: none"> a) approved under an <i>estate development plan</i> on or after (commencement date). b) located in the district of Molonglo Valley <p>but does not apply to buildings with more than 3 storeys in RZ5 or commercial zones.</p> <p>Buildings are sited wholly within the building envelope formed by projecting planes over the subject <i>block</i> comprising lines projected at X° to the horizontal from an infinite number of points on a line of infinite length at the height of the <i>solar fence</i> on the <i>northern boundary</i> or boundaries of an adjoining <i>residential block</i>.</p> <p>This rule does not apply to any part of a <i>northern boundary</i> to an adjoining <i>residential block</i> that is used primarily to provide access to the main part of the <i>residential block</i> (ie a “battleaxe” handle). The previous rule applies to this boundary.</p> <p>The height of the <i>solar fence</i> is given in table A4A.</p> <p>X° is the apparent sun angle at noon on the winter solstice. For the purposes of this rule values for X are given in table A4B.</p> <p>Refer Figure A1.</p> <p>Note: To remove any doubt, the reference to a building with more than 3 storeys is a reference to the whole building, not just that part of the building over 3 storeys.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Table A1 - Maximum number of dwellings for supportive housing allowable on single dwelling blocks in RZ1

block size (m ²)	maximum number of dwellings
<600	1*
over 600	1 + 1 for every 250m ^{2**} of site area over 600m ²

* not including a secondary residence

** not less than 250m² is required for every additional dwelling

Table A2 - Maximum number of dwellings allowable on single dwelling blocks in RZ2

block size (m ²)	maximum number of dwellings
<700	1*
700 to <1050	2
1050 to <1400	3
1400 to <1750	4
1750 to <2100	5
2100 to <2350	6
over 2350	6 + 1 for every 250m ^{2**} of site area over 2350m ²

* not including a secondary residence

** not less than 250m² is required for every additional dwelling

Table A3 - Maximum number of dwellings for adaptable housing allowable on single dwelling blocks in RZ2

block size (m ²)	maximum number of dwellings***
<600	1*
600 to <850	2
850 to <1100	3
1100 to <1350	4
over 1350	4 + 1 for every 250m ² ** of site area over 1350m ²

* not including a secondary residence

** not less than 250m² is required for every additional dwelling

*** all dwellings must be for supportive or adaptable housing

Table A4A – Height of solar fence

Location	Height of solar fence (m)
from: i) a point on the boundary at a distance from the front boundary equivalent to the minimum front boundary setback applying to that block to: ii) a point on the boundary 10m from point i)	2.4
all other parts of the boundary	1.8

Table A4B – Apparent sun angle at noon on the winter solstice

Aspect of northern boundary (bearing of line drawn perpendicular to the boundary)	Angle (X)
North 0-9° East North 0-9° West	31°
North 10-19° East North 10-19° West	32°
North 20-29° East North 20-29° West	34°
North 30-39° East North 30-39° West	36°
North 40-45° East North 40-45° West	39°

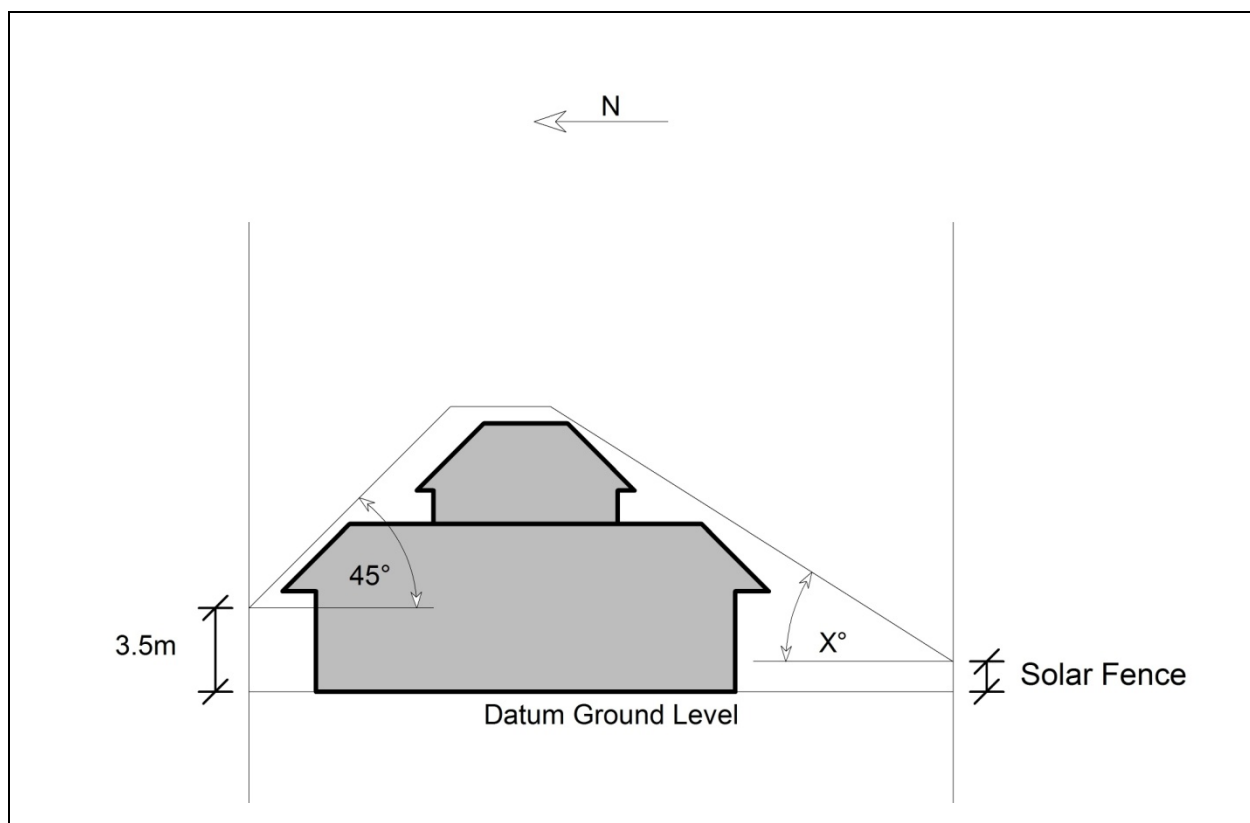


Figure A1 - Typical Building Envelope

Note: building height and boundary setback provisions also apply.

Rules	Criteria
3.22 Front boundary setbacks	
<p>R29</p> <p>Front boundary setbacks comply with Table A5. Minimum boundary setbacks for corner <i>blocks</i> apply only to the street frontage nominated as a <i>secondary street frontage</i>. If street frontages on corner <i>blocks</i> are of equal length, the minimum setbacks apply only to one <i>secondary street frontage</i>. Chamfers may be included in the <i>secondary street frontage</i>.</p>	<p>C29</p> <p>Front boundary setbacks achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable amenity for residents c) sufficient space for street trees to grow to maturity.

Rules	Criteria
3.23 Side and rear boundary setbacks	
<p>R30</p> <p>Side and rear boundary setbacks comply with the following:</p> <ul style="list-style-type: none"> a) in RZ1 and RZ2 - Table A6 b) in RZ3, RZ4, RZ5 and commercial zones - Table A7 c) in all other zones – the relevant zone development code 	<p>C30</p> <p>Buildings and other structures are sited to achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable separation between adjoining developments c) reasonable privacy for <i>dwellings</i> on adjoining <i>residential blocks</i> d) reasonable privacy for <i>principal private open space</i> on adjoining <i>residential blocks</i> e) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>principal private open space</i>.

Table A5: All Zones - Front Boundary Setbacks – (explanatory diagram in Appendix 1)

Minimum front boundary setbacks					
floor level	blocks in subdivisions approved on or after 18 October 1993	blocks in subdivisions approved before 18 October 1993	exceptions		
			corner blocks		public open space or pedestrian paths wider than 6m
			secondary street frontage - mid-sized blocks	secondary street frontage-large blocks	
lower floor level	4m	6m	3m	4m	4m
upper floor levels	6m	6m	3m	6m	4m
garage	5.5 m with a minimum of 1.5 m behind the front building line	6m	5.5m	5.5m	4m

Table A6: RZ1 and RZ2 - Side and Rear Boundary Setbacks (explanatory diagram in Appendix 1)

	Minimum side boundary setback within the <i>primary building zone</i>	Minimum side boundary setback within the <i>rear zone</i>	Minimum rear boundary setback
Lower floor level – external wall, unscreened element and basement	3m	3m	3m
Upper floor level – external wall	3m	6m	6m
Upper floor level – unscreened element	6m	6m	6m

Table A7: RZ3, RZ4, RZ5 and commercial zones - Side and Rear Boundary Setbacks
(explanatory diagram in Appendix 1)

	Minimum side boundary setback within the <i>primary building zone</i>	Minimum side boundary setback within the <i>rear zone</i>	Minimum rear boundary setback
<i>lower floor level – external wall</i>	nil^	3m	3m
<i>lower floor level – unscreened element</i>	1m	3m	3m
<i>first upper floor level – external wall</i>	nil^	3m	6m
<i>first upper floor level – unscreened element</i>	6m	6m	6m
<i>second upper floor level – external wall</i>	nil^	6m	6m
<i>second upper floor level – unscreened element</i>	6m	6m	6m

^ does not apply to that part of a wall with a window of any sort

Rules	Criteria
3.24 Allowable encroachments - setbacks	
<p>R31</p> <p>Encroachments into one or more of the following:</p> <ul style="list-style-type: none"> i) minimum side setback ii) minimum rear setback <p>are permitted for one or more of the following building elements:</p> <ul style="list-style-type: none"> a) an eave or roof overhang with a horizontal width of not more than 600mm b) fascias, gutters, downpipes, rainwater tanks, chimneys, flues, domestic fuel tanks, cooling or heating appliances, light fittings, electricity and gas meters, aerials, antennae, pergolas, sun blinds c) unroofed terraces, landings, steps or ramps, none of which are more than 1m above finished ground level. 	<p>C31</p> <p>Buildings and other structures achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable levels of privacy on adjoining <i>residential blocks</i> for <i>dwellings</i> and their associated <i>private open space</i> c) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.

Rules	Criteria
<p>R32</p> <p>Encroachments into the front setback are permitted for one or more of the following building elements:</p> <ul style="list-style-type: none"> a) an eave or roof overhang with a horizontal width of not more than 600mm b) fascias, gutters, downpipes, light fittings, sun blinds c) landings, steps or ramps, none of which are more than 1m above finished ground level. 	<p>C32</p> <p>Buildings and other structures achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable levels of privacy on adjoining <i>residential blocks</i> for <i>dwellings</i> and their associated <i>private open space</i> c) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.
3.25 Allowable encroachments – building envelopes	
<p>R33</p> <p>Encroachments outside the building envelope specified in this element are permitted for one or more of the following:</p> <ul style="list-style-type: none"> a) flues b) chimneys c) antennae d) aerials e) cooling appliances f) heating appliances. 	<p>C33</p> <p>Buildings and other structures achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable levels of privacy on adjoining <i>residential blocks</i> for <i>dwellings</i> and their associated <i>private open space</i> c) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.
3.26 Allowable setback encroachments	
<p>R34</p> <p>Encroachments into one or more of the following:</p> <ul style="list-style-type: none"> i) minimum side setback ii) minimum rear setback iii) the space outside the building envelope <p>are permitted for one or more of the following building elements -</p> <ul style="list-style-type: none"> a) an eave or roof overhang with a horizontal width of not more than 600mm b) fascias, gutters, downpipes, rainwater tanks, chimneys, flues, domestic fuel tanks, cooling or heating appliances, light fittings, electricity and gas meters, aerials, antennae, pergolas, sun blinds c) unroofed terraces, landings, steps or ramps, none of which are more than 1m above finished ground level. 	<p>C34</p> <p>Buildings and other structures achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable levels of privacy on adjoining <i>residential blocks</i> for <i>dwellings</i> and their associated <i>private open space</i> c) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.

Rules	Criteria
<p>R35</p> <p>Encroachments into one or more of the following minimum front setback are permitted for one or more of the following building elements:</p> <p>a) an eave or roof overhang with a horizontal width of not more than 600mm</p> <p>b) fascias, gutters, downpipes, light fittings, sun blinds</p> <p>c) landings, steps or ramps, none of which are more than 1m above finished ground level.</p>	<p>C35</p> <p>Buildings and other structures achieve all of the following:</p> <p>a) consistency with the <i>desired character</i></p> <p>b) reasonable levels of privacy on adjoining <i>residential blocks</i> for <i> dwellings</i> and their associated <i>private open space</i></p> <p>c) reasonable solar access to <i> dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.</p>
3.27 Building separation – single dwelling blocks – RZ2	
<p>R36</p> <p>This rule applies to <i>single dwelling blocks</i> in RZ2. The minimum horizontal separation between a building containing 2 or more <i> dwellings</i> and any other building on the <i>site</i> is 4m.</p> <p>For the purposes of this rule, <i>basements</i> are not part of a building.</p>	<p>C36</p> <p>The siting of buildings on <i>single dwelling blocks</i> in RZ2 achieves all of the following:</p> <p>a) consistency with the <i>desired character</i></p> <p>b) consistency with the separation of existing buildings in the immediate neighbourhood.</p>

Element 4: Site design

Rules	Criteria
4.1 Site design	
<p>R37</p> <p>For developments (other than <i>apartments</i>) of 40 <i> dwellings</i> or more, the design of the common areas, pedestrian and vehicle access areas comply with all of the following provisions of the Estate Development Code:</p> <p>a) public realm standards for on-street parking</p> <p>b) pedestrian paths</p> <p>c) verge landscaping</p> <p>d) water sensitive urban design.</p>	<p>C37</p> <p>Publicly accessible and communal areas within large developments that are intended to be unit titled or community titled achieve all of the following:</p> <p>a) reasonable safety</p> <p>b) reasonable functionality</p> <p>c) reasonable residential amenity</p> <p>d) landscaping beside internal driveways</p> <p>e) provision for pedestrians</p> <p>f) sufficient off-street parking.</p>
4.2 Site open space – RZ1 and RZ2	
<p>R38</p> <p>This rule applies to RZ1 and RZ2. Not less than 40% of the total site area is allocated to one or more of the following:</p> <p>a) <i>communal open space</i> with a minimum</p>	<p>C38</p> <p>Open space on the site achieves all of the following:</p> <p>a) sufficient space for the recreation and relaxation of residents</p>

Rules	Criteria
<p>dimension of 2.5m</p> <p>b) <i>private open space</i> that complies with all of the following -</p> <ul style="list-style-type: none"> i) a minimum dimension of 2.5m ii) is associated with dwellings at the <i>lower floor level</i>. <p>Not less than 20% of the total site area is <i>planting area</i>.</p>	<ul style="list-style-type: none"> b) sufficient space for planting, particularly trees with deep root systems c) provision for on-site infiltration of stormwater run-off d) provision of outdoor areas that are readily accessible by residents for a range of uses and activities. <p>One or more of the following matters may be considered when determining compliance with this criterion:</p> <ul style="list-style-type: none"> i) whether the total area of <i>upper floor level private open space</i> contributes to the function of other open space on the site ii) whether any adjoining or adjacent public open space is readily available for the use of residents.
4.3 Site open space – RZ3, RZ4, RZ5 and commercial zones	
<p>R39</p> <p>This rule applies to RZ3, RZ4, RZ5 and commercial zones.</p> <p>Not less than 20% of the total site area is allocated to the following:</p> <ul style="list-style-type: none"> a) for developments with fewer than 20 <i>dwellings</i>, none of which are <i>apartments</i>, one or more of the following - <ul style="list-style-type: none"> i) <i>communal open space</i> that complies with all of the following <ul style="list-style-type: none"> a) a minimum dimension of 2.5m b) is directly accessible from common entries and pathways ii) <i>private open space</i> that complies with all of the following <ul style="list-style-type: none"> a) a minimum dimension of 2.5m b) is associated with <i>dwellings</i> at the <i>lower floor level</i> b) in all other cases, <i>communal open space</i> that complies with all of the following - <ul style="list-style-type: none"> i) a minimum dimension of 2.5m ii) is directly accessible from common entries and pathways. <p>Not less than 10% of the total site area is <i>planting area</i>.</p>	<p>C39</p> <p>Open space on the site achieves all of the following:</p> <ul style="list-style-type: none"> a) sufficient space for a range of recreational activities for residents b) sufficient space for planting, particularly trees with deep root systems c) a contribution to on-site infiltration of stormwater run-off d) reasonable accessibility to all residents. <p>One or more of the following matters may be considered when determining compliance with this criterion:</p> <ul style="list-style-type: none"> i) whether the total area of <i>upper floor level private open space</i> contributes to the function of other open space on the site ii) whether any adjoining or adjacent public open space is readily available for the use of residents.

Rules	Criteria
4.4 Landscape design	
<p>There is no applicable rule.</p>	<p>C40</p> <p>Landscape and site design achieves all of the following:</p> <ul style="list-style-type: none"> a) planting of trees of semi-mature stock b) planting of trees with a minimum mature height of 4m c) a contribution to energy efficiency by providing substantial shade in summer, especially to west-facing windows and open car-parking areas, and admitting winter sunlight to outdoor and indoor living areas, especially to the north d) reasonable residential amenity e) reasonable visibility along paths and driveways f) visual interest in pavement materials and finishes g) species with appropriate growth habits and mature height in relation to site conditions.
4.5 Fences	
<p>R41</p> <p>Fences are permitted forward in the <i>front zone</i> or on the <i>front boundary</i> only where they comply with any of the following:</p> <ul style="list-style-type: none"> a) it is a gate to a maximum height of 1.8m and 1m width in an established hedge b) exempt under the <i>Planning and Development Act 2007</i> c) permitted under the <i>Common Boundaries Act 1981</i>. 	<p>C41</p> <p>Fences may be permitted where the proposal meets the requirements contained in the Residential Boundaries Fences General Code.</p>
4.6 Courtyard walls	
<p>R42</p> <p>Courtyard walls are permitted forward of the <i>building line</i> where they comply with all of the following:</p> <ul style="list-style-type: none"> a) maximum height of 1.8m above <i>datum ground level</i> b) a minimum setback to the front boundary complying with the following: <ul style="list-style-type: none"> i) where the wall encloses the <i>principal private open space</i> of a ground floor dwellings that is located to the west, north-west, north, north-east or east of 	<p>C42</p> <p>Courtyard walls achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) visual softening through associated planting c) reduced traffic noise, where necessary d) reasonable privacy to <i>lower floor level</i> windows e) opportunities for natural surveillance of public areas and the street f) the articulation of elements g) a variety of materials

Rules	Criteria
<p>the <i>dwelling</i> – 0.7m</p> <p>ii) in all other cases - half the front boundary setback nominated elsewhere in this code</p> <p>c) trees and/or shrubs between the wall and the front boundary, in accordance with an approved landscape plan</p> <p>d) a variety of materials or indentations not less than 15m apart where the indents are not less than 1m in depth and 4m in length</p> <p>e) constructed of brick, block or stonework, any of which may be combined with timber or metal panels that include openings not less than 25% the surface area of the panel</p> <p>f) maintain clear sightlines between vehicles on driveways and pedestrians on public paths in accordance with A2890.1- <i>The Australian Standard for Off-Street Parking</i>.</p>	<p>h) reasonable solar access to <i>principal private open space</i>.</p>
4.7 External facilities	
<p>There is no applicable rule.</p>	<p>C43</p> <p>The following external facilities or equipment are screened or adequately separated from public areas:</p> <p>a) external storage areas</p> <p>b) water tanks</p> <p>c) waste storage enclosures</p> <p>d) mechanical services (including air conditioners and hot water storage units)</p> <p>e) clothes drying areas.</p>
<p>There is no applicable rule.</p>	<p>C44</p> <p>Mailboxes are located for convenient access by residents and deliverers with passive surveillance from the street or from active uses.</p> <p>To demonstrate compliance with this criterion a site plan is submitted with the application showing the location and design of mail boxes.</p>
4.8 Electrical and telecommunication facilities	
<p>R45</p> <p>Electrical and telecommunication reticulation within existing residential areas or streets with residential access complies with all of the following:</p> <p>a) do not result in continuous rows of supply poles erected on residential streets</p>	<p>C45</p> <p>Electrical and telecommunication reticulation within existing residential areas or streets with residential access limits the amount of visual clutter in the <i>streetscape</i>, particularly from supply poles and overhead cabling.</p>

Rules	Criteria
b) for developments involving up to 2 <i>blocks</i> or 2 <i>dwellings</i> , are underground or along the rear spine or side of <i>blocks</i> c) for developments involving more than 2 <i>blocks</i> or 2 <i>dwellings</i> , are underground d) there is no overhead cabling to <i>dwellings</i> within the site.	
R46 There is no applicable rule.	C46 Ground level electrical and telecommunication facilities (such as electrical substations, switching stations, telecommunications nodes) within existing residential areas or streets with residential access are screened from public view whilst allowing for reasonable access for service providers.

Element 5: Building design

Related code: Access and Mobility General Code

Rules	Criteria
5.1 Surveillance	
R47 This rule applies to building facades facing a public street or public open space. Building facades have all of the following: a) at least one window to a habitable room that is not screened by a courtyard wall b) at least one door with roofed element such as a verandah or <i>balcony</i> .	C47 Buildings achieve passive surveillance of all of the following: a) adjoining streets b) adjoining <i>public open space</i> .
5.2 Building entries	
R48 Common entries to <i>dwellings</i> have all of the following features: a) an external sheltered area outside the entrance b) a direct line of sight between the front door and the public footpath or road c) finished floor levels at or above the level of the adjoining verge d) separate access to any non-residential uses, which are clearly distinguishable and	C48 Common entries to <i>dwellings</i> achieve all of the following: a) a transitional area from the street b) secure, all-weather access c) surveillance of public areas (including between buildings and open space areas, paths, <i>dwelling</i> entries, car parking areas and driveways) d) safety, security and convenience for residents and visitors

Rules	Criteria
secured after hours.	e) the separation of residential entries and commercial entries.
5.3 Building design	
<p>R49</p> <p>This rule applies to buildings containing more than 2 <i>dwelling</i>s.</p> <p>Maximum length of unarticulated walls in buildings is 15m.</p> <p>Wall articulation is provided by at least one of the following:</p> <ul style="list-style-type: none"> a) changes in wall planes of a minimum 1m in depth and 4m in length b) inclusion of balconies, bay windows, verandas, fin walls, etc. c) horizontally stepping facades by at least 1m. 	<p>C49</p> <p>Building design, articulation, detailing and finish provide an appropriate scale, add visual interest and enable visual differentiation between <i>dwelling</i>s when viewed from adjoining public spaces and adjoining <i>residential blocks</i>.</p>
<p>R50</p> <p>This rule applies to buildings containing more than 2 <i>dwelling</i>s.</p> <p>Maximum length of an unarticulated roof is 15m.</p>	<p>C50</p> <p>Building design, articulation, detailing and finish provide an appropriate scale, add visual interest and enable visual differentiation between <i>dwelling</i>s when viewed from adjoining public spaces and adjoining <i>residential blocks</i>.</p>
<p>R51</p> <p>Garages and carports within 15m of the front boundary are constructed with the same material as the corresponding elements of the <i>dwelling</i>.</p>	<p>C51</p> <p>The exterior colours and finishes of garages and carports achieve all of the following:</p> <ul style="list-style-type: none"> a) compatibility with the <i>dwelling</i> design when viewed from public spaces b) integration with the overall design c) a contribution to the articulation of the building.
5.4 Building design – RZ2	
<p>R52</p> <p>This rule applies to <i>single dwelling blocks</i> in RZ2 containing 2 or more <i>dwelling</i>s.</p> <p>All <i>dwelling</i>s adjacent to a public street (other than a <i>rear lane</i>) have at least one of the following facing the street:</p> <ul style="list-style-type: none"> a) front door b) living room window c) living room glass sliding door. 	<p>C52</p> <p><i>Dwelling</i>s address the street wherever practicable.</p>

Rules	Criteria
5.5 Basements and undercroft parking	
<p>R53</p> <p>This rule applies to all of the following:</p> <ul style="list-style-type: none"> i) <i>basements</i> ii) <i>undercroft parking</i>. <p>Exposed <i>external walls</i> comply with all of the following:</p> <ul style="list-style-type: none"> a) except for ventilation openings, are finished in the same manner as the building b) where ventilation openings are provided, they are treated as part of the façade with grilles and screens. 	<p>C53</p> <p><i>Basements and undercroft parking</i> structures achieve all of the following:</p> <ul style="list-style-type: none"> a) visual interest through architectural elements, features or modulation b) visual softening by landscaping c) avoidance of prominent ventilation openings.
5.6 Adaptability of dwellings for use by disabled persons	
<p>R54</p> <p>This rule applies to <i>multi-unit housing</i> comprising more than 9 dwellings.</p> <p>The minimum number of dwellings designed to meet to meet Australian Standard <i>AS4299 – Adaptable Housing</i> (Class C) is shown in table A8.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
5.7 Minimum dwelling size	
<p>R55</p> <p>Minimum <i>dwelling</i> floor areas are as follows:</p> <ul style="list-style-type: none"> a) studio <i>dwellings</i> - 40 m² b) one-bedroom <i>dwellings</i> - 50 m² c) 2-bedroom <i>dwellings</i> - 70 m² d) <i>dwellings</i> with 3 or more bedrooms - 95 m² <p>The minimum <i>dwelling</i> floor area excludes balconies and car parking facilities. Storage within <i>dwellings</i> is included in the area calculations.</p>	<p>C55</p> <p><i>Dwelling</i> sizes and layouts provide functional living spaces, flexibility in furniture layout, and adequate storage and service areas.</p> <p>The provision of shared facilities (eg. open space, laundry, lounge and storage) may be considered when determining compliance with the criterion.</p>
5.8 Housing diversity	
<p>R56</p> <p>For developments containing 40 or more <i>dwellings</i>, a combination of dwelling types, including studio or 1-bedroom <i>dwellings</i>, 2-bedroom <i>dwellings</i>, and <i>dwellings</i> with 3 or more bedrooms are provided.</p>	<p>C56</p> <p>Housing developments comprising multiple <i>dwellings</i> are required to achieve all of the following:</p> <ul style="list-style-type: none"> a) a range of housing types b) increased diversity of <i>dwelling</i> types within a neighbourhood.

Table A8 – Minimum number of dwellings designed to meet Australian Standard AS4299 – Adaptable Housing (Class C)

total number of dwellings	minimum number of dwellings designed to meet Australian Standard AS4299 – Adaptable Housing (Class C)
9	nil
10	1
11 to 20	2
21 to 30	3
31 to 40	4
41 and over	4 + 1 for every 10 dwellings (or part thereof)

Element 6: Amenity

Rules	Criteria
6.1 Solar access –other than apartments	
<p>R57</p> <p>This rule applies to multi unit housing other than <i>apartments</i>.</p> <p>The floor or internal wall of a daytime living area of a dwelling is exposed to not less than 3 hours of direct sunlight between the hours of 9am and 3pm on the winter solstice (21 June).</p> <p>Note: Where a development comprises a mixture of <i>apartments</i> and other multi unit housing, this rule will apply to the multi unit housing.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
6.2 Solar access - apartments	
<p>R58</p> <p>This rule applies <i>apartments</i>.</p> <p>The floor or internal wall of a daytime living area of not fewer than 70% of <i>apartments</i> on a site is exposed to not less than 3 hours of direct sunlight between the hours of 9am and 3pm on the winter solstice (21 June).</p> <p>Note: Where a development comprises a mixture of <i>apartments</i> and other multi unit housing, this rule will apply to the <i>apartments</i>.</p>	<p>Daytime living areas have reasonable access to sunlight.</p>

Rules	Criteria
6.3 Privacy	
<p>R59</p> <p>This rule applies to <i>dwelling</i>s on the same <i>block</i>. The relationship between <i>unscreened elements</i> of one <i>dwelling</i> and the <i>primary windows</i> of another <i>dwelling</i> complies with one of the following:</p> <p>a) a person (with an eye height of 1.5m) standing at any and every point on the extremity of an <i>unscreened element</i> of one <i>dwelling</i> shall not have a direct line of sight into the <i>primary window</i> of any other <i>dwelling</i></p> <p>b) the direct line of sight referred to in item a) is more than 12m.</p>	<p>C59</p> <p>Reasonable privacy between <i>dwelling</i>s on the same <i>block</i> is achieved.</p>
<p>R60</p> <p>This rule applies to <i>principal private open space</i> on the same <i>block</i> and on adjacent <i>blocks</i>. The relationship between <i>unscreened elements</i> of one <i>dwelling</i> and the <i>principal private open space</i> of another <i>dwelling</i> complies with one of the following:</p> <p>a) a person (with an eye height of 1.5m) standing at any and every point on the extremity of an <i>unscreened element</i> of one <i>dwelling</i> shall not have a direct line of sight to more than 50% of the minimum <i>principal private open space</i> of any other <i>dwelling</i></p> <p>b) the direct line of sight referred to in item a) is more than 12m.</p>	<p>C60</p> <p>Reasonable privacy of <i>principal private open space</i> of each <i>dwelling</i> is achieved.</p>
6.4 Principal private open space	
<p>R61</p> <p>Each <i>dwelling</i> has at least one area of <i>principal private open space</i> that complies with all of the following:</p> <p>a) located on the site</p> <p>b) has minimum area and dimensions specified in table A9</p> <p>c) is screened from adjoining public streets and public open space</p> <p>d) is directly accessible from, and adjacent to, a <i>habitable room</i> other than a bedroom</p> <p>e) is not located to the south, south-east or south-west of the <i>dwelling</i>, unless it</p>	<p>C61</p> <p><i>Principal private open space</i> for each <i>dwelling</i> achieves all of the following:</p> <p>a) an area proportionate to the size of the <i>dwelling</i></p> <p>b) an extension of the function of the <i>dwelling</i> for relaxation, dining, entertainment, recreation</p> <p>c) directly access from the <i>dwelling</i></p> <p>d) service functions such as clothes drying and mechanical services</p> <p>e) reasonable privacy</p> <p>f) reasonable solar access.</p>

Rules	Criteria
achieves one or more of the following - <ul style="list-style-type: none"> i) not less than 3 hours of direct sunlight onto 50% of the minimum required area between the hours of 9am and 3pm on the winter solstice (21 June) ii) located at an <i>upper floor level</i> and overlooks a public street or public open space. 	

Table A9 - Principal Private Open Space

		<i> dwellings wholly or partially at lower floor level</i>		<i> dwellings located entirely on an upper floor level</i>	
zone	dwelling size	minimum area	minimum dimension	minimum area	minimum dimension
RZ1 RZ2	1 bedroom	28m ^{2*}	5m	6m ² plus 2m ² for service functions**	1.8m
	2 or 3 bedrooms	36m ^{2*}	6m	36m ^{2*}	2.5m
	4 or more bedrooms	45m ^{2*}	6m	45m ^{2*}	2.5m
RZ3 RZ4	1 or 2 bedrooms	24m ^{2*}	4m	6m ² plus 2m ² for service functions**	1.8m
	3 or more bedrooms	36m ^{2*}	6m	24m ^{2*}	2.5m
RZ5 and commercial zones		24m ^{2*}	4m	6m ² plus 2m ² for service functions**	1.8m

* Includes allowance of 2m² area for service functions such as clothes drying and air conditioners and require screening from public areas as described under Rule R61.

** Service functions include clothes drying and air conditioners and require screening from public areas. Service functions may be provided on a separate balcony to the *principal private open space*.

Rules	Criteria
6.5 Separation between external walls	
<p>R62</p> <p>The minimum separation between an <i>unscreened element</i> and an <i>external wall</i> on the same <i>block</i> or an adjoining <i>block</i>, is 3m.</p>	<p>C62</p> <p>The outlook from an <i>unscreened element</i> is not unreasonably impeded by <i>external walls</i> on the same or adjoining <i>blocks</i>.</p>
<p>R63</p> <p>The separation between <i>external walls</i> at the <i>lower floor level</i> on the same <i>block</i> or an adjoining <i>block</i> not less than 1m.</p>	<p>C63</p> <p>The separation between blank walls on the same or adjoining blocks at ground level achieves both of the following:</p> <ul style="list-style-type: none"> a) reasonable access for maintenance b) reasonable management of rodents.
6.6 Balustrades	
<p>R64</p> <p>This rule applies to balconies with both of the following characteristics:</p> <ul style="list-style-type: none"> i) located on the third <i>upper floor level</i> or lower (ie the first four storeys) ii) facing public streets or public open space. <p>Balustrades are constructed of one or more of the following:</p> <ul style="list-style-type: none"> a) <i>obscure glass</i> panels b) solid panels <p>with a total of all openings or clear glass panels not more than 25% of the surface area of the balustrade. For this rule <i>obscure glass</i> prevents printed text of 10mm high characters from being read through the glass when position 1m from the glass.</p>	<p>C64</p> <p>Balustrades achieve reasonable privacy for residents and screen household items from adjoining public streets and public open space.</p>
6.7 Storage	
<p>R65</p> <p>This rule applies to <i>dwellings</i> without an associated <i>garage</i>.</p> <p>An enclosed storage area complying with all of the following is provided for each <i>dwelling</i>:</p> <ul style="list-style-type: none"> a) at least 2m in height and 0.6m internal dimension b) an area of not less than - <ul style="list-style-type: none"> i) in RZ1 and RZ2 - 4m² ii) in all other zones -1.5m² 	<p>C65</p> <p>All <i>dwellings</i> are provided with adequate and secure storage areas for all of the following:</p> <ul style="list-style-type: none"> a) equipment such as gardening, sporting, leisure and fitness equipment b) accommodate bicycles as per Bicycle Parking Code.

Rules	Criteria
c) one of the following - <ul style="list-style-type: none"> i) accessible externally from the <i>dwelling</i> ii) adjacent to a dedicated car space. 	
6.8 Natural Ventilation	
There is no applicable rule.	C66 For buildings containing 3 or more <i>dwelling</i> s, dwelling layouts are to ensure natural ventilation is provided to <i>habitable rooms</i> by cross or stack effect ventilation by maximising separation between opening windows.
6.9 Noise attenuation – external sources	
R67 Where a <i>block</i> has one or more of the following characteristics: <ul style="list-style-type: none"> i) identified in a precinct code as being potentially affected by noise from external sources ii) adjacent to a road carrying or forecast to carry traffic volumes greater than 6,000 vehicles per day iii) located in a commercial zone iv) adjacent to a commercial or industrial zone dwellings shall be constructed to comply with the relevant sections of all of the following: <ul style="list-style-type: none"> a) AS/NZS 2107:2000 - <i>Acoustics – Recommended design sound levels and reverberation times for building interiors</i> (the relevant satisfactory recommended interior design sound level) b) AS/NZS 3671 - <i>Acoustics – Road Traffic Noise Intrusion Building Siting and Design</i>. For other than road traffic noise, compliance with this rule is demonstrated by a noise management plan prepared by a member of the Australian Acoustical Society with experience in the assessment of noise, and endorsed by the EPA. For other than road traffic noise, the noise level immediately adjacent to the dwelling is assumed to be the relevant noise zone standard specified in the ACT Environment Protection Regulation 2005. For road traffic noise, compliance with this rule is demonstrated by an acoustic assessment and	This is a mandatory requirement. There is no applicable criterion.

Rules	Criteria
<p>noise management plan, prepared by a member of the Australian Acoustical Society with experience in the assessment of road traffic noise, and endorsed by the Transport Planning & Projects Section in ESDD.</p> <p>Note: A condition of development approval may be imposed to ensure compliance with the endorsed noise management plan.</p>	

Element 7: Parking and vehicular access

Related codes: Parking and Access General Code, Bicycle Parking General Code

Rules	Criteria
7.1 Ramps to basement car parking – RZ1 and RZ2	
<p>R68</p> <p>This rule applies to blocks with all of the following characteristics:</p> <ul style="list-style-type: none"> a) zoned RZ1 or RZ2 b) <i>single dwelling blocks</i> c) less than 30 m wide at the street frontage. <p>Ramps accessing <i>basement</i> car parking are not permitted forward of the <i>building line</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
7.2 Driveway verge crossings	
<p>R69</p> <p>This rule applies to previously undeveloped <i>blocks</i>.</p> <p>No more than one driveway verge crossing is provided to each <i>block</i>.</p>	<p>C69</p> <p>More than one driveway verge crossing to each <i>block</i> may be allowed in one of the following circumstances:</p> <ul style="list-style-type: none"> a) where forward entry to roads carrying more than 3000 vehicles per day is desirable b) where all of the following are achieved: <ul style="list-style-type: none"> i) compatibility with the <i>streetscape</i> ii) priority for pedestrians and cyclists iii) retention of existing street trees iv) protection of existing landscape features v) public safety c) where the <i>block</i> is a corner block.
<p>R70</p> <p>This rule applies to previously developed <i>blocks</i> or the consolidation of previously developed <i>blocks</i>.</p>	<p>C70</p> <p>Additional driveway verge crossings may be allowed in one of the following circumstances:</p> <ul style="list-style-type: none"> a) where forward entry to roads carrying more

Rules	Criteria
<p>No additional driveway verge crossings are permitted.</p>	<p>than 3000 vehicles per day is desirable</p> <p>b) where all of the following are achieved -</p> <ul style="list-style-type: none"> i) compatibility with the <i>streetscape</i> ii) priority for pedestrians and cyclists iii) retention of existing street tress iv) protection of existing landscape features v) public safety <p>c) where the <i>block</i> is a corner block.</p>
<p>R71</p> <p>This rule applies to previously developed <i>blocks</i> or the consolidation of previously developed <i>blocks</i>.</p> <p>Redundant driveway verge crossings are removed, and the verge and kerb restored.</p> <p>Note: a condition of development approval may be imposed to ensure compliance with this rule.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R72</p> <p>Driveway verge crossings comply with all of the following:</p> <ul style="list-style-type: none"> a) 1.2m horizontally clear of stormwater sumps and other services b) 1.5m horizontally clear of transformers, bus stops, public light poles c) 6m horizontally clear of the tangent point of the radius of the curve on a corner <i>block</i> (excluding locations with roundabouts and signalised intersections, which require separate formal approval and support from Asset Acceptance) d) uphill grade of less than 17% as measured from the kerb; downhill grade of less than 12% as measured from the kerb e) at a right angle to the kerb line with a maximum 10% deviation f) a maximum of 5.5m wide, and a minimum of 5m wide at the kerb, a minimum 3m wide at the front boundary, and a maximum width no greater than the width at the kerb g) except for <i>blocks</i> 250m² or less, 3m wide at the front street boundary h) outside of the drip line of mature street trees i) a minimum of 3m clear of small and new street trees 	<p>C72</p> <p>Driveway verge crossings are endorsed by Department of Territory and Municipal Services.</p>

Rules	Criteria
<p>j) compliant with Australian Standard <i>AS2890.1 – Off Street Parking</i>, having particular regard for sightlines and cross fall of the site</p> <p>k) where there is a public footpath across the driveway verge crossing, the footpath is continuous (i.e. the footpath is to have precedence)</p> <p>l) if the existing footpath is replaced, it is to be constructed at the same level in the same material and colour as the original.</p> <p>Note: a condition of development approval may be imposed to ensure compliance with this rule.</p>	
7.3 Internal driveways	
<p>R73</p> <p>This rule applies to internal driveways that are used by residents of more than one <i>dwelling</i>.</p> <p>Internal driveways comply with all of the following:</p> <p>a) are set back from external <i>block</i> boundaries by not less than 1m</p> <p>b) are set back from the <i>external walls</i> of buildings on the site by not less than 1m</p> <p>c) the setbacks referred to in items a) and b) are planted to a width of not less than 1m</p> <p>d) windows to <i>habitable rooms</i> and exterior doors within 1.5 of an internal driveway have at least one of the following -</p> <p style="margin-left: 20px;">i) an intervening fence or wall not less than 1.5m high</p> <p style="margin-left: 20px;">ii) for windows, a sill height not less than 1.5m above the driveway</p> <p>e) the relevant requirements in Australian Standard <i>AS2890.1 - Off Street Parking</i> for sightlines and gradients</p> <p>f) provide internal radius of at least 4m at changes in direction and intersections</p> <p>g) have a surface treatment that is distinct from car parking spaces.</p>	<p>C73</p> <p>Internal driveways achieve all of the following:</p> <p>a) sufficient space for planting along property boundaries</p> <p>b) sufficient space for planting between internal driveways and buildings</p> <p>c) reasonable residential amenity, particularly in relation to the intrusion of light and noise into <i>habitable rooms</i></p> <p>d) clear differentiation between the driveway and parking spaces.</p> <p>.</p>
<p>R74</p> <p>This rule applies to internal driveways with both of the following characteristics:</p> <p>a) serve 4 or more car parking spaces</p> <p>b) connect to a major road.</p>	<p>C74</p> <p>Internal driveways achieve reasonable levels of public safety.</p>

Rules	Criteria
Turning spaces are provided on the block to allow vehicles to leave in a forward direction.	
<p>R75</p> <p>This rule applies to internal driveways with both of the following characteristics:</p> <ul style="list-style-type: none"> a) serve more than 10 car parking spaces b) connect to a public road. <p>The internal driveway is not less than 5m wide for not less than the first 7m of its length measured from the relevant <i>block</i> boundary.</p>	<p>C75</p> <p>Internal driveways avoid unreasonable levels of queuing and congestion at vehicular entrances.</p>
<p>There is no applicable rule.</p>	<p>C76</p> <p>Internal driveways are designed to be safely used by both pedestrians and vehicles, including emergency vehicles.</p> <p>Measures to reduce vehicle speed on internal driveways will be considered when determining compliance with this criterion, including one or more of the following:</p> <ul style="list-style-type: none"> a) changes in pavement materials b) the lack of kerb and gutters c) difference in height to adjacent streets d) avoiding long lengths of driveway e) suitable planting f) signage.
7.4 Residents' car parking	
<p>R77</p> <p>Car-parking spaces on the site for residents comply with all of the following:</p> <ul style="list-style-type: none"> a) located behind the <i>front zone</i> (except for <i>apartment</i> car parking) b) can be in tandem where they belong to the same <i>dwelling</i> c) do not encroach any property boundaries d) one car space per <i>dwelling</i> is roofed and located behind the <i>front zone</i> e) are separated by not less than 1.5m from windows or doors to <i>habitable rooms</i> of <i>dwellings</i> that are not associated with the parking space. 	<p>C77</p> <p>Car parking for residents achieves all of the following:</p> <ul style="list-style-type: none"> a) reasonable residential amenity b) consistency with the <i>desired character</i> c) public safety d) reasonable opportunities for surveillance e) the reasonable requirements of residents for car parking f) reasonable privacy.
<p>R78</p> <p>This rule applies to resident car parking spaces with both of the following characteristics:</p>	<p>C78</p> <p>Car parking spaces are located close to, and with convenient access to <i>dwellings</i>.</p>

Rules	Criteria
<p>a) not allocated to a particular <i>dwelling</i></p> <p>b) shared between 2 or more <i>dwellings</i>.</p> <p>Parking spaces are located within 50m walking distance any <i>dwelling</i> that is sharing the space.</p>	
<p>R79</p> <p>The maximum total width of garage door openings and external width of <i>carports</i> facing a street complies with the following:</p> <p>a) for up to 3 <i>dwellings</i>, the lesser of the following</p> <ul style="list-style-type: none"> i) 6m ii) 50% of the total length of the building façade facing that street <p>b) for more than 3 <i>dwellings</i>, 50% of the total length of the building façade facing that street.</p>	<p>C79</p> <p>Garages and car parking structures are consistent with the <i>desired character</i>.</p>
<p>R80</p> <p>The maximum total width of an entry and/or exit to <i>basement</i> car parking facing the street is 8m.</p>	<p>C80</p> <p>Entries to <i>basements</i> do not dominate the <i>streetscape</i>.</p>
<p>R81</p> <p>This rule applies to all of the following:</p> <ul style="list-style-type: none"> i) developments containing 10 <i>dwellings</i> or more ii) development with a combined entry and exit to <i>apartment</i> car parking less than 6m wide. <p>Approaches to <i>basements</i> containing car parking comply with one of the following:</p> <ul style="list-style-type: none"> a) include sufficient areas for vehicles to wait to allow for an entering or leaving vehicle to pass b) at least one waiting area and traffic signals. 	<p>C81</p> <p>Approaches to <i>basements</i> achieve all of the following:</p> <ul style="list-style-type: none"> a) public safety b) convenience for all users.
<p>7.5 Visitor parking</p>	
<p>R82</p> <p>Visitor car-parking spaces on the site comply with all of the following:</p> <ul style="list-style-type: none"> a) located behind the <i>front zone</i> (except for <i>apartment</i> car parking) b) do not encroach any property boundaries c) are separated by not less than 1.5m from windows and doors to <i>habitable rooms of dwellings</i> d) are not more than 50m walking distance 	<p>C82</p> <p>Visitor parking achieves all of the following:</p> <ul style="list-style-type: none"> a) accessible for all visitors b) safe and direct visitor entry to common building entries.

Rules	Criteria
<p>from any common building entry</p> <p>e) clearly identified and visible from driveways.</p>	
<p>R83</p> <p>Visitor car parking complies with one of the following:</p> <p>a) is located outside of any security barriers</p> <p>b) an intercom and remote barrier release system allows access to visitor parking located behind security barriers.</p>	<p>C83</p> <p>Visitor parking is accessible to all visitors.</p>
7.6 Number of co-located parking spaces – RZ2	
<p>R84</p> <p>In RZ2 on <i>single dwelling blocks</i>, co-located car parking spaces on the <i>site</i> comply with all of the following:</p> <p>a) the maximum number of car parking spaces (including spaces in garages but excluding those in basements) is 4</p> <p>b) the minimum separation between groups of co-located car parking spaces (including spaces in garages but excluding those in basements) is 4m.</p>	<p>C84</p> <p>Car parking spaces on the <i>site</i> (including garages but excluding basement car parking) achieves all of the following:</p> <p>a) do not dominate site landscaping</p> <p>b) are consistent with the <i>desired character</i></p>
7.7 Delivery and removalist vans	
<p>R85</p> <p>For developments with 40 or more <i>dwelling</i>s, at least one short stay parking space and associated access is provided for delivery trucks such as furniture delivery and removalist vans.</p>	<p>C85</p> <p>Reasonable provision is made for short stay parking for delivery trucks.</p>

Element 8: Environment

Related codes: Water Ways: Water Sensitive Urban Design General Code, Planning for Bushfire Risk Mitigation General Code.

Rules	Criteria
8.1 Water sensitive urban design	
<p>R86</p> <p>This rule applies to all multi-unit residential development except for <i>minor extensions</i>.</p> <p>The development achieves a minimum 40% reduction in mains water consumption compared to an equivalent development constructed in 2003, without any reliance on landscaping measures.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>Compliance with this rule is demonstrated by a report by a suitably qualified person using the ACTPLA on-line assessment tool or another tool referred to in the Water Ways: Water Sensitive Urban Design General Code.</p> <p>For this element:</p> <p>minor extension means an extension where the increase in the combined roof plan area, driveway, car manoeuvring areas and car parking areas is less than 25% of the total of the areas of these components at the date of lodgement of the development application.</p>	
<p>R87</p> <p>This rule applies to all <i>multi-unit housing</i> except <i>minor extensions</i>.</p> <p>On sites larger than 2,000m² stormwater management measures comply with all of the following:</p> <ul style="list-style-type: none"> a) provision for the retention of stormwater on the <i>block</i> is equivalent to at least 1.4kl per 100m² of impervious area b) the retained stormwater complies with one or more of the following - <ul style="list-style-type: none"> i) it is stored for later reuse ii) it is released to the stormwater system over a period of not less than 1 day. <p>Rainwater tanks connected to at least the toilet and all external taps may be counted towards this requirement.</p>	<p>C87</p> <p>On sites larger than 2,000m² all of the following stormwater management measures are achieved:</p> <ul style="list-style-type: none"> a) the equivalent of 1-in-3 month stormwater peak pre-development stormwater run-off is retained on the <i>block</i> b) the retained stormwater complies with one or more of the following - <ul style="list-style-type: none"> i) it is stored for later reuse ii) its is released to the stormwater system over a reasonable period. <p>Compliance with this criterion is demonstrated by a report by a suitably qualified person.</p>
<p>R88</p> <p>This rule applies to all <i>multi-unit housing</i> except <i>minor extensions</i>.</p> <p>For <i>blocks</i> 5,000m² or larger, the average annual stormwater pollutant export is reduced for all of the following:</p> <ul style="list-style-type: none"> a) suspended solids by at least 60% b) total phosphorous by at least 45% c) total nitrogen by at least 40% <p>compared with an urban catchment with no water quality management controls.</p> <p>Compliance with this rule is demonstrated by a report by a suitably qualified person, using the MUSIC model or another nationally recognised model.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>R89</p> <p>On previously developed <i>blocks</i> larger than 2,000m² the capacity of the existing pipe (minor) stormwater connection is not exceeded in 1-in-10 year storm event and the capacity of the existing major overland stormwater system is not exceeded in 1-in-100 year storm event</p> <p>Compliance with this rule is demonstrated by a report by a suitably qualified person.</p>	<p>C89</p> <p>On previously developed <i>blocks</i> larger than 2,000m² the 1-in-5 year and 1-in-100 year stormwater peak run off does not exceed pre-development levels.</p> <p>Compliance with this criterion is demonstrated by a report by a suitably qualified person.</p>
8.2 Heritage	
<p>R90</p> <p>This rule applies to land containing places or objects registered or provisionally registered under section 41 of the <i>Heritage Act 2004</i>. The authority shall refer a development application to the Heritage Council.</p> <p>Note: The authority will consider any advice from the Heritage Council before determining the application.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
8.3 Tree protection	
<p>R91</p> <p>This rule applies to a development that has one or more of the following characteristics:</p> <ul style="list-style-type: none"> a) requires groundwork within the tree protection zone of a <i>protected tree</i> b) is likely to cause damage to or removal of any <i>protected trees</i>. <p>The authority shall refer the development application to the Conservator of Flora and Fauna.</p> <p>Note: The authority will consider any advice from the Conservator of Flora and Fauna before determining the application in accordance with the <i>Planning and Development Act 2007</i>. Protected tree and declared site are defined under the Tree Protection Act 2005.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
8.4 Bushfire	
<p>R92</p> <p>Where identified in a precinct code or <i>lease and development conditions</i> as being within a bushfire prone area, buildings are to be constructed in accordance with the relevant Building Code of Australia bushfire provisions.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
8.5 Erosion and sediment control	
<p>R93</p> <p>For sites less than 3,000m², the development complies with the Environment Protection Authority, <i>Environment Protection Guidelines for Construction and Land Development in the ACT</i>.</p> <p>Note 1: If no evidence of compliance with the above guideline is provided, the application may be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p> <p>Note 2: see part D for sites over 3000m².</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 9: Services

Rules	Criteria
9.1 Post occupancy waste management	
<p>There is no applicable rule.</p>	<p>C94</p> <p>Post occupancy waste management achieves all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable levels of residential amenity for <i>dwellings</i> and their associated <i>private open space</i> on the subject site c) reasonable levels of amenity for <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.

Part B – Additional controls for multi unit housing with 4 or more storeys

Part B contains rules and criteria additional to those in part A. They apply to *multi-unit housing* with 4 or more storeys.

To remove any doubt, the provisions of this part apply to the whole building, including the first 3 storeys.

Where there is an inconsistency between part A and part B, the latter shall prevail to the extent of that inconsistency.

Element 10: Building and site design – buildings with 4 or more storeys

Rules	Criteria
10.1 Side and rear boundary setbacks	
R95 In RZ5 side and rear boundary setbacks comply with table B1.	C95 Buildings and other structures are sited to achieve all of the following: <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable separation between adjoining developments c) reasonable privacy for <i> dwellings</i> on adjoining <i>residential blocks</i> d) reasonable privacy for <i>principal private open space</i> on adjoining <i>residential blocks</i> e) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>principal private open space</i>.

Table B1: Side and Rear Boundary Setbacks - buildings with 4 or more storeys

parts of buildings	minimum side boundary setback	minimum rear boundary setback
first 4 storeys - external wall	3m	3m
first 4 storeys - unscreened element	6m	6m
between 5 and 8 storeys - external wall	4.5m	4.5m
between 5 and 8 storeys - unscreened element	6m	6m
9 storeys or more - external wall or unscreened element	6m	6m

Rules	Criteria
10.2 Access to lifts or stairs	
<p>R96</p> <p>No more than 9 <i>apartments</i> on each floor are accessible from a single common lift or stair lobby.</p>	<p>C96</p> <p>Convenient access to <i>apartments</i> is achieved.</p> <p>One or more of the following matters may be considered when determining compliance with this criterion:</p> <ul style="list-style-type: none"> a) whether there is a high level of public amenity and safety in common lobbies b) whether spaces are well-proportioned with clear sightlines c) whether there is a high proportion of dual aspect <i>apartments</i> d) whether there is a high proportion of <i>apartments</i> with northern orientation.

Part C – Additional controls for multi unit housing in commercial zones

Element 11: Ground floor commercial use

Rules	Criteria
11.1 Ground floor commercial use in commercial zones	
<p>R97</p> <p>This rule applies to all of the following:</p> <ul style="list-style-type: none"> a) commercial zones b) <i>blocks</i> nominated in a precinct code for ground floor commercial use c) buildings containing one or more <i>dwellings</i> d) the <i>building line</i> for any ground floor <i>dwelling</i> is less than 6m <p>The ground floor finished floor level to finished ceiling level height is not less than 3.6m.</p> <p>Note: Noise attenuation provisions in part A may also apply.</p>	<p>C97</p> <p>In commercial zones, buildings afford the opportunity to accommodate non-residential uses, including office and retail, at the ground floor.</p>

Part D – Endorsement by government agencies (entities)

Element 12: Waste management

Rules	Criteria
12.1 Construction waste management	
<p>R98</p> <p>This rule applies to <i>residential</i> development that is likely to generate more than 20m³ of construction waste comprising one or more of the following:</p> <ul style="list-style-type: none"> a) demolition waste b) construction waste c) excavation material. <p>The management of construction waste is to be endorsed by TAMS.</p> <p>TAMS will endorse waste facilities and management associated with the development if they comply with the current version of the <i>Development Control Code for Best Practice Waste Management in the ACT</i>.</p> <p>TAMS may endorse departures.</p> <p>Note: a condition of approval may be imposed to ensure compliance.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
12.2 Post occupancy waste management	
<p>R99</p> <p>Post occupancy waste management facilities are to be endorsed by TAMS.</p> <p>TAMS will endorse post occupancy waste management facilities where they are in accordance with the current version of the <i>Development Control Code for Best Practice Waste Management in the ACT</i>.</p> <p>TAMS may endorse departures.</p> <p>Note: a condition of approval may be imposed to ensure compliance.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 13: Utilities

13.1 Utilities	
<p>R100</p> <p>This rule applies to any proposed encroachment into a registered easement.</p> <p>The proposed encroachment is to be approved in writing by the relevant service provider.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R101</p> <p>A statement of compliance from each relevant utility provider (for water, sewerage, electricity, stormwater 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 1: If there is no stormwater easement or Territory owned stormwater pipes located within the property boundary, a "Statement of Compliance" for stormwater from TAMS (Asset Acceptance) is not required to be obtained</p> <p>Note 2: Where there is conflict between planning and utility requirements, the utility requirements take precedence over other codified or merit provisions</p> <p>Note 3: 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>This is a mandatory requirement. There is no applicable criterion.</p>

Element 14: Environmental management

14.1 Contamination	
<p>R102</p> <p>This rule applies to any site located adjacent to a potentially polluting source (including a site used or formerly used as a petrol station).</p> <p>The site is assessed for the potential for land contamination in accordance with the <i>ACT Government Strategic Plan – Contaminated Sites Management 1995</i> and the <i>Contaminated Sites Environment Protection Policy 2000</i>.</p> <p>If land contamination is identified, the development complies with the requirements of Environment Protection Authority.</p> <p>Note 1: If no evidence of assessment of the site for land contamination is provided, the application may be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p> <p>Note 2: a condition of approval may be imposed to ensure compliance.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

14.2 Erosion and sediment control

R103

This rule applies to sites 3,000m² or larger.

The development complies with an erosion and sediment control plan endorsed by the ACT Environment Protection Authority.

Note 1: If no evidence of assessment of the site for erosion and sediment control is provided, the application may be referred to the relevant agency in accordance with the requirements of the *Planning and Development Act 2007*.

Note 2: a condition of approval may be imposed to ensure compliance.

This is a mandatory requirement. There is no applicable criterion.

Appendix 1 – Boundary setback diagrams

Diagram 1: RZ1 and RZ2
Blocks approved before 18 October 1993

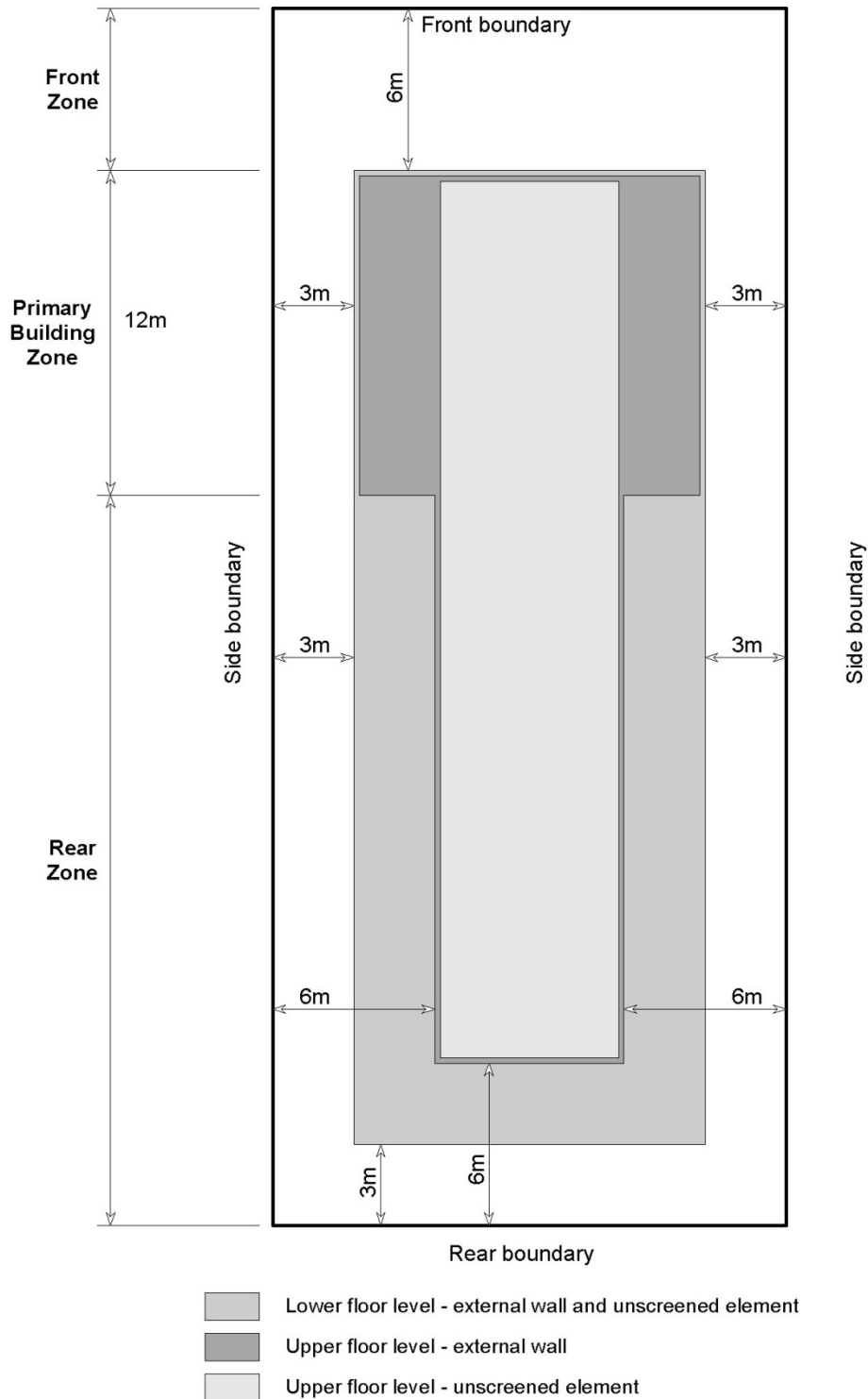


Diagram 2: RZ1 and RZ2
 Blocks approved on or after 18 October 1993

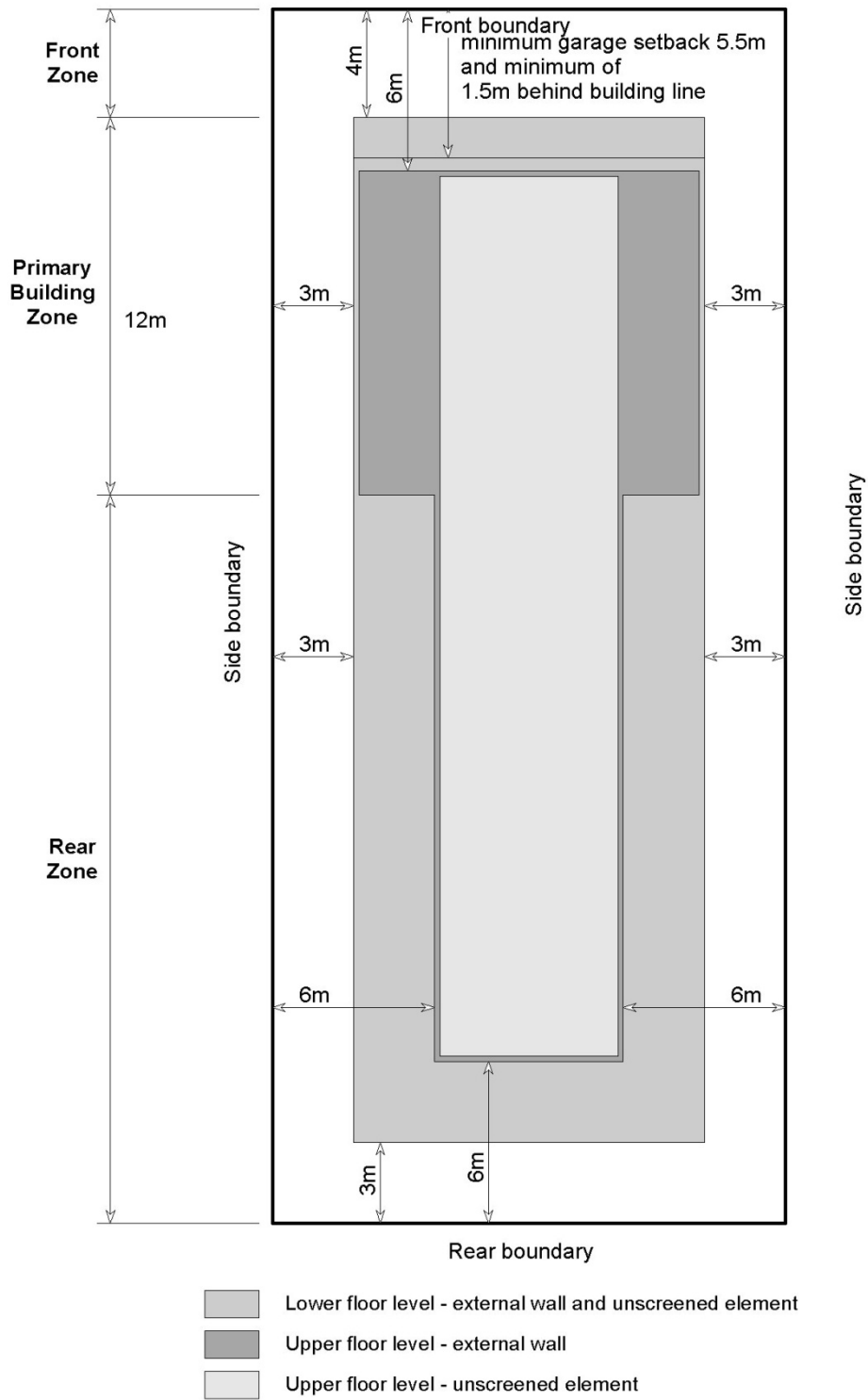
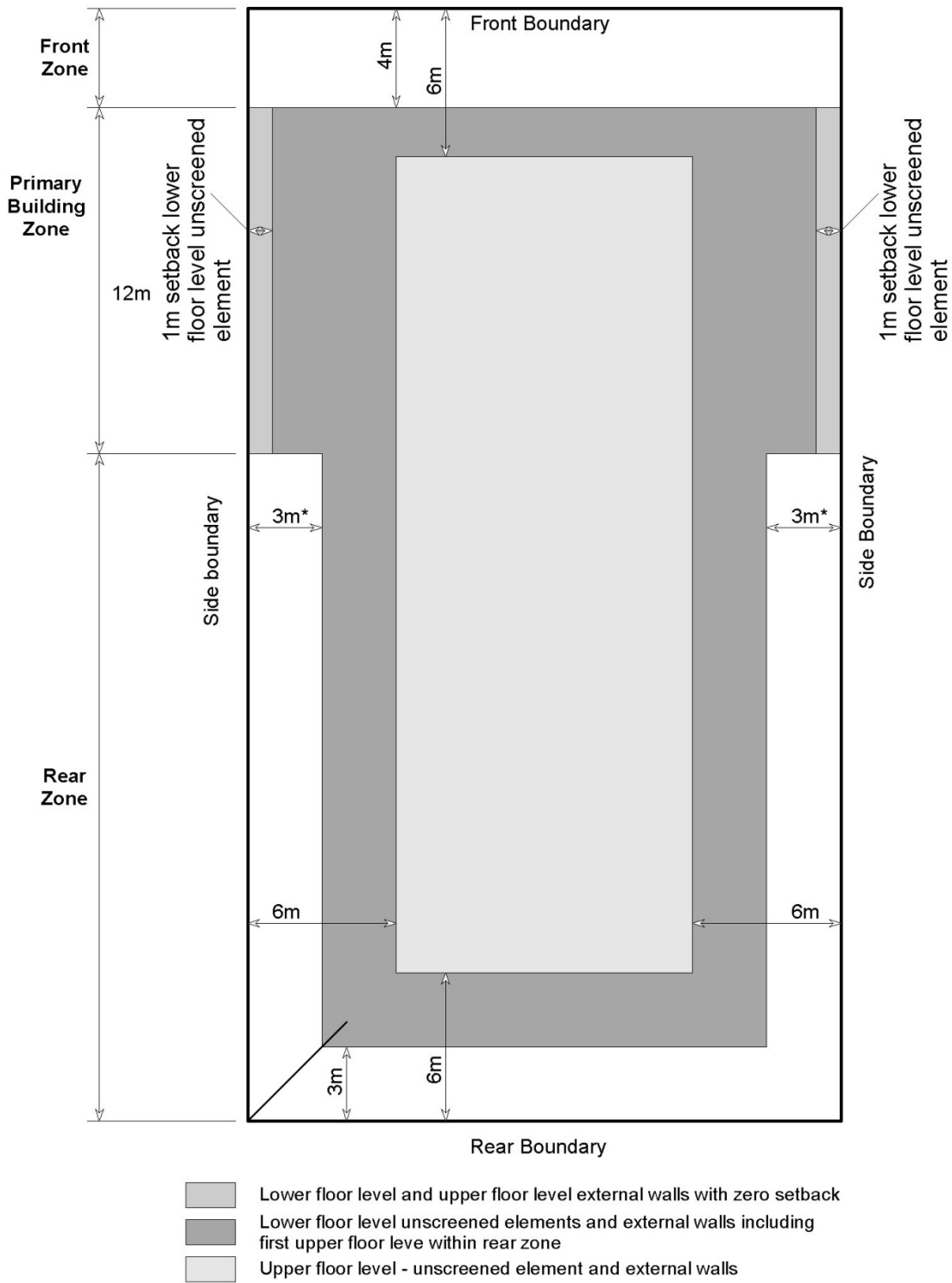


Diagram 3: RZ3, RZ4, RZ5, and Commercial Zones





ACT

Government

Environment and
Sustainable Development

Estate Development Code

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Appendix A – Block compliance

INTRODUCTION

Name

The name of this code is **Estate Development Code**.

Application

This code applies to all proposals in the ACT for the subdivision of land requiring the preparation of an estate development plan.

National Capital Plan

Where a development is subject to special requirements under the National Capital Plan, or any relevant development control plan prepared under the National Capital Plan, the development must not be inconsistent with the special requirements or development control plan. Where any provision of this code is inconsistent with special requirements under the National Capital Plan, or any relevant development control plan prepared under the National Capital Plan, that provision has no effect.

Purpose

This code provides additional planning, design and environmental controls to support the objectives of the relevant zone.

It will be used by the ACT Planning and Land Authority (ACTPLA) to assess development applications for estate development plans. It also offers guidance to applicants preparing estate development plans.

Objective

To facilitate sustainable, safe, convenient and attractive neighbourhoods that meet the diverse and changing needs of the community. This encompasses offering a wide choice in good quality housing and associated community and commercial facilities, providing for local employment opportunities, encouraging walking and cycling, minimising energy consumption, and promoting a sense of place through neighbourhood focal points and the creation of a distinctive identity which recognises and, where relevant, preserves the natural environment. (after AMCORD 1995)

Structure

This code has four parts:

Part A – Estate planning in all zones

Part B – Estate planning in residential zones and CZ5

Part C – Estate planning in industrial zones

Part D – Endorsement by government agencies

Each part is divided into one or more elements. Each element has rules and associated criteria (unless a rule is mandatory). Rules provide quantitative or definitive controls, while criteria are chiefly qualitative in nature.

Where rules are mandatory they are accompanied by the words “This is a mandatory requirement. There is no applicable criterion”. Non-compliance with a mandatory rule will result in the refusal of the development application. Conversely, the words “There is no applicable rule” is found where a criterion only applies.

Assessment tracks

Assessment tracks for particular developments are specified in the relevant zone development table.

Proposals in the **code track** must comply with all rules relevant to the development.

Proposals in the **merit track** and **impact track** must comply with a rule or its associated criterion, unless the rule is mandatory (i.e. it has no related criterion). When a rule is fully met, no reference to the related criterion needs to be made. Where there is a departure from a rule, or where a criterion only applies, the onus is on the applicant to demonstrate, through supporting drawings and/or documentation, that the relevant criterion is satisfied. In addition, the applicant for proposals in the impact track must justify any non-compliance by reference to the Statement of Strategic Directions.

Estate development plans are ordinarily assessed under the **merit track**.

Code hierarchy

Under the *Planning and Development Act 2007*, where more than one type of code applies to a development and there is inconsistency between provisions, the order of precedence is: precinct code, development code, and general code.

Precinct codes and concept plans

Precinct codes and concept plans may apply to certain areas. These documents contain more detailed or site-specific provisions. Where there is an inconsistency between one of these documents and this code, the precinct code (which may be a concept plan) will prevail to the extent of that inconsistency.

General codes

The following general codes may be relevant to estate development plans.

Crime Prevention through Environmental Design General Code

Planning for Bushfire Risk Mitigation General Code

Waterways: Water Sensitive Urban Design General Code

Estate development plans

Estate development plans (EDPs) set out the proposed subdivision pattern and infrastructure works for an estate. EDPs must be submitted as development applications for approval by ACTPLA. Development approval of the EDP is required before design acceptance can be obtained from TAMS, works can commence and leases issued for the subdivided blocks. The EDP is assessed against the relevant parts of this code and any applicable structure plan or precinct code.

An EDP that relates to a future urban area must comply with section 94 of the *Planning and Development Act 2007*. For land that is not future urban area, or subject to a precinct code, an EDP will be assessed primarily against this code.

Future urban areas

An estate development plan may introduce additional ongoing provisions relating to particular blocks or areas within a future urban area, providing such provisions are not inconsistent with the objectives of the applicable zone and to any concept plan applying to the area. At the discretion of ACTPLA these provisions may be incorporated into the Territory Plan under s96(2) of the *Planning and Development Act 2007*, typically in a precinct code. Section 115 of the *Planning and Development Act 2007* would apply where there is any inconsistency between a provision in a precinct code and this code.

Endorsement by government agencies

ACTPLA co-ordinates pre-application referrals of EDPs to “entities”, as government agencies are known under the *Planning and Development Act 2007*. Many of the relevant entities’ requirements are codified in part D of this code. The applicant can expect entity endorsement of a particular aspect if it is compliant with the relevant provisions specified in the note to the respective rule. For example, if carriageway widths fully comply with the relevant table found in the code, the entity’s endorsement (in this case TAMS) will be given. Many provisions also allow the entity to endorse aspects of the proposal that do not fully comply with its standards. In these cases, the onus is on the proponent to negotiate with the entity and justify any departure.

Entity endorsement is not necessarily required when a development application is lodged. It is possible for at least some entity endorsements to be obtained before the application is determined or, in some instances, after approval through a condition of development approval.

In addition to infrastructure in the public realm, which ordinarily requires asset acceptance (approval) from TAMS, infrastructure within common property under a proposed community title scheme (*Community Titles Act 2001*) must also be endorsed by the relevant entity under part D.

Definitions

Defined terms, references to legislation and documents are italicised.

Definitions of terms used in this code are listed in part 13 of the Territory Plan or, for terms applicable only to this code, associated with the respective rule.

Acronyms

ACTPLA	ACT Planning and Land Authority
EPA	ACT Environment Protection Authority
ESA	Emergency Services Authority
ESDD	ACT Environment and Sustainable Development Directorate
EDD	ACT Economic Development Directorate
EDP	estate development plan
LDA	ACT Land Development Agency
NCA	National Capital Authority
NCC	National Construction Code
P&D Act	Planning and Development Act 2007
TAMS	ACT Territory and Municipal Services Directorate

Part A – Estate planning in all zones

Refer to part D for related entity endorsement provisions.

Element 1: Layout

Rules	Criteria
1.1 Estate layout	
<p>There is no applicable rule.</p>	<p>C1</p> <p>The subdivision layout and movement networks achieve all of the following:</p> <ul style="list-style-type: none"> a) blocks that are suited to their intended use and are consistent with the <i>desired character</i> of the relevant land use zone. b) a high level of internal accessibility c) effective external connections for local vehicle, pedestrian and cycle movements d) effective traffic management to restrain vehicle speed, deter through-traffic and create safe conditions for other road users e) retention of significant vegetation and habitat areas including consideration of ecological connectivity f) incorporation of natural and cultural features g) minimal risk of soil erosion including the risk of soil erosion from cut and fill h) enhanced personal safety and perceptions of safety including way finding, passive surveillance and avoidance of entrapment points. i) minimised potential for crime and vandalism and through estate design and surveillance by drivers of passing vehicles and pedestrians j) integration with the surrounding urban environment, existing attractive streetscapes and landscapes, and provision for shared use of public facilities by adjoining communities k) a reasonable level of protection for residents from known sources of noise, odour and light pollution through measures including earth mounds, sound walls, landscaping or separation.

Element 2: Public transport, walking and cycling

Rules	Criteria
2.1 Bus routes	
There is no applicable rule	C2 Convenient access is provided to bus routes and bus stops by residents of the <i>estate</i> .
R3 Schools are adjacent to at least one bus stop on a nominated bus route.	C3 Convenient access is provided to bus routes and bus stops for students of existing or proposed schools.
2.2 Bus stops	
R4 At least 90 per cent of dwellings proposed for the estate comply with at least one of the following: a) are within 500m of a bus stop on an existing or proposed <i>coverage route</i> b) are within 800m of a bus stop on an existing or proposed <i>frequent network</i> .	C4 The location of bus stops achieves all of the following: a) a reasonable distance from all dwellings in the <i>estate</i> b) reasonable way-finding c) convenient access for users.
There is no applicable rule.	C5 Bus stops are provided in locations that achieve all of the following: a) passive surveillance from adjoining areas b) minimal impacts on adjoining land uses c) links with the path network d) passenger convenience
R6 Bus stops on coverage routes and frequent local service routes are located not less than 400m apart.	C6 Bus stops are located to achieve legibility and convenience for passengers.
R7 No bus stop is more than 100m from another bus stop serving buses travelling in the opposite direction on the same bus route.	C7 Bus stops are located to achieve legibility and convenience for passengers.

Rules	Criteria
2.3 Pedestrian and cyclist facilities	
2.3.1 On-road cycling	
<p>R8</p> <p>Major collectors are provided with a 1.5m wide on-road cycling lane on each side.</p> <p>Major collectors are defined in table 1A.</p>	<p>C8</p> <p>On road cycling lanes achieve all of the following:</p> <ul style="list-style-type: none"> a) opportunities for high speed commuter cycling b) safe and convenient use by cyclists.
<p>R9</p> <p>Designated on-road cycle lanes connect with the existing or proposed shared path network.</p>	<p>C9</p> <p>On road cycling lanes are integrated with the existing or proposed shared path network.</p>
2.3.2 Shared path design	
<p>R10</p> <p>Shared paths are provided in the following locations:</p> <ul style="list-style-type: none"> a) the entire frontage of any block used or proposed to be used for one or more of the following: <ul style="list-style-type: none"> i) schools ii) shops iii) community facilities b) the entire frontage of any block adjacent to an existing or proposed bus stop c) the entire frontage of any block used or proposed to be used for multi unit housing containing 10 or more dwellings: d) on both sides of endorsed bus routes. 	<p>C10</p> <p>Shared paths achieve all of the following:</p> <ul style="list-style-type: none"> a) physical and visual connections to the wider shared path network that promote way finding and avoid entrapment points b) accommodation of all likely users (eg. school children, parents with prams, the aged, people with disabilities, commuter and recreational cyclists).
2.3.3 Shared path network	
<p>R11</p> <p>Shared paths are connected to one or more of the following:</p> <ul style="list-style-type: none"> a) any existing or proposed shared path networks, including any nearby Main Routes (as defined in TAMS <i>Design Standards for Urban Infrastructure DS13-Pedestrian and Cycle Facilities</i> or its successor) b) open space networks c) community facilities such as educational establishments and local activity centres d) public transport routes and bus stops. 	<p>C11</p> <p>Shared paths achieve all of the following:</p> <ul style="list-style-type: none"> a) physical and visual connections to the wider shared path network that promote way finding and avoid entrapment points b) accommodation of all likely users (e.g. school children, parents with prams, the aged, people with disabilities, commuter and recreational cyclists)

Rules	Criteria
There is no applicable rule.	C12 Shared path networks achieve a reasonable level of passive surveillance from public streets, existing or future leased land, community facilities, commercial areas or other public spaces.

Element 3: Street network

Rules	Criteria
3.1 Street layout	
There is no applicable rule.	C13 The street layout achieves all of the following: <ul style="list-style-type: none"> a) distribution of traffic flows to reflect the function and type of the streets proposed b) legibility, convenience and safety c) avoidance of through traffic from external areas (other than for pedestrians, cyclists and public transport) and 'rat runs' d) opportunities for permeable and direct bus routes that <ul style="list-style-type: none"> i) minimise bus travel time ii) are not circuitous iii) avoid back tracking.
There is no applicable rule	C14 Vehicle entry and egress points to the <i>estate</i> achieve all of the following: <ul style="list-style-type: none"> a) reasonable distribution of traffic flows in consideration of all of the following – <ul style="list-style-type: none"> i) road hierarchy ii) forecast traffic volumes b) safe and convenient vehicular ingress and egress c) integration with the street network within the <i>estate</i>.
There is no applicable rule	C15 Street verge widths provide reasonable levels of amenity for all likely users appropriate to the expected use of adjoining land.
3.2 Rear lanes	
There is no applicable rule.	C16 <i>Rear lanes</i> do not contribute to a more desirable alternative to the higher level street network (i.e. do not contribute to 'rat running')

Rules	Criteria
<p>R17</p> <p><i>Rear lanes</i> comply with all of the following:</p> <ul style="list-style-type: none"> a) do not directly align with <i>rear lanes</i> across higher order streets b) include threshold or other treatments to differentiate the <i>rear lane</i> from other streets c) do not terminate in a <i>cul-de-sac</i>. 	<p>C17</p> <p><i>Rear lanes</i> achieve all of the following:</p> <ul style="list-style-type: none"> a) do not contribute to a pattern of long, continuous straight lengths of <i>rear lanes</i> b) differentiation of the <i>rear lane</i> from other streets c) convenient access d) accommodation of service vehicles.
3.3 Culs-de-sac	
<p>R18</p> <p>No more than 15 per cent of blocks in an <i>estate</i> have vehicular access to <i>culs-de-sac</i>.</p>	<p>C18</p> <p><i>Culs-de-sac</i> achieve all of the following:</p> <ul style="list-style-type: none"> a) legibility b) reasonable neighbourhood connectivity c) access to blocks where alternate access is not feasible.
<p>R19</p> <p>This rule applies to <i>culs-de-sac</i> that are greater than 50m in length.</p> <p>A shared path at least 1.2m wide is provided within an access way from the head of the <i>cul-de-sac</i> to one or more of the following:</p> <ul style="list-style-type: none"> a) another local street b) existing or proposed shared path network. 	<p>C19</p> <p><i>Culs-de-sac</i> are provided with convenient and legible pedestrian and cyclist access with connections to a local street or the shared path network.</p>
3.4 On-street car parking	
<p>R20</p> <p>The dimensions of designated on-street car spaces comply with Australian Standard <i>AS 2890.5 Parking – on street</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
3.5 Design of streets in bushfire prone areas	
<p>R21</p> <p>Edge streets are provided within or adjacent to a <i>bushfire prone area</i> on the long-term urban edge or conservation area.</p>	<p>C21</p> <p>Edge treatments on the long term urban edge provide all of the following:</p> <ul style="list-style-type: none"> a) reasonable protection to people and property from bush fire b) reasonable access for emergency vehicles.
<p>R22</p> <p>Street trees and vegetation within the verge of edge streets referred to in the previous rule comply with the asset protection zone requirements in the Planning for Bushfire Risk Mitigation General Code.</p> <p>Note: Fire hydrants are required in accordance with the requirements of ESA – see part D.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 4: Public realm

The public realm consists of different types of unleased open spaces such as:

- street verges and planted medians
- parks and urban open space of all sizes
- walkways and linear spaces
- open hill or bushland reserves and conservation areas
- unenclosed sports or playing fields.

Rules	Criteria
4.1 Networks	
<p>There is no applicable rule</p>	<p>C23</p> <p>Public realm spaces achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) accommodation of a range of uses and activities (such as those listed in table 4) c) links between existing or proposed areas of open space d) opportunities for recreational facilities, including facilities for pedestrians and cyclists e) opportunities for wildlife corridors between natural areas, where appropriate f) stormwater management, where appropriate.
4.2 Street trees	
<p>R24</p> <p>Street trees are provided in the street types identified in the following:</p> <ul style="list-style-type: none"> a) for <i>estates</i> in other than industrial zones – table 2A b) for <i>estates</i> in industrial zones – table 2B. 	<p>C24</p> <p>Street tree plantings achieve an attractive <i>streetscape</i>.</p>
<p>R25</p> <p>Street trees will, at maturity, shade not less than 30% of footpaths and shared paths in the estate at noon on the summer solstice.</p> <p>Note: Maturity is the estimated canopy size at 20 years of age.</p>	<p>C25</p> <p>Street trees at maturity achieve reasonable summer shade to foot paths and shared paths with regard to heat gain and user comfort.</p>
4.3 Safety	
<p>R26</p> <p>This rule applies to public realm spaces with all of the following characteristics:</p> <ul style="list-style-type: none"> a) adjoin watercourses, drainage swales or 	<p>C26</p> <p>The nature and location of services and facilities in public realm spaces that adjoin watercourses, drainage swales or stormwater detention basins</p>

Rules	Criteria
<p>stormwater detention basins</p> <p>b) contain or are likely to contain shared paths, formalised meeting places (such as picnic and barbeque areas), playgrounds or play spaces. that adjoin watercourses, drainage swales and stormwater detention basins are</p> <p>Inundation only occurs in storm events greater than the two year average recurrence interval (ARI).</p> <p>Note: Compliance with this rule is demonstrated by a stormwater master plan prepared by a suitably qualified person.</p>	<p>achieve reasonable levels of public safety in relation to their actual or intended use.</p> <p>Note: Compliance with this criterion is demonstrated by a stormwater master plan prepared by a suitably qualified person.</p>
<p>R27</p> <p>This rule applies to all public realm spaces except for the following:</p> <ul style="list-style-type: none"> i) street verges ii) street medians iii) access ways (as defined in table 4) iv) pedestrian lanes (as defined in table 4) <p>A minimum of 75% of the perimeter of public realm spaces is bordered by one or more of the following:</p> <ul style="list-style-type: none"> a) edge roads with kerbside parking b) public car parking areas c) trunk shared paths d) blocks with a commercial or community facility zoning. 	<p>C27</p> <p>Public realm spaces (excluding street verges and medians, access ways and pedestrian lanes) are bounded by uses that provide all of the following:</p> <ul style="list-style-type: none"> a) reasonable levels of surveillance, through the use of such measures as edge roads, address frontages and lighting b) reasonable public access including links from footpaths to the existing or proposed shared path network and the provision of public car parking in convenient locations.
<p>R28</p> <p>The minimum width of pedestrian parkland and access ways, as defined in table 4, is as follows:</p> <ul style="list-style-type: none"> a) where the pedestrian parkland or access way is 60m or longer - 6m b) where the pedestrian parkland or access way is less than 60m in length - 4m. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>There is no applicable rule.</p>	<p>C29</p> <p>Reasonable levels of public safety are achieved in pedestrian parkland and access ways (as defined in table 4).</p> <p>This may be achieved by all of the following:</p> <ul style="list-style-type: none"> a) reasonable legibility b) reasonable sightlines c) avoidance of potential entrapment spots or hiding places. <p>Note: The proposal must also comply with the Crime Prevention through Environmental Design General Code.</p>

Element 5: Environment protection

Rules	Criteria
5.1 Water sensitive urban design	
<p>R30</p> <p>This rule applies to <i>estates</i> 5000m² or larger.</p> <p>The average annual stormwater pollutant export is reduced for all of the following:</p> <ul style="list-style-type: none"> a) suspended solids by at least 60 per cent b) total phosphorous by at least 45 per cent c) total nitrogen by at least 40 per cent <p>compared with an urban catchment with no water quality management controls.</p> <p>Note: Compliance with this rule is demonstrated by a water sensitive urban design outcomes plan endorsed by a suitably qualified person.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R31</p> <p>This rule applies to <i>estates</i> 2000m² or larger.</p> <p>Stormwater management complies with one of the following:</p> <ul style="list-style-type: none"> a) the capacity of the existing pipe (minor) stormwater connection is not exceeded in 1-in-10 year storm event and the capacity of the existing major overland stormwater system is not exceeded in the 1-in-100 year storm event b) the 1-in-5 year and 1-in-100 year stormwater peak run off does not exceed pre-development levels. <p>Note: Compliance with this rule is demonstrated by a water sensitive urban design outcomes plan endorsed by a suitably qualified person.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R32</p> <p>This rule applies to <i>estates</i> 2,000m² or larger.</p> <p>Provision is made for one or more of the following:</p> <ul style="list-style-type: none"> a) the storage of stormwater equivalent to at least 1.4kl per 100m² of impervious area, and its release over a period of 1 to 3 days b) runoff peak flow for the 3 month ARI storm to be no more than pre-development levels and release of captured flow over a period of 1 to 3 days. <p>Note: Compliance with this rule is demonstrated by a water sensitive urban design outcomes plan endorsed by a suitably qualified person.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
There is no applicable rule.	C33 Underground piping of natural stormwater overland flow paths is minimised.
5.2 Sediment and erosion control	
<p>R34</p> <p>This rule applies to <i>estates</i> greater than 3000m². Development complies with a sediment and erosion control concept plan endorsed by the Environment Protection Authority.</p> <p>Supporting document: A sediment and erosion control concept plan is prepared in accordance with the ACT EPA Environmental Protection Guidelines for Construction and Land Development in the ACT 2011.</p> <p>Note: A condition of development approval may be imposed to ensure compliance with this rule.</p>	This is a mandatory requirement. There is no applicable criterion.
5.3 Earthworks	
There is no applicable rule.	C35 The extent of earthworks is minimised. The proposed street and block layout minimises the extent of earthworks.
<p>R36</p> <p>Earthworks are managed in accordance with an Environmental Management Concept Plan endorsed by Environment Protection Authority.</p> <p>Supporting document: Environmental Management Concept Plan endorsed by Environment Protection Authority.</p> <p>Note: A condition of development approval may be imposed to ensure compliance with this rule.</p>	This is a mandatory requirement. There is no applicable criterion.
5.4 Tree protection	
<p>R37</p> <p>This rule applies to a development that has one or more of the following characteristics:</p> <ul style="list-style-type: none"> a) requires groundwork within the tree protection zone of a <i>protected tree</i> b) is likely to cause damage to or removal of any <i>protected trees</i> c) is a <i>declared site</i>. <p>The authority shall refer the development application to the Conservator or Flora and Fauna.</p> <p>Note 1: The authority will consider any advice from the Conservator or Flora and Fauna before determining the application.</p> <p>Note 2: <i>Protected tree</i> and <i>declared site</i> are defined under the <i>Tree Protection Act 2005</i>.</p>	This is a mandatory requirement. There is no applicable criterion.

Rules	Criteria
5.5 Heritage	
<p>R38</p> <p>This rule applies to <i>estates</i> where sites within the development area are either listed or nominated to the Heritage Register.</p> <p>Development complies with the mitigation measures recommended in a heritage statement endorsed by the Heritage Council.</p> <p>Supporting document: Heritage statement including mitigation measures (see <i>Heritage Act, 2004</i>)</p> <p>Note: A condition of development approval may be imposed to ensure compliance with the endorsed measures.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R39</p> <p>This rule applies to an <i>estate</i> unless the Heritage Council has provided written confirmation that there are no Aboriginal sites and/or objects are located within the development area,</p> <p>Development complies with the relevant cultural heritage assessment and conservation management plan endorsed by the ACT Heritage Council.</p> <p>Supporting document: Cultural heritage assessment and conservation management plan endorsed by the Heritage Council.</p> <p>Note: A condition of development approval may be imposed to ensure compliance with the endorsed cultural heritage assessment and conservation management plan.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
5.6 Contamination	
<p>R40</p> <p>This rule applies to an <i>estate</i> unless the EPA has provided written confirmation that there are no contaminated sites within or adjacent to the development area.</p> <p>Development complies with the relevant environmental site assessment report endorsed by EPA.</p> <p>Supporting document: Environmental site assessment report endorsed by EPA</p> <p>Note: A condition of development approval may be imposed to ensure compliance with the endorsed environmental site assessment report.</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>
5.7 Matters of national environmental significance	
<p>R41</p> <p>This rule applies to land affected by a plan for the protection of matters of national environmental significance (NES plan) approved under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Commonwealth).</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>

Rules	Criteria
Development is not inconsistent with the relevant NES plan.	

Element 6: Services and infrastructure

Rules	Criteria
6.1 Buffer zones to utility services	
There is no applicable rule.	C42 Buffer zones or suitable barriers are provided between blocks proposed for residential, commercial or community facility use and utility service equipment, such as sewer vents, sewer pump stations and water pump stations, to reduce the impacts of noise and odour in accordance with the requirements of the relevant utility service provider. Utility service equipment must also be adequately screened from public view.
6.2 Utility services	
R43 Utility services, including water, sewer, stormwater, electricity, gas and telecommunications are provided to each block. Note: A condition of development approval may be imposed to ensure compliance with this rule.	This is a mandatory requirement. There is no applicable criterion.
R44 Utility services are located within road verges or other territory land.	C44 Utility services may be located within leased blocks where all of the following are achieved: a) located within service easements and accessed by means of emergency or maintenance access routes in accordance with the requirements of utility service providers b) located on blocks that are of sufficient size to accommodate the required service easements and access routes whilst providing comparable building footprint area to that of unencumbered blocks.
There is no applicable rule.	C45 Above ground utility services that are located in pedestrian parkland or access ways avoid potential entrapment spots or hiding places.

Part B – Estate planning in residential zones and CZ5

This part applies to estates in residential and CZ5 zones. These provisions are additional to the general provision of the previous part.

Element 7: Block diversity

Rules	Criteria
7.1 Block diversity and distribution	
There is no applicable rule.	<p>C46</p> <p>In RZ1, a range of block sizes are provided and distributed to promote housing diversity and choice, and to meet a range of housing needs.</p> <p>For the purposes of this criterion, <i>single dwelling blocks</i> (whether indicated or projected) within an <i>integrated housing development parcel</i> are to be considered.</p>

Element 8: Block layout and orientation

Rules	Criteria
8.1 Block size, slope and orientation	
<p>R47</p> <p>This rule applies to <i>single dwelling blocks</i>. <i>Single dwelling blocks</i> comply with all of the following:</p> <p>a) block compliance tables in appendix A.</p> <p>b) minimum block depth –</p> <p>i) for <i>compact blocks</i> – 17m</p> <p>ii) for <i>mid-sized blocks</i> – 25m</p> <p>iii) for <i>large blocks</i> – 28m</p> <p>c) minimum block width –</p> <p>i) for <i>compact blocks</i> – 6m</p> <p>ii) for <i>mid-sized blocks</i> – 10m</p> <p>iii) for <i>large blocks</i> – 14m.</p> <p>This rule does not apply to <i>single dwelling blocks</i> within an <i>integrated housing development parcel</i>.</p> <p>Note 1: Block width and block depth are defined in appendix A.</p> <p>Note 2: The process for determining compliance is set out in appendix A.</p>	<p>C47</p> <p><i>Single dwelling blocks</i> are sized and oriented to allow all of the following:</p> <p>a) the erection of a house that complies with the rules of the Single Dwelling Housing Development Code</p> <p>b) the erection of a house with a reasonable <i>gross floor area</i></p> <p>c) the erection of a house with a reasonable access to sunlight.</p> <p>Note: Compliance with this criterion will be established through an assessment of development intentions plans submitted with the estate development plan.</p>

Rules	Criteria
<p>R48</p> <p>Not less than 95% of <i>single dwelling blocks</i> contained in an estate development plan comply with R47 or are contained within an <i>integrated housing development parcel</i> (refer C50).</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R49</p> <p><i>Single dwelling blocks</i> that do not comply with R47 and are not contained in an <i>integrated housing development parcel</i> (refer C50) the previous rule are identified in the estate development plan as 'limited development potential blocks'.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>There is no applicable rule.</p>	<p>C50</p> <p>In an estate, the proportion of <i>single dwelling blocks</i> that comply with R47 is maximised.</p>
<p>There is no applicable rule.</p>	<p>C51</p> <p>Each <i>single dwelling block</i> within an <i>integrated housing development parcel</i> enables a house to be designed which achieves all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) solar access to nominated <i>principal private open space</i> comparable with the relevant provisions of the Single Dwelling Housing Development Code c) reasonable levels of privacy for other <i>dwellings</i> and their associated <i>principal private open space</i> within the <i>integrated housing development parcel</i> comparable with the relevant provisions of the Single Dwelling Housing Development Code d) where the proposed house is part of a building containing two or more houses, the outlook from an unscreened element is not unreasonably impeded by external walls on the same or adjoining blocks <p>Note 1: Compliance with this criterion will be established through an assessment of an integrated housing development plan submitted with the estate development plan for each integrated housing development parcel.</p> <p>Note 2: The location, type and profile of mandatory boundary walls identified in the relevant integrated housing development plan and approved as part of the estate development plan will be incorporated into the Territory Plan under section 96(2) of the <i>Planning and Development Act 2007</i>.</p> <p>Note 3: <i>Integrated housing development parcels</i> must comply with the boundary setback and building envelope provisions under the Single Dwelling Housing Development Code.</p>

Rules	Criteria
<p>There is no applicable rule.</p>	<p>C52</p> <p>Blocks nominated for multi unit housing are sized and oriented to allow housing development to achieve all of the following:</p> <ul style="list-style-type: none"> a) compliance with the principal private open space rules for solar access in the relevant housing development code b) consistency with the <i>desired character</i> c) reasonable levels of privacy for <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>. <p>Note: Compliance with this criterion will be established through an assessment of a development intentions plan submitted with the estate development plan.</p>
8.2 Compact blocks – slope	
<p>R53</p> <p>This rule applies to <i>compact blocks</i>. <i>Slope</i> is no greater than 10%. For this rule - Slope means the slope of land, expressed as a percentage, calculated using the difference in <i>datum ground level</i> from the highest to lowest points on the proposed block boundary and the horizontal distance between those points.</p>	<p>C53</p> <p>Block size and dimensions take into account the slope of the land and minimise the need for earthworks and retaining walls associated with dwelling construction.</p>
8.3 Battle-axe blocks	
<p>R54</p> <p>Battle-axe blocks for residential purposes comply with all of the following:</p> <ul style="list-style-type: none"> a) are at least 500m², exclusive of the driveway access corridor b) have a common boundary with public open space. c) are not designated for multi unit housing 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R55</p> <p>A access handle serving a battle-axe block residential purposes has a minimum width of :</p> <ul style="list-style-type: none"> a) where it is adjacent to an access handle serving another block, and both access handles have a legal right of access over the other - 3m b) in all other cases – 5m. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
8.4 Multi unit blocks	
<p>R56</p> <p>Multi-unit blocks enable all dwellings to front a public road or public open space.</p> <p>Note: Compliance with this rule is demonstrated by reference to a development intentions plan lodged with an estate development plan.</p>	<p>C56</p> <p>The size and shape of multi unit blocks will enable those dwellings in a multi unit housing development that cannot front a public road or public open space, to front an internal road.</p> <p>Note: Compliance with this criterion is demonstrated by reference to a development intentions plan lodged with an estate development plan.</p>
<p>R57</p> <p>No more than 50 per cent of the boundary of a multi unit block is common with single dwelling blocks.</p>	<p>C57</p> <p>Multi unit housing does not unreasonably diminish the residential amenity of adjacent single dwelling blocks.</p>

Element 9: Street network

Rules	Criteria
9.1 Street network	
<p>R58</p> <p>Maximum driving distance between any dwelling and specified roads complies with the following:</p> <ol style="list-style-type: none"> minor or major collector street or higher order road – 700m <i>arterial road</i> – 1200m. 	<p>C58</p> <p>The street layout achieves convenient movement of vehicles between dwellings and collector streets and <i>arterial roads</i>.</p>
<p>R59</p> <p>No more than three turning movements at intersections are required in order to travel from any dwelling to the nearest collector street or <i>arterial road</i>.</p>	<p>C59</p> <p>The street layout achieves convenient movement of vehicles between dwellings and collector streets and <i>arterial roads</i>.</p>
9.2 Street verge	
<p>R60</p> <p>No more than 50% of the finished street verge surface is impervious.</p>	<p>C60</p> <p>The finished surface treatment of street verges achieves all of the following:</p> <ol style="list-style-type: none"> reasonable opportunities for stormwater infiltration and landscaping, including the use of such measures as overland flow paths, castellated kerbing, and infiltration pits around street trees reasonable maintenance access to utility services in accordance with the standards of the relevant utility provider suitability for uses generating high levels of pedestrian traffic such as retail centres, schools and community facilities

Rules	Criteria
	d) enables street trees to mature fully without suffering undue compaction of the root system.
9.3 Vehicular access – blocks less than 8m wide	
<p>R61</p> <p>This rule applies to <i>single dwelling blocks</i> where the width of the block at the minimum allowable front boundary setback is less than 8m.</p> <p>No direct vehicular access is provided to either of the following:</p> <ul style="list-style-type: none"> a) a road with actual or forecast traffic volumes in excess of 3000 vehicles per day b) any road that is adjacent to an address street boundary with a bearing between 70° and 120° <p>Note: Item b) refers to narrow blocks oriented north-south, with the access street to the north. Refer to appendix A for an explanation of how a street boundary bearing is defined.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
9.4 Rear lanes	
<p>R62</p> <p>Residential blocks with frontage to rear lanes are to incorporate habitable rooms above garages at spacing of not less than 50m along the rear lane.</p> <p>Note: Blocks incorporating habitable rooms above garages must be nominated on planning control plans submitted with the estate development plan and, if approved, will be nominated in the relevant precinct code.</p>	<p>C62</p> <p>Reasonable passive surveillance is provided to rear lanes through the use of measures such as dwellings located in adjoining sections.</p>
9.5 On-street car parking	
<p>R63</p> <p>For single dwelling blocks with a frontage to the street of less than 12.5m, undesignated on-street visitor car parking is available at a rate of one car parking space for every two blocks. The on-street visitor car parking spaces are provided within 60m from the frontage of the blocks being served.</p> <p>Note: The next rule provides controls in relation to undesignated (unmarked) on-street car parking spaces.</p>	<p>C63</p> <p>A reasonable level of on street or other public car parking for visitors is available at a reasonable distance from each dwelling.</p>
<p>R64</p> <p>Undesignated on-street car parking complies with the following:</p> <ul style="list-style-type: none"> a) where the carriageway width is less than 5.5m, on-street car parking is not permitted b) where the carriageway width is 5.5m or greater and less than 6m, on-street car parking can only be permitted on one side of the street c) where the carriageway width is greater than 6m and 7.5m or less, on-street car parking 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>is allowed on both sides of the street where car parking spaces are staggered down the street</p> <p>d) where the carriageway width is greater than 7.5m, on-street car parking spaces can be provided on both sides of the street.</p> <p>Note: Refer to note to table 2A for the calculation of carriageway widths.</p>	
<p>There is no applicable rule.</p>	<p>C65</p> <p>Where on-street car parking is provided as indented car parking spaces, the resulting verge is able to effectively accommodate all of the following:</p> <ul style="list-style-type: none"> a) any required utility services and infrastructure b) the required street tree plantings c) pervious surfaces for natural stormwater infiltration and healthy tree growth d) the required shared paths e) a reasonable level of amenity for the adjoining land use f) compliance with the <i>desired character</i>.

Element 10: Public realm

Rules	Criteria
10.1 Size and location	
<p>R66</p> <p>Local neighbourhood parks have an area not less than 0.5ha.</p> <p>Central neighbourhood parks have an area of between 1ha and 2ha.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R67</p> <p>Blocks for <i>residential use</i> comply with at least one of the following:</p> <ul style="list-style-type: none"> a) not more than 300m from at least one of the following: <ul style="list-style-type: none"> i) a local neighbourhood park ii) town park or a pedestrian parkland containing recreational facilities such as picnic and barbeque areas and playgrounds b) not more than 500m from at least one of the following: 	<p>C67</p> <p>Public realm spaces containing recreational facilities or space are provided at accessible walking distances from all blocks for <i>residential use</i>.</p>

Rules	Criteria
<ul style="list-style-type: none"> i) a central neighbourhood park ii) neighbourhood oval iii) district park iv) district sportsground. 	

Element 11: Blocks with special characteristics

Rules	Criteria
11.1 Blocks possibly affected by external noise	
<p>R68</p> <p>In all residential zones, blocks possibly affected by external noise (including, but not restricted to traffic noise) are nominated in an <i>estate development plan</i>.</p>	This is a mandatory requirement. There is no applicable criterion.
11.2 Universal housing blocks	
<p>R69</p> <p><i>Single dwelling blocks</i> that are identified to provide universal housing are nominated in the <i>estate development plan</i>.</p>	This is a mandatory requirement. There is no applicable criterion.
11.3 Alternative setbacks	
<p>R70</p> <p>Blocks to which alternative setbacks under the Single Dwelling Housing Development Code apply, are nominated on a planning control plan as part of an <i>estate development plan</i>.</p>	This is a mandatory requirement. There is no applicable criterion.
11.4 Bushfire prone blocks	
<p>R71</p> <p>Blocks assessed as requiring buildings to be constructed to a specified bushfire construction level in accordance with Australian Standards <i>AS3959- Construction of buildings in bushfire prone areas</i> are to be nominated on a planning control plan as part of the <i>estate development plan</i>.</p>	This is a mandatory requirement. There is no applicable criterion.

Part C – Estate planning in industrial zones

This part applies to estates in industrial zones. These provisions are additional to the general provisions of part A.

Element 12: Block Layout

Rules	Criteria
12.1 Block size – IZ1	
R72 In IZ1 the minimum block size resulting from a subdivision of an industrial lease is 5000m ² .	This is a mandatory requirement. There is no applicable criterion.
There is no applicable rule	C73 All industrial blocks contain sufficient area to allow for the development of buildings for a permissible use within the zone. For the purposes of this criterion the battle-axe block access handle is not to be included in the area calculation.
12.2 Block frontage and slope	
There is no applicable rule.	C74 Each industrial block achieves all of the following: a) adequate access for heavy vehicles b) access and egress of heavy vehicles in a forward direction. Note: Compliance with this criterion is demonstrated by the application of vehicle turning templates.
R75 The slope across the frontage or length of the block is not to exceed 10 per cent. Note: Slope is to be calculated from the proposed finished ground levels.	C75 The finished gradient of a block is suitable for industrial development. Note: Compliance with this criterion is demonstrated by a geotechnical assessment prepared by a suitably qualified person.
12.3 Block access	
R76 Access to an industrial estate area through existing or future residential areas is not permitted.	This is a mandatory requirement. There is no applicable criterion.
12.4 Battle-axe blocks	
R77 Battle-axe blocks allow for all of the following: a) heavy vehicular access and egress in a forward direction b) the passing of heavy vehicles on the access handle by applying AUSTROADS Design Vehicles and Turning Templates.	This is a mandatory requirement. There is no applicable criterion.

Part D – Endorsement by government agencies (entities)

In addition to infrastructure in the public realm this part also applies to infrastructure within common property under a proposed community title scheme (Community Titles Act 2001).

Element 13: Public transport, walking and cycling

Rules	Criteria
13.1 Public transport	
<p>R78</p> <p>Bus routes are to be endorsed by TAMS</p> <p>Note: In making its assessment TAMS will consider all of the following:</p> <ul style="list-style-type: none"> a) Strategic Public Transport Network, including the Frequent Network structure and service characteristics b) TAMS <i>Design Standards for Urban Infrastructure DS02-Road Planning</i> or its successor c) TAMS <i>Design Standards for Urban Infrastructure DS03-Road Design</i> or its successor d) whether the configuration of the bus route meets all of the following - <ul style="list-style-type: none"> i) allows for the movement of buses unimpeded by parked cars ii) safely accommodates on-road cycling iii) avoids the need for cars to overtake parked buses iv) ensures that buses maintain priority en route and from departing bus stops e) whether the nominated bus routes are consistent with - <ul style="list-style-type: none"> i) for estates in other than industrial zones – table 2A ii) for estates in industrial zones – table 2B. f) whether the any of the following features on the proposed route will adversely affect its function as a bus route – <ul style="list-style-type: none"> i) local area traffic management ii) traffic calming g) whether bus priority is facilitated through one or more of the following – <ul style="list-style-type: none"> i) queue jump lanes ii) local signal priority iii) local traffic/parking controls iv) bus only lanes v) bus only streets vi) no turning exemptions. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R79</p> <p>Bus stop locations are to be endorsed by TAMS.</p> <p>Note: In making its assessment TAMS will consider all of the</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>

Rules	Criteria
<p>following:</p> <ul style="list-style-type: none"> a) TAMS <i>Design Standards for Urban Infrastructure DS02-Road Planning</i> or its successor b) whether bus stops on coverage routes and frequent local service routes are located not less than 400m apart c) whether bus stops on the same route but serving opposite directions of bus travel are located not less than 100m apart d) whether bus stops are located to achieve legibility and convenience for passengers. 	
<p>R80</p> <p>Bus routes that cross busy roads are to be endorsed by TAMS.</p> <p>Note:</p> <p>TAMS will endorse the intersection of a bus route with a road that carries or is forecast to carry in excess of 6000 vehicles per day (<i>arterial road</i>) if one or more of the following are provided:</p> <ul style="list-style-type: none"> a) a left turn onto the <i>arterial road</i> and right turn from the <i>arterial road</i> into the adjoining area b) a signalised intersection. <p>TAMS may consider departures. In making its assessment TAMS will consider all of the following:</p> <ul style="list-style-type: none"> i) whether the intersection will allow buses to safely gain access to adjoining neighbourhoods without the need for complicated turning manoeuvres ii) whether the intersection will unreasonably add to bus travel times iii) TAMS <i>Design Standards for Urban Infrastructure DS02-Road Planning</i> or its successor. iv) TAMS <i>Design Standards for Urban Infrastructure DS03-Road Design</i> or its successor. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
13.2 Pedestrian and cycling facilities	
<p>R81</p> <p>On-road cycling is to be endorsed by TAMS.</p> <p>Note:</p> <p>TAMS will endorse on-road cycling lanes if they comply with all of the following:</p> <ul style="list-style-type: none"> a) 1.5m wide b) <i>AUSTROADS Guidelines</i> c) TAMS <i>Design Standards for Urban Infrastructure DS13-Pedestrian and Cycle Facilities</i> or its successor. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R82</p> <p>Shared paths are to be endorsed by TAMS.</p> <p>Note:</p> <p>TAMS will endorse shared paths if they comply with all of the</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>following:</p> <ul style="list-style-type: none"> a) for <i>estates</i> in other than industrial zones – table 2A b) for <i>estates</i> in industrial zones – table 2B c) table 5 d) TAMS <i>Design Standards for Urban Infrastructure DS13- Pedestrian and Cycle Facilities</i> or its successor e) pram crossings are provided for all shared paths at street intersections. Driveway verge crossings cannot be substituted for pram crossings. f) lighting is provided to shared paths in accordance with Australian Standards <i>AS115.3.1- Lighting for roads and public spaces</i>. <p>TAMS may endorse departures. In making its assessment TAMS will consider the following;</p> <ul style="list-style-type: none"> i) TAMS <i>Design Standards for Urban Infrastructure DS12-Public Lighting</i> or its successor. ii) TAMS <i>Design Standards for Urban Infrastructure DS13- Pedestrian and Cycle Facilities</i> or its successor. 	
<p>R83</p> <p>Shared path crossings of streets where the actual or forecast traffic volumes exceed 3000 vehicles per day are to be endorsed by TAMS.</p> <p>Note:</p> <p>TAMS will endorse shared path crossings if one or more of the following are provided:</p> <ul style="list-style-type: none"> a) signals b) pedestrian refuges c) slow points <p>TAMS may consider the following:</p> <ul style="list-style-type: none"> i) TAMS <i>Design Standards for Urban Infrastructure DS12- Public Lighting</i> or its successor. ii) TAMS <i>Design Standards for Urban Infrastructure DS13- Pedestrian and Cycle Facilities</i> or its successor. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R84</p> <p>Sight distances at shared path street crossings are to be endorsed by TAMS.</p> <p>Note:</p> <p>In making its assessment TAMS will consider all of the following -</p> <ul style="list-style-type: none"> a) <i>AUSTROADS Guidelines</i> b) Australian Standard <i>AS1742.10 – Pedestrian control and protection</i> c) TAMS <i>Design Standards for Urban Infrastructure DS 03 Road Design</i> or its successor. d) TAMS <i>Design Standards for Urban Infrastructure DS13 Pedestrian and Cycle Facilities</i> or its successor. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 14: Street networks

Rules	Criteria
14.1 Street function	
<p>R85</p> <p>Street types are to be endorsed by TAMS.</p> <p>Note:</p> <p>TAMS will endorse street types if they comply with the design speed and traffic volume provisions in the following:</p> <ul style="list-style-type: none"> a) for <i>estates</i> in other than industrial zones – table 2A b) for <i>estates</i> in industrial zones – table 2B. <p>TAMS may endorse the upgrading of a street (from the level complying with the relevant table specified in this rule) to the next highest level in the hierarchy of roads. In making its assessment TAMS will consider whether the street in question performs the function of the specified street type.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R86</p> <p>Connections between streets with different hierarchies are to be endorsed by TAMS.</p> <p>Note:</p> <p>TAMS will endorse connections between streets with different hierarchies where there are no more than two levels of separation in the hierarchy. For the purposes of this rule the street hierarchy is:</p> <ul style="list-style-type: none"> i) rear lane or shared access street ii) access street A iii) access street B iv) minor collector v) major collector vi) arterial road <p>These street types are defined in tables 1A, 1B and 1C. For the purposes of this note an <i>arterial road</i> is one level higher than a major collector.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R87</p> <p>Intersection designs are to be endorsed by TAMS.</p> <p>Note:</p> <p>TAMS may endorse intersection designs where left-in and left-out intersections supplement crossroads or staggered intersections.</p> <p>In making its assessment TAMS will consider the following:</p> <ul style="list-style-type: none"> i) <i>AUSTROADS Guidelines</i> ii) <i>TAMS Design Standards for Urban Infrastructure DS02-Road Planning</i> or its successor iii) <i>TAMS Design Standards for Urban Infrastructure DS03-Road Design</i> or its successor iv) <i>TAMS Design Standards for Urban Infrastructure DS13-Pedestrian and Cycle Facilities</i> or its successor 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>R88</p> <p>This rule applies to residential zones and CZ5. Spacing of intersections is to be endorsed by TAMS.</p> <p>Note: TAMS will endorse the spacing of intersections if they comply with table 6. TAMS may consider departures. In making its assessment TAMS will consider whether the proposed spacing of intersections will allow for safe and convenient vehicle movements.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R89</p> <p>This rule applies to zones other than residential zones and CZ5. Spacing of intersections is to be endorsed by TAMS.</p> <p>Note: In making its assessment TAMS will consider whether the proposed spacing of intersections will allow for safe and convenient vehicle movements.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R90</p> <p>Four-way intersections are to be endorsed by TAMS.</p> <p>Note: TAMS will endorse four-way intersections where they are controlled by traffic signals or a roundabout. TAMS may consider departures, except in the circumstances listed below. In making its assessment TAMS will consider whether</p> <ul style="list-style-type: none"> a) the intersection design and forecast traffic volumes meet the recommended limits as specified in <i>AUSTROADS Guidelines</i> b) whether physical measures are correctly designed to define priorities and enhance safety. c) <i>TAMS Design Standards for Urban Infrastructure DS03-Road Design</i> or its successor <p>TAMS will not consider departures in the case of the following intersections:</p> <ul style="list-style-type: none"> i) minor collector with minor collector ii) major collector with major collector. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R91</p> <p>Vehicle entry and egress points are endorsed by the Emergency Services Authority (ESA).</p> <p>Note: ESA will endorse vehicle entry and egress points where they allow access by a 12.5m single unit truck (Hazmat vehicle). ESA may consider departures.</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>
14.2 Street geometry	
<p>R92</p> <p>Street verge widths are to be endorsed by TAMS.</p> <p>Note:</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>TAMS will endorse street verge widths where they comply with the following:</p> <ul style="list-style-type: none"> a) for <i>estates</i> in other than industrial zones – table 2A b) for <i>estates</i> in industrial zones – table 2B. <p>TAMS may consider departures. In making its assessment TAMS will consider whether street verge widths achieve all of the following:</p> <ul style="list-style-type: none"> i) all relevant utility providers comply with <i>TAMS Design Standards for Urban Infrastructure DS02-Road Planning</i> or its successor ii) all relevant utility providers comply with <i>TAMS Design Standards for Urban Infrastructure DS04-Verge Design</i> or its successor iii) are capable of accommodating the required utility services, street tree planting, shared paths, and street lighting iv) reasonable maintenance costs v) will encourage traffic speeds consistent with the street design speed and function when all relevant utility providers agree vi) compliance with the requirements of relevant utility providers vii) sufficient clearance to paths, trees and utilities according to <i>AUSTROADS Guidelines</i> viii) agreement on shared trench usage. 	
<p>R93</p> <p>Street carriageway widths are to be endorsed by TAMS.</p> <p>Note 1:</p> <p>TAMS will endorse street carriageway widths where they comply with the following:</p> <ul style="list-style-type: none"> a) for <i>estates</i> in other than industrial zones – table 2A b) for <i>estates</i> in industrial zones – table 2B. <p>TAMS may consider departures. In making its assessment TAMS will consider whether proposed carriageway widths achieves all of the following:</p> <ul style="list-style-type: none"> i) compliance with <i>TAMS Design Standards for Urban Infrastructure DS02-Road Planning</i> or its successor ii) compliance with <i>TAMS Design Standards for Urban Infrastructure DS03-Road Design</i> or its successor iii) safe and efficient movement of all road users. <p>Note 2:</p> <p>Streets proposed as bus routes have additional requirements in table 3.</p> <p>Note 3:</p> <p>Refer to the notes supporting tables 2A, 2B and 2C for how to measure the carriageway width.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R94</p> <p>Street pavement cross-falls are to be endorsed by TAMS.</p> <p>Note:</p> <p>TAMS will endorse street pavement cross-falls where they are 3%.</p> <p>TAMS may consider departures. In making its assessment</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>TAMS will consider the following:</p> <ul style="list-style-type: none"> a) whether proposed pavement cross-falls reflect the physical land characteristics and major drainage functions b) safety criteria for vehicle movement c) overland flow paths d) TAMS <i>Design Standards for Urban Infrastructure DS01-Stormwater</i> or its successor. e) TAMS <i>Design Standards for Urban Infrastructure DS-03-Road Design</i> or its successor. 	
<p>R95</p> <p>Street longitudinal gradients are to be endorsed by TAMS.</p> <p>Note 1:</p> <p>TAMS will endorse street longitudinal gradients where they comply with the following:</p> <ul style="list-style-type: none"> a) for estates in other than industrial zones – table 2A b) for estates in industrial zones – table 2B. <p>TAMS may consider departures. In making its assessment TAMS will consider the following:</p> <ul style="list-style-type: none"> i) reasonable access for pedestrian, cyclists and waste collection vehicles ii) adequate stormwater management iii) reasonable levels of public safety iv) TAMS <i>Design Standards for Urban Infrastructure DS01-Stormwater</i> or its successor. v) TAMS <i>Design Standards for Urban Infrastructure DS03-Road Design</i> or its successor. <p>Note 2: Streets proposed as bus routes have additional requirements in table 3.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R96</p> <p>Geometric design for intersections, roundabouts and slow points are to be endorsed by TAMS.</p> <p>Note:</p> <p>In making its assessment TAMS will consider all of the following:</p> <ul style="list-style-type: none"> a) <i>AUSTROADS Guidelines</i> b) Australian Road Rules for the relevant vehicle speed c) TAMS <i>Design Standards for Urban Infrastructure DS02-Road Planning</i> or its successor. d) TAMS <i>Design Standards for Urban Infrastructure DS13-Pedestrian and Cycle Facilities</i> or its successor. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R97</p> <p>Intersection turning path designs are to be endorsed by TAMS.</p> <p>Note:</p> <p>TAMS will endorse intersection turning path designs where vehicle turning movements (using AUSTROADS Design Vehicles and Turning Templates) enable turns in a single forward movement to comply with the following:</p> <ul style="list-style-type: none"> a) for turns between a major collector and a minor collector or access street, the 'design articulated vehicle' provides a turning path radius of at least 15m 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>in accordance with the Australian Road Rules</p> <p>b) for turns between a minor collector street and access streets, the 'design heavy rigid vehicle' provides a turning path radius of at least 12.5m, using any part of the pavement, in accordance with the Australian Road Rules</p> <p>c) for turns between access streets, the B99 'design car' provides a turning path radius of at least 8m using the correct side of the pavement only</p> <p>d) TAMS Design Standards for Urban Infrastructure <i>DS03-Road Design</i> or its successor</p> <p>e) for intersections on bus routes –</p> <ul style="list-style-type: none"> i) table 3 ii) turning templates for buses. <p>TAMS will not consider departures.</p>	
<p>R98</p> <p>Kerb types are to be endorsed by TAMS.</p> <p>Note:</p> <p>TAMS will endorse kerb types where they comply with the following:</p> <ul style="list-style-type: none"> a) for estates in other than industrial zones – table 2A b) for estates in industrial zones – table 2B. c) in all zones, all bus routes have upright kerbs. <p>TAMS may consider departures. In making its assessment TAMS will consider:</p> <ul style="list-style-type: none"> i) public safety ii) maintenance costs iii) whether water sensitive urban design outcomes are achieved iv) TAMS <i>Design Standards for Urban Infrastructure DS03-Road Design</i> or its successor. v) Streets designed to service buses. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R99</p> <p>Kerb radii are to be endorsed by TAMS.</p> <p>Note:</p> <p>TAMS will endorse kerb radii where they comply with the following:</p> <ul style="list-style-type: none"> a) for residential zones and CZ5 – minimum 8m b) for commercial zones (excluding CZ5) – minimum 10m c) for industrial zones – minimum 10m. <p>TAMS may consider departures. In making its assessment TAMS will consider:</p> <ul style="list-style-type: none"> i) <i>AUSTROADS Guidelines</i> ii) TAMS <i>Design Standards for Urban Infrastructure DS03-Road Design</i> or its successor. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
14.3 Traffic control and management	
<p>R100</p> <p><i>Street leg lengths</i> are to be endorsed by TAMS.</p> <p>Note:</p> <p>For streets other than major collector streets TAMS will endorse <i>street leg lengths</i> that do not exceed the relevant length given in table 8.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>TAMS may consider departures. In making its assessment TAMS will consider whether the proposed traffic speed reduction measures will achieve all of the following:</p> <ul style="list-style-type: none"> a) traffic speeds no greater than the design speeds of the street b) minimal noise c) convenience and safety for cyclists and public transport. <p><i>Street leg lengths</i> are defined by figure 1.</p>	
<p>R101</p> <p>Bends introduced to control speed are to be endorsed by TAMS.</p> <p>Note:</p> <p>TAMS will endorse slow points that are created through the introduction of bends if they comply with tables 7 and 8.</p> <p>TAMS may consider departures.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
14.4 Shared zones	
<p>R102</p> <p>Shared use zones are to be endorsed by TAMS.</p> <p>Note:</p> <p>TAMS may endorse <i>shared use zones</i> after consideration of all of the following:</p> <ul style="list-style-type: none"> a) pedestrian priority b) <i>AUSTROADS Guidelines</i> c) <i>TAMS Design Standards for Urban Infrastructure</i>. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
14.5 Rear lanes	
<p>R103</p> <p>The configuration of <i>rear lanes</i> is to be endorsed by TAMS.</p> <p>Note 1:</p> <p>TAMS will endorse the configuration of a <i>rear lane</i> if it complies with all of the following:</p> <ul style="list-style-type: none"> a) the relevant provisions of tables 1A, 1B, 2A and 2B b) the number of <i>dwellings</i> accessed from it is not more than 40 (see Note 1) c) maximum <i>leg length</i> is 120m (figure 1) d) maximum peak hour traffic volume at any intersection with a higher order street is 160 vehicles per day e) the relevant Australian Standard for sight lines (particularly at bends and intersections) f) a suitable median is provided in a higher order street where rear lanes directly align across that street g) there are no dead ends h) <i>TAMS Design Standard for Urban Infrastructure DS12-Public Lighting</i> or its successor i) if waste collection from a <i>rear lane</i> is proposed, turning circles at the intersection of the <i>rear lane</i> and higher order streets and/or intersections between different legs of <i>rear lane</i>, accommodate 12.5m single unit truck (refuse vehicles) and comply with <i>TAMS Design Standard for Urban Infrastructure DS12-Public Lighting</i> 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>or its successor</p> <p>j) incorporates fire hydrants located not less than 60m from any location within the <i>rear lane</i>.</p> <p>k) TAMS <i>Design Standards for Urban Infrastructure DS01-Stormwater</i></p> <p>l) Crime Prevention through Environmental Design General Code.</p> <p>TAMS may consider departures.</p> <p>Note 2: For the purposes of this rule, a <i>rear lane</i> comprises all interconnecting sections of a lane within an area bounded by higher order streets.</p>	
<p>R104</p> <p>The configuration of <i>rear lanes</i> is endorsed by ESA.</p> <p>Note: ESA will endorse the configuration of a <i>rear lane</i> if it complies with one of the following:</p> <p>a) caters for access by a 12.5m single unit truck (Hazmat vehicle).</p> <p>b) no part of the <i>rear lane</i> is more than 100m from where a 12.5m single unit truck (Hazmat vehicle) can park.</p> <p>ESA may consider departures.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R105</p> <p>The location of fire hydrants in <i>rear lanes</i> is endorsed by ESA.</p> <p>Note: ESA will endorse the configuration of a <i>rear lane</i> if it incorporates fire hydrants located not less than 60m from any location within the <i>rear lane</i>.</p> <p>ESA may consider departures.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R106</p> <p>The length of <i>rear lanes</i> is to be endorsed by TAMS.</p> <p>Note: Where street lights are provided only at the entry and exit points of the <i>rear lane</i> TAMS will endorse the length of the <i>rear lane</i> provided that it does not exceed 60m.</p> <p>TAMS may consider departures. In making its assessment TAMS will consider all of the following:</p> <p>a) the adequacy of proposed street lighting</p> <p>b) TAMS <i>Design Standard for Urban Infrastructure DS12-Public Lighting</i> or its successor</p> <p>c) principles of <i>Crime Prevention through Environmental Design</i> General Code</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R107</p> <p>The location of street lighting in <i>rear lanes</i> is to be endorsed by TAMS.</p> <p>Note: TAMS will endorse street lighting in <i>rear lanes</i> , if it complies with all of the following:</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>a) minimum clearance to back of kerb – 1.7m</p> <p>b) minimum clearance to any boundary or indented boundary of block that is leased (or intended to be leased) – 0.5m</p> <p>c) upright kerb along the side where street lighting is located</p> <p>TAMS may consider departures. In making its assessment TAMS will consider all of the following:</p> <ul style="list-style-type: none"> i) the design and location of proposed street lighting ii) maintenance access to proposed street lighting iii) TAMS <i>Design Standard for Urban Infrastructure DS12-Public Lighting</i> or its successor. iv) principles of <i>Crime Prevention through Environmental Design</i> General Code. 	
<p>R108</p> <p>Reticulation of utility services for blocks with frontage to a <i>rear lane</i> is to be endorsed by TAMS.</p> <p>Note:</p> <p>TAMS will endorse local stormwater drainage located within a <i>rear lane</i>, where it is located along the centreline of the <i>rear lane</i> and include grated sumps designed for zero capacity.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
14.6 Culs-de-sac	
<p>R109</p> <p>Culs-de-sac lengths are to be endorsed by TAMS</p> <p>Note:</p> <p>TAMS will endorse the length of a cul-de-sac if it is no longer than 100m.</p> <p>TAMS may consider departures. In making its assessment TAMS will consider TAMS <i>Design Standard for Urban Infrastructure DS03-Road Design</i> or its successor.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R110</p> <p>Culs-de-sac lengths are endorsed by ESA</p> <p>Note:</p> <p>ESA will endorse the length of a cul-de-sac if it is no longer than 100m.</p> <p>ESA may consider departures. In making its assessment ESA will consider the availability of alternative emergency access.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R111</p> <p>Culs-de-sac head diameters are to be endorsed by TAMS</p> <p>Note:</p> <p>TAMS will endorse the diameter of the head of a cul-de-sac if it is not less than 17m.</p> <p>TAMS may consider departures. In making its assessment TAMS will consider whether the head of culs-de-sac head will accommodate a three point turn by a 'design refuse vehicle'.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
14.7 Edge treatments in bushfire prone areas	
<p>R112</p> <p>Edge streets within or adjacent to a <i>bushfire prone area</i> on the long-term urban edge or conservation areas are to be endorsed by TAMS.</p> <p>Note:</p> <p>TAMS will endorse such edge streets if they have a 7.5m wide carriageway.</p> <p>TAMS may consider departures. In making its assessment TAMS will consider whether other treatments, including fire trails will offer suitable protection.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R113</p> <p>Edge streets within or adjacent to a <i>bushfire prone area</i> on the long-term urban edge or conservation areas are to be endorsed by ESA.</p> <p>Note:</p> <p>ESA may endorse an edge street of this sort after considering all of the following:</p> <ol style="list-style-type: none"> the provision of fire hydrants whether intersection and kerb returns are sufficient to accommodate emergency services vehicles whether roadside embankments allow vehicular access to surrounding areas (maximum embankment gradients are 1 vertical to 4 horizontal). 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
14.8 Driveway verge crossings	
<p>R114</p> <p>This rule applies to driveway verge crossings that are not within 40m of a roundabout or signalised intersection.</p> <p>Driveway verge crossings are to be endorsed by TAMS.</p> <p>Note:</p> <p>TAMS will endorse driveway verge crossings where they comply with all of the following:</p> <ol style="list-style-type: none"> 6m horizontally clear of the tangent point of the radius of the curve on a corner block., <i>AS2890.1 – The Australian Standard for Off Street Parking</i> as amended from time to time, in relation to sightlines and cross fall of the site clear of any existing or proposed indented on-street car parking bays, valves, fire hydrants and electricity equipment TAMS <i>Design Standard for Urban Infrastructure DS05-Driveways</i> or its successor standard drawing <i>DS5-02 Heavy Duty Driveways</i>. <p>TAMS may consider departures.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R115</p> <p>This rule applies to driveway verge crossings that are within 40m of a roundabout or signalised intersection.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>Driveway verge crossings are to be endorsed by TAMS.</p> <p>Note: TAMS may endorse driveway verge crossings after considering all of the following:</p> <ul style="list-style-type: none"> a) horizontal clearance from tangent point of the radius of the curve on a corner block b) <i>AS2890.1 – The Australian Standard for Off Street Parking</i> as amended from time to time, in relation to sightlines and cross fall of the site c) the location of any existing or proposed indented on-street car parking bays, valves, fire hydrants and electricity equipment d) <i>TAMS Design Standard for Urban Infrastructure DS05-Driveways</i> or its successor e) standard drawing <i>DS5-02- Heavy Duty Driveways</i>. 	

Element 15: Public realm

The public realm consists of different types of unleased open spaces such as:

- street verges and planted medians
- parks of all sizes
- walkways and linear spaces
- open hill or bushland reserves and conservation areas
- unenclosed sports or playing fields.

Rules	Criteria
15.1 Street trees	
<p>R116</p> <p>The selection and location of street trees is to be endorsed by TAMS.</p> <p>Note: TAMS will endorse the selection and location of street trees if they comply with <i>TAMS Design Standards for Urban Infrastructure DS23-Plant Species for Urban Landscape Projects</i> or its successor TAMS may consider departures.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
15.2 Neighbourhood ovals	
<p>R117</p> <p>The configuration of neighbourhood ovals is to be endorsed by EDD.</p> <p>Note: TAMS may endorse the configuration of neighbourhood ovals. In making its assessment EDD will consider all of the following:</p> <ul style="list-style-type: none"> a) whether it has a minimum area of 3.8ha b) <i>TAMS Design Standards for Urban Infrastructure DS24 -Sportsgrounds Design</i> or its successor c) the specific needs of the neighbourhood d) the provision of site access, car parking, amenities and 	<p>This is a mandatory requirement. There is no applicable criterion</p>

Rules	Criteria
<p>required engineering treatments</p> <p>e) the cost of maintenance.</p>	
15.3 Bushfire	
<p>R118</p> <p>The selection and location of vegetation in public realm spaces within bushfire prone areas is to be endorsed by TAMS.</p> <p>Note: In making its assessment TAMS will consider all of the following:</p> <p>a) TAMS <i>Design Standards for Urban Infrastructure DS20-Urban Edge Management Zone</i> or its successor</p> <p>b) TAMS (Parks Conservation and Lands) <i>Roading Manual version 1.1</i>, January 2006 or its successor.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R119</p> <p>Provision for access by emergency vehicles to public realm spaces within bushfire prone areas is endorsed by ESA.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 16: Environment protection

Rules	Criteria
16.1 Waste management	
<p>R120</p> <p>Waste management facilities are to be endorsed by TAMS.</p> <p>Note: TAMS will endorse waste management facilities that comply with one of the following:</p> <p>a) on-street collection points for single dwelling blocks and multi-unit blocks of up to 10 dwellings</p> <p>b) internal collection points for the following –</p> <p>i) multi-unit blocks greater than 10 dwellings</p> <p>ii) commercial blocks</p> <p>iii) industrial blocks.</p> <p>TAMS may consider departures. In making its assessment TAMS will consider <i>Development Control Code for Best Practice Waste Management in the ACT</i> or its successor.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R121</p> <p>Waste management plans are to be endorsed by TAMS.</p> <p>Note: In making its assessments TAMS will consider <i>Development Control Code for Best Practice Waste Management in the ACT</i> or its successor.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 17: Services and infrastructure

Rules	Criteria
17.1 Utility services	
R122 The reticulation of water, sewer, electricity and gas is endorsed by ActewAGL.	This is a mandatory requirement. There is no applicable criterion.
R123 The reticulation of stormwater is endorsed by TAMS.	This is a mandatory requirement. There is no applicable criterion.
R124 The provision of telecommunications infrastructure including reticulation is endorsed by the relevant service providers.	This is a mandatory requirement. There is no applicable criterion.
R125 The placement of utility service reticulation in shared trenching in the street verge is endorsed by the relevant utility service providers.	This is a mandatory requirement. There is no applicable criterion.

Table 1A: Street hierarchy for estates in residential zones and CZ5		
Street type and function	Design speed (km/h)	Traffic volume (vehicles per day) ⁽¹⁾
REAR LANE	30	0-160 ⁽²⁾
Rear lanes are narrow and short streets which have the primary function of providing rear vehicular access to blocks.		
ACCESS STREETS		
Access Street A	60	0–300
Access Street B	60	301–1000
Access streets are used where the residential environment is dominant, traffic is subservient, speed and traffic volumes are low and pedestrian and cycle movements are facilitated. Access streets are categorised as Access Street A or Access Street B according to traffic volumes. Access Street A generally collects traffic from rear lanes and connects to collector roads; they do not normally accommodate traffic from other streets.		
COLLECTOR ROADS		
Minor collector	60	1001–3000
A minor collector road collects and distributes traffic from access streets to major collector roads or direct to the external arterial road network. A reasonable level of residential amenity and safety is maintained by restricting vehicle speeds by means of street alignment, intersection design or by speed-control measures. Direct property access is allowed.		
Major collector	70	3001–6000
Major Collector Roads collect and distribute traffic within residential, industrial and commercial areas. They form the link between the primary network and the roads within local areas and should carry only traffic originating or terminating in the area.		
The volume of traffic carried is constrained by environmental objectives – safety and traffic noise – and reflects the limited area that they serve. Direct property access is still permissible but the access and egress arrangements should be such that vehicles can exit properties in a forward direction.		

Notes supporting table 1A

1	To calculate the traffic volume apply a traffic generation rate of 8 vehicle movements per day per dwelling for single dwellings, a rate of 6 vehicles per day per dwelling for multi unit developments, and a rate of 7 vehicles per day for blocks 360m ² or smaller.
2	160 vpd maximum at the intersection of rear lanes with access streets.

Table 1B: Street hierarchy for estates commercial zones (excluding CZ5)		
Street type and function	Design speed (km/h)	Traffic volume (vehicles per day)
REAR LANE	30	0-100
Rear lanes are narrow and short streets which have the primary function of providing rear vehicular access to blocks.		
ACCESS STREET	60	0-1000
Access streets are used where the residential environment is dominant, traffic is subservient, speed and traffic volumes are low and pedestrian and cycle movements are facilitated. Access Streets generally collect traffic from rear lanes and connect to collector roads; they do not normally accommodate traffic from other streets.		
COLLECTOR ROADS		
Minor collector	60	1001-3000
A minor collector road collects and distributes traffic from access streets to major collector roads or direct to the external arterial road network. A reasonable level of residential amenity and safety is maintained by restricting vehicle speeds by means of street alignment, intersection design or by speed-control measures. Direct property access is allowed.		
Major collector	70	3001-6000
Major Collector Roads collect and distribute traffic within residential, industrial and commercial areas. They form the link between the primary network and the roads within local areas and should carry only traffic originating or terminating in the area.		
The volume of traffic carried is constrained by environmental objectives – safety and traffic noise – and reflects the limited area that they serve. Direct property access is still permissible but the access and egress arrangements should be such that vehicles can exit properties in a forward direction.		

Table 1C: Street hierarchy for estates in industrial zones		
Street type and function	Design speed (km/h)	Traffic volume (vehicles per day)
ACCESS STREET	60	0–1000
<p>Access streets are used where the residential environment is dominant, traffic is subservient, speed and traffic volumes are low and pedestrian and cycle movements are facilitated. Access Streets generally collect traffic from rear lanes and connect to collector roads; they do not normally accommodate traffic from other streets.</p>		
COLLECTOR ROADS		
Minor collector	60	1001–3000
<p>A minor collector road collects and distributes traffic from access streets to major collector roads or direct to the external arterial road network. A reasonable level of residential amenity and safety is maintained by restricting vehicle speeds by means of street alignment, intersection design or by speed-control measures. Direct property access is allowed.</p>		
Major collector	70	3001–6000
<p>Major Collector Roads collect and distribute traffic within residential, industrial and commercial areas. They form the link between the primary network and the roads within local areas and should carry only traffic originating or terminating in the area.</p> <p>The volume of traffic carried is constrained by environmental objectives – safety and traffic noise – and reflects the limited area that they serve. Direct property access is still permissible but the access and egress arrangements should be such that vehicles can exit properties in a forward direction.</p>		

Table 2A: Street network requirements – all estates except in industrial zones

Facility Type	Rear lane ⁽²⁾	Shared use access street 'Woonerf' style	Access street A	Access street B	Minor collector	Major collector
Traffic volume range (vpd) ⁽¹⁾	0-160 ⁽³⁾	0-40	0-300	301 -1000	1001-3000	3001-6000
Design speed (km/h)	30	30	60	60	60	70
Minimum carriageway width (m) ⁽²⁾	5.5 (5.0 where the lane is less than 60m in length)	3.5-3.7 (single lane)	5.5	7	10	10
Verge width (m)	minimum 1.5m	5.0	5.5	6.25	6.25	6.25
Minimum horizontal radius (to accommodate)	12.5m single unit truck					
On-street car parking	Prohibited	Permitted only as indented spaces	Assumed on one side of the carriageway only	Assumed staggered on both side of the carriageway only	Assumed on both side of the carriageway only	Assumed on one side of the carriageway only
Kerb type	Flush or layback upright kerb adjacent to street lighting	Flush or layback	Layback or upright		upright	upright
Maximum street longitudinal gradient	12.5%	12.5%	12.5%	12%	12%	12%
Minimum shared path requirement	No shared path required	No shared path required	1.5 wide shared path on one side only	2.0m wide on both sides	2.0m wide shared path on both sides and aligned at least 1.5m away from the kerb	2.0m wide shared path on both sides and aligned at least 1.5m away from the kerb
Bus route requirement	Not to be used as bus route	Not to be used as bus route	Not to be used as bus route	Not to be used as bus route	can be used as a bus route where in accordance with table 3	can be used as a bus route where in accordance with table 3
Street tree requirement	No trees required	Street trees to be provided	Street trees to be provided	Street trees to be provided	street trees to be provided	street trees to be provided
Intermittent street lighting	Must be provided when length exceeds 60m					

Notes supporting table 2A

1	For residential and CZ5 zones - to calculate the traffic volume for streets apply a traffic generation rate of: 8 vehicle movements per day for single dwelling blocks larger than 360m ² 7 vehicles per day for single dwelling blocks 360m ² or smaller 6 vehicles per day per dwelling for multi unit developments.
2	The carriageway width is measured from kerb invert to kerb invert. The carriageway width measurement does not include any designated on-road car parking spaces, on-road cycle lanes, indented car parking bays or medians.
3	Measured at the intersection of each leg with a higher order street.

Table 2B: Street network requirements - estates in industrial zones

Facility type	Access street	Minor collector	Major collector
Traffic volume range (vpd)	0–1000	1001–3000	3001–6000
Design speed (km/h)	60	60	70
Minimum carriageway width (m) ⁽¹⁾	10	10	10
Minimum verge width each side (m)	6.25	6.25	6.25
Undesignated on-street car parking	Assumed on one side of the carriage way only	Assumed on one side of the carriage way only	Assumed on one side of the carriage way only
Kerb type	Layback or upright	Upright	Upright
Maximum street longitudinal gradient	12%	12%	12%
Minimum shared path requirement	1.5m wide shared path on both sides	1.5m wide shared path on both sides and aligned at least 1.5m away from the kerb	1.5m wide shared path on both sides and aligned at least 1.5m away from the kerb
Bus route requirement	Can be used as a bus route where in accordance with table 3	Can be used as a bus route where in accordance with table 3	Can be used as a bus route where in accordance with table 3
Street tree requirement	Street trees to be provided	Street trees to be provided	Street trees to be provided

Note supporting Table 2C

1	The carriageway width nominated is a minimum dimension measured from kerb invert to kerb invert and does not include any designated on-road car parking spaces, on-road cycle lanes, indented car parking bays or medians.
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Table 3: Bus route requirements

Street carriageway widths⁽¹⁾

One-way: 4 m

Two-way: 8.0 m

Minimum geometric layout

Curve radius for turns on a bus route between a minor collector street and a major collector street

Radius = 12.5 m for single bus unit

Radius = 15m for 14.5m long rigid buses and articulated buses

Note: some routes may require geometry to suit 14.5m long rigid buses and articulated buses.

Roundabouts

Maximum desirable pavement crossfall: to comply with AUSTRROADS Guidelines

Absolute maximum gradient: to comply with AUSTRROADS Guidelines

Note supporting table 3

1	The carriageway width nominated is a minimum dimension measured from kerb invert to kerb invert and does not include any designated on-road car parking spaces, on-road cycle lanes, indented car parking bays or medians.
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Table 4: Types and purposes of public realm spaces

PUBLIC REALM TYPE	PRIMARY FUNCTIONS	MANAGEMENT INTENTIONS	STAGE IDENTIFIED
Town park	<p>Located in a town centre A meeting place park, formal in character. With irrigated grass, paving, art, and street furniture. May have shrub or flower beds, pavilions and water features. May be associated with play facilities, lakes or ponds.</p>	<p>Managed to a high standard for intensive use with capacity to host special events.</p>	<p>Structure Plans/Concept Plans</p>
District parks	<p>Recreational facilities Extensive, informal park or series of spaces, 4 -10 Ha Serving population catchment area of 25 - 50,000 minimum people. With grass and trees and a diversity of recreation facilities to cater for informal recreation for all age groups such as picnics, barbecues, adventure playgrounds and skateboard parks. May have natural or cultural heritage conservation or habitat creation purposes. May be associated with waterways, wetlands, lakes and ponds.</p>	<p>Managed to a high standard for intensive use with capacity to hold large gatherings.</p>	<p>Structure Plans/Concept Plans</p>
District sportsgrounds	<p>Sportsground complex Training and competition venue for organised nominated sports at all levels, 8 ha minimum. Serving population catchment area of 25 - 50,000 minimum people. May be associated with high schools. With irrigated grass, public parking, training lights and a pavilion that includes change rooms, toilets and kiosk.</p>	<p>Managed to a high standard for intensive sports training and events. May be enclosed and leased.</p>	<p>Structure Plans/Concept Plans</p>
*Neighbourhood ovals	<p>Recreational or sporting activities (Not applicable to commercial and industrial <i>estates</i>) Ovals used for sporting purposes and recreational space for local residents. Generally located adjacent to primary schools and/or local shopping centres with shared or separate parking. Neighbourhood ovals are an integral part of surrounding parkland when not in use for sporting purposes. The area is irrigated and will require sufficient space for related amenities (small pavilion/toilet block and training lights).</p>	<p>Moderate intensity management with seasonal variability.</p>	<p>Estate Development Plans</p>

<p>Neighbourhood parks</p>	<p><i>Recreational or sporting activities</i> Neighbourhood parks are classified as Local neighbourhood parks (0.5ha-1ha) or Central neighbourhood parks (1ha-2ha). Focal point park of all neighbourhood open spaces and off road movement networks to be an outdoor meeting place. To accommodate opportunities for informal free and innovative play as well as a range of unstructured recreation activities for a range of ages. The play space may include standardised playground equipment. Parks are linked or adjacent to other public realm spaces and may be located adjacent to a neighbourhood sportsground. Neighbourhood parks can also accommodate remnant native vegetation and other natural features. Provided with shade and shelter and drinking water.</p>	<p>Moderate intensity management with seasonal variability.</p>	<p>Estate Development Plans</p>
<p>Heritage parks</p>	<p><i>Special purpose park</i> Open space area created to conserve heritage character and elements. May have heritage conservation and monitoring activities.</p>	<p>Moderate intensity management with seasonal variability. Can be enclosed.</p>	<p>Estate Development Plans</p>
<p>Lakes and ponds</p>	<p><i>For control of stormwater quality and quantity including flood mitigation from the urban catchments</i> Designed waterscape for aesthetics and water storage for irrigation and other second class water needs. Water uses may include conservation and or active recreation (e.g. fishing, swimming, boating) and passive recreation around lakes and ponds.</p>	<p>Low intensity management with seasonal variability with a range of human uses that are nominated/ controlled for each site.</p>	<p>Structure Plans/Concept Plans/Estate Development Plans</p>
<p>Broad scale open space</p>	<p><i>The bushland setting for Canberra</i> Areas of remnant and planted native vegetation, hills and ridges, waterway corridors and buffer areas between suburbs. To provide visual and landscape amenity, informal recreation and wildlife habitat. May contain sites for biological diversity or connectivity, cultural heritage conservation and or for community activities (e.g. Landcare, Parkcare, Community Garden groups).</p>	<p>Low intensity management with seasonal variability plus a range of human uses that are nominated/ controlled for each site. May be agisted with grazing sock.</p>	<p>Structure Plans/Concept Plans/Estate Development Plans</p>

<p>Habitat sites</p>	<p><i>The bushland setting for Canberra</i> Remnant grassland or woodland sites important for nature conservation purposes. May form part of a regional ecosystem, provide the food source for migratory species or contain endangered plant or animal species or be used for connectivity and be subject to conservation activities and monitoring in accord with Action Plans for their conservation prepared under provisions of the <i>Nature Conservation Act 1980</i>.</p>	<p>Low intensity management with seasonal variability.</p>	<p>Structure Plans/Concept Plans/Estate Development Plans</p>
<p>Pedestrian parkland</p>	<p><i>Movement network</i> Corridors providing for pedestrian and cyclist routes within and between suburbs and linkages with parks, schools and workplaces. May include playgrounds and fitness stations in suitable locations. Often co-located with waterways for urban stormwater management and treatment and may contain small ponds and wetlands. Often includes remnant vegetation and other natural features, may provide wildlife habitat conservation and/or connectivity. Generally, the dominant surface treatment is dryland grass as dominant ground surface unless otherwise specified for the conservation of habitat, with planted vegetation to enhance shade, shelter, character, seasonal diversity or wildlife movement.</p>	<p>Moderate intensity management with seasonal variability.</p>	<p>Concept Plans/estate Development Plans</p>
<p>Access ways</p>	<p><i>Movement network</i> Linear spaces for pedestrians and cyclists between residential properties providing direct access between streets and other public realm spaces.</p>	<p>Low intensity management with seasonal variability.</p>	<p>Estate Development Plans</p>
<p>Pedestrian lanes</p>	<p><i>Movement network</i> Routes for pedestrians between buildings and /or properties providing direct access between shops and or streets.</p>	<p>Low intensity management with seasonal variability.</p>	<p>Estate Development Plans</p>

Street verges and medians	<p><i>Movement network</i> An interconnected network of spaces, not necessarily symmetrical, for off road movement networks, and to incorporate trees, shrubs and ground cover plantings. To provide for aesthetic purposes and microclimate control as well as driving experience, character of place and environmental services.</p> <p>May contain underground services and street /traffic furniture. Surface treatments designed to maximise capture of rainfall for ground water recharge and vegetation health.</p>	<p>Low intensity management with seasonal variability.</p>	<p>Estate Development Plans</p>
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*EDD is currently proposing a new Sportsground Provision Model, replacing the Neighbourhood Oval concept with School Ovals and Community Recreation Irrigated Parks (CRIPs). If and when this model is adopted by the ACT Government, the reference to Neighbourhood Oval will be changed.

Table 5: Shared path requirements

Path type	Function	Minimum width (m)	Maximum longitudinal gradient
Minor Path	Local access path with low traffic volumes; Pedestrian and low speed cyclist use.	1.5	In accordance with AUSTRoads Guide to Traffic Engineering Practice Part 13
Intermediate Path	Commuting and local access path with low traffic volumes; Pedestrian and cyclist use where cyclists passing in opposite directions is rare.	2.0	In accordance with AUSTRoads Guide to Traffic Engineering Practice Part 14
Trunk Path	Commuting and local access path required to accommodate cyclist speeds of up to 20km/h; Pedestrian and cyclist use where two way cyclist movements are common.	2.5	In accordance with AUSTRoads Guide to Traffic Engineering Practice Part 14
Trunk Path (high use)	Commuting path required to accommodate cyclist speeds of up to 30km/h; High levels of pedestrian and cyclist use in both directions.	3.0	In accordance with AUSTRoads Guide to Traffic Engineering Practice Part 14

Table 6: Spacing of intersections along traffic routes – estates in residential zones and CZ5

Road type	Minimum spacing of staggered intersections	
	Left – right stagger	Right – left stagger
Local access street	40	20
Collector (minor)	40	20
Collector (major)	40	20
2-lane sub-arterial	60	30
3-lane sub-arterial	100	30
Divided sub-arterial	150	50
Divided arterial	150	50
Divided major arterial	150	50

* Each crossroad counts as one intersection. A right–left stagger on a three-lane sub-arterial of higher road also counts as one intersection. Other intersections may form T-intersections or allow only restricted vehicle movements.

Table 7 - Minimum deflection angle for speed control to 20km/hr slow points (refer to Figure 1)

Street Pavement Width (m)			
Bend Type	3.5m-5.5m	6.5m-7m	>7m
Single Bend	60 °	70 °	90 °
Chicane*	30 °-30 °	45 ° -45 °	60 ° -60 °

*Chicane - Reverse Curve ('s' curve)

Table 8 - Maximum leg lengths between 20km/hr slow points (refer to Figure 1)

Target design speed (km/hr)	Maximum leg length between 20km/hr slow points (m)
30	75-100
40	100-160
50	120-155
60	180-200

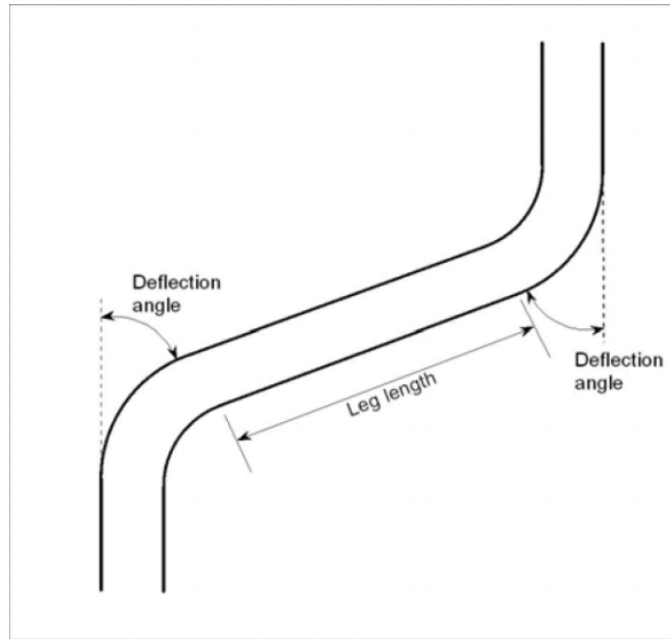


Figure 1: Measuring deflection angles for speed control to 20km/h slow points (refer table 7)

Appendix A – Block compliance tables

Using the block compliance tables

The block compliance tables schedule a range of block sizes, slope and orientation to ensure adequate solar access. Only one *test block* is applicable to each proposed block. For each proposed block the same *test block* is to be used to determine block width, block depth, bearing of street address, slope and compliance with the block compliance tables below.

Calculating variables:

For this appendix a *test block* means a rectangular block that fits entirely within the boundaries of a proposed block of the same type, as shown in table A1. See also figure A2.

Table A1 – minimum dimensions of test block

block type	compact block	mid size block	large block
minimum area	n/a	250m ²	500m ²
minimum width	6m	10m	14m
minimum depth	17m	25m	28m

^ Block width

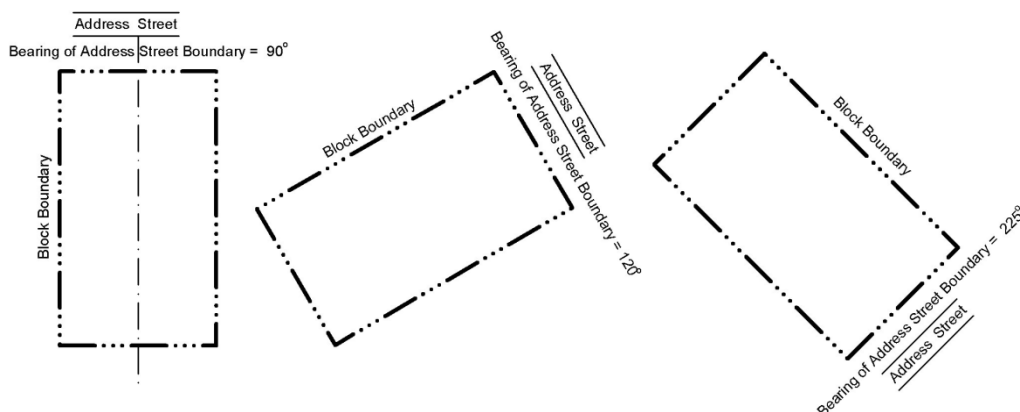
Is the width of a *test block*.

^^ Block depth

Is the depth of a *test block*.

^^^ Bearing of address street boundary

The 'bearing of address street boundary' is the bearing of a line perpendicular to the primary axis of a *test block*, starting at 0° for a west loading *test block* (i.e. boundary running north-south) and increasing clockwise, as shown in the examples below:



(s) Slope

Slope (s) is an average of two slope measurements with reference to a relevant *test block*:

1. extending from the northern most point of the relevant *test block* due south along the boundary to the termination of that boundary or, where the boundary is not aligned north-south, to any other boundary of the *test block*.
2. extending from the southern most point of the relevant *test block* due north along the boundary to the termination of that boundary or, where the boundary is not aligned north-south, to any other boundary of the *test block*. (see **figure A1**).

North-facing slopes (slopes falling to the north) have a positive value, south-facing slopes (slopes falling to the south) have a negative value. Slope is represented as a percentage slope (e.g. +12%, -6%, 0). Note that these calculations yield a slope in relation to the north south axis, not necessarily the actual slope of the land. For example, a block oriented north south on land sloping to the west will have a zero slope.

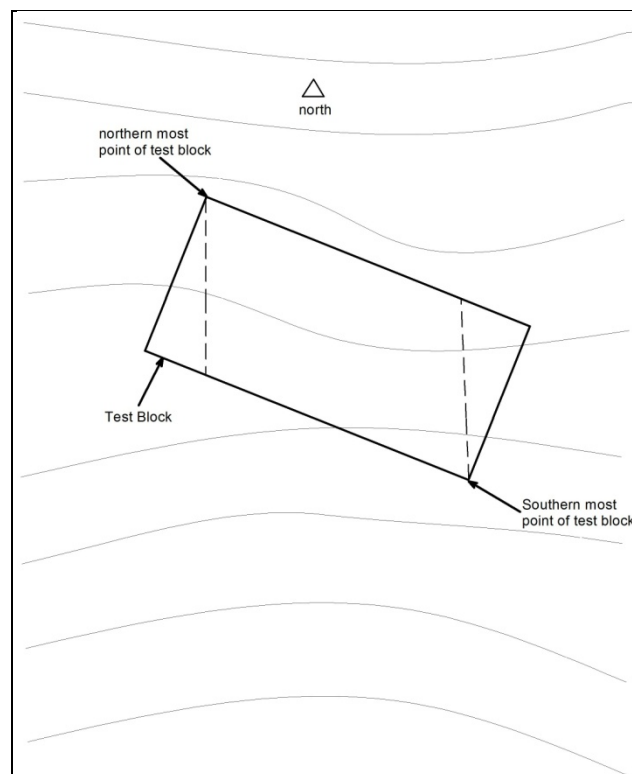


Figure A1

Slope may be demonstrated by using a geographic information system and/or digital terrain model.

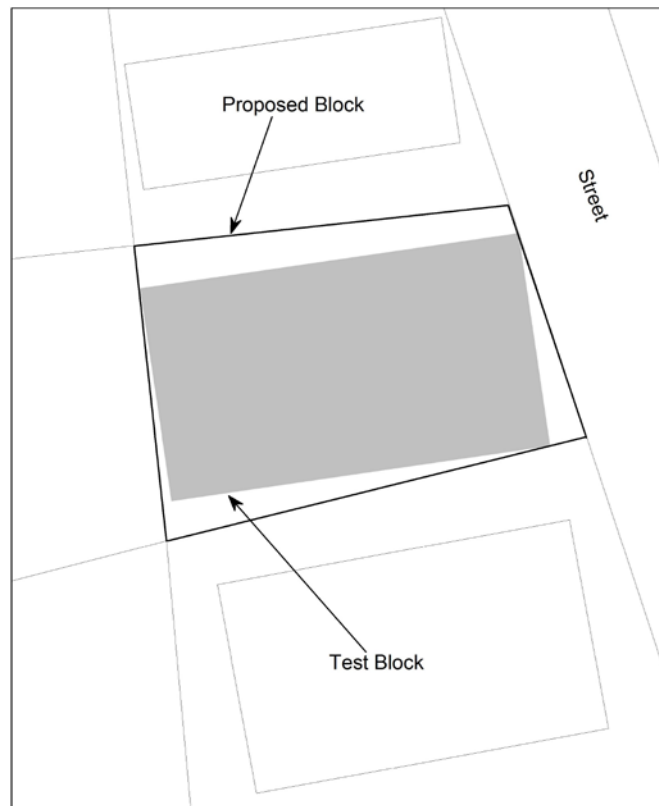


Figure A2: Test block

Table A1.1 Block compliance large blocks (>500m ²) block width ^ <16m minimum block width^ 14m			slope (s)						
			fall to south			flat	fall to north		
			> -15%	-15% to < -10%	-10% to < -5%	-5% to < +5%	+5% to < +10%	+10% to < 15%	> +15%
bearing of address street boundary ^^^	street to north	70° - <90°	✓	✓	✓	✓	✓	✓	✓
		90° - <120°	✓	✓	✓	✓	✓	✓	✓
		120° - <160°	✗	✗	✗	✓	✓	✓	✓
	street to east	160° - <180°	✓	✓	✓	✓	✓	✓	✓
		180° - <210°	✓	✓	✓	✓	✓	✓	✓
		210° - <250°	✗	✗	✗	✓	✓	✓	✓
	street to south	250° - <270°	✓	✓	✓	✓	✓	✓	✓
		270° - <300°	✓	✓	✓	✓	✓	✓	✓
		300° - <340°	✗	✗	✗	✓	✓	✓	✓
	street to west	340° - <360°	✓	✓	✓	✓	✓	✓	✓
		0° - <30°	✓	✓	✓	✓	✓	✓	✓
		30° - <70°	✗	✗	✗	✓	✓	✓	✓

Table A1.2 Block compliance large blocks (>500m ²) block width ^ 16m - < 18m			slope (s)						
			fall to south			flat	fall to north		
			> -15%	-15% to < -10%	-10% to < -5%	-5% to < +5%	+5% to < +10%	+10% to < 15%	> +15%
bearing of address street boundary ^^^	street to north	70° - <90°	✓	✓	✓	✓	✓	✓	✓
		90° - <120°	✓	✓	✓	✓	✓	✓	✓
		120° - <160°	✗	✗	✓	✓	✓	✓	✓
	street to east	160° - <180°	✓	✓	✓	✓	✓	✓	✓
		180° - <210°	✓	✓	✓	✓	✓	✓	✓
		210° - <250°	✗	✗	✓	✓	✓	✓	✓
	street to south	250° - <270°	✓	✓	✓	✓	✓	✓	✓
		270° - <300°	✓	✓	✓	✓	✓	✓	✓
		300° - <340°	✗	✗	✓	✓	✓	✓	✓
	street to west	340° - <360°	✓	✓	✓	✓	✓	✓	✓
		0° - <30°	✓	✓	✓	✓	✓	✓	✓
		30° - <70°	✗	✗	✓	✓	✓	✓	✓

Table A1.3 Block compliance large blocks (>500m ²) block width [^] ≥18m minimum block depth ^{^^} 28m			slope (s)						
			fall to south			flat	fall to north		
			> -15%	-15% to < -10%	-10% to < -5%	-5% to < +5%	+5% to < +10%	+10% to < 15%	> +15%
bearing of address street boundary ^{^^^}	street to north	70° - <90°	✓	✓	✓	✓	✓	✓	✓
		90° - <120°	✓	✓	✓	✓	✓	✓	✓
		120° - <160°	✗	✓	✓	✓	✓	✓	✓
	street to east	160° - <180°	✓	✓	✓	✓	✓	✓	✓
		180° - <210°	✓	✓	✓	✓	✓	✓	✓
		210° - <250°	✗	✓	✓	✓	✓	✓	✓
	street to south	250° - <270°	✓	✓	✓	✓	✓	✓	✓
		270° - <300°	✓	✓	✓	✓	✓	✓	✓
		300° - <340°	✗	✓	✓	✓	✓	✓	✓
	street to west	340° - <360°	✓	✓	✓	✓	✓	✓	✓
		0° - <30°	✓	✓	✓	✓	✓	✓	✓
		30° - <70°	✗	✓	✓	✓	✓	✓	✓

Table A2.1 Block compliance mid sized blocks (<250 - ≤ 500m ²) block width [^] < 12m minimum block width [^] 10m			slope (s)						
			fall to south			flat	fall to north		
			> -15%	-15% to < -10%	-10% to < -5%	-5% to < +5%	+5% to < +10%	+10% to < 15%	> +15%
bearing of address street boundary ^{^^^}	street to north	70° - <90°	✓	✓	✓	✓	✓	✓	✓
		90° - <120°	✓	✓	✓	✓	✓	✓	✓
		120° - <160°	✗	✗	✗	✗	✗	✗	✗
	street to east	160° - <180°	✗	✗	✗	✗	✗	✗	✗
		180° - <210°	✗	✗	✗	✗	✗	✗	✗
		210° - <250°	✗	✗	✗	✗	✗	✗	✗
	street to south	250° - <270°	✓	✓	✓	✓	✓	✓	✓
		270° - <300°	✓	✓	✓	✓	✓	✓	✓
		300° - <340°	✗	✗	✗	✗	✗	✗	✗
	street to west	340° - <360°	✗	✗	✗	✗	✗	✗	✗
		0° - <30°	✗	✗	✗	✗	✗	✗	✗
		30° - <70°	✗	✗	✗	✗	✗	✗	✗

Table A2.2 Block compliance mid sized blocks (<250 - ≤ 500m ²) block width ^ 12m - < 14m			slope (s)						
			fall to south			flat	fall to north		
			> -15%	-15% to < -10%	-10% to < -5%	-5% to < +5%	+5% to < +10%	+10% to < 15%	> +15%
bearing of address street boundary ^^^	street to north	70° - <90°	✓	✓	✓	✓	✓	✓	✓
		90° - <120°	✓	✓	✓	✓	✓	✓	✓
		120° - <160°	x	x	x	x	x	x	✓
	street to east	160° - <180°	x	x	x	x	✓	✓	✓
		180° - <210°	x	x	x	x	✓	✓	✓
		210° - <250°	x	x	x	x	x	x	x
	street to south	250° - <270°	✓	✓	✓	✓	✓	✓	✓
		270° - <300°	✓	✓	✓	✓	✓	✓	✓
		300° - <340°	x	x	x	x	x	x	✓
	street to west	340° - <360°	x	x	x	x	✓	✓	✓
		0° - <30°	x	x	x	x	✓	✓	✓
		30° - <70°	x	x	x	x	x	x	✓

Table A2.3 Block compliance mid sized blocks (<250 - ≤ 500m ²) block width ^ 14m - < 16m			slope (s)						
			fall to south			flat	fall to north		
			> -15%	-15% to < -10%	-10% to < -5%	-5% to < +5%	+5% to < +10%	+10% to < 15%	> +15%
bearing of address street boundary ^^^	street to north	70° - <90°	✓	✓	✓	✓	✓	✓	✓
		90° - <120°	✓	✓	✓	✓	✓	✓	✓
		120° - <160°	x	x	x	x	x	✓	✓
	street to east	160° - <180°	x	x	✓	✓	✓	✓	✓
		180° - <210°	x	x	✓	✓	✓	✓	✓
		210° - <250°	x	x	x	x	x	x	✓
	street to south	250° - <270°	✓	✓	✓	✓	✓	✓	✓
		270° - <300°	✓	✓	✓	✓	✓	✓	✓
		300° - <340°	x	x	x	x	x	✓	✓
	street to west	340° - <360°	x	x	✓	✓	✓	✓	✓
		0° - <30°	x	x	✓	✓	✓	✓	✓
		30° - <70°	x	x	x	x	x	✓	✓

Table A2.4 Block compliance mid sized blocks (<250 - ≤ 500m ²) block width ^ ≥16m minimum block depth^^ 25m			slope (s)						
			fall to south			flat	fall to north		
			> -15%	-15% to < -10%	-10% to < -5%	-5% to < +5%	+5% to < +10%	+10% to < 15%	> +15%
bearing of address street boundary ^^^	street to north	70° - <90°	✓	✓	✓	✓	✓	✓	✓
		90° - <120°	✓	✓	✓	✓	✓	✓	✓
		120° - <160°	✗	✗	✗	✗	✓	✓	✓
	street to east	160° - <180°	✗	✓	✓	✓	✓	✓	✓
		180° - <210°	✗	✓	✓	✓	✓	✓	✓
		210° - <250°	✗	✗	✗	✗	✗	✓	✓
	street to south	250° - <270°	✓	✓	✓	✓	✓	✓	✓
		270° - <300°	✓	✓	✓	✓	✓	✓	✓
		300° - <340°	✗	✗	✗	✗	✓	✓	✓
	street to west	340° - <360°	✗	✓	✓	✓	✓	✓	✓
		0° - <30°	✗	✓	✓	✓	✓	✓	✓
		30° - <70°	✗	✗	✗	✗	✓	✓	✓

Table A3.1 Block compliance compact blocks (≤250m ²) block width ^ < 12m minimum block width^ 6m			slope (s)						
			fall to south			flat	fall to north		
			> -15%	-15% to < -10%	-10% to < -5%	-5% to < +5%	+5% to < +10%	+10% to < 15%	> +15%
bearing of address street boundary ^^^	street to north	70° - <90°	✓	✓	✓	✓	✓	✓	✓
		90° - <120°	✓	✓	✓	✓	✓	✓	✓
		120° - <160°	✗	✗	✗	✗	✗	✗	✗
	street to east	160° - <180°	✗	✗	✗	✗	✗	✗	✗
		180° - <210°	✗	✗	✗	✗	✗	✗	✗
		210° - <250°	✗	✗	✗	✗	✗	✗	✗
	street to south	250° - <270°	✓	✓	✓	✓	✓	✓	✓
		270° - <300°	✓	✓	✓	✓	✓	✓	✓
		300° - <340°	✗	✗	✗	✗	✗	✗	✗
	street to west	340° - <360°	✗	✗	✗	✗	✗	✗	✗
		0° - <30°	✗	✗	✗	✗	✗	✗	✗
		30° - <70°	✗	✗	✗	✗	✗	✗	✗

Table A3.2 Block compliance compact blocks ($\leq 250\text{m}^2$) block width $\wedge \geq 12\text{m}$ minimum block depth $\wedge\wedge 17\text{m}$			slope (s)						
			fall to south			flat	fall to north		
			> -15%	-15% to < -10%	-10% to < -5%	-5% to < +5%	+5% to < +10%	+10% to < 15%	> +15%
bearing of address street boundary $\wedge\wedge\wedge$	street to north	70° - <90°	✓	✓	✓	✓	✓	✓	✓
		90° - <120°	✓	✓	✓	✓	✓	✓	✓
		120° - <160°	x	x	x	x	x	x	x
	street to east	160° - <180°	x	x	x	x	x	✓	✓
		180° - <210°	x	x	x	x	x	✓	✓
		210° - <250°	x	x	x	x	x	x	x
	street to south	250° - <270°	✓	✓	✓	✓	✓	✓	✓
		270° - <300°	✓	✓	✓	✓	✓	✓	✓
		300° - <340°	x	x	x	x	x	x	x
	street to west	340° - <360°	x	x	x	x	x	✓	✓
		0° - <30°	x	x	x	x	x	✓	✓
		30° - <70°	x	x	x	x	x	x	x



ACT
Government

Environment and
Sustainable Development

Lease Variation General Code

February 2013

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Introduction

Name

The name of this code is **Lease Variation General Code**.

Application of the code

This code applies to the varying of *leases*.

Limits of variations to leases

No lease variation can be inconsistent with the Territory Plan.

National Capital Plan

Where a development is subject to special requirements under the National Capital Plan, or any relevant development control plan prepared under the National Capital Plan, the development 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.

Purpose

This code will be used by the *Authority* to assess proposals to vary leases. It also offers guidance to applicants.

Structure

This code has an introduction, a reference to other relevant codes and the following parts:

Part A – Provisions relating to proposals in the merit or impact tracks

Part B – Provisions relating to proposals in the code track

Proposals in the code track need only comply with the relevant rules in part B.

Each part contains one or more elements. Each element has one or more rules and, unless the rule is mandatory, an associated criterion. Rules provide quantitative, or definitive, controls. In contrast, criteria are chiefly qualitative in nature.

In some instances rules are mandatory. Such rules accompanied by the words “This is a mandatory requirement. There is no applicable criterion.” Non-compliance with a mandatory rule will result in the refusal of the development application. Conversely, the words “There is no applicable rule” is found where a criterion only is applicable.

Assessment tracks

Assessment tracks for particular developments are specified in the relevant zone development table.

Proposals in the **code track** must comply with all rules relevant to the development.

Proposals in the **merit track** and **impact track** must comply with a rule or its associated criterion, unless the rule is mandatory (ie. it has no related criterion). Where a rule is fully met, no reference to the related criterion needs to be made. Where there is a departure from a rule, or where a criterion only applies, the onus is on the applicant to demonstrate that the relevant criterion is satisfied, through supporting drawings and/or written documentation. In addition, the applicant for proposals in the impact track must justify any non-compliance by reference to the Statement of Strategic Directions.

Code hierarchy

Where more than one type of code applies to a development, the order of precedence when there is inconsistency of provisions between codes is precinct code, development code, and general code, as defined by the *Planning and Development Act 2007*.

Definitions

Defined terms and references to legislation and other documents are italicised.

Definitions of terms used in this code are listed in part 13 of the Territory Plan or, for terms applicable only to this code, associated with the respective rule.

Acronyms

ACTPLA	ACT Planning and Land Authority
EPA	ACT Environment Protection Authority
ESA	Emergency Services Authority
ESDD	ACT Environment and Sustainable Development Directorate
EDD	ACT Economic Development Directorate
EDP	estate development plan
LDA	ACT Land Development Agency
NCA	National Capital Authority
NCC	National Construction Code
P&D Act	Planning and Development Act 2007
TAMS	ACT Territory and Municipal Services Directorate

Relevant development codes and general codes

Development codes that may be relevant to lease variation are:

- Residential Zones Development Code
- Single Dwelling Housing Development Code
- Multi Unit Housing Development Code
- City Centre Development Code
- Town Centres Development Code
- Group Centres Development Code
- Local Centres Development Code
- CZ2 Office Areas Outside Centres Development Code
- CZ5 Mixed Use Zone Development Code
- CZ6 Leisure and Accommodation Zone Development Code
- Industrial Zones Development Code
- Community Facility Zone Development Code
- Parks and Recreation Zone Development Code
- Transport and Services Zone Development Code
- Non-Urban Zones Development Code

In addition to the **development codes** specified above, **general codes** may be relevant. The following general codes, in particular, may be relevant to lease variation.

- Parking and Vehicular Access General Code
- Home business general code
- Signs General Code

Development must comply with all relevant codes (including precinct codes and other general codes not listed above), subject to the code hierarchy outlined in the introduction to this code. General codes are found in part 11 of the Territory Plan.

Part A – Lease variations in the merit or impact track

This part applies only to proposals in the merit or impact track.

Element 1: Variations - general

Rules	Criteria
1.1 Varying leases – general	
There is no applicable rule.	<p>C1</p> <p>A <i>lease</i> is varied only where all of the following are achieved:</p> <ul style="list-style-type: none"> i) the varied lease is consistent with the Territory Plan including all relevant codes ii) the land to which the <i>lease</i> applies is suitable for the development or use authorised by the varied <i>lease</i>.

Element 2: Variations to increase rights

Rules	Criteria
2.1 Increasing rights	
There is no applicable rule.	<p>C2</p> <p>A right under a <i>lease</i> is increased only when all of the following are achieved if the additional rights are granted and activated:</p> <ul style="list-style-type: none"> i) sufficient car parking provided on site or in the near vicinity ii) traffic increases within the capacity of local streets adequate waste management and disposal iii) no unreasonably increase the level of noise for the occupants of <i> dwellings</i> on the <i> block</i> or on adjoining <i> blocks</i>. <p>Note: examples of rights are the maximum gross floor area, the maximum floor area allocated to a particular use, building heights.</p>

Element 3: Variations to add uses - general

3.1 Adding uses generally	
There is no applicable rule.	<p>C3</p> <p>An additional use is authorised by a <i>lease</i> only when all of the following are achieved if the additional use is granted and activated:</p> <ul style="list-style-type: none"> i) sufficient car parking provided on site or in the near vicinity

	<ul style="list-style-type: none"> ii) local streets capable of accommodating any additional traffic iii) adequate waste management and disposal iv) not unreasonable level of noise for the occupants of <i>dwellings</i> on the <i>block</i> or on adjoining land v) not unreasonable risk to occupants of the <i>block</i> through any contamination of the <i>block</i> or on adjoining land vi) not unreasonable level of odour for the occupants of <i>dwellings</i> on the <i>block</i> or on adjoining land vii) not unreasonable level of light emission for the occupants of <i>dwellings</i> on the <i>block</i> or on adjoining land.
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Element 4: Variations to add particular uses

4.1 Community and Recreational Facilities	
There is no applicable rule.	<p>C4</p> <p>Community facilities or recreational facilities are authorised by a <i>lease</i> comply with the <i>Community and Recreational Facilities Locational Guidelines General Code</i>.</p>
4.2 Removing concessional status	
<p>R5</p> <p>A variation to a <i>lease</i> that removes its concessional status is supported by a social impact assessment prepared by a suitably qualified person.</p>	This is a mandatory requirement. There is no applicable criterion.
4.3 Secondary residence	
<p>R6</p> <p>A variation to a <i>lease</i> to authorise a <i>secondary residence</i> is approved only where the <i>block</i> affected by the <i>lease</i> is 500m² or larger.</p>	This is a mandatory requirement. There is no applicable criterion.

Part B – Lease variations in the code track

This part applies only to proposals in the code track.

Element 5: Variations to add uses

5.1 Expressing the number of units	
<p>R7</p> <p>A variation to a <i>lease</i> that expresses the number of approved or lawfully erected dwelling is consistent with both of the following:</p> <ul style="list-style-type: none">a) all other provisions of the leaseb) the Territory Plan, including all relevant codes.	<p>This is a mandatory requirement. There is no applicable criterion.</p>
5.2 Removing easements	
<p>R8</p> <p>A proposal to vary to a <i>lease</i> to remove easements is endorsed by the relevant utility provider.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

G1. Redundant Definitions

Building envelope plan

Habitable suite

North facing boundary

Relocatable unit

Standard block

Streetscape concept plan

Triple occupancy housing

G2. New Definitions

Compact block means a *block* with an area of 250m² or less.

Desired character means the form of development in terms of siting, building bulk and scale, and the nature of the resulting *streetscape* that is consistent with the relevant zone objectives, and any statement of desired character in a relevant precinct code.

External wall means an external wall that may also incorporate any of the following

- a) windows with sill heights at or above 1.7m from the floor
- b) screened decks
- c) fixed pane windows with obscure glass
- d) awning sashes with obscure glass and with an opening of not more than 30cm to the horizontal
- e) obscure glass bricks.

Integrated housing development parcel means a parcel of land intended to be

- a) subdivided into two or more *single dwelling blocks*, and
- b) used for an *integrated housing development*.

Integrated housing development plan means one or more drawings describing a proposed *integrated housing development*.

Large block means a *block* with an area greater than 500m².

Mid sized block means a *block* with an area greater than 250m² but less than or equal to 500m².

Northern boundary means a boundary of a *block* where a line drawn perpendicular to the boundary outwards is oriented between 45° west of north and 45° east of north.

Principal private open space means private open space that is directly accessible from a habitable room other than a bedroom.

Residential block means a *block* that has at least one of the following characteristics –

- a) zoned residential
- b) affected by a lease which authorises residential use.

but does not include one or more of the following any land intended to remain as unleased Territory land or public open space.

under **RESIDENTIAL USES**

Secondary residence means a second *dwelling* on a *block*.

Screening device means a permanent structure that comprise one or more of the following

- a) opaque or translucent glazing
- b) solid panels
- c) perforated panels or trellises with a maximum 25% openings.

Secondary street frontage means the frontage of a corner *block* nominated in a precinct code or, if not so nominated, nominated by the applicant.

Single dwelling block means a block with one of the following characteristics -

- a) originally leased or used for the purpose of single dwelling housing
- b) created by a consolidation of blocks, at least one of which was originally leased or used for the purpose of single dwelling housing.

Unscreened element means unscreened windows, decks, balconies and external stairs.