

Planning and Development (Draft Variation No 361) Consultation Notice 2019

Notifiable instrument NI2019—143

made under the

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

1 Name of instrument

This instrument is the *Planning and Development (Draft Variation No 361) Consultation Notice 2019*.

2 Draft variation to the Territory plan

The planning and land authority (the **Authority**) has prepared a draft plan variation No 361—Kippax Group Centre (the **Draft Variation**) to vary the Territory Plan. The Draft Variation No 361 incorporates the recommendations of the recently approved Kippax Group Centre Master Plan into the Territory Plan to provide guidance on the desired built form and character of the centre as it develops into the future.

3 Documents available for public inspection

- (1) The Authority gives notice that the following documents are available for public inspection and purchase:
 - (a) the Draft Variation; and
 - (b) the background papers relating to the Draft Variation.
- (2) Copies of the documents mentioned in section 3(1) are available for inspection and purchase at Access Canberra, Environment, Planning and Sustainable Development Directorate Shopfront, Ground Floor South, Dame Pattie Menzies House, 16 Challis Street, Dickson, Monday to Friday (except public holidays) between 8:30am and 4:30pm for the period commencing on the day this notice commences and ending on **Friday 10 May 2019** (the **Consultation Period**).
- (3) Copies of the documents mentioned in section 3(1) are also available for inspection during the Consultation Period online at http://www.planning.act.gov.au/tools_resources/legislation_plans_registers/plans/territory_plan/draft_variations_to_the_territory_plan

4 Invitation to give written comments

- (1) The Authority invites written comments about the Draft Variation during the Consultation Period. Comments should include reference to the Draft Variation and be addressed to the Territory Plan Section of the Environment, Planning and Sustainable Development Directorate (**EPSDD**). Please also provide your name and contact details to assist in the assessment of the comments provided and to enable the Authority to contact you in relation to your comments, if required.
- (2) Written comments should be provided to the Authority by:
 - (a) email to terrplan@act.gov.au; or
 - (b) mail to Territory Plan Section, EPSDD, GPO Box 158, Canberra, ACT 2601; or
 - (c) hand delivery to Access Canberra, EPSDD Shopfront, Ground Floor South, Dame Pattie Menzies House, 16 Challis Street, Dickson.

Note: Your personal information will be managed in accordance with the *Information Privacy Act 2014* and the *EPSDD Information Privacy Policy* which are available through the EPSDD website.

5 Public inspection of written comments

- (1) Copies of written comments about the Draft Variation given in response to the invitation in section 4, or otherwise, or received from the National Capital Authority will be available (unless exempted) for public inspection for a period of at least 15 working days starting 10 working days after the day the consultation period ends, at Access Canberra, EPSDD Shopfront, Ground Floor South, Dame Pattie Menzies House, 16 Challis Street, Dickson, Monday to Friday (except public holidays) between 8:30am and 4:30pm and may be published on the EPSDD website at www.planning.act.gov.au.
- (2) You may apply under section 411 of the *Planning and Development Act 2007* (the **Act**) for part of your consultation comments to be excluded from being made available to the public. A request for exclusion under this section must be in writing, clearly identifying what you are seeking to exclude and how the request satisfies the exclusion criteria. Please note that your name and contact details and other personal information will not be made public unless you request otherwise.

6 Effect of the Draft Variation

(1) Section 65 of the Act applies to the Draft Variation. This means that the Territory, the Executive, a Minister or a territory authority must not, during the defined period, do or approve the doing of anything that would be inconsistent with the Territory Plan if it were varied in accordance with the Draft Variation.

(2) In this section:

defined period means the period starting on the day this notice is notified (the **Notification Day**) and ending on the earliest of the following days:

- (a) the day the public availability notice for the Draft Variation, under section 70 of the Act, is notified;
- (b) the day the Draft Variation, or the corresponding plan variation, is withdrawn under section 68(1)(b) or section 76(2)(b)(v) of the Act;
- (c) the period of 1 year after the Notification Day ends.

7 Obtaining further information

Further information about the Draft Variation can be obtained through email correspondence with the Territory Plan Section, EPSDD, at Terrplan@act.gov.au, a reference to the Draft Variation should be included in any email.

8 Meaning of *draft plan variation No 361 – Kippax Group Centre*

In this instrument:

Draft plan variation No 361 – Kippax Group Centre means the draft plan variation in the schedule.

Kathy Cusack
Delegate of the planning and land authority
18 March 2019



ACT

Government

Environment and Planning

Schedule 1

Planning and Development Act 2007

**Draft
Variation to the
Territory Plan
No 361**

**Kippax Group Centre
Zone changes and amendments to the
Holt precinct map and code**

March 2019

Draft variation for agency circulation prepared
under s63 of the *Planning and Development Act 2007*

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Contents

1.	INTRODUCTION	1
1.1	Summary of the Proposal	1
1.2	Outline of the process	2
1.3	Public Consultation	3
2.	EXPLANATORY STATEMENT	5
2.1	Background.....	5
2.2	Site Description.....	5
2.3	Current Territory Plan Provisions	7
2.4	Proposed Changes	9
2.4.1	Proposed Changes to the Territory Plan Map	9
2.4.2	Proposed Changes to Territory Plan	9
2.5	Reasons for the Proposed Draft Variation	10
2.6	Planning Context	11
2.6.1	National Capital Plan	11
2.6.2	Territory Plan	11
2.7	Interim Effect.....	13
2.8	Consultation with Government Agencies	13
3.	DRAFT VARIATION	16
3.1	Variation to the Territory Plan map	16
3.2	Variation to the Territory Plan written document	17

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1. INTRODUCTION

1.1 Summary of the Proposal

The draft variation incorporates the recommendations of the recently approved Kippax Group Centre Master Plan into the Territory Plan to provide guidance on the desired built form and character of the centre as it develops into the future.

DV361 rezones a number of areas including:

- Part of the urban open space adjacent to the existing Kippax Fair from PRZ1 Urban Open Space to Commercial CZ1 Core zone to allow for retail expansion of the Centre.
- Rezoning of the existing CZ3 Commercial Services Zone along Starke Street (West Belconnen Child & Family Centre and YMCA Early Learning Centre sites only) to CFZ Community Facility Zones is also proposed.
- DV361 also proposes rezoning of the existing Library and car park (part) on section 88 (blocks 4 & 5) from Commercial CZ1 Core zone to CFZ Community Facility zone.
- The existing CFZ Community Facility Zone within the Kippax Fair is to be rezoned to the Commercial CZ1 Core zone.
- Rezoning two small blocks from the Commercial CZ3 Services zone and CZ2 Business zone to the PRZ2 urban open space zone.

The draft variation will retain the Commercial CZ1 Core zone as the primary zoning for the group centre. Key changes in zoning are outlined below and identified in Figures 2 and 3:

- PRZ1 Urban Open Space – an overall reduction of approximately 16,000m² most of which will be included in the Commercial CZ1 Core zone as part of the group centre expansion area. Two small pockets of land will be added to the PRZ1 Urban Open Space Zone within the group centre.
- CFZ Community Facility zone – an overall increase of approximately 7,643m² with land being removed primarily from the Commercial CZ3 Services Zone into the CFZ Community Facility zone. However, one block of CFZ Community facility land will be rezoned into the Commercial CZ1 Core zone.
- Commercial CZ3 Services zone – reduced by approximately 10,500m² primarily to accommodate increased land for the CFZ Community Facility zone as well as small pocket of PRZ1 Urban Open Space zone.

In addition to the rezoning of land, DV361 seeks to consolidate services trades into the existing CZ3 Services zoned areas of the group centre and consequentially removing the additional merit assessable development MT1 from other zones in the group centre.

DV361 proposes two new access corridors including a new road and a separate pedestrian corridor connecting Moyes Crescent to Hardwick Crescent east. This is intended to improve the access, circulation and movements throughout the centre.

DV361 generally retains the existing two storey height limit in the group centre, while introducing three and six storey height limits in selected locations around the group centre. This is intended to promote redevelopment, growth, diversification and activity within the centre, consistent with the master plan recommendations.

Other provisions contained in DV361 are intended to guide future development and redevelopment throughout the group centre and to promote high quality design outcomes. These include provisions for key active frontages, awnings, solar access, setbacks, floor to ceiling heights, materials and finishes, privacy, microclimate control and the retention and upgrade of the public central plaza.

The full list of Territory Plan changes are detailed in section 2.4.

1.2 Outline of the process

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

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

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

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

If the Minister approves the variation, the variation and associated documents will be tabled in the Legislative Assembly. Unless disallowed by the Legislative Assembly within five sitting days, the variation commences on a day nominated by the Minister.

1.3 Public Consultation

Written comments about the draft variation are invited from the public by **Friday 10 May 2019**.

Comments should include reference to the draft variation and be addressed to the Territory Plan Section. Please also provide your name and contact details to assist in the assessment of the comments provided, and to enable EPSDD to contact you in relation to your comments, if required. Your personal information will be managed in accordance with the *Information Privacy Act 2014* and the EPSDD Information Privacy Policy, which is available for viewing on EPSDD's website.

Comments can be:

- emailed to terrplan@act.gov.au
- mailed to Territory Plan Section, GPO Box 158, Canberra, ACT 2601
- delivered to EPSDD's Customer Service Centre at 16 Challis Street, Dickson.

Copies of written comments will be made available for public inspection for no less than 15 working days starting 10 working days after the closing date for comment. The comments will be available at EPSDD's customer service centre in Dickson and may be published on EPSDD's website. Comments made available will not include personal contact details unless you request otherwise.

A request may be made for parts of a submission to be excluded under section 411 or 412 of the *Planning and Development Act 2007*. A request for exclusion under these sections must be in writing, clearly identifying what parts of your submission you are seeking to exclude and how the request satisfies the exclusion criteria.

Further Information

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

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

2. EXPLANATORY STATEMENT

2.1 Background

Draft Variation 361 seeks to implement the recommendations of the Kippax Group Centre Master Plan. The master plan has been prepared as part of the ACT Government initiative for encouraging the rejuvenation of selected commercial centres, and to focus development within the centre over the next 10 to 20 years.

The master planning process for this centre commenced in 2013, and has included a number of community engagement sessions with local residents, business owners and other users of the centre. The feedback provided by the community during the development of the master plan has informed the recommendations included in the approved master plan. The approved master plan recommendations have formed the basis of this Territory Plan variation.

2.2 Site Description

The subject area is the Kippax group centre and surrounds. The group centre is located approximately 6km north-west of the Belconnen town centre, and services the suburb of Holt and surrounding areas. The group centre is bound by Southern Cross Drive to the north, Starke Street and Hardwick Crescent to the west and south, and playing fields to the east (Figure 1).

The main features of the centre are the large surface car parks and public roads running north south through the middle of the centre. The roads and car parks separate the commercial core area to the east from the commercial service trades area to the west. Development within the centre is a mix of single and two storeys, with a three storey residential unit complex located at the north east corner of the centre.

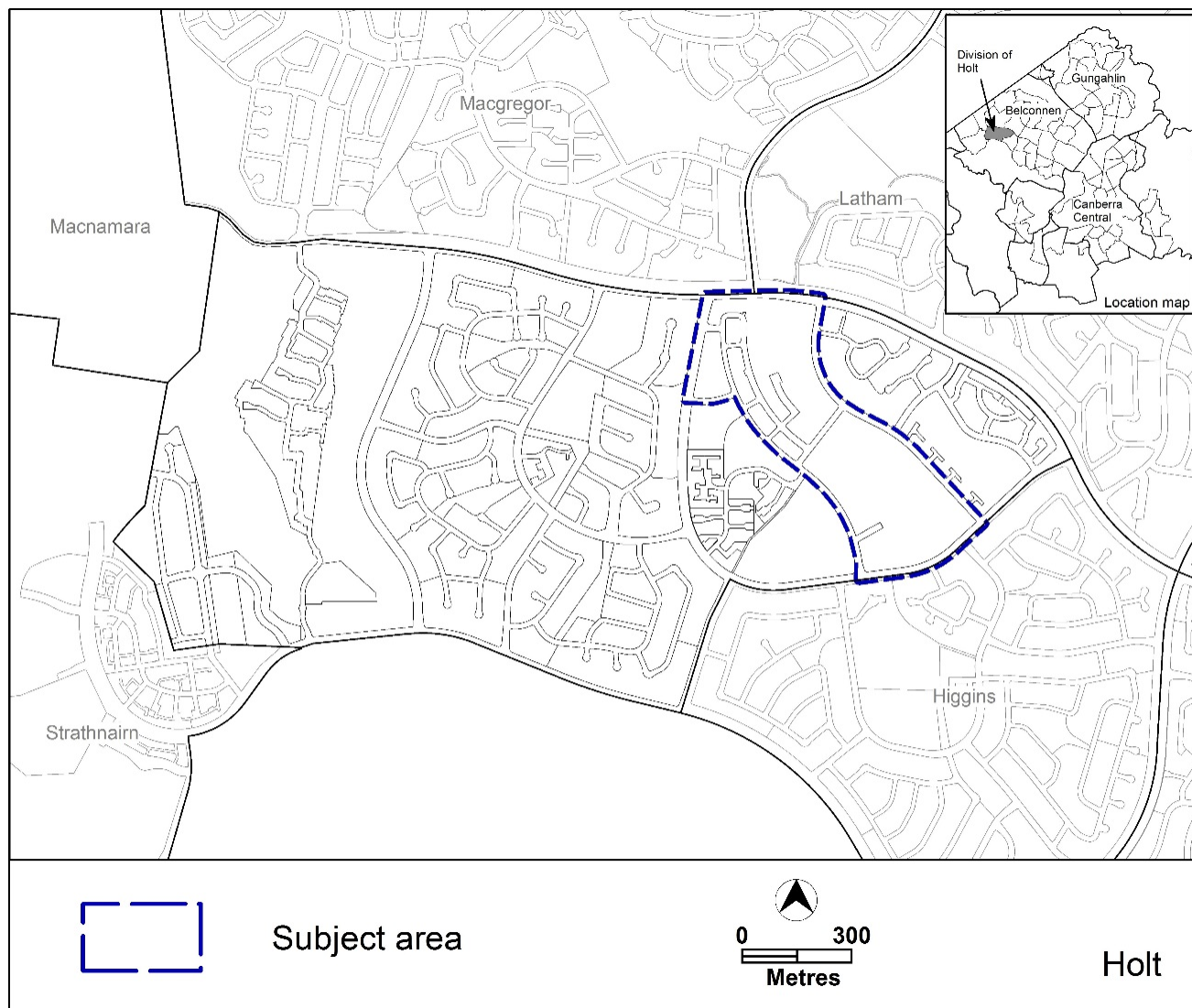


Figure 1 Subject area

2.3 Current Territory Plan Provisions

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

The central area, which includes the Kippax Fair shopping centre and central car parking area, is zoned CZ1 core zone, with CZ2 business zone located to the north and south of the core area. CZ3 services area is located to the west of the core area. Development in these areas is controlled by the Holt Precinct Map and Code and the Commercial Zones Development Code. The adjoining community facilities are covered by the Community Facility Zone Development Code, while the surrounding urban open space and playing fields are controlled by the Parks and Recreation Zone Development Code. The general codes may also apply.

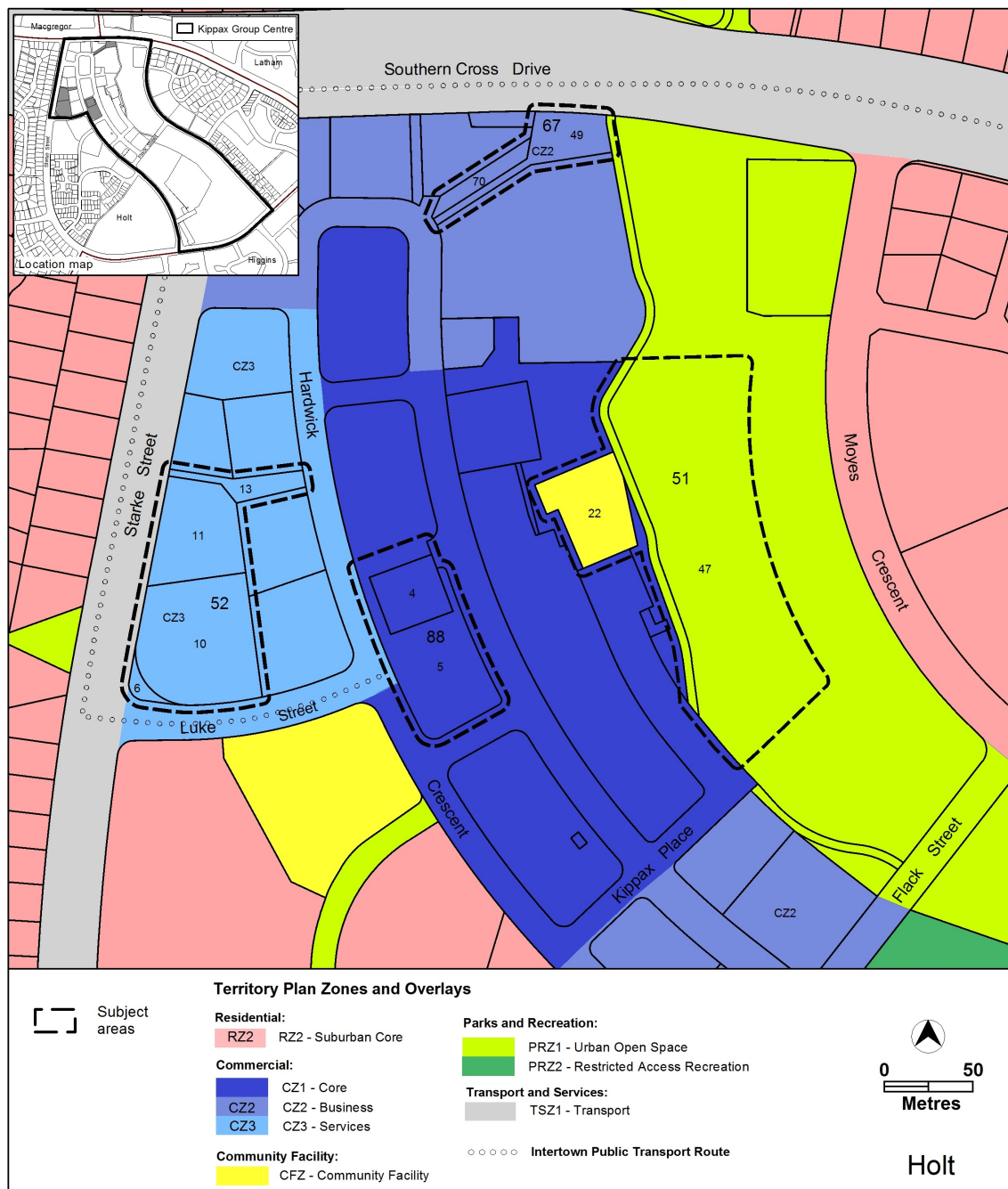


Figure 2 Territory Plan Zones Map showing areas to be rezoned

2.4 Proposed Changes

2.4.1 Proposed Changes to the Territory Plan Map

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

- Holt section 51 part of block 47 and part of block 37 - (Existing playing fields) PRZ1 Urban Open Space to the Commercial CZ1 Core zone (set back approx. 50 metres from Moyes Crescent);
- Holt section 51 block 22 – CFZ Community Facility zone to the Commercial CZ1 Core zone;
- Holt section 88 block 4 and part of block 5 - Commercial CZ1 Core zone to CFZ Community Facility zone;
- Holt section 52 blocks 6, 10 and 11 – Commercial CZ3 Services to CFZ Community Facility zone;
- Holt section 52 block 13 – Commercial CZ3 Services zone to PRZ1 urban open space zone; and
- Holt section 51 blocks 49 and 70 – Commercial CZ2 Business zone to the PRZ1 Urban Open Space zone.

The draft variation map indicates the proposed zone boundaries as accurately as possible but may be subject to adjustments following detailed surveys.

2.4.2 Proposed Changes to Territory Plan

It is proposed to amend the Holt precinct map and code by:

- Removing the existing additional merit uses MT1 from the Holt precinct map and renaming the existing MT2 uses MT1 accordingly.
- Introduce a new MT2 area to allow service station.
- Updating the Holt precinct map to extend the group centre.
- Amending the additional merit uses assessment tracks in Table 2 of the Holt precinct map and code.

- Amending the Holt precinct code to add rules and criteria relating to:
 - Promoting key active frontages.
 - Permitting ground floor residential uses in specific locations.
 - Increasing building heights to 3 and 6 storeys respectively in specific locations.
 - Building design provisions for: commercially adaptable floor to ceiling heights; external materials and finishes in specific locations; plot ratio; setbacks; privacy; awnings; and solar access to buildings.
 - Promoting a high amenity of the public domain including: traffic, access and circulation provisions for vehicles (including service vehicles), cycle network and pedestrian corridors; minimising heat island effect and promoting solar access.
 - Relevant ACT Government entity endorsements.
 - Necessary off-site works.

2.5 Reasons for the Proposed Draft Variation

The reasons for the draft variation are as follows:

- To promote the redevelopment and revitalisation of the group centre.
- To allow the expansion of the group centre to meet modern retail commercial requirements.
- To improve traffic, access, links and circulation throughout the group centre for vehicles, cyclists and pedestrians.
- Promoting a greater mix of uses in the group centre including residential uses.
- Consolidating community facility uses in one location to better reflect the location of existing community uses.
- Focusing Commercial CZ3 Services zone uses within the existing CZ3 zoned area by removing a number of service trade uses from the other commercial areas of group centre.
- Promoting key active frontages and improvements to the public domain.
- Improve building design outcomes and the amenity of the group centre.

2.6 Planning Context

2.6.1 National Capital Plan

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

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

2.6.2 Territory Plan

Statement of Strategic Directions

The proposal is consistent with the Territory Plan's statement of strategic directions in terms of environmental, economic and social sustainability and spatial planning and urban design principles.

1.9 *Urban expansion will be contained in order to minimise impacts on valuable natural and rural areas.*

The proposal is consistent with this principle as it encourages redevelopment within an existing urban area, which assists in containing the spread of the urban area to accommodate Canberra's growing population.

1.10 *Integrated land use and transport planning will seek to maximise accessibility and transport efficiency, reduce energy consumption, support the preferred pattern of development, promote safety, safeguard environmental quality, and minimise greenhouse gas emissions.*

DV361 is consistent with this principle as it encourages higher density development close to an arterial road and the pedestrian/cycle network, and includes provisions for passive surveillance of public areas.

- 2.1** *Canberra will continue to develop as a series of discrete urban areas within a landscape setting of hills, ridges and other open spaces. Each town will offer a diversity of housing types; the broadest possible range of employment opportunities; and convenient, linked access to retail centres, community facilities and open space.*

DV361 is consistent with this principle as it promotes redevelopment within the existing urban area, and retains extensive areas of open space for use by the community. The amendments to the Territory Plan will encourage additional dwelling types and encourage additional commercial development thereby improving employment opportunities within the centre.

DV361 also includes provisions to improve pedestrian connections through the centre and out to the wider public transport and shared path network connecting the centre to other areas.

- 2.3** *Commercial and retail activity will be concentrated in centres and other planned nodes of intensive activity that are well served by public transport to ensure an efficient pattern of development. Primary emphasis will be placed on strengthening and enhancing existing and new centres and nodes, including improved urban design and encouragement of more mixed-use development.*

DV361 is consistent with this principle as it encourages commercial redevelopment within the existing centre well served by public transport. The draft variation aims to strengthen the viability of the centre through improved urban design and providing opportunities for additional mixed use development within the centre.

- 2.6** *Higher density development will be encouraged within and near major centres, and in other suitable locations that are well served by public transport.*

DV361 is consistent with this principle through the encouragement of redevelopment within and near the group centre which has direct and easy access to the nearby Belconnen town centre.

2.7 Interim Effect

Section 65 of the *Planning and Development Act 2007* applies to the draft variation. This means that the provisions of Draft Variation No 361 have interim effect, and apply to development applications lodged on or after

Friday 22 March 2019.

During the period of interim effect the ACT Government must not do or approve anything that would be inconsistent with the Territory Plan as if it were amended by the draft variation. Where there is an inconsistency between provisions in the current Territory Plan and provisions in the draft variation, then the draft variation takes precedence for the extent of the inconsistency.

Interim effect will end on the day the earliest of the following happens:

- i. the day the public availability notice under section 70 for the draft variation being recommended to the Minister is notified in accordance with the Legislation Act
- ii. the day the draft variation, or the corresponding variation, is withdrawn under section 68 (1)(b) or section 76 (3)(b)(v)
- iii. 1 year after the date of the consultation notice.

2.8 Consultation with Government Agencies

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

- the National Capital Authority
- the Conservator of Flora and Fauna
- the Environment Protection Authority
- the Heritage Council
- the Land Custodian, if the draft variation would, if made, be likely to affect unleased land or leased public land – each custodian for the land likely to be affected.

National Capital Authority

The National Capital Authority provided the following comments on 22 October 2018:

This site is within 'Urban Areas' within the 'General Policy Plan- Metropolitan Canberra' of the National Capital Plan (the Plan). The proposed variations to Kippax appear to be not inconsistent with the 'Land Use' for 'Urban Areas' in the Plan.

Response

Noted.

Conservator of Flora and Fauna

The Conservator of Flora and Fauna provided the following comments on 29 October 2018:

I have no comments to provide noting that previous comments regarding the provision of canopy trees have been taken into consideration.

Response

Noted.

Environment Protection Authority

The Environment Protection Authority provided the following comments on 31 October 2018:

The sites subject to the variation must be assessed for potential contamination in accordance with the EPA endorsed guidelines by a suitably qualified environmental consultant to determine whether past activities have impacted the sites, and to determine whether the sites are suitable for their proposed uses from a contamination perspective.

The consultant's assessment reports into the sites' suitability for their proposed uses from a contamination perspective must be reviewed and endorsed by the Environment Protection Authority (the Authority) prior to the Territory Plan being varied.

Response

Noted. The necessary assessments will be completed and submitted to the EPA prior to the Territory Plan being varied.

Heritage Council

The Heritage Council provided the following comments on 31 October 2018:

Review of the ACT Heritage Register identifies that no registered heritage places or objects are located within the Kippax Group Centre and surrounds. The subject land has been significantly disturbed by previous development, and works associated with the Master Plan are unlikely to result in damage to Aboriginal places or objects. In light of the above, the Council raises no objection to DV361.

Response

Noted.

Land Custodian – Community Services Directorate

The Community Services Directorate (CSD) provided the following comments on 31 October 2018:

As you note CSD is the land custodian for Blk 10 Sec 52 Holt – the site of the West Belconnen Child and Family Centre.

DV361 proposes to vary the zoning from Commercial to Community Facility.

There is no objection to the proposed variation.

Response

Noted.

Land Custodian – Transport Canberra and City Services Directorate

The Transport Canberra and City Services Directorate (TCCS) provided the following comments on 16 November 2018:

- *In regard to the loss of open space, the area identified for rezoning forms part of a larger open space corridor. Any rezoning should ensure that direct 'green' links to surrounding open space areas are maintained.*
- *Consideration should also be given to the ongoing provision of open space for use by local residents. Proposed open space within the Group Centre is supported. However, please note that Sport and Recreation in CMTEED will be taking most of the lead on this one for TCCS and will be providing strategic comments back through their channels.*
- *Draft variation can now proceed to release publicly.*

Response

In relation to open space, a 50metre corridor is required to be retained between the group centre expansion area and Moyes Crescent. The draft variation includes a requirement for off-site works to be conducted as part of any development in the group centre expansion area, this includes upgrades to surrounding open space as well as the relocation of the skate park.

3. DRAFT VARIATION

3.1 Variation to the Territory Plan map

The Territory Plan map is varied as indicated in Figure 3.

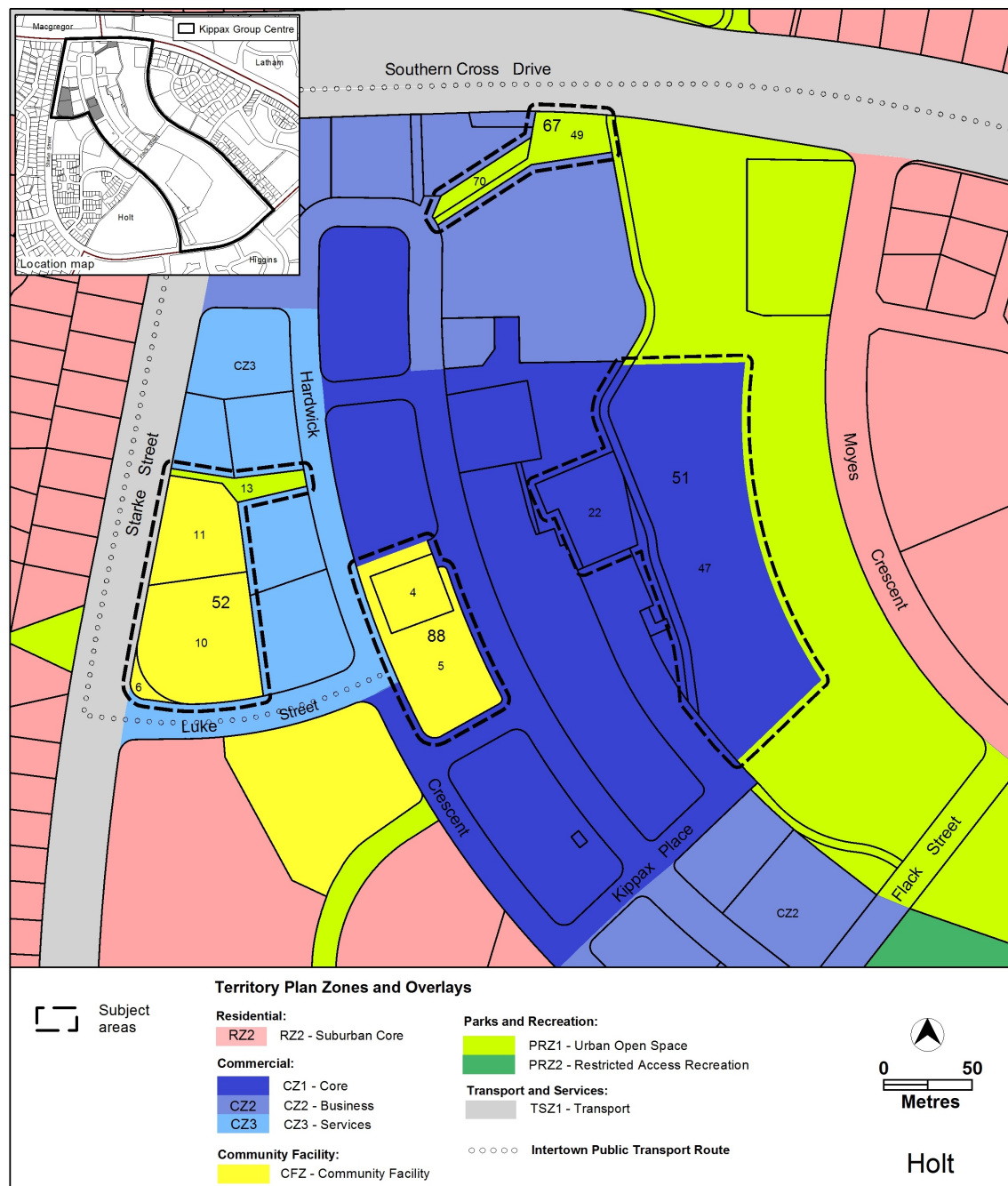


Figure 3: Areas subject to rezoning

3.2 Variation to the Territory Plan written document

The Territory Plan written document is varied as indicated as follows:

Variation to the Holt precinct map and code

10. Precinct maps and codes, Holt precinct map and code
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Substitute all of the following with the nominated attachments

Holt precinct map – Attachment A

Holt precinct code, RC1 – Kippax Group Centre – Attachment B

Interpretation service

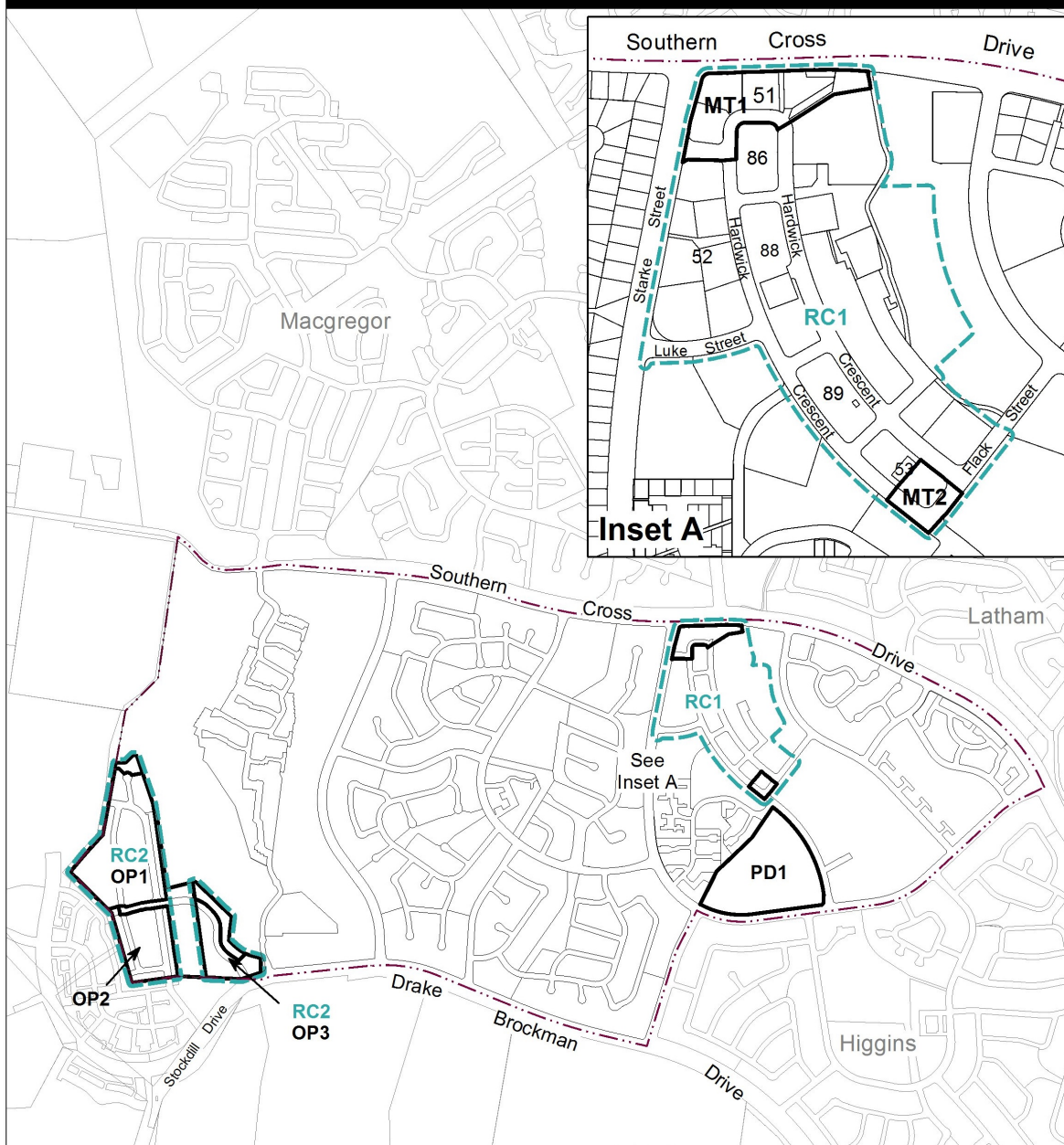
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ARABIC	إذا احتجت لمساعدة في الترجمة الشفوية ، إتصل برقم الهاتف :
CHINESE	如果你需要传译员的帮助，请打电话：
CROATIAN	Ako trebate pomoć tumača telefonirajte:
GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήσετε στο
ITALIAN	Se avete bisogno di un interprete, telefonate al numero: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

TRANSLATING AND INTERPRETING SERVICE

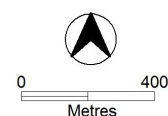
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Holt Precinct Map



- PDn** Additional prohibited development applies see Table 1
- MTn** Additional merit track development applies see Table 2
- RCn** Additional rules and criteria apply see Holt Precinct Code
- OPn** Ongoing provisions apply see Holt Precinct Code



Assessment Tracks

The following tables identify the additional prohibited development and additional merit track development for blocks and parcels shown in the Holt Precinct Map (identified as PDn or MTn). Development that is exempt from requiring development approval, other prohibited development and the minimum assessment track applicable to each development proposal is set out in the relevant zone development table.

The following tables constitute part of the relevant zone development table.

Table 1 – Additional prohibited development

Additional prohibited development		
Suburb precinct map label	Zone	Development
PD1	CFZ	<i>retirement village supportive housing</i>

Table 2 – Additional merit track development

Additional merit track development that may be approved subject to assessment		
Suburb precinct map label	Zone	Development
MT1	CZ2	<i>funeral parlour light industry service station veterinary hospital</i>
MT2	CZ2	<i>service station</i>

RC1 – Kippax Group Centre

This part applies to blocks and parcels identified in area RC1 shown on the Holt Precinct Map. RC1 includes the Kippax Group Centre.

Element 1: Use

Rules	Criteria
1.1 Ground floor uses	
<p>R1</p> <p>This rule applies to blocks with frontages to primary active frontages in CZ1 shown in figure 1.</p> <p>Only the following uses are permitted at the ground floor level for the length of the primary active frontage:</p> <ul style="list-style-type: none"> a) <i>business agency</i> b) <i>club</i> c) <i>community activity centre</i> d) <i>drink establishment</i> e) <i>financial establishment</i> f) <i>hotel</i> g) <i>indoor entertainment facility</i> h) <i>indoor recreation facility</i> i) <i>public agency</i> j) <i>restaurant</i> k) <i>SHOP</i> 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>There is no applicable rule.</p>	<p>C2</p> <p>This criterion applies to blocks in the CZ2 business and CZ3 services zone with boundaries to primary active frontages shown in Figure 1.</p> <p>Buildings incorporate uses on the ground floor that generate activity in the public space.</p>
<p>R3</p> <p>This rule applies to the ground floor residential area shown in Figure 2.</p> <p>Residential uses are permitted at the ground floor level to a maximum depth of 20 metres measured from the frontage addressing urban open space towards Moyes Crescent.</p>	<p>C3</p> <p>Ground floor residential uses comply with all of the following:</p> <ul style="list-style-type: none"> a) are located generally in accordance with the area shown in Figure 2. b) front and address the open space between the group centre and Moyes Crescent. c) do not dominate ground floor commercial spaces.

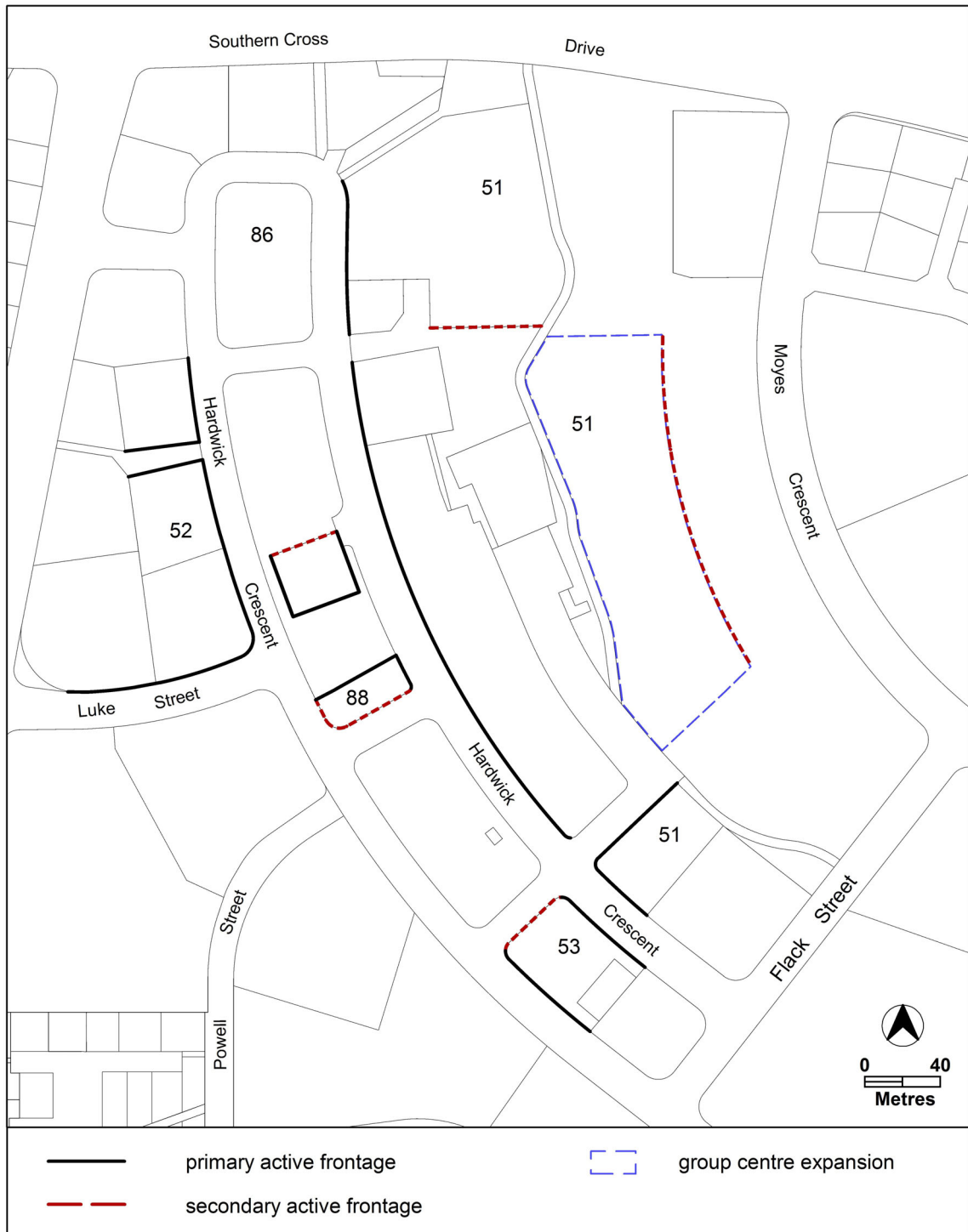


Figure 1 Active frontages

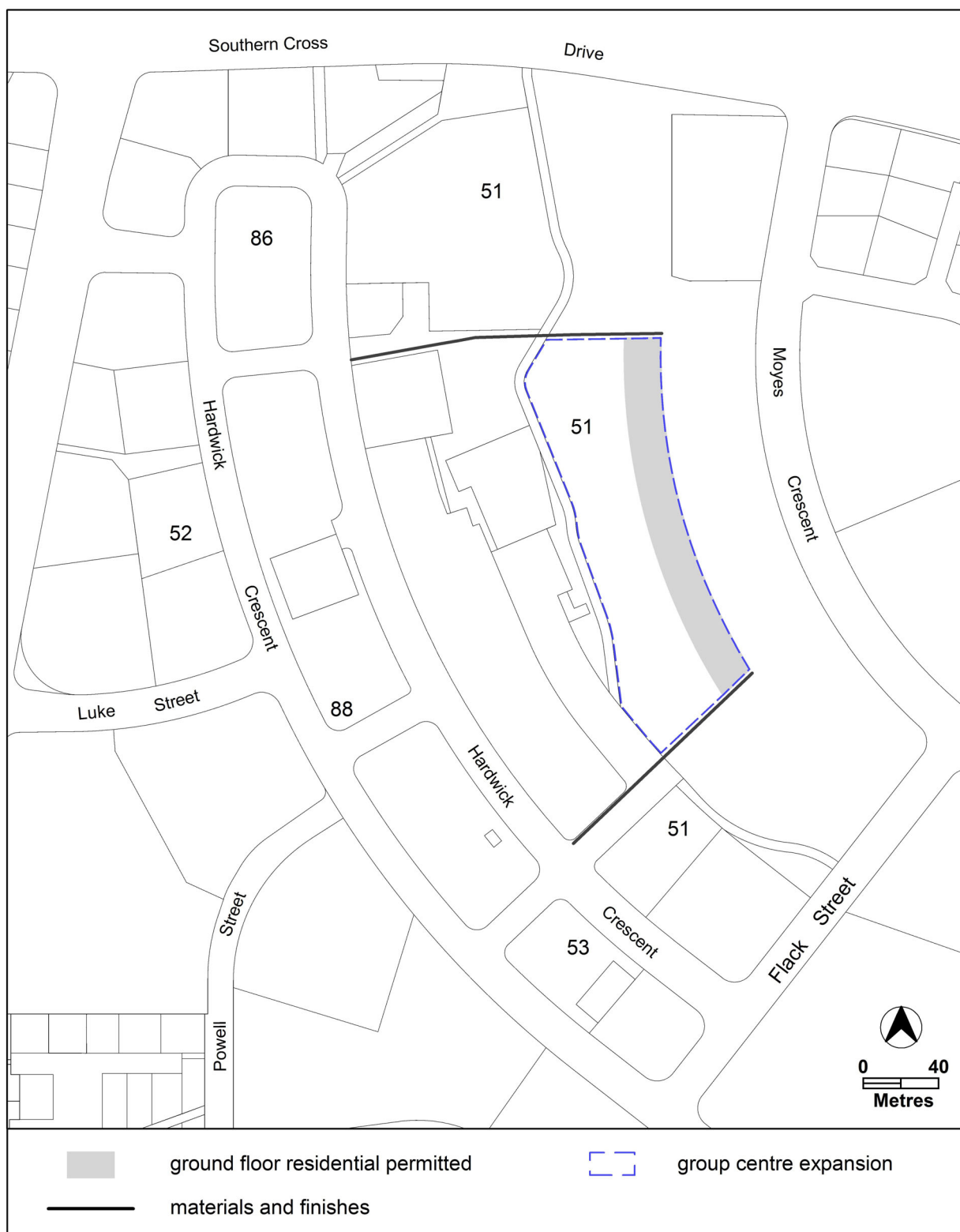


Figure 2 Ground floor uses and built form

Rules	Criteria
1.2 Development on nominated car parking areas	
<p>R4</p> <p>This rule applies to the shaded area shown in Figure 3.</p> <p>Development complies with all of the following:</p> <ul style="list-style-type: none"> a) the existing number of car parking spaces is retained on the site and made available for public use at all times b) provides car parking that is generated by the development on site in accordance with the <i>Parking and Vehicular Access General Code</i> in addition to the spaces required by item a) 	<p>C4</p> <p>Development achieves all of the following:</p> <ul style="list-style-type: none"> a) any additional parking provision requirements (under the <i>Parking and Vehicular Access General Code</i>) for the development b) makes a substantial contribution to the long term publicly accessible parking supply at the group centre.

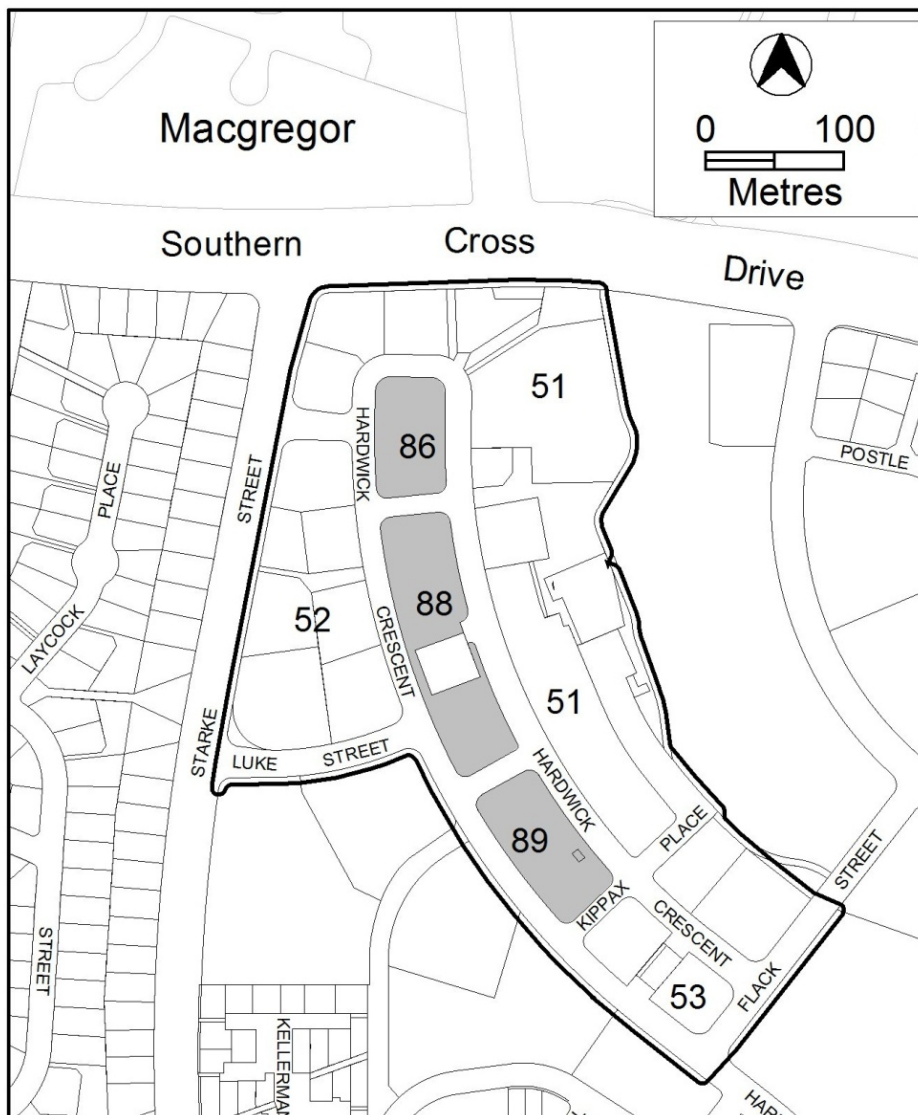


Figure 3 nominated parking areas

Element 2: Buildings

Rules	Criteria
2.1 Active frontages	
<p>R5</p> <p>For buildings located along primary active frontage areas identified in figure 1, frontages and building design comply with all of the following:</p> <ul style="list-style-type: none"> a) development is oriented towards the street b) buildings incorporate clear display windows and/or shop fronts at the ground floor level c) buildings incorporate direct pedestrian access at grade with the verge level for access and egress for persons with disabilities d) any small areas of walls without windows contain displays, showcases and/or public art, with a maximum of 30% blank frontage per tenancy 	<p>This is a mandatory rule. There is not applicable criterion.</p>
<p>R6</p> <p>For buildings located along secondary active frontage areas identified in Figure 1, frontages and building design complies with all of the following:</p> <ul style="list-style-type: none"> a) be oriented towards the street b) where residential uses are permitted at the ground floor level, individual entries are provided at street level to allow for physical interaction and passive surveillance. 	<p>C6</p> <p>Development at ground floor level achieves all of the following:</p> <ul style="list-style-type: none"> a) is adaptable for shops b) where building access is provided, direct pedestrian access at street level c) provide opportunities for views into and out of the building.
2.2 Materials and finishes	
<p>There is no applicable rule</p>	<p>C7</p> <p>This criterion applies to the area shown in Figure 2.</p> <p>Materials and finishes are of a high quality and include the following:</p> <ul style="list-style-type: none"> a) at least three different materials on each wall identified in Figure 2 b) variation in depth c) non-reflective materials d) materials which do not contribute to heat island effect.

Rules	Criteria
2.3 Setbacks	
<p>R8</p> <p>This rule applies to buildings fronting Hardwick Crescent East and West and buildings fronting the primary active frontages shown on figure 1.</p> <p>Buildings comply with all of the following:</p> <ul style="list-style-type: none"> a) Maintain a maximum podium height of 2 storeys and 9 metres b) Development above the podium is setback a minimum of 3 metres excluding balconies. 	<p>C8</p> <p>This is a mandatory rule. There is no applicable criterion.</p>
<p>R9</p> <p>This rule applies to development along Hardwick Crescent East and West.</p> <p>Buildings have a zero front setback.</p>	<p>C9</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> a) a continuous building facade to the street b) building alignment is consistent with active uses at the ground level.
<p>R10</p> <p>This rule applies to blocks in Holt section 52 and included in area 'a' on Figure 4.</p> <p>The setback to the western most block boundary is a minimum of 6 metres.</p>	<p>This is a mandatory rule. There is no applicable criterion.</p>
2.4 Building heights	
<p>R11</p> <p>The maximum <i>height of buildings</i> is two <i>storeys</i>, except for the following areas shown in Figure 4:</p> <ul style="list-style-type: none"> a) area 'a'— six <i>storeys</i> and a maximum of 20 metres in height. b) area 'b'— three <i>storeys</i> and a maximum of 11 metres in height. c) Area 'c' – five <i>storeys</i> and a maximum of 17 metres in height. <p>Plant room set back a minimum of 3 metres from the building facade of the floor immediately below is not included in the number of storeys.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
2.5 Building design	
<p>R12</p> <p>This rule applies to ground floor levels throughout the group centre.</p> <p>The minimum floor to ceiling height is 3.6 metres.</p>	<p>C12</p> <p>The ground floor level of buildings is adaptable for commercial uses.</p>

Rules	Criteria
<p>R13</p> <p>This rule applies to all residential uses at the second storey and above throughout the group centre.</p> <p>The floor to ceiling height is a minimum of 2.7 metres.</p>	<p>C13</p> <p>Floor to ceiling heights comply with all of the following:</p> <ul style="list-style-type: none"> a) Contribute to natural ventilation. b) Promote penetration of daylight.

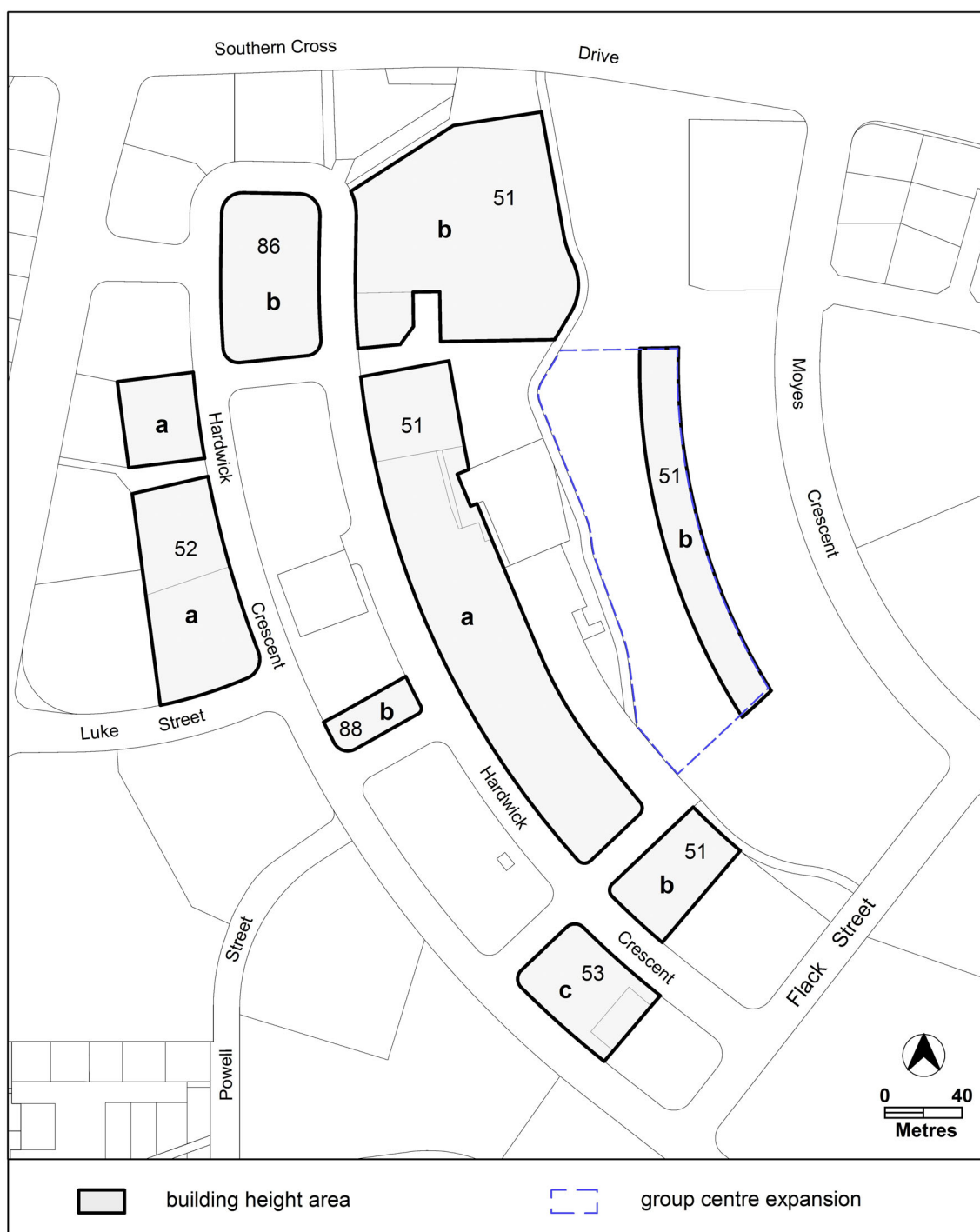


Figure 4 Building heights

Rules	Criteria
2.6 Plot ratio	
There is no applicable rule.	C14 <i>Plot ratio</i> achieves consistency with the <i>desired character</i> .
2.7 Privacy	
There is no applicable rule.	C15 This criterion applies to development adjoining residential use or community uses. Residential uses minimise overlooking onto adjoining uses.
2.8 Solar access	
R16 Development retains a minimum 3 hours solar access to the main daytime living areas and <i>principal private open space</i> of <i>dwelling</i> s on adjoining blocks between the hours of 9am and 3pm on the winter solstice (21 June).	C16 Development retains reasonable solar access to <i>dwelling</i> s on adjoining <i>blocks</i> and their associated <i>principal private open space</i> .
R17 This rule applies to development adjoining future central plaza and open space as shown on Figure 5. Public places and open spaces are not overshadowed between 10am and 2pm on the Winter Solstice (21 June).	C17 Development retains reasonable solar access to public places and open spaces.
There is no applicable rule	C18 Development is designed, oriented and incorporates use of landscaping and sun-shading devices to achieve all of the following: a) promote passive solar access in winter. b) promote passive cooling in summer. c) Mitigate and minimise potential impacts on the microclimate of the centre.

Rules	Criteria
2.9 Heat island effect	
<p>There is no applicable rule</p>	<p>C19</p> <p>Development ensures no net gain of urban heat as measured on the 2017 urban heat map.</p> <p>Compliance with this criterion is demonstrated in a microclimate assessment report by a qualified professional which gives consideration of mitigating measures including:</p> <ul style="list-style-type: none"> a) low thermal mass building materials and building colours. b) inclusion of canopy trees to achieve an overall minimum of 30% shade of the precinct. c) use of permeable surfaces. d) use of water features. <p><i>Note: the 2017 urban heat map is available on ACTmapi via the following link: http://www.actmapi.act.gov.au</i></p>
2.10 Awnings	
<p>R20</p> <p>This rule applies to buildings fronting primary active frontage areas shown in Figure1.</p> <p>Awnings are provided along the entire length of the building frontage that comply with all of the following:</p> <ul style="list-style-type: none"> a) cantilevered awnings for the full extent of the building frontage b) awnings are a minimum height of 3 metres above finished pavement or ground level of the verge c) awnings are integrated into the building design at the first floor level d) awnings are a minimum of 3 metres in cantilever depth, except <ul style="list-style-type: none"> i) where opposing primary active frontages are 6 metres apart or less, awning depth may be reduced to ensure awnings are separated by 0.5 metres ii) where a reduction in awning depth is required to accommodate existing infrastructure and/or street trees. 	<p>C20</p> <p>Awnings are provided along primary active frontages to provide suitable all weather protection for pedestrians.</p>

Rules	Criteria
2.11 Loading docks	
<p>R21</p> <p>This rule applies to any loading dock located fully or partly within the group centre expansion area shown in Figure 5.</p> <p>The loading dock complies with all of the following:</p> <ul style="list-style-type: none"> a) loading dock is designed as forward in and forward out. b) Loading dock is acoustically sealable. 	<p>This is a mandatory rule. There is no applicable criterion.</p>

Element 3: Subdivision

Rules	Criteria
3.1 Pedestrian connections	
<p>R22</p> <p>This rule applies to the area shown in Figure 5</p> <p>Pedestrian connections comply with all of the following:</p> <ul style="list-style-type: none"> a) minimum unobstructed internal width is 3m b) a minimum extent of 30% glazing at the ground floor measured along the length of the pedestrian connection c) access to ground floor commercial tenancies adjoining the pedestrian connection. 	<p>C22</p> <p>Pedestrian connections achieve all of the following:</p> <ul style="list-style-type: none"> a) reasonable public access b) views into and out of adjoining commercial premises c) clearly identifiable entrances d) minimised distances between opposing entrances of pedestrian connections.

Element 4: Entity (Government agency) endorsement

Rules	Criteria
4.1 Entity endorsement	
<p>R23</p> <p>The following matters are to be endorsed by Transport Canberra and City Services</p> <ul style="list-style-type: none">a) landscapingb) footpathsc) pedestrian connectionsd) driveway access	<p>This is a mandatory requirement. There is no applicable criterion.</p>
4.2 Off-site works for the development of the group centre expansion area	
<p>There is no applicable rule</p>	<p>C24</p> <p>This criterion applies to the group centre expansion area shown in Figure 5.</p> <p>Development of the group centre expansion area must include the following offsite works are required to the satisfaction of the relevant ACT Government entities:</p> <ul style="list-style-type: none">a) upgrade the currently unused open space close to the centre.b) Demolish the existing community building and construct a new community building as identified in Figure 5.c) Construct the new road identified in Figure 5.d) Construct the new pedestrian path identified in Figure 5 both within and through group centre expansion area.e) Construct the new skate park as identified in Figure 5.

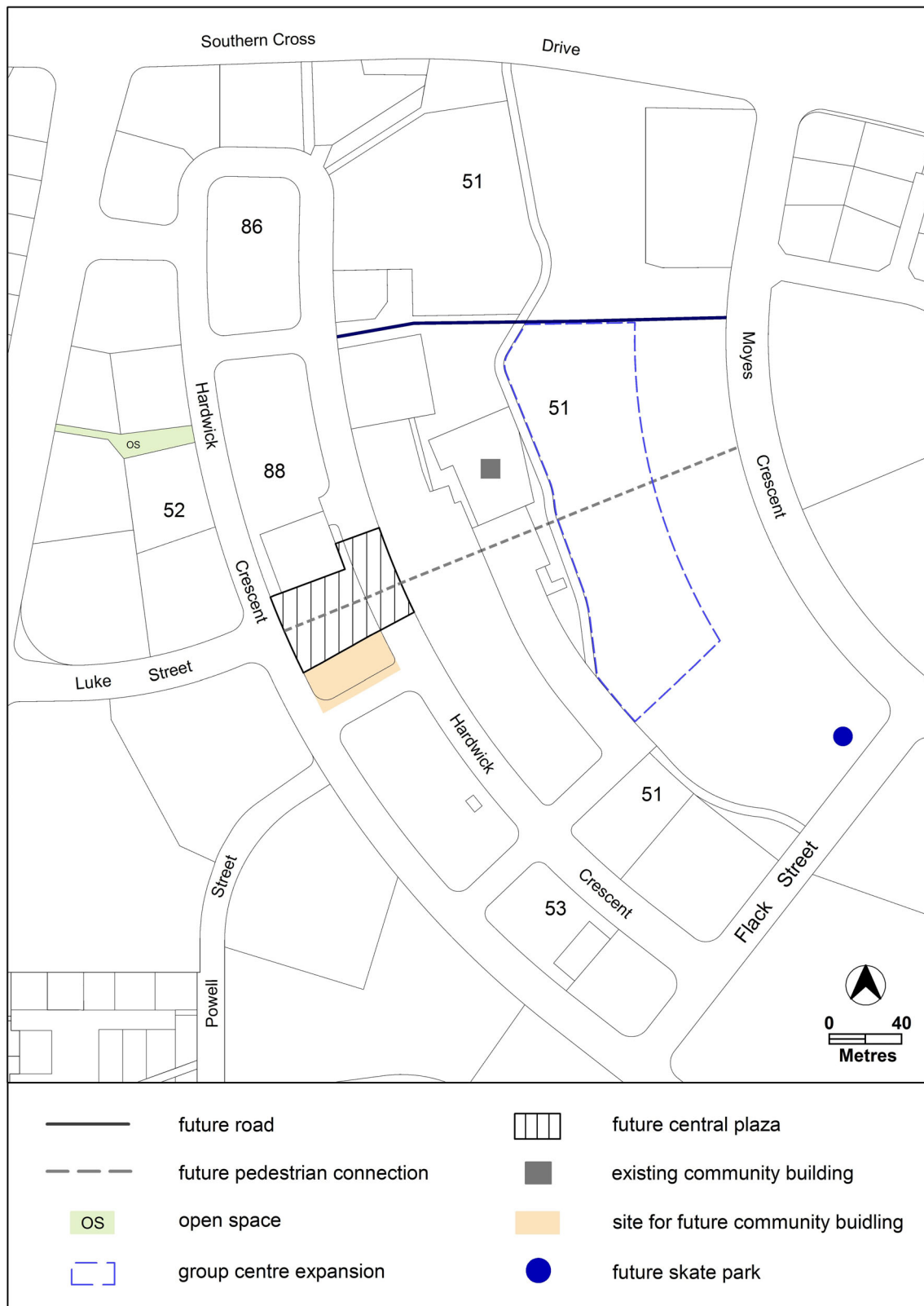


Figure 5 – future roads, pedestrian paths, public spaces and community buildings