

# Planning and Development (Plan Variation No 363) Approval 2021

**Notifiable instrument NI2021-63**

made under the

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

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## **1 Name of instrument**

This instrument is the *Planning and Development (Plan Variation No 363) Approval 2021*.

## **2 Approval of draft plan variation**

- (1) I approve under section 76 (2) (a) of the *Planning and Development Act 2007* the draft plan variation No 363 to the Territory Plan.
- (2) In this section:

*draft plan variation No 363 to the Territory Plan* means the draft plan variation in the schedule.

Mick Gentleman MLA  
Minister for Planning and Land Management  
4 February 2021

Schedule (See section 2(2))



**ACT**  
Government

Environment, Planning and  
Sustainable Development

*Planning and Development Act 2007*

# Variation to the Territory Plan No 363

Curtin group centre and adjacent  
residential areas:

Zone changes and amendments to the  
Curtin precinct map and code

Final variation prepared under s76 of the  
*Planning and Development Act 2007*

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# 1. EXPLANATORY STATEMENT

## 1.1 Background

The variation incorporates the recommendations of the Curtin Group Centre Master Plan (2018) into the Territory Plan. The group and town centre master planning program has been undertaken as part of the ACT Government initiative to encourage the rejuvenation of selected commercial centres, and to guide development within the centres over the next 10 to 20 years. The Curtin Group Centre Master Plan (the master plan) as one of the selected commercial centres underwent several community engagement sessions and was approved by the ACT Government on 28 November 2018.

## 1.2 Summary of the Proposal

The variation incorporates the recommendations of the approved Curtin Group Centre Master Plan (November 2018) into the Territory Plan to provide guidance on the desired built form and character of the centre as it develops into the future.

The variation amends the Territory Plan map as well as the existing Curtin precinct map and code to reflect the changes recommended by the master plan. These changes are listed in **section 2.1**.

The centre is currently limited to two storeys, with the ability for building heights to be increased above two storeys where they meet a set of criteria. This variation reinforces the centre's village character by limiting building height around the central courtyard to single storey and provides the opportunity for some increase in building height that is complementary to this character. It reflects the approved master plan by permitting up to five storeys to the south west and north west of the central courtyard, and up to six storeys for the Statesman Hotel site (Block 6 Section 62 Curtin) and part of the adjacent parking areas, with setbacks for the higher building elements to protect the streetscape character. It also permits residential development in the medium density residential zones adjoining the centre up to six storeys.

The variation rezones a parcel of unleased land at the south west corner of the Carruthers Street roundabout from residential/commercial zones to urban open space (Block 7 Section 63 Curtin), and rezones the southern part of the centre from commercial core zone to commercial business zone. It also generally prohibits residential uses within the commercial core area at the ground floor level, to encourage an active streetscape and public places.

The variation identifies main pedestrian areas where shop fronts and awnings are required to encourage pedestrian activity. It also nominates minimum setbacks

for development along Theodore Street to protect the existing street trees and provide separation from the existing residential area to the east.

### **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 NCP 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.

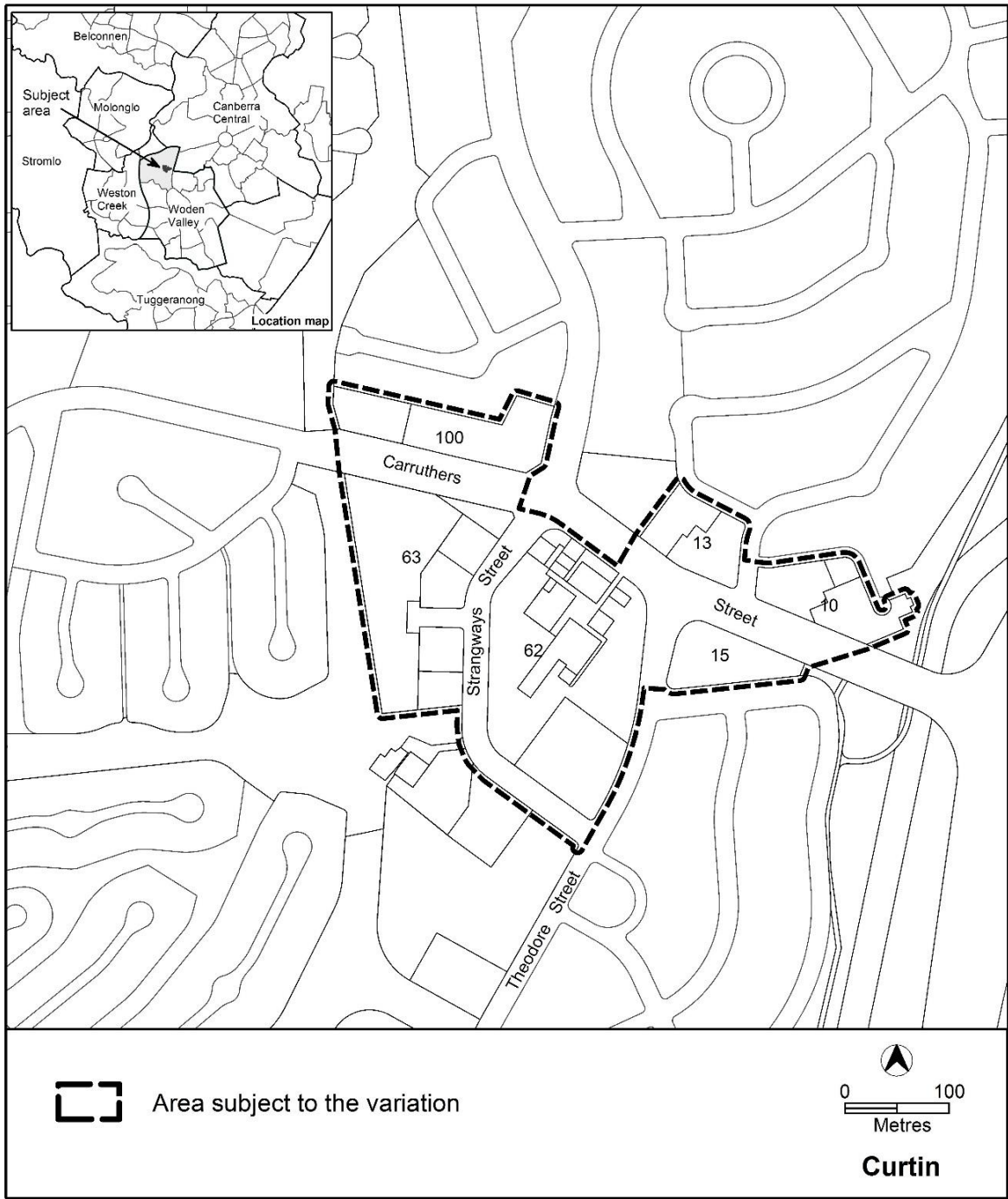
It also sets out the detailed conditions of planning, design and development for areas that have special significance to the National Capital known as designated areas and identifies special requirements for the development of some other areas.

### **1.4 Site Description**

The subject area is the Curtin Group Centre and surrounding medium density residential areas. The centre is located approximately 3km north of Woden town centre and 300m west of the Yarra Glen and Carruthers Street interchange. The centre is bounded by Carruthers Street to the north, Theodore Street to the east and Strangways Street to the west and south.

The centre is predominately single storey, with commercial buildings surrounding a central courtyard, with awnings provided along most frontages for all weather pedestrian protection. Development at the north west and south east corners of the centre is two storeys, while the south west and north east sections of the centre contain substantial areas of surface car parking.

Nearby development includes detached single dwellings to the east, multi unit developments to the north and west, community facilities to the north east and south, and extensive urban open space areas providing pedestrian connections between the centre and the surrounding suburb.

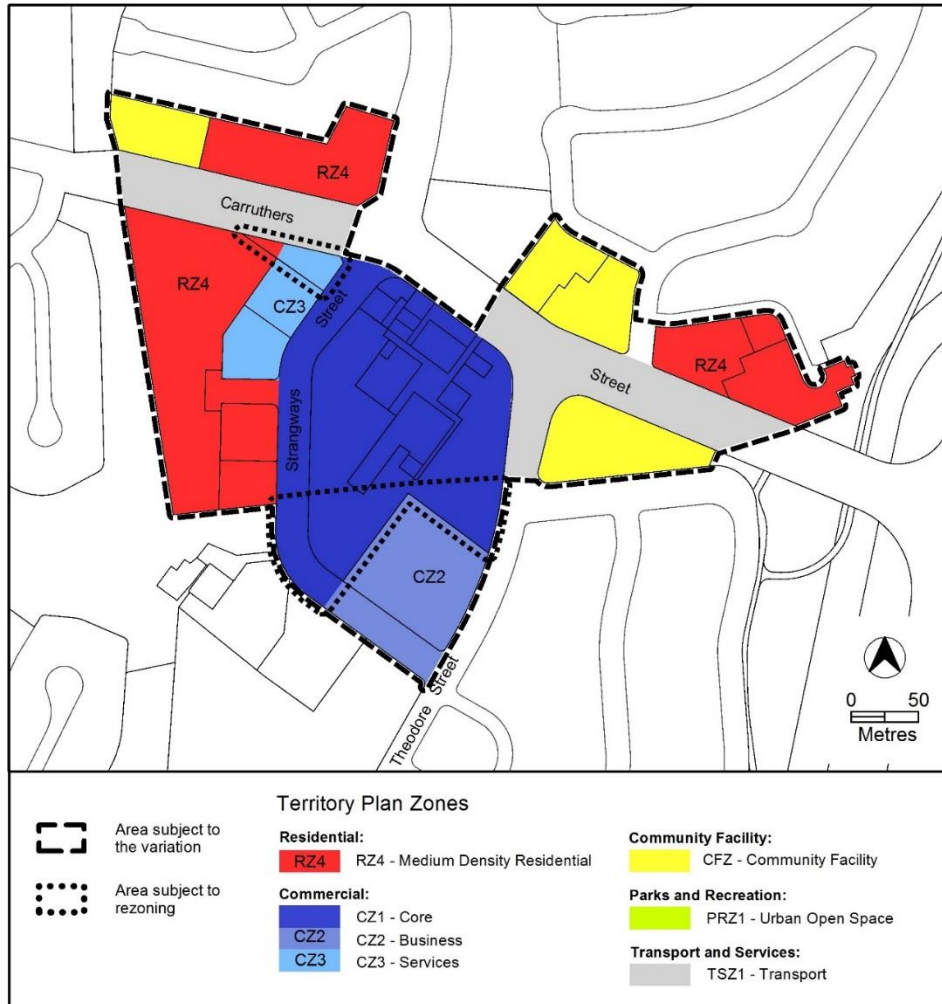


**Figure 1: Site Plan**



## 1.5 Current Territory Plan Provisions

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



**Figure 2: Territory Plan Zones Map**

## 1.6 Changes to the Territory Plan

Detailed changes to the Territory Plan are noted in section 2 of this document.

## 1.7 Consultation on the Draft Variation

Draft Variation 363 (DV363) was released for public comment between 7 June and 21 August 2019. A consultation notice under section 63 of the *Planning and Development Act 2007* (P&D Act) was published on the ACT Legislation Register on 7 June 2019.

A total of 19 written submissions were received. Main issues raised by submitters included:

- Changes to the proposed statement of desired character to include references like ‘an active and inclusive meeting place’, ‘a human scale urban village’ and ‘a sunlit central courtyard’
- Reduction of building heights to maintain views from the group centre to Red Hill
- Additional solar access protection for the central courtyard to prevent overshadowing
- Increase to building setbacks along Strangways Street and Theodore Street
- Additional tree protection in the group centre

The above issues were considered and are detailed in a report on consultation. Changes were made to DV363 that was recommended to the Minister responsible for planning. The outcomes of consultation were considered by the Minister responsible for planning prior to approving this variation.

## 1.8 Revisions to the Draft Variation Recommended to the Minister

In response to Recommendation 2 made by the Legislative Assembly’s Standing Committee on Planning and Urban Renewal (the Committee) in its Report No. 13 and subsequent Direction of the Minister, changes were made to the ‘desired character’ statement under RC1 – Curtin Group Centre in the Curtin Precinct Code.

The ‘desired character’ statement was amended to include two dot points as follows:

- Maintain the human scale character of the public spaces within the centre
- Provide a reasonable level of sunlight to the central courtyard

Recommendation 2 also recommended that references to a 'busy' and 'attractive' centre are incorporated into the 'desired character' statement. These matters are already recognised in the 'desired character' statement through the following dot points:

- A busy community hub that offers a broad range of services and facilities to diverse user groups in the area
- Be an attractive place to do business for local retailers and other businesses

In response to Recommendation 6 made by the Committee in its Report No. 13 and subsequent Direction of the Minister, a change was made to Rule R10 of the Curtin Precinct Code to increase the hours considered by the rule from 9:00am and 2:30pm to 9:00am and 3:30pm in the solar access provision to better reflect the hours of usage.

Rule R10 was amended to read as follows:

This rule applies to development in area 'a' and 'b' shown in Figure 2.

Buildings do not overshadow the central courtyard beyond the shadow cast by a notional 5 metre high fence measured from the datum ground level at the boundary adjoining the central courtyard shown in Figure 2 at the winter solstice between 9:00am and 3:30pm.

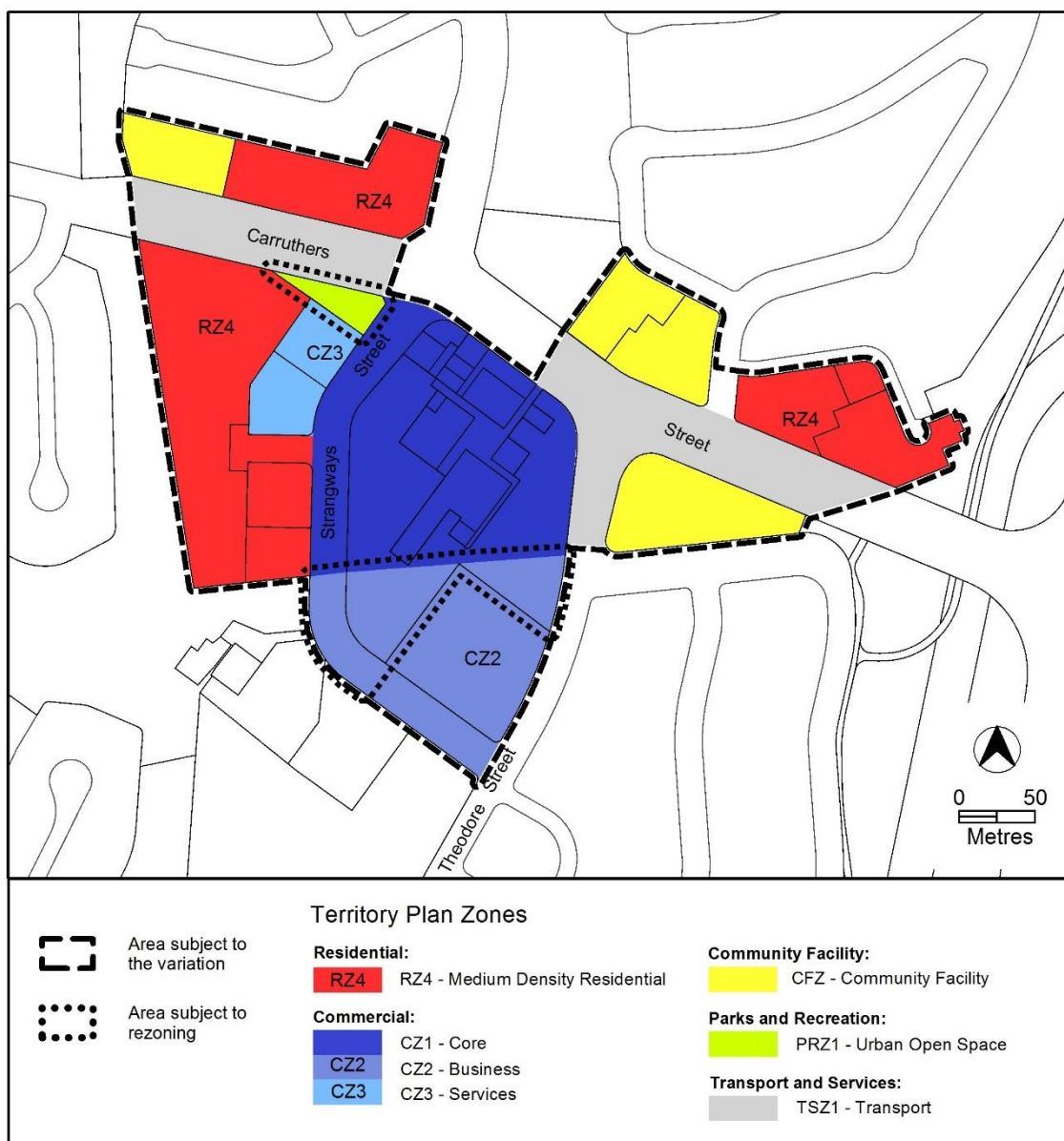
## 2. VARIATION

### 2.1 Variation to the Territory Plan

The Territory Plan map is varied in all of the following ways:

#### Variation to the Territory Plan Map

*Substitute*



# Variation to the Curtin Precinct Map and Code

## **1. Curtin Precinct Map and Code**

### *Substitute*

Curtin Precinct Map and Assessment Tracks – Attachment A

Curtin Precinct Code, RC1 – Curtin Group Centre – Attachment B

### *Insert after RC1*

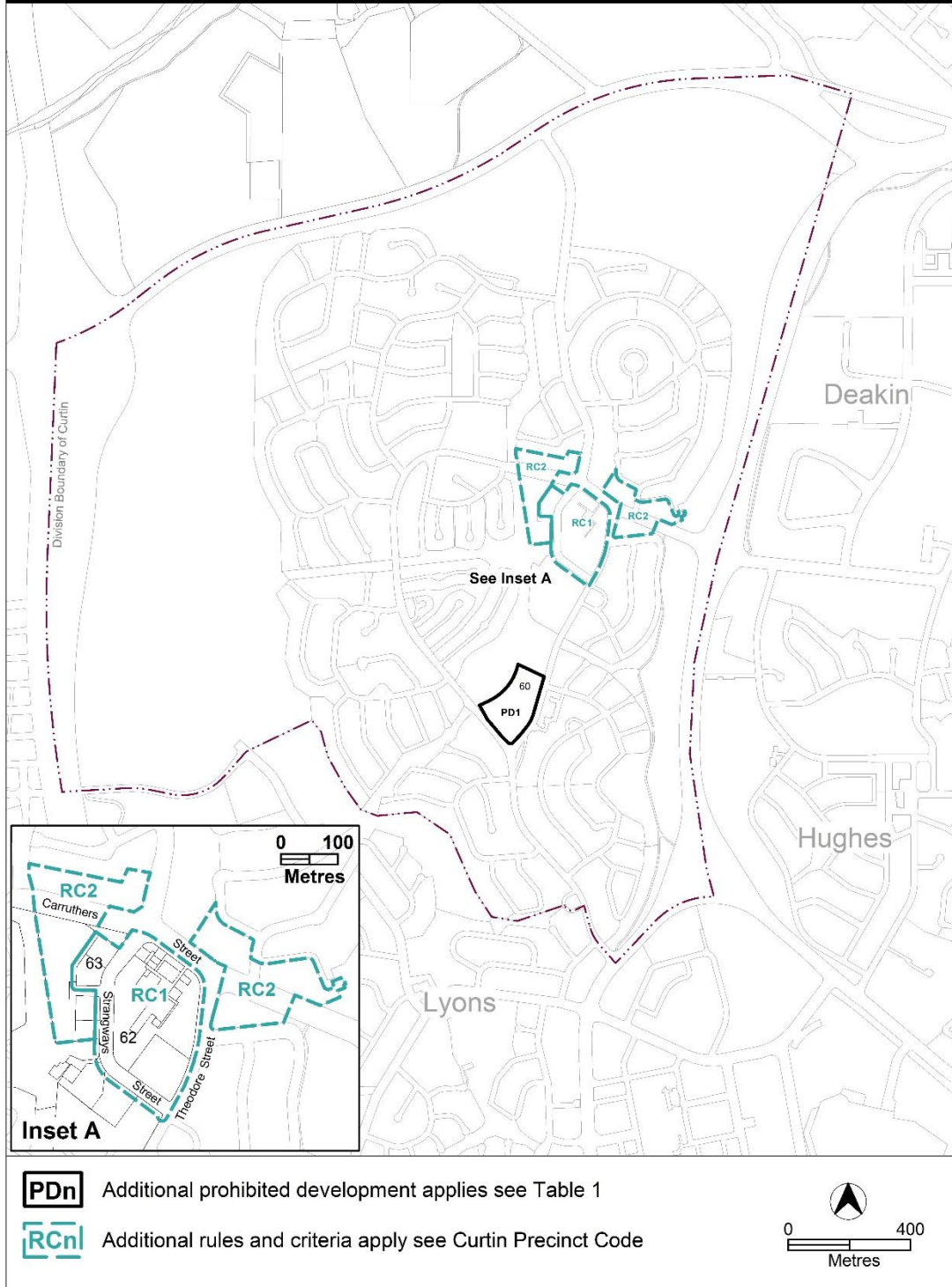
RC2 – Curtin Residential areas – Attachment C

## Interpretation service

ENGLISH	If you need interpreting help, telephone:
ARABIC	إذا احتجت لمساعدة في الترجمة الشفوية ، إتصل برقم الهاتف :
CHINESE	如果你需要传译员的帮助，请打电话：
CROATIAN	Ako trebate pomoć tumača telefonirajte:
GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήσετε στο
ITALIAN	Se avete bisogno di un interprete, telefonate al numero:
MALTESE	Jekk għandek bżonn l-għajjnuna t'interpretu, çempel:
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 telefonirajte:
SPANISH	Si necesita la asistencia de un intérprete, llame al:
TURKISH	Tercümana ihtiyacınız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

**TRANSLATING AND INTERPRETING SERVICE**  
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# Curtin Precinct Map



# Assessment Tracks

The following tables identify the additional prohibited development and additional merit track development for blocks and parcels shown in the Curtin 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</i> <i>supportive housing</i>



## RC1 – Curtin Group Centre

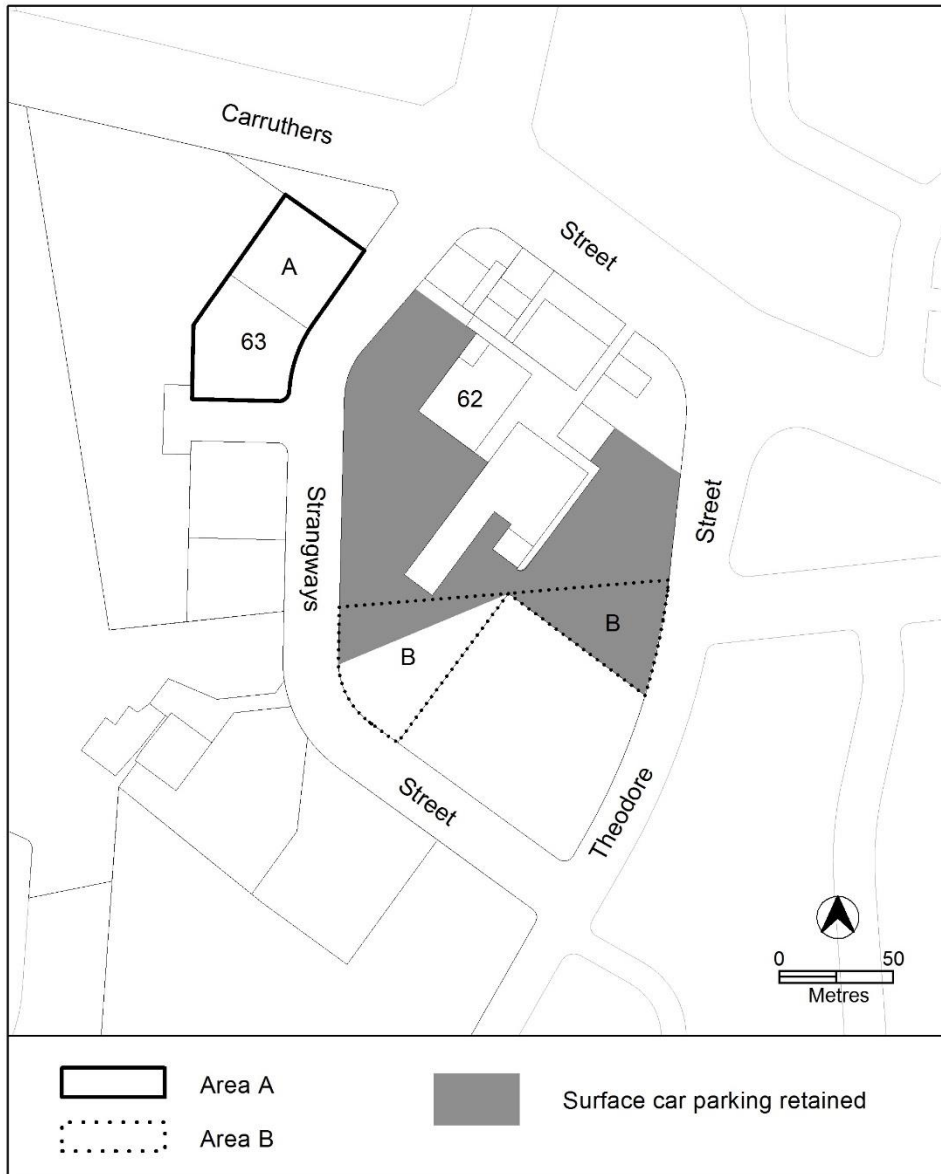
This part applies to blocks and parcels identified in area RC1 shown on the Curtin Precinct Map. RC1 includes the Curtin Group Centre.

### Desired character

- A busy community hub that offers a broad range of services and facilities to diverse user groups in the area
- Provide sustainable and high-quality housing options to attract residents to the area
- Maintain the human scale character of the public spaces within the centre
- Provide a reasonable level of sunlight to the central courtyard
- Be an attractive place to do business for local retailers and other businesses
- Provide opportunities for evening activities, as well as informal recreation, community and leisure uses
- Pedestrians and cyclists will be able to access the centre safely and efficiently and be connected to nearby facilities such as schools, aged care accommodation and the future City to Woden light rail on Yarra Glen.

### Element 1: Use

Rules	Criteria
<b>1.1 Ground floor use</b>	
<p>R1</p> <p>This rule applies to sites with boundaries to primary active frontages shown in Figure 4.</p> <p>Only the following uses are permitted along the primary active frontage at the ground floor level:</p> <p>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>	<p>C1</p> <p>Buildings fronting main pedestrian areas and routes incorporate uses on the ground floor that generate activity in the public space.</p>
<p>There is no applicable rule.</p>	<p>C2</p> <p>This criterion applies to sites with secondary active frontages shown in Figure 4.</p> <p>Buildings incorporate uses on the ground floor that generate activity in the public space.</p>



**Figure 1**

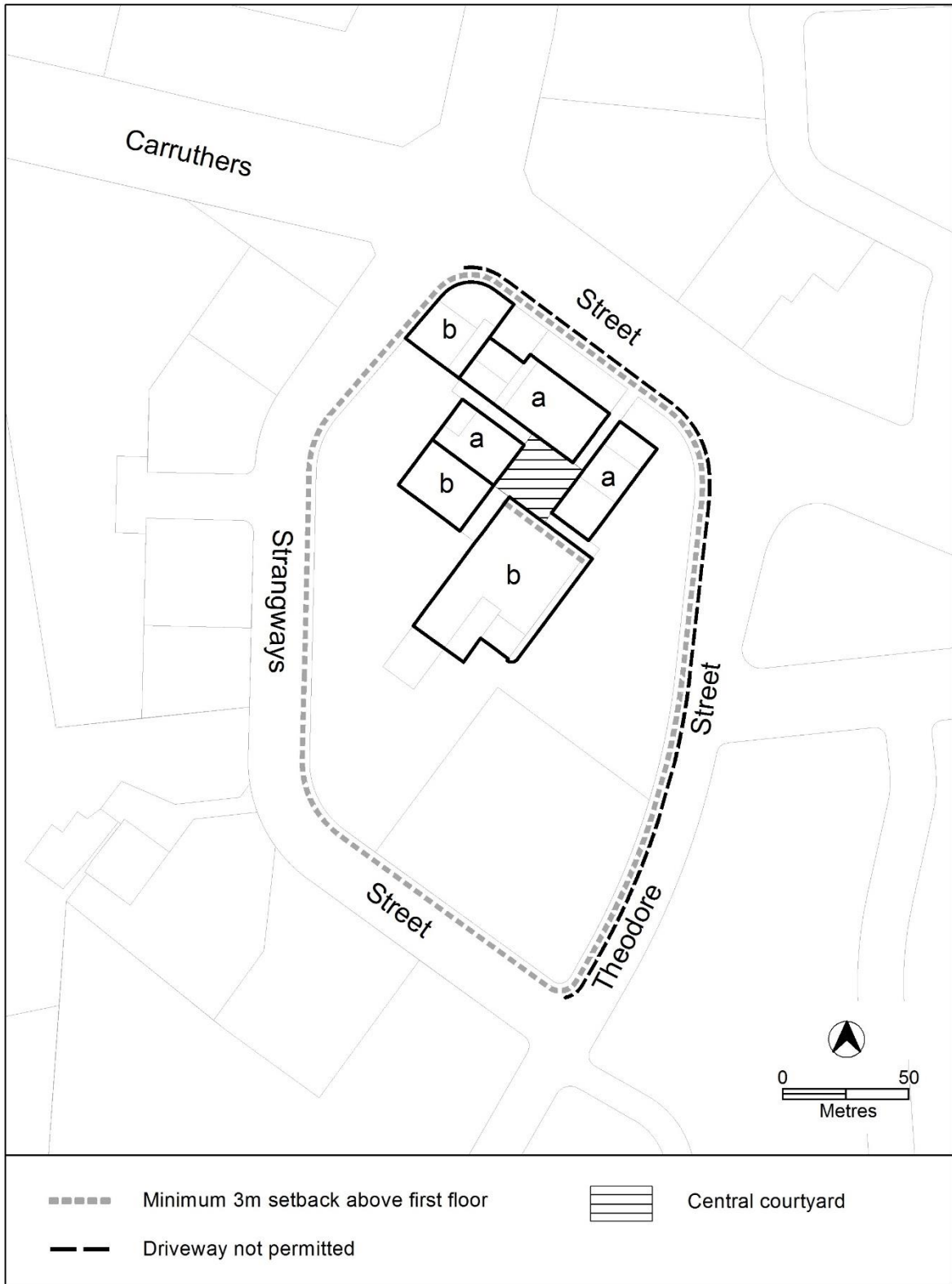
Rules	Criteria
<b>1.2 Parking</b>	
<p>R3</p> <p>Existing surface car parking shown in Figure 1 is retained. No other development is permitted, except any associated works to the surface car park.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<b>1.3 Residential use – CZ3 – ground floor</b>	
<p>R4</p> <p>This rule applies to area 'A' shown in figure 1.</p> <p><i>RESIDENTIAL USE</i> is only permitted at the ground floor level where development complies with Australian Standard <i>AS4299 – Adaptable housing</i> (class C) and the Access and Mobility General Code.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<b>1.4 Potential contamination</b>	
<p>R5</p> <p>This rule applies to Area B shown in Figure 1, where an assessment by the proponent in accordance with the ACT Contaminated Sites Environment Protection Policy 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 site assessment report endorsed by Environment Protection Authority.</p> <p><b>Note:</b> A condition of development approval may be imposed to ensure compliance with the endorsed site assessment report.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<b>1.5 Noise</b>	
<p>R6</p> <p>This rule applies to Area B shown in Figure 1. A noise assessment is to be undertaken identifying any surrounding noise and providing mitigation measures within the development area to the satisfaction of the Environment Protection Authority.</p> <p>Development complies with a noise assessment report endorsed by Environment Protection Authority.</p> <p><b>Note:</b> A condition of development approval may be imposed to ensure compliance with the endorsed noise assessment report.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

## Element 2: Buildings

Rules	Criteria
<b>2.1 Building heights</b>	
<p>R7</p> <p>This rule applies to the CZ1 zone, excluding areas that have alternative building heights identified elsewhere in this code.</p> <p>The maximum <i>height of building</i> is two storeys with a total height not more than 9 metres above <i>datum ground level</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R8</p> <p>This rule applies to area 'a' shown in Figure 2.</p> <p>The maximum <i>height of building</i> is one storey with a total height not more than 5 metres above <i>datum ground level</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R9</p> <p>This rule applies to area 'b' shown in Figure 2.</p> <p>The maximum <i>height of building</i> is up to 2 storeys with a total height not more than 9 metres above <i>datum ground level</i>.</p> <p>Plant room that is screened from view and set back a minimum of 3m from the building facade of the floor immediately below is not included in the <i>height of building</i>.</p> <p><i>Note: Additional height restrictions may apply as described in the following rules and criteria.</i></p>	<p>C9</p> <p>For area 'b', additional storeys may be considered where development complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) Development retains reasonable solar access to the main daytime living areas of <i> dwellings</i> on adjoining blocks and their associated <i>principle private open space</i></li> <li>b) The design of buildings reflects the existing local character and desired character of the group centre</li> <li>c) Development contributes to the mix of uses and/or housing diversity of Curtin</li> <li>d) Development is supported by a visual assessment that provides: <ul style="list-style-type: none"> <li>i) Analysis of the group centre and surrounding landscape character to demonstrate how the development positively contributes to the desired character of the group centre, primary pedestrian routes, streetscape character and nearby development</li> <li>ii) Analysis of key views, at the pedestrian level, to demonstrate how the proposal has been designed to consider key views into the centre and from key locations in Curtin</li> </ul> </li> </ul>

Rules	Criteria
	<p>iii) Evidence outlining how the proposal is designed to minimise potential impacts on the surrounding landscape character and public spaces, including the central courtyard.</p> <p>Maximum <i>height of building</i> is the lesser of 5 storeys and 18 metres above <i>datum ground level</i>.</p>
<b>2.2 Building setbacks and solar access to the central courtyard</b>	
<p>R10</p> <p>This rule applies to development in area 'a' and 'b' shown in Figure 2.</p> <p>Buildings do not overshadow the central courtyard beyond the shadow cast by a notional 5 metre high fence measured from the <i>datum ground level</i> at the boundary adjoining the central courtyard shown in Figure 2 at the winter solstice between 9:00am and 3:30pm.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>There is no applicable rule.</p>	<p>C11</p> <p>Development demonstrates that reasonable sunlight for adjacent public spaces is maintained on the winter solstice between 9:00am and 2:30pm.</p>
<p>R12</p> <p>This rule applies to development on Block 25 Section 62 Curtin shown in Figure 2.</p> <p>Development above one <i>storey</i> is setback a minimum of 3m from each boundary adjoining the central courtyard shown in Figure 2.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R13</p> <p>Buildings directly fronting Strangways Street, Carruthers Street and Theodore Street has a minimum setback of 3 metres above the first floor as shown in Figure 2.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

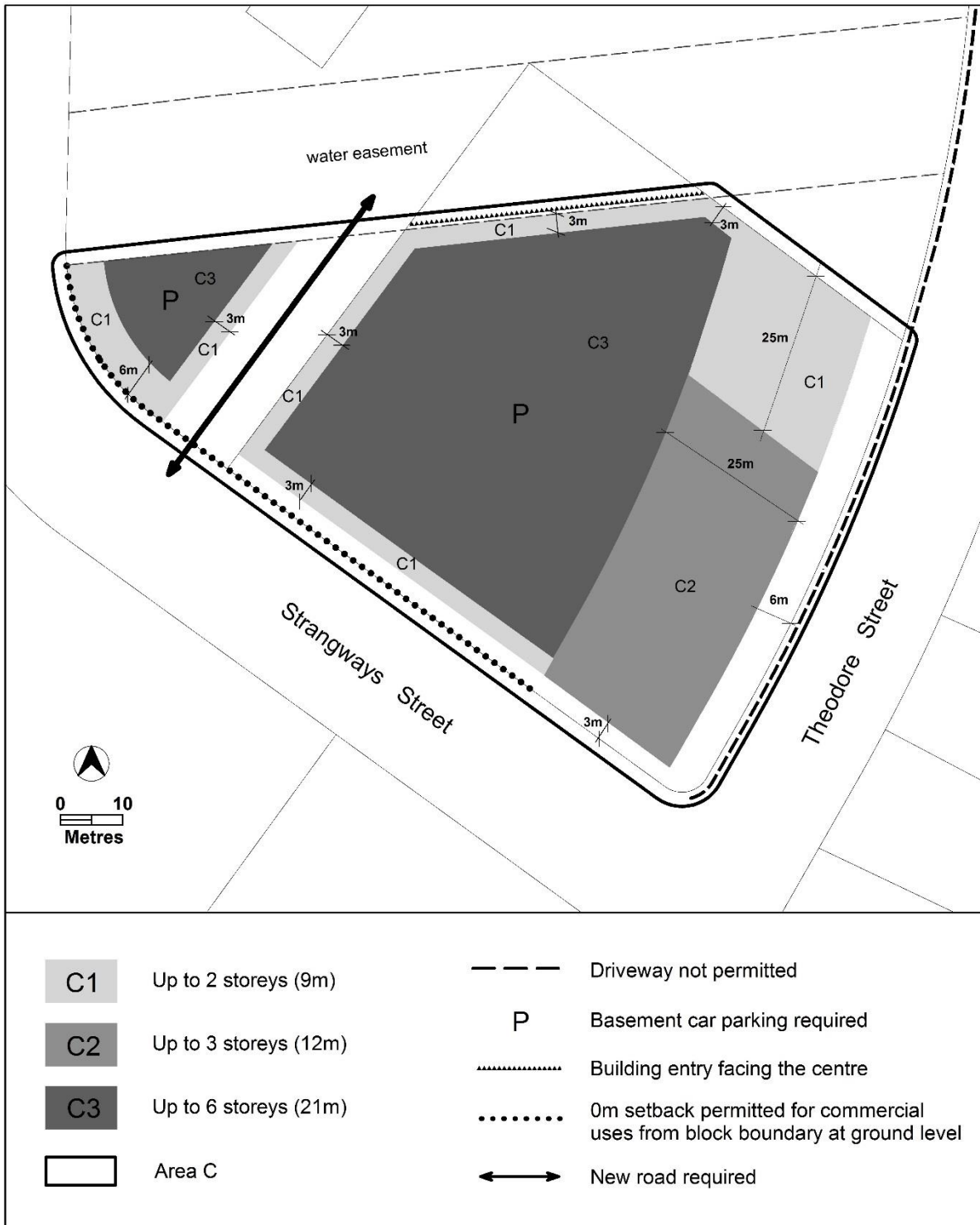


**Figure 2 Building heights and setbacks**

Rules	Criteria
<b>2.3 Building heights and setbacks – Area C</b>	
<p>R14</p> <p>This rule applies to Area C in Figure 3.</p> <p>The maximum <i>height of building</i> is:</p> <p>a) for area 'C1', two <i>storey</i> with a total height not more than 9 metres above <i>datum ground level</i></p> <p>i) buildings, including basement, are setback a minimum of 6 metres from Theodore Street and a minimum of 3 metres from all other existing block boundaries of Block 6 Section 62 Curtin and from the boundary of water easement as shown in Figure 3</p> <p>ii) buildings, including basement, can have zero metre setback for commercial uses along Strangways Street to the extent shown in Figure 3</p> <p>iii) at least one main building entry is to face the centre as shown in Figure 3.</p> <p>b) for area 'C2', up to 3 storeys with a total height not more than 12 metres above <i>datum ground level</i></p> <p>i) buildings, including basement, are setback a minimum of 3 metres from Strangways Street boundary, 6 metres from Theodore Street boundary, and 25 metres from the boundary immediately next to Theodore Street as shown in Figure 3.</p> <p>c) for area 'C3', up to 6 <i>storeys</i> with a total height not more than 21 metres above <i>datum ground level</i></p> <p>i) buildings are setback a minimum of 31 metres from Theodore Street boundary</p> <p>ii) buildings are setback a minimum of 3 metres above the first floor for development facing Strangways Street.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>R15</p> <p>For residential development located on the ground floor level for Area C shown in Figure 3, the development must comply with the following:</p> <ul style="list-style-type: none"> <li>a) setback a minimum 3 metres from the front block boundary facing Strangways Street to allow for a raised courtyard and landscaping</li> <li>b) provide a ground floor courtyard that is raised 600-900mm above the verge level with the courtyard being setback a minimum 2 metres from the Theodore Street front block boundary and a minimum 800mm from the Strangways Street front block boundary.</li> <li>c) provide screen plantings between the raised courtyard and front block boundary.</li> <li>d) provide a low transparent fence at the edge of the raised courtyard that is no higher than 1.8 metres above the verge level. Where possible, the fence is to include a gate with pedestrian access provided between an individual courtyard and public footpath (where a public footpath exists.)</li> </ul>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

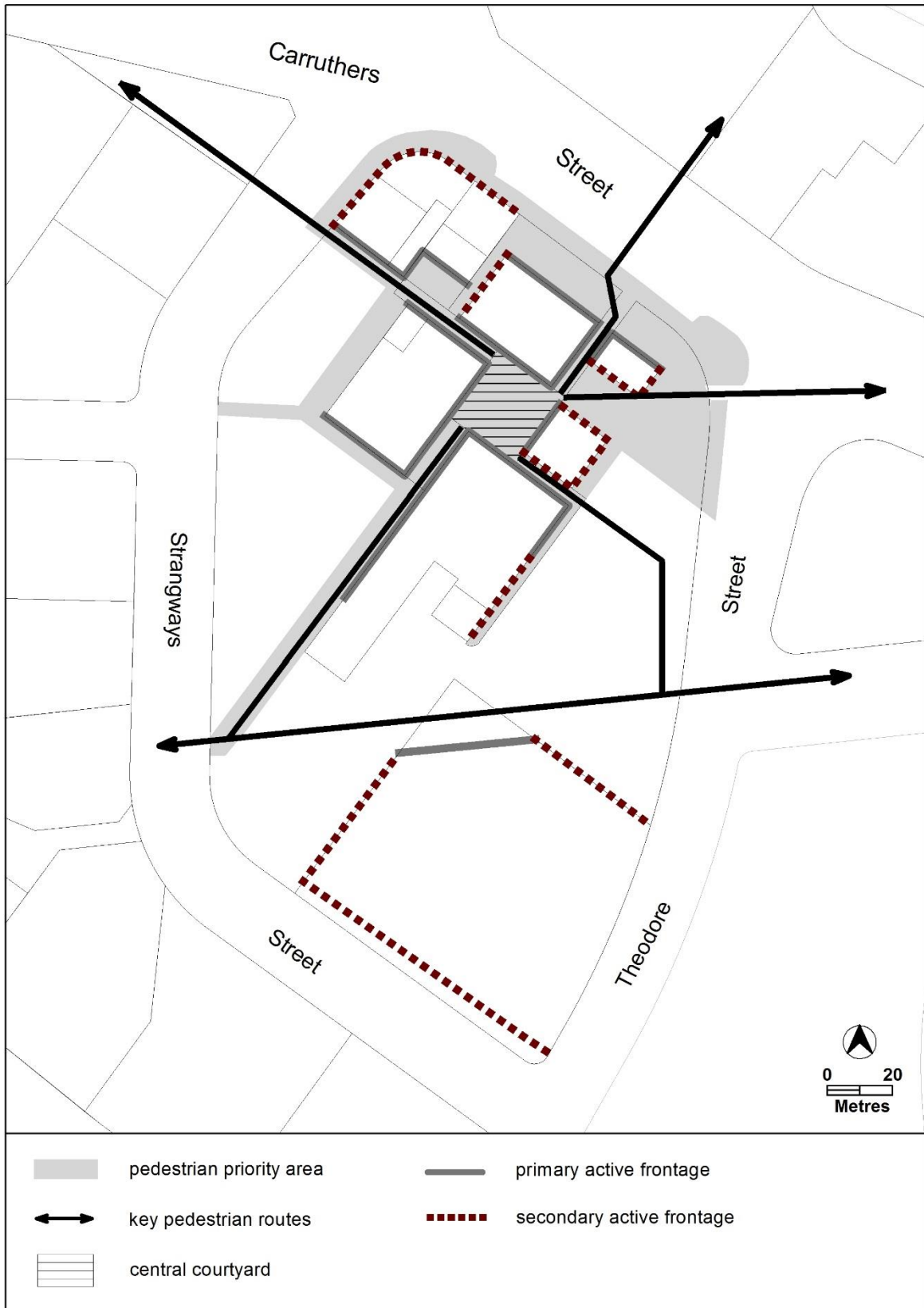




**Figure 3 Building heights, setbacks and new road – Area C**

Rules	Criteria
<b>2.4 Development on nominated car parking areas</b>	
<p>R16</p> <p>This rule applies to Area C, shown in Figure 3.</p> <p>Development complies with all of the following:</p> <p>a) the existing number of car parking spaces is retained on the site and made available for public use at all times</p> <p>b) provides car parking that is generated by the development on site in accordance with the <i>Parking and Vehicular Access General Code</i>.</p> <p><b>Note:</b> the spaces required under b) are in addition to those required by a).</p>	<p>C16</p> <p>Development achieves all of the following:</p> <p>a) any additional parking provision requirements (under the <i>Parking and Vehicular Access General Code</i>) for the development</p> <p>b) makes a substantial contribution to the long term publicly accessible parking supply for the group centre.</p>
<b>2.5 Building Design</b>	
<p>R17</p> <p>This rule applies in CZ1 and CZ2.</p> <p>The minimum floor to ceiling height at ground floor level is 3.6m.</p>	<p>C17</p> <p>The ground floor level of buildings is adaptable for commercial uses.</p>
<b>2.6 Passive surveillance</b>	
<p>R18</p> <p>Residential development along primary or secondary active frontages shown in Figure 4 or public open space areas includes balconies and/or windows to main living areas addressing each street frontage and public spaces.</p>	<p>C18</p> <p>Residential development provides opportunities for passive surveillance of public spaces and pedestrian areas.</p>
<p>There is no applicable rule.</p>	<p>C19</p> <p>Ground floor public entrances, including residential lobby and lift areas are clearly visible from external public spaces.</p>
<b>2.7 Main pedestrian areas and routes</b>	
<p>R20</p> <p>This rule applies to main pedestrian areas shown in Figure 4.</p> <p>Development ensures pedestrian areas remain unenclosed and publicly accessible at all times.</p> <p><b>Note:</b> A condition of approval may be imposed regarding the tenure of pedestrian routes.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<b>2.8 Active frontages</b>	
<p>R21</p> <p>For buildings located along primary active frontage areas shown in Figure 4, frontages and building design comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) buildings incorporate clear display windows and/or shop fronts at the ground floor level for a minimum of 70% of the frontage</li> <li>b) buildings incorporate direct pedestrian access at grade with the verge level/courtyard level for access and egress.</li> </ul>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R22</p> <p>For buildings located along secondary active frontage areas shown in Figure 4, frontages and building design comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) buildings incorporate clear display windows and shopfronts at the ground floor level</li> <li>b) buildings incorporate direct pedestrian access at grade with the verge level/courtyard level for access and egress.</li> </ul>	<p>C22</p> <p>Development at ground floor level achieves all of the following:</p> <ul style="list-style-type: none"> <li>a) is adaptable for shops</li> <li>b) direct pedestrian access at the same level as the immediately adjoining verge</li> <li>c) provide opportunities for views into and out of the building</li> </ul>
<b>2.9 Access</b>	
<p>R23</p> <p>Access to Block 7 Section 62 Curtin adjacent to Curtin Place to be provided to allow for safe and easy access for large vehicles and along with improved pedestrian access to adjacent uses.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R24</p> <p>No driveway access is permitted along Carruthers Street and Theodore Street for CZ1 and CZ2 in the group centre shown in Figure 2.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>



**Figure 4 Active frontages and main pedestrian areas**

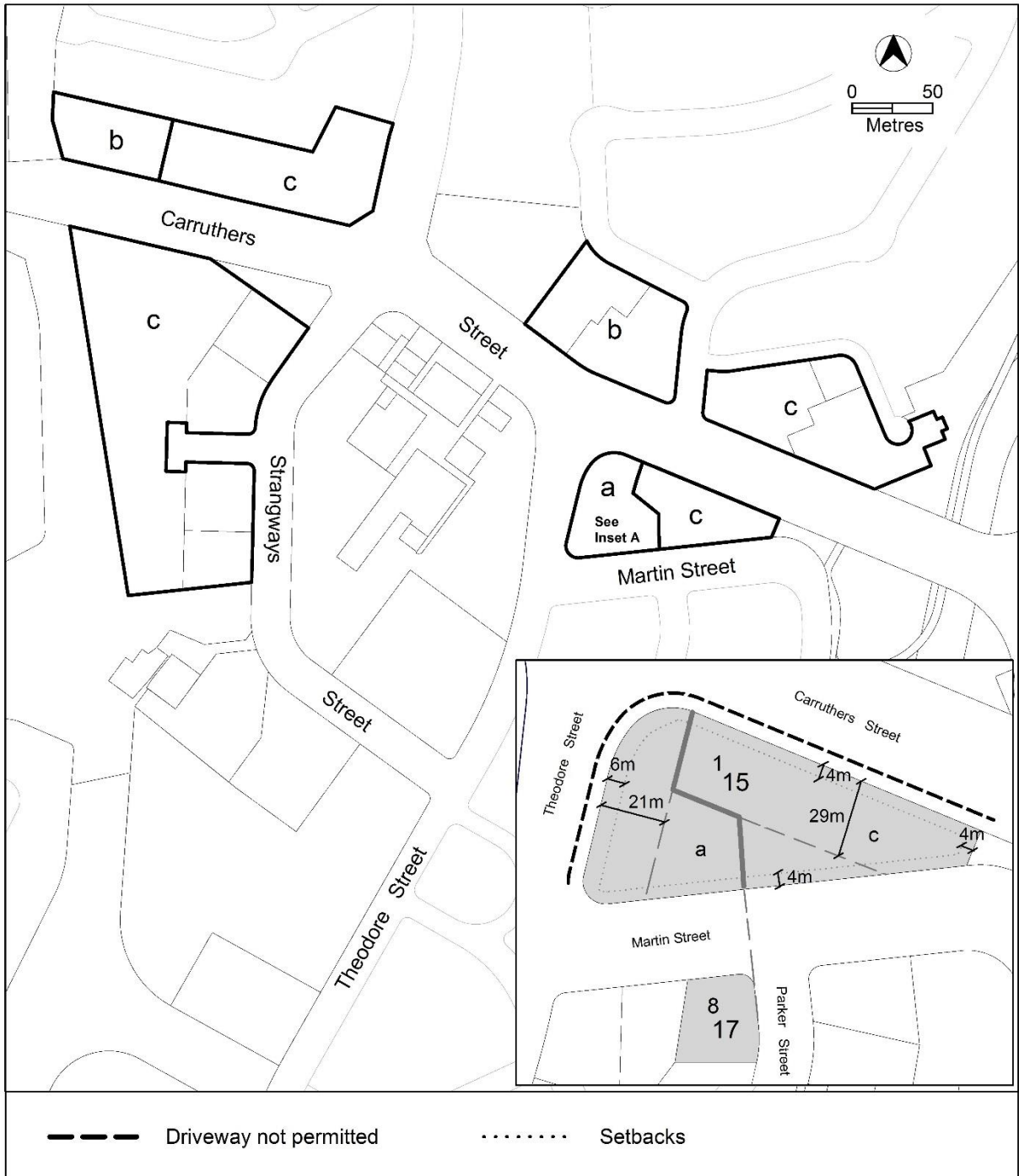
Rules	Criteria
There is no applicable rule.	<p>C25</p> <p>Extensive lengths of blank facades, open structured car parks and loading docks are not located along primary active frontage areas, and do not dominate secondary active frontage areas shown in Figure 4.</p>
There is no applicable rule.	<p>C26</p> <p>Utility infrastructure, such as electricity substations and water boosters, located along primary active frontages shown in Figure 4 are minimised and/or screened.</p>
<b>2.10 Awnings</b>	
<p>R27</p> <p>This rule applies to buildings fronting primary active frontage areas shown in Figure 4.</p> <p>Buildings incorporate cantilevered awnings for the full extent of the building frontage that comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) provide a minimum height clearance of 3m</li> <li>b) provide a maximum height of 3.5m above <i>datum ground level</i></li> <li>c) are integrated into the building design at the first floor level</li> <li>d) are a minimum of 3m in cantilever depth, except where: <ul style="list-style-type: none"> <li>i) opposing primary active frontages are 6m apart or less, awning depth may be reduced to ensure awnings are separated by not more than 0.5m</li> <li>ii) a reduction in awning depth is required to accommodate existing infrastructure and/or street trees.</li> </ul> </li> </ul>	<p>C27</p> <p>Awnings provide continuous all weather pedestrian shelter and activity in a form compatible with existing awnings.</p>
<b>2.11 New road</b>	
<p>R28</p> <p>This rule applies to development in Area C in CZ2 shown in Figure 3.</p> <p>Development incorporates the new road shown in Figure 3, connecting Strangways Street to the existing internal car parking circulation lane.</p>	<p>C28</p> <p>Development does not preclude the provision of a road in the location shown in Figure 3.</p>

## RC2 – Curtin residential areas

This part applies to blocks and parcels identified in area RC2 shown on the Curtin Precinct Map.

### Element 3: Building heights

Rules	Criteria
<b>3.1 Building heights</b>	
<p>R29</p> <p>This rule applies to the areas shown in Figure 5.</p> <p>The maximum <i>height of building</i> for:</p> <ul style="list-style-type: none"> <li>a) area 'a' is up to 3 <i>storeys</i> with a maximum height of 12 metres above <i>datum ground level</i></li> <li>b) area 'b' is up to 4 <i>storeys</i> with a maximum height of 15 metres above <i>datum ground level</i></li> <li>c) area 'c' is up to 6 <i>storeys</i> with a maximum height of 21 metres above <i>datum ground level</i></li> </ul> <p>Area 'a' and 'c' for Block 1 Section 15 Curtin shown in Figure 5 are measured 21 metres from the mid-point of the block boundary on Theodore Street, 29 metres from the mid-point of the boundary along Carruthers Street, intersect by the line drawn from the front block boundary of Block 8 Section 17 Curtin facing Parker Street.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<b>3.2 Building Setbacks</b>	
<p>R30</p> <p>This rule applies to development at Block 1 Section 15 Curtin shown in Figure 5 that comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) Building facing Carruthers Street and Martin Street has a minimum setback of 4 metres</li> <li>b) Building facing Theodore Street has a minimum setback of 6 metres.</li> </ul>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<b>3.3 Access</b>	
<p>R31</p> <p>Driveway is not permitted along Carruthers Street and Theodore Street for Block 1 Section 15 Curtin shown in Figure 5.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>



**Figure 5 Buildings heights**