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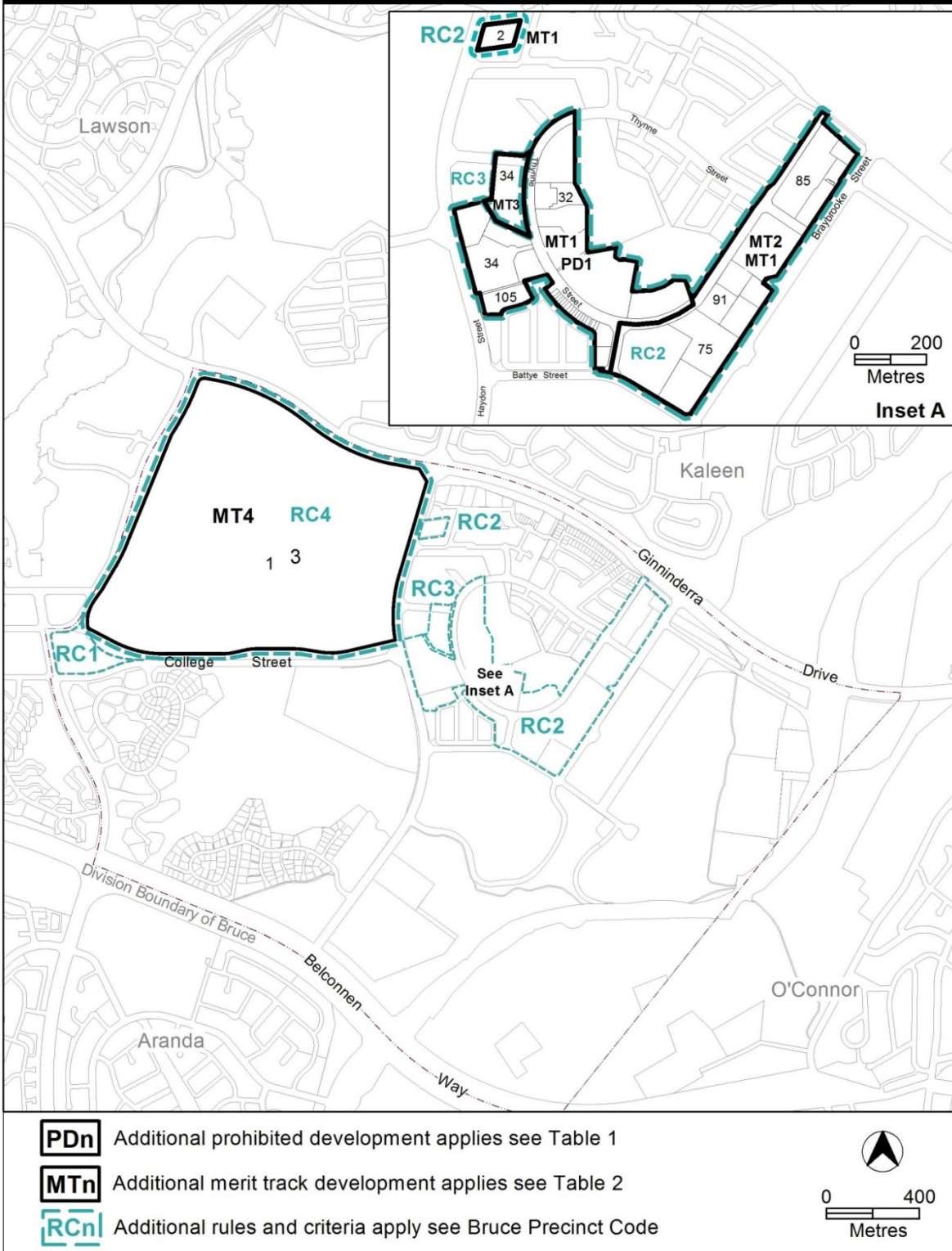
Environment and
Sustainable Development

Bruce Precinct Map and Code

includes
part Belconnen Town Centre

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Bruce Precinct Map



Assessment Tracks

The following tables identify the additional prohibited development and additional merit track development for blocks and parcels shown in the Bruce 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	CZ5	<i>hotel</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	CZ5	<i>defence installation</i> <i>drink establishment</i> <i>light industry</i> <i>place of assembly</i> <i>scientific research establishment</i> <i>store</i> <i>warehouse</i>
MT2	CZ5	<i>club</i>
MT3	CZ4	<i>drink establishment</i>
MT4	CFZ	<i>car park</i> <i>club</i> <i>commercial accommodation unit</i> <i>communications facility</i> <i>craft workshop</i> <i>drinks establishment</i> <i>financial establishment</i> <i>hotel</i> <i>indoor entertainment facility</i> <i>light industry</i> <i>motel</i> <i>multi-unit housing</i> <i>nature conservation area</i> <i>place of assembly</i> <i>playing field</i> <i>pedestrian plaza</i> <i>produce market</i> <i>public transport facility</i> <i>restaurant</i> <i>scientific research establishment</i> <i>service station</i> <i>serviced apartment</i> <i>SHOP</i> <i>store</i> <i>veterinary hospital</i>

Bruce Precinct Code

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Introduction

Name

The name of this code is **Bruce Precinct Code**.

Application

The code applies to the Division of Bruce.

Purpose

This code provides additional planning, design and environmental controls for specific areas or blocks and may also contain references to provisions in other codes.

In conjunction with other relevant codes it will be used by the *Authority* to assess development applications and offer guidance to intending applicants in designing development proposals and preparing development applications.

Structure

This code contains additional rules and/or criteria for particular blocks or parcels identified as areas RCn on the precinct map, to be read in conjunction with the relevant development code. It may also contain sub-parts.

Each element has one or more rules and, unless the respective rule is mandatory, each rule has an associated criterion. 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.

Code hierarchy

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

If more than one precinct code applies to the site, the most recent precinct code takes precedence to the extent of any inconsistency.

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	Planning and Land Authority within the ACT Environment and Sustainable Development Directorate
EPA	ACT Environment Protection Authority
ESA	ACT Emergency Services Agency
ESDD	ACT Environment and Sustainable Development Directorate
NCA	National Capital Authority
P&D Act	Planning and Development Act 2007
TAMS	ACT Territory and Municipal Services Directorate

Additional rules and criteria

This part applies to blocks and parcels identified in the Bruce Precinct Map (RCn). It should be read in conjunction with the relevant zone development code and related codes.

RC1 – Belconnen Town Centre (part)

This part applies to blocks and parcels identified in area RC1 shown on the Bruce Precinct Map. RC1 is part of the Belconnen Town Centre.

Element 1: Use

Rules	Criteria
1.1 SHOP – gross floor area	
R1 The maximum <i>gross floor area</i> of <i>SHOP</i> per tenancy is 200m ² .	C1 <i>SHOPS are limited to a scale appropriate to providing convenient shopping and personal services for the local workforce and residents.</i>

Element 2: Buildings

Rules	Criteria
2.1 Height of buildings	
There is no applicable rule.	C2 Buildings achieve all of the following a) consistency with the <i>desired character</i> of Belconnen Town Centre b) scale appropriate to the function of the use c) minimal detrimental impacts including overshadowing and excessive scale Note: refer to Belconnen precinct map and code for the desired character of Belconnen Town Centre.
2.2 Materials and finishes	
There is no applicable rule.	C3 Building colours and materials achieve consistency with existing development in the town centre.

RC2 – Commercial Mixed Use Area

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

Element 3: Use

Rules	Criteria
3.1 Club and hotel	
<p>R4</p> <p>The following uses are only permitted along Battye Street, Braybrooke Street and Watkin Street:</p> <p>a) club</p> <p>b) hotel</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
3.2 Light industry	
<p>R5</p> <p>Light industry is for the purpose of electronic and micro-electronic systems, computer software and hardware, instrumentation and instruments, electronic communication and telecommunication systems and goods, biological, medical or paramedical goods, or other goods for scientific or technological use.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
3.3 SHOP – CZ5 – gross floor area	
<p>R6</p> <p>The maximum <i>gross floor area</i> is:</p> <p>a) for <i>SHOP</i> – 500m²</p> <p>b) for <i>supermarket</i> – 200m²</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 4: Buildings

Rules	Criteria
4.1 Number of storeys	
<p>There is no applicable rule.</p>	<p>C7</p> <p>The maximum height of buildings is generally 2 to 3 storeys. Buildings up to 5 storeys may be considered where all of the following is achieved:</p> <p>a) mark appropriate focal points and key activities in landmark locations such as in the vicinity of Haydon Drive, Battye Street, Watkins Street and Braybrooke Street, or</p>

Rules	Criteria
	<p>the Intertown Public Transport Route</p> <p>b) compatible with the <i>desired character</i> of, adjacent development and the visual and physical relationship between Bruce and the surrounding areas including the Belconnen Town Centre.</p>
4.2 Plot ratios	
<p>There is no applicable rule.</p>	<p>C8</p> <p>Plot ratios comply with all of the following:</p> <p>a) compatibility with existing adjacent development</p> <p>b) appropriate to the scale and function of use</p> <p>c) do not cause detrimental impacts including overshadowing and excessive scale.</p> <p>The overall plot ratio in Bruce does not exceed 0.8 (80%) excluding public roads and public open space.</p>
4.3 Front setbacks	
<p>R9</p> <p>The minimum front setbacks are:</p> <p>a) Battye Street and Braybrooke Street and Haydon Drive – 10 m</p> <p>b) Thynne Street and Watkin Street – 6 m.</p>	<p>C9</p> <p>Buildings fronting the following streets achieve:</p> <p>a) Thynne Street</p> <p>i) a strong built edge to reinforce its circular form</p> <p>ii) continues the existing landscaped street setting</p> <p>b) Battye Street, Braybrooke Street and Watkin Street</p> <p>i) a strong built edge to the Bruce mixed use area</p> <p>ii) provides space for a landscaped foreground to new buildings.</p>
4.4 Ground floor residential – commercial adaptability	
<p>There is no applicable rule.</p>	<p>C10</p> <p>The ground floor level of residential buildings along Battye Street, Braybrooke Street, Watkin Street and Thynne Street are designed to be adaptable for commercial use.</p>

RC3 – Bruce Local Centre

This part applies to blocks and parcels identified in area RC3 shown on the Bruce Precinct Map.

Element 5: Buildings

Rules	Criteria
5.1 Number of storeys	
<p>R11 The maximum number of storeys is 2.</p>	<p>C11 Buildings achieve all of the following</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) scale appropriate to the function of the use c) minimal detrimental impacts including overshadowing and excessive scale <p>The maximum number of storeys is 3.</p>
5.2 Plot ratio	
<p>R12 The maximum plot ratio is 80%.</p>	<p>C12 Buildings achieve all of the following</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) scale appropriate to the function of the use c) minimal detrimental impacts including overshadowing and excessive scale.

RC4 – University of Canberra

This part applies to blocks and parcels identified in area RC4 shown on the Bruce Precinct Map.

Element 6: General Development Controls

Rules	Criteria
6.1 Storage	
There is no applicable rule.	<p>C13</p> <p>Where the proposed development requires open areas for storage of goods and materials, adequate provision is included in the design and layout of the site and should not encroach on car parking, driveways or landscape areas and be adequately screened from public view so it does not detract from the development or its surroundings.</p>
6.2 Traffic Generation	
There is no applicable rule.	<p>C14</p> <p>The existing road network can accommodate the amount of traffic that is likely to be generated by the development.</p>
6.3 Vehicular Access	
<p>R15</p> <p>This rule applies to all development not covered by the Parking and Vehicle Access General Code for the Community Facility Zone</p> <p>Development complies with the Parking and Vehicle Access General Code for 'Commercial CZ5 mixed use zone'</p> <p>Where not covered elsewhere by this rule, parking requirements for development is subject to individual assessment.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
6.4 Noise	
<p>R16</p> <p>This rule applies to any of the following:</p> <ul style="list-style-type: none"> a) <i>club</i> b) <i>drinks establishment</i> c) <i>emergency services facility</i> d) <i>hotel</i> e) <i>indoor recreation facility</i> f) <i>indoor entertainment facility</i> g) <i>outdoor recreation facility</i> h) <i>restaurant</i> <p>Development complies with a noise management plan prepared by a suitably qualified person and endorsed by the Environment Protection Authority (EPA).</p> <p>The noise management plan will detail the proposed design, siting and construction methods that will be employed to ensure compliance with the Environment Protection Regulation 2005, based on the estimated noise levels when the facility is used.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
6.5 Wind	
<p>There is no applicable rule.</p>	<p>C17</p> <p>This criterion applies to buildings with a <i>height of building</i> greater than 19m but less than 28m.</p> <p>The wind patterns associated with the proposed building will not unreasonably reduce the safety and comfort of people in the public realm or other open spaces associated with the development, compared with a similar building on the site with a <i>height of building</i> of 19m.</p> <p>Compliance with this criterion will be demonstrated by a wind assessment report prepared by a suitably qualified person.</p>

Rules	Criteria
<p>R18</p> <p>This rule applies to buildings with a <i>height of building</i> greater than 28m</p> <p>As a consequence of the proposed development wind speeds do not exceed 16 m/s for all adjacent streets, public places and pedestrian areas.</p> <p>Compliance with this rule is demonstrated by a wind assessment report prepared by a suitably qualified person.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
6.6 Landscaping	
<p>There is no applicable rule.</p>	<p>C19</p> <p>This criterion applies to all uses, excluding <i>multi unit</i> housing.</p> <p>Landscaping associated with the development achieves all of the following:</p> <ul style="list-style-type: none"> a) responds to site attributes, including streetscapes and landscapes of documented heritage significance b) appropriate scale relative to the road reserve width and building bulk c) vegetation types and landscaping styles which complement the landscape character of the campus d) integration with park , reserves and public transport corridors e) does not adversely affect the structure of the proposed buildings or adjoining buildings f) contribution to energy efficiency and amenity by providing substantial shade in summer, particularly to west-facing windows, open car park areas, winter sunlight to outdoor and indoor living areas g) minimises the risk of damage to above and underground utilities and screen aboveground utilities h) provides adequate site lines for vehicles and pedestrians, especially near street corners and intersections i) does not obscure or obstruct building entries, paths and driveways to reduce the safety and security.

Element 7: Use

Rules	Criteria
7.1 SHOP – floor area limit	
<p>R20</p> <p>The maximum <i>gross floor area</i> per <i>SHOP</i> (excluding supermarket): 200m²</p>	<p>C20</p> <p><i>SHOPs</i> are limited to a scale appropriate to providing convenience shopping and personal services for the local workforce, students and residents.</p>
<p>R21</p> <p>The maximum <i>gross floor area</i> per supermarket: 1000m²</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>
<p>R22</p> <p>The maximum <i>gross floor area</i> for all <i>SHOP's</i> (including supermarket): 4000m².</p>	<p>C22</p> <p>The maximum <i>gross floor area</i> for all <i>SHOP's</i> (including supermarket) is limited to a scale that is appropriate to provide convenience shopping and personal services for the local workforce, students and residents or must not have a material adverse impact on the Belconnen Town Centre and other surrounding commercially viable group and local centres.</p>
7.2 Produce Market	
<p>There is no applicable rule.</p>	<p>C23</p> <p><i>Produce market</i> is limited to a scale appropriate to providing convenience shopping and personal services for the local workforce, students and residents or must not have a material adverse impact on similar uses within the Belconnen Town Centre.</p>
7.3 Business Agency, Public Agency and Office	
<p>R24</p> <p>Rule 4 of the Community Facility Zone Development Code does not apply.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>R25</p> <p>This rule applies to any of the following:</p> <p>a) <i>business agency</i></p> <p>b) <i>public agency</i></p> <p>The maximum <i>gross floor area</i> per <i>business agency</i> or <i>public agency</i> is: 2000m²</p> <p>This rule does not apply where a <i>business agency</i> or <i>public agency</i> is considered an <i>ancillary use</i> to the use of the land as an <i>educational establishment</i>.</p> <p>Note: This rule applies instead of R5 of the Community Facility Zone Development Code.</p>	<p>C25</p> <p>Where a <i>business agency</i> or <i>public agency</i> are not considered ancillary to the use of the land as an <i>educational establishment</i> a report must be prepared by a suitably qualified person demonstrating that the proposal will not have a material adverse impact on the Belconnen Town Centre.</p>
<p>R26</p> <p>This rule applies to <i>office</i>. This rule does not apply where an <i>office</i> is a part of an <i>educational establishment</i> or is an <i>ancillary use</i> to the use of the land as an <i>educational establishment</i>.</p> <p>The maximum <i>gross floor area</i> per <i>office</i> is: 5000m²</p> <p>Note: This rule applies instead of R5 of the Community Facility Zone Development Code.</p>	<p>C26</p> <p>Where a <i>office</i> is not considered as :</p> <p>a) a <i>ancillary use</i> to the use of the land as an <i>educational establishment</i>; or</p> <p>b) part of an <i>educational establishment</i>.</p> <p>A report must be prepared by a suitably qualified person demonstrating that the proposal will not have a material adverse impact on the Belconnen Town Centre.</p>
<p>R27</p> <p>This rule applies to <i>office</i>.</p> <p>The maximum <i>gross floor area</i> for all <i>office</i> is: 30 000m²</p> <p>This rule does not apply where an <i>office</i> is a part of an <i>educational establishment</i> or is an <i>ancillary use</i> to the use of the land as an <i>educational establishment</i>.</p> <p>Note: this rule applies instead of R5 of the Community Facility Zone Development Code.</p>	<p>C27</p> <p>Where a <i>office</i> is not considered as :</p> <p>a) a <i>ancillary use</i> to the use of the land as an <i>educational establishment</i>; or</p> <p>b) part of an <i>educational establishment</i>.</p> <p>A report prepared by a suitably qualified person and endorsed by the Strategic Planning Branch demonstrating that the cumulative impacts of additional <i>office</i> development will not have a material adverse impact on Belconnen Town Centre.</p>

Element 8: Buildings

Rules	Criteria
8.1 Height of buildings	
<p>R28</p> <p>The maximum <i>height of building</i> is 15m</p> <p>Note: This rule replaces any other height rule mentioning <i>height of building</i> in metres or storeys.</p>	<p>C28</p> <p>The <i>height of a building</i>, may be increased:</p> <ul style="list-style-type: none"> a) up to 28m, where the development complies with all of the following: <ul style="list-style-type: none"> i. minimises detrimental impacts, including overshadowing and excessive scale; and ii. provides reasonable solar access to pedestrian areas, surrounding residential dwellings and their associated private open space. b) up to 40m, where the development complies with all of the following: <ul style="list-style-type: none"> i. a) i. and a) ii. of this criteria; ii. the building responds to topography by limiting excessive building heights in elevated areas; and iii. where two or more buildings above 30m are within close proximity to one another they do not create excessive bulk and scale or are not the dominant built form.
8.2 Street Address	
<p>There is no applicable rule.</p>	<p>C29</p> <p>All buildings within 50m of a <i>front boundary</i> must provide to the street frontage:</p> <ul style="list-style-type: none"> a) an interesting and/or articulated façade particularly to the front boundary; b) clearly identified public pedestrian access points; c) with either: <ul style="list-style-type: none"> i. no loading docks facing the <i>front boundary</i>; or ii. loading docks that do not dominate the street frontage and do not conflict with parking or pedestrian movements in front of the building.

Rules	Criteria
8.3 Building design and materials	
There is no applicable rule.	<p>C30</p> <p>This criterion applies to all development excluding <i>multi unit housing</i>.</p> <p>Buildings are designed and built to achieve all of the following:</p> <ul style="list-style-type: none"> a) a positive contribution to the amenity and character of adjacent public spaces b) interesting, functional and attractive facades that contribute positively to the build form and pedestrian experience; and c) articulated building forms <p>Note: This criterion applies instead of rules and criteria relating to materials and finishes in the Community Facility Zone Development Code.</p>

Element 9: Residential Development

Rules	Criteria
9.1 Non-Student Accommodation	
<p>R31</p> <p>This rule does not apply to the following: <i>hotel, motel, commercial accommodation unit, residential care accommodation, retirement village, supportive housing</i> or development which is classified as 'student accommodation'. Total maximum number of <i>dwellings</i> - 3300.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
9.2 Multi Unit Housing	
<p>R32</p> <p><i>Multi unit housing</i> or residential components of commercial mixed use comply with the Residential Zones – Multi Unit Housing Development Code.</p>	<p>C32</p> <p><i>Multi unit housing</i> or residential components of commercial mixed use must be designed and built to comply with all of the following:</p> <ul style="list-style-type: none"> a) Development is innovative, including high quality architectural design and materials, interesting facades which offer passive surveillance and easily distinguishable building entries b) Development is designed and built to a very high environmentally sustainable standard and may including the use of sustainable materials, embodied energy, renewable energy sources and rainwater

Rules	Criteria
	<p>capture</p> <ul style="list-style-type: none"> c) Development is sensitive to its surroundings considering design, materials, height, bulk and scale d) Development provides reasonable solar access to the main daytime living areas and private open space of proposed dwellings e) Retains reasonable solar access to adjoining dwellings and their associated private open space f) Development provides suitable private open space which is easy to access and high quality landscaped area which break up excessive non-permeable surfaces g) Development provides adequate site open space, communal areas and high quality landscaping for all residents h) Development provides adequate privacy to residents of the proposal and adjoining (wholly or partially) residential buildings i) Vehicular parking, including visitor parking and access, is not a dominant feature or are obscured from public view j) Development provides reasonable levels of residential amenity waste management and other services k) Development must comply with the following provisions of the Multi Unit Housing Development Code that relate to: <ul style="list-style-type: none"> i. 'Adaptability of dwelling for use by people with a disability' ii. 'Noise attenuation – external sources' iii. 'Heritage' iv. 'Tree Protection' v. 'Water Sensitive Urban Design' vi. Part D 'Endorsement by government agencies (entities)' <p>Note: If the development complies with this criterion the Multi Unit Housing Development Code, unless otherwise stated by this criterion, does not apply.</p>

Element 10: Other Development Controls

Rules	Criteria
10.1 Water sensitive urban design	
<p>R33</p> <p>This rule applies to <i>sites</i> 5000m² or larger, excluding <i>multi unit housing</i>.</p> <p>The average annual storm water pollutant export is reduced for all of the following:</p> <ul style="list-style-type: none"> a) suspended solids by at least 60 percent b) total phosphorous by at least 45 percent c) total nitrogen by at least 40 percent <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>Note: Multi unit housing will need to comply with the rules and/or criteria (where relevant) for Water sensitive urban design located in the multi unit housing development code.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R34</p> <p>This rule applies to <i>sites</i> 2000m² or larger, excluding <i>multi unit housing</i>.</p> <p>Storm water management complies with one of the following:</p> <ul style="list-style-type: none"> a) the capacity of the existing pipe (minor) storm water connection is not exceeded in 1-in-10 year storm event and the capacity of the existing major overland storm water system is not exceeded in the 1-in-100 year storm event b) the 1-in-5 year and 1-in-100 year storm water 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>Note: <i>Multi unit housing</i> will need to comply with the rules and/or criteria (where relevant) for Water sensitive urban design located in the multi unit housing development code.</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>

Rules	Criteria
<p>R35</p> <p>This rule applies to <i>sites</i> 2000m² or larger, excluding <i>multi unit housing</i>.</p> <p>Provision is made for one or more of the following:</p> <ul style="list-style-type: none"> a) the storage of storm water equivalent to at least 1.kl 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>Note: <i>Multi unit housing</i> will need to comply with the rules and/or criteria (where relevant) for Water sensitive urban design located in the multi unit housing development code.</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>
<p>R36</p> <p>This rule applies to all development excluding <i>multi unit housing</i>.</p> <p>Evidence is provided that shows the development achieves a minimum 40% reduction in mains water consumption compared to an equivalent development constructed in 2003 using the ACTPLA on-line assessment tool or another tool as included in the Water Ways: water Sensitive Urban Design General Code. The 40% target is met without any reliance on landscaping measures to reduce consumption.</p> <p>This requirement does not apply for extensions with an increase in the combined roof area, driveway, car maneuvering areas and car parking areas of less than 25% of the original area.</p> <p>Note: Multi unit housing will need to comply with the rules and/or criteria (where relevant) for Water sensitive urban design located in the multi unit housing development code.</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>
<p>There is no applicable rule.</p>	<p>C37</p> <p>Underground piping of natural storm water overland flow paths is minimised.</p>

Rules	Criteria
10.2 Endorsement by government agencies (entities)	
<p>R38</p> <p>This rule applies to all development excluding <i>multi-unit</i> housing.</p> <p>Uses applicable to this rule complies with the Commercial Zones Development Code Part G – Endorsement by government agencies</p>	<p>This is a mandatory requirement. There is no applicable criterion</p>
10.3 Endorsement by government agencies (entities)	
<p>R39</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>Notes:</p> <ol style="list-style-type: none"> 1. Under the Planning and Development Regulation 2008 a development application for a declared site 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. Protected tree and declared site are defined under the <i>Tree Protection Act 2005</i>. 	<p>This is a mandatory requirement. There is no applicable criterion</p>
10.4 Heritage	
<p>R40</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, applications for developments on <i>land</i> or <i>buildings</i> subject to provisional registration or registration under s.41 of the <i>Heritage Act 2004</i> was accompanied by advice from the Heritage Council stating that the development meets the requirements of the <i>Heritage Act 2004</i>.</p>	<p>C40</p> <p>If advice from the Heritage Council is required however not provided, the application will be referred to the Heritage Council and its advice considered before the determination of the application.</p>