



ACT Planning &
Land Authority

Parks and Recreation Zones Development Code

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Introduction

Application of this code

This Development Code applies to all development in the Parks and Recreation Zones identified in the zones' Development Tables as being within the code, merit and impact assessment tracks.

Purpose of codes

Codes provide additional planning, design and environmental controls to support the zone objectives and assessable uses in the Development Tables.

The Codes are used by the Authority to assess development applications. The Codes therefore also provide guidance to intending applicants in designing their developments and preparing their development applications.

Each Code's controls are expressed as either **rules**, which are generally quantitative, or as qualitative **criteria**.

- Proposals in the **code track** must comply with all rules relevant to the development.
- Proposals in the **merit track** and **impact track** have the option to comply with the rules or criteria, unless the rule is mandatory. Where it is proposed to meet the criteria, the onus is on the applicant to demonstrate, by supporting plans and written documentation, that the proposed development satisfies the criteria and therefore the intent of the element.
- Proposals in the **impact track** also have the option to justify any non-compliance with the rules and the criteria, unless the rule is mandatory. Where it is proposed to not meet the rules and the criteria, the onus is on the applicant to justify the non-compliance by demonstrating that the proposed development is consistent with the relevant principles of the Statement of Strategic Directions. Supporting plans and written documentation, providing consideration of the relevant Intents of the Code and the Zone objectives, are to accompany the development application.

Structure of codes

The Parks and Recreation Zones Development Code is divided into two Parts:

Part A – Zone Specific Controls provide any specific controls for each of the Parks and Recreation Zones (PRZ1 – Urban Open Space Zone and PRZ2 – Restricted Access Recreation Zone).

Part B – General Development Controls provide general controls that are applicable to all development within the Parks and Recreation Zones.

Each Part is divided into sections referred to as **Elements**, although each Part may not include provisions for every Element. The Elements describe the various issues for consideration:

1. Restrictions on Use
2. Building and Site Controls
3. Built Form
4. Parking and Site Access
5. Amenity

6. Environment

7. Services

Each Element consists of Intents and Items under which are Rules and Criteria.

Intent describes the purpose of the development controls

Rules provide the quantitative, or definitive, controls for development

Criteria provide the qualitative controls for development

In some instances, there are rules that are mandatory. For clarity of use, the mandatory rules are emphasized by the following words: “**This is a mandatory requirement. There are no applicable criteria**”. Non-compliance with these provisions will result in the refusal of a development application. Conversely, the words “**There is no rule applicable**” is used when controls cannot be quantitative or definitive and only criteria exist.

Any application of a **General Code** to a development proposal, is identified as part of the relevant rule or criteria.

Where more than one type of Code applies to a development, the order of precedence when there is inconsistency of provisions between Codes, as defined by the Act, is **Precinct Code**, then **Development Code**, and then **General Code**.

Further information

Please refer to the Planning Explained Guide, for more information on preparing applications under the Territory Plan, including the use of assessment codes.

Part A – Zone Specific Controls

Part A(1) - PRZ1 – Urban Open Space Zone

Element 1: Restrictions on Use

Intent:

- a) To provide for small-scale community and ancillary uses, which do not significantly detract from the open space character or impact on surrounding development

Rules	Criteria
1.1 Municipal Depot	
There is no applicable rule.	<p>C1</p> <p>Municipal depot may be used only for the purpose of park maintenance depots. Landscaping and screen fences shall be provided around any outside storage area.</p>
1.2 Community Activity Centre, Outdoor Recreation Facility and Municipal Depot	
<p>R2</p> <p>Maximum proportion of gross area of any single open space parcel to be used for Community activity centre, Outdoor recreation facility, and Municipal depot purposes – 15%.</p>	<p>C2</p> <p>This development in the PRZ1 - Urban Open Space Zone:</p> <p>a) Does not unreasonably restrict access to recreation space; and</p> <p>b) Is of an appropriate scale and compatible with its open space setting.</p>
1.3 Community Activity Centre and Outdoor Recreation Facilities	
There is no applicable rule.	<p>C3</p> <p>A Community Activity Centre or Outdoor Recreation Facilities are permitted as follows:</p> <p>a) The proposed location is suitable in terms of the catchment to be served and access routes for users</p> <p>b) There is a community requirement for such a facility</p> <p>c) There will be adequate opportunities for the public or community to use the facilities</p> <p>d) The nature of landscape works to be carried out is consistent with the surrounding open space or identified landscape theme</p> <p>e) Public access to adjoining open space is adequate and sufficient open space is retained for other future purposes</p>

Rules	Criteria
	<p>f) The proposal will not have an adverse impact on the open space environment in terms of design and aesthetics</p> <p>g) The proposal will not adversely affect naturally occurring plant communities and patterns of wildlife movement</p> <p>h) Important natural and cultural features including existing mature trees are conserved</p> <p>i) There are no adverse noise and safety impacts on adjoining residential areas.</p>

Element 2: Building and Site Controls

Intent:

- a) To ensure development in the PRZ1 - Urban Open Space Zone is compatible with, and does not adversely impact on, the urban environment

Rules	Criteria
2.1 Height	
<p>R4</p> <p>Maximum height of buildings adjacent to Residential Zones: one storey</p>	<p>C4</p> <p>The scale of the development is consistent with adjacent developments and the neighbouring uses are protected from overlooking, noise and other intrusions.</p>
2.2 Setbacks	
<p>R5</p> <p>Minimum setback of building from boundary of blocks adjacent to Residential Zones: 6 m</p>	<p>C5</p> <p>The scale of the development is consistent with adjacent developments and the neighbouring uses are protected from overlooking, noise and other intrusions.</p>
2.3 Gross Floor Area	
<p>R6</p> <p>Maximum gross floor area of enclosed structures: 200 m²</p>	<p>C6</p> <p>The scale of the development is consistent with adjacent developments and the neighbouring uses are protected from overlooking, noise and other intrusions.</p>

Part A (2) - PRZ2 - Restricted Access Recreation Zone

Element 1: Restrictions on Use

Intent:

- a) To provide for high quality recreation facilities without adverse effects on the amenity of the locality

Rules	Criteria
1.1 Club, Educational Establishment, Guest House, Hotel, Motel	
<p>R7</p> <p>Land can be used for the following purposes only where they are ancillary to the predominant recreation use of the land:</p> <p>a) Club, Educational establishment, Guest house, Hotel, Motel.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 2: Building and Site Controls

Intent:

- a) To ensure development in the PRZ2 – Restricted Access Recreation Zone is compatible with, and does not adversely impact on, the urban environment

Rules	Criteria
2.1 Height	
<p>R8</p> <p>Maximum height of buildings in blocks adjacent to Residential Zones: two storeys or 10 m</p>	<p>C8</p> <p>The building height minimises the impact of developments on adjoining residential zones.</p>
2.2 Setbacks	
<p>R9</p> <p>Minimum setback of building from boundaries to Residential Zones: 6m</p>	<p>C9</p> <p>The building setback minimises the impact of developments on adjoining residential zones.</p>
2.3 Scale of Development	
<p>There is no applicable rule.</p>	<p>C10</p> <p>The development is of an appropriate scale and form, and is compatible with surrounding development and the anticipated use.</p>

Part B – General Development Controls

Part B provides the general development controls applicable to the Urban Parks and Recreation Zones (PRZ1 – Urban Open Space and PRZ2 – Restricted Access Recreation Zones)

Element 1: Restrictions on Use

Intent:

- a) To provide for high quality recreation facilities without adverse effects on the amenity of the locality
- b) To ensure development is consistent with the approved Plan of Management

Rules	Criteria
1.1 Location Requirements	
There is no applicable rule.	C11 The development meets the requirements of the Community and Recreation Facilities Location General Code.
1.2 Plans of Management	
There is no applicable rule.	C12 Where relevant, the proposed development is consistent with the approved Plan of Management.

Element 2: Building and Site Controls

Intent:

- a) To ensure development is compatible with, and does not adversely impact on, the urban environment

Rules	Criteria
2.1 Subdivision	
R13 Subdivision is only permitted where: a) it is part of a development application for another assessable development b) it is demonstrated that any residual block can accommodate another assessable development designed in accordance with the relevant section of this Code.	This is a mandatory requirement. There is no applicable criterion.

2.2 Demolition	
<p>R14</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, the application is accompanied by a Statement of Endorsement from utility providers (including Water, Sewerage, Stormwater, Electricity and Gas) stating that:</p> <ul style="list-style-type: none"> a) All network infrastructure on or immediately adjacent the site has been identified on the plan b) All potentially hazardous substances and conditions (associated with or resulting from the demolition process) that may constitute a risk to utility services have been identified c) All required network disconnections have been identified and the disconnection works comply with utility requirements d) All works associated with the demolition comply with and are in accordance with utility asset access and protection requirements. 	<p>C14</p> <p>If a Statement of Endorsement is not provided the application will be referred to relevant utility provider in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
2.3 National Capital Plan	
<p>There is no applicable rule.</p>	<p>C15</p> <p>Where a development is subject to Special Requirements under the National Capital Plan (including any relevant Development Control Plan) the development is not inconsistent with the Special Requirements.</p>

Element 3: Built Form

Intent:

- a) To provide for buildings that promote a safe and attractive urban environment

Note: Under the *Building Act 2004* buildings need to meet the requirements of the Building Code of Australia. For certain classes of buildings, this will include prescribed energy requirements.

Rules	Criteria
3.1 Materials and Finish	
There is no applicable rule.	C16 Where the development exposes a blank façade of an adjoining building, a visually interesting architectural treatment is applied to that wall such as through the use of colour, articulation, materials and shadows.
There is no applicable rule.	C17 The development uses high quality materials that are compatible with the character of existing adjacent development and the desired architectural character of the area.
3.2 Interface	
There is no applicable rule.	C18 Where appropriate, compatible uses of any existing buildings are integrated with new development and provide physical connections and linkages between buildings, and between buildings and public spaces.
There is no applicable rule.	C19 Elements of the development that present to, or are visible from, the street, promote an attractive and appropriate streetscape.

3.3 Crime Prevention Through Environmental Design	
There is no applicable rule.	C20 The development meets the requirements of the Crime Prevention Through Environmental Design General Code.
3.4 Access and Mobility	
There is no applicable rule.	C21 The development meets the requirements of the Access and Mobility General Code.

Element 4: Parking and Site Access

Intent:

- a) To encourage design of access and parking as part of the overall design of the development
- b) To provide for safe, convenient access to meet the needs of all users and visitors

Rules	Criteria
4.1 Traffic Generation	
There is no applicable rule.	C22 The existing road network can accommodate the amount of traffic likely to be generated by the development.
4.2 Vehicle Access and Parking	
There is no applicable rule.	C23 Vehicle Access and parking complies with the requirements of the Parking and Vehicular Access General Code.
4.3 Bicycle Parking	
There is no applicable rule.	C24 Bicycle Parking complies with the requirements of the Bicycle Parking General Code.
4.4 Pedestrian Movement	
There is no applicable rule.	C25 Safe and convenient movement of public transport passengers, pedestrians and cyclists is provided.

Element 5: Amenity

Intent:

- a) To ensure development is designed and sited to maximise solar access to private open space and living areas
- b) To ensure visual and acoustic privacy of users, within and adjacent to the proposed development
- c) To ensure a safe and attractive urban environment is maintained

Rules	Criteria
5.1 Solar Access	
There is no applicable rule.	C26 Development is designed and sited to allow a minimum of 3 hours of direct sunlight onto the floor or wall of the main daytime living area and the private open space of any dwelling within the development and any dwellings adjacent the subject site between the hours of 9.00 am and 3.00 pm on 21 June (winter solstice).
5.2 Lighting	
R27 External lighting is provided to building frontages, all pathways, roads, laneways and car parking areas in accordance with Australian Standard AS1158.1.3 <i>Pedestrian Lighting</i> .	C27 External lighting is provided in accordance with the Crime Prevention Through Environmental Design General Code
R28 All external lighting provided is in accordance with AS 4282 <i>Control of the Obtrusive Effects of Outdoor Lighting</i> .	C28 All outdoor lighting, including security and car park lighting, is designed and sited to minimise light spill.
5.3 Signs	
There is no applicable rule.	C29 Signs comply with the Signs General Code.
5.4 Neighbourhood Plan	
There is no applicable rule.	C30 Where a Neighbourhood Plan exists, development demonstrates response to the key strategies and actions of the relevant Neighbourhood Plan.

Element 6: Environment

Intent:

- a) To provide for ecologically sustainable development that does not have adverse impacts on the surrounding environment

Rules	Criteria
6.1 Assessment of Environmental Effects	
<p>There is no applicable rule.</p>	<p>C31</p> <p>The development application is accompanied by an Assessment of Environmental Effects that addresses the following:</p> <ul style="list-style-type: none"> a) provision for tree planting and appropriate landscape treatment b) impacts on the character and appearance of any building, area of architectural, historic, aesthetic or scientific interest, or otherwise of special cultural or heritage value c) impacts on public health and safety, including crime prevention d) the amount of traffic likely to be generated and its impact on the movement of traffic on the road system e) whether public transport services are necessary and, if so, whether they are available and adequate f) impacts on the likely accessibility to facilities and services for users and consumers g) any significant short or long-term effect that the relevant authority considers the use or development may have on the environment, including social and economic effects and potential cumulative effects h) impacts on the watercourses and drainage characteristics of the area, including water quality i) impacts on the amenity of surrounding land uses, including impacts on air quality, the level of noise generated, overshadowing, privacy, and the level of wind turbulence generated.

6.2 Water Sensitive Urban Design – Mains Water Consumption

Note: Refer to the Water Ways: Water Sensitive Urban Design General Code for more information on Water Sensitive Urban Design

R32

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 the NSW BASIX tool. The 40% target is met without any reliance on landscaping measures to reduce consumption.

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

6.3 Water Sensitive Urban Design – Stormwater Quality

Note: Refer to the Water Ways: Water Sensitive Urban Design General Code for more information on Water Sensitive Urban Design

R33

Evidence is provided that demonstrates that for developments on sites <2000m², a reduction of 1-in-3 month stormwater peak run off flow to pre-development levels with release of captured flow over a period of 1 to 3 days can be achieved.

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

R34

Evidence is provided that demonstrates that for developments on sites >2000m², a reduction in average annual stormwater pollutant export load of:

- a) suspended solids by 60%
- b) total phosphorous by 45%
- c) total nitrogen by 40%

using the MUSIC model to demonstrate compliance.

C34

For developments on sites >2000m² the development is demonstrated to achieve a reduction in average annual stormwater pollutant export load of:

- a) suspended solids by 60%
- b) total phosphorous by 45%
- c) total nitrogen by 40%

compared to an urban catchment with no water quality management controls, using any other method, eg XP-AQUALM, PURRS, Aquacycle, that can demonstrate, to the satisfaction of the Authority, compliance.

6.4 Water Sensitive Urban Design – Stormwater Quantity

Note: Refer to the Water Ways: Water Sensitive Urban Design General Code for more information on Water Sensitive Urban Design

R35

Evidence is provided that shows the development achieves:

- a) a reduction of 1-in-3 month stormwater peak run off flow to pre-development levels with release of captured flow over a period of 1 to 3 days.
- b) a reduction of 1-in-5 year and 1-in-100 year stormwater peak run off flow to pre-development levels

using XP-RAFTS, DRAINS (ILSAX), RORB or WBNM models to demonstrate compliance.

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

6.5 Heritage

R36

In accordance with section 148 of the *Planning and Development Act 2007*, applications for development on land or buildings subject to interim or full heritage registration are to be accompanied by advice from the Heritage Council stating that the development meets the requirements of the *Heritage Act 2004*.

C36

If advice from the Heritage Council is required, but not provided, then the application will be referred to the Heritage Council in accordance with the requirements of the *Planning and Development Act 2007*.

6.6 Contamination

R37

A statement is provided that the potential for land contamination has been assessed in accordance with the *ACT Government Strategic Plan – Contaminated Sites Management 1995* and the *ACT Environment Protection Authority Contaminated Sites Environmental Protection Policy 2000*, and it is demonstrated that the land is suitable for the proposed development.

C37

If a statement that the site has been assessed is not provided, the application will be referred to the relevant agency in accordance with the requirements of the *Planning and Development Act 2007*.

6.7 Trees	
<p>R38</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, where the development proposal requires groundwork within the tree protection zone of a protected tree, or is likely to cause damage to or removal of, any protected trees, the application must be accompanied by a Tree Management Plan approved under the <i>Tree Protection Act 2005</i>.</p> <p>Note: "Protected tree" is defined under the <i>Tree Protection Act 2005</i>.</p>	<p>C38</p> <p>If an approved Tree Management Plan is required, but not provided, then a draft Tree Management Plan is to accompany the application. The draft Tree Management Plan will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
6.8 Erosion and Sediment Control	
<p>R39</p> <p>For sites less than 0.3 of a hectare, a plan is provided to demonstrate that the development complies with the <i>ACT Environment Protection Authority, Environment Protection Guidelines for Construction and Land Development in the ACT, August 2007</i>.</p>	<p>C39</p> <p>If a plan is not provided, the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
<p>R40</p> <p>For development on a site greater than 0.3 of a hectare, the application is accompanied by an Erosion and Sediment Control Plan endorsed by the ACT Environment Protection Authority.</p>	<p>C40</p> <p>If an endorsed Sediment and Erosion Control Plan is not provided the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>

6.9 Hazardous Material	
<p>R41</p> <p>For the demolition of multi-unit housing (including garages and carports) constructed* prior to 1985, and Commercial / Industrial premises constructed prior to 2005, a Hazardous Materials Survey (including an asbestos survey) is carried out and signed by an appropriately licensed person and is endorsed by Environment Protection.</p> <p>The Survey is provided and covers the disposal of hazardous materials, showing that:</p> <ul style="list-style-type: none"> a) Hazardous material disposal (including asbestos) is to be at a licensed disposal facility in the ACT b) If hazardous materials are to be transported for disposal interstate, approval from the Environment Protection Authority is obtained prior to removal of material from the site c) An appropriately licensed contractor is engaged for the removal and transport of all hazardous materials (including asbestos) present at the site. <p>* construction date means the date when the Certificate of Occupancy was issued</p>	<p>C41</p> <p>If an endorsed Hazardous Materials Survey is not provided the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
6.10 Water Use	
<p>There is no applicable rule.</p>	<p>C42</p> <p>Where relevant, development complies with the requirements of the Water Use and Catchment General Code.</p>

Element 7: Services

Intent:

- a) To provide for appropriately serviced developments that meet the needs of service providers and users of the proposed development

Rules	Criteria
7.1 Waste Management	
<p>R43</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, the application is accompanied by a Statement of Compliance from the Department of Territory and Municipal Services stating that the waste facilities and management associated with the development are in accordance with the <i>Development Control Code for Best Practice Waste Management in the ACT 1999</i>.</p>	<p>C43</p> <p>If a Statement of Compliance is not provided the application will be referred to the Department of Territory and Municipal Services in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
7.2 Waste Water	
<p>R44</p> <p>Subject to ACTEWAGL approval, all under cover areas drain to the sewer.</p>	<p>C44</p> <p>This is a mandatory requirement. There is no applicable criterion.</p>
7.3 Utilities	
<p>R45</p> <p>A Statement of Compliance from each relevant utility provider (for water, sewerage, stormwater, electricity and gas) is provided, which confirms that the location and nature of earthworks, utility connections, proposed buildings, pavements and landscape features comply with utility standards, access provisions and asset clearance zones.</p> <p>Note: Where there is a conflict between planning and utility requirements, the utility requirements take precedence over other provisions of this Code.</p>	<p>C45</p> <p>If a Statement of Compliance is not provided the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
7.4 Storage	
<p>R46</p> <p>Outdoor storage areas must be screened from view from any road or other public area.</p>	<p>C46</p> <p>Where the proposed use of the site requires open areas for storage of goods and materials, adequate provision is included in the design and layout of the site.</p>

Rules	Criteria
<p>R47</p> <p>Outdoor storage areas do not encroach on car-parking areas, driveways or landscape areas.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>7.5 Servicing and Site Management</p>	
<p>R48</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, the application is accompanied by a Statement of Endorsement from the relevant agency stating that the waste facilities and management associated with the development are in accordance with the <i>Design Standards for Urban Infrastructure</i>.</p>	<p>C48</p> <p>If a Statement of Endorsement is not provided the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>