



ACT Planning &
Land Authority

Inner North Precinct Code

March 2008

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Introduction

Application of this code

This Precinct Code applies to multi-unit housing in the RZ3 Urban Residential and RZ4 Medium Density Residential Zones of Inner North Canberra identified in the zones' development table 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 Inner North Precinct Code is divided into three Parts:

Part A – General Development Controls provides the general controls that are applicable to multi-unit housing in the RZ3 and RZ4 Zones.

Part B – Control Plans illustrates some of the controls from Part A in graphical form, known as Control Plans. There are five Control Plans covering the suburbs of Braddon, Dickson, Lyneham, O'Connor/Turner North and Turner South.

Part C – Site Specific Controls provide any additional specific controls for particular areas or sites. [Care is needed to check whether any specific controls apply to individual sites]

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

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 emphasised by the following words: “**This is a mandatory requirement. There is no applicable criterion**”. Non-compliance with these provisions will result in the refusal of a development application. Conversely, the words “**There is no applicable rule**” 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 Development Application Guide, for more information on preparing applications under the Territory Plan, including the use of assessment codes.

Abbreviations

GFA = gross floor area

LFL = lower floor level

m² = metres squared

PBZ = primary building zone

UFL = upper floor level

Part A - General Development Controls

Objectives:

The objectives for the General Controls are to:

- a) Conserve the Garden City character of the area
- b) Optimise residential land use adjacent to the Northbourne Avenue corridor, the commercial area of the City Centre, the Sullivans Creek open space corridor and other areas of open space
- c) Retain and enhance a healthy and attractive residential environment for existing and new residents to the area
- d) Create a safer, more secure environment
- e) Promote non-car based movement
- f) Promote streets and open space as places for people
- g) Ensure orderly redevelopment of blocks within sections

Element 1: Restrictions on Use

Intent:

- a) To provide for a range of residential forms whilst maintaining the residential character of the locality.

Rules	Criteria
1.1 Residential	
R1 Dual occupancy development is not permitted where the additional dwelling is located to the rear of the block behind an existing dwelling or a new dwelling.	This is a mandatory requirement. There is no applicable criterion.
R2 On a block greater than 3000m ² , a variety of dwelling sizes must be provided i.e., 1, 2 and 3 bedroom dwellings are required.	This is a mandatory requirement. There is no applicable criterion.

Element 2: Building and Site Controls

Intent:

- a) To allow sufficient space for existing and future tree plantings at the front and rear of development blocks
- b) To ensure development sites can accommodate urban housing based on perimeter block development and efficient and effective site layout
- c) To maximise permeable surfaces

Rules	Criteria
2.1 Subdivision	
R3 Required minimum block amalgamations are specified in the Control Plans (Part B)	This is a mandatory requirement. There is no applicable criterion.
R4 Block amalgamations and integrated redevelopment are required where: a) Existing dwellings have shared walls, such as duplexes; b) Sites are less than 16 m wide; or c) Corner sites are too small to provide satisfactory open space.	This is a mandatory requirement. There is no applicable criterion.
2.2 Height	
R5 Development on corner blocks, identified in the Control Plans (Part B), must be built to the maximum height limit.	This is a mandatory requirement. There is no applicable criterion.
2.3 Front Setbacks	
R6 Minimum front street setbacks are 6m unless otherwise specified in Part C of the code (Site specific controls) On corner blocks identified as requiring corner treatment in the control plan (Part B) buildings must be built to the specified minimum front street setback.	This is a mandatory requirement. There is no applicable criterion.
R7 No building or design elements including basement structure are to be located forward of the specified minimum front setback.	This is a mandatory requirement. There is no applicable criterion.

Rules	Criteria
2.4 Rear Setbacks	
<p>R8</p> <p>Rear setbacks are 7 m on blocks specified in the Control Plans (Part B). Where blocks specified are corner blocks, this is to be a 7 x 7 m minimum area in the rear corner.</p>	<p>C8</p> <p>Rear setbacks allow for a deep-root planting zone and ensure privacy on blocks.</p>
2.5 Building Envelope	
<p>There is no applicable rule.</p>	<p>C9</p> <p>Design promotes perimeter block development by building primarily across the frontage of the site (and not down the length of the site), so as to:</p> <ul style="list-style-type: none"> a) provide space to the rear of the block to retain or introduce large-canopy trees and create a treed backdrop to development b) maximise street address as well as physical and visual access to the rear garden c) minimise privacy impacts between adjacent sites d) optimise possibilities for private and communal open spaces to the rear of the block that can accommodate landscaping and large tree planting
<p>R10</p> <p>Dual frontage design (Figure 1) is required for development on blocks specified in the Control Plans (Part B).</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>There is no applicable rule</p>	<p>C11</p> <p>Where dual frontage design is required for development on blocks specified in the Control Plan development is to;</p> <ul style="list-style-type: none"> a) Maximise building frontage to both the main street address from the primary building zone and frontage to public space or secondary street frontage from the secondary building zone. b) Provide and maximise overlooking and prospect into open spaces including pedestrian laneways from living areas within dwellings of the development.

Rules	Criteria
	c) Promote the increased use (including walking and cycling) of open space by providing access to and overlooking of open spaces.

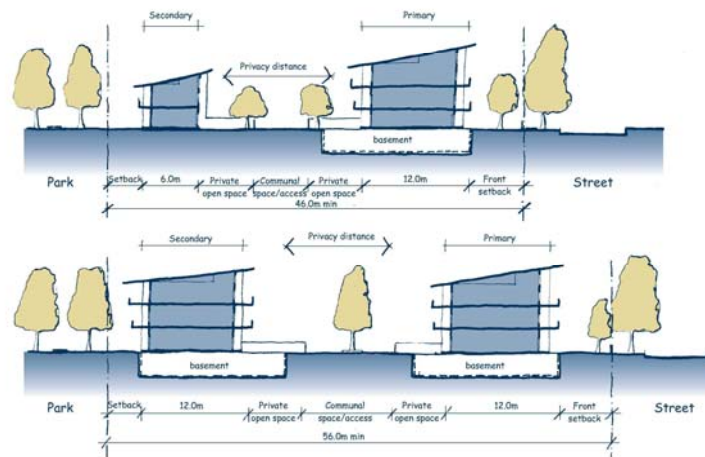
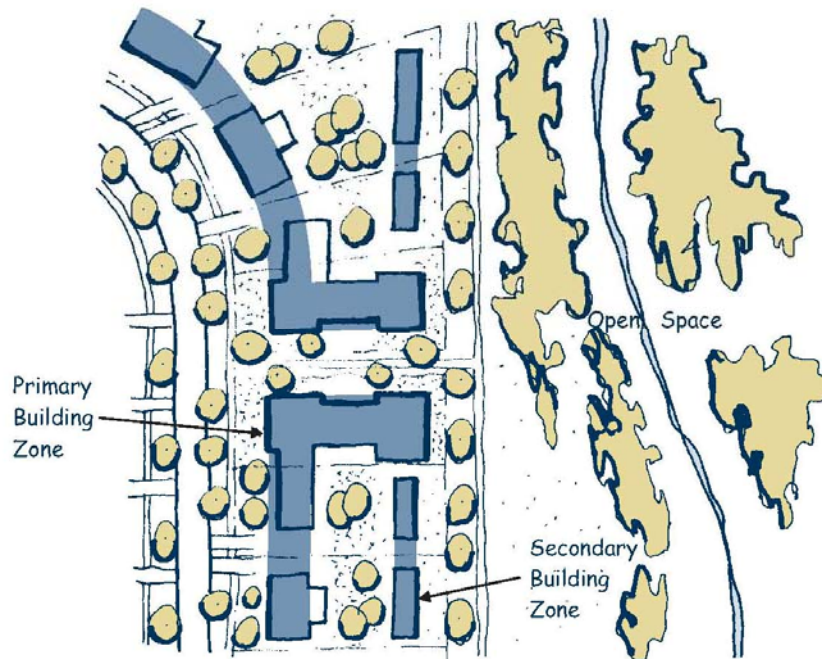


Figure 1 Dual frontage design

Rules	Criteria
2.6 Site Coverage	
<p>There is no applicable rule.</p>	<p>C12</p> <p>Maximum site coverage of 100% in the Primary Building Zone may be permitted subject to the agreement of adjoining lessees and lodging a plan for integrated development.</p>
<p>R13</p> <p>Maximum site coverage in the Rear Zone does not exceed 30%.</p> <p>Braddon Sections 15, 16, 58 and 59 are exempt from this rule.</p> <p>O'Connor Section 40 is exempt from this rule.</p> <p>Note: A basement structure that projects into the Rear Zone is included in calculations of site coverage.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 3: Built Form

Intent:

- a) To model building faces to add variation to building alignment
- b) To protect the existing residential amenity of neighbouring lessees
- c) To provide for orderly redevelopment with minimal impact on remaining dwellings
- d) To ensure existing single dwellings are not isolated by redevelopment
- e) To provide overlooking opportunities within developments ensuring surveillance of public and communal areas

Rules	Criteria
3.1 Building Design	
<p>R14</p> <p>Development is built to the minimum front setback. The front façade of the development is articulated to a depth of 2-3 m behind the front setback, for all storeys of the development (Figure 2).</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R15</p> <p>The articulation of the front façade of a building must exceed 40% of the width of the building, at every storey level.</p>	<p>C15</p> <p>The front façade of a building is articulated to:</p> <ul style="list-style-type: none"> a) prevent continuous walls of development b) provide visual interest to building alignment
<p>There is no applicable rule.</p>	<p>C16</p> <p>The articulation responds to:</p> <ul style="list-style-type: none"> a) architectural design b) local character c) access d) environmental conditions e) landscape features
<p>There is no applicable rule.</p>	<p>C17</p> <p>Development adjacent to pedestrian paths and laneways provide casual surveillance and overlooking of these spaces.</p>

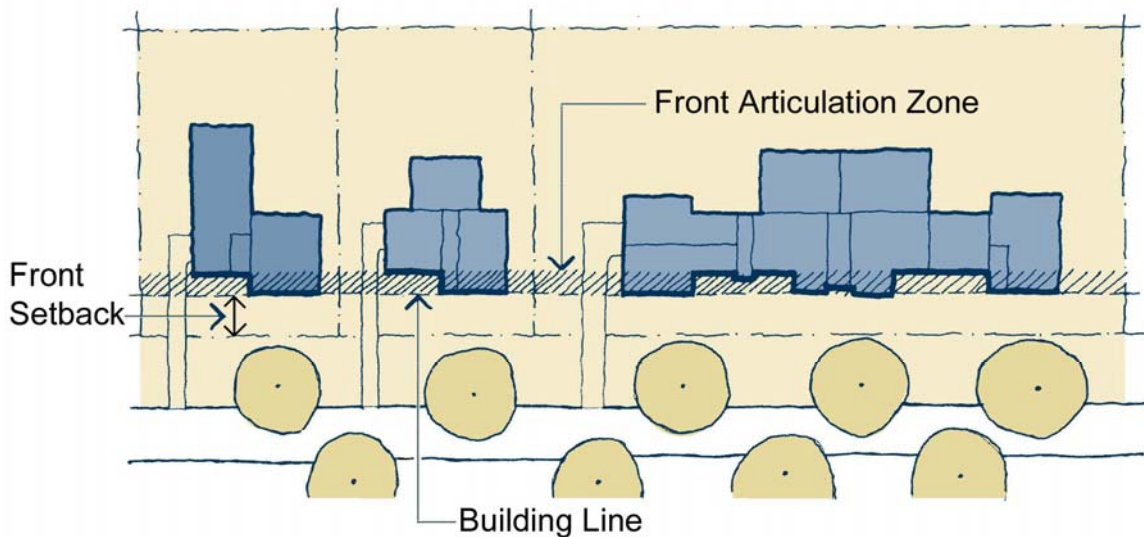


Figure 2 Articulation zones

Rules	Criteria
3.2 Interface	
<p>R18</p> <p>Redevelopment of a block in RZ4 is not permitted where it adjoins an existing single dwelling that has an existing or approved redevelopment on the other side boundary, unless the single dwelling site is one or more of the following:</p> <ul style="list-style-type: none"> a) included in the amalgamation of sites, b) developed at the same time as part of a plan for an integrated housing development and with the consent of the affected lessee, c) located in Turner Sections 38, 39, 44, 60 and 61 where the lessee of the single dwelling supports the proposed development occurring independently. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 4: Parking and Site Access

Intent:

- a) To restrict the parking provision
- b) To reduce the visual impact of parking facilities

Rules	Criteria
4.1 Vehicle Access	
R19 A maximum of one basement entry per two blocks or per 40 m of street frontage, whichever is greater.	C19 Basement entries across the nature strip are limited to reduce visual impact.
4.2 Parking	
There is no applicable rule.	C20 Car parking provision rates identified in the Parking and Vehicular Access General Code are the maximum rates for development.

Element 5: Amenity

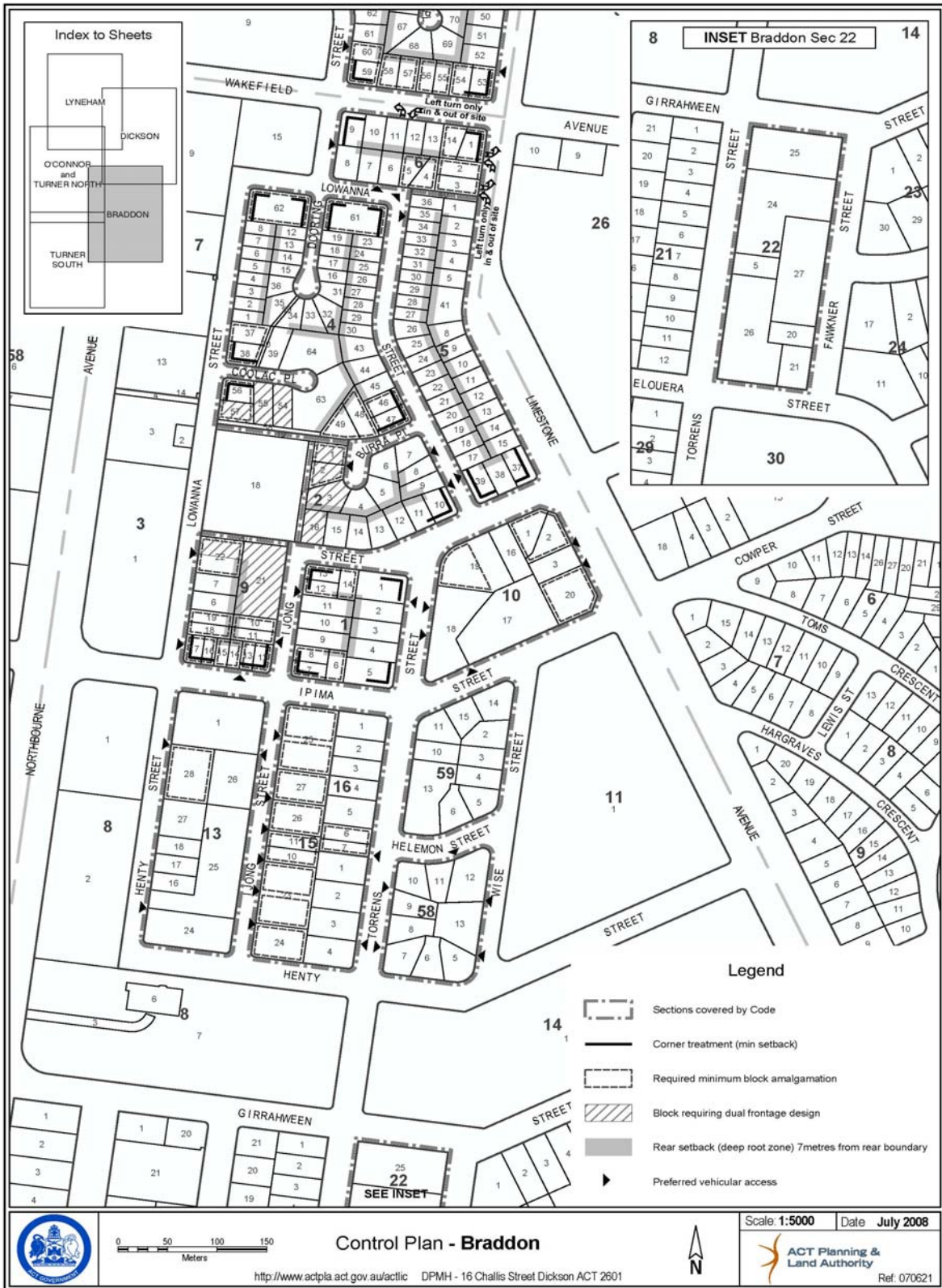
Intent:

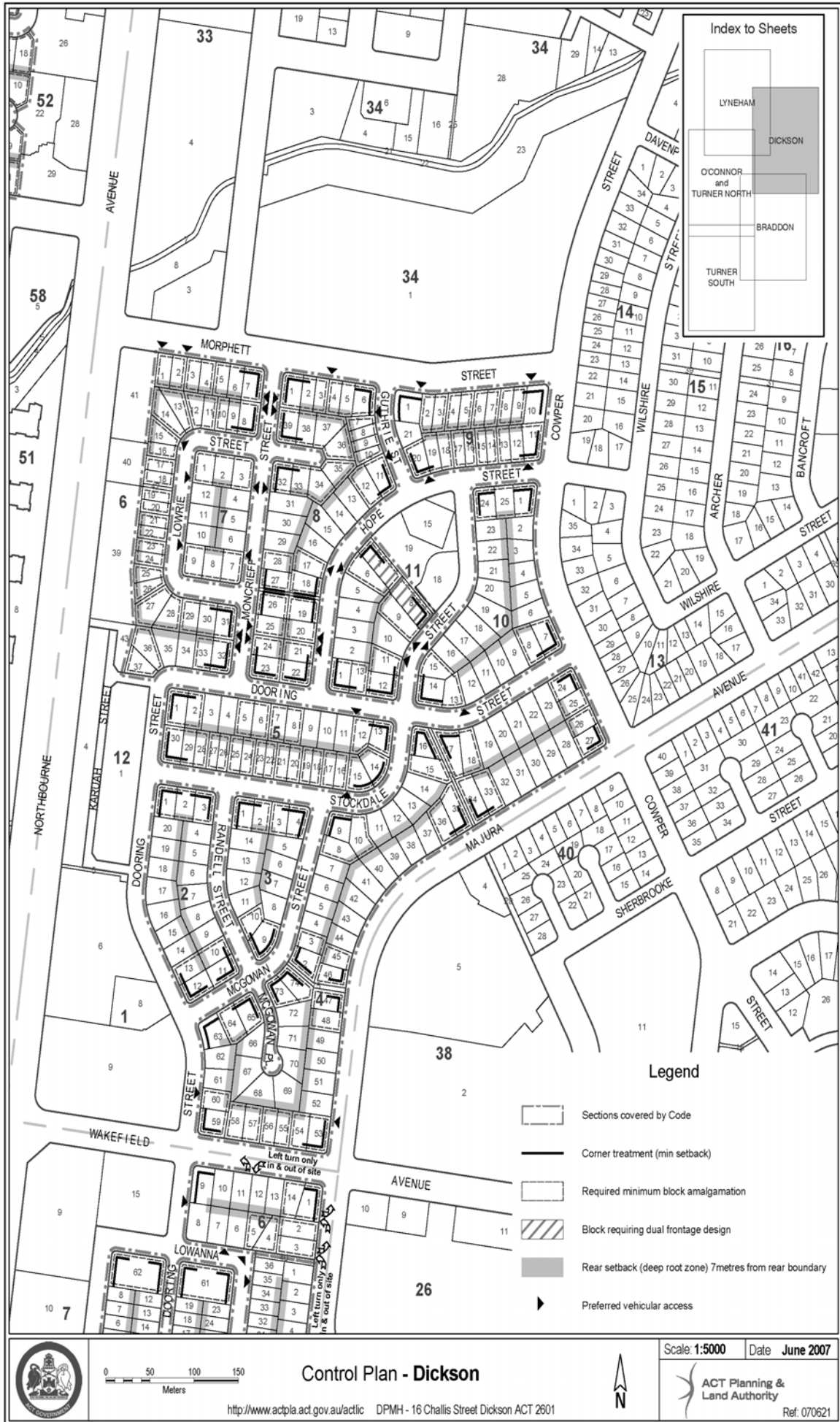
- a) To provide for private open space as part of urban dwellings that is useable, compliments the desired urban characteristics of the area as well as the garden city character
- b) To provide for a mature canopy and treed backdrop to development
- c) To reduce the impact of utilities on the amenity of the area

Rules	Criteria
5.1 Neighbourhood Plans	
There is no applicable rule.	C21 Where a Neighbourhood Plan exists, development demonstrates response to the key strategies and actions of the relevant Neighbourhood Plan.
5.2 Private Open Space	
R22 Dwellings with three bedrooms or more have direct access to ground floor private open space.	This is a mandatory requirement. There is no applicable criterion.
5.3 Utilities	
R23 Overhead powerlines, telephone and data cables are undergrounded in coordination with the relevant utility provider.	C23 Powerlines, telephone and data cables are progressively undergrounded within sections to reduce visual impact, improve residential amenity and provide clearance for deep root planting zones.

Part B - Control Plans

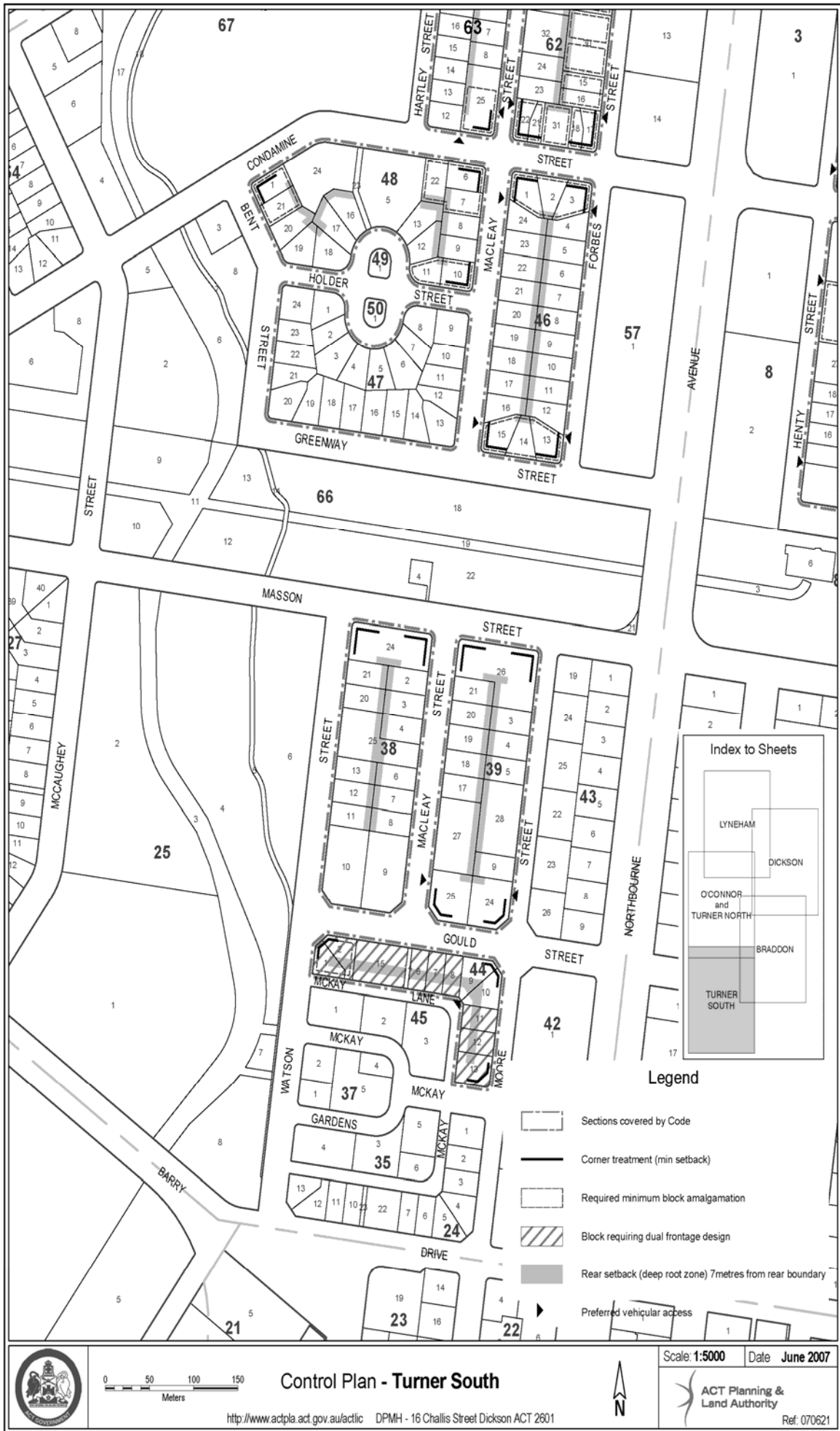
Part B illustrates some of the controls from Part A in Control Plans. There are five Control Plans covering the suburbs of Braddon, Dickson, Lyneham, O'Connor/Turner North and Turner South.





Effective: 29 August 2008





Part C - Site Specific Controls

Part C provides additional specific controls for particular areas or sites.

Part C(1) - Braddon

Element 2: Building and Site Controls

Intent:

- a) To protect the amenity of neighbouring lessees
- b) To maintain the residential character of the locality

Rules	Criteria
2.1 Setbacks to Limestone Avenue, Braddon	
R24 Minimum front setback is 8m to Limestone Avenue.	This is a mandatory requirement. There is no applicable criterion.
2.4 Height in Braddon Section 4 Blocks 12-19, 23-36 and 39-55	
R27 Maximum building heights are 2 storeys for Braddon Section 4 Blocks 12-19, 23-36 and 39-55.	This is a mandatory requirement. There is no applicable criterion.

Part C(2) - Dickson

Element 2: Building and Site Controls

Intent:

- a) To maintain the residential character of the locality

Rules	Criteria
2.1 Setback to Wakefield Avenue, Dickson	
R28 Minimum front setback is 8m to Wakefield Avenue, Dickson.	This is a mandatory requirement. There is no applicable criterion.
2.2 Setbacks in Dickson Section 6 Blocks 18 and 19 and Section 8 Blocks 18, 19, 26 and 27	
R29 Minimum setback from boundary adjoining the public pathway is 5 m for Dickson Section 6 Blocks 18 and 19 and Section 8 Blocks 18, 19, 26 and 27.	This is a mandatory requirement. There is no applicable criterion.
2.3 Height in Dickson Section 4 Blocks 66-72	
R30 Maximum building heights are 2 storeys for Dickson Section 4 Blocks 66-72.	This is a mandatory requirement. There is no applicable criterion.

Part C(2) - Lyneham

Element 2: Building and Site Controls

Intent:

- a) To protect the existing residential amenity of neighbouring lessees
- b) To maintain the residential character of the locality

Rules	Criteria
2.1 Setbacks in Lyneham Section 49 Blocks 5-10	
R31 Minimum front setback is 5 m for Lyneham Section 49 Blocks 5-10.	This is a mandatory requirement. There is no applicable criterion.
Rules	Criteria
2.11 Setbacks to Mouat Street, Lyneham	
R41 Minimum front setback is 8m to Mouat Street, Lyneham	This is a mandatory requirement. There is no applicable criterion.
2.12 Height in Lyneham Section 52 Blocks 7-12	
R42 Maximum building heights are 2 storeys for Lyneham Section 52 Blocks 7-12.	This is a mandatory requirement. There is no applicable criterion.

Part C(3) - O'Connor

Element 4: Building and Site Controls

Intent:

- a) To maintain the residential character of the locality

Rules	Criteria
4.1 Height in O'Connor Section 43 Blocks 23-28, 31-36 and 42-43	
R43 Maximum building heights are 2 storeys for O'Connor Section 43 Blocks 23-28, 31-36 and 42-43.	This is a mandatory requirement. There is no applicable criterion.

Part C(4) - Turner

Element 1: Restrictions on Use

Intent:

- a) To protect the existing residential amenity of neighbouring lessees

Rules	Criteria
1.1 Residential	
R44 Redevelopment is not permitted on Turner Section 47 and Section 63 Blocks 12-21.	C44 Minor additions or alterations, which do not result in a significant change to the scale and/or character of the dwelling may be permitted.

Element 2: Building and Site Controls

Intent:

- a) To maintain the residential character of the locality

Rules	Criteria
2.1 Height in Turner Section 44 Blocks 1-2, 6-8, 11-13 and 15	
R45 The maximum building height for development fronting the rear street (McKay Lane) shall be 2 storeys (refer to Figure 3).	This is a mandatory requirement. There is no applicable criterion.

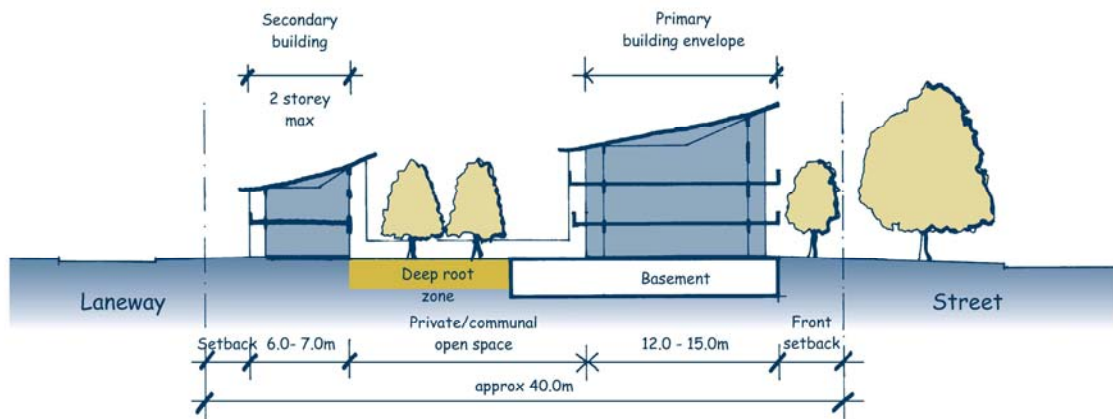
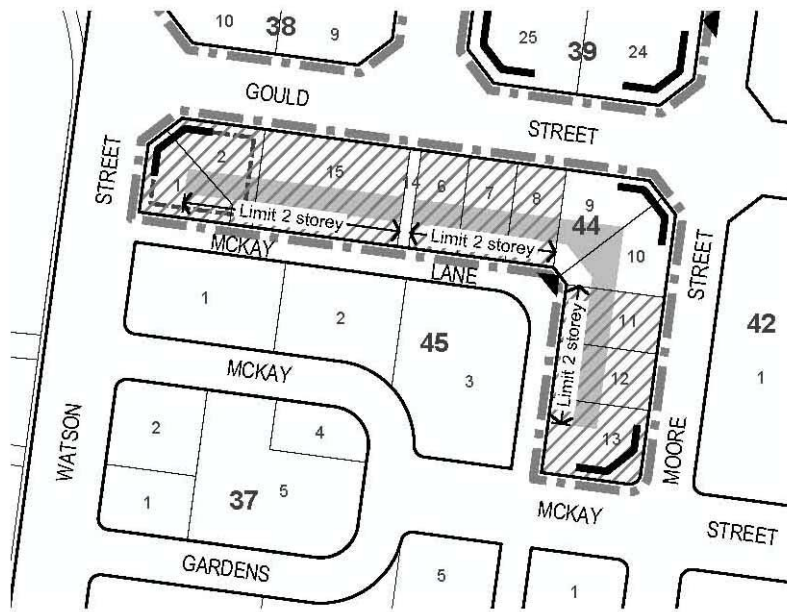


Figure 3 Section 44 Turner: Dual Frontage Design

Rules	Criteria
2.2 Setbacks in Turner Section 44	
R46 Minimum front setbacks in Turner Section 44 are: <ul style="list-style-type: none"> • 4 m to Watson and Gould Streets • 6 m from the kerb to McKay Lane. 	This is a mandatory requirement. There is no applicable criterion.
2.3 Setbacks in Turner Section 48 Blocks 11-13 and 16-18	
R47 Minimum front setback is 8m from the boundary Turner Section 48 Blocks 11-13 and 16-18	This is a mandatory requirement. There is no applicable criterion.
2.4 Setbacks in Turner Section 62 Blocks 7-16 and 23-29.	
R48 Minimum front setback is 10 m from the boundary for Turner Section 62 Blocks 7-16 and 23-29	This is a mandatory requirement. There is no applicable criterion.