



ACT Planning &
Land Authority

Local Centres Development Code

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Introduction

Application of this code

The Local Centres Development Code applies to development within all areas zoned CZ4. This code is intended to ensure that the type and form of development within Local Centres is responsive and sympathetic to the character, or proposed character, of the locality.

Additional requirements for Residential Use in commercial areas are included in the Residential Zones Development Code. For multi unit housing refer to part C (5) of the Multi Unit Housing Development Code. For single dwelling housing refer to the relevant provisions in the Single Dwelling Housing Development Code.

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 Local Centres Development Code is divided into two Parts:

Part A – General Development Controls provide general controls that are applicable to all Local Centres.

Part B –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
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 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 Planning Explained Guide for more information on preparing applications under the Territory Plan, including the use of assessment codes.

Abbreviations

GFA = gross floor area

m = metres

m² = square metres

Commercial Zones – Overview

The Commercial Zones are established to recognise the various functions, values and characteristics within commercial areas, and to provide a level of consistency and equity across the geographic range of commercial centres. Commercial areas are structured to reflect the principles of a hierarchical system of centres, which comprise the City Centre, town centres, group centres, and local centres.

The City Centre is also known as Canberra City or Civic.

The Town Centres include Belconnen, Gungahlin, Tuggeranong and Woden.

The Group Centres include, Calwell, Charnwood, Chisholm, Conder, Curtin, Dickson, Erindale, Hawker, Jamison, Kaleen, Kambah, Kingston, Kippax, Manuka, Mawson, Wanniasa, Weston

The hierarchy has been developed to ensure that people have a wide choice of facilities and services wherever they live or work within Canberra. Outside this hierarchy, there are other commercial areas in office parks and in corridors along main avenues. The Commercial Zones also include areas for residential mixed and multi-use development, and leisure and accommodation.

All major centres include a number of commercial zones (Table 1) to reflect the different primary functions of their core, business and services areas. The Commercial Zones are described below.

| | |
|---------------------------------|-------------------|
| City Centre | CZ1 CZ2 CZ3 Zones |
| Town Centres | CZ1 CZ2 CZ3 Zones |
| Group Centres | CZ1 CZ2 CZ3 Zones |
| Local Centres | CZ4 Zone |
| Office sites outside centres | CZ2 Zone |
| Mixed Use Areas | CZ5 Zone |
| Leisure and Accommodation areas | CZ6 Zone |

Table 1: Location of Commercial Zones

CZ1 Core Zone

This Zone is the main business core of higher order commercial centres and is the primary location of shops, non-retail commercial uses, restaurants, commercial accommodation, and indoor entertainment facilities. Residential and community uses are also permissible, subject to design and siting to minimise incompatibility with primary uses.

CZ2 Business Zone

This Zone is intended for more fringe commercial activities, primarily non-retail commercial uses, commercial accommodation, and some restaurants and indoor entertainment and recreation facilities. Residential and community uses are also permissible, subject to design and siting, provided they are not incompatible with primary uses.

CZ3 Services Zone

This Zone is intended for fringe retailing, which includes bulky goods, light industry, service trades, service stations, restaurants and indoor entertainment and recreation facilities. Residential, non-retail commercial and community uses are also permitted subject to compatibility with predominant land uses.

CZ4 Local Centre Zone

This Zone is intended for local shops, non-retail commercial and community uses, service stations, and restaurants to service a local community. Residential uses may also be permitted.

CZ5 Mixed Use Zone

This Zone provides for high-density residential uses in highly accessible locations (such as major Avenues) in conjunction with non-retail commercial uses, commercial accommodation, and limited shops, restaurants and community uses.

CZ6 Leisure and Accommodation Zone

This Zone provides for indoor entertainment and recreation facilities, clubs, drink establishments, restaurants and commercial accommodation. Limited shops, residential, and non-retail commercial and community uses may also be included.

Part A – General Development Controls

Local centres are smaller shopping centres throughout Canberra that provide for convenience retailing and other accessible, convenient shopping and community and business services to meet the daily needs of the local population. They also act as a social focus for the neighbouring community and may vary in size and composition from one or two shops to a larger centre incorporating a range of community and commercial activities. Planning policies for local centres seek to retain a smaller scale character that is consistent with adjacent areas, provide opportunities for residential development, and ensure that basic shopping is available to the local community.

Element 1: Restrictions on Use

Intent:

- a) To encourage shop fronts and similar active frontages at street level and create a lively, vibrant character based around main pedestrian systems
- b) To ensure that convenience retailing and other services are readily available to the local community and compatible with nearby residential areas
- c) To provide opportunities for higher density residential development, while protecting existing commercial uses and the amenity of residents living in commercial zones

| Rules | Criteria |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.1 Active Frontages | |
| <p>R1</p> <p>Only the following uses are provided in buildings at ground floor level on frontages to main pedestrian areas and routes:)</p> <p style="padding-left: 40px;">business agencies, community activity centres, financial establishments, indoor entertainment facilities, indoor recreation facilities, public agencies, restaurants and shops.</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, in a form that is consistent with the needs of the particular centre.</p> |
| 1.2 Industrial Trades | |
| <p>There is no applicable rule.</p> | <p>C2</p> <p>Industrial trades are restricted to the repair, maintenance (not including body building, panel beating and spray painting), sale and hire of electrical, mechanical or similar goods.</p> |
| 1.3 Residential Use | |
| <p>R3</p> <p>All multi-unit housing is designed to comply with Part C (5) of the Residential Zones Multi Unit Housing Development Code.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |

| Rules | Criteria |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>R4</p> <p>All single dwelling housing is designed to comply with the relevant parts of the Residential Zones Single Dwelling Housing Development Code.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| <p>R5</p> <p>All dwellings for the purposes of supportive housing and/or residential care accommodation are designed to comply with the relevant parts of the Residential Zones Development Code and the relevant Australian Standard for Adaptable Housing.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| <p>R5A</p> <p>Where more than one development code applies to a development, this development code takes precedence when there is inconsistency of provisions between codes.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| <p>R6</p> <p>a) RESIDENTIAL USE is not located at ground floor level along streets where active frontages are required.</p> <p>b) Redevelopment proposals retain at least the existing level of GFA provided for non-residential uses.</p> | <p>C6</p> <p>Convenience retailing and other accessible, convenient shopping and community and business services are available to meet the needs of the local population.</p> |
| <p>There is no applicable rule.</p> | <p>C7</p> <p>Residential development that involves decreasing the total GFA provided for commercial/retail purposes by more than 50% may be approved only where it can be substantiated that the centre, or the proportion of commercial space to be replaced is no longer commercially viable.</p> |
| <p>1.4 Existing Community and Recreation Sites</p> | |
| <p>R8</p> <p>A development proposal does not reduce the range of community or recreation facilities available within a centre.</p> | <p>C8</p> <p>A proposal that reduces the range of community or recreation facilities available within a centre demonstrates through a social impact assessment that there is enough land or sufficient other facilities in the locality to meet anticipated demand.</p> |

Element 2: Building and Site Controls

Intent:

- a) To encourage a built form and scale of development that reflects the centre's role as a commercial and community focus for the local area
- b) To ensure that buildings are compatible with the built form, siting and scale of development in adjacent areas or the desired future character of the area established within the Plan
- c) To promote an attractive pedestrian environment
- d) To ensure that development is compatible with, and does not adversely impact on, the environment

| Rules | Criteria |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.1 Height - General | |
| R9 Maximum building heights are 2 storeys. | C9 Building heights comply with all of the following: <ol style="list-style-type: none"> a) are compatible with existing, or future desired character of, adjacent development b) are appropriate to the scale and function of the use c) minimise detrimental impacts, including overshadowing and excessive scale. |
| 2.2 Plot Ratio - General | |
| There is no applicable rule. | C10 Plot ratios comply with all of the following: <ol style="list-style-type: none"> a) are compatible with the existing, or future desired character of, adjacent development b) are appropriate to the scale and function of the use c) do not cause detrimental impacts including overshadowing and excessive scale. |
| 2.3 Subdivision | |
| R11 Subdivision is only permitted where it meets all of the following: <ol style="list-style-type: none"> 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 sections of this Code. | This is a mandatory requirement. There is no applicable criterion. |

| Rules | Criteria |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.4 Demolition | |
| <p>R12</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 utilities (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>C12</p> <p>If a Statement of Endorsement is not provided the application will be referred to relevant utilities in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p> |
| 2.5 National Capital Plan Requirements | |
| <p>There is no applicable rule.</p> | <p>C13</p> <p>Where a development is subject to Special Requirements under the National Capital Plan, or any relevant Development Control Plan prepared under the National Capital Plan, the development is not inconsistent with the Special Requirements or Development Control Plan. Where any provision of this code is inconsistent with Special Requirements under the National Capital Plan, or any relevant Development Control Plan prepared under the National Capital Plan, that provision has no effect.</p> |

Element 3: Built Form

Intent:

- a) To ensure building design reinforces the local centre’s role and contributes to a diverse, lively and attractive character
- b) To ensure that buildings are compatible with the built form, siting and scale of development in adjacent areas or the desired future character of the area established within the Plan
- c) To ensure that the massing, scale, colours and materials used for buildings results in harmonious and high quality urban design outcomes
- d) To provide for buildings that promote a safe and accessible environment

Note: Under the Building Act 2004, most 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 Building Design and Materials | |
| <p>R14</p> <p>Buildings incorporate display windows and shop fronts with direct pedestrian access at ground floor level on frontages to main pedestrian areas and routes.</p> | <p>C14</p> <p>Buildings fronting main pedestrian areas and routes are designed to incorporate active frontages with direct pedestrian access, consistent with the needs of the particular centre.</p> |
| <p>There is no applicable rule.</p> | <p>C15</p> <p>Development contributes to the amenity and character of the adjacent public spaces by addressing all of the following:</p> <ul style="list-style-type: none"> a) providing interesting, functional and attractive facades that contribute positively to the streetscape setting and pedestrian experience b) minimising the visual impact of reflected sunlight c) incorporating articulated building forms to compliment the existing, or future desired character of, adjacent development d) integrating plant installations and service structures with the building design, so they are set back from the building facade and screened from public areas. |

| 3.2 Crime Prevention Through Environmental Design | |
|--------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| There is no applicable rule. | C16 The development meets the requirements of the Crime Prevention Through Environmental Design General Code. |
| 3.3 Access and Mobility | |
| There is no applicable rule. | C17 The development meets the requirements of the Access and Mobility General Code. |
| 3.4 Car Parking Structures | |
| There is no applicable rule. | C18 Car parking structures are designed to integrate with the built form of adjacent existing development. |
| 3.5 Location Requirements for Community and Recreation Facilities | |
| There is no applicable rule. | C18A The development meets the requirements of the Community and Recreation Facilities Location Guidelines General Code. |

Element 4: Parking and Site Access

Intent:

- a) To ensure safe and efficient access for vehicles and pedestrians
- b) To ensure adequate parking facilities are provided

| Rules | Criteria |
|---------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4.1 Traffic Generation | |
| There is no applicable rule. | C19 The existing road network can accommodate the amount of traffic that is likely to be generated by the development. |
| 4.2 Main Pedestrian Areas and Routes | |
| There is no applicable rule. | C20 Main pedestrian areas and routes are retained unless it can be shown that as part of any change, the pedestrian access, circulation system, structure and legibility of the centre is adequately maintained. |

| Rules | Criteria |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4.3 Access | |
| There is no applicable rule. | C21 Driveways and pedestrian entrances to the site are clearly visible from the front site boundary. |
| R22 Loading docks or vehicular entries to buildings are not located on frontages to the street. | C22 Loading docks and vehicular entries do not dominate the street frontage or conflict with parking and pedestrian movements in front of the building. |
| There is no applicable rule. | C23 Site access complies with the requirements of the Parking and Vehicular Access General Code. |
| 4.4 Parking | |
| There is no applicable rule. | C24 Car Parking complies with the requirements of the Parking and Vehicular Access General Code. |
| There is no applicable rule. | C25 Bicycle Parking complies with the requirements of the Bicycle Parking General Code. |
| 4.5 Service Access and Delivery | |
| R26 Onsite provision is made for the loading and unloading of vehicles, with adequate manoeuvring space so that vehicles can enter and leave the site travelling in a forward direction. <i>Note: Loading, unloading and associated manoeuvring area is in addition to minimum parking requirements.</i> | C26 Provision is made for associated loading and unloading of goods which complies with all of the following: a) demonstrates adequate justification for the proposed arrangements when not entering and exiting in a forward direction b) does not unreasonably compromise the safety of pedestrian and traffic movement and operation of any adjoining facilities such as road, cycleway or pedestrian pathway, and on-street and off-street parking c) provides adequate space for the manoeuvring of vehicles d) is endorsed by the Department of Territory and Municipal Services. |

Element 5: Amenity

Intent:

- a) To promote a high level of amenity through consideration of personal safety, landscaping and visual impact
- b) To protect local amenity and ensure impacts on other commercially viable local centres are considered.

| Rules | Criteria |
|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5.1 Landscape | |
| <p>There is no applicable rule.</p> | <p>C27</p> <p>A documented landscape design concept shows how landscape associated with the development addresses all of the following:</p> <ul style="list-style-type: none"> a) is sensitive to site attributes, including streetscapes and landscapes of documented heritage significance b) is of an appropriate scale relative to the road reserve width and building bulk c) uses vegetation types and landscaping styles which complement the streetscape d) integrates with parks, reserves and public transport corridors e) does not adversely affect the structure of the proposed buildings or adjoining buildings f) contributes to energy efficiency and amenity by providing substantial shade in summer, especially to west-facing windows and open car park areas, and admitting winter sunlight to outdoor and indoor living areas g) improves privacy and minimises overlooking between buildings h) satisfies utility maintenance requirements and minimises the visual impact and risk of damage to aboveground and underground utilities i) provides adequate sight lines for vehicles and pedestrians, especially near street corners and intersections j) does not obscure or obstruct building entries, paths and driveways to reduce the actual or perceived personal safety and security. |

| Rules | Criteria |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| There is no applicable rule. | C28 Tree planting in and around car parks provides shade and softens the visual impact of parking areas. |
| 5.2 Lighting | |
| R29 External lighting is provided to building frontages, to all pathways, roads, laneways and car-parking areas in accordance with Australian Standard AS1158.3.1 <i>Pedestrian Lighting</i> . | C29 External lighting is provided in accordance with the Crime Prevention Through Environmental Design General Code. |
| There is no applicable rule. | C30 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. | C31 Signs comply with the Signs General Code. |
| 5.4 Neighbourhood Plans | |
| There is no applicable rule. | C32 Where a Neighbourhood Plan exists, development demonstrates a response to the key strategies of the relevant Neighbourhood Plan. |
| 5.5 Consideration of Impacts | |
| There is no applicable rule. | C33 A proposal to carry out development in a local centre must have regard to any significant adverse economic impact on other commercially viable local centres. |

Element 6: Environment

Intent:

- a) To identify and mitigate potential onsite and offsite environmental impacts of development and incorporate alternative design options where necessary

| Rules | Criteria |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>6.1 Water Sensitive Urban Design Note: Refer to the Water Ways: Water Sensitive Urban Design General Code for more information on Water Sensitive Urban Design</p> | |
| <p>R34</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 manoeuvring areas and car parking areas of less than 25% of the original area.</p> | <p>C34</p> <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| <p>R35</p> <p>All sites of size greater than 2,000m² need to provide evidence of stormwater storage greater than or equal to the volume of 1.4kL per 100m² of impervious area and release over a period of 1 to 3 days. 50% of the volume of rainwater tanks with a toilet connection may be regarded as contributing towards this requirement.</p> <p>This requirement does not apply for extensions with an increase in the combined roof area, driveway, car manoeuvring areas and car parking areas of less than 25% of the original area.</p> | <p>C35</p> <p>Evidence is provided that demonstrates that for all sites of size greater than 2,000m², 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.</p> <p>This requirement does not apply for extensions with an increase in the combined roof area, driveway, car manoeuvring areas and car parking areas of less than 25% of the original area.</p> |

| Rules | Criteria |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>R37</p> <p>All sites of size greater than 2,000m² and subject to redevelopment need to ensure that the capacity of the existing pipe (minor) stormwater connection to the site is not exceeded in the 1-in-10 year storm event.</p> <p>All sites of size greater than 2,000m² and subject to redevelopment need to ensure that the capacity of the existing overland (major) stormwater system to the site is not exceeded in the 1-in-100 year storm event.</p> <p>For estate and multiple block developments larger than 5000 m², retardation of stormwater to meet the above requirements are to be met at the estate scale rather than by measures on individual blocks.</p> | <p>C37</p> <p>Evidence is provided by a suitably qualified person that shows that for all sites of size greater than 2,000m² and subject to redevelopment</p> <p>EITHER</p> <p>a reduction of 1-in-5 year and 1-in-100 year stormwater peak run off flow to pre-development levels. See WaterWays General Code for more detail.</p> <p>OR</p> <p>That the capacity of the downstream piped stormwater system to its outlet with an open channel is not exceeded in the 1-in-10 year storm event.</p> <p>For estate and multiple block developments larger than 5000 m², retardation of stormwater to meet the above requirements are to be met at the estate scale unless it can be demonstrated that this is less feasible than measures on individual blocks.</p> |
| 6.2 Heritage | |
| <p>R38</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, 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 <i>Heritage Act 2004</i>.</p> | <p>C38</p> <p>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 <i>Planning and Development Act 2007</i>.</p> |
| 6.3 Trees | |
| <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>This is a mandatory requirement. There is no applicable criterion.</p> |

| Rules | Criteria |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <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 <i>Planning and Development Regulation 2008</i> a development application for a <i>declared site</i> 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. <i>Protected tree</i> and <i>declared site</i> are defined under the <i>Tree Protection Act 2005</i>. | |
| <p>R40</p> <p>Trees on development sites may be removed only with the prior agreement in writing of the Territory.</p> | <p>C40</p> <p>Retained trees are protected and maintained during construction to the satisfaction of the Territory.</p> |
| <p>6.4 Hazardous Material</p> | |
| <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> <ol 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> |

| Rules | Criteria |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6.5 Contamination | |
| <p>R42</p> <p>A statement is provided that the potential for land contamination has been assessed in accordance with the <i>ACT Government Strategic Plan – Contaminated Sites Management 1995</i> and the <i>ACT Environment Protection Authority Contaminated Sites Environmental Protection Policy 2000</i>, and it is demonstrated that the land is suitable for the proposed development.</p> | <p>C42</p> <p>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 <i>Planning and Development Act 2007</i>.</p> |
| 6.6 Erosion and Sediment Control | |
| <p>R43</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>C43</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>R44</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 ACT Environment Protection.</p> | <p>C44</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> |
| 6.7 Excavation | |
| <p>There is no applicable rule.</p> | <p>C45</p> <p>Onsite cut and fill is minimised and managed to ameliorate negative off site impacts.</p> |
| 6.8 Air Emissions – Odours | |
| <p>R46</p> <p>A statement is provided that all exhaust and ventilation systems for food retail premises are installed and operated to comply with <i>AS1668.1 The Use of Ventilation and Air-conditioning in Buildings</i>.</p> | <p>C46</p> <p>This is a mandatory requirement. There is no applicable criterion.</p> |

| Rules | Criteria |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6.9 Noise | |
| <p>R47</p> <p>A Noise Management Plan, prepared by an accredited acoustic specialist who is a member of the Australian Acoustical Society, endorsed by Environment Protection is provided for the following uses:</p> <ul style="list-style-type: none"> -industry (except light industry) -indoor entertainment facility -restaurant <p>The Noise Management Plan details the design, siting and construction methods, which will be used to minimise the impact of noise on neighbours.</p> | <p>C47</p> <p>If an endorsed Noise Management 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> |

Element 7: Services

Intent:

- a) To ensure, to the satisfaction of the relevant authority, provision of all necessary onsite services required for the construction and operation stages of the proposed use

| Rules | Criteria |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7.1 Waste Management | |
| <p>R48</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, applications are to be 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 current version of the <i>Development Control Code for Best Practice Waste Management in the ACT</i>.</p> | <p>C48</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> |
| <p>R49</p> <p>A Statement of Compliance from the relevant agency is provided, which confirms that the discharge (or potential discharge by accident or spillage) of non-domestic liquid waste to the sewerage or stormwater networks complies with utility standards and requirements.</p> | <p>C49</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> |
| 7.2 Servicing and Site Management | |
| <p>R50</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>C50</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> |

| Rules | Criteria |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7.3 Utilities | |
| <p>R51</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>C51</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> |
| <p>R52</p> <p>All new permanent or long-term electricity supply lines are underground.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| 7.4 Waste Water | |
| <p>R53</p> <p>Subject to ACTEWAGL approval, all under cover areas drain to the sewer.</p> | <p>C53</p> <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| 7.5 Storage | |
| <p>R54</p> <p>Outdoor storage areas address all of the following:</p> <ul style="list-style-type: none"> a) are located behind the building line b) are screened from view from any road or other public area c) do not encroach on car-parking areas, driveways, or landscape areas. | <p>C54</p> <p>Where the proposed use requires open areas for storage of goods and materials, adequate provision is included in the design and layout of the site for these areas, and they do not encroach on car parking, driveways or landscaped areas.</p> |
| 7.6 Easements | |
| <p>R55</p> <p>There is no encroachment over easements or rights of way.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |

Part B – Site Specific Controls

Element 2: Building and Site Controls

Intent:

- a) To ensure that buildings are compatible with the built form, siting and scale of development in adjacent areas or the desired future character of the area established within the Plan

| 2.1 Bruce Local Centre | |
|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>R56</p> <p>Maximum building heights are 2 storeys</p> | <p>C56</p> <p>a) For Bruce Local Centre Building heights comply with all of the following:</p> <p>i) are compatible with existing, or future desired character of, adjacent development</p> <p>ii) are appropriate to the scale and function of the use</p> <p>iii) minimise detrimental impacts, including overshadowing and excessive scale</p> <p>b) Maximum building heights are 3 storeys.</p> |
| <p>There is no applicable rule.</p> | <p>C57</p> <p>a) For Bruce local centre, the plot ratios comply with all of the following:</p> <p>i) are compatible with the existing, or future desired character of, adjacent development</p> <p>ii) are appropriate to the scale and function of the use</p> <p>iii) do not cause detrimental impacts including overshadowing and excessive scale.</p> <p>b) The maximum plot ratio is 0.8:1 (80%).</p> |