

Planning and Development (Draft Variation No 355) Consultation Notice 2018

Notifiable instrument NI2018—423

made under the

Planning and Development Act 2007, s 63 (Public consultation—notification) and s 64 (Public consultation—notice of interim effect etc)

1 Name of instrument

This instrument is the *Planning and Development (Draft Variation No 355) Consultation Notice 2018*.

2 Draft variation to the Territory Plan

The planning and land authority (the *Authority*) has prepared a draft plan variation No 355 – Calwell Group Centre – zone changes and amendments to the Calwell Precinct Map and Code (the *Draft Variation*) to vary the Territory Plan. The Draft Variation 355 implements the planning related recommendations of the Calwell Group Centre Master Plan, which was endorsed by the ACT Government in September 2016. The Territory Plan amendments are intended to provide guidance for future development in the Calwell Group Centre, particularly in relation to the desired built form and character.

3 Documents available for public inspection

- (1) The Authority gives notice that the following documents are available for public inspection and purchase:
 - (a) the Draft Variation; and
 - (b) the background papers relating to the Draft Variation.
- (2) Copies of the documents mentioned in clause 3 (1) are available for inspection and purchase at Access Canberra, Environment, Planning and Sustainable Development Directorate Shopfront, Ground Floor South, Dame Pattie Menzies House, 16 Challis Street, Dickson, Monday to Friday (except public holidays) between 8:30am and 4:30pm for the period commencing on the day this notice commences and ending on **Monday 24 September 2018** (the *consultation period*).
- (3) Copies of the documents mentioned in clause 3 (1) are also available for inspection during the consultation period online at

http://www.planning.act.gov.au/tools_resources/legislation_plans_registers/plans/territory_plan/draft_variations_to_the_territory_plan

4 Invitation to give written comments

- (1) The Authority invites written comments about the Draft Variation during the Consultation Period. Comments should include reference to the Draft Variation and be addressed to the Territory Plan Section of the Environment, Planning and Sustainable Development Directorate (**EPSDD**). Please also provide your name and contact details to assist in the assessment of the comments provided and to enable the Authority to contact you in relation to your comments, if required.
- (2) Written comments should be provided to the Authority by:
 - (a) email to terrplan@act.gov.au; or
 - (b) mail to Territory Plan Section, EPSDD, GPO Box 158, Canberra, ACT 2601; or
 - (c) hand delivery to Access Canberra, EPSDD Shopfront, Ground Floor South, Dame Pattie Menzies House, 16 Challis Street, Dickson.

5 Public inspection of written comments

- (1) Copies of written comments about the Draft Variation given in response to the invitation in clause 4, or otherwise, or received from the National Capital Authority will be available (unless exempted) for public inspection for a period of at least 15 working days starting 10 working days after the day the consultation period ends, at Access Canberra, EPSDD Shopfront, Ground Floor South, Dame Pattie Menzies House, 16 Challis Street, Dickson, Monday to Friday (except public holidays) between 8:30am and 4:30pm and may be published on the EPSDD website at www.planning.act.gov.au.
- (2) You may apply under section 411 of the *Planning and Development Act 2007* (the **Act**) for part of your consultation comments to be excluded from being made available to the public. A request for exclusion under this section must be in writing, clearly identifying what you are seeking to exclude and how the request satisfies the exclusion criteria. Please note that your name and contact details and other personal information will not be made public unless you request otherwise.

Note Your personal information will be managed in accordance with the *Information Privacy Act 2014* and the EPSDD *Information Privacy Policy* which are available through the EPSDD website.

6 Effect of the Draft Variation

- (1) Section 65 of the Act applies to the Draft Variation. This means that the provisions of Draft Variation No 355 have interim effect, and apply to development applications lodged on or after 10 August 2018.
- (2) During the period of interim effect, the Territory, the Executive, a Minister or a territory authority must not, during the defined period, do or approve the doing of anything that would be inconsistent with the Territory Plan if it were

varied in accordance with the draft plan variation. Where there is an inconsistency between provisions in the current Territory Plan and provisions in the draft variation, then the draft variation takes precedence for the extent of the inconsistency.

(2) Interim effect will end on the day of the earliest one of the following happens:

- (a) the day the public availability notice under section 70 for the draft variation being recommended to the Minister is notified in accordance with the *Legislation Act 2001*;
- (b) the day the draft variation, or the corresponding plan variation, is withdrawn under section 68 (1)(b) or section 76 (2) (b) (v) of the Act;
- (c) 1 year after the date of the consultation notice.

7 Obtaining further information

Further information about the Draft Variation can be obtained through email correspondence with the Territory Plan Section, EPSDD, at Terrplan@act.gov.au, a reference to the Draft Variation should be included in any email.

8 Meaning of *draft plan variation No 355 – Calwell Group Centre – zone changes and amendments to the Calwell Precinct Map and Code*.

In this instrument:

draft plan variation No 355 – Calwell Group Centre – zone changes and amendments to the Calwell Precinct Map and Code means the draft plan variation in the schedule.

Fleur Flanery
Delegate of the planning and land authority
6 August 2018



ACT
Government

Environment, Planning and
Sustainable Development

Schedule
(See clause 8)

Planning and Development Act 2007

Draft Variation to the Territory Plan No 355

**Calwell Group Centre -
Zone changes and amendments to the
Calwell Precinct Map and Code**

August 2018

Draft variation for public consultation prepared
under s60 of the *Planning and Development Act 2007*

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Contents

1.	INTRODUCTION.....	1
1.1	Summary of the Proposal	1
1.2	Outline of the process	2
1.3	Public Consultation	3
2.	EXPLANATORY STATEMENT	4
2.1	Background.....	4
2.2	Site Description.....	4
2.3	Current Territory Plan Provisions	5
2.4	Proposed Territory Plan Changes.....	6
2.4.1	Proposed Changes to the Territory Plan map	6
2.4.2	Proposed Changes to Territory Plan	6
2.5	Reasons for the Proposed Draft Variation	7
2.6	Planning Context	7
2.6.1	National Capital Plan	7
2.6.2	Territory Plan	8
2.7	Interim Effect.....	9
2.8	Consultation with Government Agencies	10
3.	DRAFT VARIATION	13
3.1	Variation to the Territory Plan map	13
3.2	Variation to the Territory Plan written document.....	14

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1. INTRODUCTION

1.1 Summary of the Proposal

The draft Territory Plan variation number 355 (DV355) implements the planning related recommendations of the Calwell Group Centre Master Plan which was endorsed by the ACT Government in September 2016. The Territory Plan amendments are intended to provide guidance for future development in the Calwell Group Centre particularly in relation to the desired built form and character.

DV355 proposes to rezone part of block 41 section 787 from Commercial CZ3 Services Zone to CZ1 Core Zone to ensure that the entire block is included in one zone and to provide a moderate increase in development opportunities in this location consistent with the master plan. The draft variation also proposes to rezone part of block 8 section 788 along Johnson Drive from the Transport TSZ Services Zone to the CFZ Community Facilities Zone. This is intended to promote community uses in this location consistent with the master plan.

Provisions allowing additional merit track commercial services uses in the Commercial CZ1 Core Zone are to be removed from the Calwell Precinct Code. This is consistent with the master plan intention to focus commercial services uses, particularly industrial trades and the like, within the existing CZ3 Services Zoned areas. This will improve the amenity of the group centre consistent with the recommendations of the master plan.

Building heights in the Calwell Group Centre are currently limited to two storeys. This is generally retained in the draft variation; however there is a site specific allowance of up to for four storeys towards the eastern edge of the centre. This is intended to provide a moderate increase in development opportunities in this location consistent with the master plan. The existing height allowance of two to four storeys over the community facility zoned land will remain.

DV355 introduces new rules and criteria into the Calwell Precinct Code to improve public spaces and pedestrian places and thoroughfares requiring active building frontages with awnings, provisions to maintain solar access to public places and improving public safety through passive surveillance measures.

1.2 Outline of the process

The Commonwealth's *Australian Capital Territory (Planning and Land Management) Act 1988* allows for the Legislative Assembly to make laws to establish a Territory Planning Authority and for that Authority to prepare and administer a Territory Plan. The *Planning and Development Act 2007* (the Act) establishes the planning and land authority as the Authority which prepares and administers the Territory Plan, including continually reviewing and proposing amendments as necessary. The functions of the planning and land authority are administered by the Environment, Planning and Sustainable Development Directorate (EPSDD).

The Territory Plan is comprised of a written statement and a map. The written statement contains a number of parts, namely governance; strategic directions; zones (including objectives and development tables and zone or centre development codes); precinct codes; general codes; overlays; definitions; structure plans, concept plans and development codes for future urban areas.

The Territory Plan Map graphically represents the applicable land use zones (under the categories of residential, commercial, industrial, community facility, urban parks and recreation, transport and services and non-urban), precincts and overlays. The zone, precinct and overlay requirements are detailed in the volumes of the Territory Plan.

Draft variations to the Territory Plan are prepared in accordance with the Act. Following the release of the draft variation under section 63 of the Act, submissions from the public are invited. At the conclusion of the consultation period the EPSDD submits a report on consultation and a recommended final variation to the Minister responsible for planning for approval. The Minister has the discretion to determine if referral to the Legislative Assembly standing committee responsible for planning is warranted prior to approval, depending on the nature and significance of the proposal. If the draft variation is referred to the committee by the Minister or otherwise, the Minister must consider the findings of the committee before deciding whether to approve the draft variation.

If the Minister approves the variation, the variation and associated documents will be tabled in the Legislative Assembly. Unless disallowed by the Legislative Assembly within five sitting days, the variation commences on a day nominated by the Minister.

1.3 Public Consultation

Written comments about the draft variation are invited from the public by **Monday 24 September 2018**.

Comments should include reference to the draft variation and be addressed to the Territory Plan Section. Please also provide your name and contact details to assist in the assessment of the comments provided, and to enable EPSDD to contact you in relation to your comments, if required. Your personal information will be managed in accordance with the *Information Privacy Act 2014* and the EPSDD Information Privacy Policy, which is available for viewing on EPSDD's website.

Comments can be:

- emailed to terrplan@act.gov.au
- mailed to Territory Plan Section, GPO Box 158, Canberra, ACT 2601
- delivered to EPSDD's Customer Service Centre at 16 Challis Street, Dickson
- made on the 'Your Say' website: <https://www.yoursay.act.gov.au/>

Copies of written comments will be made available for public inspection for no less than 15 working days starting 10 working days after the closing date for comment. The comments will be available at EPSDD's customer service centre in Dickson and may be published on EPSDD's website. Comments made available will not include personal contact details unless you request otherwise.

A request may be made for parts of a submission to be excluded under section 411 or 412 of the *Planning and Development Act 2007*. A request for exclusion under these sections must be in writing, clearly identifying what parts of your submission you are seeking to exclude and how the request satisfies the exclusion criteria.

Further Information

The draft variation and background documents are available online at **www.act.gov.au/draftvariations** until the closing date for written comments.

Printed copies of the draft variation (this document) and background documents are available for inspection and purchase at the EPSDD Customer Service Centre, 16 Challis Street, Dickson, Monday to Friday (except public holidays) between 8:30am and 4:30pm. Please call 6207 1923 to arrange a copy for purchase.

2. EXPLANATORY STATEMENT

2.1 Background

DV355 incorporates the recommendations of the Calwell Group Centre Master Plan 2016, which has been undertaken as part of the ACT Government initiative for encouraging the rejuvenation of selected commercial centres, and to direct development within the centre over time.

2.2 Site Description

The subject area is the Calwell Group Centre. The centre is located 5km south east of Tuggeranong Town Centre and approximately 17km south of the city centre. The centre is bounded by Johnson Drive to the north, Were Street to the west and south, and playing fields to the east.

The centre consists of a central single storey commercial mall surrounded on three sides by surface car parking, with a nearby service station, sporting club and car wash facilities in separate stand-alone single storey buildings.

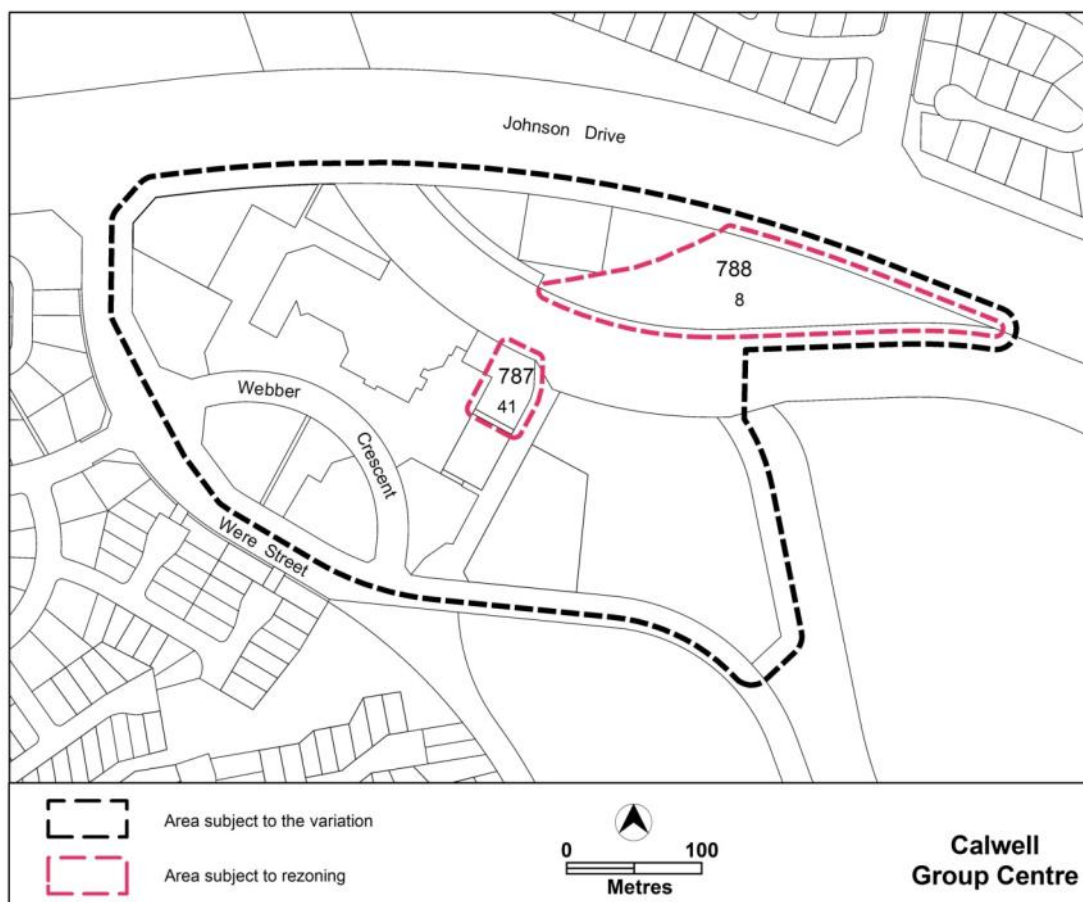


Figure 1: DV355 subject area, including sites subject to rezoning

2.3 Current Territory Plan Provisions

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

The central commercial area is zoned CZ1 Commercial Core Zone, with the remainder of the commercial area zoned CZ3 Services Zone. The aged care facility adjoining the centre is zoned CFZ Community Facilities Zone, with the stormwater channel and playing fields zoned PRZ1 Urban Open Space. The existing emergency services facility between the centre and Johnson Drive is zoned TSZ2 Transport Services Zone.

The group centre is subject to the Commercial Zones Development Code and the Calwell Precinct Map and Code. The community facilities are subject to the Commercial Facility Zone Development Code, the areas of open space are subject to the Parks and Recreation Zone Development Code, and the emergency services facility subject to the Transport and Services Zone Development Code. The general codes may also apply.

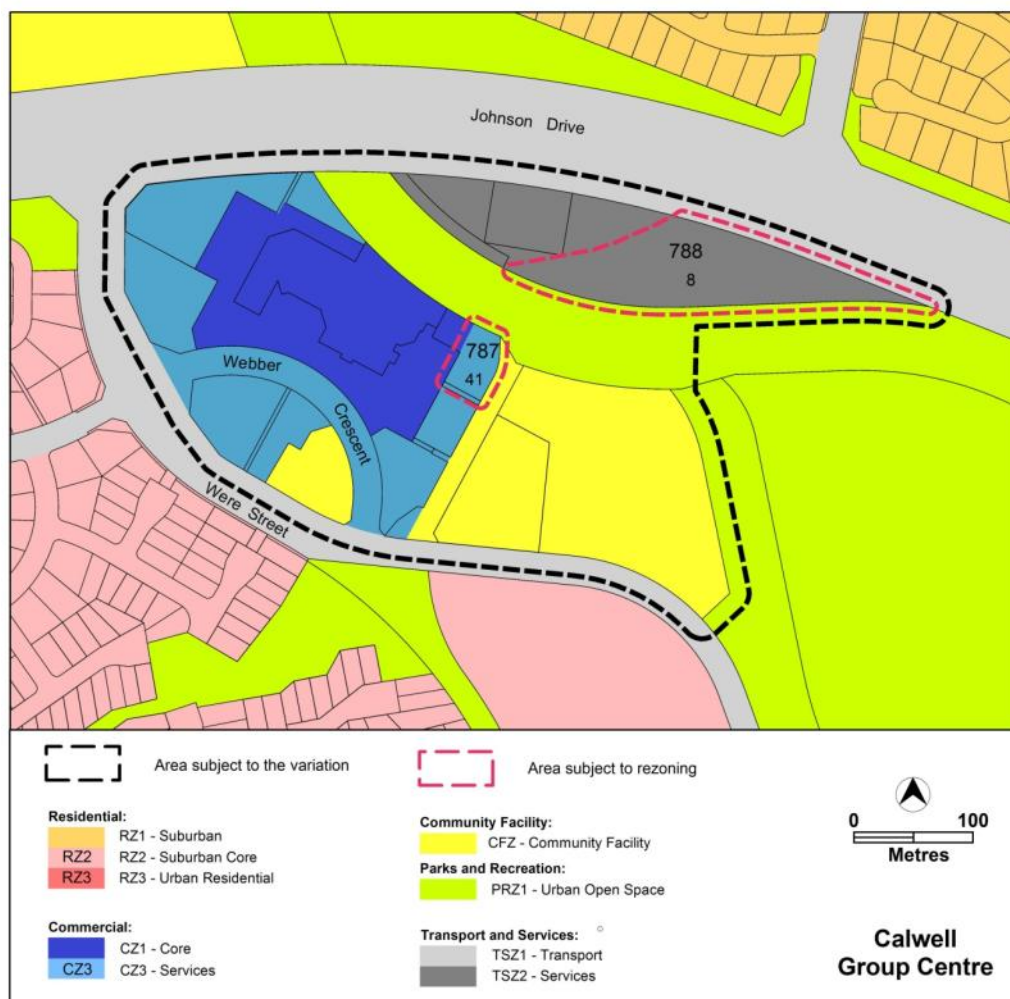


Figure 2 Territory Plan existing zones map

2.4 Proposed Territory Plan Changes

2.4.1 Proposed Changes to the Territory Plan map

The proposed changes to the Territory Plan map are indicated in Figure 3 at Part 3 of this document and are detailed as follows:

- rezone a portion of block 8 section 788 from TSZ2 Transport Services Zone to CFZ Community Facilities Zone; and
- rezone a portion of block 41 section 787 from CZ3 Services Zone to CZ1 Core Zone.

The draft variation map indicates the proposed zone boundaries as accurately as possible but may be subject to adjustments following detailed surveys.

2.4.2 Proposed Changes to Territory Plan

It is proposed to amend the Calwell Precinct Map and Code to:

- remove the following additional merit track MT1 development from within the Commercial CZ1 Core Zone: industrial trades, municipal depot and store;
- permit development up to four storeys over part of block 12 section 787 Calwell and block 41 section 787 Calwell;
- nominate active frontage areas where development will be required to provide glazing, public access to buildings and awnings;
- introduce setbacks for taller building elements to retain solar access to public spaces;
- require residential development two storeys and above to provide balconies and windows to habitable rooms overlooking public spaces;
- nominate pedestrian paths to be provided or retained as part of any development; and
- specify design requirements for new buildings.

The existing provisions of the current Calwell Precinct Code have been retained and incorporated into the revised code.

2.5 Reasons for the Proposed Draft Variation

The primary reason for the draft variation is to implement the planning related recommendations of the Calwell Group Centre Master Plan 2016. This will promote the following outcomes for future development of the centre:

- permit a moderate increase in development opportunity in selected areas within the Calwell Group Centre;
- improve the amenity of the group centre whilst still allowing commercial CZ3 uses in specifically zoned locations;
- improve pedestrian activity and amenity in and around the centre through improvements to the built form facing public spaces;
- increase the potential for passive surveillance of the public spaces and main pedestrian routes to improve the safety and attractiveness of the centre; and
- to permit community uses along Johnson Drive.

2.6 Planning Context

2.6.1 National Capital Plan

The *Australian Capital Territory (Planning and Land Management) Act 1988* established the National Capital Authority (NCA) with two of its functions being to prepare and administer a National Capital Plan (NCP) and to keep the NCP under constant review and to propose amendments to it when necessary.

The NCP, which was published in the Commonwealth Gazette on 21 January 1990 is required to ensure that Canberra and the Territory are planned and developed in accordance with their national significance. The *Planning and Land Management Act 1988* also required that the Territory Plan is not inconsistent with the NCP.

2.6.2 Territory Plan

Statement of Strategic Directions

The proposal is consistent with the Territory Plan's statement of strategic directions in terms of environmental, economic and social sustainability and spatial planning and urban design principles.

2.1 *Canberra will continue to develop as a series of discrete urban areas within a landscape setting of hills, ridges and other open spaces. Each town will offer a diversity of housing types; the broadest possible range of employment opportunities; and convenient, linked access to retail centres, community facilities and open space.*

DV355 is consistent with this principle as it generally contains development within the existing urban area zoning. The amendments to the Territory Plan will encourage additional dwelling types and retain commercial opportunities within the centre.

DV355 also includes provisions to improve pedestrian connections through the centre and out to the wider public transport and shared path network connecting the centre to other areas.

2.3 *Commercial and retail activity will be concentrated in centres and other planned nodes of intensive activity that are well served by public transport to ensure an efficient pattern of development. Primary emphasis will be placed on strengthening and enhancing existing and new centres and nodes, including improved urban design and encouragement of more mixed-use development.*

DV355 is consistent with this principle as it retains commercial development within the existing centre. The draft variation aims to strengthen the viability of the centre through improved urban design and providing opportunities for additional mixed use development within the centre.

2.6 *Higher density development will be encouraged within and near major centres, and in other suitable locations that are well served by public transport.*

DV355 is consistent with this principle through the encouragement of modest increases in density within the group centre which has direct and easy access to public and active travel transport options.

2.7 *Development will be planned to encourage use of public transport, walking and cycling, including commuter cycling. Routes will be reserved for an enhanced intertown public transport system. Requirements for vehicle parking will be related to commercial needs and transport policy objectives.*

DV355 is consistent with this principle as it encourages modest increases in density with direct links to the inter town public transport route. This includes direct access from Johnson Drive to the 'expresso 700' bus series utilising the Monaro Highway as well as local bus services to the Tuggeranong Town Centre and the inter town public transport route. DV355 also promotes the provision of upgrades to the main pedestrian/cycling paths to increase commuter and resident access to alternate forms of transport including walking and cycling.

2.7 Interim Effect

Section 65 of the *Planning and Development Act 2007* applies to the draft variation. This means that the provisions of Draft Variation No 355 have interim effect, and apply to development applications lodged on or after **10 August 2018**.

During the period of interim effect the ACT Government must not do or approve anything that would be inconsistent with the Territory Plan as if it were amended by the draft variation. Where there is an inconsistency between provisions in the current Territory Plan and provisions in the draft variation, then the draft variation takes precedence for the extent of the inconsistency.

Interim effect will end on the day the earliest of the following happens:

- i. the day the public availability notice under section 70 for the draft variation being recommended to the Minister is notified in accordance with the Legislation Act
- ii. the day the draft variation, or the corresponding variation, is withdrawn under section 68 (1)(b) or section 76 (3)(b)(v)
- iii. 1 year after the date of the consultation notice.

2.8 Consultation with Government Agencies

The EPSDD is required to, in preparing a draft variation under section 61(b), consult with each of the following in relation to the proposed draft variation:

- the National Capital Authority;
- the Conservator of Flora and Fauna;
- the Environment Protection Authority;
- the Heritage Council; and
- the Land Custodian, if the draft variation would, if made, be likely to affect unleased land or leased public land – each custodian for the land likely to be affected.

The results of that consultation are provided below.

National Capital Authority (NCA)

The National Capital Authority provided the following comments on 3 May 2017:

Thank you for your request for comment for Draft Territory Plan Variation 355 Calwell Group Centre. We have no comment to add.

Response

The comments are noted.

Conservator of Flora and Fauna

The Conservator of Flora and Fauna provided the following comments on 1 May 2017:

There are no issues of concern to the Conservator of Flora and Fauna with the proposed amendment.

Response

The comments are noted.

Environment Protection Authority (EPA)

The Environment Protection Authority indicated that it supports the proposed variation in its current form and also provided the following comments on 18 September 2017:

It should be noted for Block 8 Section 788 Calwell, that prior to the lease being varied to permit new uses, an environmental assessment in accordance with the EPA Information Sheet 7 and EPA endorsed guidelines will be required to be undertaken by a suitably qualified environmental consultant to determine whether past activities have impacted the site from a contamination perspective and to determine whether the site is suitable for the proposed uses.

The assessment report will be required to be reviewed and endorsed by the EPA prior to the site being used for other purposes.

No assessment will be required for Block 41 Section 787 Calwell due to the proposed changes to a less sensitive landuse, the date of the lease and the permitted landuses under the site's current lease.

Response

The comments are noted.

Heritage Council

The Heritage Council provided the following comments on 2 May 2017:

No heritage places or objects subject to the Heritage Act 2004 provisions occur within the Calwell town centre, and the zone changes and amendments proposed by DV355 will not likely to diminish the heritage significance of the place.

Response

The comments are noted.

Land Custodian – Transport Canberra and City Services (TCCS)

The land custodian – Transport and Canberra and City Services Directorate provided the following comments on 5 June 2017:

- *The proposed community uses on Block 8 Section 788 Calwell is bounded by an arterial road, Johnson Drive to the North and the stormwater channel to the South. Access from the Johnson Drive is permitted to the proposed community uses in a Left In/Left Out arrangement only. The other access option to be considered is through a service road with a signalised intersection with Clift Crescent.*
- *R16 requires that awnings are provided along the length of the building frontage for active frontage areas shown in Fig. 2. Propose Rule 2.8 Awnings R16 be amended to include:*
 1. *where there are new buildings or redevelopment which incorporates awnings with colonnaded construction, the management of these should be incorporated into the private lease*
 2. *where a reduction in awning depth is required to accommodate existing infrastructure and/or existing or replacement street trees.*

Response

The comments are noted. The access options are also noted. The most appropriate access arrangements for Calwell section 788, block 8 can be determined at the detailed design stage as part of a future development application.

Rule 16 has been updated in response to the TCCS comments. A new rule and criterion have been drafted to better regulate development of colonnade awnings within private leaves.

3. DRAFT VARIATION

3.1 Variation to the Territory Plan map

The Territory Plan map is varied as indicated in figure 3

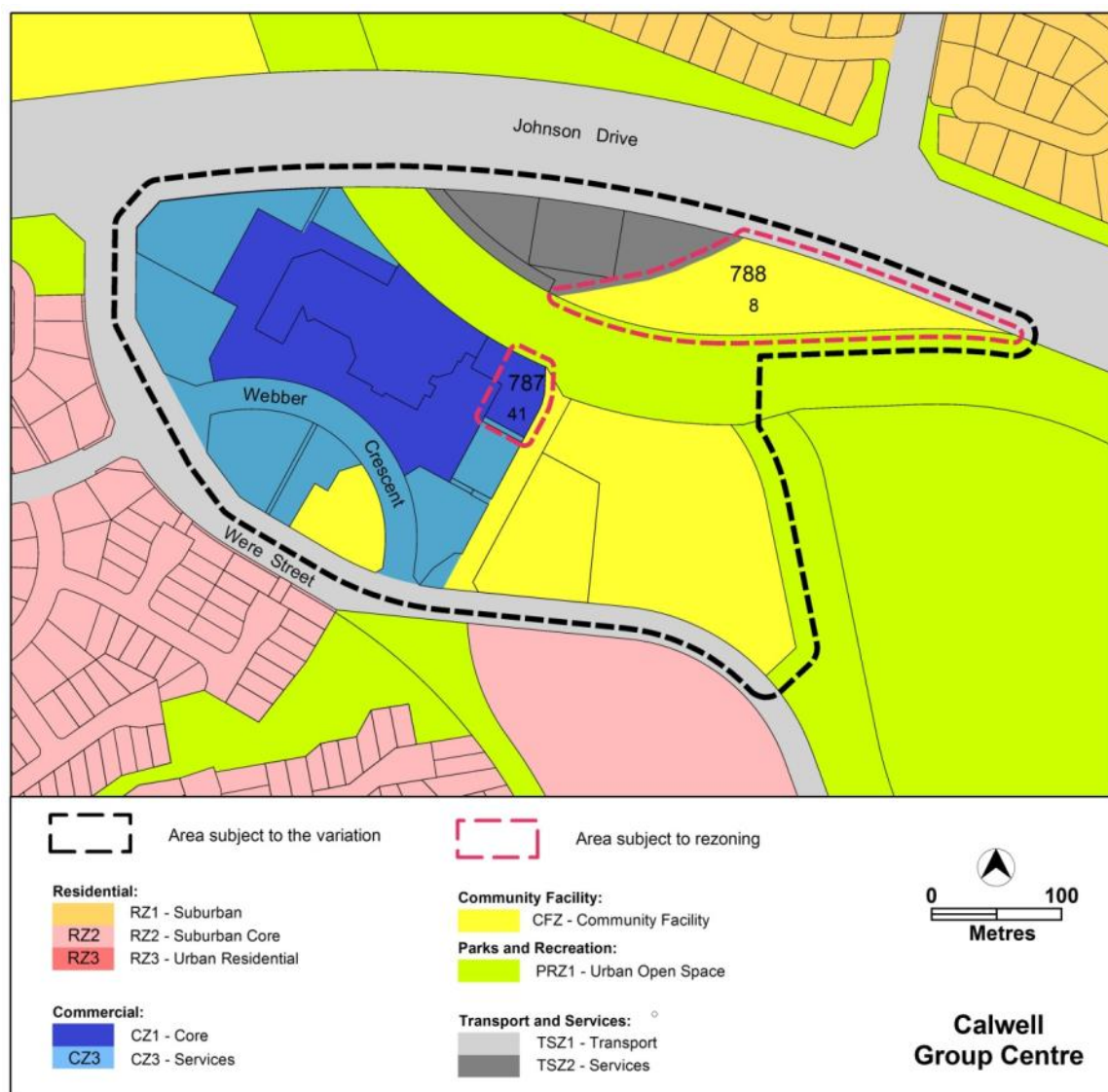


Figure 3: Variation to the Territory Plan map

3.2 Variation to the Territory Plan written document

The Territory Plan written document is varied as follows:

Variation to the Calwell Precinct Map and Code

10. Precinct map and codes, Calwell Precinct Code
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Substitute all of the following with the nominated attachments

Calwell Precinct Map – Attachment A

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

Insert

RC2 – Calwell Community Facilities – Attachment C

Renumber

RC2 – Calwell / Conder Fire Station to RC3 – Calwell / Conder Fire Station

Substitute

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

with

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

Renumber all components within the new RC3 as follows:

Element 1: Buildings to Element 4: Buildings

item 1.1 Height to 4.1 Height

Rule R1 to R19

item 1.2 Setback to 4.2 Setback

Criterion C2 to C20

item 1.3 Screening to 4.3 Screening

Rule R3 and Criterion C3 to R21 and C21

item 1.4 Environment to 4.4 Environment

Rule R4 to R22

Interpretation service

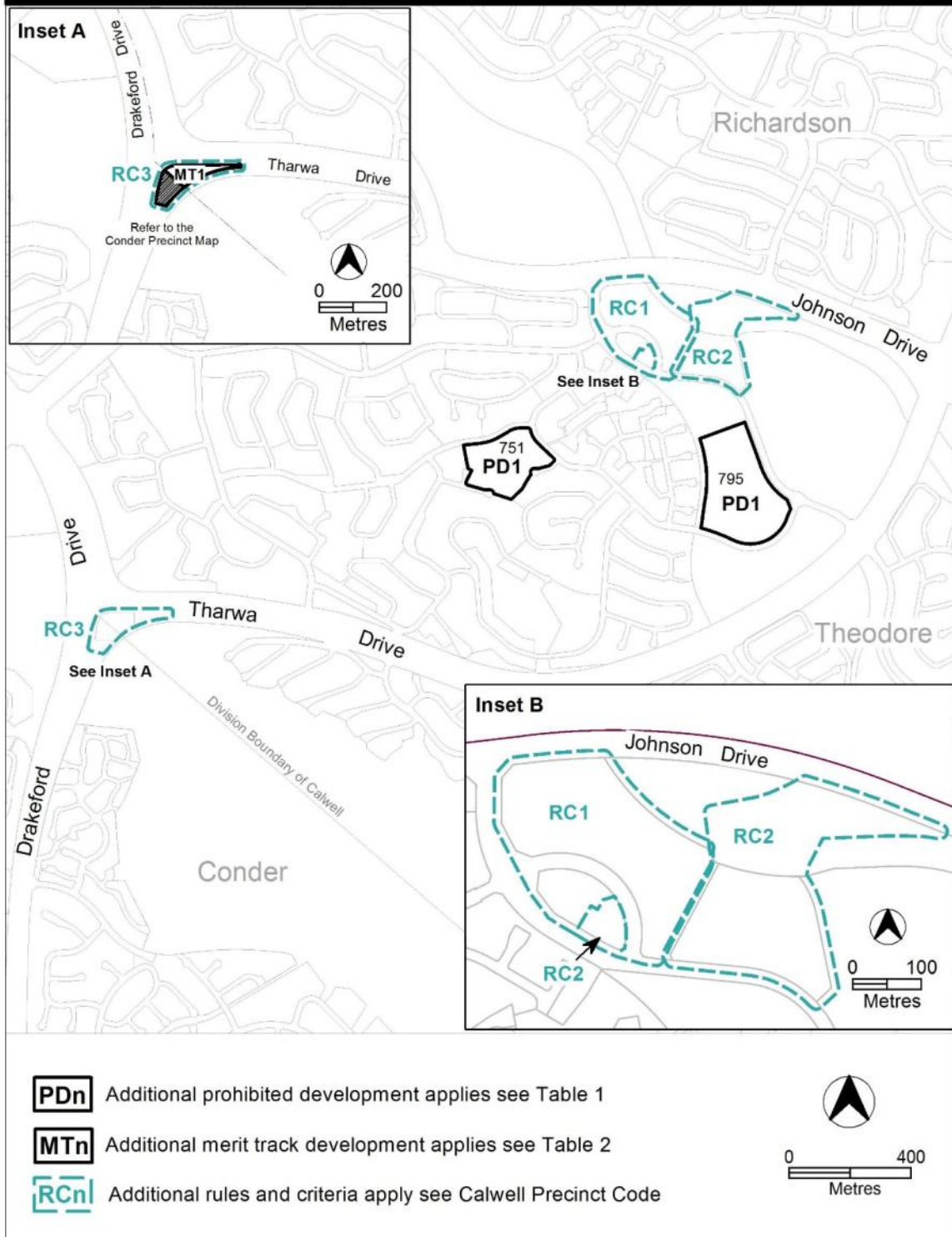
ENGLISH	If you need interpreting help, telephone:
ARABIC	إذا احتجت لمساعدة في الترجمة الشفوية، إتصل برقم الهاتف :
CHINESE	如果你需要传译员的帮助，请打电话：
CROATIAN	Ako trebate pomoć tumača telefonirajte:
GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήσετε στο
ITALIAN	Se avete bisogno di un interprete, telefonate al numero:
MALTESE	Jekk għandek bżonn l-għajnunja t'interpretu, ċempel:
PERSIAN	اگر به ترجمه شفاهی احتیاج دارید به این شماره تلفن کنید:
PORTUGUESE	Se você precisar da ajuda de um intérprete, telefone:
SERBIAN	Ako vam je potrebna pomoć prevodioca telefoniрајте:
SPANISH	Si necesita la asistencia de un intérprete, llame al:
TURKISH	Tercümana ihtiyacınız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

TRANSLATING AND INTERPRETING SERVICE

131 450

Canberra and District - 24 hours a day, seven days a week

Calwell Precinct Map



Assessment Tracks

The following tables identify the additional prohibited development and additional merit track development for blocks and parcels shown in the Calwell Precinct Map (identified as PDn or MTn). Development that is exempt from requiring development approval, other prohibited development and the minimum assessment track applicable to each development proposal is set out in the relevant zone development table.

The following tables constitute part of the relevant zone development table.

Table 1 – Additional prohibited development

Additional prohibited development		
Suburb precinct map label	Zone	Development
PD1	CFZ	<i>retirement village supportive housing</i>

Table 2 – Additional merit track development

Additional merit track development that may be approved subject to assessment		
Suburb precinct map label	Zone	Development
MT1	TSZ1	<i>emergency services facility</i>

RC1 – Calwell Group Centre

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

Element 1: Use

Rules	Criteria
1.1 Ground floor uses	
<p>R1</p> <p>This rule applies to sites with frontages to primary active frontages shown in figure 2 that are also in the Commercial CZ1 Core Zoned area.</p> <p>Only the following uses are permitted at the ground floor level:</p> <ul style="list-style-type: none"> a) <i>business agency</i> b) <i>club</i> c) <i>community activity centre</i> d) <i>drink establishment</i> e) <i>financial establishment</i> f) <i>hotel</i> g) <i>indoor entertainment facility</i> h) <i>indoor recreation facility</i> i) <i>public agency</i> j) <i>restaurant</i> k) <i>SHOP</i> 	<p>C1</p> <p>This is a mandatory requirement. There is no applicable criterion.</p>
1.2 Residential use – ground floor	
<p>R2</p> <p>This rule applies to area 'H' and the hatched area in figure 1.</p> <p>RESIDENTIAL USE is permitted on the ground floor only if it complies with all of the following:</p> <ul style="list-style-type: none"> a) Australian Standard AS4299 – <i>Adaptable housing</i> (class C) and the Access and Mobility General Code b) adaptable for commercial use on <i>front boundary</i> to Webber Crescent. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
1.3 Development on nominated car parking areas	
<p>R3</p> <p>This rule applies to the area shaded dark grey shown in figure 1.</p> <p>Development complies with all of the following:</p> <ol style="list-style-type: none"> the existing number of car parking spaces is retained on the site and made available for public use at all times provides car parking that is generated by the development on site in accordance with the <i>Parking and Vehicular Access General Code</i> in addition to the spaces required by item a). 	<p>C3</p> <p>Development meets all of the following:</p> <ol style="list-style-type: none"> in accordance with the Parking and Vehicular Access General Code, there is enough car parking for the needs of the centre as a whole the development does not adversely affect the overall function of the centre in terms of economic, social, traffic and parking and urban design impacts.

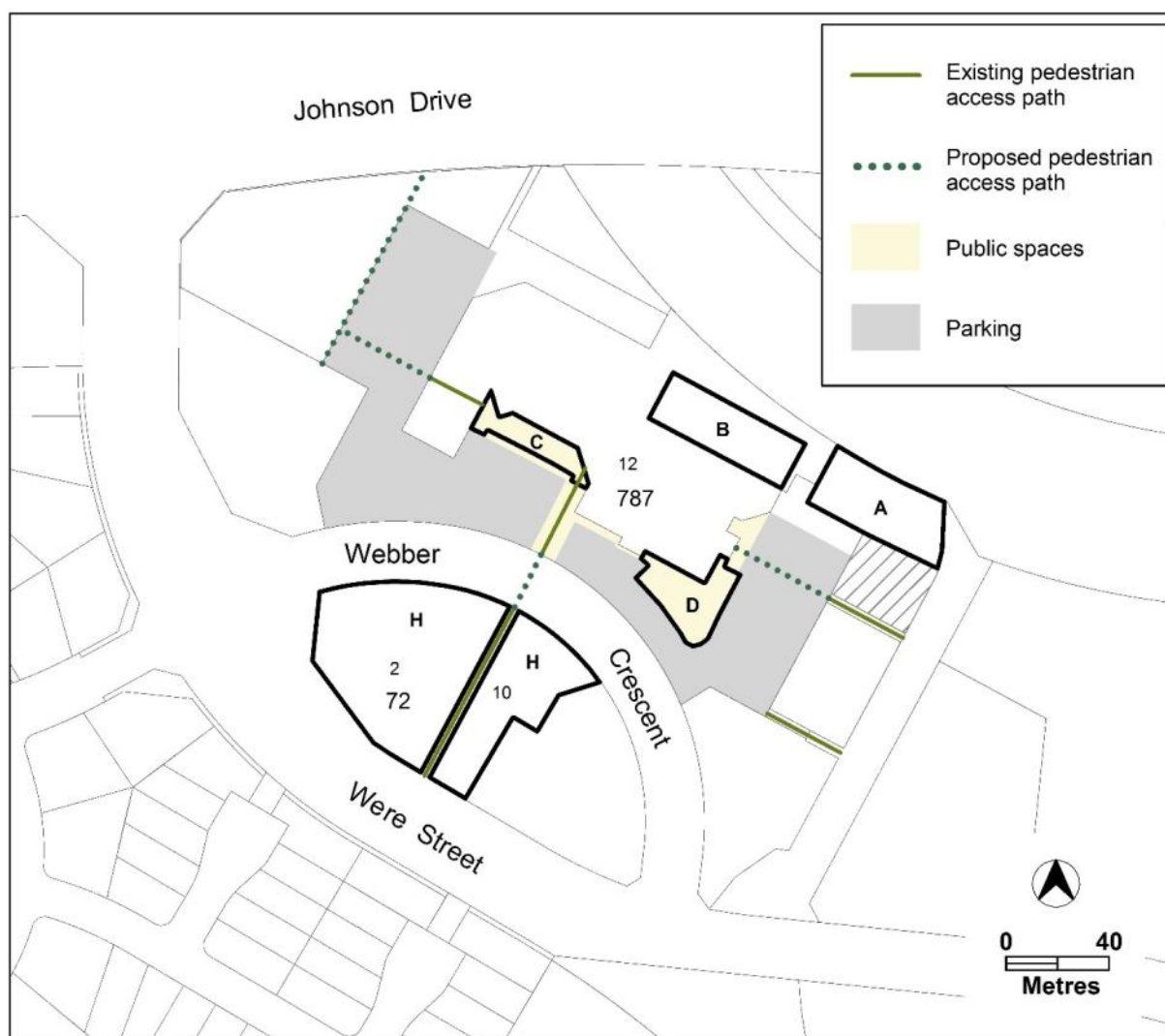


Figure 1 – land uses, height of buildings, public spaces, pedestrian paths

Element 2: Buildings

Rules	Criteria
2.1 Building heights	
<p>R4</p> <p>This rule applies to areas A and B shown in figure 1.</p> <p>The maximum <i>height of buildings</i> is 2 storeys.</p> <p>Plant room set back a minimum of 3m from the building facade of the floor immediately below is not included in the number of storeys.</p>	<p>C4</p> <p>The maximum <i>height of building</i> in areas A and B may be increased to four storeys where:</p> <ul style="list-style-type: none"> a) development does not detrimentally impact on the surrounding publicly accessible areas through overshadowing b) area A achieves all of the following: <ul style="list-style-type: none"> i) is contained within block 41 section 787 Calwell ii) has a maximum area of 1355m² iii) is measured from the north western most boundary of block 41 iv) is a maximum of 26 metres wide. c) area B achieves all of the following: <ul style="list-style-type: none"> i) is contained within block 12 section 787 Calwell ii) has a maximum area of 1245m² iii) is measured from the eastern most boundary of blocks 12 iv) is a maximum of 22 metres wide v) is a maximum of 60 metres long.
2.2 Building design	
<p>R5</p> <p>This rule applies to development along secondary active frontages shown in figure 2.</p> <p>The minimum floor to ceiling height at the ground floor level is 3.6m.</p>	<p>C5</p> <p>The ground floor level of buildings is adaptable for commercial uses.</p>

Rules	Criteria
There is no applicable rule.	<p>C6</p> <p>Building design achieves all of the following:</p> <ul style="list-style-type: none"> a) entrances to common areas for residential use provide strong visual connection to the street and ensure a high level of surveillance b) driveways and pedestrian entrances to the site are visible from the block boundary c) west-facing facades incorporate sun shading into building designs d) car parking does not front onto main pedestrian routes and streets at ground floor, and e) service access does not adversely impact on or limit active frontages and/or public places.
2.3 Plot ratio	
There is no applicable rule.	<p>C7</p> <p><i>Plot ratio</i> achieves consistency with the <i>desired character</i>.</p>
2.4 Setbacks	
There is no applicable rule.	<p>C8</p> <p>This criterion applies to development on the southern block boundary where it adjoins at least one of the following:</p> <ul style="list-style-type: none"> a) public spaces shaded light grey on Figure 1 or b) the proposed and existing pedestrian access paths identified in Figure 1 that are located north of Webber Crescent. <p>Building elements above the first floor are setback from the southern block boundary to retain reasonable solar access to public spaces and pedestrian access paths.</p>
2.5 Solar access	
<p>R9</p> <p>Development retains a minimum 3 hours solar access to the main daytime living areas and principal <i>private open space</i> of <i>dwelling</i>s and <i>habitable rooms</i> on adjoining blocks between the hours of 9am and 3pm on the winter solstice (21 June).</p>	<p>C9</p> <p>Development retains reasonable solar access to <i>dwelling</i>s and <i>habitable rooms</i> on adjoining <i>blocks</i> and their associated principal area of <i>private open space</i>.</p>

Rules	Criteria
2.6 Public spaces	
<p>R10</p> <p>This rule applies to the public spaces shown in figure 1.</p> <p>Public spaces are provided and comply with all of the following:</p> <ul style="list-style-type: none"> a) area C on Figure 1 has a minimum area of 540m² b) area D on Figure 1 has a minimum area of 800m² c) are connected d) are accessible by existing and proposed pedestrian paths e) have no buildings or structures located within the area (excluding basements) f) are paved and landscaped. 	<p>C10</p> <p>Public spaces are provided and comply with all of the following:</p> <ul style="list-style-type: none"> a) are located generally in accordance with Figure 1 b) are of a scale and dimensions that provide usable open spaces c) are publicly accessible d) are paved and landscaped.
2.7 Pedestrian connections – section 787	
<p>R11</p> <p>This rule applies to the proposed pedestrian access paths shown in figure 1.</p> <p>A pedestrian connection is provided that complies with all of the following:</p> <ul style="list-style-type: none"> a) a minimum unobstructed width of 6m b) a minimum extent of 30% glazing at the ground floor measured along the length of the pedestrian connection, and c) access to ground floor commercial tenancies adjoining the pedestrian connection d) the pedestrian access path remains unenclosed and publicly accessible at all times. 	<p>C11</p> <p>Pedestrian connections are provided generally in accordance with Figure 1 and achieve all of the following:</p> <ul style="list-style-type: none"> a) reasonable public access b) views into and out of adjoining commercial premises and c) clearly identifiable entrances.

Rules	Criteria
<p>R12</p> <p>This rule applies to development in the hatched area in figure 1.</p> <p>Development incorporates an extension to the existing public pedestrian path on block 42 section 787, shown in figure 1, by providing a 6m wide pedestrian path along the entire length of the southern boundary that complies with all of the following:</p> <ol style="list-style-type: none"> abuts the existing pedestrian path is finished at the level of the pedestrian path and with matching materials and remains unobstructed and publicly accessible at all times. 	<p>C12</p> <p>This is a mandatory requirement. There is no applicable criterion.</p>

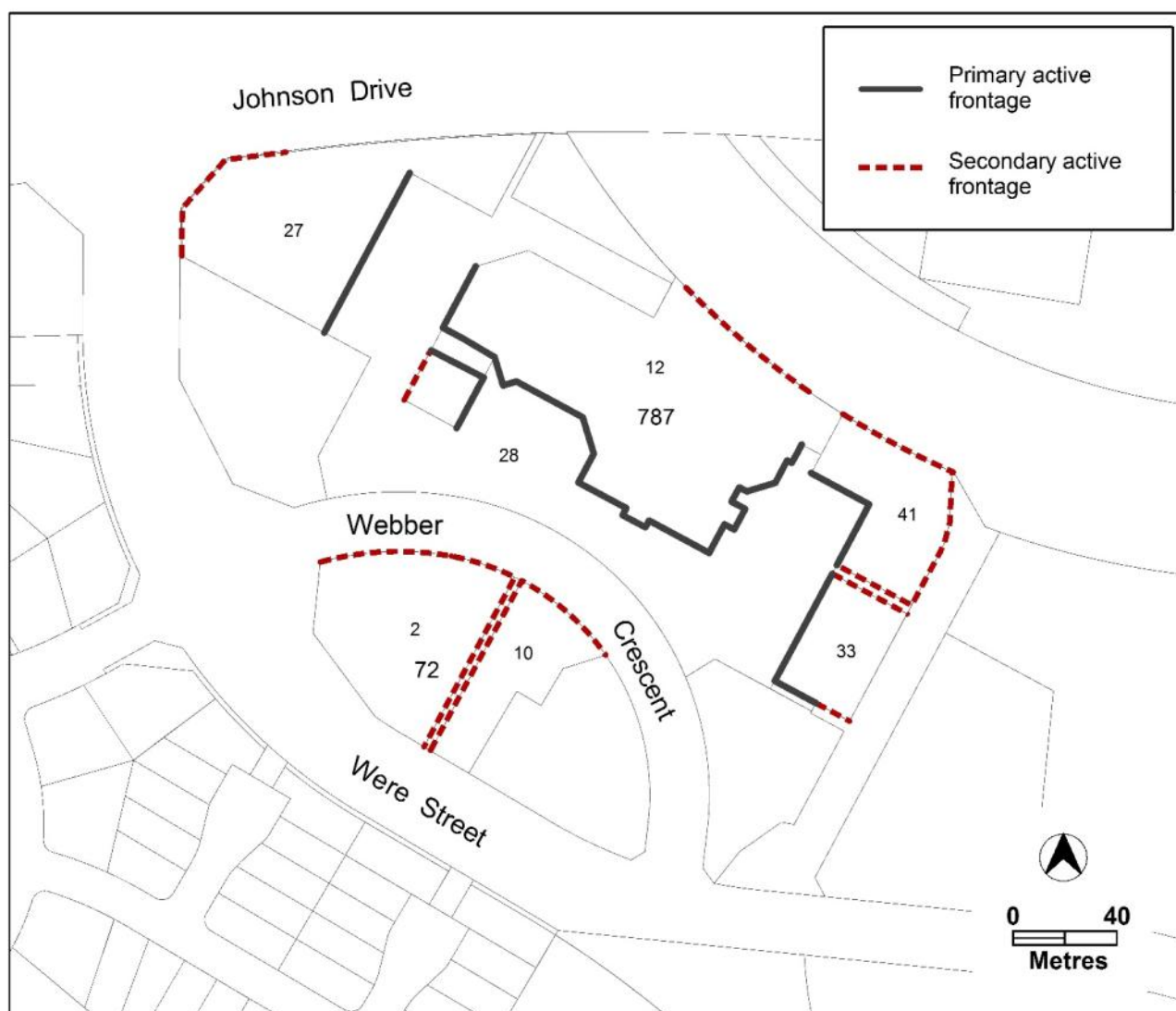


Figure 2 Active frontages

Rules	Criteria
2.8 Active frontages	
<p>R13</p> <p>For new buildings located along primary active frontage areas identified in figure 2, frontages and building design comply with all of the following:</p> <ul style="list-style-type: none"> a) buildings incorporate clear display windows and/or shop fronts at the ground floor level b) buildings incorporate direct pedestrian access at grade with the verge level for access and egress for persons with disabilities c) any small areas of walls without windows contain displays, showcases and/or public art, with a maximum of 30% blank frontage per tenancy d) open structured car parks and/or loading docks are not located along the frontage. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R14</p> <p>For buildings located along secondary active frontage areas identified in figure 2, frontages and building design complies with all of the following:</p> <ul style="list-style-type: none"> a) commercial buildings incorporate clear display windows and shop fronts at the ground floor level b) buildings incorporate direct pedestrian access at grade with the verge level for access and egress for persons with disabilities c) building facades are not dominated by extensive lengths of blank facades, open structured carparks, loading docks, substations or other service infrastructure d) residential development of 2 storeys or more incorporates balconies and windows to habitable rooms addressing the public realm 	<p>C14</p> <p>Development achieves all of the following:</p> <ul style="list-style-type: none"> a) is adaptable for shops b) where building access is provided, direct pedestrian access at street level c) provide opportunities for views into and out of the building for passive surveillance.

Rules	Criteria
2.9 Awnings	
<p>R15</p> <p>This rule applies to buildings fronting primary active frontage areas shown in figure 2 except where the awning is contained wholly within a block.</p> <p>Awnings are provided along the length of the building frontage that comply with all of the following:</p> <ul style="list-style-type: none"> a) are a minimum height of 3m above finished pavement or ground level of the verge b) are integrated into the building design at the first floor level c) are a minimum of 3m in cantilever depth, except <ul style="list-style-type: none"> i) where opposing primary active frontages are 6m apart or less, awning depth may be reduced to ensure awnings are separated by 0.5m ii) where a reduction in awning depth is required to accommodate existing infrastructure and/or existing or replacement street trees. 	<p>C15</p> <p>Awnings provide continuous all weather pedestrian shelter and activity in a form compatible with existing awnings.</p>
<p>R16</p> <p>This rule applies to all of the following:</p> <ul style="list-style-type: none"> a) buildings front the primary active frontage areas shown in figure 2; and b) awnings are wholly contained within the block boundary. <p>Awnings comply with all of the following:</p> <ul style="list-style-type: none"> a) a minimum height of 3m above the finished pavement or ground level b) a minimum of 3m depth c) integrated into the building design at the first floor level d) have posts at 3m intervals along the outside edge of the awning e) extend the full facade of the building 	<p>C16</p> <p>Awnings provide continuous all weather pedestrian shelter and activity in a form compatible with existing awnings.</p>

RC2 – Calwell Community Facilities

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

Element 3: Built form

Rules	Criteria
3.1 Pedestrian connection – section 788	
R17 This rule applies to section 788 shown in figure 3 where the active travel path is shown. Development retains the existing active travel path connecting the Calwell Group Centre to Johnson Drive.	C17 Development that alters the existing active travel path complies with all of the following: <ul style="list-style-type: none"> a) retains a publicly accessible path of travel connecting Calwell Group Centre and Johnson Drive with a minimum width of 3m, and b) is endorsed by Transport Canberra and City Services.
3.2 Active frontages	
There is no applicable rule.	C18 For buildings located along secondary active frontages shown in figure 3, building design achieves all of the following: <ul style="list-style-type: none"> a) where public building access is provided, it is direct pedestrian access at street level b) buildings, and associated areas of open space where provided, provide opportunities for views into and out of the building to adjoining public spaces c) building facades are not dominated by extensive lengths of blank facades, open structured car parks, loading docks, substations or other service infrastructure.

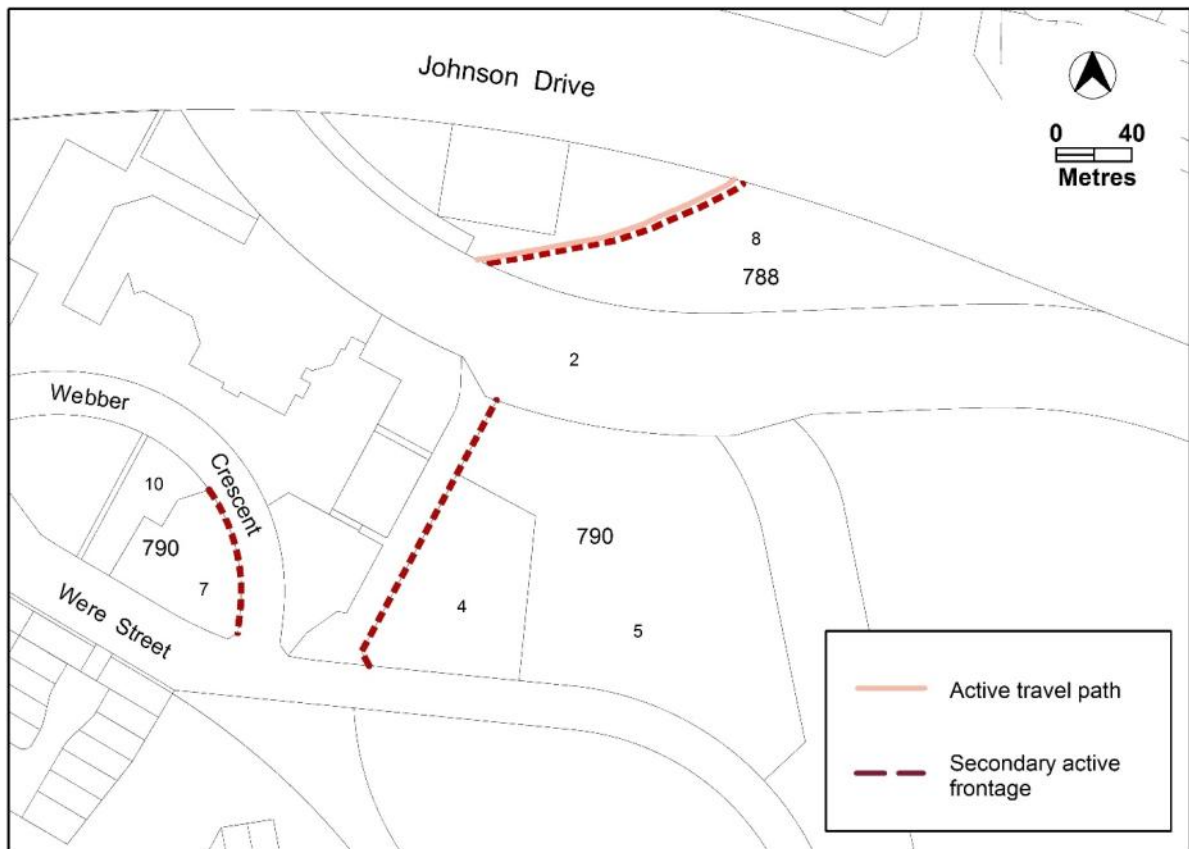


Figure 3 Secondary active frontages and pedestrian connection