

# Planning and Development (Plan Variation No 344) Approval 2018

**Notifiable instrument NI2018-430**

made under the

**Planning and Development Act 2007, s 76 (Minister's powers in relation to draft plan variations)**

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## **1 Name of instrument**

This instrument is the *Planning and Development (Plan Variation No 344) Approval 2018*.

## **2 Approval of draft plan variation**

(1) I approve under section 76 (2) (a) of the *Planning and Development Act 2007* the draft plan variation No 344 to the Territory Plan.

(2) In this section:

***Draft plan variation No 344 to the Territory Plan*** means the draft plan variation in the schedule.

Mick Gentleman MLA  
Minister for Planning and Land Management  
8 August 2018

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## Schedule

(See section 2(2))

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**ACT**  
Government

Environment, Planning and  
Sustainable Development

*Planning and Development Act 2007*

# Variation to the Territory Plan No 344

Woden Town Centre:  
Zone changes and  
amendments to the Phillip  
precinct map and code

Final variation prepared under s76 of the  
*Planning and Development Act 2007*

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# **1. EXPLANATORY STATEMENT**

## **1.1 Background**

Variation 344 incorporates the recommendations of the 2015 Woden town centre master plan, which builds on the 2004 Woden town centre master plan. While a number of recommendations from the 2004 master plan have been realised, there have been a number of strategic planning documents released since then, such as the ACT Planning Strategy, which recommend the consideration of urban intensification measures for the centre. This initiated the review of the town centre planning provisions and preparation of the master plan. The review has also considered additional measures for inclusion in the Phillip precinct code, such as nominating maximum building heights for the town centre and identifying new development opportunities in the centre.

## **1.2 Summary of the Proposal**

The variation incorporates the recommendations of the approved Woden Town Centre master plan to provide guidance on the desired future built form and character of the centre as it develops over the next 10 to 20 years.

V344 rezones selected areas, including parts of the open space area south of the Callam Offices to permit community facilities, upgrading the residential zoning of land in Woden Green near the corner of Hindmarsh Drive and Callam Street as well as land along Athllon Drive to permit higher density development. V344 rezones the open space shared path along Athllon Drive and Swinger Hill from residential to urban open space to ensure the active travel path is retained.

V344 introduces building heights to the centre up to 28 storeys, as well as selected sites where marker buildings will be permitted to assist the identification of the centre. Built form provisions are included nominating building setbacks and active frontage requirements to ensure interesting and safe public spaces for pedestrians. Awning requirements are also included to ensure all weather protection along the main pedestrian areas.

V344 retains the existing planning requirements for community facilities to be provided within the centre, and provides additional community facility land for future facilities. The variation also includes heritage requirements for the protection of the Callam Offices heritage character through height controls around the offices.

### 1.3 The 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.

In accordance with section 10 of the *Australian Capital Territory (Planning and Land Management) Act 1988*, the National Capital Plan defines the planning principles and policies for Canberra and the Territory, for giving effect to the object of the NCP and sets out the general policies to be implemented throughout the Territory, including the range and nature of permitted land uses.

It also sets out the detailed conditions of planning, design and development for areas that have special significance to the National Capital known as designated areas and identifies special requirements for the development of some other areas.

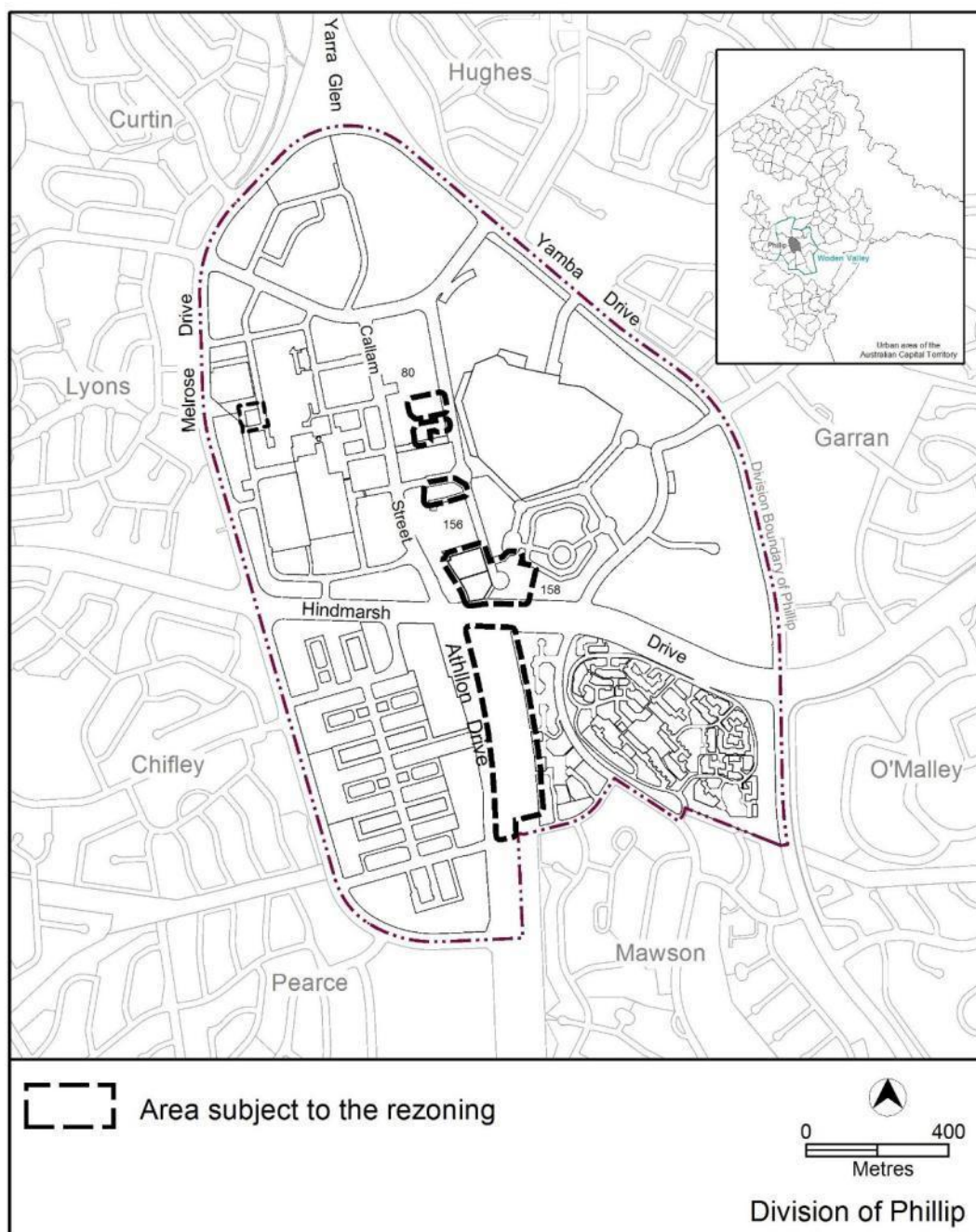
### 1.4 Site Description

The subject area is the Woden town centre. The area includes part of the Athllon Drive corridor, Phillip service trades area, town centre core, the recreation precinct north of Launceston Street and a portion of the residential area located east of Callam Street.

The centre has a significant employment base within the ACT with Commonwealth departments and retail being the largest employer. The centre also contains a number of important community, education and recreation uses including Woden Community Services, child care facilities, health related facilities, Woden Library, Canberra College, Eddison Park, pocket parks and ovals.

Distant views of the centre are dominated by Lovett Tower, which is the tallest building in the centre. The building can be seen from several vantage points in Canberra, including Red Hill lookout and the National Arboretum.





**Figure 1: Location map and areas subject to rezoning**

## 1.5 Current Territory Plan Provisions

The town centre is predominately zoned commercial core CZ1 and commercial business CZ2, while the trades and services area is zoned commercial service trades CZ3. Other land subject to this variation is the RZ4 zoned residential land located close to the corner of Callam Street and Hindmarsh Drive, public open space PRZ1 and CFZ community facility land beside Callam Street, and the existing RZ2 suburban core zoned land along Athllon Drive. The Territory Plan map zones for the area subject to this variation are shown in **Figure 2**.

The town centre is subject to the Commercial Zone development code and the Phillip precinct map and code, while the adjoining residential areas are subject to the Residential Zones Development code, Single Dwelling Housing development code and the Multi Unit Housing development code. The community facility land is subject to the Community Facility Zones development code, with the public open space subject to the Parks and Recreation Zone development code.

The general codes may also apply.



Figure 2: Territory Plan Zones Map

## 1.6 Changes to the Territory Plan

Detailed changes to the Territory Plan are noted in section 2 of this document.

## 1.7 Consultation on the Draft Variation

Draft Variation No 344 (DV344) was released for public comment between 10 March 2017 and 21 April 2017, extended to 2 June 2017. A consultation notice under section 63 of the *Planning and Development Act 2007* (P&D Act) was published on the ACT Legislation Register on 10 March 2017 and on the Public Noticeboard on 10 March 2017. The extension to the consultation period was published on the Legislation Register on 21 April 2017 and on the Public Noticeboard on 21 April 2017.

A total of 28 written submissions were received, which included 11 submissions from businesses within the centre, 10 submissions from private individuals, 4 submissions from community organisations, 2 submissions from professional groups and one submission from a member of the Legislative Assembly.

Main issues raised by submitters included:

- building heights, with submissions generally supportive or requesting increases in building heights within the town centre, and generally not supportive of increased building heights east of Callam Street
- building setback provisions and other built form controls, with concerns the controls were repetitive or not flexible enough
- population density, with general support for increasing density within the centre
- solar access to dwellings and open space areas, including the town square not being sufficiently protected
- community facilities, with both support and opposition to the proposed expansion of the community facilities zoned land within Arabanoo Park opposite the bus interchange
- provision of active travel links through the centre, and inclusion in the precinct code
- issues with the provision of transport orientated development and light rail alignment
- concerns with particular site specific provisions affecting blocks
- seeking additional urban open space areas, and
- noting errors and seeking clarification of specific provisions.

The above issues were considered and are detailed in a report on consultation, which is available at [www.act.gov.au/recommendedvariations](http://www.act.gov.au/recommendedvariations). Changes were informed by the issues raised. The Minister will consider the outcomes of consultation prior to making a decision on this draft variation.

## **1.8 Revisions to the Draft Variation Recommended to the Minister**

The following changes were made as a result of public consultation:

- changes to rule R3, reducing the area permitted for supermarket on a site east of Callam Street from 1500m<sup>2</sup> to 800m<sup>2</sup> to enable a smaller convenience store to serve the day to day needs of residents, while not directly competing with the core commercial area
- inclusion of restrictions in the floor plan area for marker buildings located outside of the core commercial area to reduce building bulk and form
- inclusion of a rule requiring solar access to be retained to the town square, as well as to dwellings adjoining development during winter solstice
- removal of the built form criterion C21 as it duplicated other provisions within the code
- amended area a in figure 3 to follow block boundaries along the southern edge of the area
- amended criterion C23 to clarify which provisions apply to residential development and which apply generally, and to remove the podium parking provisions
- amended criterion C25 to apply to podium parking as well as structured car parks
- deleted criterion C26 as it duplicated provisions in C23 for range of apartment types
- amended rule R33 to clarify that awnings are required along the entire length of buildings along active frontages, rather than along the entire block frontage
- amended rule R35 to permit new driveways along Callam Street, but only south of Wilbow Street to allow vehicle access to block 10 section 156, which would otherwise be constrained by lack of other options for vehicle access
- other edits and corrections to selected provisions for clarity and to fix administrative errors that do not alter the intent of the variation, such as correcting references to figures within rules and criteria.

In addition, the following changes have been made in response to the recommendations made by the Standing Committee on Planning and Urban Renewal:

- rezoning block 1 section 181 from CZ2 to PRZ1 urban open space
- removing block 1 section 181 from area b in figure 2 of the proposed precinct code as it will be public open space,
- increasing the area permitted for supermarket for block 13 section 81 from 500m<sup>2</sup> to 800m<sup>2</sup>
- amending criterion C11 and associated figure 2 to clarify that the marker building may be permitted anywhere within the block, and not necessarily restricted to the north west corner at the Melrose Drive and Launceston Street intersection
- prohibiting a number of uses from the land in Arabanoo Park rezoned from PRZ1 to CFZ, including residential, religious and health related uses,
- amending the solar access provision for the town square, by imposing broader restrictions on surrounding development to protect solar access to the town square, and
- correction of errors, including:
  - nominating building heights over blocks 16 and 17 section 156 in accordance with the master plan recommendations. These blocks were accidentally omitted from the public consultation version of the DV,
  - editorial corrections, such as the misspelling of Callam Street throughout the document, and
  - correction of numbering as required in Attachment B and Attachment C to the draft variation

Further changes have been made from the recommended version provided to the Minister:

- the provision around marker building sites east of Callum Street has been amended to increase the floor plate of tower elements to 850m<sup>2</sup>, and a criteria has been added to provide more flexibility while minimising detrimental impacts to neighbouring residents. This was amended as the original provision was proven to be overly onerous.



## 2. VARIATION

### 2.1 Variation to the Territory Plan map

The Territory Plan map is varied as indicated in figure 3.

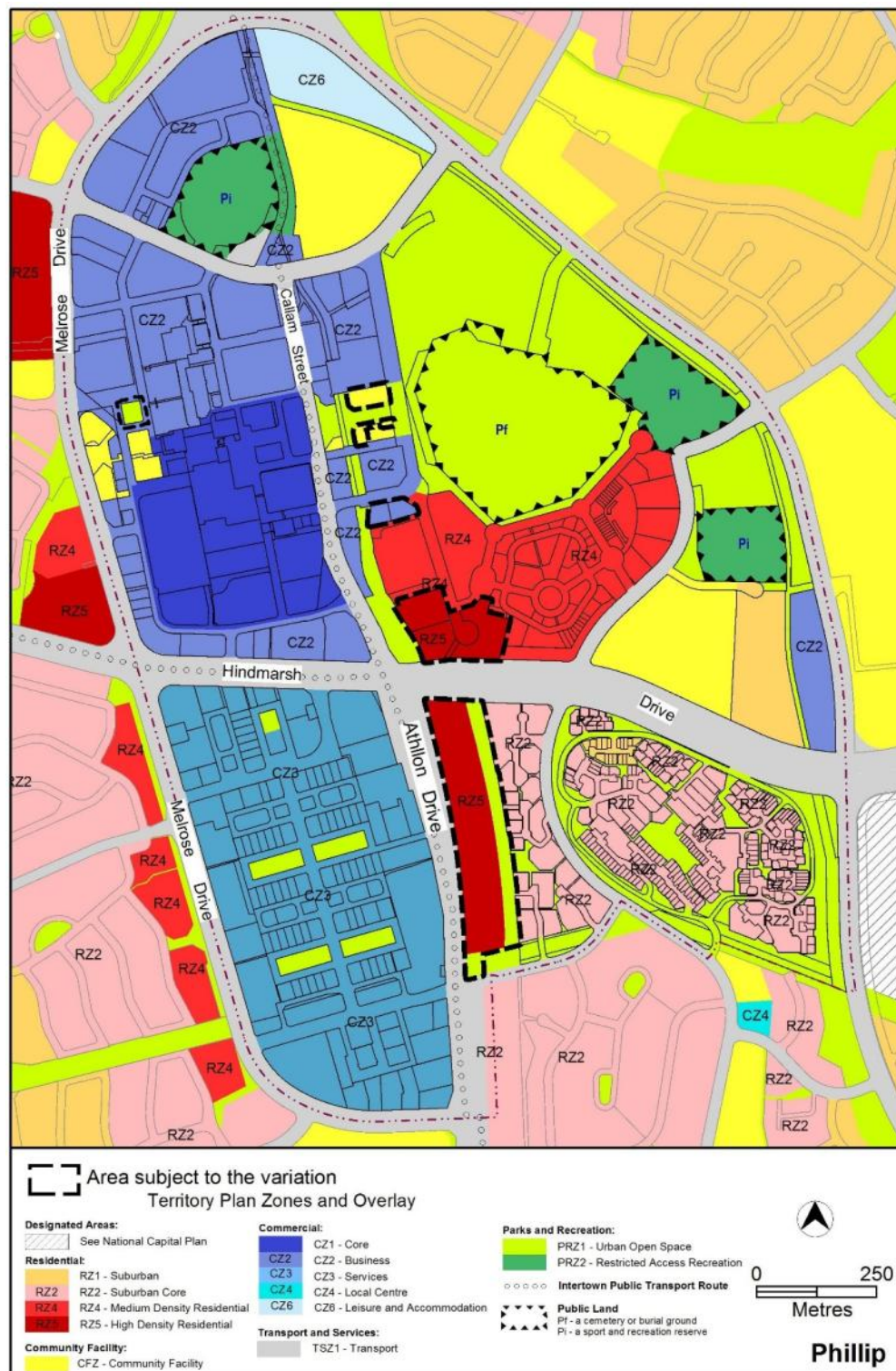


Figure 3: Areas subject to rezoning

## 2.2 Variation to the Territory Plan written statement

The Territory Plan written statement is varied as follows:

### Variation to the Phillip precinct map and code

<b>10</b>	<b>Precinct maps and codes, Phillip precinct map and code</b>
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*substitute the following with the nominated attachment:*

Phillip precinct map and development tables with Attachment A

RC1 – Woden Town Centre with Attachment B

*renumber:*

the element, sub element heading, rule, criteria and figure numbering within the existing RC2 section to accommodate the new RC1 numbering

*insert:*

Attachment C RC3 – Callam Street/Athllon Drive Corridor after RC2 section

## 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-għajnuna 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

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# Phillip Precinct Map



# Assessment Tracks

The following tables identify the additional prohibited development and additional merit track development for blocks and parcels shown in the Phillip 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	CZ2	<i>RESIDENTIAL USE</i>
PD2	CZ2	<i>drink establishment</i> <i>indoor recreation facility</i> <i>restaurant</i> (except where ancillary to other permitted use) <i>SHOP</i> <i>tourist facility</i>
PD3	CZ3	<i>RESIDENTIAL USE</i> <i>COMMERCIAL ACCOMMODATION</i>
PD4	CFZ	<i>business agency</i> <i>educational establishment</i> <i>emergency services facility</i> <i>health facility</i> <i>hospital</i> <i>office</i> <i>place of worship</i> <i>public agency</i> <i>religious associated use</i> <i>residential care accommodation</i> <i>retirement village</i> <i>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	PRZ1	<i>cemetery</i>
MT2	CZ2	<i>scientific research establishment</i>
MT3	CZ1	<i>produce market</i>

## Additional rules and criteria

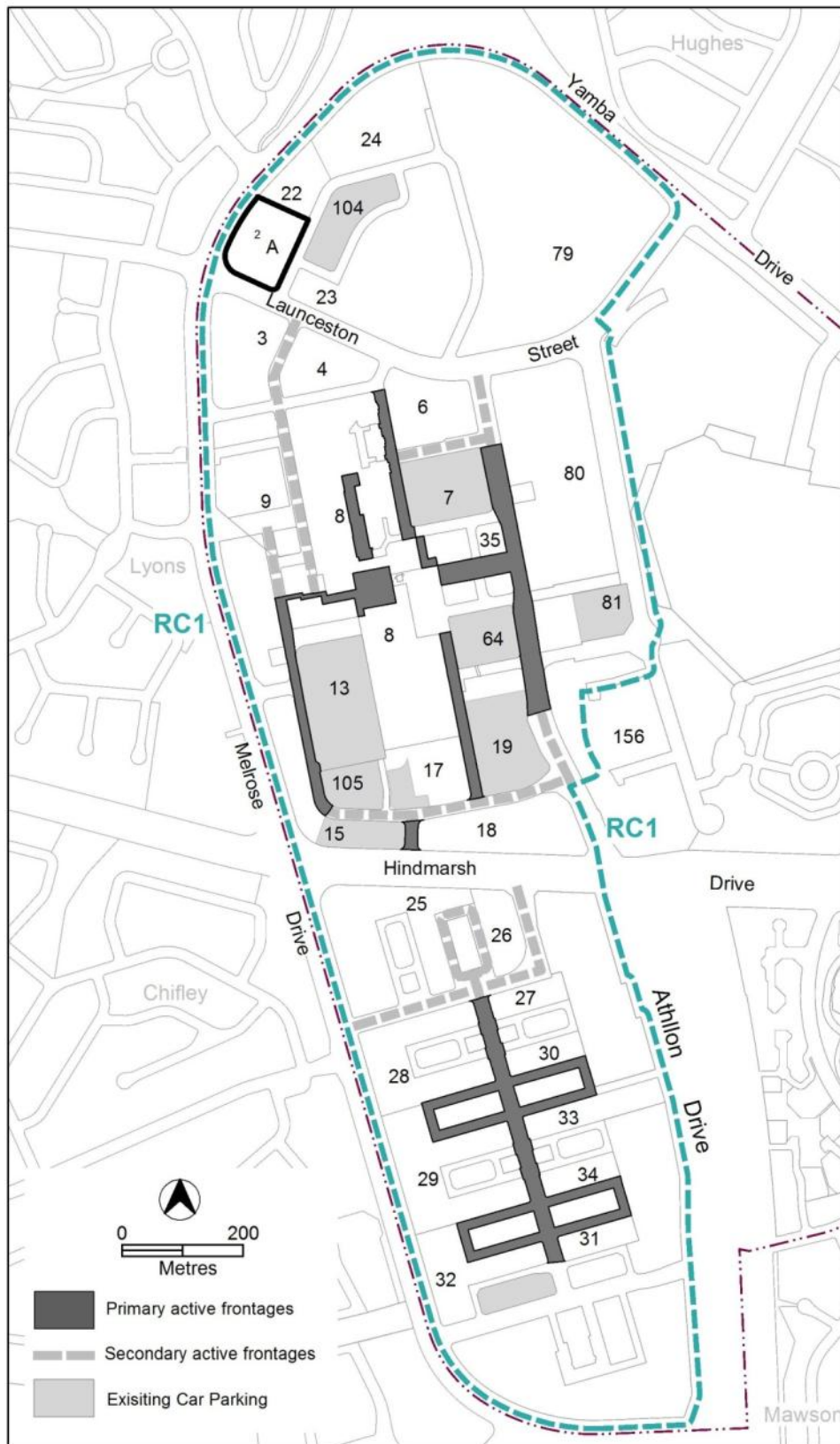
This part applies to blocks and parcels identified in the Phillip Precinct Map (RCn). It should be read in conjunction with the relevant zone development code and related codes.

### RC1 – Woden Town Centre

This part applies to blocks and parcels identified in area RC1 shown on the Phillip Precinct Map. RC1 includes the Woden Town Centre.

#### Element 1: Use

Rules	Criteria
<b>1.1 Ground floor use</b>	
<p><b>R1</b></p> <p>This rule applies to sites in CZ1 with boundaries to primary active frontages shown in figure 1.</p> <p>Only the following uses are permitted along the primary active frontage at the ground floor level:</p> <ul style="list-style-type: none"> <li>a) <i>business agency</i></li> <li>b) <i>club</i></li> <li>c) <i>COMMUNITY USE</i></li> <li>d) <i>drink establishment</i></li> <li>e) <i>financial establishment</i></li> <li>f) <i>hotel</i></li> <li>g) <i>indoor entertainment facility</i></li> <li>h) <i>indoor recreation facility</i></li> <li>i) <i>public agency</i></li> <li>j) <i>restaurant</i></li> <li>k) <i>SHOP</i></li> </ul>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>There is no applicable rule.</p>	<p><b>C2</b></p> <p>This criterion applies to sites in CZ2 and CZ3 with boundaries to primary active frontages shown in figure 1.</p> <p>Buildings incorporate uses on the ground floor that generate activity in the public space.</p>
<b>1.2 SHOP – CZ2 – floor area limit</b>	
<p><b>R3</b></p> <p>This rule applies to CZ2.</p> <p>The maximum <i>gross floor</i> area of any <i>SHOP</i> is 200m<sup>2</sup>.</p> <p>For Block 13 Section 81 Phillip, the maximum <i>gross floor area</i> of supermarket is 800m<sup>2</sup>.</p>	<p><b>C3</b></p> <p><i>SHOPS</i> are limited to a scale appropriate to providing convenient shopping and personal services for the local workforce and residents.</p> <p>This criterion does not apply to Block 13 Section 81 Phillip.</p>



**Figure 1 Existing car parks, active frontages and community recreation facilities**

Rules	Criteria
<b>1.3 Permissible use restrictions</b>	
<p>R4</p> <p>This rule applies to area 'a', 'b' and area 'e' in figure 2.</p> <p><i>RESIDENTIAL USE</i> is only permitted above the first floor level.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R5</p> <p>This rule applies to development in section 7.</p> <p>The following uses:</p> <p>a) <i>RESIDENTIAL USE</i></p> <p>b) <i>COMMERCIAL ACCOMMODATION USE</i></p> <p>are only permitted on land located within 36m of the Callam Street road reserve.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<b>1.4 NON RETAIL COMMERCIAL USE – Phillip Oval</b>	
<p>There is no applicable rule.</p>	<p>C6</p> <p>This criterion applies to sections 23 and 104.</p> <p><i>NON RETAIL COMMERCIAL USE</i> is only permitted where it is demonstrated to be compatible with the operation of a day and night sporting oval.</p>
<b>1.5 Development on nominated car parking areas</b>	
<p>R7</p> <p>This rule applies to the shaded blocks shown in figure 1 noted as existing parking.</p> <p>Development complies with all of the following:</p> <p>a) the existing number of car parking spaces is retained on the site and made available for public use at all times</p> <p>b) 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>	<p>C7</p> <p>Development achieves all of the following:</p> <p>a) any additional parking provision requirements (under the <i>Parking and Vehicular Access General Code</i>) for the development</p> <p>b) makes a substantial contribution to the long term parking supply for the town centre as endorsed by the Territory</p>

Rules	Criteria
<b>1.6 Additional development – Phillip swimming and ice skating centre</b>	
<p>R8</p> <p>This rule applies to area 'A' in figure 1.</p> <p>Development complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) provides or retains an ice skating rink suitable for national ice hockey competition</li> <li>b) provides or retains a 50–metre public pool with direct public access to Irvine Street</li> <li>c) development for other uses involves redevelopment of the pool as an indoor facility.</li> </ul>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

## Element 2: Buildings

Rules	Criteria
<b>2.1 Building heights</b>	
<p>R9</p> <p>This rule applies to CZ1 and CZ2.</p> <p>The maximum <i>height of building</i> for the areas shown in figure 2 is:</p> <ul style="list-style-type: none"> <li>a) for area 'a', 24 storeys</li> <li>b) for area 'b', 16 storeys</li> <li>c) for area 'c', 12 storeys</li> <li>d) for area 'd', 6 storeys</li> </ul> <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>C9</p> <p>The maximum <i>height of building</i> for one building tower element per block in areas 'a', 'b' and 'c' may be increased by an additional four storeys where development achieves all of the following:</p> <ul style="list-style-type: none"> <li>a) the development maintains the building height hierarchy of the centre by retaining the taller buildings at the middle of the town centre; and</li> <li>b) development is close to public transport stops and stations.</li> </ul> <p>Note: This criterion does not apply to area 'd'.</p>





**Figure 2 Building heights and marker buildings**

Rules	Criteria
There is no applicable rule.	<p>C10</p> <p>For development that is 12 storeys and above, the applicant shall provide a visual assessment that:</p> <ul style="list-style-type: none"> <li>a) Provides a description of the project and assessment of the physical and visual environment (local context) for the site and surrounding areas including existing landform, vegetation, land use, cycle and pedestrian connections, streetscape and nearby developments</li> <li>b) Provides analysis and relevant illustrations of the key views and approach roads to the proposed development that addresses potential impacts that the development could have on the surrounding landscape character and visual amenity</li> <li>c) Provides evidence and supporting material that outlines how the development has been designed to respond to the local context, mitigate any impacts on the broader landscape setting and visual environment and how it responds to the town centre skyline.</li> </ul>
There is no applicable rule.	<p>C11</p> <p>This criterion applies to development in the area indicated by the hatched area shown in figure 2. One higher building element up to 24 storeys may be permitted where development complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) is set back from each road frontage, and</li> <li>b) does not significantly impact on the existing solar access of nearby residential development between the hours of 9am and 3pm on the winter solstice (21 June).</li> </ul>
There is no applicable rule.	<p>C12</p> <p>Development in section 80 that is higher than the Callam Offices is setback from Callam Office building at least one metre for each metre of height greater than that of the Callam Offices main roof.</p>



Rules	Criteria
<p>R13</p> <p>This rule applies to section 81.</p> <p>A marker building is permitted up to a maximum <i>height of building</i> of RL670AHD.</p> <p>Note: RL670AHD equates to approximately 92m above <i>datum ground level</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R14</p> <p>This rule applies to section 81.</p> <p>The maximum gross floor area of each floor above 12 storeys is not more than 850m<sup>2</sup>.</p>	<p>C14</p> <p>Development complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) provides a narrow silhouette and minimises overshadowing to surrounding dwellings area of principal private open space and main daytime living area</li> <li>b) creates architectural interest and visually reduces the overall scale of the building mass; and</li> <li>c) provides an elegant conclusion to the lower built form.</li> </ul>
<p>There is no applicable rule.</p>	<p>C15</p> <p>This criterion applies to section 81.</p> <p>Development complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) retains the existing active travel path, or relocates it to a suitable alternate location with written endorsement from TCCS, and</li> <li>b) provides active uses at the ground floor facing Wilbow Street.</li> </ul>
<p>R16</p> <p>This rule applies to CZ3.</p> <p>The maximum <i>height of building</i> for area 'e' and area 'f' shown in figure 2 is four 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>C16</p> <p>In area 'e':</p> <ul style="list-style-type: none"> <li>a) five storeys is permitted where development complies with all of the following: <ul style="list-style-type: none"> <li>i) development fronts on to Townshend Street, and either Colbee Court or Dundas Court</li> <li>ii) the fifth storey is setback a minimum of 3 metres from the front boundary</li> </ul> </li> <li>b) six storeys is permitted for development facing Altree Court.</li> </ul> <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>

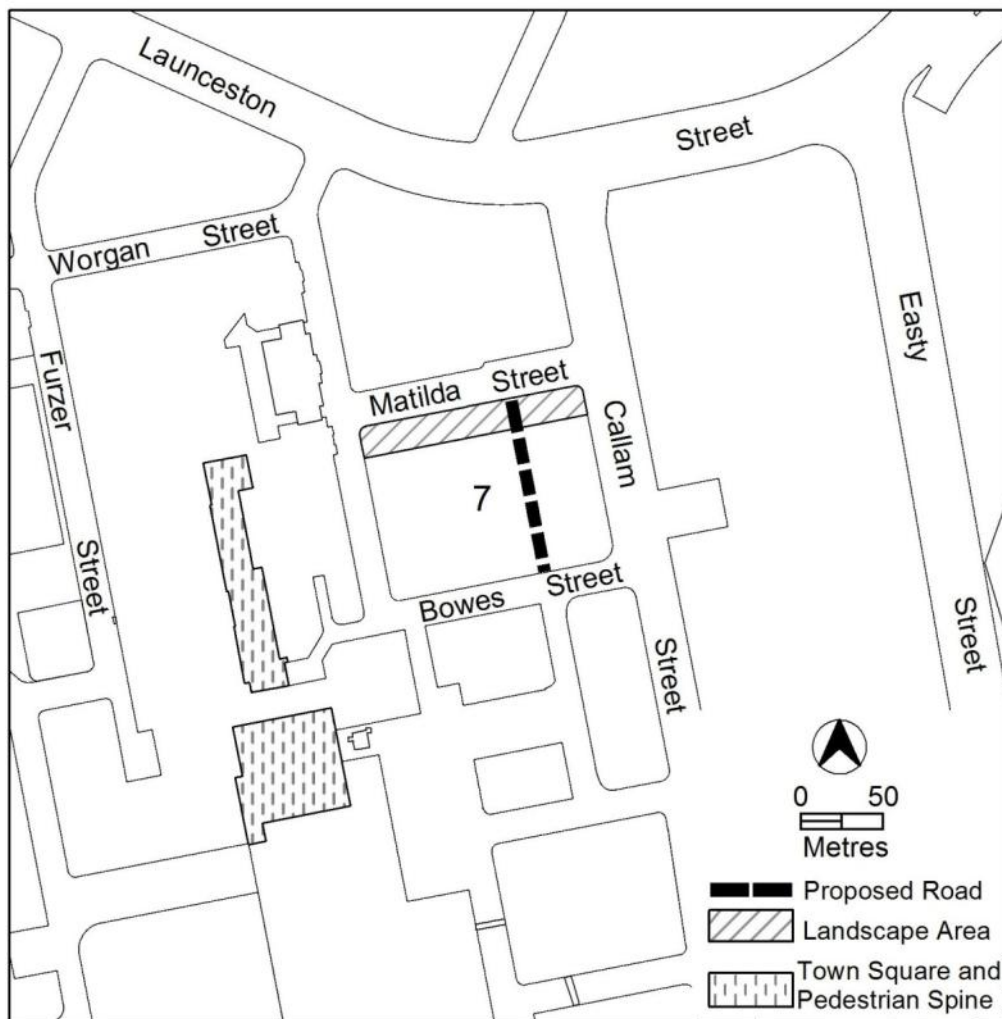
Rules	Criteria
<p>R17</p> <p>This rule applies to CZ3.</p> <p>The portion of development above the first floor fronting on to Grenville Court, Prospect Court, Bellona Court or Devine Court is set back a minimum of 6m from the street front boundary.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<b>2.2 Solar access</b>	
<p>R18</p> <p>Development retains a minimum 3 hours solar access to at least 1,000m<sup>2</sup> of the town square area shown in figure 3 between the hours of 9am and 3pm on the winter solstice (21 June).</p>	<p>C18</p> <p>Development retains reasonable solar access to the town square.</p>
<p>R19</p> <p>Development retains a minimum 3 hours solar access to the main daytime living areas and <i>private open space</i> of <i>dwelling</i>s on adjoining blocks between the hours of 9am and 3pm on the winter solstice (21 June).</p>	<p>C19</p> <p>Development retains reasonable solar access to the main daytime living areas of <i>dwelling</i>s on adjoining <i>blocks</i> and their associated <i>principal private open space</i>.</p>
<b>2.3 Built form</b>	
<p>R20</p> <p>This rule applies to development in CZ1 and CZ2 addressing:</p> <ul style="list-style-type: none"> <li>a) Bowes Street</li> <li>b) Furzer Street</li> </ul> <p>Buildings are set back a minimum of four metres from the <i>front boundary</i> adjoining each street at the ground floor level, up to 12 storeys. The minimum front setback for development above 12 storeys is 6m.</p>	<p>C20</p> <p>Building setbacks:</p> <ul style="list-style-type: none"> <li>a) provide sufficient space for large canopy street trees</li> <li>b) provide reasonable space for pedestrians and cyclists</li> <li>c) are consistent with the front boundary setbacks of existing adjacent buildings; and</li> <li>d) do not prejudice the future development of adjoining sites.</li> </ul>

Rules	Criteria
<p>R21</p> <p>This rule applies to development in CZ1 and CZ2 addressing:</p> <ul style="list-style-type: none"> <li>a) the pedestrian spine shown in figure 3</li> <li>b) Callam Street</li> <li>c) Corinna Street</li> <li>d) Easty Street</li> <li>e) Irving Street</li> <li>f) Matilda Street</li> <li>g) Melrose Drive</li> <li>h) Wilbow Street</li> </ul> <p>Buildings are built to the <i>front boundary</i> at the ground floor level. The minimum front setbacks above ground floor level are:</p> <ul style="list-style-type: none"> <li>a) 0m for the portion of development up to 22m above datum ground level</li> <li>b) 3m for the portion of development above 22m up to 12 storeys</li> <li>c) 6m for the portion of development above 12 storeys.</li> </ul>	<p>C21</p> <p>Minor departures from the building setbacks are permitted at the ground level where development:</p> <ul style="list-style-type: none"> <li>a) contributes to the pedestrian orientated environment</li> <li>b) reflects the existing street character</li> <li>c) accommodates active uses, building entrances, public amenities and landscaped areas.</li> </ul> <p>Minor departures from the building setbacks are permitted for the portion of development above 12 storeys where the building is designed to limit the building floor plate size of the tower to reduce the bulk and scale of the development and allow for solar access on to the public spaces, streets and adjacent development.</p>
<p>R22</p> <p>This rule applies to development in CZ1 and CZ2 addressing the town square.</p> <p>Buildings are built to the front boundary at the ground floor level. The minimum front setbacks above ground floor level are:</p> <ul style="list-style-type: none"> <li>a) 0m for the portion of development up to 12m above datum ground level</li> <li>b) 6m for the portion of development above 12m up to 12 storeys</li> <li>c) 9m for the portion of development above 12 storeys.</li> </ul>	<p>C22</p> <p>Minor departures from the building setbacks are permitted at the ground level where development:</p> <ul style="list-style-type: none"> <li>a) contributes to the pedestrian orientated environment</li> <li>b) reflects the existing street character</li> <li>c) accommodates active uses, building entrances and landscaped areas.</li> </ul> <p>Minor departures from the building setbacks are permitted for the portion of development above 12 storeys where the building is designed to limit the building floor plate size of the tower to reduce the bulk and scale of the development and allow for adequate solar access on to the town square.</p>

Rules	Criteria
<p>R23</p> <p>This rule applies to development in CZ1 and CZ2 addressing Bradley Street.</p> <p>The minimum front setbacks are:</p> <ul style="list-style-type: none"> <li>a) 0m for the portion of development up to 12m above datum ground level</li> <li>b) 3m for the portion of development above 12m up to 9 storeys</li> <li>c) 6m for the portion of development above 9 storeys.</li> </ul>	<p>C23</p> <p>Minor departures from the building setbacks are permitted at the ground level where development:</p> <ul style="list-style-type: none"> <li>a) contributes to the pedestrian orientated environment</li> <li>b) reflects the existing street character</li> <li>c) accommodates active uses, building entrances and landscaped areas.</li> </ul>
<p>R24</p> <p>This rule applies to section 7.</p> <p>Redevelopment complies with the following:</p> <ul style="list-style-type: none"> <li>a) a publicly accessible road is provided in the location shown in figure 3</li> <li>b) a landscaped area is provided adjoining and parallel to the Matilda Street road reserve as shown by the hatched area in figure 3 that complies with all of the following: <ul style="list-style-type: none"> <li>i. is publicly accessible at all times</li> <li>ii. has a minimum width measured perpendicular to the block boundary adjoining Matilda Street of 20m.</li> </ul> </li> </ul>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
<p>There is no applicable rule.</p>	<p>C25</p> <p>Buildings achieve a high standard of design quality demonstrated through the following:</p> <ul style="list-style-type: none"> <li>a) Building are designed to include a range of high quality building materials and colours that are compatible with adjacent development and that contribute to a pedestrian scale, particularly at the lower levels of the building</li> <li>b) Buildings are designed to be well articulated to reduce the bulk and scale of development and provide architectural expression in the built form</li> <li>c) Residential buildings include elements that improve the use and performance of the building, such as wintergarden balconies and passive surveillance of primary and secondary active frontage streets and places</li> <li>d) Providing effective sun shading to areas of west facing glazing and balconies, through measures such as overhangs, adjustable external screens or vegetation.</li> <li>e) Residential buildings provide a range of apartment sizes and types, such as dual-key, cross-over, shop-top and apartments suitable for families.</li> <li>f) Providing green infrastructure, such as roof top planting, green walls, deep root planting areas or garden areas incorporating shrubs and rain gardens.</li> <li>g) Plant rooms that are integrated or concealed within building form.</li> </ul>
<p>R26</p> <p>This rule applies to development addressing primary active frontages in CZ3.</p> <p>The minimum floor to ceiling height at the ground floor is 3.6m.</p>	<p>C26</p> <p>Floor to ceiling heights:</p> <ul style="list-style-type: none"> <li>a) contribute to natural ventilation</li> <li>b) promote penetration of daylight</li> <li>c) are adaptable for commercial uses.</li> </ul>

Rules	Criteria
<p>There is no applicable rule.</p>	<p>C27</p> <p>Above ground structured car parks comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) incorporate commercial tenancies at ground floor along the front boundary</li> <li>b) use high quality architectural elements, landscaping and/or green infrastructure to screen the structures from public spaces and streets</li> <li>c) pedestrian access points are well lit and clearly visible from the street, and</li> <li>d) where publicly accessible parking is provided, ensures direct public access to and from the car parking to the public space.</li> </ul>
<p><b>2.4 Active frontages</b></p>	
<p>R28</p> <p>For buildings located along primary active frontage areas shown in figure 1, ground floor frontages and building designs comply with all of the following:</p> <ul style="list-style-type: none"> <li>a) buildings incorporate clear display windows and shop fronts at the ground floor level</li> <li>b) buildings incorporate direct pedestrian access at grade with the verge level for access and egress for persons with disabilities</li> <li>c) any small areas of walls without windows contain displays, showcases and/or public art, with a maximum of 30% blank frontage per tenancy.</li> </ul>	<p>C28</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) direct pedestrian access from main pedestrian areas, and</li> <li>b) avoid extensive lengths of blank walls unrelieved by doors, display windows or the like.</li> </ul>
<p>R29</p> <p>This rule applies to residential development adjoining primary and secondary active frontages shown in figure 1.</p> <p>Development includes balconies and/or windows to main living areas addressing the public space/street.</p>	<p>C29</p> <p>Residential development provides opportunities for passive surveillance of public spaces.</p>



**Figure 3**

Rules	Criteria
<p><b>R30</b></p> <p>For buildings located along secondary active frontage areas shown in figure 1, ground floor frontages and building design complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) buildings incorporate clear display windows and shop fronts at the ground floor level</li> <li>b) buildings incorporate direct pedestrian access at grade for access and egress for persons with disabilities.</li> </ul>	<p><b>C30</b></p> <p>Development at ground level achieves all of the following:</p> <ul style="list-style-type: none"> <li>a) is adaptable for commercial use</li> <li>b) where building access is provided, direct pedestrian access at street level</li> <li>c) provide opportunities for views into and out of the building.</li> </ul>
<p>There is no applicable rule.</p>	<p><b>C31</b></p> <p>Extensive lengths of blank facades, open structured car parks and loading docks are not located along primary active frontage areas, and do not dominate secondary active frontage areas shown in figure 1.</p>

Rules	Criteria
There is no applicable rule.	<p>C32</p> <p>Utility infrastructure, such as electricity substations and water boosters, located along primary active frontages are minimised and/or screened where possible.</p>
<b>2.5 Landscape zone</b>	
<p>R33</p> <p>This rule applies to secondary active frontages shown in figure 1.</p> <p>Where a building frontage is greater than 30m in length and active uses are not incorporated on the ground floor, a landscaped area with a minimum depth into the block of 3m from the front boundary is provided for a minimum of 20% of the length of the front boundary.</p> <p>Planting is wholly contained within the leased block boundaries.</p> <p>Note: It is the responsibility of the lessee to ensure that any proposed plantings do not conflict with existing services.</p>	<p>C33</p> <p>Landscaped areas are provided along secondary frontages to soften the street environment and add points of interest. The landscaped areas are integrated with the adjacent verge level, and contained wholly within the block boundaries.</p>
<b>2.6 Awnings</b>	
<p>R34</p> <p>This rule applies to buildings fronting:</p> <ol style="list-style-type: none"> <li>Ball Street</li> <li>Bradley Street</li> <li>Brewer Street</li> <li>Callam Street</li> <li>Colbee Court</li> <li>Corinna Street</li> <li>Dundas Court</li> <li>Townshend Street</li> <li>bus interchange.</li> <li>town square</li> <li>pedestrian spine</li> </ol> <p>Buildings provide a continuous awning along the entire length of the building located along the front boundary with a minimum:</p> <ol style="list-style-type: none"> <li>height from <i>datum ground level</i> of 3.2m, and</li> <li>depth from the building facade of 3m.</li> </ol>	<p>C34</p> <p>Protection from the natural elements is provided along pedestrian movement corridors by incorporating:</p> <ol style="list-style-type: none"> <li>continuous awnings that are compatible with existing structures</li> <li>shelter that allows for street trees and other landscaping</li> <li>visually safe and amenable shelter design.</li> </ol>



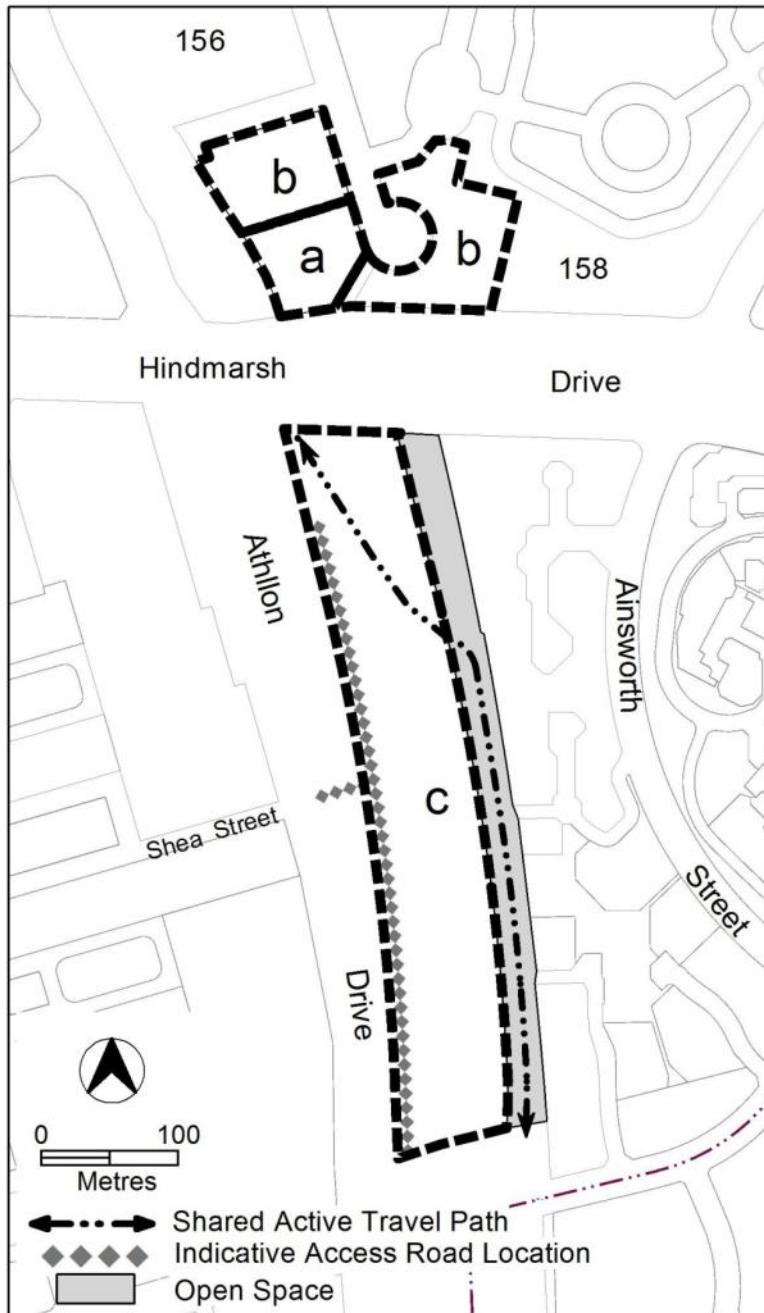
Rules	Criteria
<b>2.7 Screening</b>	
There is no applicable rule.	C35 Waste collection areas are screened from public view.
<b>2.8 Driveways</b>	
R36 No new driveways are permitted along: a) Callam Street, north of Wilbow Street b) Launceston Street. c) Melrose Drive d) Townshend Street Note: Replacement or relocation of existing driveways is not restricted by this rule.	This is a mandatory requirement. There is no applicable criterion.

## RC3 – Callam Street/Athllon Drive Corridor

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

### Element 4: Buildings

Rules	Criteria
<b>4.1 Number of storeys</b>	
<p><b>R40</b></p> <p>This rule applies to area 'a' in figure 4.</p> <p>Development is limited to 6 storeys, with a marker building permitted up to a maximum <i>height of building</i> of RL648AHD.</p> <p>Note: RL648AHD equates to approximately 58m above <i>datum ground level</i>.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p><b>R41</b></p> <p>This rule applies to area 'a' in figure 4.</p> <p>The portion of development above 6 storeys is limited to 850m<sup>2</sup> <i>gross floor area</i> per floor.</p>	<p><b>C41</b></p> <p>Development complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) provides a narrow silhouette and minimises overshadowing to surrounding residential areas</li> <li>b) creates architectural interest and visually reduces the overall scale of the building mass; and</li> <li>c) provides an elegant conclusion to the lower built form.</li> </ul>
<p><b>R42</b></p> <p>This rule applies to area 'b' in figure 4.</p> <p>The maximum number of <i>storeys</i> is 4.</p>	<p><b>C42</b></p> <p>Building heights may be increased to 6 <i>storeys</i> where development:</p> <ul style="list-style-type: none"> <li>a) provides an appropriate transition in height from the existing adjoining development</li> <li>b) does not adversely impact on surrounding residential development through overshadowing and/or overlooking; and</li> <li>c) includes areas for deep root planting.</li> </ul>
<p><b>R43</b></p> <p>This rule applies to area 'c' in figure 4.</p> <p>The maximum number of <i>storeys</i> is 3, except where within 52m of Yarralumla Creek centre line, where the maximum number of <i>storeys</i> is 6.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<b>4.2 Setback</b>	
<p><b>R44</b></p> <p>The minimum front building setback to block boundaries addressing Athllon Drive is 4m.</p>	<p><b>C44</b></p> <p>Building frontages to Athllon Drive provide a landscaped setting.</p>



**Figure 4**

Rules	Criteria
<b>4.3 1 in 100 year flood levels</b>	
There is no applicable rule.	<p>C45</p> <p>This criterion applies to area 'C' in figure 4.</p> <p>Residential development is not permitted within the 1 in 100 year flood level of Yarralumla Creek.</p>

Rules	Criteria
<b>4.4 Vehicle access</b>	
There is no applicable rule.	<p>C46</p> <p>This criterion applies to area 'C' in figure 4.</p> <p>Development incorporates the indicative access road in the location shown.</p>
<b>4.5 Open space interface</b>	
<p>R47</p> <p>This rule applies to area 'c' in figure 4.</p> <p>Development retains the existing shared active travel path connection to the Hindmarsh Drive underpass.</p>	<p>C47</p> <p>Any changes to the existing shared active travel path alignment complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) retains easy and direct continuous active travel connection between Woden town centre and Mawson group centre</li> <li>b) are endorsed by TCCS.</li> </ul>
<p>R48</p> <p>This rule applies to area 'c' in figure 4.</p> <p>Development along the open space area and shared active travel path provides all of the following:</p> <ul style="list-style-type: none"> <li>a) addresses the open space and shared active travel path with windows to habitable rooms, balconies and areas of open space adjoining the shared boundary</li> <li>b) openings for direct pedestrian access to the shared active travel path.</li> </ul>	<p>C48</p> <p>Development provides passive surveillance and pedestrian access to the shared active travel path and open space area.</p>

## Element 5: Heritage

<b>5.1 Potential archaeological deposits</b>	
There is no applicable rule.	<p>C49</p> <p>This criterion applies to area 'C' in figure 4.</p> <p>Development applications will be referred to the ACT Heritage Council, and its advice considered before the determination of the application.</p>