

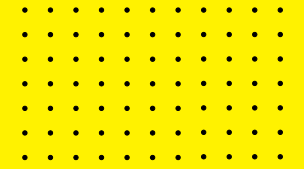
Town Planning
Summary Against Zone
Objectives and
Territory Planning
Controls

Block 1 Section 56
Red Hill

Retirement Village

Prepared for: Federal Golf Club

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1

Introduction

This Statement has been prepared for use in the Pre-Development Application Community Consultation in relation to a proposal for removing the concessional status from part of the Lease and development of a Retirement Village at Block 1 Section 96 Red Hill.

This document addresses the requirements for consultation as outlined in the ACT Government's pre-DA community consultation guidelines for prescribed developments with specific reference to the requirement to provide:

- Details of the relevant parts of the National Capital Plan and Territory Plan that is applicable to the project,
- A response against the relevant zone objectives applicable to the site and project
- High-level responses to key rules and criteria as set out in the relevant planning codes in the Territory Plan.

2

Site Description and Context

2.1 Location and Site Description

Block 1 Section 56 (**the site**) is irregularly shaped and has an area of 85.9 hectares. It is located on the southwestern fringe of the suburb of Red Hill and abuts the Red Hill Nature Reserve to the northwest and northeast and residential development in the surrounding suburbs of Garran to the south and Hughes to the west. The Parliamentary Triangle is situated approximately 2 kilometres to the north/northwest.

The Federal Golf Club occupies the site and comprises an 18-hole championship golf course in an open landscape setting, which is rated amongst the best public access courses in Australia. The golf course covers a topography that varies from easy walking to hilly at times and is complemented by a clubhouse that occupies the highest point of the site – offering great views to the Brindabella Ranges. The clubhouse includes a restaurant, bar and golf pro-shop as well as other ancillary amenities. The clubhouse facilities are available for both private functions and business/corporate seminars, which can accommodate up to 200 guests. There is a greenkeeping shed located adjacent to the practice facilities and a moderately sized Greenkeeper's cottage adjacent to the main car parking area and clubhouse.

The fairways and surrounds (i.e. golf 'rough') are highly modified and have been seeded with exotic grass varieties, fertilised and maintained since the early 1950's. Most fairway trees and shrubs have been planted and comprise a wide variety of native and non-native species. Whilst a large proportion of the existing trees are non-local eucalypts, there is a substantial number of large mature trees that could be considered remnants of the original vegetation community pre-development of the golf course.

Vehicular access to the Golf Club is via Red Hill Drive and Gowrie Drive. There are approximately 160 sealed car parking spaces for Club members and their guests, and visitors. Pedestrian access is available from Garran via a walkway extending from the end of Brereton Street. There is no vehicular access available to the Club via Brereton Street. There is, however, an existing gated access to Brereton Street that is available for use by the Authorities.

The site is located within a PRZ2 – Restricted Access Recreation and NUZ3 – Hills Ridges and Buffer zones is subject to the provisions of the **Red Hill Precinct Map/Code, Garran Precinct Map/Code, Parks and Recreation Zone Development Code and Non-Urban Development Code** of the Territory Plan.

The adjoining Red Hill Nature Reserve is a Designated Area under the National Capital Plan. It is included in the Red Hill Reserve as part of the Canberra Nature Park and is managed as Public Land. The Territory Plan Map shows the subject site as a Designated Area with a Public Land, Nature reserve (Pc) Overlay. A buffer of Urban Open Space follows the golf course along part of the western and southern boundaries.

The regional site location is depicted in **Figure 1**. **Figure 2** shows the site in its local context.

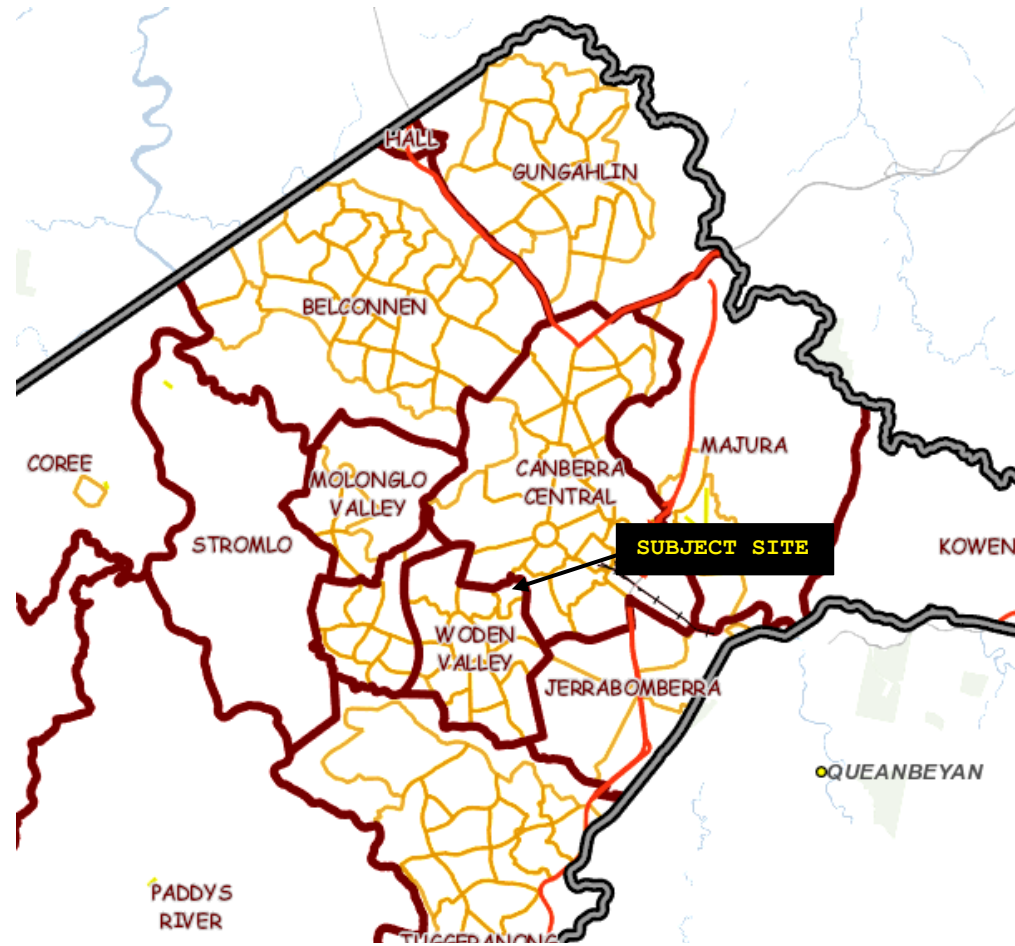


Figure 1: Regional Site Location (ACTMAPi Cadastre)

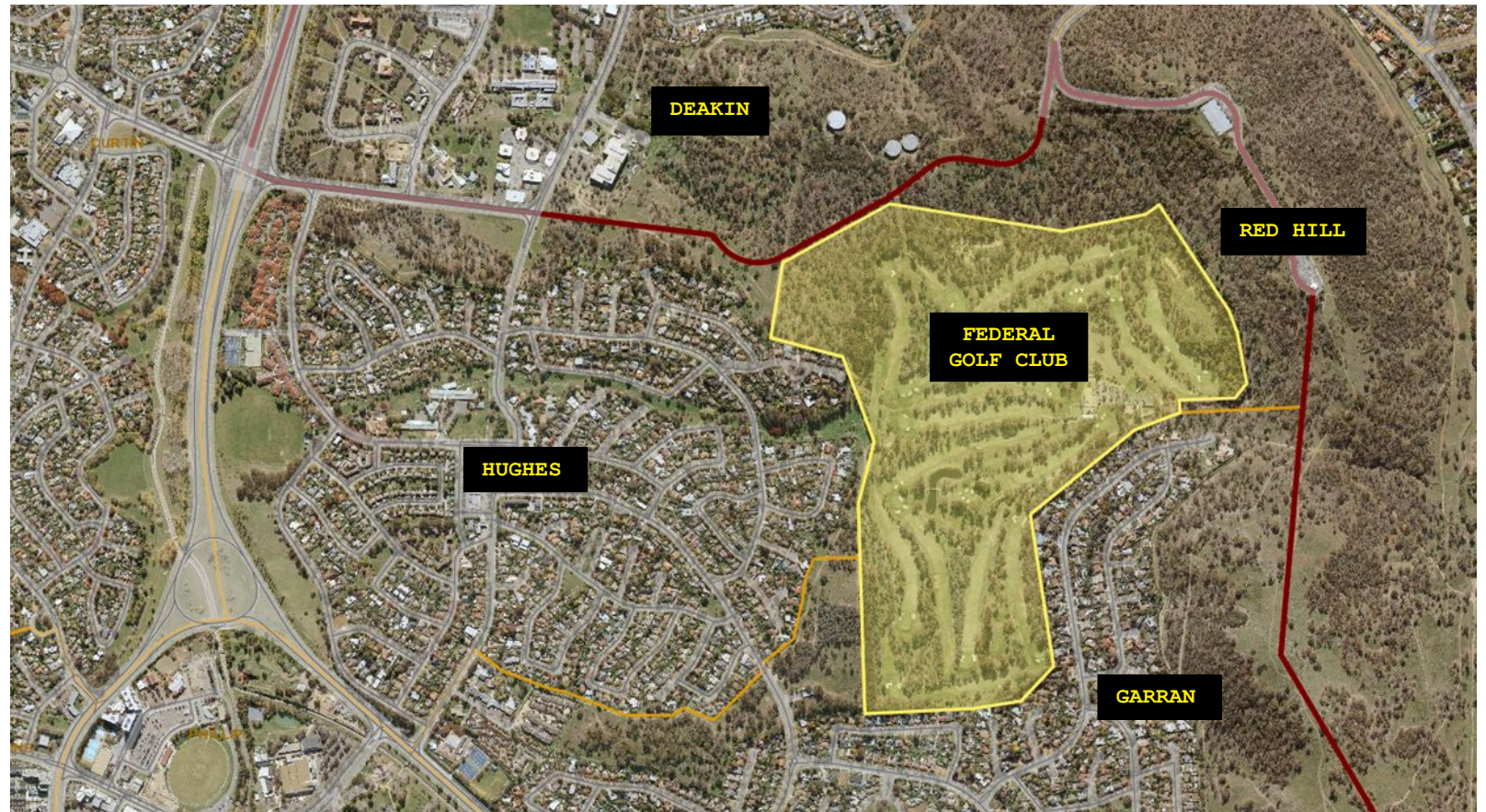


Figure 2: Site Location (ACTMAPi Cadastre)

2.2 Crown Lease Provisions

Table 1 below details the key Crown Lease covenants for Block 1 Section 56 Red Hill.

Table 1: Key Crown Lease Covenants for Block 1 Section 56 Red Hill

Key Covenant	Detail
Site Identifier	Block 1 Section 56 Red Hill
Site Address / Street Location	Gowrie Drive, Red Hill
Proponent / Lessee	Federal Golf Club
Interested Parties	Mortgage to Commonwealth Bank of Australia
Site Area	85.914 ha
Deposited Plan	425
Crown Lease Volume / Folio	Volume 953 / Folio 33
Lease Commenced	1 March 1982
Lease Termination	50 years
Concessional	Yes - The Lessee will not without the previous consent in writing of the Commonwealth assign sub-let transfer or part with possessing of the whole or any portion of the premises. Application seeking consent to remove the Concessional Status from a 5.8 hectare part of the site is the subject of this community consultation.
Variations of the Lease	N/A
Current use	The site is currently used for the purpose of a Golf course and ancillary uses.
Purpose Clause	4(a) To use the premises only for the purpose of a Golf Club and for any purposes Incidental thereto; 4(b) To permit persons other than Club members to play on the golf course constructed on the said land upon payment of green fees prescribed by the Club at all such times as the course is not required by the Club for: i) major championships or tournaments; ii) club competition; iii) course maintenance or repair; or iv) such other purpose as the Minister from time determine; The site is currently used for the purpose of a Golf course and ancillary uses.

2.3 Territory Plan

Block 1 Section 56 Red Hill is zoned 'PRZ2 - Restricted Access Recreation Zone' and 'NUZ3 - Hills Ridges and Buffer zones' (refer to Figure 4 below) and is subject to the provisions of the Parks and Recreation Zone and Non-Urban Development Codes of the Territory Plan. Block 76 Section 10 Garran is zoned *PRZ1: Urban Open Space*. The adjoining Red Hill Nature Reserve is a Designated Area under the National Capital Plan. It is included in the Red Hill Reserve as part of the Canberra Nature Park and is managed as Public Land. The Territory Plan shows it as a Designated Area with a Public Land, Nature reserve (Pc) Overlay. It is noteworthy that following the approval of Plan Variation 384, the Nature reserve overlay has been added to that area of the site that was rezoned to [Hills ridged buffers?] as part of Plan Variation 384. A buffer of Urban Open Space (PRZ1 Urban Open Space) follows the golf course along part of the western boundary.

Detailed planning requirements for the site are identified in the Woden Valley District Precinct Map/Code, Red Hill Precinct Map/Code, Garran Precinct Map/Code, Parks and Recreation Zone Development Code and other General Codes (as applicable). The Red Hill Precinct Map/Code permits the proposed use of part of Block 1 Section 56 Red Hill for Retirement Village use. This Precinct Map/Code further include a set of site-specific development controls that apply to the subject site and sets out the context and parameters/requirements for the development proposed. Access to the land is permitted over Block 76 Section 10 Garran.

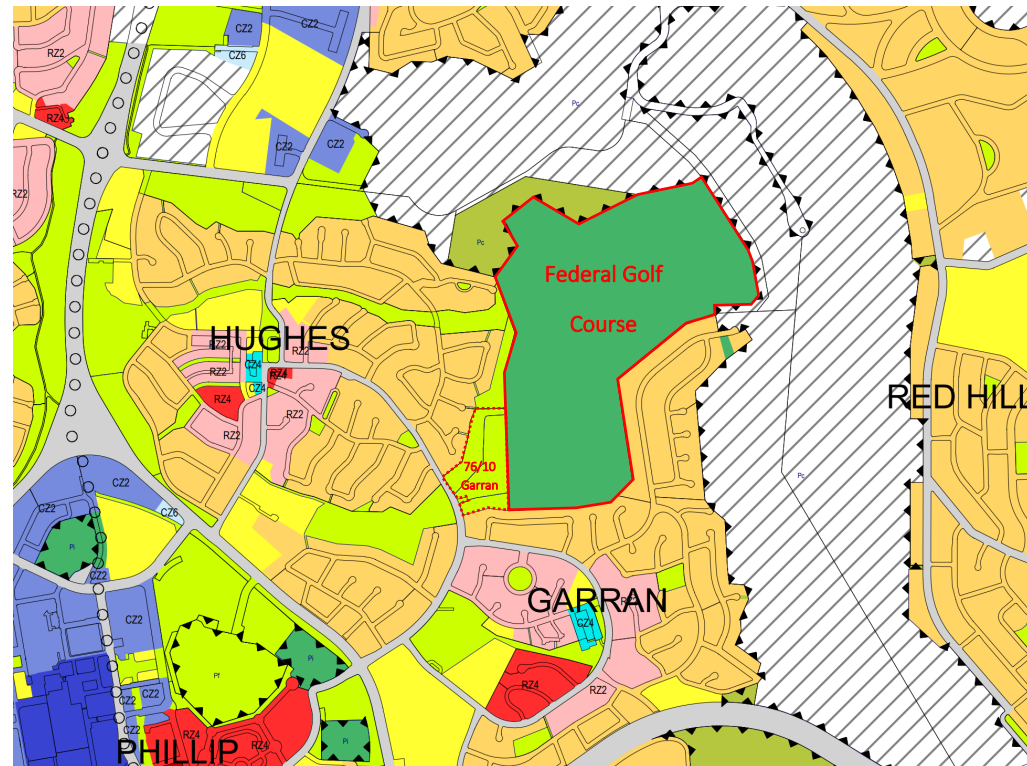


Figure 3: Territory Plan Zoning Overlay (ACTMAPi, February 2018)

2.4 Assessment Track

Under the Planning and Development Act 2007, development applications can be assessed in either the Code, Merit or Impact Track.

A development proposal is required to consider its potential impact in relation to matters listed under Schedule 4 of the P&D Act (notably items 1 and 2 of Part 4.3), and as such **may** trigger the requirement for an Environmental Impact Statement (EIS) to be completed. In accordance with Section 123 of the P&D Act, proposals that are of a kind mentioned in Schedule 4 are to be assessed in the Impact Track.

For the specific triggers mentioned (i.e. Items 1 and 2 of Part 4.3), a Proponent may apply under Section 138AA(2) for an Environmental Significance Opinion (ESO) from the ACT Conservator of Flora and Fauna that the proposal is not likely to have a significant adverse environmental impact. The production of a not-significant opinion from the Conservator will take the proposal out of the Impact Track unless other reasons apply and allow a Merit Track assessment to be pursued.

In relation to this proposal the proponent progressed an ESO Application which resulted in the granting of an opinion that the proposal is **unlikely to result in a significant impact** and may thus be progressed in the Merit Track for Development Approval/Consent.

The determination can be found here:

<https://www.legislation.act.gov.au/View/nj/2022-538/current/PDF/2022-538.PDF>

A proposal for removing the Concessional Status of a Lease under Section 256 of the Planning and Development Act 2007 is processed as a Lease Variation under the Merit Track. This may be undertaken as a separate application or as a component of a larger more complex Merit Track Development Application that may include components relating to Variations to a Crown Lease and/or Design and Siting Components.

3

Applicable Codes

The *Planning and Development Act 2007* (**the Act**) sets out the requirements for obtaining development approval for works (development) proposed to be undertaken unless the works are specifically exempt from requiring such approval.

Section 113 of the Act explains the relationship between development proposals and development applications and states that:

- 1) *A person who has a development proposal may apply to the planning and land authority for approval to undertake the development proposed.*
- 2) *If an assessment track applies to a development proposal, the proposal is in that assessment track and that track must be followed in assessing the development application for the proposal.*

**Note: Our Underline.*

Development is defined under Section 7 of the Act as follows:

s7 Meaning of development

- *building, altering or demolishing a building or structure on the land;*
- *carrying out earthworks or other construction work on or under the land;*
- *carrying out work that would affect the landscape of the land;*
- *using the land, or a building or structure on the land;*
- *subdividing or consolidating the land;*
- *varying a lease relating to the land (other than a variation that reduces the rent payable to a nominal rent);*

- *putting up, attaching or displaying a sign or advertising material otherwise than in accordance with a licence issued under this Act or permit under the Roads and Public Places Act 1937.*

**Note: Underlined text relates to those activities that are likely to be undertaken in the current proposal that are regarded as development under the Act.*

From the above it follows that proposals for development **may** require DA approval and **if a specific assessment track applies**, then the proponent **must seek approval** from the Planning Authority.

Any proposal for development of the site is required to be in accordance with the applicable land use controls (as per the applicable zoning) for the site as set out in the Territory Plan (**the Plan**).

Section 115 of the Act 2007 sets a hierarchy for consideration of the codes in the Territory Plan and states:

Application of inconsistent code requirements

- 1) *This section applies in relation to an application for development approval for a development proposal if –*
 - a. *2 or more codes apply to the proposal; and*
 - b. *The requirements under each code (the code requirements) that apply to the proposal are inconsistent.*
- 2) *If the code requirements of a precinct code and either a development code or a general code is inconsistent, the code requirements of the precinct code apply to the development proposal and not the code requirements of the development code or general code, to the extent of the inconsistency.*

- 3) *If the code requirements of a development code and a general code are inconsistent, the code requirements of the development code apply to the development proposal and not the code requirements of the general code, to the extent of the inconsistency.*
- 4) *If the code requirements of 2 or more precinct codes, development codes or general codes are inconsistent, the code requirements of the more recent code apply to the development approval and not the code requirements of the earlier code, to the extent of the inconsistency.*
- 5) *To remove any doubt, a code requirement is not inconsistent with the code requirements of another code only because one code deals with a matter and the other does not.*

This hierarchy should be kept in mind while interpreting the relevant Planning Controls, their relationship to the project and each other. All parts of the Territory Plan apply to a Design and Siting proposal unless it is not applicable given the context and location of the project, or subject to consideration under the hierarchy provisions and clearly in direct conflict with another control.

Block 1 Section 56 is located within the ***PRZ2 Restricted Access Recreation and NUZ3 – Hills Ridges and Buffer zones***. Proposed development is limited to the part of the site that is zoned PRZ2 Restricted Access Recreation and the works are subject to the requirements of the Territory Plan and the relevant Precinct, Development and General Codes applicable to land where the works are to be undertaken.

Block 76 Section 10 Garran is zoned ***PRZ1: Urban Open Space*** and is subject to the requirements of the Territory Plan and the relevant Precinct, Development and General Codes.

The Precinct Map/Code permits Block 1 for the use of Retirement Village and include site-specific development controls that apply to the subject site.

Below is a description of the relevant codes in the Territory Plan against which this proposal will be assessed.

Table 2: Assessment of Applicable Codes

National Capital Plan	Relevance
National Capital Plan	<p>Applicable.</p> <p>The site is subject to the Urban Areas Land Use Plan in the National Capital Plan.</p> <p>The subject site is not Designated Land and/or subject to any special requirements or Development Control Plan requirements under the National Capital Plan. It is assumed that the Territory Plan controls are not inconsistent with the requirements of the National Capital Plan for the site and an application that successfully addresses the Territory Plan requirements will also be consistent with the general National Capital Plan Precinct controls for the locality noting that the Territory Plan cannot be inconsistent with the National Capital Plan (as per the PALM Act 1998).</p>
Precinct Codes	Relevance
Red Hill Precinct Map and Code	<p>Relevant.</p> <p>The recent amendment of the Territory Plan following the competition of Plan Variation 384 resulted in the Precinct Code including a site-specific MT2, PD2 and RC2 planning overlay that include specific additional Merit Track permissible uses, Prohibited Uses and site-specific planning and development controls over Block 1 Section 5. These controls are relevant to this proposal and a high-level response are provided in Section 5 below.</p>
Garran Precinct Map and Code	<p>Relevant.</p> <p>The recent amendment of the Territory Plan following the competition of Plan Variation 384 resulted in the Precinct Code including a RC1 planning overlay that include site-specific planning and development controls over Block 76 Section 10 Garran relating to site access from Kitchener Street. These controls are relevant to this proposal and a high-level response are provided in Section 6 below.</p>
Woden Valley District Precinct Map and Code	<p>There are no additional provisions that are applicable to the site.</p> <p>No high-level response is relevant and/or provided.</p>
Development Codes	Relevance
Parks and Recreation Zone Development Code	<p>Relevant.</p> <p>Refer to Section 7.</p>
Non-Urban Development Code	<p>Relevant but not applicable.</p> <p>No works are proposed over that part of Block 1 Section 56 Red Hill that is zoned NUZ3 and thus the provisions of this Code is not triggered.</p>

Multi-Unit Housing Development Code	Relevant. Refer to Section 8 .
General Codes	Relevance
Parking and Vehicular Access General Code	Traffic Impact is being considered as part of the design of the village and a Traffic Impact and Parking Assessment is being prepared for submission with the DA submission.
11.2 Bicycle Parking General Code	Bicycle Parking is considered as part of the village design and advice will be provided with the DA submission.
11.3 Access and Mobility General Code	An Access and Mobility Assessment is being prepared for submission with the DA submission.
11.4 Crime Prevention through Environmental Design General Code (CPTED)	Crime Prevention through Environmental Design is considered throughout the design of the Village and a response against the Code will be included in the DA submission.
General Codes	Relevance
Community and Recreation Facilities Location Guidelines General Code	The provision of the uses at the site (As enshrined in the zone development table and the Red Hill Precinct Code) confirms the appropriateness of this locality for the uses under consideration.
Lease variation General Code	The proposal is being designed while being cognitive to those matters required to facilitate the granting of further leases and seeking the granting of the use of retirement village as set out in the code.

4

Parks and Recreation Zone Objectives

The statement below sets out a response against the relevant zone objectives of the *PRZ2 Restricted Access Recreation Zone*.

The Red Hill Precinct Map/Code does not provide a statement of desired character applicable to either the Red Hill Precinct Code RC2 Area or Garran Precinct Code RC1 Area of the Territory Plan as described below in Section 5 and 6.

Table 3: Objectives of the PRZ2 Zone

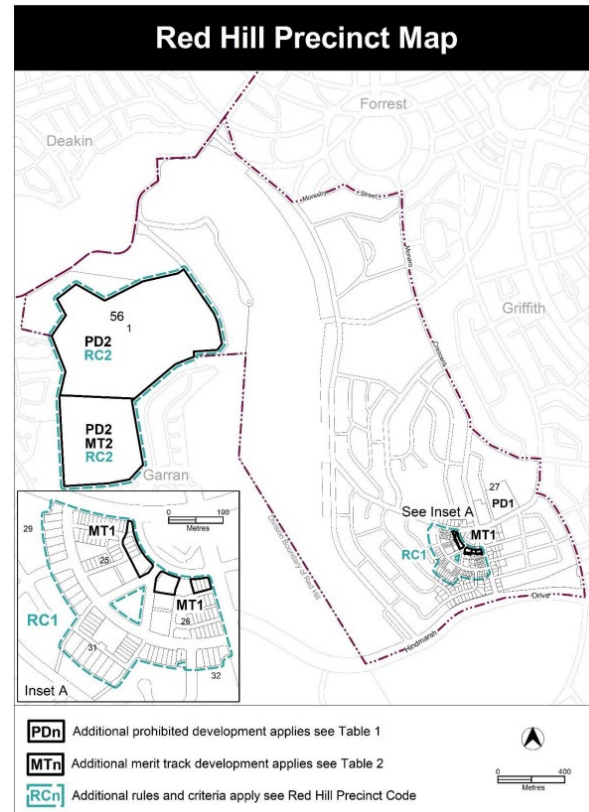
PRZ2 Zone Objectives	Proposal Response
a) Accommodate facilities that will meet the recreational needs and demands of the community and are appropriately located for the potential uses of the facility.	The development proposed includes the relocation of part of the Golf Course to make available the land that will house the future retirement village. The project include works required to recreate and facilitate the ongoing sustainable operation of the 18-hole course (as required in the Planning Controls) and to ensure that the needs and demands of the community for recreation use remains met.
b) Make provision for a range of sport and recreation facilities and users, whether in public or private ownership that may be commercial in nature.	The Federal Golf Course is amongst the best public access courses in Australia and the works include facilitative works ensuring its ongoing sustainable operation as an 18-hole course into the future. The development proposed further provides for a Retirement Community that will integrate into and complement the existing golfing activities and operations and deliver a housing type in high need in Canberra. Public access to the course will be maintained as a result of the development proposed for both members playing golf and non-member community patrons to the facility engaging in non-golfing recreation activities.
c) Ensure the amenity of adjoining development is not unacceptably affected by the operation of sport and recreation facilities, particularly in terms of noise, traffic, parking, privacy and outside lighting at night	The Red Hill Precinct Code include a range of development controls that is designed to minimise impact on adjoining land uses, primarily by limiting the size, scale and location/footprint of development with Block 1. In relation to other matters of amenity the proposal responds as follows: Noise

PRZ2 Zone Objectives	Proposal Response
	<p>The development proposal is cognitive of the potential noise impacts associated with the retirement village operations (albeit not considered a noisy use in legislation and regulation). No matters of specific noise concern have been identified in the design of the proposal that will have an adverse impact on adjoining uses, noting that setbacks from adjoining homes are typically greater than 100 metres.</p> <p>Traffic and Parking</p> <p>Traffic Impact matters were considered in the Red Hill Integrated Plan and subsequent Variation of the Territory Plan in determining the yield opportunity for the retirement village and dictating of the access arrangements to Kitchener Street.</p> <p>The proponent is undertaking further work in relation to Traffic Impact and Parking to confirm the future operations of the village and road network and will submit this assessment with the DA. No concern in relating to traffic management, impact or parking provisions have been identified at this time.</p> <p>Privacy</p> <p>The development locality is limited by the Red Hill Precinct Code and require substantial setback from the adjoining residential uses.</p> <p>Lighting</p> <p>The proposed lighting scheme will be designed to meet the required Australian Standards for CPTED and obtrusive light impacts. The lighting scheme is cognitive of opportunities to provide passive surveillance to adjoining areas (including parking spaces) as appropriate in the context of the use proposed.</p>
d) Design and landscaping of development is to be compatible with the surrounding landscape	<p>The landscape design proposal draws on the prevailing open, native and treed landscape of the golf course site and introduces deliberate, complimentary and more formal landscape character zones to interior spaces and around buildings.</p> <p>The planting intentions proposal includes a diversity of plantings across predominantly native species, chosen based on known success to local climatic conditions and ability to positively contribute to the local ecology.</p>
e) Provide safe pedestrian and cycling access to recreation facilities to promote active living.	<p>Residents and members, guests and visitors will be afforded continued movement through the golf course site along pathways and connections that seek to deliver opportunities for easy use, legible way finding, high levels of amenity that promote safety and minimise hazard.</p> <p>The retirement village will be afforded an appropriate pathway network to service its internal movement requirements and facilitate active living and connectivity with the internal village functions.</p>

5

Red Hill Precinct Map and Code

The Red Hill Precinct Map and Code (RHPMC) sets out the precinct specific use provisions and planning controls for the Red Hill District. These rules and criteria are taken from the RHPMC, effective 10 June 2023. The Precinct Map identifies Block 1 Section 96 Red Hill having additional Merit Track Use provisions and Prohibited Uses and Development Controls for consideration in the development and use of the land as per the Precinct Map included below:



The Additional Merit Track development accessible uses applicable to the site is the provision of a **Retirement Village**. Retirement Village is defined in the Territory Plan as follows:

***Retirement Village** means premises where older members of the community or retired people live, or will live, in independent living units or serviced units, under a retirement village scheme.*

***Retirement village scheme**, for a **retirement village**, means a scheme under which a person may –*

a) enter into a residence contract with the scheme operator for the retirement village; and

b) on payment of an ingoing contribution, acquire personally or for someone else a right to live in the retirement village, however the right accrues; and

c) on payment of the relevant charge, acquires personally or for someone else a right to receive one (1) or more services in relation to the retirement village

The proposal seeking the assessment of this use is consistent with this provision included in the precinct code MT2 area.

The additional Prohibited development (PD2) overlay prohibits the use of the subject site for **hotel** and **motel use**. These uses are not considered and/or proposed for this project.

Below follows the relevant key planning provisions of the Present Code with High level project response.

5.1 RC2 – Federal Golf Course

Below are key planning controls as set out in the Red Hill Precinct Code/Map for the RC2 – Area with a high level response in relation to the proposal.

Table 4: High Level Response Precinct Code RC2 area.

Rule	Criteria	Response
Element 8: Use		
8.1 Club		
R25 Development of a club is only for the purposes of a golf club.	This is a mandatory rule. There is no applicable criterion	The proposal is presented in a manner ensuring that the current Federal Golf Course use will continue as an 18-hole competition venue with associated Golf Club Amenity Upon Block 1 Section 96 Red Hill.
8.2 Retirement village and golf course		
R26 Development of a retirement village is focused primarily within the investigation area identified in Figure 7 and must comply with all of the following: a) Retirement village is restricted to a maximum of 125 units b) Subdivision is only permitted to create one additional lease for a retirement village. No further subdivision is permitted, including subdivision under the Unit Titles Act 2001, of the: i) lease for the retirement village ii) lease containing the golf course. c) vehicular access to the retirement village is provided from Kitchener Street d) no public vehicular access is provided to the retirement village from Gowrie Drive through the golf course e) no public vehicular access is provided to the golf course, club house and associated facilities from the retirement village f) buildings and structures are setback a minimum of 50 metres from residential and PRZ1 zoned blocks as indicated on Figure 7 g) development of a retirement village does not diminish or inhibit the opportunity for an 18 hole golf course and associated facilities to operate on the balance of the site.	This is a mandatory rule. There is no applicable criterion.	Block 1 will be subdivided to create one additional Block to house a Retirement Village with 125 units (maximum). No subdivision of the land or Retirement Village proposal under the Unit Titles Act 2001 is contemplated. The remainder of Block 1 will continue to house the Federal (Red Hill) Golf Course. Vehicular Access to the retirement village will be from Kitchener Street while no public access to the village will be available to Gowrie Drive through the golf course. All buildings related to the village will be set-back as required by Figure 7. The works to be undertaken in the proposal include those works required to ensure the ongoing sustainable operation of the 18-hole golf course and associated faculties in a manner that will not diminish or inhibit its operation as a separate activity and use.



Precinct Code Extract Fig. 7

Rule	Criteria	Response
Element 9: Environment		
9.1 Trees		
R27 A tree assessment is prepared for the endorsement of the Conservator of Flora and Fauna and includes all of the following: a) all remnant native trees are assessed to determine if they can be nominated as Registered trees under the Tree Protection Act (2005) b) all trees that meet the criteria for listing as registered trees are formally nominated.	This is a mandatory rule. There is no applicable criterion	The proposal will be submitted with the required Tree Assessment and Management plans for consideration by the Conservator for Flora and Fauna. The assessment will: <ul style="list-style-type: none"> - Identify all of the remnant native trees assessed to determine their ability and value to be considered for nomination as Registered trees under the Tree Protection Act (2005), and - Proposed that all trees that meet the criteria for listing as registered trees are formally nominated as per the Act.
There is no applicable rule	C28 Future development of the land should achieve whichever is the greater of the following: Visual corridors achieve all of the following: a) not result in a net loss of canopy coverage measured at a mature height or b) provide at least 30% canopy coverage measured at a mature height.	The proponent is cognitive to this requirement. The proposal when submitted will include documentation addressing this requirement
9.2 Ecological values		
R29 An ecological assessment of the site is prepared for endorsement of the Conservator of Flora and Fauna and includes all of the following: a) identification of the ecological values of the site b) assessment of the potential impacts of development on the ecological values of the site including an assessment of the impacts on Gang-gang Cockatoo, Superb Parrot, mature native trees, and wildlife connectivity and movement, light spill on bats, along with other identified values <ul style="list-style-type: none"> - lease for the retirement village - ii) lease containing the golf course. c) An avoidance plan that identifies critical ecological values that must be protected from development impacts and maintained into the future	This is a mandatory rule. There is no applicable	The proposal was subject to an Environment Significance opinion (ESO) (NI2022-538) endorsed by the Conservator for Flora and Fauna that is available here: https://www.legislation.act.gov.au/ni/2022-538 . This assessment identified and assessed the ecological values of the site including assessment of the impacts on Gang-gang Cockatoo, Superb Parrot, mature native trees, and wildlife connectivity and movement over large extents of Block 1 including the land that will be subject to both golf course and retirement village use. The ESO include a list of commitments and strategies relating to the development and how environmental

Rule	Criteria	Response
<p>d) strategies to minimise the residual impacts of development on the ecological values of the site including:</p> <ul style="list-style-type: none"> - the location of the retirement village buildings, structures and associated infrastructure and facilities to minimise loss of ecological values on the site - preparation of a landscape plan to enhance and protect existing ecological values of the site including use of locally endemic native species - enhancement of the existing natural corridors and connections through the Criterion site that link the surrounding open space network to the Red Hill Nature Reserve - identification of any environmental offsets associated with development of the site. 		<p>impacts will be mangled and the environment protected from project and use impacts. These commitments will be implemented as part of the project and include:</p> <ul style="list-style-type: none"> • The transfer of more than 10 ha of high ecological value land into the Red Hill Nature Reserve • Replanting of locally endemic trees at a 10:1 ratio • Planting of additional shrubs and grasses which will result in a more complex understory and reduce the likelihood of increases in aggressive birds • No net canopy loss with additional planting to be explored where canopy gaps exist.
9.3 Contamination		
<p>R30</p> <p>An environmental assessment report for the development is endorsed by the Environment Protection Authority.</p> <p>Note: A condition of development approval may be imposed to ensure compliance with the endorsed site assessment report.</p>	<p>This is a mandatory rule. There is no applicable criterion</p>	<p>The ESO number NI2022-538 is endorsed by the Conservator for Flora and Fauna.</p> <p>The proponent expects that the strategies and recommendations in the ESO that is further accentuated and described in the proposal, will be enshrined as conditions of approval of any future decision.</p>
9.4 Heritage		
<p>R31</p> <p>An 'Unanticipated Discovery Protocol' is to be included in a Construction Environmental Management Plan (CEMP) and is to include provisions for the assessment and management of any unexpected heritage discoveries during construction is endorsed by the ACT Heritage Council.</p> <p>Note: A condition of development approval may be imposed to ensure compliance with this rule.</p>	<p>C31</p> <p>If an 'Unanticipated Discovery Protocol' endorsed by ACT Heritage council is not provided the application will be referred to the ACT Heritage Council.</p>	<p>The proponent will prepare an 'Unanticipated Discovery Protocol' as part of a Heritage Construction Environmental Management Plan as required for implementation during the development phase of the project.</p>

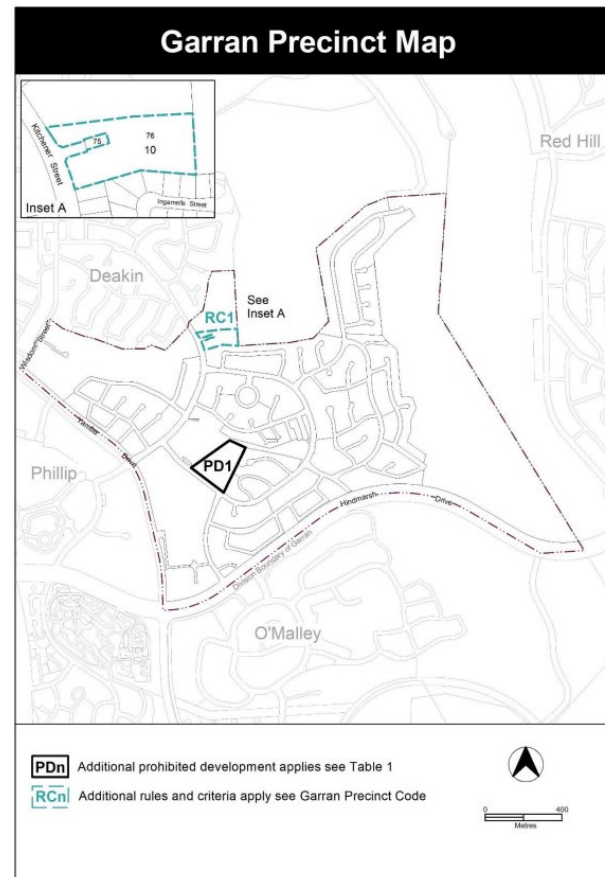
Rule	Criteria	Response
Element 10: Building and site controls		
10.1 Height of buildings		
R32 The maximum height of building for the area identified in Figure 7 is 3 storeys.	This is a mandatory rule. There is no applicable criterion	No building or structure will be proposed at a height of over 3 storeys.
10.2 Adaptable housing		
R33 All dwellings meet both of the following: a) Australian Standard AS4299 Adaptable housing (Class C) b) Access and Mobility General Code.	This is a mandatory rule. There is no applicable criterion	All Units and the Village as a whole will be designed to meet the relevant parts of Australian Standard AS4299 Adaptable housing (Class C) and the Access and Mobility General Code.
10.3 Amenity		
There is no applicable rule.	C34 Buildings accommodating supportive housing or retirement village achieve all of the following: a) consistency with the desired character b) reasonable levels of privacy for dwellings on adjoining residential zoned blocks and their associated private open space c) solar access to dwellings on adjoining residential zoned blocks and their associated private open space is maintained d) compatibility with exterior building materials of existing buildings in the locality.	The proposal is designed with specific consideration of the matters set out in C34 including, <ul style="list-style-type: none"> - being of a residential scale, bulk and form that responds to the zone objectives. - enjoys solar and visual amenity, privacy and noise amenity appropriate and expected for a use of this nature. - The proponent is very cognitive of the needs and expectations of future villagers and the appropriate typologies, set out, design and amenity required in delivering this product. The proponent is working closely with an experienced retirement village provider to ensure that all of these matters are appropriately addressed and presented. - The proposal further meets the key amenity, solar and noise provisions of the Territory Plan and other Environmental Protection legislation.
10.4 Waste management		

Rule	Criteria	Response
There is no applicable rule	<p>C35</p> <p>Post occupancy waste management achieves all of the following:</p> <p>a) reasonable levels of residential amenity for dwellings and their associated private open space on the subject site</p> <p>b) reasonable levels of amenity for dwellings on adjoining residential zoned blocks and their associated private open space.</p>	<p>The proposal is being designed to respond to the Development Control Code for Best Practice Waste Management in the ACT 2019 provisions.</p> <p>Post occupancy waste management will be delivered with adequate and reasonable levels of residential amenity for dwellings and their associated private open space both on the subject site and all adjoining residential zoned blocks and their associated private open spaces.</p>

6

Garran Precinct Map and Code

The Garran Precinct Map and Code (**GPMC**) sets out the site specific planning controls for Block 76 Section 10 Garran that relate to the required access from Kitchener Street to the future retirement village on Block 1 Section 56 Red Hill as per the Precinct Map included below: These rules and criteria are taken from the GPMC, effective 10 June 2023.



Below follows the relevant key planning provisions of the Present Code with High level project response.

6.1 RC1 – Kitchener Street Access

Below are key planning controls as set out in the Garran Precinct Code/Map for the RC1 – Area with a high level response in relation to the proposal.

Table 5: High Level Response Precinct Code RC1 area.

Rule	Criteria	Response
Element 1: Site access		
1.1 Roads		
R1 Development of a road intended to provide access to a retirement village at Red Hill section 56 part of block 1 complies with all of the following: a) a public road is constructed to provide access to the retirement village at the Federal Golf Course b) the road utilises the existing access to Garran section 10 block 75 of Kitchener Street, having regard to intersection safety and design considerations c) the road is setback a minimum 50 metres from residential blocks d) development of the road does not diminish or inhibit recreational opportunities and maintenance of ecological values on the balance of the site.	This is a mandatory rule. There is no applicable criterion	The proposal includes an access road to the proposed retirement village that is designed to the requirements of the Precinct Code including: <ul style="list-style-type: none">- designed to public road standards and intersection safety and design considerations,- access to Garran section 10 block 75 off Kitchener Street while being setback a minimum 50 metres from exiting residential blocks, and- is designed in a manner that does not diminish or inhibit recreational opportunities and maintenance of ecological values on the balance of Block 75 Section 10 Garran.
R2 The following is endorsed by TCCS: a) a traffic and parking feasibility study is prepared for all development at Red Hill section 56 part of block 1 that intends to gain access via Kitchener Street b) the design and construction of the public road c) the design and construction of the upgrade to intersection of the road with Kitchener Street is consistent with TCCS standards and requirements d) any necessary upgrades to Kitchener Street to accommodate the traffic generated by the retirement village.	This is a mandatory rule. There is no applicable criterion	The proposal includes an access road to the proposed retirement village that is designed to the requirements of the Precinct Code that will be designed to TCCS standards and to their endorsement and satisfaction including the presentation and acceptance of a traffic and parking feasibility study considering all development at Part Block 1 Section 56 Red Hill (retirement village) with access from Kitchener Street. The road will be designed and constructed to public road standards and include the upgrade of the intersection with Kitchener Street, again to standards and requirements dictated by TCCS and to their satisfaction.

Rule	Criteria	Response
1.2 Stormwater Management		
R3 A Stormwater Management Plan is prepared in relation to the road and any associated stormwater runoff expected from development at Red Hill section 56 part of block 1 is endorsed by TCCS.	This is a mandatory rule. There is no applicable criterion	The works will include any necessary upgrades to Kitchener Street to accommodate the traffic generated by the retirement village. The development proposal will include a Stormwater Management Plan prepared in relation to the access road and any associated stormwater runoff expected from development of the retirement village to the satisfaction and endorsed of TCCS.
1.3 Offsite works		
R4 The following offsite works are endorsed by TCCS: a) restoration of and provision for recreational opportunities on the balance of the block as impacted by the road b) restoration of and provision for landscaping associated with ecological values links and corridors on the site as impacted by the road c) Any necessary upgrades to infrastructure to manage stormwater runoff from the road and development at Red Hill section 56 part of block 1.	This is a mandatory rule. There is no applicable criterion	All proposed offsite works will be designed to TCCS endorsement and build to their acceptance including: - the restoration of and provision for recreational opportunities on the balance of the block impacted by the road, - the restoration of and provision for landscaping associated with ecological values links and corridors on the site impacted by the road, and c) all upgrades to infrastructure to manage stormwater runoff from the road and the retirement village development.
Element 2: Environment		
2.1 Ecological Values		
R5 An ecological assessment of the site is prepared for endorsement of the Conservator of Flora and Fauna and includes all of the following: a) identification of the ecological values of the site b) assessment of the potential impacts of development on the ecological values of the site c) strategies to minimise the residual impacts of development on the ecological values of the site.	This is a mandatory rule. There is no applicable criterion	The proponent will prepare and submit an ecological assessment that considers the likely impact of the Block 76 Section 10 Garran works and include consideration to all of the matters listed. This will be presented for consideration and endorsement by the Conservator for Flora and Fauna and it is anticipated that any mitigation strategies and/or works relating to this matter will be enshrined a condition of a development consent decision.

7

Parks and Recreation Zone Development Code

The Parks and Recreation Zones Development Code (PRZDC) includes both Zone specific and general development controls. The relevant parts of the code that apply to this development include:

- Part A – Zone Specific Controls
- Part B – General Controls

The Red Hill Neighbourhood Plan (RHNP) establishes a Neighbourhood Vision, which states:

Red Hill in the future will be a safe and peaceful neighbourhood that respects its wonderful ‘mature gardens’ and streetscape character, its sense of history and heritage. It will be a neighbourhood with a strong community spirit and a vibrant commercial heart, valuing its accessible green open spaces, bushland and recreational areas.

The Key Strategies for achieving the Vision (as defined by the RHNP) are addressed as follows:

Key Strategy	Proposal Response
Red Hill Local Centre	The development proposed will strengthen the viability the Local Centres, by contributing to the catchment of residents that will utilise the Local Centre as a convenient local shopping destination.
Residential Areas	The development proposed will create an active and connected Retirement Community, which will provide a diversity of housing options for aged singles and couples in an appropriate location. This offering is likely to release conventional housing back into the market for use by families seeking housing choice in this area. The design of the development will be of a high-quality and is sympathetic to the existing (surrounding) ‘garden suburb’ neighbourhood characters of adjoining suburbs in terms of its form and landscape setting.
Urban Open Space	The development proposed will create an active and connected Retirement Community that will integrate with the golf course and surrounding community. It’s creation ensure the ongoing sustainable operation of the golf course on the surrounding open space and facilitates the permanent inclusion of a further 10 hectares of land into the Red Hill Nature Reserve. Public access to the course will not be compromised as a result of this proposal.

Key Strategy	Proposal Response
Movement networks	<p>The proposal will not impact on the Urban Open Space network as set out in this area.</p> <p>Retirement Community residents and golf course members, guests and visitors will be able to move through the site safely and easily via appropriate pedestrian footpaths that are well-lit and free from hazard.</p> <p>Due to minimal vehicular traffic expected to be generated by the development proposed, the safety, capacity and overall level of service within the surrounding street networks will not be unduly impacted.</p> <p>No vehicular access will be available through the Golf Course from the retirement village.</p>

Below we include a high-level response to the key planning controls (Rules and Criteria). These rules and criteria are taken from the PRZDC, effective 30 November 2022.

7.1 Part A – Zone Specific Controls

Table 6: Assessment of Part A – Zone Specific Controls – Restricted Access Recreation Zone

Rule	Criteria	Response
Element 1: Restrictions on Use		
1.1 Club, Educational Establishment, Guest House, Hotel, Motel		
<p>R7</p> <p>Development for these purposes meets one of the following:</p> <p>a) Is ancillary to the use of the land for recreation purposes</p> <p>b) The proportion of the land area of any discrete PRZ2 restricted access recreation zone (i.e. not separated by another zone) used for these purposes and associated car parking and other site facilities is a maximum of 15%.</p>	<p>C7</p> <p>Development for these purposes in the PRZ2 restricted access recreation zone meets all of the following:</p> <p>a) Does not unreasonably restrict the availability of land in the zone for recreation purposes</p> <p>b) Is of an appropriate scale and compatible with the recreational purposes of the zone</p>	<p>The proposed club development will remain ancillary to the existing golf course, of a scale as per the planning provisions and not impede or restrict access to recreation space.</p>

Rule	Criteria	Response
Element 2: Building and Site Controls		
2.1 Height		
R8 Maximum height of buildings in blocks adjacent to Residential Zones: two storeys or 10 m	C8 The building height minimises the impact of developments on adjoining residential zones.	The proposal will meet the Precinct Code provisions (As detailed above) for the retirement village and this provision as applicable on Block 1. The existing golf course vegetation, retirement village siting, setback from adjoining development (typically more than 100 metres) and screen plantings proposed will protect uses from amenity impacts as outlined.
2.3 Scale of Development		
There is no applicable rule.	C10 The development is of an appropriate scale and form, and is compatible with surrounding development and the anticipated use.	Not applicable as the precinct code sets the required setbacks from the retirement village use.

7.2 Part B – General Development Controls

Table 7: Assessment of General Development Controls

Rule	Criteria	Response
Element 2: Building and Site Controls		
2.1 Subdivision		
R13 Subdivision is only permitted where: a) it is part of a development application for another assessable development b) it is demonstrated that any residual block can accommodate another assessable development designed in accordance with the relevant section of this Code.	C13 This is a mandatory requirement. There is no applicable criterion.	The subdivision of the site will be proposed with detail of the delivery of the retirement village that is an assessable development in its own right.

Rule	Criteria	Response
2.3 National Capital Plan		
There is no applicable rule.	<p>C15</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>	Refer to the comments in relation to the National Capital Plan provided above in the section setting out the relevant parts of the planning controls applicable to the site.
3.3 Crime Prevention Through Environmental Design		
There is no applicable rule.	<p>C20</p> <p>The development meets the requirements of the Crime Prevention Through Environmental Design General Code.</p>	The development proposed will be designed to meet the relevant requirements of the Crime Prevention Through Environmental Design General Code.
3.4 Access and Mobility		
There is no applicable rule.	<p>C21</p> <p>The development meets the requirements of the Access and Mobility General Code.</p>	The development proposed will be designed to meet the relevant requirements of the Access and Mobility General Code. The dwellings in the Retirement Community will be designed to be Housing compliant with the relevant standards as set out in the Precinct Code considered above.
4.3 Vehicle Access and Parking		
There is no applicable rule.	<p>C24</p> <p>Vehicle access and parking complies with the requirements of the Parking and Vehicular Access General Code.</p>	The proposal will be designed to meet the provisions of the Parking and Vehicular Access General Code. The proposal will be submitted for assessment with a Traffic Impact and Parking Assessment report outlining the proposal's performance against these requirements.

Rule	Criteria	Response
4.4 Traffic Generation		
There is no applicable rule.	<p>C25</p> <p>The existing road network can accommodate the amount of traffic likely to be generated by the development.</p>	<p>The provision for the opportunity to build 125 units in the Precinct Code with site access to Kitchener Street follows EPSDD's consideration of potential traffic impacts on the road network as part of the Red Hill Integrated Plan. The proponent will prepare and include a Traffic Impact assessment as part of the Development Application that addresses this matter.</p>
5.4 Neighbourhood Plan		
There is no applicable rule.	<p>C30</p> <p>Where a Neighbourhood Plan exists, development demonstrates a response to the key strategies of the relevant Neighbourhood Plan.</p>	<p>Refer to the comments provide above, which address the key strategies for achieving the Neighbour Vision for Red Hill</p>
Element 6: Environment		
6.1 Assessment of Environmental Effect		
There is no applicable rule.	<p>C31</p> <p>The development application is accompanied by an Assessment of Environmental Effects that addresses the following:</p> <ul style="list-style-type: none"> a) provision for tree planting and appropriate landscape treatment b) impacts on the character and appearance of any building, area of architectural, historic, aesthetic or scientific interest, or otherwise of special cultural or heritage value c) impacts on public health and safety, including crime prevention d) the amount of traffic likely to be generated and its impact on the movement of traffic on the road system e) whether public transport services are necessary and, if so, whether they are available and adequate f) impacts on the likely accessibility to facilities and services for users and consumers 	<p>The proponent will prepare a response to matters of Environmental Effect of submission with the Development Application. The matters listed in C31 is considered and addressed in the DA preparation and documents including:</p> <ul style="list-style-type: none"> a) will be provided as detailed in Landscape design. b) The site of the proposed development is not noted to be of architectural, historic, aesthetic or scientific interest, or otherwise of special cultural or heritage value. The proposed Retirement Community designs incorporate a variety of well-considered building materials and colours to complement the character and landscape of the surrounding golf course, Red Hill Nature Reserve and adjacent residential areas. c) Is being assessed as part of the consideration against the Crime Prevention Through Environmental Design General Code d) Is being assessed as part of the Traffic Impact and Parking Assessment.

Rule	Criteria	Response
	<ul style="list-style-type: none"> g) any significant short or long-term effect that the relevant authority considers the use or development may have on the environment, including social and economic effects and potential cumulative effects h) impacts on the watercourses and drainage characteristics of the area, including water quality i) impacts on the amenity of surrounding land uses, including impacts on air quality, noise, overshadowing, privacy, and the level of wind turbulence generated. 	<ul style="list-style-type: none"> e) Is being assessed as part of the Traffic Impact and Parking Assessment. f) Is being assessed in the Access and Mobility Assessment being undertaken. g) Refer to the Ecological Assessments undertaken as part of the ESO. h) Is being assessed in the Water Sensitive Urban Design assessments being undertaken. i) Is not considered an impost on the proposal and/or adjoining use as Retirement Village use is not considered a noisy use under the Territory Plan and/or Environmental Protection Legislation.

6.6 Contamination

R37

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

C37

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

The proponent is undertaking a Preliminary Site Investigation to consider any impacts from contamination of the land proposed to be used for retirement village use. Any works required to appropriately manage the removal of any contamination (if identified) will be included in the demolition phase of the construction and in accordance with the statutory requirements and as per the EPA's instruction (as applicable).

6.7 Trees

R38

This rule applies to a development that has one or more of the following characteristics:

- a) requires groundwork within the tree protection zone of a protected tree
- b) is likely to cause damage to or removal of any protected trees

The authority shall refer the development application to the Conservator of Flora and Fauna.

Notes:

1. Under the Planning and Development Regulation 2008 a development application for a declared site under the Tree Protection Act 2005, must be referred to the Conservator of Flora and Fauna.

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

The proponent is preparing a Tree Assessment and Tree Management Plan, which will be included with the DA submission. The value of all regulated trees on-site is carefully considered in the design of the village and all trees able to be retained will be protected during the development phase of the project.

Rule	Criteria	Response
2.	The authority will consider any advice from the Conservator of Flora and Fauna before determining the application in accordance with the Planning and Development Act 2007.	
3.	3. Protected tree and declared site are defined under the Tree Protection Act 2005.	

8

Multi-Unit Housing Development Code

Though not directly called on by neither the Precinct of zone Development Code, we include consideration against the provisions of the Multi-Unit Housing Development Code (MUHDC) (effective 30 November 2022) to demonstrate amenity of the proposal as a housing product.

Described below follows a high-level response against key performance criteria of the MUHDC.

8.1 Part A – General Controls

Table 8: Assessment of Part A – General Controls

Rule	Criteria	Response
Element 6: Amenity		
6.1 Solar Access - Other than Apartments		
<p>R57</p> <p>This rule applies to all multi-unit housing on blocks with the exception of blocks subject to R57A.</p> <p>This rule does not apply to apartments. The floor or internal wall of a daytime living area of a dwelling is exposed to not less than 3 hours of direct sunlight between the hours of 9am and 3pm on the winter solstice (21 June).</p> <p>For this rule:</p> <p>Daytime living area means a habitable room other than a bedroom</p> <p>Note: Where a development comprises a mixture of apartments and other multi unit housing, this rule applies to the other multi unit housing, but does not apply to the apartments.</p> <p>Note: To remove any doubt, when assessing a development on a block with existing dwellings, the development must comply and must not cause an existing dwelling to then contravene this requirement. However, if the existing dwelling does not currently comply, the development must not increase the level of non compliance for that other dwelling.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Not applicable.</p> <p>Subdivision to create the Block for the proposed Retirement Community development will be made, approved and the new block created post July 2013.</p> <p>Refer to R57A below.</p>

Rule	Criteria	Response
<p>R57A</p> <p>This rule applies to multi unit housing on blocks approved under an estate development plan on or after 5 July 2013. This rule does not apply to apartments.</p> <p>A daytime living area of each new dwelling is provided with a minimum of 4m² of transparent vertical glazing that:</p> <ul style="list-style-type: none"> a) is oriented between 45° east of north and 45° west of north; and b) is not overshadowed at noon on the winter solstice (21 June) by: <ul style="list-style-type: none"> i. buildings and structures on the subject block ii. the solar fence on the northern boundary of the subject block <p>For this rule:</p> <p>Daytime living area means a habitable room other than a bedroom</p> <p>The height of the ‘solar fence’ is:</p> <ul style="list-style-type: none"> i. in the primary building zone – 3m ii. all other parts of the boundary – 2.3m <p>Note: Where a development comprises a mixture of apartments and other multi unit housing, this rule applies to the other multi unit housing, but does not apply to the apartments.</p> <p>Compliance with this rule may be demonstrated through plans, elevations and supporting documentation (e.g. shadow diagrams) showing that the required minimum area of glazing is not overshadowed.</p> <p>Note: To remove any doubt, when assessing a development on a block with existing dwellings, the development must comply and must not cause an existing dwelling to then contravene this requirement. However, if the existing dwelling does not currently comply, the development must not increase the level of non compliance for that other dwelling.</p>	<p>C57A</p> <p>One or more daytime living areas in each dwelling is provided with reasonable access to direct sunlight between the hours of 9am and 3pm on the winter solstice (21 June).</p> <p>For this criterion:</p> <p>Daytime living area means a habitable room other than a bedroom</p>	<p>Retirement village apartments will be designed to meet reasonable access to direct sunlight between the hours of 9am and 3pm on the winter solstice (21 June).</p>
6.2 Solar access apartments		
<p>R58</p> <p>This rule applies to apartments.</p> <p>The floor or internal wall of a daytime living area of not fewer than 70% of apartments on a site is exposed to not less than 3 hours of direct sunlight between the hours of 9am and 3pm on the winter solstice (21 June).</p>	<p>C58</p> <p>Daytime living areas have reasonable access to sunlight.</p>	<p>Retirement village apartments will be designed to meet reasonable access to direct sunlight between the hours of 9am and 3pm on the winter solstice (21 June).</p>

Rule	Criteria	Response
6.3 Privacy		
<p>Note: Where a development comprises a mixture of apartments and other multi unit housing, this rule will apply to the apartments.</p> <p>R59</p> <p>This rule applies to dwellings on the same block.</p> <p>The relationship between unscreened elements of one dwelling and the primary windows of another dwelling complies with one of the following:</p> <ul style="list-style-type: none"> a) a person (with an eye height of 1.5m) standing at any and every point on the extremity of an unscreened element of one dwelling shall not have a direct line of sight into the primary window of any other dwelling b) the direct line of sight referred to in item a) is more than 12m. 	<p>C59</p> <p>Reasonable privacy between dwellings on the same block is achieved.</p>	<p>Through appropriate design and siting of the development, positioning of doors, windows, principal private open space areas and use of landscaping and facade treatment, screening devices the proposed dwellings and apartments will be afforded reasonable levels of privacy to windows, unscreened elements and neighbouring private open spaces.</p> <p>The use of landscaping and retention of remnant trees further provides for reasonable privacy to all units.</p>
<p>R60</p> <p>This rule applies to principal private open space on the same block and on adjacent blocks.</p> <p>The relationship between unscreened elements of one dwelling and the principal private open space of another dwelling complies with one of the following:</p> <ul style="list-style-type: none"> a) a person (with an eye height of 1.5m) standing at any and every point on the extremity of an unscreened element of one dwelling shall not have a direct line of sight to more than 50% of the minimum principal private open space of any other dwelling b) the direct line of sight referred to in item a) is more than 12m. 	<p>C60</p> <p>Reasonable privacy of principal private open space of each dwelling is achieved.</p>	<p>Design and siting of the development, positioning of doors, windows, principal private open space areas and use of landscaping and facade treatment, screening devices the proposed dwellings and apartments will be afforded reasonable levels of privacy private open spaces of adjoining dwellings on the subject land within the village.</p> <p>The use of landscaping and retention of remnant trees further.</p> <p>The Precinct Code setback requirements ensure that no overlooking to principal private open space of dwellings on adjoining Blocks can occur.</p>

Rule	Criteria	Response
R82 Visitor car-parking spaces on the site comply with all of the following: a) located behind the front zone (except for apartment car parking) b) do not encroach any property boundaries c) are separated by not less than 1.5m from windows and doors to habitable rooms of dwellings d) are not more than 50m walking distance from any common building entry e) clearly identified and visible from driveways.	C82 Visitor parking achieves all of the following: a) accessible for all visitors b) safe and direct visitor entry to common building entries.	The proposed on-site visitor car parking will be clearly defined, safe and accessible for all visitors. The provision of visitor car parking will be addressed in the Traffic Impact and Parking Assessment...

9

General Codes

9.1 Lease Variation General Code

This Code applies to the varying of Crown Leases including the requirement for removing the concessional status of the land and subdivision of Block 1 to create the additional parcel of land that will house the retirement village in the future. Part A of the Code applies to Lease Variations in the merit or impact track. Described below is the proposal’s performance against the relevant rules and criteria of the Lease Variation General Code, effective 25 May 2018.

Table 9: Part A – Lease Variations in the Merit or Impact Track

Rule	Criteria	Design Response
Element 2: Variations to Increase Rights		
2.1 Increasing Rights		
There is no applicable rule.	<p>C2</p> <p>A right under a lease is increased only when all of the following are achieved if the additional rights are granted and achieved:</p> <ol style="list-style-type: none"> i. Sufficient car parking is provided on site or is available off site in accordance with the Parking and Vehicular Access General Code ii. Any increase in traffic flow is within the capacity of the surrounding road network iii. Adequate post occupancy waste management and disposal can be provided to the relevant Territory standard iv. No unreasonable increase in the level of noise for the occupants of dwellings on the block or on adjoining land <p>Note: examples of rights are the maximum gross floor area, the maximum floor area allocated to a particular use, building heights.</p>	<p>The development proposals will demonstrate (As required) compliance with the relevant parts to the Territory Plan dealing with matters such as carparking, traffic generation, road network management, post occupancy waste management and noise generation.</p> <p>These matters will be fully assessed as part of development applications for these actions as part of the delivery of this project.</p>

Rule	Criteria	Design Response
Element 3: Variations to Add Uses - General		
3.1 Adding Uses Generally		
There is no applicable rule.	<p>C3</p> <p>Add additional use is authorised by a lease only when all of the following are achieved if the additional use is granted and achieved:</p> <ol style="list-style-type: none"> i. Sufficient car parking is provided on site or is available off site in accordance with the Parking and Vehicular Access General Code ii. Any increase in traffic flow is within the capacity of the surrounding road network iii. Adequate post occupancy waste management and disposal can be provided to the relevant Territory standard iv. No unreasonable increase in level of noise for the occupants of dwellings on the block or on adjoining land v. No unreasonable risk to occupants of the block through any contamination of the block or on adjoining land vi. No unreasonable level of odour for the occupants of dwellings on the block or on adjoining land vii. No unreasonable level of light emission for the occupants of dwellings on the block or on adjoining land 	<p>A proposal for granting the use of Retirement Village will demonstrate compliance with the relevant parts to the Territory Plan dealing with matters such as carparking, traffic generation, road network management, post occupancy waste management, suitability of land (contamination and odour), light emission and noise generation.</p> <p>These matters will be fully assessed as part of development applications for these actions as part of the delivery of this project.</p>

