

# Response to Key Rules and Criteria

for  
Construction of a Multi-unit housing development

at  
**BLOCKS 8 & 9 SECTION 43**  
(91 Northbourne Avenue)

**TURNER**

October 2022

Rev. A



**SPACELAB**  
CREATING TIMELESS PLACES

## Zoning of the Site

The site is located with CZ2 – Business Zone under the Territory Plan which permits the proposed uses. The objectives of the CZ2 Business Zone are to:

- a) Provide for office and business sites that are accessible to public transport and convenience retailing and services
- b) Provide a diverse range of accommodation sizes and locations for offices close to the retail core
- c) Encourage provision of convenient outlets for goods, services and facilities to meet the needs of the workforce
- d) Create vibrant lively pedestrian routes and public spaces
- e) Ensure a high quality urban environment through use of sustainable design and materials and maintain a high level of amenity for employees and the public
- f) Promote active living and active travel
- g) Provide a high quality public realm by facilitating active uses on ground floor level that connects with the wider open space, pedestrian and cycle networks to promote active travel and active living.
- h) Encourage an attractive, safe, well-lit and connected pedestrian environment with convenient access to public transport

The proposed development satisfies these objectives by providing a diverse range of accommodation within close proximity to a primary public transportation corridor, which encourages residents to utilise active travel principles, and will contribute strongly to the streetscape of Northbourne avenue.

## Response to Key Rules and Criteria

The relevant Codes of the Territory Plan 2008 include the *Northbourne Avenue Corridor Precinct Map and Code*, *Commercial Zones Development Code*, *Multi Unit Housing Development Code* and a number of General Development Codes, where applicable.

Below we have provided preliminary responses to key rules in the *Territory Plan 2007*.

## Northbourne Avenue Corridor Precinct Code

Rule/Criteria	Response to Rule/Criteria
<p><b>C6</b> Maximum <i>height of building</i> is 27.5m where the <i>building</i> includes an <i>apartment</i> which complies with all of the following:</p> <ul style="list-style-type: none"> <li>a) the apartment is at least partially or wholly two storeys high</li> <li>b) the apartment includes at least two storeys that are above finished ground level.</li> </ul> <p>'Minor building elements' may exceed the maximum <i>height of building</i> where they do not increase the scale of the <i>building</i> when viewed from a public street.</p> <p>For the purpose of this criterion 'minor building elements' include but are not limited to: rooftop plant, photo-voltaic panels, antennas, pergolas and rooftop garden structures. <i>Habitable room</i>, or part thereof, occupiable room and fully enclosed pergolas are not 'minor building elements'.</p>	<p>The proposed art.haus building is to be 27.4m high, and incorporates an apartment as noted:</p> <ul style="list-style-type: none"> <li>a) The apartment is two storeys high.</li> <li>b) The 2 storey apartment is located within the mid levels of the building</li> </ul> <p>Minor building elements that meet C6 are included in the design. This includes screened AC units, rooftop planting and open pergola structures.</p>
<p><b>C10</b> <i>Front boundary setbacks</i> achieve all of the following:</p> <ul style="list-style-type: none"> <li>a) reasonable amenity for residents</li> <li>b) sufficient space for street trees to grow to maturity</li> </ul> <p>Where a utility (such as electrical sub station or community battery storage) is required by the utility provider to be incorporated within the building fabric, a reduced front setback is permitted where it demonstrates consistency with the <i>desired character</i>.</p>	<p>The front setback to Northbourne Avenue is 10m. This is the mandatory setback as required by the National Capital Plan</p> <p>The interface with Gould Street includes a large (mandatory) electrical substation to replace the existent smaller substation on site. Consequently the Gould Street setback is zero for parts of the building. This includes the main building entry /portico features.</p> <p>Tree planting is provided within the deep root zone in the Northbourne Avenue setback.</p>
<p><b>C12</b> Side boundary and rear boundary setback provides reasonable amenity for residents</p>	<p>The western side boundary setback achieves an 18m separation distance to the 9 storey building at 5 Gould Street, as identified in the National Capital Plan.</p> <p>The northern side setback is 6m and includes substantial north-facing glazing.</p>

Rule/Criteria	Response to Rule/Criteria
<p><b>C18</b>  <i>Habitable rooms</i> are of a size suitable to accommodate the daily activities of their occupants and visitors.</p>	<p>All apartments have been designed to meet the Sliver Standard of the Liveable Housing Guidelines. Due to the size and layout of the habitable rooms, residents and visitors are able to comfortably perform their daily activities.</p>
<p><b>C20</b>  Multi-unit residential development provides dwellings with a variety of bedroom numbers.</p>	<p>art.haus will consist of 119 dwellings, broken down into 45.6% one-bedroom, 36% two-bedroom, and 18.4% three-bedroom. This dwelling mix is met through the provision of 20 different unit typologies, to help meet the demands of the housing market in Canberra's City centre. With the wide variety of unit types, perspective buyers will be able to select the layout which best meets their individual needs/desires.</p>
<p><b>R27</b>  This rule applies to buildings with more than three storeys.</p> <p>Buildings do not reduce the hours of direct sunlight between 9am-4pm to any habitable room in any adjoining residential or commercial accommodation developments to less than 2 hours.</p>	<p>The proposed development allows at least 2 hours of direct sunlight to be provided to all surrounding dwellings between the hours of 9am and 4pm on the winter solstice. In particular, we note that the only building overshadowed at all, the building at 5 Gould Street will not be overshadowed by the proposed development from 10am onwards in winter.</p>
<p><b>R33</b>  This rule applies to multi-unit residential development in residential and commercial zones.</p> <p>The maximum parking provision rate is as follows:</p> <ul style="list-style-type: none"> <li>a) studio or one-bedroom dwelling – 1 space maximum</li> <li>b) two-bedroom dwelling – 1.3 spaces maximum</li> <li>c) three or more bedroom dwelling – 1.5 spaces</li> <li>d) every 8 dwellings – 1 visitor space</li> </ul> <p>Note: Minimum and maximum parking provision rates contained within the relevant development or general codes do not apply.  Note: Parking calculations are rounded up to the nearest whole number.</p>	<p>Parking for residents and visitors is proposed within 3 levels of basement within the building. This ensures screening and higher security of parking areas. Parking allocations are the maximum allowed under the PVAGC.</p>

## Commercial Zones Development Code

Rule/Criteria	Response to Rule/Criteria
<b>R60</b> Multi unit housing or residential components of commercial mixed use complies with the Residential Zones – Multi Unit Housing Development Code.	The development has been designed to comply with the Residential Zones – Multi Unit Housing Development Code.

## Multi Unit Housing Development Code

Rule/Criteria	Response to Rule/Criteria
<b>R97</b> This rule applies to all of the following: a) commercial zones b) blocks nominated in a precinct code for ground floor commercial use c) buildings containing one or more dwellings d) the building line for any ground floor dwelling is less than 6m The ground floor finished floor level to finished ceiling level height is not less than 3.6m.  Note: Noise attenuation provisions in part A may also apply.	The ground floor finished floor level of art.haus is at least 3.6m to the finished ceiling level height.