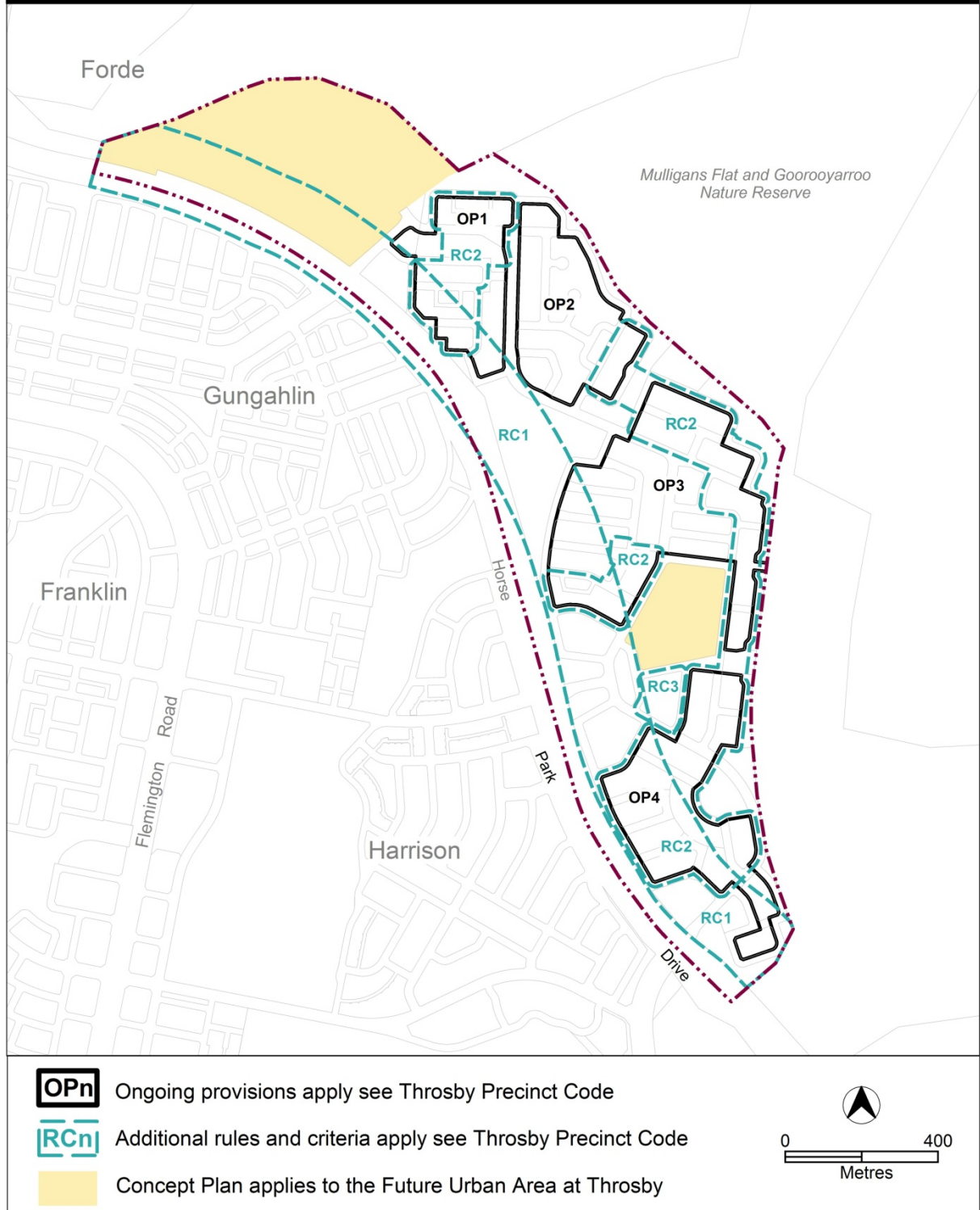**ACT** Government

Environment, Planning and
Sustainable Development

Throsby Precinct Map and Code

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Throsby Precinct Map

Forde

Mulligans Flat and Goorooyarroo
Nature Reserve

Gungahlin

Franklin

Harrison

OP1

RC2

OP2

RC1

RC2

OP3

RC2

RC3

OP4

RC2

RC1

Horse

Park

Flemington Road

Drive

OPn Ongoing provisions apply see Throsby Precinct Code

RCn Additional rules and criteria apply see Throsby Precinct Code

Concept Plan applies to the Future Urban Area at Throsby

0   400
Metres

Assessment Tracks

No additional provisions apply.

Throsby Precinct Code

Contents

Figures

Introduction

Name

The name of this code is the **Throsby Precinct Code**.

Application

The code applies to the Division of Throsby.

Purpose

This code provides additional planning, design and environmental controls for specific areas or blocks and may also contain references to provisions in other codes.

In conjunction with other relevant codes it will be used by the *Authority* to assess development applications and offer guidance to intending applicants in designing development proposals and preparing development applications*.*

Structure

This code contains additional rules and/or criteria for particular blocks or parcels identified as areas RCn on the precinct map, to be read in conjunction with the relevant development code. It may also contain sub-parts.

Each element has one or more rules and, unless the respective rule is mandatory, each rule has an associated criterion. Rules provide quantitative, or definitive, controls. By contrast, criteria are chiefly qualitative in nature.

In some instances rules are mandatory. Such rules are accompanied by the words "This is a mandatory requirement. There is no applicable criterion." Non-compliance with a mandatory rule will result in the refusal of the development application. Conversely, the words "There is no applicable rule" are found where a criterion only is applicable.

Code hierarchy

Under the *Planning and Development Act 2007*, where more than one type of code applies to a development, the order of precedence if there is inconsistency of provisions between codes is: precinct code, development code and general code.

If more than one precinct code applies to the site, the most recent precinct code takes precedence to the extent of any inconsistency.

Definitions

Defined terms, references to legislation and other documents are italicised.

Definitions of terms used in this code are listed in part 13 of the Territory Plan or, for terms applicable only to this code, associated with the respective rule.

Acronyms

EPA	ACT Environment Protection Authority
ESA	ACT Emergency Services Agency
EPSDD	ACT Environment, Planning and Sustainable Development Directorate
NCA	National Capital Authority
P&D Act	Planning and Development Act 2007
TCCS	ACT Transport Canberra and City Services

Additional rules and criteria

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

RC1 – Buffer zone

This part applies to blocks and parcels identified in area RC1 shown on the Throsby Precinct Map. RC1 shows a buffer area of 200 metres from the gas line in the Horse Park Drive road reserve.

Element 1:   Use

Rules	Criteria
1.1 Safety management study	

R1
 	
 Where development includes one or more of the following uses.
 	
   a) child care centre
 	
   b) community activity centre
 	
   c) COMMUNITY USE
 	
   d) educational establishment
 	
   e) retirement village or aged care facilities
 	
   f) medium to high density residential
 	
 Development complies with a plan prepared by a suitably qualified person and endorsed by the Territory agency responsible for regulation and safety of utilities.
 	
 The plan will detail an assessment against the safety management study process and location classifications in accordance with *Australian Standard AS2885.1 Pipelines – gas and liquid petroleum*.
	This is a mandatory requirement. There is no applicable criterion.

RC2 – Throsby residential

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

Element 1:   Building and site controls

Rules	Criteria
1.1 Courtyard walls	
R2 This rule applies to blocks or parcels in locations identified in Figures 1, 2, 3, 4, and 5. Courtyard walls are permitted to zero setback for the nominated boundary. The length of the wall can extend along the boundary up to the minimum setback of any street frontage. Note: See Diagram 1 for an elevation of a typical courtyard wall.	This is a mandatory requirement. There is no applicable criterion.
R3 This rule applies to blocks or parcels in locations identified in Figures 2, 3 and 5. Courtyard walls are permitted to zero setback for the nominated boundary. The length of the wall can extend along the boundary as indicated in the figures. Note: See Diagram 1 for an elevation of a typical courtyard wall.	This is a mandatory requirement. There is no applicable criterion.

1.2 Setbacks	
R4 This rule applies to blocks or parcels in locations identified in Figures 1 and 2. Minimum side boundary setback of 3m within the *primary building zone* for: - *lower floor level* - first *upper floor level – external wall** * does not apply to that part of a wall with a window of any sort.	This is a mandatory requirement. There is no applicable criterion.
R5 This rule applies to blocks or parcels in locations identified in Figures 1 and 2. Minimum side boundary setback of 6m within the primary building zone for the second *upper floor level – external wall**. * does not apply to that part of a wall with a window of any sort.	This is a mandatory requirement. There is no applicable criterion.

Element 2: Access

Rules	Criteria
2.1 Vehicular access	
R6 This rule applies to blocks or parcels in locations identified in Figures 1 and 3. Vehicular access is not permitted to or from blocks where indicated.	This is a mandatory requirement. There is no applicable criterion.

Element 3:   Amenity

| Rules	Criteria
3.1 Acoustic mitigation measures	
R7 This rule applies to blocks or parcels in locations identified in Figure 1. Acoustic courtyard wall is required. Walls are permitted to zero setback for the nominated boundary. The length of the wall is to extend along the boundary as indicated in the figure. Note: See Diagram 2 for an elevation of a typical acoustic courtyard wall.	This is a mandatory requirement. There is no applicable criterion.
R8 This rule applies to blocks or parcels in locations identified in Figure 5. Acoustic courtyard wall is required, minimum lengths are indicated in the figure. Overall lengths and setbacks can be determined in accordance with the Single Dwelling Housing Development Code. Note: See Diagram 2 for an elevation of a typical acoustic courtyard wall.	This is a mandatory requirement. There is no applicable criterion.
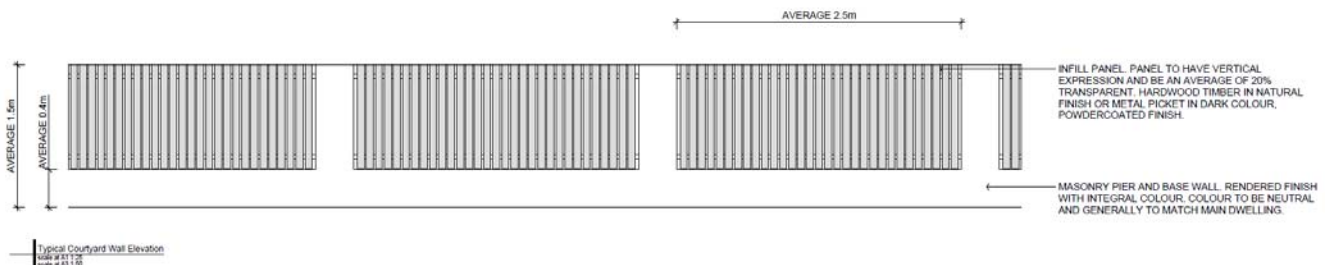
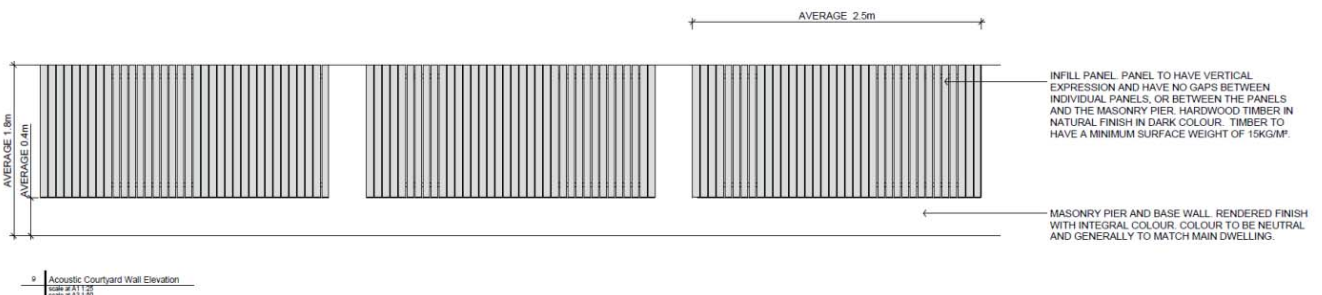**Diagram 1 Elevation of courtyard wall**

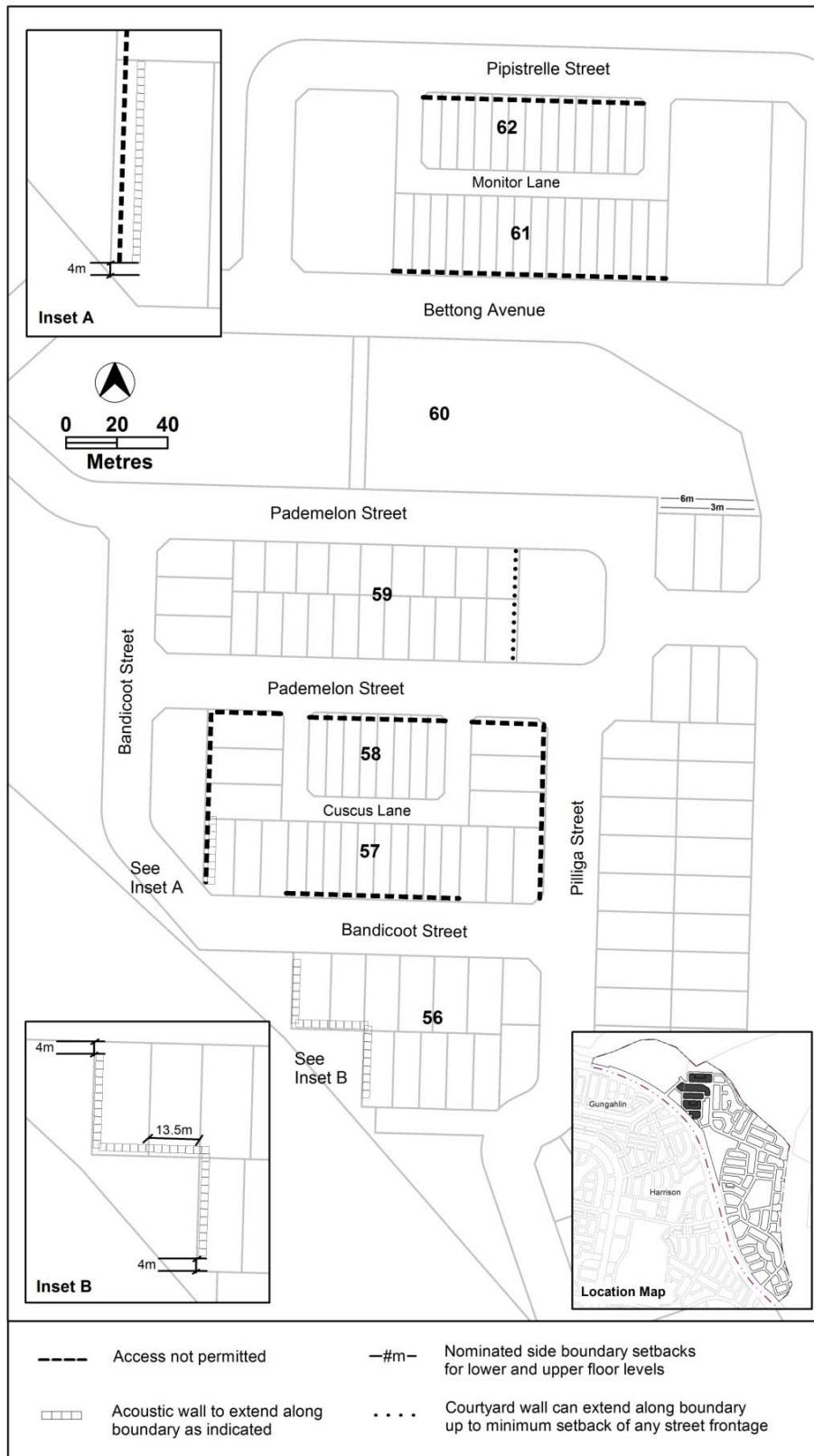
Diagram 2 Elevation of acoustic courtyard wall

Figure 1 Throsby residential area 1

10.1 Suburb Precinct Maps and Codes
Thorsby Precinct Map and Code
Effective: 24 March 2017
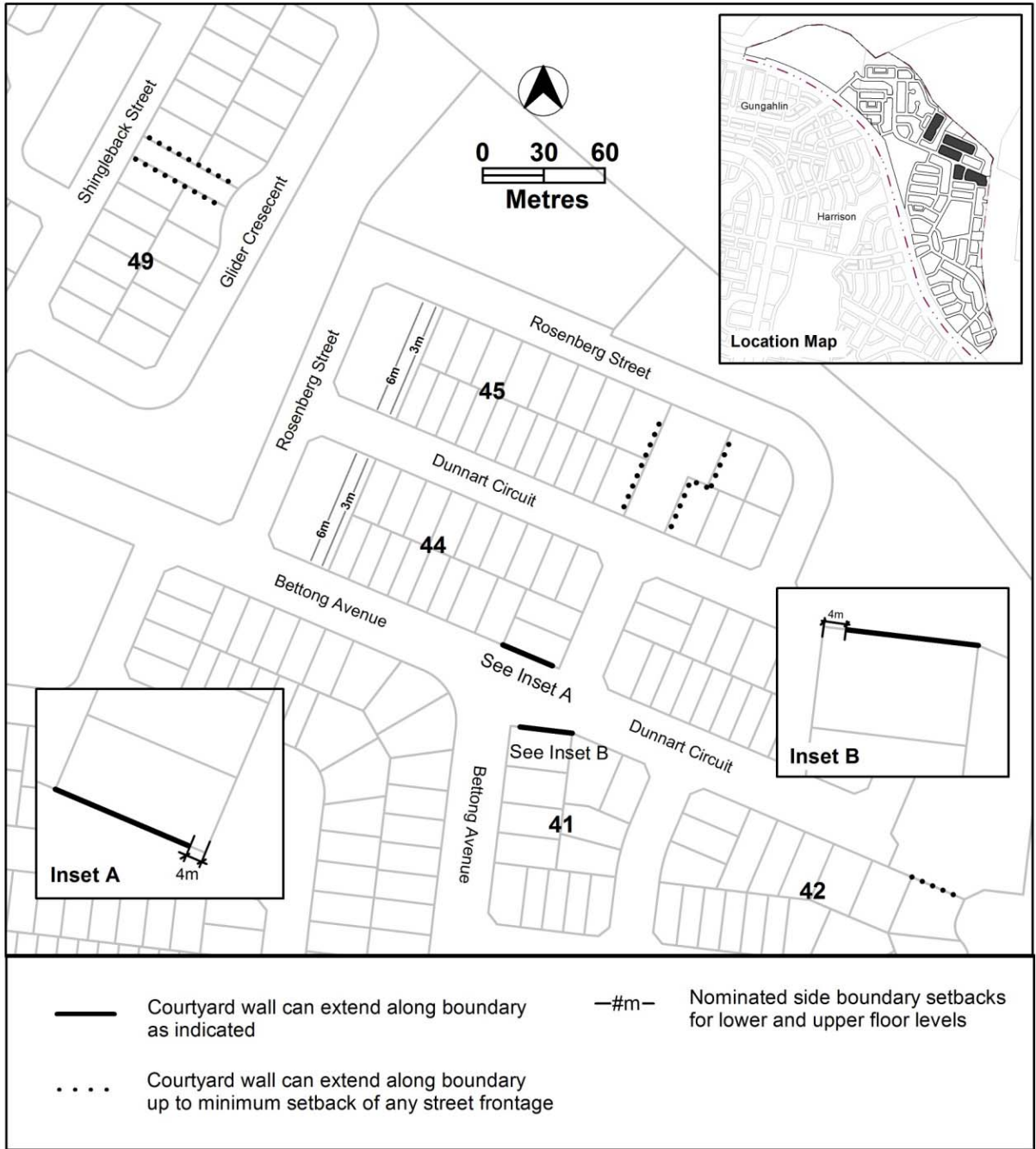
Figure 2 Throsby residential area 2

Figure 3 Throsby residential area 3

10.1 Suburb Precinct Maps and Codes
Thorsby Precinct Map and Code
Effective: 24 March 2017
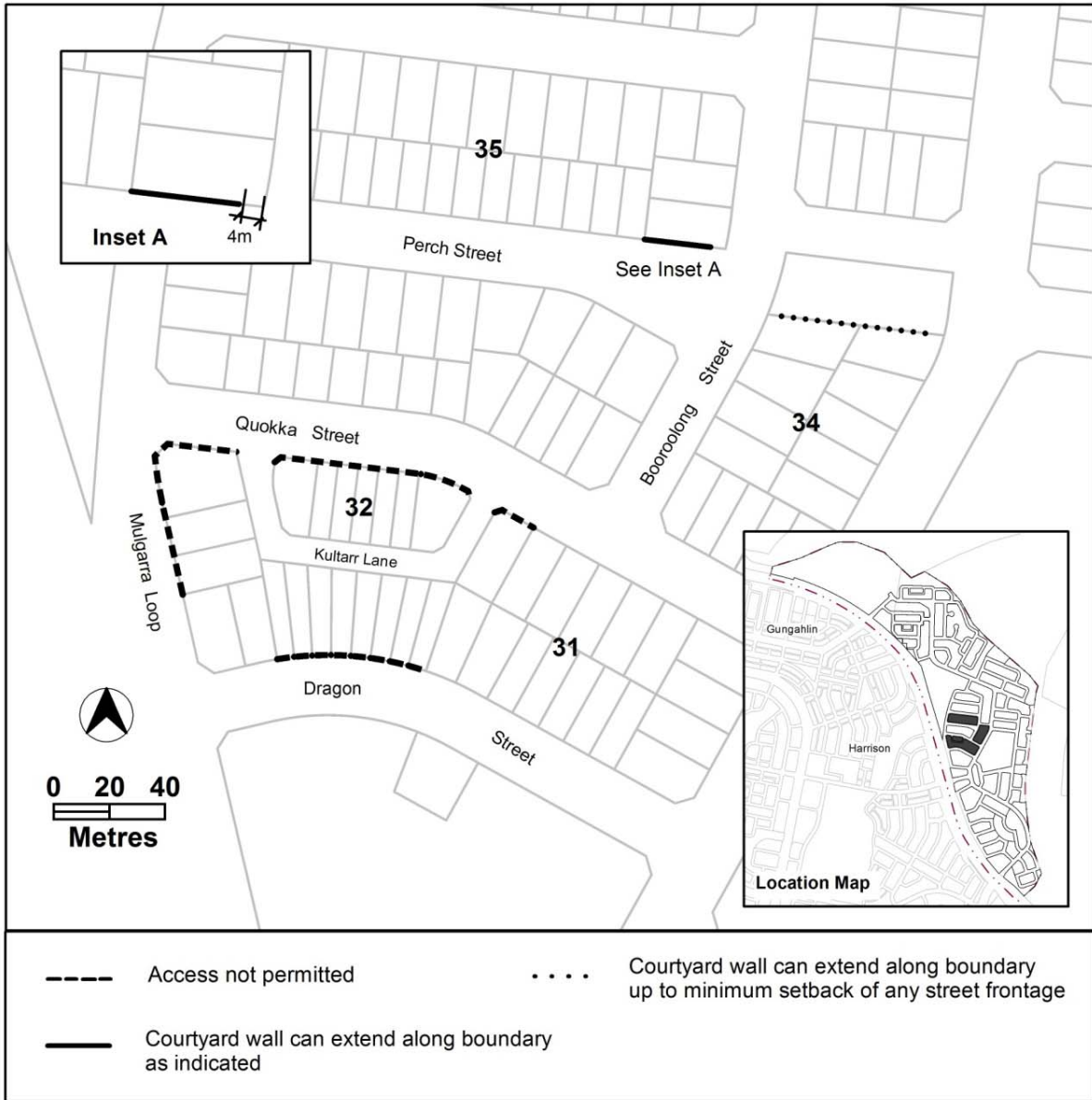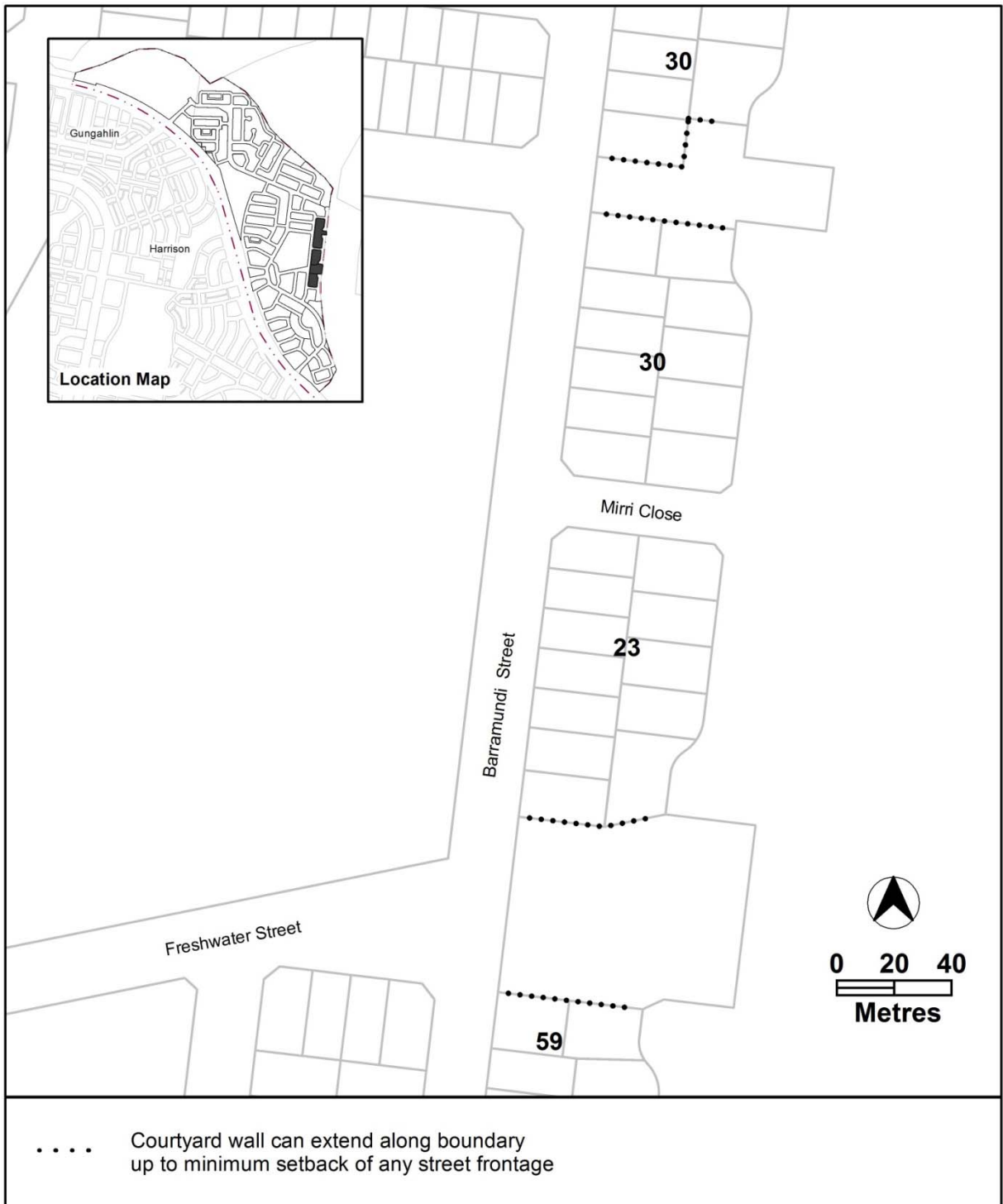
Figure 4 Throsby residential area 4

Figure 5 Throsby residential area 5

10.1 Suburb Precinct Maps and Codes
Thorsby Precinct Map and Code
Effective: 24 March 2017

RC3 – Mixed use commercial

This part applies to blocks and parcels identified in area RC3 shown on the Throsby Precinct Map.
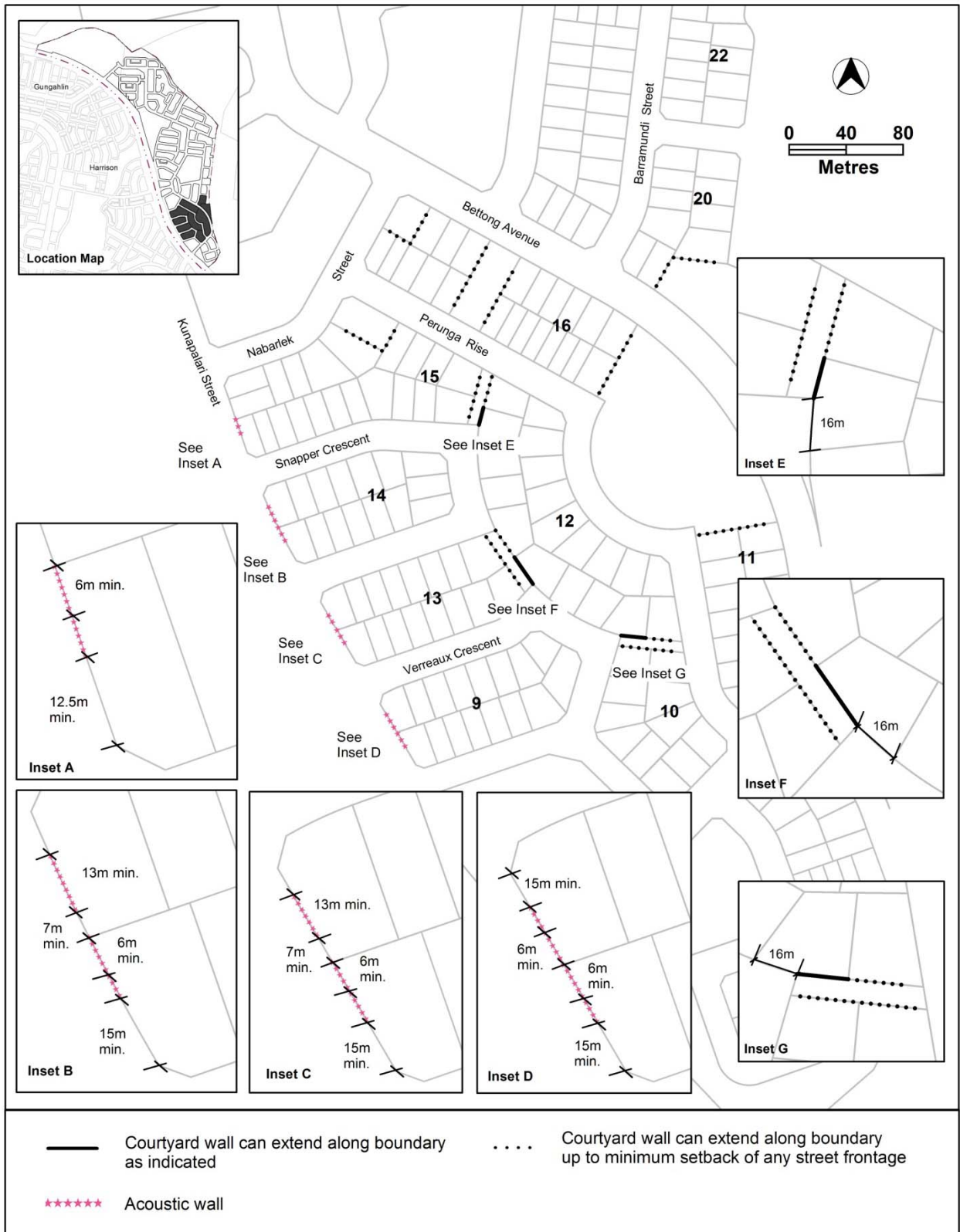
Element 1:   Use

Rules	Criteria
1.1 Restrictions on use	
R9 One or more of the following uses are not permitted above the ground floor: a) *COMMUNITY USE* b) *craft workshop* c) *indoor entertainment facility* d) *indoor recreation facility* e) *NON RETAIL COMMERCIAL USE* f) *restaurant* g) *SHOP*	C9 Noise generating uses are located to minimise impacts on residential or commercial accommodation.
1.2 Gross floor area	
R10 Where development includes one or more of the following: a) *COMMUNITY USE* b) *craft workshop* c) *indoor entertainment facility* d) *indoor recreation facility* e) *NON RETAIL COMMERCIAL USE* f) *restaurant* g) *SHOP* the maximum *gross floor area* per establishment or tenancy is 200m^2.	C10 The scale of leisure, recreation, community and commercial activities included with residential development achieves all of the following: a) ancillary to *RESIDENTIAL USE* b) services the local residents only
1.3 Number of storeys	
R11 The maximum number of *storeys* is 3.	C11 Buildings achieve all of the following: a) compatibility with the desired character b) reasonable solar access to *dwellings* on adjoining *residential blocks* and their associated *private open space* The maximum number of *storeys* is 4.

Other ongoing provisions

This part applies to blocks and parcels identified as ongoing provisions (OPn) in the Throsby Precinct Map. It should be read in conjunction with the relevant zone development code and related codes.

OP1 – Throsby residential area

This part applies to blocks and parcels identified in area OP1 shown on the Coombs Precinct Map.
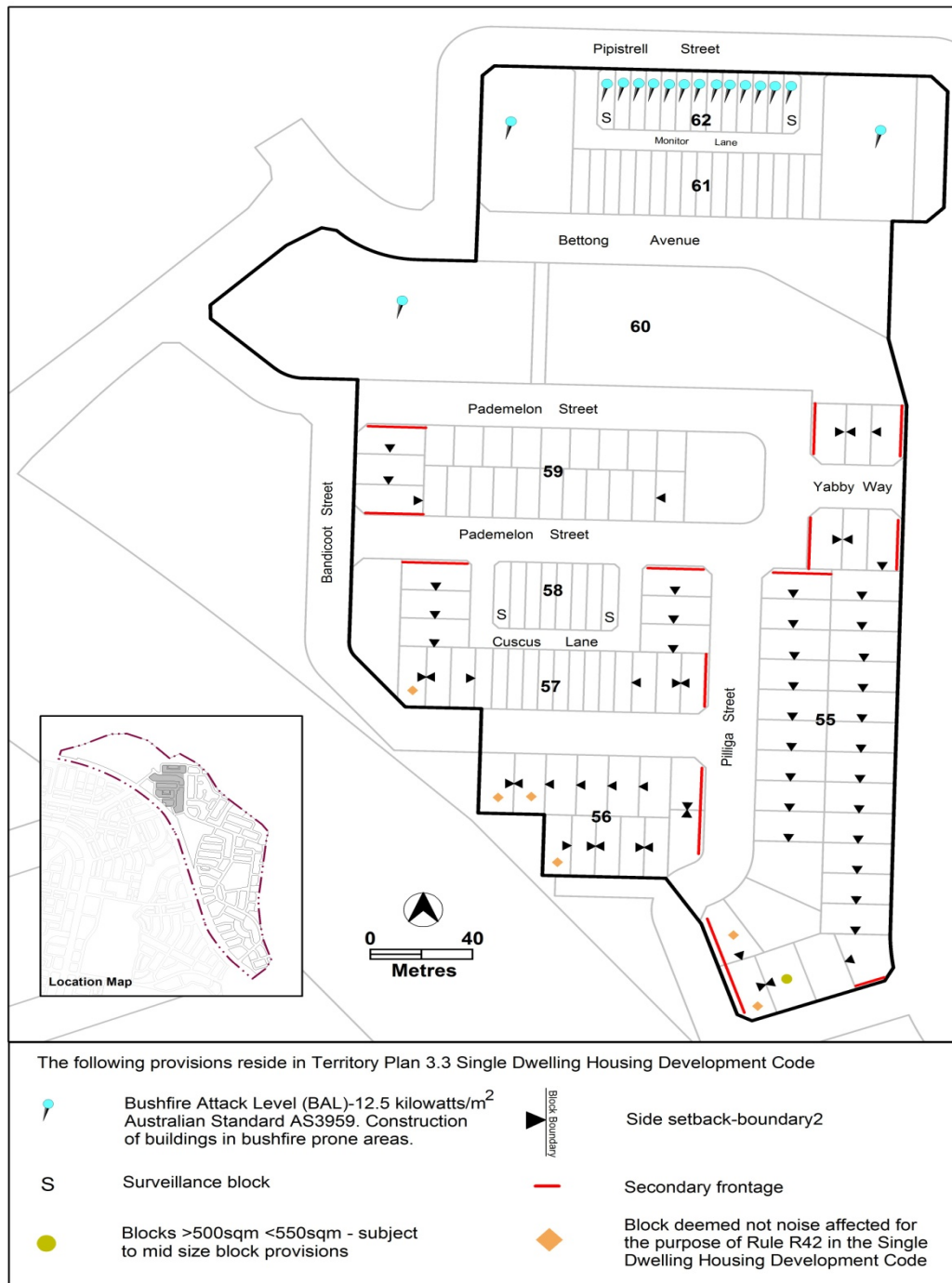

Figure 6 Throsby residential area ongoing provisions

OP2 – Throsby residential area

This part applies to blocks and parcels identified in area OP2 shown on the Throsby Precinct Map.

The following provisions reside in Territory Plan 3.3 Single Dwelling Housing Development Code

Bushfire Attack Level (BAL)-12.5 kilowatts/m^2 Australian Standard AS3959. Construction of buildings in bushfire prone areas.

S   Surveillance block

Blocks >500sqm <550sqm - subject to mid size block provisions

Secondary frontage

Block Boundary   Side setback-boundary2

Limited development potential blocks
Note:
Options for development in accordance with the Single Dwelling Housing Code particularly development at the upper floor level may be more limited on these blocks compared to similar sized complying blocks
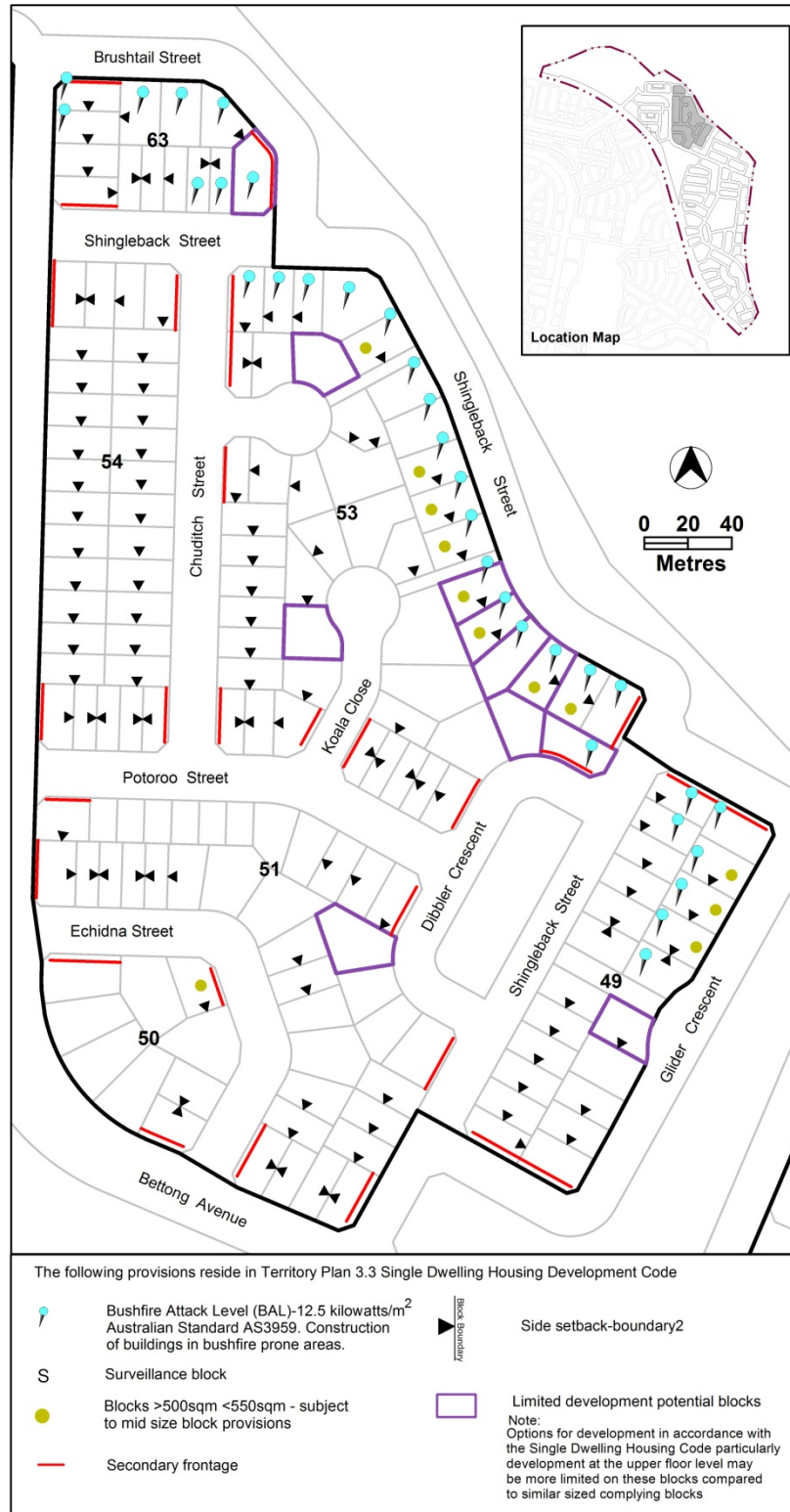
Figure 7 Throsby residential area ongoing provisions

OP3 – Throsby residential area

This part applies to blocks and parcels identified in area OP3 shown on the Throsby Precinct Map.

The following provisions reside in Territory Plan 3.3 Single Dwelling Housing Development Code

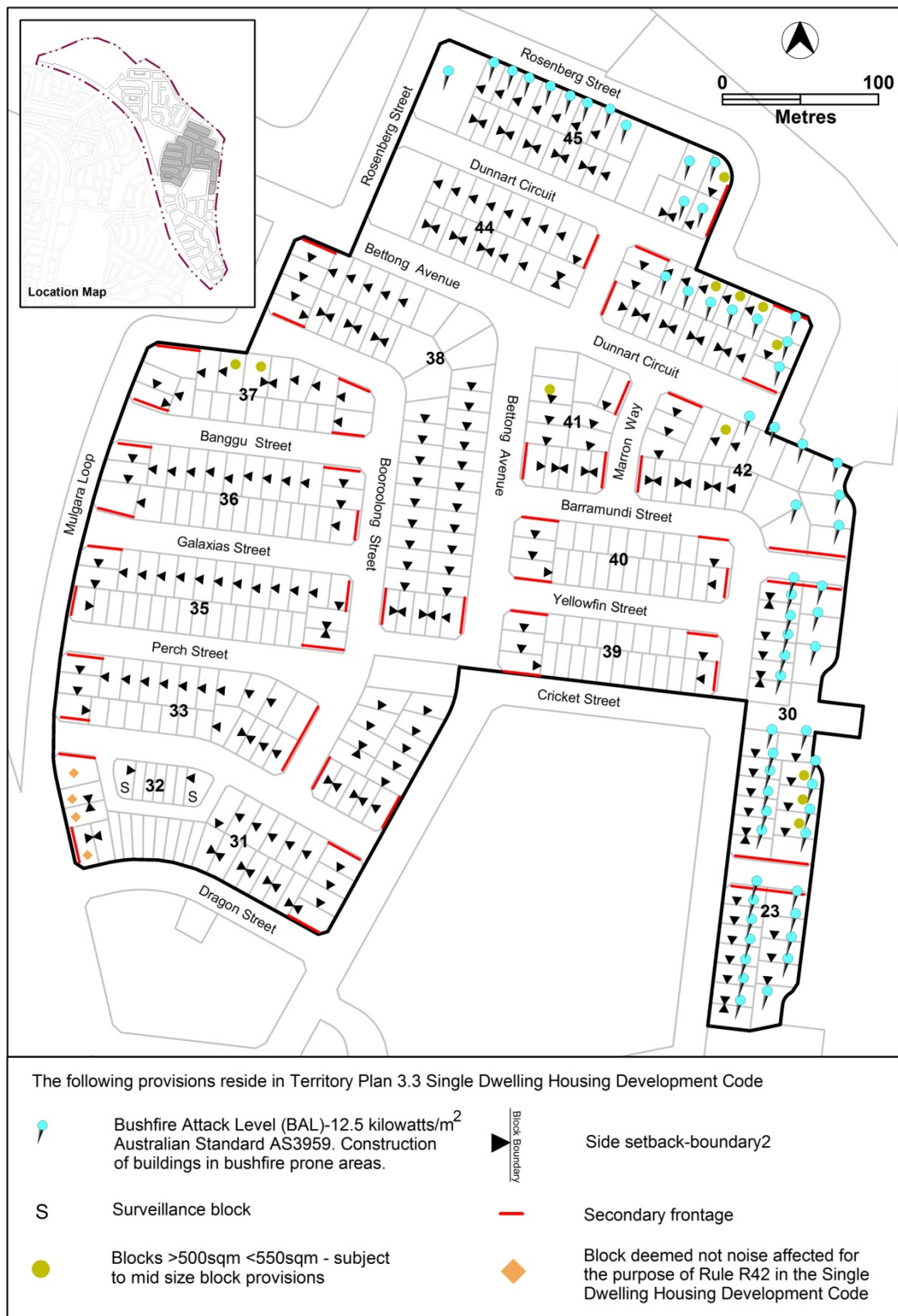|	
Bushfire Attack Level (BAL)-12.5 kilowatts/m^2 Australian Standard AS3959. Construction of buildings in bushfire prone areas.	Block Boundary
	Side setback-boundary2
S Surveillance block	Secondary frontage
Blocks >500sqm <550sqm - subject to mid size block provisions	Block deemed not noise affected for the purpose of Rule R42 in the Single Dwelling Housing Development Code

Figure 8 Throsby residential area ongoing provisions

OP4 – Throsby residential area

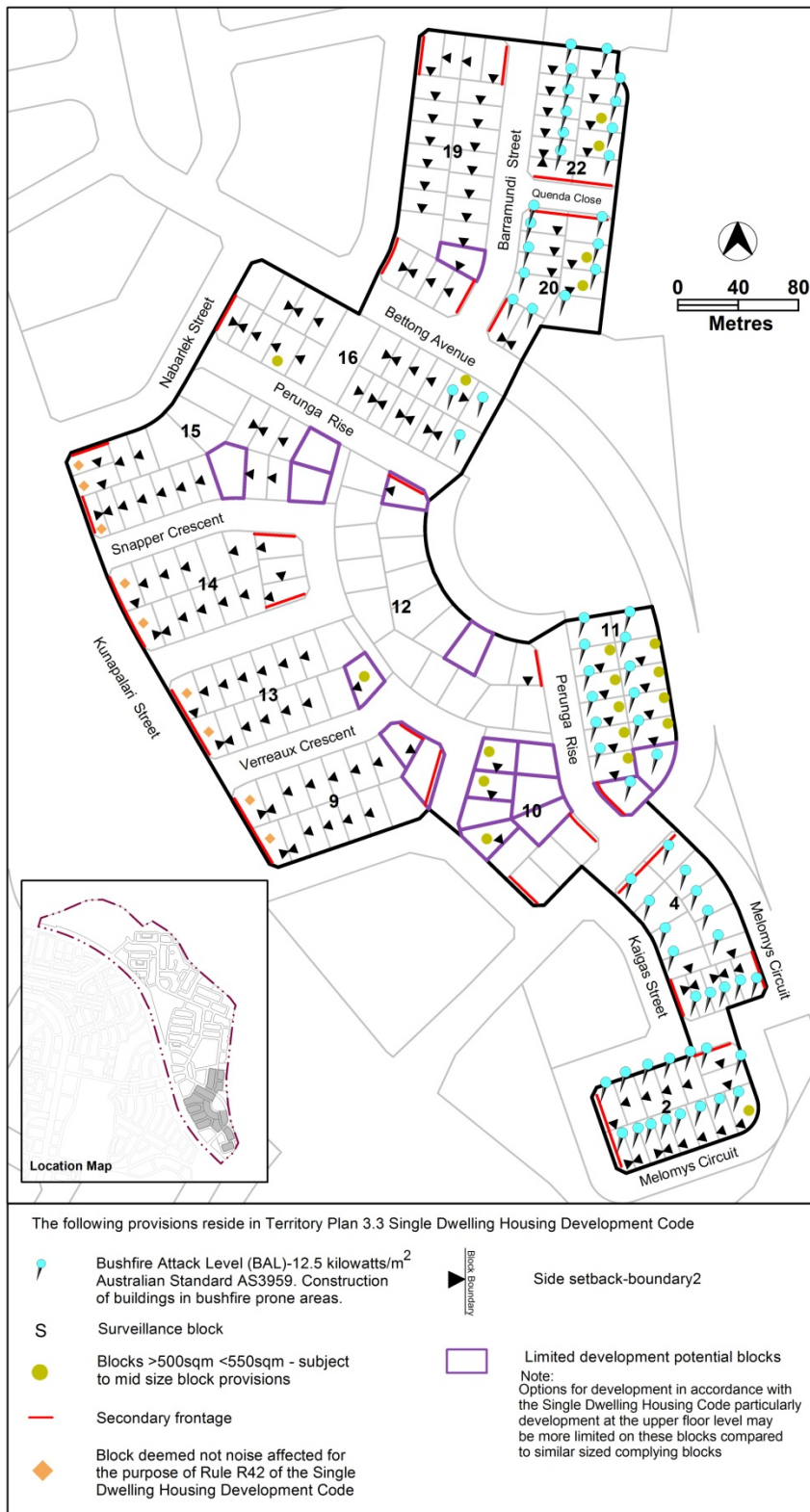This part applies to blocks and parcels identified in area OP4 shown on the Throsby Precinct Map.

Figure 9 Throsby residential area ongoing provisions