



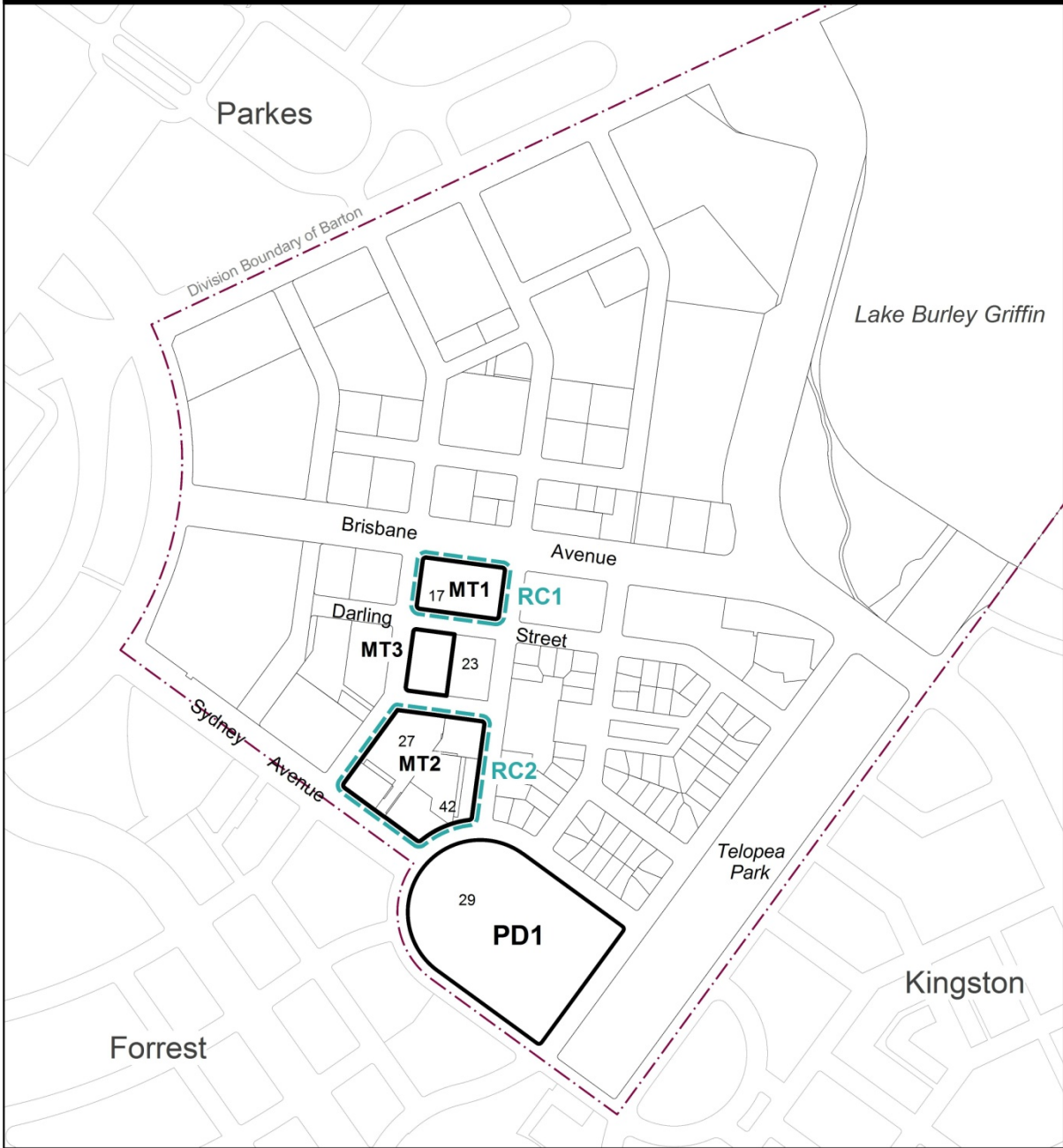
ACT
Government

Environment and
Sustainable Development

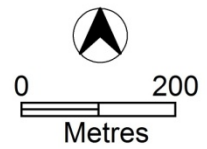
Barton Precinct Map and Code

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Barton Precinct Map



- PDn** Additional prohibited development applies see Table 1
- MTn** Additional merit track development applies see Table 2
- RCn** Additional rules and criteria apply see Barton Precinct Code



Assessment Tracks

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

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

Table 1 – Additional prohibited development

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

Table 2 – Additional merit track development

Additional merit track development that may be approved subject to assessment		
Suburb precinct map label	Zone	Development
MT1	RZ4	<i>restaurant take away food shop</i>
MT2	CZ5	<i>club drink establishment tourist resort</i>
MT3	CZ6	<i>business agency office</i>

Barton Precinct Code

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Introduction

Name

The name of this code is **Barton Precinct Code**.

Application

The code applies to the Division of Barton.

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” is 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

ACTPLA	Planning and Land Authority within the ACT Environment and Sustainable Development Directorate
EPA	ACT Environment Protection Authority
ESA	ACT Emergency Services Agency
ESDD	ACT Environment and Sustainable Development Directorate
NCA	National Capital Authority
P&D Act	Planning and Development Act 2007
TAMS	ACT Territory and Municipal Services Directorate

Additional rules and criteria

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

RC1 – Former Lachlan Court

This part applies to blocks and parcels identified in area RC1 shown on the Barton Precinct Map.

Element 1: Use

Rules	Criteria
1.1 Restaurant and take away food shop	
<p>R1</p> <p>Where development includes one or more of the following uses:</p> <ul style="list-style-type: none"> a) restaurant b) takeaway food shop <p>the use achieves all of the following:</p> <ul style="list-style-type: none"> a) has a total <i>gross floor area</i> of 332m² b) is located mid block facing Brisbane Avenue on the ground floor 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

RC2 – Former Macquarie Hostel

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

Element 2: Use

Rules	Criteria
2.1 Macquarie Street frontage	
<p>R2</p> <p>The following uses are not permitted in development fronting Macquarie Street:</p> <ul style="list-style-type: none"> a) <i>club</i> b) <i>COMMERCIAL ACCOMMODATION USE</i> except <i>serviced apartment</i> c) <i>drink establishment</i> d) <i>indoor recreation facility</i> e) <i>NON RETAIL COMMERCIAL USE</i> f) <i>SHOP</i> g) <i>restaurant</i> 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
2.2 Non retail commercial use – floor area limit	
<p>R3</p> <p><i>NON RETAIL COMMERCIAL USE</i> achieves all of the following:</p> <p>a) maximum <i>gross floor area</i> for RC2 – 7000m²</p> <p>b) maximum <i>gross floor area</i> per building – 3000m²</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
2.3 SHOP – floor area limit	
<p>R4</p> <p>The maximum <i>gross floor area</i> of <i>SHOP</i> achieves all of the following:</p> <p>a) arts, crafts or sculpture dealer – 1000m²</p> <p>b) <i>SHOP</i> excluding item a) – 1000m² where <i>supermarket</i> or <i>SHOP</i> selling food – 400m²</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>

Element 3: Buildings

Rules	Criteria
3.2 Height of buildings	
<p>R6</p> <p>No part of a building is above RL 591 AHD.</p>	<p>C6</p> <p>Buildings achieve all of the following:</p> <p>a) <i>height of building</i> may exceed RL 591 AHD where buildings fronting Macquarie Street, including the corner of Macquarie and Bourke Streets, achieve all of the following:</p> <p>i) maximum number of <i>storey</i> is 3</p> <p>ii) top storey is <i>setback</i> a minimum of 3m from the ground floor <i>building line</i></p> <p>b) <i>height of building</i> fronting Sydney Avenue may reach RL 599 AHD (excluding rooftop plant and lift overruns) where all of the following are achieved:</p> <p>i) built form is configured to establish a defined parapet at a level approximating the parapet level of the adjacent hotel</p> <p>ii) the built form above this level comprises visually recessive building elements</p>