



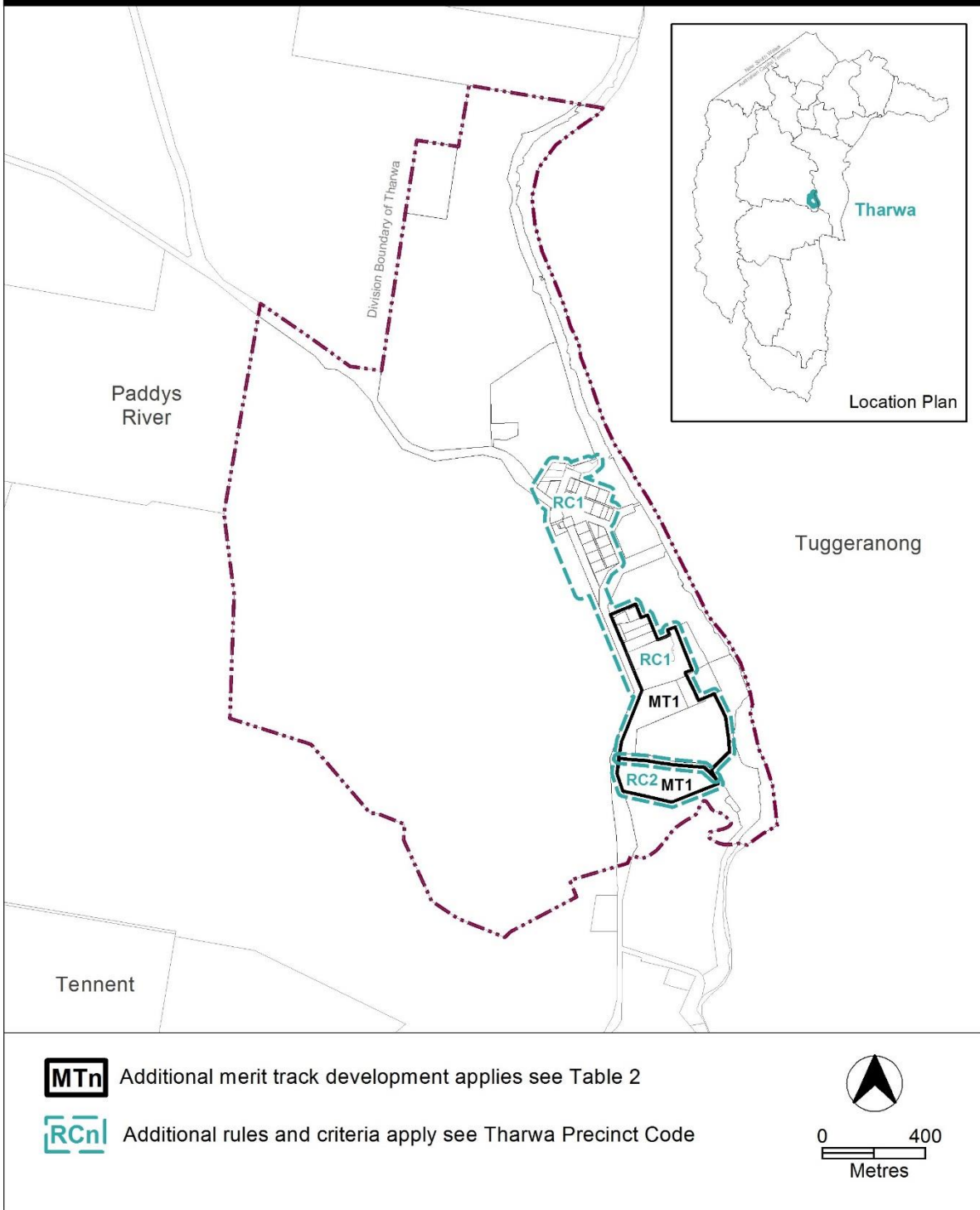
ACT
Government

Environment, Planning and
Sustainable Development

Tharwa Precinct Map and Code

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Tharwa Precinct Map



Assessment Tracks

The following tables identify the additional prohibited development and additional merit track development for blocks and parcels shown in the Tharwa 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 table constitutes part of the relevant zone development table.

Table 2 – Additional merit track development

Additional merit track development that may be approved subject to assessment		
Suburb precinct map label	Zone	Development
MT1	NUZ4	<i>group or organised camp overnight camping area tourist facility</i>

Tharwa Precinct Code

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Introduction

Name

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

Application

The code applies to the Division of Tharwa.

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

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

Additional rules and criteria

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

Desired character

New buildings and associated utility buildings will reflect the existing rural village character and scale of traditional houses within the streetscape. New buildings will complement the historic features of Tharwa's older houses, heritage places and community buildings.

RC1 – Tharwa Village

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

Element 1: Use

Rules	Criteria
1.1 Campsite and tourist facility	
There is no applicable rule.	C1 This provision applies to 'Area 2' in Figure 2. Development is of low intensity on large blocks permitting point source retention of storm water runoff and opportunities for large scale landscaping. Stormwater runoff should be containable on site.
There is no applicable rule.	C2 This provision applies to 'Area 2' in Figure 2. Development, including existing uses, incorporates measures to minimise impacts on the ecology and improve the visual character of the locality.
1.2 Restrictions on use	
R3 Maximum plot ratio for residential buildings is 25%.	This is a mandatory requirement. There is no applicable criterion.
R4 This rule applies to 'Area 1' in Figure 1. The maximum number of detached dwellings on each block within the residential zone is 1.	This is a mandatory requirement. There is no applicable criterion.
R5 This rule applies to 'Area 1' in Figure 1. Subdivision or consolidation of blocks is not permitted.	This is a mandatory requirement. There is no applicable criterion.

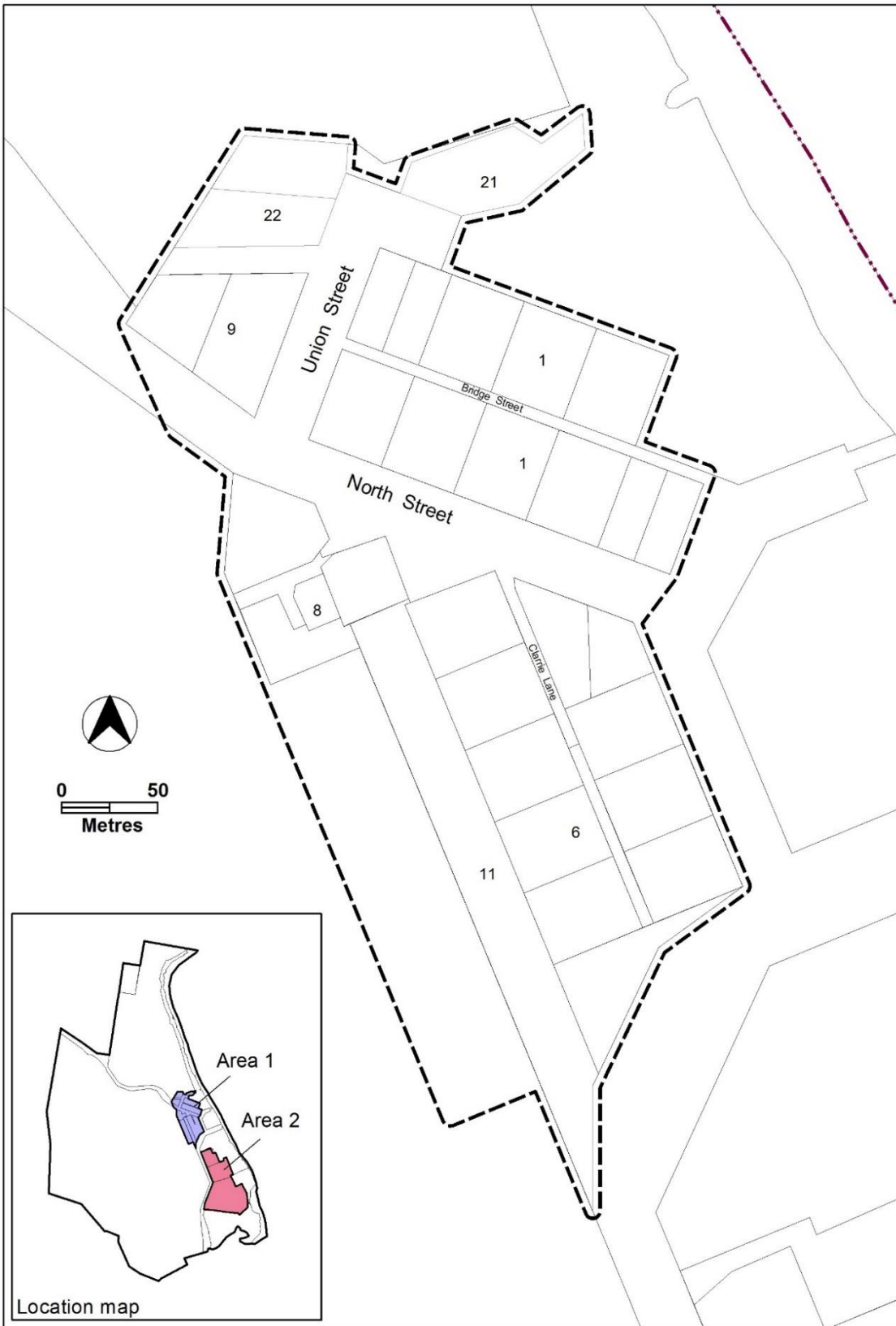


Figure 1 – Area 1

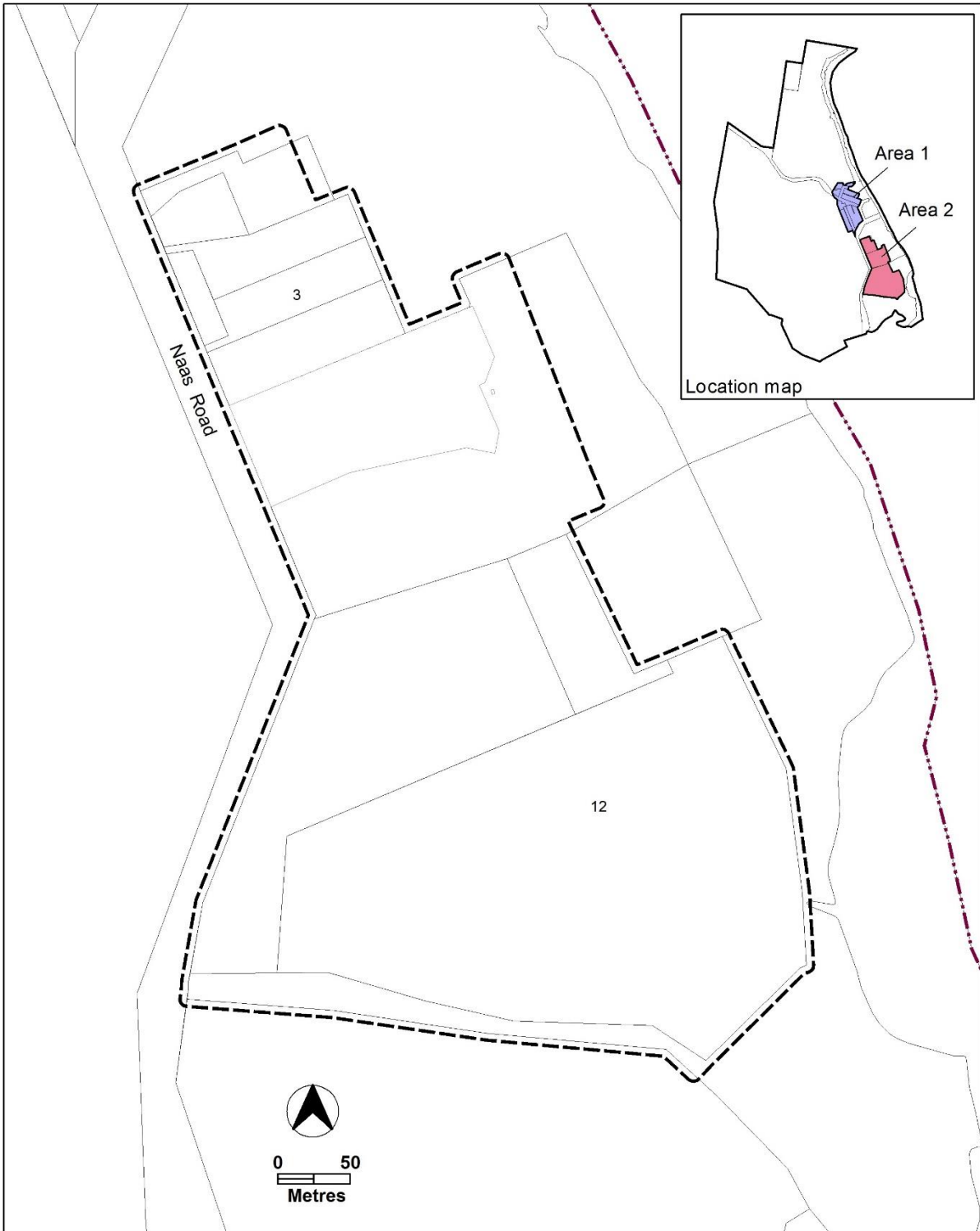


Figure 2 – Area 2

Element 2: Buildings and Structures

Rules	Criteria
2.1 Bushfire protection	
<p>R6</p> <p>This rule applies to the blocks identified in Figure 3.</p> <p>Development meets the required Bushfire Attack Level (BAL) ratings.</p>	<p>C6</p> <p>The Bushfire Attack Level rating may be reviewed through an independent bushfire risk assessment undertaken by a suitably qualified person, and with written endorsement by the relevant government agency.</p>

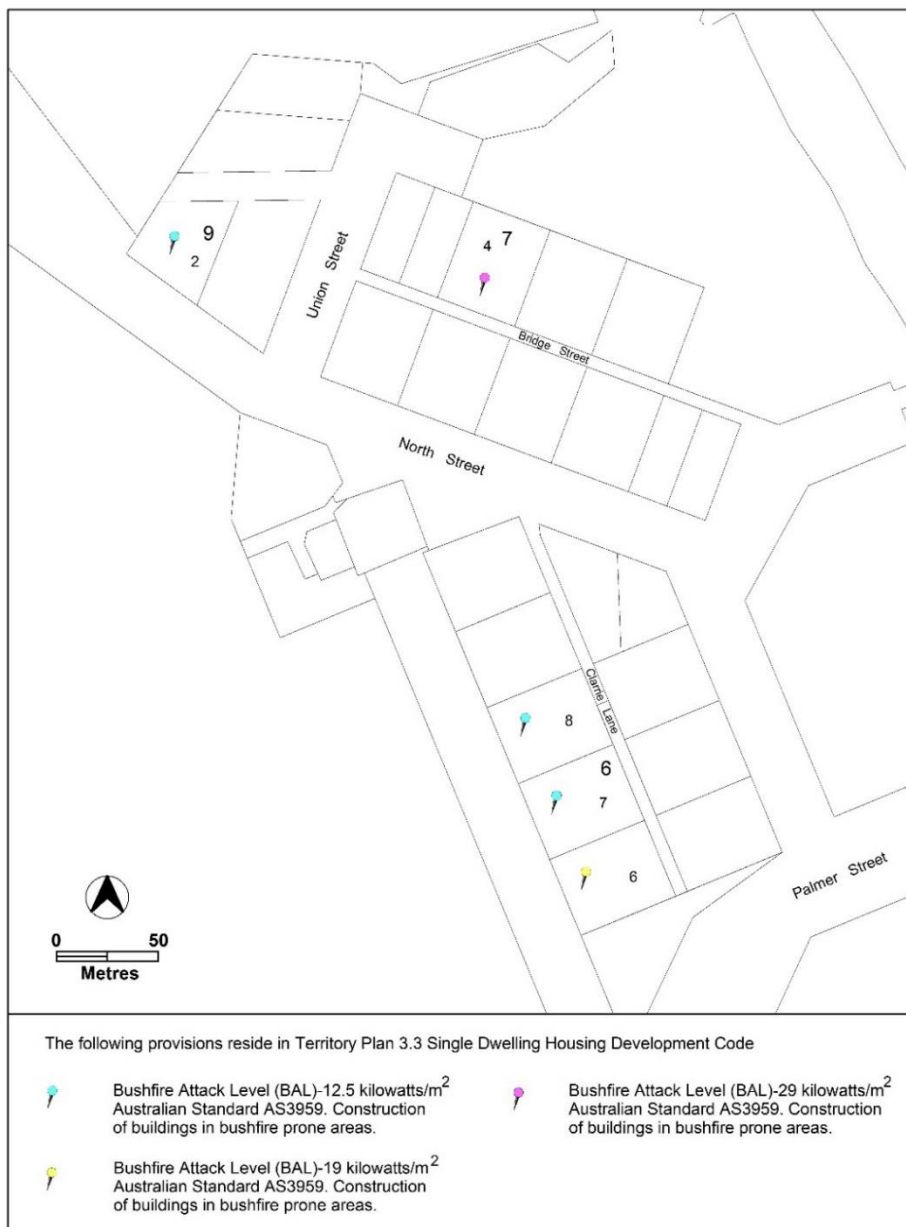


Figure 3 – Residential Bushfire protection

Rules	Criteria
2.2 Building height	
R7 Buildings are a maximum of one storey.	This is a mandatory requirement. There is no applicable criterion.
R8 Maximum floor to roof apex height of buildings is 6m.	This is a mandatory requirement. There is no applicable criterion.
R9 Minimum floor to ceiling height for residential buildings is 2.7m at the front of the building.	C9 Roofs are a prominent feature of dwellings and recognisable as a separate element to the verandah.
2.3 Setbacks	
R10 This rule applies to 'Area 1' in Figure 1. Minimum front setback for buildings is 7m.	C10 This criterion applies to 'Area 1' in Figure 1. Buildings in the village respect the predominant front setback and orientation of Tharwa's traditional buildings, with the front façade facing the front boundary and oriented to the street.
R11 This rule applies to 'Area 1' in Figure 1. Minimum side boundary setback 1 is 3m. Minimum side boundary setback 2 is 4.5m.	C11 This criterion applies to 'Area 1' in Figure 1. Buildings in the village respect the predominant side setbacks and orientation of Tharwa's traditional buildings.
2.4 Verandahs	
R12 All residential buildings incorporate a verandah for at least 50% of the width of the front façade.	This is a mandatory requirement. There is no applicable criterion.
R13 Minimum depth of verandahs is 2m.	This is a mandatory requirement. There is no applicable criterion.
2.5 Roofs	
R14 Roofs are of a steep pitched gable and/or hip roof design (between 30° and 45°).	This is a mandatory requirement. There is no applicable criterion.
There is no applicable rule.	C15 Roofs are constructed using corrugated metal, or similar, in a neutral and non-reflective colour or traditional galvanised finish.

Rules	Criteria
2.6 Garages, carports and sheds	
<p>R16</p> <p>Garages and carports are permitted where they meet all of the following:</p> <ul style="list-style-type: none"> a) Detached from the primary building and external walls are separated by a minimum of 1.5m b) Located a minimum distance of 5m behind the front facade of the primary building c) Do not impact on the scale of the primary building and the streetscape 	<p>C16</p> <p>Attached garages may be considered where they are located behind the front façade of the primary building and screened from the street. Basement garages may be considered only where the access is located at the rear of the primary building and screened from the street.</p>
<p>There is no applicable rule.</p>	<p>C17</p> <p>Detached sheds may be considered where these are located in the rear zone, are single storey, and are secondary in scale to the primary building.</p>
<p>There is no applicable rule.</p>	<p>C18</p> <p>Materials and finishes used in the construction of garages, carports and sheds are consistent with those used in the primary building.</p>
2.7 Driveways	
<p>R19</p> <p>Driveways are predominantly constructed of permeable surfaces such as gravel, concrete wheel strips or permeable paving in order to minimise sealed hardstand areas and minimise stormwater run-off.</p> <p>Note: Concrete surfacing is permitted between the road edge and the front property boundary, including where required for footpath cross-overs in accordance with the requirements of the ACT Government agency responsible for approving offsite works.</p>	<p>C19</p> <p>Concrete driveways may be considered in areas where site topography and overland stormwater run-off present a high likelihood of erosion.</p>

Rules	Criteria
2.8 Fences and courtyard walls	
<p>R20</p> <p>Fences are permitted in the front zone where they meet all of the following:</p> <ul style="list-style-type: none"> a) Maximum 1.2m height above ground level b) Made using transparent materials such as wire, wire mesh or open timber c) Privacy screening is provided through landscape planting <p>Note: non-transparent fences such as sheet metal are not permitted.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R21</p> <p>Fences are permitted in the primary building zone and rear zone where they meet all of the following:</p> <ul style="list-style-type: none"> a) Maximum 1.8m height above ground level b) Made of transparent materials such as wire, wire mesh and open timber c) Privacy screening is provided through landscape planting <p>Note: non-transparent fences such as sheet metal are not permitted.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>R22</p> <p>Courtyard walls are not permitted in the front zone or for use as boundary fencing.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>There is no applicable rule.</p>	<p>C23</p> <p>Courtyard walls may be considered for use as a landscape feature where they are located in the rear zone, or are integrated with the primary building.</p>

Rules	Criteria
2.9 Rainwater tanks	
<p>R24</p> <p>This rule applies to all new dwellings.</p> <p>The minimum size of rainwater tanks required to provide adequate water supply to dwellings is:</p> <p>a) For dwellings less than or equal to 150m² in size – 45,000l</p> <p>b) For dwellings greater than 150m² in size – 90,000l</p> <p>Note: These are required minimum sizes only. Consideration should be given to ensure appropriate tank size to provide optimal capacity and meet bushfire safety requirements.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>There is no applicable rule.</p>	<p>C25</p> <p>Tanks are to be constructed using corrugated metal, or similar, in a neutral and non-reflective colour or traditional galvanised finish.</p>
<p>There is no applicable rule.</p>	<p>C26</p> <p>Tanks are to be placed behind the primary building, or placed underground, or screened using landscape planting.</p>

Element 3: Environment

Rules	Criteria
3.1 Topography	
<p>There is no applicable rule.</p>	<p>C27</p> <p>The natural ground level of the site shall be retained to respect the natural topography and overland stormwater run-off.</p>
<p>There is no applicable rule.</p>	<p>C28</p> <p>Where earthworks are required, battered soil slopes in conjunction with ground-cover plantings should be used to accommodate level changes in preference to engineered retaining walls. Where they are used, retaining walls should be a maximum of 1m in height and incorporated with the primary building to minimise visual impacts.</p>

Rules	Criteria
3.2 On-site wastewater treatment	
R29 Any new development or re-development of on-site wastewater treatment systems located within 300m of a waterway will be required to be referred to the ACT EPA for assessment.	This is a mandatory requirement. There is no applicable criterion.
3.3 Water sensitive urban design	
There is no applicable rule.	C30 This provision applies to 'area 1' in Figure 1. Development encourages urban design that reduces water consumption and increases recycling of wastewater.

Element 4: Heritage

Rules	Criteria
4.1 Heritage character and significance	
There is no applicable rule.	C31 The existing road pattern, cottages and other items of heritage significance are conserved, consistent with relevant heritage requirements.

RC2 – River Corridor

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

Element 5: Use

Rules	Criteria
5.1 Development	
There is no applicable rule.	C32 Development is of low intensity on large blocks permitting point source retention of storm water runoff and opportunities for large scale landscaping. Stormwater runoff should be containable on site.
There is no applicable rule.	C33 Development, including existing uses, incorporates measures to minimise impacts on the ecology and improve the visual character of the locality.

Element 6: Environment

Rules	Criteria
6.1 On-site wastewater treatment	
R34 Any new development or re-development of on-site wastewater treatment systems located within 300m of a waterway will be required to be referred to the ACT EPA for assessment.	This is a mandatory requirement. There is no applicable criterion.