Community Use Code

1 Application
This Code will apply in assessing a material change of use and/or building work:
• in a Community Use Area, for the use given in the Community Use Area classification for a site on the Planning Scheme Maps.
• for Community Uses in other Community Use Areas not specifically designated for that use. Community uses include schools and health care services, etc.
• for any community facilities. Community facilities include community centre, community hall, youth club, library, church or public building.

2 Using this Code
In using this Code reference should also be made to Section 1.1—How to use the Codes, at the front of this Chapter.

When this Code is listed in a level of assessment table in Chapter 3 or a Local Plan in Chapter 4 as an Applicable Code for self assessment:
• the Code is to be read as being Acceptable Solutions A3.1, A4, A5 only, and A8 to A15 if for a child care facility
• a Local Plan Code may vary or include additional Acceptable Solutions.

When this Code is listed in a level of assessment table in Chapter 3 or a Local Plan in Chapter 4 as an Applicable Code for code assessment or a Relevant Code for impact assessment:
• the Code is to be read as being the Purpose, Performance Criteria and Acceptable Solutions
• a Local Plan may include a Code that may vary or include additional Purposes, Performance Criteria or Acceptable Solutions.

For code assessment where the proposal does not involve building work, relevant Performance Criteria and Acceptable Solutions are A3.1/P3, A4/P4, A5/P5 and A6/P6 only, and A8/P8 to A15/P15 for a child care facility.

3 Purpose
The purpose of this Code is to:
• facilitate the establishment of community uses and facilities for community benefit while mitigating adverse impacts
• ensure the locations of community uses and facilities do not have an adverse impact on adjoining residential areas
• encourage the integration and co-location of community uses and facilities, particularly in Centres
• promote the location of community uses and facilities within areas that are well serviced by public transport.

Where involving a child care facility, see also Child Care Facility Code purpose.

List of ‘secondary’ Codes
When this Code is used in code assessment of a proposal involving building work, the following Codes are termed ‘secondary’ Codes and form part of this ‘primary’ Code. When this Code is used in impact assessment the following list should be considered as providing a guide to other Codes that may also be used in assessing the proposal:
• Acid Sulfate Soil
• Biodiversity
• Gas and Oil Pipeline
• Industrial Areas—Adjacent Development
• Landscaping
• Park Planning and Design
• Services, Works and Infrastructure
• Stormwater Management
• Transport, Access, Parking and Servicing
• Waste Water Management
• Waterway
• Wetland

4 Performance Criteria and Acceptable Solutions

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<thead>
<tr>
<th>Performance Criteria</th>
<th>Acceptable Solutions</th>
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<tbody>
<tr>
<td>P1</td>
<td>The site must have high accessibility</td>
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<td>A1</td>
<td>The proposal provides convenient and safe pedestrian access from existing and proposed public transport infrastructure and other public areas</td>
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<td><strong>P2</strong> The design of the proposal must be consistent with reasonable expectations of development on surrounding land</td>
<td><strong>A2</strong> The scale, height and bulk of the proposal are no greater than those of surrounding buildings</td>
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| **P3** The proposal must not impose unreasonable adverse impacts on the surrounding residential area | **A3.1** Noise levels generated from the operation of the use do not exceed the levels in the Noise Impact Assessment Planning Scheme Policy  
**A3.2** A 2m wide vegetated buffer is provided to any vehicle movement and parking areas along any residential boundaries  
**A3.3** Intrusive outdoor activities are located away from residential areas  
**A3.4** The building setback from a boundary abutting a Residential Area is a minimum of 3m or half the height of the building at that point, whichever is greater  
**A3.5** A 1.8m screen fence and screen landscaping are provided along Residential Area boundaries |
| **P4** Non–discriminatory access must be provided:  
• to the building from adjoining roads and public areas  
• to adjoining sites within the Community Use Area/to adjoining community uses | **A4** Changes of level between sites and at the site boundary allow access to the proposal from the road and to adjoining sites within the Community Use Area/to adjoining community uses to comply with AS1428—Design for Access and Mobility |
| **P5** The layout of the proposal must achieve adequate provision for servicing on site that is clearly defined, safe and easily accessible and must be designed to contain potential adverse impacts of servicing within the site  
Servicing must be located to discourage on–street loading and must not detract from the aesthetics or amenity of an area | **A5** Loading/unloading facilities and associated vehicle manoeuvring areas on–site are designed in accordance with the servicing layout design guidelines in Section 4 of the Transport, Access, Parking and Servicing Planning Scheme Policy |
| **P6** Proposals must be designed incorporating crime prevention through environmental design (CPTED) principles  
*Note: for guidance on assessing the incorporation of crime prevention through environmental design principles refer to the Crime Prevention Through Environmental Design (CPTED) Planning Scheme Policy* | **A6** Building design and layout incorporates the following features:  
• opportunities for casual surveillance and sightlines (e.g. windows overlooking car parking and communal areas)  
• exterior building designs which promote safety (e.g. active frontages and entrances)  
• adequate definition of uses and ownership (e.g. landscaping to define private and public space)  
• adequate lighting (e.g. lighting of potential entrapment locations)  
• appropriate way finding mechanisms (e.g. signage)  
• minimisation of predictable routes and entrapment locations (e.g. concealed spaces near public pathways) |

Amended 1 July 2004
### Where involving construction of an awning over a footpath:

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<td><strong>P7</strong> Any pedestrian way covered by an awning must be adequately lit to ensure pedestrian safety and amenity while not causing nuisance to surrounding residents</td>
<td><strong>A7</strong> A lighting system is provided according to AS4282—Control of the Obtrusive Effects of Outdoor Lighting, while still being a minimum of 20 lux at footpath level</td>
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### Additional criterion for community uses where not located in a Community Use Area:

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| **P8** The proposal must be co-located with or close to other community facilities | **A8.1** In newly developing areas or outer suburban areas, the proposal is located on a site identified for that purpose on an approved structure plan, or adjacent to community focal points including a shopping centre and other community facilities  
**OR**  
**A8.2** In built up inner suburban areas, the proposal is located close to other community uses wherever possible |

### Where involving a material change of use to a Child Care Facility:

*Note: a child care facility will also need to comply with the relevant State Government legislation including the Child Care Act 2002 and the Child Care Regulation 2003*

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| **P9** The site must be located to minimise:  
• the hazards of heavy traffic  
• introduction of non-local traffic into minor residential streets  
• flood damage or hazard | **A9.1** The site is not located:  
• on arterial routes  
• on local access roads  
• on a site subject to flooding in a Q5 storm event or within a Flood Regulation Line  
**A9.2** Overland flow paths are not impeded by buildings, structures, fences or landscaping unless acceptable alternative paths are provided |
| **P10** Users of the facility must not be exposed to soil contamination | **A10.1** The site does not have soils contaminated by pollutants that represent a health or safety risk to children. Where clearance for contaminated soils is required, provide an investigative report that:  
• confirms that site investigations were conducted with full knowledge of the intended end use of the site as a child care facility  
• confirms that site investigations focused on proposed outdoor play areas  
• reflects the final height contours of the outdoor play areas after any intended earthworks  
**A10.2** Where excavation is required to remove contaminated soil, excavated earth is not placed in areas that may eventually be used for outdoor play |
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<td><strong>P11</strong> The facility must be located to ensure that users are not exposed to harmful air pollutants</td>
<td><strong>A11</strong> The proposal is not within 150m of an Industrial Area</td>
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| **P12** Users of the facility must not be subject to harmful noise levels | **A12** Noise levels do not exceed:  
- for noise in a steady state, indoors, 45dB(A) $L_{eq}$ (1 hour)  
- outdoors, a range of 55–60dB(A) $L_{10}$ (1 hour) when measured at 1.5m above the ground in the centre of any outdoor play area |
| **P13** Impacts on the amenity of adjoining uses must be eliminated or mitigated | **A13** Where adjacent to a residential use:  
- potentially noisy activities such as intensive activity space are located to minimise impacts and comply with the Noise Impact Assessment Planning Scheme Policy  
- a 1.8m screen fence and landscaping is provided to maintain amenity for adjoining properties |
| **P14** The site must accommodate activity needs, minimum space requirements and provide protection to children against the elements  
*Note: a smaller site area than specified in the Acceptable Solution may be approved only if the facility is located where parking is convenient and plentiful, e.g. at educational institutions, work sites and shopping centres* | **A14.1** Site area is a minimum 1,500m$^2$ for 26–49 children and 2,000m$^2$ for 50–75 children  
**A14.2** The design layout incorporates areas for indoor play and outdoor play and roofed shade and other outdoor shade |
| **P15** Play areas must be protected from external hazards | **A15.1** Childproof fencing is provided between play areas and roads, carparks, driveways and neighbouring properties  
**A15.2** All buildings and outdoor play areas are located outside any high voltage electricity supply easement |
| **P16** Parking conflicts must be minimised, on–site and off–site | **A16.1** Buildings and activities are located and designed to discourage potentially hazardous vehicular or pedestrian movements and minimise conflict on–site between children’s activities and carparking  
**A16.2** Carparking areas for set down and pick up are located so as to be visible from the road and to maintain the amenity of the street and adjacent properties  
**A16.3** Convenient, safe and clearly visible pedestrian access is provided to the site |