



ACT Planning &
Land Authority

Community Facility Zone Development Code

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Introduction

Application of this code

This Development Code applies to all development in the Community Facility Zone identified in the Zone Development Table as being within the code, merit and impact assessment tracks.

Purpose of codes

Codes provide additional planning, design and environmental controls to support the Zone objectives and assessable uses in the Development Tables.

The Codes are used by the Authority to assess development applications. The Codes therefore also provide guidance to intending applicants in designing their developments and preparing their development applications.

Each Code's controls are expressed as either **rules**, which are generally quantitative, or as qualitative **criteria**.

- Proposals in the **code track** must comply with all rules relevant to the development.
- Proposals in the **merit track** and **impact track** have the option to comply with the rules or criteria, unless the rule is mandatory. Where it is proposed to meet the criteria, the onus is on the applicant to demonstrate, by supporting plans and written documentation, that the proposed development satisfies the criteria and therefore the intent of the element.
- Proposals in the **impact track** also have the option to justify any non-compliance with the rules and the criteria, unless the rule is mandatory. Where it is proposed to not meet the rules and the criteria, the onus is on the applicant to justify the non-compliance by demonstrating that the proposed development is consistent with the relevant principles of the Statement of Strategic Directions. Supporting plans and written documentation, providing consideration of the relevant Intents of the Code and the Zone objectives, are to accompany the development application.

Structure of codes

The Community Facility Zone Development Code is divided into three Parts:

Part A – General Development Controls provide general controls that are applicable to all development within the zone.

Part B – Site Specific Controls provide any additional specific controls for particular areas or sites. [Care is needed to check whether any specific controls apply to individual sites]

Each Part is divided into sections referred to as **Elements**, although each Part may not include provisions for every Element. The Elements describe the various issues for consideration:

1. Restrictions on Use
2. Building and Site Controls
3. Built Form
4. Parking and Site Access
5. Amenity
6. Environment
7. Services

Each Element consists of Intents and Items under which are Rules and Criteria.

Intent describes the purpose of the development controls

Rules provide the quantitative, or definitive, controls for development

Criteria provide the qualitative controls for development

In some instances, there are rules that are mandatory. For clarity of use, the mandatory rules are emphasized by the following words: “**This is a mandatory requirement. There is no applicable criterion**”. Non-compliance with these provisions will result in the refusal of a development application. Conversely, the words “**There is no applicable rule**” is used when controls cannot be quantitative or definitive and only criteria exist.

Any application of a **General Code** to a development proposal is identified as part of the relevant rule or criteria.

Where more than one type of Code applies to a development, the order of precedence when there is inconsistency of provisions between Codes, as defined by the Act, is **Precinct Code**, then **Development Code**, and then **General Code**.

Further information

Please refer to the Planning Explained Guide, for more information on preparing applications under the Territory Plan, including the use of assessment codes.

Part A – General Development Controls

Element 1: Restrictions on Use

Intent:

- a) To provide for uses that may enhance or benefit from the Community Facility Zone but require restrictions and specific consideration

Rules	Criteria
1.1 Business Agency, Office, Public Agency	
<p>There is no applicable rule.</p>	<p>C1</p> <p>Development for the purposes of:</p> <ul style="list-style-type: none"> a) business agency b) office c) public agency <p>may only be permitted where:</p> <ul style="list-style-type: none"> i) the uses are small-scale, not-for-profit organisations providing Community facilities or services that meet the social, cultural, leisure, health, community wellbeing, or educational needs of the Canberra community and its visitors; or ii) the use occupies surplus community facility buildings only with a maximum lease term of five years. <p><u>Exception:</u> This criterion does not apply to Forrest Section 24 Block 7, (Figure 1). (see Part B)</p>
1.2 Emergency Services Facility, Funeral Parlour, Indoor Recreation Facility, Outdoor Recreation Facility	
<p>R2</p> <p>Development for the purposes of: emergency services facility, funeral parlour, indoor recreation facility, outdoor recreation facility is only permitted where:</p> <ul style="list-style-type: none"> a) The site has not been identified by the Authority as being required for COMMUNITY USE; b) The proposal meets AS 2017 - <i>'Recommended Design Sound Levels and Reverberation Times for Building Interiors'</i> and AS 3671- <i>'Acoustics – Road Traffic Noise – Building Siting and Construction'</i>. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>

1.3 Supportive Housing	
<p>R3</p> <p>Development for supportive housing must comply with all of the following:</p> <ul style="list-style-type: none"> a) the occupation of individual dwellings in the supportive housing complex is restricted by the lease to persons with special housing needs for reasons of age or disability; b) the site has not been identified by the Authority as being required for COMMUNITY USE; c) all dwellings are designed to comply with the relevant parts of the Residential Zones Development Code and the relevant Australian Standard for Adaptable Housing; d) the land is held as a single undivided parcel. Subdivision of the lease to provide separate title to individual dwellings, including subdivision under the Unit Titles Act 2001, is not permitted. <p><u>Exception</u>: This rule does not apply to Belconnen Section 87 (Figure 2).</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
1.4 E Overlay - School Grounds and Ovals	
<p>R4</p> <p>Development within those areas with an E overlay (School Grounds and Ovals) on the map to the Territory Plan shall only be permitted for the purpose of education, recreation or parkland development.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>There is no applicable rule.</p>	<p>C5</p> <p>Development within those areas with an E overlay (School Grounds and Ovals) on the map to the Territory Plan protect the identified open space value associated with the landscaped ground, school oval and/or playing field within the Community Facility Zone at existing ACT Government school sites.</p>

1.5 Residential Uses

R6

All single and multi unit dwelling developments are designed to comply with the relevant parts of the Residential Zones – Single Dwelling Development Code or the Residential Zones – Multi – Unit Housing Development Code.

This is a mandatory requirement. There is no applicable criterion.

Element 2: Building and Site Controls

Intent:

- a) To provide community facilities that are compatible with the character of their local area
- b) To provide sufficient levels of amenity for proposed and adjoining users
- c) To provide community facilities that are safe and accessible

Rules	Criteria
2.1 Subdivision	
<p>R8</p> <p>Subdivision is only permitted where:</p> <ul style="list-style-type: none"> a) it is part of a development application for another assessable development b) it is demonstrated that any residual block can accommodate another assessable development designed in accordance with the relevant section of this Code. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>
2.2 Demolition	
<p>R9</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, the application is accompanied by a Statement of Endorsement from utility provider (including Water, Sewerage, Stormwater, Electricity and Gas) stating that:</p> <ul style="list-style-type: none"> a) All network infrastructure on or immediately adjacent the site has been identified on the plan b) All potentially hazardous substances and conditions (associated with or resulting from the demolition process) that may constitute a risk to utility services have been identified c) All required network disconnections have been identified and the disconnection works comply with utility requirements d) All works associated with the demolition comply with and are in accordance with utility asset access and protection requirements. 	<p>C9</p> <p>If a Statement of Endorsement is not provided the application will be referred to relevant utility providers in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
2.3 Height	
<p>R10</p> <p>Maximum building height of buildings on community facility land within 30 m of blocks in a Residential Zone: two storeys.</p>	<p>C10</p> <p>The height of buildings on community facility land minimises their impact on items such as solar access, privacy and residential amenity on adjacent residential sites.</p>

Rules	Criteria
2.4 Setbacks	
<p>R11</p> <p>Minimum setback of buildings on community facility land to boundaries of blocks in a Residential Zone: 6 m.</p>	<p>C11</p> <p>The setback of buildings on community facility land minimises their impact on items such as solar access, privacy and residential amenity on adjacent residential sites.</p>
2.5 National Capital Plan	
<p>There is no applicable rule.</p>	<p>C12</p> <p>Where a development is subject to Special Requirements under the National Capital Plan, or any relevant Development Control Plan prepared under the National Capital Plan, the development is not inconsistent with the Special Requirements or Development Control Plan. Where any provision of this code is inconsistent with Special Requirements under the National Capital Plan, or any relevant Development Control Plan prepared under the National Capital Plan, that provision has no effect.</p>

Element 3: Built Form

Intent:

- a) To provide for buildings that promote a safe and attractive urban environment

Note: Under the *Building Act 2004* buildings need to meet the requirements of the Building Code of Australia. For certain classes of buildings, this will include prescribed energy requirements.

Rules	Criteria
3.1 Materials and Finish	
There is no applicable rule.	C13 Where development presents a blank façade to an adjoining block or public space, a visually interesting architectural treatment is applied to that wall such as through the use of colour, articulation, materials and shadows.
There is no applicable rule.	C14 Buildings use high quality materials and have facades with visually interesting architectural treatments through the use of elements such as colour, materials, shadows or deep framing profiles.
3.2 Interface	
There is no applicable rule.	C15 Where appropriate, compatible uses of any existing buildings are integrated with new development and provide physical connections and linkages between buildings, and between buildings and public spaces,.
There is no applicable rule.	C16 Elements of the development that present to, or are visible from the street, promote an attractive and appropriate streetscape.
3.3 Crime Prevention Through Environmental Design	
There is no applicable rule.	C17 The development meets the requirements of the Crime Prevention Through Environmental Design General Code.
3.4 Access and Mobility	
There is no applicable rule.	C18 The development meets the requirements of the Access and Mobility General Code.

Rules	Criteria
3.5 Location Requirements for Community and Recreation Facilities	
There is no applicable rule.	C18A The development meets the requirements of the Community and Recreation Facilities Location Guidelines General Code.

Element 4: Parking and Site Access

Intent:

- a) To encourage design of access and parking as part of the overall design of the development
- b) To encourage safe, convenient access to meet the needs of all users and visitors

Rules	Criteria
4.1 Traffic Generation	
There is no applicable rule.	C19 The existing road network can accommodate the amount of traffic likely to be generated by the development.
4.2 Vehicle Access and Parking	
There is no applicable rule.	C20 Vehicle Access and parking complies with the requirements of the Parking and Vehicular Access General Code.
4.3 Bicycles	
There is no applicable rule.	C21 Bicycle Parking complies with the requirements of the Bicycle Parking General Code.
4.4 Pedestrian Movement	
There is no applicable rule.	C22 Safe and convenient movement of public transport passengers, pedestrians and cyclists is provided.

Element 5: Amenity

Intent:

- a) To ensure the development is designed and sited to maximise solar access to private open space and living areas
- b) To ensure visual and acoustic privacy of users and residents, within and adjacent to the proposed development
- c) To maintain a safe and attractive urban environment

Rules	Criteria
5.1 Solar Access	
There is no applicable rule.	C23 Development is designed and sited to allow a minimum of 3 hours of direct sunlight onto the floor or wall of the main daytime living area and the private open space of any dwelling within the development and any dwellings adjacent the subject site between the hours of 9.00 am and 3.00 pm on 21 June (winter solstice).
5.2 Lighting	
R24 External lighting is provided to building frontages, to all pathways, roads/laneways and car parking areas in accordance with Australian Standard AS1158.3.1 - <i>Pedestrian Lighting</i> .	C24 External lighting is provided in accordance with the Crime Prevention Through Environmental Design General Code.
R25 All external lighting provided is in accordance with AS 4282 <i>Control of the Obtrusive Effects of Outdoor Lighting</i> .	C25 All outdoor lighting, including security and car park lighting, is designed and sited to minimise light spill.
5.3 Signs	
There is no applicable rule.	C26 Signs comply with the Signs General Code.
5.4 Neighbourhood Plan	
There is no applicable rule.	C27 Where a Neighbourhood Plan exists, development demonstrates a response to the key strategies of the relevant Neighbourhood Plan.

Element 6: Environment

Intent:

- a) To provide for ecologically sustainable development that does not have adverse impacts on the surrounding environment

Rules	Criteria
<p>6.1 Water Sensitive Urban Design – Mains Water Consumption Note: Refer to the Water Ways: Water Sensitive Urban Design General Code for more information on Water Sensitive Urban Design</p>	
<p>R28</p> <p>Evidence is provided that shows the development achieves a minimum 40% reduction in mains water consumption compared to an equivalent development constructed in 2003 using the ACTPLA on-line assessment tool or another tool as included in the Water Ways: Water Sensitive Urban Design General Code. The 40% target is met without any reliance on landscaping measures to reduce consumption.</p> <p>This requirement does not apply for extensions with an increase in the combined roof area, driveway, car manoeuvring areas and car parking areas of less than 25% of the original area.</p>	<p>C28</p> <p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>6.2 Water Sensitive Urban Design – Stormwater Quality Note: Refer to the Water Ways: Water Sensitive Urban Design General Code for more information on Water Sensitive Urban Design</p>	
<p>R29</p> <p>All sites of size greater than 2,000m² need to provide evidence of stormwater storage greater than or equal to the volume of 1.4kL per 100m² of impervious area and release over a period of 1 to 3 days. 50% of the volume of rainwater tanks with a toilet connection may be regarded as contributing towards this requirement.</p> <p>This requirement does not apply for extensions with an increase in the combined roof area, driveway, car manoeuvring areas and car parking areas of less than 25% of the original area.</p>	<p>C29</p> <p>Evidence is provided that demonstrates that for all sites of size greater than 2,000m², a reduction of 1-in-3 month stormwater peak run off flow to pre-development levels with release of captured flow over a period of 1 to 3 days can be achieved.</p> <p>This requirement does not apply for extensions with an increase in the combined roof area, driveway, car manoeuvring areas and car parking areas of less than 25% of the original area.</p>

Rules	Criteria
<p>R30</p> <p>Sites of size greater than 5,000m² need to provide evidence showing a reduction in average annual stormwater pollutant export load of:</p> <ul style="list-style-type: none"> a) suspended solids by 60% b) total phosphorous by 45% c) total nitrogen by 40% <p>compared to an urban catchment with no water quality management controls, using the MUSIC model to demonstrate compliance.</p> <p>This requirement does not apply for extensions with an increase in the combined roof area, driveway, car manoeuvring areas and car parking areas of less than 25% of the original area.</p>	<p>C30</p> <p>Sites of size greater than 5,000m² need to provide evidence showing a reduction in average annual stormwater pollutant export load of:</p> <ul style="list-style-type: none"> a) suspended solids by 60% b) total phosphorous by 45% c) total nitrogen by 40% <p>compared to an urban catchment with no water quality management controls, using any other method.</p> <p>This requirement does not apply for extensions with an increase in the combined roof area, driveway, car manoeuvring areas and car parking areas of less than 25% of the original area.</p>
<p>6.3 Water Sensitive Urban Design – Stormwater Quantity</p> <p>Note: Refer to the Water Ways: Water Sensitive Urban Design General Code for more information on Water Sensitive Urban Design</p>	
<p>R31</p> <p>All sites of size greater than 2,000m² and subject to redevelopment need to ensure that the capacity of the existing pipe (minor) stormwater connection to the site is not exceeded in the 1-in-10 year storm event.</p> <p>All sites of size greater than 2,000m² and subject to redevelopment need to ensure that the capacity of the existing overland (major) stormwater system to the site is not exceeded in the 1-in-100 year storm event.</p>	<p>C31</p> <p>Evidence is provided by a suitably qualified person that shows that for all sites of size greater than 2,000m² and subject to redevelopment</p> <p>EITHER</p> <p>a reduction of 1-in-5 year and 1-in-100 year stormwater peak run off flow to pre-development levels. See WaterWays General Code for more detail.</p> <p>OR</p> <p>That the capacity of the downstream piped stormwater system to its outlet with an open channel is not exceeded in the 1-in-10 year storm event.</p>
<p>6.4 Heritage</p>	
<p>R32</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, applications for development on land or buildings subject to interim or full heritage registration are to be accompanied by advice from the Heritage Council stating that the development meets the requirements of the <i>Heritage Act 2004</i>.</p>	<p>C32</p> <p>If advice from the Heritage Council is required, but not provided, then the application will be referred to the Heritage Council in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>

Rules	Criteria
6.5 Contamination	
<p>R33</p> <p>A statement is provided that the potential for land contamination has been assessed in accordance with the <i>ACT Government Strategic Plan – Contaminated Sites Management 1995</i> and the <i>ACT Environment Protection Authority Contaminated Sites Environmental Protection Policy 2000</i>, and it is demonstrated that the land is suitable for the proposed development.</p>	<p>C33</p> <p>If a statement that the site has been assessed is not provided, the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
6.6 Trees	
<p>R34</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, where the development proposal requires groundwork within the tree protection zone of a protected tree, or is likely to cause damage to or removal of, any protected trees, the application must be accompanied by a Tree Management Plan approved under the <i>Tree Protection Act 2005</i>.</p> <p>Note: “Protected tree” is defined under the <i>Tree Protection Act 2005</i>.</p>	<p>C34</p> <p>If an approved Tree Management Plan is required, but not provided, then a draft Tree Management Plan is to accompany the application. The draft Tree Management Plan will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
6.7 Erosion and Sediment Control	
<p>R35</p> <p>For sites less than 0.3 of a hectare, a plan is provided to demonstrate that the development complies with the <i>ACT Environment Protection Authority, Environment Protection Guidelines for Construction and Land Development in the ACT, August 2007</i>.</p>	<p>C35</p> <p>If a plan is not provided, the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
<p>R36</p> <p>For development on a site greater than 0.3 of a hectare, the application is accompanied by an Erosion and Sediment Control Plan endorsed by the ACT Environment Protection Authority.</p>	<p>C36</p> <p>If an endorsed Sediment and Erosion Control Plan is not provided the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>

Rules	Criteria
6.8 Hazardous Material	
<p>R37</p> <p>For the demolition of multi-unit housing (including garages and carports) constructed* prior to 1985, and Commercial / Industrial premises constructed prior to 2005, a Hazardous Materials Survey (including an asbestos survey) is carried out and signed by an appropriately licensed person and is endorsed by Environment Protection.</p> <p>The Survey is provided and covers the disposal of hazardous materials, showing that:</p> <ul style="list-style-type: none"> a) Hazardous material disposal (including asbestos) is to be at a licensed disposal facility in the ACT b) b) If hazardous materials are to be transported for disposal interstate, approval from the Environment Protection Authority is obtained prior to removal of material from the site c) An appropriately licensed contractor is engaged for the removal and transport of all hazardous materials (including asbestos) present at the site. <p>* construction date means the date when the Certificate of Occupancy was issued</p>	<p>C37</p> <p>If an endorsed Hazardous Materials Survey is not provided the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
Rules	Criteria
6.9 Excavation	
<p>There is no applicable rule.</p>	<p>C38</p> <p>Onsite cut and fill is minimised and managed to ameliorate negative off site impacts.</p>

Element 7: Services

Intent:

- a) To provide for appropriately serviced developments that meet the needs of service providers and users of the proposed development to minimise offsite impacts

Rules	Criteria
7.1 Waste Management	
<p>R39</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, applications are to be accompanied by a statement of compliance from the Department of Territory and Municipal Services stating that the waste facilities and management associated with the development are in accordance with the current version of the <i>Development Control Code for Best Practice Waste Management in the ACT</i>.</p>	<p>C39</p> <p>If a statement of compliance is not provided the application will be referred to the Department of Territory and Municipal Services in accordance with the requirements of the <i>Planning and Development Act 2007</i></p>
7.2 Utilities	
<p>R40</p> <p>A Statement of Compliance from each relevant utility provider (for water, sewerage, stormwater, electricity and gas) is provided, which confirms that the location and nature of earthworks, utility connections, proposed buildings, pavements and landscape features comply with utility access provisions and asset clearance zones.</p> <p><i>Note: Where there is a conflict between planning and utility requirements, the utility requirements take precedence over other codified or merit provisions.</i></p>	<p>C40</p> <p>If a Statement of Compliance is not provided the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>
7.3 Waste Water	
<p>R41</p> <p>Subject to ACTEWAGL approval, all under cover areas drain to the sewer.</p>	<p>C41</p> <p>This is a mandatory requirement. There is no applicable criterion.</p>

Rules	Criteria
7.4 Storage	
<p>R42</p> <p>Outdoor storage areas are screened from view from any road or other public area.</p>	<p>C42</p> <p>Where the proposed use of the site requires open areas for storage of goods and materials, adequate provision is to be included in the design layout of the site and should not encroach on car parking areas, driveways or landscaped areas and be adequately screened from public view.</p>
7.5 Servicing and Site Management	
<p>R43</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, the application is accompanied by a Statement of Endorsement from the relevant agency stating that the waste facilities and management associated with the development are in accordance with the <i>Design Standards for Urban Infrastructure</i>.</p>	<p>C43</p> <p>If a Statement of Endorsement is not provided the application will be referred to the relevant agency in accordance with the requirements of the <i>Planning and Development Act 2007</i>.</p>

Part B – Site Specific Controls

Part B(1) – Forrest, Section 24 Block 7

Element 1: Restrictions on Use

Intent:

- a) To provide for non-retail and limited retail uses where they are associated with community uses

Rules	Criteria
1.1 Business agency, Office, Public agency, Shop	
There is no applicable rule.	C44 Development for the purpose of Business agency, Office, Public agency and Shop are only permitted where associated with the administration or operation of community uses on site or elsewhere (Figure 1).

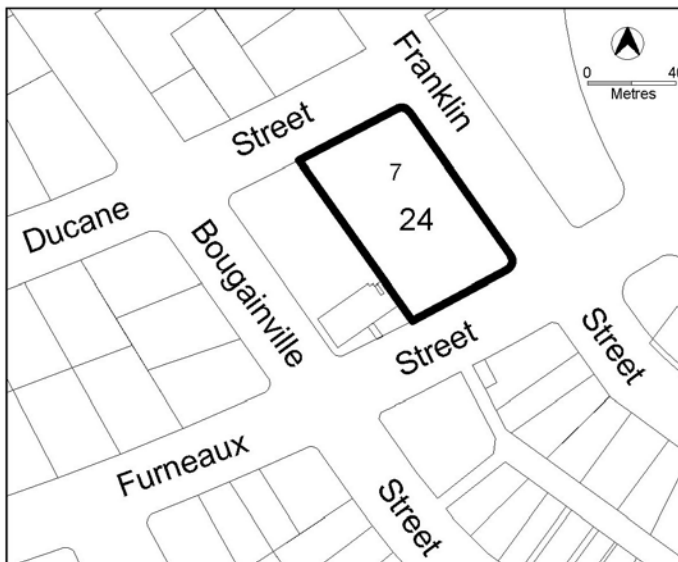


Figure 1 Forrest, Section 24 Block 7.

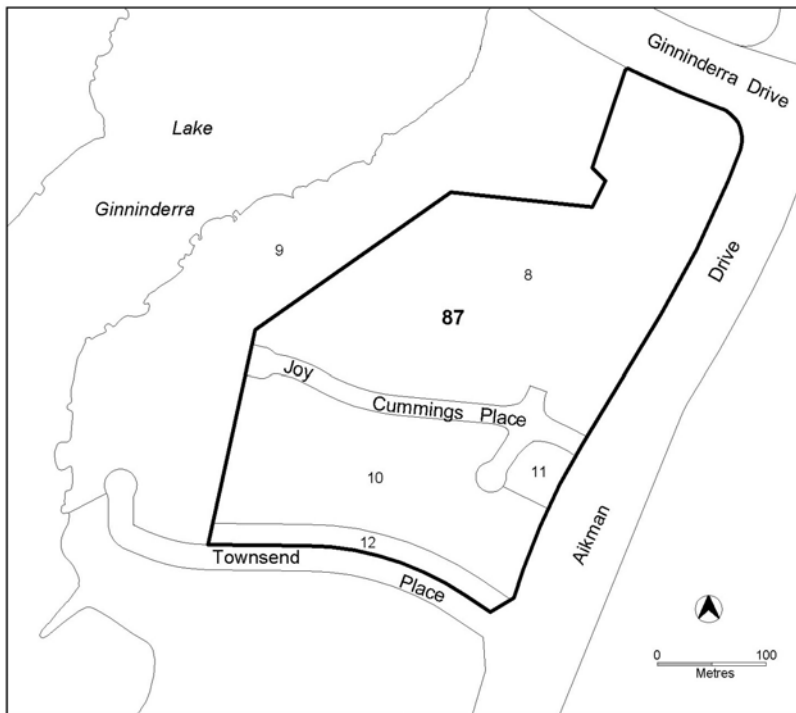


Figure 2 Belconnen, Section 87