



# Community housing in the Community facilities zone

A Model Code for Local Government

The Department of State Development, Infrastructure and Planning connects industries, businesses, communities and government (at all levels) to leverage regions' strengths to generate sustainable and enduring economic growth that supports well-planned, inclusive and resilient communities.

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## 1.0 Scope and approach

The Model Code for Community housing in the Community facilities zone (model code) is designed to assist local government in the facilitation and assessment of community housing in the Community facilities zone.

The model code has been developed as an opt-in tool to support councils, through a partnership between the State Government and the Local Government Association of Queensland.

The model code may assist councils in responding to affordability and supply concerns in their local government area - by providing a set of example provisions which can be integrated into a planning scheme as-is or integrated into other existing codes with local refinements or more substantive modifications. As the model code is non-mandatory, councils also have the option to not integrate it.

The model code recognises the role of local government in planning for their local communities and the flexibility needed for the code to be relevant across Queensland's diverse local governments and communities.

The model code is structured in a recognised format, comprising purpose, overall outcomes, performance outcomes and acceptable outcomes. It is not mandatory that assessment benchmarks be articulated in this format in a planning scheme. However, the model code follows accepted drafting protocols to deliver a code that is clear, concise, logical and usable across a range of local governments.

The model code uses an administrative definition for 'community housing' developed in partnership with local governments which means:

*residential development, charitably provided and/or managed by a registered provider.<sup>1</sup>*

If adopted by a local government this definition (or a variation of the definition) is required to be included as an administrative definition in a planning scheme. Councils have the flexibility to refine the term or use a different term. However, the normal rules of using definitions apply under the regulated requirements established by sections 7 and 8 of the Planning Regulation 2017.

A model table of assessment is also provided to support local governments in facilitating community housing in the Community facilities zone.

The model code reflects several assumptions:

- the model code will operate within the statutory limits of the *Planning Act 2016* and does not modify processes or statutory definitions if adopted in part or in full by a local government within its planning scheme
- the model code recognises and does not alter the current statutory framework concerning dwelling houses and dual occupancies established under the Planning Regulation 2017, *Building Act 1975* and the Queensland Development Code, or the status of other development under schedule 6 of the Planning Regulation 2017.

The model code is recommended to be used for assessable development, although the level of assessment is ultimately determined by each local authority. The model code has not been drafted to be applicable to 'accepted subject to requirements'.

The code is intended to apply to a material change of use. It is not intended to apply to lot reconfiguration, however councils may expect that particular titling arrangements for community housing may be required by community housing providers to secure tenure and facilitate funding.

Planning schemes already contain provisions that relate to residential development. This model code focuses on identifying assessment benchmarks for community housing proposals that are likely to be additional or different to normal provisions to minimise repetition of existing detailed planning provisions. It is envisaged this content would be applied alongside existing assessment benchmarks.

This may occur either by incorporating the model provisions into the existing codes or adopting them in a new 'use code' that is called up by the relevant assessment table. When adopting the model code provisions (in full or in part),

<sup>1</sup> A registered provider is defined in Schedule 4 of the *Housing Act 2003*.

councils should consider how the new provisions relate to or vary existing code content and remove any potential duplication or conflicts between them.

The 'modular' model code provides the opportunity for the provisions to fit within the existing structure of planning schemes, where elements of the model code can be included to enable integration with other parts of the planning scheme.

## 2.0 Purpose and Overall Outcomes

### 2.1 What the model code is designed to apply to

The model code applies to the assessment of a material change of use for a community residence or dwelling house where not meeting the circumstances for accepted development set out in schedule 6 of the Planning Regulation 2017, or a dual occupancy, multiple dwellings, rooming accommodation or relocatable home park where for community housing<sup>2</sup> and located in the Community facilities zone. The model code anticipates such development would be made assessable by a planning scheme. However, it remains open to a local government to make any form of residential development accepted or accepted subject to requirements<sup>3</sup>.

### 2.2 Model purpose and Overall Outcomes

The purpose of the model code is to facilitate community housing in the Community facilities zone, where the housing will:

- (a) be well-located and well-designed for residents' needs;
- (b) be compatible with the nature of the existing or intended community facility and able to ensure the effective current and future operation of the community facility will be maintained;
- (c) be integrated with the surrounding neighbourhood; and
- (d) maintain the capacity of the Community facilities zone to accommodate the current and intended community facility needs of the community.

The purpose of the code will be achieved through the following overall outcomes:

- (a) Housing is incorporated into community facilities zoned premises where the land is close to existing services and infrastructure that support the needs of the intended residents.
- (b) The co-located residential use supports a level of amenity, health and safety that is suitable for and compatible with the nature of existing or intended community facilities on the premises.
- (c) Housing incorporated into community facilities zoned premises does not diminish the operation, level of service or expansion of existing or intended community facilities on the land.
- (d) Housing incorporated into community facilities zoned premises makes efficient use of the land and is at a height, scale and form that is consistent with the intended character of the locality.
- (e) Design, siting and orientation of buildings creates an attractive, safe and well-designed residential environment.

<sup>2</sup> For example, the Community facilities zone table of assessment may nominate 'multiple dwelling where for community housing' as code or impact assessable development, where 'community housing' is included as an administrative definition.

<sup>3</sup> The model code does not offer appropriate accepted development requirements should development be categorised 'accepted development subject to requirements'. Councils could consider some basic thresholds such as setbacks from site boundaries, or the number, height or size of proposed dwellings as the requirements for accepted development.

## Notes for users of the model code:

In considering whether to adopt the model code, it is acknowledged that not all Community facilities zoned land will be appropriate for community housing and each local government may choose to identify specific zone precincts or areas within the Community facilities zone suitable for community housing.

Some councils may contemplate community housing in the Community facilities zone only where on the same site as a place of worship, community care centre or residential care facility to be consistent with the regulated requirements zone purpose for the Communities facilities zone outlined in the Planning Regulation, while other councils may contemplate broader development within the zone (and other particular types of community facilities) as part of the local government zone purpose for the Communities facilities zone.



### 3.0 Table of assessment

#### 3.1 Model assessment table for material change of use in the Community facilities zone

The following example table of assessment identify the categories of development and assessment, and the (likely) applicable assessment benchmarks for a material change of use for a residential use where community housing.

Use	Categories of development and assessment	Assessment benchmarks
Community residence where community housing	<b>Assessable development-code assessment</b>	
		Model code Community facilities zone code Multiple dwelling code Neighbourhood plan code Transport, access, parking and servicing code Landscaping code
Dwelling house where: (a) community housing; and (b) the circumstances set out in schedule 6, part 2 (7D) of the Planning Regulation 2017 are not met.	<b>Assessable development-code assessment</b>	
		Model code Community facilities zone code Dwelling house code Neighbourhood plan code Transport, access, parking and servicing code Landscaping code
Dual occupancy where community housing	<b>Assessable development-code assessment</b>	
		Model code Community facilities zone code Dual occupancy code Neighbourhood plan code Transport, access, parking and servicing code Landscaping code

Use	Categories of development and assessment	Assessment benchmarks
Multiple dwelling where community housing	<b>Assessable development-code assessment</b>	
	<i>If development involves 10 dwellings or less</i>	Model code Community facilities zone code Multiple dwelling code Neighbourhood plan code Transport, access, parking and servicing code Landscaping code
Rooming accommodation where community housing <sup>4</sup>	<b>Assessable development-code assessment</b>	
	<i>If development involves 10 accommodation units or less</i>	Model code Community facilities zone code Rooming accommodation code Neighbourhood plan code Transport, access, parking and servicing code Landscaping code
Relocatable home park where community housing	<b>Assessable development-Code assessment</b>	
		Model code Community facilities zone code Relocatable home park code Neighbourhood plan code Transport, access, parking and servicing code Landscaping code
Any use not listed or not meeting the description in this table	<b>Assessable development-Impact assessment</b>	
		The planning scheme

<sup>4</sup> Schedule 6, part 2, section 2(4) of the Planning Regulation 2017 prevents a local planning scheme making rooming accommodation involving no more than 5 bedrooms, including any bedroom used as part of a manager's residence, and occupied by no more than 5 persons, in a residential zone assessable development. The Community facilities zone is not a residential zone which means a local government can make this development assessable if choosing to adopt the model code.



## Notes for users of the model code:

The model code has been drafted for assessment of a material change of use as either code or impact assessment. However, councils could also decide to make some development accepted or accepted subject to requirements, subject to any thresholds or qualifications they may determine.

The example table of assessment identifies the model code alongside additional codes to identify the required assessment benchmarks. These additional codes are included for **illustrative purposes only** and need to be adjusted to reflect the relevant planning scheme and assessment table structure and relevant assessment benchmarks.

This approach also requires adoption of a definition of community housing (as suggested in section 2).

## 4.0 Performance outcomes and acceptable outcomes

### 4.1 Model performance outcomes and acceptable outcomes

The following model performance outcomes and acceptable outcomes are structured in parts:

- A. Assessment of the suitability of locating community housing on a site within the Community facilities zone and co-locating with a community facility of any sort;
- B. Assessment of site planning and design of community housing development comprising a community residence, dwelling house or dual occupancy; and
- C. Assessment of site planning and design of community housing development comprising multiple dwellings and other forms of community housing.

## Notes for users of the model code:

Part A provides assessment benchmarks to determine the suitability of locating community housing within the Community facilities zone.

Part A assessment benchmarks have been drafted to provide a broad 'first principles' planning assessment to assess the suitability of community housing in the Community facilities zone. However, it is envisaged that prior to adopting the model code, an assessment of the capacity for community housing within community facilities zoned land would need to be undertaken. For this reason, the adoption of the model code provisions may coincide with the local government identifying more specifically those locations or precincts within the Community facilities zone that are suitable for community housing. If this is the case, Part A may need to be modified to reflect those more specific intentions. Moreover, if these intentions are expressed in the Community facilities zone code itself, Part A may not be required at all.

Consideration should also be given to outcomes set out in natural hazard, biodiversity and other constraint-based overlays/provisions to ensure consistency of what may or may not be contemplated in affected areas (for example, councils may consider adding community housing to the lists of vulnerable uses identified by natural hazard codes).

Parts B and C have been drafted to minimise repetition of assessment benchmarks for dwelling houses, dual occupancies, multiple dwellings, rooming accommodation and relocatable home parks that are likely to already be established in local planning schemes. Some acceptable outcomes in Parts B and C contain notes which identify potential interrelationships with other existing planning scheme standards. Councils may choose to adopt particular existing parameters, such as traffic, access and parking, and include them as an acceptable outcome.

The model code adopts a performance-based planning approach intended to encourage housing density and diversity rather than a fixed minimum standard limiting innovation in the social and affordable housing sector.

The model code includes provisions that are intended to apply in addition to, and not modifying, existing local government assessment benchmarks relating to a dwelling house or dual occupancy. However, when using this content, councils should review and ensure consistency across all assessment benchmarks.

Each local government may continue to regulate dwelling houses and dual occupancies as provided by the framework of the Planning Regulation 2017, *Building Act 1975* and the Queensland Development Code.

Sections 32 and 33 of the *Building Act 1975* and sections 6 to 8 of the Building Regulation 2021 provide for a local government to (amongst other things) adopt or provide alternative provisions to Queensland Development Code through its planning scheme, which some local governments have done. Typically, this would apply to dwelling houses in any zone, but if restricted to certain zones, may need to be reviewed to apply also to the Community facilities zone.

**Part A Residential uses where community housing co-locating with a community facility**

Performance outcomes	Acceptable outcomes
<p><b>PO1</b> The site has an area and dimensions that are sufficient to accommodate the scale of the community housing proposed, in addition to the existing or intended community facility and its current and future operational requirements, including (but not limited to):</p> <ul style="list-style-type: none"> <li>(a) area for community facility components and appropriate separation between the facility and the community housing where necessary;</li> <li>(b) setbacks to site boundaries and transitioning of built form consistent with the intended character of the locality;</li> <li>(c) other separation or mitigation measures required to manage potential impacts on surrounding land;</li> <li>(d) space for desired landscaping and open space; and</li> <li>(e) access, circulation and servicing areas.</li> </ul>	No acceptable outcome is provided.
<p><b>PO2</b> The community housing does not diminish the functionality of and level of service provided by an existing or intended community facility.</p> <p><i>Editor's note – Land utilised for a community facility (in an approval or by its current use area) will be required to be retained where community housing is proposed.</i></p>	No acceptable outcome is provided.
<p><b>PO3</b> Residents of the community housing component can be provided with a reasonable level of residential amenity and are not exposed to detrimental impacts from the ongoing community facility or other nearby use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) noise, odour or other emissions;</li> <li>(b) traffic and servicing;</li> <li>(c) health and safety;</li> <li>(d) privacy and visual amenity; or</li> <li>(e) any other potential impact.</li> </ul> <p><i>Note – A site and context analysis report may be submitted to demonstrate achievement of this performance outcome.</i></p> <p><i>Note - The level of amenity achieved for community housing in a Community facilities zone is expected to be consistent with the levels of activity associated with the ongoing operation of the</i></p>	No acceptable outcome is provided.

community facility and differ from equivalent housing in a residential zone.	
<p><b>PO4</b> The attributes of the site allow for community housing to be provided in buildings that have a location, orientation, height, scale, form and provision for landscaping that is consistent with the intended character of the locality.</p> <p><i>Editor's note - if site is adjacent to or adjoining more than one residential zone, the lower density zone requirements apply to this performance outcome.</i></p>	No acceptable outcome is provided.
<p><b>PO5</b> Development is connected to urban water supply, sewerage, drainage and transport networks services that have sufficient capacity to accommodate residential development at the scale proposed.</p>	No acceptable outcome is provided
<p><b>PO6</b> Development involving a multiple dwelling, rooming accommodation or relocatable home park is only provided where:</p> <ul style="list-style-type: none"> <li>(a) proposed at a scale and density that is commensurate with the intentions of the surrounding locality; and</li> <li>(b) the site is readily accessible to services and facilities meeting the needs of the community housing residents.</li> </ul> <p><i>Editor's note – Councils may contemplate other more specific locational criteria relevant to local circumstances which may provide a more specific test in lieu of the above performance outcome.</i></p>	No acceptable outcome is provided.

### Development outcomes for different forms of community housing

Part B - Development involving a community residence, dwelling house or dual occupancy	
<p><b>PO7</b> Development is consistent with the intended character of the locality and has the scale and dimensions of a dwelling house or dual occupancy.</p>	<p><b>A07</b> Development achieves the building dimensions identified by the local planning scheme if the use were located in the adjoining or adjacent residential zone.</p> <p>If the site is not located adjoining a residential zone, no acceptable outcome is nominated.</p> <p><i>Note - If a site is adjacent to or adjoining more than one residential zone, the lower density zone requirements apply to this acceptable outcome.</i></p>
<p><b>PO8</b> Development does not detract from the amenity of adjoining land or the surrounding locality</p>	No acceptable outcome is provided.

and ensures privacy for residents of the community housing and nearby land.	
<b>PO9</b> Traffic circulation and access arrangements safely and efficiently accommodate both the community facility and the community housing component.	No acceptable outcome is provided.

<b>Part C - Development for community housing involving a multiple dwelling, rooming accommodation, relocatable home parks and other forms of housing</b>	
<b>Site layout and design of built form</b>	
<b>PO10</b> Development height, bulk and scale and siting reflects the intended built form, character and visual amenity of the surrounding area.	<p><b>AO10</b> Development complies with acceptable outcomes which apply to the adjoining residential zone for:</p> <ul style="list-style-type: none"> <li>(a) building height;</li> <li>(b) building dimensions, including wall length;</li> <li>(c) site cover;</li> <li>(d) gross floor area or plot ratio; and</li> <li>(e) site density.</li> </ul> <p>If the site is not located adjoining a residential zone, no acceptable outcome is nominated.</p> <p><i>Note - If a site is adjoining more than one residential zone, the lower density zone requirements apply to this acceptable outcome.</i></p> <p><i>Note - Local government may consider allowing for a greater intensity of built form (such as additional storeys) than the surrounding local context where a large or vacant site, well separated from an existing dwelling house or adjoining a centre or open space.</i></p>
<b>PO11</b> The proportion of built form and impervious area to open space and landscaped area reflects the intended character of the surrounding area.	No acceptable outcome is provided.
<p><b>PO12</b> Separation between the community housing and site boundaries is provided to ensure the development does not detract from the amenity of the surrounding neighbourhood and a high level of on-site residential amenity is achieved, including setback from:</p> <ul style="list-style-type: none"> <li>(a) frontages that are consistent with the local streetscape;</li> <li>(b) side boundaries that are sufficient to accommodate landscape planting and spacing between buildings; and</li> </ul>	<p><b>AO12.1</b> Development achieves the following setback and siting requirements:</p> <ul style="list-style-type: none"> <li>(a) front boundary – minimum 4 metres from the community facility or lot boundary;</li> <li>(b) side boundary – a minimum of 1.5 metres at ground level and 2 metres above ground level; and</li> <li>(c) rear boundary – minimum 6 metres or 4 metres from the balcony.</li> </ul>



(c) rear boundaries that provide space for deep planting and spacing between adjoining backyards.	<i>Editor's note - Setbacks are measured from building walls to the community facility or adjoining lot boundary unless stated.</i>
<b>PO13</b> Development is separated from the community facility so that the housing component is readily identifiable and provided with a high level of on-site residential amenity.	No acceptable outcome is provided.
<b>PO14</b> Traffic circulation and access arrangements safely and efficiently accommodate both the community facility and community housing.	No acceptable outcome is provided.
<b>PO15</b> Buildings are designed and orientated to: <ul style="list-style-type: none"> <li>(a) have balconies, living areas and building openings overlooking streets and other public areas;</li> <li>(b) provide articulation and variation in materials and treatment of building form to avoid blank walls and provide for shading and visual interest; and</li> <li>(c) create attractive street frontages through the provision of entry features, building design elements and landscaping.</li> </ul>	No acceptable outcome is provided.
<b>PO16</b> Development ensures the privacy of adjoining dwellings is maintained and an adequate level of privacy is provided to residents of the community housing, including having regard to: <ul style="list-style-type: none"> <li>(a) separation between dwellings on site;</li> <li>(b) alignment of windows and indoor and outdoor living spaces; and</li> <li>(c) provision of privacy screening and landscaping.</li> </ul>	No acceptable outcome is provided.
<b>Landscaping and open space</b>	
<b>PO17</b> Dwellings are provided with private open space: <ul style="list-style-type: none"> <li>(a) appropriately sized and located for the use of residents in each dwelling;</li> <li>(b) directly accessible from the dwelling; and</li> <li>(c) designed to maintain a high-level of liveability and amenity for residents.</li> </ul>	<b>AO17.1</b> Private open space is directly accessible from a living area of a dwelling and provided at the following rates: <ul style="list-style-type: none"> <li>(a) for ground floor dwellings, a minimum area of 12m<sup>2</sup> and a minimum dimension of 3 metres or</li> <li>(b) for above ground level dwellings, a minimum area of 8m<sup>2</sup> and minimum dimension of 2 metres.</li> </ul>
	<b>AO17.2</b> Private open space is located or screened so it does not directly overlook private open space of adjoining dwellings or the communal areas of a community facility.

<p><b>PO18</b> Landscaping supports shaded outdoor living and enhances amenity adjacent to street frontages, site boundaries and community facilities.</p>	<p><b>AO18</b> Development incorporates deep planting and landscape screening comprising:</p> <ul style="list-style-type: none"> <li>(a) a minimum width of 2 metres along street frontages or where adjacent to a community facility;</li> <li>(b) a minimum width of 1 metre at side boundaries;</li> <li>(c) a minimum depth of 2 metres within 6 metres from the rear boundary; and</li> <li>(d) a diverse mix of suitable planting species at different heights including a minimum of ground covers, shrubs and shade trees.</li> </ul>
<p><b>Car parking</b></p>	
<p><b>PO19</b> Car parking provision aligns with the needs of residents and visitors recognising:</p> <ul style="list-style-type: none"> <li>(a) the site's proximity to and level of service by public transport or centre facilities; and</li> <li>(b) reduced car ownership rates of likely residents.</li> </ul> <p><i>Note: Local government may consider allowing for a reduction in car parking for community housing on the basis of:</i></p> <ul style="list-style-type: none"> <li>A. Car parking surveys from comparable affordable housing development; or</li> <li>B. Proximity to public transport or centres; or</li> <li>C. Other evidence-based reports that support reduced car parking rates.</li> </ul>	<p><b>AO19</b> Car parking spaces are provided at the following rates:</p> <ul style="list-style-type: none"> <li>(a) 1 space for a one or two bedroom unit; and/or</li> <li>(b) 2 spaces for a three bedroom unit or larger; and</li> <li>(c) 0.25 spaces for visitors per unit</li> </ul> <p><i>Editor's note – Requirements for visitor car parking are to be rounded up to the next whole number.</i></p> <p><i>Note – If a lower car parking rate would otherwise apply for residential development in the locality, the lower rate should be adopted.</i></p>
<p><b>PO20</b> Car parking areas are located to minimise noise and lighting impacts on adjoining properties and maintain street appearance.</p>	<p>No acceptable outcome is provided.</p>
<p><b>Other design considerations</b></p>	
<p><b>PO21</b> Refuse and utility areas are located and screened to maintain amenity for residents and community facility users and to meet operational requirements for refuse collection.</p>	<p>No acceptable outcome provided.</p>
<p><b>PO22</b> Building design creates safe and secure living environments and streets by:</p> <ul style="list-style-type: none"> <li>(a) providing opportunities for casual surveillance and sight lines towards common areas, streets and public spaces;</li> <li>(b) ensuring building entrances, loading and storage areas that are well lit and lockable after hours; and</li> </ul>	<p>No acceptable outcome provided.</p>

<p>(c) providing adequate lighting and minimisation of entrapment locations.</p> <p><i>Editor's note – Applicants should have regard to Crime Prevention through Environmental Design Guidelines for Queensland.</i></p>	
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