

## **SPORTS AND RECREATION CODE**

### **1 Purpose of the Code**

The purpose of this Code is to:

- encourage the facilitation of a diversity of appropriately located sporting and recreational facilities, whether they are indoor or outdoor;
- provide an overall benefit to the community; and
- not adversely impact on the amenity of the surrounding area.

### **2 Application of the Code**

This code applies to development for the purposes of indoor or outdoor Sport and Recreation.

This section is applicable to Code Assessable development, made Code Assessable by the Level of Assessment Table for an Area.

For code assessable development, the code for assessment consists of:

- (A) the primary code(s) listed in the relevant Level of Assessment Table; and
- (B) the secondary code(s) listed below.

Where code assessment is required, the code for assessment consists of the primary code(s) and any secondary code(s) referred to in the particular Acceptable Solution in the primary code with which the development did not comply. In all other cases the secondary codes that comprise the code for assessment include:

- Airport Code; and
- Biodiversity / Nature Conservation Code; and
- Crime Prevention Through Environmental Design (CPTED) Code; and
- Landscape Code; and
- Parking and Access Code; and
- Water Quality and Water Quantity Code.

### **3 Definitions**

There are no definitions specific to this Code.

### **4 Explanation**

This Sports and Recreation Code sets out the development standards that are applicable to new sport and recreation activities, including their ancillary uses and buildings. Part A of this Code is applicable to all levels of development assessment for the purposes of an Indoor or Outdoor Sport and Recreation development whereas Part B is only applicable to an Indoor or Outdoor Sport and Recreation use that is Code or Impact Assessable development. If a development would have been Self Assessable development but was unable to comply with all of Part A, it will still be assessed against all of Part A only.



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**5 Performance Criteria and Acceptable Solutions**

<b>PART A – APPLICABLE TO ALL DEVELOPMENT</b>	
<b>Performance Criteria</b>	<b>Acceptable Solutions</b>
<b>Location and Access</b>	
<p><b>P1</b> The proposal must;</p> <p>(a) not be in proximity to other land uses that are contrary to the best interests of users of either or both land uses; and</p> <p>(b) not adversely impact on the operations of the Rockhampton Airport and Aviation Facilities; and</p> <p>(c) not create a risk to life or property caused by flooding.</p>	<p><b>A1.1</b> Any indoor sport and recreation use for the purposes of an amusement machine centre<sup>1</sup> is not located within 100 metres of a site containing one or more 'dwelling units' (except when part of a mixed use development and not at ground level where there is no minimum separation distance) or an Educational Establishment measured according to the shortest route a person may reasonably and lawfully take, by vehicle or on foot, between the subject lands.</p> <p><b>A1.2</b></p> <p style="text-align: center;"><b>AND</b></p> <p>Any part of a site used for an indoor sport and recreation use is not located within 100 metres of a site containing a restricted premises measured according to the shortest route a person may reasonably and lawfully take, by vehicle or on foot, between the subject lands.</p> <p><b>A1.3</b></p> <p style="text-align: center;"><b>AND</b></p> <p>The development including machines or devices used in the construction, operation or advertising of the development;</p> <p>(i) has no part located or operating above the Obstacle Limitation Surface stated on Airport Code Map 2; and</p> <p>(ii) has no part located within 3 kilometres of the Rockhampton Airport as shown on Airport Code Map 4 if it is a type of use listed in Group C of Table 2 in the Airport Code; and</p> <p>(iii) complies with all of the Acceptable Solutions listed under the Aviation Facilities heading in the Airport Code<sup>2</sup>.</p> <p><b>A1.4</b></p> <p style="text-align: center;"><b>AND</b></p> <p>The development does not include, propose or require any buildings to be constructed on flood prone land but may accommodate any structure<sup>3</sup>.</p>
<b>Building Design and Size</b>	
<p><b>P2</b> The design and possible impacts of</p>	<p><b>A2.1</b> Buildings and structures, including light poles and the like have a height no greater than that</p>

<sup>1</sup> To remove any doubt, an Indoor Sport and Recreation Use such as indoor squash courts, ten pin bowling centre, etc that contains 10 or less amusement machines is not an amusement machine centre as they are ancillary to the primary use.

<sup>2</sup> These are Acceptable Solutions A3.1, A3.2, A3.3 and A3.4 of the Airport Code.

<sup>3</sup> As defined in the Building Act 1975 which includes items such as fences, light poles, signs and the like.



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**PART A – APPLICABLE TO ALL DEVELOPMENT**

<b>Performance Criteria</b>	<b>Acceptable Solutions</b>
the proposal is complementary to the surrounding built environment, streetscape and character of the Area.	<p>specified on Planning Scheme Map 3.</p> <p><b>AND</b></p> <p><b>A2.2</b> To reduce the potential visual dominance of the proposal, buildings do not exceed:</p> <p>(i) for Outdoor Sport and Recreation - 10% site coverage; and</p> <p>(ii) for Indoor Sport and Recreation - the site coverage that normally applies to the common form of development in the relevant Area (or if in a Precinct, the Precinct) which are as follows:</p> <ul style="list-style-type: none"> <li>• Residential is 50%;</li> <li>• Commercial is as stated in the Acceptable Solutions of the Activity Centres Code based on the location of the site;</li> <li>• Industrial is 80%</li> <li>• All others – 10%.</li> </ul>
<b>P3</b> The proposal is not located where users or spectators will be exposed to harmful air, land or water pollutants.	<p><b>A3.1</b> The site is not located on the Contaminated Land Register or the Environmental Management Register controlled under the Environment Protection Act.</p> <p><b>A3.2 AND</b></p> <p>The site is not located in a High Impact Industry Precinct or Medium Impact Industry Precinct identified in this Planning Scheme.</p>

**PART B – NOT APPLICABLE TO SELF ASSESSABLE DEVELOPMENT<sup>4</sup>**

<b>Performance Criteria</b>	<b>Acceptable Solutions</b>
<b>Location and Access</b>	
<b>P4</b> The proposal minimises impacts on residential amenity and is not in proximity to other uses that are contrary to the best interests of users of the proposal; giving consideration to possible measures that include;	<b>A4</b> No Acceptable Solution specified.
(a) limited hours of operation; and	
(b) limited	

<sup>4</sup> This does not include development that was listed as Self Assessable but became Code Assessable because it did not comply with the Self Assessable Acceptable Solutions.



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<b>Performance Criteria</b>	<b>Acceptable Solutions</b>	
<p>frequency; and                      (c) separation distances to incompatible uses.</p>		
<p><b>P5</b> The proposal is located to ensure that the facility is highly accessible to its intended users and spectators and is clearly signed and easily accessible by the public, without risk that a member of the public would be likely to get lost locating the facility.</p>	<p><b>A5.1</b></p> <p><b>A5.2</b></p> <p><b>A5.3</b></p> <p><b>A5.4</b></p>	<p><i>In Partial Satisfaction of P5</i></p> <p>Indoor Sport and Recreation facilities are located within a Commercial Area or a Low Impact Industrial Area or Precinct.</p> <p><b>AND</b></p> <p>Non-discriminatory access, in compliance with AS 1428 – Design for Access and Mobility is provided with any new Building Works.</p> <p><b>AND</b></p> <p>Any Indoor Sport and Recreation facility is located within 400 metres of a public transport bus route or a Major Street.</p> <p><b>AND</b></p> <p>Any Outdoor Sport and Recreation facility provides access and a connection to any pedestrian path or bikeway located adjacent to the site.</p>
<b>Building Design and Size</b>		
<p><b>P6</b> The design of the proposal (including any ancillary structures or buildings) complements the surrounding built environment, streetscape and character of the Area in its scale, height and bulk.</p>	<p><b>A6</b></p>	<p>No Acceptable Solution specified.</p>
<p><b>P7</b> The design and layout of the proposed Sport and Recreation Use promotes a safe environment for both users and spectators.</p>	<p><b>A7</b></p>	<p>The design and layout of the sporting and/or recreational facility complies with all Performance Criteria contained within the <b>Crime Prevention Through Environmental Design (CPTED) Code</b> in this Planning Scheme.</p>
<b>Amenity</b>		
<p><b>P8</b> The proposal does not adversely impact on the amenity of the Area wherein it is located or that of an adjoining Area in terms of;                      (a) light; or</p>	<p><b>A8.1</b></p>	<p><i>In partial satisfaction of P8</i></p> <p>The proposal does not involve the use of outdoor lighting for the purposes of illuminating an outdoor area for sporting or recreational purposes<sup>5</sup>.</p> <p><i>Note. Any proposal to use or install lights for the purposes of illuminating an outdoor</i></p>



<sup>5</sup> For example, security lighting over doors and service areas or in a car park is permitted.

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<b>Performance Criteria</b>	<b>Acceptable Solutions</b>
<p>(b) noise; or                      (c) traffic, especially having regard to the volume and class of vehicles;                      or                      (d) the hours of operation.</p> <p><i>Note:</i>                      Council will be endeavouring to ensure that the proposal will not result in the creation of an environmental nuisance (as defined in the Environmental Protection Act).</p>	<p><b>A8.2</b></p> <p><b>AND</b>                      The proposal complies with the <b>Parking and Access Code</b>.</p> <p><i>area for sporting or recreational purposes will require a lux diagram demonstrating that the lights will not adversely impact upon amenity.</i></p>
<b>Landscaping and buffering</b>	
<p><b>P9</b> The proposed development or use is visually attractive to passers by, users, spectators or visitors and in addition, has;</p> <p>(a) all car parking, buildings and opaque fencing designed to be sensitive to the surrounding visual environment; and</p> <p>(b) all car parking and buildings designed to be sensitive to the surrounding visual environment and landscaped in a manner consistent with what is required for other development in the Area.</p>	<p><b>A9</b></p> <p><i>In Partial Satisfaction of P9</i>                      All landscape works are designed and carried out in accordance with the relevant Performance Criteria contained in Council's <b>Landscape Code</b>.</p>
<p><b>P10</b> The proposal is not to damage, harm or impact upon the sensitive environmental values</p>	<p><b>A10.1</b> No works, or part of the use, is located within a Waterway Corridor as identified on Planning Scheme Map 5.</p> <p><i>Note. Where development is proposed within a</i></p>



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<p>of a waterway, wetland or area of significant vegetation.</p>	<p><i>Waterway Corridor, compliance with the Performance Criteria contained within the Water Quality and Water Quantity Code will be taken to be compliance with this Performance Criterion.</i></p> <p><b>A10.2 AND</b></p> <p>No works, or part of the use, is located within 50 metres of significant vegetation, or remnant vegetation or a wetland, with remnant vegetation and wetlands mapped on Planning Scheme Map 4.</p> <p><i>Note. Where development is proposed within 50 metres of Significant Vegetation or Remnant Vegetation or a Wetland, compliance with the Performance Criteria contained within the Biodiversity / Nature Conservation Code will be taken to be compliance with this Performance Criterion.</i></p>

