



Queanbeyan  
Development  
Control Plan 2012  
**Part 3D**  
Shop Top  
Housing

Principal Plan Adopted by Council:	12/12/2012
Document ID:	889865

## Part 3D - Shop Top Housing

### Contents

3D.1	Introduction – Shop Top Housing .....	3
3D.1.1	Purpose of this part.....	3
3D.1.2	General Objectives .....	3
3D.1.3	Relationship to Other Plans and Council Policies.....	3
3D.2	Shop Top Housing.....	4
3D.3	Design .....	5
3D.4	Parking .....	5
3D.5	Services.....	5
3D.6	Private Open Space.....	6
3D.7	Residential Balconies Associated with Shop Top Housing .....	6
3D.8	Size of dwelling.....	7
3D.9	Utilities .....	7

## Part 3D Shop Top Housing

### 3D.1 Introduction – Shop Top Housing

#### 3D.1.1 Purpose of this part

This section applies to land where, under the provisions of the *Queanbeyan-Palerang Regional Local Environmental Plan (QPRLEP) 2022*, shop top housing is a permissible use.

The controls set out in this part of the DCP seek to ensure that shop top housing developments provide for an appropriate balance of business and residential uses, are of suitable scale and density for their location, and maintain the amenity of surrounding neighbourhoods.

Shop Top Housing is defined under the *QPRLEP 2022* as “one or more dwellings located above ground floor retail premises or business premises”.

This section of the DCP provides specific guidelines for Shop Top Housing and is to be read in conjunction with other relevant Parts of this DCP including;

- Part 2 - All Zones, and
- Part 6 - Central Business District and other Business Zones.

*State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment (SEPP 65) Development* also applies to Shop Top Housing in specific circumstances.

These provisions apply if the building concerned is at least 3 or more storeys and contains at least 4 or more dwellings. Refer to *SEPP 65* for further information on the application of the Policy to Shop Top Housing.

#### 3D.1.2 General Objectives

- 1) To encourage lively business centres capable of accommodating a mix of retail, commercial and community activities that caters to the community, relative to their size and intended function.
- 2) To ensure long-term social and economic viability of business of business centres is maintained and they remain significant to the community for their individual character, ease of access and urban character.
- 3) To maintain commercial activity at ground level to promote pedestrian activity and contribute to lively streets in the centres.
- 4) To ensure development provides for the amenity of, and minimise impacts on, residents living within or surrounding the developments.
- 5) To ensure developments are of a high design quality and provide an attractive visual presentation to the street and other surrounding development.

#### 3D.1.3 Relationship to Other Plans and Council Policies

There are a number of clauses in the *State Environmental Planning Policies* that may need to be considered. These will depend on the nature and location of the development with examples including:

1. *State Environmental Planning Policy (Housing) 2021*
2. *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
3. *State Environmental Planning Policy (Infrastructure) 2008*

# Queanbeyan Development Control Plan 2012

---

4. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
5. *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
6. *State Environmental Planning Policy (Resilience and Hazards) 2021*

<https://legislation.nsw.gov.au/browse/inforce#/epi/title/s>

There are also a number of principal development standard clauses in *QPRLEP 2022* that may be relevant, namely, height of buildings clause and minimum lot size clause. These differ depending on whether a residential development is for a single dwelling, dual occupancy, multi dwelling housing or residential flat building.

A number of heritage requirements and additional local provisions may also apply, these are set out in Part 4 Heritage Conservation of this DCP.

Where a building is constructed prior to 1960 is proposed to be demolished, Council requires the building to be inspected by Council's Heritage Advisor to determine if there is potential heritage significance. If the building has potential heritage significance a Heritage Impact Statement is to be submitted with the Development Application. These records also help to ensure that a record of Queanbeyan's building stock is retained for posterity (for more information refer to Part 4 of this DCP).

Residential development may also generate what is known as development contributions. Should the development be approved these are payable prior to work commencing. The *Development Contributions Plans* and the *Development Services Plans for Water Supply and Sewerage* can be found at Council's website.

## 3D.2 Shop Top Housing

### Objectives

- 1) Shop top housing is encouraged, particularly adjacent to or overlooking public spaces so as to provide 24/7 activity, surveillance, and perceived safety.
- 2) Residential development is generally located to take advantage of high amenity spaces, such as the River, Park, or other civic spaces.
- 3) Residents have a high level of comfort and appropriate amenity.
- 4) Residential buildings provide a mix of dwelling types and sizes.

### Controls

- a) Setbacks for shop top housing within the CBD shall comply with the setback requirements set out in Part 7 of this DCP.
- b) Provide flexible building layouts which allow variable tenancies or uses on the first two floors of a building above the ground floor.
- c) Minimum floor to ceiling heights are 3.3 metres for commercial office and 3.6 metres for active public uses, such as retail and restaurants.
- d) Separate commercial service requirements, such as loading docks, from residential access, servicing needs and primary outlook.
- e) Locate clearly demarcated residential entries directly from the public street.

- f) Clearly separate and distinguish commercial and residential entries and vertical circulation.
- g) Ensure a separate entry is provided for vehicle and residential uses.
- h) Provide security access controls to all entrances into private areas, including car parks and internal courtyards.
- i) All development must be provided with designated secure storage space for each unit.
- j) Provide safe pedestrian routes through the site, where required.
- k) Front buildings onto major streets with active uses.
- l) Avoid the use of blank building walls at the ground level.

### **3D.3 Design**

#### **Objectives**

- 1) To ensure developments are compatible with the character and form of existing and future development in the locality.
- 2) To encourage design quality and which utilises a combination of materials, articulation, fenestration and landscaping when designing buildings.
- 3) To encourage energy efficiency, Environmentally Sustainable Development (ESD) and Safer by Design Principles.

#### **Controls**

- a) New buildings facades shall include articulation such as awnings, balconies and other architectural elements to reduce the perceived depth and bulk of the development.
- b) Awnings are to be provided along streets where active street frontages are promoted.
- c) Awnings must have sufficient depth but also be setback sufficiently to allow for street trees, furniture etc.

### **3D.4 Parking**

#### **Objectives**

- 1) To ensure parking is provided at a rate which recognises the location of the Queanbeyan CBD as appropriate for the development of shop top housing, in particular due to the access to services and facilities.

#### **Controls**

- a) Parking is provided at the rate of 2 spaces per dwelling, such parking to be in addition to the commercial requirements of the building.

### **3D.5 Services**

#### **Objectives**

- 1) To ensure adequate services and facilities are provided.

#### **Controls**

- a) Mechanical drying facilities are provided.

- b) Common garbage facilities are provided, at ground level, screened from any street (lane or alternate).
- c) Letter boxes are provided in accordance with Australia Post requirements.

## 3D.6 Private Open Space

### Objectives

- 1) To ensure usable private open space is provided, noting that this may not be secluded.

### Controls

- a) Private open space is provided for each dwelling at a minimum rate of 12m<sup>2</sup> per dwelling, with a minimum depth of 2.4m.  
**Note:** Private open space would generally be provided by way of a balcony or deck at the first floor level.

## 3D.7 Residential Balconies Associated with Shop Top Housing

### Objectives

- 1) To provide all dwellings with private open space.
- 2) To ensure balconies are functional and responsive to the environment thereby promoting the enjoyment of outdoor living for dwelling residents.
- 3) To ensure that balconies are integrated into the overall architectural form and detail of buildings with shop top housing.
- 4) To contribute to the safety and liveliness of the street by allowing for casual overlooking and address.

### Controls

- a) Where other private open space is not provided, at least one primary balcony should be provided.
- b) Primary balconies shall be:
  - i) Located adjacent to the main living areas; and
  - ii) Sufficiently large and well proportioned.
- c) Secondary balconies, including Juliet balconies and the like should be considered for additional amenity and choice.
- d) Design solutions should be considered to ameliorate the effect of noise and wind. This could be achieved by:
  - i) Locating balconies facing predominantly north, east or west to provide solar access;
  - ii) Utilising sun screens, pergolas, shutters and operable walls to control sunlight and wind;
  - iii) Providing balconies with operable screens, Juliet balconies or operable walls/sliding doors with a balustrade in special locations where noise or high winds prohibit other solutions on busy roads or in tower buildings;

# Queanbeyan Development Control Plan 2012

---

- iv) Choose cantilevered balconies, partially cantilevered balconies and/or recessed balconies in response to daylight, wind, acoustic privacy and visual privacy; and
  - v) Ensuring balconies are not so deep that they prevent sunlight entering the dwelling below.
- e) Design balustrades to allow views and casual surveillance of the street while providing for safety and visual privacy. Design considerations may include:
- i) Detailing balustrades using a proportion of solid to transparent materials to address site lines from the street, public domain or adjacent development. Full glass balustrades do not provide privacy for the balcony or the apartment's interior, especially at night.
  - ii) Detailing balustrades and providing screening from the public, for example, for a person seated looking at a view, clothes drying areas, bicycle storage or air conditioning units.
  - iii) Co-ordinate and integrate building services, such as drainage pipes, with overall façade and balcony design, for example, drainage pipes under balconies are often visible from below in taller buildings and negatively impact on the overall façade appearance.
  - iv) Choose cantilevered balconies, partially cantilevered balconies and/or recessed balconies in response to daylight, wind, acoustic privacy and visual privacy; and
  - v) Ensuring balconies are not so deep that they prevent sunlight entering the dwelling below.

## 3D.8 Size of dwelling

### Objectives

- 1) To ensure developments are designed and constructed to provide for the health and safety of occupants.

### Controls

- a) Each dwelling has a minimum area of 50m<sup>2</sup>.
- b) Access at ground level is separate from the access to any commercial building and does not exceed 1.8m width across the frontage of the building.
- c) All construction complies with the BCA.

Note: All relevant construction shall address the heritage chapter of this DCP.

## 3D.9 Utilities

### Objectives

- 1) To ensure development is served by necessary utilities and services, including telephone/data; water, sewer, power and gas; on-site storage and drainage.

### Controls

- a) Separately metered power and water is to be provided to each dwelling.