



**Queanbeyan
Development
Control Plan 2012
Part 1
About this DCP**

Principal Plan Adopted by Council:	12/12/2012
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Amendment Schedule

Amendment No.	Area subject to Amendment	Purpose	Resolution to exhibit	Adopt	Notification	Effective From
PRINCIPAL PLAN	New DCP	This DCP repeals and replaces a number of previous DCP's	25 July 2012 171/12	12 December 2012 PDRC103/12	21 December 2012	21 December 2012
Amendment No. 1	Part 4 Heritage and Conservation	Revised Heritage Controls	26 June 2013 0122/13	24 July 2013 0146/13	9 August 2013	9 August 2013
Amendment N. 2	Part 3B Secondary Dwellings in Residential Zones	Consequential amendments made as a result of amendments to Googong DCP for small lots and studio dwellings	PDRC 081/14 10 December 2014	PDRC 056/15 8 July 2015	24 July 2014	6 November 2015
Amendment No. 3	Review of DCP	Correction of errors and inconsistencies	PI Strategy Committee of the Whole 14 June 2017	8 November 2017	28 November 2017	28 November 2017
Amendment No. 4	Review of DCP	Update to reflect Biodiversity Conservation ACT 2016, drafting changes and correction of errors	PI Strategy Committee of the Whole 8 August 2018	PI Strategy Committee of the Whole 10 October 2018	30 October 2018	30 October 2018
Amendment No. 5	Part 1	Delete Clause 1.8 Notification of DA and replace with reference to QPRC Community Engagement and Participation Plan	Planning and Strategy Meeting 12 February 2020	Planning and Strategy Meeting 8 April 2020	29 April 2020	29 April 2020
Amendment No. 6	All Parts	Replace references to <i>Queanbeyan-Palerang Regional Local Environmental Plan (QPRLEP) 2022</i>	Planning and Strategy Committee Meeting 10 June 2020	9 Sept 2020	14 November 2022	14 November 2022

Part 1 About this Development Control Plan

1.1 Introduction

The *Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QPRLEP 2022)* was gazetted on 7 October 2022 and became **effective on 14 November 2022**. It provides the statutory framework for land use management in the Queanbeyan-Palerang Local Government Area (LGA). This Development Control Plan (DCP) was prepared in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* (the Act) and the *Environmental Planning and Assessment Regulations 2000* (the Regulations). The DCP applies to land in the former Queanbeyan City LGA where shown on Map 1.

This DCP was prepared to support the provisions of *QPRLEP 2022* and to provide a clear and concise structured set of DCP guidelines to replace the large group of DCP's that previously existed. The guidelines and development standards contained in this DCP outline an acceptable solution to development form and location. However, Council may consider variations to the guidelines should alternative acceptable solutions be proposed.

Where variations to this DCP are proposed a written request needs to be made to Council. The onus is on the applicant to demonstrate by plans and written submissions that the design principles and/or relevant objectives will not be compromised by such a variation. Innovation and creativity in satisfying the design principles is encouraged. Each application will be assessed on its merits having regard to the relevant legislation. Developments that cannot substantiate the variations will result in a request for redesign to comply with the provisions of this DCP.

1.2 Purpose of this DCP

The purpose of this DCP is to provide detailed to assist Council in exercising its environmental assessment and planning functions under the *Environmental Planning and Assessment Act 1979*.

The DCP:

1. Expands upon the aims, objectives and other provisions of the *Queanbeyan-Palerang Regional Local Environmental Plan 2022*.
2. Provides detailed criteria for the assessment of development applications.
3. Repeals and replaces former development control plans made under the previous *Queanbeyan Local Environmental Plan 2012*, *Queanbeyan Local Environmental Plan 1998* and *Yarrowlumla Local Environmental Plan 2002*.
4. Consolidates and condenses the contents of the previously existing development control plans within a single document.
5. Identifies certain development as advertised development and notification requirements in accordance with Part 4 of the *Environmental Planning and Assessment Act 1979*.

1.3 Statutory Context

1.3.1 Title

This plan is called *Queanbeyan Development Control Plan 2012 (QDCP 2012)*.

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1.3.2 Status

The DCP is:

1. A development control plan prepared under Part 3 Division 3.6 of the *Environmental Planning and Assessment Act 1979*.
2. A policy of the Council that is required to be available under Schedule 1 of the *Government Information (Public Access) Regulation 2009*.

1.3.3 Relevant Local Environmental Plan

This DCP supplements the provisions of the *Queanbeyan-Palerang Regional Local Environmental Plan 2022*.

1.3.4 Relationship with any Environmental Planning Instrument (EPI)

The DCP generally conforms to the provisions of the *Queanbeyan-Palerang Local Environmental Plan 2022*. This includes particular provisions which are noted in the relevant parts throughout the DCP. However in all cases a development application also needs to comply with the relevant provision of *Queanbeyan-Palerang Regional Local Environmental Plan 2022*.

In the event of any inconsistency between this DCP and the *QPRLEP 2022* or other EPI including a *State Environmental Planning Policy (SEPP)* then the *QPRLEP 2022* or the other EPI will prevail to the extent of the inconsistency.

1.3.5 Relationship to Other Plans, Policies and the Like

Council currently has a number of other relevant policies in relation to undertaking developments in Queanbeyan. These policies should also be reviewed to ensure that any proposed development is consistent with the aims and objectives of those policies (for example, Council's Outdoor Dining Policy). All policies can be reviewed on Council's website at

<https://www.qprc.nsw.gov.au/Resources-Documents/Adopted-QPRC-Policies>

In addition, parts of this DCP also rely on various publications which provide technical assistance. These are under separate cover and include Australian Standards, National, State or regional guidelines and the like.

1.3.6 Commencement

This DCP commenced on 21 December 2012 with any amendments coming into effect set out in the amendment schedule.

1.3.7 Previous Development Control Plans

This DCP:

- a) Repeals:

DCP	Title
49	Exempt and Complying Development
26	Southbar Estate Stage VIII

- b) Repeals DCP and replaces:

DCP	Title
1	Car Parking Policy
3	Cookes Estate
10	Thornton's Estate

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12A	Greenleigh Estate
21A	Flood Management Policy
22	Lands above Delmar Crescent
27F	Jerrabomberra Heights, North Terrace and Jerrabomberra Park
28	Heritage and Conservation
31	Golf Links Estate, Golden Gardens Development & Extension of Ellerton Business Park
32	Industrial Development
34	Kingsway Estate
38	Subdivision Policy Part A and Parts B1 and B2
39	North Lochiel Street
41	Soil, Water and Vegetation Management Plans
42	Landscape Policy
43	Guidelines for the Design and Siting of Development – Commercial/Tourist Development, cnr. Lanyon Drive, McCrae Street & Furlong Road
44	Binowee Estate
46	Multi-Dwelling Housing
47	Interim Code for the Regulation of Brothels and Restricted Premises
48	Guidelines for Subdivision and Building in Bushfire Prone Areas
50	Advertised Development and Public Notification
51	Dodsworth
52	Safe Design Guidelines for the City of Queanbeyan
53	Queanbeyan Central Business District
54	Kensington Gardens
55	Contaminated Land Management
56	Residential Flat Buildings
57	Old Brickworks Estate Queanbeyan East

1.3.8 Where the DCP Applies

This DCP applies to all land in the former Queanbeyan City LGA as shown on Map 1. The DCP does not apply to land in the former Palerang LGA, or, to land release areas which have their own DCP, such as Googong and South Jerrabomberra.

1.4 How the DCP Applies To Development

1.4.1 Development that Needs Consent

This DCP applies to all development that may only be carried out with development consent.

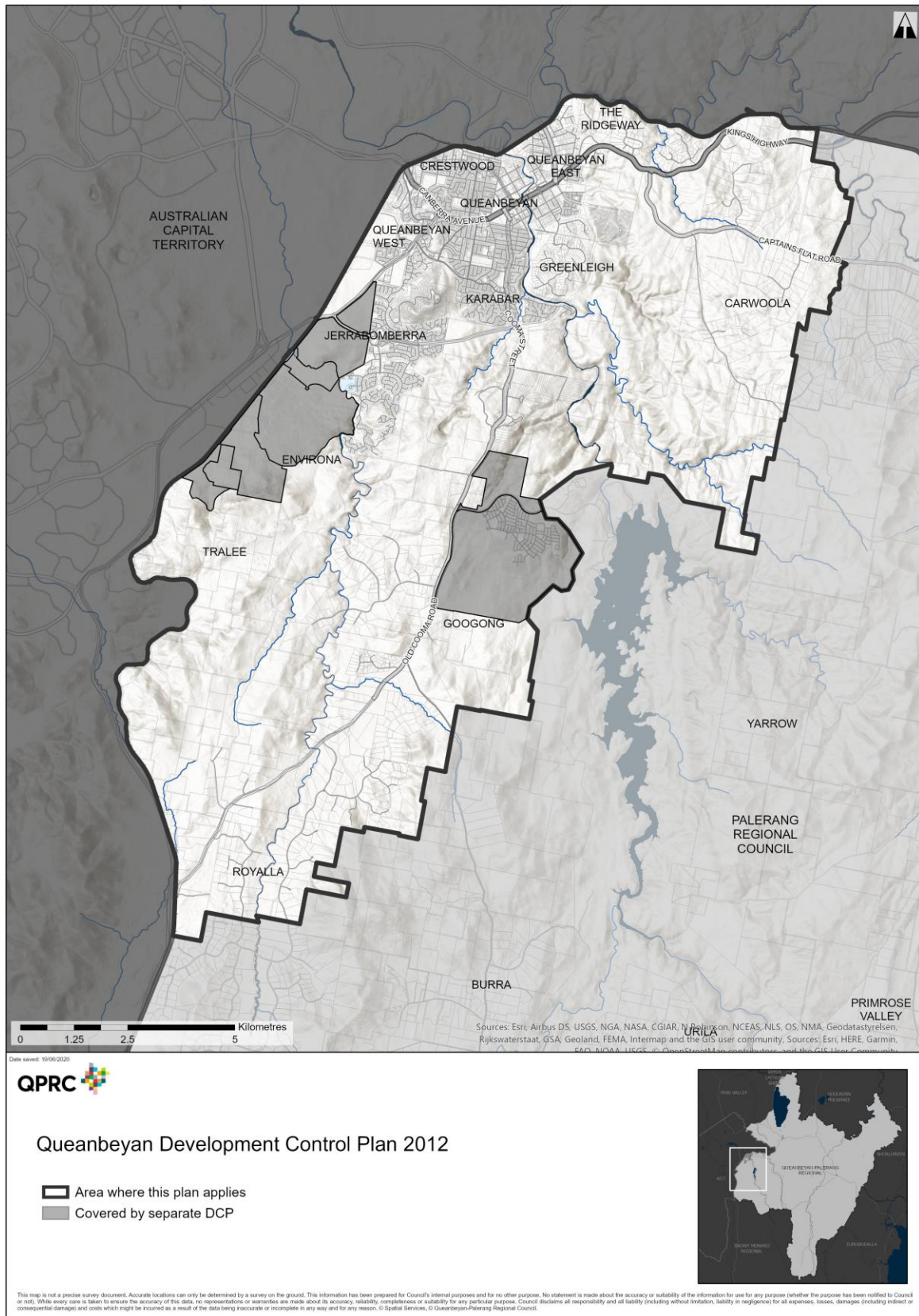
1.4.2 Development That Does Not Need Consent

It is the intention of Council to also take the provisions of this DCP into account when determining activities under Part 5 of the *Environmental Planning and Assessment Act 1979*.

Council similarly recommends that other public authorities should take this DCP into account when determining activities under Part 5 of the *Environmental Planning and Assessment Act 1979*.

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Map 1 – Area to which this DCP applies



1.4.3 Variation to this DCP

The controls contained in this DCP should be complied with. However, there may be outstanding circumstances (context or site specific) where a minor variation in development standards may be justified.

Council may consider variations to developments standards where it is demonstrated that the objectives of the DCP and the objectives of the particular development standard can be achieved without detriment.

Any applicant wishing to vary a standard in this DCP must request a variation in writing, providing a detailed justification for the request and evidence that a better design outcome will result from the variation. Council will not approve any variation unless it is fully satisfied with the argument for non-compliance.

1.5 Contents of the DCP

1.5.1 DCP Structure

This DCP is divided into 7 Parts as follows:

- **Part 1 About This DCP** - Outlines the purpose, principal aims, statutory context, background and contents of this entire DCP.
- **Part 2 Development Provisions – All Zones** provides detailed objectives, and requirements relating to various development control elements for all development applications made under *QPRLEP 2022*. These elements include: car parking; access and servicing; contaminated land management; flood planning; landscaping; soil, water and vegetation management; environmental management; bush fire hazard reduction; safe designs; subdivisions; height of buildings; airspace operations; and development in areas subject to airport noise.
- **Part 3 Development Provisions – Residential Zones** provides detailed objectives, and requirements relating to various development control elements for certain forms of residential development and specific design requirements for specific locations within residential zones under *QPRLEP 2022*. This part contains four sub parts relating to:
 - single dwelling houses (Part 3A);
 - secondary dwellings (Part 3B);
 - dual occupancy, multi dwelling housing and residential flat buildings (Part 3C); and
 - shop top housing (Part 3D).
- **Part 4 Development Provisions – Heritage and Conservation** provides detailed objectives, and requirements relating to separate development control elements for all development applications made under *Queanbeyan-Palerang Regional Local Environmental Plan 2022* within Heritage and Conservation areas and on heritage sites listed in Schedule 5 Environmental Heritage of *QPRLEP 2022*.
- **Part 5 Development Provisions – Rural and Environmental Zones and R5 Large Lot Residential Zones** provides detailed objectives, and requirements relating to various development control elements for all development applications made under *QPRLEP 2022* on land within Rural, Environmental and R5 Large Lot Residential Zones.
- **Part 6 CBD and Other Business Zones** – provides detailed objectives, and requirements relating to development control elements for all development applications made under *QPRLEP 2022* within the Central Business District and other land zoned Business.
- **Part 7 Development Provisions – Industrial Zones** provides detailed objectives, and requirements relating to development control elements for all development applications made under *QPRLEP 2022* within Industrial Zones.

1.6 How to use this Development Control Plan

The following steps provide a guide for using this plan:

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- 1) Check the zone and land use table within the *QPRLEP 2022*. This DCP applies to all development permissible with consent.
- 2) Check the proposal in terms of compliance with Part 2 of this plan. These provisions apply to all zones of the *QPRLEP 2022*.
- 3) Check the proposal in terms of Parts 3 and 4 (if applicable).
- 4) If the proposed development is located within the Central Business District, another Business Zone or an Industrial Zone – check the development in terms of Part 6 or 7 (whichever is relevant).

1.7 Information required for a Development Application

1.7.1 Development Application Form

All development applications must be accompanied by a completed application form and the following. In addition the information in clause 1.7.2 must also be supplied.

- 1) **Owners Consent**
 - a) The consent of all owners of the property must be lodged with the development application. If the owner is a company or owners corporation, the Managing Director must sign on behalf of the Company.
- 2) **Development Application Fees**
 - a) All relevant fees must be paid within seven days of lodgement of the development application. A tax invoice will be provided to you upon acceptance of your Development Application.
- 3) **Disclosure of Political Donations and Gifts Statement to Council**
 - a) The reference on the development application form referring to 'Disclosure of Political Donations and Gifts Statement to Council' is to be completed by ALL applicants and owners.

More information and copies of relevant forms can be found on Council's webpage at <https://www.qprc.nsw.gov.au/Building-Development/The-DA-Process>

1.7.2 Information Required for the Lodgement of a Development Application

The following plans and details are required with the lodgement of any development application:

- 1) **Site Plans** – (three copies plus three reduced A4 copies for notification purposes).
- 2) **Architectural Plans** – (three copies plus three reduced A4 copies (except floor plans) for notification purposes).
 - a) Floor Plan (existing and proposed).
 - b) Elevations, including angle of roof pitch and height of ridges.
 - c) Section views.
 - d) Schedule of external colours and materials.
 - e) Finished floor levels.
 - f) Proposed finished levels of the land.
- 3) **Contour Plan** – contour plan signed by a registered surveyor for new building work on vacant land.
- 4) **Stormwater/Drainage Details**
- 5) **Statement of Environmental Effects** – A Statement of Environmental Effects (SEE) is the written documentation which outlines the specifics of the development. For most types of developments Council has a standard pro-forma. These can be found on Council's website. In certain circumstances the development may require more specific consideration and a written statement must be prepared. These must at minimum include:
 - a) Description of the site including a property description.
 - b) Description of the proposed development including all proposed works.

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- c) Details of compliance with the relevant environmental planning instruments i.e. *Queanbeyan-Palerang Regional Local Environmental Plan 2022*.
- d) Describe how the development controls have been achieved or provide written justification to vary any development standard contained in the DCP.
- e) Details of how the development satisfies the provisions of Section 79C of the *Environmental Planning and Assessment Act 1979*.
- 6) **Driveway** – Provide a driveway long section on your plans where there is a one metre or more level difference between the garage and front boundary.
- 7) **BASIX** – Attach a current BASIX Certificate and show the commitments on the plans where required. More information can be obtained from the website <https://www.basix.nsw.gov.au/iframe/new-to-basix.html>
- 8) **Shadow Diagrams** – To be provided for residential development with two or more storeys and for any development that may impact on residential amenity for 9.00am, 12 noon and 3.00pm on 21 June.

1.7.3 Supplementary Information which may be required with Your Development Application

The following reports may be required depending on the nature of the proposed use, and the site. Advice can be provided at pre-lodgement stage as to which of the following are required with the application:

- a) Traffic Report.
- b) Parking Assessment.
- c) Heritage Impact Statement/Report.
- d) Archaeological Report.
- e) Flood Study.
- f) Landscape Plan.
- g) Flora and Fauna.
- h) Geotechnical Report (including non-potable water capability study)
- i) Preliminary Land Contamination Report.
- j) Waste Management Plan.
- k) Adequacy of Utility Services Report.
- l) Noise Impact Assessment.
- m) Bushfire Assessment.
- n) Detailed kitchen design for commercial kitchens
- o) Environmental Management Plan
- p) Environmental Impact Statement
- q) Details of proposed signage, including colours, elevations, locations, size and dimensions.
- r) Model and Photo Montage – The best way to convey information to members of the public who are unfamiliar with reading plans is by way of a model or photo montage. In addition a photo montage indicates how the new building will sit within the existing streetscape. For proposals where *SEPP 65 – Design Quality of Residential Flat Buildings* applies, a model is required and two photo montages indicating:
 - i) How the building will appear in the immediate streetscape.
 - ii) How the building will appear from a more distant vantage point (approximately 500m away).

1.7.4 Site Analysis Plan

A site analysis plan may also be required. A site analysis plan demonstrates a good understanding of the site and its surround. A site analysis puts the site in its context for both the design and evaluation of the proposal. A site analysis plan forms the basis for the Statement of Environmental Effects in providing evidence that the options investigated have resulted in the optimum use, rather than the maximum use of the site.

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The extent of the information required will be dependent on the type and scale of the proposed development. Additional information may also be required for specific sites where there are particular opportunities and constraints caused by the characteristics of the site itself or the surrounding area.

The site analysis may be presented in a number of ways, depending on which method best presents site characteristics, e.g. a notated plan at a suitable scale or in text form with graphics and photographs. The site analysis will identify the opportunities and constraints of a particular site and the relevant surrounding area.

There also needs to be an explanatory statement. The explanatory statement must explain how the proposed development has responded to the Site Analysis.

Information required for a site analysis (Address where necessary and appropriate)

Site survey

Plan information

- a) (scale 1:100 or 1:200),
- b) north point,
- c) name and qualification of person preparing site analysis

Existing site features

- a) location and use of buildings,
- b) structures showing those to be retained and removed,
- c) location and heights of walls and fences,
- d) Shaded areas from structures, trees, etc,
- e) archaeological and heritage sites,
- f) easements and rights of way and restrictions

Services

- a) overhead and underground utility services

Use of adjacent land and its features landform

- a) topography,
- b) contours at 1 metre intervals and spot levels,
- c) natural features,
- d) orientation of site

Soils (forming the basis of a Soil, Water and Vegetation Management Plan),

- a) depth of topsoil and subsoil,
- b) pH,
- c) condition (fertility, compacted, cut or filled),
- d) potential erosion problems,
- e) contamination

Plants

- a) individual or stands of trees, mass shrub planting with height and spread,
- b) condition and names,
- c) significance,
- d) ground levels,
- e) extent of weed infestation,
- f) any "endangered ecological community" on the site and nearby,
- g) how plants will be removed

Wildlife

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- a) habitats on the site and nearby,
- b) fauna habitat possibilities

Climate

- a) direction of summer and winter winds,
- b) windbreaks,
- c) frost hollows,
- d) areas of shade during winter and summer at 9.00am, 12.00 midday and 3.00pm,
- e) bushfire threat
- f) Water (forming the basis of a Soil, Water and Vegetation Management Plan) sources of water flowing onto and off the site, quality, drainage patterns,
- g) areas of concentrated run-off, ponding, potential flooding
- h) adjoining riparian zones

Council controls

- a) That is how the proposed development addresses Council's controls such as Zoning, restrictions, setbacks, building envelopes or height restrictions.

1.7.5 Erosion and Sediment Control Plan (ESCP)

An Erosion and Sediment Control Plan may be required to be submitted. An ESCP should contain a drawing that clearly shows the site layout and, where appropriate, the approximate location of BMP's and other matters listed below. Where these drawings are to scale, the scale should be at least 1:500 or larger. A narrative should accompany the drawings that describes how erosions control and soil and water management will be achieved on site, including ongoing maintenance of structures.

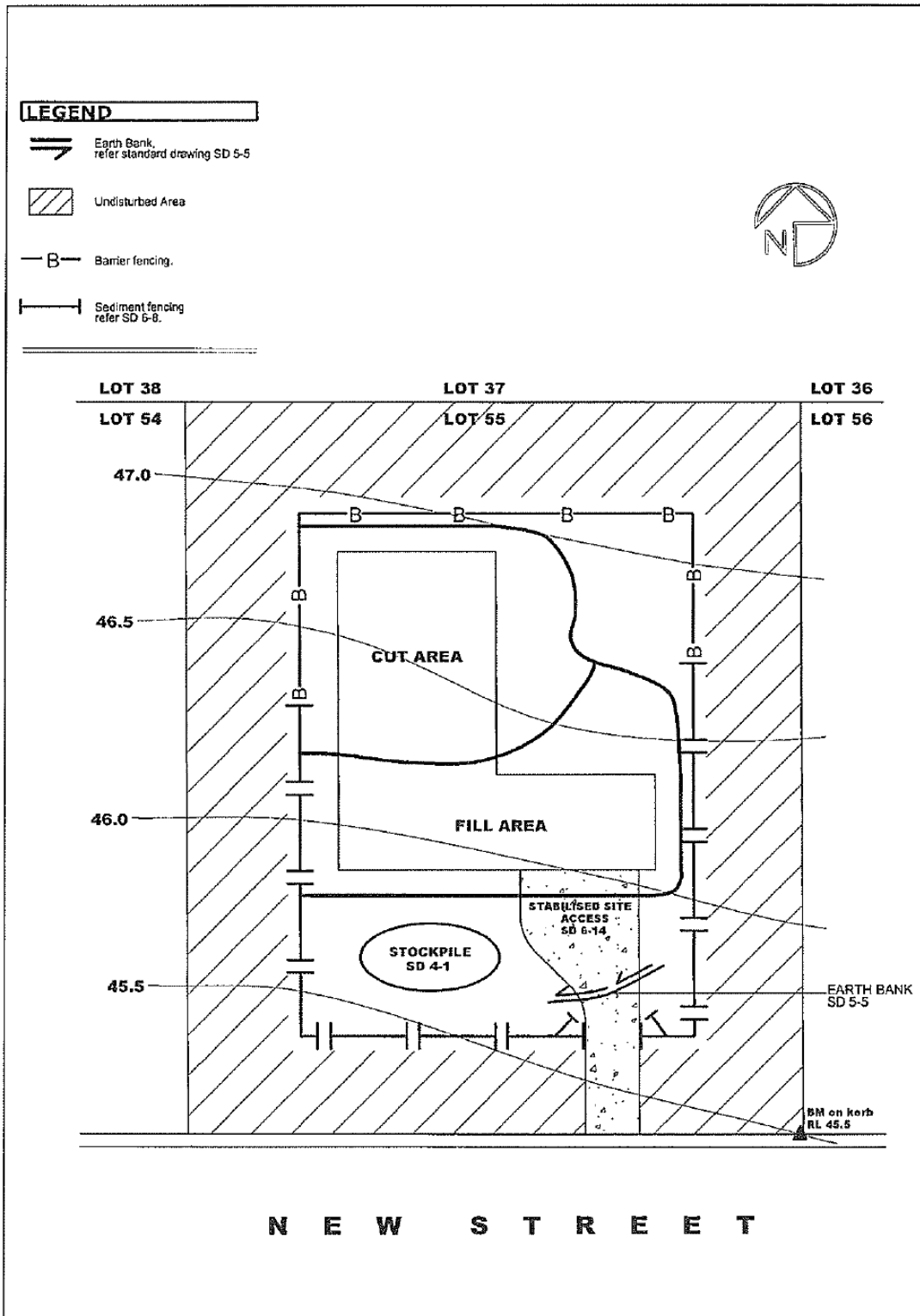
The following background information should be presented on the drawing(s):

- location of site boundaries and adjoining roads,
- approximates grades and indications of direction(s) of fall,
- approximate location of trees and other vegetation, showing items for removal or retention (consistent with any other plans attached to the application),
- location of site access, proposed roads and other impervious areas (e.g. parking areas and site facilities),
- existing and proposed drainage patterns with stormwater discharge points,
- north point and scale.

On the drawing or in a separate commentary, show how the various soil conservation measures will be carried out on site, including:

- timing of the works,
- location of lands where a protective ground cover will, as far as is practicable, be maintained,
- access protection measures,
- nature and extent of earthworks, including amount of any cut and fill,
- where applicable, the diversion of runoff from upslope lands around the disturbed areas,
- location of all soil and other material stockpiles including topsoil storage, protection and reuse methodology,
- location and type of proposed erosions and sediment control measures,
- site rehabilitation proposal, including schedules,
- other site-specific soil or water conservation structures.

Example of Erosion and Sediment Control Plan for a residential dwelling



1.7.6 Construction Certificate

If you choose to use Council to issue the Construction Certificate you need to submit a completed Construction Certificate application form and three copies of plans, including structural engineering plans signed by a Practising Structural Engineer.

Before submitting your development application to Council, please ensure the required information is provided at the time of lodgement. Failure to provide all information and attach the relevant supporting documents will cause unnecessary

delays in the initial lodgement and ensuing assessment processes and may lead to rejection of the development application.

1.8 Public Notification of a Development Application

Before considering a development application (this excludes complying development applications), Council will notify the proposal in accordance with the QPRC Engagement and Participation Plan adopted 27 November 2019.

1.9 Fees and Contributions

A number of fees and contributions may be required to be paid to Council at various stages of the assessment of the application as follows:

Development Application fees are based on the estimated cost of the development and must be paid at the time of lodgement of the application.

Advertising Fees meet the cost of advertising in the local press and providing written notification to nearby affected property owners, in accordance with Council's adopted notification policy. They must be paid at the time of lodgement of the application.

Developer Contributions are a monetary contribution in lieu of the physical provision of public amenities and services. They must be paid prior to commencement of works.