

SHOP TOP HOUSING

What is shop top housing?

Where is shop top housing allowed?

What is Council doing to encourage shop top housing?

Is a development application required?

Key issues you need to address.

Shop top housing helps revitalise commercial centres. It brings more life and activity, and enhances safety and security through greater casual surveillance. It also increases the choice of housing, allows building owners to renovate underused upper floors and increases the building's income-earning potential.

This brochure outlines how building owners can address the major issues that have inhibited shop top housing development in Lismore, especially in the CBD. This guidance is aimed at encouraging more housing in our city centre, which Lismore City Council is supporting with a policy that provides significant discounts on infrastructure contributions and removal of on-site car parking requirements.



lismore
heart of the northern rivers

www.cometotheheart.com.au

What is shop top housing?

Shop top housing is defined as *'one or more dwellings located above ground floor retail premises or business premises'*. Shop top housing offers an alternative to more traditional housing types and contributes to the economic and social vitality of our village and city centres.

Lismore City Council wants to encourage more shop top housing, particularly in the CBD, as it:

- Contributes to the vibrancy of the CBD by creating more activity, particularly in the evenings.
- Renovates disused floor space above shops and offices, improving the overall appearance of buildings.
- Increases the supply of housing and the choice of housing options for residents.
- Allows people to live close to public services and facilities. It is ideally suited for people without cars.
- Increases casual surveillance of the streets, which provides a sense of safety and security and helps to reduce antisocial activities.
- Improves the viability of shops, allowing them to stay open for longer.

The key issues that have discouraged building owners from pursuing shop top housing relate to the sometimes prohibitive costs of meeting car parking requirements, fire and accessibility standards, an inflexible approach with planning controls, addressing flood issues and paying infrastructure contributions.

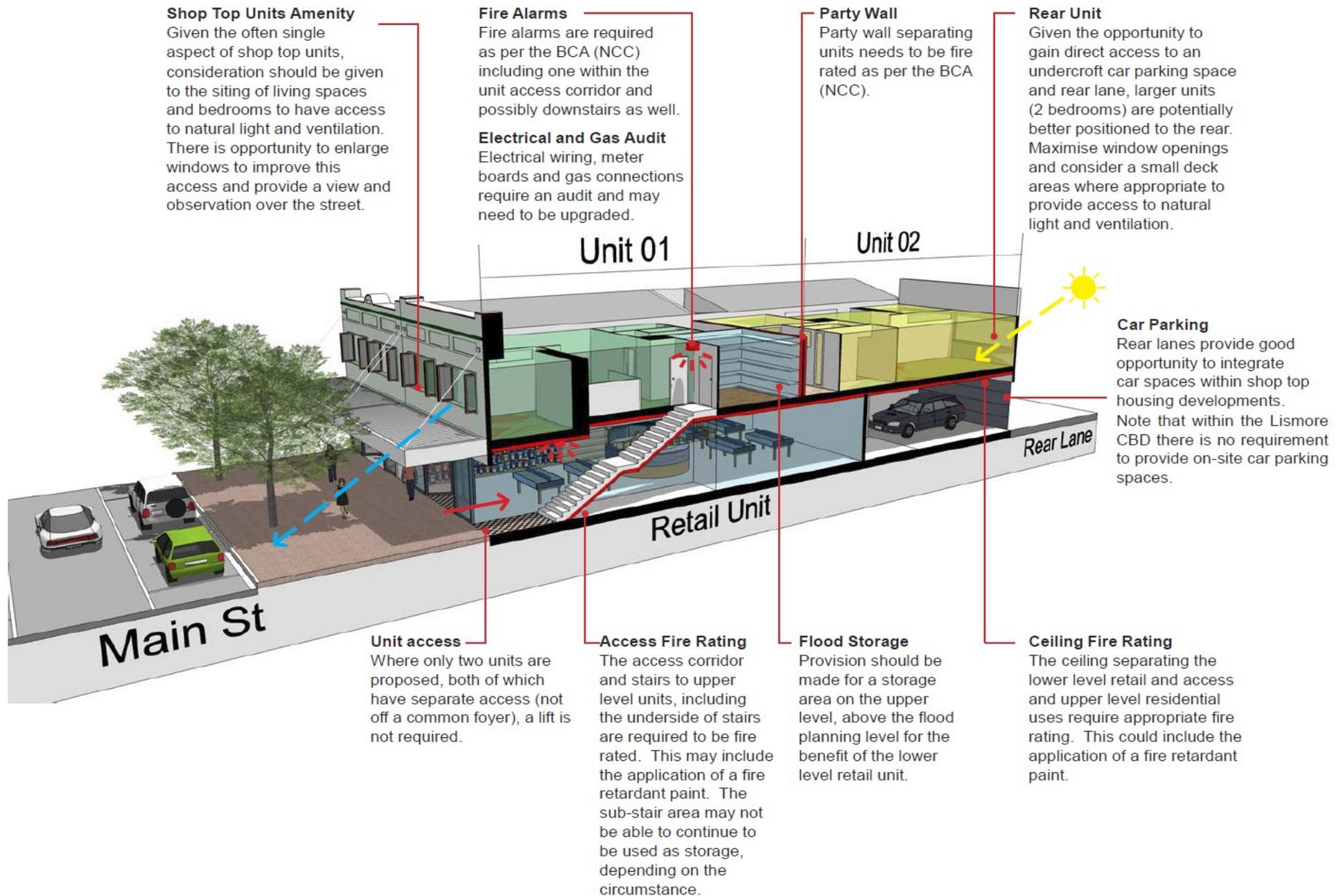
Council wants to assist building owners with plain English guidance about the key issues that building owners need to address when considering shop top housing. A series of drawings have been prepared with this brochure to show you what can be achieved. These drawings use a building in Magellan Street as an example.

Council has recently approved shop top housing (two dwellings) in this building, and there are also other recent examples.

Where is shop top housing allowed?

Shop top housing is permitted (with Council consent) in all business zones and several other zones. The greatest potential for shop top housing is in Lismore's CBD (B3 Commercial Core and B4 Mixed Use zones). However, it has also been approved in the B1 Neighbourhood Centre zone in North Lismore. Different rules may apply in specific circumstances, so it is worth asking Council what can be done with floor space above any commercial business.





What is Council doing to encourage shop top housing?

In the CBD, in the area bounded by Orion Street in the north, Dawson Street in the east, Ballina Road on the south and the Wilsons River to the west, Council will waive development contributions (sewerage, water, roads charges) for an initial period of two years for shop top housing, subject to:

- the total number of bedrooms on the site not exceeding five;
- the total number of laundries on the site not exceeding two; and
- the total number of toilets on the site not exceeding three.

In addition to waiving development contributions, Council no longer requires off-street car parking to be provided for shop top housing in existing buildings.

Is a development application required?

You will need to lodge a development application with Council.

The following paragraphs outline the key issues you need to consider when designing your shop top housing. For a list of documents required with a development application together with the Statement of Environmental Effects (SEE) refer to Council's website www.lismore.nsw.gov.au.

Key requirements for renovating existing buildings

There are a number of matters you will have to address when submitting a development application (see opposite) and further guidance can be obtained from Council's website.

Accessibility

Accessible access is generally required where more than one dwelling is proposed. This may include the requirement for a lift although if only two dwellings are proposed, and both have separate access (that is, not off a common foyer), a lift is not required. The same requirement applies across NSW.

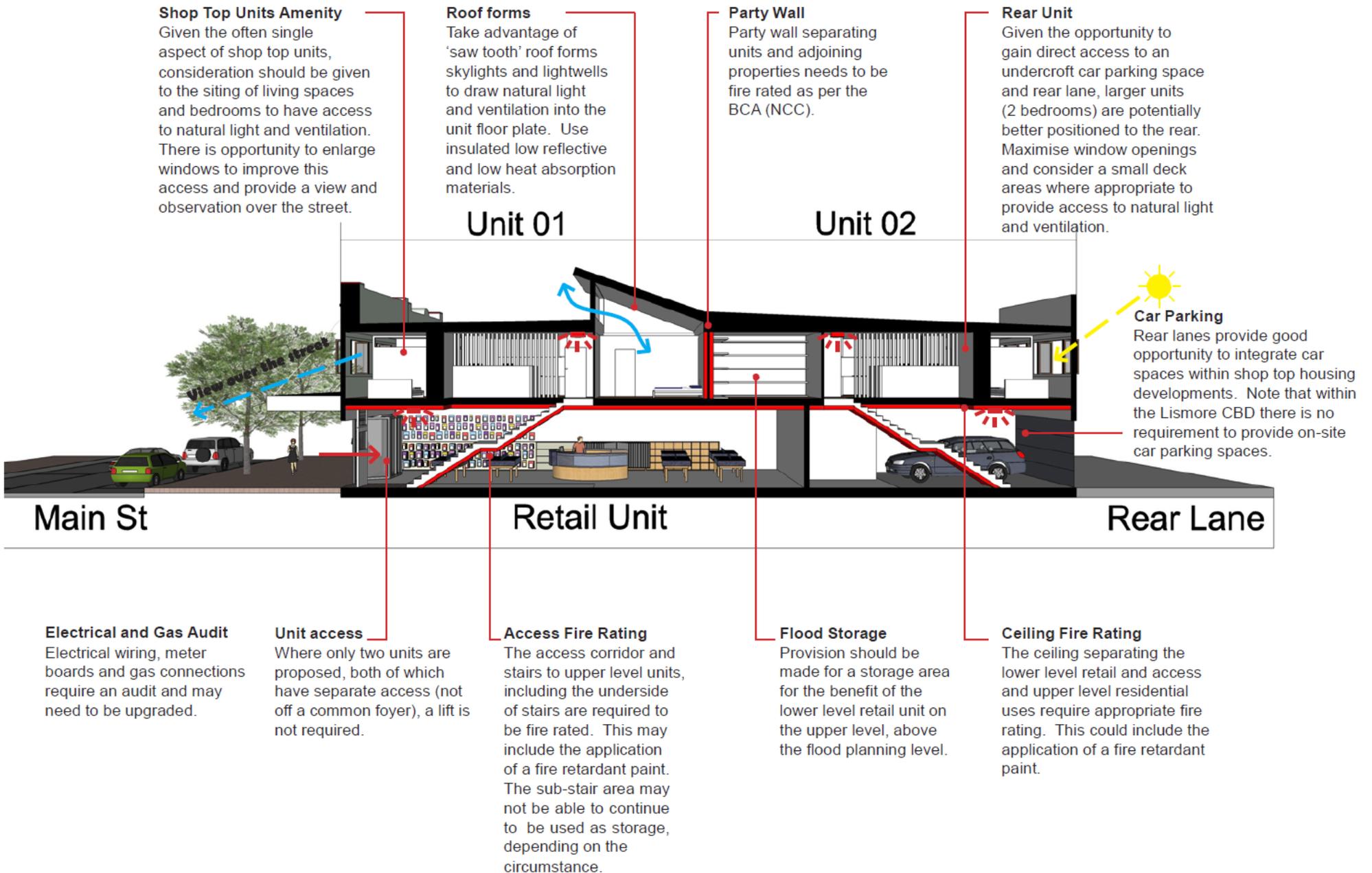
Car Parking

On-site car parking is not required for shop top housing in the Lismore CBD.

Flooding

Flood events above the 1-in-10 year ARI (average recurrent interval) flood can present major challenges for businesses and residents in the CBD and the following need particular consideration.

- All habitable floor areas have to be at or above the Flood Planning Level. The Flood Planning Level is the level of a 1:100 ARI flood event plus 0.5 metres freeboard. Council can assist with providing information on flood levels and floor levels.
- Provide flood storage space on an upper floor for the commercial use on the ground floor.
- The need to prepare an evacuation plan and be alert during a flood event. The SES provides standard evacuation plans and information on what to do during an event. All current and new business owners and residents should also register with Lismore City Council for flood alerts.



Fire safety regulations

Fire safety refers to:

- precautions that are taken to prevent or reduce the likelihood of a fire that may result in death, injury, or property damage;
- provision of systems to alert the occupants of a building to the presence of fire and smoke in the event one occurs;
- systems that better enable those threatened by a fire to be able to survive; and
- measures that assist in reducing the damage caused by a fire.

The Building Code of Australia (BCA) details specific requirements for the construction and installation of fire safety measures in new building work across Australia. However, trying to comply with these prescriptive requirements for uses in a building constructed before the introduction of the BCA can involve considerable expense, thus making the proposal economically unviable and unattainable.

The following will assist you to identify whether the fire safety measures (if any) contained within the existing building are adequate to:

- prevent fire;
- suppress fire;
- prevent the spread of fire; and
- promote the safety of persons in the event of a fire, and achieve adequate fire safety levels economically.

The following are general solutions. You should always seek advice from Council or a suitably qualified building and/or fire safety professional before using any of these measures in your building.

To prevent a fire, conduct electrical and gas audits of the premises and install a safety switch in the fuse box.

To suppress a fire, provide portable fire extinguishers, fire blankets and protection to external windows less than three metres from the boundary.

To prevent the spread of fire, a range of possible measures may be used.

- Install self-closing fire doors to sole occupancy units and separate stairway levels where appropriate.
- Install fire-rated doors (often to be one-hour fire rated).
- Construct a non-combustible space under stairways.
- Use one-hour fire rated paint instead of 16mm gyprock fire-rated ceilings.
- Provide fire attenuation screens and/or sprinklers over windows less than three metres from the boundary.

To promote the safety of persons in the event of a fire, consider:

- emergency evacuation lighting;
- exit signage over doorways;
- avoiding the use of deadlocks on doorways and installing hard-wired, interconnected smoke alarms;
- ensuring that stairways won't be obstructed;
- installing non-slip material to the nosings of the treads in stairways;
- installing higher hand railings; and
- reviewing existing stairway construction.

If the above matters are still an issue, it may be worth engaging the services of a specialist fire safety engineer who can provide advice on options and possibly prepare a report specific to the circumstances in your building that is performance-based and avoids compliance with prescriptive requirements that might otherwise not be able to be achieved.

Shop Top Units Amenity

Given the often single aspect of shop top units, consideration should be given to the siting of living spaces and bedrooms to have access to natural light and ventilation. There is opportunity to enlarge windows to improve this access and provide observation over the street.

Lightwell

Opportunity to retrofit roof forms with lightwells to draw natural light and ventilation into the floor plan and directly adjoining to bedrooms and bathrooms. Lightwell can be used for a small outdoor amenity area as well as clothes drying. Lightwells require adequate waterproofing and drainage.

Party Wall

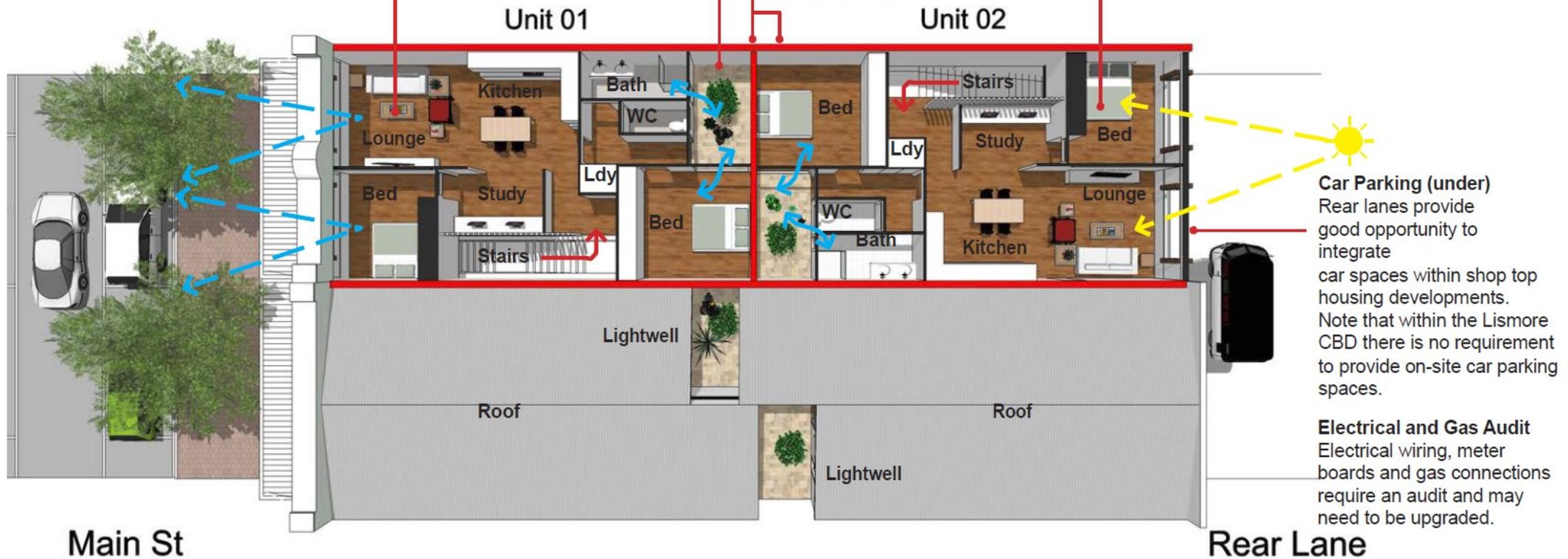
Party wall separating units and adjoining properties needs to be fire rated as per the BCA (NCC).

Flood Storage

Option for second bedroom to be flood storage area for retail unit below, but only if the business and residence are one tenancy.

Rear Unit

Given the opportunity to gain direct access to an undercroft car parking space and rear lane, larger units (2 bedrooms) are potentially better positioned to the rear. Maximise window openings and consider a small deck areas where appropriate to provide access to natural light and ventilation.



Car Parking (under)
Rear lanes provide good opportunity to integrate car spaces within shop top housing developments. Note that within the Lismore CBD there is no requirement to provide on-site car parking spaces.

Electrical and Gas Audit
Electrical wiring, meter boards and gas connections require an audit and may need to be upgraded.

Main St

Rear Lane

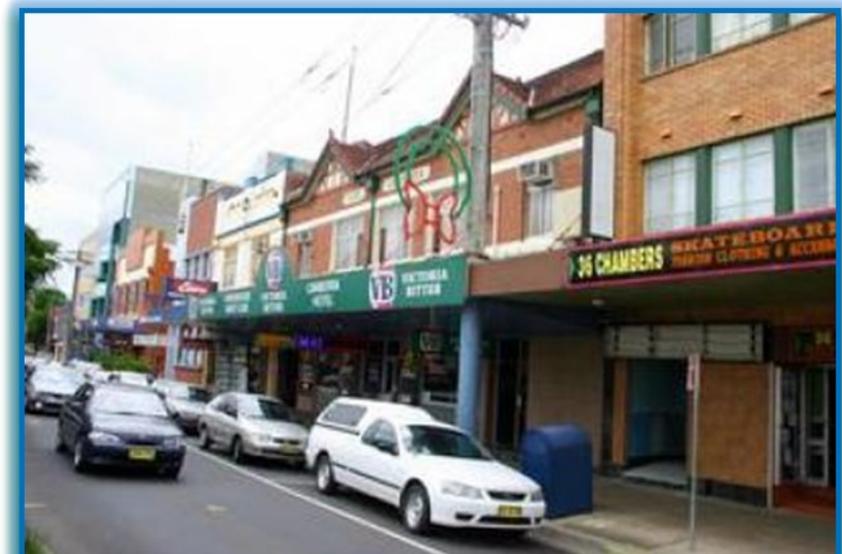
Other issues

Other matters that you need to consider include:

- adequate waste minimisation and disposal;
- availability of utility services; and
- BASIX, or the Building Sustainability Index, which is a certificate confirming that the building complies with state water and energy consumption targets, obtainable from www.basix.nsw.gov.au.

Requirements for new buildings that include shop top housing

In addition to the above issues that apply to retrofitting existing buildings, there are a range of other requirements that need to be addressed if you are planning a new building that includes shop top housing. These include building height limits, heritage impact and building setbacks.



Rear lane activation

Shop top housing helps bring life into a centre and can stimulate opportunities to explore a range of community and business chamber based activities and events throughout the year.



Existing Laneway - The existing laneway is under utilised in terms of providing additional community space, retail and shop top housing opportunity. The existing street art provides a vibrant backdrop to what could be an engaging new public space.



Transform Laneway - Improve built environment elements to include new road surface as a shared zone, shop top housing and activate rear laneway with new smaller scale retail units.

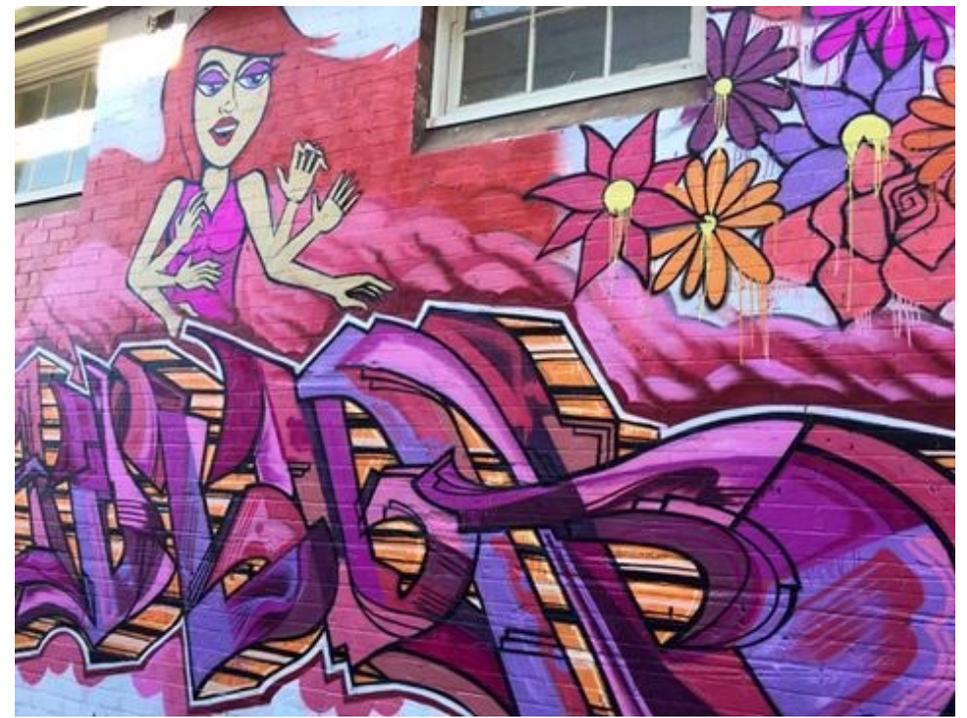




Market Mode - The laneway is transformed into a temporary market space.



Outdoor Dining Mode - The laneway is transformed into a communal outdoor dining space during food festival where local restaurants showcase their latest cuisines.



Seek Council advice before preparing your development application

Proper investigation of your proposal and a well-prepared development application can greatly reduce unnecessary delays in obtaining approvals, so it is important to get quality advice at an early stage to minimise or avoid unnecessary costs and see whether your project is worth pursuing. Even if you have been knocked back before, changes in planning and building regulations may result in a different answer or solution.

If you need advice about your shop top housing application, phone Council's Duty Planner Monday to Thursday on 1300 87 83 87 or visit Council's Corporate Centre at 43 Oliver Avenue, Goonellabah, between 8.30am and 10.30am (no appointment necessary). There is no charge for this initial service, which is generally limited to 15 minutes.

You can also make an appointment for a 30-minute discussion free of charge. Note that on-site meetings to view the proposed dwelling space/s can be arranged. A formal pre-lodgement meeting for a fee of \$443 (2015/16) can also be organised, which includes provision of more details and includes minutes after the meeting. Details are available on Council's website. Remember that a well-prepared development application will assist in timely processing.

Where can you obtain building design information?

The Northern Rivers is home to many skilled architects and building designers. While Council staff cannot design your building or your internal layout, it does offer an urban design service that provides preliminary advice on how to take advantage of features of your building, such as skylights and roof forms. Council's Urban Designer is also available to attend pre-lodgement meetings.

For more information please contact Council on 1300 87 83 87 or go to Council's website www.lismore.nsw.gov.au.

