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### 1 INTRODUCTION

This section contains local objectives and controls for development in Warners Bay Town Centre as defined in Figure 5 - Extent of Area Plan and are in addition to the general provisions contained in Part 4. For general development controls, see Part 4 - General Provisions. Where conflict arises between this section and the general controls, the controls in the Warners Bay Area Plan take precedence.

#### 1.1 BACKGROUND

Warners Bay Town Centre is located on the north eastern shore of Lake Macquarie.

##### **Aboriginal Heritage**

Lake Macquarie Local Government Area (LGA) is part of the traditional country of the Awabakal people. People from the Awabakal tribe or clan lived on the foreshore of Lake Macquarie around what is now called Warners Bay. The northern extremities of the Lake were important in the daily and ritual life of these people, although there is little visible evidence remaining to suggest their habitation.

In January 1825, the Reverend Threlkeld of the London Missionary Society made the decision to found a mission among the Awabakal at Lake Macquarie. The site "Biddobar" or "Biddaba" (meaning "silent resting place"), was chosen as the location of the mission. In a map accompanying a claim for land in 1829, Threlkeld marked the location at the lakeside of what is now Warners Bay.

##### **European heritage**

Jonathan Warner, a former soldier and surveyor selected his land in July 1829 and built a two-storey weatherboard house called "Biddaba" on a hill near the present Warners Bay Primary School, and established a farm and orange orchard. There was a horse and dray track to Newcastle, which was used to transport farm produce. The orchard was a showplace as late as 1870. The Warner homestead survived until 1932.

In 1840 Warner subdivided part of his grant, advertising it as allotments constituting the township of Lymington (his hometown in England) but the lots remained unsold until the third attempt in 1885.

The Warner family also had a small coal mine tunnel on the waterfront below their house, the coal being taken away by boat from a jetty there. The Warners Estate mine was closed in 1884.

In 1931, a private bus service operated from Speers Point to Broadmeadow via Warners Bay and Charlestown. In 1937, it was converted to a government service and extended to Newcastle. A railway was planned for Warners Bay on the narrow park between King and Queen Streets, but never eventuated.

The Warners Bay centre changed slowly during the first half of the 20th century. A 1927 subdivision including James, Mills and Beryl Streets developed slowly until the end of petrol

rationing post World War 2. With the widespread use of the private car, it became a popular residential area.

The shopping centre expanded rapidly from the 1980's. The Council created a reserve by filling and stabilising the edge of the lake to the west of The Esplanade. This reserve now forms a major recreational space adjacent to the Foreshore Park at the lake's edge.

### 1.2 EXISTING CHARACTER

#### Context and Setting

Warners Bay Town Centre has a memorable setting on the north-eastern foreshore of Lake Macquarie. The centre lies on low ground surrounded by an arc of vegetated ridgeline from Munibung Hill to Bayview Hill. The Warners Bay Town Centre is not only located on the lake, the main street buildings are aligned parallel to the lake foreshore.

The town centre setting can be best appreciated from Marmong Point Reserve across the lake to the west, from The Esplanade at Speers Point to the north-west, and from The Esplanade at Warners Bay Lions Park to the south, as well as from the open water of the lake. From these vantage points, the town centre is contained by the treed ridgeline behind, and the foreshore trees in front.



**Figure 1 - Existing town centre and setting viewed from The Esplanade near Fairfax Road**

#### Town Centre Activity

There are excellent views from The Esplanade at Warners Bay to the south and west across the lake, especially at sunset.

The foreshore has become a hub for recreational activity both on and off shore - sailing, fishing, kayaking and paddle boarding are all popular activities. The area also features a shared cycle path and walking track stretching from the Lake Macquarie Art Gallery at Booragul to Green Point that is widely used by the local community.

The Esplanade commercial strip has become a popular daytime and night-time gathering place, with a range of cafés and restaurants facing the lake. John Street is developing as the main commercial services area, with a supermarket and other service and specialty stores, the post office and banks. Generally, there is little permanent or short-term visitor accommodation within the town centre, and no people live within the commercial area.

Surrounding the town centre is a range of relatively low-density housing with some villa development and small apartment buildings.

### **Recreation and Cultural Activity**

The Foreshore Park, the Performing Arts Centre on Lake Street and the large sports field between North Creek and the town centre are major assets to the amenity of Warners Bay.

The Foreshore Park between the lake and the town centre provides a range of recreational opportunities for residents and visitors, and is particularly busy at weekends. Live music performances in the rotunda attract crowds on Friday evenings during summer, and on some Sundays during winter. People of all ages use the walkway and cycleway throughout the day. The Great North Walk, linking Lane Cove in Sydney to Newcastle, passes through the foreshore park.

The Performing Arts Centre is the focus for a diverse community and cultural program of events. The adjacent park is used for community events such as the bicycle race 'Loop the Lake', Family Fun Days, the Children's Festival and the Lake Macquarie Festival.

### **Pedestrian Circulation**

The Foreshore Park, The Esplanade and John Street run parallel to each other between Lake and King Streets. Smaller pedestrian arcades and lanes run east to west from John Street through some of The Esplanade buildings to the Foreshore Park. These links provide important pedestrian access from the shops to the lake, but only allow a limited visual connection to the water.

### **Traffic and Transport**

King Street is a state road connecting Warners Bay to Charlestown via Hillsborough Rd. The Esplanade is also a major traffic route for vehicles travelling between centres on the lake. Both roads are managed by Roads and Maritime Services (RMS) who are responsible for maintaining the flow of vehicles on the state road network.

The circulation of traffic around the town centre is hampered by limited turning movements at the intersection of local roads with RMS roads. Pedestrian and cyclist access and safety is also affected by large traffic volumes and multiple travel lanes on The Esplanade and King Street.

Public buses from Toronto, Belmont, Glendale, Charlestown and Newcastle service the town centre, although these services are not frequent.

Car parking is provided in three main open parking areas and in a basement level below the supermarket development in John and Charles Streets.

### **Building Quality**

Despite the superb natural setting, most of the town centre buildings are of poor or moderate quality. No buildings in the centre have great architectural merit or significant historical value.

The Esplanade has an eclectic mix of buildings that form a very low scale strip facing the Foreshore Reserve and the lake. The Esplanade footpath area is generally irregular in shape, uneven, sloping from the kerb line to the shop fronts with poor quality paving and minimal greenery. Tables and chairs located on the sloping pavement offer poor amenity, while the bus shelter on The Esplanade is old and intrusive.

Pedestrian areas on Lake, King and John Streets and through the car park are also poor quality spaces.

### **1.3 ENVIRONMENTAL CONSTRAINTS**

#### **Inundation - Flooding and Sea Level Rise**

The northern areas of the centre around Lake Street are prone to flooding. Some sites will be affected by both flooding from North Creek and by flooding from the Lake Waterway.

All areas below 3m Australian Height Datum (AHD) will experience changes to flood depth and extent as sea level rise occurs. Minimum floor heights for new development will minimise the risk of flood damage.

#### **Acid Sulphate Soils**

The town centre is located on acid sulphate soils (Class 3 and Class 5). Development must ensure that disturbance of acid sulphate soils is minimised to prevent adverse impact on water quality and the receiving waters of the lake.

#### **Mine Subsidence**

The town centre is within a mine subsidence area and future development will require assessment and approval from the Mine Subsidence Board.

## 1.4 DESIRED FUTURE CHARACTER

### Activity and Uses

The Area Plan envisages Warners Bay developing as a specialty centre with uses that are suited to smaller scale premises. This may include health and gourmet foods and products, medical and dental practices, wellness and leisure services, personal services such as hair and beauty businesses, and professional services such as accountants, solicitors or financial planners. The plan also promotes The Esplanade and new public spaces as vibrant, high amenity places for more cafes, restaurants and footpath dining.

The vitality of the town centre would be enhanced by providing residential, tourist and visitor accommodation within the core area. The presence of residents and visitors would extend the hours that the centre is active and provide natural surveillance and improved safety in streets, laneways and car park areas.

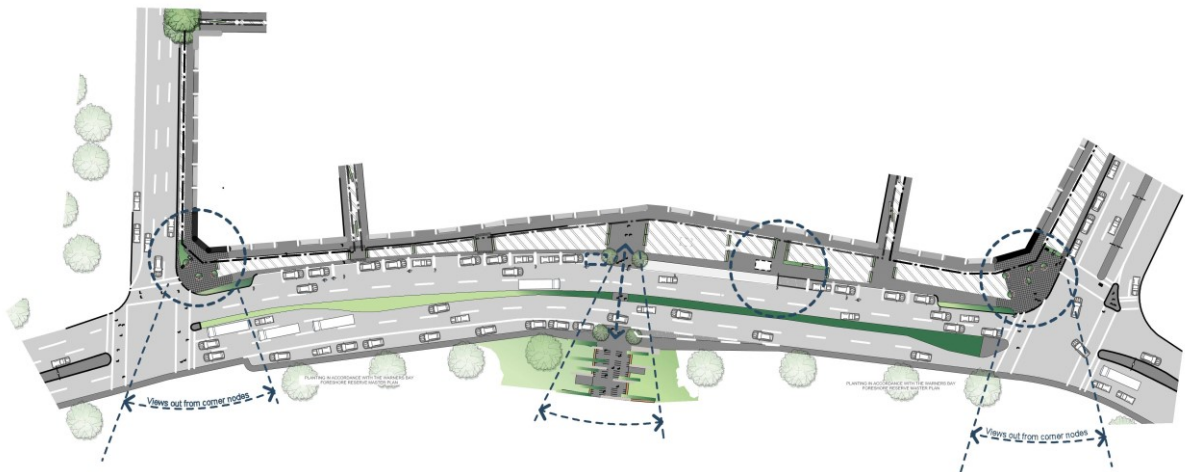


Figure 2 - Integration of trading activity on The Esplanade with Foreshore activity



### **Future Town Centre Structure**

The Warners Bay town centre structure should establish a premier strip or Dress Circle on The Esplanade that provides the greatest opportunity for high amenity buildings, quality office space and residential apartments, as well as footpath trading space with outlook to the lake (as shown in Figure 3).

The structure should include clear physical and visual pedestrian connections from parking areas to the Dress Circle frontages and to the foreshore. The level of pedestrian activity on each street should be reflected in the future building form and character at the street.

### **Transport and Traffic**

Transport and traffic improvements should:

- manage traffic speeds and flow on the RMS network,
- allow for efficient town centre traffic circulation and parking,
- support safer and more pleasant cycling and walking activity, and
- improve walking and cycle connections between the Foreshore and the Dress Circle.

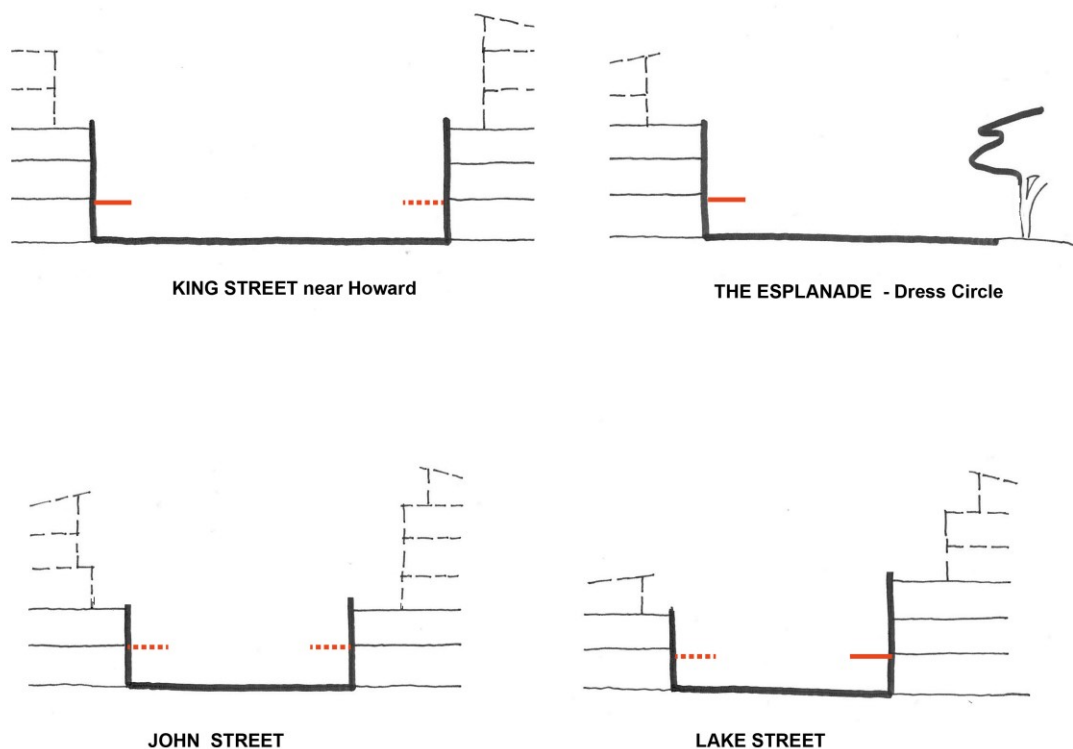




Figure 3 - Warners Bay Town Centre Structure Plan

### Future Built Form

The desired level of enclosure and the desired future character of each street would determine the scale and height of buildings:



**Figure 4 - Indicative enclosure and built form for each street**

The Esplanade buildings on the Dress Circle should maximise the opportunity for floor space with an outlook to the lake whilst maintaining a fine grain of development. Taller, narrower buildings on existing lots would be desirable for this fine grain, and buildings could be serviced from the rear lane. Larger amalgamated sites should be discouraged on the Dress Circle.

Buildings facing the Market Square should provide active frontage built to the boundary of the plaza. This would include cafes, food and specialty retailers, community facilities and bicycle end of trip facilities. The upper levels on the north and east (across John Street) would be setback to maintain sun access all year round between 10am and 2pm, even in midwinter.

Built form should be established with a continuous street wall of narrow abutting facades, and a parapet line at three storeys. Small scale and varied shopfronts at the street level would provide a diverse, active and interesting pedestrian environment.

The site bounded by John Street and Postman's Lane should allow for a large footprint building that is sleeved by smaller retail at street level. This building should provide opportunity for a contemporary high quality architectural built form with a larger scale public art work integrated with the façade treatment.

Larger sites between Charles and John Streets and in the area south of King Street would support higher buildings and good quality residential apartments on the upper levels. The street would be defined by buildings with a consistent two storey façade with upper levels of buildings setback. At street level, shop fronts would be small to medium scale.

The area surrounding the town core would be lower scale buildings with a two-storey commercial façade and parapet line, with a setback to an upper level.

### **Future Building Character**

Warners Bay development character should reflect the high amenity waterside location and its popularity as a social and recreational destination on the lake. All major active frontages would be characterised by shaded footpaths under solid cantilever box awnings.

On the Dress Circle, shop fronts and cafes would be smaller scale. Tall narrow facades would be designed with window and door openings punched in a masonry façade. High quality detailing and articulation would ensure interest and richness in the built character.

Balconies would be smaller scale, recessed with smaller balcony projections to maximise interest and human scale. Building elevations exposed to the wind would include moveable screens, louvers and shutters that would provide character elements.

On the larger sites along John, Charles and King Streets, building elevations would be assembled from several narrower facades to present a detailed and interesting frontage to the street. Articulation, awnings, architectural detailing, shadow lines and use of contrast materials should provide scale, detail and interest for pedestrians.

Materials in the buildings closer to the water would be generally painted or rendered masonry (without any face brick), with lighter weight sheet materials and more glazing to upper levels. Colours would be neutral and mid-tone neutral. Darker colours may be used on visually sensitive upper levels to reduce their visual impact. Use of white or bright colour would be limited to small detail elements.

Buildings in the urban support areas at a distance from the water would use a similar palette of materials and colours and could incorporate some face brick finishes as a transition to the character of surrounding residential areas.

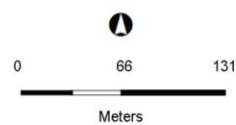


### 2 DEVELOPMENT CONTROLS

This Area Plan applies to the area shown in Figure 5 - ***Extent of Area Plan***.



**Area Plan Boundary**



**Figure 5 - Extent of Area Plan**

### 2.1 FORM-BASED CONTROLS

The Warners Bay Town Centre Area Plan includes form-based controls in order to address:

- the scale and spatial qualities of each street,
- the form and mass of buildings in relation to the street and one another,
- the relationship between the ground floor of a building and the footpath,
- the extent of awnings,
- the overall maximum depth of development,
- the location of car parking at basement, ground or deck levels,
- aspects where building mass should be broken up (i.e. 50% occupied areas), and
- the type and character of openings for entries and windows and balconies.

Note: The Town Centre Structure Plan shown in Figure 3 should be referenced for the location of public open space, the location of public pedestrian links and the extent of street awnings.

### 2.2 BUILDING TYPES

Each building type is determined by:

- its relationship to the street,
- the height of the street wall,
- the maximum height in storeys, and
- setbacks for landscape.

#### ***Objectives***

- a. To ensure that building scale, height and setback contributes to the desired future character of the town centre and each street.
- b. To increase the interest and activity of pedestrian street frontages.
- c. To ensure the service functions of John Street do not compromise pedestrian amenity and access to transport facilities.

#### ***Controls***

- 1 Development must make a positive contribution to the desired future character of the town centre as described in Section 1.4.
- 2 A development proposal must address the requirements of the Town Centre Structure Plan as shown in Figure 3.
- 3 A development must comply with the relevant building type shown in Figure 6 and the street sections and elevations, as shown in Figures 13 to 26.



## Part 10 – Town Centre Area Plans – Warners Bay

- 4 A comprehensive site and context analysis must be undertaken prior to developing a site plan and a building. The Site Analysis must inform the subsequent design process.



**Figure 6 - Town Centre Building Types**

See Section 7 for detailed controls for Building Types A to G

### 2.3 CONCEPT PLAN SITES

#### ***Objectives***

- a. To provide an opportunity for site layout, building scale form and height, approximate yield and public benefit of a development proposal to be investigated and determined early in the development assessment process.
- b. To demonstrate the capacity of a development proposal to deliver a high quality public space and the resulting social, community and economic benefits for the town centre.
- c. To allow consideration of a proposal that varies from the Building Type Controls (Figures 13 to 26).

#### ***Controls***

- 1 A comprehensive urban design analysis of the site and its urban context must be prepared for land shown as a Concept Plan site (Figure 7).
- 2 The urban design analysis will guide a preferred massing diagram for the site.
- 3 A Concept Plan must then be prepared based on the urban design analysis and preferred massing diagram and include:
  - i. A Market Square with capacity for a variety of social, community, cultural and trading activities,
  - ii. Appropriate building heights and setbacks to allow sun access to the Market Square and John Street entry to the Square in mid-winter,
  - iii. Clear and convenient pedestrian links and building entries in and out of the Market Square,
  - iv. Site layout and facilities that support walking, cycling and bus transport to the town centre,
  - v. Shop fronts and uses to activate the Bay Arcade and John Street frontage,
  - vi. Car parking to service the Dress Circle and development on the site,
  - vii. Vehicle circulation and car park entry and egress that maintains pedestrian amenity along Postman's Lane and John Street,
  - viii. Development staging and opportunity to deliver public space in early stages,
  - ix. Means to manage parking demand during construction,
  - x. Images, elevations and models of the proposed built form and public space.

**Note:** Detailed controls for Dress Circle sites, Development on the John Street car park and Market Square can be found in section 2.4, 2.5 and 4.1 respectively.



### 2.4 DRESS CIRCLE SITES

#### Objectives

- To maximise pedestrian activity along Dress Circle frontages.
- To provide suitable off-site parking locations that would enable redevelopment and activation of Dress Circle sites.
- To maximise the amenity and floor space yield of Dress Circle development within the specified built form and height controls.

#### Controls

- Development of Dress Circle sites must provide public access from the primary street frontage of Lake Street, The Esplanade or King Street. Only service access should be provided from Postman's Lane.
- Sites identified as *Locations for Dress Circle Off-Site Parking* in Figure 7, may cater for a car parking space demand generated by additional commercial/retail floor space in the Dress Circle, in addition to the spaces required for uses on these sites.
- Resident parking demand generated by redevelopment of Dress Circle sites should be provided on Site 1, if not able to be accommodated on the Dress Circle sites themselves.



Figure 7 - Concept Plan sites and locations for Dress Circle off-site parking.

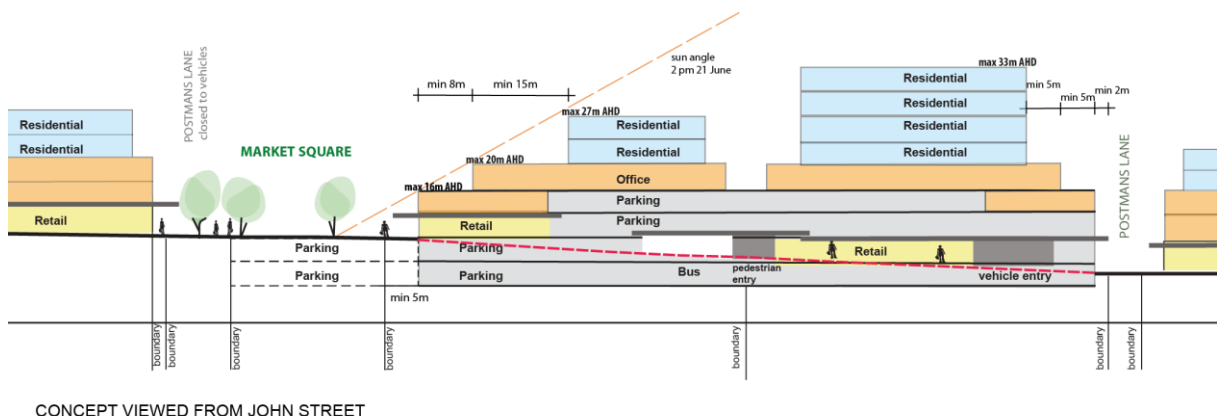
### 2.5 DEVELOPMENT OF THE JOHN STREET CAR PARK SITE

#### Objectives

- To provide active street frontage to John Street where footpath levels permit.
- To ensure safe and convenient pedestrian movement from car parking to public space and shopfront areas.
- To minimise vehicle traffic along Postmans Lane and provide a high amenity shared zone for pedestrians.

#### Controls

- Development on the John Street car park site must be setback at least 2m from the western and northern boundary to Postman's Lane, to allow for a safe and pleasant pedestrian footpath.
- Access to the basement car park must be located at the intersection with Lymington Street and egress located on Postmans Lane.
- Development on the John Street car park site must include active retail uses at street level for at least 50% of the John Street frontage as shown in Figure 8.
- Development on the corners of John Street and the Market Square must include openable walls to maximise outdoor trading areas.
- Development must provide a pedestrian entry into the car park directly from the Market Square, from the John Street footpath, and on Postmans Lane near to the Lake Village Arcade.
- Each pedestrian entry must be at least 4m wide with clear glazing and a solid sheltering awning.
- Any loading dock or service areas must be contained within the building volume.



**Figure 8 - John Street Concept with Market Square, car parking and indicative mixed use development.**

**Note:** See Building Type B controls for more detailed building design requirements.

### 3 MIX OF USES

#### ***Objectives***

- a. To support cultural and recreation activity along the Foreshore and at the Performing Arts Centre.
- b. To increase the availability of residential and short-term visitor accommodation in the centre.
- c. To increase natural surveillance and safety in the town centre.
- d. To support restaurants on The Esplanade with broader views to the lake.

#### ***Controls***

- 1 Development must not reduce access to The Foreshore or the Performing Arts Centre or cause negative impacts on cultural activity in the town centre.
- 2 Development should incorporate uses that complement extended trading hours and cultural activities.
- 3 Development of buildings over three storeys in height must provide residential or tourist and visitor accommodation on the upper levels.
- 4 Development is encouraged on The Esplanade for restaurant uses on the first level above the street, provided the building design addresses the amenity impacts on adjoining and neighbouring residential dwellings.

### 4 PUBLIC DOMAIN

#### 4.1 THE MARKET SQUARE

##### *Objectives*

- a. To provide a sunny, sheltered, high amenity public plaza or Market Square on the elevated southern end of the John Street car park.
- b. To maximise outdoor trading activity on the edges of the Market Square
- c. To encourage outdoor markets that would support the trade of surrounding retail specialty shops.
- d. To improve connectivity, amenity and convenience for pedestrians moving through the centre.
- e. To ensure a clear line of sight from John Street across the Market Square and through the Bay Arcade.
- f. To provide, and maximise the use of, balconies and terraces overlooking the Market Square.

##### *Controls*

- 1 Development on Lot 1 DP773475 must be setback 5m from the boundary of Lot 10 DP 1128914.
- 2 Development on any site that overlooks the Market Square must not overshadow:
  - i. more than 40% of the Market Square area at 2pm on 21 June, and
  - ii. any part of the public footpath at the corner of John Street and the Market Square at 10am on 21 June.
- 3 Development on any site that overlooks the Market Square must provide:
  - i. high quality facades and materials on the elevation facing the Market Square,
  - ii. balconies, terraces and habitable rooms that overlook the Market Square,
  - iii. part solid balustrades, moveable screening and/or louvers for balconies and terraces that overlook the Market Square, and
  - iv. cantilever awnings at street level.
- 4 Development on Lot 1 DP773475 must provide:
  - i. end-of-trip cycle facilities with frontage and access onto the Market Square,
  - ii. Direct pedestrian access between the car park and the Market Square, and
  - iii. residential or commercial floor space between the Market Square facade of the building and any floor space provided for car parking.
- 5 Development on Lot 2 DP 719621 (PO site) and Lot 1 DP773475 (Auscoal car park site) must include outdoor dining areas on the Market Square and these must be consistent with Council's [Footway Dining Policy](#).
- 6 Works undertaken within the public street and Market Square areas must be consistent with the provisions of Council's [Warners Bay Streetscape Master Plan](#).

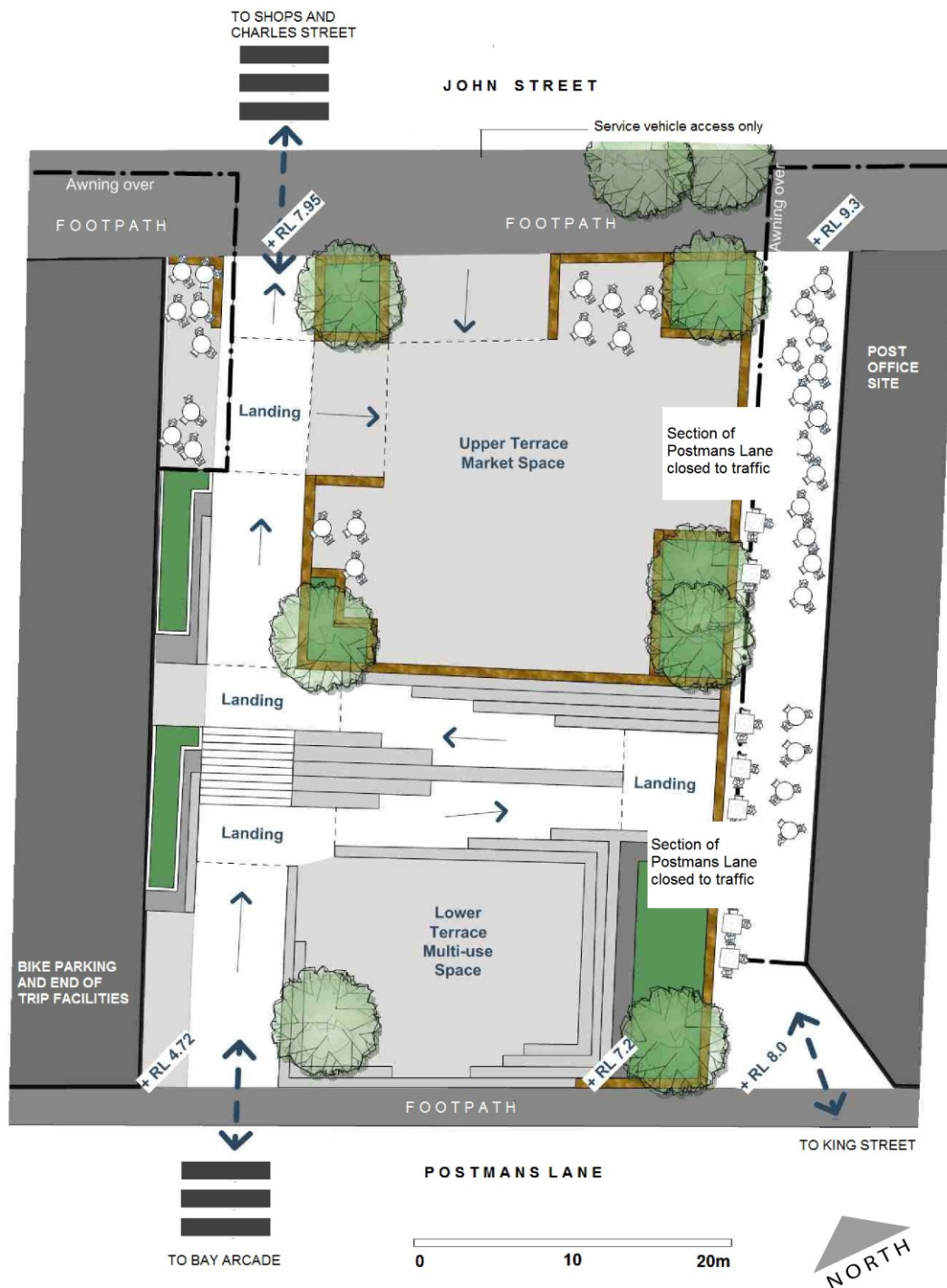


Figure 9 - Concept for Market Square with active frontage, outdoor dining, shade and seating and opportunity for markets.

### 4.2 PEDESTRIAN LANES

#### ***Objectives***

- a. To provide convenient and pleasant walking access to and from Dress Circle shop fronts and the Market Square.
- b. To maximise the pedestrian flow along pedestrian lanes
- c. To ensure pedestrian lanes are open safe, visible, convenient and have active frontage.
- d. To provide intermittent shelter and sun access along each open pedestrian lane.
- e. To ensure that pedestrian movement has priority at the intersection of each pedestrian lane and Postman's Lane.
- f. To ensure pedestrian lanes are wide enough to support footpath trading as well as pedestrian accessibility.

#### ***Controls***

- 1 Re-development of 478 The Esplanade (Lot 115 in DP 607605) and 470 The Esplanade (Lot 1 DP773457) must be setback 1.5m from the Bay Arcade boundary to provide an open pedestrian lane on a single alignment from Postman's Lane to The Esplanade.
- 2 Re-development on SP 48986, SP 74514 or Part 212 in DP 551611 (Lake Village Arcade), must include a pedestrian lane on a single alignment from Postmans Lane to The Esplanade, with a minimum clear corridor width of six metres and open to the sky.
- 3 Development on 36 John Street (Lot 21 DP1136755) and 32 John Street (Lot 1 DP1022769) must include a pedestrian lane on a single alignment between John Street and Charles Street (as shown in Figure 3: *Town Centre Structure Plan*) with a minimum clear corridor width of six metres and open to the sky.
- 4 Development on 22 Lake Street (Lot 53 in DP 603743) or 24 Lake Street (Lot 2 in DP 505075) must include a pedestrian lane on a single alignment from Postman's Lane to Lake Street, with a minimum clear width of five metres and open to the sky.
- 5 Each lane must be free of visual intrusions, including occupiable floor space, stairs, lifts and signage structures. Furniture, fixings and landscape works are encouraged where they provide high amenity footpath dining in accordance with Council's [Footway Dining Policy](#).
- 6 The pedestrian crossing point at Postman's Lane into each lane must be clear of impediments to pedestrian safety and amenity, including level changes, loading and delivery docks, waste management facilities or car park entries.
- 7 Each pedestrian crossing point at Postman's Lane must be at the same grade as the footpath and clearly differentiated from the remainder of the carriageway through a change in pavement materials.

### 4.3 IMPROVEMENTS TO THE ESPLANADE

#### **Objectives**

- a. To provide a high quality footpath trading area for properties fronting the foreshore between Lake and King Streets.
- b. To minimise the impacts of through traffic movements along The Esplanade.

#### **Controls**

- 1 Development on Dress Circle sites should make provision for footpath dining areas that are relatively level and that maximise the usage of footpath dining space, and are consistent with Council's [Footway Dining Policy](#).
- 2 Works undertaken within the public street and footpath areas must be consistent with the provisions of Council's [Warners Bay Streetscape Master Plan](#).

### 4.4 STREET AND FORESHORE IMPROVEMENTS

#### **Objectives**

- a. To provide high quality public spaces in the town centre and along the lake foreshore.
- b. To support the growth of the Performing Arts Centre as a focus for cultural activity in the area.

#### **Controls**

- 1 Development in the town centre must complement use and activity on the Foreshore Reserve at the Performing Art Centre.
- 2 Works undertaken within the Warners Bay Foreshore Reserve, Warner Reserve or the public street and footpath areas, must be consistent with the provisions of Council's [Warners Bay Streetscape Master Plan](#) and the *Warners Bay Foreshore Reserve Plan of Management*.



### 5 TRANSPORT, ACCESS AND PARKING

#### 5.1 PEDESTRIAN AND CYCLE FACILITIES

##### *Objectives*

- a. To improve walking and cycling safety and accessibility around and within in the town centre.

##### *Controls*

- 1 Where a traffic generating development warrants new or improved pedestrian or cycle facilities, these facilities should be in accordance with Figure 3 and Figure 9.

#### 5.2 PUBLIC TRANSPORT FACILITIES

##### *Objectives*

- a. To provide convenient bus access in the town centre.
- b. To activate the building frontage on John Street.

##### *Controls*

- 1 Development on the John Street car park site must include a new bus stop facility including a cantilever awning and seating on John Street at the location shown in Figure 9.
- 2 The awning and seating areas must be integrated with the overall building design to provide a high amenity area for public transport users.

#### 5.3 UPGRADES FOR INTERSECTIONS AND ROAD FACILITIES

##### *Objectives*

- a. To provide a convenient, safe, pleasant and interesting pedestrian environment that encourages walking.
- b. To provide safe, efficient and well-connected routes for cyclists.
- c. To manage traffic speeds and flow on the main roads network.
- d. To allow for efficient low speed town centre traffic circulation.
- e. To improve walking and cycle connections between the Foreshore, the Dress Circle and the Market Square.

##### *Controls*

- 1 Traffic generating development must address the impact of development on intersection operations as well as the desired outcomes for pedestrians and cyclists in the town centre.
- 2 Upgrades to intersections, cycling and walking facilities and bus facilities associated with traffic generating development must be consistent with the intersections and road facilities as shown in Figure 3: *Town Centre Structure Plan*.

**Note:** The implementation of each intersection upgrade would be required when traffic volumes reach the determined threshold level as the result of combined development and network growth.

### 5.4 PARKING PROVISION

#### *Objectives*

- a. To moderate the demand for parking in the town centre.
- b. To distribute town centre parking over several sites.
- c. To provide alternatives to on-site parking that support viable re-development of Dress Circle sites.
- d. To minimise adverse impacts of above ground level car parking spaces.
- e. To maximise the use of basement level parking to reduce building bulk and height.
- f. To ensure car parking at ground level or above can be converted to retail or commercial floor space at a later date.
- g. To maximise the use of all town centre car parking space across all hours.

#### *Controls*

- 1 Car parking at ground level must be sleeved by retail or commercial floor space along the total length of the primary road frontage, and for at least 60% of the secondary street frontage.
- 2 Where not all car parking can be accommodated at basement and ground level, car parking above ground level may be considered, provided it is fully integrated into the building design, and adequately screened by a high quality architectural façade on all elevations.
- 3 For car parking at ground level or above, the floor to ceiling height must be a minimum of 3.2m.

### 5.5 CAR PARKING RATES

#### *Objectives*

- a. To facilitate change of use between business, office and retail uses.
- b. To ensure that the number of car parking spaces provided does not undermine incentives for alternative modes of transport.
- c. To maximise the use of each parking space by multiple users and over extended hours.

#### *Controls*

1. The number of car parking spaces provided by development in the B2 Zone must be consistent with the specifications of Table 1.
2. Where the proposed number of car parking spaces is **less than or greater than** specified in Table 1, justification must be provided to support a variation.
3. Visitor car parking for residential uses is not required in the block bounded by The Esplanade, King Street, John Street and Lake Street.

**Table 1 - Car Parking Rates for Development within the B2 Zone**

Development Type	Car Parking Rate	
<b>residential flat buildings, shop top housing, and including dwellings as a component of mixed use developments.</b>	<b>Dwelling Type</b>	<b>Parking spaces per dwelling</b>
	1 bedroom	0.5
	2 bedrooms	0.75
	3 bedrooms	1.0
	visitor parking	0.25
<b>serviced apartments</b>	1 space per unit	
<b>business premises office premises retail premises</b>	1 space per 40m <sup>2</sup> GFA	
<b>medical centres health consulting rooms</b>	1 space per 40m <sup>2</sup> GFA	
<b>community facilities</b>	1 space per 40m <sup>2</sup> GFA	

**Note:** for all other parking rates see Part 4: Development in Business Zones

## 6 BUILDING DESIGN - GENERAL

### 6.1 BUILDING HEIGHT

#### ***Objectives***

- a. To ensure that buildings are lower than the treed ridgeline to the northeast when viewed from the lake.
- b. To ensure that building heights allow contact between the building occupants and people in the street.
- c. To ensure that building height and setbacks maintain sun access to public space
- d. To establish consistent street wall height that provides a comfortable sense of enclosure for that street.
- e. To maximise the potential of Dress Circle sites to deliver high amenity retail, office and residential floor space in the centre.
- f. To provide a transition of height between lower scale residential development and higher buildings.
- g. To locate higher buildings on larger sites that have the capacity to provide additional town parking.
- h. To ensure that building heights are suitable to enable feasible development to occur when market conditions are favourable.

#### ***Controls***

- 1 The maximum number of storeys must comply with the Building Type Controls (Figures 13 to 26).

### 6.2 MAXIMUM OCCUPIED AREA

#### **Definition:**

One hundred percent (100%) occupied area means that the floor space on that level completely fills the maximum possible area within the setbacks from each boundary.

Fifty percent (50%) occupied area means that the floor space on that level occupies no more than 50% of the maximum possible area within the setbacks from each boundary.

#### ***Objectives***

- a. To reduce the bulk and impact of a building mass on residential amenity within the site or on neighbouring sites.

#### ***Controls***

- 1 Development must comply with the maximum occupied area controls, as shown in the Building Type Controls (Figures 13 to 26).

- 2 Residential development must satisfy the building separation, solar access and amenity requirements of State Environmental Planning Policy No. 65 – Quality Design of Residential Flat Development.

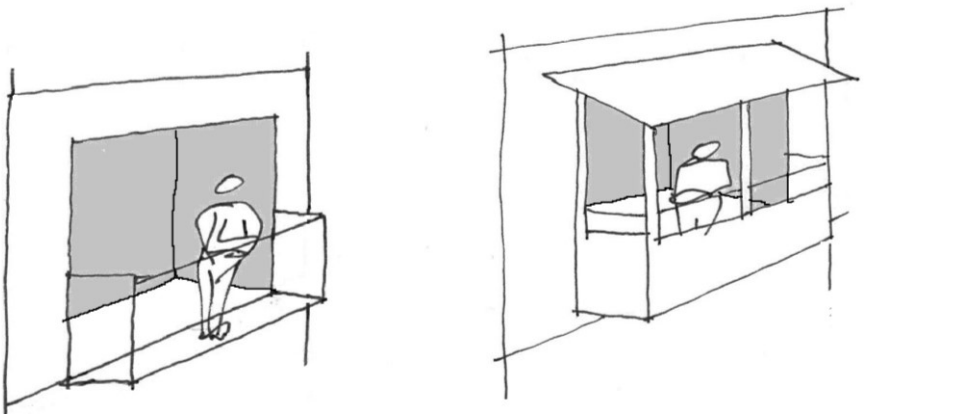
### 6.3 BALCONIES AND OPENINGS

#### *Objectives*

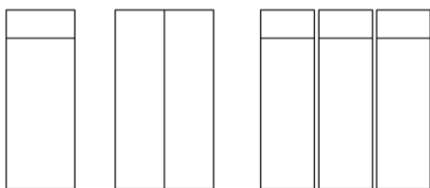
- a. To reinforce the street wall and the sense of enclosure of the street.
- b. To ensure that balconies offer adequate privacy and shelter and can be used frequently.
- c. To ensure finer grain scale and vertical proportions of façade composition.

#### *Controls*

- 1 Balconies below the parapet line must be recessed in the street façade wall. Balcony projections up to a maximum of 600mm from the street wall are acceptable for balustrades and awnings as shown in Figure 10. Projecting balconies are acceptable on levels above the parapet line only.
- 2 Each balcony balustrade must be discrete from neighbouring balconies. Continuous balustrades across a façade are not acceptable on any level.
- 3 Each balcony must incorporate moveable shutters, louvers or screens that provide sun and wind protection.
- 4 Window and door openings above street level must emphasise a height to width ratio of at least 2:1 as shown in Figure 11.



**Figure 10 - Recessed balconies with small projections for balustrades and awnings**



**Figure 11 - Suitable window and door proportions**

### 7 BUILDING TYPES

All uses shown on the Building Type Controls (Figures 13 to 26) are indicative only. The permitted uses are determined by Lake Macquarie LEP 2014.

#### 7.1 BUILDING TYPE A

##### *Objectives*

- a. To accommodate level changes between the footpath and the ground floor of development for sites subject to inundation.
- b. To create vibrant trading spaces with an elevated outlook to the lake.
- c. To reinforce the deflected alignment of The Esplanade between Lake and King Streets.
- d. To maximise the number of shop fronts along the Dress Circle frontages.
- e. To establish a street wall composed of narrow facades, active shop fronts and fine grain detailing.
- f. To ensure that on larger sites the pattern of small scale shops and narrow vertical facades is maintained.
- g. To ensure that upper levels on the Dress Circle are recessive and lightweight in appearance.
- h. To provide high amenity residential apartments overlooking the lake.
- i. To provide opportunity for smaller affordable residential units overlooking Postman's Lane.
- j. To improve pedestrian amenity and safety on Postman's Lane.

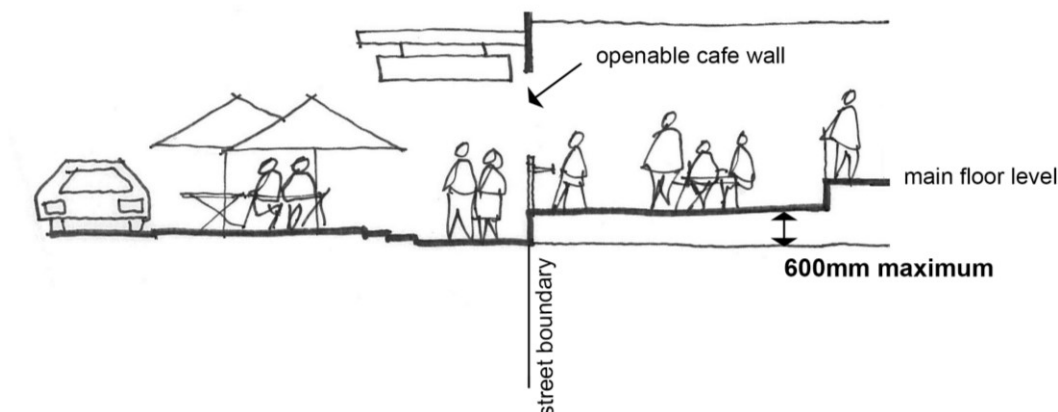


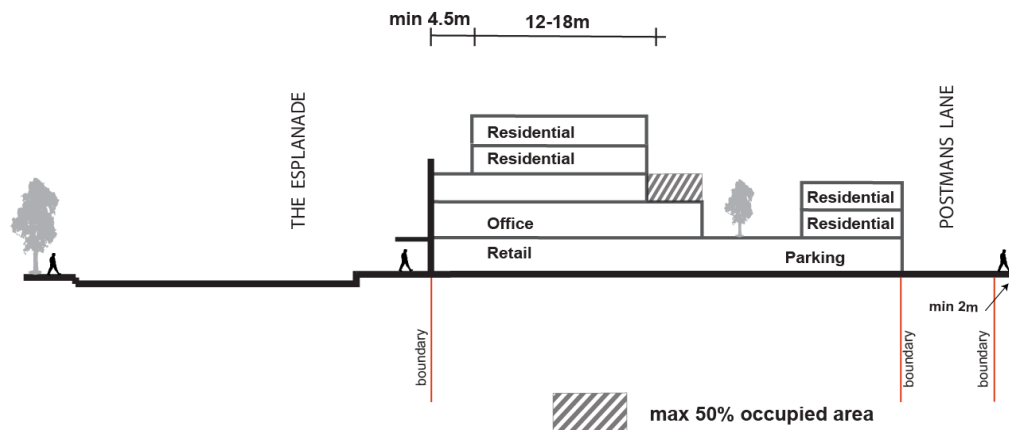
Figure 12 - Intermediate level between footpath and main ground floor suited to outdoor dining

### **Controls**

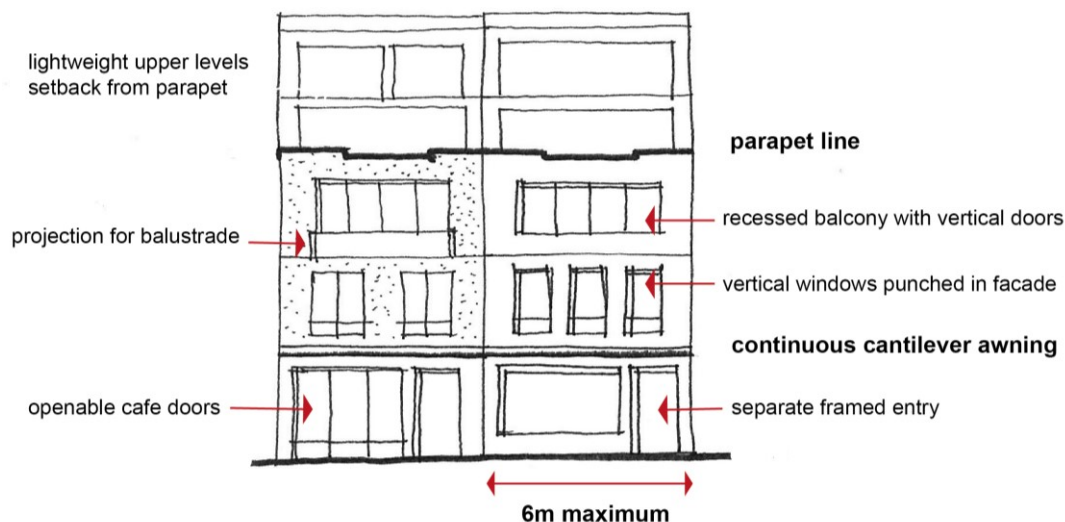
- 1 Development must comply with the controls as set out in Figure 12 to 14.
- 2 Where floor levels are raised to accommodate risk of flooding, the building design must incorporate the level change from footpath to the ground floor within the building. Footpath ramps are not acceptable.
- 3 Where the level change is greater than 600mm between the footpath and the main ground floor, the building design must include an intermediate level that is:
  - suitable for cafe/dining trading or shop front display;
  - designed to withstand temporary inundation.
- 4 Café or dining activity on the intermediate level should maximise activity and amenity using a combination of openable walls, or retractable windows, half walls and bench seating.
- 5 The front façade of development fronting The Esplanade between Lake and King Streets must be aligned on the front property boundary, even when this is not orthogonal to the side boundary.
- 6 Façades Dress Circle sites must be three storeys high at the street boundary and finished by a parapet line.
- 7 Each shop front façade on Dress Circle sites should be a maximum of 6m in width as shown in Figure 14.
- 8 Wider building frontages must be composed of two or more narrower facades that are readily distinguished by a change of wall alignment, colour, surface finish, and/or fenestration pattern.
- 9 Each facade must be predominantly masonry construction with punched voids for balconies, windows and doors.
- 10 Shop front glazing at street level must occupy between 70-90% of the frontage width, with a maximum sill height of 700mm.
- 11 Development for café use must provide a large wall opening with retractable windows or doors that occupies at least 70% of the façade width.
- 12 Street level windows and entries must be clearly expressed with separate framing set within a solid masonry wall. Continuous glazing is not permitted.
- 13 Street level access to residential dwellings above must be clearly identified and must not occupy more than 20% of the street level facade.
- 14 Shop fronts may include recessed entries where this facilitates convenient and universal access. Entry ramps are not permitted within the public footpath.
- 15 Windows and balcony doors above street level must not occupy more than 60% of the facade width.
- 16 Each balcony must be protected by moveable shutters, louvers or screens that provide wind protection and allow views to the lake. Levels above the parapet line must be setback a minimum of 4.5m from the primary street frontage.



- 17 Levels above the parapet line must use lightweight materials and be finished in light to mid-tone neutral colours. Heavy masonry elements including large masonry columns and balconies are not acceptable.
- 18 Balcony balustrades, screening and detailing should be constructed of lightweight small section elements.
- 19 Development must include a masonry wall or fence at least 1.8m high on the rear boundary at Postmans Lane.
- 20 Development must provide architectural elements to the rear wall on Postmans Lane including wall articulation, awnings over vehicle and pedestrian entries, voids in the wall with louvers and screening treatments.
- 21 Development with residential dwellings facing Postman's Lane must be effectively sealed at the rear street level to minimise the impact of noise and odour on residents above.



**Figure 13 - Section - Type A Building on the Dress Circle with indicative uses**



**Figure 14 - Elevation – Type A building on the Dress Circle**

### 7.2 BUILDING TYPE B

#### Objectives

- To ensure that the street level façade provides an active frontage for pedestrians.
- To ensure that multi-level deck car parking would not detract from the quality and amenity of the streetscape.
- To ensure all facades of parking decks are integrated within the overall building design and finished with high quality architectural materials.
- To provide an opportunity for large scale public art integrated with the building facade.

#### Controls

- Development must incorporate retail shopfronts, pedestrian entry to parking and an integrated bus stop facility that occupies at least 50% of the street level frontage.
- All car parking decks must be enclosed by a high quality architectural facade incorporating elements such as panels, louvers, glazed areas, punched mesh, lathe screening or green walls.
- The overall facade must be composed of smaller façade elements each with a maximum width of 20m.
- Screening to car parking must allow for suitable ventilation and natural day lighting.
- Screening design must incorporate contemporary lightweight non-reflective materials on all elevations that enhance the character of the surrounding streets.
- Building elevations to Postman's Lane must be finished to the same standard as the main building façade.
- Public art should be incorporated into the façade design to express the emerging identity of Warners Bay and to enliven the street elevation.

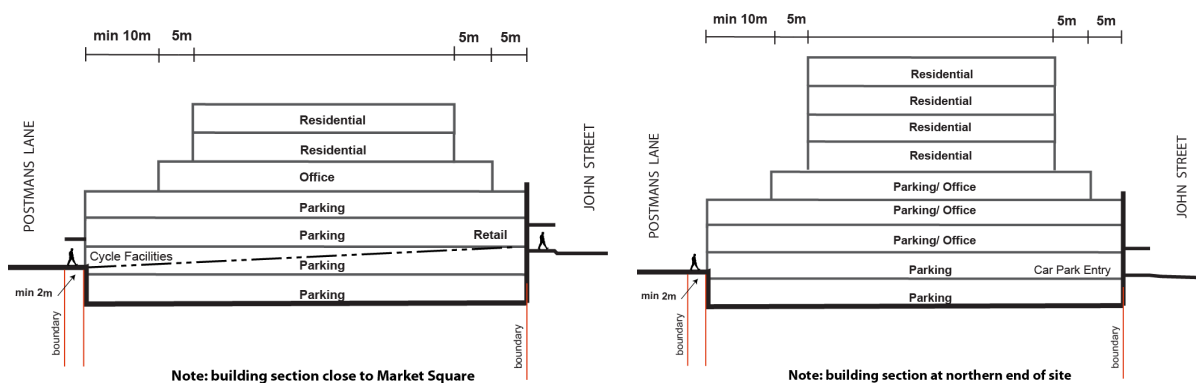
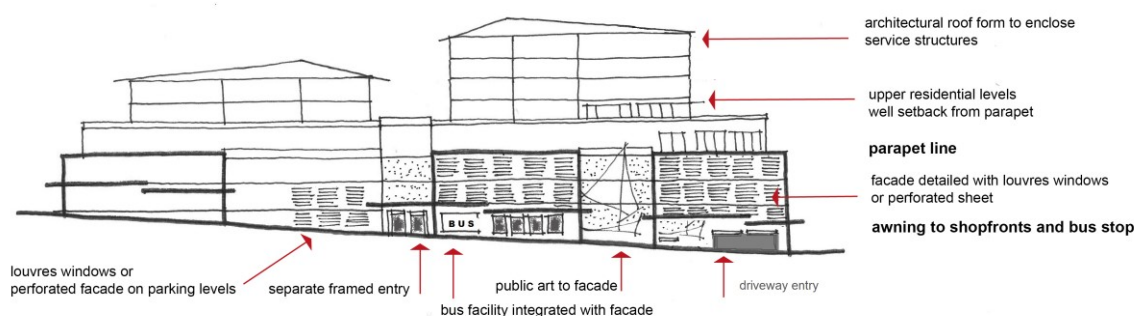


Figure 15 - Sections – Type B Building at southern end (left) and northern end, with indicative uses



**Figure 16 - John Street elevation – Type B Building**

### 7.3 BUILDING TYPE C

#### **Objectives**

- a. To ensure that higher buildings do not have an adverse visual impact on the treed ridgeline that forms a backdrop to Warners Bay.
- b. To ensure that sites with larger frontages include a variety of 10-15 commercial premises every 100m of street frontage.
- c. To establish a clear street wall composed of smaller facades with good quality architectural detailing.

#### **Controls**

- 1 Each façade must be at least three storeys high at the street boundary and finished by a parapet line.
- 2 Each façade must be no more than 10m in width.
- 3 Wider building frontages must be composed of two or more narrower facades that are readily distinguished by a change of wall alignment, colour, surface finish, and/or fenestration pattern.
- 4 Each facade must be predominantly masonry construction with punched voids for balconies, windows and doors.
- 5 Shop front glazing at street level must occupy between 70-90% of the frontage width.
- 6 Street level windows and entries must be clearly expressed with separate framing set within a solid masonry wall. Continuous glazing is not acceptable.

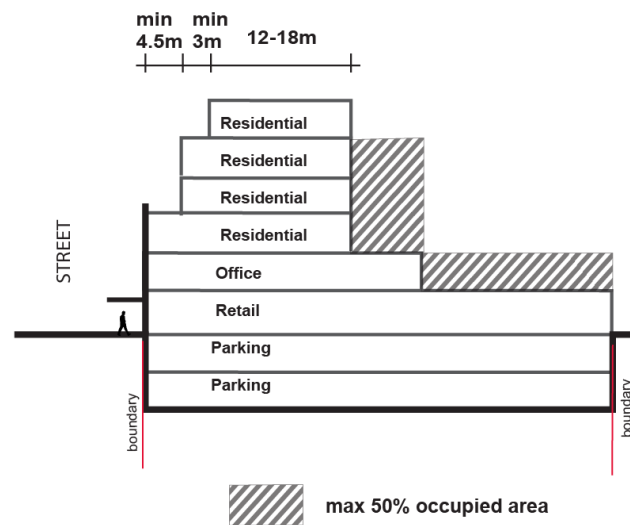


Figure 17 - Section - Type C Building with indicative uses



Figure 18 - Street elevation – Type C Building

### 7.4 BUILDING TYPE D

#### Objectives

- To provide for a combination of basement parking and deck parking above the street.
- To ensure that the larger frontage site includes a variety of small to medium commercial premises.
- To ensure that the street level offers pedestrians interest, activity and detailed design elements.

### Controls

- 1 Each façade must be 2-3 storeys high at the street boundary and finished by a parapet line.
- 2 Each façade must be no more than 12m in width.
- 3 Wider building frontages must be composed of two or more narrower facades that are readily distinguished by a change of wall alignment, colour, surface finish, and/or fenestration pattern.
- 4 Each facade must be predominantly masonry construction with punched voids for balconies, windows and doors.
- 5 Shop or office front glazing at street level must occupy between 70-90% of the frontage width.
- 6 Street level windows and entries must be clearly expressed with separate framing set within a solid masonry wall. Continuous glazing is not permitted.
- 7 Street level entries to residential dwellings above must be clearly identified.
- 8 Development on the north-west side of Lymington Way must be setback a minimum of 2m from the Lymington Way street boundary to allow for a bus layover area.

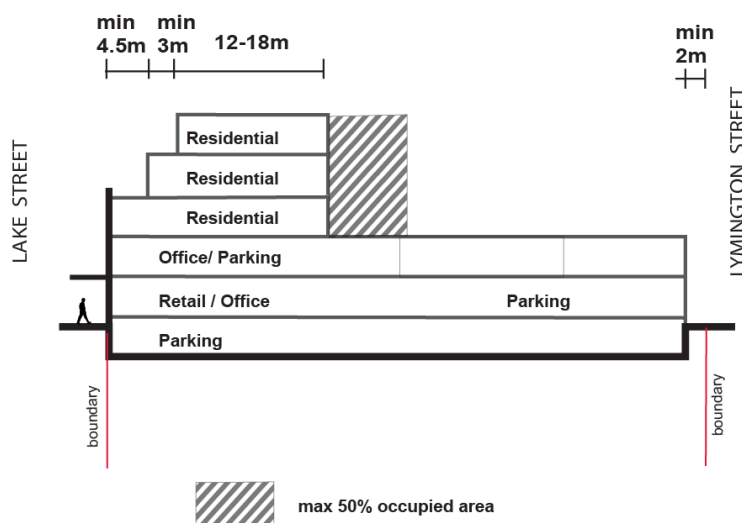


Figure 19 - Section - Type D Building with indicative uses



Figure 20 - Street elevation – Type D Building

## 7.5 BUILDING TYPE E

### Objectives

- To provide for mixed use sleeving development along Charles Street and larger floor plate retail behind.
- To ensure that sites with larger frontages include a variety of 10-15 commercial premises every 100m of street frontage.
- To establish a lower street wall composed of smaller facades with good quality architectural detailing.

### Controls

- Each façade must be at least two storeys high at the street boundary and finished by a parapet line.
- Each façade must be a maximum of 10m in width.
- Wider building frontages must be composed of two or more narrower facades that are readily distinguished by a change of wall alignment, colour, surface finish, and/or fenestration pattern.
- Each facade must be predominantly masonry construction with punched voids for balconies, windows and doors.
- Shop or office front glazing at street level must occupy between 70-90% of the frontage width.
- Street level windows and entries must be clearly expressed with separate framing set within a solid masonry wall. Continuous glazing is not permitted.

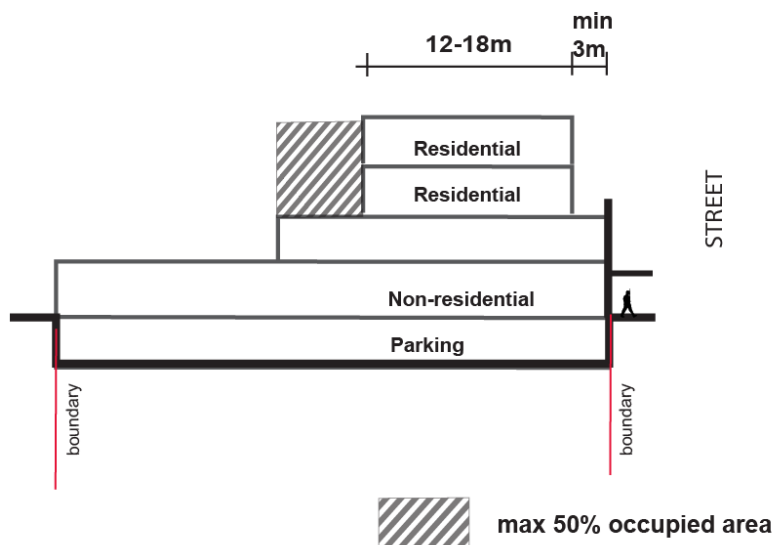


Figure 21 - Section - Type E Building with indicative uses

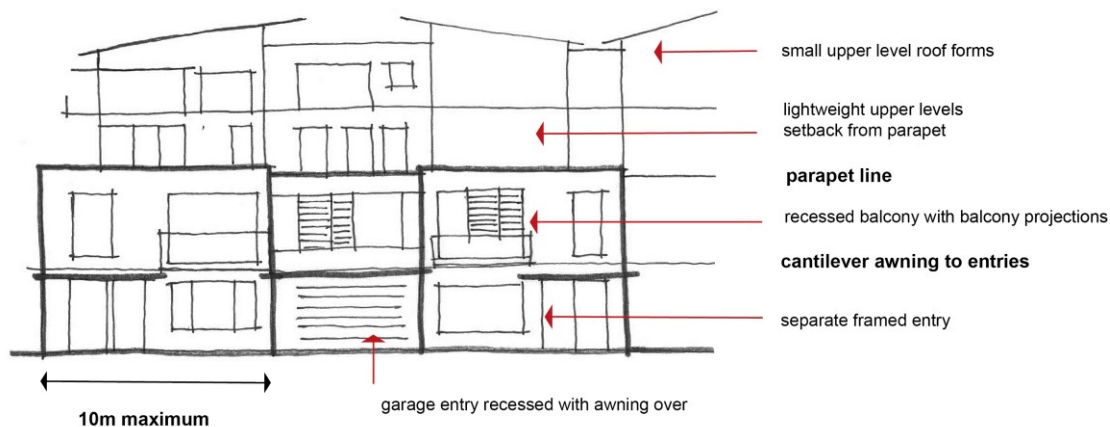


Figure 22 - Street elevation – Type E Building

### 7.6 BUILDING TYPE F

#### Objectives

- To facilitate development of shallow depth commercial zoned lots on Lake Street
- To establish a two storey street wall that defines the spatial extent of the street.
- To ensure each building has a commercial façade at the street boundary that reinforces street character.
- To ensure that each building has clearly distinguishable and separate entries for commercial areas and residential areas.



- e. To ensure parking is included at the rear of the building or within the building volume.
- f. To minimise the impact of garage doors and entries.

### Controls

- 1 The building façade must be at least two storeys high and located on the street boundary.
- 2 Each façade must be a maximum of 10m in width and finished by a parapet line.
- 3 Wider building frontages must be composed of two or more narrower facades that are readily distinguished by a change of wall alignment, colour, surface finish, and/or fenestration pattern.
- 4 Each facade must be predominantly masonry construction with punched voids for balconies, windows and doors.
- 5 Shop front glazing at street level must occupy between 50-90% of the frontage width.
- 6 Street level windows and entries must be clearly expressed with separate framing set within a solid masonry wall. Continuous glazing is not permitted.
- 7 Street level entries to residential dwellings above must be clearly identified.

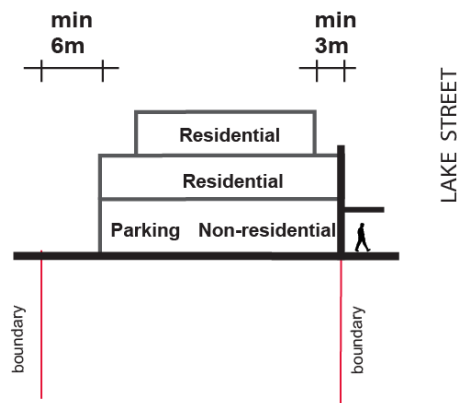


Figure 23 - Section - Type F Building with indicative uses

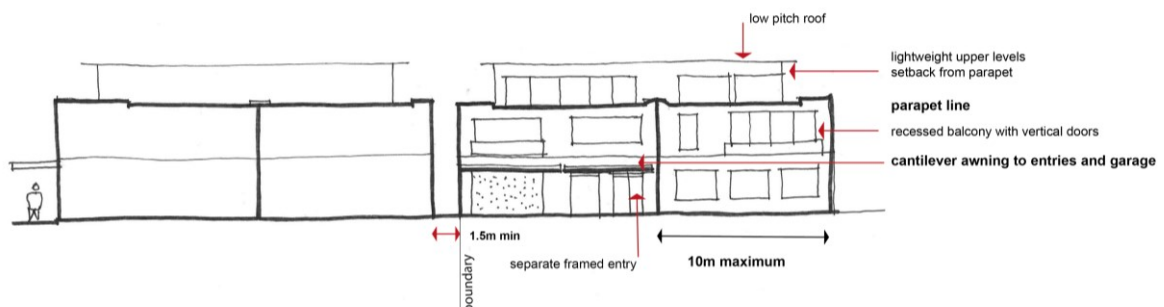


Figure 24 - Street elevation – Type F Building

### 7.7 BUILDING TYPE G

#### Objectives

- To establish a two storey street wall that defines the spatial extent of the street.
- To ensure each building has a commercial façade at the front setback line that reinforces street character.
- To ensure that each building has clearly distinguishable and separate entries for commercial areas and residential areas.
- To minimise the impact of parking areas.

#### Controls

- The building façade must be at least two storeys high and located on the front setback line. Encroachments of up to 1m are permissible for articulation and entry elements.
- Each facade must be predominantly masonry construction with punched voids for balconies, windows and doors.
- Street level windows and entries must be clearly expressed with separate framing set within a solid masonry wall. Continuous glazing is not permitted.
- Street level entries to residential dwellings must be clearly identified.

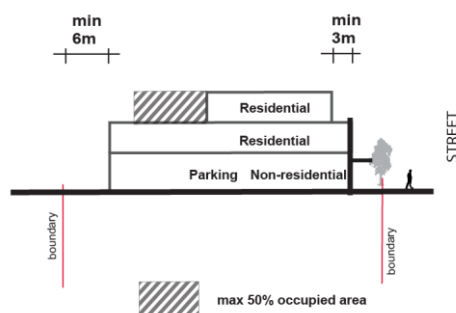


Figure 25 - Section - Building Type G with indicative uses

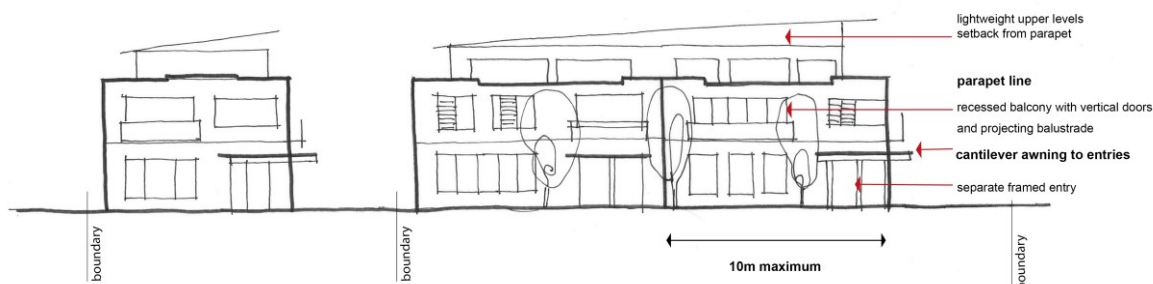


Figure 26 - Street elevation – Type G Building