



DEVELOPMENT CONTROL PLAN

PART E: SPECIFIC AREAS



Chapter 21: Centres

Amendment History

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1	Draft	
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GENERAL PROVISIONS

Centres

Preamble

Arguably, centres are the most diverse and important component of the urban environment. Centres house the businesses and services that we rely on and they generate economic activity that supports jobs and growth. They are the areas in which we come together to celebrate and to seek entertainment. The streets, laneways, parks and public squares are the public domain and play a vital role in how we perceive the centre and how we move around it. Vibrant, attractive, active centres are important to support the ongoing success of the businesses located within them and to foster a community identity.

Council has undertaken comprehensive planning for the Cessnock Commercial Precinct and the Kurri Kurri, Weston and Branxton Town Centres. This has informed area-based provisions for each of these centres. Where there is a development provision that is different from the area-based provisions, the area-based provisions apply to the extent of the difference.

The Huntlee Town Centre has been comprehensively planned and a detailed, area-based DCP applies to that Huntlee, so these provisions do not apply to that centre.

Application

This chapter applies to all assessable development in E1 Local Centre, E2 Commercial Centre and MU1 Mixed Use zones. Additional area-based provisions apply to Cessnock, Kurri Kurri, Branxton and Weston.

These provisions do not apply to development in the Huntlee Town Centre.

Development provisions

Active street frontages¹

Objective/s	Development Controls
To encourage lively, active streets. To promote pedestrian activity and safety in the public domain.	Active street frontages are provided on primary road frontages.

¹ Active frontages include entrances that are directly accessible from a public space, with doors and windows that maintain clear views to and from the street with minimal blank walls. These provide informal surveillance opportunities and often improve the vitality and safety of an area. Note: Frosted glass, signage or glass covered with excessive imaging is considered non-active frontage.

Objective/s	Development Controls
<p>To achieve strong, consistent built form.</p> <p>To maximise active street frontages in town and village centres.</p>	
	<p>Active street fronts are required on the ground level of all retail and commercial development fronting:</p> <ul style="list-style-type: none"> • the primary road frontage, • new pedestrian laneways²; and • a public park or square.
	<p>Corner buildings fronting a road, laneway or public space are to provide an active frontage that wraps around the corner.</p>
	<p>An active frontage is not required for any part of a building that is used for any of the following:</p> <ul style="list-style-type: none"> • entrances and lobbies (including as part of mixed-use development); • access for fire services; and • vehicle access.
<p>To contribute to the vitality of streets by maximising entries and display windows to retail uses and minimising blank walls.</p> <p>To allow for outlook to and surveillance of the street.</p> <p>Development contributes to the quality, activity, safety and amenity of streets and public domain.</p>	<p>Active frontages are to be designed in accordance with the following criteria:</p> <ul style="list-style-type: none"> • The ground floor level is at the same level as the footpath. • At a minimum, 70% of the ground floor frontage is to be transparent glazing. • Enclosed glazed shopfronts are preferred to open shopfronts, except for food and drink premises, which are encouraged to provide open shopfronts. • Residential foyer spaces are a maximum of 8m-width of a street frontage. • Security grilles may only be fitted internally behind the glazed shopfront and are to be fully retractable and at least 50% transparent when closed.

² This applies only where the primary frontage is the laneway. Where a development is on the corner of a road and a laneway, the active frontage need only wrap around the corner of the laneway and the requirement for 70% of the frontage to be glazed does not apply.

Objective/s	Development Controls
The built form of large format retail ³ positively contributes to the activation of the street and the public domain.	Large format retail developments are to provide an active street frontage along the primary road frontage.
	Parking areas for large format retail are to be sleeved or hidden by the retail and commercial uses.

Addressing the Street and Public Domain

Objective/s	Development Controls
High quality, fine-grain tenancy frontages address the street and the public domain.	Entries to retail and commercial premises are directly accessible from the street and public domain.
	Entrances are to be visible to the street and well lit.
Minimise and ameliorate the effect of blank walls to the street and public domain.	Blank walls are only permitted on the sides and at the rear of buildings.
	Alternative treatments, for example changes in materials, artwork, articulated wall elements are required where walls are visible from public spaces.

Awnings

Objective/s	Development Controls
<p>Pedestrian pavements are sheltered and provide for comfortable pedestrian environments.</p> <p>The street edge is clearly and consistently defined.</p> <p>Materials should encourage high quality design and amenity in the public domain.</p> <p>There is adequate clearance for street furniture, regulatory signage and trees.</p>	<p>Awnings are to be provided on all active street frontages.</p> <p>Awnings shall be provided in accordance with the following:</p> <ul style="list-style-type: none"> • Wrap awnings around corners on street corner buildings. • Cantilever awnings from buildings are to have a minimum soffit height of 3.2m and a maximum of 4.5m. • Low profile awnings with slim vertical fascia and/or eaves (not to exceed 300 mm) are encouraged. • Awnings are to be a minimum of 2.5m deep (dependent on street width) and setback from the kerb a minimum of 1000mm. • Steps for design articulation or to accommodate sloping streets are to be integrated with the building design and should not exceed 700mm.

³ Large format retail includes supermarkets and specialised retail premises.

	<ul style="list-style-type: none"> All adjoining awnings should be of consistent height and depth and of complementary design and materials. New awning fascia should be coordinated with adjacent awning fascia where these exist.
	Awnings and/or canopies should be provided elsewhere to define public entrances to buildings, including residential flat buildings.
To encourage the night use and activation of centres.	Under awning lighting is provided.
To assist public safety in centres after dark.	
	Lighting is to be recessed into the soffit of the awning, or wall mounted onto the building.
To provide adequate distance between pedestrians and overhead signage.	Any under awning signage is to maintain a minimum clearance of 2.7m from the level of the pavement.

Building materials, finishes and colours

Objective/s	Development Controls
Encourage building materials, finishes and colours that create a finer texture and add visual interest to streetscapes.	Developments are to use a combination of colour, texture and/or materials.
To provide visual interest in building facades.	

Built Form, Setbacks⁴ and Street Hierarchy

Objective/s	Development Controls
Development within existing or established centres is consistent with the existing or established setbacks in the street.	Where there is an established zero metre setback on one or both adjoining buildings, the setback is zero metres.
To achieve strong, consistent built form of streetscapes and all other areas of public domain.	
	Where a zero-metre setback is not achievable or is not desirable, the setback should be consistent with the established setback in the street.
	Where there is no established setback, the setback is within 20% of the average of adjoining building/s.

⁴ Additional setback controls apply to Active street frontages.

	Where there is no adjoining building/s, the front setback is zero metres.
Built to side boundary streetscapes in established centres is facilitated.	No windows are permitted on the side boundaries that abut another developable site.
The scale, modulation and façade articulation of development is consistent with, or reflective of established buildings in the streetscape.	Each building facade is to be well-articulated using of changes in materiality, articulated elements like recesses in facades, awnings, and recessed doorways etc.
	Articulation treatments are the same or similar to existing buildings in the streetscape.
	The design of the building includes clear differentiation between the base, middle and top.
Large expanses of similar façade treatments are avoided. A sense of fine-grain tenancy frontages is provided.	Frontages that exceed 20m must incorporate design elements to differentiate and interrupt the façade such as changes in materials and or building elements.

Building height⁵

Objective/s	Development Controls
The bulk and scale of the building is consistent with, or complimentary to the established buildings in the street and the streetscape. Avoid significant overshadowing of parks, public streets and places. A pedestrian-scale streetscape is maintained.	Buildings are a maximum of 2-storeys in height.
The vertical dominance of the building is reduced. Avoid significant overshadowing of parks, public streets and places. A pedestrian-scale streetscape is maintained.	An additional storey may be permitted if the top storey is setback a minimum of 3.0m from the building line.
	Where the proposal is higher than the heights in the established streetscape, the proposal must be accompanied by design justification demonstrating that the greater height will not adversely impact on the established streetscape or adjoining buildings.

⁵ Where an approved master plan or public domain plan supports additional height, this has been included in the Area-based provisions.

Roof form

Objective/s	Development Controls
Roof form is consistent with the established streetscape.	New roofs should take design cues from existing buildings in the streetscape including form, pitch and materials.
Roof design contributes positively to the skyline and streetscape.	Variations in roof form including the use of skillions, gables and hips are to be provided in the development.
Roof plant and structures should not be visible from the street.	Lift over-runs and service plant must be concealed within roof structures.
	All roof plant must be represented on plans and elevations.
Green roofs and the use of roof space for recreational purposes is encouraged.	Outdoor recreation areas on flat roofs are to be landscaped and incorporate shade structures and wind screens to encourage use.

Gateways and landmark sites

Objective/s	Development Controls
Landmark sites are distinctive and unique. Buildings that will form gateways to town centres and business or commercial precincts are distinctive. To reinforce the way finding attributes and significance of focal points.	The design of buildings on corner sites, including laneways or at the ends of business or commercial zones, should emphasise the importance of the corner as a focal point.
	The tallest portion of the building should be on the corner.
	Buildings on corner sites or at the ends of business or commercial zones should be constructed to the boundary or with a minimal setback with no car parking or servicing between the site boundary and the building.
	Awnings must wrap around the corners of buildings.
	Design devices such as: <ul style="list-style-type: none"> • increased wall heights, • splayed corner details, • expression of junction of building planes, • contrasting building materials; and • other architectural features; should be used.

Site servicing

Objective/s	Development Controls
<p>Site facilities are functional and accessible to all occupants and are easy to maintain.</p> <p>Site facilities are thoughtfully integrated into the development and are visually and physically unobtrusive.</p>	<p>Garbage, mail box structures, service meters, air conditioners and the like are to be integrated with the overall design of the buildings and/or landscaping.</p>
<p>The visual and acoustic impact of site servicing for businesses in the centre is minimised.</p>	<p>Garbage storage areas are not permitted along the primary or secondary street frontage.</p>
	<p>Ventilation stacks are to be utilised wherever possible to vent shops and basements.</p>

Landscaping

Objective/s	Development Controls
<p>High quality, easy-to-maintain and enduring landscaping is provided within developments.</p> <p>The public landscape should create visual interest and character that is interconnected to public open space and the public domain.</p> <p>The causes and impacts of the urban heat island effect are minimised.</p> <p>Trees are maintained to a high standard.</p>	<p>New large format retail developments must be accompanied by a landscape plan that includes:</p> <ul style="list-style-type: none"> • Plant species palette, • Planting layout, • Planting densities, • Irrigation detail, and • Maintenance schedule.
	<p>Landscaping shall be consistent with Council's Engineering Standards and Specifications.</p>
	<p>Plant species are chosen to ensure longevity and vigour.</p>
<p>Landscaping reinforces the public domain plans for the centre.</p> <p>Landscaping helps integrate the site into the centre.</p>	<p>Plant selection and landscape design should be consistent and complementary with any adopted public domain plans for the centre.</p>
	<p>Plant selection along pathways ensures:</p> <ul style="list-style-type: none"> • a clear trunk height of minimum 1.8m at maturity; • a shrub height of maximum 1m at maturity.
<p>Landscaping is protected from car damage.</p>	<p>Development provides planting areas within car parking areas that are protected by wheel stops or bollards.</p>

Sustainable Development and Water Sensitive Urban Design

Objectives	Development controls
The environmental impacts of development are minimised. Water consumption is minimised.	All new water fittings and fixtures (e.g., showerheads, water tap outlets, urinals and toilets) are to be the highest Water Efficiency Labelling Scheme (WELS) star rating available at the time of development.
Energy consumption is minimised.	The development is to be designed to minimise the need for active heating and cooling by incorporating passive design measures related to glazing, natural ventilation, thermal mass, external shading and vegetation.
	Lighting shall be energy-efficient lighting.
	Rooftop photovoltaic solar panels are encouraged.
Water Sensitive Urban Design (WSUD) is used in large developments to: <ul style="list-style-type: none"> • reduce onsite water consumption, • reduce the volume and extend the period of stormwater entering hard stormwater infrastructure, and • improve the quality of stormwater. 	New developments 1,000sqm or greater in area are to incorporate Water Sensitive Urban Design (WSUD) measures in their stormwater management systems.
	Development Applications are to be accompanied by a WSUD Report outlining the measures to be incorporated in the proposal.

Parking and access

Objective/s	Development Controls
Business and commercial development is pedestrian orientated whilst providing for appropriate vehicular access.	No direct vehicular access to at grade or basement car parking from the active street frontage is permitted in E1 Local Centre, E2 Commercial Centre or MU1 Mixed Use zones.
	The number of vehicular crossovers should be kept to a minimum and appropriate sight lines provided to encourage safe integration of pedestrian and vehicular movement.
	Any car park ramps are located largely within the building footprint.
	Underground car parks should be designed to enable all vehicles to access and egress in a forward direction.
	All stairs and elevators in the parking structure are clearly visible.
	Vehicular entrances to underground car parks are to be: <ul style="list-style-type: none"> • Located on minor streets; • Have a maximum crossover of 6.0m;

	<ul style="list-style-type: none"> • Shall be signed and lit appropriately; • Shall be designed so that exiting vehicles have clear sight of pedestrians and cyclists.
	At-grade / surface car parking areas adjacent to streets should be generally avoided. Where it is not possible, car parking areas are landscaped and integrate into the public domain.
The impact of service access on pedestrians and retail, commercial and residential frontage is minimised.	Loading facilities must be located to the rear of each development.
	All service areas are to be screened from existing developments.
	Where servicing is able to be provided, service access is from rear lanes, side streets or right of ways.
	Service vehicles must be able to enter/exit in a forward direction.
	The access points and movement paths of service vehicles are separated from customer vehicles where possible.

AREA-BASED PROVISIONS

Cessnock Commercial Precinct

Preamble

Cessnock is the primary strategic centre for the Cessnock Local Government Area. It provides high level retail, services and entertainment venues.

Cessnock is a key location within the region as the first point of contact for visitors, the majority of whom travel to the region from the south. It is positioned to harness the influx of visitors making their way to the wineries further north, building upon its current identity as a regional centre.

Council has undertaken comprehensive strategic planning for the centre including the adoption of the [Cessnock Commercial Precinct Master Plan](#) and [Public Domain Plan](#). These plans have informed many of the development provisions and initiatives in this Development Control Plan.

Application

These provisions apply to the Cessnock Commercial Precinct as illustrated in Figure 1.



Figure 1: Cessnock Commercial Precinct.

Development provisions

Master plan and public domain plan

Objective/s	Development Controls
The development contributes to the strategic vision for the Cessnock Commercial Precinct.	The development is consistent with the Cessnock Commercial Precinct Master Plan and Public Domain Plan .

Active street frontages

Objective/s	Development Controls
<p>To encourage lively, active streets.</p> <p>To contribute to the vitality of streets by maximising entries and display windows to retail uses and minimising blank walls.</p> <p>To promote pedestrian activity and safety in the public domain.</p> <p>To allow for outlook to and surveillance of the street.</p> <p>Development contributes to the quality, activity, safety and amenity of streets and public domain.</p>	<p>Active street frontages are provided in accordance with Figure 2.</p>

Built Form, Setbacks and Street Hierarchy

Objective/s	Development Controls
<p>Development within existing or established centres is consistent with the existing or established setbacks in the street.</p> <p>Achieve strong, consistent built form definition of streetscapes and all other areas of public domain.</p>	<p>Setbacks are consistent with Figure 3.</p>

Building height

Objective/s	Development Controls
<p>The bulk and scale of the building is consistent with, or complimentary to the established buildings in the street and the streetscape.</p> <p>Avoid significant overshadowing of parks, public streets and places.</p> <p>A pedestrian-scale streetscape is maintained.</p>	<p>The maximum height of buildings is in accordance with Figure 6.</p>

Parking and Access⁶

Objective/s	Development Controls
<p>Adequate car parking to meet the needs of the Commercial Precinct is to be provided.</p> <p>Economic growth within the Commercial Precinct is encouraged through reduced parking requirements for nominated uses.</p>	<p>No parking is required for development in the Commercial Precinct for the purposes of a neighbourhood shop, a restaurant or café, a take away food and drink premises, or small bar where this is accommodated in an existing premises.</p>
<p>Prioritise pedestrian and bicycle access, connectivity and safety in the Commercial Precinct.</p> <p>Promote cycling through the mandatory provision of bike storage for nominated land uses.</p>	<p>Provision of cycleways, through-links and bike parking facilities⁷ are provided generally in accordance with Figure 5.</p>
	<p>Through-site links are to be designed to:</p> <ul style="list-style-type: none"> • generally, have a minimum width of 4m, or 6m where bike access is provided; • generally, be open to the sky or provide naturally ventilated glazed roofs for weather protection; • have a clear line of sight between public places; • be fully accessible 24 hours per day; and • be well lit for the safety of users.

Public art

Objective/s	Development Controls
<p>To develop a Public Art collection that is progressive, innovative, contemporary, challenging and stimulating, and that explores a variety of mediums, scales and approaches.</p> <p>To support the development and commissioning of a diverse range of Permanent, Temporary and Ephemeral Public Art in Public Spaces which contribute to the social, cultural, environmental and economic value of the area.</p>	<p>Any public art installed at the locations identified in Figure 8 is consistent with Council's Public Art Policy for guidelines.</p>

⁶ All other development is assessed against the requirements of the car parking and access chapter.

⁷ Bike parking facilities and the thresholds for provision are provided in DCP Chapter: Parking and Access.

<p>To support integration of Public Art into the urban and natural landscape through adopting a whole of Council approach to planning, selection and maintenance of Public Art.</p> <p>To support local established and emerging artists and facilitate community participation.</p> <p>To improve the quality of the built environment and enhance the relationship between the community and their urban landscape providing an increased sense of identity, ownership, place and pride.</p>	
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Existing and future desired character

The [Cessnock Commercial Precinct Master Plan](#) includes statements about the future desired character of specific sites in the precinct.

The following provisions apply to development sites listed in Table 1.

Objective/s	Development Controls
<p>The development of specific sites achieves excellent design outcomes.</p> <p>Key sites provide a catalyst for other development in the area.</p>	<p>Development is strongly encouraged to meet the future desired character for the site as listed in Table 1.</p>
<p>Provide development incentives to enable design excellence and sustainable design for new development within Catalyst Sites.</p> <p>Identify redevelopment opportunities and development objectives for Catalyst Sites.</p> <p>Reduce the isolated nature of the major shopping centre areas.</p> <p>Improve the appearance and reduce the environmental impacts of public car parks.</p> <p>Identify options for the redevelopment of the TAFE site as a regional cultural/educational centre and district-level park.</p> <p>Identify the long-term renewal plan for the Commercial Precinct’s major stormwater canal as an attractive landscaped linear green space and access way.</p>	<p>Development of ‘Catalyst Sites’ shown in Figure 4 in accordance with the development opportunities and objectives outlined in Table 1 and that achieves design excellence⁸ are eligible for the following reduced car parking rates:</p> <ul style="list-style-type: none"> • 25% less than the required for land uses including business & office premises; entertainment facilities; function centre; places of public worship; restaurant; shops and general business; or • 50% less than that required for shop top housing including business & office premises; entertainment facilities; function centre; places of public workshop; restaurant; shops and the residential component as a floor space equal to or greater than 50% of the total floor space of the development.

	<p>In considering whether the development exhibits design excellence, the council must have regard to the following matters:</p> <ol style="list-style-type: none"> 1. whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved, 2. whether the form and external appearance of the development will improve the quality and amenity of the public domain, 3. whether the development detrimentally impacts on view corridors identified in the Cessnock Commercial Precinct Master Plan or Public Domain Plan, 4. how the development addresses the following matters: <ol style="list-style-type: none"> a. the suitability of the land for development, b. existing and proposed uses and use mix, c. heritage issues and streetscape constraints, d. the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form, e. bulk, massing and modulation of buildings, f. street frontage heights, g. environmental impacts such as sustainable design, overshadowing, wind and reflectivity, h. the achievement of the principles of ecologically sustainable development, i. pedestrian, cycle, vehicular and service access, circulation and requirements, j. the impact on, and any proposed improvements to, the public domain.
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⁸ In considering whether the development exhibits design excellence, the council must have regard to the matters listed above.

Table 1: Existing and future desired character. Important sites and catalyst sites (Refer Figure 4).

	Site	Existing character	Future desired character
1	South Avenue properties	These sites include modern commercial premises, vacant land and a large industrial site.	Properties along South Avenue have important frontages and visually prominent to proposed future Bypass route (Snape to James Streets). The development of high quality commercial, retail and business premises are encouraged on these sites.
2	TAFE	This site provides both an important educational facility and a significant green space in the Cessnock Commercial Centre.	<p>To redevelop as a revived educational facility serving the region.</p> <p>There is an opportunity to better define and activate adjoining streets, rather than current significant setbacks.</p> <p>To encourage the continuing use of the TAFE site as an education hub, potentially in conjunction with a compatible civic use.</p>
3	Coles supermarket	A large, and key site in the heart of the Centre and a major retail destination. A key site on the Cooper Street cross axis link to 'Main Street' and with an important frontage to TAFE Park.	<p>To better define and activate adjoining streets, and proposed Town Square, rather than current blank walls or activity setback from street frontages by large parking areas on the east and south.</p> <p>To better screen 'back of house' activities on west. To provide improved weather protection for pedestrians - to better link supermarket and 'Main Street' retail.</p>
4	Cessnock Plaza	A large, and key site in the heart of the Centre and a major retail destination. A key site on the Cooper Street cross axis link to 'Main Street' and with important street frontages.	<p>To better define and activate adjoining streets, rather than current setbacks for parking on west, south and east. To upgrade the environment along the canal to the north.</p> <p>To coordinate/ collaborate with IGA site to realise a better urban development outcome.</p> <p>To provide weather protection (e.g. awnings) for pedestrians - to better link supermarket and 'Main Street' retail.</p>
6	Former cinema and carpark	A prominent 'Main Street' corner property with	To re-establish as a night-time entertainment venue, to better

	(catalyst site)	significant frontage to Cooper Street and an important west-east connector street. The former cinema provided one of the few night-time entertainment venues in the Commercial Centre.	define and activate adjoining streets, particularly Charlton Street, and to screen existing parking area with active ground level frontages.
7	Vincent Street car park site (Cumberland Street)	Consolidated, current carpark site in the heart of the commercial precinct, with both Vincent Street and Cumberland Street frontages. Elevated with views west over the valley. (Note: the Vincent Street lot has been developed).	To realise a high-quality urban development outcome - a 'model' mixed-use development of high-quality architecture with attractive landscaped street frontages.
8	Cessnock City Council (catalyst site)	Current Cessnock City Council, Council Chamber, offices, public address and associated car parking. A key consolidated site within the precinct with Vincent Street, Cooper Street and Cumberland Street frontages.	To realise a high-quality urban development outcome - a 'model' civic development of high-quality architecture with attractive, landscaped street frontages.
9	Public carpark (Cumberland Street)	Consolidated Commercial Centre site, currently used for public car park. Significant CBD corner/street frontages.	To develop as multi-level car park, sleeved with ground level retail/active street frontages. To develop rooftop as hotel/motel accommodation, private apartments or affordable housing. Potential to be a relocation site for Council.
10	Mixed use & public carpark site (Cessnock Leagues Club)	Large consolidated site, including on-site parking and green space.	To ensure any future development of the site achieves high quality architectural design and public domain outcomes.
11	Public carpark (CPAC)	Consolidated Commercial Centre site currently used for public car park that services CPAC and Pedens Bar and Restaurant. Significant corner/street frontages.	To develop as multi-level car park, sleeved with ground level retail/active street frontages. To develop rooftop as hotel/motel accommodation, private apartments or affordable housing.
12	Vincent St site	Consolidated, prominent 'Main Street' corner site, currently three-quarters vacant. Significant issues with	Any development of this site should be designed in a way that provides a high-quality

	(Corner Vincent Street and Aberdare Road)	flooding and contamination are present that would need to be addressed to allow development.	gateway to the Cessnock Commercial Precinct.
13	Hall St site (Corner of Hall and Cumberland Streets)	Prominent centre corner site, currently vacant.	To realise a high-quality urban development outcome - a 'model' mixed use development of high-quality architecture with attractive landscaped street frontages.
14	Potential multi-storey public carpark (Charlton Street car park).	Consolidated Commercial Centre site currently used for public car park.	To develop a new multi-level public carpark with potential ground floor active uses.

Design Excellence

Objective/s	Development Controls
<p>Design excellence is encouraged for development of key sites in the precinct.</p> <p>Development exhibits design excellence that contributes to the natural, cultural, visual and built character of the Cessnock Commercial Precinct.</p>	<p>These provisions apply only to sites listed in Table 2 and Figure 4.</p>
	<p>Consent may be granted for the erection or alteration of a building that has:</p> <ol style="list-style-type: none"> 1. A floor space ratio of not more than 20% greater than that allowed by Figure 7; and/or 2. A height of not more than 3 metres greater than that allowed by Figure 6, <p>but only if:</p> <ol style="list-style-type: none"> 1. the design of the building or alteration has been reviewed by a design review panel⁹ that determines the development exhibits design excellence, and 2. the council considers that the development exhibits design excellence; and

⁹ In this clause design review panel has the same meaning as it has in the [State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development](#).

	<ol style="list-style-type: none"> 3. the development within Area B, C or D (Figure 4) achieves a minimum Floor Space Ratio (FSR) that is 80% of the maximum FSR identified on Figure 7; and 4. the development achieves a 5 Star Green Star rating; and 5. the development is designed by a registered Architect; and 6. the development meets the specifications in Table 2.
	<p>In considering whether the development exhibits design excellence, the council must have regard to the following matters:</p> <ol style="list-style-type: none"> 1. whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved, 2. whether the form and external appearance of the development will improve the quality and amenity of the public domain, 3. whether the development detrimentally impacts on view corridors identified in the Cessnock Commercial Precinct Master Plan and Public Domain Plan, 4. how the development addresses the following matters: <ol style="list-style-type: none"> a. the suitability of the land for development, b. existing and proposed uses and use mix, c. heritage issues and streetscape constraints, d. the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form, e. bulk, massing and modulation of buildings, f. street frontage heights, g. environmental impacts such as sustainable design, overshadowing, wind and reflectivity, h. the achievement of the principles of ecologically sustainable development,

	<ul style="list-style-type: none"> i. pedestrian, cycle, vehicular and service access, circulation and requirements, j. the impact on, and any proposed improvements to, the public domain.
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Table 2: Design excellence sites and criteria.

	Site	Specifications relating to site
B	Vincent Street car park site (Cumberland Street)	<p>The proposed development includes a publicly accessible through-site pedestrian link with a minimum width of 4 metres connecting Vincent Street to Cumberland Street and Council Car Park adjacent.</p> <p>The proposed development includes active frontages in accordance with the Figure 2.</p>
C	Former Cinema & carpark	<p>The proposed development includes a publicly accessible through site pedestrian link, centrally positioned along the eastern façade, with a minimum width of 4 metres connecting Charlton Street to Vincent Street.</p> <p>The proposed development includes public entertainment uses such as a cinema.</p> <p>The proposed development includes active frontages in accordance with the Figure 2.</p> <p>The proposed development provides a sensitive or complimentary response to heritage items in the vicinity of the site.</p>
D	Mixed use & public carpark site (Cessnock Leagues Club)	<p>The proposed development is a mixed-use development including residential flats.</p> <p>The proposed development includes active frontages in accordance with the Figure 2.</p>
E	Aberdare Road / Vincent Street car park	<p>The proposed development architecturally presents as a major gateway to the city.</p> <p>The proposed development is sympathetic or complimentary to the character of heritage items.</p>



Figure 2: Active street frontages in the Cessnock Commercial Precinct.



Figure 3: Setbacks in the Cessnock Commercial Precinct.



Figure 4: Catalyst and key development sites.

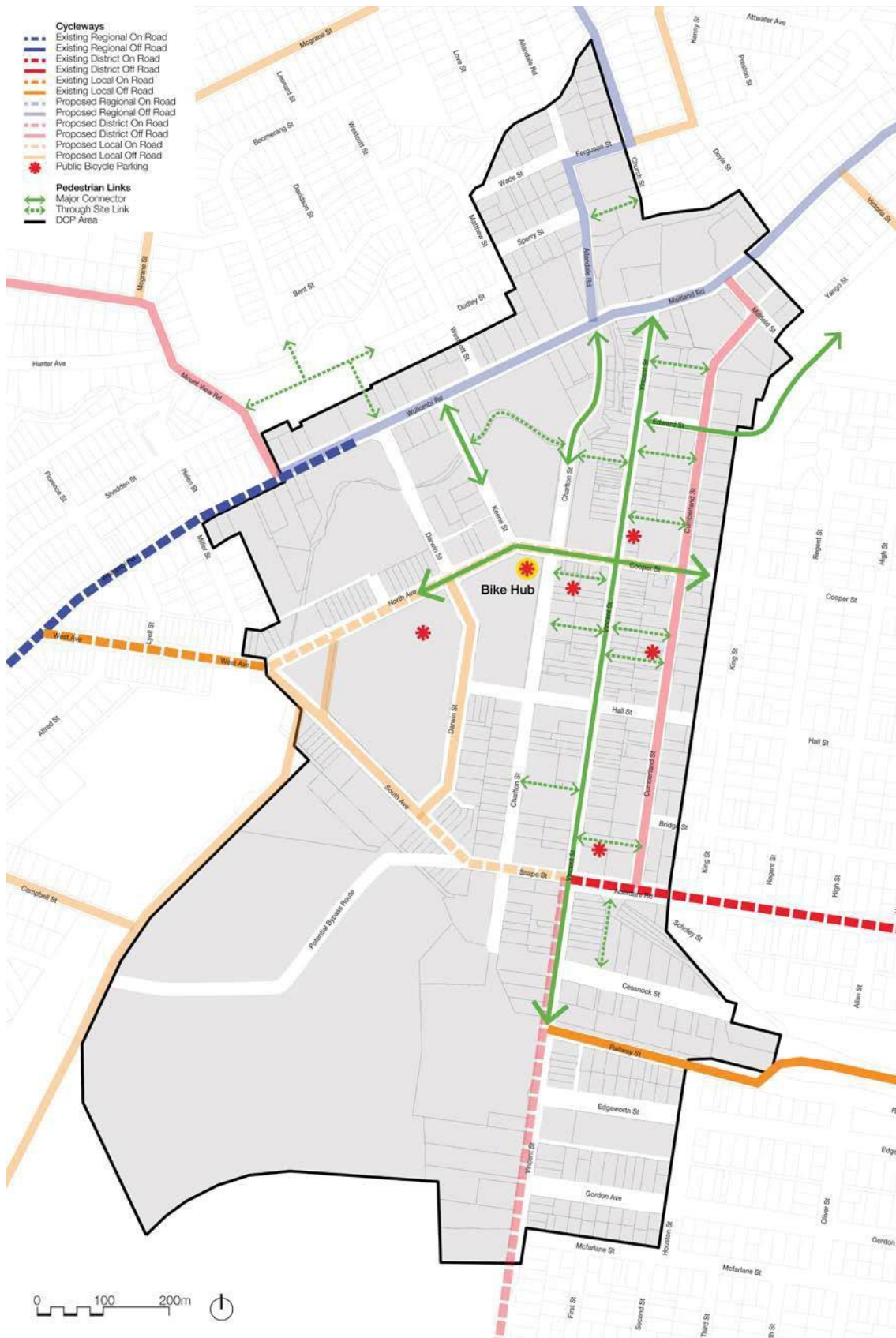


Figure 5: Active transport map.

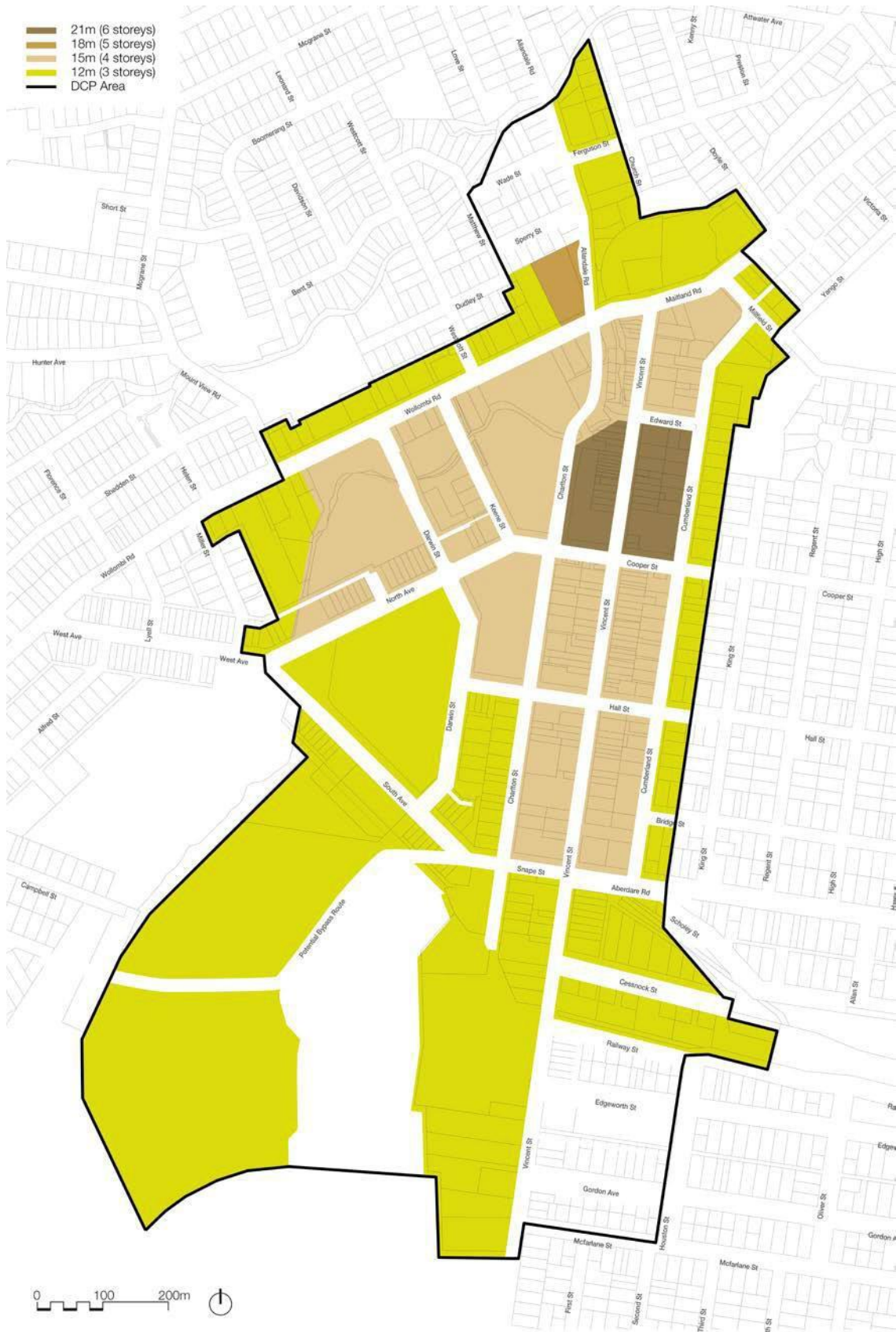


Figure 6: Height of buildings in the Cessnock Commercial Precinct.

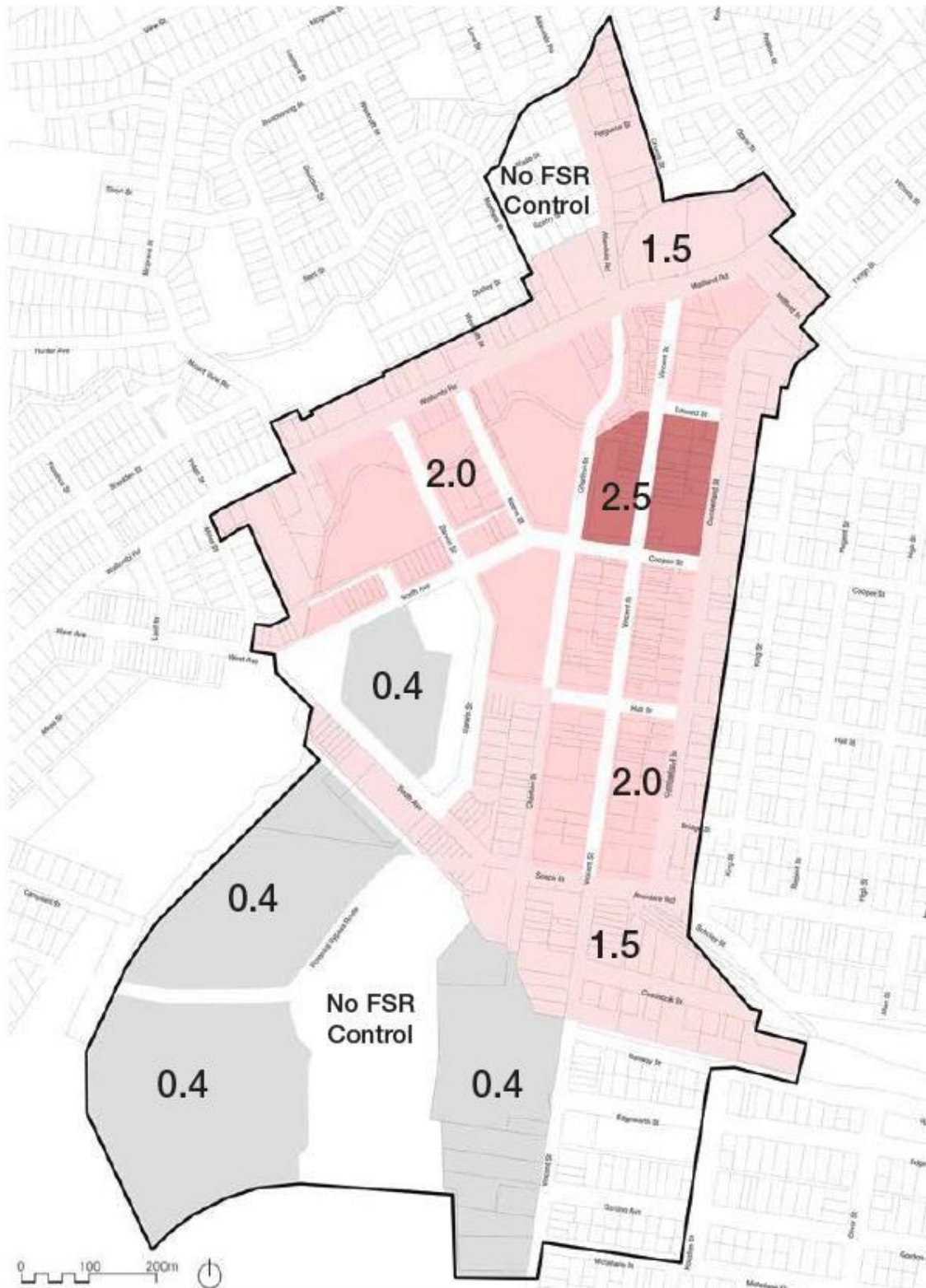


Figure 7: Floor space ratios in the Cessnock Commercial Precinct.



Figure 8: Open space strategy.

Kurri Kurri Town Centre

Preamble

Kurri Kurri is a unique town and important retail centre in the Cessnock Local Government Area (LGA). Kurri Kurri has a distinct character and history and is identified as a ‘gateway’ to the Hunter Valley Wine Region.

The Kurri Kurri District is located approximately 15 minutes from the major regional centres of Cessnock and Maitland and is the second largest settlement in the Cessnock LGA.

The Centre contains a primary area of activity along Lang Street between Hampton and Victoria Streets and less active commercial fringe, zoned MU1 Mixed Use.

Application

The provisions apply to the Kurri Kurri Town Centre.



Figure 9: Kurri Kurri Town Centre.

Development provisions

Master plan and public domain plan

Objective/s	Development Controls
The development contributes to the strategic vision for the Kurri Kurri Commercial Precinct.	The development is consistent with the Kurri Kurri District Plan and Master Plan .

Building height

Objective/s	Development Controls
Height controls (on Lang Street and Barton Street in particular) to retain streetscape and 'country town' character.	Height of buildings are a maximum of two storeys.
Building heights should not impact on the visual curtilage of heritage buildings. To protect significant views to significant buildings. Ensure long distance views along streets are maintained and framed where possible.	Additional storeys may be permitted where they are supported by a visual design analysis that demonstrates that the additional height: <ul style="list-style-type: none"> • does not impact on the visual curtilage of heritage buildings. • protects significant views to significant buildings. • ensures long distance views are maintained and framed.

Active street frontages

Objective/s	Development Controls
To encourage lively, active streets. To contribute to the vitality of streets by maximising entries and display windows to retail uses and minimising blank walls. To promote pedestrian activity and safety in the public domain. To allow for outlook to and surveillance of the street. Development contributes to the quality, activity, safety and amenity of streets and public domain.	Active street frontages are to be provided along: <ol style="list-style-type: none"> 1. Barton Street between Allworth and Hampden Streets; and 2. Lang Street between Allworth and Mitchell Avenue.

Awnings

Objective/s	Development Controls
Shelter is provided for public streets where most pedestrian activity occurs. The pedestrian environment is comfortable through the provision of awnings. The street edge is clearly and consistently defined.	A continuous awning is provided along: <ol style="list-style-type: none"> 1. Barton Street between Allworth and Hampden Streets; and 2. Lang Street between Allworth and Mitchell Avenue.

Parking and access

Objective/s	Development Controls
<p>A through-link is provided between Lang Street and Barton Street.</p> <p>Greater pedestrian permeability is provided between the Lang Street and parking facilities in the centre.</p>	<p>An open arcade is provided from Lang Street to Barton Street in accordance with the Kurri Kurri Master Plan.</p>
<p>The arcade is designed in accordance with the Master Plan.</p>	<p>The through-link:</p> <ul style="list-style-type: none"> • provides tree planting within the arcade; • is an active frontage which may include outdoor dining, a new entry to the supermarket, specialist retail; • is appropriately signed; and • establishes setbacks to open and improve sight lines along the length of the arcade.



Figure 10: Pedestrian arcade 172 Lang Street, Kurri Kurri – for further details see Kurri Kurri Master Plan.

Mixed use sites

Objective/s	Development Controls
<p>Mixed-use developments are encouraged in the Kurri Kurri Town Centre.</p> <p>The Kurri Kurri Town Centre is activated by increased residential uses.</p> <p>Key developments sites in the centre provide a mixture of commercial and residential development.</p> <p>Mixed use development is designed to respect the heritage streetscape, heritage items and views into, through and out of the centre.</p>	<p>Shop top housing is encouraged throughout the town centre.</p>
	<p>Up to three storeys, shop-top housing is strongly encouraged for the redevelopment of:</p> <ul style="list-style-type: none"> • 209 Lang Street (former Workers Club site); • 247/249 Lang Street (Goodyear Auto Care); and • the Kingsway Plaza site.
	<p>Development of these sites must be supported by a design statement that:</p> <ul style="list-style-type: none"> • Exhibits a high standard of architectural design, materials and detailing appropriate to the building type and location, • Demonstrates that the form and external appearance of the development will improve the quality and amenity of the public domain, • Addresses the following matters: <ul style="list-style-type: none"> ○ the suitability of the land for development, ○ existing and proposed uses and use mix, ○ heritage issues and streetscape constraints, ○ the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,

Objective/s	Development Controls
	<ul style="list-style-type: none"> ○ bulk, massing and modulation of buildings, ○ street frontage heights, ○ environmental impacts such as sustainable design, overshadowing, wind and reflectivity, ○ the achievement of the principles of ecologically sustainable development, ○ pedestrian, cycle, vehicular and service access, circulation and requirements, ○ the impact on, and any proposed improvements to, the public domain.

Weston Town Centre

Preamble

Weston is a small town centre between Cessnock and Kurri Kurri. The commercial centre is predominantly along Station Street between Cessnock Road and First Street; however commercial uses extend from Scott Street to First Street.

Cessnock Road, Station Street and First Street are the main thoroughfare between Cessnock and Kurri but the installation of the Frame Drive/Gingers Lane bypass to the Hunter Expressway has reduced traffic volumes travelling through the centre.

A [Master Plan](#) has been prepared for Weston that aims to reinvigorate the centre through public domain works.

Application

These provisions apply to the Weston Town Centre as illustrated in Figure 11.



Figure 11: Weston Town Centre.

Development provisions

Master plan and public domain plan

Objective/s	Development Controls
The development contributes to the strategic vision for the Weston Commercial Precinct.	The development is consistent with the Kurri Kurri District Plan ¹⁰ and Weston Commercial Precinct Master Plan .

Active street frontages

Objective/s	Development Controls
<p>To encourage lively, active streets.</p> <p>To contribute to the vitality of streets by maximising entries and display windows to retail uses and minimising blank walls.</p> <p>To promote pedestrian activity and safety in the public domain.</p> <p>To allow for outlook to and surveillance of the street.</p> <p>Development contributes to the quality, activity, safety and amenity of streets and public domain.</p>	Active street frontages are to be provided along Station Street between Cessnock Road and First Street.

Awnings

Objective/s	Development Controls
<p>Shelter is provided for public streets where most pedestrian activity occurs.</p> <p>The pedestrian environment is comfortable through the provision of awnings.</p> <p>The street edge is clearly and consistently defined.</p>	Awnings are to be provided along Station Street between Cessnock Road and First Street.

¹⁰ The Kurri Kurri District Plan includes the Weston Town Centre. The Weston Town Centre has its own Commercial Precinct Master Plan.

Building height

Objective/s	Development Controls
<p>Height controls (on Station Street in particular) retain the established streetscape and town character.</p> <p>Building heights do not impact on the visual curtilage of heritage buildings.</p> <p>The dominance of the Criterion Hotel in the streetscape is maintained.</p>	<p>Development is restricted to a single storey.</p>
	<p>A second storey is permitted if the second storey is setback 3.0m from the building line.</p>

Branxton Town Centre

Preamble

Branxton is a small township with a distinct heritage character and rural landscape setting. Its main street, Maitland Street, forms part of the old New England Highway. A number of heritage buildings address the street. Most of the town centre is within a Heritage Conservation Area which requires assessment against [Clause 5.10](#) of the Cessnock Local Environmental Plan 2011.

There are two significant changes that have occurred or are occurring in the area that have implications for the Branxton Town Centre.

Until recently, the centre had serviced passing trade associated with the New England Highway. Since the opening of the Hunter Expressway, there has been a significant reduction in traffic volumes. However, this has contributed greatly to the amenity of the centre and provides opportunities to reclaim the corridor for more people-friendly activities and functions.

The second major change in the area is the development of the Huntlee Town Centre. Branxton has been the focus of commercial and social activities for the broader sub-region. The Huntlee Town Centre comprises a mixed-use area of approximately 200 hectares. Plans indicate that the centre will provide a range of uses including retail, service industries, bulky goods, commercial, entertainment, residential, educational and community. The size and diversity of uses at Huntlee will service the Branxton Sub-regional Area. However, Branxton has a unique streetscape that contains many heritage buildings. With appropriate treatment, Branxton will become a very attractive and unique centre.

Application

The following controls apply to the Branxton Town Centre illustrated in Figure 12.

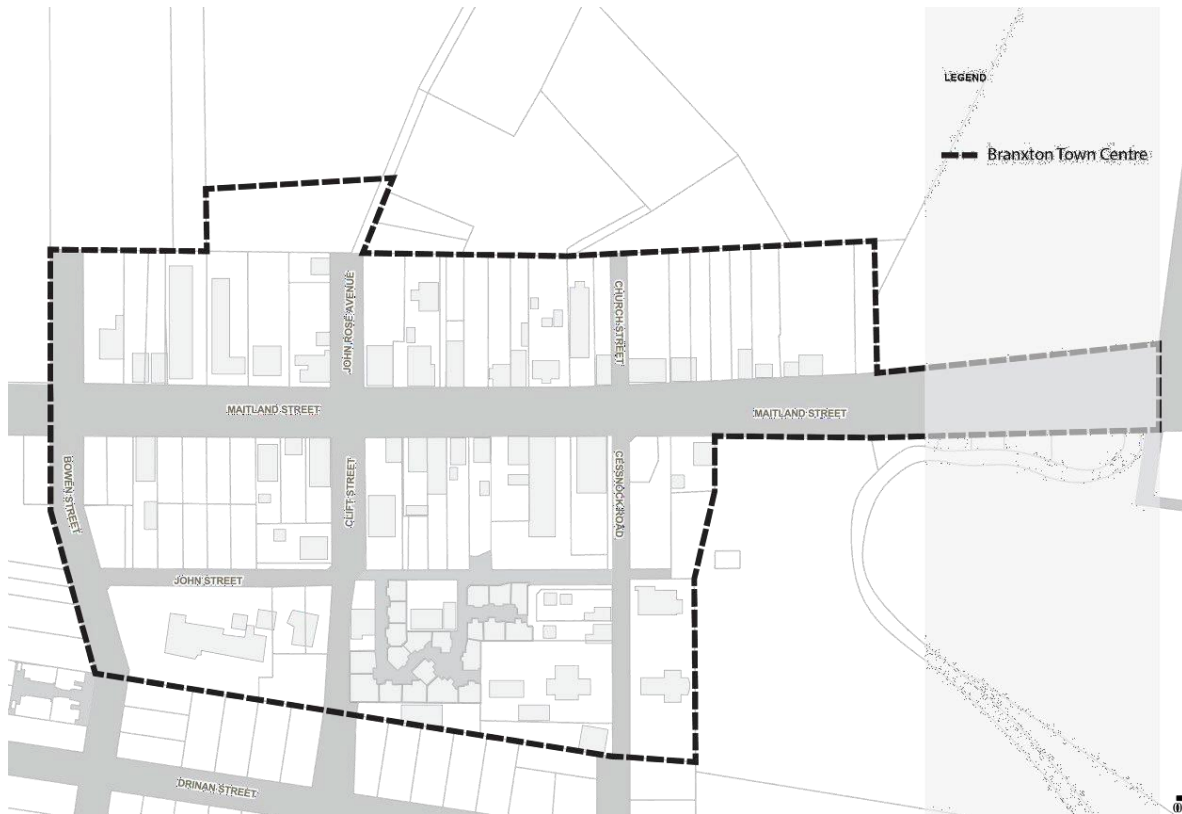


Figure 12: Branxton Town Centre DCP.

Development provisions

Master plan and public domain plan

Objective/s	Development Controls
The development contributes to the strategic vision for the Branxton Town Centre.	The development is consistent with the Branxton Town Centre Master Plan and Public Domain Plan .

Active street frontages

Objective/s	Development Controls
<p>Lively, active streets are created through a diversity of commercial and retail premises.</p> <p>Pedestrian movement in the centre is safe, convenient and intuitive.</p> <p>Improved surveillance of the street and the public domain is achieved.</p> <p>Development contributes to the quality, activity, safety and amenity of streets and public domain.</p>	Active street frontages are provided in accordance with Figure 13.

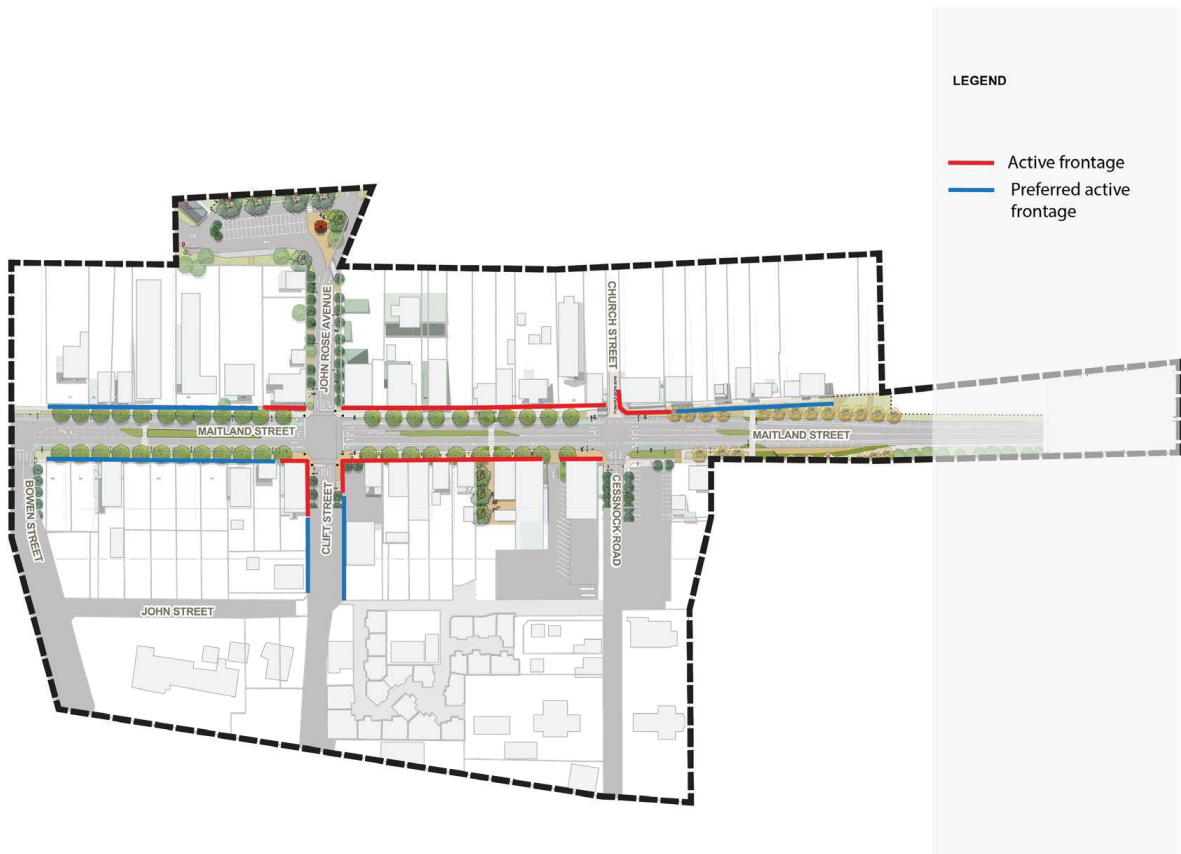


Figure 13: Active Street Frontages Branxton Town Centre.

Building materials, finishes and colours

Objective/s	Development Controls
<p>The built heritage of the centre is respected, protected and celebrated.</p> <p>New buildings complement the existing built heritage of the centre.</p>	<p>Building materials and finishes should be reflective of, or complimentary to the built heritage in the centre.</p>

Built Form, Setbacks¹¹ and Street Hierarchy

Objective/s	Development Controls
Development reinforces the existing and desired character of the centre. Development creates a legible street environment with a good human scale.	Development shall be within 20% of the average setback of buildings on each side. If there is no building on one side; within 20% of the other building. If there are no buildings, generally consistent with the streetscape.
	Each building facade is to be well articulated to differentiate between the base, middle and top.
	Building design shall reflect design elements of the established buildings in the streetscape; including roof pitch, bulk and scale, materials and verandahs.
	Side setback should maintain the rhythm of the buildings in the street.

Building height

Objective/s	Development Controls
The height of buildings reinforces the desired future character of the centre. View corridors from the Town Centre to the surrounding rural areas are protected.	Building heights should be within 20% of the average height of the adjoining buildings.
	If there is an adjoining building on one side or the building is on a corner, the building height is within 20% of the adjoining building.
	If there is no adjoining building the maximum height of the building is 8.5 metres (2 storeys).
	Taller buildings may be considered on the corners of Maitland Street where it is demonstrated that the building design contributes positively to the streetscape.

Signage

Objective/s	Development Controls
Signage is respectful of the heritage setting of the town and the era and architecture of the heritage buildings. Signage does not dominate the building or streetscape.	Development within the heritage conservation area shall be accompanied by a signage strategy that is approved by Council's Heritage Advisor.

¹¹ Additional setback controls apply to Active street frontages.

Parking and Access

Objective/s	Development Controls
<p>Parking is provided in accordance with Cessnock DCP Chapter <i>Parking and Access</i>.</p> <p>Parking arrangements consider the recommendations of the Branxton Town Centre Public Domain Plan (see Figure 14).</p>	<p>Where car parking cannot be achieved in accordance with Figure 14, or it is varied because of impact on heritage or streetscape, council will consider entering into a Planning Agreement to contribute to car parking facilities or access improvements (for example; bus, cycle or walking facilities) elsewhere in the town centre.</p>



Figure 14: Indicative integrated parking solution and development opportunity area at the rear of buildings - Maitland Street (Southern side).

Public Open Space and Landscaping

Objective/s	Development Controls
<p>To integrate high quality, consistent landscaping into the built environment of the Branxton Town Centre.</p>	<p>Development is to be consistent with the with Branxton Town Centre Public Domain Plan.</p>