



**KEMPSEY**  
Shire Council

## **DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES REPORT**

11<sup>th</sup> April 2006

<b>DSDS6</b>	<b>DRAFT KEMPSEY TOWN CENTRE DEVELOPMENT CONTROL PLAN</b>
	<b>FILE: 494 GGL { Folio No. * }</b>

### **SUMMARY:**

Reporting that the draft Kempsey Town Centre Development Control Plan has been exhibited with one submission received.



### **DESCRIPTION:**

#### **Background**

The Kempsey Masterplan Implementation Committee resolved in February 2006 that the Draft Development Control Plan be presented to Council at its February 2006 meeting to enable exhibition and adoption prior to 30th April 2006.

At its meeting of 14th April 2006 Council resolved to place draft Kempsey Town Centre DCP on public exhibition for a period of 28 days.

To provide information to the public and consider matters of any concern, an information night was held on Wednesday 8th March 2006. The information evening was attended by Councillor Terry Hunt. No members of the public attended.

The draft Development Control Plan was forwarded to affected landowners advising of the exhibition with one submission received.

A presentation on the draft DCP was given to the Chamber of Commerce at its meeting 22nd March 2006. The purpose of the presentation was to inform the Chamber on the objectives of the DCP and its relationship with the Town Centre Masterplan.

Summary of the Kempsey Town Centre DCP design guidelines are as follows:

The intention is to retain and enhance the historical and architectural style of the Kempsey CBD and West Kempsey, to build upon the town's character.

General controls relate to the façade of buildings above awning level, including shape and detail of window openings, surface treatment and skyline design. The Development Control Plan provides recommended colours. Setbacks are generally nil, unless adjoining buildings are identified heritage items which have a front setback. Awnings with verandah posts are encouraged. Signs are generally limited to below awning level. Applications are to be prepared in consultation with Councils Heritage Advisor.

## Consideration of Submissions

The draft DCP was exhibited for public comment from 21<sup>st</sup> February 2006 to 21<sup>st</sup> March 2006 with three (3) submissions having been received which may be summarised as follows:- [\(Appendix O, Part 1, Part 2\)](#)

Objection	Planning Comment
1 There are no existing heritage buildings at the northern end of Smith Street. The DCP is to create a pseudo heritage look.	1 Agreed. The DCP proposes to establish a design theme. The chosen theme is to complement the heritage buildings elsewhere within the precinct.
2 With modern buildings such as Red Rooster and Woolworths any attempt to recreate a heritage feel so close to these buildings would be meaningless and/or lost on the passer-by.	2 The northern limit of the DCP is Stuart Street. It is considered that a mid-block boundary is inappropriate, and that ending the DCP area at Forth Street would be a lost opportunity to maximise the impact of the design theme.
3 The CBD area north of Forth Street should be a transitional area. All renovated and new buildings should be built to the front boundary on Smith St and retain a heritage colour. Should be scope to allow new buildings to achieve a newer look other than heritage.	3 The design requirements of the DCP are considered to be minimal, as they apply above awning level only, and are essentially cosmetic design requirements. Any "transition" provisions would be barely perceptible.
4 Consultants were not advised of the exhibition of the draft DCP.	4 An oversight meant that individual consultants were not advised, however all property owners were

5 There is no need for all buildings to be designed by a registered architect. It would be preferred that all heritage decisions be assessed by a Committee rather than a Consultant.	notified.
6 The draft DCP is very skimpy and does not contain enough guidelines for designers.	5 Only new buildings are required to be designed by an architect. It is important to maintain a consistent heritage design theme. Council's Heritage Advisor can provide consistent advice, Council will make the determination.
7 The DCP gives power to Council's Heritage Consultant to make determinations.	6 It is considered the DCP provides a clear direction for design guidelines. A more complex Development Control Plan could be prepared, in time, but would not necessarily improve outcomes.
8 The DCP should encourage landowners or developers to be involved voluntarily rather than force than.	7 Council officers will use the advice submitted by the heritage advisor Council would determine applications where agreement cannot be reached.
9 Designs should not be carried out by a registered architect as there are no heritage architects in Kempsey.	8 New development will be required to comply. Council is considering incentives but this will be the subject of a further report to Council.
10 Council should provide incentives for building owners to redesign or repaint their buildings.	9 Only new buildings are required to be architect design. It is not unusual for development to require expertise from outside the area.
	10 Council is proposing to develop an incentive scheme to assist Commercial property owners to redevelop their buildings.

## **REPORT IMPLICATIONS:**

- ***Environmental***

***The Development Control Plan will ensure development located in the identified Town Centre areas is consistent with a heritage theme. This is intended to create a desirable urban environment.***

- ***Social***

*Enhancing the heritage values of the Town Centre is anticipated to provide increased awareness of the town's history, which provides sense of place and community pride.*

- *Economic (Financial)*

*The enhancement of the identified Town Centre is intended to create a more attractive and vibrant place for residents and visitors. This will lead to increased commercial and retail activity, and economic benefits to the community.*

- *Policy or Statutory*

*The Development Control Plan was exhibited for twenty eight (28) days. Under recent changes to the planning legislation, the DCP will need to be adopted before 30th April 2006. Otherwise, it will need to await incorporation of all Council's Development Control Plans so that no more than one DCP applies to any parcel of land.*

### Conclusion

Kempsey Town Centre DCP is a recommendation of the Kempsey Town Centre Masterplan which was adopted in 1997. The Kempsey Town Centre Masterplan advocates the retention and enhancement of the town's heritage and heritage of buildings via development that is sympathetic to a heritage theme.

Through the adoption of a Development Control Plan Council will have the opportunity to develop unique shopping precincts aimed to create a cohesive, comfortable and safe centre with a positive atmosphere providing a high level of amenity for all categories of users for its residents, workers and tourists.

### RECOMMENDATION:

- A That Council resolve to adopt the Kempsey Town Centre Development Control Plan. [\(Appendix P\)](#)
- B That all persons who made submissions are advised of Council's decision and thanked for their input.

.....  
R B Pitt  
DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES