

DCP 7

GLADSTONE

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## GLADSTONE DEVELOPMENT CONTROL PLAN

### **PART A: INTRODUCTION**

1 CITATION:

This plan is referred to as Gladstone Village Development Control Plan.

2 Land to which this Plan applies:

That land within the village boundary of Gladstone (as shown on L.E.P. 1987, Map 17).

3 Aim of the Development Control Plan (D.C.P)

The aim of this plan is to provide guidelines for the future development of Gladstone Village and to make clear Council's preferences for development and the general growth of Gladstone Village. One of the main priorities of the Development Control Plan is to encourage and maintain the historic and village character which exists in the village and to orientate new development along these same lines. This plan tries to suggest ways of improving the village functions for both adults and children, through the establishment of walking routes, cyclelanes as well as orientating existing parks for children's recreation and picnic areas. The improvement of safety, the maintenance of the existing character, continual beautification projects and the conservation of historic buildings in Kinchela Street are the aims of this plan.

### **PART B: STATUTORY AND NON STATUTORY REQUIREMENTS**

This Development Control Plan is subject to the statutory controls of both Local Government and State Government. The proposals of both Local Government and State Government. The proposals put forward by the Development Control Plan are advisory and an expression of Council's preferences for Gladstone village. The following will briefly cover the way various legislation which affects Gladstone Village.

4 LOCAL GOVERNMENT REQUIREMENTS

i. Local Environmental Plan 1987

The village is zoned 2(v) Village or Township 'V'. The objective of this zone is to "allow" a wide range of land uses in smaller settlements". Activities which are prohibited in this zone are "Institutions' junk yards within 90 metres of a main road; liquid fuel depots; offensive or hazardous industries; sawmills." All other activities are permissible with development consent being obtained from Council. Normal residential dwellings do not require development consent, however, a building application is required.

ii. Council's Codes and Policies

(a) Flood Plain Management Strategy Policy

All of Gladstone village is flood affected and Council's policy identifies a minimum habitable floor level of 5.02m R.L., being 500mm above the one in one hundred year flood level. The maximum distance allowed between

this level and the Natural Surface Level is 2.5m. Residential Flat Building are not permissible in Floodprone areas, neither is the conversion of existing dwellings into flats allowed.

For Urban Subdivision in Gladstone – The Flood Policy requires that any area being subdivided should not be subject to a flow of waters which has velocity times depth equal to or less than one (1). Further details can be obtained from Council's Engineering, Town Planning Departments or attain a copy of the Flood Policy.

(b) Dual Occupancy or Granny Flats

This policy outlines Council's Requirements when establishing a Granny Flat. Refer to Kempsey Local Environmental Plan 1987, Clause 31 and to policy "Dual Occupancy" for details. Both documents are available at the Town Planning Department.

(c) Off Street Car Parking Code

This code applies to commercial development where on site carparking or a contribution in lieu of providing the car parking is required. The policy sets out the various numbers of parks needed for different types of development. The most common one is 1 space per 35 m<sup>2</sup> of commercial floor space, for general commercial activities. Other requirements listed in the code refer to signposting, all weather sealing, manoeuvring areas, pavement arrows, linemarking, entering and exiting in a forward direction and so on. Full details can be found in the policy.

(d) Boundary Adjustment Subdivision

This policy provides details of what qualifies a subdivision as a boundary adjustment. It is the type of subdivision where two land owners with a common boundary wish to alter the boundary for whatever reason to benefit both of them. The adjustment is to be a minor one in which 'not more than 10% of the area of the smallest parcel of land involved is affected.'

(e) Roadside Stalls

Roadside stalls are permissible within a village zone if: -

- i. the stall is not larger than 20m<sup>2</sup>.
- ii. sells only primary products produced on the property on which the stall is situated.
- iii. any storage display of food for sale is to be at least 70cm (2'6") above the floor or ground, unless food is adequately protected from animals.
- iv. driveway entrances and exits and parking areas are satisfactory to Council

**STATE GOVERNMENT LEGISLATION**i. Environmental Planning and Assessment Act, 1979; Regulations 1980; and Model Provisions

The abovementioned legislations are the major documents controlling development from a State level. All of Council's Codes, Policies and the Local Environmental Plan 1987 have been developed in accordance with the requirements of the E.P. & A Act, 1979, the Regulations 1980 and the Model Provisions. All these documents are available for inspection at Council's offices.

ii. State Environmental Planning Policies (S.E.P.P.)

The S.E.P.P. which are relevant to Gladstone are listed below and Council must observe these policies if they affect a particular parcel of land when considering an application for that land.

- (a) S.E.P.P. No 1 – This policy provides flexibility in the application of planning controls. Basically it says that if the strict enforcement of a development standard would be unreasonable or unnecessary and would prevent an otherwise permissible use or activity, then an objection may be made under S.E.P.P. No 1 to have that particular standard omitted.
- (b) S.E.P.P. No 4 – Development without Consent. This policy was introduced to streamline applications for particular land uses which are permissible and straightforward to deal with. For example the change of use of a shop from one commercial use to another commercial use does not need development consent, however, Council does appreciate and encourage notification of these changes to Council.
- (c) S.E.P.P. No 5 – Housing for Aged or Disable Persons. This policy was introduced to make it easier to provide housing for aged and disabled persons. Details can be obtained at Council's Town Planning Department.
- (d) S.E.P.P. No 9 – Group Homes. This policy aims at providing homes for disabled or socially disadvantaged people to live in an ordinary residential environment rather than an institution. Further details can be obtained at Council's Town Planning Department.
- (e) S.E.P.P. No 11 – Traffic Generation Developments. This policy was introduced to make sure that the Traffic Authority was made aware of and given opportunity to make representations in respect of large developments or development which might generate significant levels of traffic flow.

iii. Other Matters

(a) Provision of Services

Water, Sewer, Garbage, Electricity and Telephone services are available to allotments in Gladstone village. Information on these services may be obtained from the Engineering Department, Health and Building Department, Oxley County Council and Telecom.

(b) Subdivision Requirements

Under Local Environmental Plan 1987 the Statutory Subdivision requirements for zone 2(v) Village or Township 'V' are a minimum of 500m<sup>2</sup> in area and a frontage of 18m for each allotment. Please refer to this plan's Development Control Proposals for preferred subdivision standards.

**PART C: DEVELOPMENT CONTROL PROPOSALS**

**6 SUBDIVISION:-**

There are two areas within Gladstone Village which have the potential to be subdivided into a number of allotments. These are the land at the Far northern end of the village zoning boundary and land at the most southern end of the village zoning boundary. The preferred standards for new urban subdivisions are as follows: -

- (a) minimum allotment size – 600m<sup>2</sup>
- (b) minimum frontage 18m
- (c) open space reserves – dedication of 10% of area to be subdivided or a contribution in lieu of may be accepted
- (d) design of the subdivision should aim to integrate with the existing village and provide possible pedestrian links to the rest of the village.
- (e) vehicular access is no to be from the highway
- (f) a buffer 20m wide, between the highway and the allotments, is to be established and landscaped to satisfaction of Council.
- (g) Council seeks to maintain the village character of Gladstone and will encourage innovative design which works toward this goal.
- (h) details of requirements for kerb and gutter, drainage, and connection of other services should be discussed with Council's Engineering Department as the ability of Council to provide sewer and water is limited for some parts of the village. For details and advice as to what is needed to supply these areas, please contact Council's Engineering Department.

- (i) Subdivision of the southern area, will require a reserve to be established along the river bank.

Please refer to the attached sketch 'A' of some of Council's requirements. (Sketches will be tabled at meeting)

**NOTE**

- (a) The 10% open space requirement is to be calculated on the area of the subject land, after excising the 20m buffer zone.
- (b) Applicants should consider carefully, the type of trees to be planted, for example, whether they are deciduous, their potential adult height, benefits of native plants or otherwise, ability to survive with little care, their suitability to the climate and suitability to their role as a buffer visually and noisewise.

Consultation with the Forestry Office may assist in choosing the most suitable plant, trees, shrubs and grasses.

## **7 HISTORICAL CONSIDERATIONS**

Gladstone village has various old, well kept buildings which are note worthy be reason of their age and aesthetic value to the village. The historic atmosphere created by these buildings has provided the basis of a small tourist attraction.

The area between McLeay Street and Darkwater Street, along Kinchela Street, has the majority of the buildings of historic note within its bounds. The following requirements are aimed at encouraging the atmosphere created by these older buildings and apply particularly to the area designated on the map overlay titled "Historic Buildings and Precinct". Council will, however, welcome any attempt to meet the following requirements for buildings outside this area as well as inside the designated area.

- (a) any new development should try to conform with the character of the locality, taking into consideration setbacks, the style, and the design of the exterior of the buildings.
- (b) careful consideration of colours, materials to be used and the design of any new building should try to encompass the nature of and promote this historic precinct.
- (c) renovation of existing buildings should, within reason, be as close to the original as possible and reference to the Heritage Council may provide useful information to work off.

The Heritage Council may be contacted through the Department of Environment and Planning, Ph (02) 2667111.

## **8 ERECTION OF DWELLINGS**

The construction of new dwellings in Gladstone is basically the same as for any other town or village in Kempsey Shire. There are some requirements which aim at maintaining the neat and tidy character of the village. These are: -

- (a) new dwellings are to be setback the same distance as the majority of existing dwellings in the street section.
- (b) a maximum height of two storeys is preferred, taking into account the additional height caused by compliance with Council's Flood Policy.
- (c) the preferred method of elevating buildings out of flood reach is to raise buildings rather than making a mound, as mounds can cause problems with stormwater run off onto neighbouring properties and hinder the waterflow during times of flood.
- (d) Refer to 'Historic Considerations' for Council's requirements for development in the vicinity of the southern end of Kinchela Street, between Darkwater and McLeay Streets.

## **9 COMMERCIAL DEVELOPMENT**

There is no definite commercial centre in the village, however there are two areas which appear to have some commercial character. Precincts 1 & 2 on the overlay titled "Commercial Land Uses". The "Land Use Plan" overlay shows existing commercial activities in blue. One area of commercial character is around the southern end of Kinchela Street, somewhat corresponding with the historic precinct. The other area is land fronting the Highway, between Memorial Street and Verge Street, There are a number of vacant allotments within this last area which could be identified as suitable for commercial development depending on demand for commercial development.

Any application for commercial development on land fronting the Highway should give thorough consideration to entrance and exit facilities from the highway. Council will have to consult with the Department of Main Roads over any application like this and it would be to the applicants advantage to contact the D.M.R. for their requirements prior to lodging an application.

As with the erection of dwellings in the village, a two storey or less height limit is encouraged. Design of commercial buildings should be sensitive to the village character and Council wishes to avoid the 'butter box' appearance which often occurs. Due to the mixed nature of land uses in the village, commercial developments are to be setback in line with adjoining development and are encouraged to 'blend in' as much as possible. On site car parking areas are to be landscaped not only to screen the area from the road but from the neighbouring properties as well. Please refer to the section on '[Historic Considerations](#)' for an idea as to Council's requirements for 'sensitive design'. With particular note to points a) and b).

## **10 BEAUTIFICATION**

### **i. Ferry Wharf Area**

Currently, Memorial Park is the main passive recreation area for the village. There is an area near the Old Ferry Ramp which could be utilised as a recreation area. For example by mowing part of the land, establishing a

barbecue and picnic area, cleaning up the ramp for boats and cars, this could become a useful recreation area for the village.

Such uses might be boating activities, barbecues and picnics, and by establishing an open grassed area, children would have room to play football or cricket, for example, without being near busy roads, limited by surrounding trees or risking damage to nearby windows.

The attached Sketch B illustrates the potential development of the Reserve.

Facilities which could be included are: -

- picnic and barbecue area
- fish cleaning facilities
- all weather access to boat ramp and parking area
- parking for cars and boat trailers
- lighting
- footpath connection with the village to the south and the traffic bridge to the north

ii. Footpath and bicycle route

The establishment of combined footpath and bicycle route, along the river side of Kinchela Street, to link the northern part of the village to the frequently used buildings in the south of the village, such as the school, Memorial Hall, Hotel, Police Station, shops and the park.

The pathway would provide a safe route for school children and pedestrians of the village as well as providing a dry alternative to walking or riding on the road.

The majority of the pathway could be established within the road reserve and some street crossing included to serve the various parts of the village.

The pathway could be defined in a number of ways. Either be extending the bitumen seal and painting white lines to separate the road from the path or by laying contrasting pavers with some landscaping between the path and the road.

Please refer to the attached sketch 'C' for proposed location and design of the pathway.

## **11 TRAFFIC CONTROL AND PARKING REQUIREMENTS**

The southern part of Kinchela Street, mainly between Darkwater and Macleay Streets, has a need for defined parking areas to improve safety and promote orderly parking for people attending the hall, school or swimming pool. Similarly, parking outside of the Gladstone Hotel is often untidy and results in vehicles being parked partly on the road.

Parking areas could be defined by using Koppers Logs, similar to the ones at Memorial Park, and by establishing landscape gardens around the parking bays.

In this way the street is divided into parking and through traffic areas without detracting from the street's visual amenity.