

# 6.06 Hamilton Renewal Corridor

## Amendment History

Version Number	Date Adopted by Council	Commencement Date	Amendment Type
1	15/11/2011	15/06/2012	New
2	27/06/2017	10/07/2017	Amended

## Savings provisions

Any development application lodged but not determined prior to this section coming into effect will be determined taking into consideration the provisions of this section.

## Land to which this section applies

This section applies to land identified in **Map1** – Hamilton Renewal Corridor study area.

## Map 1 – Hamilton Renewal Corridor area



## Development (type/s) to which this section applies

This section applies to all development consisting:

- new buildings or structures
- additions or alterations to existing buildings or structures.

## Applicable environmental planning instruments

- Newcastle Local Environmental Plan 2012
- State Environmental Planning Policy No 65—Design Quality of Residential Flat Development
- State Environmental Planning Policy No 71—Coastal Protection.

In the event of any inconsistency between this section and the above listed environmental planning instruments, the environmental planning instrument will prevail to the extent of the inconsistency.

Note 1: Additional environmental planning instruments may also apply in addition to those listed above.

Note 2: Section 74E (3) of the *Environmental Planning and Assessment Act 1979* enables an environmental planning instrument to exclude or modify the application of this DCP in whole or part.

## Related sections

The following section of this DCP **will** also apply to development to which this section applies:

- Any applicable landuse specific provision under Part 3.00

Note: Any inconsistency between the locality specific provision and a landuse specific provision, the locality specific provision will prevail to the extent of the inconsistency.

- 4.04 Safety and Security
- 7.02 Landscaping, Open Space and Visual Amenity
- 7.03 Traffic, Parking and Access
- 7.05 Energy Efficiency
- 7.06 Stormwater
- 7.07 Water Efficiency
- 7.08 Waste Management.

The following sections of this DCP **may** also apply to development to which this section applies:

- 4.01 Flood Management – all land which is identified as flood prone land under the Newcastle Flood Policy or within a PMF or area likely to flood
- 4.02 Bush Fire Protection – within mapped bush fire area/zone
- 4.03 Mine Subsidence – within mine subsidence area
- 4.05 Social Impact – where required under ‘Social Impact Assessment Policy for Development Applications’, 1999
- 5.01 Soil Management – works resulting in any disturbance of soil and/or cut and fill
- 5.02 Land Contamination – land on register/where risk from previous use
- 5.03 Tree Management – trees within 5m of a development footprint or those trees likely to be affected by a development
- 5.04 Aboriginal Heritage – known/likely Aboriginal Heritage item/site and/or potential soil disturbance

- 5.05 Heritage Items – known heritage item or in proximity to a heritage item
- 5.06 Archaeological Management – known/likely archaeological site or potential soil disturbance
- 5.07 Heritage Conservation Areas – known conservation area
- 7.04 Movement Networks – where new roads, pedestrian or cycle paths are required
- 7.09 Advertising and Signage – signage and outdoor advertising
- 7.10 Street Awnings and Balconies – awnings or balconies to be located over public land.

### Associated technical manual/s

- Nil

### Additional information

- Nil

### Definitions

A word or expression used in this development control plan has the same meaning as it has in Newcastle Local Environmental Plan 2012, unless it is otherwise defined in this development control plan.

Other words and expressions referred to within this section are defined within Part 9.00 - Glossary of this plan.

## Strategic Overview

The Hamilton Corridor will continue to evolve as a viable mixed use precinct, supporting a variety of land uses, increased residential densities and built form that reaffirm the centre's hierarchy within the city, whilst respecting adjoining established neighbourhoods.

Redevelopment along the Tudor Street Corridor will increase residential densities to accommodate an additional 230 dwellings and build upon the existing character of development. Increased tree planting along Tudor Street will assist in developing a distinct theme and improving the amenity of the streetscape.

### Character Precincts

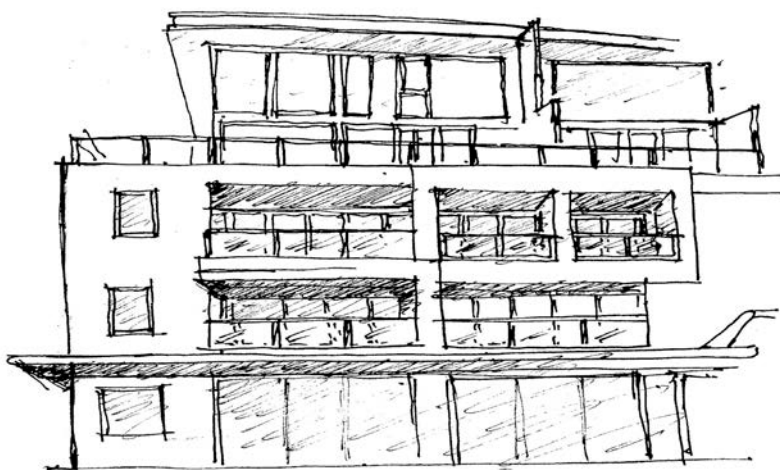
- **Character Precincts** - The Hamilton Corridor has three distinct character precincts. These have been identified through analysis of current land use and character, and consideration of the envisaged future character.
- **Precinct 1 – Tudor Street west (residential focus) character statement** - lacks a consistent character given the range of uses, building types and scales, as well as consisting of vacant and underdeveloped sites. It is envisaged that this precinct will capitalise on the outlook and proximity to Gregson Park and provide for higher density residential uses within mixed use development. This precinct will target provision of eighty (80) additional dwellings.

- **Precinct 2 – Beaumont Street intersection (retail/commercial focus) character statement** - consists of a diversity of mixed use development with primarily retail uses at ground floor and has a distinct built character, with buildings reinforcing the street edge towards the corner of Tudor and Beaumont Streets. The precinct will provide a mix of uses that strengthen Hamilton’s role as an entertainment, multi-cultural and restaurant centre. Precinct 2 has a target of sixty (60) additional dwellings.
- **Precinct 3 – Caryards (mixed use focus) character statement** - primarily consists of automotive related uses such as caryards. The streetscape is dominated by vehicles and security fencing. The built form lacks interest and has an inconsistent setback from the street edge. Precinct 3 will provide a mix of uses, including automotive sales showrooms, and will provide a targeted additional ninety (90) dwellings, at upper levels of mixed use development. The envisaged built form will reinforce the street edge and add interest to the streetscape.

### Aims of this section

1. To reinforce the existing character and sense of place for the Tudor Street, Hamilton Corridor through appropriate built form and streetscape improvements.
2. To provide site responsive and sustainable development.
3. To encourage mixed use developments.
4. To improve pedestrian amenity and connectivity to nearby sporting and residential precincts.
5. To establish potential gateways to the corridor by built form and landscape improvements.

**Figure 1: Indicative built form outcome at corner of Tudor and Steel Streets**



## 6.06.01 Land use and development

### A. Land use

#### Objectives

1. Ensure desired outcomes relating to increasing residential, commercial and retail densities are achieved in suitable locations.
2. Ensure land uses along Tudor Street respect the adjacent residential neighbourhood.
3. Encourage land uses that capitalise on visual connections, passive surveillance and views to Gregson Park.

#### Controls

##### General controls applying to all development to which this section applies

1. Despite any other provisions within this plan, development comprising wholly or partly of residential accommodation, Section 3.03 Residential Development with respect to the following:
  - Landscaped area
  - Siting the development
  - Amenity
  - Configuration
  - Environment
2. The ground floor of development shall not contain residential uses unless where:
  - (a) located in Precinct 1 and has a minimum front setback of 6m to Tudor Street, or
  - (b) fronting a side street other than Gordon Avenue, Lawson Street, Beaumont Street, or Chaucer Street, or
  - (c) being on a side street at minimum distance of 30m from a street corner to Tudor Street, or
  - (d) has a front setback consistent with adjoining development where that development is located outside of the renewal corridor.

### B. Activation of street frontages

#### Objectives

1. Provide for activation of street frontages to ensure a safe and accessible environment.
2. Improve streetscape amenity for residents and visitors travelling along Tudor Street.

## **Controls**

### General controls applying to all development to which this section applies

1. Development along Tudor Street provides a continuous 'street wall', by building up to the front boundary.
2. Development sites have minimum lot widths of 24m to Tudor Street.
3. Buildings incorporate a variety of articulation to the built form and incorporate awnings to provide pedestrian amenity.
4. Buildings are of a high architectural quality incorporating open balconies, decks, roof gardens and the like.
5. Developments provide appropriate interfaces with adjoining residential properties to the rear, by concentrating a building mass to the Tudor Street boundary and maintaining separation from rear residential development.

## **6.06.02 Building Form**

### **A. Floor space ratios**

#### **Objectives**

1. Provide an appropriate density of development consistent with the established centres hierarchy.
2. Ensure building density, bulk and scale makes a positive contribution towards the desired built form as identified by the centres hierarchy.
3. Encourage built form and massing of developments that contributes to increased residential density and reflects the intended building typologies for each precinct.

#### **Controls**

##### General controls applying to all development to which this section applies

1. Refer to the Newcastle Local Environmental Plan 2012 for floor space ratio controls.

### **B. Height**

#### **Objectives**

1. Ensure the scale of development enhances and makes a positive contribution towards the desired built form by reinforcing the established centres hierarchy.
2. Allow reasonable daylight access to all developments and the public domain.

3. Ensure building density, bulk and scale makes a positive contribution towards the desired built form as identified by the centres hierarchy.
4. Encourage built form and massing of developments that contributes to increased residential density and reflects the intended building typologies for each precinct.
5. Reinforce the height and massing of existing buildings that contribute to the streetscape character.
6. Ensure building mass and form is focussed along Tudor Street while respecting adjoining residential neighbourhood and amenity.
7. Respect the low scale residential character of adjacent residential precincts.

## **Controls**

### General controls applying to all development to which this section applies

1. Refer to the Newcastle Local Environmental Plan 2012 for building height controls.
2. Building height of listed heritage buildings is complemented when redeveloping adjoining sites. New buildings do not dominate heritage items.

Note: This corridor contains mine workings and is within an identified mine subsidence district and hence may not achieve the maximum floor space ratios and building heights respectively. Applicants are advised to seek advice from the Mine Subsidence Board as to the likely restrictions or conditions identifying remedial works prior to lodging a Development Application to Council.

## **C. Building setbacks**

### **Objectives**

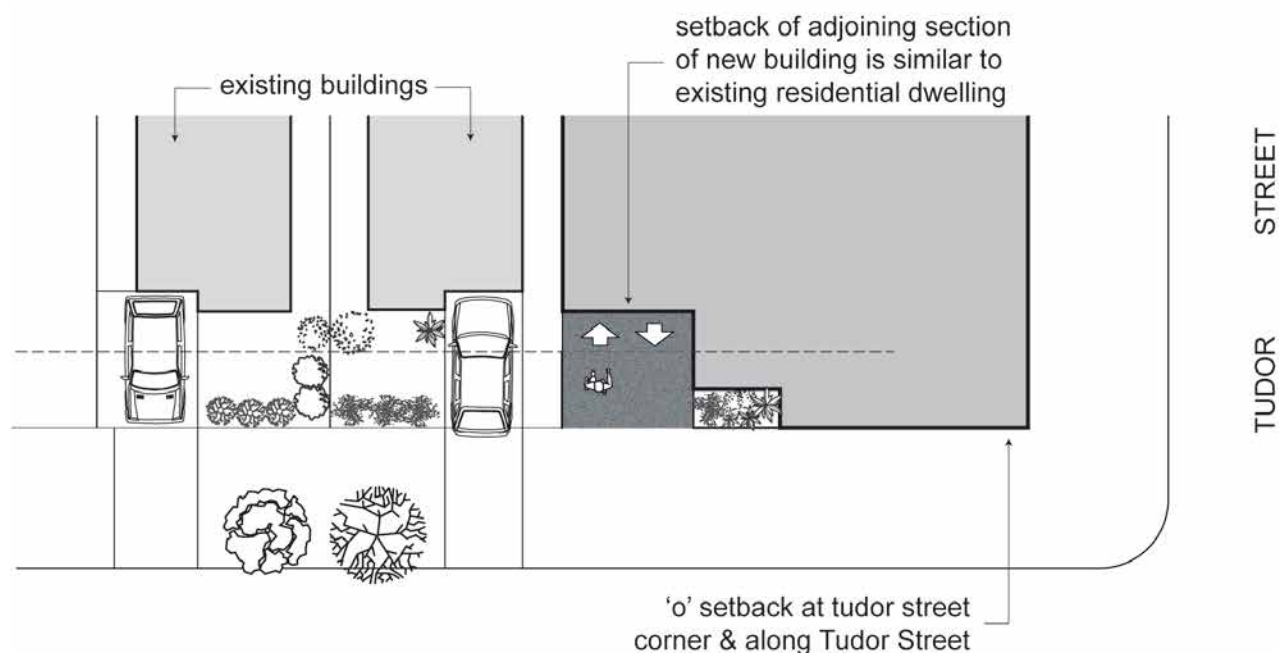
1. Reinforce and maintain a well defined street edge along Brunner and Glebe Roads.
2. Extend and reinforce a strong street edge built form along Tudor Street.

### **Controls**

#### General controls applying to all development to which this section applies

1. Development is built to the front boundary along Tudor Street and on corner sites for other streets to reinforce the street edge.
2. Despite the requirements of control (1), above, where residential development occurs at ground level along Tudor Street, a landscape setback of 6m or more is required. An encroachment of no more than 2m may be permitted from the building setback to allow for verandas, decks, pergolas, balconies or the like.
3. Building form is focussed on the Tudor Street boundary and also provides a minimum separation of 3m to the rear boundary with adjoining residential properties.
4. Development is stepped back on side streets to match that of adjoining development outside of the corridor's boundary (see **Figure 2**).

**Figure 2: Respect front setbacks along side streets**



Respect Front Setbacks along Side Streets

## D. Upper building setbacks

### Objectives

1. Provide a pedestrian scale to street frontages.
2. Encourage building mass, forms and articulation that are consistent with the site location.
3. Encourage built form that defines potential landmark sites.
4. Ensure a sensitive interface is provided between new developments and existing buildings.
5. Minimise overshadowing from new development to allow suitable solar access to adjoining land.

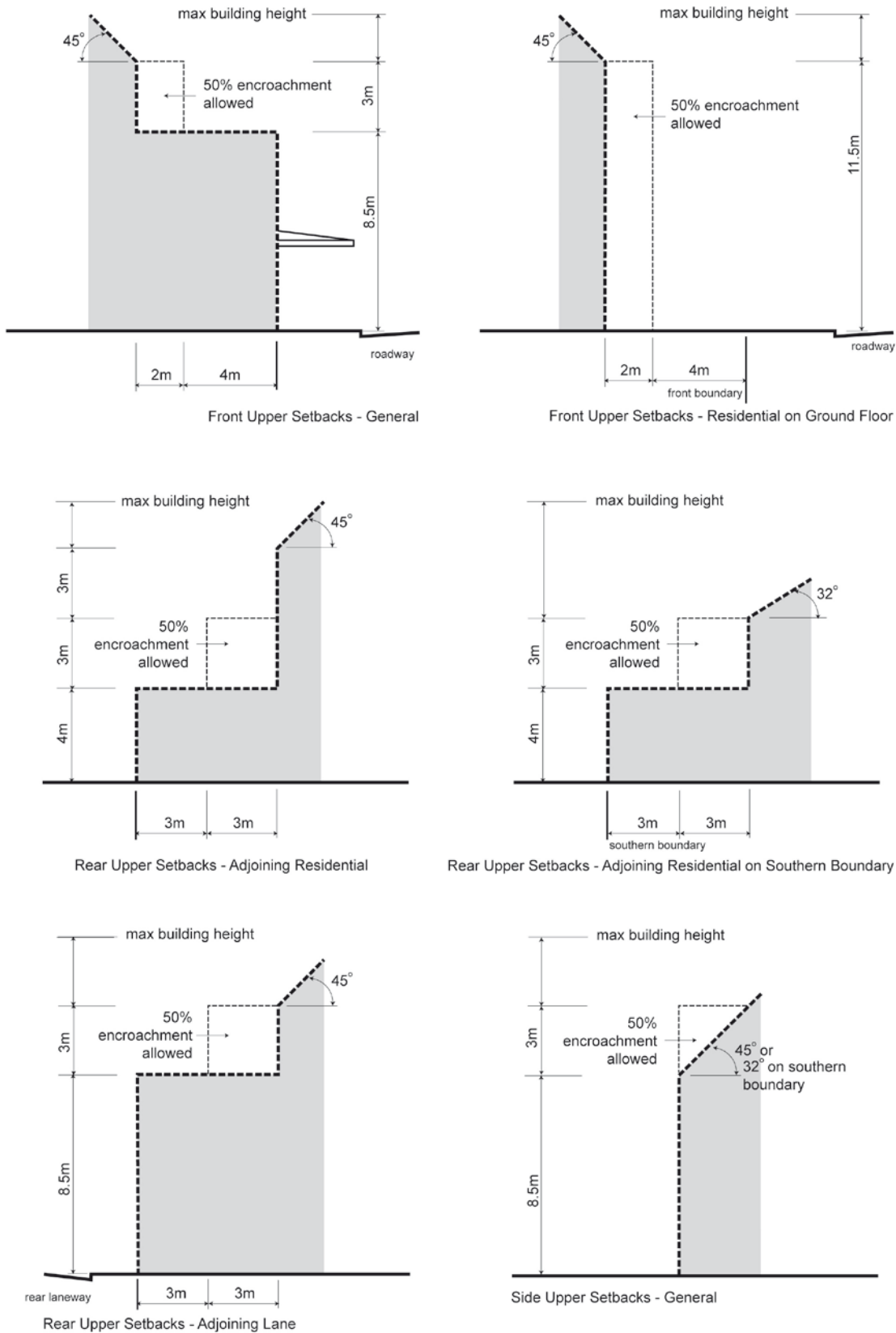
### Controls

#### General controls applying to all development to which this section applies

1. Upper level setbacks to comply with building envelopes identified in **Figures 3 and 4**.
2. Upper level setbacks are encouraged to be utilised for provision of open space and landscaping, provided privacy of adjoining uses are protected.
3. Emphasise street corners by permitting a departure from the building envelopes, to allow the maximum permissible height along each front setback for a maximum length of 12m from the corner.

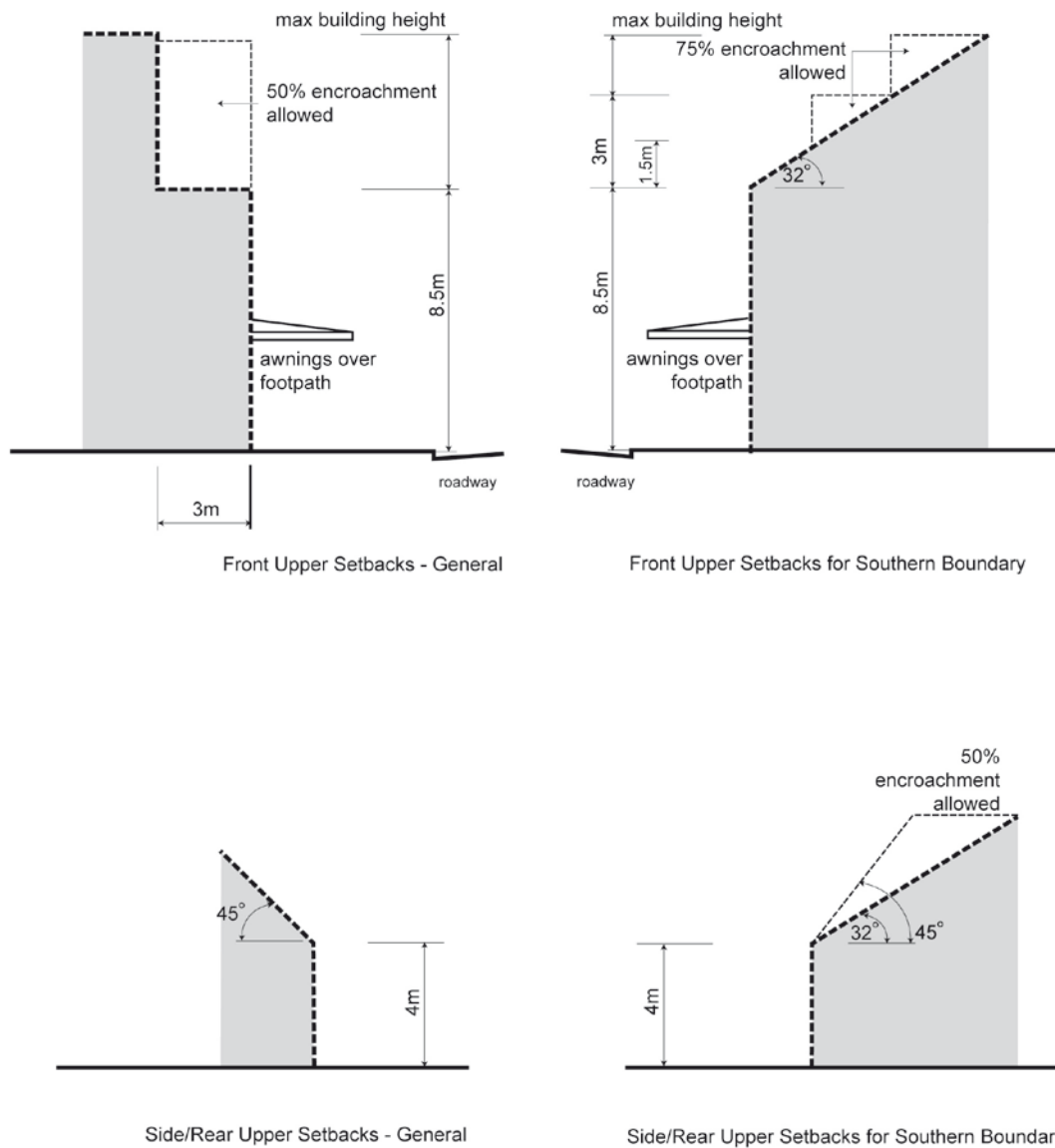


**Figure 3: Building envelopes for Precinct 1**



Note: Diagrams are not to scale. Use only the figured dimensions provided.

**Figure 4: Building envelopes for Precincts 2 and 3**



Note: Diagrams are not to scale. Use only the figured dimensions provided.

## E. Building design elements

### Objectives

1. Contribute to a vibrant and active streetscape through appropriate architectural design.
2. Encourage the use of materials that reflect contemporary architectural styles but reinforce the inherent character of Hamilton.
3. Strengthen character along Tudor Street through consistency in facade and roof design and treatment.

## Controls

### General controls applying to all development to which this section applies

1. Upper building wall treatments incorporate design measures to avoid overlooking of adjoining residential properties. These can include louvered screens, planter boxes, solid railing.
2. Exterior colour schemes are co-ordinated and consistent with existing local character. Avoid bright extravagant colour schemes that do not contribute to an integrated streetscape and the local character.
3. The roof form of buildings are an integral component of the built form design and should not include hoardings or signage.
4. Mechanical, service and telecommunication equipment are discreetly screened if placed on the roof and should not be visually prominent.
5. The selection of materials used for new development should consider and respect the character of existing buildings in the surrounding streetscape.

### The following controls apply to all development within Precinct 1

6. Sun screens, entry porches, window awnings, planter boxes and verandas are provided to contribute to facade articulation and provide shade and shelter.
7. Where residential uses occur at street level along Tudor Street, provide individual front yards and entries to the public footpath.
8. Solid walls/fences are avoided along front boundaries.
9. Buildings include elements such as balconies, terraces and appropriate fenestration, in addition to facade orientation, to maximise solar access to habitable rooms of residences.

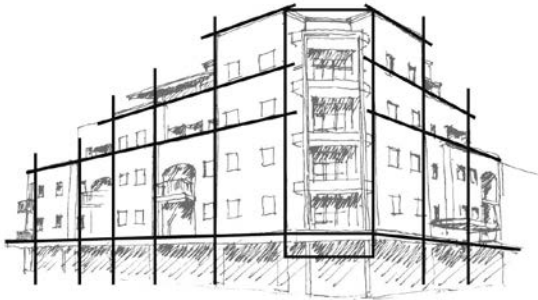
### The following controls apply to all development within Precinct 2

10. Facade treatments at ground level should incorporate awnings, arcades and verandas to establish outdoor rooms along footpath areas and to encourage pedestrian activity and 'spilling' of indoor activities onto the street.
11. Facade treatment should incorporate elements that create visual articulation to the building mass. These may be achieved within 6m - 8m bays as shown in **Figure 5**.

### The following controls apply to all development within Precinct 3

12. Building facades may incorporate larger expanses of glass, in order to complement the character of existing showrooms and emphasise retail presentation.
13. Redevelopment of car sales yards should complement existing horizontal forms.
14. The ground floor of all buildings along Tudor Street should include adaptable floor plans for future use as retail/commercial occupation.

**Figure 5: Envisaged facade treatment for Precinct 2**



### **6.06.03 Public domain**

#### **A. Traffic and transport**

##### **Objectives**

1. Reduce potential vehicle and pedestrian conflict along site frontages to Tudor Street.
2. Provide clear and simple vehicular access from side streets and rear access lanes.
3. Restrict direct vehicular access to Tudor Street.
4. Provide sufficient off-street car parking.
5. Minimise impacts from car parking on the streetscape and open space areas.

##### **Controls**

###### General controls applying to all development to which this section applies

1. Vehicle access for development is restricted to the side roads and rear lanes, where possible.
2. Vehicular access across the footpath to allow direct vehicular access onto Tudor Street is only to occur where no alternate option is available and the development site has a minimum width of 24m. Consolidation of lots may be necessary to achieve this minimum width.
3. Car parking is provided as per section 7.03 Traffic, Parking and Access.
4. Vehicle accesses are recessed from building facades.

5. At-grade (ground level) car parking is only provided where:
  - (a) it is set back behind other uses that provide activation to street edge
  - (b) it is integrated into the built form and covered by upper levels of development or upper level open space/landscaping provision
  - (c) ceiling heights and floor levels allow for future adaption to other uses
  - (d) it is not within building setbacks
  - (e) it is not impeding on ability to meet minimum on site landscape requirements.
6. Car parking facilities are screened from Tudor Street through building design.

## **B. Pedestrian and cycle amenity**

### **Objectives**

1. Improve the accessibility and amenity for pedestrians and cyclists along the corridor.
2. Encourage casual surveillance of public areas, including streets, laneways, cycleways, and open space.

### **Controls**

#### General controls applying to all development to which this section applies

1. Pedestrian only links through street blocks to be along the most direct route, preferably straight, well lit and offer passive surveillance from surrounding uses.
2. Provide cycle storage and parking facilities at all new retail and commercial developments requiring on-site car parking.
3. Include the provision of safe, secure and accessible cycle storage facilities for occupants and visitors of all new commercial and residential developments.

## **C. Open space and landscaping**

### **Objectives**

1. Minimise impacts of fragmented redevelopment by use of consistent landscape elements within streetscape, which provide a recognisable theme along the corridor.
2. Soften the appearance of built form through landscaping elements.
3. Improve landscape amenity of public realm through consistent theme of pavement, street furnishings and street trees.
4. Provide landscaping that complements that in Chaucer Street and Gregson Park.

## Controls

### General controls applying to all development to which this section applies

1. Landscaping is provided in accordance with Section 3.03.01 D - Landscaped Area.
2. Landscaping requirements for mixed use development and non-residential development will be assessed on its merits, having respect for the character of the existing streetscape and that of adjoining land.
3. Lighting is provided to front setbacks in particular to building entries and landscaped areas.
4. Waste management facilities are to be appropriately screened and/or located where not visible from the streetscape.
5. Developments on Tudor Street that require four or more wheelie bins are to use a waste removal contractor rather than Council's kerbside service.
6. Landscaping along Tudor Street is to complement plantings in Chaucer Street, Gordon Avenue and Gregson Park.
7. Landscaping to complement and integrate with the Norfolk Pine memorial trees along Tudor Street.