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1 INTRODUCTION

This section contains local objectives and controls for development in Belmont town centre as defined in Figure 2: Extent of Area Plan and are in addition to the general provision contained in Part 4. For general development controls, see Part 4 - General Provisions. Where conflict arises between this section and the general controls, the controls in the Belmont Area Plan take precedence.

1.1 BACKGROUND

Belmont is the major commercial centre for the eastern side of Lake Macquarie area, located on the Pacific Highway between the lake and the ocean. It is frequently described as the ‘sailing capital’ of the lake.

Aboriginal Heritage

Reverend Threkheld acted as a missionary to the Awabakal people from 1820 to 1840. He established his first mission in what is now Belmont because of the large number of aborigines who had gathered where food was abundant around the lake and Belmont Lagoon.

The "Bahtabah" mission operated from 1826-1829 and was probably located on what is now the school site in Victoria Street. Other Aboriginal archaeological sites are known around the lake foreshore where food resources were important.

European Heritage

Belmont Farm was established in the early 1860's after a survey from Belmont to Croudace Bay divided land into portions for farming. Forest covered the hilly land and by 1871 a timber industry had developed. The village of Belmont then developed steadily during the 1870's.

Initially boats were introduced on the lake for the purpose of transporting goods, mainly timber and coal. Passenger services operated from Redhead to Belmont from 1916-1971. The earliest deposited plan for Belmont dated 1918 shows the subdivision of land bounded by Macquarie, Maude, and Gen Streets. It was followed by other successful subdivisions and sales of land with lake views. In 1929 Lake Macquarie Yacht Club was founded. The Belmont Urban Area was proclaimed in 1930 and some form of local government came to Belmont in 1932.

The present day town centre is generally low scale buildings from the interwar period and post WW2.

1.2 EXISTING CHARACTER

Belmont is one of the significant retail centres for the Lake Macquarie area. The town is bounded by natural elements and landscape features, namely Lake Macquarie to the west, Belmont lagoon to the southeast and bush and wetlands to the east. The centre stretches along the Pacific Highway which carries a high volume of traffic and creates a barrier between east and west parts of the town. Some higher density apartment development is located between Edgar Street and Brooks Parade with an outlook to the lake.

Vehicle Access and Movement

The existing focus of the town is the Pacific Highway, with the commercial area centred on the intersection between the highway and Macquarie Street. The Pacific Highway carries large volumes of vehicles through the town centre, especially in the early morning and late afternoon. Vehicular traffic circulation within the town centre is made difficult by the closure of streets, and restrictions on permissible turns at intersections.

Pedestrian circulation

A pedestrian mall is located in Macquarie Street between the highway and Ernest Street. This area and the Court House frontage are the two pedestrian refuges of note in an otherwise car-oriented centre. A number of pedestrian routes are established through Belmont Town Centre. While many side streets provide reasonable amenity for pedestrians, provision for pedestrians along and across the Pacific Highway is limited due to the impacts of heavy vehicular traffic.

Some blocks adjacent to the central core are particularly long. This discourages pedestrians, as they are forced to follow longer routes to reach their destination. The foreshore reserve adjacent to Brooks Parade has a well-used pathway.
Public Domain

The public streets that are activated by retail frontages include the main commercial strip fronting the Pacific Highway, the east side of Thomas Street, and the car park elevation of Coles Citi Centre. Streets with active frontage provide a higher quality pedestrian environment.

In contrast, the large open space of the Coles car park off Macquarie Street is poorly defined, without shelter or visual interest for pedestrians. The Coles loading dock on Herbert and Edgar Streets also detracts from the pedestrian amenity of the street.

Built Form

The existing commercial built form of Belmont is predominantly post-war although the centre is much older. Earlier retail buildings along the Pacific Highway and Macquarie Street are generally smaller frontages, two storeys in height with zero setbacks to front alignments and overhanging awnings extending to the kerb line.

More recent retail development for Coles Citi Centre and Woolworths Belmont Central are essentially single storey, large footprint buildings. Commercial activity facing the lake is limited to café/restaurant premises and a handful of small shops.

Residential development is predominantly detached single story dwellings with street setbacks between 3-5 metres. The low-density residential development and large block sizes around the town centre reduce the potential vitality of the area and provide limited opportunities for pedestrian supported retail activity.

The northern most commercial strip along the Pacific Highway from Evans Street to Maude Street is characterised by larger detached single storey buildings. These are either built to the boundary for visibility, or well set back from the street to permit easy customer access to car parking.

1.3 ENVIRONMENTAL CONSTRAINTS

Flooding
Belmont Town Centre is situated close to the shores of Lake Macquarie. The north western extent of the centre is situated on lower lying land that is subject to localised flooding.

Sea Level Rise
Developments on sites below 3m AHD are also vulnerable to sea level rise. Development on these sites would be subject to Council’s Sea Level Rise policy.

Acid Sulphate Soils
The town centre is located on acid sulphate soils (Class 2, 3 and 5). Development must ensure that disturbance of acid sulphate soils is minimised to prevent adverse impact on water quality and the receiving waters of the lake.

1.4 DESIRED FUTURE CHARACTER

Activity and Uses
In the future, Belmont could become a compact, higher density, retail, business and residential centre focused on the area between the Pacific Highway and the lake foreshore. Office space and residential apartments would occupy upper levels above town centre retail.

Pedestrian movement from the Pacific Highway to the lake foreshore could be pleasant and interesting. Redevelopment of the existing car park site on Macquarie Street would provide active street frontages to Macquarie Street, Edgar Street and Thomas Street. The proposed Thomas Street extension would be a shared pedestrian and vehicle zone. Memorial place would be a sunny public place with the memorial and the forecourt of the Post Office, activated by a lively mix of small shopfronts and a cafe.

Apartment development on Brooks Parade would also provide a mix of café, restaurant, and small scale retailing at street podium level. This would make for an attractive residential area close to the centre.
Figure 1 - Belmont Town Centre Structure Plan

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Town Centre Structure

The future town centre structure (see Figure 1) is intended to:

- Establish a core area bounded by the Pacific Highway Macquarie Street, Herbert Street and Edgar Street;
- Protect existing views to the lake and key public domain elements;
- Create new pedestrian and vehicle links through the core area;
- Establish or enhance pedestrian places at key activity nodes;
- Provide a through cycle route;
- Maximise potential residential floor space west of the highway; and
- Establish an entry to the town centre coming from the north.

Built Form

Development within the B2 Zone core of the town centre should be of a perimeter block form built to the street boundary and side boundaries, to provide a continuous pedestrian strip. Additional height is provided west of the Pacific Highway to maximise yields on sites, with good visual and physical access to the lake.

Vehicle access points in the core area are restricted, in order to maintain pedestrian amenity and active street frontage.

To ensure lake glimpses between buildings, development in Brooks Parade as far north as Marks Street should be taller, freestanding blocks with a compact footprint, low podium and generous landscape areas.

Other development on B2 zoned land should be smaller scale 2-3 storey with smaller setbacks and generous tree planting areas at the rear. Buildings at the northern end of the Pacific Highway should maximise facade length, with floor space built to the street frontage.

Building Character

Belmont development character should reflect the high amenity waterside location and its popularity as a social and recreational destination on the lake. Balconies and terraces should be oriented for water views or for sun access, and provide recessed areas sheltered from prevailing winds and westerly sun.

Lightweight materials, the use of light but muted colours, awnings and moveable screening all add to the character of a contemporary waterside destination. Buildings on the Pacific Highway should incorporate heavier masonry facades and smaller glazing areas to manage noise and air quality. Upper residential levels should be well set back and lighter weight in appearance.
2 DEVELOPMENT CONTROLS

This Area Plan applies to the area bounded by the green line as shown in Figure 2.

Plans and sections are provided for each of the town centre blocks. The Block Controls are designed to respond to the topography, aspect and context of each block and street frontage in order to support the desired future structure, built form and character of the Belmont town centre (see Figures 4-21).
2.1 BLOCK CONTROLS

The Block Plans show the overall desired structure of development, and the spatial relationship between development and the street at a block-by-block view. They are based on site context, existing street character, and the desired future character of the town centre.

The Block Plans and sections provide general building envelopes including heights in storeys and indicative building footprints. They do not dictate lot amalgamations, or describe the design of future buildings.

Block Plans and Sections show the key built form outcomes Council is seeking and include:

- The location of public open space, public pedestrian links, and street awnings.
- The location of new vehicle links
- The location of non-residential uses
- Front setbacks at street level and upper levels
- The desired location of building mass close to the street
- The overall maximum depth of development
- The expected provision of basement car parking
- Aspects where building mass should be broken up (i.e. 50% occupied areas)

Site planning and building design should be informed by both the Block Controls and a detailed site and context analysis.

Objectives:

a. To improve the amenity and connectivity of the public domain.

b. To improve vehicle circulation and access to public transport.

c. To ensure that building scale, height and setback contributes to the desired future character of the town centre.

Controls

1. Development must make a positive contribution to the desired future character of the town centre as described in Section 1.4.

2. A development proposal must address the requirements of the relevant Block Plan and Section(s), as shown in Figures 4-21.

3. Site planning and building design must be based on a comprehensive site and context analysis.
3 CONTEXT AND SETTING

3.1 SENSITIVE ABORIGINAL CULTURAL LANDSCAPE

Objectives

a. To ensure that the cultural and archaeoogical significance of a development site and its context are determined prior to any development.

b. To manage and interpret the Sensitive Aboriginal Cultural Landscape in consultation with the local Aboriginal community.

Figure 3 - Sensitive Aboriginal Cultural Landscape

Controls

1. An Aboriginal Heritage Impact Statement must be prepared and lodged for a development proposal that is wholly or partly within the area shown cross hatched in Figure 3: Sensitive Aboriginal Cultural Landscape in Belmont.
2. The Aboriginal Heritage Impact Statement must be prepared in accordance with the Lake Macquarie Aboriginal Heritage Management Strategy.
4 STREETS AND PUBLIC SPACE

4.1 OUTLOOK TO THE LAKE

Objectives

a. To maintain public views along streets to the lake and landmark elements

b. To ensure development provides large breaks between buildings located between Edgar Street to Lake Macquarie.

c. To maintain and enhance the landscape corridor along existing stormwater channels

Controls

1. Building development must maintain Significant Views, as shown in Figure 1 Belmont Town Structure Plan

2. Development must provide clear breaks between buildings when viewed from Edgar Street to Brooks Parade, as shown in Figure 8: Block C Control Plan and to meet the requirements of SEPP 65 – Design Quality of Residential Flat Buildings, and the accompanying Residential Flat Building Design Code.

3. Development on Lots 2, 3, 4, 10 and 11 in DP 585 Section B and Lots 29-34 in DP2374 must be set back at least 6 metres from the stormwater channel for deep soil planting.

4.2 VEHICLE LANES

Objectives

a. To establish a safe and direct vehicle and pedestrian connection from Thomas Street to Herbert Street that provides service access to the rear of properties on the Pacific Highway.

b. To establish a safe and direct vehicle and pedestrian connection from Maude Street to Herbert Street located on the alignment of Henry Street.

Controls

1. Development on Lot 16 Section K in DP 9457 and Lot 16 DP 16704 must provide a vehicular lane on a single alignment, with a minimum width of eight metres from Thomas Street to Herbert Street, as shown on Block B Control Plan.

2. Development on Lot 22 Section I in DP 2374 and Lot 41 Section I DP 2374 must provide a vehicular lane on a single alignment, with a minimum width of eight metres from Herbert Street to Maude Street, as shown on Block E Control Plan.

4.3 PEDESTRIAN LANE – PACIFIC HIGHWAY TO THOMAS STREET

Objectives

a. To establish a pedestrian lane with active frontage for direct pedestrian movement from the Pacific Highway through the future retail core to the lake foreshore.

Controls

1. Development on 542-544 Pacific Highway must provide a pedestrian lane on a single alignment, with a minimum clear corridor width of 6 metres, and open to the sky, as shown in Block Control B.

2. Development must provide retail, office or business floor space on the lane frontage at street level.

3. The lane must be free of visual intrusions, including occupiable floor space, circulation space and signage structures.
4.4 PUBLIC PLACE - THOMAS STREET SQUARE

Objectives
a. To clarify and improve vehicle and pedestrian circulation between Thomas and Edgar Streets.
b. To provide an open air and north facing public space that is located in close proximity to extensive retail floor space, and readily accessible from surrounding streets.

Controls
1. Development on Lot 1 in DP 771701 on Thomas Street must include a shared vehicle and pedestrian street on a single alignment, with a minimum clear width of 16 metres and open to the sky, as shown in Block B Control Plan.
2. Development on Lot 1 in DP 771701 must provide a high quality public place of at least 600m², as shown in Block A Control Plan, that has:
   i. at least three hours sun access from 9am to 3pm on the winter solstice;
   ii. appropriate shade awnings, paving, lighting, seating and other furniture; and
   iii. suitable tree and landscape planting.
3. Ground floor uses fronting the Thomas Street Square must be pedestrian-based retail uses, active community space, or entries to upper level floor space.
4. Upper levels must include balconies or terraces overlooking the Thomas Street Square.

4.5 PUBLIC PLACE - SINGLETON STREET SQUARE

Objectives
a. To provide a pleasant, safe and lively public space and outdoor trading space with good sun access and an elevated outlook to the north.

Controls
1. Development on Lot 1 in DP 1146477 (1Singleton St) must include an outdoor pedestrian and trading space with a minimum size of 15mx20m on a single level and immediately adjacent to the main retaining floorspace, as shown in Block A Control Plan.
2. Development on Lot 1 and 2 in DP 1146477 must provide a high quality public place on a single level elevated above the street and adjacent to the main retail area as shown in Block A Control Plan, with a minimum area of 300m², that provides:
   i. an outlook to the north.
   ii. at least three hours sun access from 9am to 3pm on the winter solstice;
   iii. appropriate shade awnings, paving, lighting, seating and other furniture; and
   iv. suitable tree and landscape planting.
3. Uses fronting the Singleton Street Square must be pedestrian-based retail uses, active community space, or entries to upper level floor space.
4. Upper levels must include balconies or terraces overlooking the Singleton Street Square.

4.6 ENTRIES LOCATED AT STREET TERMINATIONS

Objectives
a. To support activity and pedestrian movement at the intersection of George St and Pacific Highway, at the intersection of Macquarie and Singleton Streets, and the intersection of Sharp and Edgar Streets.
Controls

1. Development on Lot 301 in DP 590786 and Lot 201 DP 103526 on Pacific Highway must provide a small forecourt, public entry and active retail frontage opposite the termination of George ST, as shown in Block A Control Plan.

2. Development on Lot 1 in DP 771701 on Macquarie Street must provide a small forecourt, public entry and active retail frontage opposite the termination of Singleton Street, as shown in Block B Control Plan.

3. Development on Lot 1 in DP 771701 on Edgar Street must provide a small forecourt, public entry and active retail frontage opposite the termination of Sharp Street, as shown in Block B Control Plan.

4. Pedestrian entries located at street terminations must be highlighted and improved through the provision of a minimum setback of 3 metres, a solid awning above, quality paving, street furniture, lighting and tree planting.

4.7 STREETSCAPE IMPROVEMENTS

Objectives

a. To provide high quality infrastructure for pedestrians in the town centre.

Controls

1. Works undertaken within the public domain must be consistent with the provisions of the Belmont Streetscape Masterplan and Public Domain Technical Guidelines.
5 ACCESS AND PARKING

5.1 SITE ACCESS

Objectives
a. To maximise the retail frontage and pedestrian amenity for streets in the town centre.
b. To minimise impacts on traffic flow on the Pacific Highway

Controls
1. For lots with frontage to the Pacific Highway, a development application for intensification of use must include an alternative vehicle access to the site.
2. Site access must comply with the locations where these are shown in the Block Controls (Figures 4-21).
3. Vehicle access to on-site car parking or service areas and loading docks on Lot 1 in DP 771701 must be limited to nominated locations on Herbert, Edgar and Thomas Streets.

5.2 PARKING PROVISION

Objectives
a. To maximise retail floor space at street level along the southern side of Macquarie Street and the eastern side of Thomas Street.
b. To maximise centralised public parking spaces on larger sites, either in basement excavations or on upper levels where sites are affected by flooding and sea level rise.

Controls
1. For development proposals on sites with frontage to the southern side of Macquarie Street or the eastern side of Thomas Street, where the required parking cannot be entirely provided on-site, alternative provisions for car parking may be made through the relevant Section 7.11 Contributions Plan(s) and/or Council’s Policy – Planning Agreement – Car Parking Deficiencies...
2. For development on the site bounded by Edgar, Macquarie and Thomas Streets, car parking may be provided above street level, provided that the building includes a high quality architectural façade to the exterior of the parking decks.
6 BUILDING DESIGN

6.1 BROOKS PARADE AND EDGAR STREET

Objectives

a. To establish view corridors from Edgar Street to Brooks Parade and the lake.

b. To break up the mass of development along Brooks Parade and Edgar Street.

c. To ensure that each apartment block has an individual character that contributes to the overall streetscape character.

d. To encourage a pedestrian scale built form at street level along Brooks Parade and Edgar Street with single storey retail floor space close to the street boundary.

e. To support pedestrian movement and activity along the foreshore and Brooks Parade.

Controls

1. For development on sites with frontage to Edgar Street or Brooks Parade:
   i. Setbacks must be consistent with the controls shown in Block Plan C and D and Sections.
   ii. Building width must not exceed 30 metres at the street frontage.
   iii. Balconies may encroach on the front setback area up to three metres for up to 80% of the façade length.
   iv. Front setbacks must be a minimum on the primary and secondary street frontage, except that retail floorspace at podium level, may encroach up to four metres on the front setback area for up to 50% of the facade length.
   v. Side setbacks must be a minimum of three metres
   vi. Rear setbacks must be a minimum of six metres.
   vii. Podium level must not exceed 1.2 metres unless this is inconsistent with requirements under the Lake Macquarie Sea Level Rise Preparedness and Adaptation Policy.

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

6.2 BUILDING TO THE STREET BOUNDARY

Objectives

a. To define the spatial character of the northern entry on the Pacific Highway.

b. To maximise building mass, floor space and activity at the street boundary in the town core.

Controls

1. For development on the Pacific Highway between Stanley Street and Herbert Street, at least 50% of the lot frontage must have a minimum of one storey built up to the Pacific Highway boundary.

2. Developments on the Pacific Highway between Herbert Street and Victoria Street, in Macquarie Street between the Pacific Highway and Edgar Street, and in Thomas Street, must have at least two storeys built to 100% of the lot frontage.

6.3 FRONT SETBACKS

Objectives

a. To define the spatial character and proportions of each street.

b. To maintain a wider landscape setback for the southern entry to Belmont on the Pacific Highway.
c. To provide a suitable interface to residential zoned land on the north side of Maude Street.

**Controls**

1. Front building setbacks must comply with the relevant Block Control Plan and Section (Figures 4-21).
2. Buildings on the Pacific Highway between Victoria and Ada Streets must be set back a minimum of six metres from the street boundary, as shown in Block I Control Plan. Landscape and tree plantings must be provided in the setback area.
3. Buildings on Maude Street between Pacific Highway and Albert Street must be set back a minimum of three metres from the street boundary, as shown in Block E Control Plan. Landscape and tree plantings must be provided in the setback area.

### 6.4 SIDE AND REAR SETBACKS

**Objectives**

a. To ensure an appropriate level of amenity for building occupants, including natural light and ventilation, outlook, view sharing, wind shelter and privacy.

b. To allow natural light and ventilation from the front and rear of properties.

**Controls**

1. Side and rear building setbacks must be consistent with the Block Control Plans and Sections (Figures 4-21).

### 6.5 BUILDING HEIGHT

**Objectives**

a. To ensure that developments do not overwhelm the public street, and are of compatible scale with the surrounding, or desired future built environment.

b. To encourage higher density development in the core area between the Pacific Highway, Macquarie Street, Edgar Street and Herbert Street.

c. To allow view lines between buildings from Edgar Street to Brooks Parade.

**Controls**

1. The maximum number of storeys must comply with the Block Control Plans and Sections (Figures 4-21).

2. Where an Area Plan does not specify height in storeys development must not exceed three storeys and 13m in height.

### 6.6 MAXIMUM OCCUPIED AREA

**Definition**

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

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

**Objectives**

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

**Controls**

1. Development must be consistent with the maximum occupied area controls, as shown in the Block Controls and Sections (Figures 4-21).
6.7 BUILDING EXTERIORS

Objective

a. To reduce the visual impact of buildings viewed from the foreshore or from the lake.

b. To ensure that building design contributes to the character and vitality of the Pacific Highway in Belmont.

Controls

1. Buildings visible from the foreshore or the lake must be predominantly finished in non-reflective muted-tones and neutral colours. White or brightly coloured finishes must be restricted to small detail elements.

2. Buildings on the Pacific Highway must incorporate heavier masonry façades and smaller glazing areas to manage noise and air quality.

6.8 BALCONIES ON THE PACIFIC HIGHWAY

Objectives

a. To provide suitable privacy and amenity for users of balconies on the Pacific Highway.

Controls

1. For development fronting the Pacific Highway balconies on levels two and three must be recessed into the building façade.
7 Landscape

7.1 Planting on Private Land

Objectives

a. To provide broad canopy trees along the Pacific Highway entry to Belmont from the north.
b. To enhance the amenity of the Brooks Parade waterfront with landscape planting on private land.
c. To provide a landscape buffer between mixed use development and residential zoned land.

Controls

1. Development on the Pacific Highway between Stanley Street and Herbert Street must include installation and maintenance of at least one advanced clear-trunked broad-canopy tree on the development site for every 10 metres of frontage, in addition to general tree planting required for car parking areas. The additional trees must be installed within five metres of the front boundary to maximise their visibility from the Highway.

2. Development exceeding three storeys in height between Brooks Parade, Edgar Street, Macquarie Street and Marks Street must provide landscape planting to at least 20% of the site area. The planting on private land must include installation and maintenance of at least one advanced clear-trunked broad-canopy tree for every 50m² of landscape area.

3. Development on the Pacific Highway between Stanley Street and Herbert Street must provide at least a three metre planted buffer on the rear boundary that provides screening to adjacent properties.

Note: see Part 2 – General Provisions for general tree planting details.
8 BLOCK CONTROLS

Note: Uses shown in the sections are indicative only.

Figure 4 - Block A Control Plan
Figure 5 - Block A Section A-A
Figure 6 - Block B Control Plan

Figure 7 - Block B Section B-B
Figure 8 - Block C Control Plan

Figure 9 - Block C Section C-C
Figure 10 - Block D Control Plan

Figure 11 - Block D Section D-D
Figure 12 - Block E Control Plan

Figure 13 - Block E Section E-E
Figure 14 - Block F Control Plan

Figure 15 - Block F Section F-F
Figure 16 - Block G Control Plan

Figure 17 - Block G Section G-G
Figure 18 - Block H Control Plan

Figure 19 - Block H Section H-H
Figure 20 - Block I Control Plan

Figure 21 - Block I Section I-I