



# Nelson Bay Town Centre & Foreshore STRATEGY

DRAFT - 2012

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# 1.0 Executive Summary

## Background

Nelson Bay is the primary tourist and service centre of the Tomaree Peninsula and of Port Stephens Local Government Area. Nelson Bay contains a considerable amount of retail and commercial floorspace; however the nearby Salamander Centre has become the focus for weekly retail shopping as well as being the location of a major library and community centre. As a result, Nelson Bay's retail floorspace is refocusing around leisure shopping and hospitality, such as cafes, with a secondary focus on day-to-day and weekly household and personal needs.

Nelson Bay is the entry point to the Port Stephens waterway for many tourists, and contains the highest concentration of tourist facilities in the area. The Town experiences high seasonal variations in tourism. The low level of activity on winter weekdays contrasts with the large numbers of tourists visiting during the summer and Easter holidays and special event weekends.

Nelson Bay is in competition with coastal centres elsewhere in NSW, Australia and increasingly overseas. In order for Nelson Bay to remain competitive it needs to rejuvenate its suite of tourism products and to provide a unique destination. The visual appearance and amenity of the Town Centre and Foreshore are important elements in providing a unique high quality destination. Diversification of the economy beyond its high reliance on leisure based tourism is also important.

At the same time, Nelson Bay has a substantial residential population. It is important that Nelson Bay offers a high amenity environment to residents in order to maintain its existing population and to attract new residents. Many new residents are former tourists attracted to the relaxed coastal lifestyle of the area.

Over the next 20 years, population and employment are expected to grow in the Tomaree Peninsula including Nelson Bay, which is a main service/tourist centre.

## Aim of the Strategy

Nelson Bay Strategy aims to guide Nelson Bay towards becoming more attractive to tourists, the business community and residents. The Nelson Bay Strategy is largely directed towards physical form, such as building design, street landscaping and transportation networks. It is complemented by a range of other strategies.

A planning strategy for Nelson Bay is required to:

- Stimulate and diversify jobs growth
- Provide guidelines for the design of new buildings and development
- Ensure adequate roads, parking, pedestrian facilities and storm water drainage
- Ensure Nelson Bay is an attractive place to live, work, visit and shop
- Manage and develop Nelson Bay as a tourism centre
- Improve the relationship between the Nelson Bay Town Centre and the Nelson Bay Foreshore
- Facilitate a distinctive town centre character
- Preserve the natural environment, which is critical to Nelson Bay's economy and liveability.

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The Strategy document provides a multidisciplinary analysis that results in a vision for change and details the key initiatives and strategies that will guide the Town Centre and Foreshore.

The Strategy not only recommends planning controls for future developments and guidance for the revitalisation of the public domain, it also identifies the critical stages and considerations in delivering the Strategy's vision.

## Structure of the Strategy

Section 1 of the Strategy provides a discussion as to why the Strategy was prepared, the context in terms of locality and the consultation process involved in the preparation of the Strategy.

Section 2 reviews the relevant planning framework documents and provides the statutory context for the Strategy in terms of planning considerations.

Section 3 demonstrates the analysis work conducted, including the:

- Nelson Bay social context including the towns heritage and history
- Locality's population and projections
- Key issues affecting the local economy
- Existing conditions and considerations within the Study Area – the natural environment, traffic and car parking
- Public domain analysis
- View analysis
- Development opportunities analysis

Section 4 builds on the analysis discussed within Section Three by refining and clarifying the guiding principles that were adopted by Council in 2010 to guide the Strategy. The Section provides a discussion on the key challenges and options in addressing the principles before moving onto the final recommendations.

Section 5 is focused on the implementation of the recommendations and provides a discussion on key issues including financial opportunities available in implementing the Strategy, and the critical design and delivery stages.

## Community consultation

The development of a strategy for Nelson Bay has been an extensive process over several years, and has involved considerable community consultation. A range of studies have been undertaken which have provided substantial background information upon which to base the Strategy.

Late last year a stakeholder's forum was established. The stakeholder's forum has met regularly to discuss issues related to the Strategy and to provide feedback to Council officers as the final Strategy is developed.

An innovative program of involving local school students in developing a vision of a future Nelson Bay has helped ensure that the views of younger people (who will inherit the outcomes of the Strategy) has been considered.

The Hunter Valley Research Foundation has also undertaken an independent survey of residents, visitor and business views on aspects of the Strategy.

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## Basis for the Strategy

The outcomes of the Nelson Bay Town Centre and Foreshore Strategy have been informed by:

- Analysis of local and NSW government policy and relevant strategic documents
- A review of strategic work conducted throughout the draft strategy process including work previously conducted by consultants
- Analysis of such matters as urban design, traffic and car parking, economic development and building development standards and controls.

Because traffic and car parking is a major issue in Nelson Bay, GHD was engaged to review traffic and car parking in the Town Centre and Foreshore, and to provide recommendations for addressing the issues they identified.

Council officers have comprehensively reviewed the studies that have been undertaken, the comments made by Council in 2011 on the draft Strategy, workshop outcomes, and submissions received during the exhibition of the draft Strategy in 2009. They have also undertaken detailed site inspections.

The outcome is a Strategy which is more finely tuned to Nelson Bay's circumstances than the previous draft. It also has a greater focus on improving the overall ambience and functionality of the Town Centre through such measures as new street tree planting, improved signage, improving access to parking and a better pedestrian network. It also provides incentives and flexibility to encourage incoming investment.

## Analysis and Recommendations

Analysis of the Town Centre revealed that it has several distinct subareas deserving of special development controls and public domain treatments in order to enhance their character.

The commercial zoned area of Nelson Bay is too large for a centre with a relatively limited catchment. As a result, activity tends to become dispersed and a sense of focus is lost, with a negative impact on business viability. By developing the character and function of specific areas it is possible to focus activity and to overcome the problems of dispersion.

Magnus Street, the northern end of Stockton Street and parts of Donald Street contain many small shops, boutique retail and cafes and need to be further developed in a way that builds on its "village" character.

A number of larger sized sites and existing premises exist in the area to the south and west of the "village". This area offers the potential to provide more flexibility for new development within a number of Nelson Bay specific urban design controls.

The treatment of the public domain is critical to achieving a quality result in Nelson Bay and attracting more residents, tourists and businesses. The public domain strongly influences how people feel and experience the town, and ties the elements of the town together.

In relation to building heights, it is critical that the wooded ridge and headlands that surround the Bay be visible and not eclipsed by buildings. A maximum of five storeys is proposed throughout the Town Centre with the exception of the area south of the Bowling Club (7 storeys) and the Marina area (3 storeys), and Fishermen's Co-op site (4 storeys). It is recommended buildings on sites with a street frontage of less than 20 metres be limited to 3 storeys in order to maintain an acceptable scale and proportion of the buildings.

A requirement for active street frontages and for buildings to be built to the street boundaries is proposed to be applied selectively to certain streets.

The Strategy provides greater flexibility for new development than the draft Strategy. It also includes incentives that improve the development yield of sites in return for higher quality design and benefits to the public realm (see below).

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Key recommendations of this Strategy include new development controls that will be implemented through a proposed new Nelson Bay Town Centre locality chapter in the Port Stephens Development Control Plan (DCP), recommendations for additional clauses to be included in the Port Stephens Local Environment Plan 2000 (and subsequently the Port Stephens Local Environmental Plan 2012 (Standard Instrument Comprehensive City Wide LEP), and a document titled the Nelson Bay Implementation Program.

## Design Excellence and Variations to Development Standards

All development is required to exhibit design excellence.

Should a development exhibit outstanding design excellence, and provide a strategic public benefit (e.g. a significant public domain improvement or a conference centre facility) it may qualify for up to an additional 2 storeys and an additional 0.5:1 floor space ratio above the 2.0:1 floor space ratio that would apply to the Town Centre.

Where appropriate, an Urban Design Advisory Panel will provide advice to Council on the urban design merits of a specific proposal.

Developments on identified "opportunity" sites may qualify for a further additional 0.5:1 FSR (i.e. maximum of up to 3.0:1), but only if they meet the foregoing criteria.

The Opportunity Sites are the Fishermen's Co-op, Sea Breeze Hotel, Nelson Resort and adjacent sites together with the Council car park in Donald Street west, the Council car park and adjacent sites in Donald Street east, and the "Coles" site at the intersection of Donald and Stockton Streets. (see the map in the Strategy for details)

It is proposed that State Environmental Planning Policy 65 - (SEPP) Design Quality of Residential Flat Development considerations be applied to holiday accommodation (other than hotels, motels, bed and breakfasts and the like) in order to ensure they can be reasonably adapted to permanent residential accommodation when desired. This will also improve their external appearance and relationship to adjoining sites, and better "share of the benefits" of such an outstanding location.

## Implementation Program

The Nelson Bay Implementation Program clearly sets out the vision for the major projects necessary to achieve the Strategy's objectives in this regard, including:

- The basis for a public domain strategy for Nelson Bay. This strategy seeks to improve streetscapes, better define view corridors, improve pedestrian connectivity, and create a strong pedestrian "spine" along Stockton Street to the waterfront
- A design brief for Apex Park and the wider green link area between the Town Centre and Foreshore. Apex Park has evolved over time and as a result has lost an overall structure. Many facilities in the Park, such as the War Memorial, are functionally compromised as a result. Tree plantings have grown and obscured important view corridors to the water
- Upgrading wayfinding through improved signage and interpretive material is very important to improving the visitor's experience of Nelson Bay and to bring the Town Centre and the waterfront closer together
- Initiatives to reinforce the Character Areas identified in this Strategy
- The Foreshore redevelopment
- Public art, tree planting brief, lighting strategy, street furniture, and signage
- Key staging considerations
- Implementation responsibilities.

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## Resourcing the Improvement Program

It is proposed to develop a Development Contributions Section 94 Plan to assist in the implementation of the Nelson Bay Improvement Program. In addition, the Nelson Bay Improvement Program would be implemented over time as Council priorities permit, through the reshaping of works that would be carried out in any case, through grant opportunities, and through other funding mechanisms discussed in the Strategy. Developments may seek to implement aspects of the Nelson Bay Improvement Program in order to deliver a “strategic public benefit” as a requirement for being able to achieve additional development yield on their site.

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## 2.0 Aim of the Strategy

Nelson Bay Strategy aims to guide Nelson Bay towards becoming more attractive to tourists, the business community and residents. The Nelson Bay Strategy is largely directed towards physical form, such as building design, street landscaping and transportation networks. It is complemented by a range of other strategies.

A planning strategy for Nelson Bay is required to:

- Stimulate and diversify jobs growth
- Provide guidelines for the design of new buildings and development
- Ensure adequate roads, parking, and pedestrian facilities
- Ensure Nelson Bay is an attractive place to live, work, visit and shop
- Manage and develop Nelson Bay as a tourism centre
- Improve the relationship between the Nelson Bay Town Centre and the Nelson Bay Foreshore
- Facilitate a distinctive town centre character
- Preserve the natural environment, which is critical to Nelson Bay's economy and liveability.

The Strategy document provides a multidisciplinary analysis that results in a vision for change and details the key initiatives and strategies that will guide the Town Centre and Foreshore.

The Strategy not only recommends planning controls for future developments and guidance for the revitalisation of the public domain, it also identifies the critical stages and considerations in delivering the Strategy's vision.

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## 3.0 Document Structure

**Section One** provides a discussion as to why the Strategy was prepared, the local context in terms of locality and the consultation process involved in the preparation of the Strategy.

**Section Two** reviews relevant planning documents and provides the statutory context for the strategy in terms of planning considerations.

**Section Three** demonstrates the analysis work conducted, including the:

- Nelson Bay social context including the towns heritage and history
- Local demographics
- Key issues affecting the local economy
- Existing conditions and considerations within the Study Area – such as the natural environment, traffic and car parking
- Public domain analysis
- View analysis
- Development opportunities analysis

**Section Four** builds on the analysis work discussed within Section Three by identifying the guiding principles to guide the Strategy adopted by Council in 2010. The Chapter provides a discussion of the key challenges to address the principles before moving onto the final recommendations.

**Section Five** is focused on the implementation of the recommendations and provides a discussion on key issues including: financial opportunities available in implementing the Strategy, and the critical design and delivery stages.

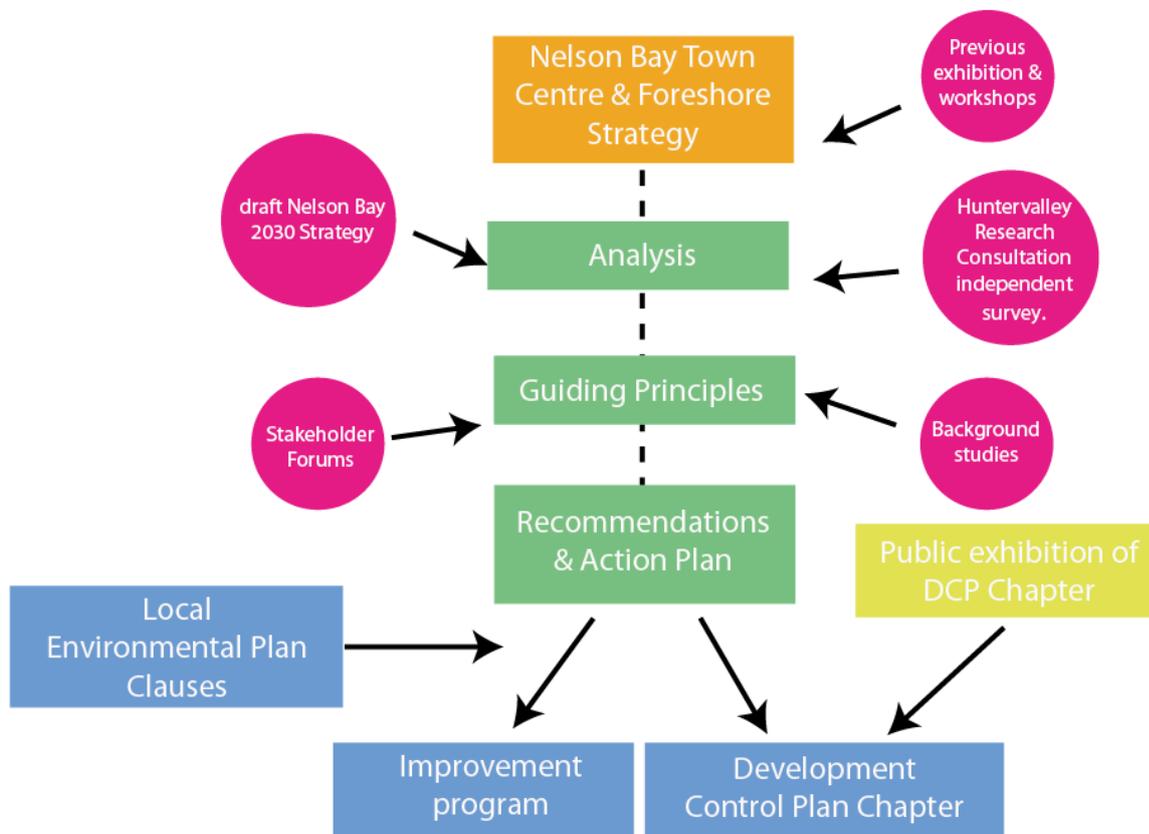
Key recommendations of this Strategy include new development controls that will be implemented through a proposed new Nelson Bay Town Centre locality chapter in the Port Stephens Development Control Plan (DCP), recommendations for additional clauses to be included in the Port Stephens Local Environmental Plan 2000 (and subsequently the Port Stephens Local Environmental Plan 2011 (Standard Instrument Comprehensive LEP), and a document titled the Nelson Bay Implementation Program. Figure 1 illustrates the documents to be produced to deliver the Strategy objectives.

**Figure 1:** Documents prepared to implement the Strategy objectives.

## 4.0 Background of the Study

### Community Engagement

The development of a Strategy for Nelson Bay has entailed an extensive process over several years, and has involved considerable community consultation. This Section provides details of the consultation undertaken and brief details of the studies that provide much of the basis of the Strategy. **Figure 2** summarises the community consultation process.



**Figure 2: Process and public participation.**

#### Draft Nelson Bay 2030 Strategy

In 2007 Port Stephens Council undertook a comprehensive study of the Nelson Bay Town Centre. The purpose of the study was to plan for the town's development over the next 20-30 years and identify the town's future desired character. A series of community consultation sessions was held to identify issues and opportunities. The draft Strategy was exhibited in September 2008.

#### Draft Design Code and Background Report

Following the exhibition of the draft Nelson Bay 2030 Strategy, the submissions received were evaluated. Community feedback predominantly related to the future desired character of Nelson Bay, urban design issues including building heights and streetscapes, the relationship of the Town to the Foreshore, traffic management (including the need for a bypass), and pedestrian/traffic flow within the Town including



across Victoria Parade. Given the responses mostly related to urban design issues, specialist urban design guidance was obtained to provide further guidance.

The urban design guidance was provided in the form of a Background Report and draft Design Code which concluded that the future of Nelson Bay relies on the Town and Foreshore being better connected. The Report stated that the following issues need to be addressed to achieve this connection and deliver a town that has greater economic activity and tourist visitation:

- The lack of investment attraction and the sustainability of the Nelson Bay economy in the future
- Lack of critical mass of facilities at the waterfront to generate pedestrian activity and inspire the journey from the Town Centre
- Lack of connection between functions carried out in the Town and on the waterfront – people do different things at the waterfront to the Town Centre
- The open space between the Town and waterfront – while attractive, it separates the two places and reduces the desire to travel between them
- Orientation of waterfront buildings – the buildings back on to the Town Centre
- The behaviour of traffic and the design of street interfaces – there is a need to slow traffic before reaching such important streets as Stockton Street and Victoria Parade.

Consequently, the resultant draft Design Code and Background Report not only embraced the Town Centre, but also included the Nelson Bay Foreshore which had not been included in the previously exhibited draft Strategy.

The draft Code and Background Report was placed on exhibition and a consultation workshop was held on 12 March 2010. A key issue arising from the consultation was the concern that the Foreshore controls had not been included as part of the draft Strategy.

Given that the scope of the revised draft Nelson Bay 2030 Strategy had been broadened to include such matters as the Foreshore, it was decided that a set of principles needed to be identified to provide an underpinning and reference point for a review of the Strategy. These were developed through community feedback and a workshop involving Council staff and Councillors. The aim of the principles was to direct the planning process and support the integration of the Town Centre and Foreshore planning processes in order to achieve a set of desired outcomes and parameters.

In 2011 additional studies were conducted by Council to inform the revision of the draft Strategy including a land economics feasibility review, and a Traffic and Car Parking Study (prepared by GHD). During late 2011 and 2012 a regular stakeholders forum was established which has discussed and advised on various aspects related to the finalisation of the Strategy.

## The Foreshore Plan of Management

During this period the Department of Lands (now titled the Land and Property Management Authority (LPMA)) consulted with Council and the community to develop a plan to revitalise the Nelson Bay Foreshore. A Plan of Management for the Foreshore was jointly developed by the Department and Council in 2008. Expressions of Interest for the lease and redevelopment opportunity of the Foreshore area was called by the Department of Lands and closed in July 2008. Ardent Leisure was subsequently appointed by LPMA as the preferred partner. A Concept Plan for the redevelopment of the Foreshore area was placed on public exhibition by the LPMA during March/April 2011. The planning principles prepared by Council and the Foreshore Plan of Management assisted in guiding the Concept Plan.

Council and the LPMA have endeavoured to co-ordinate the planning process and outcomes of the overall Nelson Bay Strategy with the LPMA's Foreshore responsibilities. The Concept Plan has not been finalised because it was to be considered for approval under Part 3A of the Environmental Planning and Assessment Act. Part 3A no longer operates, and the LPMA are considering the best option for progressing the Concept Plan.



## Stakeholder Forums

Stakeholder forums have been conducted regularly throughout the evolution of the Strategy. These forums have been conducted to address views towards the Strategy and to provide Council with an opportunity to engage with the community on various issues. Key participants during this process include:

- The Land & Property Management Authority (LPMA)
- Tomaree Residents and Rates Payers Association
- Eco network
- Ardent Leisure
- Residents Panel
- The Nelson Bay Chamber of Commerce
- Port Stephens Tourism
- Local real estate agents and business owners

## Hunter Valley Research Foundation Independent Survey

Council engaged the Hunter Valley Research Foundation (HVRF) in 2011 to conduct an independent survey of views on the draft Strategy. HVRF carried out two surveys in January 2012, one that sought comments from approximately 400 people, including owner residents, renter residents, business owners and absentee landlords, with the second seeking feedback from approximately 100 visitors/tourists. The survey was carried out in a way that delivered a statistically valid indication of community views.

Those surveyed were asked to give their response according to a five point scale of agreement and disagreement, and provision was also made for some open ended questions.

There was consensus and strong support for the objectives and most of the specific proposals in the draft Strategy.

The characteristic of Nelson Bay most liked by community respondents was its sense of place/atmosphere and lifestyle, followed by waterways/waterfront. Visitors most liked the marina, beaches, restaurants and cafes and the Foreshore. Parking costs and supply was the major dislike of visitors. There was agreement that the appearance of Nelson Bay needed to be improved.

There was a high level of community agreement on:

- Redeveloping carparks to increase car parking
- Better connecting and signposting roads
- No blank walls
- Upper levels being setback
- Maintaining clear views of the ridgeline
- Having flexible accommodation (conversion of holiday units to permanent residences)
- Limiting the Town Centre to 5 storeys in height
- Not allowing buildings taller than 5 story on the edge of the Town Centre even if their extra height will not block views



- More trees and plantings
- Building to the boundaries
- New buildings on the Foreshore limited to 3 storeys
- The Foreshore should be architecturally co-ordinated with the Town Centre
- Improving the pedestrian route through Apex Park
- Public places should express local history
- A low number agreed that a road bypass of the Town Centre was unnecessary.

There was lesser agreement between business and residents on allowing taller buildings on the town edge and in the area near the Fishermen's Co-op, that road redevelopment will not improve traffic flow, and the need for an upmarket hotel.

Visitors felt that the marina area and low townscape should be maintained, and that the atmosphere of the town, small size and access to water make it more appealing than other tourist destinations.

### 'The Pitch'

Local young people's views were sought through a project involving local high schools; Tomaree High and St Phillips Christian College. They were invited to participate in a 'Gruen Transfer' style presentation on their vision for the Town Centre and Foreshore. The presentations were based on the student's view and comments relating to information within the draft Strategy.

The presentations assisted Council in recognising the need for infrastructure and facilities for all age groups, including areas for young people to meet and facilities to provide entertainment for both local children and teenagers and to also attract a greater market of tourists with children of all ages. Both presentations also focused on the importance of Apex Park being attractive and functional and the improvements that should be made.

The students highlighted the lack of recreational opportunities and attractions for those in the late teens and early adulthood.

Figure 3: Tomaree High School year 11 geography students, winners of the 'Pitch'

## 5.0 Introduction

### The Study Area

The Study Area for this Strategy is shown in Figure 4 and includes the Nelson Bay Town Centre, Apex Park, and Foreshore Area. The Study Area (east to west) is defined by the boundary of the commercial zoned land within the Town Centre, by the LPMA land management units to the north, and by the edge of development (being just South of the Nelson Bay Bowling Club and Landmark development) to the south.

The Town Centre serves neighbouring communities as a local retail, business and recreation area. It is a popular tourist destination and meeting point due to the many tourist charter boats and related activities being located within the Foreshore area.



Figure 4: Study Area



## Local Context

Nelson Bay is located on the southern shore of the Port Stephens waterbody, on the Tomaree Peninsula along with the settlements of Anna Bay, Fingal Bay, Shoal Bay, Corlette, Salamander Bay, Soldiers Point and Taylors Beach (Figure 5). Each of the settlements are generally separated from the others by natural bush or wetlands and usually located on lower lying lands, close to the waters of Port Stephens or coastal beaches.

### **Figure 5: Nelson Bay and the Tomaree Peninsula**

Nelson Bay is the most intensively developed area of Port Stephens Local Government Area. The Town Centre is a mixed use area containing a blend of tourism, retail, commercial and residential land uses. One and two storey developments dominate the centre with a number of multistorey residential and tourist accommodation buildings of up to 5-7 storeys in height generally located on the periphery of the commercial core.



#### **Figure 6: Nelson Bay Marina looking south across the Town Centre to Kurrara Hill**

To the north of the Town Centre lie extensive parklands which border the Port Stephens water body. A marina and associated two storey commercial development are located on the Foreshore, with a number of government, tourist and marine associated land uses located to the west of the Marina. Extensive public car parking is located along the Foreshore.

Access to Nelson Bay is mainly from the southwest, and traffic passes both through and/or around the Town Centre in order to reach the smaller centres to the east, such as Shoal Bay and Fingal Bay.

The general character of Nelson Bay is that of a casual holiday/lifestyle destination with a strong focus on water based tourism.

The Port Stephens water body and the surrounding wooded hills, coastal area and wetlands have outstanding natural beauty which is the major attraction for tourists and new residents. The higher ridges and steeply rising hills tend to be well vegetated with mature bush land, providing a consistent green backdrop to the urban areas.

While the area has many of the urban services expected of its population size, the proximity of Newcastle means that much higher level commercial, community and medical services are located there. As a result, residents are required to travel to Newcastle to access these services.



## Regional Context

Nelson Bay and the Tomaree Peninsula is located within the Port Stephens Local Government Area (Figure 7), 1 hour (60km) north of Newcastle, and 3 hours (206km) north of Sydney. Newcastle Airport (which also includes the Williamstown RAAF base) is located 32km to the south at Williamstown. Due to the location of Nelson Bay, employment for many residents involves commuting to work, commonly car-based, within the region including Newcastle, Williamstown and Raymond Terrace. A local and regional public transit bus network serves the community and there are also a number of visitors arriving by tourist buses. Figure 7 shows the location of Nelson Bay Road and Richardson Road, both significant access roads to the Tomaree Peninsula and Nelson Bay.

**Figure 7: Location of Port Stephens Local Government Area and Nelson Bay**



## 6.0 Planning Framework

This section of the Strategy provides an explanation of the wider planning framework and suite of documents the Strategy is related to, as shown (right). A summary of relevant State plans and policies follows. (Opposite): Context of Nelson Bay Town Centre and Foreshore Strategy.

### Lower Hunter Regional Strategy

The Lower Hunter Regional Strategy (LHRS) is the State Government's spatial planning policy for the Lower Hunter, which include the Port Stephens LGA.

The LHRS projects an additional 1500 jobs and 1200 dwellings in the Nelson Bay "specialised centre" by 2031. The projected numbers are estimates only. Although the LHRS does not define the precise boundaries within which these additional dwellings and jobs will be located, it is understood that it refers to the wider Tomaree Tourism and Lifestyle Growth Area.

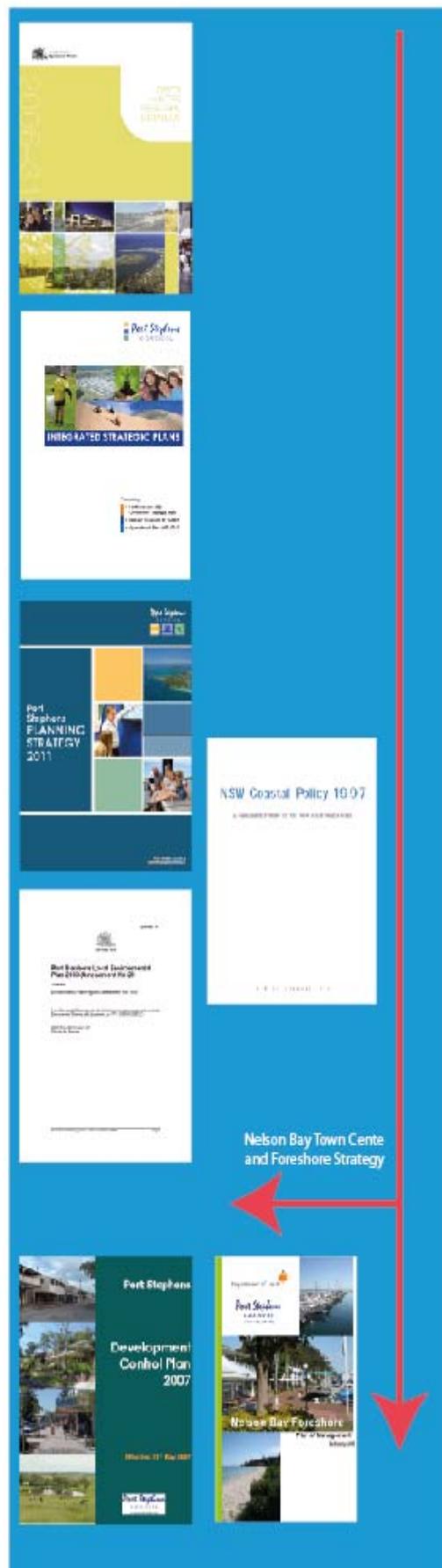
A specialised centre is defined as "a concentration of regionally significant economic activity and employment". Nelson Bay's specialisation is tourism. Nelson Bay is also designated as a "Town Centre". Interestingly, Salamander is not acknowledged by the LHRS or designated as a Town Centre.

### Port Stephens Community Strategic Plan

The Integrated Planning Framework and its companion documents are produced in response to the NSW Government's requirement for each council to produce an integrated strategic plan. Within this suite of documents, the Community Plan is Council's highest level planning document. The Plan has undergone community consultation and the operational plan has identified the need to carry out Centre Strategies within the Local Government Area (LGA) and to continue planning for the Fingal Bay bypass road.

### Port Stephens Futures

The Port Stephens Futures Strategy (PSFS) was developed after a review of the major issues facing Port Stephens, and comprehensive consultation with the community and agencies, to set overall directions for sustainable future growth in Port Stephens. It aimed to provide a foundation upon which the Community Strategic Plan and future planning strategies could be developed. The PSFS has provided direction for the development of the Port Stephens Planning Strategy, sub strategies (such as Nelson Bay) and provides an additional foundation for the draft Port Stephens Local Environmental Plan 2012. The Strategy sets ten over-arching Strategic Directions for the LGA which are of particular importance to Nelson Bay. These include sustainability, good development outcomes, quality urban design, infrastructure needs, cultural opportunities, social inclusion, environmental protection, economic growth and sound governance.



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## Port Stephens Planning Strategy

The Port Stephens Planning Strategy (PSPS) builds on the 2007 Community Settlement and Infrastructure Strategy by providing a comprehensive planning strategy for the LGA. The PSPS responds to the State Government's Lower Hunter Regional Strategy (LHRS) and Lower Hunter Regional Conservation Plan (LHRCP) by providing local level detail. The Planning Strategy identifies the following in relation to the wider suburb of Nelson Bay:

- Nelson Bay has a significant share of non-retail activity reflecting the business and personal servicing needs of the surrounding population and tourists, with around 53,000 m<sup>2</sup> of occupied floorspace.
- A key element for the economic growth and revitalisation of Nelson Bay will be the likely need to intensify residential development in the Town Centre. Providing more diverse housing choice will assist in attracting permanent residents to the area, as well as supporting the Town Centre outside of the peak tourism season.
- Commercial/retail floorspace demand is forecast to increase almost 15,000 m<sup>2</sup> between 2009 and 2031. This is equivalent to the increase in floorspace forecast for Raymond Terrace. There is insufficient capacity under current development intensity to accommodate this demand, even though there is a substantial amount (4,350 m<sup>2</sup>) of vacant floorspace.
- There is a low average floor space ratio across the Centre, which is partially due to the large number of open air car parks. This means there is a need for more intensive development or more commercially zoned land to meet future demand. Given the Centre is contained by high to medium density residential development, expansion beyond the existing commercially zoned land is not recommended. Intensification of development is a more suitable option.
- Development of the existing open car parks could provide additional car spaces, retail, commercial and residential usage and may also provide stimulus for rejuvenation elsewhere in the Centre. It foreshadowed that the emerging Draft Nelson Bay Town Centre and Foreshore Strategy would provide controls that will provide for additional commercial and residential floor space within the Town Centre to meet these future demands. It also identifies a risk that the southern part of the Centre (up the hill) may suffer if redevelopment exclusively focuses around the end of town closest to the water.

The PSPS identifies the following challenges and opportunities relating to Nelson Bay:

- Outwards expansion is constrained by the Tomaree National Park and the Port Stephens waterway
- The seasonal nature of the tourism industry makes it difficult to tailor supply and demand, in addition to placing pressure on infrastructure over the summer period
- Low average commercial floor space ratio across the centre, which is due to the large number of open air car parks
- Increasing intensification as a result of medium density residential buildings
- Potential to expand the water based and tourism industry
- Nelson Bay has a picturesque natural setting that draws residents and tourists to the LGA.

More detailed analysis was undertaken in the development of the PSPS for the suburb of Nelson Bay than was conducted for the LHRS. The PSPS identified that 600 dwellings of infill residential/mixed use commercial development and 169 dwellings on new residential zoned land (green field) are likely to be developed in the suburb over the next 25 years. The majority of these new dwellings are likely to be in the Nelson Bay Town Centre.

According to the PSPS a key issue for Nelson Bay is the need to achieve an appropriate balance between permanent residential and tourist accommodation. The future urban potential will come from intensification of development, primarily within existing zoned areas as medium density and multi-unit development.

### NSW Coastal Policy

Nelson Bay is within the 'coastal zone' as defined under The NSW Coastal Policy. Accordingly, the provisions of the Coastal Policy and its supporting documents and directions apply to the area. The Coastal Policy has nine goals that seek to protect the natural environment and provide for sustainable developments within the coastal zone.

An interwoven series of State Government planning instruments, directions and guidelines are directed towards implementation of the Coastal Policy. The Department of Planning and Infrastructure requires Councils to ensure that Local Environmental Plans for localities within the coastal zone are consistent with the Coastal Policy, the Coastal Design Guidelines and the NSW Coastline Management Manual.

### Port Stephens Local Environmental Plan 2000

The Port Stephens Local Environmental Plan 2000 (PSLEP 2000) is the primary legal document for controlling land use in the LGA. It describes what is permissible in each of the land use zones of the LGA and the significant development controls that apply. The land use zones applying to Nelson Bay are shown in Figure 8.

Within PSLEP 2000, Nelson Bay Town Centre and Marina are zoned 3(a) Business General A and are characterised by a mix of commercial uses, some tourist accommodation and residential uses. This zone classification is common to the major commercial centres within other areas of Port Stephens.

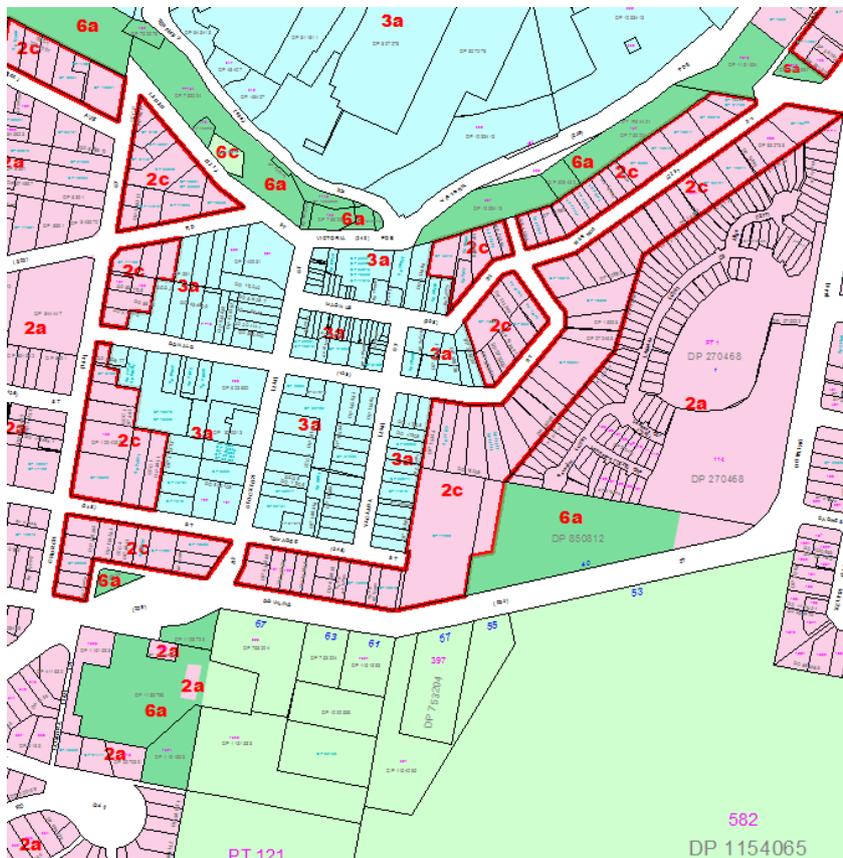


Figure 8: Port Stephens LEP 2000 Zone Map – Nelson Bay Town Centre and Foreshore

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A 2(c) Residential zone is located surrounding the 3(a) Business zoned area of the Town Centre. It is generally one block wide and the 2(c) zone contains dwelling houses, dual occupancy housing and higher density residential development and tourist accommodation. This land use zone is generally found adjacent to commercial centres and contains some small scale commercial activities. Tourist facilities are permissible in this zone. A strip of 2(c) land also runs along Victoria Parade, and either side of Magnus Street close to the Town Centre.

Further from the Town Centre, beyond the 2(c) zoned land lies 2(a) Residential A zoned land. The 2(a) zone is characterised by one and two storey dwelling houses and dual occupancies. Townhouses, flats and units up to two storeys occur throughout this area. Tourist facilities, i.e. developments which are predominantly for tourist accommodation or recreation, are not a permissible use.

The Foreshore is generally zoned 6(a) General Recreation A. This zone is usually applied to both active and passive recreation areas and generally relates to land reserved for the public. Development complementary to the use of the land for open space such as restaurants, marinas and recreation facilities are permissible within the zone.

The LEP also specifies minimum site areas per dwelling, floor space ratios and maximum heights for residential development within the Nelson Bay (West) area, which includes the western edge of the Town Centre.

### Draft Port Stephens Local Environmental Plan 2012

Port Stephens Council is required to prepare a new LEP in accordance with the State Government's Standard Instrument. PSLEP 2012 will reflect Council's desired strategic direction for development within the LGA. The Standard Template prescribes a number of different zones with set objectives, permissible and prohibited uses, standard definitions, and special clauses. While finalisation of the LEP is subject to an extensive consultation process and negotiation with the State Government. This Strategy will assist in informing the PSLEP 2012 in regards to building heights and any relevant zone amendments for Nelson Bay.

### Port Stephens Development Control Plan 2007

The Port Stephens Development Control Plan (DCP) provides a more detailed set of development guidelines to complement those contained in the LEP. The DCP contains development guidelines which apply to certain types of development throughout the Port Stephens Local Government Area e.g. car parking, in the form of "General Controls". It also contains guidelines specific to certain localities, including the Nelson Bay Town Centre, and Nelson Bay West.

Within the "General Controls" there are also some locality specific controls relating to the height of commercial and mixed use development and residential development which affect Nelson Bay Town Centre and its surrounds, however these duplicate those in the LEP to a large extent, albeit with some additional detail provided.

Specific controls within Chapter C4 - Nelson Bay Town Centre Area Plan relate to the Study Area. The maintenance of views, control of building height and bulk, appearance, and streetscape, such as pedestrian mobility and access, lighting and signage, are the main foci of the Area Plan. Currently a maximum building height of 15 metres and a maximum floor space ratio of 1.8:1 apply to the Town Centre.

The area immediately west of the land zoned 3(a) in the Town Centre is subject to an area specific Chapter C5 - Nelson Bay West Area Plan. It is a transitional area from the more intense Town Centre to the predominantly detached residential housing to the west which is of environmental and scenic sensitivity.

### Nelson Bay Foreshore Plan of Management

The document forms the Plan of Management for Crown Land within the Nelson Bay Foreshore area. The Land and Property Management Authority (LPMA), formerly known as Department of Lands, and Port Stephens Council, jointly produced the Plan.

The Plan is based on two core principles:

**Core Principle 1** - Community access to, and use of, the Foreshore is a right that must be encouraged and further developed through the provision of enhanced facilities that provide for public safety, enjoyment and a range of recreational and consumer related experiences.

**Core Principle 2** – Business and tourism activities have a legitimate role to play at the Foreshore.

The Plan recognises:

- The high scenic and environmental values associated with the Foreshore and the surrounding natural landforms
- The sites potential to support the economic development of Nelson Bay and fund the provision of recreational infrastructure at the site
- The high level of cultural significance attached to the port and its relationship with the Town.
- The site's importance as a tourist destination
- The ability for the site to be developed to attract all age groups

The LPMA has divided the land subject to the Plan into (5) five management units and identified issues, outcomes and strategies for each unit. These are summarised below



**Figure 9: Map of the area subject to the Nelson Bay Foreshore Plan of Management, and its management units (MU).**

The most intensively developed area is the Nelson Bay Boat Harbour precinct (MU1). Traffic and parking congestion is identified as an issue within this area, particularly during peak season and there is an identified need to improve pedestrian and cycle connections and facilities across the area. Opportunities exist for further recreational infrastructure and tourism related facilities within this management unit.

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Apex Park (MU2) was the original village green and contains a number of items of local heritage and cultural significance. The importance of enhancing its role in providing a multipurpose public open space linking the Foreshore with the Town Centre is identified in the Plan.

Victoria Parade (south) (MU3) is quite steep and therefore remains underutilised in terms of recreational activities. The western portion is maintained however the eastern portion of the embankment is heavily vegetated and is infested with weeds. The Plan identified that this site should be investigated as a suitable location for underground car parking as a solution to the removal of car parking from the Foreshore, subject to the preservation of views and pedestrian access from Magnus Street.

The Neil Carroll Park Group (MU4) is outside the scope of this Strategy, however in the context of Apex Park and future recommendations for the site, it is important to note that this area is the location of a reserve that is used for a variety of purposes including concerts and related events, picnics, general public recreation and sporting events. The reserve is the venue for large community markets and has a large stage and grassed area with the ability to cater for large events such as Australia Day citizenship ceremonies. The place is popular due to its natural amphitheatre landform and scenic water views.

The western portion of the Nelson Bay Beach Waterfront (MU5) is located within the Study Area and is a popular swimming and recreational area. The Plan identifies that the site suffers from sand loss and movement and from an ad hoc approach to landscaping and the streetscape, resulting in a patchy appearance. However work within this area has been undertaken since the writing of the Plan with the addition of a new amenities block, shared pathway, landscaping and children's play area.

## Port Stephens Tourism Plan 2010- Diagnostic Report and Action Plan

The *Port Stephens Tourism Plan 2010 - Action Plan and Diagnostic Report* was undertaken for Port Stephens Council, Port Stephens Tourism Limited and The Department of Industry and Investment. The documents provide a detailed analysis of the nature of tourism in Port Stephens and recommendations to meet future challenges.

According to the Diagnostic Report, tourism is a significant industry for Port Stephens. The LGA attracts in the order of 617,000 domestic and 27,000 international overnight visitors per year as well as 612,000 domestic day trippers. These visitors spend an estimated \$377.3 million per annum within the area with 1,574 people directly employed in the tourism sector.

The diagnostic report identifies Nelson Bay as the main tourism destination in Port Stephens and the strong seasonality of the tourism industry. It describes a number of opportunities and challenges faced by the tourism industry.

It comments that while visitors generally make their way from the waterfront to the Town Centre, there is not a lot to offer in the Town Centre, to attract expenditure, to stay longer or generate repeat visitation. It notes that some of the businesses do not present well. The diagnostic report further identifies that traffic congestion and parking are significant problems at peak times, with conflict between through traffic trying to access other areas of the Tomaree Peninsula and destination based traffic. In order to maximise the benefits from the tourism industry these challenges need to be addressed.

Overall issues identified for Nelson Bay include:

- The overall presentation of the area which lacks "vision and co-ordination"
- Parking time limits and the relationship with tourist needs
- Inadequate provision for tourist coaches
- No sense of arrival in the Town. No visual connections between the entry corridor and the waterfront, and similarly a lack of visual cues in the Town Centre
- Very poor directional and information signage
- Poor presentation of the waterfront

- Limited space for events and activities.

The Action Plan focuses on the structure of tourism and marketing in Port Stephens, and includes specific actions relating to market development, product development, and infrastructure improvements for Nelson Bay. The proposed positioning and markets is shown in Table 1, and a table of actions targeting infrastructure improvements is shown in Table 2 below. The Action Plan includes a list of agencies involved in the delivery of tourism infrastructure and services. However, the actions listed in the table are not assigned to specified lead agencies, nor does an overall implementation/monitoring process for the infrastructure development actions appear to be proposed.

**Table 1: Positioning and markets for Nelson Bay**

Positioning / Themes / Points of Difference	Existing and Potential Markets
<ul style="list-style-type: none"> <li>• Primary tourist destination in Port Stephens</li> <li>• Dolphin capital</li> <li>• Activity node and meeting place</li> <li>• Focal point for marine activities / primary gateway to the Port Shopping, dining and entertainment</li> <li>• Service Centre</li> </ul>	<ul style="list-style-type: none"> <li>• Holiday makers and leisure travellers – holiday, short breaks &amp; day trippers</li> <li>• Coach tour groups</li> <li>• Conference and meetings</li> <li>• International – groups and FIT</li> <li>• Events attendees</li> <li>• Cruising boats / boating enthusiasts</li> </ul>

**Table 2: Infrastructure Development Actions from Port Stephens Tourism Action Plan 2010**

Action	Key Tasks	Priority	Timing
<b>Improve presentation of the town</b>	<ul style="list-style-type: none"> <li>• Formulate and adopt vision and design guidelines for the town.</li> </ul>	Very High	Short term – as part of the 2030 Plan
	<b>Entry Corridor</b> <ul style="list-style-type: none"> <li>• Establish gateway entry point – create ‘sense of arrival’</li> <li>• Introduce dolphin / whale themes</li> <li>• ‘Cleanup’ / formalise entry corridor</li> <li>• Landscaping / corridor tree planting along Stockton Street and through to waterfront.</li> </ul>	High	Ongoing – as funds become available
	<b>Waterfront</b> <ul style="list-style-type: none"> <li>• Implement foreshore improvements program</li> <li>• Incorporate dolphins / whale themes</li> <li>• Provide interpretation of the Marine Park</li> </ul>	High	Funding dependent
	<b>Town Centre</b> <ul style="list-style-type: none"> <li>• Continue to beautify Town Centre</li> <li>• Improve ‘appearance’ of Town Centre when viewed from Church-Donald Street and Stockton-Dowling Street intersection</li> <li>• Encourage property / business owners to improve presentation of their building/ business</li> <li>• Encourage footpath trading</li> <li>• Encourage footpath dining – ensure quality tables and chairs</li> </ul>	High	As funds become available – property owners / business community will need to improve their property / business to capitalise on the improvements undertaken by Council.
<b>Improve traffic flow and address parking issues</b>	<ul style="list-style-type: none"> <li>• Continue to lobby for the development of a town by-pass</li> <li>• Develop traffic management plan</li> <li>• Explore tour linked parking vouchers</li> <li>• Resolve coach parking issues</li> </ul>	Very High	Ongoing

<b>Improve signage</b>	<ul style="list-style-type: none"> <li>• Improve directional signage to VIC</li> <li>• Provide signage to marina</li> <li>• Update signage – where appropriate replace fingerboard signage with international symbols</li> <li>• Provide and signpost a designated caravan / long rig parking space close to the shopping centre and VIC</li> </ul>	<p>Very High High Medium</p> <p>High</p>	<p>Immediate When funds available Ongoing</p> <p>Short term if possible</p>
<b>Cater for events</b>	<ul style="list-style-type: none"> <li>• Investigate options for Town Centre events and adopt policy.</li> <li>• Provide support infrastructure and services (e.g. power outlets)</li> <li>• Formulate event access and parking plans</li> </ul>	<p>Medium - High</p>	<p>To resolve as soon as possible</p>

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## 7.0 Nelson Bay

### Background

#### Tourism

Tourism is a very important activity for Port Stephens, according to Port Stephens Tourism. Around 1.2 million tourists (i.e. visitors staying one night or more) and just under 1 million day trippers visit Port Stephens each year. Most tourists visit the Tomaree Peninsula and Nelson Bay is the largest tourist destination.

In common with many tourist areas, Port Stephens is subject to severe competition for the domestic tourist market, not only from other domestic tourist destinations, but also low cost overseas destinations. People are travelling less and for shorter periods, and overseas travel is also proving increasingly attractive. International tourism is affected by a variety of factors including the value of the Australian dollar and political events overseas.

Nelson Bay performs a critical role within the Port Stephens tourism industry. It is the major destination for day trippers, and the embarkation point for dolphin, whale watching and general sightseeing cruises.

Nelson Bay also contains the largest concentration of restaurants and tourist related outlets in Port Stephens. There is a very wide variety of accommodation within a 5 minute drive of the Town Centre, ranging from caravan parks to four (4) star hotels and apartments, with an estimated capacity of just under 9,000 beds. Almost 50% of the dwelling stock in Nelson Bay appears to be available for short term (holiday) use.

Port Stephens is part of the North Coast tourism region. According to the Port Stephens Economic Strategy – "the North Coast Tourism Strategy has identified a decline in the traditional destination specific visitor, which is due to competition from other coastal hot spots and stronger marketing by other coastal regions and some of the broader trends identified for national markets (time poor and competing pressures on expenditure). The experiential market (which includes the self drive traveller and the high yield niche markets such as backpacker, nature based, ecotourism, food and wine and cultural heritage travellers) is growing, and this market is more demanding in terms of the type and quality of accommodation, services and experiences".

It is important that Nelson Bay responds to these trends in order to capitalise on these expanding markets and because of its role as a "hub" for tourism in Port Stephens generally.

The Port Stephens Economic Development Strategy identified a number of key issues affecting the tourism industry which need to be addressed, many of which concern Nelson Bay and the nature of its Town Centre:

- the seasonality of the market
- the quality of the offering that is currently available to the high value, high yield market, including the short stay markets
- a need to improve the range and quality of cafes and restaurants and other services in the tourism centres, and to better capitalise on the seafood and horticulture of the area through a food trail
- a need to extend the events program
- problems in securing the business visitor market due to inadequate conference facilities; and community ambivalence to the tourism sector and its positive impacts.

### Social context

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## Culture & Heritage

Many Aboriginal people living in the Port Stephens area are members of the Worimi tribe. They were the first people to be attracted by the mild climate and the area's rich biological resources which provided abundant food supply throughout the district and waters of Port Stephens. Many landforms and places in the area are of special significance to the Worimi people.

The first survey of the Port was conducted in 1795 with the earliest grants in the area established in 1840 and the earliest land surveys completed in 1874. Much of the area now known as Apex Park was the original village green or "common" with the park area extending around the steps to the original beach and back to what is now known as Government Road. The common area included the original town well, tennis courts, a rotunda and picnic area. The land in and around the current Apex Park including the Nelson Bay waterfront has been used or occupied for a variety of purposes including the former post office and telegraph station, salt water baths, Roger Light's boathouse and the passenger wharf.

In the Second World War, Nelson Bay was home to many thousands of military personnel. During this time the road from Newcastle was dramatically improved. Many items of military infrastructure, such as the hospital, remain.

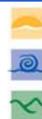
### Figure 10: Nelson Bay Foreshore looking east from Laman Street c.1960

Nelson Bay has also undergone significant 'built' changes during the post war period, and particularly over the last two decades, including the development of the boat harbour and marina and associated tourism infrastructure. The area has also seen an increase in house and unit development to cater for the Town's permanent population as well as visitors to the area.

The Study Area includes the Apex Park Group (including cenotaph, the original town well, and the remains of the memorial steps) which is identified in the Port Stephens LEP 2000 as heritage items of local significance.

## Population

Overall the population of Nelson Bay is diverse. The Bay's desirability as a place to live, visit, holiday and a sought after retirement destination continue. Nelson Bay has a greater aged population profile than Port Stephens LGA overall with 23.8% of the population being over 65 years of age, compared with 15.8% respectively.



Nelson Bay has a smaller proportion of households (12.1%) earning a high income (over \$1700 per week) than Port Stephens (15.1%) but a similar proportion (around 24%) earning a low income (less than \$500 per week).

The largest occupational groupings amongst residents are technicians and trades workers, professionals and managers, together comprising 44.3% of employed residents.

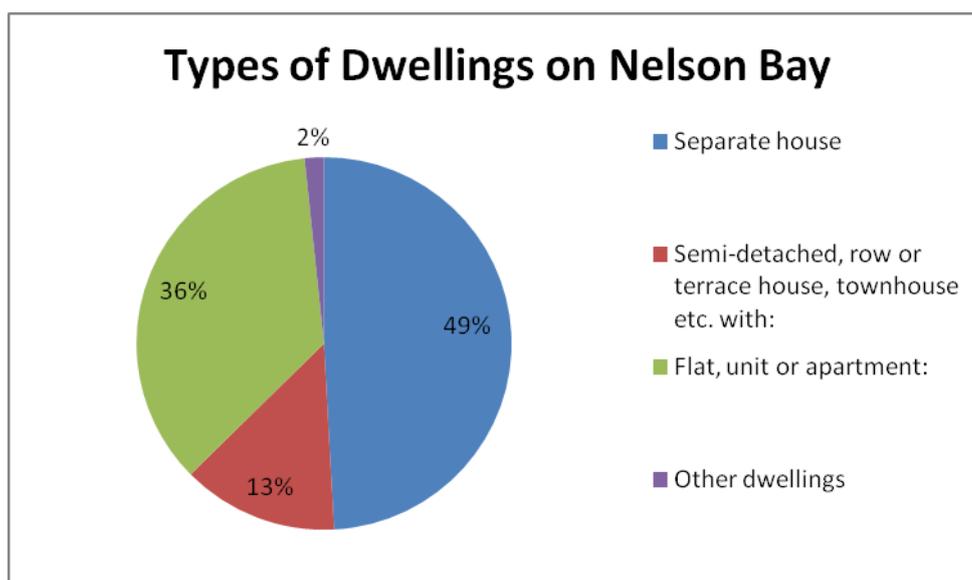
Nelson Bay residents are heavily dependent on cars to travel to work. Only 2.4% commute by public transport and 6.6% walk to work. However on average, households own less cars in Nelson Bay than in Port Stephens overall, probably because of the high proportion of older residents.

A lower proportion of people live in rented accommodation in Nelson Bay (32.6%) relative to in Port Stephens (26.3%). A larger proportion of residents own their dwelling, and a smaller proportion are purchasing their dwelling than in Port Stephens overall.

As might be expected with an aged population, a greater proportion of households consist of couples without children or lone persons, than in Port Stephens overall. 28.7% of households consist of one person (22.8% for Port Stephens). The proportion of lone person households is also greater at Nelson Bay.

There are 3619 dwellings in Nelson Bay and the proportion of each dwelling type is shown in Figure 11. A much higher proportion of households live in flats and apartments than in Port Stephens as a whole (16.8% relative to 4.7% respectively)

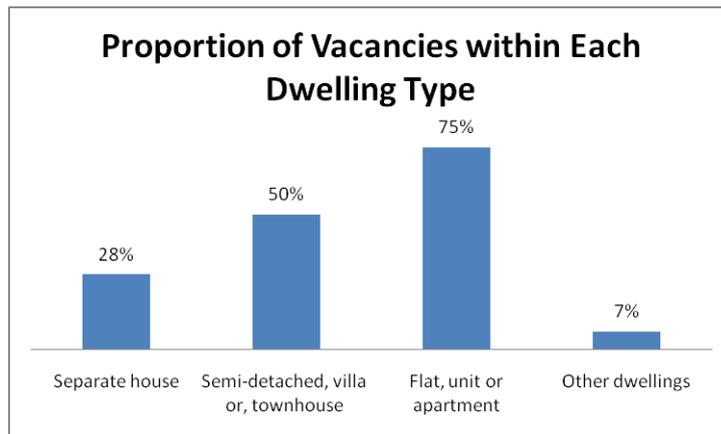
Figure 11: Types of Dwellings



Source: ABS 2006 census, statistical analysis by Strategy Hunter consultants

28% of detached houses, 50% of and 75% of apartments and units were vacant at the time of the Census, as shown in Figure 12 below. These statistics clearly show the extent to which the housing stock in Nelson Bay is used for temporary (holiday) accommodation, and the strong high and low of the tourist seasons (the Census month, August, is in the low season).

Figure 12: Dwelling vacancies August 2006



Source: ABS 2006 census, statistical analysis by Strategy Hunter consultants

## Future Dwelling Numbers

The LHRS projects an additional 1500 jobs and 1200 dwellings in the Nelson Bay “specialised centre” by 2031. The LHRS does not define the precise boundaries within which these additional dwellings and jobs will be located, it is understood it refers to the wider Tomaree Tourism and Lifestyle Growth Area.

More detailed analysis has been undertaken for the suburb of Nelson Bay during the development of the Port Stephens Planning Strategy. It identifies that 600 dwellings of infill residential/mixed use commercial development and 169 dwellings on new residential zoned land (green field) are likely to be developed in the suburb over the next 25 years. The majority of these new dwellings are likely to be in the Nelson Bay Town Centre.

According to the Port Stephens Planning Strategy a key issue for Nelson Bay is the need to achieve an appropriate balance between permanent residential and tourist accommodation. The future urban potential will come from intensification of development, primarily within existing zoned areas as medium density and multi-unit development.

The success of residential infill developments within the Town Centre will depend on improvements to the amenity of the Town Centre's streetscape and developing the image of the Town Centre as an attractive place to live.

## Economy

Nelson Bay is categorised in the Port Stephens Planning Strategy as a “Town Centre”. This means that it contains shopping and business for the surrounding district, including health and professional services mixed with medium density housing. Nelson Bay has a dual role in servicing both the local resident population and the strategically important tourism industry.

The largest employment sectors in Nelson Bay are Accommodation and Food Services (16.5% of jobs), Retail (12.8%), Health Care and Social Assistance (10.4%), Public Administration and safety (10.4%), Construction (9.7%). The absence of financial and professional services from the list of top employment sectors indicates the heavy reliance of Nelson Bay Town Centre on the hospitality and retail sectors.

The Lower Hunter Regional Strategy (LHRS) identifies Nelson Bay as a “specialised centre” because of its regionally significant tourism role. However, the LHRS references to “Nelson Bay” relate to the wider Tomaree Tourism and Lifestyle Growth Area which includes such centres as Soldiers Point, Salamander Bay, Nelson Bay, Shoal Bay, Fingal Bay and Anna Bay. As noted previously, the LHRS projects an additional 1,500 jobs in this wider area by 2031.

Retailing in the Nelson Bay Town Centre experiences competition from the nearby Salamander Centre. Salamander attracts much of the Tomaree Peninsula’s weekly shopping. Salamander largely functions as

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a standalone shopping centre, but has broader functions including the location for the Council run Tomaree Library and Community Centre.

In response to the growth of the Salamander Centre, Nelson Bay has increased its emphasis on leisure shopping, cafes, restaurants and tourist services relative to weekly shopping needs. Notwithstanding this emphasis, Nelson Bay has a range of shops catering to weekly shopping needs.

According to the Port Stephens Economic Development Strategy (2007), the LGA's services and tourism economy is based around Nelson Bay and Salamander Bay where it is servicing both the local resident population and the strategically important tourism industry.

Most tourists are domestic, with only a small percentage of international origin. The growth in tourist numbers has averaged 2-4% growth each year over the past 10 years. The tourism industry is strongly seasonal, with most tourists visiting in warmer months, and particularly the Christmas, Easter and the school holidays.

Nelson Bay and Salamander Bay have a significant concentration of tourist facilities - hotels, motels, serviced apartments, holiday parks, marinas and cafes and restaurants. There is significant part-time and seasonal employment in this segment, which represented an estimated 4400 jobs in 2007.

Future employment growth is likely to be generated by population growth and by a strengthening of the tourism sector. The planning and linkage of the town centres in the tourist areas, especially Nelson Bay, is identified in the Economic Development Strategy as one of the key projects in the LGA that will have the largest potential impacts on long term economic growth.

Specific actions recommended by the Economic Development Strategy for boosting Port Stephens' tourism industries in the Nelson Bay area include broadening markets (including events), and improving tourism areas (such as developing the Nelson Bay's town structure to improve the Foreshore areas and their integration with the Town Centre) and Council working with the tourism sector to plan the longer term development of tourism infrastructure, including accommodation, restaurants and other facilities. Capitalising on Newcastle airport is also an important action.

Establishing a wider range of cafes, bars and restaurants within the Town Centre will help increase attractions for tourists as well as locals. A focus on food and entertainment would need to be supported by accommodation. The success of these developments will require making the Town Centre more attractive which will improve the performance of existing and potential businesses.

## Community Facilities

Nelson Bay is serviced by specific purpose and multipurpose community facilities. They include the Ngioka Centre which is a seed propagation nursery run specifically by people with disabilities. Nearby are the Nelson Bay Arts and Crafts Centre and the Nelson Bay Senior Citizens Centre. These facilities are located within approximately 3 km to the Nelson Bay Town Centre. The former school adjacent to the Study Area on the corner of Government Road and Church Street is now occupied by the Tomaree Community College which is an Adult Education Centre. A community garden is located within the grounds of the community college.

Currently there is no accommodation for community facilities/services within the Town Centre. Community Services are primarily provided from the Tomaree Library and Community Centre located at Salamander Bay approximately 8 kms away.

## Emergency services

Emergency services organisations (Police Station, Fire Brigade and Ambulance), are located outside of the Town Centre, but within close proximity.

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## Recreation facilities

The Study Area has a number of recreation areas with more available elsewhere on the Peninsula. The Marina provides tourist facilities such as amenities block and access to organised recreational and commercial operations such as fishing, boating and whale watching. The Foreshore and beach area is adjacent to the Marina.

Apex Park provides a central open space area for the Town Centre and Foreshore. Victoria Park is located along the southern side of Victoria Avenue and is generally a steep sloping green space providing access towards the east. Both parks are relatively underutilised, but hold significant opportunity for revitalisation and community benefit.

The Bowling Club, Tennis Courts and Golf Club are located just to the south of the Town Centre. The Salamander Recreation Area to the south west on Nelson Bay Road contains a range of sporting fields as well as an aquatic centre.

## Land Ownership and Development Potential

Land ownership and subdivision patterns can be a significant constraint to development. Large land parcels are easier to develop and provide greater flexibility to achieve good design and functionality. An analysis of ownership patterns in the Study Area has identified a number of relatively large potential development sites. Some are under single ownership, and a number of others have relatively few owners.

These parcels offer reasonable potential for site assembly and larger scale development projects and could form the basis of comprehensive developments. In addition to their size, the benefits of all of the sites identified have a central location, good access to roads and are either underdeveloped or could benefit from redevelopment.



Figure 13: Significant land parcels within the Study Area

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## 8.0 Analysis of Existing Conditions

### Natural Environment

The area is environmentally significant because of its landform, rich biodiversity and the outstanding marine environment and setting of the Port Stephens waterbody. The high environmental value of the area is reflected by the reservation of large areas of land and water in the State reserve and National Park system.

The Town Centre is adjacent to the Port Stephens waterbody. The environmental significance of the waterbody is formally recognised by the Port Stephens-Great Lakes Marine Park, which includes the entire Port Stephens waterbody and offshore areas 3 kilometres from the coast.

The surrounding hills frame the town and provide a high level of amenity, with the surrounding bushland running down to the sea in rugged forms, rare in Australia. The amenity of the locality has contributed to the popularity of the area and investment in the Town. These ecologically important lands are protected by the Port Stephens Regional Crown Reserve and Tomaree National Park.

Sandy coastal vegetation is characteristic of the woodland naturally found within and around the Town Centre, with many native species such as Angophoras, Eucalypts and Melaleucas.

The environmental qualities of the area are a major attraction for visitors and residents, and a judicious balance is required between development and environmental protection.

### Transport and Accessibility

The following section is informed by the Nelson Bay Traffic and Car Parking Study (2012) conducted by GHD, community consultation work and additional analysis work conducted by Council.

#### Town Centre Street Network and Directions

Figure 14 shows the existing street network within Nelson Bay Town Centre.

The Town Centre is accessed by Nelson Bay Road from the southwest, Government Road from the west and Dowling Street, Magnus Street and Victoria Parade from the east. The Foreshore is accessed by Church Street from the south, Government Road from the west and Victoria Parade/Shoal Bay Road from the east.

While Dowling Street provides a direct alternative route to more easterly destinations, considerable through traffic continues to travel via Church Street, Government Road and Victoria Parade, creating congestion around the Town Centre and Foreshore.

Nelson Bay Road and Stockton Street are designated main roads and are the responsibility of Road and Maritime Services.

Both the Foreshore route (Government Road, Victoria Parade and Shoal Bay Road) and the Dowling Street route (the alternate direct route to Little Beach, Shoal Bay and Fingal Bay), are the responsibility of Port Stephens Council, as are all other roads.

The street network in the Study Area is mainly a regular grid pattern with some streets such as Stockton Street (south) and Victoria Parade following the natural contours of the land. The grid is truncated to the north, south and east of the Town Centre by water, the recreational facilities of the Bowling Club, and natural features including slope respectively.

Stockton Street serves as the "main street" of the Town Centre. Stockton Street provides an important access to the Town Centre from Dowling Street, while Tomaree and Donald Streets provide access to the Town Centre from Church Street on the western edge of the Town Centre.

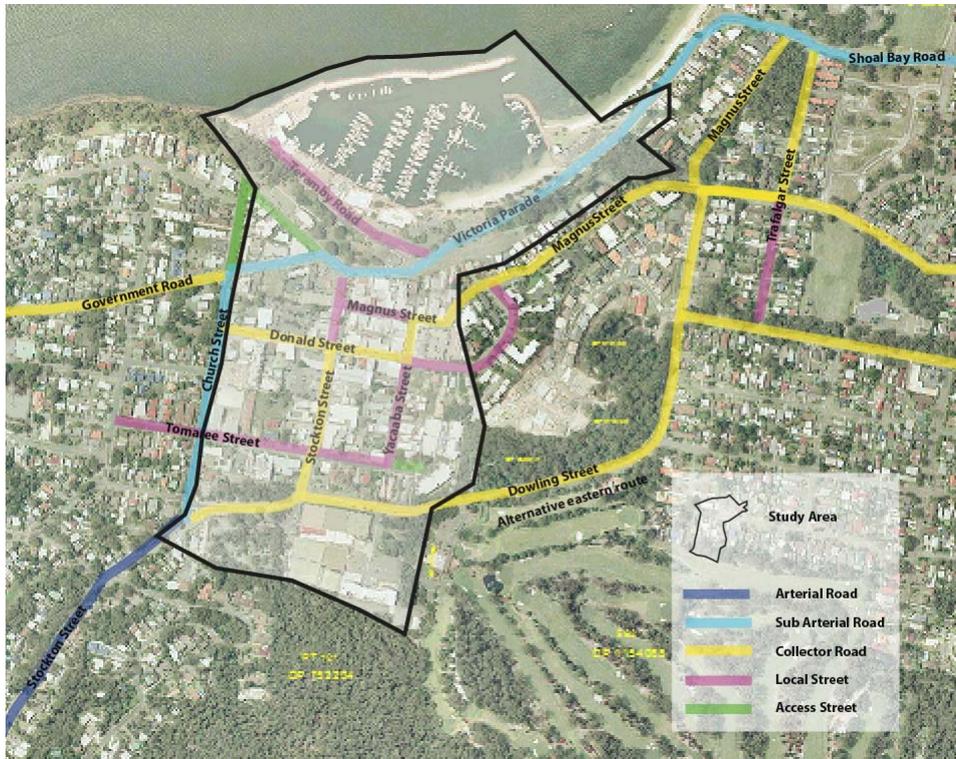


Figure 14: Existing street network within Nelson Bay Town Centre.

### Stockton Street

Stockton Street is the central spine of the Town Centre road network and serves as the unifying "main street". The street has two distinct characters:

- The section south of Donald Street has one traffic lane in each direction with footpaths provided along the majority of the street on both sides. A mix of commercial developments front this section of the road. On - street car parking is provided along this section of the street. This Section of Stockton Street is wider than is required by the function it performs.
- Stockton Street is one way southbound between Donald Street and Victoria Parade. This section has a 10 km/h speed limit and is a high pedestrian activity area and incorporates wide footpaths. Smaller shop fronts of various uses are located within this section of the street.

Stockton Street forms part of a route through the Town Centre from the south west to the east via Magnus Street as illustrated in Figure 14. The disadvantage of this through route is that it unnecessarily increases traffic within the Town Centre.

The Nelson Bay Road/Stockton Street approach to the Town Centre is near capacity during the peak hour period for peak event days.

### Stockton and Donald Street Intersection

The intersection of Stockton and Donald Streets is the most heavily trafficked intersection in Nelson Bay. High pedestrian activity flows at this intersection combined with heavy traffic flows adversely affect the operation of the Donald Street and Stockton Street intersection, and result in delays to traffic during peak periods when major tourist events occur, such as "Taste of the Bay".

It is important to reduce and better manage traffic flows in this location in order for this central location to be more pedestrian friendly.

## Government Road and Victoria Parade



**Figure 15: Government Road, Victoria Parade and Stockton Street intersections**

Government Road becomes Victoria Parade as the road passes the northern edge of the Town Centre adjacent to Apex Park. This road provides an east west through route and access to the Nelson Bay Foreshore; therefore it is very busy on weekends, holidays and during major events. Victoria Parade carries one traffic lane in each direction, and its main road classification reflects its current use as a main route for vehicles travelling along the peninsula to the east. Government Road and Victoria Parade's role as a through route conflicts with its role as an important access point to the waterfront and its location adjacent to a major parkland, Foreshore area and Town Centre.

A 40km/h high pedestrian activity area exists along this roadway starting on Government Road approximately 70m east of its intersection with Laman Street and to the western side of the Victoria Parade roundabout intersection with Teramby Road.

On - street car parking is located on both sides of Victoria Parade, but is absent in some locations close to the Town Centre.

Both safety for pedestrians and traffic volume has been a concern for a number of years and as a result traffic signals have been installed at the northern end of Stockton Street to facilitate safe pedestrian access to Apex Park, and a low wall has been constructed in the median of the road east of the crossing to deter pedestrians from crossing the road other than at the traffic signals.

Because the Stockton Street to Apex Park axis is the most important route for pedestrians between the Town Centre and the Foreshore it is critical that the pedestrian crossing and general pedestrian environment is as friendly and seamless as possible. There are a number of ways to improve Victoria Parade in this respect, which could include the following:

### Short to mid term

- Extend the 40km/h zone on Government Road west to the Church Street intersection to reinforce this gateway location, and in conjunction with traffic management measures, streetscape improvements and gateway treatments to encourage motorists to slow down before the decline of Government Road down towards Apex Park and continue to 40km/h along Victoria Parade to its intersection with Shoal Bay Road.
- Encourage more through traffic to use the alternate direct route along Dowling Street thus bypassing the Foreshore. This option will require the Trafalgar Street and Shoal Bay Road intersection to be upgraded. It is likely a roundabout would be necessary and would require community consultation, as required under the *Roads Act 1993*. This Town Centre "bypass" alternative route is supported within the GHD Traffic and Car Parking Study (2012).
- Introduce a "scramble crossing" phase on the traffic signals at the intersection of Stockton Street and Victoria Parade. Such a solution would widen the pedestrian crossing and assist in promoting the pedestrian dominant role of this location.
- Provide avenue plantings at regular short intervals along Government Road and Victoria Road to highlight the high level of pedestrian activity of the Town Centre/Apex Park interface to motorists and to assist in encouraging lower vehicle speeds.

### Long term

- A long term option could include the redesign of the areas around the Teramby Road (east) and Victoria Parade intersection, including the Victoria Parade roundabout. Such works would be reliant on the future design of Apex Park, specifically to improve connectivity, the relationship to the Foreshore redevelopment and future functions of Apex Park.

Another option would also be to reduce the speed limit within this area to 10km/h, however this option would seriously slow down traffic in this area to an unacceptable level especially during peak periods. The street treatments suggested above should significantly assist with traffic calming.

[\* The section of "Government Road" between its intersection with Laman Street and the Stockton Street intersection is formally part of Laman Street, however, the term Government Road has been used throughout this report because of the general community understanding of this section of road being known as "Government Road".

### Magnus Street

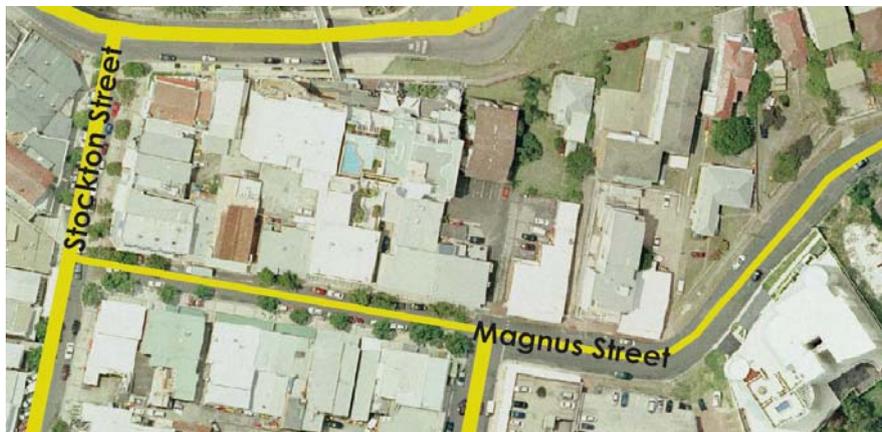


Figure 16: Magnus Street

Magnus Street has two distinct characters. The eastern section of Magnus Street provides an entry to the Town Centre from the east and has one traffic lane in each direction with on - street parallel car parking. The western section of Magnus Street is a low speed pedestrian oriented shared street which contains part of the most intensive retail area in the Town Centre. The western end of Magnus Street has a 10km/h speed limit and a widened footpath, which complements its retail characteristics and feel. This section of Magnus Street is one-way in the westbound direction and provides parallel time restricted kerbside parking on both sides of the road.

The eastern section of Magnus Street links the Town Centre with localities to the east including Little Beach, Shoal Bay and Fingal Bay. It is part of the bus route for services travelling to or from Little Beach, Shoal Bay and Fingal Bay. Buses turn south at the Yaccaba Street intersection and do not enter the western section of Magnus Street.

### Donald Street

Donald Street is an important Town Centre entry from Church Street, and supports the two main Town Centre car parks (the open Council car park at Donald Street west, the Donald Street east multideck car park and car parking within the "Coles" site) and is part of the bus route through the Town Centre. Donald Street provides access to a number of larger format stores and commercial businesses, the Town Centre main bus stop/bus interchange and taxi rank. The road has one traffic lane in each direction and provides time restricted parallel kerbside parking between Church and Yacaaba Streets. Between Stockton Street and Church Street the road section has numerous access points to small and large scale off - street car parking areas.



Figure 17: Donald Street

### Yacaaba Street

Yacaaba Street is a north-south route running parallel with Stockton Street. Activity is concentrated at its northern end where it intersects with Donald and Magnus Streets and provides access to the multideck car park via Donald Street east. At its southern end it terminates at Tomaree Street and at its northern end it terminates at Magnus Street. The street frontages contain a range of commercial, professional services and low to medium density residential uses. Yacaaba Street has one travel lane in each direction and provides time restricted parallel kerbside parking.

Extension of Yaccaba Street from Magnus Street to Victoria Parade has been proposed to improve access to the Foreshore from the Town Centre and the Donald Street East car park. The GHD Traffic and Car Parking Study (2012) did not identify this extension to be critical to improve the operation of the road network in Nelson Bay, and recommended that it should be evaluated after the implementation of a number of other specified traffic network improvement actions have been carried out.

The GHD Traffic and Car Parking Study (2012) recommends that the extension of Yacaaba Street should be carried out in the context of a holistic approach in addressing:

1. The future needs of the Victoria Parade/Teramby Road intersection within the context of the Foreshore development.
2. The Victoria Parade road realignment that could possibly result from and compliment works listed under point 1.
3. The design aspirations of Apex Park and associated cycle links and pathways.



### Signage - Town Centre through route options

There is limited directional signage to divert through traffic away from the Town Centre. This is in part due to the alternative direct route to easterly destinations that utilises Dowling Street requires upgrading of the Trafalgar Street intersection to accommodate additional traffic volume. The existing signage (shown in Figure 18) located on the Stockton Street, Church Street gateway attempts to disperse traffic in both directions – along Dowling Street and down towards Victoria Parade. As a result considerable through traffic still travels along Victoria Parade rather than promoting the alternative direct route.

Following the upgrading of the Trafalgar Street and Shoal Bay Road intersection this signage should be upgraded to clearly inform visitors that they have two options:

1. A route to the Foreshore and Town Centre through an area that is geared towards pedestrians and lower traffic speeds, or;

2. A direct route along Dowling Street to easterly destinations such as Little Beach, Shoal Bay, Fingal Bay and the Foreshore as well as the entire Foreshore of Nelson Bay.



Figure 18: Directional signage provided on the Stockton Street, Church Street gateway.

#### Considerations

- A long term bypass option commonly referred to as the "Fingal Bay Bypass" has been adopted by Council to assist in improving access to the eastern portion of the Tomaree Peninsula. The Fingal Bay Bypass (subject to funding) is illustrated in Figure 19. The proposed Town Centre alternative route is not proposed to replace this long term proposal.



Figure 19: Town Centre alternative route and the Fingal Bay Bypass.

- The road network structure provides a number of alternative routes that vehicles can use to travel eastwards to destinations along the Peninsula, such as Little Beach, Fingal Bay and Shoal Bay. Many of these routes unnecessarily pass through the Town Centre and as a result increase the levels of traffic within the Town Centre and reduce its amenity.

- 
- Community feedback has strongly advocated improvements to traffic circulation during peak holiday and event periods.
  - Victoria Parade presents challenges to pedestrian connectivity between the Town Centre, Apex Park, and the Foreshore due to high traffic volumes and few options for pedestrian crossing points.
  - Directional signage to important destination points (car parks, shopping centre, Foreshore) can be improved throughout the Study Area to assist with reducing unnecessary vehicle traffic through the Town Centre and to more efficiently direct vehicles to their destination.
  - While Nelson Bay Road is not in the Study Area, it is a major route to the Nelson Bay Town Centre. GHD identified within their Traffic and Car Parking Study (2012) that Nelson Bay Road is operating over capacity at peak times during major events and requires demand management strategies (such as external park and ride sites) on event days, capacity enhancements (short sections of widening, duplication of Nelson Bay Road or Fingal Bay Bypass) or a combination of the these and other measures.

## Parking

Figure 20 shows the major car parking areas in Nelson Bay and the level of parking utilisation as recorded by the GHD Traffic and Car Parking Study (2012).

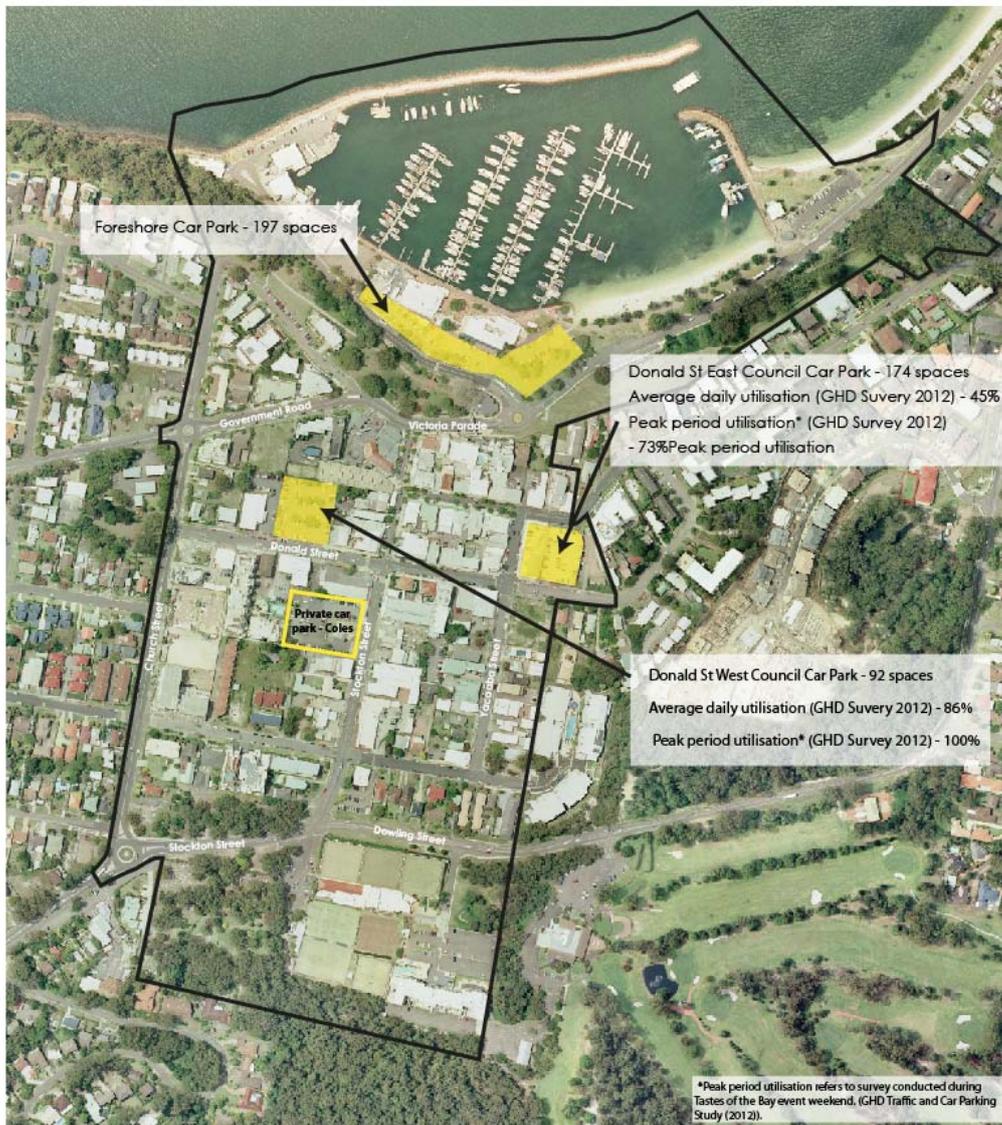


Figure 20: Off - street car parking locations and capacity within the Town Centre.

On-street parking is provided on all streets in the Study Area, with the exceptions of limited sections of some streets.

The main off-street car parking areas are located in the Council owned car parks at Donald Street east and Donald Street west and within and adjacent to the "Coles" development on the south west corner of Stockton and Donald streets. A number of off - street car parking areas are provided on the Foreshore in the vicinity of the Marina, Fishermen's Co-op and eastern Groyne.

### Considerations

- The Donald Street east car park is a multi deck facility that requires substantial asset preservation work to counter its structural deterioration. The adjacent site remains underdeveloped and is

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used as an informal open space car park, also owned by Council. This site has the advantage of being very close to the intensive retail area of Magnus Street and the Foreshore.

- There is strong community feedback to suggest that car parking is difficult to find within the Town Centre and Foreshore, particularly during peak periods. However, GHD Traffic and Car Parking Study (2012) indicates that some car parking capacity is still underutilised as illustrated in Figure 20.
- The Foreshore Plan of Management and community consultation work conducted by the LPMA in conjunction with Port Stephens Council expresses the aim of removing car parking from this area and replacing it with an alternative which could include additional car parking nearby or a park and ride scheme. Therefore future development within the Foreshore area should address how it might facilitate the removal of car parking from the Foreshore and the provision of additional car parking capacity within the Town Centre, or an alternative solution.
- The GHD Traffic and Car Parking Study (2012) suggests;
  - Parking is well utilised, however there is spare capacity at most times. The Donald Street west car park and Stockton Street are the most utilised parking destinations in the Town Centre. Donald Street east was recorded to have spare capacity at all times.
  - There is still available capacity during weekend special events
  - A parking overstay rate of 28% beyond current time restrictions was recorded during weekend events suggesting further parking enforcement could be undertaken to improve the availability of car parking.
- Car parking utilisation was at its highest towards the western side of the Town Centre, as well as Stockton Street and Donald Streets.

## Public Transport

The main interchange point for bus routes in Nelson Bay is on Donald Street near the Stockton Street intersection. Services are provided to Fingal Bay, Shoal Bay, Little Beach, Salamander Bay, Soldiers Point, Raymond Terrace and Newcastle. Most services use a common route through the Town Centre. There is a 30 minute service frequency during peak times along Government Road/ Donald Street/ Magnus Street. Hourly services operate along Stockton Street/Nelson Bay Road during peak times. The spatial extent of the Town Centre is such that it can be comfortably serviced by a limited number of bus stops within a walkable catchment. Most of the Town Centre is within walking distance of the main bus stop on Donald Street.



Figure 21: Bus route through Nelson Bay Town Centre and sub map illustrating the wider bus network for the Tomaree Peninsula.

### Considerations

- The main bus stop/ bus interchange is in a good location given its proximity to shops and services.
- The bus interchange infrastructure, including the shelter, seating, lighting and signage requires upgrading.

## Pedestrian and Cycle Network

A good network of pedestrian pathways exists throughout the Town Centre with the exception being between the north side of Magnus Street and the Foreshore which has only two connections.

Pedestrian movement from the Town Centre to the Foreshore across Victoria Parade is restricted to a single signalled crossing at the northern end of Stockton Street and an overhead pedestrian bridge provided via a commercial complex leading from Magnus Street through to Apex Park.

Key contributors to this restricted movement include:

- Yacaaba Street does not extend north from Magnus Street to the Foreshore (however if it did the roundabout would present an unfriendly pedestrian environment)
- The traffic conditions on Victoria Parade
- A lack of signage to promote the overhead pedestrian bridge.

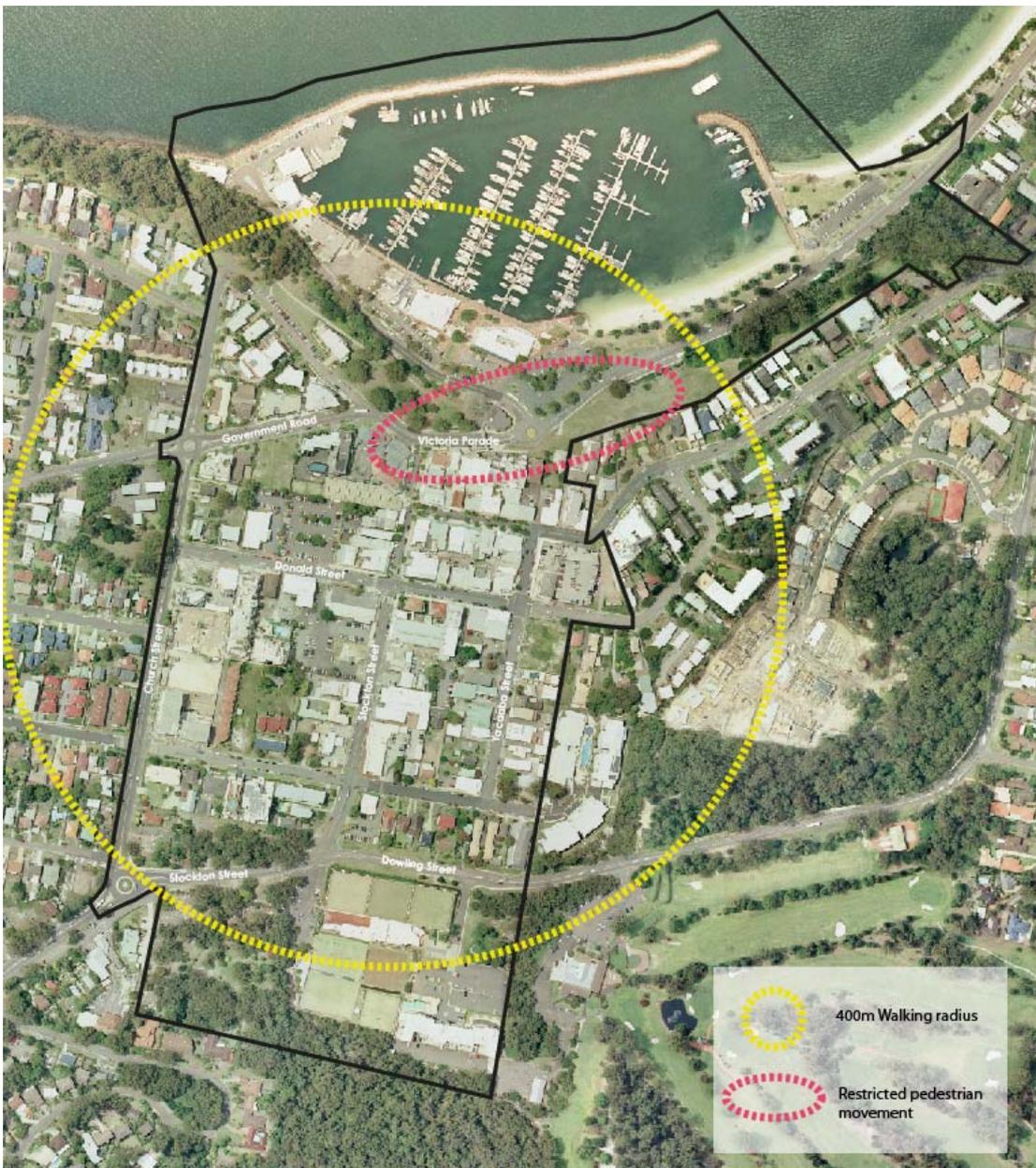


Figure 22: Restricted pedestrian movement around Victoria Parade in the context of the Town Centre and Foreshore.

## Cycle Network

Access to the Town Centre by bicycle is well provided from the east and west, along the Foreshore. Access from the southwest along Nelson Bay Road is difficult by bicycle due to the lack of a bicycle lane or shared footpath. Within the Town Centre cyclists use the road system, with no designated cycle lanes. The Tomaree Peninsula lends itself to bicycle travel because of its relatively flat topography and lifestyle character, and has the potential to promote cycling as a traffic alternative for tourists and residents.



Figure 23: Current cycle network

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## Considerations

- Gaps remain in the cycle network, and signposting of the network could be improved.
- Pedestrian and cyclist access between the Foreshore and the Town Centre can be improved.
- Councils Draft Footpath and Cycling Strategy identifies gaps in the network however, it is in draft form. The draft document requires further development to include a comprehensive list of works required such as street widening and modifications. It is needed to inform the Town Centre Public Domain Plan and should include cost estimates.
- More cyclist facilities should be provided, such as storage facilities, showers and cycle racks.

## Recommendations:

### Road network improvements

1. Promote Dowling Street/Fingal Street/Trafalgar Street as the alternative route for traffic travelling to Shoal Bay and Fingal Bay by firstly undertaking a design, costing and consultation process for the upgrade of the Trafalgar Street and Shoal Bay intersection.
2. Ensure the proposed Public Domain Plan for the Nelson Bay Town Centre includes street tree planting along Government Road east of the Church Street intersection and down Victoria Parade to assist in reducing traffic speeds by "psychologically" narrowing the street.
3. Move the location of the 40km/h sign posting on Government Road west to the Church Street intersection to reinforce this gateway location and to encourage motorists slow down before the decline of Government Road east towards Apex Park.
4. Extend the 40km/h speed limit along the length of Victoria Parade to its intersection with Shoal Bay Road.
5. Undertake further analysis to understand critical design considerations, benefits and cost effectiveness of extending Yacaaba Street as a link between the Magnus Street and the Teramby Road/Government Road/Victoria Parade roundabout. This should be conducted in conjunction with detailed planning of the Foreshore.

### Public Transport Improvements

6. Upgrade the main bus stop/public transport interchange on Donald Street.
7. Should the Yacaaba Street extension be implemented and include the capacity for a bus route, a bus stop should be provided along Victoria Parade.

### Active Transport

8. Improve wayfinding and identification signage for pedestrians – i.e. pedestrian signage that includes directions and walking time to popular destinations in order to encourage walking through the Town Centre to the Foreshore.
9. Promote access between Donald Street east car park and the Foreshore area, via Magnus Street, using gateway treatments and other visual improvements.
10. Provide bicycle end of journey facilities, such as cycle racks in key Town Centre and Foreshore areas.
11. Complete missing footpath and cycle links in the Town Centre and Foreshore area and promote this comprehensive network through effective signage. This is to be done by updating the Draft Footpath and Cycle Strategy to reflect the recommendations of this Strategy and use it to inform the proposed Town Centre Public Domain Plan.

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### Traffic Management & Road Safety Improvements

12. Improve wayfinding and identification signage for pedestrians, cyclists and motorists.
13. Introduce gateway treatments to Nelson Bay Town Centre. This should include substantial landscaping at the entries to reinforce a change in traffic conditions and highlight the Town Centre approach in order to slow down traffic and improve driver behaviour. The gateways should also serve as focal points within the pedestrian network.
14. Implement traffic demand management strategies for event days.
15. Reduce the sign posted speed limits to 40km/h in the Town Centre – particularly in Stockton and Donald Streets to reflect Town Centre activity levels, to support a safer pedestrian environment and to discourage through traffic. These sign posted limits should be reinforced by the use of traffic management measures and streetscape enhancement.
16. Develop and implement a Town Centre wayfinding parking signage strategy to direct traffic to the off-street car parks in Donald Street and to avoid unnecessary "circling" within the Town Centre in a search for car parking spaces.

### Car parking

17. When detailed plans are finalised for the Foreshore development and the level of car parking required by this site is better understood, review the relevant alternatives for consolidating car parking and upgrading facilities within the Town Centre. Alternatives may include:
  - Consolidating car parking within a multi storey car park within the Donald Street West car park site.
  - Underground options within the vicinity of the Foreshore.
  - Upgrading/ redeveloping the Donald Street east car park.
18. Develop a demand management strategy for car parking for major events and peak periods.
19. Improve the policing of car parking time restrictions during major events and peak times in order to improve the availability of car parking.
20. Consider the extension of parking charges to areas other than the Foreshore during peak times and major events as part of a wider demand management strategy.

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## Urban Design Analysis

### Character Areas

A detailed analysis of Town Centre character was undertaken as part of the development of the Strategy. A number of elements contribute to the character of an area, including building height, the nature of shopfronts and the types of commercial activity underway, the intensity of development, building form, building setbacks and topography.

The analysis revealed that the Nelson Bay Town Centre is composed of a number of areas with a distinct character. These areas as shown in Figure 24 are characterised as follows:

- A central pedestrian focused "village" sector centred on Stockton Street north, Magnus Street, and Donald Street east with links through to the waterfront and to supporting car parking to the east and west. This area is characterised by consistent smaller shopfronts, considerable pedestrian activity, footpath dining, and a sense of enclosure created by street trees and almost continuous awnings.
- A peripheral retail commercial and service sector generally located south of Donald Street. This area surrounds the "village centre" to the east, south and west. It is characterised by larger mixed use open sites, greater inconsistency in building setbacks and built form, and underdeveloped or vacant lots in a state of transition. There is considerable pedestrian activity, but not as high as in the "village" area.
- A "green link" that provides the interface between the Town Centre and the Foreshore, and from east to west, is provided by Apex Park. Government Road/Victoria Parade separates it and the Foreshore from the Town Centre. The green link is characterised by large open spaces, informal recreational facilities, such as the playground and picnic areas, paid car parking and frequent wide angle views of Port Stephens waterbody.
- The Foreshore is an area of intensive commercial activity incorporating sheltered marina moorings, Fisherman's Co-operative, visitor and restaurant facilities and beach. In contrast to the "green link" the Foreshore has largely paved areas and a significant built element that includes the Marina commercial buildings, government offices, fish processing and retail areas and jetties.
- A surrounding area of residential and tourist apartment buildings and tourist accommodation extending to the upper levels of the natural basin surrounding Nelson Bay and returning towards the shoreline to the east and west of the Town Centre. This area has a relatively low intensity of pedestrian activity and is characterised by multistorey buildings setback from the street frontage, and often features landscaping in the front setback.
- A leisure and tourism focus area incorporating the Seabreeze Hotel and Nelson Resort sites. These sites are located at main interface point between the Town Centre and the Foreshore and are highly visible. They are of critical importance in building a stronger flow of pedestrian activity between the Foreshore and the Town Centre. Another leisure and tourism area is located around the Bowling Club and Landmark development, to the south of Dowling Street. This area is characterised by limited buildings set in large open spaces, which are occupied by formal recreation uses such as bowling greens or tennis courts.

These character areas provide an excellent platform from which the future built form of Nelson Bay can evolve. They enable activity to be focused in particular areas and for less intensive activity to be encouraged in other areas. Development controls and public domain improvements are the primary tools that can be used to achieve this effect.

The commercial zoned area of Nelson Bay is too large for a centre with a relatively limited catchment. As a result activity tends to become dispersed and a sense of focus is lost, with a negative impact on business viability. By developing the character and function of specific areas it is possible to focus activity and to overcome the problems of dispersion.

In particular, Magnus Street, the northern end of Stockton Street and parts of Donald Street contain many small shops, boutique retail and cafes and need to be further developed in a way that builds on its intimate “village” character.

Similarly, larger sized sites and existing premises in the area to the south and west of the “village” offer the potential to provide more flexibility for new development within a number of Nelson Bay specific urban design controls.

The outcome would be a Strategy which is finely tuned to Nelson Bay’s circumstances. It would have a focus on improving the overall ambience and functionality of the Town Centre through such measures as new street tree planting, improved signage, improving access to parking and a better pedestrian network. Incentives and flexibility to encourage incoming investment also could be used to reinforce the character areas.

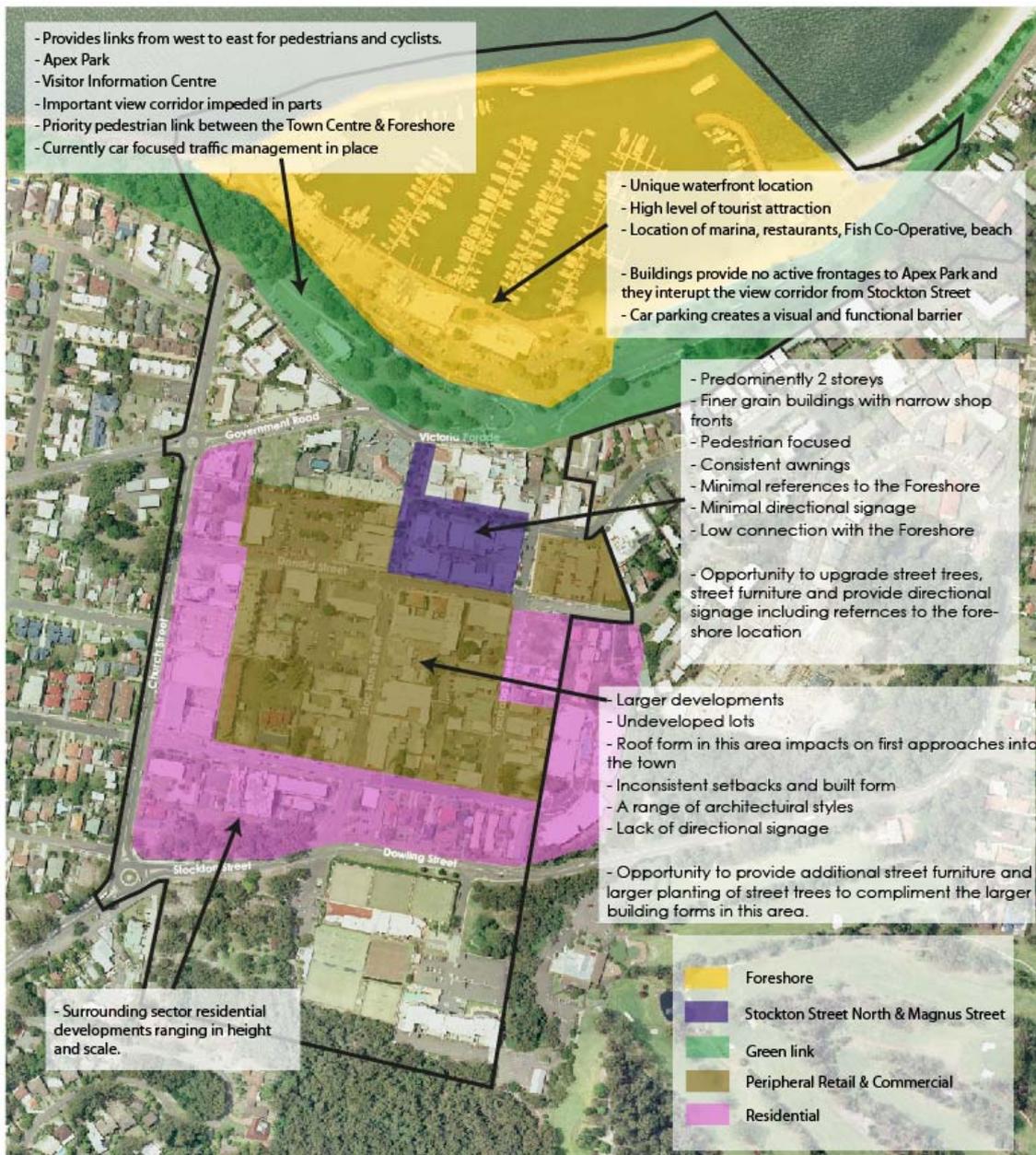


Figure 24: Current characteristics of the Study Area.

## Views

The Town Centre lies in the foreground of a major hillside flanked by low ridges, and this topography has contributed to the overall urban form of the centre, resulting in a natural "amphitheatre bowl" shape. The natural form provides height variations in buildings and assists in creating unique view corridors towards the surrounding hills where vegetation frames the Town Centre, and down towards the waterfront.

Topography further impacts on the entrances to the Town Centre which is located at the high entry point and looks down into the Town Centre and waterfront. This change in height provides opportunities for a natural 'sense of arrival' at the periphery of the town.

A view analysis was conducted as part of the urban design analysis and is provided within Appendix 1 and is summarised below. The analysis was conducted to determine key views from the public realm that should be protected.



Figure 25: Critical Views

The critical viewpoints and corridors are shown in Figure 25. The following recommendations summarise the outcomes of the view analysis:

- View 1 - The connection between Gan Gan Hill and the waterfront should be preserved through appropriate building heights and protection of view corridors.
- View 2, 5, 6 and 9 - The view lines (Figure 26) between Kurrara Hill and the Marina form an axis for the main street of the Town Centre (Stockton Street), which should be maintained. Future street tree selection should consider an appropriate form type that will reinforce this axis. Additionally, species endemic to the location will provide a connection with the surrounding natural environment.

The Eucalypt located between the two Norfolk Pines adversely affects View 9 because it interrupts the focal point provided by the two Pines. Its removal should be considered within the proposed Strategy to restore the importance and functionality of Apex Park. Additionally, the Town Centre stage impedes what is probably the town's most important view corridor along the Stockton Street axis from the Foreshore to Kurrara Hill



Figure 26: Stockton Street view corridor

- View 3 - Future development fronting Government Road should consider the view corridor east from the intersection of Church Street and Government Road. This view corridor provides a first glimpse of the Foreshore area from the west, and buildings should assist in creating an inviting corridor that draws on the surrounding natural features and highlights the road as an important gateway. Streetscape works should aim to assist in managing traffic speeds and behaviour.
- View 4 - Future design of Apex Park and alterations to Victoria Parade should consider the northeast/easterly view from the western approach to Victoria Parade towards the waterfront by considering the location of large trees, the nature and impact of the Visitor Information Centre building, and of the pedestrian overhead bridge.



**Figure 27: View corridor along Stockton Street impeded by the Town Centre stage**

- View 7: Donald Street is a good example of a street that would greatly benefit from street tree planting to soften the environment and frame vistas.
- View 8: This corridor is important because it provides a connection between two important gateways into the Town Centre. New multistorey residential buildings have blocked views towards the waterfront from this street. However, an avenue of street trees can encourage pedestrian and vehicular movement through repeated planting along this corridor, and assist in reducing the apparent bulk of buildings on the eastern side of the road relative to lower scale developments to the west.
- View 10: The intersection of Stockton Street Victoria Road provides one of the most important opportunities to improve the connection of the Town Centre with the Foreshore however this view is impeded by the built form of the Visitor Information Centre and the overhead pedestrian bridge.
- View 11: Views from atop the Foreshore escarpment to the north illustrate the importance of appropriate building heights within the Foreshore area, particularly on the Fisherman's Co-op site.
- View 12: Similar to Stockton Street, a view corridor exists along the length of Yacaaba Street. Given Yacaaba Street terminates at Magnus Street views are blocked towards the waterfront by buildings. However, the proposed extension of Yacaaba Street will address this blockage.

Generally, all streets should keep streetscape clutter to a minimum to ensure a direct line of sight is maintained and buildings or public domain elements should not encroach identified view corridors. However, carefully selected and well managed street trees can “frame” important views and reduce the apparent scale of multistorey buildings adjacent to the street.

## Access and Directions

First impressions count, and are probably the most lasting. An entry into any Town Centre is a fundamental factor instantly affecting people's perception and navigation of a place. Gateway treatments can signify to visitors that they are approaching an important place such as a town centre. They assist in the identification of the character of the town, or an area within the town, and can also assist in reducing the speed and behaviour of traffic within the Town Centre core and help people find their way around with the assistance of directional signage and other cues.

Gateway treatments can include public art, signage, and a change in landscaping. Design elements within adjacent buildings can incorporate landmark features, and paired buildings can form an actual 'gateway'. However, no matter what elements form the gateway, it is crucial that they contribute to a co-ordinated theme, and are not a random collection.

There are four possible routes into the Town Centre of Nelson Bay; Stockton Street (southern approach), Government Road (western approach), Magnus Street (eastern approach), and Victoria Parade (eastern approach). It is the two western approaches and the Stockton Street approach from the south that are most important in defining an entryway into the Town Centre. This is because it is likely a number of people entering from the east will have probably already visited the Town Centre, or passed through these gateways on their way east along the Tomaree Peninsula.

The three entry points currently provide little to signal the approach into the Town Centre or to promote the character of Nelson Bay. This is why gateway treatments are so important and are a high priority.



**Figure 28: Gateways into Nelson Bay Town Centre requiring treatment.**

The locations identified in Figure 28 need upgraded directional signage to help motorists travel to their desired locations easily and efficiently (avoiding unnecessary vehicular movements in the Town Centre is an important part of the overall Strategy for Nelson Bay).

Within the Town there are streets performing different functions, and with different importance to traffic flow. To limit confusion for visitors the function and hierarchy of the roads could be reflected in street tree planting and other streetscape works. These works can be surprisingly effective in assisting people to navigate the town, to find car parking, and in reinforcing the desired character of parts of the Town Centre, particularly if they are combined with good signage.

## Town Centre Access and Activity

There is a major pedestrian and retail activity area located in the vicinity of Stockton Street north and Magnus Street, the intersection of Stockton and Donald Streets, and to a lesser extent Donald Street. Off-street car parking is available to serve this area in three locations on the periphery of the area as shown in Figure 29.



Figure 29: Donald Street and the location of off-street car parking (yellow)

The greatest vehicular movement within this area is on Donald and Stockton Streets and given the high level of pedestrian movement in this central location, movement is problematic for both motorists and pedestrians. Directional signage and traffic management measures in this area would be very beneficial to traffic flow and pedestrian safety.

### Considerations:

Town Centre access and activity can be improved through:

- A clear and streamlined set of signage including visible tourist information boards and interpretation.
- Clearly defining the street hierarchy and functions with distinctive themes and treatments.
- Highlighting visitor facilities within the Town Centre and the Foreshore.
- Promoting the coastal shared cycle and pedestrian path route provided by the Bridle Track, the Foreshore and Laidler Walk, as part of an integrated pedestrian and cycle network.

## Barriers and Connections

A number of visual and physical barriers exist within the Study Area. These “barriers” affect vehicular and pedestrian movement and views. Seamless movement throughout the area is very important for Nelson Bay liveability and its attraction as a tourist area.



**Figure 30: Connectivity issues in Nelson Bay Town Centre**

There are a number of possible routes into the Town Centre. When navigating these routes there are a number of points that create confusion for visitors. The red swirls shown in Figure 30 demonstrate locations where directional signage could be improved.

Victoria Parade is the most significant barrier within the Study Area. The road is excessively orientated towards vehicles within the central location where the Town Centre faces Apex Park, and particularly the Stockton Street pedestrian crossing. The nature of Victoria Avenue at this point alienates the Town Centre from Apex Park and the Foreshore, and excessively impedes pedestrian movement between the Town Centre and the routes through Apex Park leading to the Foreshore.

Apex Park has evolved over time and represents layers of incremental works over a number of years. As a result it has gradually lost its sense of structure, and many of its functions such as the War Memorial, are compromised. A similar comment applies to the landscaping of the Park. For example, two Norfolk Island Pines contribute to, and frame, the iconic view corridor between Stockton Street and the Foreshore (Figure 30), other tree plantings have grown over time to significantly erode this effect. The net effect is that tree selection and landscaping within Apex Park has visually separated the Town Centre and the

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Foreshore, rather than helping link them. Contributing to this disconnection is the built form of the Visitor Information Centre on the eastern edge of Apex Park which is a solid mass blocking natural views through the green space. This is compounded by the only active frontage of the Visitor Information Centre facing towards Victoria Parade while the other facades of the building do not address Apex Park. The steps and ramps of the overhead pedestrian bridge located in the vicinity also tend to act as a visually and functional barrier.

The orientation and design of buildings in the Marina is understandably to the water in the north. However the Marina commercial buildings "turn their backs" on Apex Park and do not assist in providing a positive and inviting link between the Town Centre and the Foreshore. The siting of the development also impedes on the natural view corridor from Stockton Street towards the water. Apex Park needs to be a welcoming and functional link between the Town Centre and the Foreshore. A well designed Apex Park and Marina development is a fundamental element in ensuring that both the Town Centre and the Foreshore benefit from Nelson Bay's assets.

Connections between the character areas are required to create a cohesive Town Centre and the Town Centre and Foreshore need to be better connected. This can be achieved through reinforcing the role of Apex Park and the surrounding green link as the fulcrum of Nelson Bay by:

- Opening up water views from Stockton Street and Victoria Parade
- Strengthening pedestrian connections
- Improving signage that assists with directions and interpretive information about the locality
- Integrating public facilities within this area such as BBQs, toilets and seating
- Enhancing the aesthetics and presentation of Apex Park
- Preparation of a design brief for Apex Park to guide future development and regenerate this area.

## Town Centre Amenity and Character

Nelson Bay has a superb coastal location and an outstanding natural environment surrounding the Town. It has the opportunity to build upon natural assets and enhance the Town's character. The Town Centre requires revitalisation to achieve this objective.

Throughout the Town Centre are developments of various sizes and architectural designs. These individual buildings do not create a coherent streetscape. This is particularly evident with development in the south of the Study Area. This can be attributed to a number of reasons: inconsistent architectural form, irregular setbacks, and dramatic changes in building heights. Additionally, a considerable amount of vacant land exists within the Town Centre, further exaggerating the inconsistency in the form and design of buildings.

While absence of a coherent streetscape is partially a result of the gradual nature and random location of redevelopment in the Town Centre, it also indicates that the development controls need to be more effective and that architectural quality of development should be improved.

The footprint (the area zoned for the commercial centre) of the Town Centre is very large for the retail/commercial catchment of Nelson Bay. The Town Centre has a mix of commercial and retail developments to the north, and a greater proportion of residential apartments and dwellings are concentrated towards the south of the Town Centre. Notably there are no designated heritage properties within the Town Centre.

The quantity and quality of business signage within the Town Centre detracts from the streetscape environment. The signage is not well co-ordinated and is of varying quality. The street furniture provided within the Town Centre core is of varying ages and some items should be replaced with a consistent suite while others should be revitalised. The quality of the streetscape should be consistent with the quality of Nelson Bay's natural setting. To do otherwise is to undercapitalise and degrade the assets of the area that are the basis of its tourist and lifestyle attractiveness.

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### Considerations:

- Figure 31 summarises the key public domain improvements that should be undertaken to revitalise the Town Centre. These works represent a long term program. Street presentation can be improved by upgrading street furniture with a consistent suite including lighting, seating, and landscaping.
- A street tree program would promote character areas and make them distinctive. Street trees should be planted to ensure they have a long life and do not interfere with paving, public utilities and the like.
- A Wayfinding Strategy could highlight directional routes and draw on the town character through interpretive signage for all forms of transport: motor vehicle, pedestrian and cyclists.
- Integrated public art within public places will reinforce the town character and integrate the waterfront and the town.
- Advertising and business signage can be better coordinated to reflect the quality of the area and promote a coordinated signage suite.
- Pedestrian movement should be promoted over vehicular movement within the town core.
- Built form should be improved throughout the Town Centre by encouraging active frontages and landmark developments at important locations.
- Emerging character areas should be reinforced, including the pedestrian focus and café scene in Magnus Street and larger commercial development footprints.



Figure 31: Key public domain works to be undertaken within Nelson Bay Town Centre and Foreshore

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## Foreshore Access and Activity

The Nelson Bay Foreshore and the activities located within this area are the main reason why people visit the town.

The waterfront area is beautiful and the landscape incorporating the natural form of the surrounding hills is unique. There are five main activity areas along the Foreshore: dock and service areas including offices, the marina and commercial premises including restaurants, the beach, and car parking. While pedestrian access is provided through Apex Park, car parking in this location creates a visual barrier and a connectivity problem for cyclists and pedestrians. The car parking areas break up the flow of the open space asset. Previous Sections discuss potential car parking alternatives.

### Considerations:

Design of new development in the Foreshore area could enhance this area and contribute to the Town Centre connection by considering the following:

- Enhancing the promenade for visitors along the length of the waterfront.
- Providing alternatives to large amounts of car parking on prime waterfront open space.
- Reinforcing the shared pedestrian/cycle link that runs in a west-east direction.
- Promoting pedestrian movement over all other forms of transport and enhancing the Town Centre connection.
- The role built form can play in providing an active frontage to address Apex Park and enhancing the view corridor from Stockton Street down to the water.

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## Development opportunities analysis

### Building Heights and the Street Wall

An important characteristic of Nelson Bay is that it provides the ambience of a relaxed coastal town. This characteristic attracts tourists and residents seeking an experience that is different from the highly developed nature of its competitors in Australia and overseas. A significant factor in managing perceptions of the intensity of development is building height.

Building heights need to be limited in order to ensure that the natural setting of the town is apparent – views of the water and of the surrounding wooded ridges- and to avoid buildings that are incompatible with a pedestrian scale environment. At the same time, development capacity needs to be provided in order to permit Nelson Bay to grow in an economically viable way to support the tourism industry, new areas of employment and to cater for the housing, retail and service needs of residents.

Most buildings in Nelson Bay are one to two storeys in height. Scattered throughout the Study Area are buildings of varying heights, extending up to seven storeys in height in the case of the "Landmark" development to the south of the Bowling Club.

The Port Stephens Development Control Plan 2007 sets a maximum building height of 15 metres (or five storeys) over the Town Centre and many of the recent multistorey developments reflect this. However, it is noted that following consultation with Councils Development Assessment staff the existing allowance of 3 metres per floor is not sufficient for many new commercial and mixed-use buildings. As a result of this feedback, the Strategy makes allowance for 3.5 metres per storey.

Urban design analysis undertaken during the development of the Nelson Bay Town Centre and Foreshore Strategy confirmed the appropriateness of a five storey (17.5m) maximum building height (24.5m). A maximum five storey (17.5m) building height will maintain the coastal town ambience of Nelson Bay. It will also permit considerable additional development beyond what exists because there are many undeveloped and underdeveloped sites in the Town Centre. Because of the topography of Nelson Bay, buildings will step up the slopes of the amphitheatre (building height is measured from the natural ground level of each site) and will provide a degree of view sharing and visual interest. In addition, the natural shape of the land will be maintained and reflected in the built form as the buildings step up and down the slopes.

There are three exceptions (Figure 32):

1. The land to the south of the Bowling Club, where a seven storey (24.5m) maximum height limit is appropriate. This is because of the separation of this site from the general building mass of the Town Centre, and because a building of this height would not extend above the wooded ridge that provides the southern backdrop to the town from almost all viewing points.
2. The Marina precinct on the Foreshore, where a three storey (10.5m) building height is consistent with low key recreational character to that part of the Town Centre. This height limit is also proposed for 4 Laman Street given the impact any additional height at this location would have on surrounding residential developments (Note: this site is occupied by a relatively new building and it is unlikely this site will be redeveloped for some time).
3. A four storey (14 metre) height limit should apply to the "Fishermen's Co-operative" area to the west of the Marina. This height limit has been identified so as to protect views from the historic Bridle Path located on top of the escarpment. Reduced levels obtained from the LPMA indicate sufficient room for a 16m to 18m building before views are likely to be impeded. Should upon further design analysis and studies an additional floor or two is demonstrated to be possible without impeding views, the additional height could be achieved under the "Outstanding Design Excellence" variation option clause outlined later in this Section. Given the high quality of this Foreshore location it is considered very important that a development meet a high level of design and architecture.



**Figure 32: Proposed building height map**

The height of the street wall is very important in helping to provide a comfortable pedestrian scale environment. To ensure a pedestrian scale environment, a maximum street wall height of 3 storeys (10.5m) should apply. This is an increase of 1 storey over the existing maximum street wall height specified in the Port Stephens Development Control Plan 2007. However, it is considered that a comfortable pedestrian scale environment can be provided where the street wall is 3 storeys (10.5m) should a range of other controls also be met, including continuous footpath awnings and horizontal and vertical articulation of the street wall façade. The facades of floors above 10.5 metres should be setback 3 metres behind the street wall.

The proposed maximum street wall and building heights will allow for a variation in height of specific buildings below the maximum height to occur without creating discontinuities in the streetscape due to overly large increments in height.

A significant factor in providing an attractive environment for pedestrians is the detailing of facades. Facades should be detailed to provide clearly defined lower (ground floor), middle, and upper elements. This will have the effect of focusing attention at the ground floor level and in managing the perception of building height. In addition, buildings should feature strong vertical articulation to avoid large unrelieved expanses of walls or glazing. This is particularly important at the ground floor level where vertical

articulation and detailing should maintain the rhythm of traditional main street shopfronts, as is evident in most of Magnus Street.

### Setbacks and Street Activation

Nelson Bay is a tourism town. It is important that the core pedestrian and retail streets are lively and interesting. The area of the Town Centre is much larger than is necessary to accommodate the level of commercial activity that the area can support. As a result, if commercial activity was evenly spread across the Town Centre it would dissipate the energy normally expected of a town centre, and lose the sense of focus that is necessary to ensure the viability of places such as the Magnus Street village area. Consequently, it is necessary to encourage some areas where activity is more intense, such as Magnus Street, to achieve the vibrancy that results from a "critical mass" of people activity, and allow other areas to develop in a less intensive relaxed fashion, such as Tomaree Street.

To help build a sense of activity, buildings in the core area of the Town Centre should be required to have an active frontage and be built to the boundary. This includes along streets within the "village precinct" focused on Magnus Street and other designated major pedestrian streets, such as the entire length of Stockton Street. Figure 33 identifies the streets that should provide active frontages. A consistent setback will also provide a sense of coherence and identity to the area.



Figure 33: Proposed active frontages

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Along other streets a setback of buildings from the front property boundary is acceptable. While ground floor developments should continue to address the street, they do not necessarily need to present an active frontage. At the property boundary, landscaping or a low wall should be provided to clearly delineate the boundary between public and private space. These setbacks should be sympathetic to the surrounding development so that a coherent streetscape is established. Wholly residential developments on non designated streets should comply with the general setback provisions of the Port Stephens Development Control Plan.

Building setbacks and overall height should also maintain solar access to public places by avoiding the overshadowing of these spaces before 3pm midwinter and 6.30pm Summer Daylight Saving Time.

## Minimum Frontages

In order to provide for good design and to ensure the height of buildings is in good proportion to their width, buildings in sites with a street frontage width of less than 20 metres should be restricted to a maximum building height of 3 storeys (10.5m). Adequate frontage will ensure that there is sufficient width to accommodate entry vestibules, vehicular access and other service requirements in addition to ground floor areas that either address the street or an activated frontage.

## Building Bulk and Scale

Floor Space Ratio provides a tool with which to manage the scale and bulk of developments. Because floor space ratio only measures "building bulk", it needs to be used in conjunction with other development controls in order to achieve the desired built form.

The Port Stephens Development Control Plan specifies a maximum floor space ratio of 1.8:1 for the Town Centre land zoned 3(a) Commercial. Urban design analysis undertaken during the development of this Strategy confirmed that this is an appropriate level of building bulk for the Nelson Bay Town Centre. It is proposed that the control be simplified to provide for a maximum floor space ratio of 2:1 in Nelson Bay.

## Design Excellence and Incentives

Nelson Bay's primary asset is its beautiful setting - the Port Stephens waterway and the wooded background. It is important that buildings and spaces reflect the quality of their setting. If buildings and the surrounding spaces are not high quality they will devalue these natural assets; from an aesthetic and economic viewpoint, this is extremely undesirable.

Accordingly, all new development in Nelson Bay should exhibit design excellence. Development applications should be assessed against the following criteria:

- Architectural design, materials and detailing
- The contribution of the building to the quality and identity of the area
- Scale, and the relationship of the development with other development (existing or proposed)
- The impact on, and any proposed improvements to, the public domain
- Solar access
- Environmental impacts such as sustainable design, overshadowing, wind and reflectivity
- Pedestrian, cycle, vehicular and service access and circulation
- Safety and security, both internal to the development and for the public domain.

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## Providing for Variation

There will be circumstances where a development seeks to vary building height or bulk beyond the maximums proposed by this Strategy. The use of variations to development standards should be rare and should only be made in exceptional circumstances.

It is recommended that variations to the development standards proposed for Nelson Bay only occur if a development:

- Exhibits outstanding design excellence, and
- Provides a strategic public benefit

Outstanding design excellence would be determined by requirements that the development application must be accompanied by a detailed urban design report for Council assessment documenting how the proposal exhibits outstanding design excellence, and that the development proposal must be reviewed by a Council appointed panel of independent urban design experts who would make a recommendation to Council.

The strategic public benefit would be determined by the extent to which the proposal implemented the works in the Nelson Bay Improvement Plan and/or delivered another defined strategic benefit, such as the provision of at least 4 star accommodation associated with a comprehensive conference centre that includes a facility seating at least 300 people and breakout rooms.

If a development proposal was assessed as achieving outstanding design excellence and it provided a strategic public benefit of sufficient magnitude, a variation of up to an additional 2 storeys (7m) and additional floor space ratio of up to 0.5:1 could be permitted (i.e. a total FSR of 2.5:1).

## Opportunity Sites

A number of potential development sites that offer unique opportunities are located on the periphery of the village precinct. These sites offer an opportunity to undertake development that can deliver important benefits for Nelson Bay. The sites include:



Figure 34: Opportunity Sites

- The Seabreeze/Nelson Towers/ Donald Street west car park site. These sites combined provide an opportunity for a large scale comprehensive development that can greatly improve the northern end of Stockton Street and its relationship with Apex Park. The site offers north and northeast facing views over Apex Park and the Foreshore as well as offering opportunities to revitalise Stockton Street between Government Road and Magnus Street. The site is well suited to a public oriented tourism use including accommodation with resort and conference facilities. The Donald Street west car park offers the ability to develop multideck public and private car parking and to manage "back of house" activities in a way which provides maximum opportunity to activate the Stockton Street and Government Road frontages.
- The Coles supermarket site and adjacent lots (currently occupied by at grade car parking) offers the opportunity for a landmark development on the highly visible corner of Stockton and Donald Streets. Suitable developments are those which activate the Stockton Street and Donald Street



frontages. Redevelopment of this site would activate the mid section of Stockton Street and reinforce its role as a pedestrian movement spine within the Town Centre.

- The Donald Street east car park and adjacent informal grade car park to the east offer the opportunity to provide additional car parking for the TownC and potentially provide an opportunity for the removal of car parking from the Foreshore. Currently the site is not attractive. It provides a development opportunity for such initiatives as a publically oriented active use sleeving the ground floor frontage along Magnus Street, combined with expanded multideck car parking capacity and residential or tourist accommodation above, which would deliver greater pedestrian activity and life at the eastern end of the Magnus Street "village precinct".
- The "Fishermen's Co-operative site" to the west of the marina which offers the ability to provide a development which capitalises on its scenic setting including the scenic views of the waterway and the headlands of Port Stephens, as well as the backdrop of the adjacent headland and escarpment to the south.

Provided the opportunity sites meet the criteria for a variation in development standards as described above, (i.e. outstanding design excellence and a strategic public benefit), the Strategy recommends that these sites be permitted an additional floorspace ratio of up to 0.5:1 over and above that available elsewhere in the Town Centre under the proposed variation provisions (i.e. a total FSR of 3.0:1).

Appendix 2 provides draft Clauses to address these points.

## 9.0 Recommendations

Since 2010, ten strategic principles have guided the draft Strategy. The following section provides the recommendations for Nelson Bay Town Centre and Foreshore by the ten (10) principles (which have been further refined) and providing details of the:

- Key challenges
- Recommended actions

### Principle 1 - Nelson Bay economy has long-term viability and is less seasonally dependent

Nelson Bay is in competition with coastal centres elsewhere in NSW, Australia and increasingly overseas. In order for Nelson Bay to maintain competitive it needs to rejuvenate its suite of tourism products and to provide a unique destination. The visual appearance and amenity of the Town Centre and Foreshore are important elements in providing a unique high quality destination. Diversification of the economy beyond its high reliance on leisure based tourism is also important.

Given Nelson Bay and the wider Tomaree Peninsula has been identified as a regionally significant tourism location there is an opportunity to capitalise on Nelson Bay's natural assets by creating a commercial and tourism centre that expresses a point of difference from other retail commercial centres.

#### Key challenges

- Providing a unique destination that ensures Nelson Bay attracts people all year round.
- Balancing the need to protect the ambience of a relaxed coastal town with the need to facilitate and attract development.

Recommendation	Implementation
<ul style="list-style-type: none"> <li>▪ 1.1 Attract developments for the economic benefit of Nelson Bay. Examples may include a conference centre, hotel and ancillary services.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Provide development controls that facilitate:               <ul style="list-style-type: none"> <li>- Design excellence</li> <li>- Variation to Building Heights in Designated Localities and Centres that exhibit outstanding design excellence and provide a strategic public benefit as detailed under 'providing for variation' within the Strategy.</li> <li>- Opportunity sites as identified within figure 34 and illustrated below.</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>▪ 1.2 In recognition of Nelson Bay's tourist role, a greater emphasis on leisure retailing and services, including the designation of a special tourist precinct in the Town Centre. This precinct should be located with close links to the Foreshore and Apex Park so as to assist in creating the desired connection between the two commercial areas.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The Strategy has defined character areas and recommends they be enhanced. Specific development controls should be provided within the DCP to reinforce and further develop the character areas. Preliminary work within the Strategy will guide a Public Domain Plan that reflects these areas and the areas need to be recognised within the Implementation Program.</li> <li>▪ There is a need to institute Place Management for Nelson Bay, and potentially "case manage" significant developments in order to co-ordinate the implementation of the Strategy and to facilitate desirable development.</li> </ul>

<ul style="list-style-type: none"> <li>▪ 1.3 Encourage events in the Town Centre such as community markets and night time events that focus on what the Region has to offer such as food and beverage products and local entertainment.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Encourage community events within public spaces including roads and Apex Park. This is to be achieved through the review of planning controls, and Plans of Management.</li> <li>▪ Investigate ways of facilitating events to assist potential organisers in understanding Councils approval process and find ways to streamline applications.</li> <li>▪ Prepare guidelines for traffic management for large events, including preferences for car parking, shuttle services if required, and wayfinding.</li> <li>▪ Identify the necessary facilities (such as electricity points, marquee anchor points etc.) within public domain areas such as Stockton or Magnus Street or Apex Park within the Public Domain Plan (See 6.1).</li> </ul>
<ul style="list-style-type: none"> <li>▪ 1.4 Provide a vehicle to co-ordinate the identified recommendations and activities to facilitate Nelson Bay attract economic development.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Examine a 'Place Management' role.</li> </ul>
<ul style="list-style-type: none"> <li>▪ 1.5 Encourage footway dining.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Review Councils current policy on footway dining and conduct an audit to identify needs for footway dining.</li> </ul>
<ul style="list-style-type: none"> <li>▪ 1.6 All dwelling space in the Town Centre is to be able to accommodate permanent residents even if initially intended for short term holiday accommodation. This will provide flexibility for new developments to cater for permanent residents. The intent is to increase the number of residents within the Town Centre. This will increase activity in the centre all year round and utilise commercial facilities at a variety of times throughout the day and night.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Temporary or short term tourist and visitor accommodation other than backpacker, bed and breakfast, farm stay, hotel and motel uses should comply with SEPP65 requirements.</li> </ul>



## Principle 2 - Town Centre and Foreshore are well connected

Better linkage of the Town Centre with tourist services and facilities located within the Foreshore area is critical to the long term economic growth of Nelson Bay. There are limited references to the waterfront or the natural environment within the Town Centre. The Town Centre needs to have signage, public art and other references to the waterfront, local environment and history in order to link it with the tourism product and the natural assets of the area. In addition the pedestrian network between the Town Centre and waterfront needs to be straightforward and welcoming with minimal barriers to movement.

### Key challenges

- Promoting and improving pedestrian movement between the Town Centre and the Foreshore.
- Attracting visitors into the Town Centre
- Overcoming the change in the natural ground level between, the Town Centre, Apex Park, and the Foreshore
- Accommodating and managing vehicle traffic and pedestrians in Victoria Parade
- Providing solutions when a number of development sites and opportunities are yet to be resolved such as the Foreshore area under the ownership of LPMA preparing redevelopment options yet to be resolved.

Recommendation	Implementation
<ul style="list-style-type: none"> <li>▪ 2.1 Improve pedestrian access across Victoria Parade.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Review the adequacy of the pedestrian bridge as the most suitable option to cross Victoria Parade. This should be considered along with connectivity considerations when design and development phases of Apex Park and the Foreshore redevelopment occur.</li> <li>▪ Identify pedestrian crossing improvements including distinctive pedestrian area pavement and possibly a "scramble" crossing at Stockton Street and Victoria Parade. Improvements to be identified within the Improvement Plan and Public Domain Plan.</li> <li>▪ Ensure crossing point to Apex Park and the waterfront at Stockton Street is the priority route for pedestrians. Treatments such as consistency in paving and materials and avenue planting through Apex Park should be considered in the design review of Apex Park. Consistency is to be reflected within the Public Domain Plan.</li> <li>▪ Discourage through traffic utilising Government Road and Victoria Parade by promoting the alternative direct route along Dowling Street. See Section 3.1</li> <li>▪ Explore the option of Yacaaba Street extension in conjunction with the future Foreshore redevelopment and options for the Donald Street east car park.</li> </ul>
<ul style="list-style-type: none"> <li>▪ 2.2 Investigate how Apex Park can connect the Town Centre and Foreshore areas.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Consider design options to promote connectivity such as an overhead bridge over Teramby Road or bringing buildings closer to Apex Park on the Foreshore side, and</li> </ul>

	<p>widen the stairs stepping down onto the Foreshore. It is noted this recommendation will rely on integration with plans for the Foreshore redevelopment.</p> <ul style="list-style-type: none"> <li>▪ See recommendation regarding preparing a masterplan for Apex Park (Recommendation 7.1, <i>Principle 8 - Apex Park is Nelson Bay's civic and community park.</i></li> <li>▪ Implementation Program to detail design considerations and connectivity.</li> </ul>
<ul style="list-style-type: none"> <li>▪ 2.3 Protect and enhance natural view corridors and pedestrian links between the Town Centre and Foreshore.</li> </ul>	<ul style="list-style-type: none"> <li>▪ See recommendation regarding preparing a masterplan for Apex Park (Recommendation 7.1, <i>Principle 8 - Apex Park is Nelson Bay's civic and community park.</i></li> <li>▪ DCP Control – Critical view corridors.</li> </ul> <ul style="list-style-type: none"> <li>▪ In conjunction with the masterplan work for Apex Park, review the Visitor Information Centre building. Options may include: <ul style="list-style-type: none"> <li>- Opening the building up to Apex Park, and improving its relationship with its setting</li> <li>- Replacing the existing structure with a more transparent structure that responds better to its setting.</li> <li>- Undertaking the above and incorporating other uses, such as local area interpretation and a café.</li> <li>- Identifying alternative locations for the Visitor Information Centre as raised in the 2010 Port Stephens Tourism Diagnostic Study and Action Plan. Lot 1 DP 1155736 (43 Stockton Street Nelson Bay) may be a suitable alternative location for the Visitor Information Centre. The site is located to the West of the Nelson Bay Bowling Club and has a number of elements that suggest it may be a suitable location</li> </ul> </li> </ul>

## Principle 3 - Town Centre is easy to access with reduced through traffic

An important element in attracting visitors and locals into the Town Centre is ensuring it is attractive for pedestrians. The reduction of traffic within the Centre will greatly assist in creating an environment that will facilitate on - street trading, such as dining, and passing pedestrian trade for retail services.

### Key challenges

- Encourage vehicles that are entering the town from the southwest to use an alternative route rather than travel through the Town Centre.
- Providing car parking in a suitable location that minimises traffic within the Town Centre and Foreshore.
- Identifying a solution to the future of car parking within the Foreshore area when it is redeveloped by LPMA is unclear given there will be an opportunity to remove the car parking from the waterfront and provide it elsewhere.
- Attracting funding to fund options such as the consolidation of car parking within multi storey car parks.
- Encouraging visitors and locals to use alternative transport options.

Recommendation	Implementation
<ul style="list-style-type: none"> <li>▪ Improve the road network capabilities</li> </ul>	<ul style="list-style-type: none"> <li>▪ 3.1 Promote Dowling Street/Fingal Street/Trafalgar Street as the alternative route for traffic travelling to Little Beach, Shoal Bay and Fingal Bay by firstly undertaking a design, costing and consultation process for the upgrade of the Trafalgar Street and Shoal Bay intersection.</li> </ul>
	<ul style="list-style-type: none"> <li>▪ 3.2 Ensure the emerging Public Domain Plan for the Nelson Bay Town Centre includes street tree planting along Government Road starting at the Church Street intersection and down Victoria Parade to assist in traffic management by "psychologically" narrowing the street.</li> </ul>
	<ul style="list-style-type: none"> <li>▪ 3.3 Move the location of the 40km/h sign posting on Government Road west to the Church Street intersection to reinforce this gateway location and to encourage motorists to slow down before the decline of Government Road east towards Apex Park.</li> </ul>
	<ul style="list-style-type: none"> <li>▪ 3.4 Extend the 40km/h speed limit along the length of Victoria Parade to its intersection with Shoal Bay Road.</li> </ul>
	<ul style="list-style-type: none"> <li>▪ 3.5 Undertake further analysis to understand critical design considerations, benefits and cost effectiveness of</li> </ul>

	<p>extending Yacaaba Street as a link between the Magnus Street and the Teramby Road/Government Road/Victoria Parade roundabout. This should be conducted in conjunction with detailed planning of the Foreshore.</p>
<ul style="list-style-type: none"> <li>▪ Public Transport Improvements.</li> </ul>	<ul style="list-style-type: none"> <li>▪ 3.6 Upgrade the main bus stop/public transport interchange on Donald Street.</li> </ul>
	<ul style="list-style-type: none"> <li>▪ 3.7 Should the Yacaaba Street extension be implemented and include the capacity for a bus route, a bus stop should be provided along Victoria Parade.</li> </ul>
	<ul style="list-style-type: none"> <li>▪ 3.8 Improve wayfinding and identification signage for pedestrians – i.e. pedestrian signage that includes directions and walking time to popular destinations in order to encourage walking through the Town Centre to the Foreshore.</li> <li>▪ 3.9 Future detailed design proposals for the Foreshore shall include the provision of temporary drop off parking for large vehicles such as buses and provide for their long term parking elsewhere. Include requirement within the Improvement Plan.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Active Transport – Promote alternative travel options to motor vehicles</li> </ul>	<ul style="list-style-type: none"> <li>▪ 3.10 Improve wayfinding and identification signage for pedestrians, cyclists and motorists. This is to be achieved by preparing a Wayfinding Strategy for the Town Centre and Foreshore. The Strategy should: <ul style="list-style-type: none"> <li>- Identify important sites</li> <li>- Direct pedestrians, cyclists and motorists</li> <li>- Provide information on walking times between villages (such as to Shoal Bay)</li> <li>- Incorporate the outcomes of the Public Art Strategy</li> <li>- Recognise local history, character and the natural environment, such as promoting the proximity of the Port Stephens waterbody to the Town Centre and vice versa</li> <li>- Identify local walking tracks</li> <li>- Be educational</li> <li>- Direct traffic, cyclists and pedestrians</li> <li>- Help define the character and theme of Nelson Bay.</li> <li>- Be implemented through the Public Domain Plan.</li> </ul> </li> <li>▪ DCP to include controls to ensure future developments incorporate the objectives of the Wayfinding Strategy where relevant.</li> </ul>

	<ul style="list-style-type: none"> <li>▪ 3.11 Provide bicycle end of journey facilities, such as cycle racks in key Town Centre and Foreshore areas. The cycle racks should integrate with other street furniture elements such as bollards and street poles/lights. The requirements are to be included within the review of the draft Footpath and Cycle Strategy recommended under 4.4 and inform the recommended Public Domain Plan.</li> </ul>
	<ul style="list-style-type: none"> <li>▪ 3.12 Complete missing footpath and cycle links in the Town Centre and Foreshore area and promote this comprehensive network with effective signage. The plan should also identify the necessary facilities such as end of trip facilities, bike lock up areas and storage and minimise on road paths. This is to be done by updating the Draft Footpath and Cycle Strategy to reflect the recommendations of this strategy and use it to inform the Public Domain Plan. See 6.1.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Traffic Management and Road Safety Improvements</li> </ul>	<ul style="list-style-type: none"> <li>▪ 3.13 Introduce gateway treatments to Nelson Bay Town Centre as identified within figure 28. This should include substantial landscaping at the entries to reinforce a change in traffic conditions and highlight the Town Centre approach in order to slow down traffic. The gateways should also serve as focal points within the pedestrian network. See 6.3.</li> </ul>
	<ul style="list-style-type: none"> <li>▪ 3.14 Reduce the sign posted speed limits to 40km/h in the Town Centre to reflect town centre function, activity levels, support a safer pedestrian environment and to discourage traffic. Reinforce these sign posted limits with traffic management measures and streetscape enhancement.</li> </ul>
	<ul style="list-style-type: none"> <li>▪ 3.15 Develop and implement a Town Centre wayfinding parking signage strategy for off-street car parks in Donald Street to ensure traffic is clearly directed to these car parking and to avoid unnecessarily "circling" within the Town Centre to locate car parking spaces.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Car Parking</li> </ul>	<ul style="list-style-type: none"> <li>▪ 3.16 When detailed plans are finalised for the Foreshore development and the level of car parking required by this site is better understood, review the alternatives for consolidating car parking and upgrading facilities within the Town Centre. Alternatives may include: <ul style="list-style-type: none"> <li>- Consolidating car parking within a multi storey car park within the Donald Street west car park site</li> <li>- Underground options within the vicinity of the Foreshore</li> <li>- Upgrading of the Donald Street East car park.</li> </ul> </li> <li>▪ Implementation Program to highlight the removal of car parking within the Foreshore area.</li> </ul>
	<ul style="list-style-type: none"> <li>▪ 3.17 Develop a demand management strategy for car parking for major events and peak periods.</li> </ul>

	<ul style="list-style-type: none"> <li>▪ 3.18 Improve the policing of car parking time restrictions during major events and peak times in order to improve the availability of car parking.</li> </ul>
	<ul style="list-style-type: none"> <li>▪ 3.19 Consider the extension of parking charges to areas other than the Foreshore during peak times and major events as part of a wider demand management strategy.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Improve the road network capabilities</li> </ul>	<ul style="list-style-type: none"> <li>▪ 3.1 Promote Dowling Street/Fingal Street/Trafalgar Street as the alternative route for traffic travelling to Shoal Bay and Fingal Bay by firstly undertaking a design, costing and consultation process for the upgrade of the Trafalgar Street and Shoal Bay intersection.</li> </ul>

## Principle 4 - The area is attractive and safe to pedestrians and cyclists

Well-designed communities encourage and support walking and cycling. There are several elements within the natural and built environment that can affect the extent of cycling and walking, including mixed land use and density (a wide range of services within one locality will reduce dependence on motor vehicles and promote walking), adequate footpaths and cycle ways and facilities, street connectivity and design, transport infrastructure and systems, and linking residential, commercial and business areas.

Walking and cycle facilities can reduce vehicular traffic and make a place more attractive for visitors and residents. This principle is an essential part of the package of improvements that will make Nelson Bay a more attractive place to visit and stay for both short-term visitors and long-term residents. It is a key element in supporting economic sustainability and growth for the Town Centre.

### Key challenges

- Improving existing infrastructure such as roads, drive ways and pathways to accommodate shared facilities for pedestrians and cyclists.
- Recognising and providing for the transport needs of all age groups and disabilities within the community.
- Providing infrastructure such as end of trip facilities including bike lock up areas.
- Making pedestrian paths and cycle ways attractive so that they encourage people to use them and interact with the natural environment of Nelson Bay.

Recommendation	Implementation
<ul style="list-style-type: none"> <li>▪ 4.1 Provide universal access for all users, including older people, children and people with disabilities through the upgrade of streets, such as ramps.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Prepare a Pedestrian Access and Mobility Plan (PAMP) for Nelson Bay Town Centre.</li> <li>▪ Include necessary infrastructure within the Public Domain Plan. Plan may need to be amended following the completion of the Pedestrian Access and Mobility Plan (PAMP).</li> </ul>
<ul style="list-style-type: none"> <li>▪ See recommendations 3.10 to 3.12 (Active transport within Principles 3)</li> </ul>	

## Principle 5 - Incentives encourage development and improve public infrastructure

It is important to attract quality development and to provide incentives to help improve public infrastructure such as car parking, streetscape beautification, and cycle ways.

### Key challenges

- There is only limited funding available to Council.
- An additional levy on development within the Study Area has the risk that this may make alternative locations that do not have a levy, more appealing for investment and as a result not contribute to attracting development.
- Development incentives need to be sufficient to make it worthwhile for developers to assist in improving public infrastructure and the public domain.

Recommendation	Implementation
<ul style="list-style-type: none"> <li>▪ 5.1 Develop a forward program of works for Nelson Bay Town Centre.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Establish a team within the Council administration to develop a detailed implementation program including preliminary costings and resourcing options.</li> </ul>
<ul style="list-style-type: none"> <li>▪ 5.2 All future development within the Study Area should provide a high level of design.</li> </ul>	<ul style="list-style-type: none"> <li>▪ See 1.1 – Design excellence.</li> </ul>
<ul style="list-style-type: none"> <li>▪ 5.3 Identify sites that offer unique opportunities that can deliver important benefits to Nelson Bay and provide development incentives.</li> </ul>	<ul style="list-style-type: none"> <li>• Opportunity sites identified within this Strategy to be identified within the DCP and a control stating the relevant variation clause for FSR.</li> </ul>
<ul style="list-style-type: none"> <li>▪ 5.4 Significant development to be allocated a case manager.</li> </ul>	<ul style="list-style-type: none"> <li>• Internal policy to be developed for managing significant developments.</li> </ul>

## Principle 6 - The character of Nelson Bay reflects its setting

Ensuring Nelson Bay preserves and promotes its most important asset, the natural environment, is important to its ongoing sustainability and success as a tourist destination and a great place to live. Development should reflect the outstanding quality of the natural setting of Nelson Bay

### Key challenges:

- Achieving a balance between development and protecting the environment.
- Interpreting the Town's character on behalf of a diverse population.
- Maintaining the 'town village feel' and attracting growth.

Recommendation	Implementation
<ul style="list-style-type: none"> <li>▪ 6.1 Enhance the streetscape, public spaces, pedestrian and cycleways, street furniture and signage in a well designed, coordinated and distinctive manner.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Prepare a Public Domain Plan in consultation with Councils Civil Assets Team. A brief will be provided in more detail within the Implementation Program.</li> <li>▪ Seek government support for a "main street program" to aid in implementing the Public Domain Plan.</li> </ul>
<ul style="list-style-type: none"> <li>▪ 6.2 Signage to reflect local character.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Council and the Business Chamber to develop a signage suite and theme concepts for Nelson Bay Town Centre.</li> <li>▪ Upon adoption of a signage suite, include controls within the DCP detailing the relevant requirements.</li> </ul>
<ul style="list-style-type: none"> <li>▪ 6.3 Provide gateways to the Town Centre.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Develop distinctive gateway treatments to mark the entry to the Nelson Bay Town Centre at the following locations:               <ul style="list-style-type: none"> <li>- The Dowling Street and Church Street intersection</li> <li>- The Dowling Street and Stockton Street intersection</li> <li>- Church Street and Government Road intersection</li> </ul> <p>These should be designed reflecting local attributes and European and Indigenous heritage. Examples include sculpture, landscaping and signage. The gateways should consider the Public Art Strategy. The Public Domain Plan (6.1) should include the outcomes.</p> <p>Street tree planting around the perimeter of the Town Centre should be provided to visually support the gateways and provide a change in landscape as visitors enter the Town Centre.</p> </li> <li>▪ DCP to include controls to protect and enhance gateways to the Town Centre.</li> </ul>
<ul style="list-style-type: none"> <li>▪ 6.4 Promote buildings with high quality design elements that contribute to the streetscape in a</li> </ul>	<ul style="list-style-type: none"> <li>▪ DCP Controls to guide the following:               <ul style="list-style-type: none"> <li>- Colours</li> </ul> </li> </ul>

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positive manner.	<ul style="list-style-type: none"><li>- Materials (Including local materials)</li><li>- Details and Finishes</li><li>- Façade design including consistent awnings within the street front.</li><li>- Entryways</li><li>- Sustainable buildings</li><li>- Massing and bulk</li><li>- Balconies and verandas</li><li>- Setbacks</li><li>- Building orientation</li><li>- View Preservation</li><li>- Built Form</li><li>- Entryways and Service Areas</li><li>- Large Format Developments.</li><li>- Street Amenity</li></ul>
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## Principle 7 - Apex Park is Nelson Bay's civic and community park

Due to its central location, Apex Park is vital in the revitalisation of the Town Centre and Foreshore areas. The Park holds significance for a number of community groups such as the veterans as the War Memorial is located within the centre of the park. It has the potential to play a greater role as a civic space and to attract a range of age groups through its proximity to both the Town Centre and Foreshore, restaurants, tourist services, cycle ways and pathways, the beach and its open space features.

### Key challenges

- Funding is available to revitalise Apex Park however, given the redevelopment of the Foreshore remains unresolved it is difficult to prepare a design that will integrate with the Foreshore.
- In addition to the above point, the revitalisation of Apex Park needs to include consideration of how access from Victoria Parade is provided, including the effectiveness of the overhead pedestrian bridge.
- The Park is a key element within the wider green link that runs from Carol Rotary Park in the east, through along the waterfront to Laman Street in the west.

Recommendation	Implementation
<ul style="list-style-type: none"><li>▪ 7.1 Revitalise Apex Park.</li></ul>	<ul style="list-style-type: none"><li>▪ Prepare a Masterplan for the revitalisation of Apex Park.</li><li>▪ (In the short term) Council to work with Councillors in identifying suitable works that are essential to Apex Park, keeping in mind the long term goals of integrating the park with wider functions detailed within this sStrategy. Consideration of the community consultation work to date regarding Apex Park should inform these decisions as should the design brief recommended above.</li></ul>

## Principle 8 - Buildings and places reflect the quality of Nelson Bay and enrich people's ability to enjoy it

Buildings that are well designed display a high regard for the local environment. This will create a place where people want to visit and live.

### Key challenges

- Encouraging developers to provide a high level of design
- Ensuring large developments do not reduce the quality of the Town Centre.
- Ensuring new development is appropriate for its location.

Recommendation	Implementation
<ul style="list-style-type: none"> <li>▪ 8.1 New developments should meet a high standard of design.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Provide clauses within the LEP for:               <ul style="list-style-type: none"> <li>- Design excellence</li> <li>- Variation to Building Heights in Designated Localities and Centres (as per figure 32 and shown below)</li> <li>- Active Street Frontage (as per figure 33 and provided below)</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>▪ 8.2 Ensure future large format developments do not negatively impact on the character of Nelson Bay.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The town living and commercial character area has been defined as a suitable location for large format buildings. A DCP control shall inform the design of these buildings.</li> <li>▪ Large developments may be required to be assessed by a Design Review Panel.</li> </ul>
<ul style="list-style-type: none"> <li>▪ 8.3 Protect important views and promote the natural topography that makes Nelson Bay unique.</li> </ul>	<ul style="list-style-type: none"> <li>▪ DCP to guide development in protecting and enhancing important views identified within this Strategy (Figure 25 and shown below).</li> <li>▪ The street tree plan should consider view preservation when selecting suitable species (6.6).</li> </ul>
<ul style="list-style-type: none"> <li>▪ 8.4 Prepare a Public Art Strategy</li> </ul>	<ul style="list-style-type: none"> <li>▪ A Public Art Strategy should undertake an assessment of public art opportunities that:               <ul style="list-style-type: none"> <li>- Contribute to cultural identity and create a distinctive sense of place for Nelson Bay</li> <li>- Connect the community and be accessible to all age groups and backgrounds</li> <li>- Respond to themes of people past and present</li> <li>- Relate to the built and natural environment</li> <li>- Exemplify artistic excellence and integrity</li> <li>- Be sustainable, safe, and easily maintainable</li> <li>- Promote the natural setting and waterfront within</li> </ul> </li> </ul>

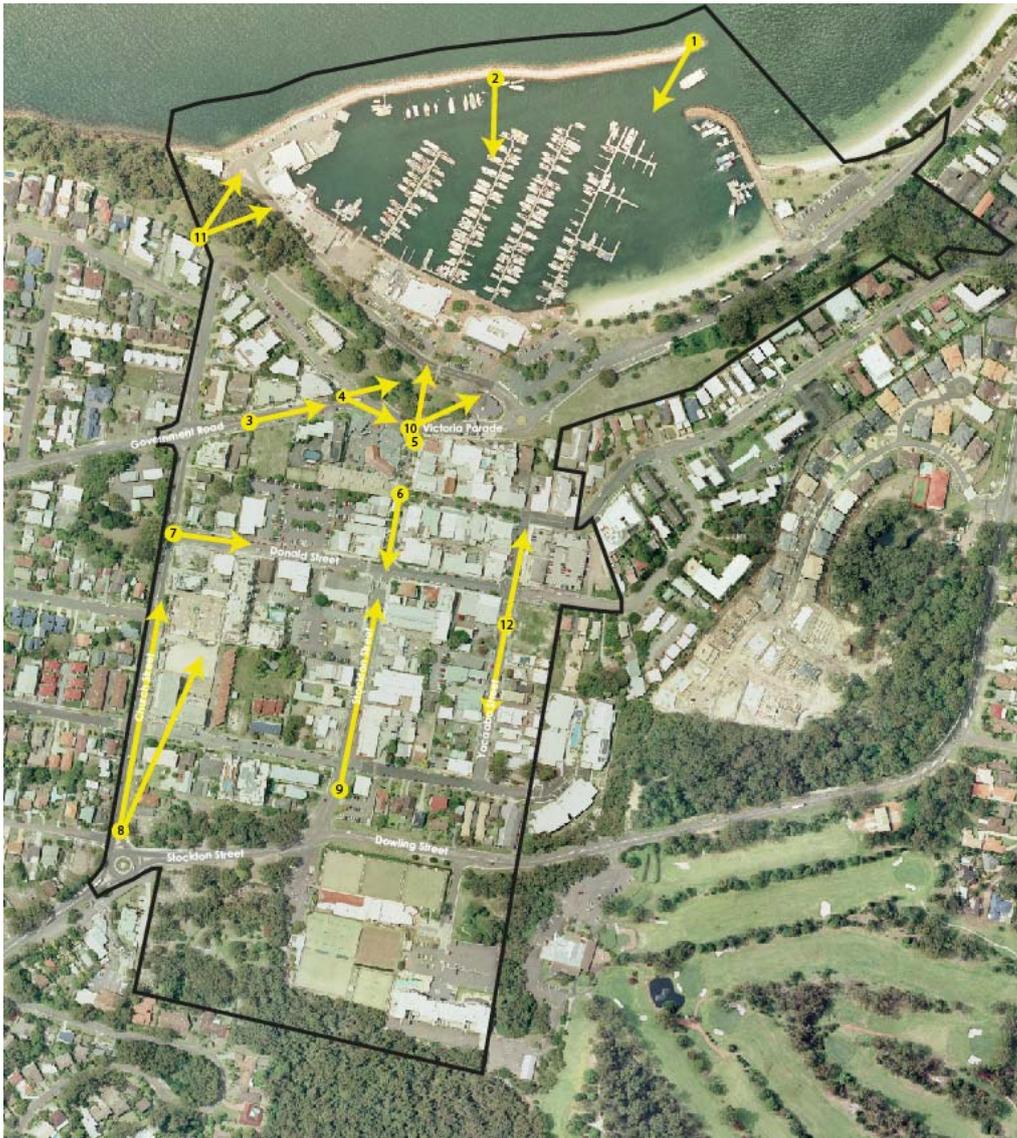
Recommendation	Implementation
	<p>public spaces</p> <ul style="list-style-type: none"> <li>- Acknowledge the contribution that street furniture makes to the interpretation of urban character</li> <li>- Inform the Wayfinding Strategy (3.3) and the Public Domain Plan (6.1)</li> </ul>



Building height map



Active Frontages



Critical view corridors

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## Principle 9 - Buildings can adapt to changing needs

Nelson Bay Town Centre should grow and adapt to changing community needs and preferences

### Key challenges

- The community's needs for different types of buildings changes over time.
- It is very difficult to predict future needs.
- Adaptive buildings may be more expensive to construct than single purpose buildings.

Recommendation	Implementation
<ul style="list-style-type: none"><li>▪ 9.1 Provide a diverse housing choice for varying needs by promoting mixed use development and adaptable buildings</li></ul>	The LEP continue to provide zoning for mixed uses.
<ul style="list-style-type: none"><li>▪ 9.2 Short term and temporary residential developments are constructed to cater for permanent residential use.</li></ul>	Provide controls within the DCP to ensure developments such as holiday units and apartments meet the requirements of SEPP 65.

## Principle 10 - Building scale responds to topography, views, solar access, and the surrounding streetscape

Nelson Bay has a beautiful setting in an amphitheatre with a backdrop of wooded ridgelines. Water views are highly valued. Building scale that responds to topography and respects neighbouring sites and public spaces can maximise community access to these areas and maintain a “feel” of the Town

### Key challenges

- Nelson Bay is comprised of many different sites with different owners.
- Different sites will be developed at different times.
- The quality of development can be greatly improved.

Recommendation	Implementation
<ul style="list-style-type: none"> <li>▪ 10.1 Ensure development on the Foreshore does not block views towards the waterfront, particularly development in front of the escarpment.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Implementation Plan to provide details</li> <li>▪ Building height controls as described in the Strategy (figure 32) are to be included in Council’s development standards</li> </ul>
<ul style="list-style-type: none"> <li>▪ 10.2 Minimise overshadowing within the public domain.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Development controls protect solar access and reduce overshadowing.</li> </ul>
<ul style="list-style-type: none"> <li>▪ 10.3 Critical view corridors should be preserved and enhanced.</li> </ul>	<ul style="list-style-type: none"> <li>▪ DCP control – Critical Views as per figure 25.</li> </ul>
<ul style="list-style-type: none"> <li>▪ 10.4 Buildings should address the street and provide a consistent built edge to promote structure within the streetscape</li> </ul>	<ul style="list-style-type: none"> <li>▪ DCP controls to define appropriate setbacks within the character areas.</li> <li>▪ See recommendations within 6.4</li> </ul>
<ul style="list-style-type: none"> <li>▪ 10.5 Buildings should consider the impact roof furniture has on views from surrounding buildings.</li> </ul>	<ul style="list-style-type: none"> <li>▪ DCP control – Roof top furniture.</li> </ul>

### Conclusion:

Appendix 3 provides a table listing the recommendations outlined within this chapter with a further explanation of the key stakeholder groups required to implement the recommendations and also gives a priority rating to each task.

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## 10.0 Implementation

### Funding Options

The Nelson Bay Town Centre and Foreshore Strategy identify the need for a range of public infrastructure improvements, including car parking, public domain and streetscape improvements, signage, and road and pedestrian network works.

An important issue for Council to consider is how this infrastructure is to be provided.

Local infrastructure can be resourced from a number of sources, including:

- General revenue
- Borrowings/loans
- Special rate levies
- User fees and charges
- Contributions, Grants and subsidies from other governments
- Development contributions
- Conditions of development consent (certain circumstances where the infrastructure is entirely attributable to development)

#### General Revenue

Council could fund an infrastructure improvement program over a number of years from its general revenue. The availability of funds from this avenue is likely to be very limited given other priorities Council may have elsewhere in the LGA, and the low level of “discretionary” funds available in the Council budget.

#### Ward Funds

Council has made provision for “Ward Funds” to provide a discretionary funding source, on a Ward basis, for projects which may have not received priority funding within Council’s adopted budget. Across the LGA, these funds amount to \$60,000 per annum from general revenue and 30% of land development profits. The availability of these funds is dependent on the priorities of Councillors, and varies from year to year in response to the level of land development profits.

#### Loans

Council could borrow funds for the required infrastructure. It would require a source of repayments which would likely be Council general funds (however, see also “special rate”, below). The ability to use this approach would be very dependent on Council’s ability to repay the loans from its general revenue, Council’s borrowing capacity, and the other priorities that Council may have for these funds.

Council’s Financial Plan 2011-2021 regards the option of loan funding as a viable and equitable mechanism for:

- Funding new/significantly upgraded major assets that provide a broad community benefit; or
- Funding capital projects that provide an anticipated future revenue stream sufficient to fund debt redemption payments subject to:
  - Council remaining within the upper limits of its debt Key Performance Indicators
  - Council remaining on target to achieve future operating result targets.

#### Special Rate

The use of a new locationally targeted special rate could be used to either undertake the development of new infrastructure as funds are received, or to repay borrowings for the needed infrastructure if Council wished to “advance” funds to the area on the basis of the funds being paid back from the rate revenue over a specific number of years, as has been previously used in Nelson Bay. This mechanism has the advantage of enabling the highest priority town improvements to be undertaken rapidly and would

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meet Council's borrowing criteria of having a revenue stream sufficient to fund debt redemption payments. If a special rate was considered Council would need to ensure that it was well justified and that an equitable approach was being taken. Council would need to obtain Ministerial approval for the special rate.

Council currently has no special rates levied on business.

The Nelson Bay Town Improvement Special Rate was previously levied on businesses located in Nelson Bay Town Centre and raised approximately \$70,000 per annum to repay an internal loan for footpath paving and drainage works carried out in 2000/2001. Approval for that special rate expired in 2009/2010.

In addition, the Nelson Bay Town Improvement Promotion Special Rate was levied on approximately 750 to 1,100 properties between 2000/2001 and 2005/2006 raising \$130,000 to \$152,000 per annum for the purpose of funding the operations of Nelson Bay Town Management Committee Inc. which conducted promotional activities for the benefit of businesses and holiday accommodation within Nelson Bay. According to the Council Financial Plan 2011-2021, the Special Rate was discontinued for a number of reasons including income loss from ratepayers contesting their liability to pay the rate, objection from surveyed ratepayers who argued their properties did not benefit from the special rate, equity issues in relation to application of and exemption from the special rate, and advice from the Minister for Local Government in 2005/2006 that renewal of the special rate was not supported in the context of Council's further application for a special variation in the year 2006/2007.

### User Fees and Charges

In relation to user fees and charges, most of the required infrastructure is not of a type which readily lends itself to the imposition and/or efficient administration of user fees or charges. The availability of user pays revenue sources is likely to be limited.

### Car Parking

There is a limit to the extent to which car parking charges can be applied at Nelson Bay because of the potential impact on the competitiveness of the Nelson Bay Town Centre relative to nearby Salamander Bay where parking is free.

Council has a parking meter reserve that receives the profits from the Nelson Bay parking meters to assist in the future development of on and off - street car parking operation and associated assets. These funds may be available to assist in the development of additional car parking spaces at Nelson Bay. Future car parking spaces are likely to be located within a multideck car park. Multideck car parks are expensive and car parking charges in Nelson Bay are below the cost of providing additional multideck car parking spaces.

### Grants and Government Assistance

Government funding opportunities in the form of grants become available from time to time. These grants may be applicable to projects in the Nelson Bay Improvement Program. An advantage of the Improvement Program is that it will provide Council with a prioritised suite of projects to be drawn upon if grant funding opportunities arise.

An example is local infrastructure project support through the NSW Government's Regional Industries Investment Fund (note: funding is very limited under this fund and business linkages must be clearly demonstrated). Another possibility is the Hunter Infrastructure and Investment Fund. The guidelines for this fund are not yet available and it is likely to focus on long term regional infrastructure priorities rather than more localised infrastructure unless there is a critical regional issue.

Another example is the NSW Local Infrastructure Fund which provides an interest free loan scheme to bring forward infrastructure projects. This fund is directed towards projects that will facilitate the supply of land for housing or employment, and is currently (March 2012) closed.

The Regional Development Australia Fund may have a third round of funding. Funding is directed towards projects that accord with the RDA Regional Plan. In the Hunter RDA Plan tourism is identified as a support sector for "Growing the Regional Economy". Nelson Bay is one of the most important tourist destinations in the Region, especially for international visitors.

Nelson Bay Road, Church Street, Government Road and Victoria Road are the responsibility of the NSW Government Road and Maritime Services (RMS, formerly RTA). As a result RMS may be willing to undertake or fund works associated with these roads. Other roads are the responsibility of Council.

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### Major land holders - LPMA

The Foreshore area is Crown Land. The Land and Property Management Authority has selected Ardent Leisure as the preferred partner for the redevelopment of the Nelson Bay Harbour and Foreshore consistent with the Nelson Bay Foreshore Plan of Management. Any redevelopment may incorporate infrastructure improvements identified in the Nelson Bay Town Centre and Foreshore Strategy, such as elements of improving the pedestrian corridor from Stockton Street to the Foreshore. In addition, contributions to off-site infrastructure related to car parking may result from the relocation of parking on the Foreshore that is advocated by the Nelson Bay Foreshore Plan of Management.

### Public Private Partnerships

This term describes a variety of arrangements whereby a private sector body provides infrastructure and/or services that are traditionally provided directly by the public sector. These are usually arrangements where a cash flow is involved, such as user charges or some other revenue stream including payments from government. Often the infrastructure is handed over to public ownership after a specified period. Public private partnerships can involve very complex financial and institutional arrangements, and NSW Treasury has produced guidelines to assist in their use.

### S94 Contributions and Voluntary Planning Agreements

Two frequently used mechanisms of resourcing infrastructure for new urban development arise from provisions of the Environmental Planning and Assessment Act. These mechanisms are:

- Development contributions pursuant to Section 94 or Section 94A (fixed percentage levy) of the Environmental Planning and Assessment Act. Section 94B of the Act states that Council can only levy contributions in accordance with a Contributions Plan.
- Development contributions made as a result of a voluntary planning agreement (VPA) pursuant to Section 93F of the Environmental Planning and Assessment Act. A VPA is a legally binding agreement, entered into on a voluntary basis between a developer and a planning authority (or authorities). A wide range of matters can be addressed through a planning agreement; however they must be for a public purpose.

The Department of Planning and Infrastructure provides a range of Directions, Circulars, and Practice Notes which define the manner in which Section 94 and 94A Plans and voluntary planning agreements (VPA) are to be structured, applied and managed.

Council's existing Section 94A Development Contributions Plan is very unlikely to raise the amount of revenue required to resource new and upgraded infrastructure identified in the Nelson Bay Improvement Program.

A Development Contributions Plan could be developed to levy new development for infrastructure. The benefits of such a levy are very dependent on the quantum and rate of new development. The revenue available for expenditure will be very limited if development proceeds at a slow pace or only a small amount of development occurs.

A Development Contributions Plan has some limitations. Firstly, a Contributions Plan can only address infrastructure needs arising from new development, not backlogs or refurbishment. Secondly, Contributions Plans place a high reliance on Council to provide infrastructure even if contributions are insufficient to cover the cost. Thirdly, a Contributions Plan is reliant on the accuracy of costing estimates. If the costing estimates are incorrect or costs of infrastructure delivery escalate faster than the CPI, Council will have to make up any shortfall in funds. A clearly stated nexus between the required infrastructure and new development, as well as regular and frequent reviews of the Contributions Plans and its underlying assumptions are effective ways of reducing these risks.

A VPA could potentially address a range of matters including items in the proposed Nelson Bay Improvement Program. VPAs have the advantage of being relatively flexible in the matters they can address. For example under the provisions of a VPA a developer may choose to fully fund priority infrastructure or may offer a cash contribution to Council for provision of infrastructure. A VPA can expedite the delivery of infrastructure and possibly include ongoing maintenance provisions for infrastructure, or it may contain a combination of these provisions. VPAs have a number of limitations. Firstly, a VPA must be proposed by a developer, not by Council. Secondly, the contents of a VPA are often the subject of a lengthy negotiation process and the outcomes of these negotiations may not result in resourcing of the entire required infrastructure. Thirdly, a VPA is not spatially comprehensive; it is usually negotiated with a specific developer with reference to development on their land. Reliance on



VPA's can lead to a patchwork approach to infrastructure resourcing and provision unless there is some way of co-ordinating their content.

The Nelson Bay Improvement Program and an accompanying Development Contributions Plan provide the opportunity to prepare a comprehensive list of required infrastructure and an estimated cost of provision. An Improvement Program and Development Contributions Plan also can provide a list of priority infrastructure that could potentially be delivered under the provisions of a VPA and a checklist to ensure that priority infrastructure is considered.

### Conditions of Development Consent

Consent to undertake a specific development may incorporate conditions requiring certain improvements to public infrastructure to be undertaken as part of the development where there is a relationship between that development and that infrastructure. In addition, the Nelson Bay Town Centre and Foreshore Strategy recommends that provision be made to vary development standards such as maximum building height or floor space ratio where a development is of outstanding design excellence and provides a strategic public benefit.

### Other revenue

Council has the care control of management of considerable areas of Crown land. In some cases activities are carried out which yield revenue, such as holiday (caravan) parks or kiosk/café leases. Net revenue from these activities must be reinvested in the surrounding Crown Lands. Apex Park and the Foreshore is Crown Land, and accordingly may be able to benefit from this revenue source, other priorities permitting.

### Considerations

Implementing the Nelson Bay Improvement Program presents a number of challenges. There are a number of ways in which the Program can be resourced. Each of these mechanisms has advantages and disadvantages.

It is likely that a combination of resourcing mechanisms will be used over time.

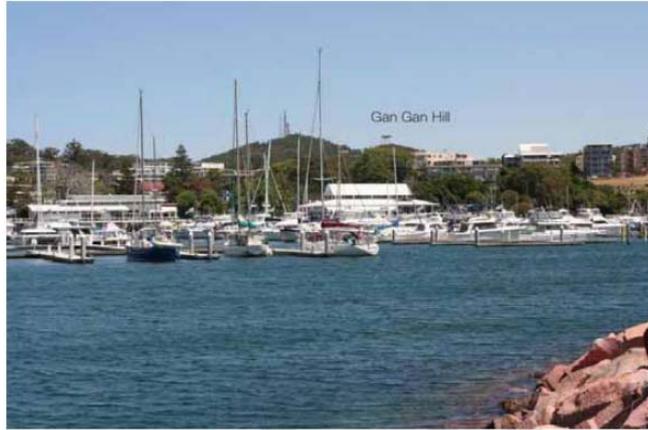
The Nelson Bay Improvement Program in conjunction with a Section 94 Plan should provide Council with a "checklist" against which to ensure that priorities are being addressed and provide a mechanism to levy developers for some of the costs of needed infrastructure.

It is essential that the Section 94 Plan is reviewed regularly and frequently in order to reduce costing, timing and cash flow risks.

## Appendix 1 – Critical View Analysis

View 1: While this vantage point is not located within the Study Area, the positioning of the Town Centre within the surrounding hills and the potential effect building heights have on the natural forming environment is important to recognise and preserve. View 1 illustrates how Gan Gan Hill provides a dramatic backdrop to the Town Centre by framing the Town Centre buildings.

The connection between Gan Gan Hill and the waterfront should be preserved.



View of the Town Centre from the eastern end of the Western Groyne

View 2: The view looking South from the Western Groyne shows the ridgelines that surround Nelson Bay Town Centre. This allows for views from the North of the town to maintain strong landscape character and setting.

The view lines between Kurrara Hill and the marina form an axis for the main street of the Town Centre, which should be maintained.

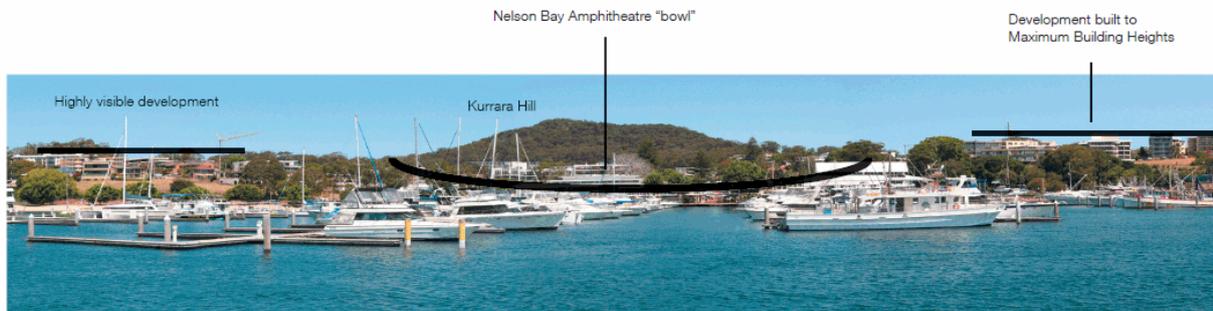


Image of Nelson Bay Town Centre and Marina from Western Groyne

View 3: The view east along Government Road is an important corridor due to it being one of the main approaches and gateway locations into the Town Centre. Views towards the waterfront are blocked by residential developments of up to 4 to 5 metres and by vegetation in Apex Park towards the Town Centre approach. Glimpses of Tomaree Heads towards the east are provided in the background.

While 4 to 5 storey buildings dominate the streetscape on the northern road edge, the southern side is predominantly developments of a lower scale with a proportion of land remaining vacant. Future development fronting Government Road should consider this important view corridor and how buildings can assist in creating an inviting corridor that draws on the surrounding natural features and highlights the road as an important gateway.



Corner of Government Road, Laman Street and Victoria Parade provides a break between the residential developments and vegetation within Apex Park. Glimpses of the waterfront are provided.

View 4: View 3 leads into view 4 as Government Road swings around onto Victoria Avenue between Apex Park and the Town Centre. This corridor is an important feature due to the sloping nature of the road and the first impressions this approach offers visitors from a high vantage point.

This view point demonstrates the importance of the current Seabreeze site, located on the corner of Victoria Avenue and Stockton Street in terms of its potential in contributing to the Town Centre character and built form outcomes due to its central location. This site should be recognised as a key site for future development proposals, in implementing high quality design outcomes that promote this view corridor and appropriately addressing the street in terms of scale, setback, and landscaping.



View looking East down Victoria Avenue illustrates the current lack of structure and coordination of building frontages towards the street and the impact signage can have on the locality.

<p>View 5: The view corridor looking North from Stockton Street (Northern end), across Victoria Parade, provides glimpses of the water body of Port Stephens and directly across Port Stephens to Tea Gardens.</p>	
<p>View 6: The reverse view (of view 5) along Stockton Street (Northern end) towards the North provides views up to Kurrara Hill. Currently the Marina pavilion obstructs this axis for pedestrians along the street frontage.</p> <p>These views create an axis between Kurrara Hill and the Foreshore and is important in linking these two areas. Currently the street tree selection and the lower scale building forms do little to contribute to this important axis. Future development and streetscape elements should reinforce this important axis.</p>	 <p>Stockton Street looking South towards Kurrara Hill from Victoria Parade with the pavilion obstructing the street alignment.</p>  <p>Similar view provided from Apex Park</p>
<p>View 7: The view along Donald Street emphasises the change in</p>	<p>View from Church Street, along Donald Street with Tomaree Heads appearing in the background.</p>

<p>topography within the Town Centre and also illustrates the reduced level of street amenity in this area. The street is relatively wide with minimal landscaping and street trees. The absence of street trees and awnings provides no opportunity for shade for pedestrians and this is reflected in the lack of active frontages that encourage people to spend time on Donald Street, particularly the western end. Further, building form provides little structure to the street due to variations in bulk, scale and setback.</p> <p>Donald Street presents an opportunity for streetscape regeneration work such as street tree planting, and the need for future controls to address building form.</p>	
<p>View 8: Church Street is the focus of view 7 due to its connection between the two main gateway areas from the West. It is also important due to it being the edge of the Town Centre (East) and low rise residential (West).</p> <p>Implementation of appropriately sized and consistent street tree planting will assist in framing this important corridor and would provide a natural break between the two development types and reduce the impact of higher buildings on lower developments.</p> <p>Consideration towards an appropriate height of buildings fronting this street is also needed.</p>	 <p>View looking North along Church Street, demonstrating the lack of streetscape elements and the alternative development types fronting both sides of the street.</p>
<p>View 9: Perhaps one of the most significant views and corridor is that provided from the top of Stockton Street after entering the South West gateway. Views stretch out towards Port Stephens and a natural sense of arrival due to the sloping topography.</p> <p>Once again, poor consistency of building forms and setbacks, a lack of streetscape elements and poor street width to building height ratios fail to provide a strong corridor.</p>	 <p>View along Stockton Street highlights the importance of its role as</p>

Future street tree selection should consider an appropriate form type that will reinforce this axis. Additionally, species endemic to the location will provide a connection with the surrounding natural environment.

Also impacting on this view is the tree located between the two Norfolk Pines. This tree is interrupting the focal point the two Pines are providing. Its removal should be considered within future works of Apex Park.

the central axis for the Town Centre due to its views towards Port Stephens and its approach from one of the main gateways into the Town Centre.



Secondary to Stockton Street is the axis also provided on Yacaaba Street (parallel to Stockton Street shown below)



View 10: Identifies the view corridor from Stockton Street down to Nelson Bay Beach. This view is currently impeded by the Visitor Information Centre and the overhead pedestrian bridge.



View 11: Views out over the top of the escarpment towards the waterfront should be preserved and appropriate height restrictions for future development within the Foreshore area in this location should ensure buildings sit below the Bridal Path.



View provided from the Bridle Path looking north.

View 12: Similar to Stockton Street, a view corridor exists along the length of Yacaaba Street. Given Yacaaba Street terminates at Magnus Street views are blocked towards the waterfront.



Yacaaba Street terminates at Magnus Street where views are blocked by developments and vegetation.



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## Appendix 2 – LEP Clauses

## Variation Clause and others V3

### 1.1 Active Street Frontage

- (1) The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages in commercial and activity centres.
- (2) This clause applies to land identified as "Active Street Frontage" on the Active Street Frontages Map.
- (3) Development consent must not be granted to the erection of a building, or a change of use of a building, on land to which this clause applies unless the consent authority is satisfied that the building will have an active street frontage after its erection or change of use.
- (4) Despite subclause (3), an active street frontage is not required for any part of a building that is used for any of the following:
  - (a) entrances and lobbies (including as part of a mixed use development);
  - (b) access for fire services;
  - (c) vehicle access.
- (5) In this clause, a building has an active street frontage if all premises on the ground floor of the building facing the street are used for the purposes of commercial premises.

### 1.2 Street frontage

- (1) The objective of this clause is to ensure that development has an appropriate horizontal proportion in relation to their vertical proportions.
- (2) This Clause applies to land identified as having a minimum street frontage on the "Minimum Street Frontage" map.
- (3) Development consent must not be granted to the erection of a building on land to which this Clause applies that does not have at least one street frontage of 20 metres or more.
- (4) Despite subclause (2), the consent authority may grant consent to the erection of a building on land referred to in that subclause if it is of the opinion that:
  - (a) the building has a height of no more than 9 metres
  - (b) due to the physical constraints of the site or an adjoining site or sites, it is not possible for the building to be erected with at least one street frontage of 20 metres or more, and
  - (c) the development is consistent with the aims and objectives of this Plan, and
  - (d) the requirements of the Port Stephens Development Control Plan and other relevant Council policies.
- (5) Clause 1.4 Variation to Building Heights in Designated Localities and Centres does not apply to developments to which subclause (4) applies.

### 1.3 Design excellence

- (1) This Clause applies to development involving the erection of a new building or external alterations to an existing building on land to which this Plan applies.
- (2) This Clause applies to land identified as requiring design excellence on the “Design Excellence” map.
- (3) Development consent must not be granted for development to which this clause applies unless the consent authority considers that the development exhibits design excellence.
- (4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters:
  - (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
  - (b) the contribution of the building to the quality and identity of the area
  - (c) whether the form and external appearance of the development will improve the quality and amenity of the public domain,
  - (d) whether the development detrimentally impacts on view corridors,
  - (e) the requirements of the Port Stephens Development Control Plan
  - (f) how the development addresses the following matters:
    - (i) the suitability of the land for development,
    - (ii) existing and proposed uses and use mix,
    - (iii) heritage issues and streetscape constraints,
    - (iv) scale, and 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,
    - (iv) the ability of the location to support the proposed intensity of development
    - (v) amenity for users of the development and those using the surrounding buildings and spaces,
    - (vi) bulk, massing and modulation of buildings,
    - (vii) street frontage heights,
    - (viii) solar access controls,
    - (ix) environmental impacts such as sustainable design, overshadowing, wind, reflectivity, energy budget and water reuse
    - (x) the achievement of the principles of ecologically sustainable development,
    - (xi) pedestrian, cycle, vehicular and service access, circulation and requirements,
    - (xii) Safety and security, both internal to the development and for the public domain,
    - (xiii) the impact on, and any proposed improvements to, the public domain.

#### **1.4 Variation to Building Heights in Designated Localities and Centres**

- (1) The objective of this Clause is to provide incentives for developments that provide a major positive contribution to the appearance, social and economic vitality and environmental performance of a centre or locality.
- (2) This clause applies to development involving the erection of a new building or external alterations to an existing building on land to which this Plan applies.
- (3) This Clause applies to land identified as being a designated locality or centre on the “Designated Localities and Centres” map.
- (4) The consent authority may grant development consent to the erection or alteration of a building to which this clause applies that has a height of not more than 7 metres higher than that allowed by the Height of Buildings Map and a floor space ratio of no more than 0.5:1 greater than that allowed by the Floor Space Ratio Map.
- (5) However, development consent must not be granted under subclause (4) unless the consent authority considers that the development exhibits outstanding design excellence and provides a strategic public benefit.

*[note: potential strategic public benefits are to be defined as to be provided by policy, for example through a clause in the DCP]*

- (6) The development application must be accompanied by a report detailing the way in which the development provides a major positive contribution to the appearance, social and economic vitality and environmental performance of a centre or locality consistent with the requirements of this Clause to the satisfaction of the consent authority.
- (7) In considering whether the development exhibits outstanding example of design excellence and provides a strategic public benefit, the consent authority must have regard to the following matters:
  - (a) the degree to which the development addresses the matters listed in Clause 1.3 (Design Excellence) to an outstanding extent
  - (b) the nature of the strategic public benefit associated with the development
  - (c) the degree to which the development contributes to the economic and social vitality of the locality beyond that normally expected of a development
  - (d) the environmental performance of the development
  - (e) the findings of a design excellence review of the development by an urban design review panel comprised of independent urban design experts appointed by the consent authority
  - (f) requirements of the Port Stephens Development Control Plan and other relevant Council policies
  - (g) strategic objectives for the locality contained in a State, Regional or Local strategic document or policy.
- (8) If the proposed development is the land identified as a “opportunity site” on the “Designated Localities and Centres” Map, the consent authority may grant development consent to the erection or alteration of a building to

which this clause applies that has a height of not more than 7 metres higher than that allowed by the Height of Buildings Map and a floor space ratio of no more than 1:1 greater than that allowed by the Floor Space Ratio Map.

- (9) However, development consent must not be granted under subclause (8) unless the consent authority considers that the development meets all the requirements of this Clause (1.4).
- (10) If the proposed development is only for part of the land identified as an “opportunity site” on the “Designated Localities and Centres”, consent shall not be granted for the development unless a concept plan has been lodged to the satisfaction of the consent authority.
- (11) The concept plan referred to in subclause (10) must address
  - (a) the relationship of the development to the balance of the site
  - (b) the potential staging and location of future development within the site
  - (c) the relationship of the development to surrounding sites
  - (d) the relationship of the development to the designed locality or area.
- (10) Development consent must not be granted under subclause (4) or subclause (8) unless after considering the matters referred to in this Clause (1.4) the Director-General concurs with the granting of the development consent.





Principle	Recommended action	Implementation	Responsibility	Priority	DCP Control
	<ul style="list-style-type: none"> <li>1.3 Encourage events in the Town Centre such as community markets and night time events that focus on what the region has to offer such as food and beverage products and local entertainment.</li> </ul>	<ul style="list-style-type: none"> <li>Encourage community events within public spaces including roads and Apex Park. This is to be achieved through the review of planning controls, and Plans of Management.</li> <li>Investigate ways of facilitating events to assist potential organisers in understanding Councils approval process and find ways to streamline applications.</li> <li>Prepare guidelines for traffic management for large events, including preferences for car parking, shuttle services if required, and way finding.</li> <li>Identify the necessary facilities (such as electricity points, marquee anchor points etc.) within public domain areas such as Stockton or Magnus Streets or Apex Park within the Public Domain Plan (See 6.1).</li> </ul>	<p>Strategic Planning.</p> <p>Economic Development Unit</p> <p>Economic Development Unit</p>	<p>Medium</p> <p>Medium</p> <p>Medium</p>	
	<ul style="list-style-type: none"> <li>1.4 Provide a vehicle to co-ordinate the identified recommendations and activities to facilitate Nelson Bay attract economic development.</li> </ul>	<ul style="list-style-type: none"> <li>Examine a 'Place Management' role.</li> </ul>	<p>Economic Development Unit</p>	<p>High</p>	
	<ul style="list-style-type: none"> <li>1.5 Encourage footway dining.</li> </ul>	<ul style="list-style-type: none"> <li>Review Councils current policy on footway dining and conduct an audit to identify needs for footway dining.</li> </ul>	<ul style="list-style-type: none"> <li>Civil Assets</li> </ul>	<p>Medium</p>	



Principle	Recommended action	Implementation	Responsibility	Priority	DCP Control
	<ul style="list-style-type: none"><li>1.6 All dwelling space in the Town Centre is to be able to accommodate permanent residents even if initially intended for short term holiday accommodation. The intent here is for an increase of residents within the Town Centre that will improve security, surveillance and utilise commercial facilities at a variety of times throughout the day and night.</li></ul>	<ul style="list-style-type: none"><li>Temporary or short term tourist and visitor accommodation other than backpacker, bed and breakfast, farm stay, hotel and motel uses should comply with SEPP 65 requirements.</li></ul>	<ul style="list-style-type: none"><li>Strategic Planning</li></ul>	High	Control – Tourist accommodation.



Principle	Recommended action	Implementation	Responsibility	Priority	DCP Control
<p><b>2. Town centre and Foreshore are well connected.</b></p>	<ul style="list-style-type: none"> <li>▪ 2.1 Improve pedestrian access across Victoria Parade.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Review the adequacy of the pedestrian bridge as the most suitable option to cross Victoria Parade. This should be considered along with connectivity considerations when design and development phases of Apex Park and the Foreshore redevelopment occur.</li> <li>▪ Identify pedestrian crossing improvements including distinctive pedestrian area pavement and possibly a "scramble" crossing at Stockton Street and Victoria Parade. Improvements to be identified within the Improvement Plan and Public Domain Plan.</li> <li>▪ Ensure the crossing point to Apex Park and the waterfront at Stockton Street is the priority route for pedestrians. Treatments such as consistency in paving and materials and avenue planting through Apex Park should be considered in the design review of Apex Park. Consistency is to be reflected within the Public Domain Plan.</li> <li>▪ Discourage through traffic utilising Government Road and Victoria Parade by promoting the alternative direct route along Dowling Street. See Section 3.1</li> <li>▪ Explore the option of Yacaaba Street extension in conjunction with the future Foreshore redevelopment and options for the Donald Street east car park.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Facilities and Services/ Strategic Planning</li> <li>▪ Strategic Planning</li> <li>▪ Civil assets</li> <li>▪ Strategic Planning</li> <li>▪ Civil Assets</li> <li>▪ Civil Assets</li> </ul>	<p>High Medium  High</p>	



Principle	Recommended action	Implementation	Responsibility	Priority	DCP Control
	<ul style="list-style-type: none"> <li>2.2 Investigate how Apex Park can connect the Town Centre and Foreshore areas.</li> </ul>	<ul style="list-style-type: none"> <li>Consider design options to promote connectivity such as an overhead bridge over Teramby Road or bringing buildings closer to Apex Park on the Foreshore side, and widen the stairs stepping down onto the Foreshore. It is noted this recommendation will rely on integration with plans for the Foreshore redevelopment.</li> <li>See recommendation regarding preparing a master plan for Apex Park (Recommendation 7.1, <i>Principle 8 - Apex Park is Nelson Bay's civic and community park</i>)</li> <li>Implementation Program to detail design considerations and connectivity.</li> </ul>	<ul style="list-style-type: none"> <li>Strategic Planning (Apex Park and green linking area Design Brief) &amp; LPMA (Foreshore redevelopment)</li> <li>Strategic Planning</li> </ul>	Medium	
	<ul style="list-style-type: none"> <li>2.3 Protect and enhance natural view corridors and pedestrian links between the Town Centre and Foreshore.</li> </ul>	<ul style="list-style-type: none"> <li>See recommendation regarding preparing a masterplan for Apex Park (Recommendation 7.1, <i>Principle 8 - Apex Park is Nelson Bay's civic and community park</i>)</li> <li>DCP Control – Critical view corridors.</li> </ul>	<ul style="list-style-type: none"> <li>Strategic Planning</li> </ul>	High	Control – Critical View Corridors.
		<ul style="list-style-type: none"> <li>In conjunction with the masterplan work for Apex Park, review the current location of the Visitor Information Centre. Options may include:</li> </ul>	<ul style="list-style-type: none"> <li>Strategic Planning – Provide information in the Implementation Plan</li> </ul>	Medium	
	<ul style="list-style-type: none"> <li>Lot 1 DP 1155736 (43 Stockton Street Nelson Bay) as a suitable alternative location for the Visitor Information Centre. The site is located to the West of the Nelson Bay Bowling Club and has a number of elements that suggest it may be a suitable location:               <ul style="list-style-type: none"> <li>It is under the ownership of the Crown.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Economic Development Unit and</li> </ul>			



Principle	Recommended action	Implementation	Responsibility	Priority	DCP Control
		<ul style="list-style-type: none"> <li>- It is located on a high point looking out over Nelson Bay which would assist in good orientation for visitors.</li> <li>- It appears to have space available within the existing car park area without impacting on the adjacent gardens and memorial area.</li> <li>- It is at the entrance of Nelson Bay Town Centre and is located on the Town Centre alternative route preferred option (Dowling Street).</li> </ul> <ul style="list-style-type: none"> <li>▪ Note that while the Tourism Plan currently supports the decision to move the Visitor Information Centre to a more accessible location, any such decision should involve further participation from Stakeholders, including but not limited to: Councils Economic Development Unit and Port Stephens Tourism Limited.</li> </ul>	Property Services – decision to move		
<b>3. Town Centre is easy to access with reduced through traffic.</b>	<ul style="list-style-type: none"> <li>▪ Improve the road network capabilities</li> </ul>	<ul style="list-style-type: none"> <li>▪ 3.1 Promote Dowling Street/Fingal Street/Trafalgar Street as the alternative route for traffic travelling to Little Beach, Shoal Bay and Fingal Bay by firstly undertaking a design, costing and consultation process for the upgrade of the Trafalgar Street and Shoal Bay Road intersection.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Civil Assets and Project Services (Design and Cost)</li> </ul>	Medium -Long	
		<ul style="list-style-type: none"> <li>▪ 3.2 Ensure the emerging Public Domain Plan for the Nelson Bay Town Centre includes street tree planting along Government Road starting at the</li> </ul>	<ul style="list-style-type: none"> <li>▪ Strategic Planning</li> </ul>	High	



Principle	Recommended action	Implementation	Responsibility	Priority	DCP Control
		Church Street intersection and down Victoria Parade to assist in traffic management by "psychologically" narrowing the street.			
		<ul style="list-style-type: none"> <li>3.3 Move the location of the 40km/h sign posting on Government Road west to the Church Street intersection to reinforce this gateway location and to encourage motorists slow down before the decline of Government Road east towards Apex Park.</li> </ul>	<ul style="list-style-type: none"> <li>Civil Assets</li> </ul>	Medium	
		<ul style="list-style-type: none"> <li>3.4 Extend the 40km/h speed limit along the length of Victoria Parade to its intersection with Shoal Bay Road.</li> </ul>	<ul style="list-style-type: none"> <li>Civil Assets</li> </ul>	Medium	
		<ul style="list-style-type: none"> <li>3.5 Undertake further analysis to understand critical design considerations, benefits and cost effectiveness of extending Yacaaba Street as a link between the Magnus Street and the Teramby Road/Government Road/Victoria Parade roundabout. This should be conducted in conjunction with detailed planning of the Foreshore.</li> </ul>	<ul style="list-style-type: none"> <li>Civil Assets</li> </ul>	Long	
	<ul style="list-style-type: none"> <li>Public Transport Improvements.</li> </ul>	<ul style="list-style-type: none"> <li>3.6 Upgrade the main bus stop/public transport interchange on Donald Street.</li> </ul>	<ul style="list-style-type: none"> <li>Civil Assets</li> </ul>	Medium	



Principle	Recommended action	Implementation	Responsibility	Priority	DCP Control
		<ul style="list-style-type: none"><li>3.7 Should the Yacaaba Street extension be implemented and include the capacity for a bus route, a bus stop should be provided along Victoria Parade.</li></ul>	<ul style="list-style-type: none"><li>Strategic Planning/LPMA</li></ul>	High	
		<ul style="list-style-type: none"><li>3.8 Improve wayfinding and identification signage for pedestrians – i.e. pedestrian signage that includes directions and walking time to popular destinations in order to encourage walking through the Town Centre to the Foreshore.</li><li>3.9 Future detailed design proposals for the Foreshore shall include the provision of temporary drop off parking for large vehicles such as buses and provide for their long term parking elsewhere. Include requirement within the Improvement Plan.</li></ul>	<ul style="list-style-type: none"><li>Strategic Planning</li></ul>	High	



Principle	Recommended action	Implementation	Responsibility	Priority	DCP Control
	<ul style="list-style-type: none"> <li>▪ Active Transport – Promote alternative travel options to motor vehicles</li> </ul>	<ul style="list-style-type: none"> <li>▪ 3.10 Improve wayfinding and identification signage for pedestrians, cyclists and motorists. This is to be achieved by preparing a Wayfinding Strategy for the Town Centre and Foreshore. The Strategy should:               <ul style="list-style-type: none"> <li>- Identify important sites.</li> <li>- Direct pedestrians, cyclists and motorists.</li> <li>- Provide information on walking times between villages (such as to Shoal Bay)</li> <li>- Incorporate the outcomes of the Public Art Strategy.</li> <li>- Recognise local history, character and the natural environment, such as promoting the proximity of the Port Stephens waterbody to the Town Centre and vice versa.</li> <li>- Identify local walking tracks.</li> <li>- Be educational.</li> <li>- Direct traffic, cyclists and pedestrians.</li> <li>- Help define the character and theme of Nelson Bay.</li> <li>- Be implemented through the Public Domain Plan.</li> </ul> </li> <li>▪ DCP to include controls to ensure future developments incorporate the objectives of the Wayfinding Strategy where relevant.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Civil Assets Strategic Planning/ Social Planning.</li> </ul> <p>Strategic Planning</p>	<p>Medium</p> <p>High</p>	<p>Control - Wayfinding</p>



Principle	Recommended action	Implementation	Responsibility	Priority	DCP Control
		<ul style="list-style-type: none"> <li>3.11 Provide bicycle end of journey facilities, such as cycle racks in key Town Centre and Foreshore areas. The cycle racks should integrate with other street furniture elements such as bollards and street poles/lights. The requirements are to be included within the review of the draft Footpath and Cycle Strategy recommended under 4.4 and inform the recommended Public Domain Plan.</li> </ul>	Civil Assets/Strategic Planning		
		<ul style="list-style-type: none"> <li>3.12 Complete missing footpath and cycle links in the Town Centre and Foreshore area and promote this comprehensive network with effective signage. The plan should also identify the necessary facilities such as end of trip facilities, bike lock up areas and storage and minimise on road paths. This is to be done by updating the Draft Footpath and Cycle Strategy to reflect the recommendations of this strategy and use it to inform the Public Domain Plan. See 6.1.</li> </ul>	<ul style="list-style-type: none"> <li>Strategic Planning and Facilities and Services Transport Team.</li> </ul>	Medium	
	<ul style="list-style-type: none"> <li>Traffic Management and Road Safety Improvements</li> </ul>	<ul style="list-style-type: none"> <li>3.13 Introduce gateway treatments to Nelson Bay Town Centre. This should include substantial landscaping at the entries to reinforce a change in traffic conditions and highlight the Town Centre approach in order to slow down traffic. The gateways should also serve as focal points within the pedestrian network. See 6.3.</li> </ul>	<ul style="list-style-type: none"> <li>Civil Assets</li> </ul>	Medium	
		<ul style="list-style-type: none"> <li>3.14 Reduce the sign posted speed limits to 40km/h in the Town Centre to reflect town centre function, activity levels, support a safer pedestrian environment and to discourage traffic. Reinforce these sign posted limits with</li> </ul>	<ul style="list-style-type: none"> <li>Civil Assets</li> </ul>	Medium	



Principle	Recommended action	Implementation	Responsibility	Priority	DCP Control
		<p>traffic management measures and streetscape enhancement.</p>			
		<ul style="list-style-type: none"> <li>▪ 3.15 Develop and implement a Town Centre wayfinding parking signage strategy for off-street car parks in Donald Street to ensure traffic is clearly directed to these car parking and to avoid unnecessarily "circling" within the Town Centre to locate car parking spaces.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Civil Assets</li> </ul>	Medium	
	<ul style="list-style-type: none"> <li>▪ Car Parking</li> </ul>	<ul style="list-style-type: none"> <li>▪ 3.16 When detailed plans are finalised for the Foreshore development and the level of car parking required by this site is better understood, review the alternatives for consolidating car parking and upgrading facilities within the Town Centre. Alternatives may include:               <ul style="list-style-type: none"> <li>- Consolidating car parking within a multi storey car park within the Donald Street West car park site.</li> <li>- Underground options within the vicinity of the Foreshore.</li> <li>- Upgrading of the Donald Street East car park.</li> </ul> </li> <li>▪ Implementation Program to highlight the removal of car parking within the Foreshore area.</li> </ul>	<ul style="list-style-type: none"> <li>▪ LPMA and Council</li> <li>▪ Strategic Planning (DCP)</li> </ul>		
	<ul style="list-style-type: none"> <li>▪ 3.17 Develop a demand management strategy for car parking for major events and peak periods.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Economic Development Unit/Civil Assets</li> </ul>	Medium		



Principle	Recommended action	Implementation	Responsibility	Priority	DCP Control
		<ul style="list-style-type: none"> <li>3.18 Improve the policing of car parking time restrictions during major events and peak times in order to improve the availability of car parking.</li> </ul>	<ul style="list-style-type: none"> <li>Development Assessment &amp; Compliance</li> </ul>		
		<ul style="list-style-type: none"> <li>3.19 Consider the extension of parking charges to areas other than the Foreshore during peak times and major events as part of a wider demand management strategy.</li> </ul>	<ul style="list-style-type: none"> <li>Economic Development Unit/Civil Assets</li> </ul>	Medium	
4. The area is attractive and safe to pedestrians and cyclists.	<ul style="list-style-type: none"> <li>4.1 Provide universal access for all users, including older people, children and people with disabilities through the upgrade of streets, such as ramps.</li> </ul>	<ul style="list-style-type: none"> <li>Prepare a Pedestrian Access and Mobility Plan (PAMP) for Nelson Bay Town Centre.</li> <li>Include necessary infrastructure within the Public Domain Plan. Plan may need to be amended following the completion of the Pedestrian Access and Mobility Plan (PAMP).</li> </ul>	<ul style="list-style-type: none"> <li>Social Planning.</li> </ul>	Medium	
			<ul style="list-style-type: none"> <li>Strategic Planning</li> </ul>	High	
5. Incentives encourage development and improve public infrastructure.	<ul style="list-style-type: none"> <li>5.1 All future development within the Study Area should provide a high level of design.</li> </ul>	<ul style="list-style-type: none"> <li>See 1.1 – design excellence.</li> </ul>			
			<ul style="list-style-type: none"> <li>5.3 Identify sites that offer unique opportunities that can deliver important benefits to Nelson Bay and provide development incentives.</li> </ul>	<ul style="list-style-type: none"> <li>Opportunity site identified within this Strategy to be identified within the DCP and a control stating the relevant variation clause for FSR.</li> </ul>	<ul style="list-style-type: none"> <li>Strategic Planning</li> </ul>



Principle	Recommended action	Implementation	Responsibility	Priority	DCP Control
	<ul style="list-style-type: none"> <li>5.4 Significant development to be allocated a case manager.</li> </ul>	<ul style="list-style-type: none"> <li>Internal policy to be developed for managing significant developments.</li> </ul>	<ul style="list-style-type: none"> <li>Development Assessment &amp; Compliance</li> </ul>	Medium	Provide details within the DCP
6. The character of Nelson Bay reflects its setting	<ul style="list-style-type: none"> <li>6.1 Enhance the streetscape, public spaces, pedestrian and cycleways, street furniture and signage in a coordinated and distinctive manner with a high level of design consideration.</li> </ul>	<ul style="list-style-type: none"> <li>Prepare a Public Domain Plan in consultation with Councils Civil Assets Team. A brief will be provided in more detail within the Implementation Program.</li> <li>Seek government support for a "main street program" to aid in implementing the Public Domain Plan.</li> </ul>	<ul style="list-style-type: none"> <li>Civil Assets</li> <li>Strategic Planning</li> </ul>	The Public Domain Plan is a high priority however is reliant on a number of related strategies and plans (listed)	
	<ul style="list-style-type: none"> <li>6.2 Signage to reflect local character.</li> </ul>	<ul style="list-style-type: none"> <li>Council and the Business Chamber to develop a signage suite and theme concepts for Nelson Bay Town Centre.</li> <li>Upon adoption of a signage suite, include controls within the DCP detailing the relevant requirements.</li> </ul>	<ul style="list-style-type: none"> <li>Strategic Planning</li> <li>Economic Development</li> <li>Business Chamber</li> </ul>	Medium	Control - Signage



Principle	Recommended action	Implementation	Responsibility	Priority	DCP Control
	<ul style="list-style-type: none"> <li>▪ 6.3 Provide gateways to the Town Centre.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Develop distinctive gateway treatments to mark the entry to the Nelson Bay Town Centre at the following locations:               <ul style="list-style-type: none"> <li>- The Dowling Street and Church Street intersection</li> <li>- The Dowling Street and Stockton Street intersection</li> <li>- Church Street and Government Road intersection</li> </ul> </li> <li>▪ These should be designed reflecting local attributes and European and Indigenous heritage. Examples include sculpture, landscaping and signage. The gateways should consider the Public Art Strategy. The Public Domain Plan (6.1) should include the outcomes.</li> <li>▪ Street tree planting around the perimeter of the Town Centre should be provided to visually support the gateways and provide a change in landscape as visitors enter the Town Centre.</li> <li>▪ DCP to include controls to protect and enhance gateways to the Town Centre.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Strategic Planning</li>   <li>▪ Strategic Planning</li> </ul>	<p>High - although dependent on the delivery of the Public Art Strategy.</p> <p>High</p>	<p>Control - Gateways</p>



Principle	Recommended action	Implementation	Responsibility	Priority	DCP Control
	<ul style="list-style-type: none"> <li>6.4 Promote buildings with high quality design elements that contribute to the streetscape in a positive manner.</li> </ul>	<ul style="list-style-type: none"> <li>DCP Controls to guide the following:               <ul style="list-style-type: none"> <li>Colours</li> <li>Materials (Including local materials)</li> <li>Details and Finishes</li> <li>Façade design including consistent awnings within the street front.</li> <li>Entryways</li> <li>Sustainable buildings</li> <li>Massing and bulk</li> <li>Balconies and verandas</li> <li>Setbacks</li> <li>Building orientation</li> <li>View Preservation</li> <li>Built Form</li> <li>Entryways and Service Areas</li> <li>Large Format Developments.</li> <li>Street Amenity</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Strategic Planning</li> </ul>	High	Controls – Colours, Materials, Details and Finishes, Façade design including consistent awnings within the street front, Entryways, Sustainable buildings, Massing and bulk, Balconies and verandas, setbacks, Building orientation, View Preservation, Built Form, Entryways and Service Areas, Large Format Developments, Street Amenity.
<b>7. Apex Park is Nelson Bay's civic and community</b>	<ul style="list-style-type: none"> <li>7.1 Revitalise Apex Park.</li> </ul>	<ul style="list-style-type: none"> <li>Prepare a Masterplan for the revitalisation of Apex Park. (In the short term) Council to work with Councillors in identifying suitable works that are essential to Apex Park, keeping in</li> </ul>	Civil Assets and the Apex Park Design Review Panel (Port		



Principle	Recommended action	Implementation	Responsibility	Priority	DCP Control
park.		mind the long term goals of integrating the park with wider functions detailed within this strategy. Consideration of the community consultation work to date regarding Apex Park should informed these decisions as should the design brief recommended above.	Stephens Council)		
<b>8. Buildings and places reflect the quality of Nelson Bay and enrich people's ability to enjoy it.</b>	<ul style="list-style-type: none"> <li>8.1 New developments should meet a high standard of design.</li> </ul>	<ul style="list-style-type: none"> <li>Provide clauses within the LEP for:               <ul style="list-style-type: none"> <li>- Design excellence</li> <li>- Variation to Building Heights in Designated Localities and Centres (as per figure 32)</li> <li>- Active Street Frontage (as per figure 33)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Strategic Planning</li> </ul>	High	Control - Design excellence, Variation to Building Heights in Designated Localities and Centres, Active Street Frontage
	<ul style="list-style-type: none"> <li>8.2 Ensure future large format developments do not negatively impact on the character of Nelson Bay.</li> </ul>	<ul style="list-style-type: none"> <li>The town living and commercial character area has been defined as a suitable location for large format buildings. A DCP control shall inform the design of these buildings.</li> <li>Large developments may be required to be assessed by a Design Review Panel.</li> </ul>	<ul style="list-style-type: none"> <li>Strategic Planning</li> </ul>	<ul style="list-style-type: none"> <li>High</li> </ul>	Controls – Character areas, Large format developments.
	<ul style="list-style-type: none"> <li>8.3 Protect important views and promote the natural topography that makes Nelson Bay unique.</li> </ul>	<ul style="list-style-type: none"> <li>DCP to guide development in protecting and enhancing important views identified within this Strategy.</li> <li>The street tree plan should consider view preservation when selecting suitable species (6.6).</li> </ul>	<ul style="list-style-type: none"> <li>Strategic Planning</li> </ul>	<ul style="list-style-type: none"> <li>High</li> </ul>	Controls – Critical view corridors

Principle	Recommended action	Implementation	Responsibility	Priority	DCP Control
	<ul style="list-style-type: none"> <li>▪ 8.4 Prepare a Public Art Strategy</li> </ul>	<ul style="list-style-type: none"> <li>▪ A Public Art Strategy should undertake an assessment of public art opportunities that:               <ul style="list-style-type: none"> <li>- Contribute to cultural identity and create a distinctive sense of place for Nelson Bay.</li> <li>- Connect the community and be accessible to all age groups and backgrounds.</li> <li>- Respond to themes of people past and present</li> <li>- Relate to the built and natural environment.</li> <li>- Exemplify artistic excellence and integrity.</li> <li>- Be sustainable, safe, and easily maintainable.</li> <li>- Promote the natural setting and waterfront within public spaces.</li> <li>- Acknowledge the contribution that street furniture makes to the interpretation of urban character.</li> <li>- Inform the Wayfinding Strategy (3.3) and the Public Domain Plan (6.1)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Social Planning</li> </ul>	High	
<b>9. Buildings can adapt to changing needs.</b>	<ul style="list-style-type: none"> <li>▪ 9.1 Provide a diverse housing choice for varying needs by promoting mixed use development and adaptable buildings</li> </ul>	<ul style="list-style-type: none"> <li>▪ The LEP continue to provide zoning for mixed uses.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Strategic Planning</li> </ul>	<ul style="list-style-type: none"> <li>▪ High</li> </ul>	

Principle	Recommended action	Implementation	Responsibility	Priority	DCP Control
	<ul style="list-style-type: none"> <li>9.2 Short term and temporary residential developments are constructed to cater for permanent residential use.</li> </ul>	<ul style="list-style-type: none"> <li>Provide controls within the DCP to ensure developments such as holiday units and apartments meet the requirements of SEPP 65.</li> </ul>			Control - adaptable buildings.
<b>10. Building scale responds to topography, views, solar access, and the surrounding streetscape.</b>	<ul style="list-style-type: none"> <li>10.1 Ensure development on the Foreshore does not block views towards the waterfront, particularly development in front of the escarpment.</li> <li>10.2 Minimise overshadowing within the public domain.</li> </ul>	<ul style="list-style-type: none"> <li>Implementation Plan to provide details</li> <li>Building height controls as described in the Strategy are included in Council's development standards</li> <li>Development controls protect solar access and reduce overshadowing.</li> <li>Implementation Plan to provide details</li> </ul>	<ul style="list-style-type: none"> <li>Strategic Planning</li> </ul>	<ul style="list-style-type: none"> <li>High</li> </ul>	Control - Building Heights, View Preservation
	<ul style="list-style-type: none"> <li>10.3 Buildings should address the street and provide a consistent built edge to promote structure within the streetscape</li> </ul>	<ul style="list-style-type: none"> <li>DCP controls to define appropriate setbacks within the character areas.</li> <li>See recommendations within 6.4</li> </ul>	<ul style="list-style-type: none"> <li>Strategic Planning</li> </ul>	<ul style="list-style-type: none"> <li>High</li> </ul>	Control - setbacks.
	<ul style="list-style-type: none"> <li>10.4 Buildings should consider the impact roof furniture has on views from surrounding buildings.</li> </ul>	<ul style="list-style-type: none"> <li>DCP control – Roof top furniture.</li> </ul>	<ul style="list-style-type: none"> <li>Strategic Planning</li> </ul>	<ul style="list-style-type: none"> <li>High</li> </ul>	Control - Roof top furniture.

