

# Morpeth Planning Proposal

Request for Amendment to Maitland Local Environmental Plan 2011

FORMER MORPETH BOWLING CLUB



October 2015

## **MORPETH PLANNING PROPOSAL – FORMER MORPETH BOWLING CLUB**

### **Request for amendment to Maitland LEP 2011**

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#### Document Status

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## CONTENTS

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|        |                                                   |    |
|--------|---------------------------------------------------|----|
| 1.0    | INTRODUCTION .....                                | 1  |
| 2.0    | BACKGROUND .....                                  | 2  |
| 3.0    | SITE DESCRIPTION .....                            | 3  |
| 3.1.   | Locality.....                                     | 3  |
| 3.2.   | The Site .....                                    | 5  |
| 4.0    | THE PLANNING PROPOSAL .....                       | 7  |
| 4.1.   | Objectives or Intended Outcomes .....             | 7  |
| 4.2.   | Explanation of Provisions .....                   | 7  |
| 4.3.   | Justification.....                                | 8  |
| 4.3.1. | Need for the Planning Proposal.....               | 8  |
| 4.3.2. | Relationship to strategic planning framework..... | 9  |
| 4.3.3. | Environmental, social and economic impact .....   | 14 |
| 4.3.4. | State and Commonwealth interests .....            | 17 |
| 4.3.5. | Mapping .....                                     | 17 |
| 4.3.6. | Community Consultation .....                      | 18 |
| 5.0    | CONCLUSION.....                                   | 19 |

APPENDIX A – Survey Plan and Site Analysis

APPENDIX B – Statement of Heritage Impact

APPENDIX C – View Corridors

APPENDIX D – Photomontage of concept development fronting Edward Street

APPENDIX E – Council Approved Development Plan for Childcare Centre

APPENDIX F – Site Context

## 1.0 INTRODUCTION

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A Planning Proposal is lodged by Morpeth Land Company Pty Ltd for land located on the eastern edge of Morpeth.

The land is described as Lot 72 DP755205 and is identified as No. 24 Edward Street, Morpeth.

The land is the site of the former Morpeth Bowling Club, and adjoins the Crown Land used for the Morpeth Sportsground and the Morpeth Common.

The land is privately owned and has historically been owned and operated as a Bowling Club in its current form for the past 40 years, with two bowling greens, a restaurant and licensed premises. Due to a decline in lawn bowls and increasing operating costs, the Morpeth Bowling Club ceased to operate on the site in 2011. The clubhouse and facilities remain on site and have been subject to vandalism.

The land is presently zoned RE2 Private Recreation under the provisions of Maitland Local Environmental Plan (LEP) 2011.

The land is an identified Urban Extension Site in the Maitland Urban Settlement Strategy 2012 (as amended 2015).

The adaptive reuse of the former bowling club for a childcare centre and associated parking has been approved by Council (8 October 2015) on part of the site.

The planning proposal seeks to retain the recreation zone and seek the inclusion of an additional use for seniors housing on the remainder of the land. Seniors Housing was a permissible use whilst the licenced club existed on the land. Once the licence was removed, the Seniors Housing Policy no longer applies and it is necessary to seek an amendment to the RE2 zone.

The proposal provides for the redevelopment of an essentially unconstrained and serviced site in an established town. The redevelopment of the site utilises an already developed footprint and will not compromise the heritage value of the Morpeth township or any identified heritage items.

The proposed seniors housing development is an efficient land use for the site and is compatible and consistent with the surrounding land uses and the previously permissible use on the land.

The development will provide for housing diversity within the established township of Morpeth and in close proximity to the City of Maitland, and will utilise existing services and infrastructure.

Seniors housing provides an alternative housing choice for existing residents of Morpeth wanting to 'down-size' or for new residents to the City. This form of independent housing is presently unavailable within the town, without entering into a retirement village complex such as Closebourne Village in the west of Morpeth.

The future design and layout of the redevelopment of the site can adequately address matters relating to urban design sympathetic to the heritage conservation area within which it is located. There are no adjoining residential properties to the site. There will be no significant impact on the residents opposite the site due to the setbacks, landscaping and the sportsground car parking located along the frontage of the site.

The total site has an area of approximately 12,710m<sup>2</sup>. The redevelopment is intended to relate to an area of approximately 1 hectare.

The site provides an ideal opportunity to provide quality seniors housing adjoining large areas of public open space and recreation grounds, and within walking distance to a public school, churches, and the commercial precinct. The site is also located on a school bus route, and on a public bus route to East Maitland railway station (the Hunter line), the regional shopping centre of Green Hills and the central Maitland commercial centre.

The planning proposal and the redevelopment of the site is consistent with Council's strategies and policies.

This report is structured to facilitate a logical understanding of the proposal, a review of the relevant planning controls, an explanation of the intended effect and justification for a proposed amendment to Maitland Local Environmental Plan 2011.

In the event a positive gateway determination is issued it is intended to lodge a combined rezoning and development application to Council for consideration. Detailed plans will be lodged as part of the development application and exhibited concurrently with the zoning amendment in accordance with the provisions of 72J and 72K of the Environmental Planning and Assessment Act 1979. The local community will then have the opportunity to comment on the proposal.

## **2.0 BACKGROUND**

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The land is believed to have been the site of the Morpeth Bowling Club since the 1940s. Improvements were gradually undertaken to the site. The clubhouse building in its current form and location was officially opened in October 1973.

The land was historically used as part of a golf club before the creation of the Morpeth Common and later the sportsground. Whilst the site has been used as a Bowling Club, unlike other local clubs which are typically located and leased on public land, the site has been held in private ownership and the club has operated privately to provide a recreational facility.

The facility included two bowling greens, a restaurant and a licensed premises.

A number of development consents have been issued by Council over the land for alterations and additions to the bowling club including a major refurbishment and expansion of the club.

The use of the site however gradually declined from the 1980s, resulting in the closure of the Morpeth Bowling Club in August 2011.

To date, the site has remained unused and has been subject to vandalism.

The land was recently offered up for sale due to the increasing costs and liabilities associated with operating such a private facility.

The refurbishment of the bowling club building has recently been approved by Council for a childcare centre incorporating associated outdoor play areas, car parking, fencing and infrastructure, and future subdivision. Construction works are presently underway.

## **3.0 SITE DESCRIPTION**

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### **3.1. LOCALITY**

The land is located on the eastern edge of the township of Morpeth.

It is located on the eastern side of Edward Street, directly adjoining the Morpeth sportsground facilities to the south, and the Morpeth Common grounds to the north and east. Residential housing is located to the west, opposite the site, along Edward Street with a mix of new residential and dual occupancy development occurring.

The rear of the site forms part of, and is maintained in conjunction with, the Morpeth Common grounds.

The location of the site is identified in Figure 1 – Locality Plan and Figure 2 – Aerial Photograph.

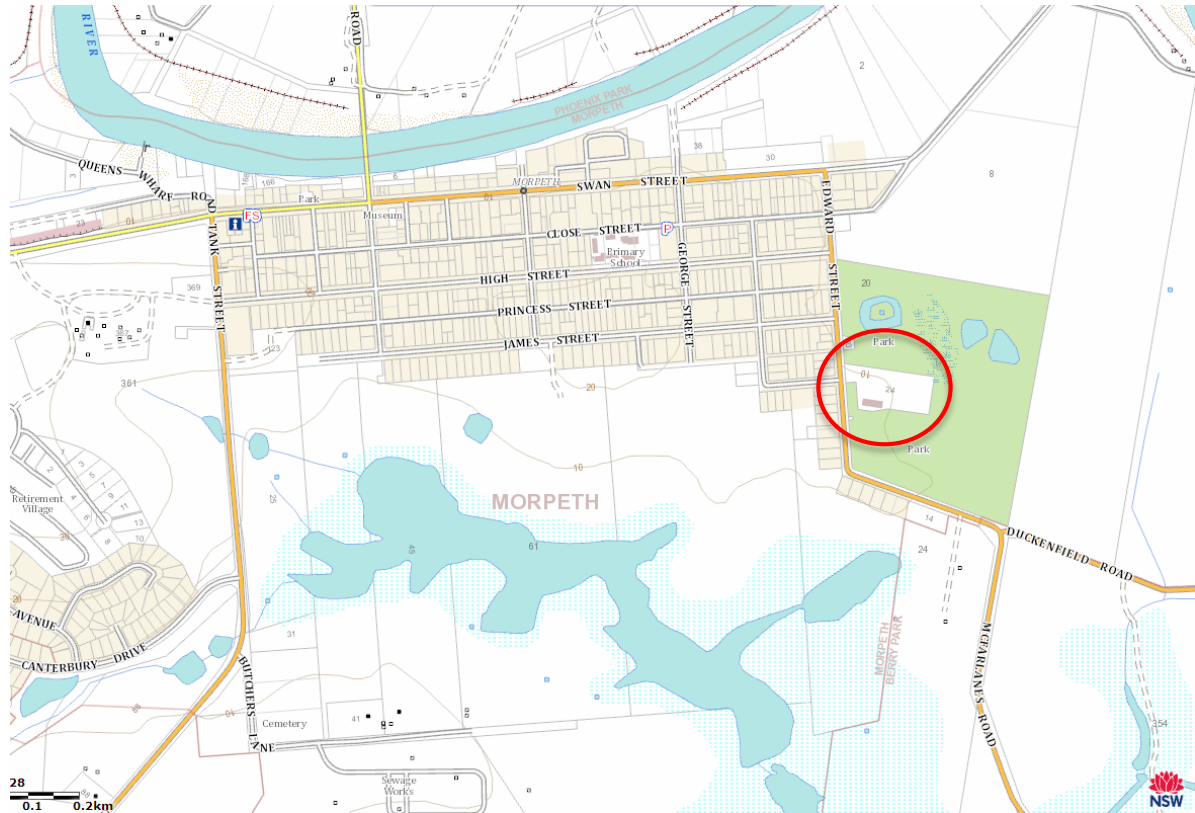
A caretaker's residence was previously located on Edward Street at the front of the site.

Morpeth Men's Shed is presently being constructed within the south-eastern corner of the Morpeth Sportsgrounds along Duckenfield Road, in proximity to the McFarlanes Road intersection.

The formal sportsground area is fenced and contains a canteen and amenities building, and the adjacent Wally Malepka grandstand. Informal car parking for the sportsground is located in front of the subject site along Edward Street. Sports training fields are located to the south-east of the site.

Land along the eastern extent of Swan Street (Lot 3 DP237264) is presently being considered by Council for rezoning to R1 General Residential from RU1 Primary Production under the provisions of MLEP 2011.

Figure 1 – Locality Plan



(Source: NSW Government Six Maps, 2014)

Figure 2 – Aerial Photograph



(Source: NSW Government Six Maps, 2014)

### 3.2. THE SITE

The land is identified as Lot 72 DP755205 No. 24 Edward Street Morpeth. The site has a total area of approximately 12,710m<sup>2</sup>. A survey plan of the site is provided in Figure 3, and also in **Appendix A**. Photos of the site and its surrounds are provided in **Appendix F**.

The site has a frontage of approximately 38m to Edwards Street. The remaining part of the frontage comprising approximately 55m, is set back from Edward Street approximately 21m behind an existing informal gravel car park area associated with the adjoining sportsground.

The site falls away to the Morpeth Common along the boundary to the north, and the rear part of the site to the east. The rear of the site is partly affected flooding. This part of the land is presently unused and incorporated into the grounds of the Morpeth Common. It is not proposed to be developed.

Three Moreton Bay Fig Trees are located along the Edwards Street frontage. The remaining part of the land is generally level and clear of vegetation. The land is fully serviced. The land is not constrained by way of bushfire, vegetation, or mine subsidence.

The existing bowling club building is located along the southern boundary of the site, and forms a built edge to the sportsground oval and associated grandstand and amenities building.

The refurbishment of the existing bowling club building has recently been approved by Council for use as a childcare centre. The approved site plan for the childcare centre is provided in Figure 4 and also in **Appendix E**. This includes the future subdivision of the land and associated car parking and facilities. The childcare centre will be fenced around its perimeter including along the frontage of the site and along the common boundary with the sportsground.

The seniors housing development is proposed on the residue parcel of land.

An existing access crossing is located in the north-western corner of the site, between two of the mature fig trees. This access is to be fully reconstructed in conjunction with the development of the childcare centre and car parking on the land.

A gravel informal car park area and waste collection point is located to the east of this building along the boundary. This area will be redeveloped and form part of the outdoor play area associated with the childcare centre.

Two concrete water tanks and two disused bowling greens are centrally located on the site.

A telecommunications tower is located in the south-eastern corner of the site and provides services for both Telstra and Vodafone.

The site has ready access to the services, facilities and infrastructure of the existing township of Morpeth.

Figure 3 – Survey Plan

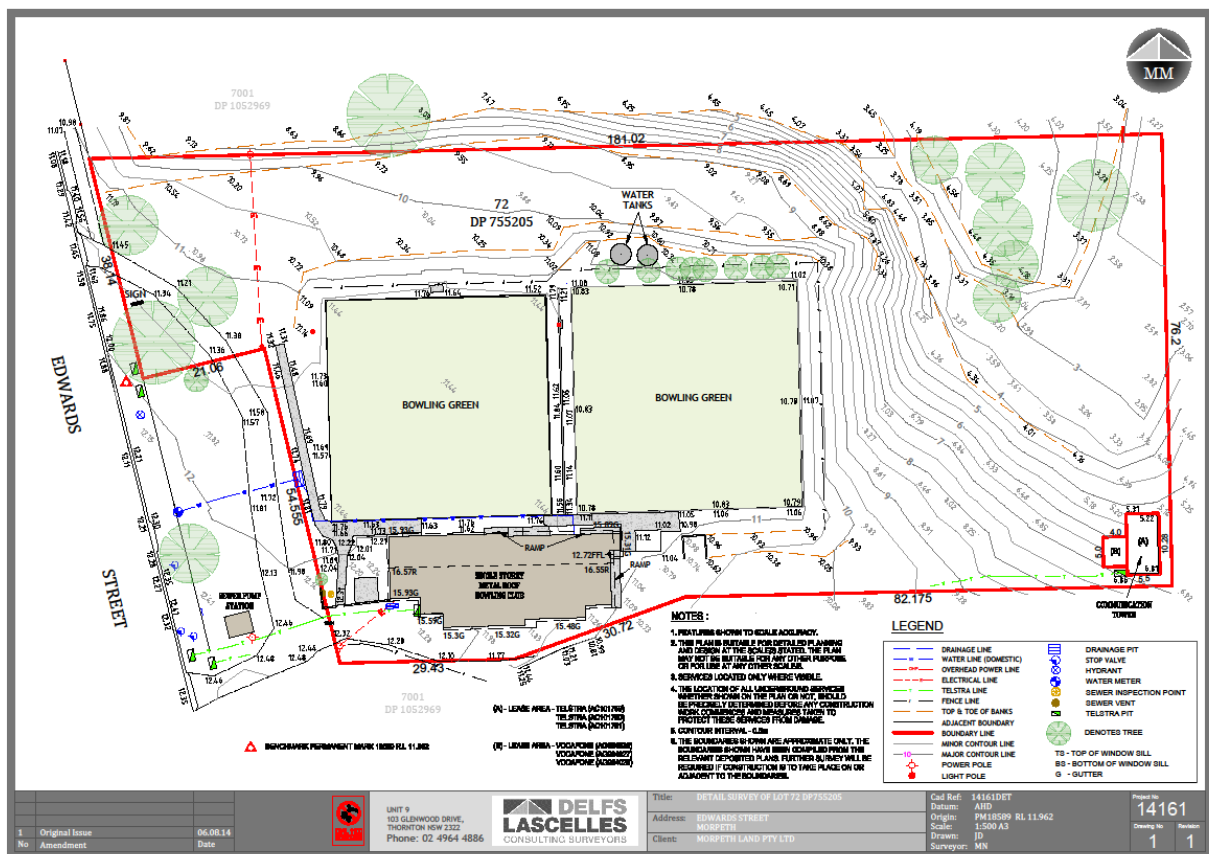
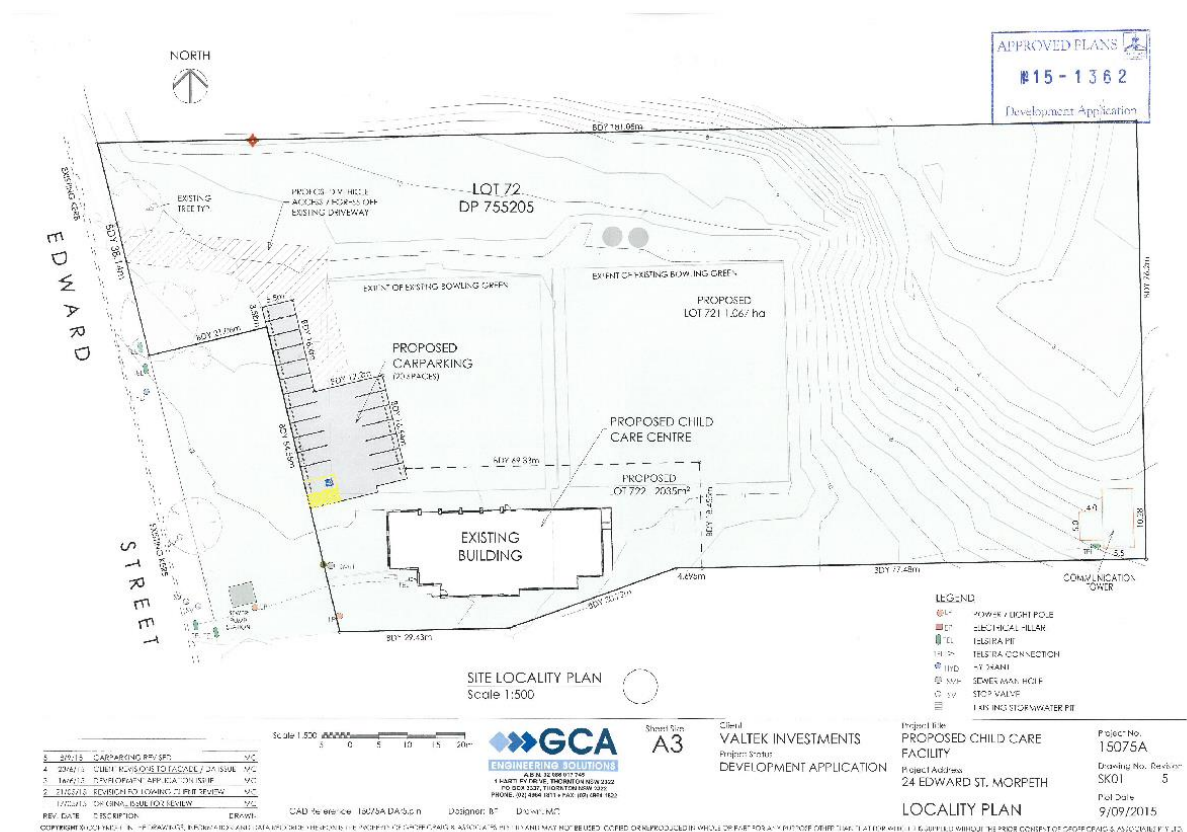


Figure 4 – Approved Childcare Centre Site Plan



## 4.0 THE PLANNING PROPOSAL

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### 4.1. OBJECTIVES OR INTENDED OUTCOMES

The intended outcome of the planning proposal is to retain the RE2 Private Recreation zoning and include an additional permitted use on the land to enable the development of the land for seniors housing.

**“Seniors housing”** is defined by Maitland LEP 2011 *“as a building or place that is:*

- (a) *a residential care facility, or*
- (b) *a hostel within the meaning of clause 12 of [State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#), or*
- (c) *a group of self-contained dwellings, or*
- (d) *a combination of any of the buildings or places referred to in paragraphs (a)–(c),*

*and that is, or is intended to be, used permanently for:*

- (e) *seniors or people who have a disability, or*
- (f) *people who live in the same household with seniors or people who have a disability, or*
- (g) *staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,*

*but does not include a hospital.”*

SEPP (Housing for Seniors or People with a Disability) 2004 also defines “seniors housing” as *“residential accommodation that is, or is intended to be, used permanently for seniors or people with a disability.”*

The planning proposal seeks to provide self-contained housing for seniors or people who have a disability. Seniors are generally defined as people aged 55 or more years.

Seniors housing is permissible on land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, if the land is being used for the purposes of an existing registered club. A bowling club has operated on the land since the 1940s until recently. A planning proposal is required to amend the Maitland LEP to continue to enable seniors housing on the land without the operation of the licensed club.

The development will be occupied by residents who meet the requirements provided for under the Seniors Housing Policy. Each unit will be privately owned and managed under a body corporate type arrangement.

In the event a positive gateway determination is issued it is intended to lodge a combined rezoning and development application to Council for consideration. Detailed plans will be lodged as part of the development application and exhibited concurrently with the zoning amendment in accordance with the provisions of 72J and 72K of the Environmental Planning and Assessment Act 1979. The local community will then have the opportunity to comment on the proposal.

### 4.2. EXPLANATION OF PROVISIONS

The objective of this planning proposal is to be achieved through the amendment of Clause 2.5 of Maitland LEP 2011 to include an additional permitted use in Schedule 1 of Maitland LEP 2011 to permit “seniors housing” on the subject land.

The land is currently zoned RE2 Private Recreation under Maitland LEP 2011. No change to this zoning is proposed and the RE2 Private Recreation zoning will be retained.

Maitland LEP 2011 does not presently identify a minimum lot size, building height, or floor space ratio for development upon the land. There are no changes required to Council's LEP maps.

The provisions regarding heritage conservation, subdivision and development within the LEP will apply to the land. The provisions also of Council's Development Control Plan 2011 will continue to apply to any future development on the land.

### **4.3. JUSTIFICATION**

#### **4.3.1. Need for the Planning Proposal**

##### ***Is the planning proposal a result of any strategic study or report?***

The site satisfies the definition of an urban extension site under the Maitland Urban Settlement Strategy, being:

*"Sites adjoining urban areas of less than 15 hectares or have potential for less than 50 residential lots. Only development proposals matching these size criteria will be considered by Council on their merits for rezoning, where the broad planning objectives of this strategy in relation to character, environment, infrastructure and design are clearly demonstrated and justified in the development proposal."*

The subject site has an area of 12,704m<sup>2</sup> (1.27ha). The site adjoins land zoned R1 General Residential under the provisions of Maitland LEP 2011, within the established village of Morpeth. Detailed design of the seniors housing development has not yet been completed but it is anticipated that the site will yield up to a maximum of 24 units.

The site has been assessed against the relevant criteria identified within the MUSS. The planning proposal provides for the redevelopment of an essentially unconstrained and serviced site in an established town. The site adjoins large areas of public open space and recreation grounds, and is within walking distance to schools, churches, and the commercial precinct. The site is also located on a school bus route, and a public bus route to East Maitland railway station (the Hunter line), the regional shopping centre of Green Hills and the central Maitland CBD.

The future design and layout of the redevelopment of the site can adequately address matters relating to urban design sympathetic to the heritage conservation area within which it is located.

Council has supported the proposal and resolved to include the site as an Urban Extension Site within the MUSS.

##### ***Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?***

The current RE2 Private Recreation zoning is a reflection of the past use of the site and the private ownership of the land. The land is not likely to be required for use as a bowling club in the future, but could be developed as part of another licensed club, function centre or entertainment facility. The current zone also permits the development of the land for childcare centres, indoor recreational facilities such as gymnasiums, or for short-term housing opportunities such as hotel and motel accommodation, and serviced apartments.

Given the cessation of the bowling club, seniors housing is no longer a permissible use on the land. Council advised that the site would require a Site Compatibility Certificate from NSW Planning and Environment to achieve development for the purposes of Seniors Living. However, following a more detailed review of relevant planning legislation it became evident that this Section of the SEPP does not now apply to the site.

There are limited options for achieving the intended outcome for the site. The land may be rezoned to an alternative landuse zoning which permits seniors housing such as R1 General Residential which is consistent with the adjoining land along the western side of Edward Street.

Council has advised that the land is not required for public purposes. They also advised during a Development Control Unit meeting (DCU minutes 4 September 2014) that Council's preference is that the RE2 Private Recreation zone of the subject site should be retained. If a rezoning application is lodged, Council would prefer to consider a combined rezoning and development application.

It is determined that the best means of achieving the intended outcome for seniors housing on the land is to include it as an additional permitted use relating only to the subject site and retain the RE2 zoning. A Development Application is proposed to be lodged concurrently with the planning following a gateway determination as requested, to enable the joint exhibition and assessment of the proposed development. The planning and design of the future development of the site will be regulated by Council in accordance with the existing provisions of the SEPP, LEP and DCP.

Seniors housing is not a mandated prohibited use within the RE2 Private Recreation zoning in the Standard Instrument. Seniors housing was a permitted use on the land up until the closure of the bowling club. The seniors housing development would result in a built form of similar scale to other uses presently permitted on the land.

The childcare centre currently under construction on part of the site is consistent with both a residential zoning and the current private recreation zoning. Seniors housing is compatible with the adjoining public open space zoned land surrounding the site and the adjoining R1 General Residential zoned land to the west along Edward Street.

#### **4.3.2. Relationship to strategic planning framework**

##### ***Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?***

The key principle of the Lower Hunter Regional Strategy is to provide for major residential growth in the region. The Strategy predicts a population growth of 160,000 residents and up to 117,200 new dwellings across the region by 2031. It is estimated that 16,000 of these new dwellings will be urban infill.

The estimated residential population of Maitland at 30 June 2012 was 71,866, with continued population growth forecast at a rate of 2.1% pa. The census data indicates that Maitland continues to rate as one of the fastest growing areas both in terms of residential and industry growth.

Maitland has been identified as providing for at least 26,500 new dwellings up to 2021. Of this, urban infill development is estimated as comprising approximately 3,000 dwellings.

Morpeth is an existing urban area identified in the LHRS. Morpeth is ideally located in close proximity to the growing regional City of Maitland and the urban growth centres of East Maitland and Thornton North/Chisholm to provide for some of this urban infill and urban extension development consistent with this objective.

The development of the subject land is consistent with the Regional Strategy which is supportive of more compact urban settlement, including the building of new housing on land within proximity to centres. The Strategy states the benefits of compact settlement as better use of existing infrastructure; reduced travel by placing people, jobs and services closer together; and reducing the pressure to find large-scale new greenfield sites for development.

The future development of the site will be designed with consideration to Council's current LEP and DCP.

***Is the planning proposal consistent with a council's local strategy or other strategic plan?***

Maitland Urban Settlement Strategy 2012

The Maitland Urban Settlement Strategy (MUSS) provides the long-term planning framework to accommodate the predicted population growth (urban growth) in the City for the period 2001-2020. It is continually reviewed to ensure that there is adequate on-going supply of land zoned for urban purposes.

The MUSS recognises that “urban extension and urban infill development provides residents with greater accessibility to public transport, and increased mix of uses in one location and more efficient use of existing community facilities services and infrastructure. The concept of “compact urban form” through infill development and/or urban consolidation around centres is one of the key principles of regional strategies and best practice planning guidelines, and involves the reduction of the urban footprint through more efficient land use” (MUSS 2012).

The development of this land is consistent with Council’s long term planning strategy for the City.

Council’s Maitland Urban Settlement Strategy states that “the principle for urban consolidation through urban infill and urban extension development is to provide a sustainable approach to redevelopment of existing centres and urban areas to accommodate predicted population growth.” “Urban Infill and Urban Extension development encourages a more efficient use of land in existing residential areas. This form of redevelopment, like centres based infill development, provides residents with a greater accessibility to public transport, an increased mix of uses in a single location and a more efficient use of existing community facilities, services and infrastructure” (MUSS 2012).

The site is ideally located to provide for urban extension development. The site is consistent with the principles of the MUSS and Council has resolved to include the site as an urban extension site for future rezoning and redevelopment.

Maitland +10 (Community Strategic Plan)

The proposal supports the following objectives of Council’s Maitland +10 Community Strategic Plan:

**Our Built Space**

- Our infrastructure is well-planned, integrated and timely, meeting community needs now and into the future.
- Our unique built heritage is maintained and enhanced, coupled with sustainable new developments to meet the needs of our growing community.

**Our natural environment**

- The potential impacts of our growing community on the environment and our natural resources are actively managed.

**Our built environment**

- To encourage orderly, feasible and equitable development whilst safeguarding the community’s interests, environmentally sensitive areas and residential amenity.

Key outcomes of Maitland +10 as they relate to this planning proposal are:

1. Our infrastructure is well planned integrated and timely, meeting community needs now and in to the future
2. Across the City, diverse and affordable housing options are available for our residents throughout all life stages

The site is identified as an urban extension and urban infill development site under Council MUSS. These site are recognised as providing residents with greater accessibility to public transport, and increased mix of uses in one location and more efficient use of existing community facilities services and infrastructure.

Urban consolidation provides a number of benefits for urban areas, particularly regarding a more efficient use of existing infrastructure. It is necessary that Maitland play its part in the achievement of urban consolidation in the Lower Hunter Region.

One of the key housing outcomes stated in the LHRS is to promote consolidation in nominated areas, and to increase the proportion of dwelling construction as a result of urban infill development to provide a more sustainable balance to development in urban release areas.”

The development will provide for housing diversity within the established township of Morpeth and in close proximity to the City of Maitland, and will utilise existing services and infrastructure.

Seniors housing provides an alternative housing choice for existing residents of Morpeth wanting to ‘down-size’ or for new residents to the City. This form of independent housing is presently unavailable within the town, without entering into a retirement village complex such as Closebourne Village in the west of Morpeth.

***Is the planning proposal consistent with applicable State Environmental Planning Policies?***

The following SEPPs are relevant to the planning proposal in this instance, however other SEPPs will apply to the development of the land to be considered in conjunction with the Development Application.

| SEPP                                | Relevance                                                                                                                               | Consistency                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SEPP 36 – Manufactured Home Estates | The Policy facilitates the establishment of manufactured home estates as a contemporary form of medium density residential development. | The development of a manufactured home estate is permissible on the land with consent. The planning proposal aims to include seniors housing as a permissible land use on the site. This will provide more flexibility in the design process to provide development sympathetic with the established urban area.                                                                                                                                                                                                                                                                                                                                                                                                            |
| SEPP 55 – Remediation of Land       | Clause 6 of SEPP 55 requires that the potential for contamination and remediation of land be considered in a rezoning proposal.         | <p>The land is not identified as being significantly contaminated land, nor is it subject to a management order, within the meaning of the Contaminated Land Management Act 1997.</p> <p>The land has historically been filled and the bowling greens have been regularly maintained.</p> <p>A preliminary contamination assessment was undertaken over part of the site for the development of the childcare centre, including soil sampling.</p> <p>The report determined that there is a low potential for contamination within the site and no remediation works were required.</p> <p>The land is not likely to be contaminated based on past uses such as to prevent it being developed for its intended purpose.</p> |

***Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?***

The following Section 117 Direction applies to the planning proposal:

| Section 117 Direction     | Objective                                                                                                                                     | Consistency                                                                                                                                                                                                                                                                                                                |
|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.3 Heritage Conservation | This Direction aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. | <p>The planning proposal is consistent with this Direction.</p> <p>The land is located within the Morpeth Heritage Conservation Area (HCA). The planning proposal does not directly impact upon heritage items within the HCA.</p> <p>Heritage is presently regulated by the provisions of MLEP 2011 and Maitland DCP.</p> |

|                                           |                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                           |                                                                                                                                                                                                                                                    | <p>The planning proposal does not propose the removal of any controls on development of the land. The land will continue to be located within the Morpeth HCA.</p> <p>A Statement of Heritage Impact has been prepared addressing the potential impacts of the development of the site on heritage.</p>                                                                                                                                                                                                                                                                                                                    |
| 3.1 Residential Zones                     | <p>This Direction aims to ensure that new housing has appropriate access to infrastructure and services.</p> <p>It also encourages planning proposals that broaden the choice of building types and locations available in the housing market.</p> | <p>Whilst the zoning of the land is not proposed to change, the planning proposal seeks to introduce a form of residential housing on the land.</p> <p>Access to the local road network is directly available to the land via Edward Street.</p> <p>Existing services and infrastructure are available to the site and can be augmented to adequately cater for the redevelopment of the site.</p> <p>The rezoning will facilitate the redevelopment of land for seniors housing and provide for additional housing choice within an established town.</p> <p>The planning proposal is consistent with this Direction.</p> |
| 4.1 Acid Sulfate Soils                    | <p>This Direction aims to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p>                                                                                        | <p>The land is identified as potential Class 5 Acid Sulfate Soils by the Maitland LEP 2011 mapping.</p> <p>This generally relates to land below 5m AHD and by which works are likely to lower the watertable by 1m.</p> <p>The majority of the land is located at approximately 11m. The planning proposal seeks to permit seniors housing on the land, for which a Development Application will be lodged concurrently. Excavation works are expected to be minimal.</p> <p>The planning proposal is unlikely to impact on PASS and is therefore consistent with this Direction.</p>                                      |
| 4.3 Flood Prone Land                      | <p>This Direction requires that a planning proposal must not rezone land within flood planning areas from (in this instance) a recreation zone to a residential zone.</p>                                                                          | <p>The planning proposal does not propose to develop that part of the land identified as being flood affected.</p> <p>The land is proposed to retain the RE2 zoning and seeks to include an additional permitted use within the zoning table.</p> <p>The planning proposal is not inconsistent with this Direction.</p>                                                                                                                                                                                                                                                                                                    |
| 5.1 Implementation of Regional Strategies | <p>This Direction requires that planning proposals are to be consistent with the relevant regional strategy.</p>                                                                                                                                   | <p>The planning proposal is consistent with the Lower Hunter Regional Strategy as discussed in Section 4.3.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

|                                        |                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------------------------------|----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6.1 Approval and Referral Requirements | This Direction aims to ensure that LEP Provisions encourage the efficient and appropriate assessment of development. | There are no additional LEP provisions or concurrence roles proposed in conjunction with the planning proposal.<br><br>The existing LEP and DCP provisions will continue to apply to the site.                                                                                                                                                                                                                                                                                                                                                                                                        |
| 6.3 Site Specific Provisions           | This Direction aims to discourage unnecessarily restrictive site specific planning controls.                         | The planning proposal seeks to retain the current zoning and include an additional use on the land for seniors housing.<br><br>It is not proposed to impose any development standards or requirements in addition to those already contained in the Maitland LEP 2011.<br><br>The planning proposal will not contain or refer to drawings that show details of the development proposal. A development application is proposed to be lodged concurrently with the planning proposal following a gateway determination for assessment.<br><br>The planning proposal is consistent with this Direction. |

#### 4.3.3. Environmental, social and economic impact

***Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?***

The land proposed to be developed is presently occupied by synthetic bowling greens, a clubhouse building, car parking and associated infrastructure. The land is level and is clear of any significant vegetation. Three Moreton Bay Fig trees are located along the front boundary of the site.

The rear part of the site slopes away to the east and is predominately grassed. The lower part of this land is maintained and managed in conjunction with the grounds of the Morpeth Common. This land is not proposed to be developed. The future use of this land will be determined in consultation with Council.

Due to the disturbed and developed nature of the site, a Section 5A Assessment of significance is not determined to be necessary.

***Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?***

The land is not identified as being affected by bushfire under the provisions of Council's Section 149 Certificate.

The low lying eastern part of the land is affected by flooding by the 1% flood event. The estimated flood level is RL 5.92m AHD. This part of the land is not proposed to form part of the redevelopment of the site.

A preliminary contamination report was prepared in conjunction with the Development Application for the childcare centre over part of the site, as a result of the past filling of the land and maintenance of the bowling greens. It was determined that there is a low potential for contamination within the site and no remediation works were required.

The land is otherwise unconstrained. It is considered that any potential environmental impacts can be mitigated during the design and assessment phase of the site specific proposal.

A telecommunications tower is located within the south-eastern boundary of the site. Access to this tower will be maintained in conjunction with the future design of any development. The future design will identify potential building distances from the facility.

The ACMA licenses the operation of radio communications transmitters. Licences require transmitters to comply with the exposure limits set out in the ARPANSA standard. The Australian Government Department of Communications state that these limits are set well below the level at which adverse health effects are known to occur and include a wide safety margin to protect the public. The NSW Planning and Environment Guidelines reference the same material. The site is not deemed to be unsuitable due to the proximity of the housing to the existing tower.

The site is elevated and physically and visually separated from the rural outskirts of the Morpeth township. Views across the rural landscape from Hinton or Berry Park are limited. Photos of the view corridors are provided in **Appendix C**. Closer views to the site are partly screened by the established grounds of the Morpeth Common, the existing bowling club building within the site, and the buildings and structures associated with the adjoining sportsground.

The construction of the Men's Shed within the sportsground and the redevelopment of the bowling club building for a childcare centre will further change the existing views across the site from Edward Street and towards the site from the rural approaches. The site however does not form part of the identified public view corridors within the 'rural outskirts' of Morpeth in the DCP. The existing mature Moreton Bay Fig trees located along the frontage of the site reduce views into the site from Edward Street.

The site is located within the Morpeth Heritage Conservation Area which is recognised as having local significance by Council's LEP. The boundaries of the village footprint were generally determined based on the location of the town on the ridge, the river frontage, the views and vistas into and out of the town, and the rural surrounds falling away to the low lying flood prone land on the flats.

The land has historically been used for recreational purposes as a result of the operation of the bowling club and the land use zonings have reflected this use. The Morpeth Management Plan or Council's DCP have not recognised or emphasised the importance of this site to be retained for open space and recreation. The site is continually recognised as being the site of the Morpeth Bowling Club.

An objective of the heritage provisions contained within Maitland LEP 2011 (clause 5.10) is *"to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views."* The heritage provisions will continue to apply to the site.

A Statement of Heritage Impact has been prepared for the site by EJE Heritage to establish the heritage context and consider the potential for the redevelopment of the site. A copy of the report is provided in **Appendix B**. The Heritage Impact Statement (HIS) determines that *"the redevelopment of the site for residential housing will not have an undesirable impact on the heritage attributes of the subject land, or on those of the Morpeth Heritage Conservation Area. The rezoning of the subject land would provide for a diverse range of residential housing opportunities, and allow the introduction of design elements sympathetic to, and consistent with, surrounding urban settlement patterns"* (EJE 2014).

Rather than rezone the land as proposed within the HIS, it is proposed to retain the private recreation zoning and seek to introduce seniors housing as a permitted use on the land, as was permitted whilst the club continued to operate.

The development of the site for residential development is not expected to establish a precedent in the locality for further development due to the constraints and limitations on the surrounding lands at the present time. There are no further large holdings within the township zoned for residential development. Any expansion of the boundaries of the township towards the south would involve a future planning proposal and the strategic assessment of land in this location to extend the grid pattern past its current location.

The future development of the land is not likely to have any potentially adverse impacts on the natural environment. Works undertaken during the construction phase can be adequately controlled by appropriate work practices and Council regulation. Stormwater will be managed in accordance with Council's current requirements.

The future buildings and layout can be designed in accordance with Council's LEP and DCP to ensure they are compatible with and sympathetic to the surrounding locality and built environment, and adequately address the streetscape and the sportsground interface.

***Has the planning proposal adequately addressed any social and economic effects?***

The planning proposal and redevelopment of the land is expected to result in a positive outcome for the Morpeth township and the Morpeth community. It will provide for the redevelopment of a disused site, surveillance of public assets and a potential reduction in vandalism, and the provision of alternative housing choices for residents within the Morpeth village. The site itself offers a high level of amenity for future residents.

The economic impact of supporting this planning proposal is also considered to be positive. The development of the land for urban housing will generate local investment and employment in its construction and provide an opportunity for seniors housing in an established location. Future designs will consider the principles of Crime Prevention through Environmental Design to ensure adequate lighting and surveillance and minimise the opportunity for concealment.

The development of the land will utilise existing services and infrastructure and will support the established commercial precinct located within Morpeth. Due to the small scale of the development it will not place unreasonable demands on the current facilities.

The future development of the land will attract Section 94 contributions to be paid to Council towards the provision of infrastructure and services to cater for the demand generated by the increase in the population.

Based on the intensity of the land uses permitted within the current zoning, and the lack of heritage significance of the site, the Heritage Impact Statement supports the redevelopment of the land for urban housing.

A photomontage of a concept development as viewed from Edward Street is provided in **Appendix D**. Detailed designs will be lodged for consideration with a Development Application to be considered concurrently with the planning proposal following a gateway determination to enable community consultation.

The proposal for seniors housing is consistent with the NSW Planning and Infrastructure Population Projections for the Maitland Local Government Area (2014). It is well documented that Australia has an ageing population. There are a number of national and regional strategies being developed to assist with and encourage "Ageing in Place".

By 2021 the population projections for Maitland identify that 23% of the population will be aged over 55 years. The total population figures for Maitland are projected to reach 100,500 by 2031. At this stage, 29% of the population is expected to be aged over 55 years, with 20% of the population living as a couple or a lone person.

The proposed seniors housing development will enable older members of the community to downsize but continue to live independently in the community, with access to established community facilities, services and infrastructure and retain social networks. The planning proposal will assist to meet the demands associated with the ageing population of Maitland.

#### **4.3.4. State and Commonwealth interests**

##### ***Is there adequate public infrastructure for the planning proposal?***

The site is currently serviced by water, sewer, and electricity supply and telecommunication infrastructure to service the previous bowling club. The services shall be augmented to service the redevelopment of the land. Waste services are available. The land is serviced by both a public bus service and a school bus service.

The road infrastructure previously accommodated the operation of the site as a Bowling Club, including a licensed premise and a restaurant. The road network is adequate to cater for any potential additional traffic movements likely to occur as a result of the redevelopment of the land, and is likely to generate less traffic.

A Traffic Impact Assessment was prepared in conjunction with the Development Application for the childcare centre on the land. The traffic assessment determined that the local road network has sufficient spare capacity to cater for additional development traffic, the local road network has sufficient spare environmental capacity to ensure development will not adversely impact on the residential amenity of local residents, and the additional traffic generated by development will not cause any interruption to flow conditions at any of the local road network intersections. Additional spare capacity is considered to exist within the existing road network to cater for the marginal increase in traffic associated with a proposed seniors housing development. An additional traffic assessment can be prepared in conjunction with a future DA.

The existing facilities, services, and amenities of Morpeth, the regional shopping centre of Green Hills and the City of Maitland are adequate to meet the demands arising from the proposal and to cater for the needs of the future residents.

##### ***What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?***

Hunter Water have advised that services are available to the site. No consultation has been undertaken with any other government agencies and public authorities at this stage.

The site is located within the bounds of an established urban area, and due to the past use of the site, is serviced and clear of any significant vegetation. It is located within the Morpeth Heritage Conservation Area. Council is the relevant authority responsible for the management of the Morpeth Heritage Conservation Area.

It is anticipated that following a gateway determination, Council will undertake consultation with the relevant agencies.

#### **4.3.5. Mapping**

A survey plan and site analysis is provided in **Appendix A**.

It is proposed to include seniors housing as an additional permitted site on the subject site. No mapping amendments are necessary or are proposed in this instance.

#### **4.3.6. Community Consultation**

Each planning proposal is unique. This proposal relates to the redevelopment of a former licensed bowling club located within the established village of Morpeth. Seniors housing provides an efficient and desirable future land use upon the site.

The gateway determination will confirm any additional studies and information that may be required prior to the finalisation of the LEP, including the timeframe within which to complete the process.

It is anticipated that following a gateway determination, detailed development plans will be prepared for consideration in conjunction with the rezoning process to guide the future development upon the land.

It is intended that joint exhibition of the draft instrument and advertising of the future development application will be undertaken in accordance with the provisions of 72J and 72K of the Environmental Planning and Assessment Act 1979.

The planning proposal is determined to be a 'low' impact planning proposal in accordance with the NSW Planning and Environment guidelines as it is considered to be:

- consistent with the pattern of surrounding land use zones and/or land uses;
- consistent with the strategic planning framework;
- presents no issues with regard to infrastructure servicing;
- not a principal LEP; and
- does not reclassify public land.

This will require a public exhibition period of 14 days.

The gateway determination will determine the extent of community consultation to be undertaken by Council.

## 5.0 CONCLUSION

---

The planning proposal seeks to retain the RE2 Private Recreation zoning and include an additional permitted use on the land to enable seniors housing. Seniors Housing was a permissible use whilst the licenced club existed on the land. Once the licence was removed, the Seniors Housing Policy no longer applies and it is necessary to seek an amendment to the RE2 zone.

The land is an identified Urban Extension Site in the Maitland Urban Settlement Strategy 2012 (as amended 2015).

The planning proposal is considered to be the best means of achieving the objectives and the intended outcomes to provide flexibility in the design and layout for the redevelopment of the site, sympathetic to and consistent with the surrounding locality and the principles of the Heritage Conservation Area.

The planning proposal or subsequent development of the site is not considered to significantly impact upon the heritage conservation area or any items of heritage significance.

The site does not obstruct any view corridors or vistas to or from Morpeth. The site is not visually obtrusive as the land is screened from view from most locations by the established grounds of the Morpeth Common, existing urban development, and mature street trees. Morpeth will continue to be viewed as a separate entity in the landscape.

The development site is not constrained by way of flooding, bushfire, native vegetation, or contamination. The land is not located in a Mine Subsidence District.

The land is serviced with water and sewer and telecommunication services. Adequate infrastructure and access to services and facilities is available to accommodate the future needs of the site.

The redevelopment of the site will provide the opportunity to introduce new housing choices into the Morpeth township, in a highly aesthetic location.

The residential development adjoining the site along Edward Street in this location is predominately new housing and dual occupancy developments. The development of the land for urban housing is not considered likely to significantly change the character of the local area.

Any potential environmental impacts can be mitigated during the design and development phase. Consultation with Council will determine the best outcomes for the continued management of the low lying land adjoining the Morpeth Common. The environmental and social impacts will be further considered in conjunction with the future design process for the development of the land and the community consultation phase.

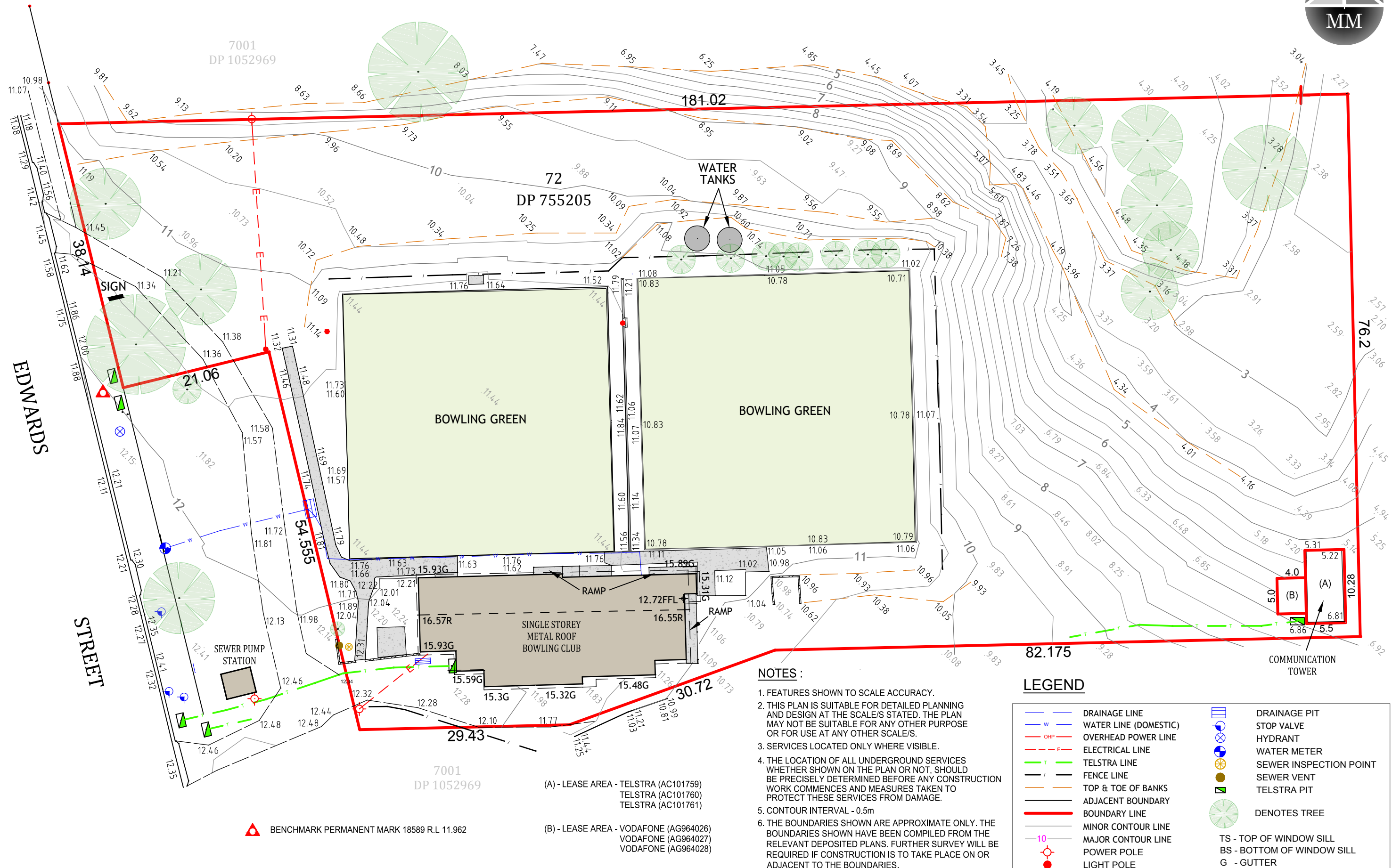
It is recommended that the planning proposal be supported by Council and referred to the Department of Planning and Infrastructure for a Gateway Determination.

It is intended that detailed plans will be lodged as part of the development application and exhibited concurrently with the zoning amendment in accordance with the provisions of 72J and 72K of the Environmental Planning and Assessment Act 1979.

# APPENDIX A

MORPETH PLANNING PROPOSAL

SURVEY PLAN AND SITE ANALYSIS



**NOTES :**

1. FEATURES SHOWN TO SCALE ACCURACY.
2. THIS PLAN IS SUITABLE FOR DETAILED PLANNING AND DESIGN AT THE SCALE/S STATED. THE PLAN MAY NOT BE SUITABLE FOR ANY OTHER PURPOSE OR FOR USE AT ANY OTHER SCALE/S.
3. SERVICES LOCATED ONLY WHERE VISIBLE.
4. THE LOCATION OF ALL UNDERGROUND SERVICES WHETHER SHOWN ON THE PLAN OR NOT, SHOULD BE PRECISELY DETERMINED BEFORE ANY CONSTRUCTION WORK COMMENCES AND MEASURES TAKEN TO PROTECT THESE SERVICES FROM DAMAGE.
5. CONTOUR INTERVAL - 0.5m
6. THE BOUNDARIES SHOWN ARE APPROXIMATE ONLY. THE BOUNDARIES SHOWN HAVE BEEN COMPILED FROM THE RELEVANT DEPOSITED PLANS. FURTHER SURVEY WILL BE REQUIRED IF CONSTRUCTION IS TO TAKE PLACE ON OR ADJACENT TO THE BOUNDARIES.

**LEGEND**

|  |                       |  |                            |
|--|-----------------------|--|----------------------------|
|  | DRAINAGE LINE         |  | DRAINAGE PIT               |
|  | WATER LINE (DOMESTIC) |  | STOP VALVE                 |
|  | OVERHEAD POWER LINE   |  | HYDRANT                    |
|  | ELECTRICAL LINE       |  | WATER METER                |
|  | TELSTRA LINE          |  | SEWER INSPECTION POINT     |
|  | FENCE LINE            |  | SEWER VENT                 |
|  | TOP & TOE OF BANKS    |  | TELSTRA PIT                |
|  | ADJACENT BOUNDARY     |  | DENOTES TREE               |
|  | BOUNDARY LINE         |  |                            |
|  | MINOR CONTOUR LINE    |  |                            |
|  | MAJOR CONTOUR LINE    |  |                            |
|  | POWER POLE            |  |                            |
|  | LIGHT POLE            |  |                            |
|  |                       |  | TS - TOP OF WINDOW SILL    |
|  |                       |  | BS - BOTTOM OF WINDOW SILL |
|  |                       |  | G - GUTTER                 |

# APPENDIX B

MORPETH PLANNING PROPOSAL

STATEMENT OF HERITAGE IMPACT

# STATEMENT OF HERITAGE IMPACT

## FORMER MORPETH BOWLING CLUB SITE

### Proposed Redevelopment

24 Edward Street  
Morpeth NSW 2321

Lot 72 DP 755205



412 king street  
newcastle nsw 2300

p 02 4929 2353  
f 02 4926 3069  
e mail@eje.com.au

ACN 002 912 843  
ABN 82 644 649 849

## TABLE OF CONTENTS

|     |                                                                                            |    |
|-----|--------------------------------------------------------------------------------------------|----|
| 1.  | INTRODUCTION.....                                                                          | 2  |
| 1.1 | METHODOLOGY.....                                                                           | 2  |
| 1.2 | HERITAGE LISTINGS.....                                                                     | 2  |
| 1.3 | SITE IDENTIFICATION .....                                                                  | 4  |
| 1.4 | CONSTRAINTS AND LIMITATIONS.....                                                           | 5  |
| 2.  | HISTORICAL CONTEXT.....                                                                    | 6  |
| 2.1 | The Founding of Morpeth.....                                                               | 6  |
| 2.2 | The Influence of E.C. Close on the Development of Morpeth .....                            | 8  |
| 2.3 | The Development of the Town .....                                                          | 9  |
| 2.4 | The Influence of the Railway.....                                                          | 16 |
| 2.5 | The Decline of Morpeth .....                                                               | 19 |
| 2.6 | Revival.....                                                                               | 20 |
| 2.7 | The Morpeth Bowling Club.....                                                              | 20 |
| 3.  | PHYSICAL CONDITION AND CONTEXT.....                                                        | 25 |
| 3.1 | THE SITE.....                                                                              | 25 |
| 3.2 | THE BUILDING .....                                                                         | 25 |
| 3.3 | CURRENT USE .....                                                                          | 39 |
| 3.4 | CONDITION.....                                                                             | 39 |
| 3.5 | SURROUNDING CONTEXT .....                                                                  | 39 |
| 4.  | HERITAGE SIGNIFICANCE.....                                                                 | 40 |
| 4.1 | ANALYSIS OF SIGNIFICANCE .....                                                             | 42 |
| 4.2 | STATEMENT OF SIGNIFICANCE .....                                                            | 43 |
| 5.  | PROPOSED WORKS.....                                                                        | 44 |
| 6.  | Compatibility of Proposed Works with Maitland City-Wide Development Control Plan 2011..... | 46 |
| 6.1 | Significant View Corridors from within the Town to Rural Surrounds.....                    | 47 |
| 6.2 | Views towards the Town from Approach Roads and Outlying Areas.....                         | 48 |
| 6.3 | Subdivisions and Amalgamations.....                                                        | 49 |
| 6.4 | Demolition.....                                                                            | 50 |
| 6.5 | Adaptive Re-Use of Buildings in Residential Zones.....                                     | 50 |
| 6.6 | Car Parking.....                                                                           | 51 |
| 6.7 | Streetscape Policy.....                                                                    | 51 |
| 6.8 | Compatibility of Proposed Works with Maitland Urban Settlement Strategy 2012.....          | 54 |
| 7.  | STATEMENT OF HERITAGE IMPACT.....                                                          | 55 |
|     | Mandatory Actions.....                                                                     | 56 |
|     | Recommended Actions.....                                                                   | 57 |
| 8.  | CONCLUSION.....                                                                            | 58 |
| 9.  | BIBLIOGRAPHY .....                                                                         | 59 |
| 9.2 | Articles.....                                                                              | 60 |
| 9.3 | Maps and Plans .....                                                                       | 60 |
| 9.4 | Newspapers.....                                                                            | 61 |
| 9.5 | Journals and Periodicals.....                                                              | 62 |
| 9.6 | Reports.....                                                                               | 62 |
| 9.7 | Legislation.....                                                                           | 62 |
| 10. | APPENDIX: SCHEMATIC RELOCATABLE HOME LAYOUT AND SCHEMATIC PERMANENT HOUSING LAYOUT .....   | 63 |

## 1. INTRODUCTION

EJE Heritage has been requested to provide a Heritage Assessment and subsequent Heritage Impact Statement for the proposed rezoning and development for residential purposes of the former Morpeth Bowling Club site at 24 Edward Street, Morpeth NSW 2321.

The initial section of the report places the site within an historical context, and examines the physical condition and context of the current building. With the history and physical condition and context of the building understood, a heritage assessment of the site can be completed using the NSW Heritage Division guidelines encompassing the Australia ICOMOS *Burra Charter 2013* heritage values: historical significance; aesthetic significance; scientific significance; and social significance.

The Statement of Heritage Impact that follows examines the proposed works, identifying any impacts which the proposal might have on the significance of the heritage items, and any measures which should be taken to mitigate any negative impacts, if these are in fact identified.

The Historical Context section of this report was prepared by David Campbell.  
This Statement of Heritage Impact was prepared by EJE Heritage. The project team consisted of:

- ❑ Barney Collins – (Director), Conservation Architect.
- ❑ David Campbell – Heritage Consultant.

### 1.1 METHODOLOGY

This report has been undertaken in accordance with the NSW Heritage Office publications, *Assessing Heritage Significance and Statements of Heritage Impact*, together with the Australia ICOMOS, *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance 2013*.<sup>1</sup>

### 1.2 HERITAGE LISTINGS

The site and building are not listed as a Heritage Item in *Maitland Local Environmental Plan 2011* ('LEP 2011'), Schedule 5, Part 1. They are, however, located within the Morpeth Heritage Conservation Area as defined in LEP 2011, Schedule 5, Part 2.

The site is within 1,000m of various Heritage Items listed in LEP 2011, Schedule 5, as shown hereunder:

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<sup>1</sup> Burwood: Australia ICOMOS, 2013.

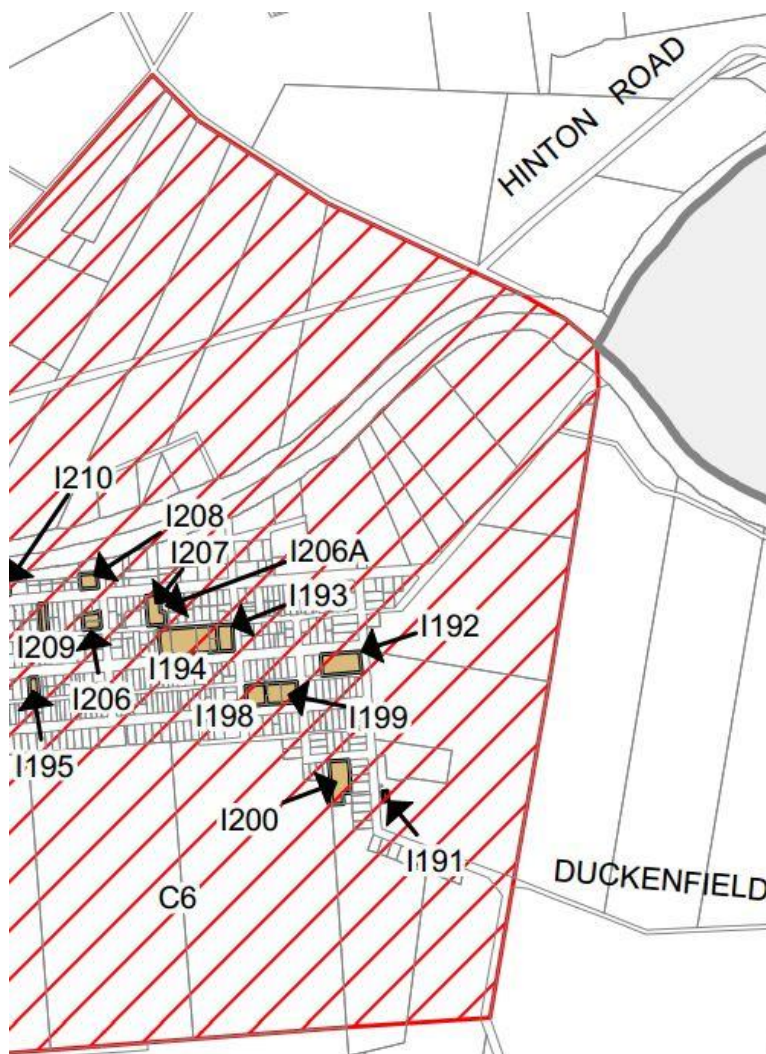


Figure 1. Heritage Map HER\_006. LEP 2011.

|         |                              |                   |                                                                          |        |
|---------|------------------------------|-------------------|--------------------------------------------------------------------------|--------|
| Morpeth | Grandstand                   | 20 Edward Street  | Lot 7001, DP 1052969                                                     | II191  |
| Morpeth | "Kiora"                      | 7 High Street     | Lot 1, DP 535966                                                         | II192  |
| Morpeth | Police station               | 32 High Street    | Lot 1, DP 904664                                                         | II193  |
| Morpeth | Morpeth Public School        | 36-46 High Street | Lot 1, DP 724176; Lot 1, DP 782470; Lot 1, DP 782303; 1 and 2, DP 782304 | II194  |
| Morpeth | Former cinema                | 85 High Street    | Lot 1, DP 64366                                                          | II195  |
| Morpeth | Roman Catholic Church        | James Street      | Lot 3, DP 844638                                                         | II198  |
| Morpeth | Former Catholic school group | 20 James Street   | Lots 1 and 2, DP 844638                                                  | II199  |
| Morpeth | Georgian house               | 5 John Street     | Lot 1, DP 924593                                                         | II200  |
| Morpeth | White's Factory              | 7 Robert Street   | Lots 3 and 4, DP 592403                                                  | II206  |
| Morpeth | Villa                        | 67-69 Swan Street | Lot 1, SP 72883                                                          | II206A |
| Morpeth | Marlborough House            | 75 Swan Street    | Lot 631, DP 1091885                                                      | II207  |
| Morpeth | Former Queens Wharf          | 90 Swan Street    | Lot 1, DP 714289                                                         | II208  |
| Morpeth | Post office and residence    | 105 Swan Street   | Lot A, DP 411508                                                         | II209  |
| Morpeth | Former Bond Store group      | 122 Swan Street   | Lots 1, 2, 5 and 6, DP 260922; Lots 7 and 8, DP 628665                   | II210  |

### 1.3 SITE IDENTIFICATION

The site is identified as 24 Edward Street, Morpeth NSW 2321. The subject site is located within the Maitland Local Government Area. The real property description is: Lot 72, DP 755205.

The site is zoned RE2: Private Recreation. It is proposed to redevelop the site or rezone the subject land as R1: General Residential, so as to permit, with consent of Council, the redevelopment of the site for residential housing.

It is noted that, under the existing zoning, a mobile home park, as well as private recreational land uses and tourist and visitor accommodation, is permissible with Council consent. That said, the subject land is suitable and indeed ideal for a range of housing options, such as tourist accommodation or residential development. Residential development provides for a less intense form of land use, and allows for the sympathetic design of buildings and the introduction of elements such as landscaping and fencing more consistent with regard to Council objectives. Such residential development would form part of the existing urban footprint, rather than an extension of the eastern town edge, and would have no negative impact on the Morpeth Heritage Conservation Area; nearby heritage items; the streetscape; urban and rural views; or access to Morpeth Common. It would be consistent with the character of the surrounding development and land uses, and can be developed with or without the retention and adaptive re-use of the former Bowling Club clubhouse. Development of the site would not create a precedent, for it is surrounded on three sides by Council land classified as Community Land. Schematic layouts of possible residential development are appended to this document (see Appendix, Section 10).



**Figure 2. Location image. The subject land is outlined in red. The town of Morpeth is clearly visible to the north-west, with Morpeth Common to the north and east, and the cricket ground to the south. Nearmap (by licence)**



**Figure 3. Location image; the subject land is outlined in red. Nearmap (by licence)**



**Figure 4. Location image; the subject land is outlined in red. The former clubhouse, bowling greens and associated infrastructure are visible. Note the variable nature of the vegetated and cleared areas of the site. Much of the site is set back from Edward Street on account of the Morpeth Common/sportsground car park and Hunter Water sewer pump station. Nearmap (by licence)**

#### 1.4 CONSTRAINTS AND LIMITATIONS

EJE is not qualified to offer structural opinions. This report is not intended to convey any opinion as to the structural adequacy or integrity of the structure, nor should it in any way be construed as so doing. Similarly, the author's observations are limited to the fabric only: he does not comment on the capacity, adequacy, or statutory compliance of any building services.

## 2. HISTORICAL CONTEXT

The subject land was formerly the occupied by Morpeth Bowling Club. The following description provides the historical context by which the history of the site might be understood.

### 2.1 The Founding of Morpeth

The European settlement ultimately called Morpeth was founded in the early 1820s by Lieutenant Edward Charles Close, a veteran of the 48<sup>th</sup> Regiment of Foot ('The Heroes of Talavera') in the Peninsular War of 1807 – 1814. Born in Rangamatti, Bengal, on 12 March 1790, he and his mother some seven years later removed to England, where at the age of 18 he joined the 48<sup>th</sup> Regiment of Foot to defend his country against Bonaparte.<sup>2</sup> Surviving several significant actions, including the great battles of Albuera and Talavera in the Peninsular War, Close arrived in Sydney with a detachment of his Regiment on 3 August 1817.<sup>3</sup> In 1821, he decided to sell his Commission, as one could in those days, and was promised 1,200 acres of land reserved by government for his use<sup>4</sup> at a place known to the traditional owners, the Wonnarua people, as Illulong,<sup>5</sup> Illalaung<sup>6</sup> or Illullaung,<sup>7</sup> and to the Europeans as the Green Hills,<sup>8</sup> about 29 miles by water from Newcastle.<sup>9</sup> The area had first been seen by Europeans in June 1801, during the expedition of the *Lady Nelson* up river from Newcastle; it appears to have been Lieutenant-Colonel Paterson, leading member of this enterprise, who first conferred on the area the title of 'Greenhill'.<sup>10</sup> This was at the head of navigation for ocean-going vessels proceeding up-river from Newcastle; and although vessels of lighter draught could navigate as far as Wallis Plains, also called Molly Morgan's, where merchants Captain William Powditch and Frederick Boucher established a wharf and warehouse,<sup>11</sup> the distance by land was so much shorter than that by water as to give Green Hills the advantage as a landing place. West Maitland may have been known to the Wonnarua as *Boyen*.<sup>12</sup>

The reservation of land at the Green Hills, however, had no basis in law. The land could not be granted to him, as it was, at this time, illegal for serving Officers to be granted Crown land. This obstacle appears to have been overcome by Close's appointment as Engineer at Newcastle, allowing the grant to be made on 2 November 1822.<sup>13</sup> Sir Thomas Brisbane, Macquarie's

<sup>2</sup> Edward Charles Close, *The Diary of E.C. Close*. Sydney: W.E. Smith, 1892, p. 5

<sup>3</sup> *Diary of E.C. Close*, p. 64.

<sup>4</sup> *Ibid.*, p. 65.

<sup>5</sup> From Memorandum of E.C. Close, in *Australian Town and Country Journal*, 12 January 1878, p. 8.

<sup>6</sup> Joseph Cross, 'Map of the River Hunter, and its Branches, shewing the Lands reserved thereon for Church purposes, the Locations made to Settlers, and the Settlement and part of the Lands of the Australian Agricultural Company at Port Stephens together with the Station of the Mission to the Aborigines belonging to the London Missionary Society on Lake Macquarie, New South Wales 1828'. National Library of Australia, Map NK 646. *NSW Government Gazette*, 19 February 1834.

<sup>7</sup> 'Town of Morpeth formerly called Illulaung' (1834), Maps/0186, State Library of NSW.

<sup>8</sup> William Henry Wells, *A Geographical Dictionary or Gazetteer of the Australian Colonies: their Physical and Political Geography: together with a Brief Notice of all the Capitals, Principal Towns, and Villages*. Sydney: W. & F. Ford, Sydney, 1848, p. 269.

<sup>9</sup> *Diary of E.C. Close*, 1892, p. 65; W. Allen Wood, *Dawn in the Valley: The Early History of the Hunter Valley Settlement to 1833*. Sydney: Wentworth Books, 1972, pp. 18-21; William Henry Wells, *Geographical Dictionary*, p. 269.

<sup>10</sup> 'Lieutenant-Colonel Paterson's Journal and Discoveries at Hunter River', in F.M. Bladen (ed.), *Historical Records of New South Wales*, vol. 4. Sydney: Charles Potter, 1896, pp. 448-453.

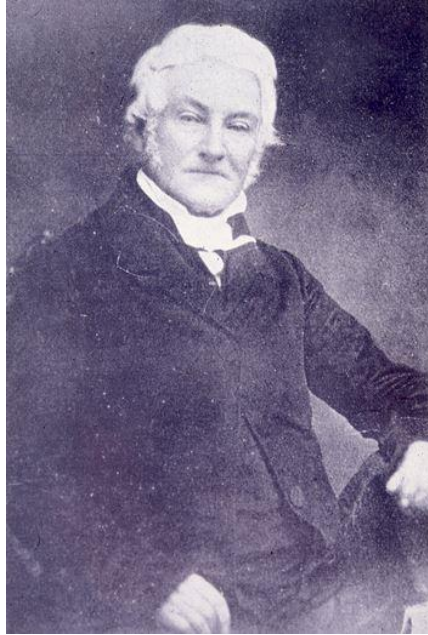
<sup>11</sup> *Sydney Gazette and New South Wales Advertiser*, 31 October 1825, p. 3. Boucher is said to have been a confidence man, guilty of much sharp practice and even forgery.

<sup>12</sup> See Memorandum of E.C. Close, in *Australian Town and Country Journal*, 12 January 1878, p. 8.

<sup>13</sup> Henry Dangar, 'Index and Directory to Map of the Country Bordering upon the River Hunter: the lands of the Australian Agricultural Company, with the Ground Plan and Allotments of King's Town, New

successor, added to the grant; and Close himself subsequently added to his holdings by purchase, enabling him to control much of the flood-free land on southern side of the Hunter River, a stream said to have been known to the Wonnarua as *Coonanbarra*.<sup>14</sup>

Close, then, enjoyed a unique advantage at a time when the Hunter Valley was being opened to free settlement. Resigning his position at Newcastle, he and his wife devoted themselves to improving the *Illalaung* estate.



**Figure 5. Lieutenant Edward Charles Close, in later life. The photograph betrays something of the man's hard-won confidence, fortitude and determination.**  
*University of Newcastle Cultural Collections*

William Tyrrell, first Bishop of Newcastle, later described their struggle:

Those who know the place only as it is, have little idea of the labour involved in bringing a piece of forest land into cultivation, and fitting it for the purpose of trade. Mr. Close found that country a dense bush, covered with scrub and ancient trees, whose arched branches almost concealed the river, and whose leafy boughs were so impervious to light that to walk beneath them even in broad daylight was like walking in the dimness of twilight. This dense forest and bush land Mr. Close set to work to clear, with all the obstacles and impediments incident to the then lawless condition of an ignorant and criminal population; and the result of his labours now is before us in fertile meads and peaceful habitations.<sup>15</sup>

In the absence of a proper road between Newcastle and Wallis Plains, that commenced in November 1824,<sup>16</sup> on Governor Brisbane's order, having not yet been completed, the river

South Wales'. London: Joseph Cross, 1828, p. 2; Michael Breen, *Morpeth Survival: A Look into the Past through Morpeth's Surviving Heritage*. Morpeth: M.&T. Breen, 2000, pp. 9-10.

<sup>14</sup> See Memorandum of E.C. Close, in *Australian Town and Country Journal*, 12 January 1878, p. 8.

<sup>15</sup> William Tyrrell, 'The Demise of E.C. Close, Sen., Esq.', *Church Chronicle*, 21 May 1866, cited in *Diary of E.C. Close*, pp. 71-72.

<sup>16</sup> *The Sydney Gazette and New South Wales Advertiser*, 25 November 1824, p. 2.

remained the main artery of communication, along which coastal vessels travelled to and from Sydney and other ports. Immigrants and travellers making their way from Sydney to the interior made use of the landing place at which Queen's Wharf was later built, then walked or were conveyed along the track to Wallis Plains. All were technically guilty of trespass, for the land was of course controlled by Close. Goods, together with carts and carriages<sup>17</sup> bound for Wallis Plains, later to be called West Maitland, and for settlements and stations further inland, were also landed here. These activities stimulated commercial enterprise, for in 1832 licences were issued for the establishment nearby of two inns, John Hillier's 'Illalaung Hotel'<sup>18</sup> and James Cracknell's 'The Wheatsheaf Inn'. Hillier's removal from the Ship Inn, Newcastle, illustrated the rising importance of the Green Hills. This was further demonstrated when the government, from 1833,<sup>19</sup> used convict labour to build a made road from the latter place to (East) Maitland,<sup>20</sup> the site of which is said to have been called *Cooloogooloogheit* by the Wannarua.<sup>21</sup> The closer settlement of districts to the west and north-west,<sup>22</sup> together with the development of the wheat wool, tallow and tanning industries, further stimulated the port, to the extent that it gradually became a principal outport of the Colony, supported by infrastructure at East and West Maitland.<sup>23</sup> While the remarks of an auctioneer in 1842 that Morpeth "already possesses the germ of a large and influential city", and that "every article consumed in Maitland and the Upper Hunter passes through Morpeth" were exaggerated, his willingness to make them is testament to widespread opinion as to the probable destiny of the town.

## 2.2 The Influence of E.C. Close on the Development of Morpeth

E.C. Close, who gradually leased portions of his estate for residential and commercial purposes,<sup>24</sup> lived long enough to see the growth of Morpeth into a comparatively compact but growing town, free of the fear of flooding that haunted other townships along the rivers Hunter and Williams. Unlike those settlements, however, Morpeth was a private town and long remained so, for Close subdivided and sold comparatively few allotments, and that at irregular intervals and at high prices,<sup>25</sup> providing little motivation for the erection of substantial improvements. The Surveyor-General's department was, moreover, naturally unable to follow its usual practice of setting apart sites for public buildings.<sup>26</sup> General Sir Ralph Darling, a Governor very careful of public moneys, understood these difficulties, but for whatever reason was unable to persuade Close to surrender his grant so that a properly planned town might be laid out in what was, after all, the most suitable local site.<sup>27</sup> John Dunmore Lang, that determined critic of privilege, called this an 'irreparable injury' to one of the principal districts of New South Wales. He blamed not Close, but Darling, whose 'higgling for years' had resulted in Close 'at last refusing to accede to his moderate terms', which Lang thought had amounted either to the exchange of his estate for double or triple the land elsewhere, or to monetary

<sup>17</sup> See Peter Cunningham, *Two years in New South Wales: a Series of Letters, comprising Sketches of the Actual State of Society in that Colony, of its Peculiar Advantages to Emigrants, of its Topography, Natural History, &c. &c.* London: H. Colburn, 1827, p. 144.

<sup>18</sup> See advertisement, *Sydney Gazette and New South Wales Advertiser*, 7 July 1832, p. 1.

<sup>19</sup> *Sydney Gazette and New South Wales Advertiser*, 7 November 1833, p. 2.

<sup>20</sup> *Sydney Monitor*, 25 March 1834, p. 3.

<sup>21</sup> See Memorandum of E.C. Close, *Australian Town and Country Journal*, 12 January 1878, p. 8.

<sup>22</sup> *Sydney Gazette and New South Wales Advertiser*, 7 November 1833, p. 2.

<sup>23</sup> William Henry Wells, *Geographical Dictionary*, p. 249.

<sup>24</sup> *Ibid.*, *Geographical Dictionary*, p. 269.

<sup>25</sup> See, for example, 'Plan of Fourteen Building Allotments in the Town of Morpeth Hunter's River, for sale by the Hunter's River Auction Company on the 19<sup>th</sup> January 1841'. State Library of NSW, ZM2 811.259/MORPETH/1841/1.

<sup>26</sup> *Australian*, 13 July 1832, p. 3.

<sup>27</sup> See *Colonist*, 5 February 1835, pp. 43-44; W. Allan Wood, *Dawn in the Valley*, p.20; see also Maitland City Council, *Maitland, 1863 – 1963*. Sydney: Oswald Ziegler Publications, 1963, p. 12.

compensation.<sup>28</sup> Darling's attitude, railed Lang, had ensured the growth of 'three inferior straggling towns', including what he called 'the proprietor's little fancy town at the head of the navigation, the only proper sight for a town of all the three'.<sup>29</sup>

Whatever the validity of these opinions, these circumstances appear to have slowed the growth of Morpeth as a residential locality, and to have instead favoured that of East Maitland, the government town,<sup>30</sup> and West Maitland, where rich agricultural land was available. They also left the best wharf frontage, some of which Close did indeed sell, in private hands, allowing the steamship companies trading to Morpeth to discourage competition from other parties. While Close agreed to dedicate to the Crown a waterfront reserve for public wharfage and the standing of cargos, the site was comparatively undesirable, being on low-lying land liable to flooding and comparatively difficult of access. Its Wonnarua name is said to have been *Waywerryghein*.<sup>31</sup> The wharf itself, later called Queen's Wharf after Queen Victoria, was exposed to the vagaries of the river, and was expensive to maintain. The best-capitalised, flood-free commercial properties, such as the warehouses of James 'Squire' Taylor, continued to occupy the higher ground above the private wharfs.

The origins of the port of Morpeth are interesting. The river was deep enough for vessels to come alongside and unload their cargos on its banks; wharfage was, of course, desirable, but evidently beyond Close's immediate resources. The deficiency was supplied in the form of a hulk, the *St. Michael*, which was made fast to the bank adjacent to what is now Green Street. With her decks roofed and boarded over, she became a store-ship at which cargos could be handled, warehoused and sold. In December 1841 she sank at her moorings,<sup>32</sup> by which time the southern bank had become the main focus of maritime activity. Another store-ship, the *Alexander*, met a similar fate in late February 1844, only her shingled roof remaining for a time above water.<sup>33</sup> By this time, private wharfs and warehouses, some of them of stone, had been built, with others in contemplation.

### 2.3 The Development of the Town

In early 1834, Close sold the first town allotments at *Illalaung*, a name which he had but recently changed to the less authentic but more commercially attractive name of 'Morpeth',<sup>34</sup> originally the name of the entire parish, and one formerly but abortively applied to Wallis Plains, afterwards called West Maitland.<sup>35</sup> These included the area between High Street in the south and Tank Street, named for a nearby dam, later called the Bishop's Tank, in the west, with Northumberland Street joining the two thoroughfares.<sup>36</sup> Lots along the riverfront, suitable for wharfs and warehouses, were particularly attractive to steamship companies and merchants.<sup>37</sup>

<sup>28</sup> John Dunmore Lang, *An Historical and Statistical Account of New South Wales, including a Visit to the Gold Regions, and a Visit to the Mines; with an Estimate of the Probable Results of the Great Discovery* (3<sup>rd</sup> ed.), London: Longman, Brown, Green, and Longmans, 1852, vol. II, p. 253.

<sup>29</sup> *Ibid.*, p. 254.

<sup>30</sup> See, for example, the opinion expressed in the *Sydney Gazette and New South Wales Advertiser*, 21 December 1841, p. 2.

<sup>31</sup> See Memorandum of E.C. Close, *Australian Town and Country Journal*, 12 January 1878, p. 8.

<sup>32</sup> *Australian*, 11 December 1841.

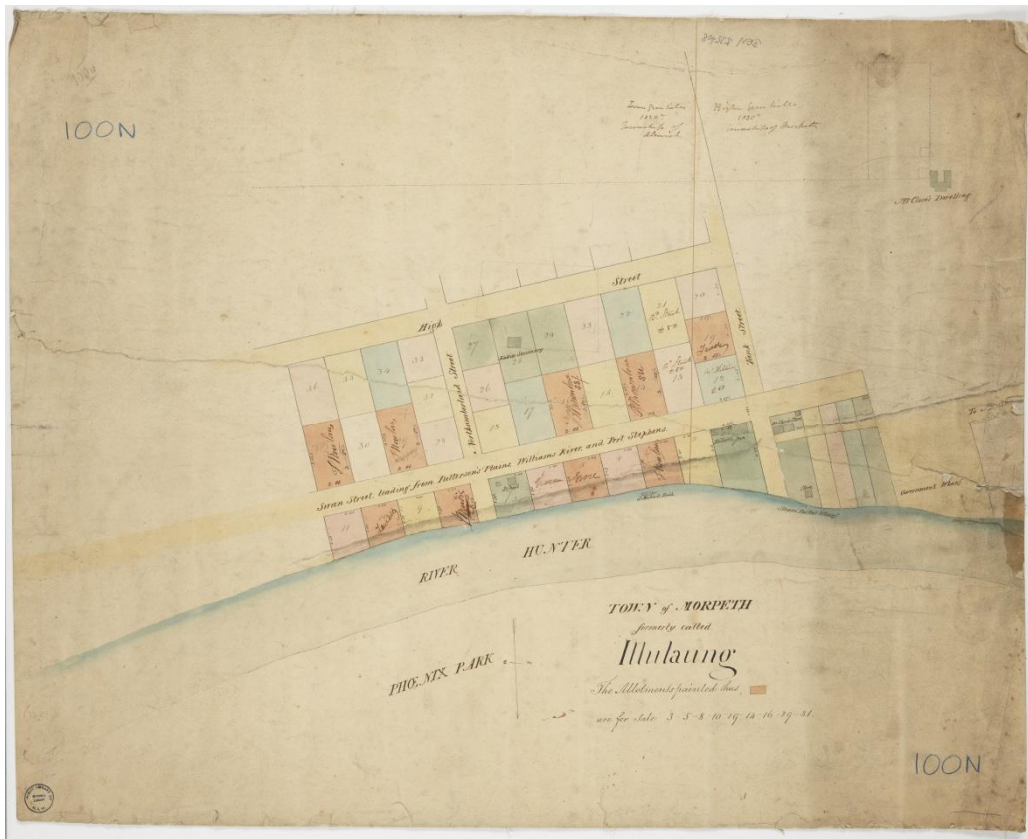
<sup>33</sup> *Maitland Mercury*, 2 March 1844, p. 2.

<sup>34</sup> See advertisement, *Australian*, 24 June 1834.

<sup>35</sup> The named was applied to Wallis Plains in 1827, but it was not popularly used: see *The Australian*, 9 May 1827; W. Allan Wood, *Dawn in the Valley*, p.243.

<sup>36</sup> '[Plan of] Town of Morpeth formerly called Illulaung' (1834), Maps/0186, State Library of NSW.

<sup>37</sup> *Sydney Herald*, 26 June 1834, p. 3.



**Figure 6. Figure 7. ‘Town of Morpeth formerly called Illulaung’, land sales plan of 1834.**  
*University of Newcastle Cultural Collections*

In 1840 20 town lots were advertised, with more put up for sale in 1841 and January 1842,<sup>38</sup> although Close was disappointed in his plan to sell lots in a new village, which he called ‘Closebourne’, probably after his house of that name, some distance to the east along the road to East Maitland. Although the new township, as it was optimistically titled, was laid out by surveyor’s plan into 100 lots, nothing is heard of it after about 1842.<sup>39</sup> This lack of success was probably due to the severe economic depression of the ‘Hungry Forties’. Some of the area was later incorporated into the village of Raworth. In 1848, when Europe was plagued by revolution, Morpeth was distinguished only by a quiet prosperity. According William Henry Wells, a pioneering geographical gazetteer, it contained

...about 635 inhabitants, viz. : — 334 males and 301 females, an Episcopalian church and parsonage, a Wesleyan chapel, a ladies’ school, and two day schools ; fine inns, one steam flour mill, a soap and candle manufactory, five large stores, some excellent shops, 37 stone and brick buildings, and about 117 wooden dwellings; steamers constantly ply between this place and Sydney ; coal promises to be abundant at a very short distance from this river...The extensive wharf of the Hunter River Steam Navigation Company is here, and throughout the greater part of the year there is a daily communication to and from the metropolis by the steam vessels of the Company; a considerable number of sailing vessels also trade between this place and Sydney...A coal mine is in actual operation under the direction of Mr. Close, jun., also the extensive steam flour mill of Mr.

<sup>38</sup> See advertisements for sale of land, *Sydney Gazette and New South Wales Advertiser*, 21 December 1841, p. 3.

<sup>39</sup> *Ibid*; see also 5 May 1841, p. 4.

John Portus. About two acres on the bank of the river are used as a Government wharf; an officer of the Custom house from Newcastle is stationed here.<sup>40</sup>

Portus' flour mill, an imposing building with a high chimney testified to the suitability of the surrounding country for the growing of wheat before the onset in the 1860s of the fungal disease, usually called 'the Rust', that ruined the industry in the lower Hunter. The building was later used by John Eales, of the Duckenfield estate, as a storehouse, before being purchased by Thomas Adam, who used portion of it as a saw mill.<sup>41</sup> The candle manufactory was that of Frederick Nainby,<sup>42</sup> whose raw materials came partly from his boiling-down establishment at Richmond Vale. Having trained in England as an apothecary, he also ran a chemist shop at Morpeth.<sup>43</sup> Among the stores were the bonded stores of James 'Squire' Taylor, Captain Patterson, and James Campbell; the latter also kept a large general store. The ladies' school, opened in 1834, was conducted by Mrs Luke.<sup>44</sup> In this year, also, Bishop William Tyrrell arrived from England via Sydney, and took advantage of Close's ready hospitality in using Morpeth, with its "Three long lines of straggling streets",<sup>45</sup> as they were later described by his assistant, Rev. R.G. Boodle, as a base for his first efforts within the new Diocese of Newcastle. So convenient did he find the locality, and so superior did he think its church to his tumbledown 'Cathedral' high on the hill at Newcastle, that he chose Morpeth for his place of residence, effectively making it the centre of the diocese.<sup>46</sup> He lived first in the St. James' parsonage; but Close, always willing to assist, in the late 1840s sold Tyrrell his house, *Closebourne*, in which his Lordship and his successors for many years dwelt.<sup>47</sup> The Wonnarua name for its site is said to have been *Terryrilla*.<sup>48</sup>

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<sup>40</sup> William Henry Wells, *Geographical Dictionary or Gazetteer of the Australian Colonies: their Physical and Political Geography: together with a Brief Notice of all the Capitals, Principal Towns, and Villages*. Sydney: W. & F. Ford, Sydney, 1848, p. 269.

<sup>41</sup> *The Maitland Daily Mercury*, 27 January 1931, p. 2.

<sup>42</sup> *Sydney Morning Herald*, 8 January 1846, p. 3

<sup>43</sup> *Maitland Mercury*, 18 March 1886, p. 6.

<sup>44</sup> *Sydney Herald*, 3 April 1834; see also *Brisbane Courier*, 2 October 1928, p. 22.

<sup>45</sup> Richard Boodle, 'Recollections of Ministerial Work in New South Wales', in John Halcombe, *The Emigrant and the Heathen; or, Sketches of Missionary Life*. London: Society for Promoting Christian Knowledge, 1874, p. 8.

<sup>46</sup> *Ibid.*, pp. 14-15.

<sup>47</sup> A. P. Elkin, *The Diocese of Newcastle: A History of the Diocese of Newcastle, NSW, Australia*. Glebe: Australian Medical Publishing Company, 1955, p. 160.

<sup>48</sup> See Memorandum of E.C. Close, in *Australian Town and Country Journal*, 12 January 1878, p. 8.



**Figure 8. Figure 9. 'Morpeth, 22 June 1849'. University of Newcastle Cultural Collections**

The three lines of streets of which Boodle wrote were, in fact, Swan Street, James Street and High Street. The first appears to have been named after John Swan, a convict who is thought to have been the earliest settler at Paterson's Plains;<sup>49</sup> the second, for St. James and the church named for him; the third, being central to the town, may have been intended to be the 'high street', the principal thoroughfare, although with the construction of the road to East Maitland and the development of the waterfront it was Swan Street that took on this role. Another explanation may be that its earliest, western length of High Street ran along the top of the ridge. In 1853, Close sold eight more town allotments;<sup>50</sup> and by 1860, during which year Close sold more lots, Robert Street had been laid out to the east. The sale involved the creation of two more, but shorter, roads, which were named Green Street and Market Street, while two others, Ann Street and Elizabeth Street, were also laid out.<sup>51</sup> The thoroughfares later called Close Street and Princess Street were at that time lanes by which the original lots were separated, and by which rear access was afforded to the lots addressing the roads themselves.<sup>52</sup> Their status as lanes encouraged the development of outbuildings, back-of-house facilities for commercial premises, and the various small scale industries, such as ostling and blacksmithing, usually to be found in a nineteenth century township. There were also some residences, although these were usually of a quality and size inferior to those found in the streets themselves. The high-quality stone kerbing and guttering associated with the principal streets was not replicated along the lanes.

<sup>49</sup> Cynthia Hunter, *Bound for Wallis Plains: Maitland's Convict Settlers*. Maitland: Maitland City Council, 2012, p. 25.

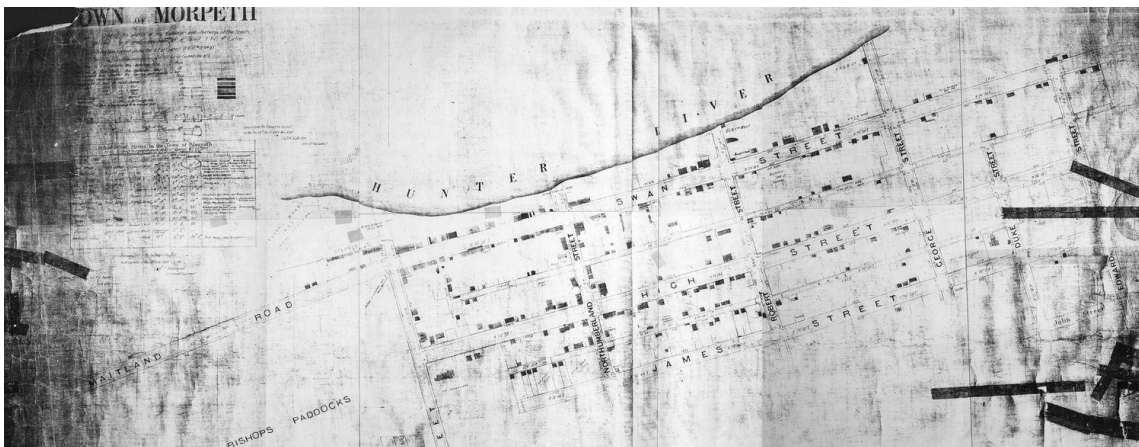
<sup>50</sup> *Maitland Mercury*, 23 February 1853.

<sup>51</sup> 'Plan of Allotments of Land at Morpeth'. National Library of Australia Map F827A.

<sup>52</sup> See 'Plan of Allotments for Sale in Morpeth, NSW', Reuss and Brown, Surveyors, 134 Pitt Street, Sydney, 28/5/[18]60. National Library of Australia, Map F827B; see also

The convict-built route from East Maitland, along which stage coaches ran, was known, practically enough, as Morpeth Road, from which a lane extended to the river at Queen's Wharf.<sup>53</sup> Steamer Street provided access to the Queen's Wharf railway station. The non-geographically specific street names owe their titles mostly to Close's natural children and their dependents, or to loyal feelings for the Royal family.

As Meredith Walker and Gardner Browne have shown, the street layout and allotment pattern of Morpeth significantly differed from those of other contemporaneous settlements, such as Clarence Town (1832), Paterson (1833) and Dungog (1837), all of which had been laid out by the Colonial government. In these townships the streets are of a width of 1 or 1 ½ chains, with intersections every 10 chains; allotments are of 1 chain in width and 5 chains depth. By way of contrast, the streets of the historic portion of Morpeth, as developed by E.C. Close, are comparatively narrower. Swan Street is 88'5" wide; High Street is 86'6" wide; James Street is 77'10" wide. Close Street and Princess Street, originally lanes, are 33' wide. The five cross streets are each 66' wide. Many of the town allotments, of 2 chains width, have been sold and re-subdivided with variable widths.<sup>54</sup> The depths of the allotments are variable, but are considerably less than the standard 5 chains, or of the later government standard of 2 ½ chains. Walker and Brown further point out that this gives the streets a more intimate character than that of the typical Australian town of the era.<sup>55</sup>



**Figure 10. 'Town of Morpeth showing the Widths of the Carriage and Footways of the Streets proposed to be Aligned in accordance with the Act of Council 2 Vic. No. 2...1868, F. Beaumont, Licensed Surveyor'. Maitland City Library**

<sup>53</sup> *Ibid.*

<sup>54</sup> See 'Morpeth Management Plan' (May 2000), Appendix B, A6.

<sup>55</sup> See Meredith Walker and Gardner Brown, 'Morpeth Conservation Planning Study' (1982), p. 15.



**Figure 11. Detail of Reuss and Browne, ‘Allotments for Sale in Morpeth, N.S.W., 1860’.**  
The three main streets within the town are shown, as are the roads to Hinton, East Maitland and Queen’s Wharf. *National Library of Australia*

If Close prospered through his sale of allotments in his private town, he continued to return a good deal to ‘his’ community by way of involvement in public affairs. In September 1862, for example, just after the completion of the Court House in Swan Street, he laid the foundation stone of a relatively imposing Doric building for the Morpeth School of Arts, reimbursing the full price of the land as well as contributing in other ways.<sup>56</sup> Designed and built by Maitland architect John Wiltshire Pender, apparently as his first significant commission, and opened twelve months later,<sup>57</sup> from 1865 it served as the chambers of the Borough Council until the disbandment of that body in 1944. It also accommodated the initial meetings of the Synod of the Diocese of Newcastle, and the many smaller events, displays, concerts and meetings characterising the life of the town. The Wonnarua name for its site is said to have been *Baybeg*.<sup>58</sup>

In satisfaction of an oath made during a battle of the Peninsular War, in which he was spared while his comrades fell on every side,<sup>59</sup> Close donated the land and payed much of the expense incurred in the building of the local church and parsonage of St. James, although the church was a good deal smaller than it later became. In further gifts to the Diocese of Newcastle and to the wider community,<sup>60</sup> Close for many years played the part of the respectable country squire, serving the growing town in a variety of ways, including his agreement to take on the office of magistrate. Close’s time on the bench was generally uncontroversial, although in his conduct in the case of Lieutenant Nathaniel Lowe, who had, in his murderous treatment of Aboriginal prisoners,<sup>61</sup> outraged civilised feeling, he appears to have placed accustomed military loyalties above his duty to the law. This did not prevent his later appointment as

<sup>56</sup> *Maitland Mercury*, 25 September 1862, p. 2.

<sup>57</sup> *Ibid.*, 26 September 1863, p. 4.

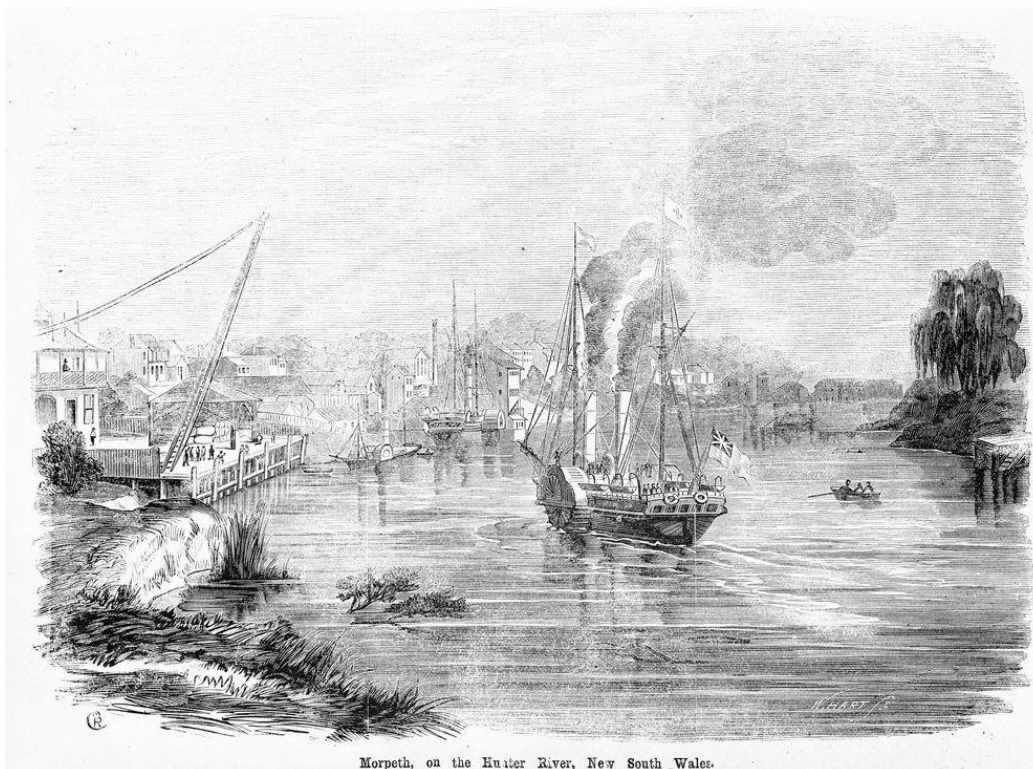
<sup>58</sup> See Memorandum of E.C. Close, in *Australian Town and Country Journal*, 12 January 1878, p. 8.

<sup>59</sup> Richard Boodle, *The Life and Labours of the Right Rev. William Tyrrell, D.D. : First Bishop of Newcastle, New South Wales*. London: W. Gardner, Darton & Co., 1881, p. 9; Close’s son, E.C. Close Jnr, at the laying of the foundation stone of the rebuilt Church of St. James in April 1875, related details of the oath: see *Maitland Mercury*, 17 April 1875, p. 2.

<sup>60</sup> Such as the first schoolhouse at Morpeth, where missionary James Backhouse preached in 1836: see James Backhouse, *A Narrative of a Visit to the Australian Colonies*. London: Hamilton, Adams & Co., 1843, pp. 397-398.

<sup>61</sup> See *Australian*, 23 May 1927, pp. 3-4.

Warden of the Maitland District Council;<sup>62</sup> nor his becoming a member of the Legislative Council. By the time of his death in May 1866, the year after the town was proclaimed a municipality, Close was generally regarded not only as the founder Morpeth, but as its genial mainspring, a “fine old English gentleman”, as he was described by the press.<sup>63</sup> His Morpeth estate was variously allocated to four surviving children, although the portion given to his daughter Marianne, who had married George Campbell of Duntroon, had, at a time before married women could by law hold property on their own account, to be held in trust for her.<sup>64</sup> The residue of the estate, eventually administered by trustees, was not finally broken up until the great auction sale of 30 October 1920.<sup>65</sup>



**Figure 12. Oswald Rose Campbell’s ‘Morpeth, on the Hunter River, New South Wales’, engraved by Walter Hart, and published in the *Illustrated Melbourne News* in 1865. The nearest large wharf is that of the Australasian Steam Navigation Company; the next is that of the Hunter River New Steam Navigation Company. Other, smaller wharfs are visible. Queen’s Wharf, open to the public, is further up river. Note the contrast in size between the two ocean-going steamers and the smaller river steamer between them. Some of the stone warehouses along the river bank were later demolished to make way for the extension of the railway, opened in 1870, although Portus’ mill, behind the tied-up coastal steamer, long remained extant. *State Library of Victoria***

<sup>62</sup> See, for example, *Sydney Morning Herald*, 17 January 1844, p. 2.

<sup>63</sup> *Sydney Morning Herald*, 9 May 1866.

<sup>64</sup> The *Married Women’s Property Act 1879* (NSW) had not yet commenced.

<sup>65</sup> See ‘Close’s Estate, Morpeth: for Auction Sale on the Ground, Saturday, Oct. 30th 1920’, National Library of Australia, Map F95.

## 2.4 The Influence of the Railway

The opening of the Great Northern Railway between Honeysuckle Point and East Maitland, and its subsequent extension into Newcastle and West Maitland, gave rise to fears on the part of shareholders in the steamship companies that dominated the coastal trade that Morpeth would become progressively isolated as further railway extensions attracted wool and coal traffic to the port of Newcastle. Attempts in 1860 and 1861 to interest the Colonial government in the building of a railway from East Maitland to Morpeth having proved abortive, during the following year the Maitland and Morpeth Railway Company, an enterprise identified with the steamship interests, endeavoured to obtain an Act of Parliament enabling it to build such a line. This met with opposition; but the Colonial government was persuaded to construct the branch railway. Its opening on Monday 2 May 1864<sup>66</sup> was ill-starred, for the line terminated too far from the river front to be of practical benefit either to the town or to the shipping companies: a reluctance on the part of some to sell the necessary land for reasonable prices,<sup>67</sup> appears to have encouraged a belief that trade would, instead, be attracted to the public wharf, called Queen's Wharf, that was located near the terminus. Expensive coal staithes, to which a siding was constructed from the initial terminus in Steamer Street, west of Tank Street, were erected near Queen's Wharf in 1866 in the hope that colliery proprietors would take advantage of them;<sup>68</sup> but they were scarcely used, and won renown only as a white elephant.<sup>69</sup> Queen's Wharf, in the event, attracted little cargo; and it was not long before the whole situation became a political embarrassment.

A proposed extension of the line was delayed by the insistence of the Australasian Steam Navigation Company that it should be compensated for the land required for the laying of the line to the wharf of the Hunter River New Steam Navigation Company, its competitor.<sup>70</sup> This dispute, the fruit of bitter rivalry, was overcome only by considerable effort on behalf of the authorities. By 1870, when the line was opened to its new terminus,<sup>71</sup> all but very limited coal traffic had been lost to Newcastle,<sup>72</sup> and it was too late to divert it, for it was by now more convenient for shippers to send coal along the Great Northern Railway to the advanced loading facilities at Newcastle than to be delayed by the marshalling and remarshalling of wagons involved in the running of the light trains along the Morpeth branch line.

The local application by the railways of differential freight rates, too, stimulated by the government's willingness to undercut the Morpeth trade to increase traffic to Newcastle, also appears to have played a significant role.<sup>73</sup> The trade in general goods also suffered, a circumstance worsened by the demolition of several large warehouses and hotels near the waterfront to make way for the railway extension and its associated cutting along the rocky river front,<sup>74</sup> although the railway seems to have assisted in the bringing of wheat to Rundle's flour mill, opened by John Portus in 1839,<sup>75</sup> two decades before the onset of fungal wheat rust put an end to the growing of wheat in the lower Hunter River district. Wool traffic was, however, a different story, with the steamship companies being well equipped to handle wool bales in their

<sup>66</sup> *Sydney Morning Herald*, 21 May 1864, p. 8.

<sup>67</sup> *Ibid*, 4 May 1864, p. 5.

<sup>68</sup> *Maitland Mercury*, 12 June 1866, p. 2.

<sup>69</sup> See, for example, *Evening News*, 16 June 1877, p. 4.

<sup>70</sup> *Maitland Mercury*, 29 July 1869, p. 2.

<sup>71</sup> *Ibid.*, 7 July 1870, p. 1.

<sup>72</sup> *Maitland Mercury*, 1 May 1875, p. 2.

<sup>73</sup> See *Maitland Mercury*, 26 July 1870, p. 2.

<sup>74</sup> See Cynthia Hunter and W. Ranald Boydell, *Time Gentlemen, Please! Maitland's Hotels Past and Present*. Maitland: Maitland City Heritage Group, 2004, p. 16.

<sup>75</sup> *Maitland Mercury*, 'Death of Mr John Portus', 19 June 1860, p. 2.

sidings and warehouses. So substantial was this trade that a new stone-faced Queen's Wharf, extending either side of what the *Maitland Mercury* called "that useless monument of expenditure, the Morpeth coal staithes",<sup>76</sup> was erected in 1870.<sup>77</sup>

This growing trade certainly stimulated commercial and residential activity, as did the continuing success of Duncan Sim's foundry, the Swan Street enterprise founded by Sim upon his return from the gold diggings after 1853.<sup>78</sup>

The town of Morpeth, for a long time almost stationary, appears to have reached a more promising point in its history...whereas there was a number of tenements empty and going to decay, dwelling houses are now in demand, and as a result, the untenanted buildings are now being renovated for occupation.<sup>79</sup>

The staithes, to serve which an all-too prominent embankment and timber trestle had been constructed to support a long siding leading off the Morpeth railway just east of the original railway terminus, long proved an embarrassment, attracting the notice of a Sydney press that questioned government expenditure on regional projects. The *Evening News*, for instance, under a headline advertising "Some Big Railway Blunders", thundered that

The country, of course, knows of that fearful shame, the coal staiths at Morpeth, which stand unused after being fifteen years finished – nearly a quarter of a mile of solid elevated railway work put up for trucks that were never to run, and for the convenience of colliers that were never to sail above Hexham Flats. That was a job, it is nearly forgotten now, though the work still stands there as a placard of political and engineering bungling...<sup>80</sup>

The Morpeth-Sydney wool trade, however, continued to prosper, although much wool was also exported through the port of Newcastle, either to Sydney or to the United Kingdom. Large new wool stores, complete with railway sidings, were erected at the Morpeth wharfs of both the Hunter River New Steam Navigation Company and the Australasian Steam Navigation Company.<sup>81</sup> The latter company in 1880 retired from the Hunter River run, selling its local vessels and interests to a new enterprise, the Newcastle Steamship Company Ltd, which for a time provided determined competition as to pricing. Such prosperity was, however, overtaken soon after the opening of the great Hawkesbury River bridge that at last connected the northern and southern portions of the Homebush to Waratah railway, ending the physical separation of the Northern railway system. So expensive had the unifying line proved, and so influential were the Sydney mercantile interests that coveted the Morpeth wool for Darling Harbour and Circular Quay, that the Colonial government decided to vary the differential rail freight rates that had hitherto favoured the port of Newcastle so as to subsidise the carriage of wool to Sydney. This, of course, discouraged its despatch to either Morpeth or Newcastle. As Robert Lee has written,

Thus, in New South Wales railway rate policy deliberately and consciously centralised rail traffic on Sydney and prevented the development of rival ports.<sup>82</sup>

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<sup>76</sup> *Ibid.*, 24 September 1870, p. 2.

<sup>77</sup> *Empire*, 4 November 1870, p. 3.

<sup>78</sup> See Judith MacLeod, *Duncan Sim, 1818 – 1892: A Morpeth Ironfounder and his Family*, p. 19.

<sup>79</sup> *Australian Town and Country Journal*, 3 August 1878.

<sup>80</sup> *Evening News*, 26 August 1887, p. 3.

<sup>81</sup> *Maitland Mercury*, 29 August 1878, p. 4.

<sup>82</sup> *Linking a Nation: Australia's Transport and Communications 1788 – 1970*, Chapter 2: Ports and Shipping, 1788 – 1970,

The ability to have wool shipped direct from the Northern districts to the Sydney wool stores saved the cost of loading at Morpeth and unloading at Sydney,<sup>83</sup> although this circumstance also badly affected the port of Newcastle, which between 1888 and 1890 experienced a decline of over 33% in bales dispatched.<sup>84</sup> Despite these disadvantages, in 1889 the port of Morpeth handled about 34,000 bales.<sup>85</sup> Such was the impact of the differential rates that, in 1891, the two major steamship companies on the Hunter River run decided to amalgamate; on 1 January 1892, the new company, the Newcastle and Hunter River Steamship Company Ltd, commenced operations.<sup>86</sup> These were, at first, attended by some success: in 1893, as much wool was shipped at Morpeth as at Newcastle, while in 1899 a record 82,361 bales were loaded at the river port; but any repetition of these efforts was prevented by the redoubled determination of the government railways to obtain the traffic.<sup>87</sup> It was this intervention by a government instrumentality, rather than the silting of the river, that undermined the viability of the port of Morpeth. In consequence, the premises of the former Newcastle Steamship Company, originally those of the Australasian Steam Navigation Company, were no longer required: the site was made available to the Bowthorne Co-operative Dairy society, which in 1910 opened a butter factory there.<sup>88</sup>

Although the government's railway policies had a negative influence on the port, they also for a time brought increased prosperity to the local manufacturing sector. Duncan Sim was awarded contracts for the supply of rolling stock, now easily dispatched along the Morpeth branch railway. Sim was pleased to have added this additional work to his usual manufacture of "Hay presses, Mowing Machines, Horse rakes, cornshellers, ploughs, Drays, wagons & ce."<sup>89</sup>

Sim's continued success, and the activities of the Hunter District Water Supply and Sewerage Board, attracted the attention of Pope, Maher & Co., of Darlington, Sydney. In 1896 they opened a steel pipe fabrication workshop in Swan Street, adjoining the Newcastle and Hunter River company's wharf.<sup>90</sup> This was served by both rail and water transport.<sup>91</sup> The opening in June 1898, of the Northumberland Street bridge over the Hunter River,<sup>92</sup> followed by that of the Hinton Bridge, the caissons for which were supplied by Pope, Maher & Co., in February 1901,<sup>93</sup> allowed large loads to be conveniently conveyed by road, also. The metals industry for a time remained attractive enough for the Sim family to find a buyer for their foundry after their withdrawal from the industry in 1926. The purchaser was J.D. Couston, a prominent businessman.<sup>94</sup>

<sup>83</sup> See Parliamentary Standing Committee on Public Works, 'Minutes of Evidence, Railway to Connect the North Shore Railway with Port Jackson, at Milson's Point', Evidence of Hugh McLachlan, Secretary to the Railway Commissioners, 8 July 1890. *Votes and Proceedings of the Legislative Assembly of New South Wales*, 1890, vol. VI, p. 47.

<sup>84</sup> *Ibid.*, Evidence of Cecil Darley, Engineer in Chief for Harbours and Rivers, 26 June 1890, p. 22.

<sup>85</sup> *Ibid.*, Evidence of Hugh McLachlan, Secretary to the Railway Commissioners, 8 July 1890, p. 47.

<sup>86</sup> Newcastle and Hunter River Steamship Company, *The Newcastle and Hunter River District Tourists' Guide*. Newcastle: The Company 1907, p. 20.

<sup>87</sup> See John Turner, 'The Development of the Urban Pattern of Newcastle: A Critique', in *Australian Economic History Review*, vol. XI, September 1971, p. 181.

<sup>88</sup> *Maitland Mercury*, 22 August 1910, p. 2.

<sup>89</sup> Letter from Duncan Sim to Peter Sim, reproduced in Judith MacLeod, *Duncan Sim*, p. 19.

<sup>90</sup> *Sydney Morning Herald*, 21 March 1896, p. 9.

<sup>91</sup> See *Maitland Daily Mercury*, 21 March 1896, p. 6.

<sup>92</sup> *Sydney Morning Herald*, 16 June 1898, p. 5.

<sup>93</sup> See *Maitland Daily Mercury*, 14 February 1901, p. 2.

<sup>94</sup> *Sydney Morning Herald*, 29 September 1926, p. 16.

## 2.5 The Decline of Morpeth

Hopes that Morpeth might become an industrial centre were, however, disappointed. River-borne trade continued to decrease. In July 1931, the Newcastle and Hunter River Steamship Company was forced to retire from the Sydney to Morpeth trade, closing its Morpeth wharf,<sup>95</sup> although a small wooden-hulled steamer, the *SS Allyn River*, until 1939 continued to carry flour and small quantities of provisions for shops. The Depression of the 1930s emptied Couston's order book, and in the middle of that decade he was forced to close the Swan Street foundry. Pope, Maher & Co. had by this time also vacated their site. The conclusion of the Second World War brought no revival in the metals trade, but some new business opportunities were forthcoming. In 1946, for example, British American Tobacco opened a tobacco plant in the milk dehydration works built by the Commonwealth government during the recently concluded world war.<sup>96</sup> This year, however, also saw the end of the shipping trade, when the last commercial vessel to visit Morpeth, the *SS Doepel*, of only 389 tons, conveyed a cargo of newsprint from Sydney.<sup>97</sup> The remaining wharfs were dismantled in mid-1951.<sup>98</sup>

The tobacco factory did not prosper, for it was closed not long after April 1951, when the Bowthorne butter factory also ceased to trade, its activities being centralised at the Hunter Valley Dairy Co-operative ('Oak') facility at Hexham.<sup>99</sup> The demise of these enterprises further undermined the viability of the Morpeth branch railway, already badly affected by the cessation of river traffic.<sup>100</sup> The line was closed on 31 August 1953,<sup>101</sup> the President of the Morpeth Progress Association describing the loss as being "like losing a right arm".<sup>102</sup>

Although the former Bowthorne building was later converted to house a milk bottling plant, which opened on 23 October 1953,<sup>103</sup> the facility employed limited numbers of staff; plans for its future expansion do not seem to have come to fruition. The loss of so many jobs following the closure of the butter and tobacco factories put an end to hopes that the local economy could prosper in the aftermath of the eclipse of the port of Morpeth. The increasing availability of motor cars and buses brought the town within the orbit of East and West Maitland, with which the municipality had been amalgamated in 1944 to form the City of Maitland. Morpeth residents increasingly looked to Maitland for both shopping and business transactions, further undermining the viability of local businesses. This led to the abandonment and decrepitude of several comparatively large buildings, such as the former Anlaby's Inn and Campbell's store in Swan Street. Some of these were demolished, while others were simply allowed to fall down. A lack of demand for commercial space contributed to a general air of dilapidation and declining land values, although the connection of the town with the district sewerage scheme in late 1939<sup>104</sup> does appear to have encouraged the construction of some new dwellings. In the 1940s, Peter Joseph Hurley, a popular Australian author, who had recently visited the town, wrote that

<sup>95</sup> See *Maitland Daily Mercury*, 9 July 1931, p. 6.

<sup>96</sup> *Singleton Argus*, 2 August 1946.

<sup>97</sup> See generally David Campbell, 'Railways of the Newcastle District of New South Wales, 1840 – 1865: Some Influences on their Development', in *Stories of the GNR*. Newcastle: Newcastle Regional Museum and Engineers Australia, 2007.

<sup>98</sup> *Singleton Argus*, 16 May 1951, p. 2.

<sup>99</sup> *Muswellbrook Chronicle*, 6 April 1951, p. 2.

<sup>100</sup> See *Singleton Argus*, 29 May 1953, p. 6.

<sup>101</sup> *Sydney Morning Herald*, 7 October 1953, p. 8.

<sup>102</sup> *Ibid.*

<sup>103</sup> *Singleton Argus*, 26 October 1953, p. 1.

<sup>104</sup> See *Maitland Daily Mercury*, 5 August 1939, p. 10.

St. James still stands in the town whose glory has waned and much of whose historic wealth in stone and story is forgotten.<sup>105</sup>

And as for the town itself,

Now it sleeps and dreams of the glory that was Morpeth, as does Maitland of its grandeur that might have been.<sup>106</sup>

## 2.6 Revival

Conditions began to change in the 1970s, when businessmen such as Trevor Richards identified the potential of Morpeth as a tourist and heritage destination, as well as being a convenient place in which to reside. The town is now very popular, particularly on weekends, with cultural pursuits vying with commercial and residential activities, the latter being supported by extensive new subdivisions outside the historic precinct.

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## 2.7 The Morpeth Bowling Club

The area now known as Morpeth Common was originally called the Morpeth Recreation Ground. It was acquired by Morpeth Borough Council from the trustees of E.C. Close after public pressure for the dedication of a place for public recreation; for Morpeth's origins as a private town meant that there was no parkland at all, and even cricketers pursuing the 'noble game' had to seek the permission of landholders before a match could be held.<sup>107</sup> This was noted by Council, which in May 1878 called a public meeting at the School of Arts in which to discuss the issue. It was fully ten years since an unsuccessful approach to Edward Close, as trustee for Mrs Campbell, the daughter of E.C. Close to whom the land had been bequeathed on trust,<sup>108</sup> for the presentation to the town of a suitable place of recreation;<sup>109</sup> and public dissatisfaction had only increased. There was not even a publicly-owned water reserve or market place, both of which would have been provided had Morpeth been a government town. Popular preference had been expressed for the securing of a site at the top of the ridge, bisected by James Street, or in Mrs Knox's paddock between the railway terminus, by then situated the eastern end of Swan Street, and the Hunter River; but the street had already been dedicated as a public thoroughfare, and Edward Close was concerned to maintain the river front for the expansion of the shipping facilities that lent Morpeth its importance. He would, in short, agree only to its lease to one of the steamship companies, despite the fact that subscribers were prepared to meet one half of the cost if the Colonial government should agree to pay the other. The prospect of securing any suitable land, even if not the sites discussed above, was enthusiastically endorsed by a large public meeting in May 1878.<sup>110</sup>

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<sup>105</sup> See Peter Hurley, *Red Cedar: The Story of the North Coast*. Sydney: Dymock's Book Arcade, 1948, p. 58

<sup>106</sup> *Ibid.*

<sup>107</sup> *Maitland Mercury and Hunter River General Advertiser*, 11 May 1878, p. 4.

<sup>108</sup> Being a married woman, and therefore unable to hold property of her own before the commencement of the *Married Women's Property Act 1879* (NSW), a trust had been established in her name.

<sup>109</sup> *Maitland Mercury and Hunter River General Advertiser*, 14 July 1868, p. 3.

<sup>110</sup> *Ibid.*, 16 May 1878, p. 6.

These early moves did not meet with success, for Edward Close would not change his mind. He consented, however, to sell a parcel of land in James Street, albeit for a comparatively high price; and an offer was made to Mrs Campbell in England for the purchase of another parcel on the same street. Neither of these courses having met with success, the Council approached Sir Henry Parkes for help in securing a site near the cemetery at the southern end of Tank Street.<sup>111</sup> This met with further difficulties; and it was not for another four years that further progress was made. In March 1882, at a meeting once again held in the School of Arts, a smaller but no less enthusiastic public meeting called for the purchase of 40 acres known as John Farrell's paddock, addressing the road to Edward Street, the road to Raymond Terrace.<sup>112</sup> Edward Street provided access to the river port of Raymond Terrace at the confluence of the Williams River and Hunter River, while the nearby river punts promoted traffic with Largs and Hinton. The government, persuaded of the necessity for parkland, in 1883 resumed the land, although not without an attempt considerably to reduce its area so as to save expenditure.<sup>113</sup> A plan, prepared in 1849,<sup>114</sup> shows only an isolated cottage as having by then been built on the site, to which the town grid had not yet been extended.

The land was accordingly secured; and in March 1886 Mr Moore, of the Sydney Botanic Gardens, visited the site to advise on the laying out and planting of the ground,<sup>115</sup> which, being well watered and sometimes subject to flooding, was in the meantime was used for the grazing and agistment of stock. Council was afterwards much exercised by the trespassing overnight of stock for which no grazing fees had been paid.<sup>116</sup>

The need for a cricket ground being most pressing, a site at the south west corner of the reserve was levelled and turfed. By June 1895, most of this work had been completed, and James Warren Scobie, a prominent architect resident at Lorn,<sup>117</sup> and W. Howard, a landscape gardener, had been commissioned for the designing of other improvements.<sup>118</sup> A timber-built grandstand, which is today known as the Frankie Bowe Grandstand, was completed by October 1896, having been designed by Scobie and erected by J. Perry.<sup>119</sup> Scobie and Howard were well acquainted with one another, having both been involved in various aspects of the development of the West Maitland Recreation Ground, also known as West Maitland Park (today Maitland Park). Howard laid out garden beds in an enclosure in the central portion of the park, in which flowers and ornamental trees were planted,<sup>120</sup> and also served on the West Maitland Park Executive.<sup>121</sup> The garden enclosure appears to have become the site of the Young Memorial Drinking Fountain, designed by Scobie and completed in 1894.<sup>122</sup>

Council, however, was always short of funds, and found itself unable to develop the Recreation Ground to the full extent of the plan developed by Scobie and Howard; and besides, the filling of

<sup>111</sup> *Ibid.*, 9 June 1881, p. 3.

<sup>112</sup> *Ibid.*, 11 March 1882, p. 5 (supplement).

<sup>113</sup> *Maitland Mercury and Hunter River General Advertiser* 2 August 1883, p. 6; *Australian Town and Country Journal*, 18 August 1883, p. 15.

<sup>114</sup> 'Morpeth, 22<sup>nd</sup> June 1849'.

<sup>115</sup> *Maitland Mercury and Hunter River General Advertiser*, 20 March 1886, p. 4.

<sup>116</sup> *Maitland Mercury and Hunter River General Advertiser*, 12 August 1886, p. 3.

<sup>117</sup> See Les Reedman, *Early Architects of the Hunter Region: A Hundred Years to 1940* (2<sup>nd</sup> ed.). Newcastle: Boraga Academic and RAIA – Newcastle Division, 2008, p. 125.

<sup>118</sup> *Maitland Daily Mercury*, 20 June 1895, p. 4.

<sup>119</sup> *Newcastle Morning Herald*, 20 March 1896, p. 8, 14 October 1896 p. 8; *Maitland Daily Mercury*, 21 April 1896, p. 7.

<sup>120</sup> *Maitland Mercury and Hunter River General Advertiser*, 10 September 1892, p. 4.

<sup>121</sup> *Newcastle Morning Herald and Miners' Advocate*, 10 July 1900, p. 8.

<sup>122</sup> Cynthia Hunter, *Maitland Park*. Raymond Terrace: Hunter House Publications, 2001, p. 12.

the swampy ground by which much of the reserve was made up was the work of years, rather than weeks. By the 1930s, a football ground and a tennis court had long since been provided, but much of the reserve, which by this time was generally called Morpeth Park, remained undeveloped and subject to inundation by the nearby creek. The increasing popularity of golf in the lower Hunter Valley was reflected in the formation in 1933 of the Morpeth Golf Club,<sup>123</sup> which, however, lacking a dedicated links, made use of a rough and ready course on Church of England property behind Closebourne House (by this time known as Bishops Court), bounded by Tank Street and Morpeth House.<sup>124</sup> The club on 13 November 1933 therefore approached Council with a view to the construction by Council of a course on the undeveloped portion of the park, with expenses to be met by the club, which would also pay a golf professional to design the links. Council was not averse to this proposal, particularly as the work could be undertaken as part of a government scheme for the relief of the widespread unemployment associated with the Great Depression.<sup>125</sup>

Plans for the new links were approved in early 1934, the course being opened in 25 April 1934.<sup>126</sup> The first club house appears to have been the galvanised iron shed transported from the old links; but its replacement, described as 'very commodious', and large enough for dancing, was opened by Herbert Hawkins, NSW Minister for Social Services, in April 1936. By this time the course had been considerably developed.<sup>127</sup> The clubhouse appears to have stood on the approximate site of the present Morpeth Common car park.<sup>128</sup>

The golf links proved popular, and were gradually improved by the construction of bunkers and the like. Water obstacles were naturally available in the form of billabongs; indeed, it was the presence of too much water that was to provide the club's major challenge. The onset of the Second World War, together with damage to the links from repeated flooding in and after 1949, so affected the club as to render it unviable. In 1950, therefore, the golf course was surrendered to Council, which was asked to authorise the sale and removal of club property.<sup>129</sup>

Morpeth Park now returned to its former quiet existence. The sporting facilities, established on the high ground, continued in use, while the former golf links increasingly attracted birds and wildfowl. The area gradually came to be known as Morpeth Common. There being no need to extend the sporting facilities, Maitland City Council, into which the former Morpeth Council had been absorbed in the 1940s, renamed the low-lying portion of the park as the Ray Lawler and Morpeth Common Wildfowl Reserve. The late Mr Raymond Lawler was a long-standing Alderman for the City of Maitland's North Ward, of which Morpeth forms part. Council later built a brick pavilion, now called the Wally Malepka stand, to serve the cricket ground.

Plans for a bowling green had been discussed in early 1934,<sup>130</sup> but by 1939 no further action had been taken.<sup>131</sup> This situation continued until the establishment in the 1940s of the bowling green of the Morpeth Bowling Club on a site between the cricket ground and the former golf

<sup>123</sup> *Maitland Daily Mercury*, 16 November 1933, p. 2.

<sup>124</sup> See R. Mawson (ed.), *The Morpeth Story 1821 – 1971*. Morpeth: Morpeth Progress Association, 1971.

<sup>125</sup> *Maitland Daily Mercury*, 14 November 1933.

<sup>126</sup> *Maitland Daily Mercury*, 27 April 1934, p. 2.

<sup>127</sup> *Maitland Daily Mercury*, 2 April 1936.

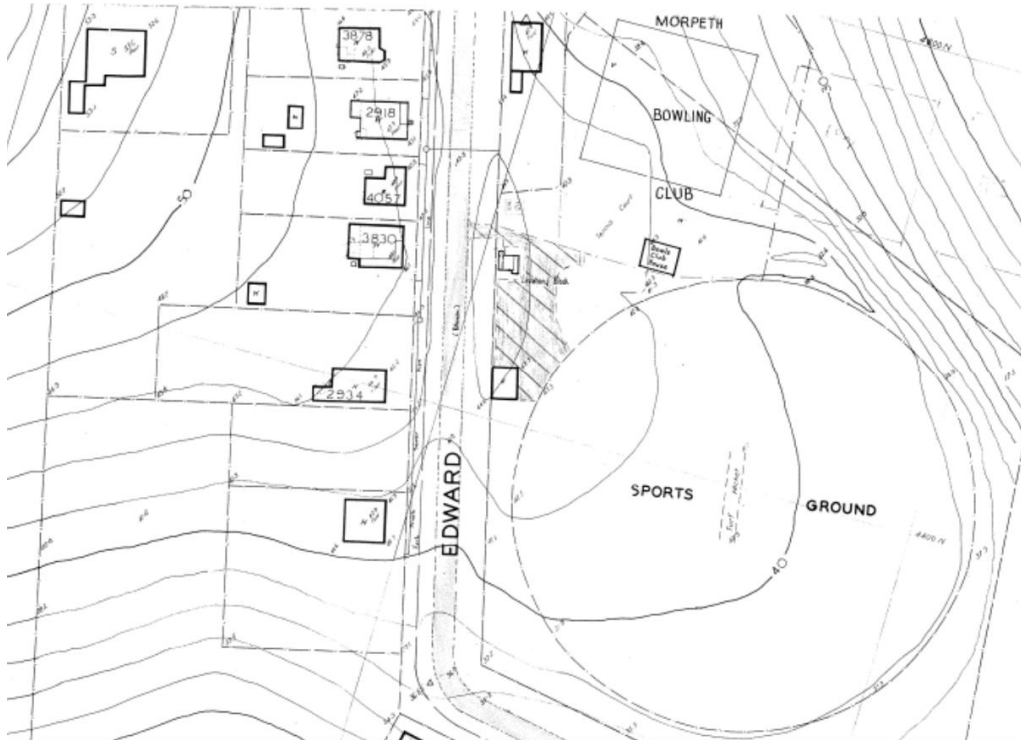
<sup>128</sup> Morpeth Sewerage Scheme, Sheet 131, copied 1949, appended to Maitland City Wide Development Control Plan 2011.

<sup>129</sup> *Newcastle Morning Herald and Miners' Advocate*, 29 November 1950, p. 8.

<sup>130</sup> *Maitland Daily Mercury*, 23 January 1934, p. 2.

<sup>131</sup> *Ibid.*, 5 August 1939, p. 10.

links.<sup>132</sup> This may have formed portion of the land which had in 1883 been resumed for the recreation ground; but it may later have been given by Council to the bowling club. The club proved successful enough to establish a second green by filling some of the water-logged land to the east,<sup>133</sup> and to afford a substantial brick clubhouse to replace a much smaller facility and adjacent tennis court on the approximate site of the present Wally Melepka stand.



**Figure 13. Morpeth Sewerage Scheme, copied 1949, sheet 131. Note the former Golf Club clubhouse to the west of the bowling green (in the area now occupied by the Morpeth Common car park), the 'Bowls Club House' to the south of the bowling green, and the proposed additional green to the east. Maitland City Council**

The clubhouse, a substantial brick veneer building, was opened on 6 October 1973 by Harold Tapner, Vice-President of the Royal New South Wales Bowling Association.<sup>134</sup> Available for hire by other parties, the building proved an asset to a town that had previously lacked a registered club.



<sup>132</sup> 'Last Drinks as Bowlo calls Time', *Maitland Mercury*, 23 June 2011.

<sup>133</sup> See Morpeth Sewerage Scheme, Sheet 131, copied 1949, appended to Maitland City Wide Development Control Plan 2011.

<sup>134</sup> See commemorative stone fixed in external wall of clubhouse.

After a long period of prosperity, a decline in the popularity of lawn bowls from the 1980s onward presented significant challenges to the club. These were increased by the legislative and social changes of the twenty-first century.<sup>135</sup> Morpeth Bowling Club, like so many similar institutions, faced operational challenges too great to independently overcome. The decision was, accordingly, taken to seek amalgamation with the much larger Beresfield Bowling Club. The financial situation, however, continued to deteriorate, and on 21 August 2011 the club was closed.<sup>136</sup> In November of the following year the Morpeth Business Association proposed that the site should be used for the development of a tourist park and historical interpretative centre.<sup>137</sup> This scheme proved abortive, and in July 2014 the land was offered for sale by expressions of interest; it was subsequently purchased by Morpeth Land Company Pty Ltd, which now seeks either to redevelop the site or rezone the land for residential development.

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<sup>135</sup> *Maitland Mercury*, 10 September 2012.

<sup>136</sup> 'Last Drinks as Bowlo calls Time', *Maitland Mercury*, 23 June 2011.

<sup>137</sup> *Maitland Mercury*, 11 November 2013.

### 3. PHYSICAL CONDITION AND CONTEXT

#### 3.1 THE SITE

The site covers an area of 1.27 ha. It includes two disused fenced bowling greens, concrete greenkeeping storage cells, concrete water tanks and a redundant shipping container. There are some small ornamental pencil pines near the club house, together with some Cocos palms at the eastern end of the eastern bowling green, but no other vegetation within the fenced bowling green area. The filled area of the subject land is cleared and grassed, giving way to swampy ground to the east, with some vegetation and mature trees. A Telstra mobile telephone tower and associated chainwire enclosure stands near the south-east corner of the site. The site frontage is dominated by three existing fig trees located along the Edward Street road frontage. The majority of the site is set back approximately 20m from Edward Street, behind an informal gravel car park area used for the adjoining sportsground, and a brick Hunter Water Corporation sewer pump station.

#### 3.2 THE BUILDING

The former Morpeth Bowling Club clubhouse is a brick veneer building with a hipped clip-lock Colorbond roof, aluminium-framed windows and external doors and timber valances. Air conditioning units are prominent above the roof line. Access to the building is gained via steps and ramps on both the northern and southern elevations.



**Figure 14. The former clubhouse from the west. Note signs of illegal entry. EJE**



**Figure 15. Looking east from lot boundary.**



**Figure 16. Former clubhouse, looking south-west, with grandstand in distance.**



**Figure 17. Southern lot boundary; former clubhouse on right.**



**Figure 18. Former clubhouse and bowling green from the north.**



**Figure 19. Looking east from western lot boundary; former bowling green at right.**



**Figure 20. Former bowling green, looking east from lot boundary.**



**Figure 21. Intersection of Edward Street and John Street from western lot boundary.**



**Figure 22. Looking west from northern lot boundary.**



**Figure 23. Looking west towards sports field.**



**Figure 24. A more distant view, showing swampy nature of the eastern portion of the site.**



**Figure 25. Looking west, showing south-eastern boundary peg. Note Telstra tower at right.**



**Figure 26. A closer view of the swamp. Note boundary peg.**



**Figure 27. Looking south-east, showing Testra telephone tower enclosure at right.**



**Figure 28. Another view of swampy ground at eastern lot boundary.**



**Figure 29. Another view, showing Telstra tower and rugby league ground.**



**Figure 30. Looking south from lot boundary, showing cricket ground (rugby league off-season).**



**Figure 31. Looking south-west, showing clubhouse, cricket pavilion and grandstand.**



**Figure 32. Looking west, showing clubhouse and remaining pencil pines.**



**Figure 33. Looking from former clubhouse towards cricket pavilion.**



**Figure 34. Looking west, showing former clubhouse and bowling greens.**



**Figure 35. Eastern limit of bowling greens, showing filled area and swampy ground at right.**



**Figure 36. Looking north-east, showing extremity of bowling greens. Note concrete water tanks and Cocos palms.**



**Figure 37. Looking west, along northern lot boundary.**



**Figure 38. Looking west towards Edward Street along northern lot boundary.**



**Figure 39. Looking east along northern lot boundary.**



**Figure 40. Looking south-east from Edward Street.**

### 3.3 CURRENT USE

The site has been disused since August 2011, and has since remained vacant, the former clubhouse having been secured against intrusion.

### 3.4 CONDITION

The site is regularly mown. The former clubhouse is in fair condition, although it is deteriorating through the action of the elements and attempts to gain unlawful entry.

### 3.5 SURROUNDING CONTEXT

The site is bounded by the Ray Lawler and Morpeth Common Reserve to the north and east; by the cricket ground, Wally Malepka pavilion and Frankie Bowe grandstand to the south; and by Edward Street to the west. Existing development is confined to dwelling houses on the opposite (western) side of Edward Street. The existing housing on the western side of Edward Street, north of the intersection with John Street and south of the intersection with James Street, is characterised by post-War and modern dwellings of little heritage significance. Housing to the south of the intersection with John Street is characterised by pre-War dwellings, with some modern housing in evidence, with one example of a first-floor addition to an existing dwelling, and one example of modern but sympathetic dwelling incorporating dormer windows. In recent years, a number of new dwellings have been built, and subdivisions of existing residential properties have occurred. No original street fencing remains in association with these dwellings, although there are two examples of replacement, sympathetic picket fencing. Street vegetation on the western side of Edward Street does not include any mature trees. Three mature trees overhang the lot boundary on the eastern side of Edward Street. These existing dwellings are of little heritage significance, and none of them are included as heritage items in LEP 2011.

## 4. HERITAGE SIGNIFICANCE

The NSW heritage assessment criteria encompass four generic values in the Australian ICOMOS *Burra Charter 2013*: historical significance; aesthetic significance; scientific significance; and social significance.

These criteria will be used in assessing heritage significance of the place.

The basis of assessment used in this report is the methodology and terminology of the *Burra Charter 2013*; James Semple Kerr, *The Conservation Plan: A Guide to the Preparation of Conservation Plans for Places of European Cultural Significance*,<sup>138</sup> and the criteria promulgated by the Heritage Division of the NSW Office of Environment and Heritage. The *Burra Charter 2013*, Article 26, 26.1, states that:

Work on a place should be preceded by studies to understand the place which should include analysis of physical, documentary, oral and other evidence, drawing on appropriate knowledge, skills and disciplines.

Places and items of significance are those which permit an understanding of the past and enrich the present, allowing heritage values to be interpreted and re-interpreted by current and future generations.

The significance of the place is determined by the analysis and assessment of the documentary, oral and physical evidence presented in the previous sections of this document. An understanding of significance allows decisions to be made about the future management of the place. It is important that such decisions do not endanger its cultural significance.

The *NSW Heritage Manual*, prepared by the former NSW Heritage Branch and Department of Urban Affairs and Planning and endorsed by the current Heritage Division of the NSW Office of Environment and Heritage, outlines the four broad criteria and processes for assessing the nature of heritage significance, along with two added criteria for assessing comparative significance of an item.

### Heritage Significance Criteria

The NSW assessment criteria listed below encompass the following four values of significance:

- ☐ Historical significance
- ☐ Aesthetic significance
- ☐ Research/technical significance
- ☐ Social significance

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<sup>138</sup> (7<sup>th</sup> ed). Burwood: Australia ICOMOS, 2013.

Listed below are the relevant Heritage Assessment Criteria identified in the *Heritage Act 1977* (NSW):

- Criterion (a) An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).
- Criterion (b) An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).
- Criterion (c) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).
- Criterion (d) An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.
- Criterion (e) An item has the potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).
- Criterion (f) An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).
- Criterion (g) An item is important in demonstrating the principle characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural places; or cultural or natural environments).

An Assessment of Significance requires that a level of significance be determined for the place. The detailed analysis uses the levels of significance below:

|          |                                                                                        |
|----------|----------------------------------------------------------------------------------------|
| LOCAL    | Of significance to the local government area.                                          |
|          |                                                                                        |
| STATE    | Of significance to the people of NSW.                                                  |
|          |                                                                                        |
| NATIONAL | Exhibiting a high degree of significance, interpretability to the people of Australia. |

#### 4.1 ANALYSIS OF SIGNIFICANCE

##### Historical Significance

Criterion (a) An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).

The site of the Morpeth Bowling Club provides evidence of the history of sport at Morpeth, and in particular of the rise, progress and eventual decline in a local context of the sport of lawn bowls in the second half of the twentieth century, which paralleled that of many small bowling clubs across New South Wales. Although the former bowling club site is identified with social life at Morpeth, its historical connections are insufficient, in either a local or State context, to make it significant under this head.

Criterion (b) An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

The site of the former Morpeth Bowling Club is not known to be associated with an event, person, or group of persons with strong or special associations of sufficient importance to the cultural history of its locale to be significant under this head.

##### Aesthetic And Technical Significance

Criterion (c) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).

The site has only a loose association with creative or technical achievement, and is not known to be associated with an important designer or landscape architect. The clubhouse is of brick veneer, and has no architectural significance. It is not aesthetically distinctive, and does not exemplify a particular taste, style or technology. Neither does it have landmark qualities.

##### Social Significance

Criterion (d) An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.

The site and clubhouse are associated with former members of the now-defunct Morpeth Bowling Club. The closure of the club in August 2011, together with the recent sale of the land, has diminished these associations. The site and clubhouse may have some importance as to the sense of place of some members of the local community, although this is probably restricted to those who were formerly associated with the club.

##### Research Significance

Criterion (e) An item has the potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

The subject land, having been benched from what was originally a low ridge running north-south approximately parallel to Edward Street, has little archaeological or research potential. The former clubhouse, having been denuded of its furniture, fittings and cultural relics such as

trophies, honour boards and photographs, no longer has the potential to yield new or further substantial information as to the cultural history of the Morpeth area.

#### Rarity Significance

Criterion (f) An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

The site is not the only example of its type, nor does it demonstrate designs or techniques of exceptional interest. Although the fate of the former club has paralleled the State-wide decline of small bowling clubs, the sport and the cultural activity with which it is associated is not defunct within the Maitland local government area, nor is it in danger of being lost.

#### Representative Significance

Criterion (g) An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural places; or cultural or natural environments).

The clubhouse is not a fine example of its type, nor is it outstanding because of its setting, size or condition, or because of its integrity or esteem in which it is held. The bowling greens are not of a representative of a discrete type, and since the cessation of bowling no longer retain attributes of the customs, philosophies or activities associated with the sport of lawn bowls. Both the clubhouse and the bowling greens have, moreover, lost the range of characteristics exemplifying their type, such as trophies; honour boards; photographs; pennants; rinks; mats; boundary pegs; and the like.

## 4.2 STATEMENT OF SIGNIFICANCE

The site of the former Morpeth Bowling Club provides evidence of the progress and decline in the local area of the sport of lawn bowls. Although identified with social life at Morpeth, the historical and cultural connections of the site are not known to be of greater than ordinary importance outside a restricted group within its locale. The closure of the club, followed by the dispersal of its contents and the sale of its site, has diminished these connections. The former clubhouse is in no way outstanding or representative; and the site as a whole has little archaeological or research potential.

The site of the former Morpeth Bowling Club must, therefore, be assessed as having little heritage significance in a local context.

## 5. PROPOSED WORKS

The site was previously privately owned by Beresfield Bowling Club/Morpeth Bowling Club and has operated as a Bowling Club including greens, a restaurant and a licensed premises in its current form since the early 1970s. The site ceased to operate as a club in 2011. The disused site has become derelict and a source of vandalism. It has recently been sold. A clubhouse building and two bowling greens remain on the land.

The land is presently zoned RE2 Private Recreation under Maitland LEP 2011, reflecting both the private ownership and the recreational use of the land. A number of land uses are permitted with development consent in this zone, including the following:

- Caravan parks – which includes mobile home park developments;
- Child care centres;
- Hotel or motel accommodation;
- Indoor recreation facilities;
- Registered clubs; and
- Serviced apartments.

All of these activities provide the opportunity for the site to be intensively developed for urban purposes under the current zoning. The building form and scale associated with such development could range from large scale motel buildings, serviced apartment buildings, or large scale sheds to accommodate indoor pools, gymnasiums, or sporting facilities.

One option for development is the rezoning of the land to R1 General Residential to facilitate the development of residential housing, in the order of 25-30 units. Concept plans have been prepared identifying the potential development of the site. It may be seen that a mobile home park provides a higher density and more intense footprint than would residential housing.

The development of the land for residential purposes is compatible with the surrounding built form. It is intended that the land will be developed for housing options in either the form of tourist and visitor accommodation or, if the planning proposal is supported, for residential urban housing purposes.

The retention of the existing Moreton Bay fig trees, which dominate the character of the streetscape, and the provision of fencing and landscaping within the site, combined with the natural vegetated screen surrounding it, means that the internal development will not be directly visible from the street network.

There are a number of existing buildings within a clustered footprint on and adjoining the site. Residential housing of varying scale is located along the opposite street frontage. An open gravel car park currently fronts the street. The existing views from the surrounding residential properties to the site are limited to the car park, the Moreton Bay fig trees, to the existing clubhouse, and the vegetation within the Morpeth Common.

The redevelopment of this site for urban housing will provide a positive outcome for the site, and a positive contribution to the housing opportunities available to the Morpeth township, in an already developed footprint. The development of the site will not provide a precedent for development within this precinct, as the surrounding land is held in public ownership or is rural land constrained by flooding.

The treatment of the Edward Street frontage, together with the southern boundary with the cricket ground and sportsground, will be discussed with Council so as to provide further public amenity in the transition to the public domain.

Urban housing is a more desirable planning solution than the current land uses permitted, in an existing urban centre, and in close proximity to established sportsgrounds and public open space networks.

Schematic layouts of possible residential development are appended to this document (see Appendix, Section 10).

It is submitted that the existing zoning is no longer appropriate, as the former Bowling Club, for which the present zoning was gazetted, is now defunct. Given the decline in the popularity of lawn bowls, and the presence elsewhere within the City of Maitland of highly developed and sustainable bowling facilities, it is considered most unlikely that the land will ever again be required for lawn bowls. The site is, in furthermore, unsuitable for other sporting activities, such as tennis, cricket, football and the like, which are already catered for nearby.

Residential development would form part of the existing urban footprint, rather than an extension of the eastern town edge, and would have no negative impact on the Morpeth Heritage Conservation Area; nearby heritage items; the streetscape; urban and rural views; or access to Morpeth Common. It would be consistent with the character of the surrounding development and land uses, and can be developed with or without the retention and adaptive re-use of the former Bowling Club clubhouse. Development of the site would not create a precedent, for it is surrounded on three sides by Council land classified as Community Land.

The City of Maitland is the fastest-growing non-metropolitan local government area in New South Wales. By 2021, its estimated population is expected to have grown to 89,600 from a total of 69,154 in 2009. The 'Maitland Community Strategic Plan: 2021 Ideas and Action' (February 2011)<sup>139</sup> identifies a need for 'diverse and affordable housing options available for our residents throughout all life stages'.<sup>140</sup> This addressed the New South Wales State Plan priority for the growth of cities and centres as functional and attractive places to live, work and visit, and for the improvement of housing affordability.<sup>141</sup>

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<sup>139</sup> Maitland: Maitland City Council 2011.

<sup>140</sup> *Ibid.*, p. 18

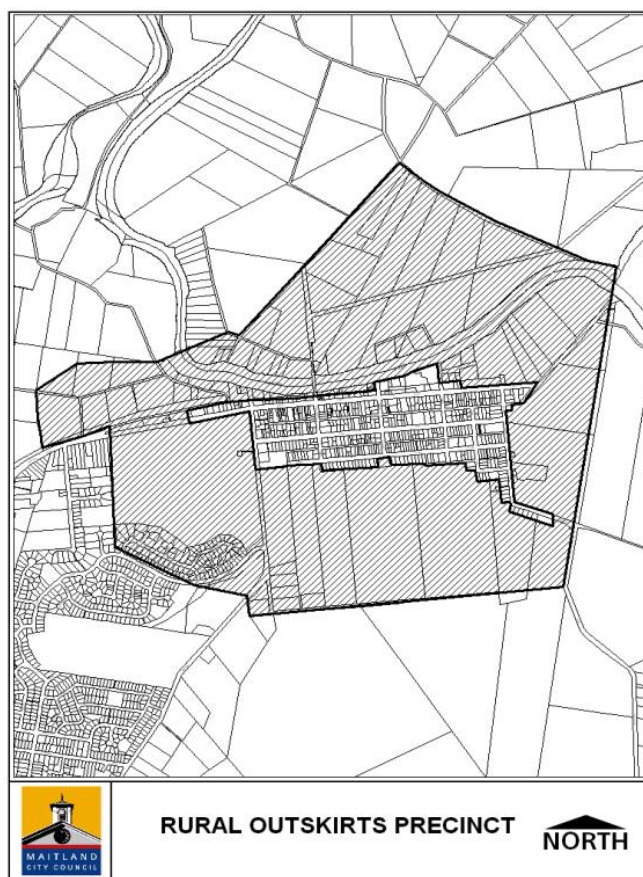
<sup>141</sup> *Ibid.*, p. 29.

## 6. COMPATIBILITY OF PROPOSED WORKS WITH MAITLAND CITY-WIDE DEVELOPMENT CONTROL PLAN 2011

Maitland Development Control Plan 2011 (DCP 2011) divides the township of Morpeth into four precincts:

- (a) Commercial Precinct (the shopping and business area of Swan Street);
- (b) Residential Precinct (the areas of the town that are predominantly residential in nature (with some community uses in High Street);
- (c) Industrial Precinct (the industrial area of eastern Swan Street); and
- (d) Rural Outskirts Precinct (the surrounding rural plains, including the Morpeth Common and the riverside).

The subject land is described as being within the Rural Outskirts Precinct (d), as set out below:



The Rural Outskirts Precinct contains the Morpeth Common and sports ground as a recreational space and the rural plains that surround the township of Morpeth. This land is zoned a combination of rural and recreational and defines the edge of the town as located on a natural ridge above the river and surrounding flood prone land. The specific character of this precinct is defined by its open rural nature that supports predominantly open pasture. The only buildings associated with this land are isolated barns and rural dwellings and those associated with the Morpeth Sportsground in the form of the grandstand and adjacent Morpeth Bowling Club.<sup>142</sup>

<sup>142</sup> Maitland DCP 2011, Element 5.1.2, p. 70.

The subject land is, however, included only by default, due to its present zoning. It does not display the identifying characteristics of the Rural Outskirts Precinct. The land is set back from the road, surrounded by vegetation, and screened by the existing clubhouse building.

Maitland City Council is gradually developing the adjacent 14.8 ha. Morpeth Common for passive recreation as part of its three-stage Plan of Management in accordance with the 'Maitland Recreation and Open Space Strategy' (February 2004). The use of the subject land for residential housing will increase the use of the Common, and also provide passive surveillance in a location where this is currently unavailable. The proposed development will also help to consolidate Morpeth as a Local Centre in accordance with the 'Maitland Urban Settlement Strategy 2012' ('MUSS 2012').<sup>143</sup> It is submitted that the former bowling club site is suitable for residential housing. There is existing residential development to the north and south of the site, with the existing cricket ground grandstand and pavilion also located to the south. The development of the subject land will not create a local precedent, as it is surrounded to the north, south and east, and partially to the west, by Council reserve classified under the *Local Government Act 1993* (NSW) as community land.

DCP 2011 requires the assessment of Development Applications against the criteria set out in Part E: Special Precincts, E.3.5: Morpeth Heritage Conservation Area, below.

## 6.1 Significant View Corridors from within the Town to Rural Surrounds

E.3.5 identifies significant view corridors from and within Morpeth, aimed at maintaining the relationship between the town and the rural surrounds.

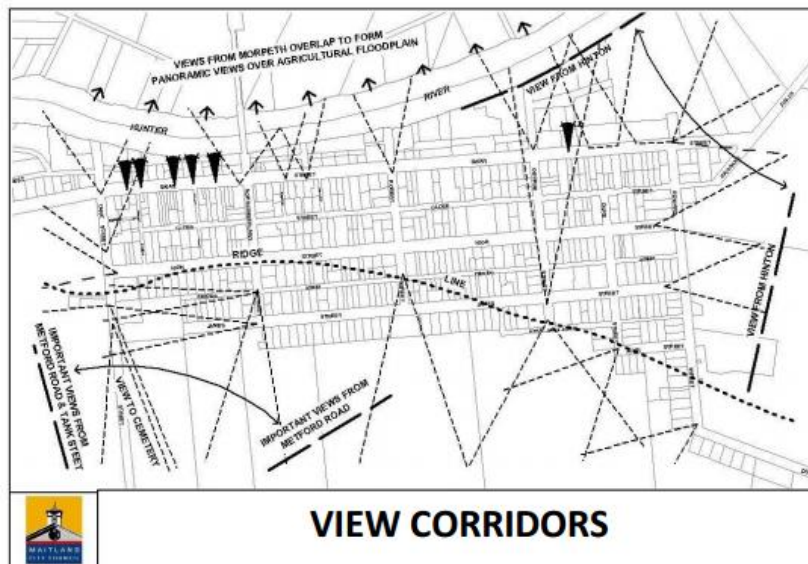
The requirements are these:

- (1) Views identified on the View Corridors – Map A (Morpeth) are protected as view corridors within which there should be no new development.
- (2) Where view corridors are identified between buildings along Swan Street, these gaps should be maintained and not obstructed by new development.
- (3) There should be no building work or tall plantings undertaken at street intersections where existing rural views would be interrupted.

Requirement (1) is not relevant to the subject land, as it does not impinge on the view from Hinton as defined in Map A (Morpeth), which involves the vista to and from James Street as set out below:

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<sup>143</sup> p. 48-49.



Requirement (2) is not relevant, as the subject land does not address Swan Street.

Requirement (3) is not relevant, as the subject land is set back from the intersection of John Street.

## 6.2 Views towards the Town from Approach Roads and Outlying Areas

E.3.5 also identifies significant views towards Morpeth from approach roads and outlying areas, aimed at maintaining the setting of the town within an open rural landscape. The requirements are these:

- (1) There should be no non-rural (ie residential or commercial) development on surrounding rural and vacant land. Areas directly adjoining the urban township are affected by this policy and include, but are not limited to the vacant land on the corner of Tank and Close Street, allotments on the southern edge of the town ship, allotments to the east of Edward Street, and holdings on the northern side of the River.
- (2) Reference should be made to the View Corridors - Map A (Morpeth) showing view corridors towards the town which should not be obstructed by new development.
- (3) Planting and enhancement of the 'green belt' approaches to Morpeth is encouraged.
- (4) The approaches to the township should remain informal in character avoiding formal footpaths along the primary access routes ie Metford Rd and Fig Tree Hill.

Requirement (1) is not relevant to the subject land. While it is acknowledged that the site lies to the east of Edward Street, it is not zoned as rural land, nor is it rural land, open, or vacant. It is, therefore, submitted that the site should not be subject to this requirement, and that the redevelopment or rezoning of the subject land should be supported.

Requirement (2) is not relevant, as it does not impinge on the view from Hinton as defined in Map A (Morpeth), which involves the vista to and from James Street.

Requirement (3) is not relevant, as it is not within the 'green belt' approaches to Morpeth and outside the visual catchment. Development of the subject site, with its limited frontage to Edward Street, together with the set back of the site behind the existing car park and dominant Morton Bay fig trees, will not have a significant impact on the setting of the precinct or the town as a whole.

Requirement (4) is not relevant, as the subject land is within the existing town layout. Development of the site for residential housing is consistent with existing historic and post-War development along Edward Street, and along Duckenfield Road to the south. Edward Street does not form the eastern boundary of the town. Existing residential development to the east of Edward Street includes:

- the modern residence on the south-east corner of Edward Street and Brisbane Fields Road;
- the eight dwellings occupying the irregularly-shaped block bounded by Edward Street, Swan Street and Brisbane Fields Road; and
- the five residences at the intersection of Edward Street and Duckenfield Road.

### 6.3 Subdivisions and Amalgamations

E.3.5 identifies the need to maintain the general subdivision pattern of wide lots fronting the main streets (Swan, High and James) with vehicular access from the rear lanes (Close and Princess) and to maintain old sandstone kerb and guttering. The requirements are these:

- (1) Where any subdivision occurs, it will generally be supported only as a Torrens Title subdivision for the purposes of a single detached residence.
- (2) Subdivision will generally be considered only where there is an established pattern of subdivision in the vicinity of the site and where not located in the vicinity of a heritage item or intact groupings of heritage buildings.
- (3) No new kerb crossings within existing sandstone kerb and gutter will be permitted, in particular on Swan, High or James Streets. Any subdivisions of allotments facing these streets will be permitted only where rear lane access to all lots can be provided and/or use existing kerb crossings.
- (4) Frontages to east west streets (Swan, Close, High, Princess and James) shall not be reduced to less than 15 metres, and frontages to side streets shall not be reduced to less than 40m.
- (5) No amalgamation of sites permitted, unless for a use of identified community benefit.

The purpose of these requirements is to prevent the subdivision of large lots with dual frontages, on separate titles, addressing secondary street frontages. This, if permitted, would require the construction of new vehicular accesses across the sandstone kerb frontages to service the existing dwellings which previously possessed vehicular access from rear lanes.

The subject site does not address the principal streets of Morpeth; and its proposed redevelopment for residential housing will not affect the general street and lot layout of the town.

Access to the site is already available and established, and is consistent with the adjoining crossings providing access to Morpeth Common and the adjacent Hunter Water Corporation sewer pump station, which are not located in alignment with the existing street layout. The retention of the established Morton Bay fig trees addressing Edward Street does more to protect

the streetscape than would the prevention of construction of further dwellings to add to those already existing east of Edward Street.

#### 6.4 Demolition

E.3.5 identifies the need to retain the character of Morpeth as a collection of groups of buildings from different eras, in particular those dating from the mid to late 19th century. The requirements are these:

- (1) Demolition of any pre 1949 structure will generally not be supported. Demolition includes partial demolition or the defacing or replacement of external materials and finishes. No demolition of a building will be permitted without development approval for the replacement structure.
- (2) In some cases the demolition of severely deteriorated sheds, garages or small sheds will be considered, providing the replacement building is of a suitable design, and the shed itself has no heritage value.
- (3) Any proposal for the demolition of a building is required to be accompanied by:
  - (a) A Statement from an engineer experienced in the assessment of heritage buildings including options for the repair and reuse of the structure where relevant; and
  - (b) A Statement of Heritage Impact from a suitably qualified heritage consultant assessing the heritage significance of the building and a heritage assessment of any replacement proposal.

This Statement of Heritage Impact submits that the subject site, together with the former clubhouse, together have little heritage significance. It is proposed to retain the clubhouse for adaptive re-use; if, however, it is in fact demolished, such action would do little to diminish such historical significance as the site might possess.

Requirement (2) is not relevant, as the former clubhouse is not a shed or garage.

#### 6.5 Adaptive Re-Use of Buildings in Residential Zones

E.3.5 identifies the need to allow buildings constructed for non-residential uses to have viable future. The requirements are these:

- (1) Non-residential uses will be permitted in the following structures with the possibility of using additional space on the site providing the structure and its heritage values are maintained and there are no additional negative impacts on the immediate neighbourhood:

- Former Cinema 85 High Street;
- Former Shop and dwelling 79 High Street;
- Green barn 60 James Street;
- Former Catholic School James Street;
- Former milking shed beside 376 Morpeth road;
- Shed Princess Street (rear of 39 High Street);
- Morpeth Trading co 7-9 Robert Street;
- Post Office and residence 105 Swan Street;
- Hairdresser, former barbers shop 94 Swan Street.

The subject site does not include one of the above-listed structures, and is not recognised as having any heritage significance. If the retention of the existing clubhouse is proposed, it could be adaptively re-used for residential purposes, a child care centre, or the like, consistent with an R1: General Residential zoning.

## 6.6 Car Parking

Element 3.5 identifies the need to maintain the level of visitation within the capacity of the town and to accommodate it without an adverse impact on heritage. The requirements are these:

- (1) Land zoned R1: General Residential fronting Close Street at the rear of Swan Street commercial properties to be retained providing service access and car parking.
- (2) All new commercial development should provide on site carparking.
- (3) Commercial premises to provide on site staff parking areas.
- (4) Buildings with upper levels over parking or service areas will not be permitted where visible from the street or public places.

Requirement (1) is not relevant, as the subject land does not address Close Street.

Requirement (2) is not relevant, as the present Development Application is not for commercial development.

Requirement (3) is not relevant, as the present Development Application is not for commercial development.

Requirement (4) is not relevant, as the site is not within the town centre, and any future development on the land will not affect the capacity of the town to accommodate visitors and tourists; nor will it detract from the heritage values of the town centre.

## 6.7 Streetscape Policy

Element 3.5 identifies the need for a design approach characterised by authenticity and unobtrusiveness: the retention and reconstruction of authentic historic elements wherever possible, supplemented by quality but unobtrusive new elements as required. It encourages the use of a variety of designs, including the use of one-off and/or locally crafted pieces, with consistency achieved by a restricted palette of materials, rather than the selection of a few standard pieces. It also encourages designs that respond to the layout of a particular setting rather than a set layout applied throughout the town. These requirements are as set out below.

### 6.7.1 Road Surfaces

Element 3.5 identifies the need to maintain the diversity and hierarchy of the road surfaces in Morpeth and to ensure no further loss of unformed gravel or grassed verge edges.

Part E – Special Precincts – Heritage Conservation Areas Page No.77

#### Road Surfaces

1. Retain the existing mix of road surfaces (bitumen with gravel or grassed edges) that maintain the visual emphasis on the central section of the road.
2. Existing road surfaces that presently feature bitumen shall maintain a clearance to the outer edge of the gutter and shall not extend over the surface of the gutter stones.
3. Where there is existing bitumen extended across the full width of the road, maintenance and upgrading of these road shoulders should provide a contrast with the central bitumen section in colour by the use of brown aggregate or the like, if suitable materials are available.

#### Road Verges

4. Extend grassed verges, use dust suppressants or use gravel mixed with concrete as potential options to dust generation and erosion problems.
5. Maintain existing road shoulders of compacted gravel and open grassed verges. Consideration may be given to bitumen finished with a concrete strip

with grassed verges (i.e. King Street Lorn and parking areas at the eastern end of Swan Street Morpeth) or permeable paving where cost effective (e.g. grass rings).

The proposed redevelopment or rezoning of the site does not involve alterations to the road surface or kerbing and guttering along that portion of the subject land that addresses Edward Street. Any future Development Application should implement the design elements with the use of brown aggregate or similar for the internal access and parking areas.

#### 6.7.2 Footpaths

Element 3.5 identifies the need to ensure that the authentic, original footpath materials are retained and to retain a diversity of footpaths, which take three forms: hard paving generally full width in the Commercial precinct of Swan Street; narrow paved paths with grass verges in adjoining streets to the Commercial precinct; and grass with small sections of formed paths in the remainder of the residential area. The requirements are these:

##### All Footpaths

1. Retain the existing diversity of type and location of footpaths. This identifies their hierarchy in the Morpeth streetscape.
2. Footpaths to only be replaced when their condition requires reconstruction. When replacing footpaths either repair original, sympathetic surface; if not possible, reconstruct path to an earlier known form; or if not known, replace with new path using the Morpeth Footpath mix.
3. Original sandstone flagging is to be retained in situ wherever possible. Minimal replacement work should only be undertaken where it will improve safety or rectify poor work.
4. Bitumen is to be removed from sandstone where possible, as part of ongoing maintenance and restoration works.
5. New sandstone flagging shall only be laid in areas where it can be shown to have previously existed.
6. All new footpath paving shall consist of unadorned concrete made from a Morpeth Footpath Mix, except where noted.

##### Commercial Precinct Footpaths

7. In Swan Street, full width footpaths are only to be constructed where the adjoining building presently supports an awning or verandah that extends fully across the width of the footpath.
8. On the southern side of Swan Street where no awnings or verandahs exist across the footpath, paving shall be maintained to a central area of between 1500mm – 1800mm, with grass verges to either side of the central path.

##### Residential Precinct Footpaths

9. Regarded grassed verges shall be maintained as the predominant footpath for residential streets, particularly in High Street.
10. New footpaths may be provided where demand can be shown due to pedestrian volume (visible tracks), water problems, erosion or the interpretation of the heritage character. These footpaths shall be minimal in width and shall maintain grassed nature strips at their sides.
11. Driveways should provide a minimal use of hard paving, consisting of unadorned concrete and paired wheel strips across the footpath area. Infill areas between wheel strips shall be confined to private property and shall consist of soft landscaping such as turf, grass rings or gravel.

#### Outskirts Precinct Footpaths

12. Paved footpaths may be provided where demand can be shown due to pedestrian volume, water problems, erosion and the interpretation of heritage Sandstone flagging of commercial Footpaths. Residential footpaths with grassed verges shall be minimal in width and shall only consist of compacted gravel surfaces.

An existing footpath, extending from Swan Street to the front of the site, is located along the eastern side of Edward Street. A grassed verge continues along the remaining length of Edward Street. Any future Development Application for the development of the site should retain the grassed verge. The access driveway should be consistent with Council's requirements.

Requirements (7) and (8) are not relevant, as the subject land is not in Swan Street.

#### 6.7.3 Kerb & Gutter

Element 3.5 identifies the need to retain the historic pattern and remnants of sandstone drainage and swale drain systems in the Morpeth streetscape, particularly as the sandstone drainage and swale drain system constitutes one of the most significant elements of the Morpeth streetscape. In recently developed areas, concrete kerbing and guttering predominates. The requirements are these:

- (1) Retain all existing sandstone kerb and guttering and sandstone swale drains with appropriate maintenance programs.
- (2) Avoid the replacement, damage or obscuring of in situ sandstone drainage systems.
- (3) Maintain grass or bitumen swale drains in minor streets. No new kerb and guttering in minor streets.
- (4) Stormwater outlets from buildings to stone kerbs should reuse existing pipes to minimise new outlets. Outlets should be contained within existing holes in the stone, without any visible PVC piping. Compacted gravel footpath in Swan Street outskirts precinct.
- (5) Retain identification of archaeological evidence within kerb and guttering that allows interpretation, including verandah post bases, stormwater outlets and kerb crossing.
- (6) New concrete kerb and guttering in Swan, High and James Streets is to consist of a wider kerb and gutter (indicative or traditional sandstone in scale and dimension) using the Morpeth Kerb and Gutter Mix concrete to maintain compatible texture and colour.

Requirements (1) – (6) are not relevant, as the kerbing and guttering along that portion of the subject land addressing Edward Street is of concrete of modern date.

#### 6.7.4 Kerb Crossings

Element 3.5 identifies the need to preserve the intact nature of kerb and gutter within the Morpeth streetscape by providing for kerb crossing bridges in appropriate locations. This limits the ability for kerb cutting or removal to provide access for vehicle and pedestrian ramps. The requirements are these:

- (1) Kerb crossings should preferably consist of a bridge crossing (1200mm maximum width) with discreetly located culvert piping (no visible piping) to accommodate stormwater flows. The construction and alterations to any bridge crossings shall comply with the gradients specified in Australian Standard 1428.2 Design for Access and Mobility.

(2) No new kerb crossings for vehicles in areas of sandstone kerb and guttering, particularly along High, Swan and major cross streets. Access should be provided from rear lanes.

Requirements (1) and (2) are not relevant, as the kerbing and guttering along that portion of the subject land that addresses Edward Street is of concrete of modern date.

#### 6.7.5 Street Furniture

Element 3.5 identifies the need to maintain authentic street furniture in Morpeth, with new elements to be unobtrusive and of high quality. The requirements include the need to safeguard against the introduction of inappropriate pseudo-historic styles and/ or highly intrusive items such as wheelie-bins or telephone booths and the replacement or loss of the existing items of value.

This requirement is not relevant, as it does not involve the provision of street furniture.

#### 6.7.6 Interpretational Signage

Element 3.5 identifies the need to ensure the retention of historic stone elements within the Morpeth streetscape, by encouraging appropriate conservation and maintenance methods. Information signage includes route markers for historic tracks and trails (generally incorporated into footpath paving), and informational signage related to the nature and operation of public or community buildings or places.

There are no historic stone elements in proximity to the site, nor is there any informational signage that would be affected by its redevelopment.

#### 6.7.7 Repairs and Maintenance

Element 3.5 identifies the need to ensure the retention of historic stone elements within the Morpeth streetscape.

#### 6.8 Compatibility of Proposed Works with Maitland Urban Settlement Strategy 2012.

Although the former bowling club site is not identified as an urban infill and extension site in the Maitland Urban Settlement Strategy 2012 ('MUSS 2012'), Morpeth, as part of the Eastern Sector, is identified as a locality containing vacant residential land.<sup>144</sup> Should Council consent to the rezoning of the subject land, it is submitted that it will be suitable for residential development in accordance with MUSS 2012. Schematic layouts of possible residential development are appended to this document (see Appendix, Section 10).

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<sup>144</sup> p. 39.

## 7. STATEMENT OF HERITAGE IMPACT

|                                               |                                                         |
|-----------------------------------------------|---------------------------------------------------------|
| This is the Statement of Heritage Impact for: | Former Morpeth Bowling Club Site                        |
| Date:                                         | This statement was completed in September 2014          |
| Address and Property Description:             | 24 Edward Street, Morpeth NSW 2321<br>Lot 72, DP 755205 |
| Prepared by:                                  | EJE Heritage                                            |
| Prepared for:                                 | Morpeth Land Company Pty Ltd                            |

The following aspects of the proposal respect or enhance the heritage significance of the item or area for the following reasons:

- Edward Street does not represent the eastern boundary of the town of Morpeth. The existing layout includes historic and post-War development along Edward Street, and along Duckenfield Road to the south. Existing residential development to the east of Edward Street includes:
  - the modern residence on the south-east corner of Edward Street and Brisbane Fields Road;
  - the eight dwellings occupying the irregularly-shaped block bounded by Edward Street, Swan Street and Brisbane Fields Road; and
  - the five residences at the intersection of Edward Street and Duckenfield Road.
- The proposed adaptive re-use of the former clubhouse retains a buffer between the subject site and the cricket ground, while the retention of the Morton Bay fig trees that dominate the street frontage will preserve the character of the site and screen the proposed development from the public domain in Edward Street, while the design of the proposed dwellings visible from Edward Street will complement the style of the existing houses on the western side of Edward Street. The fencing and landscaping of the transition between the subject site and the sportsground car park will further screen the proposed development from that perspective.
- Views to and from the public domain in Morpeth Common and sportsground to the north and south will be screened by the existing vegetation to the north, and by the adaptively re-used clubhouse and boundary landscaping to the south.
- The use of dormers, rather than two-storey construction, for the proposed residences addressing the northern edge of the site reduces their height, and complements the expression of this form in the existing dwelling of recent date situated on the corner of John Street and Edward Street.

- The establishment within the site of thoroughfares for vehicular and pedestrian access will complement the historic street and laneway layout of Morpeth, while not artificially replicating the existing pattern.

The following aspects of the proposal could detrimentally impact on the heritage significance of the item or area for the following reasons:

- The proposed development might have had the potential to intrude on existing views from the public domain in relation to the Morpeth Heritage Conservation Area. This potential is removed by the proposed revegetation and landscaping of the filled area sloping to the east towards Morpeth Common beyond the current bowling greens. The retention, adaptive re-use and associated landscaping of the existing clubhouse will further reduce any change to the surrounding streetscape or views from the sportsground.
- The Morpeth Heritage Conservation Area is sensitive in terms of new construction. The proposed development responds to this through the application to the proposed development of design parameters promulgated in the Heritage Division-endorsed publication *Design in Context: Guidelines for Infill Development in the Historic Environment*.<sup>145</sup> This ensures complementary design in terms of character; scale; form; siting; materials and colour; and detailing.

The following sympathetic design solutions were considered and discounted for the following reasons:

- The development of the site for private recreational uses was considered, but was rejected on the grounds that such a development, however carefully designed, would involve bulky buildings unsympathetic to the attributes of the Morpeth Heritage Conservation Area and the objectives of Element 3.5 of DCP 2011.
- Although such a development would have been screened from the public domain by existing vegetation and additional landscaping, it would also have represented a sub-optimal use of a sensitive site adjacent to the historic Morpeth Common.

The following actions are recommended to minimise disturbance and/or enhance the interpretation of the heritage significance of the item or area:

#### Mandatory Actions

Under the *Heritage Act 1977* (NSW), persons undertaking excavations have certain responsibilities, as set out below:

##### 139 Excavation permit required in certain circumstances

- (1) A person must not disturb or excavate any land knowing or having reasonable cause to suspect that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed unless the disturbance or excavation is carried out in accordance with an excavation permit.
- (2) A person must not disturb or excavate any land on which the person has discovered or exposed a relic except in accordance with an excavation permit.

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<sup>145</sup> NSW Heritage Office and Royal Australian Institute of Architects, 2005.

A *relic* is defined as being

any deposit, artefact, object or material evidence that:

- (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- (b) is of State or local heritage significance.<sup>146</sup>

Should such a relic, or relics, be discovered, site workers and their supervisors must act in accordance with the following:

146 Notification of discovery of relic

A person who is aware or believes that he or she has discovered or located a relic (in any circumstances, and whether or not the person has been issued with a permit) must:

- (a) within a reasonable time after he or she first becomes aware or believes that he or she has discovered or located that relic, notify the Heritage Council of the location of the relic, unless he or she believes on reasonable grounds that the Heritage Council is aware of the location of the relic, and
- (b) within the period required by the Heritage Council, furnish the Heritage Council with such information concerning the relic as the Heritage Council may reasonably require.

Should such a relic or relics indeed be discovered, the Minister of the Crown responsible for heritage may then make orders as to its further disposition.

Any and all persons involved in the proposed works shall be made aware of their responsibilities in accordance with all these provisions.

### Recommended Actions

As stated above, the proponent is committed to the principles prescribed in *Design in Context: Guidelines for Infill Development in the Historic Environment*. The implementation of the following recommendations will enhance this commitment:

- Sympathetic materials should be employed in the creation of vehicular and pedestrian access and pathways to and within the site.
- The existing Morton Bay fig trees should be retained, and protected by mulch beds.
- Fencing design should be complementary to that historically employed at Morpeth, while not seeking artificially to replicate it, allowing the differentiation of old and new elements in the streetscape.

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<sup>146</sup> *Heritage Act 1977* (NSW), s. 4.

## 8. CONCLUSION

The former Morpeth Bowling Club site is identified with the sporting history of Morpeth. It is, however, not known to be associated with a particular event, person or group of persons of special significance to the local area. While the clubhouse may have some importance to the sense of place of some members of the Morpeth community, it is not of itself historically or architecturally significant, nor is it rare.

It is submitted that the proposed rezoning of the subject land from RE2: Private Recreation to R1: General Residential, and its consequent use for residential housing is compatible with the Maitland Urban Settlement Strategy 2012. The layout of the site lends itself to the implementation of design parameters that ensure minimal visual impact on the surrounding precincts and views, or on the historic settlement pattern of Morpeth.

Edward Street does not represent the eastern boundary of the town of Morpeth. The existing layout includes historic and post-War development along Edward Street, and along Duckenfield Road to the south. The establishment within the site of thoroughfares for vehicular and pedestrian access will complement the historic layout of the town without artificially replicating the urban pattern. The proposed adaptive re-use of the former clubhouse, together with the retention of the Morton Bay fig trees, will preserve the character of the site and screen the proposed development from the public domain. Much of the subject land is already screened from the north and east, both by its topography and by the vegetation of Morpeth Common. The proposed residences and associated works will be designed in accordance with NSW Heritage Division guidelines for infill development, with care being taken to minimise height and to complement the western streetscape.

Residential development would form part of the existing urban footprint, rather than an extension of the eastern town edge, and would have no negative impact on the Morpeth Heritage Conservation Area; nearby heritage items; the streetscape; urban and rural views; or access to Morpeth Common. It would be consistent with the character of the surrounding development and land uses, and can be developed with or without the retention and adaptive re-use of the former Bowling Club clubhouse. Development of the site would not create a precedent, for it is surrounded on three sides by Council land classified as Community Land. Schematic layouts of possible residential development are appended to this document (see Appendix, Section 10).

The existing zoning permits the seeking of development consent for privately operated recreational land uses. The buildings associated with such a development, however carefully designed, would have the potential to be unsympathetic to the Conservation Area and the local objectives of Council's Development Control Plan. It is submitted that the proposed rezoning and subsequent redevelopment of the site for residential housing will not have an undesirable impact on the heritage attributes of the subject land, or on those of the Morpeth Heritage Conservation Area.

In summary, rezoning of the subject land would provide for a diverse range of residential housing opportunities, and allow the introduction of design elements sympathetic to, and consistent with, surrounding urban settlement patterns.

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## 10. APPENDIX: SCHEMATIC RELOCATABLE HOME LAYOUT AND SCHEMATIC PERMANENT HOUSING LAYOUT





# APPENDIX C

MORPETH PLANNING PROPOSAL

EXTERNAL VIEW CORRIDORS

## VIEWS FROM SURROUNDING LOCALITIES

Photo 1 – View from Hinton



Photo 2 – View from Phoenix Park



Photo 5 – View from Duckenfield Road approach

Photo 3 – View from McFarlanes Road approach

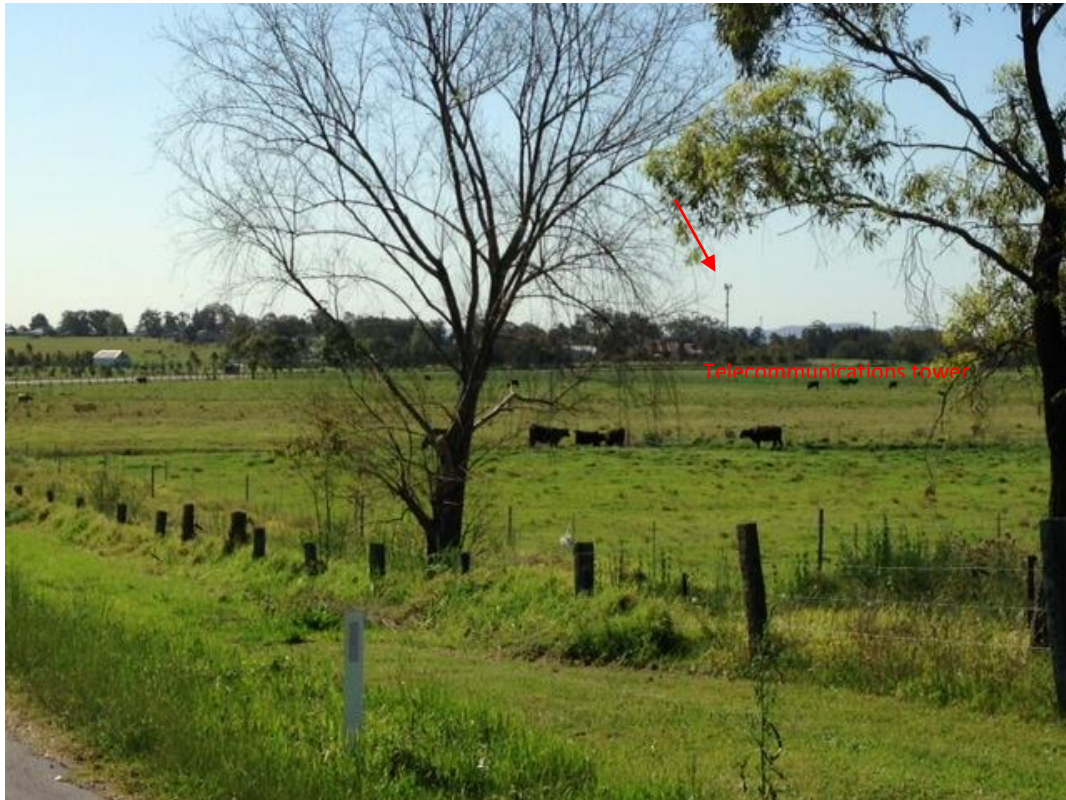


Photo 4 – View from the corner of Duckenfield Road and McFarlanes Road



# APPENDIX D

MORPETH PLANNING PROPOSAL

CONCEPT DEVELOPMENT PLANS



Detailed Design  
of remainder of  
site yet to be finalised  
(Max. 22-24 Seniors  
living dwellings)



Suite 26 HP Chambers Building  
133-135 Beaumont St Hamilton  
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0408 588 550  
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www.vaultdesign.com.au

All dimensions and levels to be checked on site by contractor prior to construction or ordering of materials. Do not scale from drawings. Only use original drawings. Report corrections and errors to Vault Design & Consulting.

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0 10 50mm on A1

DA 30 09 15 for approval

ISSUE DATE AMENDMENTS



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PROJECT:  
Lot 72 DP 755205  
24 Edward Street Morpeth

CLIENT:  
Morpeth Land Pty Ltd

TITLE:  
Edward St Frontage - Plan

PROJECTING:  
14042

DWG NO:  
A03

ISSUE:  
DA



vault design

building design • interior • project feasibility



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|---|----|------------|
| 0 | 10 | 50mm on A1 |
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edward st frontage, from john st

|       |          |              |
|-------|----------|--------------|
| DA    | 30.09.15 | for approval |
| ISSUE | DATE     | AMENDMENTS   |



PROJECT:  
Lot 72 DP 755205  
24 Edward Street Morpeth

CLIENT:  
Morpeth Land Pty Ltd

TITLE:  
Edward St Frontage

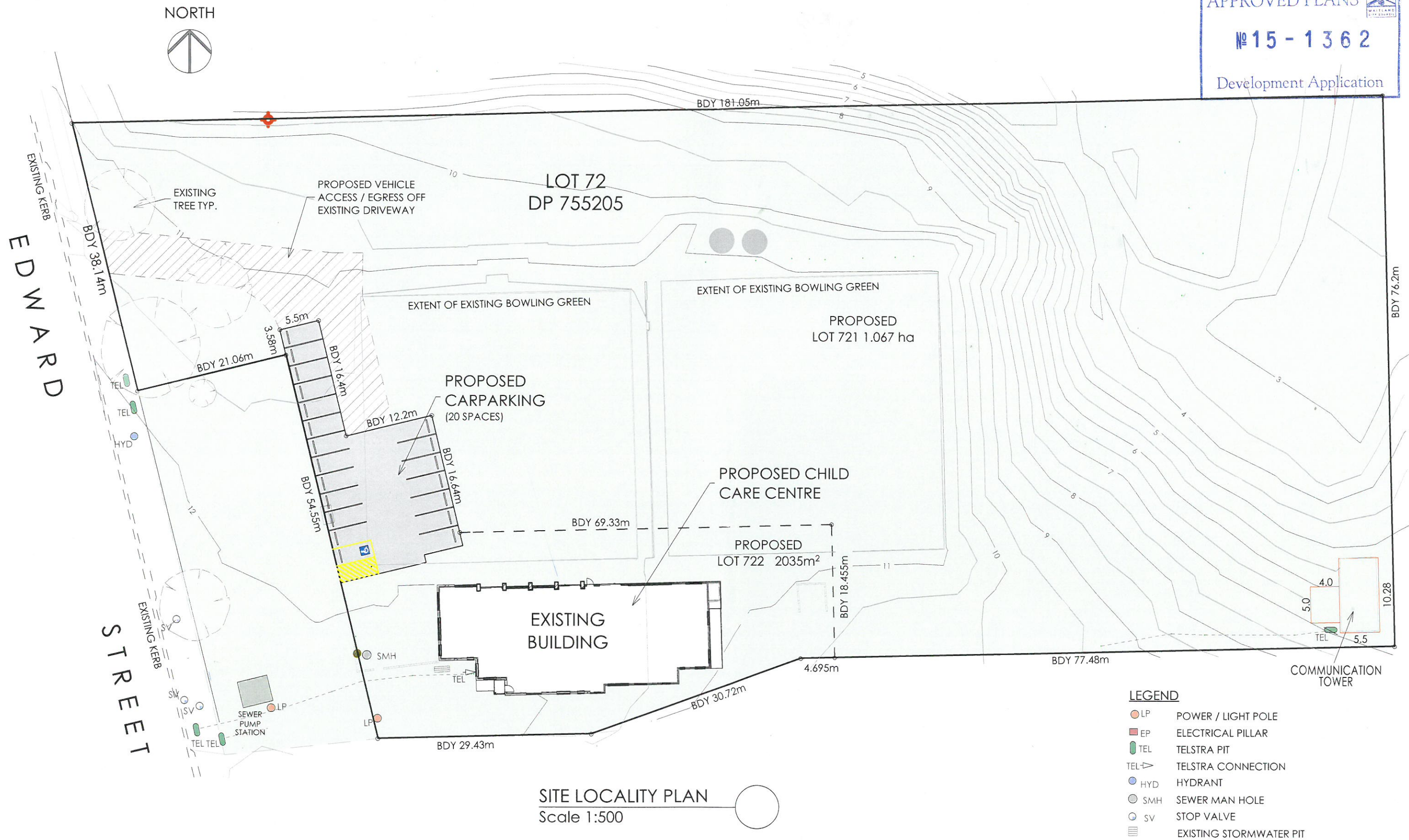
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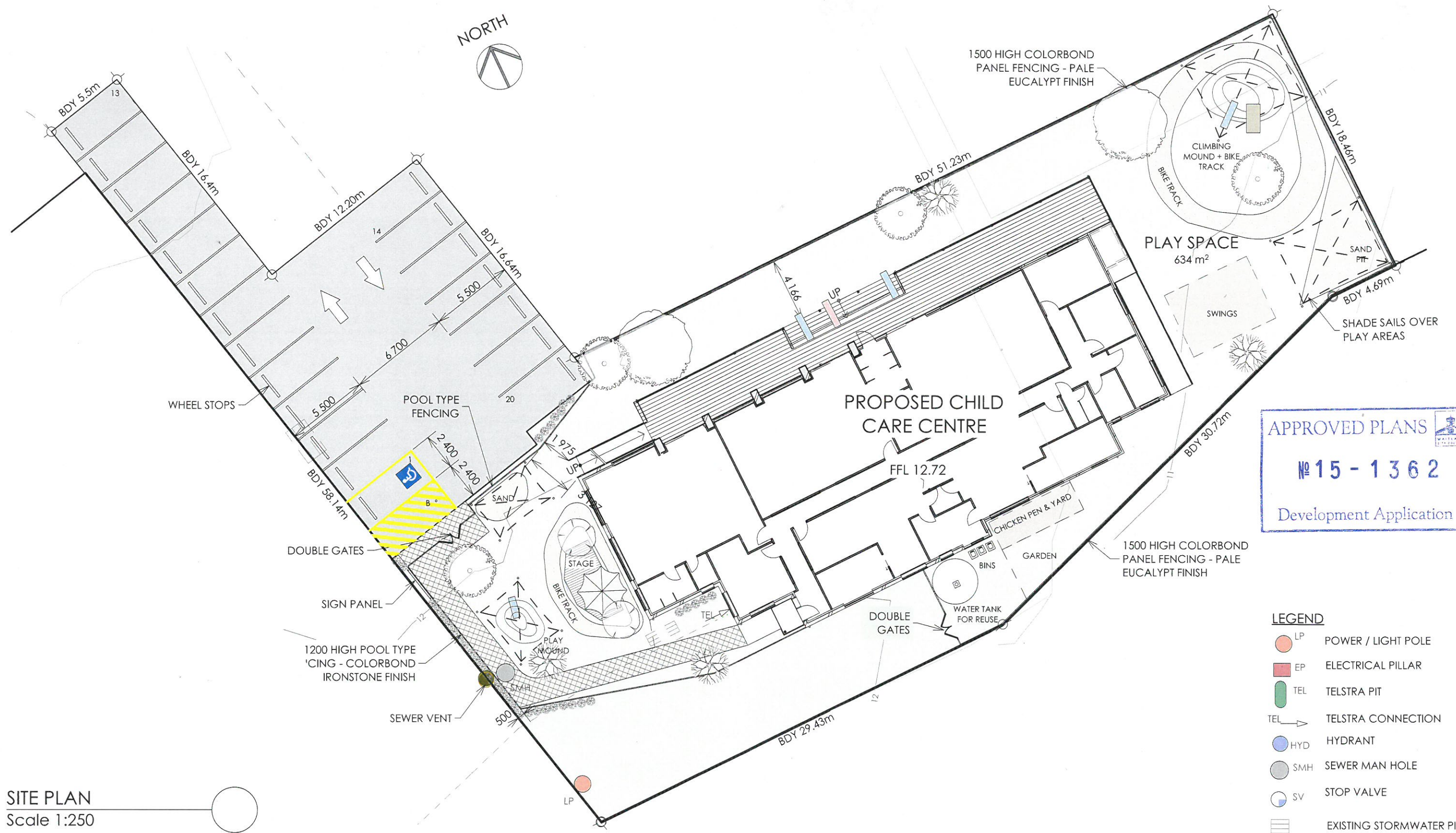


# APPENDIX E

MORPETH PLANNING PROPOSAL

COUNCIL APPROVED DEVELOPMENT PLAN FOR CHILDCARE  
CENTRE





SITE PLAN  
Scale 1:250

|           |             |                                       |       |
|-----------|-------------|---------------------------------------|-------|
| 5         | 8/9/15      | CARPARKING REVISED                    | MC    |
| 4         | 23/6/15     | CLIENT REVISIONS TO FACADE / DA ISSUE | MC    |
| 3         | 16/6/15     | DEVELOPMENT APPLICATION ISSUE         | MC    |
| 2         | 21/05/15    | REVISION FOLLOWING CLIENT REVIEW      | MC    |
| 1         | 17/05/15    | ORIGINAL ISSUE FOR REVIEW             | MC    |
| REV. DATE | DESCRIPTION |                                       | DRAWN |

Scale 1:250  
2 0 2 4 6 8 10m



Sheet Size  
A3

Client  
VALTEK INVESTMENTS  
Project Status  
DEVELOPMENT APPLICATION

Project Title  
PROPOSED CHILD CARE  
FACILITY  
Project Address  
24 EDWARD ST, MORPETH

Project No.  
15075A  
Drawing No. Revision  
SK02 5  
Plot Date  
9/09/2015

SITE PLAN

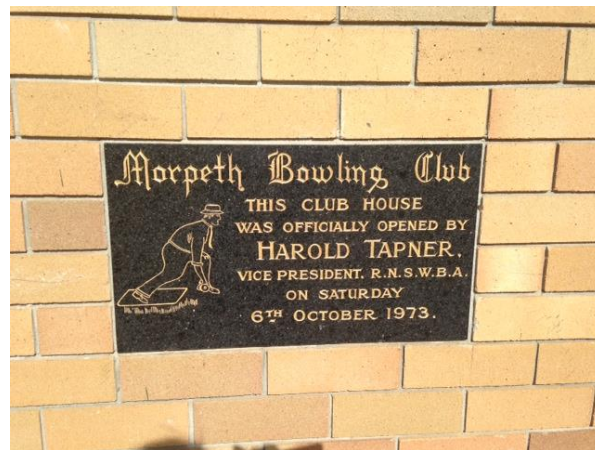
CAD Reference 15075A DAR5.pln Designer: BE Drawn: MC

# APPENDIX F

MORPETH PLANNING PROPOSAL

SITE CONTEXT

The frontage and access to the Morpeth Bowling Club



Looking east across the site and the disused bowling greens



Looking west towards Edwards Street



Looking south along Edwards Street and the car park



The southern boundary of the site and the clubhouse, looking towards the sportsground



The informal car park located along the southern boundary adjoining the clubhouse



The informal public car park located on the Edward Street frontage of the site (Crown Land)



Looking along the northern boundary



Looking south from the Morpeth Common towards the northern boundary



Looking north along the rear (eastern) part of the land adjoining the Morpeth Common grounds



The telecommunications tower located in the south eastern corner of the site



Looking north along Edward Street from the site



Looking south along Edward Street from the Common

