

Mr David Evans
General Manager
Maitland City Council
PO Box 220
Maitland NSW 2320

Dear Mr Evans

Re: Request for Gateway Review – Notification of Determination

I refer to Council's request dated 19 August 2016 for the review of a Gateway determination. Details of the planning proposal are summarised below:

Dept. Ref. No:	GDR_2016_MAITL_001 quote on any reply
LGA:	Maitland
LEP to be Amended:	Maitland Local Environmental Plan 2011
Address/Location:	24 Edward Street, Morpeth
Proposal:	Additional permitted use to permit seniors housing with consent
Reason for Review	A Gateway determination was made that the planning proposal should not proceed

I have considered the request for review together with the recommendation of the Hunter and Central Coast Joint Regional Planning Panel (Panel). As delegate of the Minister for Planning, I have determined that the Gateway determination will not be altered. I attach a copy of the report prepared by the Panel for your information. In summary, the Panel did not support the proposal for the following reasons:

- the case for seniors housing was not strong enough to overcome issues relating to new development on the fringe of Morpeth and entry points relative to Morpeth's historical and existing development;
- the public benefit was considered to be neutral and so did not favour an isolated approach to changing the planning controls;
- the proposal did not align with the RE2 Private Recreation zone objectives and no development standards were proposed or sufficient details provided regarding how scenic and slope/ fill issues would be addressed;
- developing up to the edges of the flood affected land was not appropriate given other site specific considerations; and
- given the potential for precedence, a holistic approach to guiding new development outside the current residential areas is warranted.

Please note that Council does not have an opportunity to appeal this decision. In making its recommendation, I note that the Panel considered that there would be merit in a holistic review of the planning framework for Morpeth. While the Panel considered that this may occur through a DCP amendment, the Department is of the view that this would best occur through a review of the Morpeth Management Plan or the preparation of a plan that focussed on heritage values of Morpeth.

The Department encourages Council to undertake this review so that certainty is provided regarding future development opportunities and Morpeth's heritage values, particularly for Morpeth's fringe areas. The review should consider whether the current guidance in the management plan remains relevant, clarify how the management plan or alternative plan relates to Council's other planning strategies (such as the Maitland Urban Settlement Strategy) and development assessment, and inform possible changes to Council's LEP and DCP if required.

Should you have any questions about this matter, please contact Ben Holmes of the Hunter and Central Coast Regional Office of the Department of Planning and Environment on (02) 4904 2709.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

01/05/2017

Encl: Panel advice