

Permit seniors housing as an additional permitted use at 24 Edward St, Morpeth

Proposal Title : Permit seniors housing as an additional permitted use at 24 Edward St, Morpeth

Proposal Summary : The planning proposal (PP) would amend the Maitland Local Environmental Plan 2011 to permit seniors housing as an additional permitted use at 24 Edward St, Morpeth.

The existing RE2 Private Recreation zone that applies to the site would remain unchanged.

PP Number : PP_2016_MAITL_003_00 **Dop File No :** 15/ 18202

Proposal Details

Date Planning Proposal Received : 15-Apr-2016 **LGA covered :** Maitland

Region : Hunter **RPA :** Maitland City Council

State Electorate : MAITLAND **Section of the Act :** 55 - Planning Proposal

LEP Type : Spot Rezoning

Location Details

Street : 24 Edward Street

Suburb : Morpeth **City :** **Postcode :** 2321

Land Parcel : Lot 72 DP 755205

DoP Planning Officer Contact Details

Contact Name : Ben Holmes

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RPA Contact Details

Contact Name : Ian Shillington

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DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre : N/A **Release Area Name :** N/A

Regional / Sub Regional Strategy : Lower Hunter Regional Strategy **Consistent with Strategy :** No

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MDP Number :		Date of Release :	
Area of Release (Ha) :	1.00	Type of Release (eg Residential / Employment land) :	Residential
No. of Lots :	0	No. of Dwellings (where relevant) :	24
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with :

If No, comment :

Have there been meetings or communications with registered lobbyists? :

If Yes, comment :

Supporting notes

Internal Supporting Notes :

The key issue associated with this rezoning relates to potential impacts on the heritage values of the historic township of Morpeth. Morpeth is a tourist destination in the Hunter region and this is largely due to its heritage values. This PP is one of a number of proposals for development in Morpeth with potential to impact on heritage values both individually and cumulatively. As such, the PP cannot be viewed in isolation.

There is an increased level of community interest in development proposals for Morpeth, with proposals such as this one being covered by the local media. It is anticipated that this PP would likely generate a high level of community interest.

A brief summary of heritage and other relevant background matters to the Department's assessment is provided below.

BACKGROUND - MORPETH

Morpeth is a small town with a population of over 1200 people (in 2011). It is a tourism destination in the Hunter recognised in the Department's draft Hunter Regional Plan as showcasing the Hunter's diverse built and natural heritage and character. Council advises that in 2014/15 the Morpeth visitor economy generated \$20M gross revenue.

Morpeth's origins go back to 1823 when the settlement was first formed and served as a Hunter River port. While it has many heritage qualities (eg heritage buildings, historic sandstone flagging and kerb/ guttering), it is fundamentally an example of a historic planned private town. Heritage assessment notes that the town today still reflects the townowner's influence and vision in terms of its layout and distribution of land uses. Its original street hierarchy and alignment remain relatively intact. Council also notes Morpeth's clearly defined urban edge, and that Morpeth has largely the same shape and size today as was planned back in the 1840s. It states that this is a fundamental heritage quality of Morpeth and when combined with its other heritage qualities, collectively contributes to the 'overall local, regional and state significance' of the township.

Council advises that it has sought to protect Morpeth from inappropriate development and from compromises to the town bounds starting in 1982 with the Morpeth Conservation Heritage Study. This was followed by the Maitland Heritage Survey Review in 1992. In 2000, Council adopted the Morpeth Management Plan following extensive community consultation. The reason for creating the plan was to provide a decision-making framework to guide the development of Morpeth into the future.

BACKGROUND - RECENT DEVELOPMENT PROPOSALS FOR MORPETH

There have been several other recent development proposals which propose changes to the urban boundary of Morpeth. These sites have been mapped (refer Tab E) and include:

30 Swan Street, Planning Proposal - rezoning of a 0.7 ha site from RU1 to R1 and E2 to allow 8-9 residential lots. It is with the Department to be finalised.

Duke Street, Seniors Housing Site Compatibility Certificate application - application for a retirement village (250 townhouses) and hostel (40 bed). Secretary refused (25 September 2015).

James Street, Morpeth - Council resolved 22 March 2016 to include land on the southern side of an extended James Street in its settlement strategy, facilitating up to 13 dwellings. The landowner sought a larger land area (extending further south) which would have allowed up to 39 dwellings.

BACKGROUND - SITE

The PP site is 1.27 ha and was formerly used as a bowling club. It consists of a club house, parking, bowling greens, telecommunications tower and grassed land with some trees (refer to the site aerial on the cover of the PP). The bowling greens and grassed land make up the majority of the site. It is zoned RE2 Private Recreation in the Maitland LEP 2011 and is included in the LEP's Morpeth Heritage Conservation Area (as is the broader town and surrounding rural land) as a local conservation area.

Council advises that the site forms part of the Morpeth Common (recreation land). It should be noted however that this part is privately owned while the remainder of the Common is public land (zoned RE1). Throughout its history, this part of Morpeth has always been either rural or recreation land. Council advises that it was resumed for public recreation use in 1883 and later gifted by Council to the bowling club in the 1940s. The landowner advises that the bowling club ceased operating in 2011.

The site itself is surrounded on three sides by the Morpeth Common. West of the site is Edward Street which separates the recreation land (and broader rural land beyond) from the residential land of Morpeth. Edward St has historically formed the eastern edge of urban Morpeth, as reflected in the original town plan from 1840.

Council has recently approved a child care centre on the site. The centre will utilise the land generally making up the existing clubhouse, with parking provided in and around the south western corner of the bowling green closest to Edward St. Council advises that the land for a seniors housing development would be around 1 ha. 22-24 dwellings are proposed (equating an average lot size of 420-450 m²).

BACKGROUND - THIS PROPOSAL

Council originally considered a proposal to rezone the land from RE2 to R1 and to add the land to its settlement strategy as an urban infill and extension site. The Council staff assessment argued strongly against the proposal due to heritage impact concerns. The report was supported by an independent assessment of heritage impact which recommended against the proposal. Council resolved to include the site in its settlement strategy and requested a further report on the planning proposal.

Following that resolution, the landowner changed the proposal such that it would retain its RE2 zone but allow seniors housing on the site as an additional permitted use. No justification is provided to explain why the residential zone approach is no longer desired.

Council commissioned an independent planning assessment of the revised planning proposal which re-iterated concerns regarding heritage impacts but recommended the

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planning proposal be submitted to the Gateway. It supported this approach because the site was in Council's settlement strategy, would provide seniors housing to meet a growing need and would return the permissibility of seniors housing on the site as existed when the club was operational. Noting that development standards limiting the density and site coverage of the development may be required to address heritage issues.

[Note: seniors housing would only have been permitted on the site under the SEPP (Housing for Seniors or People with a Disability) 2004 if, following a strategic assessment of the proposal, the Secretary issued a site compatibility certificate for the proposal].

Council has advised that if the Gateway supports the progression of the PP, the landowner would seek to run the DA process concurrently, with combined exhibition occurring to help demonstrate how heritage impacts would be mitigated.

External Supporting
Notes :

DOCUMENTATION PROVIDED

The planning proposal prepared by Council includes a number of appendices which refer to the original proposal considered by Council to rezone the land from RE2 to R1. This includes heritage studies: EJE Heritage Statement of Heritage Impact for the proponent (supports proposal), RLA Peer Review of Statement of Heritage Impact for Council (not support), EJE Heritage Response to Peer Review for proponent (supports), and Council review of EJE Heritage Response (not support). While different in intent to the planning proposal submitted for a Gateway determination (ie the studies assess the impacts of rezoning the land R1 rather than seniors housing specifically), the general conclusions relate to housing and are considered applicable to the PP being considered here.

Should the PP proceed, Council should clarify this clearly for the community as part of its exhibition package to avoid the potential for confusion about what is actually proposed. The landowner's intention to exhibit the development application concurrently with the PP (if it proceeds beyond the Gateway) would assist with this.

The Department's assessment has also utilised Council's report of October 2015 which considered the merit of the RE2 to R1 rezoning. This was sourced from Council's website. Its analysis relating to rezoning the site has relevance to the PP considered here because both would result in a housing outcome for the site. Given this, it has been included in the documents associated with this PP.

ADDITIONAL INFORMATION

The Department requested additional information from Council on 3 March 2016, specifically regarding how Council intends to determine whether seniors housing is compatible for the site, the role of the Morpeth Management Plan, and how Council is considering the cumulative impacts of its decisions about development proposals on the heritage values of Morpeth. Council's response was provided on 17 March 2016.

Further information regarding the tourism value of Morpeth heritage (referred to in Council's October 2015 council report) and the Morpeth Management Plan was sought on 24 March 2016 and provided on 6 April 2016.

Preliminary advice was also sought from the Heritage Division of the Office of Environment and Heritage. This advice was received 15 April 2016.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment :

The Statement of Objectives is consistent with the Department's "Guide to Preparing Planning Proposals". It states that the objectives are to allow seniors housing on the site, respond to heritage and flooding site constraints, and to protect public views to the rural land.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : The Explanation of Provisions is consistent with the Department's "Guide to Preparing Planning Proposals". It states that it would list the use as being permitted on the site in Schedule 1 Additional Permitted Uses of the Maitland LEP 2011. While not discussed, it should be noted that seniors housing is a specific land use defined in the LEP dictionary.

Council has also considered rezoning the site to R1 General Residential. The PP notes that this approach was not supported in an earlier Council staff report in part because there is adequate supply of residential land to meet demand.

There is no explanation or justification within the PP for seniors housing. However, Council's report indicates a need for this use and it notes the permissibility issue created by the Seniors Housing SEPP provisions no longer applying to the site.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

2.3 Heritage Conservation

3.1 Residential Zones

* May need the Director General's agreement

3.3 Home Occupations

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

4.3 Flood Prone Land

5.1 Implementation of Regional Strategies

6.1 Approval and Referral Requirements

6.3 Site Specific Provisions

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

SEPP (Housing for Seniors or People with a Disability) 2004

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **No**

If No, explain :

The proposal is inconsistent with s117 direction 5.1 Regional Strategies and potentially inconsistent with 4.3 Flood Prone Land. Further discussion is provided in the "Consistency with the Strategic Framework" section of this report.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : Council has included the existing LEP zone and lot size maps, as well as a site aerial.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Council indicates that the proposal would be exhibited for a minimum of 28 days. It intends to exhibit the PP concurrently with the DA. Should the Gateway support the PP, then a minimum 28 day consultation period is supported as it is likely to be contentious.

Additional Director General's requirements

Are there any additional Director General's requirements? **Yes**

If Yes, reasons :

PLAN-MAKING DELEGATION

Council has accepted plan-making delegation however it is not requested in this instance. Given this and that the PP is likely to be contentious if it proceeds, plan-making delegation should not be granted to Council.

COMPLETION TIMEFRAME

Council's timetable indicates the PP would be returned to the Department for finalisation within nine months. A 12 month completion timeframe would therefore allow adequate time for finalisation to occur, including DA preparation etc (given Council's intention to run the PP and DA processes concurrently).

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **The Maitland LEP 2011 was adopted in 2011.**

Assessment Criteria

Need for planning proposal :

The PP does not result from a strategic study or report undertaken by Council. It originates from a landowner request coupled with Council resolving to include the site in its settlement strategy contrary to the advice of Council staff. Council's decision to consider including the site in its settlement strategy was outside the standard annual review process that otherwise applies to other sites seeking inclusion in the strategy.

Council has concluded that the PP is required because it would address a need (seniors housing) and would return the permissibility of seniors housing as previously provided under the Seniors SEPP.

While it could be argued that the proposal would facilitate the extension of seniors housing next to an adjoining residential area, it is evident through the heritage assessment undertaken that substantial concerns exist that this PP may have adverse impacts on the heritage values of Morpeth.

The PP includes a brief assessment of net community benefit which, while acknowledging that the increase in seniors housing would not be of significant benefit, notes the proposal may result in negative impacts on the heritage of Morpeth. Based on this, the PP concludes the net community benefit to be 'neutral'. It is assumed 'neutral' means no community benefit.

Council's argument that the PP is justified because it would re-instate the permissibility of seniors housing on the site as existed under the SEPP is not supported. A site compatibility certificate (SCC) would have needed to have been issued and it is noted that the Secretary recently refused a SCC application for land nearby in Morpeth which has similar heritage issues to this site.

Consistency with strategic planning framework :

LOWER HUNTER REGIONAL STRATEGY (LHRS)

The LHRS recognises that its population is older than, and continuing to age at a rate faster than, the NSW average. It also notes that one of the key housing challenges facing the region is to provide housing choice and that this needs to reflect changes in population and occupancy rates. On this basis, as the PP would provide for seniors housing it could be considered consistent with the housing objectives of the LHRS.

As the site adjoins the existing urban area of Morpeth, it is also consistent with the LHRS outcome of focusing development in existing urban areas.

However, the LHRS specifically requires that new development proposed for the region's existing rural towns and villages must respect and preserve their character, scale, cultural heritage and social values. Further, that development opportunities created by land use zonings and densities are compatible with the underlying heritage values of the place. As it stands, Council's heritage advice indicates that the proposed development threatens the heritage value of the site. Although additional work is proposed, there is no evidence that a design solution can resolve these heritage issues.

DRAFT HUNTER REGIONAL PLAN (dHRP)/ HUNTER CITY PLAN (dHCP)

The dHRP and dHCP provide minimal guidance to assess the strategic merit of this PP.

The dHRP acknowledges Morpeth as one of the region's towns and villages that has become a tourist attraction in its own right, showcasing the Hunter's diverse built and natural heritage and character.

The dHCP notes the importance of providing a greater mix of housing types to meet changing demand. It identifies delivering infill sites and renewing established urban areas through several means, including through the development of sites that have previously accommodated non-residential uses. Whether this site is considered to be urban infill in the context of the dHCP is unclear. This matter has been debated by the various heritage assessments however Council's heritage assessment indicates that it is considered beyond the town boundary and therefore is not infill.

MAITLAND +10 (COMMUNITY STRATEGIC PLAN)

The PP states it is consistent with three of the objectives of its community strategic plan:

- infrastructure is well planned , integrated and timely, meeting community needs now and into the future;
- Maitland's unique built heritage is maintained and enhanced, coupled with sustainable new developments to meet the growing needs of its community; and
- potential impacts of Maitland's growing community on the environment and its natural resources are actively managed.

This contrasts with Council's comments on the previous R1 rezoning proposal. It suggested the proposal would not achieve the following objectives of its community strategic plan:

- Maitland's community and recreation services and facilities meet the needs of its growing and active communities; and
- a unique sense of identity and place is found within our villages, suburbs, towns and City Centre.

There is no explanation as to how a seniors housing development differs. The Department concludes that consistency with the community strategic plan cannot be fully determined at this time. Further work is required before this can be fully assessed.

MAITLAND URBAN SETTLEMENT STRATEGY

Council advises that the PP is consistent with the Maitland Urban Settlement Strategy following the resolution of Council on 13 October 2015 to include the site. It is noted that this occurred outside the standard settlement strategy review process.

MORPETH MANAGEMENT PLAN

The PP does not refer to the Morpeth Management Plan. Additional information was later provided. Council advised that the Morpeth Management Plan is Council's overall strategic plan for the management of Morpeth, and that it informed Council's LEP provisions and DCP. The Department notes the DCP's special precincts heritage conservation chapter which contains specific actions regarding Morpeth is to be altered in order to accommodate this proposal.

The Morpeth Management Plan identifies this site as being included in the Morpeth Common. The plan acknowledges the Common to be a major component of the historic character of Morpeth and that sensitive conservation management is required to retain its character while ensuring residential and visitor amenity. It notes that any new building on or near the bowling club should be unobtrusive and have minimal adverse impacts.

The rural surrounds outcomes of the plan are also relevant to the site. The plan states that these surrounds are an integral part of the history of Morpeth and it seeks to ensure the surrounds are retained/ protected and that Morpeth continues as a separate and distinct component in the landscape. Development of the site as proposed is inconsistent with this established plan.

The PP is inconsistent with the Morpeth Management Plan. While Council intends to amend the DCP to accommodate this proposal, it has not indicated any intention to review the Morpeth Management Plan.

STATE ENVIRONMENTAL PLANNING POLICIES

Discussion is provided on the following SEPPs because they are generally relevant to the proposal:

SEPP (Housing for Seniors or People with a Disability) 2004 - Council identifies the PP as being consistent with this SEPP. The SEPP relates to development applications and this development is not proceeding due to a SCC (like Duke St). No action is required of Council when preparing a PP. No further work is required in relation to this SEPP.

SEPP 55 Remediation of Land - Council advises that a preliminary contamination assessment has been undertaken by the site's landowner for the child care centre DA. It suggests that further detail may be required to ensure that the site is suitable for residential development. Should the PP be supported (contrary to the recommendation of this report), Council would need to either confirm that it is satisfied with the contamination assessment already undertaken or require further work to occur. Following this, the PP would need to be updated to detail whether the PP satisfies the requirements of the SEPP.

SECTION 117 DIRECTIONS

The PP is inconsistent with the following directions:

5.1 Implementation of Regional Strategies - the PP is inconsistent with the LHRS. Review of the Morpeth Management Plan is required before the PP could demonstrate that it is consistent with the LHRS and this direction.

Further discussion is also required in relation to the following directions:

2.3 Heritage Conservation - while the PP is potentially inconsistent with the objective of this direction (to conserve areas of environmental heritage significance), it is not inconsistent with the direction's requirements because it would not alter Morpeth's statutory protection under the Maitland LEP 2011.

Heritage assessment has been undertaken by both the proponent and Council. The two expert opinions disagree on the fundamental issue of whether this site should be

developed for housing. Issues raised by Council's assessment suggest that housing on the site would result in changes to the historic town layout and street grid; would allow housing in the rural fringe (which is largely undeveloped and preserves Morpeth in its rural surrounds); and would result in a use occurring on the site which is not in keeping with the Morpeth Common and its historic use (recreation).

The Department has consulted with the Heritage Division of the Office of Environment and Heritage. It has raised concerns that the proposal would affect the heritage significance of the Morpeth Heritage Conservation Area. It specifically notes that the proposal would have adverse impacts on the clearly defined edge of Morpeth and its distinctive form in a rural setting, and notes the PP's potential to create precedent for similar sites that may have detrimental impacts on heritage values.

The Department agrees with the concerns raised and is further concerned that these issues are not just limited to this site, but have implications for future development in Morpeth (refer Tab E). Ultimately, allowing this rezoning to proceed would not only potentially undermine the heritage values of that part of Morpeth, but would help facilitate other urban development outside the town's historic urban boundary in the future. In doing so, it would undermine the long term protection of Morpeth's heritage values.

The Department has previously responded to these issues by supporting Council in its decision making at Morpeth, most recently with the Duke St SCC. The Department also did so with the Swan St PP, noting that Council was asked to consider the cumulative impacts of its decision making on Morpeth. Council's advice states that the Morpeth Management Plan is Council's overall strategic plan for the management of Morpeth, and that decisions on development proposals are made on a case-by-case merits basis.

In terms of the subject site, the Morpeth Management Plan notes the importance of the Common to the historic character of Morpeth and that the rural surrounds form an integral part of the history of Morpeth. To this end, it states that sensitive conservation management of the Common is required, and that the rural use of the rural surrounds is protected and that Morpeth remain a separate and distinct component of the landscape. Council's intention to develop this site for seniors housing does not align with these outcomes.

Given the above, it is clear that the Morpeth Management Plan is either no longer relevant (because it is delivering inconsistent results) or it is being inconsistently applied. Council's strong opposition to the Duke St SCC application for reasons that are relevant to this PP, highlights this issue and suggests that the approach to new development in Morpeth requires review.

The Department considers it inappropriate for this PP to progress and undermine existing principles which have been historically applied to ensure Morpeth's heritage values endure. Council's approach, that the PP further investigate building design and density following Gateway determination, is not an adequate response given the issues. On this basis, it is recommended that the proposal not proceed until Council has reviewed its Morpeth Management Plan in consultation with the community. OEH (Heritage) should also be consulted as part of the management plan review process.

This approach would allow Council, landowners, developers and the community to evaluate whether those principles and values developed in the late 1990s remain relevant, and if not, how they should change. Following this review, the PP should be updated accordingly and submitted afresh if desired by Council.

4.1 Acid Sulfate Soils - the PP is considered to be consistent with this direction. The site has class 5 ASS and impacts could be adequately addressed as part of the DA process through LEP clause 7.1. No specific acid sulfate soils study is required (per clause 6 of the direction) because allowing seniors housing on the site is not considered to intensify the uses given the uses already allowed in the RE2 zone.

4.3 Flood Prone Land - it is potentially inconsistent this direction. Part of the site is flood

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prone and Council advises that no development is proposed in this area however the additional permitted use does not limit the location of the seniors housing. Should the PP be supported by the Gateway (contrary to the recommendation of this report), Council may examine site coverage and update the PP to clarify consistency with this direction.

6.3 Site Specific Provisions - the PP makes several references to further investigating building design, building density and site coverage. It flags that site specific provisions may be required to manage heritage impact and that these may need to form qualifications to the additional permitted use via the LEP. Council's heritage advice suggests that these controls would not adequately manage heritage impacts.

Any site specific provisions would be inconsistent with the direction and the Secretary's agreement to the inconsistency would be needed. If the Gateway supports the PP (contrary to the recommendation of this report), Council should be reminded of this in the Gateway determination letter.

Environmental social
economic impacts :

The key issue with this PP is whether it would result in adverse impacts on the heritage values of Morpeth. This report recommends a process for ensuring that this can be fully examined, and that it results in enduring outcomes for the historic township of Morpeth. Following that process, Council, the landowner and the community would have a clear understanding on what development outcome is appropriate for this site.

Broadly, the benefit of the proposal is the provision of housing for seniors in a location that is in proximity to shops, services and public transport. It would be providing housing for a section of the community where there is an increasing need. It would also result in short term construction jobs and increases in local demand for goods and services due to a marginal increase in resident population.

This said, Council does not consider this benefit to be significant and Council has previously suggested that developing the site for housing may undermine Morpeth's visitor economy which generated \$20M gross revenue in 2014/2015.

Assessment Process

Proposal type :	Inconsistent	Community Consultation Period :	28 Days
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Timeframe to make LEP :	12 months	Delegation :	DDG
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Public Authority Consultation - 56(2)(d)	Office of Environment and Heritage
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Is Public Hearing by the PAC required?	Yes
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(2)(a) Should the matter proceed ?	No
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If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

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Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Council Letter.pdf	Proposal Covering Letter	Yes
Council Report.pdf	Study	Yes
Council Minutes.pdf	Study	Yes
Planning Proposal.pdf	Proposal	Yes
PP Appendix 3 - Landowner Planning Proposal and EJE Statement of Heritage Impact.pdf	Proposal	Yes
PP Appendix 4 - Peer Review of Statement of Heritage Impact.pdf	Proposal	Yes
PP Appendix 5 - EJE Response to Peer Review of Statement of Heritage Impact.pdf	Proposal	Yes
PP Appendix 6 - Council Response to EJE Response to Peer Review.pdf	Proposal	Yes
Council report on proposal to rezone from RE2 to R1.pdf	Study	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Not Recommended**

S.117 directions:

- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.3 Home Occupations
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 4.3 Flood Prone Land
- 5.1 Implementation of Regional Strategies
- 6.1 Approval and Referral Requirements
- 6.3 Site Specific Provisions

Additional Information : **The PP should not proceed.**

1. The planning proposal does not adequately demonstrate that the site may be developed without undermining the heritage values of the Morpeth Heritage Conservation Area.

2. Insufficient evidence has been provided to demonstrate that the proposal will be consistent with the Lower Hunter Regional Strategy which requires development opportunities created by land use zonings [permitting seniors housing] are compatible with the underlying heritage values of the place [Morpeth].

Council should be requested to review its Morpeth Management Plan in consultation with the community. The planning proposal may then be reviewed against the revised Morpeth Management Plan. Any future proposal for the site could then be considered.

Supporting Reasons : **The PP should not proceed beyond the Gateway at this point in time.**

This is because there is insufficient strategic justification for the proposal. It is not evident that the proposal would be able to demonstrate that the development of this site for seniors housing would be compatible with the underlying heritage values of Morpeth as required under the Lower Hunter Regional Strategy.

These heritage principles are broadly detailed in the Morpeth Management Plan which is

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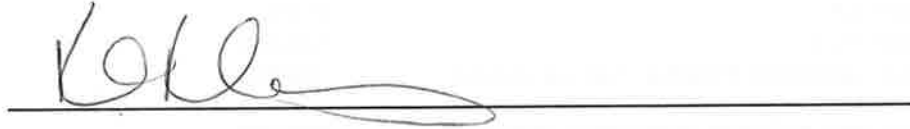
Council's overall strategic plan for the management of Morpeth. This proposal is not consistent with that plan.

The Department should request Council review its Morpeth Management Plan in consultation with the community.

Following the review process, the proposal may be reviewed against the revised Morpeth Management Plan and would need to demonstrate that it complies with the underlying heritage principles of Morpeth.

The Department should not progress any other development proposals which seek to change the urban form of Morpeth until such time as this review has been completed.

Signature:



Printed Name:

K O'Leary

Date:

10/5/16