



PNC002384

4934 9700  
Robert Corken

28 September 2015

NSW Department of Planning & Environment  
Hunter Regional Office  
PO Box 1226  
NEWCASTLE NSW 2300

Dear Sir or madam

**PLANNING PROPOSAL TO REZONE LAND AT 30 SWAN STREET,  
MORPETH DESCRIBED AS LOT 3 DP237264. REQUEST FOR GATEWAY  
DETERMINATION**

At its meeting dated 22 September 2015, Council resolved that:

1. Pursuant to s56 of the Environmental Planning and Assessment Act 1979, Council forwards the attached planning proposal to the Minister for Planning requesting a gateway determination.
2. Council undertakes community consultation in accordance with the gateway determination.
3. If no submissions are received during the exhibition period, a request is sent to the Minister for Planning to make the amendment in accordance with s59 of the Environmental Planning and Assessment Act 1979.
4. If submissions are received during the exhibition period a report is presented back to Council for consideration.

Council requests that the Department now consider the proposal and pursuant to s56 of the Environmental Planning and Assessment Act 1979 issue a gateway determination. Delegation to determine this proposal is not requested.

If you wish to discuss this matter, please contact Rob Corken on (02) 4934 9784 or at [robert.corken@maitland.nsw.gov.au](mailto:robert.corken@maitland.nsw.gov.au)

Yours faithfully

Rob Corken  
**Strategic Town Planner**



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**9.6 PLANNING PROPOSAL TO REZONE LAND AT 30 SWAN STREET,  
MORPETH FROM RU2 RURAL LANDSCAPE TO R1 GENERAL RESIDENTIAL  
AND E2 ENVIRONMENTAL CONSERVATION**

<b>FILE NO:</b>	RZ14/001
<b>ATTACHMENTS:</b>	1. Planning Proposal (under separate cover)
<b>RESPONSIBLE OFFICER:</b>	Bernie Mortomore - Group Manager Planning, Environment & Lifestyle Ian Shillington - Manager Urban Growth
<b>AUTHOR:</b>	Rob Corken - Strategic Town Planner
<b>MAITLAND +10</b>	Outcome 6. Built heritage and sustainable development
<b>COUNCIL OBJECTIVE:</b>	6.1.1 To encourage orderly, feasible and equitable development whilst safeguarding the community's interests, environmentally sensitive areas and residential amenity.

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**EXECUTIVE SUMMARY**

*Council has received an application to rezone land at 30 Swan Street, Morpeth from RU1 Primary Production to R1 General Residential.*

*The land is specifically identified in the Maitland Urban Settlement Strategy as an urban infill and extension site. Therefore the site may be investigated for urban purposes subject to consideration of site constraints.*

*There are a number of constraints on the site including heritage, contamination and flooding. The proponent has provided supporting information that addresses these. Council also engaged a specialist Heritage Consultant to review the heritage and visual impact assessment. The review supports the proposal subject to an area opposite the intersection with Edward Street that is to remain free of significant structures to preserve the view into the surrounding rural area. This will be achieved by placing an E2 Environmental Conservation zone over that area. Dwellings are prohibited in that zone.*

*The proposal is now considered ready to send to the Department of Planning and Infrastructure to request a gateway determination.*

**OFFICER'S RECOMMENDATION**

**THAT**

1. Pursuant to s56 of the Environmental Planning and Assessment Act 1979, Council forwards the attached planning proposal to the Minister for Planning requesting a gateway determination.

2. Council undertakes community consultation in accordance with the gateway determination.
3. If no submissions are received during the exhibition period, a request is sent to the Minister for Planning to make the amendment in accordance with s59 of the Environmental Planning and Assessment Act 1979.
4. If submissions are received during the exhibition period a report is presented back to Council for consideration.

#### **COUNCIL RESOLUTION**

#### **THAT**

1. Pursuant to s56 of the Environmental Planning and Assessment Act 1979, Council forwards the attached planning proposal to the Minister for Planning requesting a gateway determination.
2. Council undertakes community consultation in accordance with the gateway determination.
3. If no submissions are received during the exhibition period, a request is sent to the Minister for Planning to make the amendment in accordance with s59 of the Environmental Planning and Assessment Act 1979.
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Moved Clr S Procter, Seconded Clr R Aitchison

**CARRIED**

The Mayor in accordance with Section 375A of the Local Government Act 1993 called for a division.

The division resulted in 11 for and 2 against, as follows:

For:	Clr R Aitchison	Against:	Clr N Penfold
	Clr L Baker		Clr P Penfold
	Clr P Blackmore		
	Clr B Burke		
	Clr P Garnham		
	Clr B Geoghegan		
	Clr A Humphery		
	Clr H Meskauskas		
	Clr S Procter		
	Clr K Wethered		
	Clr B Whiting		