

10.2 SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH

FILE NO:	P29849
ATTACHMENTS:	<ol style="list-style-type: none">1. Site Compatibility Application2. Previous Council Report3. Locality Plan
RESPONSIBLE OFFICER:	David Evans - General Manager
AUTHOR:	Bernie Mortomore - Group Manager Planning, Environment & Lifestyle
MAITLAND +10	Outcome 1. Sense of place and pride
COUNCIL OBJECTIVE:	1.2.3 To maintain development controls that ensure retention of significant built heritage

EXECUTIVE SUMMARY

Scott Property Development has made application to NSW Planning & Environment for a Site Compatibility Certificate (SCC) under State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) on Lot 7, DP829150, Duke Street, Morpeth. A SCC is required where a SEPP seniors development is proposed on land adjoining land zoned for urban purposes where the zoning of the land in question would ordinarily prohibit development for the purposes of 'seniors housing'.

The applicant has indicated the Site Compatibility Certificate (SCC) for the proposed senior housing development will consist of 40 hostel apartments, and a retirement village comprising 250 villa/townhouses, plus administration buildings, multi-purpose hall, medical suites, chapel, and indoor/outdoor recreational facilities.

The Director-General (NSW Planning and Environment) is required to consider a range of matters – environmental impact, future land-uses, availability of services/infrastructure, impact of built form on existing, approved and future uses of adjoining land, and native vegetation clearing – in determining whether a SCC should be issued and is required to consult with the Council to consider its views in relation to these same matters.

The concept development proposal is similar to a development application proposal submitted to the Council in 2005 (DA 05-362). This 2005 application was refused by the elected Council in November 2007 largely on the basis of the significant impact that the development would have on the significant heritage curtilage of the village of Morpeth. The current proposal is larger than the previous 2005 development and the issues which were identified during the assessment of this DA equally apply to the current proposal subject of the SCC application to the Director-General. These impacts are discussed at detail within the report which also emphasizes that there is no effective way of mitigating these impacts.

The development of the subject land, located on the southern fringe of the village of Morpeth would be to the detriment of the important setting of the village and contrary to planning studies previously undertaken to investigate and identify the physical limits of development at Morpeth. The proposal would also be inconsistent with various requirements/controls contained within the Maitland Local Environmental Plan 2011 and the Maitland Development Control Plan 2011. In addition, the development of the land would be at odds with a number of key principles/actions identified within the Lower Hunter Regional Strategy 2006, The Maitland Urban Settlement Strategy 2001-2020 and the Maitland +10 Community Strategic Plan.

The issue of a SCC for the proposed development would not be an appropriate planning outcome for the village of Morpeth and the broader Maitland Community and would not be in the public interest.

OFFICER'S RECOMMENDATION

THAT

- 1. Council provide a written submission to the Director-General (NSW Planning and Environment) requesting that a Site Compatibility Certificate for the proposed SEPP Seniors development on Lot 7, DP 829150, Duke Street, Morpeth not be issued for the reasons outlined in this report.**

COUNCIL RESOLUTION

THAT

- 1. Council provide a written submission to the Director-General (NSW Planning and Environment) requesting that a Site Compatibility Certificate for the proposed SEPP Seniors development on Lot 7, DP 829150, Duke Street, Morpeth not be issued for the reasons outlined in this report.**

Moved Clr L Baker, Seconded Clr S Procter

CARRIED

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

The division resulted in 13 for and 0 against, as follows:

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