

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

FILE NO:	P29849
ATTACHMENTS:	1. Site Compatibility Application 2. Previous Council Report 3. 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

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

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.**

REPORT

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 seniors 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. Copies of the application and supporting documents are included as Attachment 1.

The application has been forwarded to Council for comment in accordance with Clause 25(3) of the SEPP and if a response is intended it will need to be forwarded to the Department by 9 September 2015. The Director-General (NSW Planning and Environment) is required to take into consideration those matters that may be raised by the Council before making a decision on the issuing of a Site Compatibility Certificate (SCC). Before issuing the SCC the Director-General must be satisfied that

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

the proposal satisfactorily meets the criteria listed under Section 25(5) (b) of the SEPP.

While there have not been many SCC applications previously reported to this Council, past practice has been for the General Manager to respond to a referral for comment to keep Councillors at arms-length from a proposal until it is lodged as a formal development application. In this particular instance however a development application (DA 05-362) for Seniors Living Development was previously considered by Council at its meeting of 27 November 2007 and the application was refused. A copy of the report to Council on this matter is included as Attachment 2.

Given the particular history of this site the matter is being reported to Council for resolution.

Lot 7, DP829150 Duke Street, Morpeth is currently zoned Part RU2 Rural Landscape and Part E2 Environmental Conservation under Maitland LEP 2011. The subject site is rectangular in shape and has a total area of 24.47ha of which 8.9ha is above the 1:100 flood line. Neither of the current zonings of the property ordinarily allow a Seniors Housing Development as proposed however, as the site adjoins land zoned for Residential purposes an application has been submitted to the Department of Planning & Environment for a Site Capability Certificate under SEPP (Housing for Seniors or People with a Disability).

A location map is included as Attachment 3 showing the land in question and its relationship to Morpeth and other zoned residential land in that locality.

In accordance with the requirements of the SEPP the Director General has referred the application to Council for comment on the consistency of the proposal with the criteria set out in Clause 25(5)(b) which requires that a SCC not be issued unless the Director-General:

- (b) is of the opinion that the proposed development is compatible with the surrounding land uses having regard to (at least) the following criteria:*
 - (i) the natural environment (including known significant environmental values, resources or hazards) and the existing uses and approved uses of land in the vicinity of the proposed development,*
 - (ii) the impact that the proposed development is likely to have on the uses that, in the opinion of the Director-General, are likely to be the future uses of that land,*
 - (iii) the services and infrastructure that are or will be available to meet the demands arising from the proposed development (particularly, retail, community, medical and transport services having regard to the location and access requirements set out in clause 26) and any proposed financial arrangement for infrastructure provision,*
 - (iv) in the case of applications in relation to land that is zoned open space or special uses – the impact that the proposed development is likely to have on the*

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

- provision of land for open space and special uses in the vicinity of the development,*
- (v) without limiting any other criteria, the impact that the bulk, scale, built form and character of the proposed development is likely to have on the existing uses, approval uses and future uses of land in the vicinity of the development,*
 - (vi) if the development may involve the clearing of native vegetation that is subject to the requirements of section 12 of the Native Vegetation Act 2003 – the impact that the proposed development is likely to have on the conservation and management of native vegetation.*

As stated Council has previously considered a development application for a similar development on this property and after careful consideration resolved to refuse this application. Matters identified in that report which are relevant to this proposal and Clause 25 include:

1. Heritage Provisions

The development has been assessed to be inconsistent with key Council policies which have been developed (in conjunction with the Morpeth Management Plan) to responsibly manage the township, and which were developed in close consultation with the community.

The Maitland DCP 2011: Chapter – Maitland Conservation and Design Guidelines identifies the location and historic context of Morpeth. The town is perched on a ridge of high land alongside the Hunter River, with major streets laid parallel to the river. Its hilltop location provides distant views to and from the town.

Morpeth has clearly defined limits, reflecting both the flood-susceptibility of the surrounding land and the lack of further developable land because of its location at the limits of navigability of the River. The town is the same size and shape as indicated in the earliest known plan (1840) with few changes. It is clearly separate from other urban areas, and is also visible as an entity in the landscape from surrounding areas and from several approach roads.

The town's high level heritage significance is directly associated with its layout design. It demonstrates a high degree of creative and technical achievement in NSW as a privately founded town. The layout is a skilful adaptation of the standards for government towns to the circumstances of the site.

Its regional significance relates to scenic qualities of the relationship between a riverside town and the surrounding rural area; as an uncommon example of a town whose road layout and extent has changed little since mid 19th century; and as a town that has developed and maintained a clear edge and distinctive form in its rural setting.

Morpeth is of local significance as a town that demonstrates its history through tangible evidence in its current built form.

The intact footprint of the village is fundamental to its listing as a heritage conservation area. Similarly the rural fringes of the village and the streetscapes and setbacks associated with the rural character contribute towards its importance. The principle issue relates to the extension of the physical boundaries of the town edge and the loss of the green belt surrounding the township, which is part of the reason of the significance listing of Morpeth.

Given the core significance relates to its intact, original town layout as demonstrated in early documented plans, there is no scope for expanding the town without impacting on the historical integrity of the area along with the associated visual impacts.

It is considered that the proposed expansion of the town would severely compromise the heritage significance of the Morpeth township as a result of:

- fundamental changes to the town's historically intact layout and loss of the existing town's rural aspect and vista;
- the creation of a divided town whereby different design and urban design characteristics would be clearly evident;
- High density and building pattern of the development;
- Inappropriate scale of buildings within the development.

Given the core significance of Morpeth relates to its intact, original town layout as demonstrated on the 1840 plan, with the whole of the town confined to three long wide streets, alternating with two narrower parallel streets and short cross streets, there is no scope for expanding this without impacting on the historical integrity of the area along with the associated visual impacts.

The proposed 'new' town edge will sit well below the ridge line of the existing township, one of the distinguishing elements of the town. The relationship of the original scale of town to the surrounding rural lands as viewed from McFarlane's Rd and Metford Road will be changed. The rural vistas from the original township will be lost, which is quite a different principle to the retention of a corridor – it is creating a corridor from what is currently a rural vista.

The high proportion of new development in a large defined area will drastically alter the evolved character of the Morpeth township where infill development has been spread across the township, with the exception of the James Street residential development. This is an example demonstrating how a larger scaled development of detached dwellings results in an area which appears incongruent with the heritage character of the remainder of the township.

The scenic relationship between the existing town and the rural surrounds will be lost with the scale of the 19th century town substantially changed.

The intent of the original town plan dating to 1840 was for the subject land to be rural open space. The historic use of the land for farming has continued since this time and the landscape character of the locality has evolved as a result of this historical pattern of land use. This proposal does not provide for an assessment of significance as to the specific land in question in the context of its history of rural use. The proposal would:

'irreversibly destroy much of the town's historic boundaries (which have remained the same virtually throughout its life); it would greatly alter the appearance of Morpeth from the east and the south, and also reduce the views from the town. The scale of the development would destroy the integrity and continuity of the town which is characterised by allotments of varying size and modest scale houses.

As one descends past the cemetery on the right hand side, the full expanse of green space around the town comes into view. This highlights the crisp urban skyline. In the centre is St James Church. On the left hand side the Conference Centre comes into full view. A row of box trees along the driveway entrance to the Centre emphasises the horizontal skyline.

The above analysis identifies a range of significant impacts on the heritage setting and values of the village of Morpeth that could not be reasonably and effectively mitigated. These impacts apply equally, and perhaps more-so to the current proposal given its larger size, as they did to the previous development application considered by the Council in 2007.

Maitland City Council, the NSW Heritage Office and proponents for the development of an aged care facility on the St Johns Ministry site have gone to considerable lengths to ensure the responsible management of the southern parcels of rural land which form part of the southern town approach. It is of interest to note that the 'Tank Street paddock' has an identified *exceptional* level of significance.

This assessment again emphasises the recognised sensitivity of rural lands surrounding the township and how important they are from a heritage perspective.

The Conservation Management Plan for the St Johns site also notes that a key component of the exceptional significance of the place is the survival of all the major visual relationships between the elements within and beyond the site, and that these must be retained and safeguarded.

The Morpeth Management Plan identified the rural zoning around the town as being the mechanism in place to protect the rural use and character of the towns setting. The Plan clearly states that the rural zoning surrounding Morpeth should be retained, and that the views from James Street to rural areas to the south, and from the ends of roads to rural surrounds should be retained and protected. These requirements have been incorporated into the Maitland City Wide DCP – Maitland Conservation and Design Guidelines.

The proposal is not consistent with the Morpeth Management Plan in relation to development of this scale, and in this location.

The proponent suggests that new residents and increased tourist numbers are important for the town's ongoing survival, however the Morpeth Management Plan clearly identified that understanding and protecting Morpeth and the surrounding rural area, and retaining what is significant, underlies the attraction of the town to both visitors and residents which in turn sustains the local economy and must not be compromised.

2. Maitland DCP 2011

The subject site forms a large part of the rural edge to the Morpeth township and provides views out over the surrounding floodplain and wetland areas. It is also a visually prominent site on the approaches to Morpeth from both the east and the south.

Morpeth currently sits along the top of the ridgeline with clearly defined boundaries and grid pattern development remaining intact from the original town plan. The development of this site would have a sprawling effect on the boundary of Morpeth down the slope of the land towards the floodplain, outside of the traditional boundaries of the village. It would effectively remove the rural environment surrounding the town and the wetlands would become a private vista for the residents of the development. The development of the site would also have significant effects on the visual approaches to Morpeth, regardless of the proposed landscaped screening of the site.

3. Rural Vistas and Setting of the Town

The Morpeth Management Plan specifically refers to the long views of Morpeth as those that cement the perception of the village of Morpeth – its form, mass, silhouette and setting. They are also the most sensitive.

The subject land is highly exposed and characterised by a lack of vegetation within the rural open space, reinforcing the dramatic ridgeline setting of the whole town along a strong horizontal plane.

The proposed development extends down the southern hillside altering this perception and will be highly exposed regardless of screening techniques. The shape of the town is long and rectangular positioned on top of the ridgeline, which creates the above noted dramatic setting with church spires punctuating the skyline. The proposed development projects from the existing township in a different orientation which will alter the perception of the town from within and without.

Curtilage and Setting

Morpeth sits on the ridgeline in between the Hunter River and the flood plain with wide open rural land around it. One of the most significant heritage values of the town is its setting. This includes the clarity of the edges of the 19C town; the relationship between the town and the topography; and the quality of the views to and from the town which have survived substantially intact.

By extending the footprint of the town, the proposed development will intrude into and either block or change the character of these views (depending on the position of the viewer).

It is considered that while there has been growth towards the southern edge historically it has been mostly to infill the street layout set by the original 1840s plan and subsequent plans of mid 19th Century. Also such expansion has respected its setting on high ground.

Recently the NSW Heritage Council considered a development for Seniors Living on St John's site (327 dwellings + 80 bed nursing home) on the western edge of Morpeth that could be considered to represent the maximum adverse impact acceptable to the setting of the town of Morpeth without severely compromising its heritage significant.

However, in the last twenty five years as development pressure on Morpeth could have altered its layout and built character, Maitland Council has successfully managed this pressure by guiding new developments away from it towards south west – Raworth, Morpeth Manor and Tenambit.

Maitland Council has prepared a Development Control Plan to guide any developments within Morpeth Conservation Area. It is considered that this development, if approved would erode the efforts made by Maitland City Council in the last 20-25 years.

Views and Vistas

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

The proposed development will alter the edge of the town to sit well below the ridge line which is one of the distinguishing elements of the town. The relationship of the original town to the surrounding rural lands will also be changed as a result of the loss of rural vistas. The scale of the proposed development would noticeably alter the size of the town.

Interpretation

Interpretation of the town of Morpeth is likely to suffer as a result of the proposed development due to introduction of a large scale new built form that would detract from the overall 19th century feel of the town.

Lower Hunter Regional Plan 2006 (LHRS)

The proposal is inconsistent with that division of the LHRS which relates to 'Rural Landscape and Rural Communities'. Specifically, Action 1 (p.37) states:

Development must respect and preserve the character scale, cultural heritage and social values of existing villages and rural towns.

Maitland City Council +10 Community Strategic Plan (2013)

The proposal is inconsistent with Outcome 3 of 'Our Built Space' which states (p.19):

Our unique built heritage is maintained and enhanced, coupled with sustainable new developments to meet the needs of our growing community . . . We will encourage and implement progressive urban design, sensitive to environmental and heritage issues.

Maitland Urban Settlement Strategy 2001-2020 (2012 ed)

The proposal is contrary to the MUSS insofar as the subject land is:

- not identified as Urban Infill
- not qualified as an Urban Extension site

Director-General's consideration under cl 25(5)(b) of SEPP Seniors

The key matters for the Director-General's consideration under cl 25(5)(b) of SEPP Seniors relevant to the current proposal are:

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

- (i) *the natural environment (including known significant environmental values, resources or hazards) and the existing uses and approved uses of land in the vicinity of the proposed development.*

Comment

The detail provided in the preceding sections of this report identifies the significance of the open rural surrounds to the village of Morpeth. The high level of heritage significance assigned to the township owes significantly to:

- The containment of the village footprint to the 1840 layout;
- The rural curtilage around the town that provides the strong edge definition, setting and context for the village;
- The generally smaller scale, discrete building form that makes up the built fabric and silhouette of the village.

The development of the subject land to the extent proposed under the SCC application would significantly compromise and undermine the heritage setting and values unique to Morpeth.

The issue of an SCC for the development will inevitably facilitate the development of the land for, what is considered in heritage terms, an inappropriate planning outcome. Once the rural curtilage of Morpeth is compromised to this extent, it will make it difficult for the Council to defend the planning principles (as reflected in the existing heritage studies and DCP controls) in the face of other development proposals which will inevitably follow.

It should be noted that a further constraint to the development of the RU2 portion of the land is the 1 in 100 year flood level which sits at RL 5.9m AHD. The location of habitable floor space below this level would not be permitted.

- (ii) *the impact that the proposed development is likely to have on the uses that, in the opinion of the Director-General, are likely to be the future uses of that land,*

Comment

The subject land is zoned both RU2 Rural Landscape and E2 Environmental Conservation under the Maitland Local Environmental Plan 2011. That part of the land zoned E2 reflects the footprint of the existing wetland system and development of this land for any purpose is unlikely due to environmental and flooding constraints.

While the LEP permits a range of land uses within the RU2 zone, these uses must be considered as to their suitability against the broader zone objectives as follows:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

- *To provide for a range of non-agricultural uses where infrastructure is adequate to support the uses and conflict between different land uses is minimised.*

In addition, any development application must also address the provisions of clause 5.10(4), (5) and (6) of the LEP due to the location of the land within a Heritage Conservation Area. These provisions require the consideration of the impact of a proposal in the context of a heritage impact assessment and conservation management plan. While it is conceivable that there may be a land use proposal which could be of a suitable scale and form which properly respects the heritage setting of the village of Morpeth, it is clear to the Council that the current proposal subject of the SCC application is unsuitable and unable to properly maintain the important rural curtilage of Morpeth.

It should be noted that a further constraint to the development of the RU2 portion of the land is the 1 in 100 year flood level which sits at RL 5.9m AHD. The location of habitable floor space below this level would not be permitted.

- (iii) *the services and infrastructure that are or will be available to meet the demands arising from the proposed development (particularly, retail, community, medical and transport services having regard to the location and access requirements set out in clause 26) and any proposed financial arrangement for infrastructure provision,*

Comment

It is likely that the proponent of the development will be able to address the provision of services for the future residents of the SEPP Seniors proposal. This is evidenced by the supporting documentation provided with the SCC application in relation to health care providers, transport services and home care services. Although the local shopping precinct within Morpeth provides only a limited offering of retail for everyday needs, it nonetheless is considered adequate particularly where a transport service is to be made available to enable residents to access larger retail centres such as Green Hills.

The provision of reticulated services to the site – water, sewer, electricity, gas, and telecommunications – is a matter which the proponent will ultimately need to resolve with the respective infrastructure agencies. Notwithstanding, access to this infrastructure is available to the existing Morpeth community. Hunter Water and Ausgrid have provided correspondence confirming that water, sewerage and electrical services can be provided via an augmentation of their existing networks.

Infrastructure provision relevant to Council is the standard of the existing road network and footpath network within the adjoining Morpeth township that will be required to support the incoming population and whether this network will need to be upgraded to provide ease of connection between the development site and key activity nodes within the village. Any upgrading of local roads and footpaths would be the subject of detailed review at a development application stage and would most likely need to be fully funded by the developer. Developer contributions under the applicable Section 94 Developer contributions Plan would also apply at the DA stage unless the proponent was to consider a voluntary planning agreement (VPA) as an alternative.

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

- (iii) *in the case of applications in relation to land that is zoned open space or special uses – the impact that the proposed development is likely to have on the provision of land for open space and special uses in the vicinity of the development,*

Comment

The subject land is not zoned for open space purposes and hence this clause is not relevant to the DG's consideration.

- (iv) *without limiting any other criteria, the impact that the bulk, scale, built form and character of the proposed development is likely to have on the existing uses, approval uses and future uses of land in the vicinity of the development,*

Comment

The detail provided in the preceding sections of this report identifies the significance of the open rural surrounds to the village of Morpeth. The high level of heritage significance assigned to the township owes significantly to:

- The containment of the village footprint to the 1840 layout;
- The rural curtilage around the town that provides the strong edge definition, setting and context for the village;
- The generally smaller scale, discrete building form that makes up the built fabric and silhouette of the village.

The development of the subject land to the extent proposed under the SCC application would significantly compromise and undermine the heritage setting and values unique to Morpeth.

The bulk and scale and shape of the building forms proposed – large blocks of multi-storey 'apartment style' dwellings, rows of attached houses and the large, circular, multi-storey community facilities building - are strongly incongruous with the pattern and distribution of the small scale, modest structures that make up the fabric of the existing township. The building designs do not follow the principles and guidelines contained in the Maitland DCP 2011.

- (vi) *if the development may involve the clearing of native vegetation that is subject to the requirements of section 12 of the Native Vegetation Act 2003 – the impact that the proposed development is likely to have on the conservation and management of native vegetation.*

Comment

The subject land is essentially 100 per cent cleared grazing land apart from a very small number of native shade trees. While an ecological assessment would need to be provided

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MORPETH (Cont.)

for the site which provides an assessment of the wetland area, it is not envisaged that the provisions of the Native Vegetation Act 2003 will have work to do with respect to any future proposal on the land.

FINANCIAL IMPLICATIONS

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

POLICY IMPLICATIONS

This matter has no specific policy implications for Council.

STATUTORY IMPLICATIONS

There are no statutory implications under the Local Government Act 1993 with this matter.

CONCLUSION

While many issues would be investigated in further detail at a development application stage, it is considered that matters raised are sufficient in themselves to demonstrate that the proposal would have significant negative impacts on the heritage environment of Morpeth. It is recommended that Council advise that it does not support the granting of a SCC due to the proposed development's inconsistency with the criteria listed in Clause 25(5)(b) of the SEPP (Housing for Seniors or People with a Disability).

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

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**Interpretation, p8**

Issue: *"Interpretation of the town of Morpeth is likely to suffer as a result of the proposed development due to introduction of a large scale new built form that would detract from the overall 19th century feel of the town."*

Response: It is not a large scale new built form which is proposed, but an appropriately located, planned and designed residential development. The Heritage Office report agrees that appropriate building forms, materials and colours can be conditioned in sympathy with the existing historic character of Morpeth.

Other Issues: Planning Issues, p8

Issue: *"The fact that the town plan, many of its buildings and its setting in the landscape have remained substantially intact since the 1860s has generated its own significance, and the town demonstrates strong historic, aesthetic, technological and social heritage values."*

Response: I agree with this analysis. This is the reasoning for the depth of analysis which went into the proposal.

Maitland City Wide Development Control Plan & Morpeth Management Plan

The recommendation to the Heritage Council is that the proposal is contrary to the Morpeth Management Plan (2000) and the Morpeth Development Control Plan. The management plan was developed to provide a basis for management of the Council's responsibilities in Morpeth, and intended to guide some changes to the DCP and LEP. As far as I am aware there is no such document as the Morpeth DCP, rather the guidelines relating to Morpeth are contained in the Maitland City Wide DCP. The DCP similarly provides principles, objectives and guidelines for development and conservation of Morpeth to be used in conjunction with the LEP. Whilst there are no statutory powers attached to the plans, they do have significant weight.

The Morpeth Heritage Conservation Area as set out in the LEP includes a large area of land of rural character surrounding the town. Given this, both the City Wide DCP and the management plan refer specifically to the maintenance of rural surrounds of Morpeth with regard to views into and out of the town. Based on our earlier assessment of the views into and out of town, and our advice as to the preservation of such views, and given the fact that the size of the development is not significant, I would disagree with the Heritage Office that the development is contrary to the plan or the DCP.

If you have any questions or comments I would be happy to address them.

Yours sincerely

Dr Richard Lamb
Richard Lamb & Associates

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SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

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Officers Reports

DA05-362 SENIORS LIVING DEVELOPMENT (SERVICED SELF- CARE HOUSING) LOT 7 DP829150 DUKE STREET, MORPETH

Summary of Submissions

Meeting Date: 27 November 2007

Attachment No : 8

Number of Pages : 11

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

Issue Raised
Heritage
The proposal conflicts with all LG legislation designed to protect the heritage of Morpeth including the Morpeth Management Plan and Maitland Conservation and Design Guidelines. Whilst the developer acknowledges Council's identification of Morpeth as a town of state heritage significance, this status cannot be protected with a development of this magnitude in this location.
The developers are trying to cash in on Morpeth's character for their own profit.
Two storey medium density housing is inappropriate for the Morpeth Heritage Conservation Area.
We should protect our heritage for future generations. If this development takes place, Morpeth will no longer be a unique village, it will be swallowed up and become just another suburb. People will no longer visit Morpeth as they do now which will have a great affect on the economy of Morpeth and the area of Maitland.
The chosen location for the development is not outside the tourism business area as countless tour buses frequent the surrounding streets admiring heritage houses and views in James St, the development will therefore have an impact on heritage related tourism. If the proposal is approved, the massive increase in size and population would lessen the integrity and historic value of the small village of Morpeth which so much has been used as a selling tool to attract the tourism trade to the Maitland area.
To develop the land is contrary to heritage guidelines for the town which is national, state and regional significance
The development does not conform to the original street grid pattern established within Morpeth which remains relatively unchanged for some 200 years. This development threatens morpeth's identified uncommon example of a town whose road layout and extent has changed little since mid 19th century and have developed and maintained a clear edge and distinctive form in its rural setting.
Council have indicated that they have previously refused DAs in Morpeth based on developments that are inconsistent with the heritage theme of Morpeth. Council is not consistent in its approvals, extensions and two storey developments have been refused by Council due to non compliance with DCPs.
The streetscape of Morpeth is reflective of past eras. The high and uneven sandstone kerb and gutter in the commercial area and some residential streets, along with uneven and variable footpath configurations throughout the village represent a significant safety risk to the aged residents that will occupy the development. Council have stated that such sandstone kerb and guttering or sandstone swale drains must be retained in situ.
The site is within a Heritage Conservation Area and multi medium density dwellings of a two storey nature are not compatible with the Morpeth Heritage Conservation Area. The proposed development does not comply with the requirements of such an area in density or appearance. The proposal will damage the historic integrity of Morpeth forever as it will result in a 40% increase in the population of the village and generate a 50% increase in the stock of residential land.
Good planning policy dictates that a development be appropriate to the site and its environment which, in this instance is not the case. Given Council's comments regarding the heritage of Morpeth, the proposal would not be consistent with maintaining the cultural image of the village.
With regard to the letter from Robert Stass regarding heritage aspects, it contains incorrect statements and it is obvious that Mr. Stass has not visited Morpeth or the proposed site.
Both the community and the government have stated a desired outcome to retain Morpeth's Historical Significance which this proposal is in stark contrast to.
The heritage office of NSW must be consulted to determine the impact of the proposal upon Morpeth
Documentation
In the documentation submitted with the DA, there is no mention of the approach the developers will take if adjoining land is needed to obtain sewerage access and the resulting impact.
The type of fencing proposed is unclear.
The resident and business survey is unacceptable as it surveyed just 30 people out of approximately 1100.

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The lagoon to the northern boundary has never been drained, as mentioned in Section 2.1 Site Identification, it is just dry due to low rainfall over the past 5 years.
Traffic observation undertaken by the applicant is over 2 years old was taken when the Morpeth Bridge was closed and under repair.
The claim that the proposal is outside the tourist hub and heritage areas is incorrect.
The proposal is not an 'aged care facility' as only one resident needs to be over the age of 55 to move into a dwelling which could result in couples with children living within the facility.
The full social impact of this development has not been considered in relation to the environs of the village of Morpeth. The Social and Economic Impact Assessment is too generic and based around inner city living.
The SEE is not consistent with other State Department policies and MCC environmental plans.
The entire contents of Appendix 1 of the SIS - Demographic & Community Profile can be ignored as it has been plagiarized from a document called 'Cooranbong Seniors Living, Deaves Road Social Study - Part 4 Crime Risk (see page header pp.49-68). A simple edit find (Cooranbong) and replace (Morpeth) works wonders as long as the plagiarist remembers to change the page headers. As such, the comments made with regard to population in Section A1.2 cannot be considered true when it is headed for Cooranbong Seniors living Deaves Rd.
Section 3.1.1 of the SIS states that there is a petrol station in Morpeth. This has been closed for some time now.
Page 5 of the Traffic Study states that 'Swan Street continues to the south of the main village'. In fact Swan Street heads east to west along the north of Morpeth.
Section 2.5 of the Traffic Study states that the Morpeth Road Underpass is currently under construction. Such underpass has been present for some time now, the applicants appear to be referring to the Metford Road Underpass which has been opened for about 2 years.
Drawing No DA 2.03 - Building Key Plan in Section 7 Architectural documentation shows Robert Street running into the subject land somewhere near the north western corner of the development. This is in fact Little James Street. Robert Street is nowhere near the development.
The chairperson of the Morpeth Village Forum revealed at a town meeting dated 18/10/06 that Section 6.2 of the applicant's qualitative research is dubious. The alleged interview with Mr. Noel Cavanagh, treasurer of the MVF was obtained under false pretences and printed with his or the MVFs consent. All supposed 'interviews' (6.1 - 6.2) should be treated with suspicion unless supported by a signed letter.
The one letter of support that was included by Mr. Robert Staas was based on research and analytical material provided by the developer under instruction from the developer. It concludes stating that he is awaiting further instructions.
In Appendix A (A Strategy for Sustainable Growth Conservation), Map rla38 Morpeth Street (No Suggestions) shows John Street as a primary road along with Swan, High and James Streets. However, the table on page 38 states that John Street is narrower than all secondary roads with a road reserve width of just 18m and does not even rate a pavement width
Table 3.1 Traffic Generation states that daily flows will be increase by 700vph. Thus seems extremely high especially when the same table estimates peak flows to be 70vpd. Even if a typo occurred and they meant 700vpd, this would cause significant damage to the already decaying streets in Morpeth and increase risk to pedestrians, particularly children at the nearby school in High St. Regardless, these traffic flow figures appear to be very conservative.
The full engineering impacts of flooding, service provision and traffic generation have not been considered or explored in detail.
Within Appendix T of the original DA is letter from the Department of Agriculture dated 18/03/03 that includes factors to incorporate when planning for residential/small lot development, however, reference to lot sizes need to be replaced by curtilage around dwellings in this instance because lots are not being created. Curtilage areas should be consistent with rural residential blocks.
Within Appendix T of the original DA is a letter from Dept of Primary Industries dated 15/07/06 stating that the property intrudes into a largely unfragmented rural area which has been identified in Maitland Urban and Regional strategies for retention as open grazing lands rather than residential or medium density development.

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The Social Impact Statement references the Cooranbong Seniors Living - Deaves Road - Social Study - Part 4: Crime risk as the header
The 'Qualitative Research' chapter content does not constitute 'research' in the sense that it is simply a report of statements, and no attempt has been made to analyse the statements within a thematic framework
The Heritage Impact Statement Appendix A: Morpeth as a Potential Setting for Seniors Living (Richard Lamb and Associates). Persons with a knowledge of Morpeth and its surrounding rural lands would quickly realize that there is a mismatch between almost every point described on the maps and the associated photos. For 'external viewpoints' there are only 3 correct matches of 12 possible and for 'internal viewpoints' there are no correct matches concerning placement and direction. The majority of the photographs contained in Appendix 1 of the Heritage Impact Statement have incorrect positions and descriptions. Of the Internal Viewpoints only 3 in 11 are correct and External Viewpoints only 5 in 12 correct.
A brochure advertising the proposed development has been placed in the shop front window of 165 Swan St, Morpeth. It is our understanding that these premises are currently being rented with a view to it becoming the central sales office for the development. Advertising for the development is explicitly in breach of CI 44(e). In the present situation, CI 41 concerning interpretation and CI 42 concerning misleading or deceptive conduct may also apply.
False and misleading statements concerning the 'need' for a facility such as the proposed development. No empirical evidence suggests that there is a need for seniors housing in the township of Morpeth, nor for the Maitland LGA area. The proponent derives the stated 'need' on the basis that Maitland has only 422 aged care beds and implies that the type of development proposed in the DA will help to an aged care bed shortage. However, the proposed development will not provide this type of care nor would it relieve the pressure on current aged care bed shortages as claimed. Instead it would exacerbate them on account of the increase in age over time of the target population for the development.
The developer suggests that the proposal will provide an opportunity for existing residents to downsize within Morpeth. There was a unit block for over 55 living in James Street, Morpeth which was on the market for months and despite being sold has now been advertised for lease for many months. This experience suggests that there will not be a rush for residents to downsize.
The proposed development does not comply with the MMP especially 4.1.3 New Development, 4.1.4 Subdivision, 4.3.4 Rural Surrounds and 4.4.3 Kerb and Gutter.
If the development is going to be part of the town, then it must conform to the same planning restrictions that govern all other Morpeth residents. In the DA supplementary package (p.210) there are Draft Performance Standards for Future Streetscapes addressing such issues as setbacks and trees. As Morpeth already has comprehensive policies on these matters, the question arises as to why they are not being applied to this development.
The estimation of an average occupancy rate of 1.5 persons is a gross miscalculation. The units are at least 2 bedroom with a study and will therefore generate a higher occupancy rate.
Although the developer has supported his case with survey data, a sample of 30 is far too small to be either statistically valid or representative. The community survey is hardly worth of comment, only 21 residents and 9 businesses were surveyed. This small amount of surveys cannot provide any accurate statistical data about the views of the community. In addition, Morpeth Village Forum is named as a participant in a survey of community groups and yet we were neither asked, nor did we give permission for our views to be published. One of our members recalls responding to a general phone call however, he was speaking on his own behalf, and permission was neither sought nor given for the publication of those views. If this is our experience, we must seriously question the validity and substance of the other survey material claimed to be representative of other community groups.
Policy
The proposal is inconsistent with the MMP. The intent of the MMP was to prevent developments such as this destroying the unique history of the town and to ensure that the character of the town which people find so attractive is retained and enhanced.

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The proposed development is not a real aged care development, like Green Hills or Benhome. SEPP 5 is a cheat's way for developers to create a high density project on a small parcel of land. This is reflected in non-compliance with Local and State planning instruments combined with the number of constraints associated with this site which means that this DA is flawed and inappropriate.

The proposed development is not consistent with the development control plans in Morpeth

The development does not comply with the Draft Performance Standards for Future Built Form therefore, it is inappropriate development

The development of 49 residential dwellings, 48 duplex dwellings, 6 tri-unit dwellings and 72 quad style dwellings is contrary to the aims of the MMP 'subdivision 4.1.4'

The subject site is zoned 1(b) Rural and 7(b) Environmental Protection. Medium Density Housing is prohibited and the 1(b) zone and not listed as permissible within the 7(b) zone, and storm water detention basins are not listed as permissible in the 7(b) zone.

The proposal is not compliant with the Maitland Greening Plan 2001 which identifies the subject land as part of an opportunity corridor to create a native vegetation buffer surrounding the wetland.

The proposed development does not comply with the Morpeth Management Plan, specifically a minimum 7 metre setback from the street frontage boundary line. Because the proposal does not have boundary lines setbacks should be a minimum of 11.5m from the kerb line (i.e 7m plus normal footpath width of 4.5m). Similarly side setbacks require a minimum of 0.9m plus 2.5-3.5m (i.e 3.4-4.4m between buildings).

The proposal is inconsistent with the Morpeth Management Plan as it does not comply with the requirement to maintain views throughout the town and the surrounding development.

The proposed development does not comply with the MMP requirements to maintain the single storey and detached nature of development within residential areas. The two storey units do not comply with the requirement of the MMP that the building is only single storey at the road frontage when looking at the lower units from the front. Of the 175 units proposed, only 49 are or detached residence type. The proposal fails to mention the detached house as the principal residential form - 72% of the proposed residences are duplex, tri or quad units.

On 16 December 2005 NSW State Planning Minister Frank Sartor invoked a moratorium on self-care rural retirement villages such as this. Whilst the DA was originally lodged at Council 1 February 2005 the latest edition emerged around September 2006. As such, surely this development falls under the blanket of the moratorium and as such does not comply with the SEPPSL. Whilst this announcement does not affect DAs for self care facilities on rural land which have already been lodged, it would be a travesty for a town such as Morpeth, with its unique heritage value, to be a victim of a planning 'loophole' that has already been identified by the Minister as a problem for country towns

Given the current lack of access to rail services, banks, shopping centres and medical services and the timing issues above it is doubtful that the proposed development even satisfies the criteria set out by the SEPP.

Concerns have been raised in parliament that SEPP5 is being abused to achieve general medium density housing in appropriate locations.

The proposal does not conform to the SEPP Seniors living 2004. Section 19 of the SEPP prohibits development on land that adjoins land zoned primarily for urban purposes

SEPPSL Section 25 - the facility is not within 400 metres of shops or banking facilities

SEPPSL Section 28 - Site analysis. The proposal will obliterate views by neighbouring properties and will be highly visible from access roads into the village

SEPPSL Section 31 neighborhood amenity and streetscape - the development does not conform to a number of elements contained within section 31. Buildings will overshadow adjoining property and units within the development limiting solar access, the plans provided by the developer show the building line of the proposed extension of the dwelling on John Street to be in front of existing dwellings on the southern side of John Street, buildings and roads are proposed in the riparian zone on the southern boundary of the development which is contrary to the SEPP

79C 1(c) The suitability of the site for the development - The proposed location of the development is now currently used as farm/grazing land and the site is severely affected by flooding. Following rain a number of water birds and wildlife are drawn to the floodways.

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79C 1(e) - The public interest - the proposal is not in the public interest. A previous application was withdrawn, due largely to public pressure. Public outcry to this proposal will prevail for the Morpeth community. There is land available to build the facility which will not impact on heritage issues. Residents of Morpeth choose to live in this area for the village-like quaintness of the area as well as the peace and quiet

The DA contains a commercial centre which includes a medical facility, hairdresser, corner store and cafeteria. The 3(a) general business zone comprises the core retail area of Morpeth. The development proposes a commercial centre which is outside of Swan Street and contrary to the LEP

The proposed development may not be permitted under the SEPP (Seniors Living Policy) 2004 because the proposal may be contrary to clause 19 of the SEPP which was amended in December 2005. Further, the application does not appear to be in the spirit of SEPPSL which seeks to provide seniors living in urban regions, not to rezone rural land.

The DA has been lodged under SEPPSL. The title includes the add-on 'Serviced Self Care Housing' which the SEPPSL describes as pertaining to seniors housing in clause 15. Under such definition the proposed development is obliged to provide on site meals, laundering, cleaning, person care, nursing services, appropriate staffing and provision of furniture, furnishing and equipment. The proponent does not provide information concerning the servicing of these forms of care. Council should carefully consider whether it can grant consent under other provisions of the SEPP, given the Land and Environment Court's decision in *Information Gateways Pty Ltd v Hornsby Shire Council* [2005] NSWLEC 242. That decision means that, where serviced self-care housing is concerned, the developer needs to provide Council with evidence that a particular service provider will provide the services, that the detailed terms under which the services are to be provided have been agreed, and that the services will be provided for the life of the development. Without this evidence, Council cannot be satisfied in respect of cl 2(1), 15, 25, 74 and 75 of the SL SEPP.

The Environmental Defender's Office are of the opinion that the supplementary information package does in actuality represent a new application, as it is essentially support material for the new site design. It is unrelated to the original DA and should be resubmitted to Council as a new development application.

The present DA does not comply with the following clauses of SEPPSL: Cl15 - Serviced self-care housing, Cl19(a) - Development on land adjoining land zoned primarily for urban purposes, Cl24(1,2) - Heritage conservation area and heritage items, Cl 25 - Location and access to facilities, Cl27(2) - Water and sewer, Cl28(4) - Site analysis; surrounds of the site including (b) privacy, (e) views and (i) Environmentally sensitive land, Cl 31 - Neighbourhood amenity and streetscape, Cl 32 - Visual and acoustic privacy, Cl 33 - Solar access and design for climate, Cl 34 - Storm water, Cl 35 - Crime prevention, Cl 36 - Accessibility, Cl 37 - Waste management, Cl 38(3) - Site frontage, Cl 76 - Availability of facilities and services, Cl 81 - Standards that cannot be used to refuse development consent for self-contained dwellings, schedule 1 - environmentally sensitive land.

The two developments are obviously linked and it is quite apparent the reason why they appear on separate development applications is because if the two were both on a new single DA the Duke St complex could not be considered as current legislation no longer allows this type of development in the area proposed

SEPPSL quotes a minimum of 70 dwellings for self care housing built on urban fringes, Given comments by the Dept of Ag. Regarding increase lot sizes and building setbacks and inconsistencies with the MMP, perhaps a figure of 70 dwellings would be more appropriate on site. At the very least the development should be downsized to make it compliant with setbacks and building forms required by the MMP

The MMP and DCP raise points regarding avoiding non-rural development and multi-storey dwellings/buildings on rural land, which has been blatantly ignored in the proposal put forth to Council.

Morpeth is of State heritage significance and as such, should be exempt from consideration under the SEPP for Senior Living. As a rural village, Morpeth is incompatible with the intention of the SEPP.

Infrastructure and Services

The water pressure of the reticulated water supply is poor and cannot be relied upon in case of fire. any of Morpeth's residents report low water pressure particularly in the summer months.

The petrol station mentioned in Sec 3.1.12 has been closed for almost 2 years

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The Medical GP mentioned in Sec 3.1.12 has closed its books and Maitland Hospital has a minimum 5 hour wait. The only medical practice in Morpeth is under extreme pressure to cope with demand. The proposal shows no doctor or nursing staff to be provided on site. Given that current medical facilities are already struggling with demand, as such, an adequate medical centre on site will be essential. The proposed medical facility merely consists of one room of minimal dimensions. Any medical centre established to permit adequate patient consultation and examination must have the following facilities; An appropriate sized waiting area, a confidential reception area, sound proofed medical consulting and examination rooms and convenience facilities. Simply providing a medical facility is not enough as finding a doctor to staff to could prove difficult and success cannot be assumed. Without a doctor who is willing to make a firm commitment, the development will be unable to meet its obligations under the Seniors Living provisions to provide adequate medical care.

The sewerage system is currently at capacity and discharges raw sewage into resident's front yards and the Hunter River. Several residents have provided anecdotes about the incidence of raw sewerage in their yards from time to time. The current sewerage system is overloaded and will not be able to accommodate the large development

Car parking for the development is insufficient

The village of Morpeth does not have the infrastructure required for such a development. The scope and scale of the development will add unreasonable and unsustainable demands on old and decaying infrastructure. Further, there are insufficient medical services, shops or public transport to cater for a 50% increase in the population. The roads will not cater for the increased traffic and will create safety and noise issues for the current residents as well as the nearby public school. Infrastructure problems will be created as a result of this development. The development will bring an extra 300 people to Morpeth affecting water, sewer, power, telecommunications, storm water drainage and roads which are already full of pot holes. If the DA is approved there will be a significant shortfall in infrastructure

Although the units are designed for the elderly, most still have at least 1 car, Therefore the proposal will increase traffic in the area. The proponents estimate an additional 700 traffic movements per day which will compromise the safe operating environment in the school precinct of Morpeth, specifically extra traffic along High St will have an impact on the safety of the children who attend the Morpeth Primary School. Managing the interaction of vehicular traffic and other vulnerable road users will become more difficult with the increase in traffic generated by the development. This was evidenced recently when a female bicycle rider was hit by a car. In addition to safety, extra traffic and services required for this development would ruin the unique historic integrity of Morpeth and change the quality of life for current residents. The scale of the development is such that it will generate a significant and un-sustainable increase in vehicular and pedestrian traffic. The village is already experiencing traffic safety challenges in average day to day operations and tourism and special events elevate these challenges. The proposal will generate significantly more traffic and increase the demand for limited parking especially around the commercial centre.

Public transport within Morpeth is poor. Public transport by bus does not exist. The nearest train station (east Maitland) is unmanned, has a slippery tunnel, steps to the platform and no elevator. It is 5km away and costs \$14 to catch a taxi to it. XPT trains do not stop at the station and Maitland to Newcastle services do not always stop here. Thornton and Maitland stations are the nearest stations to provide elevators for senior and disabled people. Public transport in Morpeth is inadequate and alternative means of transport such as bus hire on a needs basis or community transport would not be viable unless substantial economic commitment was made by the developer.

Access to shops within Morpeth is limited because the majority of shops in Morpeth cater for tourism and most people in the village travel to Greenhills, Maitland or Raymond Terrace to undertake supermarket shopping. The general store, newsagent and baker are 1.5km away from the centre of the proposed developer, and whilst the butcher and takeaway shops are marginally closer, they are hardly located within walking distance for elderly residents.

The nearest banks are in Greenhills or Maitland, not in East Maitland, which is of great distance from Morpeth.

Access rooms would be needed for delivery and service vehicles to reach the site and to park and deliveries of items such as gas should be kept clear of the emergency access. Further, the waste collection trucks will inconvenience neighbours.

Emergency services are already overstressed and will be unable to cope with the influx of the proposed aged population

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The current road network would not handle an increase of 1 car per unit plus staff transport. The road system, especially Duke St and John St, would need to be upgraded to handle the increased volume and weight of traffic which the construction of this proposal will produce.

Morpeth already experiences power failures from air conditioner overload etc.

Morpeth already experiences poor telephone service because of aged lined and exchange

Morpeth has a decaying water and sewerage network. Sewerage overflows, extreme low water pressure, frequent leaking and burst water mains are characteristic of the village. An increase of 400-450 residents will be making service demands on this inadequate network, and unless there is substantial upgrades, the current network will be unable to cope.

The current storm water system in Morpeth is already overburdened and during times of heavy rain the storm water drains frequently overflow. The addition of a large development will only serve to exacerbate the existing problems in the area, the increased site coverage will increase storm water runoff

Traffic flow and routes have not been specifically addressed within the DA.

Other Issues

The land is an environmentally sensitive area and is a Protection zone. The development is in close proximity to an environmentally sensitive wetland zone. The wetlands on the subject land are zoned 7(b) Environmental Protection Buffer and much of the proposal is part of the EPB. The proposal intends to build a storm water detention basin within the EPB in addition to the construction of roads/buildings on the fringes of the EPB greatly upsetting the fragile balance of the existing wetland environment. Development of this land will reduce the surface area of the catchments and increase the possibility of excess waters lying on down-slope farmlands in greater volumes for longer periods of time. Recent neighbouring developments (Morpeth Manor) have added significantly to the volume of storm water discharges entering this concentrated catchments

The development would be visible from approach to Morpeth from two directions. The development does not retain the rural buffer surrounding Morpeth. It will have a significant visual impact on the approach to the town. Morpeth should be allowed to keep its small green belt.

The development if approved will set precedence for vast amounts of land in the area to be developed. The development will set the precedent for the eventual subdivision of the remainder of the green belt. The development will not end at the current proposal, the developer is already looking to obtain more land.

The development will set a precedent for legal action from future and past developments that have had to comply with the current control plans

The development will form an extension of Morpeth, combined with the development of Steggles, Morpeth will become joined with Thornton. The town would be lost and/or have its identity consumed in the sprawl of developments proposed from behind St John's to Thornton North. The development will prove to be the thin end of the wedge and soon Morpeth will be lost into the proposed Thornton North, Raworth, East Maitland etc. suburbs

The Duke Street development is not an aged care facility, but a Medium Density Housing estate built purely for the profit of the developer.

The site is subject to flooding as part of the development encroaches into flood prone land which will affect the wetlands and have some effects on properties below the development in times off flood. In addition, the impacts of flooding will compromise the safety of the proposed buildings.

The rural aspect of Morpeth is part of its attraction for visitors and residents alike. This aspect should not be ruined as it brings many people and much revenue to the area. The development will adversely affect these rural views. Numerous studies have identified the rural views and the clear delineation between the town and the surrounding rural landscape to be highly significant and worthy of preservation. The proposed development will be highly visible from approaches to the town and views from the town will be adversely affected by this development

The proposal represents an overdevelopment of the site which will destroy the character of Morpeth Village. The number of housing units proposed (175) is ludicrous considering the size of the town and the size of the land. The development is trying to develop every inch on land, even proposing buildings in the flood line. The density and form of Morpeth Manor has resulted in a disappointing outcome, with this project being of even higher density it will have a vast impact on the village of

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Morpeth.
The development does not put anything back into the community such as health, roads and other infrastructure. The developers only look after the development site.
The type of development leaves open the possibility of a 55yr old with a family moving in, Residents from other retirement homes have stated that they would not live there because if families with children were to occupy the development it would not work. The proposal does not constitute and aged care facility as only one resident need be over the age of 55 in each unit, therefore families with children, with motor cars (V8s with loud exhaust systems) could be residents, coming and going at all hours. The facility will become another housing estate as only 1 person over 55 needs to live in each unit.
Any shops in the development would take away business from the commercial centre of Morpeth
Resident's privacy will be compromised by this development
Current soil tests show a level of sandstone that could possibly mean developers would need explosives to blast the hard rock to make way for the foundations. This could mean that potentially vibrations would damage many old heritage buildings throughout Morpeth
At meetings held in Morpeth on 12/03/05, 6/04/05 and 18/10/06 it was evident that the people supporting the proposal are expecting the highest standard of aged care nursing as part of this development. The perceived level of care to be provided by this development has been misunderstood by many of the residents of Morpeth, particularly those interested in moving into the development
The development will de-value homes adjoining the property
The development will put pressure on surrounding farms
Residents were originally informed that nothing could ever be built on the proposed property because of its rural status
Construction of the proposal will generate significant levels of noise in addition to increased traffic movements and heavy vehicle movements.
The operation will generate significant levels of noise
The application is a separate DA. Access and egress must be independent of the Cater Corporation development near by
The planned roads, turning and parking spaces are too small
The area proposed for the development contains Acid Sulphate Soils which if disturbed can generate significant amounts of sulphuric acid which can lower soil and water pH to extreme levels and produce acid salts resulting in high salinity, which can preclude vegetation growth and produce aggressive soil conditions that may be detrimental to concrete and steel components of structures, foundations, pipelines etc. The site is part of an extensive wetland area therefore the potential negative impact on the flora and fauna, including many protected species known to inhabit the area, is a real risk. The proposed site is part of the flood plain within which live many species of frogs which use the wetlands to breed. Most other watercourses in the area are infested with mosquito fish which eat the tadpoles, therefore, this area is vitally important for the continuation of these species within our area. Further, The area under consideration has acid soil which if disturbed will in all probability leach into the water present effectively destroying what is left for the use of these animals.
Surface run off from hard surfaces such as roads and driveways and the use of pesticides and fertilizers could contain pollutants and litter that may contaminate the environmentally sensitive wetlands. If the holding ponds are inundated during heavy rains, the nutrient load will go directly into the wetland which may lead to eutrophication.
The proposal to plant deciduous trees to allow winter sunlight is problematic as leaves are likely to be washed into the watercourse. Decaying vegetation in watercourses is well documented for depleting oxygen and causing massive kills of fish and other wildlife. It is unreasonable to expect the elderly to sweep the leaves up, so if these trees are planted the developer must commit to collecting the leaves before they damage waterways. Furthermore, these trees do not conform to the existing Morpeth street tree policy, and the fallen leaves have the potential to be a slip hazard

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More than half of the units have inappropriate forms including shared driveways, complexes dominated by central double garages and repetitive forms along street frontages. The Tulip and Quad designs are quite unsympathetic. It would be far better if these two storey buildings were avoided altogether.

The roofing material should be corrugated profile rather than square as this is more sympathetic to the heritage of the area. This is considerably important given the number of roofs and the designs of buildings such as Freescia with a dominant roofline.

The design of the residential units is essentially 'pseudo' heritage in façade and colour, with minor variations on two or three basic design frameworks these buildings are essentially project homes in a clustered setting.

Garages are not detached from residences as per heritage design guidelines.

Physical constraints such as the uneven nature of footpaths and the high sandstone curbs in Morpeth will be difficult for the elderly to negotiate which will lead to litigation costs and/or significant upgrade of works for Council. Existing road network would need to be upgraded and footpaths installed which would be detrimental on Morpeth's character.

There is land elsewhere available e.g. Largs which offer more appropriate locations for the development. Morpeth is not a suitable location for the development given that the bulk of growing population is on the west side of Maitland.

The development will result in significant and adverse impacts on environmental protection lands and associated catchments and down-slope farmlands

Two storey height is inappropriate for aged residents as any seniors development would only require single development level dwellings.

The two storey height of the development does not fit it with existing development in Morpeth

The development is a defacto subdivision and henceforth should be assessed on that basis. The pattern of detached houses as the principal form in Morpeth should be maintained as per Section 4.1.4 of the MMP.

People purchased homes in James Street because it was a quiet dead end street, not a highly used traffic area

The proposal needs to be assessed on how it will impact on the entire village of Morpeth, not just the land on which it will sit.

There are many examples in Morpeth of Planning departments failing to follow up on DA conditions made by planning on approvals

The landbank situation in and around Maitland is not critical and as such, there is no need for high density developments in Morpeth. If the landbank situation is approaching sub-critical, then Morpeth should be developed in a sympathetic way by retaining the street grid pattern and traditional street widths and restricting multiple dwellings.

The proposed units are capable of occupancy by a family of four, not an average of 1.5 as the developers estimate

Solar access to the units is poor.

These developments cannot be considered in isolation from each other, as the cumulative impact on the town is substantial

The roads leading into and from the development are small and in the case of Duke St and John St uncurbed. Council has refused residents requests to install curb and guttering because of the heritage listing of the township.

There is no safe way to walk from John St or Duke St to the main street of Morpeth as there are limited pathways in Morpeth and the majority of those available are unsafe for use by people in wheelchairs or scooters due to the slope of footpaths and the fact that many of the paths are uneven.

The ramped access path looks steep. The sloping site is unsuitable for the frail and elderly. Stepping stones are a poor choice for the frail and these with mobility issues.

Fencing for the perimeter of the block on the undeveloped section must be as low key as possible and retain the rural ambience.

Morpeth is already dominated by retirees with a scarcity of families and has so much potential as a vibrant and cosmopolitan town. The proposal will significantly skew the demographics of the town and would equate to a near doubling of the population consisting of one demographic group

The full social impact of the development has not been considered in relation to the village of Morpeth

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports**27 November 2007**

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

The landscaping diagrams indicate that the developer intends to make extensive use of excavation, filling and retaining walls to allow the building of split-level dwellings. The extensive use of retaining walls coupled with the proposed street trees in close proximity could result in structural failure of the walls due to root damage.

It is of major concern that many elderly residents of the new development will not have access to a minimum three hours of sunlight daily due to overshadowing by the two-storey buildings. Council should only permit single storey development which would enhance the quality of life for new residents and locals alike. It is also unclear as to whether the street trees proposed for the site have been taken into account when calculating solar access.

The provision for residents to use the on site community centre is simply a 'sweetener' for residents. Morpeth is already more than equipped with halls that are available for hire.

The injection of trade for local shops will not occur as residents will not walk 800m when they have their own facilities on site.

SUPPORT

Similar developments at Cessnock works really well as you have the self-care units for retirees to live independently and serviced units for those who need a little more assistance.

The location is ideal, Morpeth offers a nice quiet, rural setting. Morpeth offers an ideal location and facilities for elderly persons, bowls and bingo at the Morpeth Bowling Club and many craft/bric-a-brac shops. It is full of history and heritage. The location of the proposal is perfect for elderly with no through traffic, located at the quietest end of town with room for an orchard/veggie/herb garden with open invitation for those who are keen and well enough to participate in managing the premises. the location of the development is within walking distance to shops and churches.

The proposal will offer employment opportunities for the local community and well as increase the number of customers of the Morpeth shops

Residents of Maitland will be able to stay in the area and still maintain independence and engage in social and outdoor activities. There is a garden on site and a communal dining facility.

The proposal will promote State funding for Local Council for aged care

Residents can be assured of feeling safe and secure knowing that there is a 24 hour emergency call button in every unit and all units are set out appropriate to the needs of the older person.

The subject land was zoned at one point rural/residential and access was left for John Street to progress for further development. It has a natural buffer zone so there is no threat of the village getting any bigger.

The proposal would boost the economics of the community and the surrounding areas, increasing employment and growth.

The proposed walk/scooter paths right around the perimeter of the village and down to the proposed wetlands which will attract many species of water birds back to the area.

The village itself with every unit connected back to base with 24 hours of staff on site gives the patrons a secure feeling especially if they are on their own.

The proposed facilities will be of great benefit to everyone, it will be a great and much needed facility for the area

The site is suitable for the type of development proposed. It is in a quiet area away from tourist traffic and within comfortable walking distance of churches and shopping areas.

The development will not detract from the rural or heritage aspects of Morpeth. The river and surrounding farmlands provide the rural atmosphere and these will not be affected. The historic and heritage buildings are located in the old established parts of the town, while this development will be behind a streetscape of modern houses.

With improvements in medicine, people are living longer and there is a real need for this type of aged care housing, especially within Maitland.

The developer appears to be amenable to change and has already responded to some concerns raised by Council, I urge Council to work with the company to overcome any barriers to the provision of this facility in Morpeth.

The shortage of medical facilities within the area will be an opening for university students who are studying to be doctors to bring their up to the minute knowledge and latest techniques to our area.

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports**27 November 2007**

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

Noise pollution claims are a joke, just one weekend of one of many organized functions that come to Morpeth would far outweigh one whole year of activities of a retirement Village.
The proposal is environmentally responsible in that no water run off will be wasted, it will be filtered into a dam and reused for gardens, lawns, cars etc. Morpeth's current runoff/waste water goes straight into our environment unchecked or reused into the wetland area and the Hunter River.
Morpeth was never designed to stay as small as it is, it is just fact that Maitland grew faster leaving Morpeth as a busy inland port.
Questions
What has changed between 2000 & 2006 that makes the Morpeth Heritage Plan 2000 irrelevant?
Can the units be rented out. Stories have circulated regarding an elderly woman who purchased a unit at a Sunshine Coast development similar to this one only to be forced to rent out her unit due to the amount of young people living there and the subsequent noise they generated.
If the development goes ahead, with another 300 people moving into Morpeth, will the police station be manned at all time.
Situations have been known whereby a potential resident contemplated purchasing a unit in one of these over 55 developments only to be advised against it by her solicitor not to go ahead because if the developer went broke she would loose her money. Would this be true?
If the development fails could the government turn it into a housing commission estate?
If a 57 year old widow lives in a unit with her 30 year old daughter and children aged 10 and 6, what happens to the family of the widow dies leaving the unit to her daughter in her will?
How well have the applicant's familiarised themselves with Morpeth?
Does the proposal offer the best possible outcome for all the people whose welfare is affected?
Have the concerns raised in the original submission process been addressed by the changes put forth in the new application?
Has the extreme wind in that area been taken into account, as well as dust and odors that come from the farms?
Is there room for garbage and recycling trucks?
As Morpeth is within a HCA, why does DCP 34 not apply?
If approved as proposed will there be any safeguards in the approval to prevent the site being rezoned at a later date to allow subdivision and redevelopment with multi storey buildings?
What guarantees are there that only eligible aged people will be allowed to live in the development?
Does Council have plans to upgrade any roads in the area to cope with any extra traffic which may be generated by this proposed development?
As I am a shift worker I have concern about noise generated by the project, particularly during construction. Will working hours be specified and more importantly, will Council ensure adherence to all approval conditions?
My understanding of the Environmental Planning and Assessment Act 1979 is that DA's should be determined within 40 days or are deemed to be refused.
Morpeth is of State heritage significance and the subject land is within the Morpeth Heritage Conservation Area. Shouldn't a State Planning policy defer to this fact?
The original DA was lodged at Council 1 February 2005, five months later in June 2006 the applicant requested that the determination be deferred until further notice. Since when do developer's control Council's determination policy?

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

Officers Reports

DA05-362 SENIORS LIVING DEVELOPMENT (SERVICED SELF- CARE HOUSING) LOT 7 DP829150 DUKE STREET, MORPETH

Public Authority Submissions

Meeting Date: 27 November 2007

Attachment No : 9

Number of Pages : 16

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

Reference: WG54370/05 - 432
 Contact: Wayne Griffith
 Telephone: 02 49510725
 Facsimile: 02 49519459
 Email: wgriffith@energy.com.au
 Job Number: 54370


EnergyAustralia™

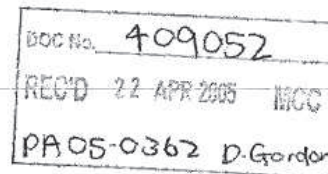
SCANNED

145 Newcastle Road
 Wallsend NSW 2287
 Telephone 13 1526
 + 61 2 4951 9555

19 April 2005

The General Manager
 Maitland City Council
 PO Box 220
 MAITLAND NSW 2320

Attention: Debbie Gordon



Address all mail to
 PO Box 457
 Newcastle NSW
 2300 Australia

Dear Debbie

Electricity Supply to Proposed Seniors Living Development, Lot 7 DP 829150 – Duke Street, Morpeth.

Thank you for your letter reference DA05-0362 (355165) concerning the provision of electricity supply to the above proposed development.

EnergyAustralia has considered the proposed development at Duke Street Morpeth and offers the following general comments in regard to the existing and future electricity network in the area.

EnergyAustralia's existing high voltage (11,000 volt) assets are located in George, James and Edward Streets Morpeth.

From the initial information provided, it would appear that sufficient capacity in the high voltage network would be available to supply the proposed development. This would need to be confirmed when more detailed electrical loading information and an Application for Connection of Supply are submitted by the Developer to EnergyAustralia. It would also be necessary to augment the local high voltage system and install an appropriate high voltage Interconnection.

The Distribution Network (11,000volts) requirements associated with the development will need to be underground and be designed as the development is progressed.

Depending on the final layout of the development, loading and voltage drop requirements, an extension of the high voltage mains and installation of a transformer(s) would be necessary to supply the development. It is envisaged that the low voltage reticulation within the development would be private and designed to comply with AS/NZ 3000.

Easements will be required for our underground cables and substations located on private property to provide us with rights of access to the property. The actual owner of the property must agree to grant the required easements at no cost to EnergyAustralia as a prelude to proceeding with the design.

To assess the electrical requirements further, we would require a copy of the final master plan and lot layout of the development indicating three phase maximum demand values and electrical loading details.

In relation to the concerns raised with the location of proposed electrical services and the protection of significant Fig trees in George Street Morpeth. Any proposed extension of EnergyAustralia's electrical network would necessitate consultation with Maitland City Council via the Section 45 Notification letter and would be required to comply with all necessary approvals, permits and associated Environmental guidelines.

Noted 2/5/05
 RL

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

If the high voltage mains were to be extended south along George Street to service the development, it is envisaged the mains would be located on the east side of George Street, thus minimising any impact on the existing Fig trees which are located on the west side of George Street.

This project would be classified as *contestable*. Information on Contestability is available in EnergyAustralia's Electrical Standards ES-10 Document "Requirement for Electricity Supply to Developments".

Should you require any further information please contact me at our Wallsend Customer Service office on the above phone number.

Yours faithfully





Wayne Griffith
Planning & Negotiations
Lower Hunter

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

<p><i>All communications to be addressed to:</i></p> <p>Head Office NSW Rural Fire Service Locked Mail Bag 17 Granville NSW 2142</p> <p>Telephone: (02) 8741 5555 e-mail: lew.short@rfs.nsw.gov.au cc: e-mail: brian.milsom@rfs.nsw.gov.au</p>		<p>SCANNED</p> <p>Head Office NSW Rural Fire Service 15 Carter Street Homebush Bay NSW 2127</p> <p>Facsimile: (02) 8741 5550</p>		
<p>The General Manager Maitland City Council PO Box 220 Maitland NSW 2320</p> <p>Attention: Deb Gordon</p>		<p>Our Ref D05/0367</p> <p>DOC No. 406211</p> <p>REC'D 18 APR 2005 MCC</p> <p>FILE No. Gordon</p> <p>REFER PA050362</p> <p>Your Ref 05/362</p> <p>Date 7 April 2005</p>		
<p>Dear Deb</p> <p>Re: Lot 7 DP829150, Duke Street, Morpeth NSW</p> <p>Integrated Development: Lot 7 DP829150, Duke Street, Morpeth NSW</p> <p>I refer to your letter received on 15-Feb-2005 seeking our General Terms of Agreement to the above-integrated development in relation to the requirement for a Bush Fire Safety Authority under section 100B of the <i>Rural Fires Act 1997</i>.</p> <p>Please be advised that the NSW Rural Fire Service is not in a position to issue of a Bush Fire Safety Authority for the above development under Section 100B of the <i>Rural Fires Act 1997</i>.</p> <p>In accordance with State Environmental Planning Policy (Seniors Living) 2004, development (including buildings and asset protection zones) within the subject site cannot extend into vegetation mapped on the local bush fire prone land map as bushfire prone vegetation category 1.</p> <p>Based on the vegetation identified in the Bushfire Threat Assessment Report prepared by Hunter Development Brokerage Pty Ltd dated January 2005, it is recommended that Council apply to the RFS to amend its Bushfire Prone Land Map to reflect the existing class of vegetation.</p> <p>As such the proposal submitted is not permitted under the State Environmental Planning Policy and cannot be assessed by the Rural Fire Service.</p> <p>For further information concerning this matter please contact Brian Milsom.</p> <p>Yours sincerely</p> <p> Lew Short Manager, Development Control</p>				
<p>◆ Rural Fire Service Advisory Council ◆ Bush Fire Co-ordinating Committee</p>				

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

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NSW Government

DEPARTMENT OF WATER AND ENERGY

Your Ref: DA-05-362
Our Ref: ER6412A

08 October 2007

Maitland City Council
PO Box 220
MAITLAND NSW 2320

Attention: Debbie Gordon

Dear Madam

DOC No.

REC'D 15 OCT 2007 MCG

**General Terms of Approval - Rivers and Foreshores Improvement Act 1948
DA-05-362 - Proposed Aged Care Development & Associated Works.
Duke Street, Morpeth, Lot 7 DP 829150.**

Reference is made to your referral of 06 February 2007 for the proposed integrated development application (DA). The Department of Water and Energy (DWE) has reviewed the application in relation to general terms of any approval proposed to be granted under the *Rivers and Foreshores Improvement Act 1948 (RFIA)* in relation to the development.

Please find attached general terms of approval (GTA) for a permit under Part 3A of the *RFIA* for the proposal. If development consent is granted, it is requested that these GTA form part of the consent and be included in their entirety.

If there is an amendment to the proposal that impacts or results in additional development/works, the consent authority is required to refer the amended application to DWE for review. In such instance, DWE will need to assess if the issued GTA are to remain unaltered or require modification. Consent granted to an amended DA that has not been formally referred to DWE for review is considered invalid.

To ensure that only approved works are carried out, DWE recommends that the following condition is included in any consent granted by the consent authority for this application:

"The Construction Certificate will not be issued until the consent authority is provided with documentary evidence that the Department of Water and Energy has granted a permit approval under Part 3A of the *Rivers and Foreshores Improvement Act 1948* for the proposal."

Under Section 91A(6) of the *Environmental Planning and Assessment Act 1979*, the consent authority must notify DWE (approval body) of the determination of the DA. A copy of the determination should be sent to this office.

Please contact me on 4904 2515 at the Newcastle office with any query in relation to the GTA.

Yours sincerely

Anthony Bryson
Licensing Officer
Licensing North Branch
Newcastle

26 Honeysuckle Drive Newcastle NSW 2300 PO Box 2213 Dangar NSW 2309
Telephone (02) 4904 2500 Facsimile (02) 4904 2501

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

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**DA-05-362 - Proposed Aged Care Development & Associated Works.
Duke Street, Morpeth. Lot 7 DP 829150.
Rivers and Foreshores Improvement Act 1948
General Terms of Approval**

ER6412A

Standard

1. The general terms of approval (GTA) relate to development / works on *protected land*, defined by the *Rivers and Foreshores Improvement Act 1948 (RFIA)* within the proposed development site.
2. The GTA do not constitute an approval under the *RFIA*.
3. If the consent authority determines to grant consent, the GTA are to form part of the development consent.
4. Any amendments to the development application may void these GTA.
5. The approval holder must submit, to the Department of Water and Energy (DWE) a completed application form for a permit under Part 3A of the *RFIA* prior to the commencement of any development / works on *protected land*.
6. The permit application is required to accord with the GTA.

Permit Application

7. The approval holder must provide the following with the permit application:

- (a) A copy of the development consent.
- (b) A costing based on current industry rates for all development / works that are subject to the GTA. The costing is to cover, but may not be limited to:
 - construction of any stream works, stormwater outlets, associated scour protection and their revegetation;
 - implementation of a vegetation management plan, including monitoring, reporting and maintenance;
 - decommissioning of any temporary works on protected land, including erosion and sediment controls, other pollution controls or water diversion structures.
- (c) A bank guarantee, for the amount required to cover the cost of completing the development / works listed in the previous GTA. *Note: The bank guarantee is to be provided from a bank licensed pursuant to the Banking Act 1959 and is to be provided in favour of DWE, in the format provided in Attachment A.*
- (d) Final Construction Stormwater and scour protection design plans prepared by a person with relevant knowledge, qualifications and experience to industry standards.

Relevant Plans and Documents

8. The approval holder must ensure that development / works are completed in accordance with the following drawings and / or documents:
 - (a) Architectural plans for Morpeth Country Gardens, Project No. 3123, Drawing Nos. DA-1.01A to DA-8.01-a. Prepared by Hamilton Hayes Henderson Architects Pty Ltd.
 - (b) Stormwater Management Strategy for Willowvale Villages, Duke St Morpeth. Issue No. 4, dated July 2007. Prepared by Patterson Britton & Partners Pty Ltd.

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

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(c) Vegetation Management Plan for Morpeth Gardens Village, Rev B dated August 2007. Prepared by Terras Landscape Architects.

Works

9. The approval holder must ensure that all works proposed are designed, constructed and operated to minimise:

- sedimentation, erosion and scour of the banks or bed of the wetland, and;
- adverse impacts on aquatic and riparian environments.

10. The approval holder must ensure that work-as-executed survey plans, prepared to a professional standard are provided to DWE upon request.

Riparian Zone

11. The approval holder must ensure that a riparian buffer zone of a least 20 metres, measured horizontally and at right angles to the flow from the top of the bank of protected waters, consisting of local native plant species, is provided and maintained along the wetland in accordance with Vegetation Management Plan.

12. The approval holder must ensure that any *Asset Protection Zone* required for bushfire protection under the *Rural Fires Act 1997* is outside riparian buffer zone.

13. The approval holder must ensure that any remnant local native riparian vegetation is protected and not damaged or destroyed by the proposed development / works.

14. The approval holder must ensure that construction techniques minimise disturbance to soil and vegetation on *protected land* and within the riparian buffer zone.

Site Rehabilitation

15. The approval holder must ensure that following completion of the works, site rehabilitation protects any remnant local native riparian vegetation and restores riparian zones disturbed or otherwise affected by the development / work.

16. The approval holder must ensure that any restored riparian zones are made up of a diverse range of endemic native tree, shrub, groundcover and grass species, planted at appropriate densities to achieve an effective and full riparian vegetation structure to the satisfaction of DWE.

17. The approval holder must ensure that restored areas are maintained for successful native plant establishment to the satisfaction of DWE. *Note:* Maintenance may include watering, weed control, replacement of plant losses, disease and insect control, mulching, or any other action necessary for successful plant establishment.

Stormwater

18. The approval holder must ensure that stormwater outlets are designed, located and constructed to minimise any erosion or scour of riparian buffer zones and the bed or banks of protected waters.

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

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**DA-05-362 - Proposed Aged Care Development & Associated Works.
Duke Street, Morpeth. Lot 7 DP 829150.
Annexure - Advice and Definitions**

ER6412A**Advisory Notes**

1. For the purpose of the GTA, the term approval holder refers to the applicant for the integrated development application.
2. Retrospective approval cannot be granted under the *RFIA*.
3. A permit cannot apply to works that have already been undertaken.
4. A permit will not give the approval holder the right to use and occupy any land without the consent of the registered owner/s of the property.
5. A permit will not relieve the approval holder of any obligations or requirements of any other acts, regulations, planning instruments or Australian standards.
6. A permit will not apply to works on Crown land, authorised under the *Crown Lands Act 1989 (CLA)*. *Note:* Use and occupation of Crown land requires approval from the Department of Lands.
7. A permit will not apply to development / works where there is a right lawfully exercisable or other right in force under any act relating to mining.

Definitions under RFIAThe meanings under the *RFIA* for the following are:

1. **Protected land** means:
 - (a) land that is the bank, shore or bed of protected waters, or
 - (b) land that is not more than forty (40) metres from the top of the bank or shore of protected waters (measured horizontally from the top of the bank or shore), or
 - (c) material at any time deposited, naturally or otherwise and whether or not in layers, on or under land referred to in paragraph (a) or (b).
2. **Protected waters** means:
a river, lake into or from which a river flows, coastal lake or lagoon (including any permanent or temporary channel between a coastal lake or lagoon and the sea).
3. **River** means:
any stream of water, whether perennial or intermittent, flowing in a natural channel, or in a natural channel artificially improved, or in an artificial channel which has changed the course of the stream of water and any affluent, confluent, branch, or other stream into or from which the river flows and, in the case of a river running to the sea or into any coastal bay or inlet or into a coastal lake, includes the estuary of such river and any arm or branch of same and any part of the river influenced by tidal waters.

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

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**DA-05-362 - Proposed Aged Care Development & Associated Works.
Duke Street, Morpeth. Lot 7 DP 829150.
Attachment A – Bank Guarantee Format**

ER6412A

SECURITY DEPOSIT**SECTION 22C(2) RIVER AND FORESHORES IMPROVEMENT ACT 1948**TO: WATER ADMINISTRATION MINISTERIAL CORPORATION

Insert name and address of Applicant	WHEREAS the <u>WATER ADMINISTRATION MINISTERIAL CORPORATION</u> a corporation constituted pursuant to the Water Management Act, 2000 (hereinafter called "the Corporation") has received an application for a permit under Part 3A of the <i>Rivers and Foreshores Improvement Act 1948</i> (hereinafter called the "Act"), from
Insert details of work including File No.	(hereinafter called "the Applicant") for the carrying out of work comprising
Insert sum in words	(hereinafter called "the Permit") AND WHEREAS pursuant to section 22C(2) of the Act, as a pre-condition to the grant of the Permit, the Corporation has required the Applicant to give to the Corporation security for the due performance of the Applicant's obligations under and in connection with the Permit for the amount of *****Dollars (\$*****.00)
Insert name of Surety	NOW THESE PRESENTS WITNESS that at the request of the Applicant and in consideration of the Corporation at the request of
Insert sum in words	(hereinafter called "the Surety") which latter request is hereby testified, accepting this undertaking for the purpose of the said security the Surety unconditionally undertakes from the date of the grant of the Permit to pay to the Corporation such sum or sums of money not exceeding *****Dollars (\$*****.00)
	in the aggregate at any time upon demand or demands therefore being made by the Corporation. The Surety undertakes to hold itself responsible for the said sum until a notification has been received from the Corporation that the said sum is no longer required by the Corporation or until payment is made by the Surety to the Corporation of the whole of the said sum in accordance with the provisions hereof. Should the Corporation notify the Surety that it desires payment to be made to it of the whole or any part of the said sum the Surety unconditionally agrees that such payment or payments will be made to the Corporation forthwith without reference to the Applicant for instruction and notwithstanding the fact that notice may have been given by the Applicant to the Surety not to pay same.

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

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Insert sum in words

The Surety reserves the right to terminate its liability hereunder at any time upon payment to the Corporation of the said sum of ***** Dollars (\$*****.00). No variation or revocation of the said Permit or the conditions of the Permit or concession or indulgence granted by the Corporation to the Applicant in respect of its performance of the Applicant's obligations under and in connection with the said Permit or any waiver of or exercise of any of the Corporation's rights under the Act shall have the effect of altering the Surety's obligation hereunder notwithstanding the fact that such variation, revocation, concession, indulgence or waiver or exercise is not brought to the notice of the Surety.

Signatories to be identified and their capacities shown. In the case of Power of Attorney, declaration of non-revocation is to be made. Duty stamp is to be affixed and cancelled

Dated at xxxx the xxxx day of xxxx, 200X

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

Heritage Council
of New South Wales

Received
NCC 29/8/07

8 Mount Place
Parramatta NSW 2150
Locked Bag 5030
Parramatta NSW 2124
DX 8235 PARRAMATTA

Telephone: 61 2 9673 8500
Facsimile: 61 2 9673 8599
heritage@heritage.nsw.gov.au
www.heritage.nsw.gov.au

PWP

Contact: Rajeev Maini
Telephone: 02 9973 8592
Rajeev.maini@heritage.nsw.gov.au
Fax: 89302392/006
Our Ref: HRL 43525
Your Ref: *PWP*

The General Manager
Maitland City Council
PO Box 220
MAITLAND 2320

Dear Sir

DEVELOPMENT APPLICATION REFERRAL – SENIORS LIVING DEVELOPMENT, DUKE STREET MORPETH

Attention: Debbie Gordon

Thank you for your letter of 4 December 2006 referring the subject development application to the Heritage Office for comment and additional information dated 15 February 2007 and 23 July 2007.

The NSW Heritage Council's Approvals Committee considered the proposed development at its meeting on 1 August 2007. The Committee resolved the following:

That the Heritage Council advise Maitland City Council that it:

- 1) Notes that Morpeth is listed on Maitland Local Environmental Plan as a conservation area of state significance;
- 2) Notes that the Heritage Council is not a consent authority in this instance and its role is limited to providing comment;
- 3) Commends Maitland City Council in its management of the heritage values and setting of Morpeth over the past twenty five years;
- 4) Supports the use of the Morpeth Management Plan (2000) and the Morpeth Development Control Plan as a guiding document for assessing any proposed development within the historic town of Morpeth;
- 5) Notes that the proposed expansion strategy is contrary to the Morpeth Management Plan (2000) and the Morpeth Development Control Plan and has the potential to have significant detrimental impact on the setting and integrity of the historic town of Morpeth.

Helping the community to conserve our heritage

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

If you have any questions regarding on this matter, please contact Mr Rajeev Maini on 9873 8592.

Yours sincerely,

Handwritten signature of Vincent Sicari, dated 7/08/07.


VINCENT SICARI
Manager, Conservation Team
Heritage Office
Department of Planning

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

	3 Market Place Parramatta NSW 2150 Locked Bag 5020 Parramatta NSW 2124 DX 8225 PARRAMATTA	Telephone: 61 2 9873 8600 Facsimile: 61 2 9873 8599 heritage@heritage.nsw.gov.au www.heritage.nsw.gov.au
The General Manager Maitland City Council PO Box 220 MAITLAND 2320	Contact: Rajeev Maini Telephone: 02 9873 8592 Rajeev.maini@heritage.nsw.gov.au File: 890/02392/005 Our Ref: HRL 47367 Your Ref:	DCC No. 560963 REC'D 12 NOV 2007 MCC 05/362

Dear Sir

DEVELOPMENT APPLICATION REFERRAL – SENIORS LIVING DEVELOPMENT, DUKE STREET MORPETH

Attention: Debbie Gordon

Thank you for your letter of 2 October 2007 referring a revised proposal related to Seniors Living Development at Duke Street, Morpeth to the Heritage Council for comment.

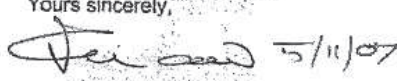
It is noted that the following amendments have been made to the original proposal:

1. Little John Street no longer extends into the subject site, due to the presence of an existing fig tree;
2. The retention ponds located on the southern edge of the subject site have been redesigned in consultation with the NSW Department of natural resources;
3. The extent of development on the southern edge of the subject site have been revised so that all development resides above the Zoning boundary, as such the number of units has decreased to 160;
4. Units previously located in the north eastern corner of the subject site have been removed to allow for future development.

As delegate of the Heritage Council I note the above amendments. However, it is considered that these amendments are not such that would substantially mitigate concerns raised by the NSW Heritage Council at its meeting 1 August 2007.

If you have any questions regarding on this matter, please contact Mr Rajeev Maini on 9873 8592.

Yours sincerely,

 5/11/07

VINCENT SICARI
 Manager, Conservation Team
 Heritage Office
 Department of Planning

Helping the community to conserve our heritage

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

The National Trust
of Australia (New South Wales)



NATIONAL TRUST

5th January, 2006

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

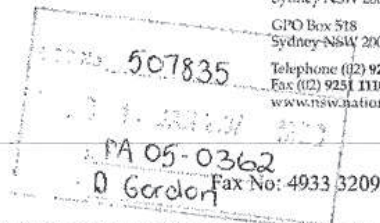
Watson Road
Observatory Hill
Sydney NSW 2000

GPO Box 518
Sydney NSW 2001

Telephone (02) 9258 0123

Fax (02) 9251 1110

www.nsw.nationaltrust.org.au



Dear Mr Evans,

**Morpeth Heritage Conservation Area and Aged Care Facility, Duke Street,
Morpeth (DA 05-362)**

I wrote to Council on 13th May, 2005 in regard to this development proposal expressing particular concern at the location of the proposed development, at the southern edge of the existing boundary.

The National Trust Classified the Morpeth Urban Conservation Area in 1976 in recognition of its special historic features. In its earlier submission the Trust noted that Morpeth has to date escaped the 'scars that insensitive modern intrusions have left on so many other places.'

The proposed location and scale of the development will have a major detrimental effect on Morpeth's special qualities.

This development will also place strains on the existing infrastructure of the town and is likely to require major upgrading which will, in turn, promote additional development.

While the Trust believes that Maitland City does require aged care facilities, this is an inappropriate location, tight against the boundary of one of the State of NSW's most historic and scenic towns, the rural setting of which is vital to its character and attraction.

The Trust urges that Council reject this Development Application.

Yours sincerely,

Jacqui Goddard
Conservation Director

Noted 29/1/07

*The National Trust is a not-for-profit, non-government, community-based organisation
working to conserve our built, natural and cultural heritage.*

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

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Hunter New England Population Health

Direct Contact Details
 Phone: (02) 4924 6206 Fax: (02) 4924 6490
 Email: kelly.malin@hnehealth.nsw.gov.au

15 March 2007

Debbie Gordon
 Project Planner
 Maitland City Council
 PO Box 220
 MAITLAND NSW 2320

HUNTER NEW ENGLAND
 NSW HEALTH

DOC No.

REC'D 15 MAR 2007

RCC

Dear Ms Gordon

**RE: Development Application DA05-362
 Proposed Senior Living Development (175 Living Houses) – Duke Street, Morpeth**

**Development Application DA06-2339
 Proposed Residential Care Facility for Aged (56 bed Hostel) – John Street, Morpeth**

Thankyou for referring the above mentioned development proposals to Hunter New England Population Health for comment as part of your consultation process. The proposal has been reviewed by both the Health Protection and Health Promotion Program to ensure a holistic approach to the development occurs.

I understand that Council is primarily seeking advice as to the adequacy of services and facilities however for the protection of public health of potential residents and the health and safety of existing community members of the facilities we have taken the opportunity to address a number of important issues requiring consideration prior to development.

- 1 A mosquito risk assessment should be included in the flora and fauna assessment or in the assessment of the terrain features to ensure any potential mosquito breeding sites are identified. A mosquito management plan should also be developed if constructed wetlands are proposed in the residential development with consideration of best practice design. This is to prevent both nuisance biting mosquitoes and disease transmitting mosquitoes to the local population.
- 2 The 6.5m flood line setback distance is significantly close to residential housing located on Primary and Tertiary Streets. An emergency management plan needs to be considered in preparedness for flooding with particular consideration of age and ability of residents
- 3 The impact of odours on the Seniors Living Area from the nearby sewerage treatment plant, may lead to an increase in odour complaints for Council.
- 4 The central waste bins located around the village should have easy access, lighting and lids to contain the waste and odours and prevent pest infestations.
- 5 The proposed swimming pool must comply with Councils Environmental Health requirements as well as the Public Health Act 1991, associated regulations and NSW Health guidelines.

Hunter New England Area Health Service
 Hunter New England Population Health
 ABN 24 500 642 605

Locked Bag 10
 Wallsend NSW 2287
 Phone (02) 4924 6477 Fax (02) 4924 6490
 Email PHEnquiries@hnehealth.nsw.gov.au
 www.hnehealth.nsw.gov.au

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

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- 6 Consideration should be given to any proposed air conditioning system for the Community Facilities proposed to be used for functions, meetings and communal activities. An air conditioning and ventilation system other than a cooling tower with water circulation is recommended. The proposed population is a high risk group for contracting Legionnaires Disease. If a cooling tower system is installed, the system will need to meet Councils requirements, the Public Health Act 1991, associated regulations, the NSW Code of Practice for the Control of Legionnaires Disease 2004 and relevant Australian Standards and must be registered with Council.
- 7 Any hot or warm water systems must meet the NSW Code of Practice for Plumbing and Drainage, relevant Australian Standards and the NSW Code of Practice for the Control of Legionnaires Disease 2004. They must be installed and maintained to prevent the growth of Legionella.
- 8 Potential residents have access to local destinations. The Statement of Environmental Effects states that there are a range of facilities located on Swan Street and other services at Maitland Town Centre (p7). Consideration of how residents will access these services is important for general wellbeing. Ensure residents can easily walk to services on Swan St and can access services located at Maitland Town Centre via public transport. The proposed site has limited access to essential services, particularly General Practice (GP) access. If the two residential complexes will potentially add over 200 elderly residents and the current GP is at capacity, access to additional GPs must be addressed. An assessment of the current GP capacity should be considered.
- 9 Ideally residents should be able to easily walk (400-500m) to essential services such as a hospital and GPs, shops that provide healthy food choices, library, recreation and park facilities, places of worship, post office, small local business and natural space. Consider providing paths and clear signage to the essential services where applicable.
- 10 If no services exist within walking distance, then residents should be able to easily walk (400-500m) to efficient and reliable public transport stops. The public transport route must include access to essential services such as a hospital and GPs, shops that provide healthy food choices, recreation and park facilities, places of worship, post office, small local business and natural space. Consider providing direct paths from the residential facilities to public transport stops and provide shelter at public transport stops.
- 11 If private transport is to be used, ensure there is a designated car and bus drop off zones in the facility. If there is limited access to reliable public transport, consider approaching local businesses to sponsor community shuttles to shops and other commercial centres. If a village bus was leased or purchased, ensure residents are aware of the service and provide clear service information and access for those with less mobility.
- 12 Ensure paths to services, public and private transport by following the Crime Prevention Through Environmental Design (CPTED) principles and ensure that the design and location of paths surrounding the facilities are appropriate.
 - Paths should be wide enough so that wheelchairs and walkers can use the facility side by side and made from a smooth, non-slip semiporous material that require minimal maintenance,
 - The gradients of paths should be gentle and have railings, particularly if the site is elevated.
 - There should be continuity of paths from the facilities to local streets and other paths.
 - There should be curbed ramps to ensure those who are less mobile are able to follow paths.
 - Ensure there is adequate light, particularly in areas well used at night

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

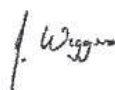
05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

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- Consider the use of low permeable fencing.
 - Ensure paths are located through areas of high activity to ensure natural surveillance for safety.
- 13 Include high quality landscaping around paths by including: lining the streets with trees which have large canopy, indigenous natural vegetation, drought resistant plants and trees planted will not cause damage to infrastructure via their root system.
- 14 Ensure the new development is integrated into the existing community. The layout of the proposed facilities should connect well to existing committed or proposed services or developments on adjacent sites and should take into account the existing urban structures of adjoining areas. For example the site is adjacent to parkland and residents access to the park should be considered. Consider providing a path and curbed ramps with railings to the open space for those walkers and those with limited mobility and should aim to retain natural vegetation, significant landscape or historical landmarks.
- 15 Increase opportunities for participation in community life. The proposed facilities should encourage participation in the existing community as well as within each of the aged care facilities by locating home entrances to maximise social interaction, promote ageing-in-place as a preference for seniors with services being provided such as home modification and maintenance programs, providing access to services and open space will also increase opportunities for socialising and health and ensuring residents are aware of activities occurring outside the facilities, and provide transport.
- 16 Ensure that the facilities meet a variety of people's needs:
- Provide housing that those on low and moderate incomes can afford.
 - Consider accessibility and design features of homes that make it adaptable to meet changing needs of residents.
 - Design buildings to address access issues for those less mobile, as well as providing convenient and visible stairwells to increase incidental physical activity for those who are more mobile.
 - Ensure sections of the proposed facilities that can be used by other members of the community are well advertised.
- 17 Ensure there are opportunities for participation in the planning process by considering how potential residents' thoughts and current community members' views will be incorporated into the planning process. Consider pro-active methods for community participation particularly in the design and development phase.

If you have any questions please feel free to contact Kelly Main or Venessa Wells on (02) 4924 6206.

Yours sincerely



John Wiggers
Director

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

Officers Reports

DA05-362 SENIORS LIVING DEVELOPMENT (SERVICED SELF- CARE HOUSING) LOT 7 DP829150 DUKE STREET, MORPETH

Petition Summary

Meeting Date: 27 November 2007

Attachment No : 10

Number of Pages : 3

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

Morpeth Town Survey 2006/7
Proposed Duke St Retirement Village, DA 05-362

Surveys completed 117

Business	4
Business/Private Dwelling	4
Private Dwelling	109

In general, what do you think of this proposal?

Strongly against it	87
Generally against it	21
Unsure	2
Generally in favour	1
Strongly in favour	6

Do you think the proposed development will affect Morpeth's standing as a town of State Heritage significance?

Yes	106
No	8
Unsure	3

Do you think the proposed development will affect Morpeth and its environment as a designated Heritage conservation area?

Yes	106
No	7
Unsure	4

The developer estimates an average of 1.5 residents for each dwelling which are mostly 2 bedrooms + study. Do you agree with this estimate?

Yes	15
No	73
Unsure	27
No response	2

In your opinion, does Morpeth have the capacity (services/facilities) to accommodate in excess of 275 additional residents and their visitors?

Yes	6
No	108
Unsure	3

If NO, in your opinion, what local services or facilities would need improvements or development?

Medical	102
Public transport	103
Utilities (water, sewerage, gas, etc)	94
Roads, footpaths, street crossings	101
Community spaces	72
Shopping facilities	71
Recreation	62
Adult education	44

Respondents: Morpeth resident (100) Other (11) Not Given (6)**Length of residence/business in Morpeth:**

<3years (19) 3-5years (5) 5-10years (19) 10-20years (14) >20years (40) Not given (20)

Age (yrs): 18-20 (1) 21-30 (7) 31-40 (12) 41-50 (24) 51-65 (37) +65 (20) Not given (16)**Sex:** Male (32) Female (63) Couple (4) Not given (18)

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

MORPETH HERITAGE CONSERVATION GROUP

PETITION AGAINST DA05-362 & DA06-2339 AT MORPETH - SUMMARY

SHEET No	RESIDENT OF						TOTAL
	MORPETH	MAITLAND	HUNTER VALLEY	NSW	INTERSTATE	OTHER	
01	1	3	8	18	1		31
02	3	5	9	13	1		30
03			13	20	1		34
04	1	3	16	8	2		30
05	2	8	11	6	1		28
06	1	2	19	7	1		30
07	2	8	7	12	1		30
08		3	12	13	2		30
09		2	9	18	2		31
10	1	8	13	9			31
11	3	11	3	13			30
12			17	13	1		31
13		5	14	10	2		31
14	1	4	2	20			27
15	3	3	8	14	1	2	31
16	1	7	8	15	2		33
17		3	5	19		1	28
18			11	15	4	1	31
19	4	7	6	12	1		30
20	1	15	9	3			28
21	15	4	6	3			28
22	27		1				28
23	16	10					27
24	11	8		2			21
25	1	14	8	4		1	28
26	1	8	19				28
27		20	5	2			27
28	2	18	5	3			28
29	25		1				26
30	27	1					28
31	18	9	1				28
32	28						28
33	23	4					27
34	28						28
35		27	3		1		31
36		8	19		4		31
37	1	5	11	14			31
38		28	2				30
39	4	17	7		3		31
40	2	11	16	2			31
41	1	13	10	1	5		30
42		2	11	7			20
43		4	20	7			31
44	3	5	8	11		3	30
45		1	13	16		1	31
46		7	20		2		29
47	1	3	8	14	4	1	31
48	2	5	7	11	2	3	30
49	2	1	13	11	3	1	31
50		4	17	8		1	30
51	2	23	6				31
52	1	8	16	3	1		29
53			29		1		30
54		2	14	7	4	2	29
55	1	6	22				29
56	19	4	7				30
57	1	8	3	8	8		28
58	5	2	6	11		5	29
59		3	10	13	1	3	30
60			16	13	1	1	31
61		2	12	12		1	27
62			23	6		1	30
63		7	13	7		2	29
64	1	2	9	14	2	2	30
65	1	2	18	6		2	29
66		5	18	5		1	29
67	2	7	11	7	2		29
68		7	18	6			31
69	3	9	5	6	4	3	30
70			7	14	5	4	30
71	1	1	23	2		2	29
72		4	15	11	1		31
73		2	18	7			27
74	2	3	6	20			31
75		3	25	2	1		31
76	1	2	16	8	1	1	31
77			16	15			31
78	1	1	10	9			21
79		7	10	5			22
80		2	15	7		3	27
81	3	11	12	4			30
82	1	2	16	11		1	31

Page 1 of 2

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

Officers Reports

27 November 2007

05-362 Seniors Living Development (serviced self-care housing) Lot 7 DP829150 Duke Street, Morpeth (Cont)

SHEET No.	RESIDENT OF						TOTAL
	MORPETH	MAITLAND	HUNTER VALLEY	NSW	INTERSTATE	OTHER	
83	2	2	17	10			31
84		4	11	14	2		31
85	1	5	15	7		2	30
86	1	4	10	12	1	3	31
87	1	1	10	14	3		29
88	1	2	10	17		1	31
89	17	7	5	2			31
90	2	3	14	7	4		30
91		4	10	13	4		31
92	1	3	16	8		2	30
93		1	16	15			31
94	1	3	16	7	3	1	31
95	1	7	2	20		1	31
96	1	8	15	4	2		30
97		2	13	13	2		30
98		4	9	9	7	1	30
99		4	11	11	1	4	31
100	17	2	3	9			31
101			17	13			30
102		2	12	14		2	30
103	2	1	12	11	2		28
104	9	3	7	5	2		26
105		8	2				10
106	5			1			6
107	8			3			11
108			8	5			13
109		5	5	16	2		28
110	2	7	8		2		19
111		1	11	3		1	16
112	1		2				3
							0
Total	380	560	1149	891	116	67	3163
Percentage	12.01	17.70	36.33	28.17	3.67	2.12	100
	29.72	Total % MCC					
	940	Total MCC					

Planning, Environment and Lifestyle Reports

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

Locality Plan

Meeting Date: 8 September 2015

Attachment No: 3

Number of Pages: 1

SITE COMPATIBILITY CERTIFICATE FOR SENIORS HOUSING - LOT 7 DP829150 DUKE STREET, MORPETH (Cont.)

