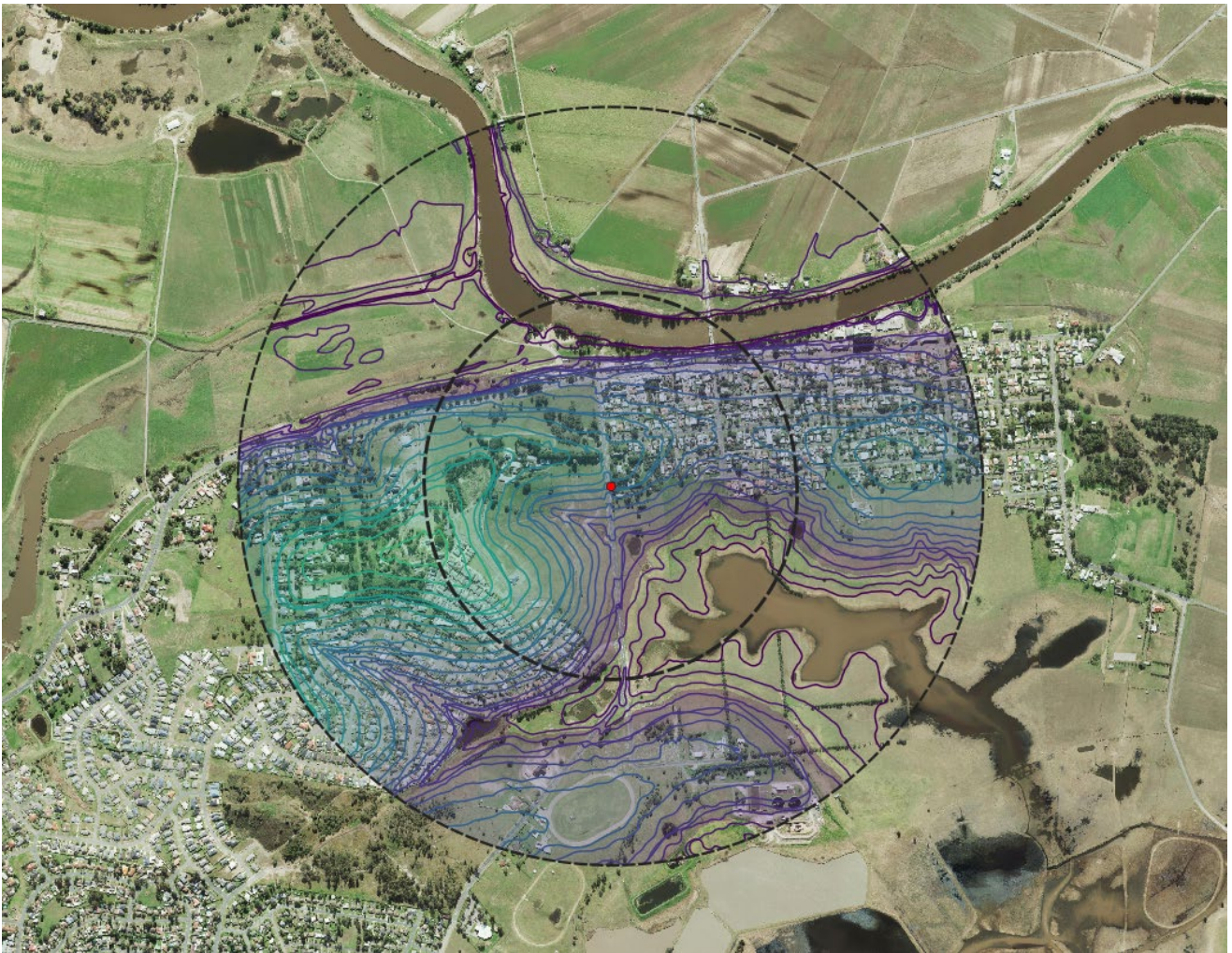


# LANDSCAPE & VISUAL IMPACT ASSESSMENT

## 123 PRINCESS STREET, MORPETH



**CLIENT:** HILL TOP PLANNERS

**DATE:** 12 JULY 2021

**PREPARED BY:**



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# APPENDICES

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**Appendix 1:** DA Subdivision Plans prepared by Fisher Consulting Engineers

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**Appendix 2:** Preliminary Heritage Assessment prepared by carste STUDIO


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## 1 PROJECT INTRODUCTION

This Landscape and Visual Impact Assessment (LVIA) has been prepared on behalf of Hill Top Planners (the applicant) to address concerns raised by Maitland City Council (Council) in relation to a proposed modification to provide access from Tank Street to each of approved Lots 7 and 8 under DA 2016/1351. It is understood that the proposed modification was refused by Council in November 2020. Of key concern to Council was the visual impact resulting from the proposed access to Lots 7 and 8 from Tank Street particularly with respect to heritage conservation and the lack of information supporting the statement that no visual impact would ensue.

This LVIA has been prepared to address the visual impact concerns outlined in Council's report, including a review of the proposal against Part E.5 Morpeth Heritage Conservation Area of Maitland Development Control Plan 2011 with respect to visual impact matters. This LVIA provides an assessment of the existing landscape, including the adjacent St. James' Anglican Church, rectory and surrounding area to determine the potential visual impact of the proposal to the landscape and visual receptors. Due to the above, the assessment will focus on the frontage to Tank Street where the access is proposed.

de Witt Consulting understand that the assessment of landscape and visual impact is subjective, and the individual consideration of landscape and visual effects and the significance of these effects may differ between receptors depending on personal values attached to the landscape. It is also noted that landscapes are an important consideration because of the value that individuals, communities and public bodies attach to them. Landscapes are a shared resource which are as important in their own right as they are as a public good. Further, it is recognised that landscapes are not static but continue to evolve and change with communities over time. These landscape changes are often driven by changing requirements for development to meet the needs of a growing population. New residential subdivisions are inevitably required to meet this need and if appropriately managed can avoid adverse visual impacts to the detriment of the landscape and its value.

This LVIA demonstrates that the proposal has been formulated having full and proper regard to both the existing landscape and desired future landscape of the area, and that the proposal:

- Is sympathetic to the existing development within the surrounding landscape in terms of use and scale, and presents harmoniously in views from landscape and visual receptors;
- Will not be a dominant feature in the landscape or result in a change to the landscape character; and
- Will not pose a significant adverse visual impact to potential receptors or the heritage character of the surrounding landscape.

### 1.1 OBJECTIVES

The objectives of this LVIA are to:

- Identify and analyse the existing landscape character of the surrounding area;
- Identify and assess potential visual receptors and important viewpoints from which the proposal may have a visual effect;
- Assess the visual significance of the viewpoints and the sensitivity of the potential visual receptors;
- Assess the suitability of the proposal within the surrounding existing landscape and desired future landscape; and
- Recommend mitigation measures where appropriate.

### 1.2 KEY TERMS

Key terms used throughout this LVIA are defined in the following table:

**Table 1.2: Key Terms**

<b>Term</b>	<b>Definition</b>
<b>Close foreground</b>	Areas less than 500m from the subject site, defined as the 500m Visual Catchment, where details are easily discernible and/or occupy a large proportion of the field of view.
<b>Distant</b>	Defined by the 3km Visual Catchment, where features and elements appear in the horizon.
<b>Effect</b>	The landscape or visual outcome of a proposed change. It may be the combined result of sensitivity together with the magnitude of the change.
<b>Foreground</b>	Within the 500m Visual Catchment, where details are less distinguishable but the features occupy a large-moderate proportion of the field of view.
<b>Impact</b>	The effect of a proposal, which can be adverse or beneficial, when measured against an existing condition.
<b>Landscape character</b>	A distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse.
<b>Landscape effect</b>	A change to landscape values as a result of development, which can be either positive or negative.
<b>Landscape receptor</b>	Defined aspect of the landscape resource that has the potential to be affected by a proposal.
<b>Landscape value</b>	The relative value that is attached to different landscapes by present or future generations. Landscape values may include biodiversity, geo-diversity, historic, and aesthetic values, as well as more personal values such as a person's association, memories, knowledge or experiences of that landscape.
<b>Midground</b>	Within the 2km Visual Catchment, where details are not distinguishable and the features occupy minor significance within the field of view.
<b>Sensitivity</b>	A term applied to specific receptors, combining judgements of the susceptibility of the receptor to the specific type of change or development proposed and the value related to that receptor.
<b>Significance</b>	A measure of the importance or gravity of the environmental effect, defined by significance criteria specific to the environmental topic.
<b>View</b>	Any sight, prospect or field of vision as seen from a place, and may be wide or narrow, partial or full, pleasant or unattractive, distinctive or nondescript, and may include background, midground and/or foreground elements or features.
<b>Visual amenity</b>	The overall pleasantness of the views people enjoy of their surroundings, which provides an attractive visual setting or backdrop for the enjoyment of activities of the people living, working, recreating, visiting or travelling through an area.
<b>Visual catchment</b>	Areas visible from a combination of locations within a defined setting (may be modelled or field-validated).
<b>Visual effect</b>	Effects on specific views and on the general visual amenity experienced by people.
<b>Visual receptor</b>	Individuals and/or defined groups of people who have the potential to be affected by a proposal.
<b>Visual significance</b>	Used in this instance to describe the weighting that is given to the relative importance of identified landscape values. The landscape values of an area likely to be significant are those that help understand the past, enrich the present, and which will be of value to future generations.

## 2 METHODOLOGY

The potential visual impact on landscape and visual receptors is derived from changes in the landscape, its character and how this is experienced. Effects may have different levels of significance (e.g. high, moderate, low, negligible) depending on the sensitivity of the visual receptors and the magnitude of change. Changes to the landscape are more than visual and include a range of physical and perceptual factors. Determining visual impact therefore requires a combination of qualitative and quantitative assessment measures and acknowledgement of limitations.

The methodology and report structure (Figure 2.1) of this LVIA is primarily based on the *Guidelines for Landscape and Visual Impact Assessment*, Third Edition (Landscape Institute and Institute of Environmental Management & Assessment (IEMA), 2013), which is generally considered industry standard and recognised as best practice. In addition to the above, other key resources this methodology is based on include:

- *Guidance Note for Landscape and Visual Assessment* (Australian Institute of Landscape Architects (AILA), 2018); and
- *Environmental Impact Assessment Practice Note 4: Guideline for Landscape Character and Visual Impact Assessment* (Transport for NSW (TfNSW), 2020).

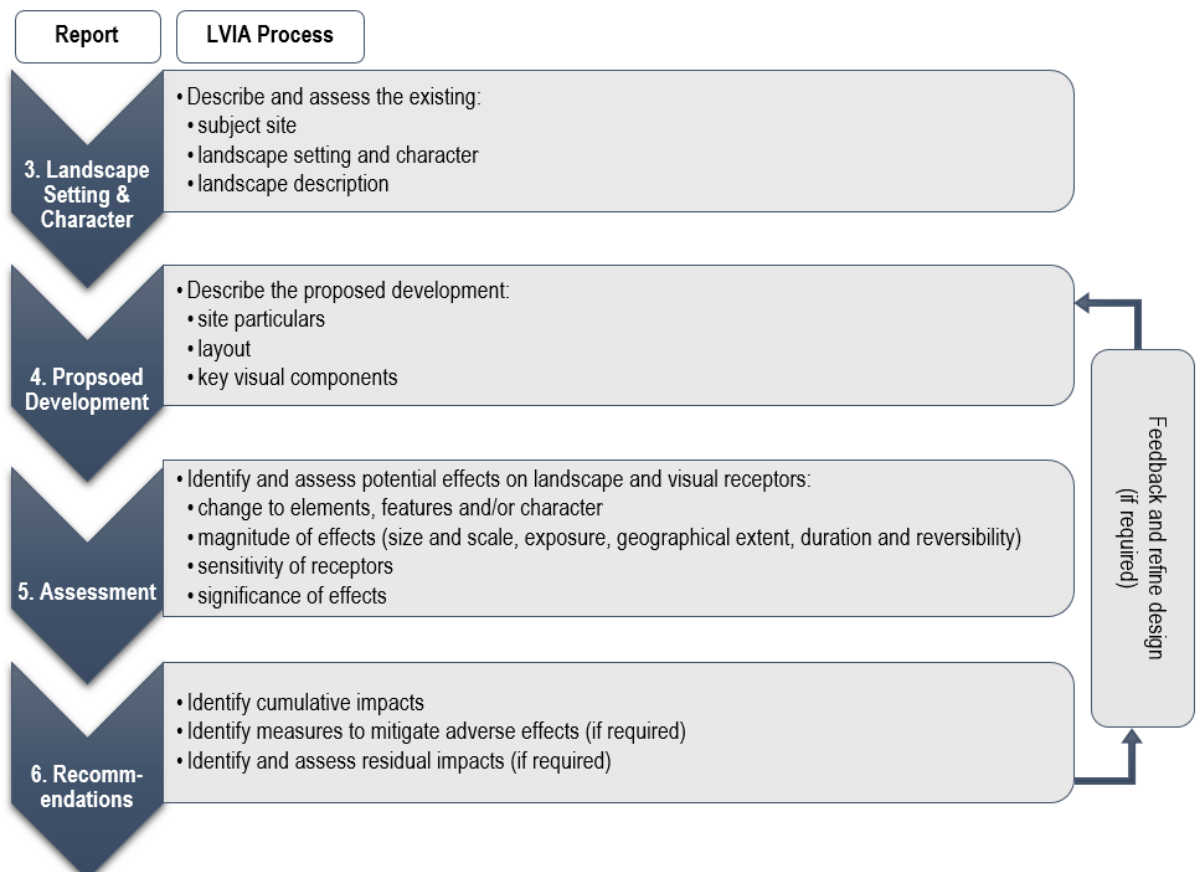
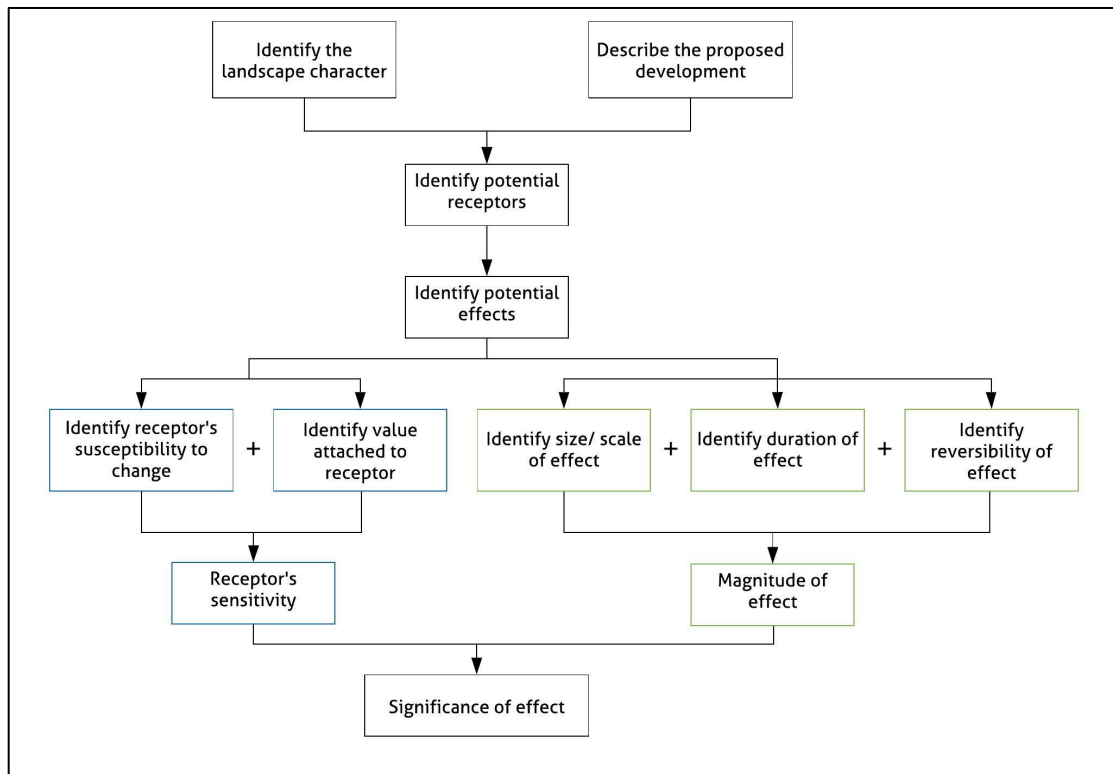


Figure 2.1: LVIA Methodology Process and Report Structure

Although the criteria for assessing landscape and visual effects can differ, the process is inherently the same; using the predetermined landscape character alongside the description of a proposed development to identify potential receptors and effects. Subsequently, assessing each effect against the established criteria to determine the **sensitivity** of the receptor and the **magnitude** of the effect. This is an iterative process that is undertaken for each effect and is depicted in Figure 2.2 below. Finally, the sensitivity of the receptors and the magnitude of the effects are successively combined to determine the overall **significance** of the effect, refer to Table 2.3.

**Figure 2.2:** Process for Assessing Landscape and Visual Effects (Landscape Institute & IEMA, 2013)



**Table 2.3:** Matrix of Significance of Effects

		Magnitude of Effects			
		High	Moderate	Low	Negligible
Sensitivity of Receptors	High	High Significance	High-Moderate Significance	Moderate Significance	Negligible Significance
	Moderate	High-Moderate Significance	Moderate Significance	Moderate-Low Significance	Negligible Significance
	Low	Moderate Significance	Moderate-Low Significance	Low Significance	Negligible Significance
	Negligible	Negligible Significance	Negligible Significance	Negligible Significance	Negligible Significance

(Source: Landscape Institute & IEMA, 2002; TfNSW, 2020)

## 2.1 BACKGROUND AND SCOPE OF THE LVIA

The approved development is for a one (1) into nine (9) lot Torrens title subdivision (DA 2016/1351) and an extension of Princess Street to the east joining with James Street. Of note, the following conditions were applied to the consent of DA 2016/1351:

- Condition 10 requires the removal of the existing driveway crossing on Tank Street;
- Condition 11 requires a shared driveway to be constructed to service Lots 7 and 8 from the Princess Street extension; and
- Condition 27(b) prohibits vehicular access to Lots 7 and 8 from Tank Street.

These conditions were requested to be modified in DA 2016/1351:1 which was refused. The proposed modification to consent DA 2016/1351 sought to retain access from Tank Street to Lot 7 and 8. As provided in Council's report dated 10 November 2020:

*“Council officers advised the applicant on 24 June 2020 that support for the amendment as it relates to driveway access off Tank Street was unlikely as new build elements in the streetscape would not reinforce the rural approach to Morpeth or maintain the historical interpretation that this lot is undeveloped.”*

and

*“1. The application does not contain sufficient information for Council to satisfy itself that the development is of ‘minimal environmental impact’ and, therefore, cannot be considered as an application to amend DA 2016/1351 under Section 4.55(1A) in the Environmental Planning and Assessment Act 1979;*

*2. The application is inconsistent with Clause 5.10 Heritage Conservation of the Maitland Local Environmental Plan 2011 as it will have a detrimental impact on the Morpeth Heritage Conservation Area and does not satisfy Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979;*

*3. The application is inconsistent with Part E Morpeth Heritage Conservation Area under the Maitland City Wide Development Control Plan 2011 and does not satisfy Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979;*

*4. The site is not suitable for the proposed development as the proposal will result in unacceptable visual impacts on the conservation area and is considered to have adverse impacts on the built environment in the locality in accordance with 4.15(1)(b) and (c) of the Environmental Planning and Assessment Act 1979; and*

*5. The application is not in the public interest having regard to the submissions and issues raised throughout the assessment of this application in accordance with 4.15(1)(d) and (e) of the Environmental Planning and Assessment Act 1979.”*

Accordingly, de Witt Consulting has been engaged to undertake a LVIA of the proposed modification specifically relating to the Tank Street access using objective criteria and based on best practice landscape and visual impact guidelines. This will provide an industry standard level of assessment and the previously lacking information to enable Council to undertake a full assessment of the proposal. This LVIA report therefore focuses on the above refusal reasons as far as they relate to the driveway access off Tank Street and its potential visual impact. As provided in Section 2.3, any evaluation of heritage conservation is derived from the Preliminary Heritage Assessment prepared by carste STUDIO (**Appendix 2**) so as to maintain objectivity and ensure the heritage matters are addressed by a suitably qualified heritage consultant, which de Witt Consulting is not.

It is noted that the conditioned setbacks of 20m were also requested to be reduced to 15m in the above-mentioned modification. de Witt Consulting relies solely on the advice provided within the Preliminary Heritage Assessment, which states:

*“It would be possible to develop this block with a street frontage to Tank Street and a street setback in compliance with the guidelines of the DCP 2011. **This includes a setback that is equal to or greater than the setback of the former parsonage.**”*

The former parsonage is setback approximately 20m from Tank Street, which is consistent with Council's condition. The applicant is advised to consult further with a heritage consultant should they wish to pursue a reduced setback. No further consideration of this setback is provided in this LVIA.

In further defining the scope of this LVIA, the size/scale and nature of the proposed development must also be considered with respect to its potential visibility throughout the landscape as a change to a view or landscape can only occur if it can be viewed. As stated above, this LVIA is to focus on the access component from Tank Street, therefore consideration is not given to the design of future dwellings on site (which is not known). However, it is understood that the dwellings would be either single or two storey with appropriate side and rear boundary setbacks in accordance with the advice in Appendix 2 and the existing development types of the Morpeth Residential Precinct.



A series of visual catchments are established to define the extent of the assessment on both the landscape character and the landscape and visual effects. These are based on the definitions of 'close foreground', 'foreground', 'midground' and 'distant' provided in Table 1.2 and summarised below:

- **Close foreground:** Defined by the 500m Visual Catchment, where details are easily discernible and/or can occupy a large proportion of the field of view;
- **Foreground:** Defined by the 1km Visual Catchment, where details are less distinguishable but the features occupy a large-moderate proportion of the field of view;
- **Midground:** Defined by the 2km Visual Catchment, where details are not distinguishable and the features occupy minor significance within the field of view; and
- **Distant:** Defined by the 3km Visual Catchment, where features and elements appear in the horizon.

The visual catchments for this LVIA only relate to the 500m Visual Catchment and 1km Visual Catchment. This is due to the minor scale and nature of the proposed development / target of assessment and the effect of "perspective" as viewed by the human eye, where objects appear smaller with distance. Driveways and vehicles entering and exiting the site from Tank Street would be difficult to distinguish beyond 1km and are further hindered by existing vegetation, buildings and undulating topography. These visual catchments have been spatially defined using a Geographical Information System (GIS) and applying a variable distance buffer of the site frontage as depicted throughout the figures within this report.

Additionally, a Zones of Theoretical Visibility (ZTV) analysis is not considered of value to this assessment due to the minor scale and nature of the proposed development and target of assessment. The ZTV analysis is better suited to developments that require visual assessment due to their height, scale and bulk. Three-dimensional mapping has instead been provided to demonstrate the topography of the surrounding landscape.

## 2.2 DATA COLLECTION

In preparing this LVIA, a site visit was undertaken to conduct an in-field assessment of the landscape. The following specific data has been collected and relied upon for this LVIA:

- Photographs and associated data;
- DA Subdivision Plans (Appendix 1);
- Preliminary Heritage Assessment (Appendix 2); and
- Topographical maps and aerial photographs sourced through NSW Spatial Services and the Intergovernmental Committee on Surveying and Mapping.

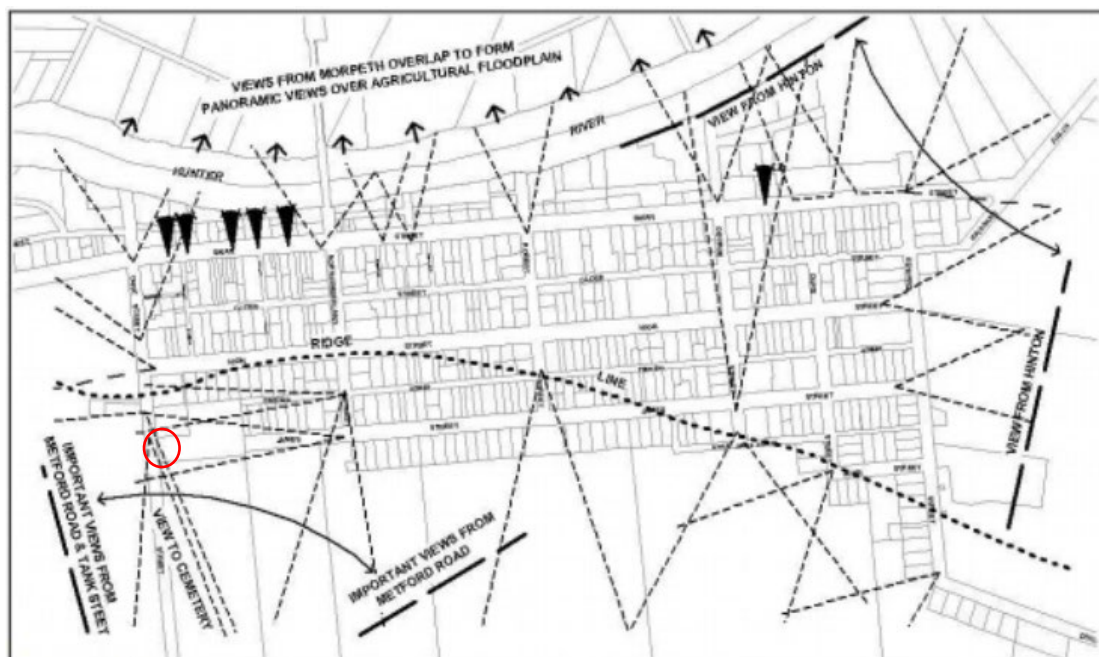
### 3 LANDSCAPE SETTING & CHARACTER

The following sections provide a description of the landscape setting and character of the surrounding area. As described in the methodology, once the existing landscape character has been evaluated, this will be reviewed alongside the description of the proposed development to identify the potential landscape and visual receptors and the potential effects to these receptors. The existing landscape character is described in the following subsections.

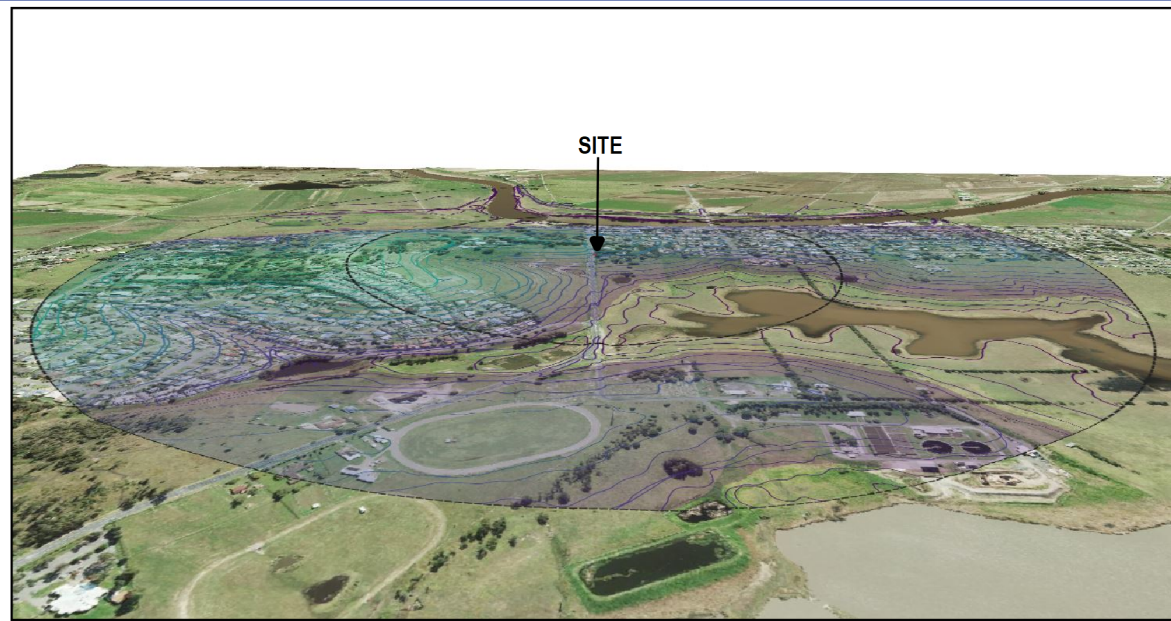
#### 3.1 LANDFORM AND TOPOGRAPHY

The surrounding landscape presents gradual undulations and only minor ridgelines. Figure 3.1 provides an overview of the key view corridors and 'ridge line' extracted from Maitland DCP 2011. However, Figure 3.2 provides an additional assessment of the topography and shows that this ridgeline is only minor. This figure also depicts the topography within the 500m and 1km Visual Catchments, where the terrain has a range of 2 to 36m above sea level. Most of the land that is located below 8m is mapped as being within the flood planning area.

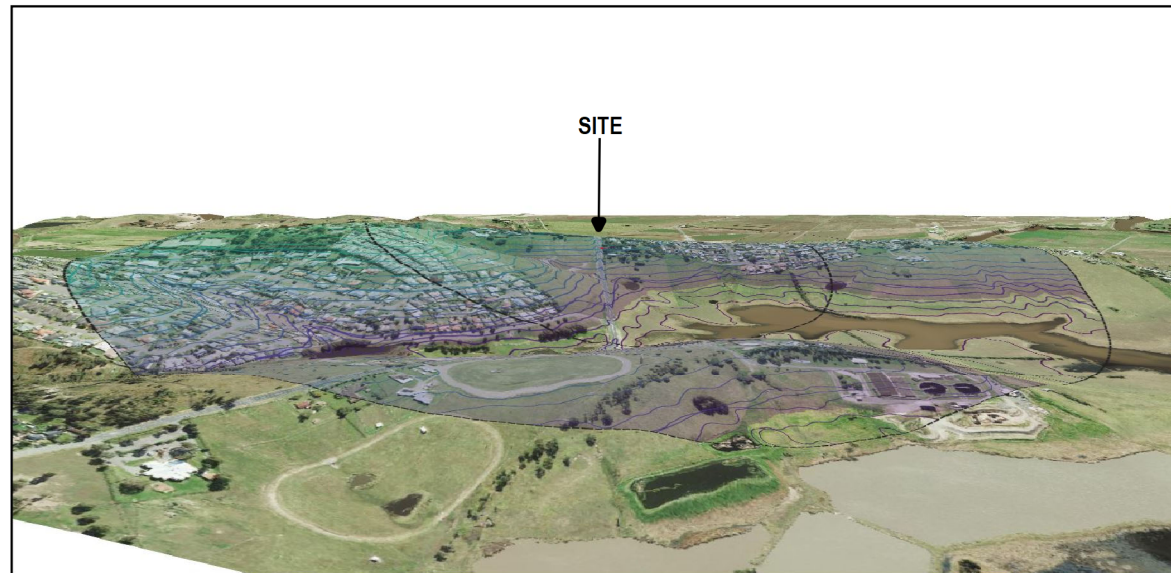
The site frontage declines from ~22m from the north to ~19m at the south. The length of the frontage is ~40m, which represents a 7.5% slope. The site itself gradually declines from the northwest (~24m AHD) to southeast (~17m AHD). The site itself does not present opportunities for views of the Hunter River located north of the site. The land to the south is subject to flooding that presents views of standing water, which has potential of eutrophication. The site is located across from gently undulating paddocks that are visible from the west to south of the site. Low density residential development is prominent to the east and north of the site, which is further discussed in Section 3.3.



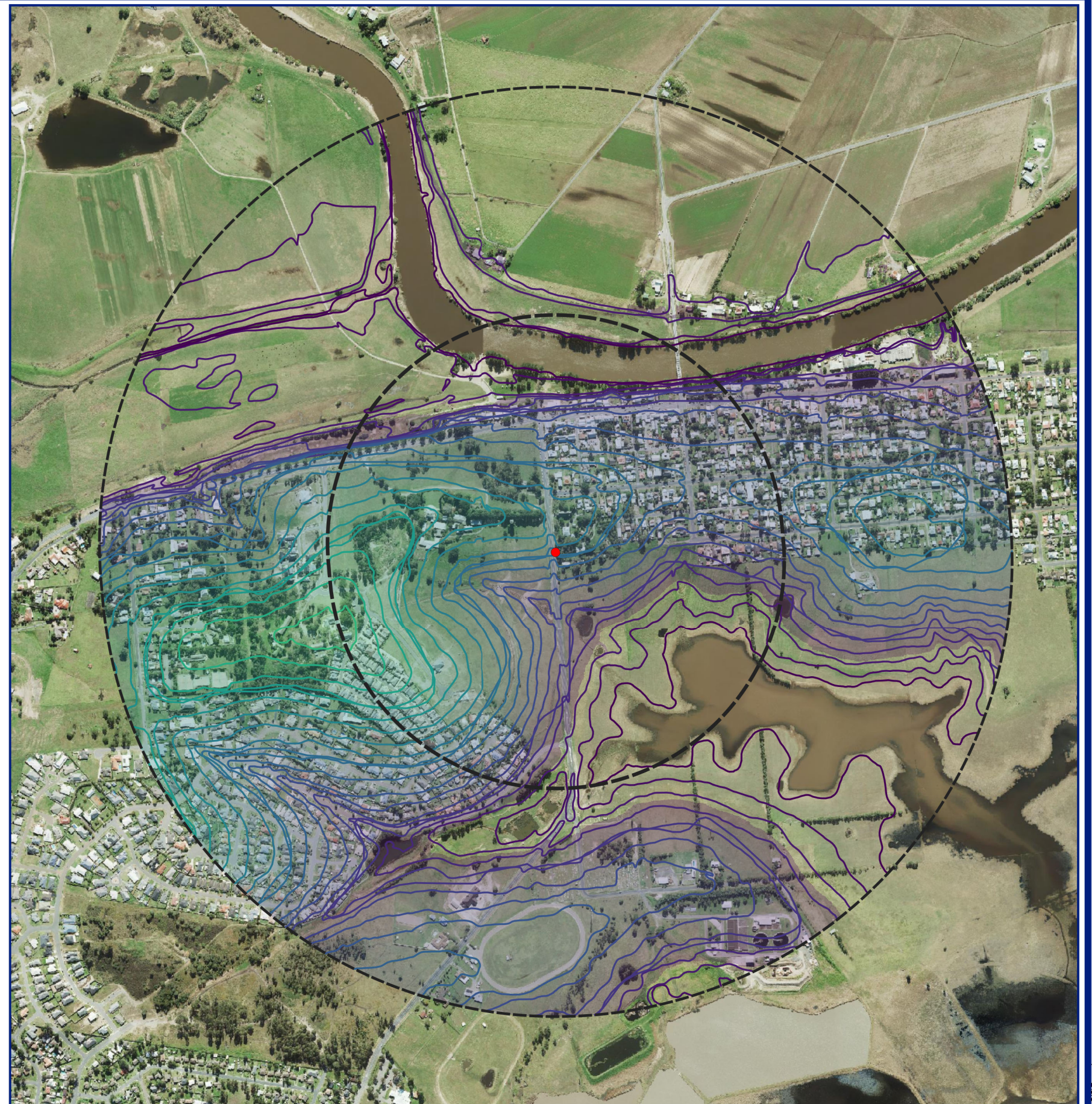
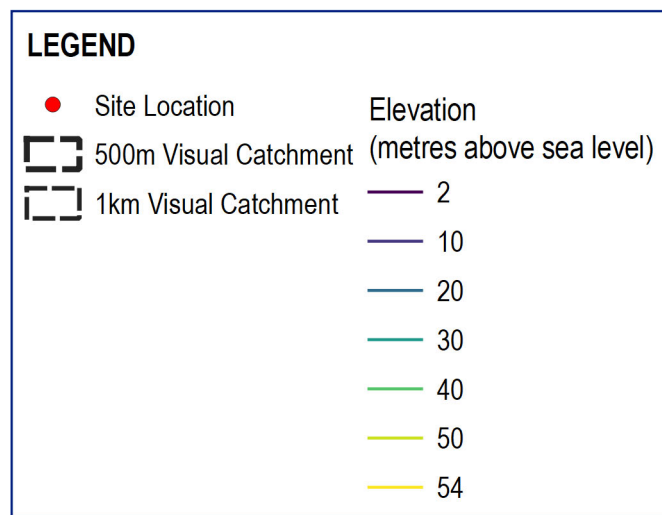
**Figure 3.1:** Extract from Maitland DCP 2011 depicting view corridors to and from Morpeth, site frontage indicated with red circle.



View from Tank Street approach. 3D vertical scale set to normal, no exaggeration applied.



View from Tank Street approach. 3D vertical scale increased by 5:1 to magnify terrain.



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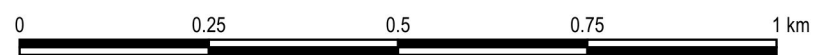


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FIGURE 3.2

**TOPOGRAPHY AND VISUAL CATCHMENTS**



(© LPI NSW Imagery 2021; NSW Spatial Services 2021; Geoscience Australia 2021)

JOB ADDRESS: 123 PRINCESS STREET, MORPETH NEW SOUTH WALES   AUSTRALIA				
CLIENT: HILL TOP PLANNERS				
A3 SCALE:	1:10000	DRAWN:	MB	JOB REF: 11805
PLAN DATE:	05/07/2021	CHECKED:	EM	ISSUE: 01

### 3.2 LANDCOVER AND VEGETATION

The general landcover and vegetation of the surrounding landscape varies from the north to east developed area and the west to south where scattered vegetation and grassed hills are present. The site frontage itself is well vegetated (top left image of below), which is understood to be retained or improved with future development. No crops or evidence of crop rotations were present throughout the visible rural landscape areas. Lawns and gardens of dwellings throughout the Morpeth Residential Precinct were generally well kempt.



### 3.3 SETTLEMENT AND HUMAN INFLUENCE

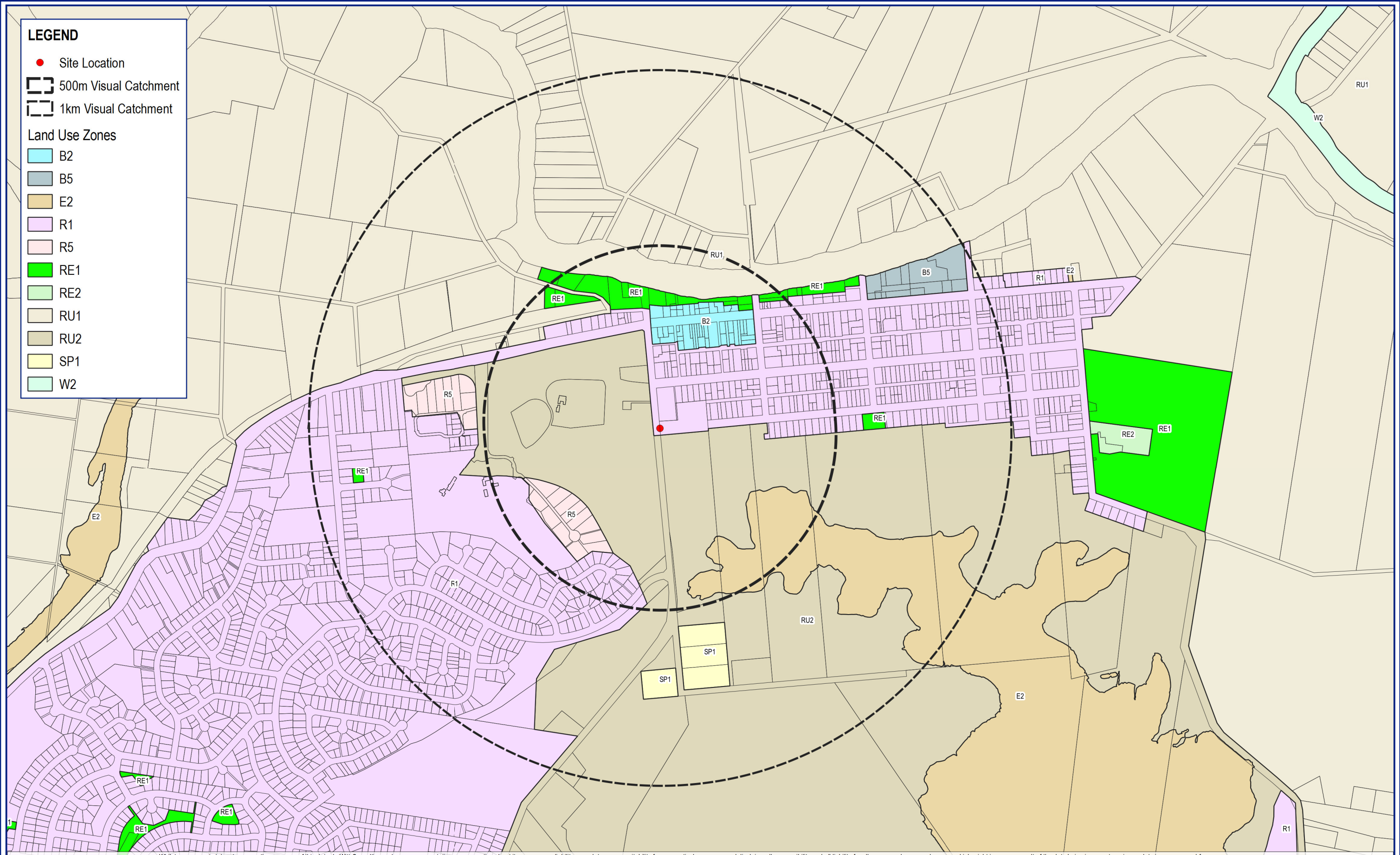
The surrounding area presents scattered settlement patterns with large lot RU1 Primary Production settlement to the north of the 1km Visual Catchment. A section of smaller lot R1 General Residential development extends from the southwest of the 1km Visual Catchment into the 500m Visual Catchment, close to joining with the Morpeth R1 zoned land that extends to the east. This land is inconsistently serviced by public open space. An area of E2 Environmental Conservation is also present that extends from the southeast of the 1km Visual Catchment. This E2 land separates large lot RU2 Rural Landscape land bordering the subject site to the west and south. The more recent low density residential development within the R1 zoned land creates a distinct juxtaposition with the character of buildings and structures present within the RU1 and RU2 zoned land. These denser settlements demonstrate urban sprawl from the township of East Maitland to the southwest and Chisolm to the south/south east. Overhead powerlines and stagnant water are present throughout the visual catchments. Figure 3.3 provides an overview of the settlement pattern and land use throughout the visual catchments.

**LEGEND**

- Site Location
- ⊞ 500m Visual Catchment
- ⊞ 1km Visual Catchment

**Land Use Zones**

- B2
- B5
- E2
- R1
- R5
- RE1
- RE2
- RU1
- RU2
- SP1
- W2

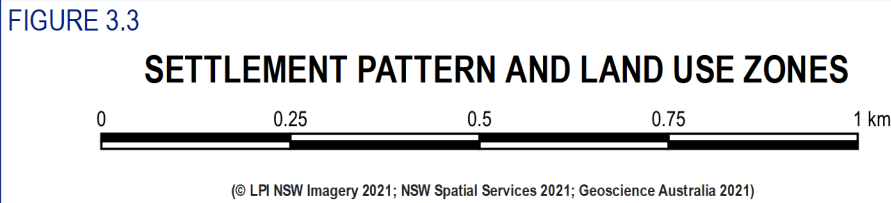


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<b>PLAN DATE:</b> 05/07/2021	<b>CHECKED:</b> EM	<b>ISSUE:</b> 01		

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### 3.4 RARITY

The site is located within the Morpeth Heritage Conservation Area. The site itself is within the Residential Precinct of this Heritage Conservation Area. The Preliminary Heritage Assessment (**Appendix 2**) should be referred to for further description of the heritage significance of the landscape. The Hunter River presents the most significant environmental feature within the landscape. The site cannot be viewed from the river and the river cannot be viewed from the site. No rare landscape character types are present within the site or surrounding landscape.

## 4 PROPOSED DEVELOPMENT

### 4.1 SITE PARTICULARS

The site is located at 123 Princess Street, Morpeth (Lot 1 DP634551). It is irregular in shape with an area of approximately 9,448m<sup>2</sup>.

### 4.2 LAYOUT AND KEY VISUAL CONSIDERATIONS

The approved development is for a one (1) into nine (9) lot Torrens title subdivision (DA 2016/1351) and an extension of Princess Street to the east joining with James Street. As stated in Section 2.2, the following conditions were applied to the consent of DA 2016/1351:

- Condition 10 requires the removal of the existing driveway crossing on Tank Street;
- Condition 11 requires a shared driveway to be constructed to service Lots 7 and 8 from the Princess Street extension; and
- Condition 27(b) prohibits vehicular access from Tank Street to Lots 7 and 8.

These conditions were requested to be modified in DA 2016/1351:1 which was refused. As stated, the proposed modification to consent DA 2016/1351 sought to retain access from Tank Street to Lot 7 and 8.

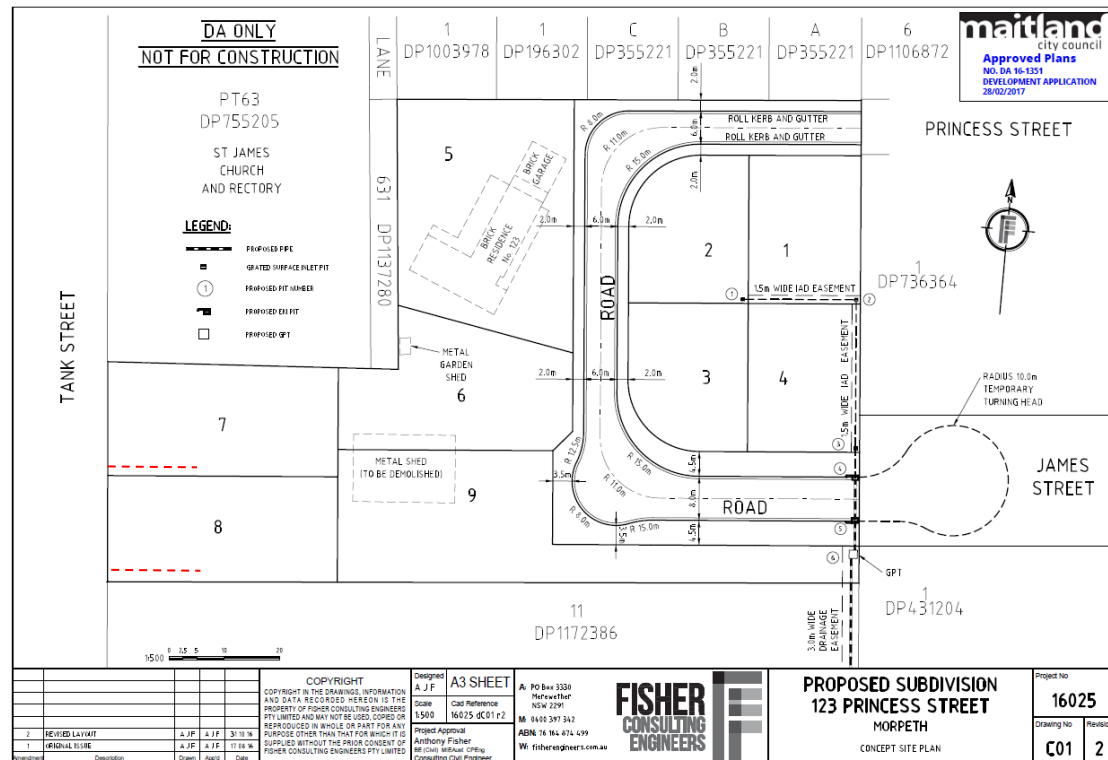


Figure 4.1: Approved subdivision layout prepared by Fisher Consulting Engineers

It is important to note the visual components of this matter particularly where the site already has one existing crossover; therefore, the proposed development and subsequent modification sought to add only one additional crossover from Tank Street to the site. It is understood that the existing crossover was proposed to be relocated south near the southern boundary of Lot 7. The crossover location for Lot 8 was also proposed to be located near the southern boundary of its lot. These are noted indicatively on Figure 4.1 in red dash. It is further understood that landscaping was proposed to be retained or improved in this area to provide a similar visual appearance of the site from the street and to screen the future dwellings on site.

## 5 ASSESSMENT

As described in the methodology, the overall visual impact of a proposed development is determined by combining the separate assessments of landscape and visual effects as perceived by receptors. Landscape effects are changes within or to the landscape as a result of interactions between a proposed development and elements within the landscape or the landscape character itself (landscape receptors), while visual effects are the changes of views or visual amenity of the landscape as perceived by people (visual receptors) (Landscape Institute & IEMA, 2013).

### 5.1 ASSESSMENT CRITERIA

As discussed, the significance of landscape and visual effects is perceived differently by individuals based on personal preferences and values associated to the landscape and views.

Landscape character is determined by the way the physical, natural and cultural components within a landscape interact, which together create a distinctive area or character (Landscape Institute & IEMA, 2013). Although some of these components are relatively objective and are able to be assessed against a standardised set of criteria, landscape character is also defined by aesthetic, perceptual and experiential aspects (landscape values), which are subjective, and based on personal associations and opinions that differ between individuals. It is noted that preferences and values will also differ depending on the context of the landscape (i.e. urban landscape, rural landscape, natural landscape). These are recognised limitations affecting LVIA generally. Landscape character zones are also an important consideration in determining the value attached to a landscape. Landscape character zones are described as having strongly defined spatial qualities and/or features, distinct from areas immediately adjacent (TfNSW, 2020; Landscape Institute & IEMA, 2013). Although these are separate from Environmental Planning Instrument (EPI) zoning, there is typically a high degree of correlation between these planning designations and the landscape characteristics that define the landscape character zones. EPI zoning may place specific planning controls over a single parcel of land, while landscape character zones are more general and can encompass multiple EPI zones if there are shared spatial qualities or features across the landscape.

A review of the landscape character (detailed in Sections 3) indicates there are two dominant landscape character zones within the broader Visual Catchment, being urban and semi-rural. This is mostly consistent with the dominant land use zones being R1 General Residential, RU1 Primary Production and RU2 Rural Landscape. Due to the varying nature of these two landscape character zones (urban and semi-rural), there is a high risk of subjectivity when assessing the proposed development's visual impact on the landscape. Depending on the viewer's attachment, value and preference of the landscape, there is considerable risk that higher preference could be placed on the one of these landscape character zones over the other. Such is the importance of an objective LVIA to assist with managing development without detriment to the existing landscape character and its inherent complexity where there are multiple and varying/conflicting landscape character zones proximate to a site under assessment.

To mitigate the subjectivity concerning perceptions and values, this LVIA must first appropriately scope the assessment based on the size/scale and nature of the proposed development. The proposed development described in Section 4 is considered to be small scale. Particular focus is given to the access from Tank Street, which as a visual component is limited to road crossovers, driveways and the vehicles using these. Vehicle movements per day for residential uses are considered to be infrequent. The assessment of landscape character and receptors must utilise landscape characteristics that are generally preferred and valued as derived from the literature (Table 5.1). Additionally, the objectives for the R1, RU1 and RU2 land use zones as provided in the Maitland Local Environmental Plan 2011 are also important to consider. These are as follows:

#### **R1 General Residential:**

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*



### RU1 Primary Production:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

### RU2 Rural Landscape:

- 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.
- 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.

The landscape characteristics presented in Table 5.1 below are derived from the literature and form the assessment criteria to be used in assessing the value that receptors may place on the landscape or a view.

**Table 5.1:** Landscape Value Assessment Criteria

Higher preference/ value	Lower preference/ value
<b>Characteristic: Landform/ topography</b>	
<ul style="list-style-type: none"> <li>• Elevated landforms and undulating terrain</li> <li>• Presence of water bodies</li> <li>• Presence of natural rock features</li> <li>• Significant landscape features (trees, tree stands, historic relics, windmills)</li> </ul>	<ul style="list-style-type: none"> <li>• Uniform or flat with little to no vertical relief</li> <li>• Absence of or eutrophied water bodies</li> <li>• Eroded areas</li> <li>• Unmanaged roads and access tracks</li> </ul>
<b>Characteristic: Landcover/ vegetation</b>	
<ul style="list-style-type: none"> <li>• Presence of trees, greenery, parks and gardens</li> <li>• Well maintained gardens (native and exotic)</li> <li>• Green breaks between areas of development</li> <li>• Presence of fauna, distinctive crop rotations, water conditions and climatic conditions</li> <li>• Distinctive remnant vegetation located along creek lines, roadsides and paddocks</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of vegetation</li> <li>• Areas of soil salinity/ salt scalds or dead, dying or diseased vegetation</li> <li>• Recently harvested areas (stumps, debris, abandoned off-cuts)</li> <li>• Severed or badly pruned street trees</li> <li>• Extensive weed infestation</li> </ul>
<b>Characteristic: Settlement and human influence</b>	
<ul style="list-style-type: none"> <li>• Gradual transition between zones</li> <li>• Development protects key landscape elements including natural shoreline, native vegetation, vegetation in and around dwellings and maintain the density, scale and spacing of development</li> <li>• Balance between built form and the natural landscape</li> <li>• Complimentary and diverse building styles in neighbourhoods</li> <li>• Well maintained buildings and/or structures (including building materials/finishes)</li> <li>• Large allotments</li> <li>• Services being underground to reduce cabling and severance of street trees</li> <li>• Unobtrusive advertising</li> <li>• Unobtrusive mobile phone towers and other utility towers</li> <li>• Presence of community artworks</li> </ul>	<ul style="list-style-type: none"> <li>• Large carparks without trees</li> <li>• Run-down residential areas (dead grass, bare sand, dead vegetation, derelict housing and/or buildings, abandoned and/or trashed cars)</li> <li>• Concentrated settlements with uncharacteristic structures</li> <li>• Extensive areas of urban sprawl lacking vegetation or public open space</li> <li>• Graffiti</li> <li>• Intrusive billboards (particularly along roads and railway reserves)</li> <li>• Buildings which contrast sharply from the surrounding built character (large isolated shopping centres, apartments, hotels)</li> <li>• Utilities (towers, transmission lines, overhead powerlines)</li> <li>• Poorly maintained waterways and drains prone to stagnation, pollution and littering</li> </ul>

Higher preference/ value	Lower preference/ value
	<ul style="list-style-type: none"> <li>• Extensive retaining walls which result in concrete canyon effects on roadways</li> <li>• Buildings that create a solid wall effect (no gaps to allow views between buildings)</li> </ul>
<b>Characteristic: Rarity</b>	
<ul style="list-style-type: none"> <li>• Incorporation of significant cultural and environmental features into urban design</li> <li>• Historic features including land uses that strengthen the local urban character</li> </ul>	<ul style="list-style-type: none"> <li>• Harsh contrast between significant cultural and environmental features with new development</li> </ul>

(Sources: Department for Planning and Infrastructure, 2007; AILA, 2018; TfNSW, 2020; Landscape Institute & IEMA, 2013)

**Landscape receptor** refers to a defined aspect of the landscape that has the potential to be affected by a proposal. Landscape receptors can include the constituent elements of the landscape; its specific aesthetic or perceptual qualities, and the landscape character itself (Landscape Institute & IEMA, 2013). As such, the landscape characteristics described in Table 5.1 (i.e. landform/ topography; landcover/ vegetation; settlement and human influence; and, rarity) are considered to be landscape receptors for the purpose of this assessment. As stated, the assessment criteria in Table 5.1 utilises the most and least preferred and valued characteristics for urban landscapes derived from the literature as a means of mitigating subjectivity when evaluating these characteristics.

**Visual receptor** refers to individual or defined groups of people who have the potential to be affected by a proposal, where visual effects on specific views and on the general visual amenity are experienced by people. The significance of landscape and visual effects is also perceived differently by individuals based on personal preferences and values associated to the landscape and views. As with landscape character/value, these differing opinions and the perceived significance of changes can be difficult to quantify and is a recognised limitation of LVIA generally.

The key criteria used in the landscape and visual effects assessment is derived from the *Guidelines for Landscape and Visual Impact Assessment* (Landscape Institute and IEMA, 2013) and is provided in Table 5.2 along with classifications for describing the degree of landscape and visual effect. As stated, any value-based criteria will be assessed in accordance with the most and least preferred and valued landscape characteristics as identified in the literature to mitigate subjectivity (Table 5.1). The classifications for ‘scoring’ in this LVIA are based on the above-mentioned Guideline and are “high”, “moderate”, “low” and “negligible”; specifications of which are provided in Table 5.2.

The overall visual impact of a proposed development is determined by combining the assessments of landscape and visual effects as perceived by receptors. **Landscape effects** are changes within or to the landscape as a result of interactions between a proposed development and elements within the landscape or the landscape character itself (landscape receptors), while **visual effects** are the changes of views or visual amenity of the landscape as perceived by people (visual receptors) (Landscape Institute & IEMA, 2013). These distinctions are provided in Table 5.2 and the discussion in Section 5.2.

As stated in the methodology, despite considerable efforts being made to avoid subjectivity within this assessment, it is important to note that a level of professional judgement must still be utilised (Landscape Institute & IEMA, 2013). Relationships between criteria can exist (i.e. the size and scale, distance and visibility of the effect all influence the susceptibility of the receptor) and must be considered concurrently when determining the most appropriate classification for the effect being assessed. Similarly, some of the classifications for landscape and visual effects can overlap (i.e. the defined measurable distance in metres or kilometres between an effect and the receptor), while others are specific to either landscape or visual effects (i.e. a change to a view does not consequentially change the overall landscape character). Additionally, a receptor may collectively score a ‘moderate’ level of sensitivity and a ‘moderate’ level for the magnitude of the effect, which according to Table 2.3 should result in an overall ‘moderate’ significance of the effect; however, if the proposed development is not visible or does not change the view from the receptor, logical reasoning should indicate a ‘low’ or ‘negligible’ significance of the effect as there is no change to the landscape in that instance. Where this type of professional judgement has been used it will be discussed in Section 5.2 to provide transparency in the assessment.

## 5.2 LANDSCAPE AND VISUAL IMPACT ASSESSMENT

The landscape setting and character description in Section 3 demonstrates that the site and surrounding landscape is inconsistent and has resulted in adjoining landscape character zones that vary significantly in their objectives. Particularly where rural landscape is met with urban this has a greater effect of weakening the rural character rather than being detrimental to the urban character. Importantly, the landscape within the individual landscape character zones is considered to be mostly consistent with the relevant objectives; however, when viewed as a whole there are clear indications of juxtaposing characters adjoining one another largely due to the settlement pattern and urban sprawl.

Urban sprawl into rural landscapes is an extremely common occurrence for townships such as Maitland, Cessnock and Singleton (for example) that have experienced bursts of high demand for growth in a comparatively short period of time. Further, as previously stated, it is accepted amongst LVIA literature that landscapes are not static but continue to evolve and change with communities. These landscape changes are often driven by changing requirements for development to meet the needs of a growing population. New residential subdivisions are inevitably required to meet this need even with planning authorities providing higher density living in and around centres.

The inclusion of one additional crossover and the two new driveways from Tank Street to the site is not considered to pose a significant adverse impact to the landscape character. The proposed use and scale are appropriate for the density of the existing R1 developed land. Due to the size/scale and nature of the proposal, the landscape is able to absorb this minor change resulting in it being difficult to distinguish when the landscape is viewed as a whole. Further, when a visual receptor is travelling along Tank Street to enter or exit the Morpeth Heritage Conservation Area, they experience a panorama view; focus on the site is highly specific and unlikely. The driveways from Tank Street would only become apparent (though again minimally due to their scale and nature) when travellers along Tank Street are immediately approaching and passing the site. This is limited opportunity to glimpse the proposal immediately upon entering or exiting the built-up area of Morpeth Residential Precinct where access from street frontages to dwellings is commonplace and an expected visual experience.

Of further interest is the prominent intersection within the 500m Visual Catchment off Tank Street to Canterbury Drive that services the large low density residential subdivision of the R1 zoned land to the southwest of the site. This intersection is located less than 150m from Morpeth Cemetery. It is noted that Council expressed concern of visual impact resulting from the provision of residential driveways to the subject site from Tank Street; however, these will have a negligible visual effect to views to and from the cemetery while this intersection poses a significant contrast in the character of Tank Street. Figure 5.1 below demonstrates this large intersection compared to the extremely small scale of the subject site when viewed from near the cemetery due to the effect of “perspective” as viewed by the human eye. The proposed access from Tank Street is imperceptible while the Canterbury Drive intersection occupies a considerable proportion of the view. Further no screening is provided to soften this landscape or the residential development that it services while the proposed access from Tank Street is well screened.



**Figure 5.1:** Intersection of Tank Street and Canterbury Drive.



The proposed subdivision layout is considered wholly consistent with the intent of the character of the Morpeth Residential Precinct and the R1 land use zone. The Preliminary Heritage Assessment (**Appendix 2**) states:

*“The access from Tank Street is unlikely to have any historic importance and does not follow the town grid. Its removal or retention will have no impact. It would be possible to develop this block with a street frontage to Tank Street and a street setback in compliance with the guidelines of the DCP 2011. This includes a setback that is equal to or greater than the setback of the former parsonage.”*

With respect to maintaining the historic development in Morpeth, emphasis is placed on the pattern including new lot sizes, type of development (low density residential of preferably single detached dwellings) and design of development including building heights, bulk and scale and setbacks rather than location of driveways. The location of two driveways is not of such significance to cause an adverse impact to the heritage conservation from a landscape or visual perspective. Refer to Appendix 2 for details.

The subject site appears as one of the last remaining pockets of land to be developed in a low-density residential precinct that will result in a subdivision pattern consistent with the remainder of the Morpeth Residential Precinct. Importantly, it is noted that the removal of the existing access from Tank Street and creation of a shared access / two battle-axe lots off Princess Street is an unprecedented subdivision layout in Morpeth. The vast majority of dwellings located in the Morpeth Residential Precinct have direct access from the street frontage, in fact many have access to two frontages, and very few battle-axes or easement arrangements exist. Based on a visual perspective, the conditioned arrangement will heavily contrast with the historic settlement pattern of Morpeth and has the potential to introduce a visually undesirable precedent.

The assessment of landscape and visual effects is summarised in Table 5.2 overleaf.

**Table 5.2:** Classification Criteria and Assessment of Landscape and Visual Effects

Criteria		High	Moderate	Low	Negligible
<b>SENSITIVITY OF RECEPTORS</b>	<b>Susceptibility</b>				
	<i>Landscape effect</i>	The degree to which the landscape may accommodate the proposal would potentially result in a number of perceived uncharacteristic and significant changes.	The degree to which the landscape may accommodate the proposal would potentially result in the introduction of prominent elements but may be accommodated to some degree.	The degree to which the landscape may accommodate the proposal would not significantly alter existing landscape character.	No effect or almost imperceptible
	<i>Visual effect</i>	Residents at home in high proximity and visibility to the proposal; visitors to heritage assets or other areas where the views are an important factor to the experience (i.e. lookouts).	People engaged in activities whose attention is likely to be focused on the landscape and on particular views (i.e. scouts/camping groups); people at their place of work whose attention is not focused on their surroundings and where the setting is not important to the quality of working life.	Pedestrians and motorists that would typically have less vested interest and emotional connection to the landscape i.e. view the proposal infrequently, intermittently and/or over a short timeframe.	As above
	<b>Value (Also refer to Table 2.1)</b>				
	<i>Landscape effect</i>	The effect may compromise the specific basis for the value attached to the landscape, for example if the landscape character is valued on an international, national or local scale (i.e. World Heritage Sites, National Parks).	The effect does not compromise the specific basis for the value attached to the landscape.	The existing landscape characteristics are not considered to be generally preferred or valued and therefore the effect does not negatively affect the value attached to the landscape.	As above
<i>Visual effect</i>	The view appears in guidebooks or on tourist maps, there is a provision of facilities for visitor's enjoyment of the view (i.e. parking places, sign boards and interpretive material); or the local planning designations restrict the introduction of effects that compromise the value of a particular view.	The effect does not compromise the specific basis for the value attached to the particular view.	The view is not considered to be generally preferred or valued and therefore the effect does not negatively affect the value attached to the view.	As above	
<b>MAGNITUDE OF EFFECTS</b>	<b>Size and scale</b>				
	<i>Landscape effect</i>	Key characteristics of the landscape character may be adversely impacted by the proposal and may result in major alterations to perceived characteristics of the landscape character.	Some characteristics of the landscape character may be altered by the proposal, although the landscape has the capability to absorb these changes without compromising the overall landscape character.	The characteristics of the landscape character are generally robust (evidenced by the existence of artificial elements) and would be minimally affected by the proposal.	As above
<i>Visual effect</i>	Large proportion of the view occupied by the proposal; high degree of contrast or integration of new features/ changes in terms of form, scale and mass, height, colour and texture.	Some change to the view due to loss of existing features and addition of new features in the view without significant change in its composition.	No obvious change to the view due to loss of existing features or addition of new features.	As above	



Criteria		High	Moderate	Low	Negligible
MAGNITUDE OF EFFECTS (Continued)	<b>Frequency of use</b>				
	<i>Landscape effect</i>	Frequently visited or populated areas often used for appreciating the view of the landscape for prolonged periods of time (e.g. residences, lookouts, townships).	Less visited areas with intermittent visitation (e.g. major/secondary roads) with partial visibility from the receptor (i.e. unobstructed features of the proposal from a vehicle while passing within the Visual Catchment of the proposal).	Infrequent visitation brief glimpses of the proposal not in the direct line of sight. (e.g. secondary/local roads, screened visibility).	As above
	<i>Visual effect</i>	As above.	As above.	As above.	As above
	<b>Distance/ Geographical extent</b>				
	<i>Landscape effect</i>	The proposal is a very prominent element in the view from the receptor (i.e. in the close foreground) in the receptor's direct line of sight.	The Project is a noticeable element in the view from the receptor (i.e. in the midground) but not in the direct line of sight.	The Project is difficult to distinguish from the receptor (i.e. in the distance) not in the direct line of sight.	As above
	<i>Visual effect</i>	As above.	As above.	As above.	As above
	<b>Duration</b>				
	<i>Landscape effect</i>	The effect is a permanent feature or lasting over a generation (excess of 30 years).	The effect is a temporary but lasting a significant period of time (i.e. 5 to 30 years).	The effect is temporary lasting a short period of time (i.e. less than 5 years).	As above
	<i>Visual effect</i>	As above.	As above.	As above.	As above
	<b>Reversibility</b>				
	<i>Landscape effect</i>	The effect has irreversible changes to the landscape character or view.	The effect is reversible but may result in some lasting changes to the landscape character or view.	The effect is reversible, and the landscape or view can be returned to the state prior to introduction of the effect.	As above
	<i>Visual effect</i>	As above.	As above.	As above.	As above

(Source: Landscape Institute & IEMA, 2013)

Landscape receptors scored negligible and moderate for sensitivity; therefore, a combined score of low is applied. With respect to magnitude of effects, landscape receptors scored three (3) negligible ratings, one low rating and one high rating. It is noted that this high rating is only provided due to the duration of the effect, which is anticipated to last in excess of 30 years as it is a residential use in a residential area. Accordingly, a combined score of negligible is applied. The overall significance of effect is therefore negligible in accordance with Table 5.3.

**Table 5.3:** Significance of Effects for Landscape Receptors

		Magnitude of Effects			
		High	Moderate	Low	Negligible
Sensitivity of Receptors	High	High Significance	High-Moderate Significance	Moderate Significance	Negligible Significance
	Moderate	High-Moderate Significance	Moderate Significance	Moderate-Low Significance	Negligible Significance
	Low	Moderate Significance	Moderate-Low Significance	Low Significance	Negligible Significance
	Negligible	Negligible Significance	Negligible Significance	Negligible Significance	Negligible Significance

Visual receptors scored low and moderate for sensitivity; therefore, a combined score of low is applied. With respect to magnitude of effects, visual receptors scored four (4) low ratings and one (1) high rating. As with the landscape receptors, this is also due to the duration of the effect. Accordingly, a combined score of low is applied. The overall significance of effect is therefore low in accordance with Table 5.4.

**Table 5.4:** Significance of Effects for Visual Receptors

		Magnitude of Effects			
		High	Moderate	Low	Negligible
Sensitivity of Receptors	High	High Significance	High-Moderate Significance	Moderate Significance	Negligible Significance
	Moderate	High-Moderate Significance	Moderate Significance	Moderate-Low Significance	Negligible Significance
	Low	Moderate Significance	Moderate-Low Significance	Low Significance	Negligible Significance
	Negligible	Negligible Significance	Negligible Significance	Negligible Significance	Negligible Significance

## 6 SUMMARY AND RECOMMENDATIONS

### 6.1 LANDSCAPE AND VISUAL RECEPTORS

As discussed in Sections 3 and 5, the proposal is considered to have an overall **negligible** visual impact on landscape receptors including landform/ topography, landcover/ vegetation, settlement and human influence, and rarity. The proposal will have an overall **low** visual impact on potential visual receptors.

This low-level impact is primarily achieved due to the scale and nature of the proposal, which is sympathetic to the existing character, difficult to discern from within the landscape as a whole, and does not compromise the character of the landscape within the site or surrounding area.

### 6.2 CUMULATIVE AND RESIDUAL IMPACTS

Cumulative landscape and visual effects are the combined visual changes (both positive and negative) caused by a proposed development in conjunction with other similar developments. It is also important to consider both the existing and evolving contextual landscape in the region. As stated, landscapes are not static but continue to evolve and change with communities.

The landscape has been assessed as fragmented and inconsistent; however, the proposed development is not of such scale or nature to substantially contribute to this undesirable trend. The addition of the access from Tank Street creates no additional adverse impact and therefore no cumulative visual impacts are envisaged to ensue. The site frontage is well screened with landscaping and is understood to be either retained or strengthened. The matter of physical buildings on the site is outside of the scope of this assessment; however, it is recommended that appropriate consultation with a heritage consultant is undertaken early in the design stage to ensure the future development is commensurate with the rectory at the adjoining site.

As such, no additional mitigation measures are deemed necessary for the proposal. Subsequently, no residual visual impacts are identified or required to be assessed.

### 6.3 CONCLUSION

This LVIA is intended to provide an assessment of the existing landscape character within the geographical context of the proposal. It has been noted that the assessment of visual impact is subjective, and the individual consideration of qualitative factors such as landscape values may differ between receptors as it is influenced by individual values, preferences and affiliations with the landscape and particular views.

The existing landscape character and value within the visual catchments indicates that the site is appropriate for the proposal as it is considered to be:

- Sympathetic to the existing development within the surrounding landscape in terms of use and scale, and presents harmoniously in views from landscape and visual receptors;
- Will not be a dominant feature in the landscape or result in a change to the landscape character; and
- Will not pose a significant adverse visual impact to potential receptors or the heritage character of the surrounding landscape.

The assessments provided in this report concluded:

- The landscape surrounding the site includes inconsistent character types.
- Urban sprawl has contributed to this fragmentation and reduction in the overall value of the landscape.
- The proposed development does not adversely impact the rural approach to Morpeth.
- The significance of landscape effects on potential landscape receptors is categorised as **negligible**.
- The significance of visual effects on potential visual receptors is categorised as **low**.

Combined, these assessments form the basis to evaluate the magnitude and significance of the visual impact on the landscape and locality resulting from the proposed development, which is **low** at most.





## 7 REFERENCES

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# APPENDICES



# APPENDIX 1






DA Subdivision Plan prepared by Fisher Consulting Engineers

**DA ONLY**  
**NOT FOR CONSTRUCTION**

PT63  
DP755205

ST JAMES  
CHURCH  
AND RECTORY

**LEGEND:**

-  PROPOSED PIPE
-  GRATED SURFACE INLET PIT
-  PROPOSED PIT NUMBER
-  PROPOSED EKI PIT
-  PROPOSED GPT

**maitland**  
city council

**Approved Plans**  
NO. DA 16-1351  
DEVELOPMENT APPLICATION  
28/02/2017

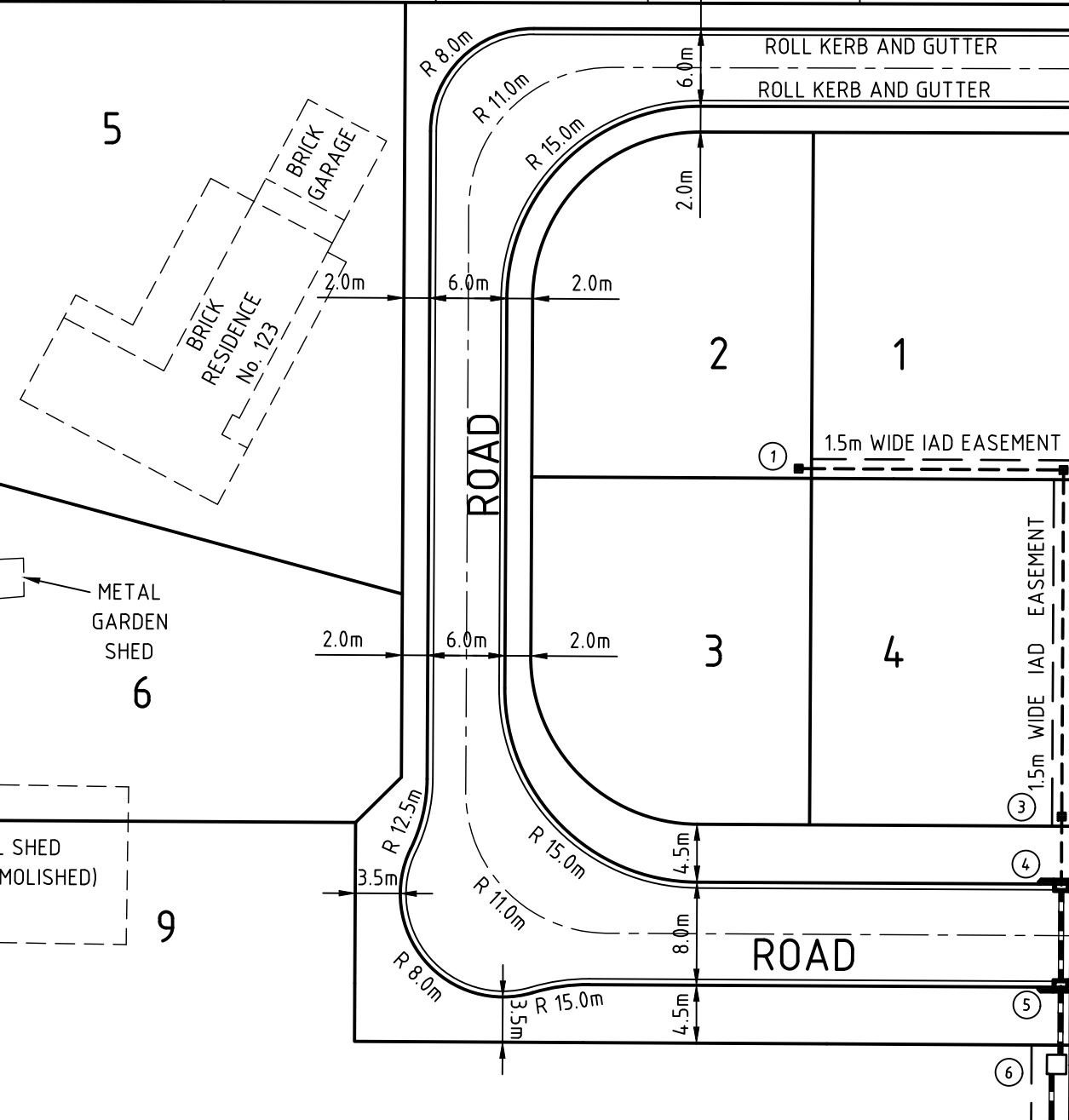
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LANE

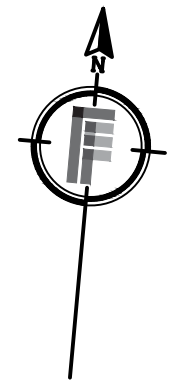
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PRINCESS STREET



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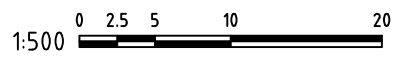


RADIUS 10.0m  
TEMPORARY  
TURNING HEAD

JAMES STREET

11  
DP1172386

1  
DP431204



Amendment	Description	Drawn	App'd	Date
2	REVISED LAYOUT	A J F	A J F	31 10 16
1	ORIGINAL ISSUE	A J F	A J F	17 08 16

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Designed  
**A J F**

Scale  
**1:500**

Cad Reference  
**16025 dC01 r2**

Project Approval  
**Anthony Fisher**  
BE (Civil) MIEAust CPEng  
Consulting Civil Engineer

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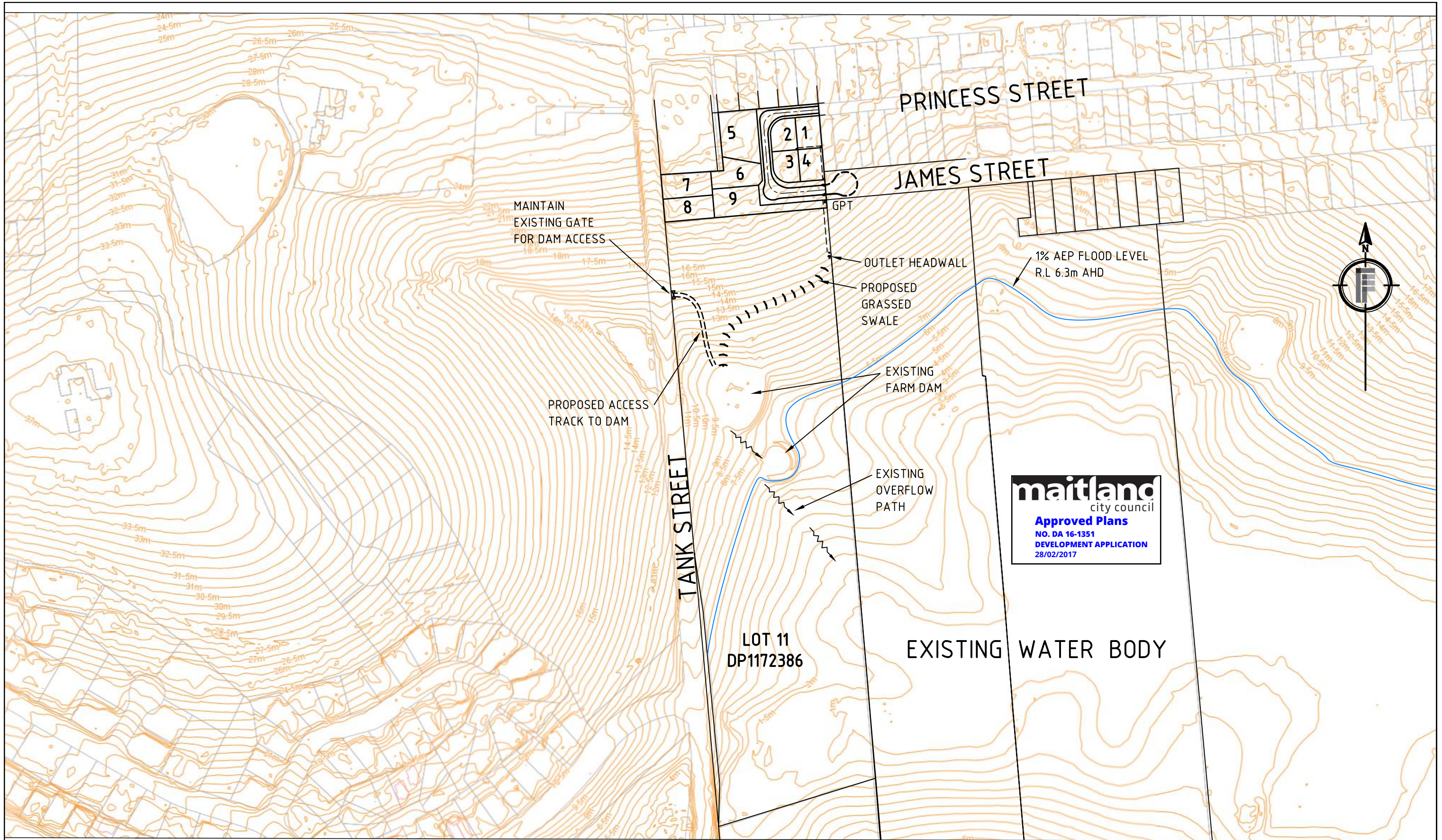
**FISHER CONSULTING ENGINEERS**



**PROPOSED SUBDIVISION  
123 PRINCESS STREET  
MORPETH**

CONCEPT SITE PLAN

Project No <b>16025</b>	
Drawing No <b>C01</b>	Revision <b>2</b>



**maitland**  
city council  
**Approved Plans**  
NO. DA 16-1351  
DEVELOPMENT APPLICATION  
28/02/2017

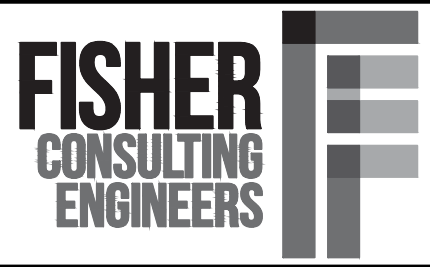
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Amendment	Description	Drawn	App'd	Date
2	REVISED LAYOUT	A J F	A J F	31 10 16
1	ORIGINAL ISSUE	A J F	A J F	17 08 16

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Designed  
**A J F**  
Scale  
**1:3000**  
Cad Reference  
**16025 dC02 r2**  
Project Approval  
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**PROPOSED SUBDIVISION**  
**123 PRINCESS STREET**  
**MORPETH**  
CONCEPT DRAINAGE PLAN WITH MCC CONTOURS

Project No		<b>16025</b>
Drawing No	Revision	
<b>C02</b>	<b>2</b>	



## APPENDIX 2

Preliminary Heritage Assessment prepared by carste STUDIO



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## PRELIMINARY HERITAGE ASSESSMENT

Project No. 14-96

### Proposed Subdivision and New Dwellings

123 Princess Street  
LOT 1 DP 634551  
Morpeth  
NSW



April 2015

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**Preliminary Heritage Assessment**

**1. INTRODUCTION – BASIS OF ASSESSMENT**

- 1.0.1 carste STUDIO has been engaged by Richard Bennett to prepare a Preliminary Heritage Assessment for the proposed subdivision at 123 Princess Street Morpeth, LOT 1 DP634551
- 1.0.2 The subject site is adjacent to St James Group which is listed in the Maitland Local Environmental Plan 2011. It is located in the Morpeth Heritage Conservation Area.
- 1.0.3 This Preliminary Heritage Assessment was prepared by Elizabeth Evans.
- 1.0.4 The site was inspected by Elizabeth Evans from carste STUDIO on 9 April 2015.



**Figure 1**  
Location Plan  
source: google maps

## 2. HISTORICAL CONTEXT

Morpeth is a suburb of the City of Maitland and is located on the southern bank of the Hunter River. Before European occupation, the banks of the Hunter River were surrounded with dense forest, which spread onto the flood plains. The alluvial flood plains and red cedar in the area soon became a commodity and timber gangs travelled inland and settlers followed clearing the land for cultivation.

Edward Charles Close arrived in New South Wales in August 1817 as a lieutenant of the 48th Regiment in the British Army. Close was transferred to Newcastle as the Engineer of Public Works and was responsible for improvements made to Newcastle Harbour during 1821-1822 and the construction of a fort and signal station on Beacon Hill, which operated until 1857. Close was a local Magistrate 1824 - 1827, a Member of the NSW Legislative Council 1829 - 1838, and First Warden of the Maitland District Council 1843 - 1852.

Close was given land at the place originally named Green Hills on the Hunter River. The property was named *Illulaung* and it consisted of military grants totalling 2560 acres (1035 hectares). The property adjoined the government reserve area retained for the township of Morpeth, strategically placed at the head of navigation of the Hunter River. Although no one settler was permitted to have more than one square mile of river frontage, Illulaung contained 18 miles of land along the Hunter River. This meant that the grant occupied the site most appropriate for the establishment of a town and the subsequent governor requested that he consider an exchange. However, the parties could not agree on the compensation provided and the breakdown in negotiations meant that Close retained his grant. Consequently later plans describe Morpeth as a "Private Town".<sup>1</sup>

Known also by its Aboriginal name 'Illalung', Morpeth formed one third of a land grant made to Lieutenant Edward Charles Close by Governor Brisbane in 1821. Influenced by its desirable location on the Hunter River and the realisation of the area's immense potential, Morpeth evolved as a busy river port.

Morpeth's role as one of the most important river ports in New South Wales began in the 1820s under the instruction of the Colonial Secretary and in 1833 a public wharf known as Queens Wharf was built. Morpeth became a heavily frequented river port by settlers, merchants, mariners, timber getters and farmers. During its time as an industrial and agricultural hub, Morpeth was a vital transport link for the development of the entire Hunter Valley.<sup>2</sup> An early engraving dated 1865, shows the River traffic and wharves at Morpeth (Figure 2).

The 1000 hectares Close selected, and the private town that developed from the river port grew steadily throughout the 1830s, with St James' Church constructed from 1837 to 1840, Closebourne House, E.C. Close's two storey Georgian home, became the episcopal residence from 1848 to 1912, and with gathering importance, a bond store was built by merchant James Taylor in 1850 and the Morpeth Court House constructed in c1861 and the Police Station following in 1879.

The Morpeth Branch railway line extended from the Great Northern Railway (1857) at East Maitland to Morpeth and was opened on 2<sup>nd</sup> May, 1864. The railway was used for steam railway motors between 1893 and 1913. A conventional railway locomotive operated on Sundays at this time between West Morpeth Station and Morpeth.<sup>3</sup> The railway ceased to operate on Sunday 30<sup>th</sup> August, 1953.

The town is the same size and shape as indicated in the earliest known plan (1840) with few changes. The present form of the town was defined by 1868, after the alignment of buildings and allotments on the northern side of Swan Street were adjusted through land resumptions for the coming of the railway in 1864. From this point onwards, the nature of building was as infill construction between existing structures.

While the railway alienated the free access to the riverbank from the general population, the river and rail served to sustain the town. Industries associated with primary production and secondary industry relied on the river as their direct link to the outside markets and so gravitated to the riverside. Structures of large stature such as Portus Mill and similar installations, the bonded stores and the railway engineering works were the predominant features of the northern verge of the town.

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<sup>1</sup> AMAC Group (2012) *Baseline Archaeological Assessment 167 Swan Street, Morpeth for Carste Studios on behalf of AGCAD Designers*, AMAC Group, Sydney

<sup>2</sup> <http://www.morpethhuntervalley.com.au/History/History.aspx>

<sup>3</sup> Wilson, R. and McCarthy, K. Maitland Tramway Ventures. South Pacific Electric Railway Sydney 1965

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To the south beyond Swan Street the residential precinct developed. The views over the countryside beyond the town have always been an important backdrop, however the town has not oriented its buildings towards the view rather, to face back into the town.

Close built a family house Closebourne in 1848 and sold this to the Anglican Church as a residence for the Bishop Tyrell. He then built Morpeth House for his family residence. The Close family continued to own and property in Morpeth gradually selling off parcels. A land auction was held on 30 October 1920 which ended most of the Close family's ownership in the area and allowed more development.

The early parish maps show a grid pattern with an orientation determined by the Hunter River. The subject site is located on the south-western extremity both of Princess Street and the town grid (figures 3,4,5). An 1854 map shows the subject site as part of a larger area noted as the *Parsonage Paddock*.<sup>4</sup> A c1900 map notes the subject site as been within the site of the *Manse* and adjoining this to the south is noted *Rev W. Tyrell Parsonage Paddock*.<sup>5</sup>

**2.0 Context of 123 Princes Street Morpeth, LOT 1 DP 634551**

The land and cost of construction for St James Church was provided by E.C. Close to the Anglican Church. St James Church was erected in 1837-1840 and it is likely that the subject site was included in the church lot. The subject land at Lot 1 DP634551 was, according to the local knowledge used by the parson to keep his horse. It is shown on early plans as a part of a larger area that extended to the south and is noted on some plans as "parsonage paddock". In the 1920s a tennis court was built in the north-eastern corner but was unused by the 1960s. The subject land continued in the ownership of the diocese of Newcastle until it was sold to Trevor and Shirley Richards who built a dwelling in 1981.<sup>6</sup>

This current dwelling and shed is the only known structure on the site as according to local residents Grace Weston (1915-2014) and Madge Curruthers, born in 1918, there were no structures on this site until the dwelling was built in 1981.<sup>7</sup> An aerial photograph of Morpeth in 1941 shows most of the site is unbuilt with a large shed to the southern boundary (figure 6).

---

<sup>4</sup> map available at Maitland Library [http://www.maitland.nsw.gov.au/Library/Resources/File/Map\\_Morpeth\\_map15.pdf](http://www.maitland.nsw.gov.au/Library/Resources/File/Map_Morpeth_map15.pdf), accessed April 2015

<sup>5</sup> map available at Maitland Library [http://www.maitland.nsw.gov.au/Library/Resources/File/MAP\\_MORPETH\\_Steamer-7.pdf](http://www.maitland.nsw.gov.au/Library/Resources/File/MAP_MORPETH_Steamer-7.pdf) accessed April 2015

<sup>6</sup> Trevor and Shirley Richards, 2015.

<sup>7</sup> Madge Curruthers, interview n.d.; Grace Weston, interview 2006; by Trevor and Shirley Richards



**Figure 2**

Panorama of Morpeth, 16 October 1865

Inscribed:

"Morpeth by W Hart

Reproduced from the engraving in The Illustrated Sydney News, 16<sup>th</sup> October , 1865

With the permission of the National Library of Australia

by Hunter Historical Publication"

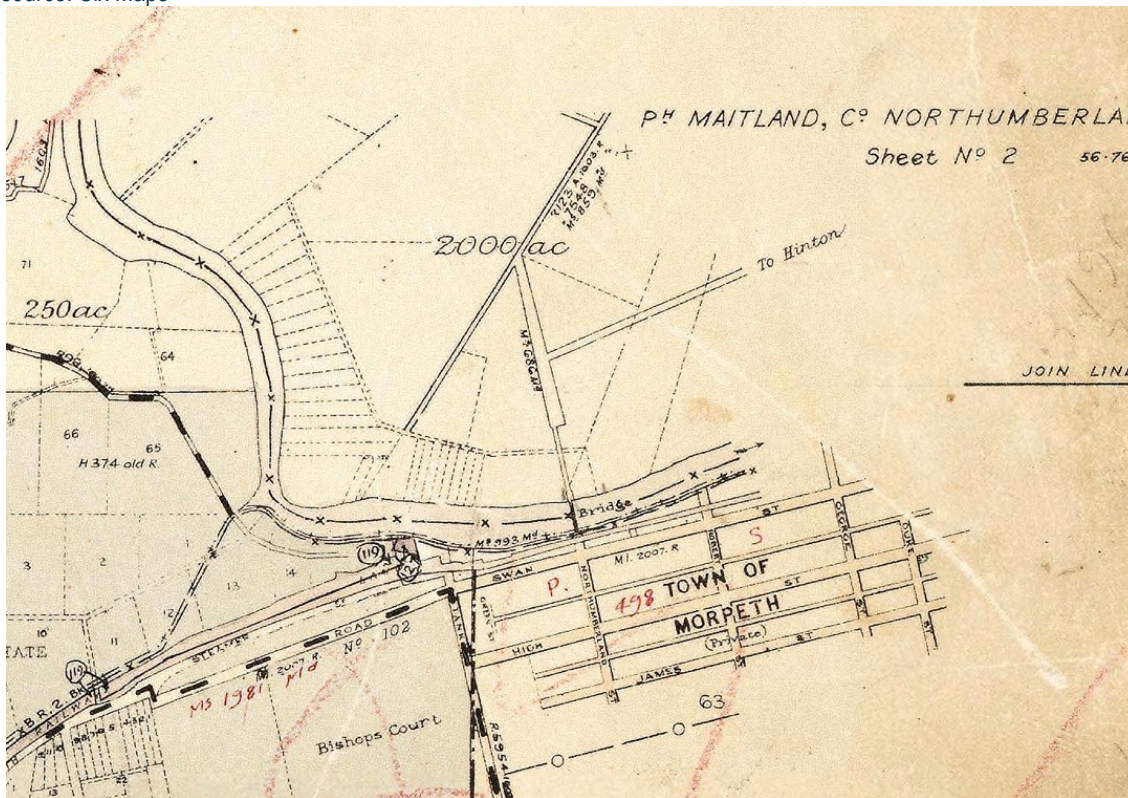
Source; Newcastle University Cultural Collections



Figure 3  
Local Parish Map 1893  
source: Six Maps



**Figure 4**  
Local Parish Map, 1934  
source: Six Maps



**Figure 5**  
Local Parish Maps, 1958  
source: Six Maps



**Figure 6**  
1941 aerial view from Bill and Dawn Chapman, from late Gordon Brooker of High Street Morpeth, photographer unknown.  
source: Maitland Council

### 3. PLANNING AND HERITAGE CONTEXT

#### 3.1 Maitland Local Environmental Plan 2011 (LEP 2011) – Listing

3.1.1 The subject site is with the conservation area as listed in the LEP 2011, Schedule 5:

*Morpeth Heritage Conservation Area*

The heritage items in the vicinity of the subject site are shown in the table as shaded:

<i>Former bakery</i>	<i>98 Close Street</i>	<i>Lot B, DP 161543</i>	<i>Local</i>	<i>1190</i>
<i>Grandstand</i>	<i>20 Edward Street</i>	<i>Lot 7001, DP 1052969</i>	<i>Local</i>	<i>1191</i>
<i>“Kiora”</i>	<i>7 High Street</i>	<i>Lot 1, DP 535966</i>	<i>Local</i>	<i>1192</i>
<i>Police station</i>	<i>32 High Street</i>	<i>Lot 1, DP 904664</i>	<i>Local</i>	<i>1193</i>
<i>Morpeth Public School</i>	<i>36–46 High Street and 35 Close Street</i>	<i>Lot 1, DP 724176; Lot 1, DP 782470; Lot 1, DP 782303; Lots 1 and 2, DP 782304</i>	<i>Local</i>	<i>1194</i>
<i>Former cinema</i>	<i>85 High Street</i>	<i>Lot 1, DP 64366</i>	<i>Local</i>	<i>1195</i>
<i>School of Arts</i>	<i>110 High Street</i>	<i>Lot 1, DP 782444</i>	<i>Local</i>	<i>1196</i>
<i>St James Parish Hall</i>	<i>138 High Street</i>	<i>Lot 200, DP 872144</i>	<i>Local</i>	<i>1197</i>
<i>Roman Catholic Church</i>	<i>James Street</i>	<i>Lot 3, DP 844638</i>	<i>Local</i>	<i>1198</i>
<i>Former Catholic school and convent group</i>	<i>20 James Street</i>	<i>Lots 1 and 2, DP 844638</i>	<i>Local</i>	<i>1199</i>
<i>Georgian house</i>	<i>5 John Street</i>	<i>Lot 1, DP 924593</i>	<i>Local</i>	<i>1200</i>
<i>Morpeth House, Closebourne House, adjoining chapels and Diocesan Registry group</i>	<i>Morpeth Road</i>	<i>Lot 2 and Part Lot 3, DP 841759</i>	<i>State</i>	<i>1201</i>



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<i>Avenue of Brush Box trees</i>	<i>363 Morpeth Road</i>	<i>Part Lot 3, DP 841759</i>	<i>State</i>	<i>I204</i>
<i>“Closebourne House” and adjoining Chapel and Diocesan Registry (former)</i>	<i>363 Morpeth Road</i>	<i>Part Lot 3, DP 841759</i>	<i>State</i>	<i>I202</i>
<i>Former Diocesan Registry</i>	<i>363 Morpeth Road</i>	<i>Part Lot 3, DP 841759</i>	<i>State</i>	<i>I203</i>
<i>Morpeth Bridge over the Hunter River</i>	<i>Northumberland Street</i>	<i>Road reserve</i>	<i>State</i>	<i>I205</i>
<i>White’s Factory</i>	<i>7 Robert Street</i>	<i>Lots 3 and 4, DP 592403</i>	<i>Local</i>	<i>I206</i>
<i>Villa</i>	<i>67–69 Swan Street</i>	<i>Lot 1, SP 72883</i>	<i>Local</i>	<i>I206A</i>
<i>Marlborough House</i>	<i>75 Swan Street</i>	<i>Lot 631, DP 1091885</i>	<i>Local</i>	<i>I207</i>
<i>Former Queens Wharf and Railway Station</i>	<i>90 Swan Street</i>	<i>Lot 1, DP 714289</i>	<i>Local</i>	<i>I208</i>
<i>Post office and residence</i>	<i>105 Swan Street</i>	<i>Lot A, DP 411508</i>	<i>Local</i>	<i>I209</i>
<i>Former Bond Store group</i>	<i>122 Swan Street</i>	<i>Lots 1, 2, 5 and 6, DP 260922; Lots 7 and 8, DP 628665</i>	<i>Local</i>	<i>I210</i>
<i>Former courthouse</i>	<i>123 Swan Street</i>	<i>Part Lot 1, DP 526098</i>	<i>Local</i>	<i>I211</i>
<i>Commercial Hotel</i>	<i>127 Swan Street</i>	<i>Lot 1, DP 744896</i>	<i>Local</i>	<i>I212</i>
<i>Former CBC Bank</i>	<i>149 Swan Street</i>	<i>Lot 10, DP 57156</i>	<i>Local</i>	<i>I213</i>
<i>Former Campbell’s Store</i>	<i>175 Swan Street</i>	<i>Lot 1, DP 735924</i>	<i>Local</i>	<i>I214</i>
<i>General Cemetery</i>	<i>Tank Street</i>	<i>Lots 1–4, DP 775155</i>	<i>Local</i>	<i>I215</i>
<i>St James group</i>	<i>19 Tank Street</i>	<i>Part Lot 63, DP 755205; Lot 631, DP 1137280</i>	<i>Local</i>	<i>I216</i>

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3.1.2 The following is an extract from the LEP 2011 that is relevant to this proposal:

**5.10 Heritage conservation****(4) Effect of proposed development on heritage significance**

*The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).*

**(5) Heritage assessment**

*The consent authority may, before granting consent to any development:*

*(a) on land on which a heritage item is located, or*

*(b) on land that is within a heritage conservation area, or*

*(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),*

*require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.*

3.1.3 Clause 5 (a) requires the preparation of a Statement of Heritage Impact as the appropriate **heritage management document** to assess the impact that the proposed development will have on the significance of the Heritage Item.

**3.2 Maitland City Wide Development Control Plan 2011 (DCP 2011)**

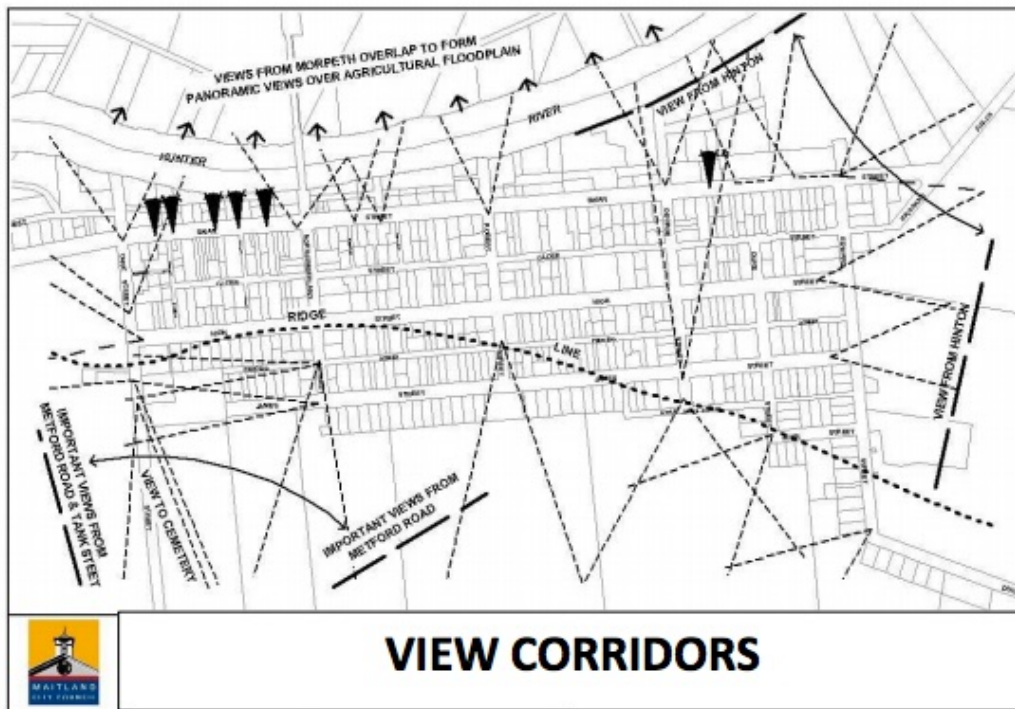
The following are headings and extracts from the DCP 2011 that are relevant to the proposed development:

**Part C****5. GENERAL REQUIREMENTS FOR NEW BUILDINGS IN HISTORIC AREAS****5.2 Siting a New Building****5.3 Scale****5.4 Proportions****5.5 Setbacks****5.6 Form & Massing****5.7 Landscaping****5.8 Detailing****5.9 Building Elements & Materials**

## Part E – Special Precincts

### 5. Morpeth Heritage Conservation Area

The subject site is located within Residential Precinct of Morpeth that is the subject of the following guidelines: *General design requirements, Alterations and Additions, Setbacks, Dual Occupancies and Multi Dwelling Housing*



source: DCP 2011

## 4. PHYSICAL DESCRIPTION

### 4.0 Context

- 4.0.1 The subject site is located at 123 Princess Street Morpeth. It is located on the south-western extremity of the town grid and Princess Street terminates at the subject site.
- 4.0.2 The site has vehicle access from Princess Street and Tank Street. A driveway and surrounding vegetation are the only visible elements of the subject site from Princess Street and Tank Street.
- 4.0.3 The site is on relatively flat ground and views are limited due to vegetation. The boundaries are heavily vegetated with internal lawn areas.
- 4.0.4 The site includes an existing one-storey building, c1981 and Colorbond shed.

**Preliminary Heritage Assessment****5. THE PROPOSAL****5.1 Proposal**

- 5.1.1 The proposal includes investigation of the potential for the development of the site. It is proposed to retain the existing house (c1981) and the existing shed on the site.
- 5.1.2 This report was prepared as a preliminary heritage assessment to assess the site for potential development. The intention is to provide preliminary heritage advice to guide the future development of the site.

**6. STATEMENT OF SIGNIFICANCE**

Extract from the Maitland Development Control Plan 2011

*Morpeth is of State Significance:*

- *For its role in the pattern of NSW's cultural history: As the major river port town in the European settlement and development of the Hunter region in the 19th Century.*
- *For demonstrating a high degree of creative or technical achievement in NSW: As a privately founded town whose layout is a skilful adaptation of the standards for government towns to the circumstances of the site, and the requirements of its founder, who lived alongside and whose family continued to own much land in the town and its surrounding area until 1920.*
- *For its uncommon and endangered aspects of NSW's cultural history: As a town with a large collection of buildings and works from the 19th Century, many pre 1868, compared with other similar sized and aged towns; and which provides comprehensive evidence or architectural standards and building techniques, which are now relatively rare in the state.*

*As a town with extensive archaeological evidence with potential to yield information that will contribute to an understanding of NSW's cultural history; in particular of the river port and associated works and structures currently in an endangered condition; and*

*As a private town where the founder lived alongside and whose family continued to have an impact on the town and its development for almost 90 years after its founding.*

*Morpeth is of Regional Significance:*

- *For its uncommon evidence of the impacts of European settlement on the natural character of the landscape: activities of early settlement (such as tree clearing) where a factor in floods that made major changes to the course of the Hunter River at Morpeth, leaving large off cuts and lagoons.*
- *For its strong and special association with its local community which has shown its appreciation of Morpeth's history, heritage and character, including its scenic qualities of the relationship between a riverside town and the surrounding rural area.*
- *For demonstrating the range and variety of dwelling types occurring in towns from 1830s to the present, with intact dwellings, mostly detached and single storey, from every period of its development.*
- *As an uncommon example of a town whose road layout and extent has changed little since the mid 19th century and 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.*
- *As a major tourist destination, creating greater public awareness of the heritage significance of the Maitland area generally.*

## 7. PRELIMINARY HERITAGE ASSESSMENT

### 7.1 Introduction and Context

The subject site is located within the Morpeth Heritage Conservation Area and in proximity to St James group which are listed heritage items in the Maitland LEP 2011. This Preliminary Heritage Assessment has been prepared in order to consider the potential impacts on the heritage values of the context and to consider the guidelines of the Maitland DCP 2011.

The town grid has been determined by the Hunter River and the importance of Morpeth as a port. The main streets therefore run east-west with the secondary streets in a north-south orientation. The larger blocks have been subdivided into smaller blocks and this process is evident in the 1941 photograph (figure 6). Also evident in this photograph is the extent of building in the vicinity of the subject site with dwellings on the northern side of Princess Street and few dwellings on the southern side. The subject site is evident in this 1941 photograph as a fenced paddock with one large shed that appears to be located just to the south of the subject site. The location of the town was limited by the ownership of the riverfront by E.C. Close. This is evident to the west of the site where Closebourne House and grounds are located limiting the expansion of the village in this direction. The building of St James Church altered the town grid as a larger than standard allotment was donated by E.C. Close for the church and parsonage. The church was built to the north of Princess Street which potentially allowed for the continuation of this street, though it would appear that the church was located here on an axis with Closebourne House.

The site currently has vehicle access from both Tank Street and Princess Street. There is a shared fence with St James Church and the parsonage, and a gate from the church for private pedestrian access to the subject site and the rear garden area of the house on the subject site (figure 11). There are no historic built elements above ground on the site. The existing house was built in 1981 and the shed appears to be a similar age or later (figure 9 and 10). The house is surrounded by lawns and a vegetation buffer on the southern and eastern boundaries. The northern boundary includes the driveway access from Princess Street which is planted with thick vegetation (figure 7). The western boundary adjoins the St James group and includes the access driveway from Tank Street (figure 8).



**Figure 7**  
View from Princess Street looking west towards access driveway to subject site.



**Figure 8**  
View from Tank Street looking east towards access driveway to subject site.



**Figure 9**  
View within subject site looking north-west towards residence.



**Figure 10**  
View of within subject site from Tanks Street driveway showing shed on site.



**Figure 11**  
View from residence on subject site towards St James Church showing gate access.

**Note:** St James Church is only visible from the western garden area of this residence and there are no views of the church or former parsonage from the subject site.

**Preliminary Heritage Assessment****7.2 Potential Impact of future development on the historic context**

The subject site is located on the south-western extremity of the historic town grid of Morpeth. It is also located in proximity to the St James group. Proposed new work and future development of this site should repeat the pattern of the town grid and could potentially reinforce the grid in this location where it is less defined. The current access from Princess Street should therefore be retained and extended.

The access from Tank Street is unlikely to have any historic importance and does not follow the town grid. Its removal or retention will have no impact. It would be possible to develop this block with a street frontage to Tank Street and a street setback in compliance with the guidelines of the DCP 2011. This includes a setback that is equal to or greater than the setback of the former parsonage.

It is recommended that subdivision of the subject site and creation of new lots should be designed to address the extended section of Princess Street and should repeat the pattern and size of adjoining lots in Princess Street. The width of lots should repeat the size of existing lots on the south side of Princess Street. New dwellings should be detached with the pattern of historic development retained in side setbacks. These side setbacks should be 900mm and 2.5m to 3.5 m according to the DCP 2011. New dwellings should be one-storey in keeping with the historic development of Morpeth.

The DCP 2011 may allow dual occupancy in this area on Princess Street frontage, though not on Tank Street. Dual occupancy approval would be dependant on the assessed impact and retaining a detached house appearance on a suitable lot size.

**7.3 Potential Impact of future development on views**

The potential impacts of future development on important views have been assessed. These include views to and from the General Cemetery, Closebourne House and grounds, and the St James group. Other views have also been assessed including those from Princess Street and Tank Street.

The views to and from the site towards the cemetery are currently limited by the thick vegetation (figure 12,13). The removal of this vegetation would result in more visibility and establishing controlled vistas could be considered. The cemetery is located at some distance from the subject site and hence due to this distance adverse impacts would be unlikely with development controlled by the DCP 2011. The residential development of the subject site should repeat the town pattern, consequently views from the cemetery and Tank Street would retain and reinforce the town grid. Current views from the cemetery include later development of Princess Street in the vicinity of the subject site and these developments have not detracted from the town as it is contained within the historic grid.

**Figure 12**

View looking south within the subject site.

**Note:** Views towards the south are obscured by thick vegetation on the site boundaries.

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**Figure 13**

View looking north from the General Cemetery.

**Note:** Views of the subject site are distant and new development will follow the existing grid layout of the town and continue the line of houses in Princess Street that are currently visible from the cemetery.

Views to and from St James Church group are within Tank Street and include distant views of the tower within the town. The new development would not obscure any important vistas or views of the St James Church tower. The tower is not visible from the potential development areas of the subject site or from Princess Street in the vicinity of the subject site (figure 14,15).



**Figure 14**

View within subject site looking north-west towards residence.

**note:** St James Church tower is not visible from this location.



**Figure 15**

View from Princess Street looking west towards access driveway to subject site.

**note:** St James Church tower is not visible from this location.



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Views from Tank Street looking both north and south towards the Church will not be obscured by development on the subject site as the development would be behind and to the east of the former parsonage (figure 16,17,18,19). The development of the area of the subject site with a street frontage on Tank Street could potentially have an impact on the St James church group (figure 8,17,18). This site will require a statement of heritage Impact and should be controlled by the guidelines of the DCP 2011.

**Figure 16**

View of former parsonage from Tank Street.

**note:** The subject site and potential development will not be visible from Tank Street and will be behind the former parsonage.

Development to the south of the former parsonage in the area of the subject site that bounds Tank Street would be visible.

**Figure 17**

View of St James Church group from Tank Street.

**note:** The access driveway to the subject site is located to the left of the photograph. Any new development in this area of the subject site could potentially impact on the St James Church group.



**Figure 18**

View of St James Church group from Tanks Street.

**note:** The access driveway to the subject site is located to the left of the photograph. Any new development in this area of the subject site could potentially impact on the St James Church group.



**Figure 19**

View looking east of St James Church and former parsonage from Tank Street .

**note:** The subject site is located behind these significant buildings and proposed new development will not be visible from this view.

**Preliminary Heritage Assessment**

Views from Closebourne and grounds of the subject site will not be altered by the any development of the site (figure 20). Similarly to the advice for Tank Street views, the development of the area of the subject site fronting Tank Street could have some impacts and hence would require a statement of heritage impact and application of the guidelines of the DCP 2011.



**Figure 21**

View from the vicinity of Closebourne House looking east towards the subject site. St James Church tower is visible and shown in red box. The subject site is located to the right of the tower.

**note:** St James Church tower is visible, though the subject site to the left is obscured due to mature trees.

#### 7.4 Conclusion

The subject site is located within the historic grid of Morpeth and its location provides the potential to allow development within this grid without adverse impacts on views. Views from within the town will not be adversely impacted as Princess Street access will be extended and continue the existing street pattern. The views from Closebourne House, the General Cemetery and Tank Street will not be adversely affected, providing the guidelines of the DCP are applied to any new development.

St James group including the former parsonage and church are located adjacent to the subject site. The existing house, built in the 1980s, is proposed to be retained and hence the existing impact status will not be altered in the immediate boundary of the church and former parsonage. The potential impact on the church and former parsonage of development of lots to the east of the existing house will be mitigated by retaining the existing house as a buffer. There is the potential for impacts from the development of the area of the site on Tank Street. This would need to be set back from the street and comply with the guidelines of the DCP 2011.

All new development should require the preparation of a statement of heritage impact and should be guided by the DCP 2011.

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