

Mark Wade
C/o Muswellbrook Shire Council
PO Box 122 Muswellbrook NSW 2333

Subject: Section 4.55(1A) Modification Application – DA/2018/54 (Loxton House Alterations and Additions)

Dear Hamish,

This letter supports a *Section 4.55(1A)* application to modify Development Consent DA/2018/54, pertaining to alterations and additions to Loxton House, located at 142–144 Bridge Street, Muswellbrook (Lots 1 & 2 DP 11221).

This application is submitted on behalf of Muswellbrook Shire Council, with reference to the approved development, and proposes minor internal changes to satisfy current accessibility, fire safety, and asbestos compliance requirements.

Proposed Modification

The modification involves minor internal amendments to the approved works, including:

1. Equal Access Compliance:

- Raising the floor level in the three front ground floor rooms to ensure a continuous level plane throughout;
- Rebuilding the rear stair and modifying the adjacent WC to meet accessibility standards;
- Adjusting rear door swings to open inward;
- Widening an existing opening between the front and rear rooms, and creating a new internal opening;
- Relaying the rear verandah floor and adding a compliant internal balustrade.

2. Fire Compliance Measures:

- Installing a new fire-rated ceiling with concealed sprinklers at ground floor and beneath the basement soffit;
- Constructing false end walls to enclose structural steel bracing;
- Installing fire-rated mesh or glass to an upper window on the southern elevation.

3. Asbestos Removal:

- Removing existing asbestos soffits on all verandah levels and replacing with tongue-and-groove linings appropriate to the heritage context.

All works are reversible, retain the original fabric where it exists, and have been thoroughly assessed in the updated Heritage Impact Statement (HIS) prepared by Genevieve Lilley Architects dated 1 April 2025.

Integrated Development – Heritage Referral

This application is an Integrated Development under Section 4.46 of the *Environmental Planning and Assessment Act 1979* as the site is listed on the State Heritage Register (SHR 00185). Approval is required under Section 57(1) of the *Heritage Act 1977*, and we request Council to obtain revised General Terms of Approval (GTA) from Heritage NSW accordingly.

Environmental Impact Assessment

This application qualifies under Section 4.55(1A) as a minor modification:

1. The proposal is substantially the same development as originally approved;
2. It results in minimal environmental impact, limited to interior works;
3. The only impacts are heritage-related and are fully addressed in the updated Heritage Impact Statement.

As such, and consistent with Council's acceptance of the prior modification (also under s4.55(1A)), a separate Statement of Environmental Effects (SOEE) has not been prepared. Clause 100 of the *Environmental Planning and Assessment Regulation 2021* allows for this exemption where the environmental impact is minor and adequately addressed by other documentation.

Supporting Documentation

The following documents are provided in support of this application:

1. Updated Heritage Impact Statement – Genevieve Lilley Architects (1 April 2025);
2. Architectural Plans – Collins and Turner Architects, Rev DA HIS, dated April 2025;
3. Copy of the Original Development Consent (DA/2018/54);

We request Council's consideration of this modification and referral to Heritage NSW as an approval body under the integrated development provisions.

Please contact me should you require any further information.

Yours sincerely,



Mark Wade