

APPENDIX B – GENERAL TERMS OF APPROVAL (NSW HERITAGE)

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Dear Ms. Martin

**HERITAGE COUNCIL OF NSW – GENTERAL TERMS OF APPROVAL -
PROPOSED 108 BED RESIDENTIAL AGED CARE FACILITY AT CLOSEBOURNE**

Address: 365 Morpeth Road, Morpeth

SHR item: Morpeth House, Closebourne House, adjoining Chapels and Diocesan Registry Group, SHR No. 00375

Proposal: Construction of a 108-bed residential aged care facility involving demolition of buildings and the adaptive reuse of Closebourne House

IDA application no: IDA/2019/009, received 22 January 2019

At its meeting on 31 March 2020 the Heritage Council Approvals Committee considered the above integrated development application and in accordance with Section 4.47 of the *Environmental Planning and Assessment Act 1979*, grants the following General Terms of Approval for the integrated development application:

APPROVED DEVELOPMENT

1. Development must be in accordance with:

(a) Architectural drawings, by Jackson Teece, as listed below:

Drawing No.	Title	Date	Rev
000-00	COVER SHEET	13/02/20	6
000-01	LOCALITY PLAN	19/09/19	3
000-03	SITE PLAN	12/12/19	6
100-00	DEMOLITION PLAN - SHEET 1	12/12/19	4
100-01	DEMOLITION PLAN - SHEET 2	12/12/19	5
100-10	PERSPECTIVE	19/09/19	2
200-00	FLOOR PLAN - LOWER GROUND	12/12/19	5
201-00	FLOOR PLAN - GROUND	12/12/19	5
301-00	FLOOR PLAN - FIRST	19/09/19	3
303-00	FLOOR PLAN - ROOF	19/09/19	3
400-00	ELEVATIONS (WITH TREES) – SHEET 1	12/12/19	4
400-01	ELEVATIONS (WITH TREES) – SHEET 2	19/09/19	3

400-10	ELEVATIONS (WITHOUT TREES) – SHEET 1	13/02/20	3
400-11	ELEVATIONS (WITHOUT TREES) – SHEET 2	01/11/19	1
400-12	ELEVATIONS (WITHOUT TREES) – SHEET 3	13/02/20	1
500-00	SECTIONS - SHEET 1	19/09/19	3
900-10	PERSPECTIVE	19/09/19	2

(b) Heritage Fabric drawings, by Jackson Teece, as listed below:

Drawing No.	Title	Date	Rev
ASK-000-00	COVER SHEET	06/11/19	8
ASK-000-50	DOOR SCHEDULE	01/11/19	2
ASK-200-00	FLOOR PLAN - GROUND	06/11/19	8
ASK-200-01	FLOOR PLAN - GROUND	19/09/19	6
ASK-301-00	FLOOR PLAN - FIRST	19/09/19	7
ASK-302-00	FLOOR PLAN - ROOF - SHEET 1	19/09/19	7
ASK-302-01	FLOOR PLAN - ROOF - SHEET 2	19/09/19	5
ASK-400-00	ELEVATIONS – SHEET 1	19/09/19	6
ASK-400-01	ELEVATIONS – SHEET 2	19/09/19	6
ASK-400-02	ELEVATIONS – SHEET 3	19/09/19	5
ASK-400-03	ELEVATIONS – SHEET 4	19/09/19	5
ASK-500-00	SECTIONS - SHEET 1	06/11/19	6
ASK-500-01	SECTIONS - SHEET 2	06/11/19	6
ASK-500-02	SECTIONS - SHEET 3	06/11/19	6
ASK-550-00	SECTION - DETAIL SHEET 1	06/11/19	7
ASK-550-01	SECTION - DETAIL - SHEET 2	06/11/19	7
ASK-550-02	SECTION - DETAIL - SHEET 3	19/09/19	6
ASK-550-03	SECTION - DETAIL - SHEET 4	06/11/19	1
ASK-550-04	SECTION - DETAIL - SHEET 5	06/11/19	1

- (c) Landscape Design Report, Revision 6, by Aspect Studios, dated 18 December 2019.
- (d) Statement of Heritage Impact, Issue G, by Placemark Consultants, dated 19 December 2019.
- (e) Plans submitted by Lendlease via email on 25 March 2020.

EXCEPT AS AMENDED BY THE BELOW GENERAL TERMS OF APPROVAL:

WORK TO BE ADDRESSED PRIOR TO LODGEMENT OF THE S60 APPLICATION

2. Following the issue of the development consent and prior to lodgment of the s60 application, the Applicant shall undertake an archaeological testing program to inform final design for the redevelopment and its impacts to archaeology. The results of the archaeological excavation shall be outlined in an excavation report which complies with Heritage Council of NSW Guidelines and is supported by relevant documentary records from the excavation.

The outcomes of the testing shall be used to support amended detailed design plans which conserve the archaeology. To comply with the order of approvals, the Applicant must ensure that prior to lodgement of the s60 application, that any plans amended to allow state significant archaeology to remain in situ are first lodged for approval under a s4.55 application under the EP&A Act 1979.

Reason: The Application has not responded to policies in the 2005 Endorsed CMP for management of Significant archaeology for the current redevelopment. The CMP outlines policies to manage significant archaeology consistent with the Statement of Significance for 'Morpeth House, Closebourne House, Adjoining Chapels and Diocesan Registry Group'. Archaeological resources have been removed in other parts of the SHR site due to redevelopment requirements causing cumulative impact to this State significant resource/value.

ADVICE: Permission to conduct an archaeological testing program identified in Condition 2 should be sought and obtained under a s57(2) exemption application. This application should include the name of a suitably qualified and experienced historical archaeologist with a relevant archaeological research design and excavation methodology adequate to guide the investigation of anticipated features predicted in the *Historical Archaeological Assessment prepared by AMAC Group dated November 2019* in support of the current IDA. The s57(2) application should also confirm when the final excavation report which documents the findings of the excavation program will be lodged at the end of the program. Heritage NSW recommends that if the Proponent wishes to meaningfully address the advice from the Heritage Council Approvals Committee, an excavation director who is suitable to manage State significant archaeology throughout the entire redevelopment process from testing through to design review, post excavation analysis and production a final excavation report should be engaged.

DETAILS TO BE SUBMITTED FOR APPROVAL WITH THE S60 APPLICATION

3. The following information is to be submitted with the s60 application for approval by the Heritage Council of NSW (or delegate) and Maitland City Council:

Closebourne House

- a) Amended architectural drawings for the connection between Closebourne House and the new café building detailing Option 1, as demonstrated in sketch plans submitted on 25 March 2020.
- b) The eaves must be reduced to the southern elevation of the café to be consistent with the general roof form of the former laundry building.
- c) The link between the proposed café and enclosed courtyard of Closebourne House be a separate element sitting below the eaves of the glass enclosure.
- d) Amended architectural drawings to reduce the scale, form and location of the Porte Cochere as demonstrated in sketch plans submitted on 25 March 2020 including ensuring it sits lightly within the setting of Closebourne.
- e) Amended architectural drawings to relocate the substation and option 1 for the location of the condensers as demonstrated in sketch plans submitted on 25 March 2020
- f) Amended architectural drawings to relocate and reconfigure the café within the new building as demonstrated in sketch plans submitted on 25 March 2020
- g) Amended architectural drawings to move the new building footprint to the east as demonstrated in sketch plans submitted on 25 March 2020

- h) Details of the amended fencing height of 1m adjacent to Arkell House to be provided along with confirmation of the rural post and rail style of this fencing.
- i) Detailed drawings of the exposed surfaces of the demolished sections of wall in Closebourne House around the lift lobby.
- j) The widening and heightening of principal doorways e.g. e.D-09 (waiting room) and e.D-25 (first floor lift lobby) are **not approved** as there is insufficient justification for the change. Detailed information must be submitted justifying these changes. Details of the door widening to be confirmed for essential accessibility requirements only.
- k) Amended detail of the proposed widening of the doorway opening to the verandah in the east wing. The new opening should retain a nib wall and be reduced in height to relate to the underside of the verandah.
- l) Design details of all replacement doors at Closebourne House.
- m) Amended design detail of the two new doors in the rear wings, ensuring that they relate to the architectural character of the place.
- n) Amended door schedule to reflect design modifications.
- o) Further details of the floor height increase to the rear wings, to demonstrate that key features will not be affected and skirting reinstated.
- p) Details of the retention and restoration of all fireplaces and all its components.
- q) Amended architectural drawing including a notation that there will be no changes to the internal staircase including balustrade height.
- r) Details of the new flooring to the courtyard waiting area. The new flooring is to be laid to interpret an exterior space and have an appropriate finish.
- s) Details of the proposed refinishing of the verandah stone floor.
- t) Amended drawings for the integration of the Bishop Stretch footings into the new flooring, in a manner that avoids change to or damage to the footings, such as a glass layer, rather than sealant.

Arkell House and laundry/gym

- (u) Details of replacement materials and profiles for all works at Arkell House and the laundry/Gym building, including roofing, flooring, windows and doors. All works shall relate to the architectural character of those buildings.

New building and signs

- (v) Materials, profiles, colours and finishes schedule and detailed elevations of the new facility, ensuring that they are complementary to the heritage setting.
- (w) Amended drawings showing the new free-standing signs to be reduced to a maximum height of 2.5m.

Cultural landscaping character

- (x) Detailed landscape plans that demonstrate respect for the remaining cultural landscape fabric and layout, ensuring that adequate planting is provided to soften the impact of retaining walls and structures, without obstructing historic views.
- (y) All new landscaping should complement and enhance the rural nature of the site.
- (z) Ensuring the planting is adequate to screen and soften the impact of the proposed new structures.

Reason: The details requested were either not supplied during the assessment of the application or were unsympathetic to the heritage values of the place. The assessment

and management of these details is considered essential in order to obtain a good heritage outcome.

HERITAGE INTERPRETATION PLAN

4. An interpretation plan for the Closebourne House Group must be prepared in accordance with the Heritage NSW publication 'Interpreting Heritage Places and Items Guidelines' (2005) and submitted for approval to the Heritage Council of NSW (or delegate) with the s60 application.
5. The interpretation plan must detail how information on the history and significance of the Closebourne House Group will be provided for the public, and make recommendations regarding public accessibility, signage and lighting. The plan must identify the types, locations, materials, colours, dimensions, fixings and text of interpretive devices that will be installed as part of this project.
6. The approved interpretation plan must be implemented prior to the issue of an Occupation Certificate

Reason: Interpretation is an important part of every proposal for works at heritage places.

PHOTOGRAPHIC ARCHIVAL RECORDING

7. A photographic archival recording of all buildings and structures (interior and exterior), landscaping and spaces within the Closebourne House Group must be prepared prior to the commencement of any demolition and works, during works and at the completion of works. This recording must be in accordance with the Heritage NSW publication 'Photographic Recording of Heritage Items using Film or Digital Capture' (2006). Prior to the issue of an Occupation Certification for the new aged care facility, the digital copy of the archival record must be provided to Heritage NSW, Department of Premier and Cabinet.

Reason: To capture the condition and appearance of the place prior to, and during, modification of the site which impacts significant fabric.

REGISTER OF REMOVED BUILDING ELEMENTS

8. Prior to the issue of an Occupation Certification, a register of all removed building elements and their storage location shall be provided to Heritage NSW, Department of Premier and Cabinet. All removed elements shall be appropriately marked, recorded, and safely stored to avoid damage to fabric.

Reason: To ensure retention of significant fabric.

HERITAGE CONSULTANT

9. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

SPECIALIST TRADESPERSONS

10. All work to, or affecting, significant fabric shall be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage structures, materials and construction methods.

Reason: So that the construction, conservation and repair of significant fabric follows best heritage practice.

SITE PROTECTION

11. Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

Reason: To ensure significant fabric including vegetation is protected during construction.

HISTORICAL ARCHAEOLOGY

12. Based on the amended detailed designs resulting from the testing excavation, the applicant may need to lodge the following with the s60 application to manage disturbance to remaining archaeology (including under floor and wall cavity deposits) which will not be retained *in situ* within the SHR curtilage:

- (a) The Applicant shall submit an Archaeological Research Design and Excavation Methodology undertaken by a suitably qualified and experienced historical archaeologist as part of the section 60 application.
- (b) The name of a nominated Excavation Director suitable to satisfy the Excavation Director Criteria of the Heritage council of NSW for the proposed activity and significance level.
- (c) Following the receipt of the Archaeological Research Design and Excavation Methodology as part of the Section 60 Application, the Heritage Council of NSW reserves the right to issue Archaeological Conditions as part of the Section 60 Approval to manage the archaeology. Matters such as (but not limited to) fieldwork methodology, artefact analysis, final reporting may be included as part of these archaeological conditions.

Reason: To ensure significant historical archaeology impacted by the works is recorded prior to construction

UNEXPECTED HISTORICAL ARCHAEOLOGICAL RELICS

13. The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works.

ABORIGINAL OBJECTS

14. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and the Department of Planning, Industry and Environment is to be informed in accordance with the *National Parks and Wildlife Act 1974* (as amended). Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been

informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the *National Parks and Wildlife Act 1974*.

Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.

COMPLIANCE

15. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

SECTION 60 APPLICATION

16. An application under section 60 of the *Heritage Act 1977* must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing (including demolition).

Reason: To meet legislative requirements.

If you have any questions regarding these General Terms of Approval please contact Katrina Stankowski, Senior Team Leader, at Heritage NSW on 9873 8569 or Katrina.stankowski@environment.nsw.gov.au.

Yours sincerely



06/04/2020

Katrina Stankowski
STL, Regional Heritage Assessments North
Heritage NSW, Department of Premier and Cabinet
As Delegate of the Heritage Council of NSW

CC: Karen Armstrong <karen.armstrong@lendlease.com>