

The Maltings: 2 Colo St, Mittagong NSW

Heritage Impact Assessment

Revised DA and Section 4.55 Applications

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prepared by Paul Davies Pty Ltd
for Halcyon Hotels

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PREAMBLE TO REVISED APPLICATION

INTRODUCTION TO A DEVELOPMENT APPLICATION AND SECTION 4.55 APPLICATION TO MODIFY THE CURRENT APPROVAL.

This preamble forms part of two related but separate applications for the Maltings project at Mittagong. Development consent was previously granted to adapt the existing buildings on the site and construct new elements. That work involved retaining much of the ruins, some, but limited rebuilding and the insertion of a range of new elements into the ruined buildings and site. The application also included a new wing, M4, on the site of the planned but not built fourth section of the complex.

The two applications are:

- 1 DA for M3 and M4
- 2 Section 4.55 Modification for M1, M2, the associated sheds and new M2 shed and Maltster's Cottage area.

The revised HIS addresses both applications and the scope of the change is set out in this preamble to assist in the understanding and assessment of the overall and separate proposals. The revised HIS will be submitted with each of the applications.

There are four elements on the site:

- Building M1 and M2 and their associated sheds
- Building M3
- The proposed building M4 and
- the Maltster's House ruin.

Works on and around M1, 2 and 3 and the new M4 were approved and a further submission was required, as a condition of consent, to further develop the Maltsters' ruin area. M4 was a new wing that was approved, it remains as part of the application with minor changes to its external materiality to respond to the other changes taking place. It is noted there is no significant change to the planning within M4. Because it is physically linked to M3, it is included in the new DA for ease of assessment.

Since the original development consent was issued, more detailed work has taken place including detailed structural and material analysis of the various remaining elements of the site. That work has established that some of the fabric that was intended to be retained is not capable of further life and conversely that some elements proposed to be removed are sufficiently sound to be retained. This, in essence, invalidates the consent as it cannot be carried out as approved. It is also of note that the revised works address Condition 48 of the approval where the condition seeks to retain as much fabric as possible and to integrate the works into the setting.

The purpose of the current applications is to respond to the structural and material condition of the place as it is now better understood, makes changes to retain what can be retained, remove fabric that is not capable of re-use and reconfigure the development to 'best fit' the buildings and their heritage values as they are now understood.

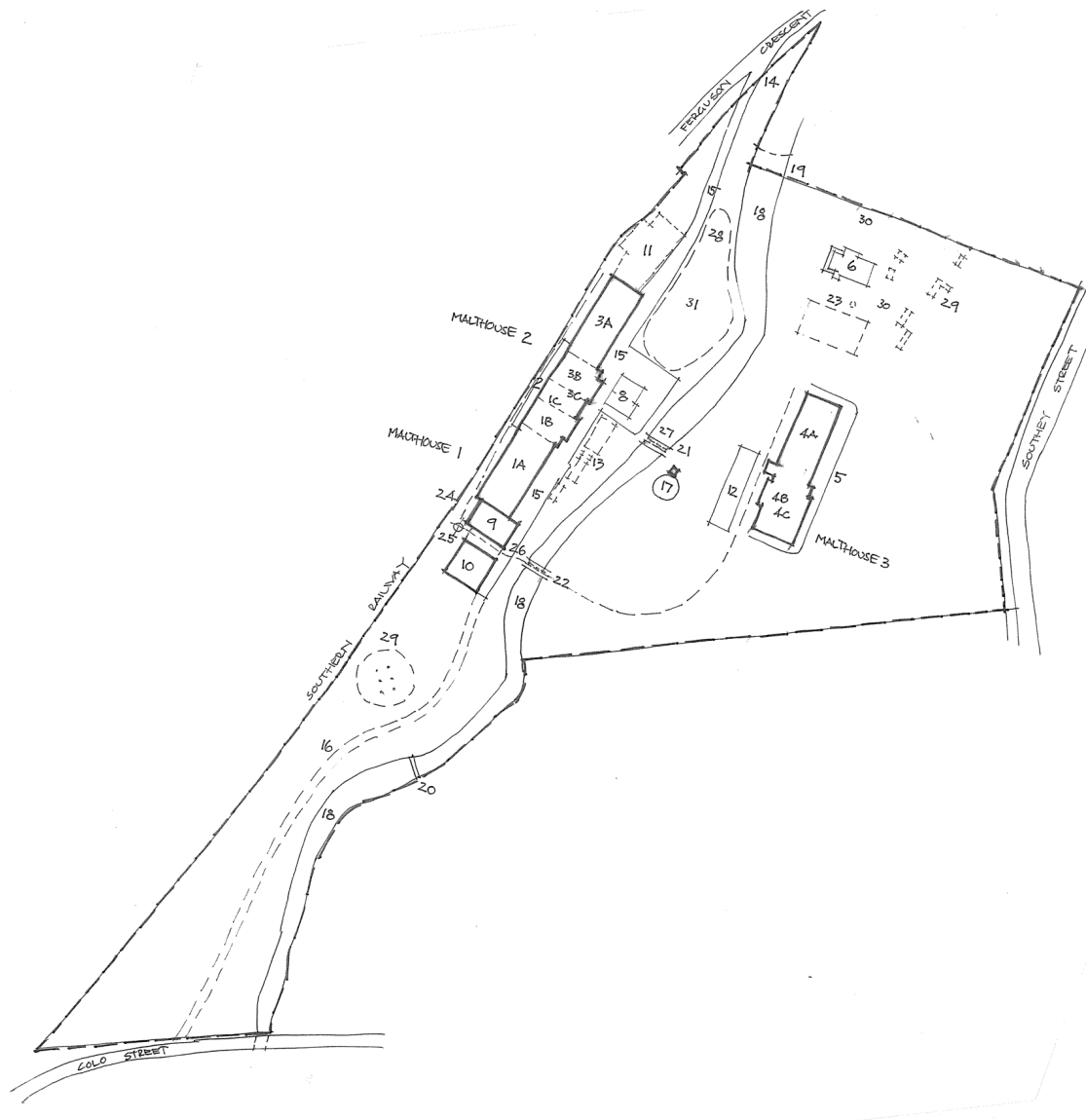


Figure 1: Site plan identifying key site elements. The built elements that comprise the two applications are:

DA:

- Malthouse 3 including items 4a, 4b, 4c and 5

Modification:

- Malthouse 1 including items 1a, 1b, 1c, 2, 9 and 10.
- Malthouse 2 including items 3a, 3b, 3c, 8 and 11
- Maltster's House, item 6

After discussion with Council, it has been determined to lodge two separate applications that will work concurrently. A new DA is to be lodged for M3, M4 as there are substantial changes in these two structures. An amended DA is being lodged for M1 and M2 and their associated sheds and

the Maltster's Ruins as the changes proposed, while requiring consent, achieve outcomes that are substantially the same as the existing consent for those buildings.

To assist with understanding the inter-relationship of the works across the two applications, a single heritage impact assessment is provided that addresses the whole of the site and how the changes take place across all the elements. This assists in understanding the works in each of the applications. In essence it remains a single proposal in overall content even though separated into sections to address the way in which development applications are now set out.

STRUCTURAL AND MATERIALS ANALYSIS

The reason behind the applications being lodged is that a more detailed analysis of structure and materials has taken place that has resulted in the requirement to change the approach to all of the elements of the site. These supporting reports are provided as part of the application. The major outcome of the analysis work is that most of the elevated concrete slabs, much of the steelwork and all the timberwork in Building M3 is not capable of ongoing use. The analysis also affects M1 and M2. Again, the weathered concrete in particular is not capable of future use.

While the approved proposal worked around stabilising and working with these elements the extent of structural and material failure was not understood. This results in the approval not being capable of being undertaken.

An overview of the analysis across each built element is as follows. For reference a key diagram identifies the building groups and later in the report detailed drawings are provided highlighting the changes to the existing approval in terms of retention or removal of materials and fabric:

M1

- The first floor concrete slab and its steel support structure is unstable and not capable of retention. There has been some collapse and loss of fabric since the earlier DA was lodged. The concrete is on the point of complete collapse.
- The ground floor, previously excavated, is flood prone.
- The upper concrete floor in the kiln room is unstable.
- The concrete silos are sound but not capable of extensive penetration or cutting. The roof above the silos is sound.
- The remaining brickwork is generally sound but will require some stabilisation.

M1 Sheds

- They are basically sound provided they are retained in close to their current form.

M2

- The concrete slabs are in usable condition
- The steel frames are basically sound and can with repair be reused
- The main timber framing is sound but requires some repair, the exposed northern timber structure has deteriorated and is not capable of reuse.
- The roof and roof framing of the kiln area has failed and cannot be retained
- The remaining brickwork is generally sound

M2 building remains along the river edge

- The remains are retained but are no longer adapted for new use

M3

- The timber floor framing throughout the building has failed and cannot be retained or used.
- The timber roof framing throughout the building has failed and cannot be retained or used. All framed roofs have to be removed
- The steel framing has deteriorated and is not sound
- The ground floor concrete slabs are usable
- Upper floor concrete slabs are not sound
- The concrete silos remain sound
- The remaining brickwork is generally sound
-

Maltster's Ruin

- The brickwork generally above 1-1.5 metres in height (where it remains) is unsound, some small areas near corners may be capable of retention. It is noted that there has been further collapse of brickwork since the earlier DA was lodged.

CONCEPTUAL APPROACH

The approved DA retained parts of the M1 slab, rebuilt much of the roof of M2, created access through the M1 silos, retained the M3 roof and much of the internal structure and made internal changes.

The intent of the new applications is to effectively reverse the approach between M2 and M3 and create an open space within M1. The Maltster's ruin also has a new approach as required in the previous consent.

A particular difficulty of working with a site that is in an advanced state of ruin is to develop an approach to the site that manages heritage values, re-use and severe fabric deterioration. Restoration of the buildings is not feasible or actually possible, nor is it desirable given the very advanced state of decay. What remains after many years of deterioration due to weather exposure, stripping out of contents and interiors, removal of the working elements of the place and extensive vandalism are building shells in various degrees of decay.

Conservation of salvageable fabric is possible and is proposed. This was not outlined in detail in the original application but with more of the timber structure required to be removed and considerably more concrete and steel to be removed careful thought has been given to how to re-use and integrate removed fabric into the development. This will be explored in further detail as the project develops and materials can be assessed during the removal process but in outline the following

Concrete

- The quality of the concrete is very low and it is largely lightly or in places unreinforced. Concrete can be crushed and reused in new pavements etc. on the site.

Cast Iron Columns

- The columns from M1 are all to be salvaged, retained and will be re-used as part of the landscape of the site.

Timber

- The major material to be dismantled is timber. It forms floor framing, flooring, columns, roof trusses, roof beams and other elements.
- Much of the timber is damaged but much of it is capable of future use, even if not structurally.
- It is proposed to dismantle the timber elements and recover the timber, timber is to be stacked and stored, assessed and then de-nailed where reusable, milled for new purposes and retained on site for re-use.
- The aim is to re-use as much timber as possible on the site as part of the works. Timber can be used for linings, cladding, in some places joinery etc.
- The re-use of timber will form part of the interpretation for the site and will be further outlined in an interpretation strategy.
- It is proposed to set up a milling shop on site during the works to create a store of timber for re-use and for that timber to be used and included in the documentation for the building fitouts.
- It is also possible for timber to be used as part of future art works.
- Excess timber will, in time, be sold for use elsewhere.
- The intent is to demonstrate best recycling and conservation of materials practice on the site.

Steel elements

- Steel falls into several forms: structural steel that is exposed and steel that forms part of the concrete structures. Much of the steel is very deteriorated and will be recycled. Some elements, where they are sound will be assessed for potential re-use on site.

Adaptation of the buildings is also proposed but most of the adaptation is now confined to the M1 and M2 complex as the only elements of M3 that are capable of retention are the brick walls and concrete silos. Consequently:

- M1 will be presented as a building shell with new uses,
- the two M1 sheds will be largely retained and conserved and have new uses that fit their form,
- M2 will have both retention of fabric and adaptation of areas for new uses,
- the proposed and previously approved M2 shed will be a new element interpreting the earlier shed in that location but to a slightly different design
- M3 will involve a significant new built form in and around the remaining brickwork. While the brickwork will be conserved, M3 will be largely new built forms
- M4 will remain largely as approved with some very minor internal service rearrangements and façade changes

The concept behind M3 is to use the existing building footprint and masonry and construct a new building within and above it that has a different spatial arrangement and volume on the site.

This approach retains the overall spatial planning of the site which has been a key consideration throughout the design process.

The change proposed to the Malsters ruin was anticipated in the former consent and provides a high level of retention of fabric and interpretation.

The major change in this DA from the earlier consent is the proposed new built elements at M3. The design approach takes the largely masonry elements that remain and develops a new massing and form, incorporating the brickwork but establishing a different arrangement of volumes and responses.

There is sound precedent for this approach across the world where major abandoned industrial sites have been adapted as museums, galleries and for other uses and the juxtaposition of remnant forms and materials with new contemporary forms and massing bringing the ruined elements to life within a new context.

RUINATION

The Maltings is now significant largely as a ruin. It has other significance but as the place is in a severe state of ruin and that condition has occupied almost half the life of the development. The building has survived only because of a monumental form of construction that despite the 60 years of abandonment has remained. Conversely most of the light-weight construction of the buildings has been or will be lost, particularly where exposed to long-term weather impacts.

The design decision has been to work with the ruined form and not to attempt reconstruction to an earlier either known or a conjectural form. However, it is noted that several elements in M1 and M2, such as roof forms, will be reinstated but not to their early detail. This responds to the focus of fabric retention in these buildings in contrast to the inevitable loss of fabric in M3.

The design intent has also been to work with what fabric can be retained and then to add new elements that are contemporary and which do not involve recreation of earlier forms. This maintains the values of the ruin, conserves the materiality and allows the addition of new forms that are in part adaptation but which are largely new work to exist in juxtaposition to the ruined elements.

This is a sound conceptual basis to develop the heritage values of the site.

There is no attempt to recreate heritage or rebuild long lost elements. Existing elements will be conserved, repaired, will have minor fabric replacement where needed to ensure the life of the surrounding elements but the proposal does not involve 'reconstruction' as it is defined in the Burra Charter.

The shift between the earlier and current application is that there is greater retention of fabric and form in M1 and M2 as that is achievable and less retention of form and fabric in M3. It is a shift of emphasis but not a shift in approach.

With regard to the design approach to M3 there are a number of ways in which new forms and spaces could be created with the parameters now more clearly understood about what can and cannot be retained.

Perhaps the key design decision relates to the roof forms of the building. While about half the roofs are no longer extant, the large steeply pitched roof over the drying floors of M3 remains partially in place. It is one of the elements that cannot be retained due to its severely deteriorated condition. The starting point to consider new forms is that this roof and its internal structural system is removed and the remaining fabric of the building is the masonry walls and concrete silos.

The design decision is then to either retain the appearance of the roof as a new structure or to develop new forms around the masonry walls and silos.

This proposal retains more of the early roof forms and structure to M1 and M2 presenting those buildings in very close to their current external form but to make a significant design change to M3 as the existing roof cannot remain.

With the current roof removed and a decision not to replicate it, the ensuing questions are what forms can be introduced that allow the functioning of gallery and other spaces and which respond to the form, materiality and scale of the building and its setting within the site.

It is a reasonable conclusion that the large ruined but remaining roof of M3 is a significant scale element and that any new work can add similarly large-scaled elements without adversely impacting the overall heritage values of the site.

Another way of considering how to add new elements to M3 is to consider the scale of the buildings within the broader landscape of the site. A key design decision has been to retain the open spaces of the site and the spatial arrangement of the buildings within the site around the river. The spatial arrangement of the centre of the site with the open space between the major buildings, bifurcated by the river and its linear plantings, is a now important visual character of the site. A clear design decision is to retain that open form without the addition of new built elements between the buildings. The focus of working within the two main building forms (with the construction of a new north shed on the site of a former building to complete the earlier massing of the site) achieves a very high level of heritage retention of the spatial arrangement and the major heritage fabric of the site.

A further way of considering the site and how new elements may be added is to consider the scale of the whole site, the scale of the extant elements and to consider how new forms relate to the overall site massing and form. The work around M1 and M2 is consistent with the existing approval in terms of scale and massing. The proposal for M3 adds volume and form in place of the roof but within the overall scale of the site remains quite modest and is consistent with the overall historic scale of the place.

M4, a new solid element that was planned in the early design (as a fourth wing) has a proposed facade change to brick. This an approved form and has a strong relationship to the massing of the existing buildings.

The proposed canopy for the Maltsters Cottage ruin is a new design concept that responds to Council's request for further design development of the way in which that ruin as integrated into

the new work. The change in approach, that responds to the council condition, is to retain the ruin more as a ruin and to add a canopy that extends over the ruin and includes the smaller new built elements. This allows the ruins to be retained in large part and protected and activates the area with gallery workspace and residence.

With the change of direction arising from the understanding of the ruined fabric has been the potential to consider the materiality of new elements on the site in a different way. With the large solid forms proposed the potential to use brickwork as a main façade element can occur. The history of the site buildings is the use of monumental brickwork as the core material. Bricks and brick manufacture are an important aspect of the Southern Highlands with an ongoing manufacture of detailed bricks one of the major materials of the area. The façade design is to use a bespoke brick, ideally locally produced, that links to the historical use of brickwork but which is easily discernible as new work.

Interestingly, there are a number of brick types used on the site with the kiln buildings constructed of well-fired dry-pressed bricks that have a high strength and durability (they have survived the process of ruination well) and the former cottage built of a lower strength brick closer in character to an early sandstock. There are almost no recoverable bricks on the site due to the damage from fires, collapses of brickwork and, where remaining, the retention of most of the usable brickwork. Where new openings and the like are proposed and earlier brickwork is to be dismantled it is all to be retained, cleaned and used for repair and conservation of the structures.

PRECEDENT

The following are a range of examples from different parts of the world of working around existing buildings and ruins. The various projects are included as they demonstrate how new work, often of considerable scale, can be juxtaposed with existing built forms (both used and abandoned buildings) to create new forms and retain heritage values. Some of the examples have similarities to the Maltings project but more importantly they all involve significant new work on, around and inserted into heritage buildings both operational buildings and ruins.

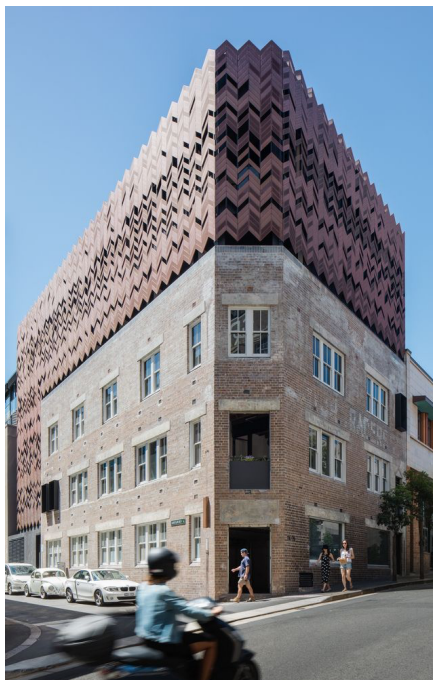


Figure 2: Paramount House Hotel Sydney: Breathe Architects 2019.
A vertical addition in Sydney to a warehouse building of considerable scale.



Figure 3: Gallery of Cristalleries Planell Civic Centre H Arquitectes
A new vertical screen addition of simple form with new insertions behind and into earlier openings.



Figure 4: Vertical Addition

A simple vertical addition built over the existing masonry with a new band of brickwork.



Figure 5: Madrid: Herzog + de Meuron

An interesting example that cuts away the base of the building and adds a vertical addition that is larger than the base building.

draft



Figure 6: Music School Louviers,
Opus 5 Architects

A new form above and around
existing buildings, part former
ruins that adopts a starkly
contrasting form and materiality.

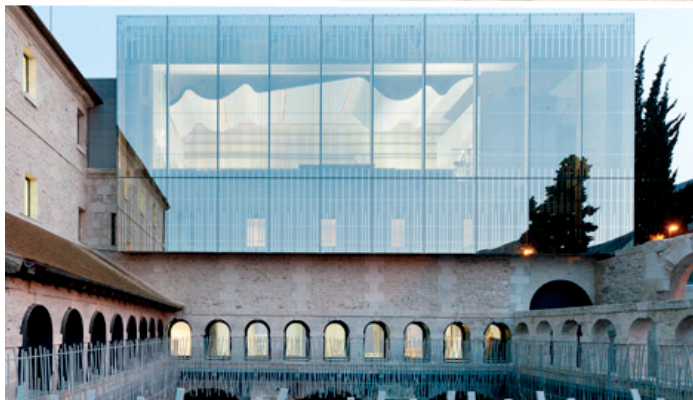


Figure 7: Summer Stage at Kastav
Crekvina 2024 Nenand Fabijanic
Architect

A small inserted element in a ruin,
similar to the approach of some
of the additions at Maltings.





Figure 8: New building within facades

An example of removing the roof of the extant building, an element of considerable scale and adding new rectilinear forms. It has similarities with M3 where in essence the masonry walls remain only.



Figure 9: Building on existing walls

Building onto existing ruins using sympathetic materiality and simple forms..



Figure 10: Convent St Francois Addition Corsica, Amelia Tavela Architects 2020

A large addition that in this case adopts the form of the adjacent building but with new materiality.



Figure 11: Gallery of Rotermann Carpenters Workshop Tallinn Estonia KOKO architects
Vertical additions that adopt a completely different and contrasting form and typology to the building beneath.



Figure 12: 192 Shoreham Street Sheffield: Project Orange
A sculpted vertical addition.



Figure 13: Rotermanns Old and New Flour Storage Tallin Estonia: HGA 2009

A vertical addition set in from the brickwork.



Figure 14: Foundation-Kassel

A large vertical addition where the roof has been removed and a rectilinear form added that is of similar scale to the building beneath.



Figure 15: Distillery Antwerp
(former Maltings complex)
Vervoordt 2017
Retention of the façade brickwork
and a well-modulated vertical
addition.

ft



Figure 16: Roman Theatre
Sagunto” Giorgio Grassi
A new build around a ruin.

draft



Figure 17: Waterhouse at South Bund Shanghai by NHDRO. 2011



Figure 18: Theatre Kiev drozdov and partners. 2017.

ft



Figure 19: Saline de Salins-les-Bains, Malcotti Roussey Architects + Thierry Gheza



Figure 20: Kolumba Museum Cologne 2007, Peter Zumthor.



Figure 21: Elbphilharmonie
Hamburg Herzog & deMeuron
2016

CHANGES BETWEEN THE APPROVAL AND THE CURRENT APPLICATIONS

In more detail the changes across the various buildings, in relation to retention or removal of existing elements and the introduction of new elements are set out below:

M1 Sheds

- Retain Shed 1 as an open shed with minor fitout
- Retain the new toilets and facilities to the rear of Shed 1
- Remove the additional levels and new construction from shed 2 and retain it in its current form and structure
- Remove the ramped access from M1 to shed 2

Overall heritage implications

- The sheds are retained with very little change which achieves a better heritage outcome

M1

- Remove the first floor slab
- Remove the columns and steel beams, columns to be reused on site.
- Fill the ground floor to former ground level and create an open space (enclosed by the brick walls only).
- Add minor new built elements within the space
- Remove the second floor concrete slab in the kiln room
- Construct a new space at high level (similar to existing approval)

Overall heritage implications

- The approval allowed removal of about half the slab and columns, there is a heritage impact from removing additional fabric, however, the fabric cannot be retained.

M2

- Retain the roof structure and a large part of the internal structure
- Reclad the roof (removing asbestos tiles)
- Remove the kiln roofs and rebuild them to a similar form
- Reduce the access and penetrations to the silos
- Create a new stair access west of the silos as a major access point.
- Other works, such as inserting new gallery spaces and lifts and stairs are similar to the existing approval
- The new M2 shed is similar to the approved DA noting that the detail of the building has changed.
- Rear service areas to the west of M2 are retained as approved.
- The remnant structures to the east of M2 are retained without new uses or additional works.

Overall heritage implications

- Retaining the roof structure, form and detail and internal elements achieves a better heritage outcome for the building.
- Retaining a large part of the internal structure of M2 achieves a better heritage outcome
- There is significantly less fabric intervention and a higher level of conservation work

M3

- Remove the entire roof and roof framing
- Remove the internal steel and timber structure
- Remove elevated concrete slabs
- Retain the silos and all brickwork
- Retain the four storey volume to the west of the silos
- Construct new gallery, function and hotel spaces as new forms set within and above the existing brick walls, this shifts the majority of new work from M1 and M2 to M3.
- Construct new access bridge to the east

Overall heritage implications

- The removal of the roof and structure has a significant impact on heritage values, however, given the condition of the building and those elements it is an inevitable loss arising from over 60 years of abandonment and weather deterioration.

M4

- Minor façade changes to respond to the redesign of M3

Overall heritage implications

- None

Maltster's Ruin

- Retain much of the ruin where it is capable of retention
- Add a new canopy roof over the ruin
- Add new built form under the canopy while retaining elements of the ruin.

Overall heritage implications

- Retention of more heritage fabric and higher interpretive value.

draft

1.0 INTRODUCTION

1.1 BACKGROUND

LOCATION

The 'Maltings' is a large now ruined site located at 2 Colo Street, Mittagong (according to NSW Land Registry Service Six Maps) situated on the northern outskirts of Mittagong, NSW.

The site has a frontage to Colo Street to the south, borders the Main Southern Railway line to the north-west, adjoins Ferguson Crescent to the north-east as it rises to cross the railway line (the early main road) and Southey Street to the east. The Nattai River runs through the site from the south-west to the north-east forming the south-eastern boundary to 4-36 Colo Street.

Adjoining properties are:

- 1 Ferguson Crescent (site of the LEP listed heritage item the Fitzroy Inn (Oaklands)
- 25 Southey Street Mittagong to the north-east
- Nos. 1-11 Fernbrook Crescent and
- 4-36 Colo Street Mittagong (a single site) to the south

In total there are nine adjoining properties to the site that include 6 residential sites.



Figure 22: Location of The Maltings, Mittagong (shaded yellow, outlined in red) Source: Source: NSW Land Registry Services Six maps



Figure 23: Recent satellite view of The Maltings, Mittagong (shaded yellow, outlined in red) Source: Source: NSW Land Registry Services Six maps

ADMINISTRATION

The site is owned by Halcyon Hotels and has been and remains a ruin set, until recently, within an overgrown landscape.

THE BRIEF

This Heritage Impact Assessment is to assess the proposed use of the site for hotel and cultural uses in relation to the heritage values of the place. The HIS is informed by a conservation management plan that has been prepared as part of the current works to guide potential development and management of the place.

1.2 HERITAGE LISTINGS

STATUTORY LISTINGS

State Heritage Register (SHR)

The Maltings is not listed on the NSW State Heritage Register.

Commonwealth Heritage List & National Heritage List

The site is not listed on either the Commonwealth Heritage List (which can only apply to sites in Commonwealth government ownership) or the National Heritage List (which applies to sites of National heritage significance).

Wingecarribee Local Environment Plan 2010

The Wingecarribee Local Environmental Plan (LEP) 2010 includes heritage listings affecting the site, outlined in Tables 1 and 2 below and in figure 3 below.

Table 1: Heritage listing details for The Maltings, Mittagong from Schedule 5, Part 1: Heritage Items, Wingecarribee LEP 2010

Suburb	Item Name	Address	Property Description	Significance	Item No.
Mittagong	The Maltings	Southey, Colo and Ferguson Streets	Lot 21, DP 1029384	Local	I103
Mittagong	The Maltings Conservation Area			Local	C1835

Table 2: Heritage items in the vicinity of The Maltings, Mittagong

Suburb	Item Name	Address	Property Description	Significance	Item No.
Mittagong	Nattai Creek Bridge	Ferguson Crescent	Nattai Creek	Local	I1885
Mittagong	"Fitzroy Inn" (former "Oaklands")	1 Ferguson Crescent	Lot 16, DP 1005636	Local	I099
Mittagong	"Wandevan" house including interiors	20-24 Southey Street	Lot 8, DP 1201829	Local	I1747

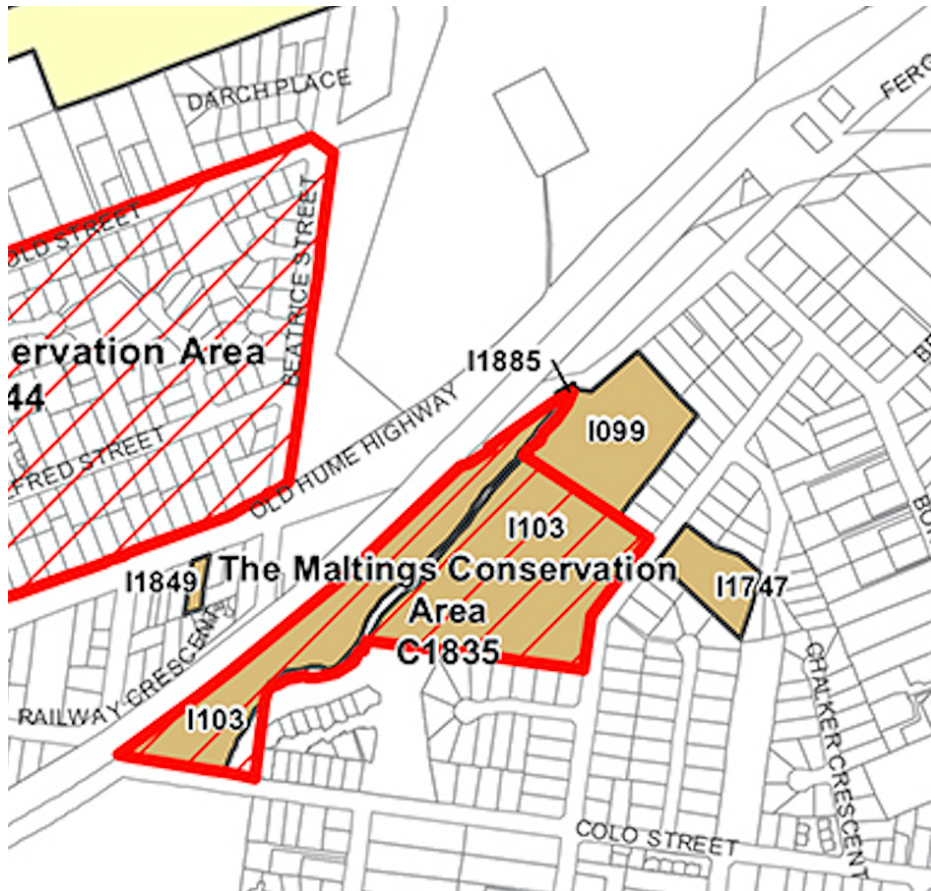


Figure 24: The heritage context of the site (numbered item no. I103), show the site as heritage listed in the LEP, within The Maltings Conservation Area C1835, and in the vicinity of heritage item nos. I1885, I099 and I1747. It is noted that the heritage conservation area does not align with the property boundary at the intersection of Colo Street and Nattai Creek and that a small portion of the adjoining site is situated within the precinct.

Source: Wingecarribee LEP 2010 Heritage Map 007F

1.3 PREVIOUS STUDIES

The site has been the subject of a range of studies over a long period of time. They include the following reports that have been used as background material for this CMP:

Conservation management Plan for Adaptive Re-use and Revitalisation Allman Johnson Architects February 2003

The Maltings Mittagong Historical Conservation Vols 1 and 2 – A report to Wingecarribee Shire Council Vivian Fraser and Associates June 1989

Wingecarribee Heritage Study JRB Planning Services August 1993

1.4 TERMS

The majority of the following terms used in this report are defined in the Australian ICOMOS Burra Charter 2013. The definitions of terms that are related to curtilage are from the Heritage Office and 1996 publication Heritage Curtilages.

Adaptation	Means changing a place to suit the existing use or a proposed use.
Associations	Mean the connections that exist between people and a place.
Compatible use	Means a use which respects the cultural significance of a place. Such a use involves no, or minimal, impact on cultural significance.
Composite Heritage Curtilage	This type of Heritage Curtilage generally applies to heritage conservation areas.
Conservation	Means the continuous protective care of the fabric so as to retain its cultural, natural and Indigenous significance. It includes protection, maintenance and monitoring. According to circumstance it may involve preservation, restoration, reconstruction, reinstatement or adaptation and will be commonly a combination of more than one of these. For Indigenous communities, it can include conserving relationships between people and places that embrace spiritual as well as historical values, and protecting Aboriginal sites in order to protect their significance to people.
Cultural significance	Means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.
Delegation	A number of agencies with significant heritage portfolios and appropriate heritage expertise are able to deal with minor applications for change to heritage items under delegation. In 2004 the authorisation to endorse CMP's, consider applications under S.60 and 140 of Heritage Act, exemptions, exceptions from excavation permit under s.139 (1) and (2) of the Heritage Act was extended to officers of the Department of Planning & Environment (DPE). The use of these exemptions, authorisations and delegations streamlines the approval and exemption notification processes involving these agencies.
Expanded Heritage Curtilage	This type of heritage curtilage applies when the heritage curtilage many need to be greater than the property boundary. An expanded curtilage may be required to protect the landscape setting or visual catchment of a heritage item.
Fabric	Means all the physical material of the place including elements, fixtures, contents and objects.
Indigenous significance	Indigenous significance refers to Indigenous heritage value and includes Aboriginal sites showing evidence of Aboriginal occupation and Aboriginal places, which are of contemporary or spiritual importance according to Aboriginal culture or custom.
Interpretation	Means all the ways of presenting the cultural significance of a place.
Local	Refers to the Wingecarribee Council area.
Lot boundary Heritage Curtilage	The most common type of heritage curtilage, comprises the boundary of the property containing the heritage item as shown on the lot plan.

Maintenance	Means the continuous protective care of a <i>place</i> and its <i>setting</i> .
Meanings	Denote what a <i>place</i> signifies, indicates, evokes or expresses to people.
Movable heritage	Is a term used to define any natural or manufactured object or collection of heritage significance.
Natural significance	Means the importance of ecosystems, biological diversity and geo-diversity for their existence value for present or future generations in terms of their scientific, aesthetic and life-support value.
Place	Means a geographically defined area. It may include elements, objects, spaces and views. Place may have tangible and intangible dimensions.
Preservation	Means maintaining the fabric of a <i>place</i> in its existing state and retarding deterioration
Reconstruction	Means returning a place to a known earlier state and is distinguished from <i>restoration</i> by the introduction of new material into the fabric.
Reduced Heritage Curtilage	This type of curtilage applies when the heritage curtilage is less than the property boundary, and the significance does not relate to the total lot, but to a lesser area. This type of curtilage is often only defined when subdivision occurs.
Reinstatement	Or reintroduction means to introduce to a place one or more species or elements of habitat or geodiversity that are known to have existed there naturally at a previous time, but that can no longer be found at that place
Restoration	Means returning a <i>place</i> to a known earlier state by removing accretions or by reassembling existing elements without the introduction of new material.
Setting	Means the area around a place, which may include the visual catchment.
State	Refers to New South Wales.
Use	Means the functions of a <i>place</i> , including the activities and traditional and customary practices that may occur at the place or are dependent on the place.

1.5 ABBREVIATIONS

AHC	Australian Heritage Council
ANHC	Australian Natural Heritage Charter
AHIMS	Aboriginal Heritage Management System
BCA	Building Code of Australia, part of the National Construction Code
CMP	Conservation Management Plan
DPE	NSW Department of Planning & Environment

DPW	NSW Department of Public Works
EPBC	Commonwealth Environment Protection and Biodiversity Conservation Act 1999
Heritage Council	NSW Heritage Council – advises the OEH, the Minister for Environment & Heritage, and the Minister for Planning & Environment
Heritage Division	Heritage Division (formerly NSW Heritage Office), a division of NSW Office of Environment & Heritage (OEH), reports to the NSW Heritage Council
ICOMOS	International Committee on Monuments and Sites
NAA	National Archives of Australia
NCC	National Construction Code of Australia (may also be referred to as The Building Code of Australia or BCA)
NHL	National Heritage List
NPWS	National Parks & Wildlife Service (part of the NSW Office of Environment & Heritage)
OEH	NSW Office of Environment & Heritage
PoM	Plan of Management
RAHS	Royal Australian Historical Society
RMS	NSW Roads & Maritime Services
SHI	State Heritage Inventory of NSW
SHR	State Heritage Register of NSW
SL	State Library of New South Wales
SR	State Records of New South Wales
UNESCO	United Nations Educational Scientific and Cultural Organisation

1.6 SCOPE AND METHODOLOGY

The methodology used is in accordance with the principles and definitions as set out in the guidelines to the Australia ICOMOS Burra Charter 2013 and its Practice Notes, the guidelines of the NSW Heritage Manual, the Australian Natural Heritage Charter (1997) published by The Australian Heritage Commission, J.S. Kerr's Conservation Plan, and in accordance with the latest version of The NSW Heritage Division, Office of Environment & Heritage (OEH) CMP Assessment checklist, September 2003.

1.7 AUTHORS

This Conservation Management Plan & Landscape Management Plan has been prepared by Paul Davies Pty Ltd., architects and heritage consultants:

Paul Davies Principal Consultant, Conservation Architect

Dr Charles Pickett Historian

1.8 ACKNOWLEDGEMENTS

The following people and groups have assisted in the preparation of this Plan:

Previous Studies:

Allman Johnston Architects 2003 CMP

DC Research 2 Volumes of detailed site Assessments

draft

2.0 HISTORICAL BACKGROUND TO THE MALTINGS SITE

2.1 MITTAGONG MALTINGS

A detailed history of the site is set out in the CMP and is not replicated here.

The Maltings played a significant part in the history of Mittagong as a leading employer, industry and landmark. The Maltings also transcends its location. It pioneered commercial malting in New South Wales and was crucial in establishing a barley cultivation industry in the state. The Maltings also embodies major themes in the history of the Australian brewing industry and more specifically those of the history of Tooth & Co, NSW's major brewing company for most of the twentieth century.

The place operated from the late 19th century through to the late 1970s, although towards the later part of its operational life the use appeared to be marginal and the methods used to process hops were outdated. After a series of fires, the place finally closed and has remained unused and slowly falling into a derelict state until remediation work commenced over the last few years and, when the site has been cleared of debris, made safe and the current proposal for re-use has been prepared, conservation and adaptation works take place.

There have been several attempts at reusing the site and small amounts of work done towards those projects but they did not succeed. The site has had an almost 50 year history of abandonment and has become a well-known ruin.

The following diagrams outline the phases of development of the site noting that by 1920 most of the infrastructure and buildings were in place. While it was planned to extend the Maltings with a fourth building, this did not occur and the idea of locating the Maltings away from the brewery was not particularly successful.



Figure 25 : Maltings Phase 1 Up to 1900. Malthouse 1 has been built with sisings and an entry drive. Paul Davies



Figure 26 : Maltings Phase 2 1901-1910. Maltings 2, an enlarged rail platform and siding, the Maltster's House and the entry drive are in place. While not dated, weirs would have been built and the bridge at 21 would have been in place. Paul Davies



Figure 27 : 1911-1920. Maltings 3 has been built and Malt Stores at 11 and 12 are built. Both bridges are in place with rail lines to Malthouse 3 and the engine shed is in place. Paul Davies



Figure 28 : 1921-1960. Malt Store 10 and the infill to store 11 are built

3.0 THE PROPOSAL

3.1 INTRODUCTION

This heritage impact assessment follows the preparation of a conservation management plan (CMP) for the site that has been used to guide the preparation of the development application

The CMP sets out the history, analysis and significance of the place as well as providing policy on future management and development.

The Maltings site is unusual in that it is now a ruin set in a deteriorated landscape. Its heritage values relate to its historical use and the elements remaining from that use, from its landscape form, noting that this also only remains in remnant form, from the siting of buildings and elements around the river and, more recently, from its almost iconic status as a ruin. A simple online search of the name brings up dozens of images of the site in its abandonment that feature in various websites of groups and persons who explore abandoned places. The following image is one example of the imagery that can be found.



Figure 29 : Example of online images of the site as a ruin.

Recent site work to stabilise the grounds and the interiors of the buildings allows a more nuanced understanding of the condition and status of the place. While the Maltings buildings remain in ruin, but also with a considerable amount of their core structures remaining, the place is no longer 'buildings' set in landscape, it is a ruin in a ruined setting. This informs the approach that is required to conserve heritage values.

The current proposal, based on an initial exploration of the site between client, architect and heritage consultant has focussed on allowing the former operational and ruined status of the site to be expressed in the adaptive re-use of the site and buildings.

When a building complex has deteriorated to the stage that the Maltings has reached, any concept of 'reconstruction' or 'restoration' is not realistic. The approach that has been developed is to maintain the place, in part, as a ruin, to recover some parts of the buildings by adding new roofs and rebuild remnant roofs and to insert new built elements within the existing spatial arrangement of the buildings as well as provide some new elements on the site.

The adaptation is to make new linkages, add stairs and lifts, create access corridors, enclose open areas with new elements and open up some areas to accommodate new uses so that the buildings have viable uses that are in part enclosed and in part open. The proposal also reinstates stairs which are almost all missing and adds lifts and services along with compliance with current codes. As noted in the preamble the major shift in focus is the more major additions to M3 and less change to M1 and M2 and their associated elements.

New work is clearly new work whether it is a new inserted room, a new roof or a new window frame within or adjacent to an opening. The concept of retaining the ruin extends through all aspects of the site and the fabric. The re-use and adaptation of the ruined buildings and features is the major aspect of site interpretation (noting that other interpretation is proposed) as the ruin. People who use the site will explore the ruin as much as use the facilities.

3.2 THE PROPOSAL

The proposal is as set out in the architectural drawings prepared by Snohetta that form the basis of the two current applications.

The proposal within the DA is to:

Buildings

- adapt Malthouse 3 for exhibition and hotel related uses including foyers and reception, large gallery spaces, lounges and guest areas, kitchen and dining areas and large voids
- extend Malthouse 3 in the location of the planned but not built Malthouse 4 with hotel guest accommodation
- allow for new residential buildings on the eastern slope behind Malthouse 3 and 4, this will include various forms of housing including potentially seniors housing, tourist accommodation and general housing (subject to future consent), these are designated M5 and M6 on the site plan to indicate the potential overall siting and scale of development (it is noted that this was previously approved and remains unchanged in the application)

Sub-division

- establish an area on the eastern side of the site for potential future sub-division that relates to the indicative residential component of the site

The proposal within the Section 4.55 application is to:

Buildings

- adapt Maltings 1 and 2 and their associated sheds for cultural and event uses including a gallery spaces, activity spaces, exhibition spaces, staff areas, small kitchen and eating areas, and back of house facilities

- locate a new structure on the site of the former Malt Store 2 building related to gallery and event use
- minor adaptation of Malt Stores 1a and 1b for use in relation to the Maltings 1 and 2 broader uses including small café and toilet areas
- construct a new canopy and building on the site of the Maltsters' House, incorporating the ruins for use as exhibition spaces, workshop and artist in residence.

Landscape

The proposal for landscaping is consistent with the landscape design in the approved DA. The main change is landscaping of the ruins of the Maltster's Cottage ruin which did not form part of the earlier DA.

- recover the creek and stabilise and replant the banks
- repair the bridges and weirs
- construct a new road bridge to the south of the site
- construct a new pedestrian bridge to the north of the site interpreting the former pedestrian bridge to the Maltsters' house
- re-establish a garden around the Maltsters' house
- utilise remnant built elements within the landscape
- create a new main entry point to the south with new roadworks and parking
- provide service access from the north and east with guest parking on the eastern slope behind Malthouse 3
- establish the main entry point from Colo Street with parking to the south of Malt Stores 1
- provide a new landscape across the site that includes native vegetation and parkland plantings to reflect the historic evolution of the site

3.3 DESIGN APPROACH

The design approach, with regard to heritage, has been predicated on the following:

- 1 Retain the main buildings in part as ruins and introduce new uses and elements into them.
- 2 Retain all the extant fabric possible in the main buildings
- 3 Develop structural and access designs that minimise impacts on elements such as brickwork and existing concrete slabs (where they are capable of being retained)
- 4 New work is as a principle inserted into the building as new elements rather than rebuilt existing elements
- 5 Reconstruction, apart from some stabilisation works and repair, is not generally proposed
- 6 New works are contemporary in design and detail and are clear insertions and additions

- 7 The Maltster's House is not recoverable in any form due to the extensive damage and deterioration that has taken place and it is to be integrated into a new built form that is set under a new large canopy.
- 8 The proposed landscape is a new landscape form, it does not replicate the historic landscape but it uses the principles from the historic form of defining the river, planting the river edge, establishing significant open space east of the river, creating carefully laid out areas of landscape to manage key parts of the site such as the entry areas, the river edge and gardens around the former Maltster's House precinct.
- 9 Vehicles are removed from the core of the site to allow the setting to be pre-eminent (noting that a new vehicle connection is proposed to allow connectivity without impacting the centre of the site).
- 10 Provide for future development on the eastern edge of the site (Southey Street) that relates to the residential character of the adjoining areas and which is located well outside the core site of the Maltings buildings.

The following sections look at three examples in detail of how new work and interventions have been approached, designed and detailed. These have been worked out collaboratively between architect, engineer and heritage consultant to establish the principles of how to approach fabric at all levels from new works to minor detailing.

EXAMPLE 1

An example of how interventions have been designed to take place is 1. The building in its current form comprises brick outer walls to the ground and first floor (in part) and a first floor concrete slab set on cast iron columns at close centres with arched concrete construction. There is no floor at ground level and the area has been excavated at some point probably in the 1980-90s period presumably to create additional headroom. This has left the columns sitting on concrete bases that are exposed.

The building had two further floors of timber construction and a roof. The roof and upper floor were destroyed by fire and the remnant second floor that was partially extant in the 1980s has now gone completely.

The ground level is subject to flooding and cannot have a use that could be affected by flooding.

The first floor slab is not structurally adequate to accommodate new loads and the structural integrity of the support structure of columns footings and slab is unknown but, even from precursory inspection, could not be relied upon to support a new use above.

The recent structural analysis reveals that the main slab is on the point of collapse and cannot be retained. Undertaking testing resulted in failure of parts of the concrete and steel. The revised proposal in this area is to remove the slab and its structure and to recover the cast iron columns for re-use elsewhere on the site.

A new floor is provided at main ground level and the new finish that retains the earlier concrete and stone plinths to the columns forms an open gallery space with a shallow water feature at one end. The brick walls remain but will require some structural work, a new steel support frame is

added to the southern end to stabilise the gable end brickwork and a steel frame is added to the north end to hold the proposed project screen and also assist in brickwork stabilisation.

The brick walls will be conserved and capped to minimise water entry (capping to be mortar and not over flashing), window openings will be retained in their current form and the built form will have broad access to site users.

EXAMPLE 2

Another example is Malthouse 2. The main area of the building currently comprises two full floors, a partial third floor and most of the roof structure. The northern end of the building has lost its roof and upper floor with the brick gable wall now exposed. The two main floors are concrete, the walls are masonry and the upper floor is a combination of steel and timber. Most but not all joinery is missing. Interventions have been made to create openings into the building at ground floor level.

Ground floor is flood affected and also has quite low ceiling height, it cannot be used for habitable uses. The column grid of steel on the ground floor is at close centres. There is no vertical access remaining in the building.

The proposal is to use the upper main floors as gallery spaces and the ground floor as entry and back of house facilities. Openings are made into the slabs to provide stairs and a major lift.

The lightweight upper floors are only now minimally removed, the roof is retained but stabilised and reclad. Where gallery space are located window joinery will be inserted.

The northern end of the building is retained as an open deck without roof reflecting the current ruined form of the building. New glazing and acoustic treatment is fitted to existing openings.

The interventions within the building are now less than the previous approval based on the ability to retain more of the fabric after analysis.

EXAMPLE 3

The Maltsters' House was destroyed by fire through vandalism to a point where the building fabric is not recoverable except as a ruin with lowered wall heights. Careful investigation of the remnant structure makes clear that at best it would remain as foundations with lower sections of some walls as the remnant higher elements are all unstable and will quickly collapse.

The House made a number of contributions to the significance of the site.

Firstly, it was a finely designed and built residence that was consistent in design and detail with the Maltings Buildings. It formed part of the 'set'. Secondly, it introduced a new scale to the site that contrasted with the massive Maltings structures but shared materials and approaches to design and detail with them. The building in some ways humanised the site with its scale and use. Thirdly, it included a defined and well managed garden, garden features, gazebo, tennis court and ornamental bridge. These features surrounded the house and created an interesting tension between industry and home.

The revised proposal is to build a canopy over the area of the house, retain sections of the ruin that can be retained, add two new built elements under the canopy with a projection through the canopy for temporary artist accommodation and to landscape the ruin.

This responds to the earlier condition of consent requiring parts of the ruin to be retained, provides protection for the ruin into the future and allows a highly interpretive response to the area.

4.0 IDENTIFICATION OF SITE FEATURES

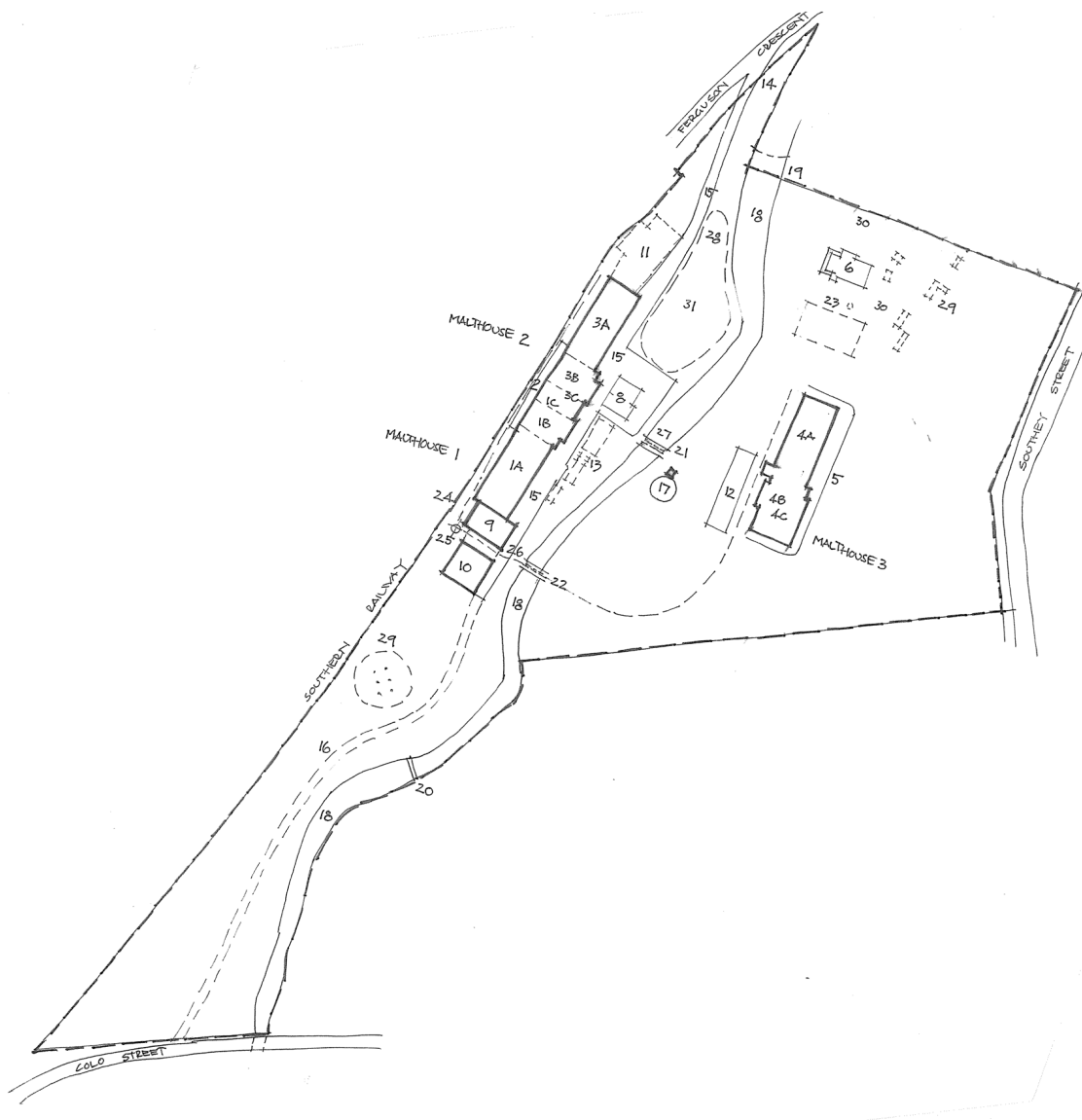


Figure 30: Site Plan identifying site features extant and removed since 1989

The following table identifies the various site features with their date of construction or modification and condition. While the HIA does not address each element of the site in detail, it is important to be able to reference the various site elements when considering the impact of works on the place.

The above plan identifies where elements of the site both extant and lost over recent years are and were located.

Table 3: The Current status of Sites identified in the 1989 reports

Number	Building or element	Date of construction	Current condition (refer to figures below)
1	Malt House 1	1899 1979 severely damaged by fire	There is no equipment remaining within the building. All windows and doors are gone with small sections of louvre joinery remaining to some openings. All joinery and general fitout is removed including stairs. The building is heavily graffitied.
1a	Malt House 1 - Machinery building	1899	The building remains in remnant form with the ground level and the first floor extant but the upper levels and roof of the southern area lost. Excavation has taken place on the lower level as part of works to reactivate the site in the past
1b	Malt House 1 - Kiln house	1899	The section of building is largely gutted with some floors and sections of roof remaining.
1c	Malt House 1 - Silos	1905-1907 Silos rebuilt 1922	The concrete silos remain in place but sections of floor around them have been removed. The roof remains in part.
3	Malt House 2	1906 Severely fire damaged 1942, repaired 1953	There is no equipment remaining within the building. All windows and doors are gone with small sections of louvre joinery remaining to some openings. All joinery and general fitout is removed including stairs. The building is heavily graffitied.
3a	Malt House 2 - Silos	1905-1907 Silos rebuilt 1922	The concrete silos remain in place but sections of floor around them have been removed. The roof remains in part.
3b	Malt House 2 - Kiln house	1906 Rebuilt internally 1953	The section of building is largely gutted with some floors and sections of roof remaining.

Number	Building or element	Date of construction	Current condition (refer to figures below)
3c	Malt House 2 - Machinery building	1906 Severely fire damaged 1942, repaired 1953	Ground first and part of the second floor remain. The roof is partially intact with the eastern end removed.
2	Railway platform and weighbridge	1906 Weighbridge 1944	The railway platform from 1906 remains in situ in poor condition. It requires reconstruction or stabilization. The railway tracks have been removed.
4	Malt House 3	1916	There is no equipment remaining within the building. All windows and doors are gone. All joinery and general fitout is removed including most stairs. Elements added since the site was abandoned include brick floors and sections of paving, part of a amenities block on the ground floor, changes to some brick walls with new openings and brickwork added. The building is heavily graffitied.
4a	Malt House 3 - Machinery building	1916 Severely damaged by fire 1980	Most floors remain, sections of the roof cladding over original framing remain.
4b	Malt House 3 - Kiln house	1916 Severely damaged by fire 1980	Much of the fabric remains with changes in removed walls
4c	Malt House 3 - Silos	1916 Severely damaged by fire 1980	Remain largely intact but unroofed.
5	Brick retaining wall, east side of Malt House 3	1916	Remains intact
6	Maltster's Cottage	1907	Destroyed by fire after 2003. The cottage is in ruined form and has largely collapsed. The building is not recoverable.
7	Maltster's Cottage Retaining Walls	1907	Site elements around the cottage survive in part although walls are in poor condition. s
8	Workshop and Engine Room	1916-1926 Enlarged 1930s	This is now a ruin with small remnant sections of wall and floor remaining only
9	Barley Store 1A	1937	Remains in fair condition.

Number	Building or element	Date of construction	Current condition (refer to figures below)
			Use to store remnant equipment removed from other parts of the site.
10	Barley Store IB	1949	Remains in fair condition.
11	Barley Store 2	Built between 1918 and 1937 Infill section after 1937	Building removed
12	Barley Store 3	1924 Rebuilt between 1937 and 1958	Concrete slab only remaining
13a	Battery Room	1916?	Demolished. Concrete slab only remaining of some elements.
13b	Toilet Block	Pre 1937?	Demolished. Concrete slab only remaining of some elements
13c	Caretaker's Residence	1937-1958?	Demolished. Concrete slab only remaining of some elements.
13d	Water tanks	Post 1958	Demolished. Concrete slab only remaining of some elements.
14	Northern entry gates and fencing (Ferguson Crescent)	1905	Fence and Gates remain
15	Central paved roadway beside east side of Malt Houses 1 & 2 to southern end of Barley Store IB		Remains in deteriorated condition
16	Remaining unformed roadway leading to southern entry at Colo Street		Remains in place
17	Underground waste-water tank and pump house	1937?	Remain
18	Nattai Creek from Colo Street to northern boundary (Ferguson Street)		The creek remains, the banks have suffered from neglect, recent work has cleared and commenced bank stabilisation.
19	Northern weir	unknown	Remains intact

Number	Building or element	Date of construction	Current condition (refer to figures below)
20	Southern weir	unknown	Remains intact
21	Road bridge opposite Malt House 3	By 1937	Remains in place in poor condition
22	Road and rail bridge opposite Barley Store 1A and 1B	1913	Remains in place in poor condition
23	Gazebo adjoining Maltster's Cottage and private tennis court	Unknown possibly c1906-7	Removed
24	Remnant railway lines from railway platform to Barley Store 1B on west side of Malt House 1	1915?	Removed
25	Remnant railway turntable, west side of Barley Store 1A and 1B	1916	Remains intact
26	Remnant railway lines between Barley Store 1A and 1B for extent of east side of road bridge across Nattai Creek	1916	Remain in place but in poor condition.
27	Stone weir under central road bridge adjacent to Malt House 3		Remains intact
28	Remnant fencing and ruin of turnstiles adjoining path on east side of Nattai Creek, originally leading to footbridge access to Maltster's Cottage on west side of creek	unknown	Removed
29	Remains of former food and ice factory		Removed

Number	Building or element	Date of construction	Current condition (refer to figures below)
30	Stands of original Monterey Pines in poor state of health surrounding Maltster's Cottage to north, east and overgrown Cypress hedging to east and south of Maltster's Cottage	unknown	Cypress hedging remains
31	Decorative garden	C1906	Trees only remaining



Figure 31: Malthouses 1 and 2, kilns and silos with Malthouse 2 to the right. Remnant engine room structure in the foreground. Paul Davies 2019.



Figure 32 : Malthouses 1 and 2. Paul Davies 2019.



Figure 33 : Rear of Malthouse 3. Paul Davies 2019.



Figure 34 : Basement level of Malthouse 1 showing the steel structure and coffered concrete soffit to the floor above. The concrete floor is now exposed to the weather as the upper floors were destroyed by fire. This area has been excavated as part of works in the 1980 period. Paul Davies 2019.



Figure 35 :Ground level of Malthouse 2 with machinery trench to the left. The dense layout of steel columns supported floors above,note the low head height in relation to other floors. This area will become back of house and the new entry to the upper level. A section of floor is to be removed to allow for lifting. Paul Davies 2019.



Figure 36 : Maltstore 1b with the Malthouse on the left. A combination of steel and timber framing and clad with corrugated iron. Some remnant machinery is stored in the building. Paul Davies 2019.



Figure 37 : First floor of Malthouse 2, a drying floor with relatively low headroom and a heavy steel structure. Paul Davies 2019.



Figure 38 : Malthouse 2, formerly a window, the wall has been removed to provide for access. This will form a new major entry into the building with access to the upper floors. Note that windows do not have any remaining joinery. Paul Davies 2019.

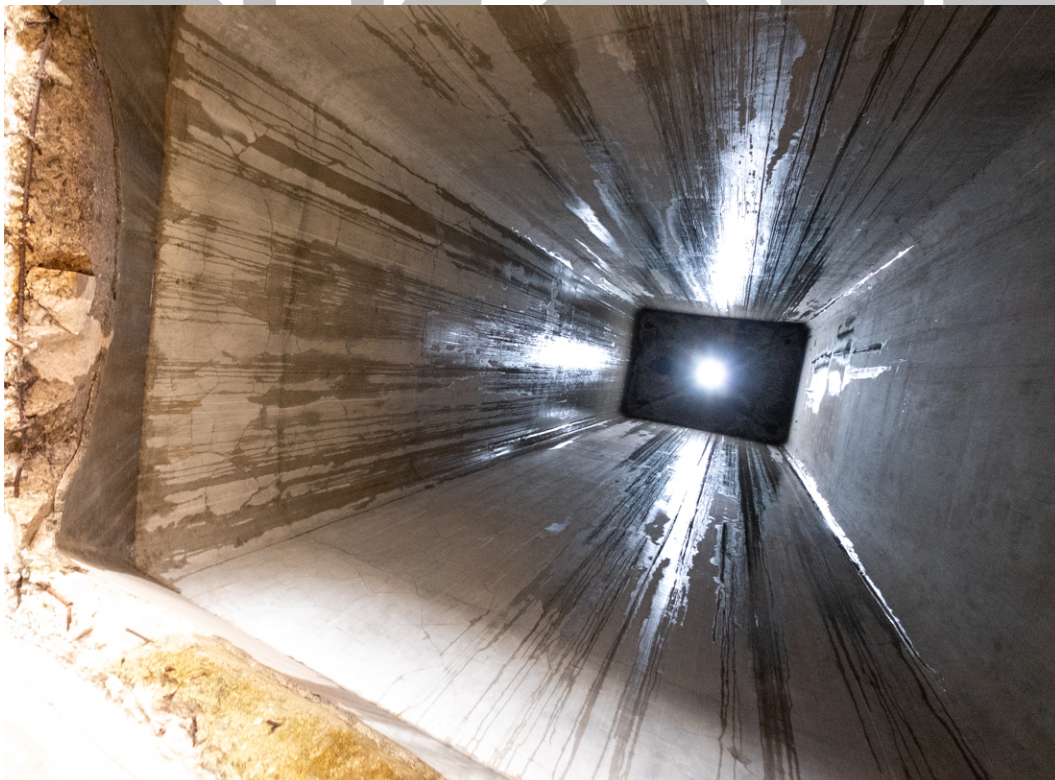


Figure 39 : Interior view of concrete silo in Malthouse 3. This is part of a group of 8 silos that were added to the building after its first construction.. Paul Davies 2019.



Figure 40 : Road bridge over creek opposite Malthouse 3, a weir is located under the bridge. Note its deteriorated condition. It is to be reinstated as part of the works. Paul Davies 2019.



Figure 41 : Road and rail bridge near Malthouse 1 with rail tracks remaining and concrete weir. It has been reinstated as emergency works. Paul Davies 2019.



Figure 42 : Rail turntable that remains in situ with some remnant tracks. Used to move trucks between the Malthouse 1 grain stores, across the bridge and to and from Malthouse 3. It is retained and conserved. Paul Davies 2019.

5.0 STATEMENT OF SIGNIFICANCE

The statement of significance for the place is:

Criterion (a)

The item is important in the course of, or pattern of New South Wales' cultural or natural history.

- . The Maltings complex is a major and relatively intact turn-of-the-century industrial complex connected with the growth and centralisation of the NSW brewing trade.
- . The complex is tangible evidence of early entrepreneurial risk-taking predicated on the growth of the barley growing industry in NSW.
- . It comprises the oldest purpose-built commercial malthouses in the state.
- . The site stands as a reminder of The Maltings' early and enduring importance to the commercial and social life of the town of Mittagong.
- . The site is the only significant intact reminder of the industrial importance of the Mittagong district in the 19th century.
- . The site also contains remains from a factory site associated with the local dairy industry from the late 19th to the early 20th centuries, as well as weirs that, in part, pre-date the development of The Maltings.

- . The Maltings is also important in demonstrating a high degree of creative and technical achievement through its technical, architectural and aesthetic attributes.
- . The site contains the remnants of a very fine industrial landscape with areas of gardens, tree plantings and a managed formal landscape that belies the industrial nature of the site.

HISTORICAL SIGNIFICANCE (PEOPLE)

Criterion (b)

An item has strong or special association with the life or works of a person, or group of persons, of importance in New South Wales' cultural or natural history.

- . The Maltings has a strong association with Tooth & Co., the major brewing company in NSW for most of the 20th century and with members of the Tooth family who lived in the area and were instrumental in the establishment of the site.
- . The site is significant for its association with the Jones family of maltsters, whose two generations were associated with operations at Mittagong continuously from 1901 to 1980.
- . As head maltsters supervising the continuous malting operations, the Jones lived on the property for almost the entire 20th century working life of The Maltings.
- . The construction of Malthouse 1 and 3 helped confirm the growing reputations of Stuart Bros and Robert Wall & Sons respectively as major industrial/commercial builders in NSW.

AESTHETIC SIGNIFICANCE

Criterion (c)

An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in New South Wales.

- . The main malthouse buildings are a major specimen of masonry industrial architecture of the Federation era of high aesthetic appeal.
- . The buildings represent an elegant but robust example of the way in which architectural form follows industrial function.
- . The Maltster's Cottage was an elegant Federation era residence, distinguished by its surrounding verandah and river setting.
- . The gardens and trees of The Maltings site are attractive landscaped features in their own right, and tacitly mirror both the indigenous and imported aspects of The Maltings' history. They reflect the company policy to present a 'caring image' although this did not necessarily reflect working conditions.
- . The site is an excellent example of an intact rural industrial complex, in which the park-like setting can be seen to complement and enhance the industrial architecture.

- . The remnant buildings are of very high aesthetic value for their design and detail and for their siting.
- . The buildings are now significant as a ruin that has existed for over 40 years and has become a local landmark largely for the ruination of the place.

SOCIAL SIGNIFICANCE

Criterion (d)

An item has strong or special association with a particular community or cultural group in New South Wales for social, cultural or spiritual reasons.

- . In terms of social attributes, The Maltings is significant as a place which is held in high esteem and has a strong association with the community at large and Mittagong residents in particular.
- . The Maltings is a landmark in Mittagong, well known to generations of travellers on the Hume Highway and the main southern railway line.
- . The Maltings has a strong association with Tooth & Co., the major brewing company in NSW for most of the 20th century.
- . Its industrial history is characterised by long serving employees skilled in the traditional malting process.
- . In particular there was the strong family tradition of the Jones family of maltsters, whose two generations were associated with operations at Mittagong continuously from 1901 to 1980.
- . As head maltsters supervising the continuous malting operations, the Jones lived on the property for almost the entire 20th century working life of The Maltings.
- . The construction of Malthouse 1 and 3 helped confirm the growing reputations of Stuart Bros and Robert Wall & Sons respectively as major industrial/commercial builders in NSW.

RESEARCH POTENTIAL

Criterion (e)

An item has potential to yield information that will contribute to an understanding of New South Wales' cultural or natural history.

- . The Maltings is probably the best extant example in NSW of a traditional malthouse based on the germinating floor system.
- . The techniques and surviving equipment at the site indicate the influence and dependence of the malting process on British Traditions.
- . It is a large scale traditional complex, said even before the first World War to be the largest in Australia.
- . The site has archaeological potential related to its industrial use

- . It is the only site in NSW that retains maltings buildings within a landscape and rural setting that allows further research.

RARITY

Criterion (f)

An item possesses uncommon, rare or endangered aspects of New South Wales' cultural or natural history.

- . The site and buildings are rare in NSW and Australia. The complex is one of the most complete groups of maltings buildings remaining.
- . The group are the only major maltings complex in NSW outside Sydney (Kent Brewery that has now lost its context).
- . The group are a rare example of a rural maltings complex designed around an English landscape concept.

REPRESENTATIVE

Criterion (g)

An item is important in demonstrating the principal characteristics of a class of New South Wales' cultural or natural places; or cultural or natural environment.

- . The place is an excellent representative example of the traditional maltings process.
- . The place is representative of rural industrial complexes from the start of the twentieth century.
- . The place is representative of the often high quality design approach to industrial sites exhibited throughout the Victorian and early Federation periods.

5.1 GRADED AREAS OF SIGNIFICANCE - ASSESSMENT OF IMPACTS OF PROPOSAL ON ELEMENTS

The following table provides an assessment of the works against the specific elements of the place. Where it notes elements have been removed, this compares the condition of the site noted in the 1980s and later reports with the state of the site at this time. As observed in the CMP there has been a very large loss of fabric over 40 years and the reports and photographs within them are the only records of much of the detail of the place. It is also noted that access to many parts of the complex has not been possible as all stairs and access has been lost, consequently some inaccessible areas may contain elements that are not noted.

There has been no removal of buildings or fabric in the recent past.

Table 4: Assessment of impact in relation to the graded levels of significance.

	Element (refer to Figures 4. To 4.)	Significance	Structures with Significance	Assessment
1A	Malthouse No. 1	high	Walls, concrete germinating floors, cast iron pillars, Wooden window Shutters	Walls retained, concrete slab to be removed due to structural failure, columns retained for adaptive re-use
1B	Malthouse No. 1 Machinery Building	high	Walls, Concrete germinating floors, Cast Iron Pillars, Wooden window shutters	Most elements remain, new structure inserted to upper level, concrete slab to be removed due to structural failure
1B	Malthouse No. 1 – Kiln House	high	Walls, Cast Iron Pillars, Floors between levels 1&2, 2&3	Retained
		high	Cast Iron furnace floors	Retained
1C 3C	Malthouse No's 1 & 2 – Silos, separator and baggers	4	Walls	Retained.
		3	Boby separator, Bagging machinery	Remove previously
		1	Silos	Retained with some intervention.
3B	Malthouse No 2 – kiln House	4	Walls	Retained
		2	Kiln furniture	Largely removed previously
3A	Malthouse No. 2 – Machinery Building	4	Walls, concrete germinating floors	Retained with minor interventions. Roof to be rebuilt.
		2	Barley screens, separator, conveyors. Electrical switchboard	Previously removed.
3A	Malthouse No. 2	4	Walls, Concrete germinating floors, rolled steel joist columns, barley floor, roof	Walls are retained. Structure to ground floor retained. First floor largely retained. Upper floors largely retained. Roof structure retained.
		3	Steeps, overhead barrows, watering hoses	Mostly removed previously. Any surviving elements retained.
		2	Small interior fittings, conveyors, wooded window shutters	Mostly removed previously. Any surviving elements retained.

	Element (refer to Figures 4. To 4.)	Significance	Structures with Significance	Assessment
2	Malthouses No's 1 and 2, railway Platform and Weighbridge	4	Walls (brick), Darling Harbour sign, platform, canopy over railway	To be retained, rebuilt and conserved as required.
		2	Weighbridge	Retained
		1	Rails	Remnant but retained where extant
4	Malthouse No. 3	4	Walls, floors, machinery	Retained with minor changes
10	Malthouse No.3 – Machinery Building	4	Walls, Floors Roof	External Walls retained with some new openings. Internal walls partially retained some areas removed. Internal floors removed Roof and roof framing removed.
		3	All machinery	Removed previously.
11	Malthouse no.3	4	Walls, mechanically malt agitation system on level 5	Walls retained. Equipment largely removed.
12	Malthouse No.3	4	Walls (except east)	Retained
		2	Baghouse, small machines	Mostly removed.
5	Brick Retaining Wall	4	Whole Structure	Retained, minor changes for access
9 10	Barley Stores No's 1A and 1B	3	Fabric of building (not floor)	Retained as building forms with most structure, cladding replaced in parts and new interventions to add new uses and levels.
12	Barley Store No.2	3	Fabric of building (not floor)	Building removed.
	Barley Store No.3	3	Fabric of building (not floor)	Building removed
17	Workshop	2	Whole Structure	Building removed.
8	Engine Room	3	Diesel engine, generator, switchboard, compressor, sign showing where malt was stored	Ruin to be retained in landscape.
198	Battery Room	3	Fabric of building, particularly interior	Building removed.
15	Toilet Block	1	Whole Building	Building removed.

	Element (refer to Figures 4. To 4.)	Significance	Structures with Significance	Assessment
13	Caretakers Residence	1	Whole Building	Building removed.
	Water Tank Bases	1	Whole Building	Building removed.
17	Waste Water Tank and Pump House	2	Both Structures	Building and tank retained in landscape
	Shed for diesel fuel tank	1	Whole Structure	Building and tank retained in landscape
25	Tools and Machinery - Miscellaneous	3	Electric Malt Plough etc	Retained
26??				
6	Maltster's Residence	4	Whole Structure, surrounding mature trees	The ruin is to be demolished after recording as the condition is such that it cannot be recovered. Materials will be salvaged for re-use where feasible.
28	Gazebo	4	Whole Structure	Building removed.
23	Tennis Court	2	Whole Structure	Element removed.
29	Three Sheds to south-east of Maltster's Residence	1	Whole Structure	Buildings removed.
	Two Sheds to east of	1	Whole Structure	Buildings removed.
	Decorative Fencing	4	Whole Structure	Element removed.
28	Ornamental Garden	4	All mature trees and shrubs	Remnant elements remaining only.
	Site of Foot Bridge	N/A	Replace bridge with replica	Element removed.
27	Road Bridge	2	Whole Structure	To be retained and restored.
22	Rail and Road Bridge	2	Whole Structure	To be retained and restored.
19	Northern Weir	4	Whole Structure	To be retained and restored.
18	Southern Weir	4	Whole Structure	To be retained and restored.
15	Northern Entrance Gate	4	Mature Trees flanking	To be retained.
		2	Gate	To be retained and restored.

	Element (refer to Figures 4. To 4.)	Significance	Structures with Significance	Assessment
	Southern Entrance Gate	1	Gate	New entry to be created.
25	Turntable	4	Turntable and Buffer stop	To be retained and conserved.
	Railway Truck – Flat-Bed	3	Whole Object	Not found.
	Railway Truck – Hopper	3	Whole Object	Not found.
	Buffer Stop	4	Whole Structure	To be retained.
29	Butter Factory – Footings	4	Whole Structure	If extant (not found) to be retained)
	Stock Holding Pen	1	Whole Structure	To be removed.

6.0 ASSESSMENT OF PROPOSAL AGAINST CMP POLICIES

This section considers each CMP policy and addresses how the proposal responds to the policy (where relevant).

POLICY - USE

6.2.1 Establish viable and appropriate uses for the buildings and site. This is the key future activity that will ensure the retention of the buildings, the site and their significance.

Comment

The uses proposed are viable and appropriate and will ensure the heritage values of the place are retained.

The uses vary from hotel, cultural and event uses within the existing building to the future stage of residential development between Maltings 3 and 4 and Southey Street. The site zoning is low density residential, but as discussed elsewhere, the site heritage values do not support a suburban residential form of development. The proposal maintains open space, spatial relationships between and around the core elements and the creek and locates a denser form of residential development away from the core area.

A long-term mix of uses will assist in providing viability for the site and the retention of heritage values.

The uses have also been carefully arranged so that the heritage buildings have uses that are suitable to their form and fabric and uses that require more servicing, smaller spaces, etc are located in new elements of the site such as Maltings 4 and the future stage of residential development.

Some uses are outside the current zoning but not outside the range of uses noted in the DCP controls. As the selection of uses goes directly to providing for a high level of conservation to take place including the minimisation of impact on existing fabric, the application relies on clause 5.10.10 of the LEP (Heritage Incentives) to allow the uses to take place that in turn facilitates the conservation of the place.

6.2.2 Establish appropriate funding to implement an approved future use.

Comment

This is possible by developing uses that are self-supporting, varied in nature and which provide a range of ways of funding the site now and into the future.

Establishing a reasonable level of development is necessary to fund the repair and conservation work required on the site. This is a key element of the application of clause 5.10.10 where uses outside the controls can be approved where they facilitate conservation. In this case the uses proposed both facilitate conservation and minimise heritage impacts while generating funds to undertake that work.

6.2.3 Where conflict arises between use and heritage values, as an over-riding principle, heritage values should prevail. This may require creative and innovative ways to implement new uses and change that work within the heritage framework of the buildings and site. However, given the ruined state of the buildings, it is anticipated that some fabric changes will be necessary to ensure the future of the place as a whole.

Comment

Fabric change is required, however the design approach both minimises fabric change and introduces new elements that focus attention on the retained fabric. The design approach is heritage focussed and while there are changes they do not compromise the heritage values of the site.

POLICY - FABRIC

6.2.4 Extant building fabric, both internally and externally, which survives from all significant periods of construction and which contributes to the overall significance of The Maltings should, where possible and given the constraints of condition be retained and conserved within future programs of conservation, interpretation, reinstatement, re-use, alterations or additions. Conservation priorities shall generally respond to the relative levels of graded significance identified in this Conservation Management Plan.

Comment

This is achieved noting that much of the ruined fabric cannot be retained. Decisions on fabric retention and change have been made on a whole of building and whole of site basis rather than an elemental basis. This removes decisions from isolation and moves them to a consideration of how any decision affects the overall heritage values of the place.

6.2.5 Preservation and ongoing maintenance of original and significant fabric must be carried out using appropriate conservation methods and treatments with recording of changes and any new work.

Comment

This can take place once a use and proposal is approved. Detailed schedules of work have not been prepared at this stage. That is supplementary work that is necessary for the project to take place and which should be addressed by conditions of consent. A suggested condition is that prior to CC being issued a detailed schedule of conservation works, approaches and indicative detailing be provided to council for consideration.

- 6.2.6 Removal of intrusive elements or fabric of little significance is permitted.

Comment

There is little intrusive fabric to be removed.

- 6.2.7 Where new fittings, fixtures or architectural elements are to be introduced they should be designed/selected to be sympathetic with the visual qualities of the existing building fabric and to minimise the loss of existing significant fabric in the building.

Comment

New elements have been designed to be distinctive and separate from the heritage fabric. This achieves the objective of being sympathetic without being pastiche.

- 6.2.8 As the site is fundamentally a ruin, there is potential for new work and changes to facilitate approved new uses to be undertaken that may involve removal of or change to site elements of all levels of significance. Decisions on fabric interventions are to be based on an understanding of the whole of the fabric and the impact of change on the place as a ruin rather than to focus on specific elements of fabric in isolation.

Comment

New uses are proposed and the approach to the built fabric ensues a high level of retention of fabric and spatial qualities within and across the site.

Heritage is not addressed by just looking at fabric changes and detail but by exploring the core heritage values of the site and its elements and designing around them to tell the layered story of hope, decline and abandonment amidst new uses that focus on cultural achievement.

POLICY - MAINTENANCE

- 6.2.9 Undertake ongoing maintenance of significant building fabric and grounds on a cyclical basis. A maintenance programme should provide for a regular inspection of the buildings and grounds with remedial action to be taken where required. No maintenance work or repairs should negatively impact on significant fabric.

Comment

This will take place as part of the proposal but can only take place if a viable use is established and approved.

- 6.2.10 The owner should ensure adequate, consistent and long term funding is made available for the implementation of ongoing program of maintenance for the building and grounds.

Comment

This will arise from approval.

- 6.2.11 A maintenance plan should be prepared following any approval for works that relates specifically to that approval.

Comment

The maintenance plan will arise from the works that are approved. This can also be addressed by condition of consent and should note that a n ongoing maintenance plan be developed and submitted to council prior to occupation certificate.

POLICY - ARCHAEOLOGY

- 6.2.12 Prepare an Archaeological Assessment or Statement if works are proposed that involve ground disturbance, excavation either to alter ground levels or for service installations or where disturbance below floors are proposed.

Comment

Aboriginal archaeology has been assessed.

The site may be subject to some potential for archaeological potential related to the industrial use and the former factory use to the south. There may be remnant elements of site structures and demolished buildings, however, as the site layout is well known and the site has been subject to extensive change, the areas of former sites are known and can be addressed through a predictive study prior to CC.

A condition of consent can address archaeology. This should require archaeological potential to be set out prior to site works taking place.

- 6.2.13 If during any works, including minor site works, archaeological material is found, work must cease and an archaeologist engaged to investigate and advise on appropriate actions.

Comment

This should be addressed by condition of consent.

POLICY - INTERPRETATION

- 6.2.14 An interpretation plan is to be prepared to accompany any future works (that provide for public access) that sets out a coherent and organised approach to interpreting the history of the place. The interpretation plan should be prepared following any consent for a new use and works to the site.

Comment

As noted, this should be addressed by condition of consent to be submitted and approved prior to CC. there are aspects of the sites history that are well documented and provide extensive information about Malting, the Tooth family, the local area, the landscape, etc.

Interpretation is achieved by the design approach and the retention of the ruin, there is opportunity to reveal aspects of the history of the site, in all its phases, throughout the ruin. This would be subject to a separate and specific study.

- 6.2.15 The interpretation plan is to address the themes set out above and is to explore ways in which to convey the often detailed history of the place to users and visitors.

Comment

Part of above.

- 6.2.16 Adaptation of the buildings and site elements may take place to facilitate new uses provided that significant fabric and spatial arrangements in and around the buildings, as identified in this CMP, are not adversely impacted.

Comment

This has informed the design process.

- 6.2.17 Adaptation may take place across the buildings and elements and specific interventions should be determined in relation to the overall heritage values of the place.

Comment

This has informed the design process.

- 6.2.18 Adaptation of ruined elements of the site may take place to provide for access and BCA and OHS compliance.

Comment

This has informed the design process.

- 6.2.19 Advice on how to integrate new uses and services must be taken from an experienced heritage practitioner if works are proposed that may affect elements of high significance.

Comment

This has informed the design process.

- 6.2.20 Changes to the site or grounds that involve excavation, changes to levels or other works beyond gardening will require consent.

Comment

This is addressed in the application.

POLICY - VISTAS, VIEWS AND SETTING

- 6.2.21 Views to the site are to be protected in future development. In particular views of the building from the west across the railway reserve, from the front entry gates and from Southey Street should be retained

Comment

All significant views to and within the site are protected and enhanced through the proposal.

- 6.2.22 Views between the principal buildings across Nattai Street are to be conserved and enhanced in future works.

Comment

All significant views to and within the site are protected and enhanced through the proposal.

POLICY - NEW WORKS

6.2.23 New works including buildings, site features and landscaping can be undertaken based on the following principles:

- new work should not be located within the central setting of the river (except for minor elements as has taken place in the past)
- new work should be designed where it is 'stand-alone' to be of high design quality that responds in siting, form, scale and materiality to the robust but finely detailed industrial form and character of the site
- new work may be integrated into the existing ruins or, if not, should be designed as additions that are consistent with the original design intent for buildings on the site or sufficiently separated so that the heritage elements remain in the round'.
- where new works are within the existing building envelopes or fabric the adaptation of the significant fabric should be guided by policies on adaptation.

Comment

The design is predicated on these principles.

The design has been developed to respond to the understanding of the site as set out in the CMP.

New works, apart from works within the existing buildings can be separated into building works and site works. The site works are largely new work as, apart from remnant plantings and the structure of the creek through the site within its specific elements, the site landscape has largely been lost.

The 'new' building works fall into 3 areas:

Maltings 4

This is an addition to Maltings 3 that contains the hotel rooms and amenities. The building completes the early intended layout of wings paired around a central core. As each wing was built at a different time, each has a related but different design idiom.

The design is simple, contemporary and interpretive and responds to the form and spatial qualities of the Maltings buildings. It is finely designed and is an excellent fit into the pattern of the site.

The Maltster's House

The canopy and new gallery spaces set amidst the ruins integrates, as required by the conditions of earlier consent, the ruin with new elements. It completes the early spatial arrangement of the site and allows an intimate garden setting to be established to reflect the early form of the site. It is also finely designed and will present sculpturally in the overall landscape setting.

Maltings 5 + 6

The proposed residential buildings to the east of the site have not been designed in detail and in this application are indicative. They are shown to establish a clear overall picture of the complete site development. Consent is not sought for their design or final form but for development of this nature and location.

The principles used in developing the design approach to these new elements are:

- consolidate built form to minimise site usage and coverage
- create new forms that relate contextually to the Maltings buildings in scale and massing but which are smaller in scale than those buildings
- create a built scale to the street of no greater than two storeys to respond to the streetscape form
- establish street setbacks that allow the massing of the new elements to fit into the street context
- provide for amenity, views and siting to achieve good design
- allow for flexibility for the forms to accommodate a range of accommodation types in the future

These principles relate to heritage values in that they provide for a high quality outcome that is commensurate with the design quality of the Maltings buildings. This in turn enhances the heritage values of the site.

POLICY - PROCEDURAL REQUIREMENTS

6.2.24 Do not undertake works on site without appropriate Council consents.

Comment

The policy is a general one that covers any works and this application satisfies the policy by applying for the required consent.

6.2.25 For minor works that are subject to exemptions, apply for an exemption in consultation with Council for works such as general maintenance, painting and some conservation works to the building and site.

Comment

The current application is a comprehensive one that does not include applications for exemption.

POLICY - ARCHIVAL RECORDS

6.2.26 Archival records that relate to the Maltings should be maintained preferably as a single collection or where this is not possible all related records should be referenced with the council and the current owners' archives.

Comment

There are no archives attached to the property.

Site recording and any records created will become an archive held by the owner who will manage those records as the policy sets out.

- 6.2.27 Copy any original records and ensure that original material is stored securely and in appropriate environmental conditions.

Comment

Original records are held by other agencies such as Council and ANU. As research continues into the site, copies of archives will be obtained and managed as part of the site archive.

- 6.2.28 A permanent archive should be established to house all research material, maintenance records, original building elements found. The archive should also store all future materials found or records produced, and generally be available for specialist consultants and interested groups to inspect.

Comment

The site will establish an archive of material.

- 6.2.29 Retain and manage an accurate archival record of works, maintenance, changes in use and interpretation in a central repository.

Comment

The site will establish an archive.

- 6.2.30 Records of any changes and the reasons for decisions are to be retained for future works.

Comment

The site will retain an archive.

POLICY - STATUTORY APPROVALS

- 6.2.31 Obtain all statutory and required approvals to undertake work on the property.

Comment

This application satisfies this policy

- 6.2.32 Any major works should be discussed with the NSW Heritage Council even though the place is not included on the State Heritage Register.

Comment

This has taken place

- 6.2.33 Do not undertake works without approval.

Comment

This application ensures that works will be approved.

POLICY - CONSERVATION MANAGEMENT

- 6.2.34 Care of the building fabric and ongoing maintenance should be the responsibility of the owner.

Comment

This is demonstrated in the DA documentation.

- 6.2.35 All works to significant fabric are to be carried out by contractors and consultants trained in the conservation of historic buildings with suitable qualifications in their profession, trade or craft.

6.2.36

Comment

This will form part of future documentation and tendering.

- 6.2.37 All works are to be carried out using traditional materials and techniques unless modern equivalents provide substantial conservation benefits or work is carried out on non-significant fabric.

Comment

This will form part of the future documentation.

- 6.2.38 The conservation policies should be reviewed within five years, but no later than 10 years, or at the time of future programmes of upgrading. The review should be based on The Burra Charter and the guidelines provided by the NSW Heritage Division.

Comment

The responsibility of the owner is to undertake the required review.

POLICY - MOVEABLE HERITAGE

- 6.2.39 Significant items of movable heritage associated with The Maltings should be moved to one (preferably local) secure repository and archivally recorded.

Comment

Known moveable heritage is stored in a secure location on site.

- 6.2.40 Items that have no significant association with The Maltings may be disposed of or used elsewhere.

Comment

Advice in relation to elements that may be found on the site.

- 6.2.41 If possible, seek to recover removed items of moveable heritage for future interpretation use.

Comment

Future action beyond the current application.

The interpretation plan should explore the potential recovery of removed items.

POLICY - SECURITY

- 6.2.42 While the site is undeveloped and unoccupied, maintain security on the site to prevent further damage and risks to trespassers.

Comment

The site has been secured

6.2.43 Do not adversely affect significant fabric or elements while providing security.

Comment

This has not occurred.

7.0 LEP HERITAGE CONTROLS

The place is a listed heritage item and the LEP 2010 heritage policies focus on the retention of heritage value. Section 5.10 of the LEP sets out the standard heritage controls that apply across NSW. The DCP sets other controls that have a lesser statutory role in consent.

Of most importance are the objectives that seek to conserve heritage values in all their various forms.

For the Maltings site the heritage incentive clause at 5.10.10 is of importance as it allows the uses proposed to be considered in relation to the ability to facilitate the heritage conservation of the place. The proposal is predicated on uses that best suit the heritage values of the place rather than looking to fit inappropriate uses onto the site that arise from zoning.

The LEP heritage provisions that are relevant to the site are:

Clause 5.10

(1) Objectives

The objectives of this clause are as follows—

- (a) to conserve the environmental heritage of Wingecarribee,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,

Comment:

The proposal conserves the heritage of the site which is at a risk of loss and further deterioration if an adaptive reuse for the site is not found.

The proposal conserves fabric, setting and views.

(2) Requirement for consent

Development consent is required for any of the following—

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—
 - (i) a heritage item,

- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (e) erecting a building on land—
 - (i) on which a heritage item is located or that is within a heritage conservation area,

Comment:

Consent is required and these documents form part of that process.

(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).

Comment:

This assessment and the proposal allow a consideration of impacts on heritage values to be undertaken.

(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.

Comment:

A CMP and HIS have been prepared.

(6) Heritage conservation management plans

The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

Comment:

A CMP has been provided.

(7) Archaeological sites

The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the [Heritage Act 1977](#) applies)—

- (a) notify the Heritage Council of its intention to grant consent, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

Comment:

An Aboriginal archaeological study has been prepared.

Other archaeological investigation will take place prior to a CC being issued for the site. Archaeological requirements should be addressed by condition of consent.

(8) Aboriginal places of heritage significance

The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance—

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
- (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

Comment:

An Aboriginal archaeological study has been prepared.

(9) Demolition of nominated State heritage items

The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item—

- (a) notify the Heritage Council about the application, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

Comment:

The site was considered for State heritage listing and as it involves some demolition, the NSW Heritage Council have been notified and advised of the proposal and have made comment prior to submission.

(10) Conservation incentives

The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an

Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that—

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

Comment:

The heritage incentives provisions in this clause relate to use and offer a consideration of uses that would not otherwise be permissible under the LEP zoning if, Council as the consent authority are satisfied that, the uses proposed facilitate the conservation of the place.

This recognises that heritage sites are often difficult to utilise with a complying use as the zoning of sites and their heritage values are often at odds. This is particularly the case at the Maltings where the zoning is low density residential (to match the surrounding area) but the buildings on the site are large scale industrial buildings that cannot be adapted for residential use while retaining heritage values. The clause does not allow inappropriate uses to be approved, the onus is developing uses that fit with the site, the buildings and the location and which assist in the conservation of the place.

The DCP for Mittagong also provides for the consideration of other uses on the site and lists them as:

residential flat buildings, multi dwelling housing and detached housing accommodation mixed with recreation, tourism, light industrial, and limited small scale specialty retail uses.

Some of these uses are permissible but the DCP allows for a mixed form of development with residential use embedded. Any residential use of low density must devalue the heritage values of the site as it is a land intensive use that, to be viable, would require a significant part of the current site to be excised for that use. Sub-division is anticipated in the DCP and LEP (with controls) and is possible on this site, but to properly conserve heritage values it is necessary to establish an approach that retains significant heritage values on a precinct basis.

The DCP control does not override the LEP control for use but does signal the intent of Council to be flexible in how the site is considered in relation to use and zoning.

The proposed use and current DA satisfies all of the requirements to enable the heritage incentives clause to be used on the site. This, in many respects, is the ideal site over which to exercise heritage incentives as without the use of this clause it is unlikely that the buildings will survive and retain significance due to their very deteriorated condition.

To generate sufficient funds to manage and conserve the site, a use that is beyond the zoning is essential. To retain sufficient space around the buildings to retain the very significant spatial qualities of the site, uses are required that minimise the need for sub-division and excision of core parts of the site.

Allowing the proposed uses achieves the following:

- a high level of conservation of fabric
- the retention of the spatial qualities of the site that are critical to heritage values
- retention of views within and outside the site
- opening up the site for public access
- provides a high level of security
- protects the setting and amenity of adjoining sites
- achieves environmental goals in relation to the creek and site
- satisfies the requirements of the CMP for the site
- establishes a way forward for the site that has not been possible for more than 40 years

There can be no doubt that the application of the heritage incentive provisions to allow the current proposal can result in the conservation of this site that has proved over a long period of time not to be possible through other means.

8.0 DCP CONTROLS

The Mittagong Town DCP addresses the Maltings in a specific section set out as follows with comments on how the proposal has addressed the various matters raised. As the place has specific controls and the LEP general heritage controls have been considered other DCP controls are not discussed:

C15.1 Location and Character

This Precinct incorporates The Maltings Conservation Area is indicated on Figure C15.1 below. The Precinct is zoned R2 Low Density residential under the provisions of WLEP 2010. In addition to the objective and controls contained in this Part of the Plan, applicants are also directed to the provisions of Part C17 above.

Comment:

The proposed uses for the site are cultural, accommodation and residential noting that not all the proposed uses fall within the zoning controls for the site. The proposal provides for a high level of conservation that is unlikely to be achieved with other uses and consequently the provisions of clause 5.10.10 of the LEP are used to address use.

C15.2 Preferred Development Outcomes

Council seeks to achieve the following objectives for The Maltings site:

- (a) residential flat buildings, multi dwelling housing and detached housing accommodation mixed with recreation, tourism, light industrial, and limited small scale specialty retail uses.

Comment:

The proposal does not propose these forms of housing development in the initial stage of development but does focus on recreation and tourism. The indicative future stage is for residential development that is consistent with the DCP objective.

It is deduced that the range of uses set out (that are outside the zoning controls) are to encourage uses to be developed that can be viable on the site. Use of the buildings for tourism and cultural uses achieves a very high level of site and building conservation and does not require open areas generally to be used for development that is not directly related to the core buildings. A future stage has identified RFB and multi-dwelling housing as part of the M5 and M6 stage. This would be subject to a further application but this proposal sets out the range of uses that are likely to take place.

It is necessary to consider the full range of uses in the application of clause 5.10.10 as all uses contribute to the conservation potential of the site.

The proposal achieves an excellent heritage outcome for the site.

- (b) The cultural heritage significance of the former Maltings industrial complex will be conserved as part of any adaptive redevelopment and re- use of the complex.

Comment:

The proposal involves probably the highest extent of conservation that can be achieved given the current state of the buildings and site.

The proposal achieves this objective.

- (c) development around the perimeter of The Maltings precinct should remain compatible with the existing streetscape character and spatial pattern of development in adjoining existing detached housing neighbourhoods.

Comment:

At this stage the only perimeter development proposed is the indicative infill to the east behind Maltings 3. While the footprint and massing of future building forms is indicated, this would be subject to a separate application and assessment. There is a strong argument to consolidate development onto a smaller footprint to conserve site values. This could equate to denser building forms in this location and very little development around other site edges. Given the form of the development on the site, the place can easily accommodate larger built forms than individual housing and larger forms will be more consistent with the sites' heritage values.

The following sketches form part of the site analysis prepared by Snohetta for Maltings 5 and 6 and indicate the form of development proposed.

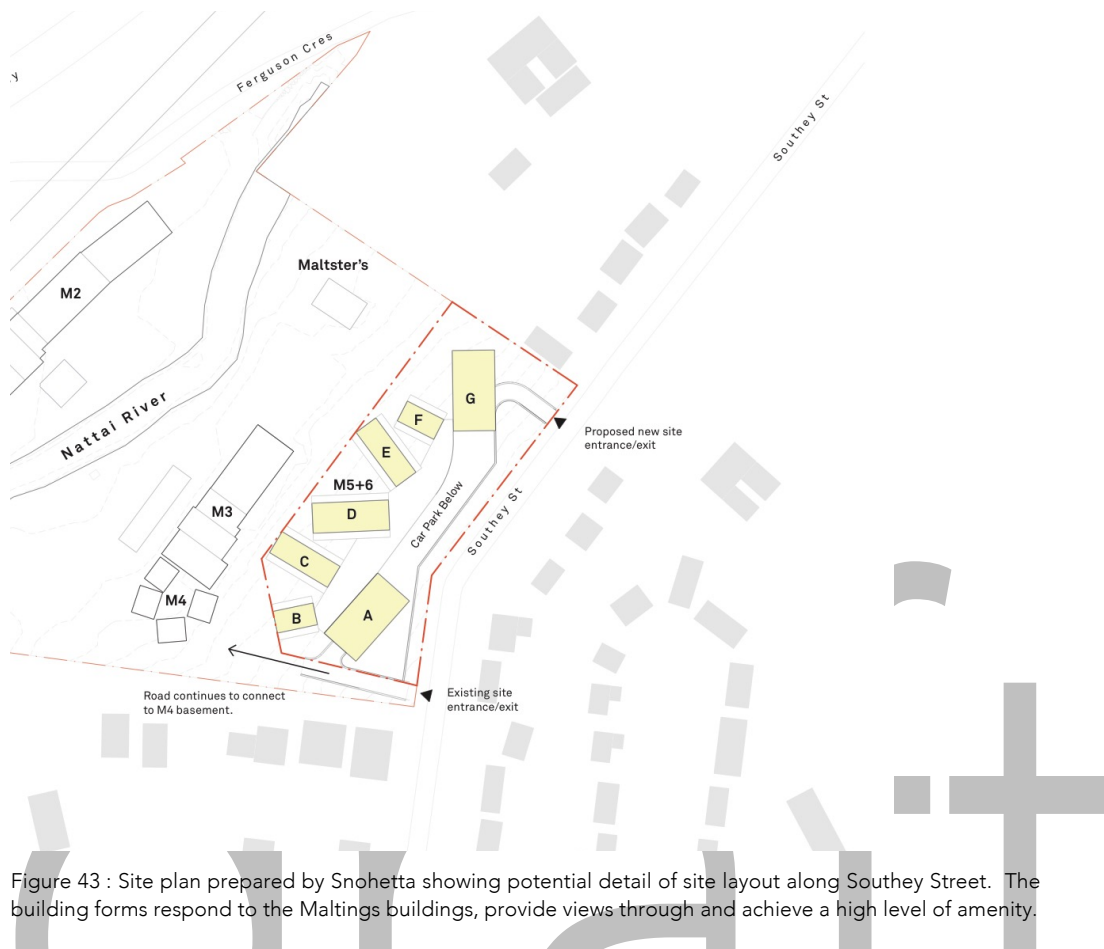


Figure 43 : Site plan prepared by Snohetta showing potential detail of site layout along Southey Street. The building forms respond to the Maltings buildings, provide views through and achieve a high level of amenity.

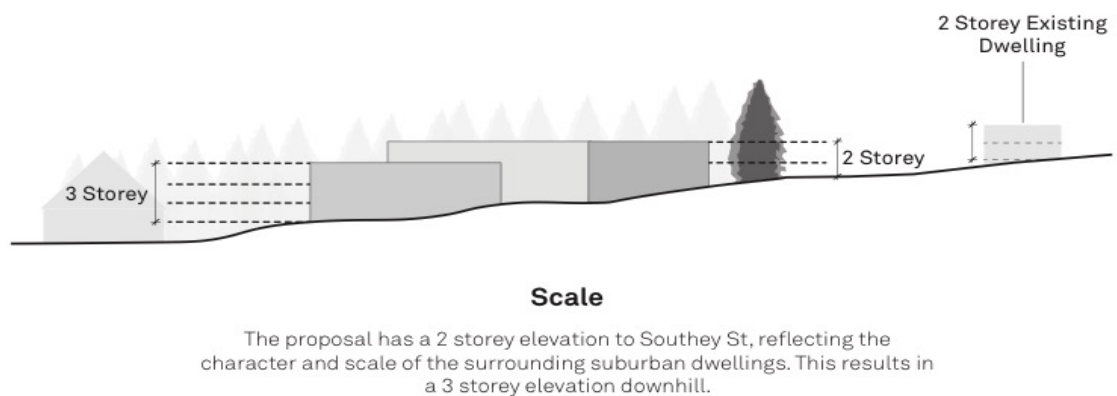


Figure 44 : Indicative site section prepared by Snohetta showing form and scale of potential residential buildings.

This objective allows for perimeter development but does not require it.

C15.3 Additional Development Controls

- (a) Any development, including subdivision, within the Maltings precinct shall be consistent with the recommendations of a Conservation Management Plan for adaptive reuse of the site, approved by the Council, and which provides for the reuse of the Maltings buildings and site, ensuring:
 - (i) the retention, stabilisation and enhancement of the remaining fabric and setting of the former Maltings industrial complex,

Comment:

A CMP has been prepared that addresses the state of the site and buildings

- (ii) the protection of prominent view corridors across the site to the former industrial buildings that have a landmark significance,

Comment:

View corridors are identified and protected in the CMP and in the current proposal. The external views are noted as from the north-west across the railway and from the entry in 'Ferguson Avenue and from the entry drive in Southey Street. Views are not affected by the proposal including views in relation to Maltings 5 and 6 which are located out of the important view lines onto the site.

- (iii) the retention of significant landscape elements,

Comment:

The landscape form of the site is retained and protected in the CMP and in the proposal.

- (iv) the siting, design, and construction of new buildings and other structures that complement the visual prominence, architectural character and heritage significance of the former industrial buildings, and

Comment:

New elements are anticipated in the CMP that complement the character, scale and siting of the existing buildings. The proposal responds to this in a nuanced and positive way.

- (v) the protection of the setting and heritage significance of the Fitzroy Inn.

Comment:

The CMP ensures that development does not impact Fitzroy Inn and the proposal retains the spatial relationship along the common boundary.

- (b) The existing pattern of low density detached houses on separate allotments, that front Southey Street, shall be extended along the Southey Street frontage of the Maltings neighbourhood, ensuring that no development is higher than 2 storeys with the second storey being contained within a pitched roof space.

Comment:

There is no current proposal for development fronting Southey Street, the site plan indicates a future stage of development in this area. This may arise in the future. At that time

consideration of the DCP controls and the character of the site will be required to assess any proposal.

- (c) Vehicular access to the Maltings precinct via Colo Street shall be restricted to access relating to residential development only.

Comment:

The proposal looks to separate vehicular access with visitor and other access in separate streets. Colo Street is the logical site for a main entry in order to conserve heritage values of the centre of the site.

- (d) Vehicular access to any non-residential development or public car parking associated with same, shall be made via the Old Hume Highway, where such vehicular access arrangements do not compromise the safety or efficiency of the Old Hume Highway and the local road network.

Comment:

Access from this position is addressed in other reports but in relation to heritage impacts this access point should not be used as a principle vehicular driveway as it requires vehicles to traverse the centre of the site or, to create a large parking area in a core part of the heritage precinct. Removing cars from the main area of the site is a key heritage outcome and to achieve this cars must enter from Colo and Southey Streets where parking and access can be carefully managed.

This requirement appears to arise from considering a mixed use development of the site with single residences and other uses however this is not the current proposal and vehicle access needs to be considered in light of the actual proposal.

- (e) All car parking and loading/unloading facilities associated with non- residential development shall be provided within the Maltings precinct.

Comment:

This is proposed.

- (f) Any new building or structure within the neighbourhood and not physically associated with the stabilisation or restoration of the former industrial buildings, shall be restricted to 2 storeys.

Comment:

This is a generic control to avoid potential impact from future development. While it has some merit in ensuring that new development does not overwhelm the site it is predicated on a form of development that includes housing units.

The proposal extends Maltings 3 with a new 5 level building that completes the physical form of that building. This is consistent with the clause as it is physically associated with the Maltings buildings and provides for conservation.

Maltings 4 and 5, the proposed future stage of development, are likely to adopt a 2 to 3 storey form with a maximum height to Southey Street of 2 storeys. This would be consistent with the intent of the controls as they presently exist.

- (g) The end use of development within the Maltings precinct shall not place at risk the health and safety of occupants or visitors, given any potential:
- land or soil contamination, and
 - the structural adequacy of, and presence of any potentially harmful construction materials within, existing buildings and structures within the Maltings neighbourhood.

Comment:

This is not a heritage consideration.

Any development within the Maltings neighbourhood shall incorporate improvements to the ecological value of the foreshores and adjoining riparian zones of Nattai Creek and the quality of water flowing from land within the Maltings precinct, into the Creek.

Comment:

This is proposed as part of the landscape proposal and achieves a heritage outcome of reinstating aspects of the site that have heritage value.

9.0 CONCLUSION

We conclude that the current proposal is on the one hand ambitious and innovative and on the other achieves a very high level of retention of heritage fabric and significance given the recently investigated condition of the structure and fabric. More importantly the proposal retains the spatial arrangement of the site and the views within and without that are so important to the arrival into Mittagong from the north.

The works in places involve intervention into the heritage fabric but in ways that interpret the fabric and spaces and provides ongoing life for the site.

We particularly draw attention to the heritage incentive provisions and their application to this site. We have worked with these provisions on a range of sites but there would be no more appropriate site than the Maltings for this clause to be used. Given the extremely poor condition of the site, a use that allows a high level of conservation, use and public access satisfies all the requirements for council to consider using the clause.

An aspect of the proposal that is not noted earlier is the level of innovation in the approach. Often heritage conservation is about keeping things, carefully restoring and conserving things and making very little change. That is not a viable or valid approach to this site which is in its current form a ruin that presents significant challenges for future conservation. The proposal offers an approach that will establish the site as a destination in its own right for its presentation of the ruin interposed with new elements. This approach has been achieved elsewhere, mostly overseas but presents the potential for Mittagong and the Southern Highlands to feature an architectural site as much as an historic site that is of National importance.

As author of this report I note the work I undertook on the MONA project in Hobart as their heritage consultant who advised on what has become an international destination that has transformed the economy of Tasmania. This is not MONA, but in the current abandonment of culture by state and federal governments, Wingecarribee has the opportunity to be involved and

support a proposal that can bring considerable new life into the region and be a recognised place that in turn brings visitors and business to the Southern Highlands.

There are no adverse heritage outcomes from this proposal. The alternative is the slow and inevitable loss of the site as it would again fall into further ruination.

We endorse this proposal for its sound and necessary heritage outcomes.

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