

Statement of Heritage Impact
Changes to a Listed Item within a
Heritage Conservation Area

Proposed New Amenities and Shelter
Former Morpeth Courthouse, now Museum
Stage 2 Listed item 211

Maitland City Council



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D	Revised scope	21.06.2024	mpf

Image 1: cover- Back yard and existing south elevation Morpeth Courthouse
All photographs by Placemark Consultants, Mark Fenwick unless otherwise noted

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1 Introduction

1.1 Introduction

Placemark Consultants have been engaged by Maitland City Council to prepare a Statement of Heritage Impact for the proposed redevelopment of the back yard of the former Morpeth Courthouse, now Museum. The proposal includes new boundary walls, a covered outdoor learning area, new toilets and accessible entry. New drainage and pathways are included in the proposed works. The project is to enable the Museum to better utilise the space as an exhibition / interpretation area open to the public during Museum hours. The fences, gates and paths will also connect the adjacent public park and Northumberland Street to the back of the Courthouse building [Issue C responds to a design change and revised scope. The south wall, associated drainage and archaeology was undertaken as Stage1].

This report has been prepared to present the considerations for the place and the proposed development, describe the issues and outline the process adopted in determining the Statement of Heritage Impact (SoHI), included here as the final section of this report.

The report examines the heritage significance and character of the former Morpeth Courthouse, reviews the proposed development, assesses the likely impact by the proposal on the heritage significance of the Courthouse and the Heritage Conservation Area, then identifies the measures taken by the proposed planning and design to mitigate any impact before concluding with the Statement of Heritage Impact.

1.2 Statutory Framework for Heritage

The site is listed item 211, located at Morpeth and within C-6- Morpeth Heritage Conservation Area (HCA), which is listed by Schedule 5, Environmental Heritage of the Maitland Local Environmental Plan 2011.

Section 5.10 of the LEP requires the preparation and submission of a Statement of Heritage Impact for proposed new buildings, changes to listed item or located within a HCA. This requirement is a mechanism intended to inform and to assist in protecting the heritage significance of the item and HCA.

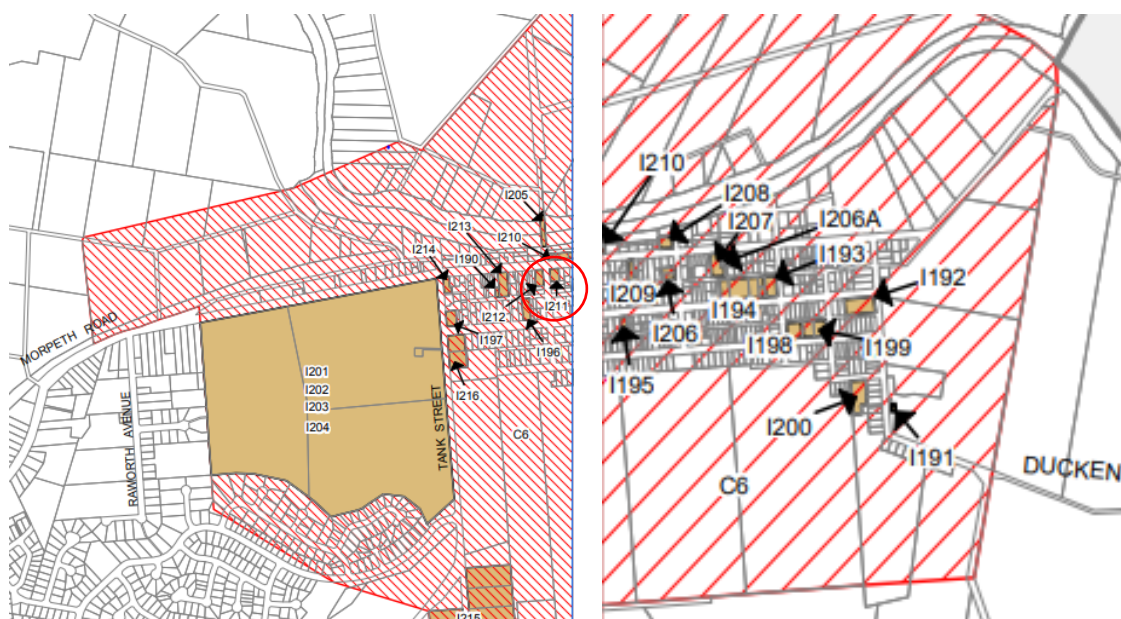


Image 2: Location of the subject site item 211 within the HCA, circled
Source: Maitland LEP 2011 Heritage Map sheets HER 400C and 006 Morpeth HCA

1.3 Local Environmental Plan 2011

The LEP Clause 5.10 (1) lists the following objectives relevant to this assessment:

- To conserve the environment heritage of the Maitland.
- To conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.

The LEP includes Schedule 5 Environmental Heritage and lists the Morpeth Heritage Conservation Area and the former Court House as items of Local Significance.

1.4 Development Control Plan 2011

The Maitland City Wide Development Control Plan 2011 supplements the Maitland Local Environmental Plan 2011, providing additional information, guidelines and assessment criteria. The DCP part E describes five HCAs in the Maitland LGA, providing a Character Statement for each.

It notes that for Heritage Conservation Areas:

Factors in defining the sense of place may be the original subdivision pattern, a consistency in building form or building materials, the density of development or the mix of land uses which reflect a particular period or periods in the history and growth of the area.

The components of a Heritage Conservation Area, therefore, while not necessarily individually listed items, can have a collective significance. Loss of, or unsympathetic alteration to, any one of them can erode the significance of the Heritage Conservation Area as a whole.

Morpeth Heritage Conservation Area

The DCP provides the following Character Statement (relating to a 'sense of place'):

Character Statement

General

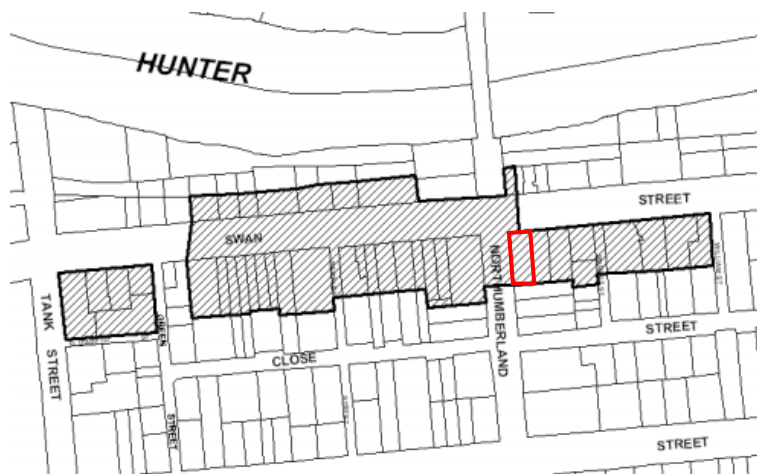
Morpeth has a clearly defined edge and a distinctive form in a rural setting. The town is the same size and shape as indicated in the earliest known plan (1840) with few changes. It is clearly separate from other urban areas, and is also visible as an entity in the landscape from surrounding areas and from several approach roads.

The physical character of the town reflects:

- *its very early settlement (1820s) as the major port of the Hunter region;*
- *its establishment phase occurring before the halfway point of the nineteenth century and paralleling the establishment of railways in NSW;*
- *rapid growth in the late Victorian, post gold rush period;*
- *decline after the early decades of the 20th century; and*
- *resurgence in the latter part of the 20th Century. The Morpeth characteristic most immediately obvious is that it has a homogenous appearance related directly to the high proportion of commercial and private buildings surviving from its middle to late 19th century establishment and growth phase.*

There are a variety of building types and ages which together reflect some of the themes of history in Morpeth. Buildings which house major services within the town including the Post Office, former Courthouse, former Railway Station and CBC Bank, remain as landmarks,

complemented by modest houses, churches, and schools. Morpeth is outstanding among small towns in the Hunter for the number of town uses and facilities housed in buildings of architectural and historic interest.



The DCP defines a Commercial Precinct within the HCA. The Courthouse is a civic building with its major elevation addressing Swan Street to the north.

Image 3: Maitland City Wide Development Control Plan – Courthouse site location
December 2011 Part E _ Special Precincts _Heritage Conservation Areas page 67

1.5 Methodology

The methodology adopted for the preparation of this Statement of Heritage Impact was to:

- Review the drawings describing the proposal.
- Visit the site, take photographs of existing conditions.
- Walk the streets in the vicinity of the Courthouse noting the existing sightlines, view corridors and qualities of the streetscape.
- Examine the detail of the proposed development. Consider the requirements and considerations raised by the Maitland Development Control Plan 2011 and the degree of compliance with respect to heritage matters, likely for this proposed residence within Heritage Conservation Area (HCA).
- Assess the likely impact on the significance of the item or the HCA, if any, by this proposed design.
- Review the design changes 2024.
- Summarise the findings in this report and prepare a Statement of Heritage Impact.

1.6 Conservation Management Plan 2012

A review of the 2002 Conservation Management Plan was completed by John Carr Heritage Design early in 2012. This document provides Conservation Policies. The proposed changes are tested against these policies for this report. This CMP was also referred to in this report for the history of the place.

1.7 Archaeology

The report 'Conservation Assessment and Recommendations for former Morpeth Courthouse Stable and Privy at 123 Swan Street, Morpeth' by Carste Studio Architects and Heritage Consultants in 2013 relied upon an archaeological investigation undertaken by Eureka Heritage, Sue Singleton Archaeologist in 2013.

1.8 Concept and Masterplan

Placemark Consultants referred to the CMP and Archaeological documentation, undertook further investigation then prepared a Concept Plan in response to the Brief prepared by Maitland City Council. This plan was revised after further consultation with the Museum's volunteer team and the Morpeth Public School. This became the Master Plan and basis for the Development Approval application design and documentation now referred to by this report.

1.9 Drawing references

In preparing this report the author referred to the following drawings prepared by Donn Architects, project number 18-043. Note: Issue 1 is for DA/CC application submission.

Dwg #	Title	Scale	date	Issue
A001	Cover Sheet – Location Plan	1:1000	30.08.2019	Issue 1
A002	Site Analysis Plan	1:100	30.08.2019	Issue 1
A003	Proposed Drainage Plan	1:100	21.06.2024	Rev 4con
A005	Items to be Removed Plan	1: 50	30.08.2019	Issue 1
A010	Proposed Detail Plan (rear yard) Construction	1: 50	21.06.2024	Rev 5con
A011	Proposed Concrete Setout Plan	1: 50	30.08.2019	Issue 1
A015	Proposed Roof Plan (part)	1: 50	30.08.2019	Issue 1
A020	Section A & B and rear Elevation	1: 50	21.06.2024	Rev 4con
A021	Proposed Side Elevations (boundaries)	1: 50	30.08.2019	Issue 1
A022	Proposed Elevations Wall & 'Stable' Roof	1: 50	30.08.2019	Rev 4con
A023	Proposed Side Elevations (back verandahs)	1: 50	21.06.2024	Issue 1
REF2	Archaeologist drawing overlay			
SK10	New Roof Drainage Sketch Plan	1:100@A3	24.05.2024	B
SK11	Section A Sketch	1:100@A3	24.05.2024	B

1.10 Limitations

For the purposes of this report the history provided was derived from secondary sources and was not prepared as an academic history. Those references include the Conservation Management Plan; 'Morpeth Courthouse – a place of justice, a place of community' by Ann Beaumont 2009 and 'A Man of Many Parts- the life and times of Edward Charles Close 1790 – 1866' by Ann Beaumont 2016.

1.11 Location

The site is at the corner of Swan and Northumberland Streets Morpeth, 123 Swan Street.



Image 4: Lot 1 DP526098, 123 Swan Street Morpeth. The site is behind the Courthouse.
Source: NSW Sixmaps accessed 23.08.2019

1.12 Existing Conditions

Existing conditions are described by the following recent images:



Image 5: rear kitchen wing
Source: Placemark 01.11.2018



Image 6: enclosure & laundry / WC addition
Source: Placemark 01.11.2018



Image 7: courthouse and cell block
Source: Placemark 01.11.2018



Image 8: park entry & cell block doors
Source: Placemark 01.11.2018



Image 9: rear fence encroachment
Source: Placemark 18.01.2019



Image 10: remnant masonry wall & gate
Source: Placemark 18.01.2019

NOTE: STAGE 1 WORKS NOW COMPLETED - the west wall at the gate has been repaired, the rear fence was removed and the new rear wall (south) has been constructed.



Image 11: park toilet block beyond
Source: Placemark 15.02.2018



Image 12: side fence to cell block corner
Source: Placemark 18.01.2019



Image 13: public park and cell window
Source: Placemark 15.02.2018



Image 14: Swan Street elevation & entry
Source: Placemark 15.02.2018



Image 15: Northumberland St beyond
Source: Placemark 15.02.2018



Image 16: the back yard
Source: Placemark 01.11.2018

NOTE: STAGE 1 WORKS NOW COMPLETED - the west wall at the gate has been repaired, the rear fence was removed and the new rear wall (south) has been constructed.



Image 17: the laundry / WC addition
Source: Placemark 18.01.2019



Image 18: the laundry / WC addition
Source: Placemark 18.01.2019



Image 19: from Northumberland Street
Source: Placemark 15.02.2018



Image 20: stone kerb crossing
Source: Placemark 15.02.2018

1.13 The Proposed Development

The proposed development, to be undertaken in stages, is to extend the Museum use into the back yard as accessible open space, provide improved amenities and opportunities for interpretation and exhibitions.

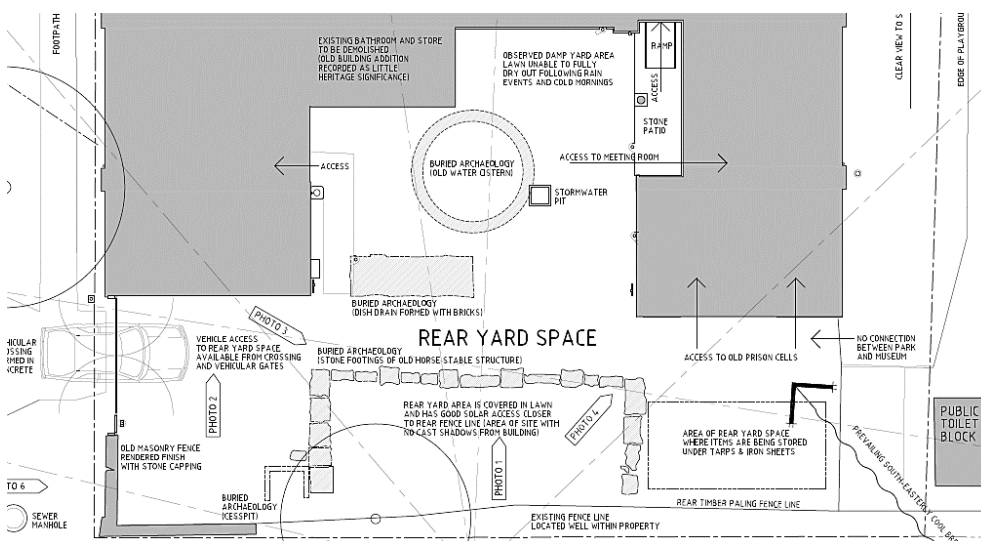


Image 21: Existing Archaeology Source: drawing A002 by Donn Architects and Eureka Heritage

The work has been planned and carefully detailed to protect the known archaeological relics.

The proposal provides a linking internal corridor [roof revised], two accessible WCs and a cleaners' cupboard all as one simple architectural form, set away from the existing original south wall by the new corridor. The scope will provide two entries that can be supervised and secured, an outdoor projection screen, a covered outdoor learning area (it is known as 'the stables') for exhibitions, school classes, tour groups, all museum visitors, accessible pathways, seating, boundary walls and gates. Roof rainwater drainage will be taken to the perimeter, outside the new additions [a revision] to avoid maintenance access issues, roof leaks and the potential problems associated with stormwater pipework penetrating the roof, being concealed in ceiling spaces and running under the amenities' extension.

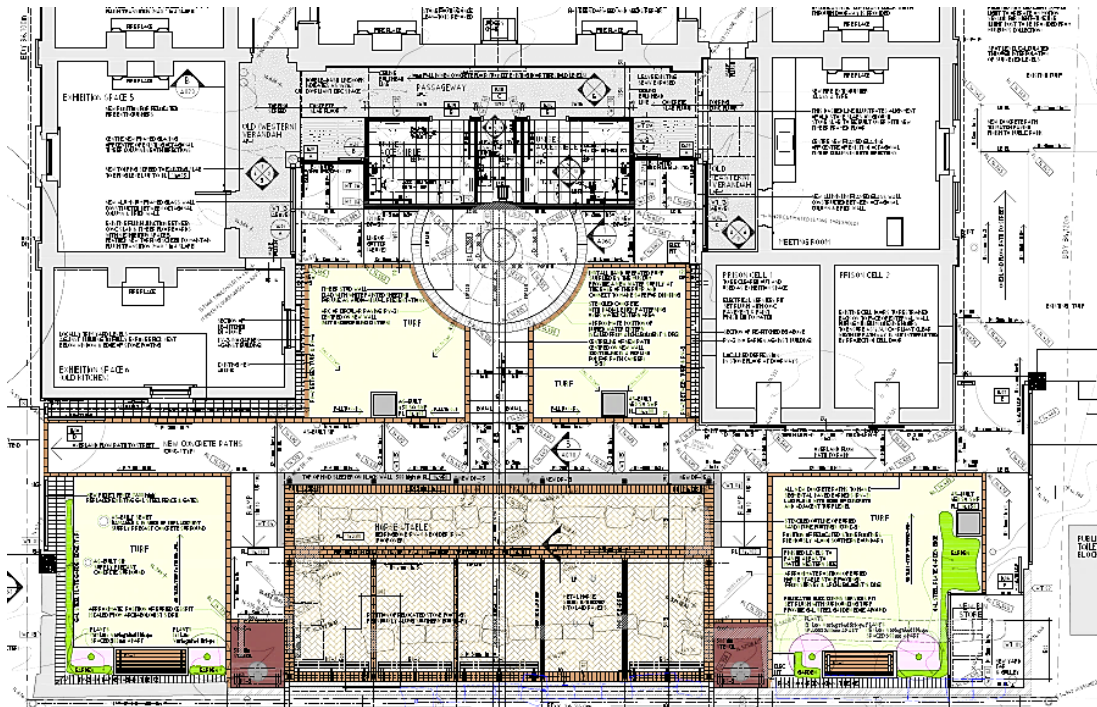


Image 22: Proposed Alterations & Additions

Source: drawing A010 REV 5 21.06.2024 by DonArch Consultants. Revised scope for construction includes deletion of glazed roof over corridor, no internal DPs, roofing material and finish; external DPs. 21.06.2024

The proposal includes areas of hard and soft landscaping. Elements, including the replica gas lights and the salvaged railway track signal are shown located at or outside the fence in the park, to 'announce' the exhibition space. These will be seen from Swan Street.

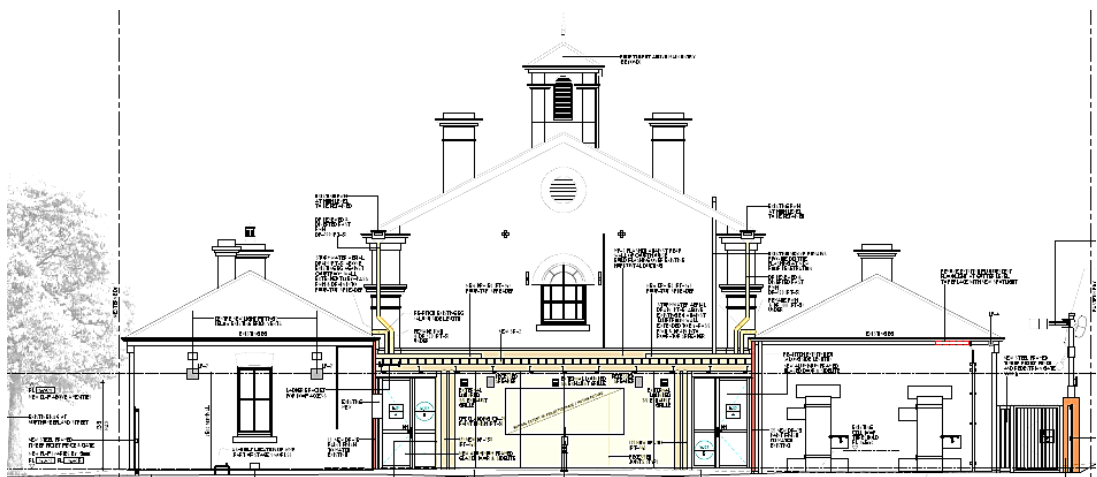


Image 23: South elevation with proposed new amenities and entries.

Source: drawing A020 by DonArch Consultants [DPs and gutters were redesigned May 2024]. 21.06.2024.

The additions will provide the projection screen and support a concealed 'wall wash' light fitting directed at the high rear courthouse wall. The additions will stand separate and use materials and colours clearly contemporary.

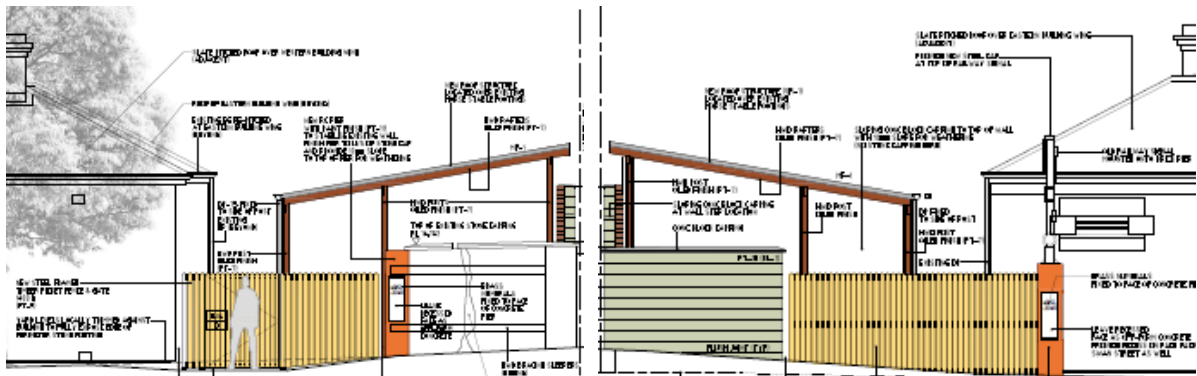


Image 24: Boundary Fences, Gates and 'Entry Markers' – Northumberland/ Park and Playground Source: drawing A021 by Donn Architects

The rear yard will be semi secure (unlike now) retaining and stabilising the remnant masonry wall, providing new masonry walls, new timber fences and gates, additional lighting and surveillance.

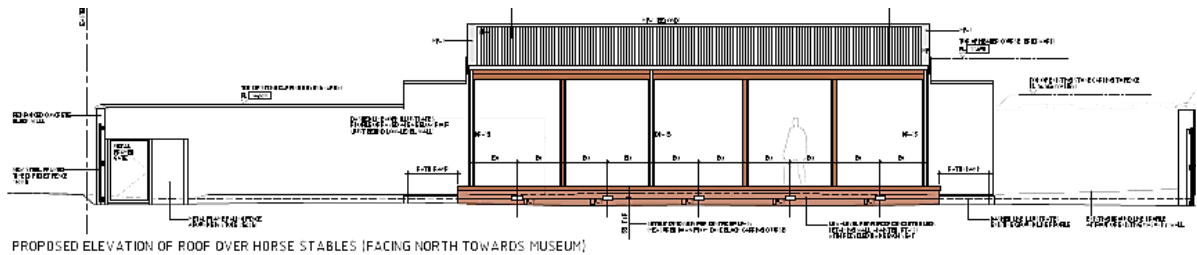


Image 25: Proposed Covered Area 'stables' and rear wall. Source: drawing A022 by Donn Architects

The Stable, including one horse stall (without door) will provide shelter, some bench seating and for projection facilities. This is not a replica but an interpretation of former structure for new uses. The 'back yard' project will be for all visitors but is intended for infant and primary school students in particular.

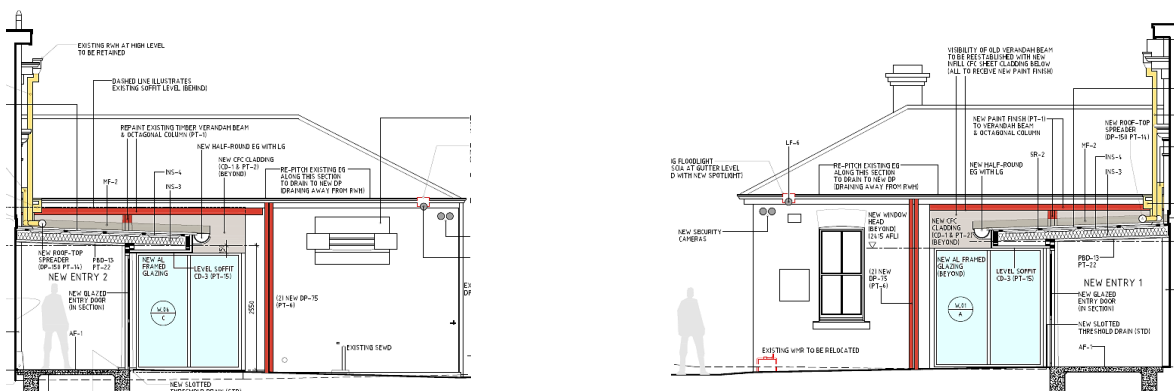


Image 26: Existing Side Verandahs -new glazing and lighting Source: drawing A023 by DonArch Consultants [NOTE: corridor glazed roof deleted June 2024].21.06.2024

The beam and centre post of the side verandahs will be retained and those spaces enclosed for internal circulation. This will shelter these south facing walls.

1.14 Materials, Finishes and Colours

The proposed palette of materials, colours and finishes for the proposal are generally indicated by the following images. The colours are respectful of the existing building, allowing the courthouse to remain the dominant element in the back yard.

The additions will not be seen from the street. The new boundary walls will be in grey blockwork, joints to match with every second bed joint ironed to achieve a shadow. The walls will be stained with a porter's off-white lime wash. At the back of the stables there will be a skin of brickwork forward of the blockwall (with display recesses). This is to be flush jointed, bagged and finished with an earthy coloured porter's lime wash [revised and built in Stage 1]

The projection screen wall will be off white; the other three walls of the amenities block will be a warm bluish mid tone grey; above the two new entries will use a ribbed stainless steel roof with colorbond finish 'Dune'; window frames will be in clear anodized aluminium finish; the infill panels below the existing verandah beams finished in a 'limed white' paint and any painting to the existing building will equal the existing colours, to match. The leading-edge of the new roof gutter, exposed as an eaves gutter will be a pinstripe of a desert orange to mark the two new door entry points.

Refer to External Finishes Schedule.



NOTE: digital displays are not colour accurate



The Stables will have a corrugated 'natural' zincalume roof, with matching ogee profiled eaves gutter and circular downpipes. The view to the underside of the roof will be in traditional timber battens, rod and turnbuckle bracing. The timber frame will oiled with a light stain (the timber resized and recycled from salvaged timber where practical given the yet-unknown condition of the timber).

The floor of The Stables is to be laid in solid standard bricks in 'herringbone pattern' with stacked runs to define elements. The yard paving will laid to a pattern to provide scale, colour and interest. The pavers, in conjunction with other oxide coloured concrete paths will be used to define the buried cistern, also highlighted with a circular stencilled pattern.

2 Understanding the Place

2.1 Historical Context

Given the original plans for Morpeth, it is unlikely that Edward Close intended for the Courthouse to be in this location. Swan Street was the commercial street, with the wharfs, warehouses and businesses. High Street was planned as the civic street. Here are the Churches, schools, Police Office, School of Arts and once his home, all on the same ridge.

Petty Sessions had been heard in Morpeth from about 1825 to the early 1850s in different accommodation including Close's house. He had been appointed as an unpaid Magistrate in the early years of Illalaung (Green Hills) and understood the need for a Court House (he had a strong belief in justice. He also understood the status that a Courthouse would bring to Morpeth). Petty Sessions was formalised in 1858, using a space shared with the Police Office in one of Close's properties in High Street.¹

Police Magistrate, Edward Denny Day based at Maitland and Close had pressured for a courthouse in Morpeth for some years. The Government announced in 1858 that it would be built but stalled. Close offered to donate land for the purpose. There were two cottages and a blacksmith's shop on the site.² The Government accepted.



Image 27: Morpeth Courthouse, NSW - Phases of Development
Source: CMP and histories, prepared by Placemark Consultants

For Edward Close it must have been very satisfying. The Courthouse was finished in 1862; the railway had reached Morpeth; the School of Arts was officially opened in September

¹ *Edward Close*, by Ann Beaumont 2016, page 137

² *Edward Close*, by Ann Beaumont 2016, page 138

1863, built on the site of their first home and the Newcastle Diocese held its first synod there in 1865. Morpeth was well and truly established. He died in 1866.

A Timeline from the CMP:

- 1858 A Court House was established in a cottage lent by the proprietor of Morpeth, E. C. Close. The government proclaimed a court house for Morpeth
- 1860 E. C. Close donated land for the new court house on the cnr of Swan and Northumberland Sts
Mortimer Lewis Junior drew plans for a Police Office in Morpeth that did not proceed.
Mortimer Lewis Junior drew new plans for a Court House in Morpeth
- 1861 Mortimer Lewis Junior adjusted the plans for the Court House in Morpeth to reduce the cost
- 1862 Court House completed in October but not occupied.
Town petitioned for a clock on the court house
- 1863 Court House first used for administration of justice on 8 April.
Tenders called in May for a new brick Kitchen and Tank Stand.

- 1867 A clock was installed on the Court house façade.
- 1879 Eastern wing added to the building.
- 1881 Post & Telegraph Office moved out to new premises in Swan Street.
- c. 1900 New Kitchen and Cells added under an extended hipped roof in the early Twentieth Century.
- 1942 The Attorney General decommissioned the Morpeth Court House in April 1942.
- 1954 Maitland Council used the building as a repository for the City Library and as Morpeth Branch Library.
- 1967 Maitland Council paid \$1200 to resume the land and spent a further \$2000 on maintenance.
- 1968 The former Morpeth Court House became officially owned by Maitland Council.
- 1971 The courthouse was renovated to become a Museum and to continue as a Branch Library
- 1999 The Branch Library closed but the eastern Wing remained a Library Repository
- 2002 Museum assumed use of the entire building.

Mortimer Lewis Junior was the designer of the Morpeth Court House. He was a very competent Clerk of Works for the Colonial Architects Office and there is no doubt that his skills at design and draftsmanship were learned from his father and the Colonial Architects Office.³ East Maitland Courthouse, designed by Dawson would have been influential.



Image 28: cropped aerial view c.mid 1940s
Source: Courthouse Museum, Alan Todd

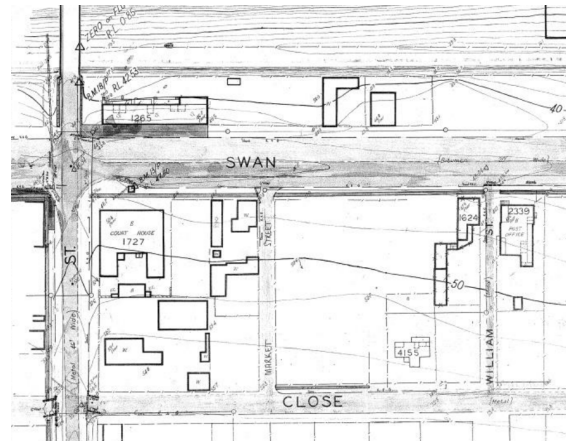


Image 29: Extract 'Existing Buildings c.1949' Source: DCP2011. Page 110

The stables and privies are shown by the (part) map, above from about 1949. Toilets are also shown against the back wall of the Courthouse.

³ CMP, John Carr page 18.

2.2 Archaeology

The documentation prepared by the archaeologist has been overlaid with survey drawings and measured drawings. Surveyors have recently verified depths from the surface down to the recorded stone footings, brickwork and structures. The Carste Studio report notes that the archaeologist... 'who had completed the investigation work and excavation at [the time of our] site investigation was in the process of covering the sandstone footings and remnant privy walls with geofabric and sand backfill' (photos by Sue Singleton, Archaeologist).



The Stables stone footings



The Stables stone footings



The brick cistern now filled



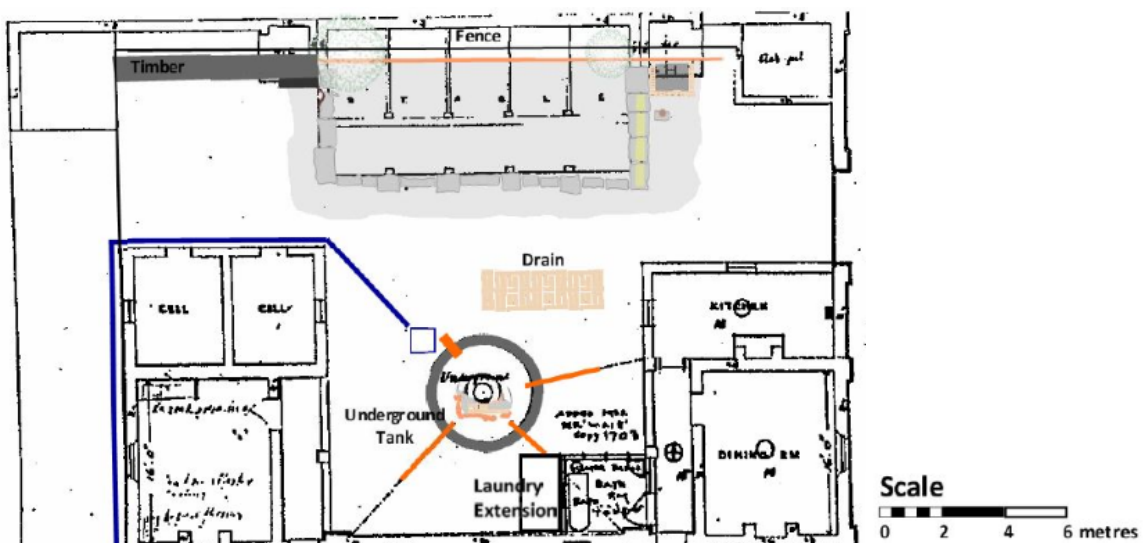
The privy wall



The brick drain remnant



The brick cistern now filled



2.3 Heritage Significance - HCA

The Courthouse and The Morpeth Conservation Area are listed as a heritage items, Schedule 5, Environment Heritage under the Maitland Local Environmental Plan 2011. The DCP provides the following Statement of Heritage Significance for the Morpeth Conservation Area.

Morpeth is of state significance:

- *For its role in the pattern of NSW's cultural history: As the major river port town in the European settlement and development of the Hunter region in the 19th Century.*
- *For demonstrating a high degree of creative or technical achievement in NSW: As a privately founded town whose layout is a skilful adaptation of the standards for government towns to the circumstances of the site, and the requirements of its founder, who lived alongside and whose family continued to own much land in the town and its surrounding area until 1920.*
- *For its uncommon and endangered aspects of NSW's cultural history:*

As a town with a large collection of buildings and works from the 19th Century, many pre 1868, compared with other similar sized and aged towns; and which provides comprehensive evidence or architectural standards and building techniques, which are now relatively rare in the state.

As a town with extensive archaeological evidence with potential to yield information that will contribute to an understanding of NSW's cultural history; in particular of the river port and associated works and structures currently in an endangered condition; and As a private town where the founder lived alongside and whose family continued to have an impact on the town and its development for almost 90 years after its founding.

Morpeth is of Regional Significance:

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

Morpeth is of Local Significance:

- *As a town that demonstrates its history through tangible evidence in its current built form.*
- *As a major tourist destination, creating greater public awareness of the heritage significance of the Maitland area generally.*

2.4 Heritage Significance - Courthouse

The Conservation Management Plan tells us that the Morpeth Courthouse is significant as one of the oldest courthouses constructed in the Hunter Valley, together with its role in the development of Morpeth as a prospering port town. In addition it is linked to the town's founder, Edward Close and the Colonial Architect Alexander Dawson and his Clerk of Works in the Hunter, Mortimer Lewis, jnr. The former Morpeth Court House is recognised through its listing on the State Heritage Inventory, Register of the National Estate, the National Trust of Australia (NSW) classification listing and the Maitland City Council's LEP.⁴

The courthouse provided accommodation for the recently established telegraph office in Morpeth and enhanced communication for the businesses and residents of Morpeth with other major centres.

The Morpeth Court House has been successfully adapted for use as a museum of local history in the Maitland District. Enough detail and original building fabric survives for the eventual reconstruction of missing materials and detail. The former Morpeth Court House is an excellent example of an 1860's courthouse building, particularly when grouped with the still functioning East Maitland Court House.⁵

Overall, the CMP provided the following assessment, The Morpeth Court House has:⁶

- HIGH historical significance (State significance).
- HIGH historical association (State significance).
- HIGH aesthetic significance (State significance).
- MODERATE social significance (Local significance).
- HIGH scientific significance (State significance). Archaeology in the back yard.
- Rarity: Not uncommon, rare or endangered.
- HIGH representative value significance (State significance).

It should also be noted that the Integrity of the building is high.

The CMP provides grading of significance for elements of the place as a guide. This included the following:

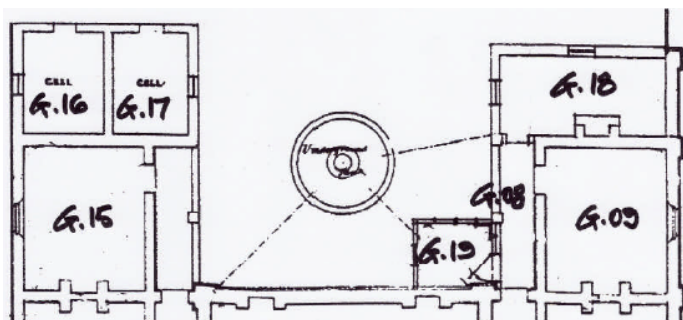


Image 30: CMP Room Numbers Plan
Source: CMP page 24

An entry for **G.19** (the Laundry / WC addition) was not provided. However, the coloured coded plan 'Plate 5.2 areas of significance' page 33 shows this room as having "Little Significance".

⁴ CMP, by John Carr 2012, page 3

⁵ CMP, by John Carr 2012, page 20

⁶ CMP, by John Carr 2012, page 32

Enclosed Verandah (G.08)

Exceptional		Fanlight timber semi-circular window
High	State State State	External thick cedar doors Timber verandah columns Early paint colour patch & brick (from behind a removed wall box)
Moderate	Local	External English Bond brick walls
Little	Local	Verandah infill work, windows and ledge & braced door Modern ceiling lining Concrete floor (possibly topping on stone flagging)
Intrusive		

Room (G.15)

Exceptional		
High	State Local Local	Cedar doors, door jambs & architraves Chimney mantles & cast iron fire boxes Float & Set wall plaster
Moderate	Local	Timber skirting boards
Little	Local Local	AC ceiling linings Replacement sheet flooring
Intrusive		

Kitchen (G.18)

Exceptional		
High	State Local Local Local Local	Cedar door Timber lining board ceiling Double hung windows Fireplace, mantle, chimney & hearthstone Brick wall to Court House western wing.
Moderate	Local Local	Remaining face brick walls Hardwood strip flooring
Little		
Intrusive		

Cell (G.16)

Exceptional		
High	Local Local	General cell structure Cell window bars & stone frame
Moderate	Local	Steel cell door
Little		
Intrusive		

Cell (G.17)

Exceptional		
High	Local Local	General cell structure Cell window bars & stone frame
Moderate	Local	Steel cell door
Little		
Intrusive		

2.5 Interpretation – ‘telling the story’.

The CMP provides the following regarding the importance of Interpretation:

Internally, the Court Room provides the best opportunity to interpret the function of the place and this could be as simple as the retention of the Magistrates Bench and associated boxes. It may be possible in the future to make a movie of the functioning of a Court Room using the East Maitland Court House which retains most of its original fixed furniture and the rail separating the public from the court proceedings. This movie could then be run in one of the side rooms adapted as a Theatre.

Externally, the rear Courtyard is the main area requiring interpretation of the stables and outbuildings.

Future archaeological investigations may potentially expose the floors and footings of these buildings showing their outline [later investigations did expose the cistern and footings].

The Museum may choose to interpret the Cells and Kitchen as display areas in their own right.⁷

The CMP Policy 20 calls for *interpretation of the significance of the former Morpeth Court House history and usage should be provided for the public to increase their understanding and awareness of the place and its broader historical, physical and contemporary context with the development of law and order in Morpeth. Develop an Interpretation Plan and site to be incorporated into the Morpeth Museum display areas.*⁸

It is suggested that missing joinery that defines hierarchy in a court room be reinstated. It also added (under Adaptive Re-Use) that *where there is no evidence of the original detail, it is not necessary or appropriate to invent a period detail. The use of imitation (non-authentic) heritage detailing should be avoided.*

3 Impact on Heritage Significance

3.1 Likely Impact on Views and Sightlines

The proposed new amenities are shown located at the rear of the building in between the back 'wings' of the building. This change will be difficult to see from the street. The additions will be discrete and away from Northumberland Street and not impact on the streetscape of the Morpeth Heritage Conservation Area.

The remnant of masonry wall in the south west corner of the site are shown established and retained, leaving the crack. The new fence and gates are shown detailed in a manner respectful to their location and association with the Courthouse and will not adversely impact on the streetscape or any key views of the HCA.

3.2 An Assessment of Impact on Significance

The following process responds to relevant questions with respect to the proposed development and its potential to have an impact on the assessed heritage significance of the place. This process will inform the preparation of the Statement of Heritage Impact:

Assessment Consideration	The proposal	Likely Impact on Heritage Significance
Will the proposed changes impact on the streetscape presentation of the Courthouse to the adjacent streets?	The proposal retains the corner remnant wall (with crack) and the sandstone kerb crossing. The new fence and gate is sympathetic with the site. There are no works proposed to the exterior of the building facing any streets. The roof of The Stables will be seen but set back from the boundaries.	No impact on the HCA.

⁷ CMP, by John Carr 2012, page 42

⁸ CMP, by John Carr 2012, page 49

Assessment Consideration	The proposal	Likely Impact on Heritage Significance
Will the proposed works impact on the character of the place?	There is no proposed works that change streetscape character. The proposed new toilet amenities will be difficult to see from the street.	No impact.
Will the proposed works have a detrimental impact on the themes of history associated with the place?	The project will facilitate further interpretation and displays for the themes of history relating to Morpeth and this site.	A positive impact.
Will the proposed changes impact on the value of the Courthouse as a landmark Victorian era landmark building within the HCA?	The proposal will improve access and interaction with this landmark building within the HCA.	A positive impact.
Will the proposed works detrimentally impact on original fabric? Or the rooms adjacent to the new works?	The proposal is planned, designed and detailed to minimise impact on the original fabric. Stone flagging, archaeology and the south walls will be protected. The material impact will be minimised.	Minimal impact.
Will the proposed works in the back yard protect the archaeological potential of the south end of the site?	The depths for the archaeology, final levels, and likely imposed loads have been considered. Further coordination and supervision will be required during the work. The proposal has been careful to protect archaeology.	Yes, the designer has addressed the protection of archaeology.
Is the proposed new amenities structure, its scale, form, materials and colours respectful of the Courthouse and appropriate to the space?	<p>The proposed new amenities building is set away from the existing south wall by the new linking corridor.</p> <p>The addition will be clearly simple and contemporary to a visitor, not to be misunderstood. The graded pathways and new entries promote equitable access.</p>	Yes, the new work is away from existing fabric, will connect to existing fabric with minimal impact and is reversible. It is respectful of its site and historical context.
Will the proposed works impact on the assessed historical, associative, aesthetic significance or social value of the Courthouse?	The proposal promotes the place and the museum use. The proposal provides potential to further interpretation of the place. The works will improve the amenity of and access to the building. It will have a positive impact.	The proposed works will not impact on the assessed historical, associative, aesthetic significance or social value of the Courthouse or site.

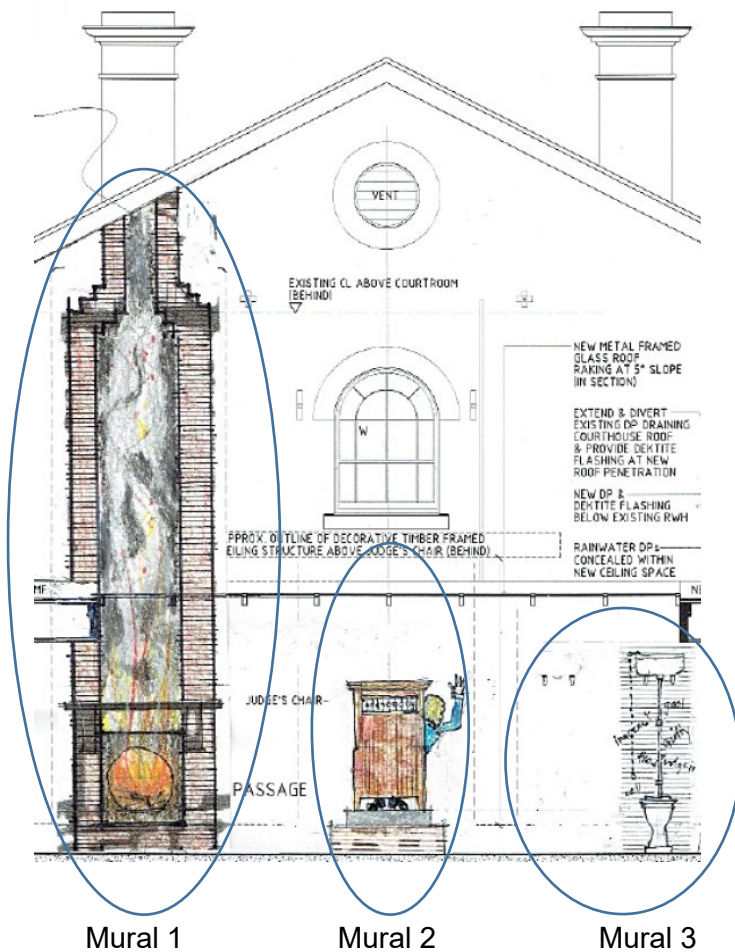
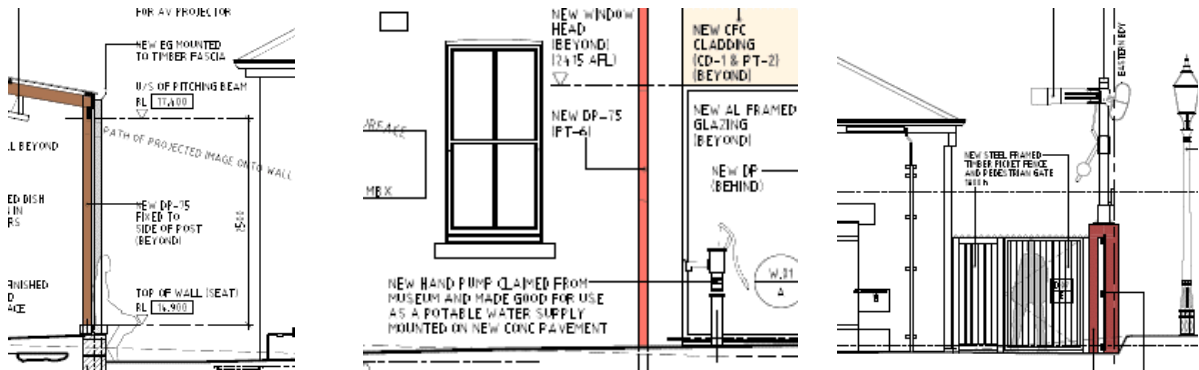
Assessment Consideration	The proposal	Likely Impact on Heritage Significance
Does the proposed planning, design and scope of works comply with the policies and intent of the Conservation Management Plan 2012?	The proposal addresses a contemporary addition as required by the CMP. It will be detailed and undertaken carefully, having a minimal impact on existing fabric and protecting archaeology. It facilitates further interpretation of the place and interaction with its history.	Yes, the proposed planning, design and scope of works comply with the policies and intent of the Conservation Management Plan 2012.
Have any measures been proposed to mitigate any possible impact?	Refer to the next section.	Yes.

3.3 Measures to Mitigate Impact

Measures taken to minimise impact on the significant building fabric include:

- The design promotes equitable access to the place.
- The design and detailing is careful to avoid damaging or bearing on the existing stone base courses of the building.
- The introduction of a corridor, setting the new amenities away from the existing south wall of the courthouse allows the new work to connect with the south wall using minimal, non-damaging, reversible detail [Revised June 2024].
- The engineering design and detail spans over the buried cistern, avoiding imposed loads on the cistern.
- The new roofs and new yard drainage reduces the probability of future dampness problems at the base of the courtyard walls, promoting the longevity of the courthouse building. The new drainage will reduce or eliminate ground surface water entering the cells.
- The sandstone flagging of the east wing verandah will be protected from damage and the floor over will be reversible.
- The paving patterns will help interpret the existence of the underground water storage cistern. The hand pump from the museum's collection will be displayed at its centre location.
- The hard and soft landscape has been planned with a Victorian inspired symmetry.
- The proposal provides for a covered outdoor learning area, particularly for class visits from primary schools. This will enable static and changing displays, provide shelter and allow the story of the earlier stables and privies to be told. The floor paving is marked out in horse stalls, including two partitions and imbedded horse shoes. The size and location of the stone footing revealed by the archaeological investigations will be stencilled over the pavers to reveal that information to visitors.
- The early location of the privies is to be interpreted at the ground surface.
- The potential for imaginative and interactive interpretation for visitors in the yard will be further enhanced by power and data infrastructure, to be installed later. Conduits will be installed now, not retro fitted later. This will allow for future display innovation and assist the current and future Museum Committees tell the stories of Morpeth, including settlement; Law and Order; Administering Justice; pit toilets; cistern water storage; the 'electric telegraph'; Police horses and the Morpeth railway.

- The planning and design promotes new possibilities for the existing internal exhibition spaces and visitor movement by linking the east and west sides.
- Three murals on the south wall inside and above the corridor will promote museum use (fireplace; magistrate; wc). Those above the corridor will be visible from the backyard and Northumberland Street.
- The corner gate adjacent to the Cell Block and the railway signal will promote the museum to the adjacent park visitors and will be seen from Swan Street.
- The amenities block will be a simple and small built form against the back-drop of the south wall, providing a projection screen for future twilight museum and community activities.



4 Statement of Heritage Impact

4.1 Statement

This is the statement of heritage impact for the:

Proposed removal of the mid C20 laundry /WC addition, removal of the mid C20 west verandah enclosure, the new development of a back corridor, two new accessible WC baby change facilities, new cleaner's cupboard, two new accessible entries, new secure access to the Meeting Room, murals, new projection wall, new paths, fences and gates.

This statement will form part of the Development Approval application documentation for:

Additions and back yard upgrade works, including amenities, hard and soft landscaping, covered outdoor learning structure, boundary wall, fences and gates for consideration and approval by Maitland City Council.

Address and Property Description:

Lot 1 DP526098, 123 Swan Street Morpeth. The site is behind the Courthouse.

Local Government Area: within the City of Maitland LGA, NSW.

Date: 21st of June 2024 [reviewed]

References:

Refer to the whole of the report accompanying this statement, all of Sections 1, 2 and 3 inclusive.

Prepared by:

Mark Fenwick
Architect and Heritage Consultant
ARB (NSW) 7348
Placemark Consultants

Statement:

The planning and design for the proposed additions, new structures, back yard upgrade as documented has considered the heritage values of the place, the Conservation Management Plan 2012, its policies and guidelines, the protection of existing fabric and archaeology, the upgrade of amenity and improved access. The design is respectful of the site and building. It will not dominate or distract. The proposal improves the potential for further interpretation of the back yard's former utility uses, including the stables and privies. It will provide opportunities for the museum to engage with a younger audience in creative and interactive ways. These works will not impact detrimentally on the heritage significance of the former Morpeth Courthouse or of the Heritage Conservation Area. The impact on existing fabric will be minimal.



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