



# Heritage Impact Statement

Additions and alterations to a heritage item  
49-51 Church Street, Mudgee (Kelly's Irish Pub)

August 2022  
EHC2022/0190

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**REPORT CONTENTS**

|   |           |
|---|-----------|
| <b>1.0 EXECUTIVE SUMMARY .....</b>  | <b>1</b>  |
| <b>2.0 INTRODUCTION .....</b>   | <b>2</b>  |
| 2.1 Acknowledgement of Country.....   | 2         |
| 2.2 Context of the report.....  | 2         |
| 2.3 Methodology .....   | 2         |
| 2.4 Authorship .....  | 2         |
| 2.5 Limitations .....   | 3         |
| 2.6 Terminology.....  | 3         |
| 2.7 Physical Evidence .....   | 3         |
| <b>3.0 SITE ASSESSMENT.....</b>   | <b>4</b>  |
| 3.1 Location and Context .....  | 4         |
| 3.2 The subject site.....   | 5         |
| 3.2 The Building – Interior .....   | 7         |
| 3.3 Landscape.....  | 9         |
| 3.4 Streetscape contribution .....  | 10        |
| 3.5 Integrity and condition .....   | 10        |
| <b>4.0 HISTORICAL OVERVIEW .....</b>  | <b>11</b> |
| 4.1 Introduction .....  | 11        |
| 4.2 European Settlement.....  | 11        |
| 4.3 Mudgee Township.....  | 12        |
| 4.4 Early 20 <sup>th</sup> Century .....  | 13        |
| 4.5 Tooth and Company Ltd Ownership .....   | 16        |
| 4.6 The subject site.....   | 20        |
| <b>5.0 HERITAGE LISTING STATUS.....</b>   | <b>21</b> |
| 5.1 Introduction .....  | 21        |
| 5.2 Statutory and non-statutory heritage listings .....                                   | 21        |
| 5.3 Items of heritage significance within the vicinity of the site .....                  | 21        |
| <b>6.0 EXISTING HERITAGE SIGNIFICANCE ASSESSMENTS.....</b>                                | <b>23</b> |
| 6.1 Existing description of the heritage item – ‘Shop/Hotel’ .....                        | 23        |
| 6.2 Existing Statement of Cultural Significance – ‘Shop/Hotel’ .....                      | 23        |
| 6.3 Existing Statement of Cultural Significance – Mudgee Heritage Conservation Area ..... | 23        |
| <b>7.0 ASSESSMENT OF CULTURAL SIGNIFICANCE .....</b>                                      | <b>24</b> |
| 7.1 Methodology .....   | 24        |
| 7.2 Assessment against NSW Heritage Assessment Criteria.....                              | 24        |
| 7.2.1 Criterion (a) – Historical Significance .....                                       | 24        |
| 7.2.2 Criterion (b) – Historical Association Significance .....                           | 25        |
| 7.2.3 Criterion (c) – Aesthetic Significance .....  | 25        |
| 7.2.4 Criterion (d) – Social Significance .....   | 26        |
| 7.2.5 Criterion (e) – Technical / Research Significance.....                              | 26        |
| 7.2.6 Criterion (f) – Rarity.....   | 27        |
| 7.2.7 Criterion (g) - Representativeness .....  | 28        |
| 7.3 Summary Level of Significance .....   | 28        |
| 7.4 Recommended Statement of Cultural Significance .....                                  | 29        |
| <b>8.0 DEVELOPMENT PROPOSAL.....</b>  | <b>30</b> |
| 8.1 Plans & Drawings Referenced.....  | 30        |
| 8.2 Description of the Proposed Works.....  | 30        |
| <b>9.0 ASSESSMENT AGAINST STATUTORY PLANNING AND HERITAGE CONTROLS .....</b>              | <b>31</b> |
| 9.1 Mid-Western Regional Local Environmental Plan 2012.....                               | 31        |
| 9.2 Mid-Western Development Control Plan 2012 .....                                       | 31        |
| <b>10.0 HERITAGE IMPACT ASSESSMENT .....</b>  | <b>32</b> |
| 10.1 Consideration of the Heritage Impact.....  | 32        |
| 10.2 Response to the evaluation criteria.....   | 32        |
| <b>11.0 RECOMMENDATIONS AND MITIGATION MEASURES .....</b>                                 | <b>36</b> |
| 11.1 Conclusion.....  | 36        |
| 11.2 Recommended Mitigation Measures .....  | 36        |



## 1.0 EXECUTIVE SUMMARY

### 1.1 Context of the Report

This Heritage Impact Statement has been prepared by Edwards Heritage Consultants Pty Ltd at the request of Vibe Architects, to establish the cultural heritage significance of 49-51 Church Street, Mudgee (Kelly's Irish Pub) ('the subject site') and to then assess the potential heritage impacts against those assessed heritage values and significance. It is intended that this report will then accompany a Development Application to Mid-Western Regional Council.

The subject site is situated within the Mid-Western Regional Council local government area and in the locality of Mudgee, which is 270 kilometres northwest of Sydney city. The subject site comprises Lot 2 in Deposited Plan 332516, commonly known as 49-51 Church Street, Mudgee or Kelly's Irish Pub.

The site is identified as an item of local heritage significance, and is situated within the *Mudgee Heritage Conservation Area*, which is listed under Schedule 5 of *Mid-Western Regional Local Environmental Plan 2012*. The site is also situated within the vicinity of a number of heritage items.

The property is presently identified as an item of local heritage significance, listed on Schedule 5 of the *Mid-Western LEP 2012*. However the existing heritage listing is informed by a primitive assessment of cultural significance, stemming from a number of heritage studies undertaken in the mid-1980s.

Subsequently, this Heritage Impact Statement has re-assessed the heritage values of the property and found that the) public hotel at 49-51 Church Street, Mudgee, is of historical, aesthetic, social, and representative significance at a local level and subsequently, a more comprehensive Statement of Cultural Significance has been developed.

This Heritage Impact Statement has been prepared to consider the potential heritage impacts resulting from the proposed development, which involves the additions and alterations to a heritage item.

### 1.2 Recommendation and Mitigation Measures

The proposal has been assessed with regards to the identified heritage values and available physical and documentary evidence, including a visual inspection of the site and statutory planning requirements. In applying the evaluation criteria for assessing the likely impact of a proposed development on the heritage significance of listed items of heritage significance or heritage conservation areas (as published by the Heritage Council of NSW), subject to the following recommendations, the proposal is considered to have an entirely acceptable heritage impact.

| Recommendation:                   | Recommended Management / Mitigation Measures:  |
|-----------------------------------|--|
| <b>1: Standard of workmanship</b> | All works undertaken on the site in association with the proposed works should be specified, supervised and carried out by people with knowledge, skills and experience appropriate to the work.   |
| <b>2: Archaeology</b>             | Should any substantial intact archaeological deposits whether artefacts, relics or occupation deposits be discovered or uncovered, excavation and / or disturbance of the site is to immediately cease and the Consent Authority and Heritage NSW notified.<br><br>Additional archaeological assessment may be required prior to works continuing in the affected area/s based on the nature of the discovery. |

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## 2.0 INTRODUCTION

### 2.1 Acknowledgement of Country

Edwards Heritage Consultants Pty Ltd (herein referred to as 'EHC Pty Ltd') acknowledges the traditional custodians of the land on which we work and we recognise their continuing connection to land, waters and culture.

We pay our respects to Aboriginal Elders past, present and emerging, for they hold the memories, the traditions, the culture and hopes of Aboriginal peoples across the state.

EHC recognises that a better understanding and respect for Aboriginal cultures develops an enriched appreciation of Australia's cultural heritage and is essential to the maturity of Australia as a nation and fundamental to the development of our collective Australian identity.

### 2.2 Context of the report

This Heritage Impact Statement has been prepared at the request of Vibe Architects to assess the potential heritage impacts and to accompany a Development Application to Mid-Western Regional Council, which seeks approval for additions and alterations at 49-51 Church Street, Mudgee (Kelly's Irish Pub).

The report considers:

1. An assessment of the property to establish its cultural heritage significance with the formulation of a Statement of Significance.
2. What impact the proposed works will have on the identified heritage significance;
3. What measures are proposed to mitigate negative impacts;
4. Why more sympathetic solutions are not viable;
5. Recommendations to mitigate heritage impacts.

### 2.3 Methodology

This report has been prepared in accordance with the general methodology and guidelines set out in the Heritage Council of NSW publication '*Statements of Heritage Impact*' as contained in the *NSW Heritage Manual*.

The overarching philosophy and approach to this report is guided by the conservation principles and guidelines of the Australia ICOMOS *Charter for the Conservation of Places of Cultural Significance (Burra Charter) 2013*.

A visual examination of the subject site has been undertaken, which is followed by a merit and significance based desktop assessment of the development proposal.

The potential, actual and / or perceived heritage impacts stemming from the development proposal have been assessed with reference to the *Mid-Western Regional Local Environmental Plan 2012*, the *Mid-Western Regional Development Control Plan 2013* and the Heritage Council of NSW assessment criteria.

### 2.4 Authorship

This Heritage Impact Statement has been prepared by Bethany Robinson BA, M.Mus&Herit, Heritage Consultant for EHC Pty Ltd. The report has been reviewed and endorsed by Holly Challenger BA, M.Herit.Cons, Heritage Consultant for EHC Pty Ltd.



Ms Robinson is a young and vibrant Heritage Consultant who is passionate about the historic built environment. Her fast-growing skills set is underpinned by her background and experience in cultural heritage management and conservation practice with various museums collections.

Ms Challenger is an enthusiastic Heritage Consultant whose combined skills and experience in history and heritage management and conservation practice, reinforces her well-rounded, balanced approach to effective research and conservation theory and practice.

Unless otherwise noted, all contemporary photography in this report is by EHC.

## 2.5 Limitations

This Heritage Impact Statement:

- Considers the site, external structures and internal rooms and spaces that were visually and physically accessible by EHC on the day of the inspection.
- Is limited to the investigation of the non-Aboriginal cultural heritage of the site. Therefore, it does not include any identification or assessment of Aboriginal significance of the place.
- Is limited to a due-diligence archaeological assessment only and does not present a detailed archaeological assessment of the site.
- Does not provide a structural assessment or advice. Subsequently, this report should be complemented by advice from a Structural Engineer with demonstrated heritage experience.
- Does not provide a detailed assessment of the provisions of the *Mid-Western Regional Development Control Plan 2013*, but considers generally the development standards relating to the development of heritage items and development within a heritage conservation area.

## 2.6 Terminology

The terminology used throughout this report is consistent with the NSW Heritage Manual and the Australia ICOMOS *Burra Charter* (2013).

A glossary of common terms used is listed in Appendix A.

## 2.7 Physical Evidence

A visual examination of the site and the surrounding area was undertaken on 22 June 2022. All contemporary photography used in Section 2 of this report was captured by EHC Pty Ltd at this time, unless otherwise credited.

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### 3.0 SITE ASSESSMENT

#### 3.1 Location and Context

The subject site is situated within the Mid-Western Regional Council local government area and in the locality of Mudgee, which is 270 kilometres northwest of Sydney city. The subject site comprises Lot 2 in Deposited Plan 332516, commonly known as 49-51 Church Street, Mudgee or Kelly's Irish Pub.

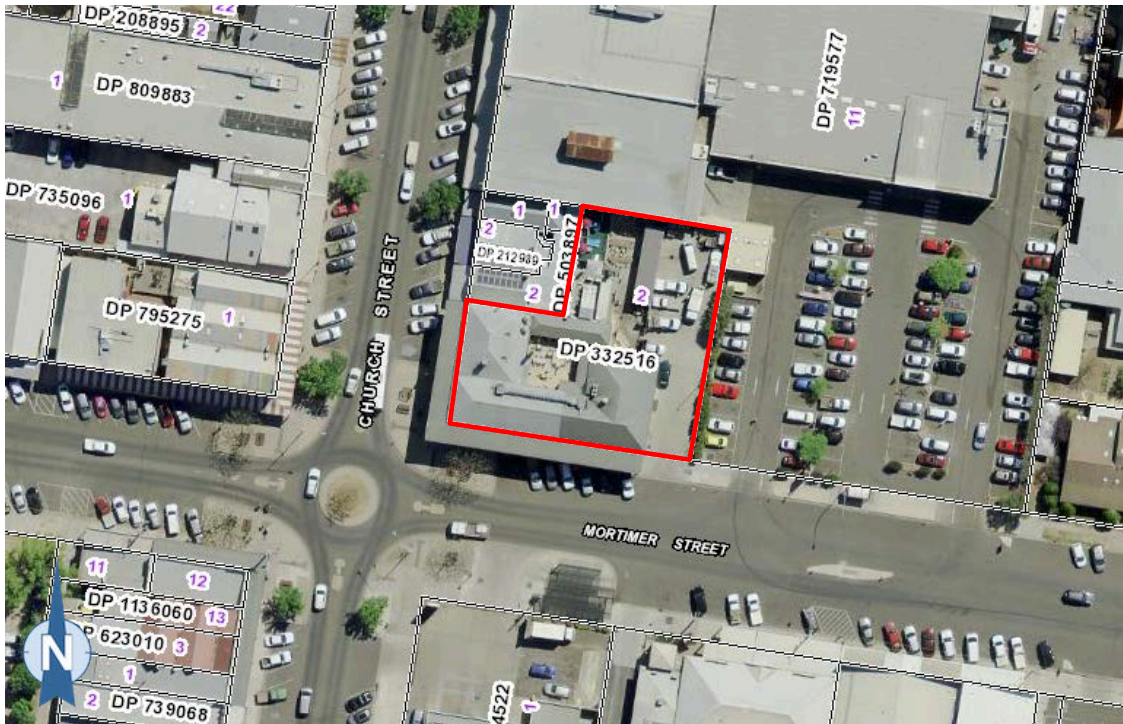


Figure 1: Aerial view of the locality. The subject site is denoted by red outline.  
[Source: NSW Land and Property Information, 2022]



Figure 2: Aerial view of the subject site (denoted by red outline).  
[Source: NSW Land and Property Information, 2022]

### 3.2 The subject site

The subject site is located on a corner allotment bound by Church Street and Mortimer Street. The site is situated within an established urban streetscape, being part of Mudgee town centre, which is largely characterised by detached style and semi-detached commercial buildings.

The site has an 'L' shape, with a zero setback to both Church Street and Mortimer Street. It comprises an area of 1389sqm and is predominantly level, with an undulating surface.

The site is adjoined to the north and west by single storey attached commercial buildings, to the east by an open carpark serving the adjacent Coles and to the south by a petrol station. The streetscape evidences a consistent trend of commercial and retail properties with varying architectural periods and styles.



**Figure 3:** View of the site from the corner of Church Street and Mortimer Street.

### 3.3 The Building – Exterior

Situated on the site is a two-storey building of masonry construction in a largely rectangular footprint. The site has zero setback from Church Street and Mortimer Street, having pedestrian access from both streets. The main entrance is situated on Church Street (front elevation) with the building sitting parallel to the street.

The front and side (south) elevations are both symmetrical and largely comprise of timber framed sash windows and large timber double doors. At the ground floor the brickwork has been rendered and painted and the first floor remains face brick. Windows are placed orderly around the exterior and breakup the masonry wall between each entrance. At the ground floor, windows have brick sills that are rendered to appear as one large piece of stone.

A deep verandah at the first floor extends around the outer perimeter of the building covering the footpath at the ground floor. The verandah is upheld by rounded uniform iron posts at the ground floor



and flat decorative iron posts at the first floor. The verandah roof has a skillion form that projects out separately from the main roof form. Retractable awnings have been placed around the exterior of the verandah providing privacy and protection from the weather.

The hipped roof is clad Colorbond and steeply pitched. To the rear of the building (northern elevation) are two additions, one in the northwest corner that would have been an early addition and one in the northeast corner that has been incorporated into the main portion of the pub, by notching into the existing roof. The roof form of both additions are also hipped and clad in Colorbond.

The two additions and main portion of the pub form a square courtyard outside which is adjacent to the outdoor beer garden. To the east of the site is a cementitious driveway and staff parking.

The definitive framework for identifying architectural styles within Australia is that developed by Apperly, Irving and Reynolds in *'Identifying Australian Architecture: Style and Terms from 1788 to the Present'*. The authors provide a perceptive account of what constitutes and defines a style. Mostly concerned with 'high' or 'contrived' architectural styles, rather than the 'popular' styles or the vernacular, it is accepted that the boundaries between identified styles are not always clear-cut.

Subsequently, the terminology for a style and the framework to be applied in defining the style, comprises two parts, firstly identifying the period in which the building belongs and secondly describing the major characteristics.

In this manner, the building displays characteristics that are attributed to the Victorian period of the late 19<sup>th</sup> century and of the Victorian Filigree architectural style.



**Figure 4:** View of the Mortimer Street elevation facing north.



**Figure 5:** View of the site from the corner of Church Street and Mortimer Street.



**Figure 6:** View of the church street elevation facing east.



**Figure 7:** Detailed view of covered footpath facing east from the corner of Church and Mortimer Street.



**Figure 8:** Detailed view of covered footpath facing northwest.



**Figure 9:** View of eastern elevation facing southwest.



**Figure 10:** View of the eastern elevation facing west.



**Figure 11:** View of the rear elevation and entrance.

### 3.4 The Building – Interior

The interior of the pub was limited to the ground floor where the works are proposed.

The ground floor of the building largely comprises of an open bar and restaurant space. Various seating arrangements are placed throughout the ground floor, largely comprising of light weight furniture (tables, chairs and booths). A low height timber balustrade with iron palisades separates the north eastern eatery from front bar which is situated towards the southeast corner via a recessed floor establishing different levels. Along the northern wall is a masonry fireplace which has been rendered and painted. The front portion of the building has timber flooring, with carpet tiles being introduced towards the rear.

The kitchen is located towards the rear (northern elevation) and is incorporated into the later addition. Additional seating is placed periodically throughout this section which adjoins smaller rooms along the eastern elevation which include a children's playroom and the gaming room. Along the southern wall are entrances from Mortimer Street and a set of contemporary stairs leading to the first floor.

The later addition is distinguished as such by the plasterboard ceiling and walls. The colour palette is a continuation from the front (Church Street) of the building towards the rear. In the north east corner of the dining room is external access to the beer garden.

Overall, there is little original detail surviving internally with much of the interior having been altered throughout the 20<sup>th</sup> Century.





Figure 12: View of the dining room facing southwest.



Figure 13: View of the dining room facing west.



Figure 14: View of the dining room facing northeast.



Figure 15: View of the bar facing southwest.



Figure 16: View of rear dining room facing southeast.



Figure 17: View of the bistro and kitchen.





**Figure 18:** View of the side entry and stairs on the southern elevation.



**Figure 20:** View of the rear dining room facing northeast.

**Figure 19:** View of the entry to the games room.



**Figure 21:** View of the kids play room on the eastern elevation.



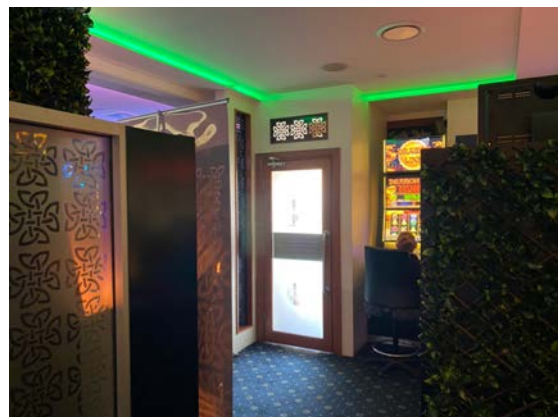
**Figure 22:** View of the kids play room and entrance to the gaming room along the eastern elevation.



**Figure 23:** View of the rear dining room facing northwest.



**Figure 24:** View of the dining room facing west.



**Figure 25:** View of the interior of the gaming room.

### 3.5 Landscape

The subject site comprises an area of approximately 1389sqm, with the building being situated towards the street frontages. To the east of the building is a cementitious apron used predominantly for site parking. There is largely no landscaped setting with the main built form and beer garden occupying the majority of the site.

### 3.6 Streetscape contribution

Built c1862, and situated on a corner allotment the site forms a part of the late 19<sup>th</sup> Century commercial hub of the Mudgee town centre. The site is one of a number of semi-detached commercial or retail buildings, which, for the greater part, are characteristic of the area.

Individually, the building is considered visually distinctive owing to the form, scale, and architectural style and detailing and its position within the street. The site has a number of architectural features that distinguish the pub from other built forms within the street.

The attributes and characteristics of Kelly's Irish pub (formerly the Sydney Hotel) makes an important contribution to the cohesive streetscape character and pattern of development, thus contributing to the sensory appeal of the streetscape and the heritage conservation area.

As a result, the building is considered a contributory element to the heritage conservation area and its loss through demolition or unsympathetic alterations and additions would erode the integrity and cohesiveness of the attributing streetscape.

### 3.7 Integrity and condition

The integrity of a site, in terms of its heritage significance, can exist on a number of levels. For instance, a site may be an intact example of a particular architectural style or period and thus have a high degree of significance for its ability to illustrate that style or period.

Equally, heritage significance may arise from a lack of architectural integrity where the significance lies in an ability to illustrate an important evolution to the building or change in use.

While a detailed structural assessment is beyond the scope of this report, a non-invasive visual inspection of the exterior and interior has been undertaken, which identifies a number of structural and non-structural cosmetic changes that have been undertaken, including:

- Additions to the north;
- Reconfiguration of internal layout;
- Installation of contemporary commercial kitchen;
- Installation of contemporary gaming room;
- Construction of beer garden at the rear;
- Repainting of exterior and interior and
- New roof cladding;

Overall, the changes demonstrate the evolution of the building during its time of occupation and changes in lifestyle trends, technology and the requirements of the occupants. The changes have altered the original building footprint and silhouette and the notable changes are generally considered to have a moderate impact on the overall character and design integrity of the building. Despite this, the building can still be read and appreciated as a late 19<sup>th</sup> Century hotel from within the streetscape.

The building appears in reasonable repair and condition.



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## 4.0 HISTORICAL OVERVIEW

### 4.1 Introduction

This section attempts to place Kelly's Irish Pub (49-51 Church Street, Mudgee) into the context of the broader history of the region as well as outlining the sequence of development, occupation and use of the site.

Analysing and understanding the historical context of the site is an important consideration in the assessment of cultural significance (see Section 7.0), informing the assessment of historical significance and historical associations of significance.

The history of the site is presented in a narrative form and is mainly derived from the published sources as referenced throughout. The historical analysis also builds on existing extensive publication and research and assumes a prior knowledge of the Aboriginal history of the area.

### 4.2 European Settlement

The first Europeans in the area were led by James Blackman in the latter half of 1821. Blackman became the first European to cross the Cudgegong River, establishing a small slab building on the townsite by 1837. The small expeditions were closely followed by Lieutenant William Lawson, the commandant of Bathurst, who made several expeditions to the Mudgee region.<sup>1</sup> Lawson found excellent grazing land in the area and would later take up 6000 acres along the Cudgegong River. The region was found by Blackman and Lawson to be an Aboriginal settlement inhabited by approximately 100 indigenous people who referred to the area as Mudgee or 'Mujjee', the name the town still retains today.<sup>2</sup>

Following Lawson's discovery, George and Henry Cox (sons of William Cox) came to the Mudgee region, following the established trails by Lawson and Blackman with 500 head of cattle. They became the first permanent European settlers on the Cudgegong River, three kilometres north of the present township. The site was known as 'Menah' and it was here the first settlement was developed. A police station and lock-up were established in 1833.<sup>3</sup>

Relations with the local indigenous community were amicable whilst the number of Europeans were negligible, however, as the settlement escalated in the 1820s, conflict began to increase. Disputes over the killing of major food sources such as kangaroos and possums, riverside land privatised and sacred sites removed created significant friction, resulting in battles between the two communities.<sup>4</sup> The violence only increased when Theophilus Chamberlain, the Coxes superintendent of the Mudgee property holdings, led a number of punitive expeditions against the local indigenous people. A battle ensued at Guntawang, north of Mudgee, which is believed to have resulted in the death of 70 or more Aboriginal people.<sup>5</sup>

In response to the increased violence, Governor Brisbane declared martial law in August 1824. Soldiers from the 40th Regiment joined an armed militia of settlers in a campaign of violence described in The Sydney Gazette as an 'exterminating war'.<sup>6</sup> In December, with many of the Wiradjuri surrendering, martial law was repealed. By the 1840s much of the mob had been dispossessed and European settlement had grown exponentially.<sup>7</sup>

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<sup>1</sup> Mudgee Guardian And North-western Representative, 1993. 'Mudgee's Earliest History'. p. 7.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Magical Mudgee, 2011. 'History of Mudgee' <https://www.mudgee.net.au/history.php>

<sup>5</sup> Sydney Living Museums – Hyde Park Barracks, 2019. 'Windradyne and the Bathurst Wars.'

<https://hydeparkbarracks.sydneylivingmuseums.com.au/story/windradyne-and-the-bathurst-wars/>

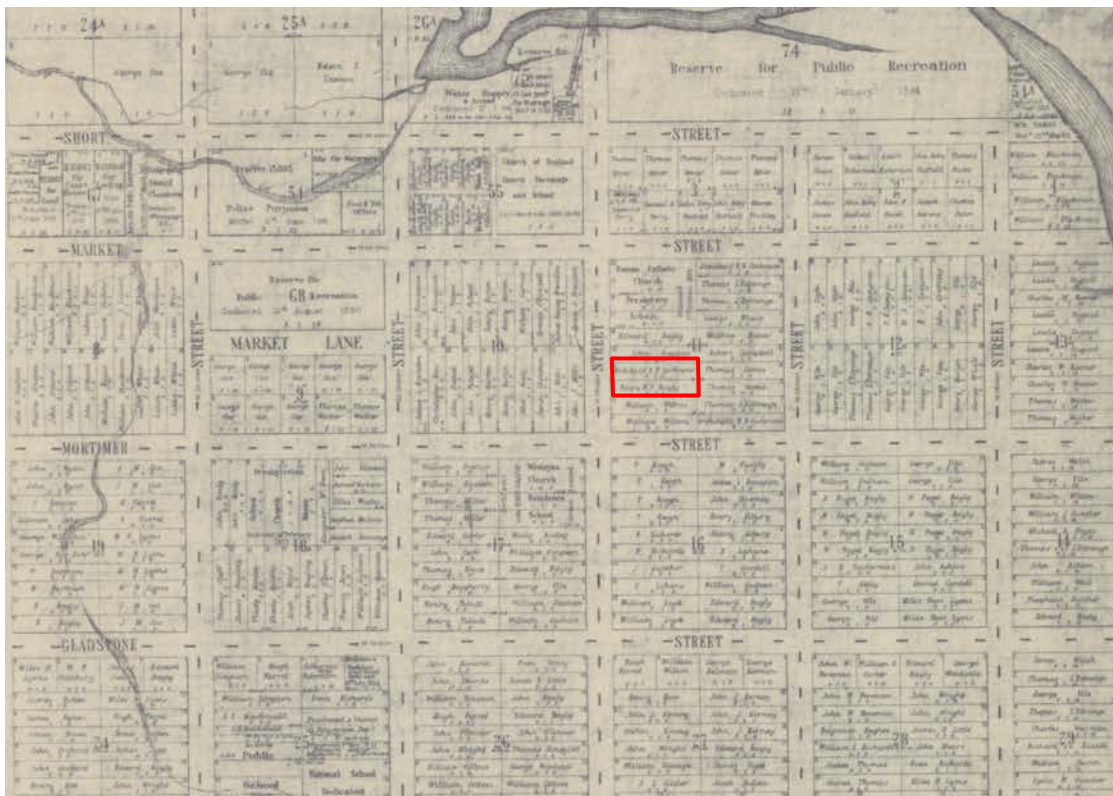
<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

### 4.3 Mudgee Township

The village of Mudgee was surveyed in 1837 with the first land sales occurring in August 1838. John Blackman was the first to build a slab hut in the township, being the first dwelling in the town.<sup>8</sup> By 1841 there were 36 dwellings, three hotels, a hospital, a post office, two stores and an Anglican Church.

Large pastoral properties that were established in the 1830s remained around the outskirts of the townships and were held by the families; Lowe (Tinja), Rouse (Guntawang), Cox (Menah) and Bayley (Beau Desert).<sup>9</sup> Much of the land was cleared by convict labour by this time, it was also convict labour that worked in the mines, as trades or in domestic service. By the end of 1840 when the anti-transportation movement swept through the colony, convict labour was no longer allowed and a shift in the cultural landscape of the settlement emerged.<sup>10</sup>



**Figure 26:** Extract of a map indicating the Mudgee township, c.1927.

[Source: National Library of Australia, 2022]

In November 1851 William Wilton, notable resident of Mudgee, was granted Lot 12 in Section 11 and in January the following year he was granted Lot 11 in the same section.<sup>11</sup> This created a parcel of land comprising of one acre bound to the west by Church Street and to the south by Mortimer Street.

Shortly after the purchase of the site, there were a number of consecutive conveyances and leases.<sup>12</sup>

During the mid to late 19<sup>th</sup> Century, the population of Mudgee was approximately 200 people. After the discovery of gold by Edward Hargraves in nearby Hargraves, the gold rush moved to the region, and the area was flooded with hopeful men and women seeking to make their fortune. Whilst no gold was ever

<sup>8</sup> Mudgee Guardian And North-western Representative, 1993. 'Mudgee's Earliest History'. p. 7.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> NSW Land and Property Information, 2022. PA6527

<sup>12</sup> Ibid.

found in Mudgee itself, the town was central to the goldfields of Gulgong, Hill End and Windeyer.<sup>13</sup> By 1860 Mudgee was declared a municipality, making it the second oldest municipality west of the Great Dividing Range. By 1861 the population had grown to 1500 resulting in the construction of schools, churches, hotels, post office and a police station and courthouse.

It is unclear exactly when the original hotel was constructed, with a number of sources referring to the 1862 construction date, however, around 1878 reference of the hotel and its proprietors start to appear in the local paper. One of the mentions is the death of Lewis M'Evoy, the proprietor of the Sydney Hotel, which came as a surprise to the residents of Mudgee, as "every inhabitant of Mudgee had learned to love with fraternal affection."<sup>14</sup> M'Evoy formerly occupied the position of sergeant of police and acting clerk of petty sessions at Meroo before becoming the proprietor of the Sydney Motel.<sup>15</sup> Documentary evidence suggests that M'Evoy took ownership of the site the year prior to his death, in 1877.<sup>16</sup>

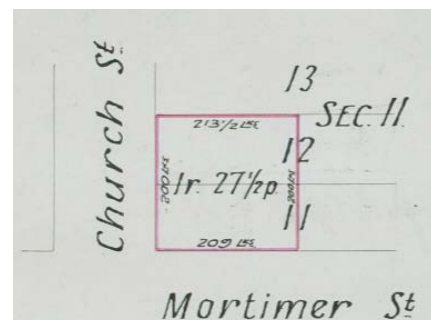
After this time, James Loneragan purchased the property. Mr Loneragan was the head of the firm Messrs. James Loneragan Ltd, a commercial warehouse and business enterprise which owned and oversaw a number of businesses in Mudgee and Gulgong. Whilst Mr Loneragan owned the site it appears that Mrs E'voy continued the role of proprietor to assist the operations of the hotel with newspaper articles referring to "Mrs E'Voy of the Sydney Hotel" in the early 1880s.<sup>17</sup> By 1883 Mr James Ward was the listed proprietor. During his overseeing of the hotel, a number of events, Council meetings, weddings and funerals were held at the hotel. An article from 1886 acknowledges Mr Wards success in running the business stating he was very popular and keeps 'a model house'. Subsequently, Mr Ward left in July that year to assist in bringing back to life the old Royal Hotel that was formerly on the corner of Market and Lewis Street (since demolished). Mr J H Holden of Gulgong stepped into the role where he remained until 1890.<sup>18</sup>

Tragically, in June 1890 Mr Holden suffered an "apoplectic fit" of which he succumbed to, despite the efforts of a medical team. He was referred to as a "universally esteemed as a gentle, unassuming citizen, but also one who was ever ready to help the unfortunate, sometimes to his own pecuniary lose."<sup>19</sup> By 1895 Mr W Rogerson was the proprietor and in 1899 it was recorded that the Sydney Hotel was undergoing a "renovation throughout", no further details were given to the extent of the work.<sup>20</sup>

#### 4.4 Early 20<sup>th</sup> Century

At the turn of the century the land on which the hotel stood, was sold to Mr Edwin Woolley, a farmer from Broombee.<sup>21</sup> The land had significantly decreased in size now only comprising of one rood and twenty-seven perches. The site retained frontage to both Church Street and Mortimer Street. Upon the sale of the site Mr Woolley maintained Mr William Rogerson as the proprietor and storekeeper.<sup>22</sup>

The Woolley family were prominent members of the Mudgee district. Edwin Woolley was born in Windsor and relocated to the Forbes district before migrating to the Mudgee area. Mr Woolley became invested in farming, establishing a number of farms throughout his forty years in the area. He was very



**Figure 27:** Land purchased by Mr Edwin Woolley, c.1900.

[Source: NSW Land and Property Information, 2022. CT Book 1309 Fol. 52.]

<sup>13</sup> Mitchell, Bruce. Australian Dictionary of Biography, 2006. 'Hargraves, Edward Hammond (1816-1891).'

<sup>14</sup> Freeman's Journal. 1878. 'Mudgee' p.10

<sup>15</sup> 'Evening News' p.3. 'Latest Intelligence from Mudgee'. p.3

<sup>16</sup> NSW Land and Property Information, 2022. PA6527

<sup>17</sup> The Maitland Mercury and Hunter General Advertiser, 1880. 'Mudgee' p.6

<sup>18</sup> The Sydney Mail and New South Wales Advertiser, 1886. 'Mudgee'. p.45

<sup>19</sup> Ibid, 1890. 'Mudgee'. p.1283

<sup>20</sup> Mudgee Guardian and North-Western Representatives, 1899. 'Local Brevities' p.16

<sup>21</sup> NSW Land and Property Information, 2022. CT Book 1309 Fol. 52.

<sup>22</sup> Ibid.

successful in his farming endeavours which allowed him to invest in property and business within the Mudgee township.<sup>23</sup>

By 1904 the hotel was under the new management of Mr Cecil Grady and by 1913 the well-known hotel had received a number of upgrades and was considered a fine establishment. The local paper reported:

*"Mudgee's famous hotel, the 'Sydney,' under the proprietary management of Mr Cecil Grady, offers innumerable inducements to the casual visitor to the district, to the permanent resident, and to the dropper-in. As a residential hostelry, the 'Sydney' is unequalled; the bedrooms are exceptionally lofty, and splendidly ventilated, and furnished luxuriously; the table is under the supervision of a chef noted for his appetising dishes, and all the dining-room appointments are in modern style. Electric light is installed throughout the building, and adequate stabling accommodation is provided for the convenience of patrons. Mr. Grady will willingly furnish particulars regarding tariff (which is moderate), &c, on application. Telephone 45."*<sup>24</sup>

The following year Mr E Winters purchased the goodwill of the Sydney Hotel for £525. The price, whilst low, was considered fair given the 'war and the dry weather'.<sup>25</sup> It appears that around this time the business was struggling under the contemporaneous pressures of the conflict, drought and lack of resources.

After the death of Mr Edwin Woolley, the hotel was transferred to his three sons; Arthur Holmes Woolley, Horace Overton Woolley and Walter Henry Woolley. The brothers leased the building to John Fitzsimmons, a local Hotelkeeper.<sup>26</sup>



**Figure 28:** Photograph of the Sydney Hotel, c.1924.

[Source: Australian National University, 2022. Tooth and Company Ltd; Photographs: Hotels (Country). File No. N417-663-208]

A photograph from the 1920s shows that's the building footprint of the hotel was originally significantly smaller, comprising of two large bays from the Church Street elevation. The building has a steeply pitched roof with a decorative parapet wall to on the western elevation. The verandah extends around the building

<sup>23</sup> Mudgee Guardian and North-Western Representative, 1919. 'Death of Mr E Woolley'. p.2

<sup>24</sup> The Catholic Press, 1913. 'Sydney Hotel Mudgee' p.38

<sup>25</sup> Mudgee Guardian and North-Western Representative, 1914. 'Sydney Hotel Goodwill'. p.2

<sup>26</sup> NSW Land and Property Information, 2022. CT Book 3128 Fols 200-202



towards the south and is upheld by large posts that line the footpath. Directly adjoining the site to the north is the Clem Lewis drapery store, it appears this store was constructed in the early 1900s and was also owned by the Woolley Brothers.

In September 1925 a fire had broken out in the Clem Lewis drapery shop engulfing the small shop in flames and destroying much of the interior. Interestingly, it was reported that in the preceding twelve months two other fires had broken out in the store causing significant damage to stock and the building itself. The origin of the blazes were said to be "shrouded in mystery".<sup>27</sup> The fire did scorch the neighbouring Sydney Hotel, however no significant damage was sustained as a result. Both the shop and the hotel were insured, allowing the hotel to return to its functional state.<sup>28</sup>

It is unclear if the events of the fire prompted the following changes, nonetheless, by 1927, a building application had been submitted for the additions and remodelling of a shop in Church Street and additions to the Sydney Hotel.<sup>29</sup> In an earlier article reference to the additional 'eight commodious rooms' at the Sydney Hotel suggests that it was around this time that the hotel began to substantially change and expand.<sup>30</sup> It appears the works largely involved the absorption of the neighbouring shop (formerly Clem Lewis Drapery).



**Figure 29:** Photograph of the Sydney Hotel during construction (top) of the additions (March 1930) and the completed (bottom) additions (March 1935).

[Source: Australian National University, 2022. Tooth and Company Ltd; Photographs: Hotels (Country). N60-YC-1818.]

<sup>27</sup> Mudgee Guardian and North-Western Representative, 1925. 'Mudgee Aroused.' p.3

<sup>28</sup> Ibid, 1925. 'Fire in Drapery Store'. p. 9.

<sup>29</sup> Ibid, 1927. 'Mudgee Council', p.9

<sup>30</sup> Ibid, 1927. 'The progress of Mudgee'. 11

By February 1930 a building application was submitted to the local Council for an additional balcony and alterations to the Sydney Hotel.<sup>31</sup> The first floor would be extended over the former Clem Lewis Drapery (inclusive of the verandah) to accommodate additional bedrooms and bathrooms. A photograph from this time shows the progress of construction in March 1930 and the completed addition by March 1935. It shows the substantial change to the front façade (Church Street), extension of the balcony and the addition roof form.

In August 1935 the Woolley brothers sold the property to Mr John O'Brien for £8000. The local paper reported as follows:

"SYDNEY HOTEL SOLD.

The Sydney Hotel, which has been in the possession of the Woolley family for many years, changed hands at the weekend. The purchaser being Mr. O'Brien, of the Canterbury Hotel, Sydney, who paid £8000 for the property. This hotel has for long been regarded as one of the leading houses in Mudgee, and the present licensee Mr. George Maloney paid a very large sum for the goodwill a few years ago. The new proprietor and his two sons have been connected with the trade in the metropolitan area for a lengthy period, and it is understood that Mr. O'Brien will continue to conduct the Sydney as a 'free' house. Mr. Maloney, who recently acquired a fine property at Tara, Queensland, may possibly relinquish control in January next, but nothing has reached a definite stage as yet."<sup>32</sup>

On 10 March 1936 an advertisement in the newspaper announced C Angello Corrimal as the successful vendor for further alterations and additions to the Sydney Hotel.<sup>33</sup> This same year the property was subdivided, with the portion containing the Sydney Hotel transferred formerly to John O'Brien and the remainder of the land remained in the name of Arthur Holmes Woolley.<sup>34</sup> Shortly after this the Tooth and Company Ltd purchased the hotel, offering leases to various publicans to oversee the management of the building.<sup>35</sup>

#### 4.5 Tooth and Company Ltd Ownership

During the 1940s the hotel continued to operate under the Errol Keith Howlett of Mudgee, local licenced publican.<sup>36</sup> A site plan from 1947 shows the building footprint, inclusive garages and sheds located towards the rear. There are a number of ancillary structures to the rear and east of the property, a black smith workshop towards the southeast corner of the site and the main hotel building situated towards the southwest corner.

The footprint of the main form of the building still appears to be smaller than the current footprint indicating that the eastern additions had not yet been constructed.

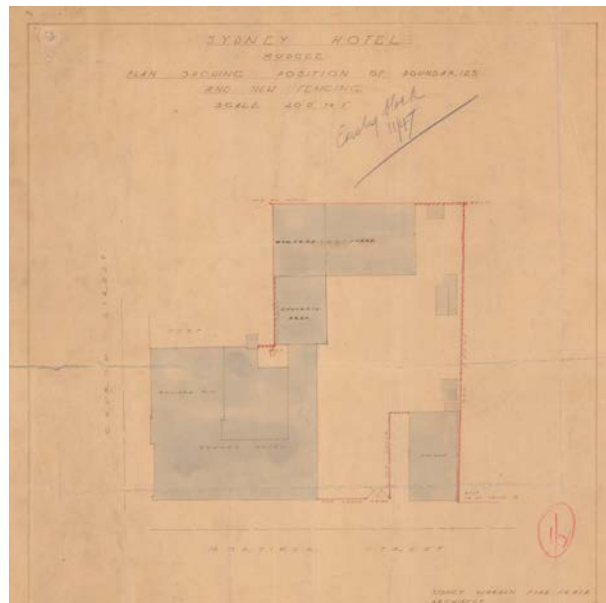


Figure 30: Site plan with footprint of the building.

[Source: Architectural drawing for Sydney Hotel Mudgee, New South Wales, November 1947 . 2021, Museum of Applied Arts & Sciences

<sup>31</sup> Ibid, 1930. 'Mudgee Council.' p.18

<sup>32</sup> Ibid, 1935. 'Sydney Hotel Sold'. p.4

<sup>33</sup> The Sydney Morning Herald, 1936. 'Contracts Let'. p.8.

<sup>34</sup> NSW Land and Property Information, 2022. CT Book 4751 Fols. 96 and 130.

<sup>35</sup> Ibid. CT Book 4751 Fol. 96.

<sup>36</sup> Ibid.

Howlett's lease was renewed in 1946 and again 1951 and 1954.<sup>37</sup> In July 1946 a standard audit of the hotel was undertaken by Tooth and Company Ltd. It identified that the hotel has twenty-two (22) bedrooms, garage and stables, trading quarters, saloon bar, public bar, lounges and two (2) parlours. The site also had town electricity, water and sewerage. The audit also lists that the site comprises of an adjoining billiard room and shop, both of which allow drink.<sup>38</sup> This indicates that by this time the former Clem Lewis Drapery had been incorporated into the main built form.



**Figure 31:** Photograph of the site from the corner of Mortimer and Church Street, c.1949. Towards the rear of the site the blacksmith can be seen facing Mortimer Street.

[Source: Source: Australian National University, 2022. Tooth and Company Ltd; Photographs: Hotels (Country). N60-YC-1818.]

By the 1950s the site had evolved again with remodelling to the value of £14,000. The works were purportedly concentrated to the interior of the building with upgrades to the existing bedrooms, new bathrooms, installation of a small bar, upgrades to the existing parlous and upgrades to the small lounge to seat thirty patrons.<sup>39</sup> Plans of the renovations and remodelling from 1956 are reproduced below and show the extent of the changes. By this time the northern projecting wing on the eastern elevation had been incorporated into the main built form creating a 'U' shape footprint, with a beer garden situated in the centre. Whilst it appears the new wing was incorporated by the 1940s, the 1956 architectural plans clearly demonstrate what comprised the ground floor wing which largely included the kitchen, pantry part of the dining and bathrooms.

The former Clem Lewis Drapery store can be seen to be used as the billiard room which was largely kept separate from the main portion of the hotel, similar to a contemporary gaming room we would see today. The shop at this time still retained its silhouette particularly along the front façade, allowing the original language of the shop to be read and appreciated.

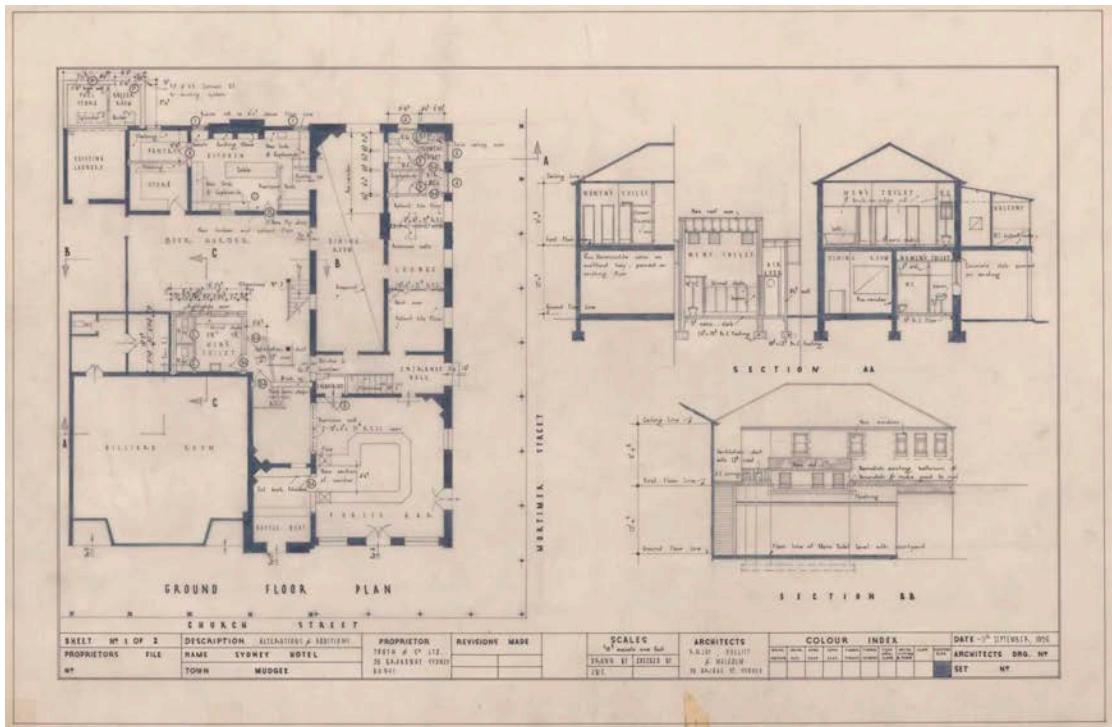
<sup>37</sup> Ibid.

<sup>38</sup> Australian National University, 2022. Tooth and Company Ltd; Photographs: Hotels (Country). N60-YC-1818.

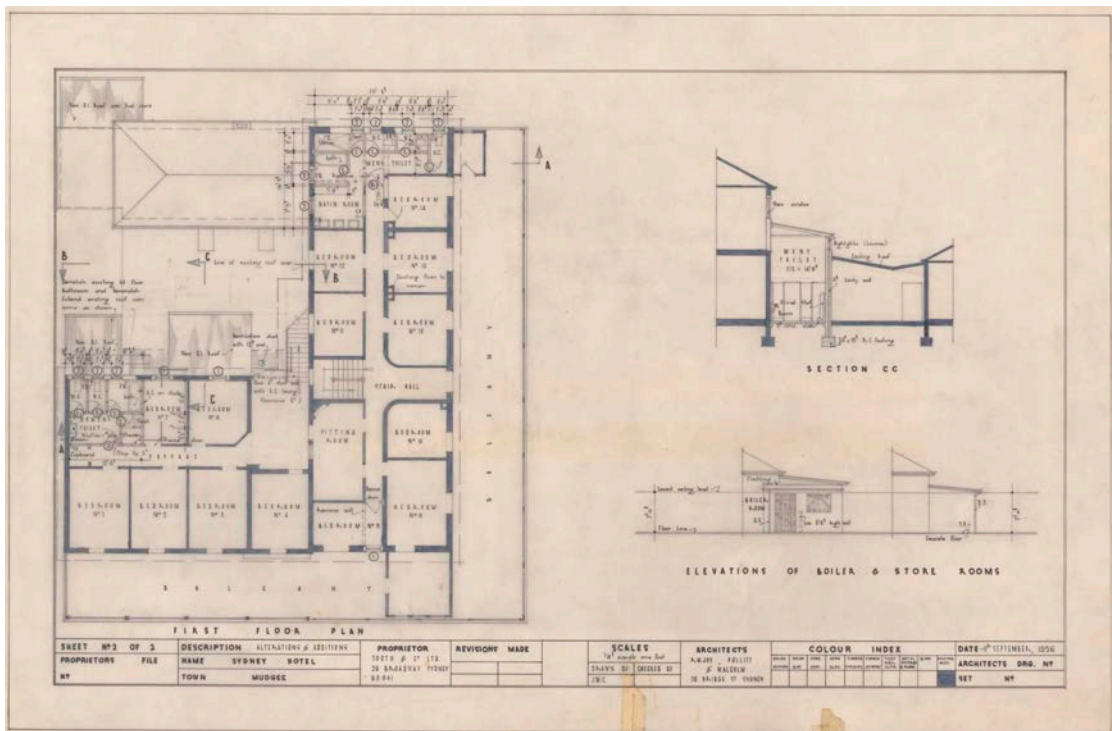
<sup>39</sup> Ibid.



The first floor is accessible from a side entry off Mortimer Street the numerous bedrooms extend off a long hallway that intersects with the later first floor addition on the western elevation of the building.



**Figure 32:** Ground Floor Plan and Sections of the Sydney Hotel, 1956.  
 [Source: Museum of Applied Arts and Sciences, 2022. Architectural drawing for Sydney Hotel Mudgee, New South Wales, September 1956]

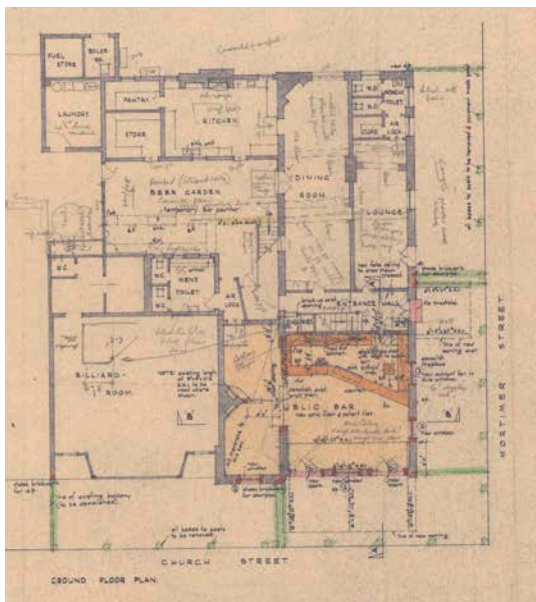


**Figure 33:** First Floor Plan and Sections of the Sydney Hotel, 1956.  
 [Source: Museum of Applied Arts and Sciences, 2022. Architectural drawing for Sydney Hotel Mudgee, New South Wales, September 1956]



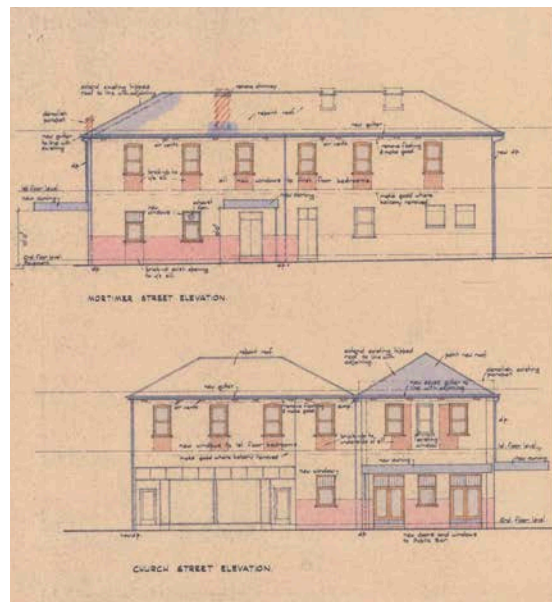
In 1961 additional changes were made to the building, largely pertaining to the exterior and the reconfiguration of the public bar on the ground floor. Externally, the original roof line was extended to be in line with the later first floor addition that extended over the former shop. The original parapet wall was removed, and new gutters and eaves were installed. The verandah was demolished, including the original portion along the Mortimer Street elevation, and new awnings were constructed over the main entry on Church Street and a side entry on Mortimer Street. As the removal of the verandah eliminated the need to external access from the first-floor bedrooms, the French doors for each room were removed, new windows put in their place, and the walls bricked to the bottom of the sill. Whilst the proportions and orientation of the window were similar to the door openings, the overall language of the first floor was substantially altered.

At the ground floor new doors and windows were put in at the Church Street entrance and an additional door on the Mortimer Street elevation was replaced with a window and wall bricked to the sill. These changes greatly altered the appearance and language of the original building. Small details including replacement of the original skirting and removal of picture rails internally indicate a move to modernise the hotel and contemporise the facilities.



**Figure 34:** Ground Floor Plan of the Sydney Hotel, 1961.

[Source: Museum of Applied Arts and Sciences, 2022. Architectural drawing for Sydney Hotel Mudgee, New South Wales, August 1961]



**Figure 35:** First Floor Plan of the Sydney Hotel, 1961.

[Source: Museum of Applied Arts and Sciences, 2022. Architectural drawing for Sydney Hotel Mudgee, New South Wales, August 1961]

In 1964 a new roof was installed over the courtyard and a brick shed was demolished towards the rear. The garage was also altered to 'open up' the parking opportunities and usability of the site.<sup>40</sup> Throughout this period of change Tooth and Co Ltd continued to own and maintain the site. Despite this, there were a number of various leases throughout the late 20<sup>th</sup> Century.<sup>41</sup>

The 1960s works carried out were the last of the largest changes prior to new ownership during the late 1990s. It was around this time that the hotel was referred to as the Waratah Hotel, likely coinciding with the change of ownership in 1990.

<sup>40</sup> Museum of Applied Arts and Sciences, 2022. 'Architectural Drawings for Sydney Hotel Mudgee, NSW. August 1964.

<sup>41</sup> NSW Land and Property Information, 2022. CT Book 10584 Fol. 64

The site was transferred again in 1997 after which time a large scale renovation and restoration project was undertaken, with a number of restorative works and reinstatement of fabric included in the proposal. The works were carried out from 1997 to 2003.



**Figure 36:** Photograph of the subject site, c.1994.

[Source: Lloyd Gerdes, 1994 'G'day pubs']

#### 4.6 The subject site

By 2000 the verandah had been reinstated around the first floor and a new addition to the eastern elevation had been constructed, extending the building from six (6) bays to ten (10). It appears that it was around this time that the site also significantly upgraded their interiors with a gaming room, new open fit out, contemporary kitchen and a new bar fit out. The Waratah Hotel continued to operate as a pub with accommodation offered at the first floor. The enlarged footprint again altered the overall language of the site, despite the design largely mimicking the original detailing.

It is believed that it was also around this time that the former shop was encased within the primary frontage of the hotel (Church Street), altering the front façade so have a continuous planar wall with new windows. The 1930s tiles at the ground floor were also removed.

By 2008 the site had been painted the present colour scheme, contemporising the property.

The Waratah Hotel became 'Kelly's Irish Pub' in the early 2010s and has continued under this name since. Small changes including upgrades to the beer garden and the relocation of kitchen have occurred since this time. Overall, there appears to be very little original fabric left with the hotel having morphed and changed many times over its long history. Despite this, the site still offers a classic pub service with accommodation retaining the long standing tradition and use of the site since its opening in the late 1880s.



**Figure 37:** Photograph of the site, 2022.

[Source: Photograph taken by EHC].



## 5.0 HERITAGE LISTING STATUS

### 5.1 Introduction

Identification of the statutory and non-statutory heritage listings applicable to the subject site is as follows:

### 5.2 Statutory and non-statutory heritage listings

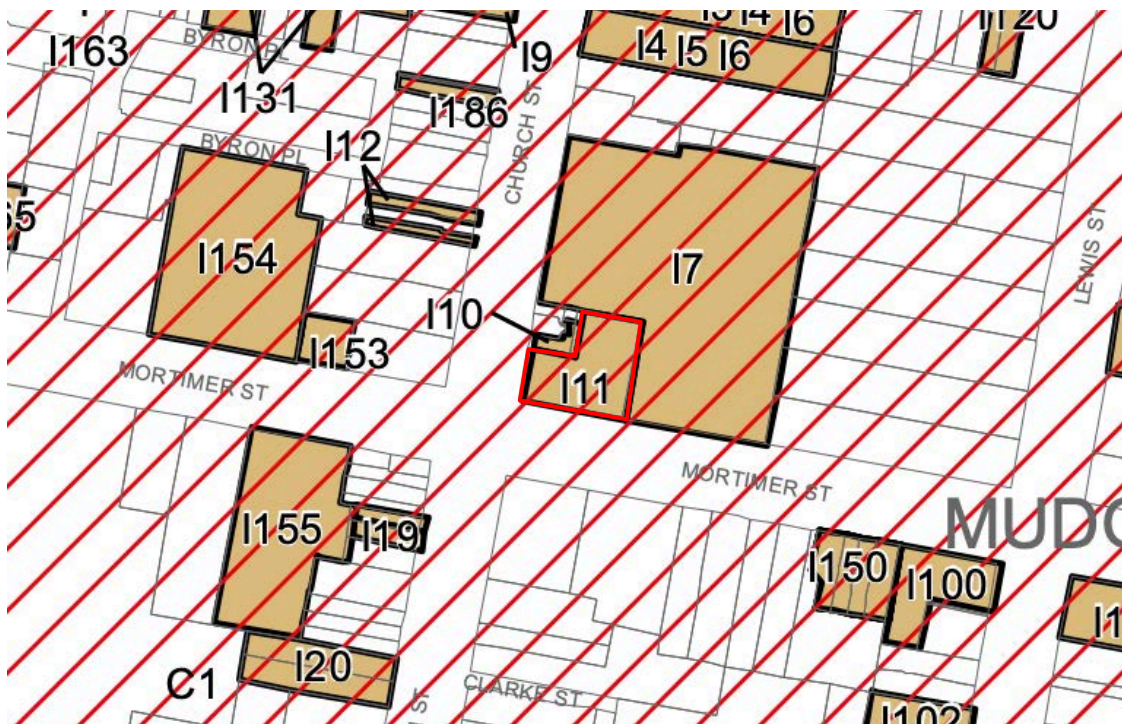
#### *Statutory lists*

The subject site **is** identified as an item of local heritage significance (Item No.I11), listed under Schedule 5 of *Mid-Western Regional Local Environmental Plan 2012*.

The subject site **is** located within the Mudgee Heritage Conservation Area (C1) listed under Schedule 5 of *Mid-Western Regional Local Environmental Plan 2012*.

#### *Non-statutory lists*

The subject site **is not** identified on any non-statutory heritage lists or registers.



**Figure 38:** Map showing the heritage status of the subject site and surrounding allotments.  
[Source: *Mid-Western LEP 2012*, Heritage Map HER\_006G]

### 5.3 Items of heritage significance within the vicinity of the site

For the purposes of this heritage impact assessment, the term 'in the vicinity' is taken to be any item or items that:

- i) Are within an approximate 100m radius of the boundaries of the subject site;
- ii) Have a physical relationship to the subject site i.e. adjoin the property boundary;
- iii) Are identified as forming a part of a group i.e. a row of terrace houses;
- iv) Have a visual relationship to and from the site; or
- v) Are a combination of any of the above.

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In applying the above criteria, items of local heritage significance (listed under Schedule 5 of *Mid-Western Regional Local Environmental Plan 2012*) within the vicinity of the subject site include:

- 'Shop, Travel Agency' 56-62 Church Street, Mudgee (Item No.112)
- "'Town Centre', Store" 19-41 Church Street, Mudgee (Item No.17)
- "'Woolleys Butchery", Shop' 47 Church Street, Mudgee (Item No.110)
- 'House' 82A Mortimer Street, Mudgee (Item No.1153)
- "Civic Theatre", Theatre' 84-88 Mortimer Street, Mudgee (Item No.1154)
- "Settler's Coffee Lounge", Shop" 98 Church Street, Mudgee (Item No.119)
- "Terrace houses" 63-69 Mortimer Street, Mudgee (Item No.1150)
- "'Oriental Tavern", Hotel' 6 Lewis Street, Mudgee (Item No.1100)
- 'Terrace House' 110-112 Church Street, Mudgee (Item No.120)
- 'Uniting Church' 87 Mortimer Street, Mudgee (Item No.1155)
- 'Postal Pillar Box' Church Street, corner Moufarrige Mall, Mudgee (Item No.1186)

There are no items of state heritage significance (listed on the State Heritage Register (SHR) under the *Heritage Act 1977*) within the vicinity of the subject site.

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## 6.0 EXISTING HERITAGE SIGNIFICANCE ASSESSMENTS

### 6.1 Existing description of the heritage item – ‘Shop/Hotel’

The NSW State Heritage Inventory (Heritage Item ID 2070011) provides a physical description of the item as follows:

*‘Hotel, brick (painted) Flemish and Stretcher Bond general occasional courses of Flemish Bond on North elevation. Hipped roof, high pitched early Victorian hotel with verandah remaining or altered. Double hung sash windows in ordered arrangement on first floor (have been deduced in depth) with double half brick flat arched window heads. Fine dark green tiles with dark brown trim on dad to east end of south wall.’*

### 6.2 Existing Statement of Cultural Significance – ‘Shop/Hotel’

The NSW State Heritage Inventory (Heritage Item ID 2070011) provides a Statement of Cultural Significance of the item as follows:

*‘Important corner building adding to character of Mudgee’s main commercial street.’*

### 6.3 Existing Statement of Cultural Significance – Mudgee Heritage Conservation Area

The NSW State Heritage Inventory (SHI No. 2070402) provides a Statement of Cultural Significance of the Mudgee Heritage Conservation Area as follows:

*‘The settlement of Mudgee, located along the banks of the Cudgegong River, demonstrates the principal characteristic of early government town layout in NSW. Designated land uses include the Anglican and Catholic churches in key central positions, with reserved land for law and order, education and recreation, following government practice of the day.*

*Initial settlement occurred in 1822 with many pioneer families still represented in the town today. The Heritage Conservation Area of Mudgee closely follows the 1884 parish map of the town and retains many key heritage buildings especially in the central business area of Church and Market Streets. Historically significant buildings on corners include the Post Office, the Anglican and Catholic churches, hotels and banks, all of which help frame the central shopping area. Many impressive commercial, civic and religious buildings of similar late Victorian style and scale, such as the former Town Hall, banks, hotels and churches, form the core of the Conservation Area, creating an aesthetically significant NSW country town. Remnants of early road works, stone kerbs and gutters, are extant and contribute to the setting.*

*Two excellent parks, Robertson Park and Lawson Park, set aside in the initial surveys of the town, provide partial boundaries to the commercial core. The town setting is also framed by the backdrop of the hills, reminding residents of the original meaning of Mudgee: the ‘nest in the hills’.*

*Mudgee also has a good stock of heritage listed houses beyond the central business area. In a special category are those buildings designed by Mudgee architect Harold Hardwick in the 1890s to 1920s because of their quality. (Ref : Snapshot MWRC)’*

## 7.0 ASSESSMENT OF CULTURAL SIGNIFICANCE

### 7.1 Methodology

The assessment of cultural significance follows the methodology recommended in *Assessing Heritage Significance*<sup>42</sup> by using the NSW Heritage Assessment Criteria and is consistent with the guidelines as set out in the *Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (The Burra Charter 2013)*<sup>43</sup>.

An item or place will be considered to be of heritage significance if it meets at least one or more of the following criteria:

| Criterion:           | Significance theme:    | Explanation:  |
|----------------------|------------------------|---|
| <b>Criterion (a)</b> | Historical             | An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).  |
| <b>Criterion (b)</b> | Historical association | An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area). |
| <b>Criterion (c)</b> | Aesthetic              | An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).   |
| <b>Criterion (d)</b> | Social                 | An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.   |
| <b>Criterion (e)</b> | Technical / Research   | An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).                              |
| <b>Criterion (f)</b> | Rarity                 | An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).   |
| <b>Criterion (g)</b> | Representative         | An item is important in demonstrating the principal characteristics of a class of NSW's (or the local area's) cultural or natural places or cultural or natural environments.                                 |

It is important to note that only one of the above criteria needs to be satisfied for an item or place to have heritage significance. Furthermore, an item or place is not excluded from having heritage significance because other items with similar characteristics have already been identified or listed.

### 7.2 Assessment against NSW Heritage Assessment Criteria

#### 7.2.1 Criterion (a) – Historical Significance

An item or place is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).

| Guidelines for Inclusion   | ✓/X | Guidelines for Exclusion   | ✓/X |
|--|-----|--|-----|
| <ul style="list-style-type: none"> <li>Shows evidence of a significant human activity.</li> </ul>                        | X   | <ul style="list-style-type: none"> <li>Has incidental or unsubstantiated connections with historically important activities or processes.</li> </ul> | ✓   |
| <ul style="list-style-type: none"> <li>Is associated with a significant activity or historical phase.</li> </ul>         | ✓   | <ul style="list-style-type: none"> <li>Provides evidence of activities or processes that are of dubious historical importance.</li> </ul>            | X   |
| <ul style="list-style-type: none"> <li>Maintains or shows the continuity of a historical process or activity.</li> </ul> | X   | <ul style="list-style-type: none"> <li>Has been so altered that it can no longer provide evidence of a particular association.</li> </ul>            | ✓   |

<sup>42</sup> NSW Heritage Branch, 2001. 'Assessing Heritage Significance'.

<sup>43</sup> Australia ICOMOS, 2013. 'Burra Charter'.

### Assessment of Significance

- The former Sydney Hotel provides important evidence of the continued expansion of the Mudgee township in the late 19<sup>th</sup> and 20<sup>th</sup> centuries, and forms part of the important and early commercial precinct within Mudgee. The Hotel was one of the earliest public establishments after Mudgee was identified as a Municipality in 1860.
- The building is of historical importance at the local level as it evidences the continued growth within the commercial precinct of the Mudgee township. The site has maintained its long-established use as a Public House and is evidence of early hotel business development in Mudgee.

The former Sydney Hotel at 49-51 Church Street, Mudgee satisfies this criterion in demonstrating historical significance at a local level.

### 7.2.2 Criterion (b) – Historical Association Significance

An item or place has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

| Guidelines for Inclusion  | ✓/X | Guidelines for Exclusion   | ✓/X |
|---|-----|--|-----|
| • Shows evidence of a significant human occupation.                   | X   | • Has incidental or unsubstantiated connects with historically important people or events. | ✓   |
| • Is associated with a significant event, person or group of persons. | X   | • Provides evidence of people or events that are of dubious historical importance.         | ✓   |
|   |     | • Has been so altered that it can no longer provide evidence of a particular association.  | ✓   |

### Assessment of Significance

- The hotel building is situated on land that once formed part of the one-acre grant given to William Wilton in the 1850s. It is unclear exactly when the hotel was constructed, however, some records suggest it was as early as 1862 when the Wilton family still owned the property. Nonetheless, there is nothing in the fabric of the building that demonstrates any clear association with William Wilton.
- The existing building was refurbished in the 1930s by the Tooth and Co Ltd. The site has no clear association with any one family, person or persons of notoriety. There is nothing in the physical fabric of the place that evidences an association with Tooth and Co Ltd such as an inscription, or other direct tangible linkages.
- The association with the various owners and proprietors throughout the sites long history can only be ascertained through documentary evidence.

The former Sydney Hotel at 49-51 Church Street, Mudgee does not satisfy this criterion in demonstrating historical associative significance.

### 7.2.3 Criterion (c) – Aesthetic Significance

An item or place is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).

| Guidelines for Inclusion  | ✓/X | Guidelines for Exclusion                                  | ✓/X |
|---|-----|---|-----|
| • Shows or is associated with, creative or technical innovation or achievement. | X   | • Is not a major work by an important designer or artist. | ✓   |

|   |   |  |   |
|---|---|--|---|
| • Is the inspiration for a creative or technical innovation or achievement. | X | • Has lost its design or technical integrity.  | ✓ |
| • Is aesthetically distinctive.   | ✓ | • Its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded. | X |
| • Has landmark qualities.   | ✓ | • Has only a loose association with a creative or technical achievement.   | ✓ |
| • Exemplifies a particular taste, style or technology                       | X |  |   |

#### Assessment of Significance

- Situated a corner allotment within the Mudgee town centre, the building forms a part of the long-established commercial core of the town centre and has a strong visual relationship with the streetscape and public domain, whereby making the building a visually prominent feature of the streetscape.
- The building displays a concerted effort to positively enhance and contribute to the sensory appeal of the streetscape through the bold front façade being a two-storey building with dramatic verandah posts, which reinforces the buildings aesthetic distinctiveness within the streetscape.
- Though the interior and the exterior of the building have been extensively modified, the early footprint and language can still be interpreted from Mortimer and Church Street.

The former Sydney Hotel at 49-51 Church Street, Mudgee satisfies this criterion in demonstrating aesthetic significance at a local level.

#### 7.2.4 Criterion (d) – Social Significance

An item or place has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.

| Guidelines for Inclusion  | ✓/X | Guidelines for Exclusion                                    | ✓/X |
|---|-----|---|-----|
| • Is important for its associations with an identifiable group. | ✓   | • Is only important to the community for amenity reasons.   | X   |
| • Is important to a community's sense of place.                 | ✓   | • Is retained only in preference to a proposed alternative. | X   |

#### Assessment of Significance

- Erected originally in c.1862 but extensively renovated in the 1930s, 1960s and 1990s, the former Sydney Hotel has continued to function as a hotel for the entirety of its existence, reinforcing the commercial character of the Mudgee town centre.
- The esteem and value in which the building is held by current and former owners / occupiers, suggests that the building has a direct association with the Mudgee community being a social hub to local patrons for 160 years.

The former Sydney Hotel at 49-51 Church Street, Mudgee satisfies this criterion in demonstrating social significance.

#### 7.2.5 Criterion (e) – Technical / Research Significance

An item or place has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).



| Guidelines for Inclusion   | ✓/X | Guidelines for Exclusion  | ✓/X |
|--|-----|---|-----|
| <ul style="list-style-type: none"> <li>Has the potential to yield new or further substantial scientific and/or archaeological information</li> </ul> | X   | <ul style="list-style-type: none"> <li>The knowledge gained would be irrelevant to research on science, human history or culture.</li> </ul>        | ✓   |
| <ul style="list-style-type: none"> <li>Is an important benchmark or reference site or type.</li> </ul>   | X   | <ul style="list-style-type: none"> <li>Has little archaeological or research potential.</li> </ul>  | ✓   |
| <ul style="list-style-type: none"> <li>Provides evidence of past human cultures that is unavailable elsewhere.</li> </ul>                            | X   | <ul style="list-style-type: none"> <li>Only contains information that is readily available from other resources or archaeological sites.</li> </ul> | ✓   |

### Assessment of Significance

- The former Sydney Hotel displays form and detailing that is typical to the Victorian filigree architectural style of the late 19<sup>th</sup> century Victorian period. The building evidences construction practices that are considered typical of the period and the architectural style.
- The original c.1862 the building underwent extensive changes and renovations to the exterior and interior in the 1930s, 1960s and again in 1990s. The building has architectural interest and value, though is not considered an important benchmark or reference site.
- The building has low research value as any previous structures on the site were demolished in the 1960s and since this time the land has been substantially altered with the construction of new additions to the north and east of the site.

The former Sydney Hotel at 49-51 Church Street, Mudgee does not satisfy this criterion in demonstrating technical / research significance.

#### 7.2.6 Criterion (f) – Rarity

An item or place possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

| Guidelines for Inclusion  | ✓/X | Guidelines for Exclusion  | ✓/X |
|---|-----|---|-----|
| <ul style="list-style-type: none"> <li>Provides evidence of a defunct custom, way of life, or process.</li> </ul>                         | X   | <ul style="list-style-type: none"> <li>Is not rare.</li> </ul>                  | ✓   |
| <ul style="list-style-type: none"> <li>Demonstrates a process, custom or other human activity that is in danger of being lost.</li> </ul> | X   | <ul style="list-style-type: none"> <li>Is numerous but under threat.</li> </ul> | ✓   |
| <ul style="list-style-type: none"> <li>Shows unusually accurate evidence of a significant human activity.</li> </ul>                      | X   |   |     |
| <ul style="list-style-type: none"> <li>Is the only example of its type.</li> </ul>  | X   |   |     |
| <ul style="list-style-type: none"> <li>Demonstrates designs or techniques of exceptional interest.</li> </ul>                             | X   |   |     |
| <ul style="list-style-type: none"> <li>Shows rare evidence of a significant human activity important to the community</li> </ul>          | X   |   |     |

### Assessment of Significance

- The former Sydney Hotel is attributed to the Victorian Filigree architectural style of the late 19<sup>th</sup> century. Whilst the hotel has significant history in the Mudgee township, the area comprises a number of hotels, some of which are contemporaneous to the former Sydney Hotel and have a higher degree on design integrity.
- Subsequently, the architectural style, form and language is not unique to the site whereby the site is not considered rare within its context.

The former Sydney Hotel at 49-51 Church Street, Mudgee does not satisfy this criterion in demonstrating significance through the item's rarity at a local level.

### 7.2.7 Criterion (g) - Representativeness

An item or place is important in demonstrating the principal characteristics of a class of NSW's:

- Cultural or natural places; or
- Cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments.).

| Guidelines for Inclusion  | ✓/X | Guidelines for Exclusion  | ✓/X |
|---|-----|---|-----|
| • Is a fine example of its type.  | X   | • Is a poor example of its type.  | X   |
| • Has the principal characteristics of an important class or group of items.  | X   | • Does not include or has lost the range of characteristics of a type.                        | ✓   |
| • Has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity. | X   | • Does not represent well the characteristics that make up a significant variation of a type. | ✓   |
| • Is a significant variation to a class of items.   | X   |   |     |
| • Is part of a group which collectively illustrates a representative type.  | X   |   |     |
| • Is outstanding because of its setting, condition or size.   | ✓   |   |     |
| • Is outstanding because of its integrity or the esteem in which it is held.  | ✓   |   |     |

### Assessment of Significance

- Built c.1862 and extensively modified in the 1930s, 1960s and 1990s, the subject site is an example of a two-storey rendered hotel building, displaying a number of defining features that attribute it to the classical forms of the late 20<sup>th</sup> Victorian Filigree architectural style.
- The building retains a low degree of architectural design integrity, mostly limited to the front façade and general bulk and scale. The remainder of the interior has been significantly altered, though the overall silhouette and form is retained.
- Despite this, the building has architectural interest and value, being a pleasant and representative example of one of the earliest hotel buildings in the Mudgee Township from the early 19<sup>th</sup> Century.

The former Sydney Hotel, 49-51 Church Street, Mudgee satisfies this criterion in demonstrating representative significance at a local level.

### 7.3 Summary Level of Significance

The following table summarises the assessed level of significance against each criterion for assessing heritage significance:

| Criterion   | What is the assessed level of significance? |
|---|---|
| Criterion (a) – Historical Significance             | LOCAL                                       |
| Criterion (b) – Historical Association Significance | Does not satisfy criterion                  |
| Criterion (c) – Aesthetic Significance              | LOCAL                                       |
| Criterion (d) – Social Significance                 | LOCAL                                       |

|  |                            |
|--|----------------------------|
| Criterion (e) – Technical / Research Significance      | Does not satisfy criterion |
| Criterion (f) – Rarity Significance                    | Does not satisfy criterion |
| Criterion (g) – Representativeness Significance        | LOCAL                      |
| <b>Overall assessed level of cultural significance</b> | <b>LOCAL</b>               |

#### 7.4 Recommended Statement of Cultural Significance

The former Sydney Hotel provides important evidence of the continued expansion of the Mudgee township in the late 19<sup>th</sup> and 20<sup>th</sup> centuries, and forms part of the important and early commercial precinct within Mudgee. The Hotel was one of the earliest public establishments after Mudgee was identified as a Municipality in 1860.

The building forms a part of the long-established commercial core of the town centre and has a strong visual relationship with the streetscape and public domain, whereby making the building a visually prominent feature of the streetscape which reinforces the buildings aesthetic distinctiveness within the streetscape.

Erected originally in c.1862 but extensively renovated in the 1930s, 1960s and 1990s, the former Sydney Hotel has continued to function as a hotel for the entirety of its existence, reinforcing the commercial character of the Mudgee town centre. The esteem and value in which the building is held by current and former owners / occupiers, suggests that the building has a direct association with the Mudgee community being a social hub to local patrons for 160 years.

The building has architectural interest and value, being a pleasant and representative example of one of the earliest hotel buildings in the Mudgee Township from the early 19<sup>th</sup> Century.

## 8.0 DEVELOPMENT PROPOSAL

### 8.1 Plans & Drawings Referenced

This Heritage Impact Statement provides an assessment of the development proposal as shown on the following plans and drawings:

| Drawing No: | Revision: | Title:                       | Dated      | Prepared By:    |
|-------------|-----------|------------------------------|------------|-----------------|
| A100        | 1         | Title Sheet                  | 24/08/2022 | Vibe Architects |
| A101        |           | Site and Roof Plan           |            |                 |
| A102        |           | Ground Level - Proposed Demo |            |                 |
| A103        |           | Ground Level – Proposed      |            |                 |
| A104        |           | Basement                     |            |                 |
| A105        |           | Elevations                   |            |                 |
| A106        |           | Elevations – 2               |            |                 |
| A107        |           | Sections                     |            |                 |
| A108        |           | Sections 2                   |            |                 |
| A109        |           | Gaming Room Details          |            |                 |
| A110        |           | Perspective View             |            |                 |

### 8.2 Description of the Proposed Works

The development proposal seeks the consent of Mid-Western Council for the alterations and additions to the existing building.

The objective of the proposal is to accommodate additional floor space to enlarge the existing gaming room on the eastern elevation of the building. The proposal seeks to marginally extend the footprint via a single storey addition that will sit quietly towards the rear of the building. The new addition will wrap around to the north to include a new children’s play area. Internally, the gaming room will be reconfigured to include a new entry hall from the exterior of the building and a new gaming room configuration.

To achieve this, the proposal will involve partial demolition works to the existing building, including:

- Partial demolition of internal walls;
- Demolition of door
- Demolition of outside screen.

Following the partial demolition works, the proposal will then involve the extension of the ground floor and internal reconfiguration of the existing gaming room.

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The heritage impacts of the above-described proposal are considered in detail in the ensuing sections of this report.

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## 9.0 ASSESSMENT AGAINST STATUTORY PLANNING AND HERITAGE CONTROLS

### 9.1 Mid-Western Regional Local Environmental Plan 2012

Clause 5.10 of the *Mid-Western Local Environmental Plan 2012* establishes the statutory framework for heritage conservation and the management of heritage items, heritage conservation areas and archaeological sites (both Aboriginal and non-Aboriginal).

The provisions specify circumstances where development consent is and is not required, together with specifying statutory requirements and key considerations for the Consent Authority.

In assessing development proposals relating to listed items of heritage significance, or involving development on land situated within a Heritage Conservation Area, Council as the Consent Authority, must consider the impacts of the proposed works on the heritage item and / or Heritage Conservation Area (clause 5.10(4)).

The ensuing heritage impact assessment considers in detail what impact the proposed development will have on the established cultural significance and heritage values of the subject site and Heritage Conservation Area, together with listed items of heritage significance and Heritage Conservation Areas within the vicinity of the site (as identified in Section 5.3).

### 9.2 Mid-Western Development Control Plan 2012

*Mid-Western Development Control Plan 2012* ('the DCP'), contains performance-based controls that relate to the development of heritage items, development within the vicinity of a heritage item, or development within a heritage conservation area.

These development controls seek to ensure that new development is appropriately designed, contextually responsive and sympathetic to the heritage values and significance of an item or place.

The proposed development has been considered against the development guidelines of the DCP and consistency is demonstrated in the ensuing heritage impact assessment.

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## 10.0 HERITAGE IMPACT ASSESSMENT

### 10.1 Consideration of the Heritage Impact

The ensuing heritage impact assessment is based upon the Statement of Significance (refer to Section 7.0 above); available physical and documentary evidence including a visual inspection of the site and statutory planning requirements.

The Heritage Council of NSW has published the NSW Heritage Manual, which contains a series of evaluation criteria for assessing the likely impact of a proposed development on the heritage significance of listed heritage items or heritage conservation areas<sup>44</sup>, which are listed below and considered in the ensuing statement of heritage impact.

### 10.2 Response to the evaluation criteria

#### i) *Minor Partial Demolition*

- *Is the demolition essential for the heritage item to function?*

The former Sydney Hotel provides important evidence of the continued expansion of the Mudgee township in the late 19<sup>th</sup> and 20<sup>th</sup> centuries, and forms part of the important and early commercial precinct within Mudgee. The Hotel was one of the earliest public establishments after Mudgee was identified as a Municipality in 1860. Despite this, the building has undergone a number of renovations and changes which have obscured much of the original fabric. The most recent of the renovations included works to the current game room, to which the majority of this proposal is involves works to this area.

The partial demolition works relate predominantly to the removal of several internal walls of the building, as well as the rear outdoor screening and an external door. The works are limited to the eastern side of the building whereby the removal of the internal walls of the games room and kids play area will accommodate the new extension and open up the space for ease of movement and better external access.

The building was extended to the east in the early 2000s and the external detailing replicated to match the remainder of the building. Subsequently, the demolition works are limited to fabric that is non-original and will have a negligible impact on the ability to read and appreciate the original language and layout of the building.

There are no proposed demolition works for the first floor.

- *Are important features of the item affected by the demolition (e.g. fireplaces in buildings)?*

The proposal will remove portions of the non-original internal walls at the ground level. Whilst these elements contribute to an understanding of how the building has been changed over its long history it will not fundamentally alter any significant spatial arrangement or the overall form of the building. The walls of the gaming room and children's play area have been previously altered and changed throughout the different ownerships and previous restorations of the building, whereby the fabric has a higher tolerance to change.

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<sup>44</sup> NSW Heritage Branch, 'Heritage Impact Statements – Some questions to be answered in a Statement of Heritage Impact and Supporting Information Required'.

Much of the architectural language of the ground floor has been confused and distorted by the accumulated accretions to the building, whereby the eastern side of the building has little surviving original fabric. As a result, the proposed demolition will not result in the removal of any important features of the building.

- *Is the resolution to partially demolish sympathetic to the heritage significance of the item?*

The proposal will involve the removal of previously modified fabric and will have a low impact on the overall integrity of the heritage item. The partial demolition works will retain the silhouette and overall form of the building, enabling a continued ability to appreciate and interpret the form from the streetscape.

The removal of the door along the southern elevation will have a minor impact on the building, being a later addition to the site. The infilling of the door will not obscure the original language from the street and it will be finished to match the existing brickwork.

- *If the partial demolition is a result of the condition of the fabric, is it certain that the fabric cannot be repaired?*

The partial removal of fabric on the ground level and rear elevation will have minimal physical impact on the building and is not a result of the condition of the fabric, rather the clients desire for additional floor space and a contemporary fit-out.

Overall, the demolition works are considered necessary to achieve the desired development outcomes for the site.

ii) *Alterations and Additions (Major Additions)*

- *How is the impact of the addition on the heritage significance of the item to be minimised?*

The majority of the works associated with the fit-out involve the rearrangement of the current spatial arrangement of the ground floor level towards the east, including the introduction of small extension to the east which is considered to have a negligible impact. Much of the existing fabric has been previously altered due to the ongoing use of the space as a hotel since c.1862. The proposed new fit out will rearrange the existing configuration of the gaming room and children's play room to maximise the floor area, however the hotel will still be read and appreciated in its original context.

The proposal will involve a new extension of the existing gaming room off the eastern elevation. The single storey addition will extend the building footprint approximately three metres at the ground floor, adopting a contemporary style and language to clearly distinguish it as new work. Presently, a driveway is located to the east, whereby extending into the space will not impact any existing built forms.

The walls will be finished with ensem vertical cladding and the roof will have finished in sheet metal to match the existing roof. The simple language of the new addition will allow it to harmoniously integrate into the site without competing or dominating the existing two-storey building.

The overall proposal seeks to install a contemporary fitout and rearrangement of the current spatial layout to maximise floor space, and clearly distinguish the new from the old.

The additions will contribute to the 'future-proofing' of the heritage item, by providing a renewed use for the site through the installation of an improved gaming room,

rearrangement of the spatial layout and installation of lightweight furnishings. By incorporating these internal elements into the existing footprint, it can be considered as an essential activity to ensure the sufficient ongoing use of the heritage item.



**Figure 39:** 3D rendering of the proposed addition.  
[Source: Vibe Architects, 2022]

- *Can the additional area be located within an existing structure? If not, why not?*

The additional area that is proposed includes the new addition to the east and a small addition to the north to include an indoor play area. The proposal cannot be located within the existing footprint owing to the much of the interior being occupied for dining and bar space. Subsequently, the minor extension will allow for additional space internally, without compromising significant fabric.

The existing structure will be retained, only with a redistribution of the current spatial arrangement, however it will not alter how the building is read or appreciated from Church Street or Mortimer Street, clearly reading as new work and being subservient to the existing built form. Owing to the extensive modifications that have been done in the past, the additional area will be largely limited to non-original or significant fabric and will not have a detrimental effect on the heritage significance of the item.

- *Will the additions tend to visually dominate the heritage item?*

The additions and alterations will be concentrated to the east of the building and will be largely light weight in nature, whereby the majority of the works are easily reversible and does not involve material affectation to significant fabric.

The single storey addition will retain the distinct two-storey footprint from within the streetscape and the use of contemporary materiality will clearly delineate the addition as new work. When viewing the street from the significant viewpoints such as the corner of Mortimer and Church Streets, the new addition will not be visible. The new addition will be visible from Mortimer Street, however, the small scale and simple language allows it to be subservient to the main built form having a quiet contribution to the streetscape. Where the new addition wraps around to the north will not be visible from any street frontage.

The footprint of the new addition will be similar to the existing timber screen that is directly adjacent the eastern wall. As this previous fixture has been located within the



proposed space, the new addition will not be an anomaly within the streetscape and will quietly adjoin the main hotel building without distracting or distorting significant views.

The proposed colour schedule utilises a simple colour palette that is largely a continuation of the existing colour scheme. The existing colour scheme is not original; whereby continuing the existing colour scheme will have minor impact on the building and will allow the new addition to integrate seamlessly with the main built form.

- *Are the additions sited on any known, or potentially significant archaeological deposits? If so, have alternative positions for the additions been considered?*

Documentary evidence indicates that a blacksmith shop, ancillary sheds and storage buildings were located on the site. Despite this, the archaeological potential for the site is considered low, with the previous structures on the site having been removed prior to major renovations the early 1950s. This area of the site has since been subject to disturbance when the cementitious driveway was installed. Subsequently, statutory requirements for archaeological finds is deemed sufficient and recommended in 11.2 of this report.

- *Are the additions sympathetic to the heritage item? In what way (e.g. form, proportions, design)?*

The internal alterations retain the existing use and silhouette of the existing hotel space. As the interior of the building has been altered previously, the proposed fit out will have a negligible impact on original fabric. The changes will be concentrated to non-significant fabric having an acceptable heritage impact to the larger hotel space.

The extension to the east and north of the building will be single storey in height and will adopt a contemporary language and materiality to clearly distinguish it as new work without dominating the existing hotel. Whilst the additions will be partially visible from Mortimer Street the main footprint of the hotel will still be able to be read and appreciated from the street.

Overall, the proposed works are sympathetic to the heritage item and wider conservation area. The work will marginally increase the ground floor footprint without compromising significant fabric or views. As the building has been subject to many significant changes, the proposed works will form part of the ongoing history of the site whereby the proposed works it will have a negligible heritage impact but will greatly increase the usability of the site.

## 11.0 RECOMMENDATIONS AND MITIGATION MEASURES

### 11.1 Conclusion

The property is presently identified as an item of local heritage significance, listed on Schedule 5 of the *Mid-Western LEP 2012*. However the existing heritage listing is informed by a primitive assessment of cultural significance, stemming from a number of heritage studies undertaken in the mid-1980s.

Subsequently, this Heritage Impact Statement has re-assessed the heritage values of the property and found that the public hotel at 49-51 Church Street, Mudgee, is of historical, aesthetic, social, and representative significance at a local level and subsequently, a more comprehensive Statement of Cultural Significance has been developed.

The proposed alterations and additions have been assessed with regards to the re-assessed heritage values and consideration has been given to the visual and physical impacts of the proposed development on the identified heritage values of the property.

The proposal will not result in any material affectation to significant heritage fabric and will sit quietly to the east of the site without visually dominating the heritage item and thus retaining visual prominence of the existing two-storey hotel.

Subject to the recommendations below, the proposed additions and alterations at 49-51 Church Street, Mudgee, are considered to have an entirely acceptable heritage impact.

### 11.2 Recommended Mitigation Measures

The following recommendations arise from the heritage impact assessment in Section 10.0 of this report. Adoption and implementation of the recommendations should be seen as mechanisms for addressing statutory requirements, mitigating heritage impacts and to ensure appropriate conservation and ongoing management of the heritage item.

| Recommendation:                   | Recommended Management / Mitigation Measures:  |
|-----------------------------------|--|
| <b>1: Standard of workmanship</b> | All works undertaken on the site in association with the proposed works should be specified, supervised and carried out by people with knowledge, skills and experience appropriate to the work.   |
| <b>2: Archaeology</b>             | Should any substantial intact archaeological deposits whether artefacts, relics or occupation deposits be discovered or uncovered, excavation and / or disturbance of the site is to immediately cease and the Consent Authority and Heritage NSW notified.<br><br>Additional archaeological assessment may be required prior to works continuing in the affected area/s based on the nature of the discovery. |

End of Report

# Appendix A

## Common Terms Used

The following is a list of terms and abbreviations adopted for use in the NSW Heritage Manual (prepared by the Heritage Council of NSW), and other terms used by those involved in investigating, assessing and managing heritage, including terms used within this Heritage Impact Statement:

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**Aboriginal significance:** An item is of Aboriginal heritage significance if it demonstrates Aboriginal history and culture. The National Parks and Wildlife Service has the primary responsibility for items of Aboriginal significance in New South Wales.

**Adaptation:** Modification of a heritage item to suit a proposed, compatible use.

**Aesthetic significance:** An item having this value is significant because it has visual or sensory appeal, landmark qualities and/or creative or technical excellence.

**Archaeological assessment:** A study undertaken to establish the archaeological significance (research potential) of a particular site and to propose appropriate management actions.

**Archaeological feature:** Any physical evidence of past human activity. Archaeological features include buildings, works, relics, structures, foundations, deposits, cultural landscapes and shipwrecks. During an archaeological excavation the term 'feature' may be used in a specific sense to refer to any item that is not a structure, a layer or an artefact (for example, a post hole).

**Archaeological significance:** A category of significance referring to scientific value or 'research potential' that is, the ability to yield information through investigation.

**Archaeological sites:** A place that contains evidence of past human activity. Below-ground archaeological sites include building foundations, occupation deposits, features and artefacts. Above-ground archaeological sites include buildings, works, industrial structures and relics that are intact or ruined.

**Archaeology:** The study of material evidence to discover human past. See also historical archaeology.

**Artefacts:** Objects produced by human activity. In historical archaeology the term usually refers to small objects contained within occupation deposits. The term may encompass food or plant remains (for example, pollen) and ecological features.

**Australia ICOMOS:** The national committee of the International Council on Monuments and Sites.

**Burra Charter:** (and its guidelines). Charter adopted by Australia ICOMOS which establishes the nationally accepted principles for the conservation of places of cultural significance.

**Comparative significance:** In the NSW Heritage Assessment Procedure there are two

values used to compare significance: representativeness and rarity.

**Compatible use:** A use for a heritage item, which involves no change to its culturally significant fabric, changes which are substantially reversible or changes, which make a minimal impact.

**Cultural landscapes:** Those areas of the landscape, which have been significantly modified by human activity. They include rural lands such as farms, villages and mining sites, as well as country towns.

**Cultural significance:** A term frequently used to encompass all aspects of significance, particularly in guidelines documents such as the Burra Charter. Also one of the categories of significance listed in the Heritage Act 1977.

**Curtilage:** The geographical area that provides the physical context for an item, and which contributes to its heritage significance. Land title boundaries and heritage curtillages do not necessarily coincide.

**Demolition:** The damaging, defacing, destroying or dismantling of a heritage item or a component of a heritage conservation area, in whole or in part.

**Conjectural reconstruction:** Alteration of a heritage item to simulate a possible earlier state, which is not based on documentary or physical evidence. This treatment is outside the scope of the Burra Charter's conservation principles.

**Conservation:** All the processes of looking after an item so as to retain its cultural significance. It includes maintenance and may, according to circumstances, include preservation, restoration, reconstruction and adaptation and will be commonly a combination of more than one of these.

**Conservation Management Plan:** (CMP) A document explaining the significance of a heritage item, including a heritage conservation area, and proposing policies to retain that significance. It can include guidelines for additional development or maintenance of the place.

**Conservation policy:** A proposal to conserve a heritage item arising out of the opportunities and constraints presented by the statement of heritage significance and other considerations.

**Contact sites:** Sites which are associated with the interaction between Aboriginal and non-Aboriginal people.

**Excavation permit:** A permit issued by the Heritage Council of New South Wales under

section 60 or section 140 of the Heritage Act 1977 to disturb or excavate a relic.

**Façade:** The elevation of a building facing the street.

**Heritage Act 1977:** The statutory framework for the identification and conservation of heritage in New South Wales. The Act also describes the composition and powers of the Heritage Council.

**Heritage Advisor:** A heritage consultant engaged by a local council, usually on a part-time basis, to give advice on heritage matters to both the council and the local community.

**Heritage assessment criteria:** Principles by which values for heritage significance are described and tested. See historical, aesthetic, social, technical/ research, representativeness, rarity.

**Heritage conservation area:** An area which has a distinctive character of heritage significance, which it is desirable to conserve.

**Heritage Council:** The New South Wales Government's heritage advisory body established under the Heritage Act 1977. It provides advice to the Minister for Urban Affairs and Planning and others on heritage issues. It is also the determining authority for section 60 applications.

**Heritage fabric:** All the physical material of an item, including surroundings and contents, which contribute to its heritage significance.

**Heritage inventory:** A list of heritage items, usually in a local environmental plan or regional environmental plan.

**Heritage item:** A landscape, place, building, structure, relic or other work of heritage significance.

**Heritage NSW:** The State Government agency of the Department and Premier and Cabinet, responsible for providing policy advice to the relevant Minister, administrative services to the Heritage Council and specialist advice to the community on heritage matters.

**Heritage precinct:** An area or part of an area which is of heritage significance. See also heritage conservation area.

**Heritage significance:** Of aesthetic, historic, scientific, cultural, social, archaeological, natural or aesthetic value for past, present or future generations.

**Heritage study:** A conservation study of an area, usually commissioned by the local council. The study usually includes a historical context report, an inventory of heritage items

within the area and recommendations for conserving their significance.

**Heritage value:** Often used interchangeably with the term 'heritage significance'. There are four nature of significance values and two comparative significance values. See heritage significance, nature of significance, comparative significance.

**Hierarchy of significance:** Used when describing a complex heritage site where it is necessary to zone or categorise parts of the area assigning each a particular significance. A commonly used four level hierarchy is: considerable, some, little or no, intrusive (that is, reduces the significance of the item).

**Industrial archaeology:** The study of relics, structures and places involved with organised labour extracting, processing or producing services or commodities; for example, roads, bridges, railways, ports, wharves, shipping, agricultural sites and structures, factories, mines and processing plants.

**Integrity:** A heritage item is said to have integrity if its assessment and statement of significance is supported by sound research and analysis, and its fabric and curtilage are still largely intact.

**International Council on Monuments and Sites (ICOMOS):** An international organisation linked to UNESCO that brings together people concerned with the conservation and study of places of cultural significance.

There are also national committees in sixty countries including Australia.

**Level of significance:** There are three management levels for heritage items in New South Wales — local, regional and state. The level is determined by the context in which the item is significant. For example, items of state

heritage significance will either be fine examples or rare state-wide or will be esteemed by a state-wide community.

**Local significance:** Items of heritage significance which are fine examples, or rare, at the local community level.

**Moveable heritage:** Heritage items not fixed to a site or place (for example, furniture, locomotives and archives).

**Occupation deposits:** (In archaeology.) Accumulations of cultural material that result from human activity. They are usually associated with domestic sites, for example, under-floor or yard deposits.

**Post-contact:** Used to refer to the study of archaeological sites and other heritage items dating after European occupation in 1788 which helps to explain the story of the relationship between Aborigines and the new settlers.

**Preservation:** Maintaining the fabric of an item in its existing state and retarding deterioration.

**Rarity:** An item having this value is significant because it represents a rare, endangered or unusual aspect of our history or cultural heritage.

**Reconstruction:** Returning a place as nearly as possible to a known earlier state by the introduction of new or old materials into the fabric (not to be confused with conjectural reconstruction).

**Relic:** The Heritage Act 1977 defines relic as: '...any deposit, object or material evidence relating to non-Aboriginal settlement which is more than fifty years old.' The National Parks and Wildlife Act 1974 defines a relic as: '...any deposit, object or material evidence (not

being a handicraft made for sale) relating to indigenous and non-European habitation of the area that comprises New South Wales, being habitation both prior to and concurrent with the occupation of that area by persons of European extraction, and includes Aboriginal remains.'

**Representativeness:** Items having this value are significant because they are fine representative examples of an important class of significant items or environments.

**Restoration:** Returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without introducing new material.

**Social significance:** Items having this value are significant through their social, spiritual or cultural association with a recognisable community.

**State heritage inventory:** A list of heritage items of state significance developed and managed by the Heritage Division. The inventory is part of the NSW Heritage Database.

**State significance:** Items of heritage significance which are fine examples, or rare, at a state community level.

**Statement of heritage significance:** A statement, usually in prose form which summarises why a heritage item or area is of importance to present and future generations.

**Technical/research significance:** Items having this value are significant because of their contribution or potential contribution to an understanding of our cultural history or environment.