

## Statements of Heritage Impact (SOHI)

### PROPOSED NEW INFILL RESIDENTIAL BUILDING 120 Market Street, Mudgee

**Lot 1 DP533466  
FINAL REPORT**



*Figure 1: Side view of the corner store at 120 Market St. B;H The proposed residence will be north of this existing building.*

**Client: Colin Booth**

**Date: 22 February 2023**



Figure 2 Aerial view from Six Maps. 120 Market Street, The corner store on Market.

This Statement of Heritage Impact is required because the new proposed development application applies to an existing lot within the Mudgee Heritage Conservation Area. The lot is on land contains an existing corner store, and the residence will be built on the vacant land behind it. It is used now only for casual parking. This proposed house will be freestanding and a new residential development.

The site is also in the vicinity of a locally heritage listed items, across Market Street at 141 Market. A former house and store, but now used only as a residence. It is item I 144 on Lot 3 DP 355899.

By 'Impact' this report covers any effect that may alter the historic significance of the heritage listed place in the vicinity, or the Mudgee Conservation Area. It can be a visual or physical effect. It can be a small effect or large. Having an 'impact' on a heritage item or place does not mean that such a proposal cannot proceed. The description of the impact will enable council staff to determine whether to approve such a development, and if the impact is acceptable.

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## Summary

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This development application relates to the construction of a new house behind the existing corner store at 120 Market Street. The new house will face Cox Street. The site is within the Mudgee Conservation Area.

The new residence will contribute to the streetscape and the Conservation Area in place of an empty area of grass and casual parking.

The new infill residence can complement the streetscape whilst providing a residence that is compact in form, and in scale with the existing Corner Store at its right ; It will be a straightforward modern building accommodating modern living in a passive-solar model. The orientation of the house is such that the rear, living area faces north.

Vehicular access will use a side entry.

As a heritage adviser I have worked with the owners on this design and recommend that this plan be accepted.



Figure 3 Designers concept for the proposed infill house.

## INVESTIGATE SIGNIFICANCE

### Brief History

The early parish map of the Town of Mudgee shows the property to be located in section 4, Lot 7, originally owned by Birch and Weston. They had obtained several lots and were probably land speculators. We have no evidence that they built on this land.

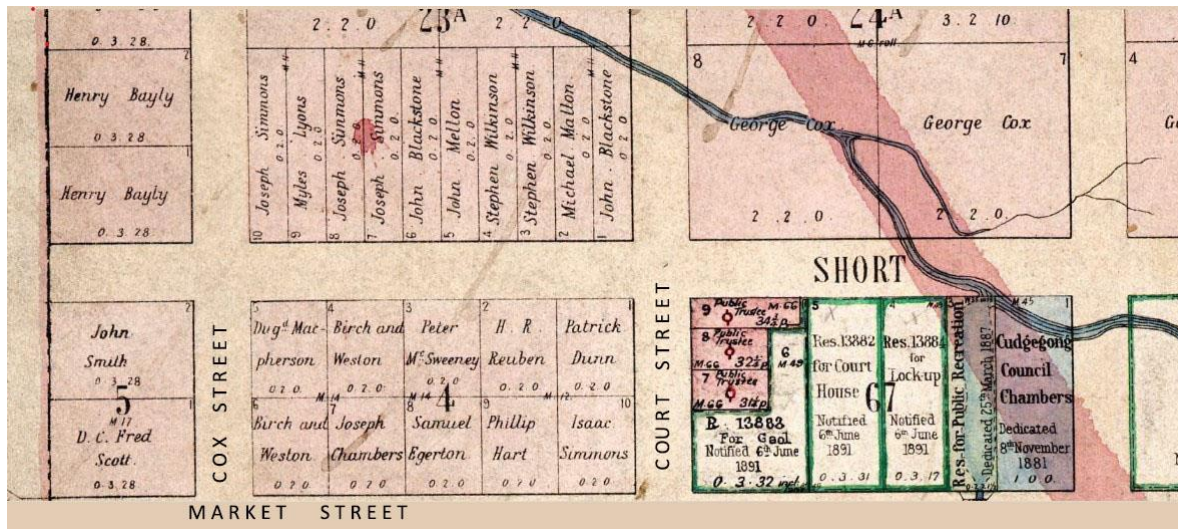


Figure 4: Part of Parish Map 1893 showing 120 Market Street originally as Lot 6 in Section 4, corner of Cox Street.

While nothing more is known of these two men, the bricks walls, roof and parapet of the existing building on the site suggest that the corner store was probably built in the late Victorian era, circa 1890s.



Across the street at 141 Market is a house that was for some decades a store, and in particular as a tea shop and bakery. Together the two shops would have presented a small shopping precinct. The Statement of significance of No 141 provides the following information:

141 Market Street item I 44

*An early Victorian L shaped Flemish bond face brick shop and residence-built c. 1870s with remnant signage on the western wall. A moderately steep pitched corrugated iron hipped roof with gable on the shop front. The shop is built close to boundaries with the house stepped back behind a small garden and verandah under a bullnose roof. Four panelled shop front door and windows double hung with 2 panes per sash. Flat arches to windows and doors. The red rubbed brick soldier courses over openings have been painted over.*

*The building was sometimes used as a grocery store and bakery including in the time of Lazarus Hickson, and his son Robert Hickson from c. 1890 through to the depression years in the early 1930s. The house and shop contribute to the variety of heritage buildings in Mudgee and to the streetscape.*

Both shops provided services to the West End district of Mudgee town as it was then known. Many services were available there, and the West End Hotel, now Mudgee Museum is just another block away further west.

## Physical Description

The corner store is a single storied full brick painted structure with high hipped corrugated iron roof and high ceiling height. A skillion was added later to the north side. The building addresses the corner of Cox and Market well with a chamfered decorative parapet with a central arch above, and an extended verandah over the footpath on both Market Street and Cox Street. The corner may have been the original entrance.



Figure 5 Existing streetscape

## Conservation area and heritage items in the vicinity

The proposed residence is to be located in Cox Street on the western end of the Mudgee Conservation Area. The statement of significance for the Mudgee Conservation Area reads:

*'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. '*

The Former store opposite 120 Market Street at No 141 Market Street is a heritage listed item. Its statement of significance is included on Page 5 above.

## HERITAGE IMPACT.

The heritage significance of the Mudgee Heritage Conservation Area, and that of the listed item of the former shop and residence at No 141 will not be adversely affected by the proposed infill building.

The corner store at No 120 Market Street is located within the Mudgee Conservation Area and is in the vicinity of another former shop across the street, however, the proposed new residence will be located behind this corner store and cannot be seen from No 141. This means that there will be no effect on the significance of No 141, or the views to and from it. With respect to the conservation area the new residence has also been designed to maintain a contribution to the streetscape through its design, its scale, and the rhythm of the side streetscape. At the south end its scale is that of the corner store and at the other, the north end, it is single storied as is the

neighbouring house. Its selected materials are appropriate (weatherboards and corrugated iron roof) to the area. A suitable colour scheme will be selected.

## Heritage Objectives

The MWRC LEP 2012 provides the following information with respect to the management of Environmental Heritage. Relevant clauses are highlighted as follows:

### 5.10 Heritage conservation

(1) Objectives The objectives of this clause are as follows—

- (a) **to conserve the environmental heritage of Mudgee Regional local government area,**
- (b) **to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,**
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

(2) Requirement for consent Development consent is required for any of the following—

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—
  - (i) a heritage item,
  - (ii) an Aboriginal object,
  - (iii) a building, work, relic or tree within a heritage conservation area,
- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (d) disturbing or excavating an Aboriginal place of heritage significance,
- (e) **erecting a building on land—**
  - (i) on which a heritage item is located or that is **within a heritage conservation area,** or
  - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
- (f) subdividing land—

- (i) on which a heritage item is located or that is within a heritage conservation area, or
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

(3) When consent not required However, development consent under this clause is not required if—

(4) Effect of proposed development on heritage significance. **The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned.** This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage assessment: The consent authority may, before granting consent to any development—

- (a) on land on which a heritage item is located, or
- (b) on **land that is within a heritage conservation area**, or
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

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

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

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

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The Heritage Impact caused by the proposed new residence in a vacant portion of land ‘will not adversely affect the heritage significance of the Mudgee Heritage Conservation Area,’ and will not affect the significance of the listed heritage listed in the vicinity.

It is important to maintain the contribution to the streetscape through scale, rhythm, colours and materials.



## STATEMENT OF HERITAGE IMPACT

**Address and property description:** of the Proposed development

120 Market Street, Mudgee.

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**Prepared by:**

Barbara Hickson PO Box 610 Mudgee. Mobile 0409368133.

Office at 103 Market St Mudgee.

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Colin Booth

**Owner of the proposed development site**

**A brief description of proposal**

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The proposal is to construct a new infill building on vacant land behind an existing Corner Store. The proposed new residence has been carefully designed to infill the streetscape in an appropriate way, being passive solar in design, modern and yet designed to respects the character of the streetscape in its scale, materials, and setting.

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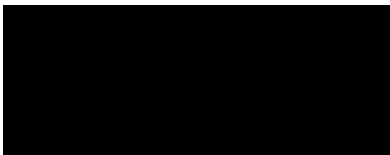
**Date:** 22 February 2023

## STATEMENT OF HERITAGE IMPACT

<p><b>1. why the item is of heritage significance.</b></p>	<p>The Mudgee Conservation Area.</p> <p><i>The Conservation Area is significant because the settlement of Mudgee demonstrates the principal characteristic of early government town layout in NSW.</i></p> <p><i>Initial settlement occurred in 1822 with many pioneer families still represented in the town today.</i></p> <p><i>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.</i></p> <p><i>The item at 141 Market Street is significant because it is an early Victorian shop and residence-built c. 1870s with remnant signage on the western wall. A moderately steep pitched corrugated iron hipped roof with gable on the shop front. The building was sometimes used as a grocery store and bakery from c. 1890 through to the depression years in the early 1930s.</i></p> <p><i>The house and shop contribute to the variety of heritage buildings in Mudgee and to the streetscape</i></p>
<p><b>2. what positive impact will the proposed works have on its significance.</b></p>	<p>The positive effect is that this development will provide a suitable infill building in scale and materials. The streetscape will be improved while not affecting the heritage significance of a listed items in the vicinity.</p>
<p><b>3. what negative impact will the proposed works have on its significance.</b></p>	<p>No negative effects</p>

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<b>4. what measures are proposed to mitigate the negative impacts</b>	NA
<b>5. why were more sympathetic solutions are not viable.</b>	NA



Barbara Hickson HERITAGE ADVISER  
103 MARKET STREET MUDGEE