DEVELOPMENT GUIDELINES FOR HERITAGE CONSERVATION

ADOPTED - 20th April, 2000

Amendments:

Amendment No.1 - Adopted by Council on the 9 May 2005
Includes additional heritage items and changed Local Environmental Plan heritage provisions (Clauses 25 to 30A)

Amendment No.2 - Adopted by Council on the 12 May 2008
Includes additional land to the west of Millthorpe along Forest Reefs Road
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INTRODUCTION: MILLTHORPE HERITAGE SIGNIFICANCE

AUSTRALIAN HERITAGE COMMISSION
Register of the National Estate Database (No.873)

Statement of Significance:

Millthorpe is of great heritage importance for being an outstanding example of a small Australian country town of the late nineteenth/early twentieth century period. The compact town, with its coherence and continuity of period and style, and its important and harmonious relationship with the surrounding rolling countryside, is a place of strong historical and aesthetic qualities. The township has considerable social significance for the local and district community.

Description:

Millthorpe began as a government stock station in 1823. The first settler in the vicinity was Charles Booth in 1834. Other settlers began to arrive in the next decade and the land's cropping potential was then realised. By the 1950's the village which had developed as the centre of this agricultural area was known as Spring Grove. During the 1860's Methodist and Anglican churches were erected, a school was built in 1876 and the same year the railway arrived (in 1886 a new railway station replaced the original one). The post office was opened in 1874. One of the most important events in the town's history occurred in 1882 when the Great Western Milling Company built its flour mill in the town; in fact two years later the town's name was changed to Millthorpe. Other developments followed during the 1880's and Millthorpe became well known for its annual agricultural shows and ploughing matches. The 1890's depression was felt here as elsewhere, but confidence and development recommenced shortly after and a host of new buildings were erected during the early 1900's and the town's commercial centre was extended. Principal local produce included wheat, oats, potatoes and cream and by 1910 the district population was 1400. From the 1920's onward however, there was little development; improved transport and urban drift had an impact on Millthorpe just as it did on so many smaller Australian Centres. It is due to this lack of subsequent development that Millthorpe has retained such a high level of integrity as an historic village. Millthorpe is important for being an outstanding example of a small Australian country town of the nineteenth/early twentieth century periods. The ridges surrounding the town contain it and provide surprise glimpses of the settlement on approach. Also influences by the topography is Millthorpe's street plan, which is centred upon the disjointed crossroads of the early Blayney-Orange and Flyer's Creek intersection, adjacent to which the street's forma a grid pattern of sorts. There are no typically wide streets and there area a number of closed vistas arising from the irregular street plan, giving Millthorpe an intimate atmosphere. The built fabric of the town has a coherence and continuity of period and style, and the scale is harmonious, both in terms of the buildings with the streets and the buildings with the surrounding countryside.
Millthorpe consists of a wide range of buildings which collectively form a town of great heritage value. Churches include At Mark’s Anglican, the original one having been built in Romanesque style in 1878 and the later church being of Gothic style and dating from 1909; a rectory was erected in 1903. The Methodist Church, built of brick, dated from 1885. Built of bluestone in 1902 is the Baptist Church. St Canice’s Roman Catholic is a Gothic Church constructed in 1904. Millthorpe’s public buildings are several. The courthouse and police complex was built of brick in 1902. Reflecting well the Rustic Gothic style of architecture is the 1875 bluestone public school and residence. The post office and railway station (mentioned above) are other important parts of the town’s built heritage. The Goof Templars Hall (a museum by the 1970’s) was built of stone in 1881. Among the town’s commercial buildings are the Commercial Hotel of 1911, the 1902 Bank of New South Wales, the Commercial Bank, the former Grand Western Lodge Hotel of 1901, the theatre built in 1912, and the brick potato sheds; the 1882 flour mill closed in 1960 and subsequently was partly used as a potato washing and packing plant. A number of Victorian cottages in Millthorpe are very important structures on account of their consistence and style. The Village also contains a number of Victorian / Federation ripple iron cottages.

..................................................................................
PART 1: HOW TO USE THIS PLAN

Your will only need to refer to this Development Control Plan (DCP) when you want to make changes to, or develop your property, such as building a garage, re-roofing, making alterations or additions, building a new house or subdividing land.

The plan comprises the following parts:

1. Outlines how to use this plan.

2. Describes the land that the plan applies to. The DCP applies to all the land within the area edged in the dotted black line on Map 1.

3. Outlines the aims and objectives of the plan.

4. Outlines when the plan came into effect, what the plan is called and how it relates to other planning regulations and legislation.

5. Describes the design guidelines that Council will take into account when considering a development application for building work in Millthorpe.

6. Looks at individual streets and precincts and outlines the streetscape and style of buildings that should be considered in conjunction with Part 5 when designing or planning any new work.

7. Provides a sample copy of the "Good Neighbour" policy form that is to be included with development applications for new buildings or significant alterations or additions.

When planning or designing any new development within Millthorpe, the general guidelines described in Part 5 shall be considered, especially in relation to the streetscape and style of surrounding buildings outlined in Part 6. These principles should then be applied to the "Good Neighbour" Form to be submitted to Council with any development application for building work or subdivision in Millthorpe.

Some minor forms of building work are normally exempt from needing development consent (refer to Blayney Local Environmental Plan 1998, Schedule 6, or check with Council). It should be noted that these exemptions do not apply to land within the heritage conservation area or to buildings identified as a heritage item (see Schedule 1). In these areas you will need development consent for minor work unless Council is satisfied that the work will not adversely affect the heritage significance of the item or area (Clause.25(2) Blayney LEP 1998).
PART 2: WHERE THIS PLAN APPLIES

This Development Control Plan applies to all the land within the village of Millthorpe, being the area within the 2(v) Village or Urban Zone boundary under Blayney Local Environmental Plan 1998. The area of 1(c) rural-residential land to the north of Millthorpe bounded by Richards Lane, the area of land between the 2(v) Zone boundary and Glenorie Road including railway land, and hillside land to the south-east of Millthorpe and north of Graham Lane and the area of 1(c) rural-residential land on each side of Forest Reefs Road to approximately 1.7 km to the west of Millthorpe, are also included in the plan.

Map 1 shows the area covered by this Development Control Plan.

Council has the flexibility to relax one or more of the provisions of this plan where the applicant specifically seeks consent to do so. In such circumstances, the applicant must demonstrate that the aims of the plan will still be met. Council must be satisfied that any variation to the guidelines, or application for development that is not in keeping with the character of the locality, will not detract from the heritage significance of the streetscape or precinct as described in Part 6 of the plan.

PART 3: AIMS OF THIS PLAN

This plan aims to ensure that all new developments, and alterations or additions to existing buildings in Millthorpe, are designed and built in a way that will maintain and enhance the heritage significance of the village by:

- Providing design guidelines for buildings that should be considered when planning new development;

- Outlining significant streetscape elements and building styles for individual streets and precincts that should be taken into account when designing new development in the vicinity; and

- Requiring submission of Council's "good neighbour" policy with any development application submitted for work in the area that this plan applies to.
PART 4: STATUTORY DETAILS OF THE PLAN

WHEN THIS PLAN COMMENCED

This plan has been prepared in accordance with Section 72 of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 1994.

This plan came into force on 20 April, 2000 in accordance with Section 20(4) of the Environmental Planning and Assessment Regulation 1994. The plan may only be amended in accordance with the provisions of the Regulation.

Amendment No. 1 - 9 May 2005

THE NAME OF THIS PLAN

This plan is called Millthorpe Development Control Plan No.2 - Development Guidelines for Heritage Conservation. The plan consists of the written statement and maps attached.

RELATIONSHIP WITH OTHER PLANS

The guidelines contained in this plan are additional to and complimentary to the statutory provisions contained in Blayney Local Environmental Plan 1998. Accordingly, both should be read in conjunction with each other.

Where there is an inconsistency between this plan and another environmental planning instrument, the provisions of the environmental planning instrument shall prevail. An environmental planning instrument includes Blayney Local Environmental Plan 1998, a State Environmental Planning Policy or Regional Environmental Planning Policy.
PART 5: DEVELOPMENT DESIGN GUIDELINES

The following part is a guide to the different components of a building that need to be considered when designing a new development, or designing alterations and additions to an existing building. It is particularly important that any new building work, especially infill development between existing buildings, is considerate of the form, materials, colours and scale of its surroundings. The purpose of these guidelines is not to require a continuous reproduction of buildings, but rather to ensure that similar proportions and design elements are maintained in adjoining developments to produce a harmonious streetscape that respects the heritage significance of Millthorpe. For development on land with no immediately adjoining neighbours, the following design guidelines shall still be followed, and buildings designed so that they are not conflicting with the heritage character of Millthorpe. All new development within the area covered by this plan should strive to be sympathetic and compatible with the heritage significance of Millthorpe.

Scale

- New buildings shall not visually dominate, compete with or be incompatible with the form and scale of existing buildings in the locality.
- Extensions shall not significantly increase the form, size or height of a building when viewed from the street.
- Two storey development will only be considered where surrounding development is of a similar scale and where the ridge line of the proposed development is consistent with that of adjoining development.
- The overall size (width and height) of buildings shall be in keeping with streetscape character, particularly when viewed from the street.
- Site coverage shall be similar to the existing pattern of development.
- New buildings shall take into account the frequency and design of verandahs in the locality and the methods of incorporating them into the building design.

A pattern of harmonious scale - height, bulk and number of storeys are consistent with surrounding developments
A two storey building between two single storey buildings ignores the established pattern of scale, dominates the surrounding buildings and creates an unsympathetic scale regardless of whether the ridgeline matches

Materials and Colours

A restricted palette of building materials has been used in the construction of the nineteenth and early twentieth century buildings in Millthorpe. The dominant building material of most heritage items identified in this plan is brick, along with various ripple iron and timber clad cottages. Colours vary and should be chosen to be consistent with the streetscape character identified elsewhere in this plan.

• Commonly used building materials identified in Part 6 shall be maintained in new developments where possible.
• Brick colour and texture shall be chosen to blend with surrounding developments of heritage significance.
• Applicants shall consider the dominant streetscape colours and materials identified in the plan and ensure that new developments are not inconsistent or conflicting.
• Where there are a variety of styles, sizes and materials used in the locality, new developments shall maintain the style of nearby buildings of heritage significance rather than that of immediately adjoining developments.

Roofs

• New buildings shall have roofs that reflect the size, shape, pitch, eaves and ridge heights of existing roofs in the locality.
• Roofs of extensions shall relate to the existing roof form, pitch and eaves and be in proportion with the existing building.
• Attic rooms shall generally be contained within the roof and not dominate the principal elevations.
• Roofing material is predominantly iron with new buildings to use either galvanised iron or colorbond steel. Concrete roofing tiles are not considered in keeping with the heritage character of Millthorpe. Zincalume roofs are not permitted.
• Flat roofs are generally not permitted, except as a rear skillion.
• The above criteria shall be applied to all buildings including garages and sheds.
**Windows**

- Windows and doors in additions shall be compatible with the proportions, position, size and detailing of existing doors and windows.
- Windows and doors in new buildings shall be compatible with the proportions, position and style of those in the locality.
- Timber windows and doors are preferred to aluminium, particularly when facing the street.

![Windows example](image)

**Setbacks**

The front setback of buildings in Millthorpe varies considerably from zero metres upwards. In determining a setback for new buildings the applicant shall take into consideration the setback of adjoining properties and those nearby. Generally, Council's policy requirement of 8 metres setback from the front boundary will be relaxed where surrounding development is setback a lesser distance. New developments should aim to maintain the existing streetscape of the locality.

The following points shall be applied in relation to the specific locality character

- The existing pattern of front and side setbacks should be retained.
- New buildings or extensions are not to be built forward of the existing building line.
- Side setbacks should be typical of the spacing of buildings in the particular locality, such that the rhythm of buildings in the streetscape is retained. However, side setbacks for dwellings shall not be less than 1 metre.
- An adequate curtilage including landscaping, fencing and any significant trees shall be retained.
Garages, Carports and Sheds

Many of the older dwellings in Millthorpe have separate garages, generally located towards the rear of yards and in any case well behind the front building line. Visual emphasis on driveways and garages at the front of dwellings, and long continuous roof lines from the dwelling over adjoining garages should be avoided.

Garages and carports forward of the building line and forming a significant component of the facade can dominate and destroy any heritage streetscape. As such the following criteria shall be adopted:

- Side access on corner lots should be utilised in preference to front access.
- Garages, sheds and carports are to be located well behind the building line, and preferably behind the rear of the main building.
- Garages and carports shall be separate from the main dwelling and have a separate roof line.
- Separate garages and carports may be linked to the dwelling or shed by a covered walkway that is not part of the building roof line.
- Skillion roof carports attached to the side of existing buildings are discouraged, especially where visible from the street and should be free standing.
- Garages may be located on the ground floor of a two storey development, however, should avoid large driveways and facades dominated by roller doors. Separate garages towards the rear of the dwelling are preferred.
- Materials, form and design of separate garages shall harmonise with and be compatible with the main building.
- The above guidelines, with respect to form, scale, materials, colours, roofs, etc are to be applied to sheds and garages.
- Small, pre-fabricated garden sheds are exempt development where less than 10m².
- Large sheds for commercial or industrial purposes are generally not permitted in areas of predominantly residential development.
- Steel buildings are to be of colorbond type material in colours sympathetic to the area.

Garages at the front of buildings (center), forward of the building line or using inappropriate roof pitch (right) can dominate and destroy a heritage streetscape.
Fencing

• Front fences must be constructed of materials consistent with streetscape character and be in keeping with the period style of the building.
• Ribbed colorbond panel fences are generally not permitted in front of the building line or along the side street frontage of corner lots.
• Timber paling fences are generally preferred as dividing fences, however colorbond or galvanised iron is permitted where not directly visible from the street.
• Original fences should be retained or repaired where practical.
  Replacement fences should be sympathetic to the scale and style of the property.

Landscaping

Council does not have specific landscaping requirements for residential development, however encourages the incorporation of decorative garden plantings where appropriate to beautify the locality and planting of deciduous trees in keeping with the village character. Front footpath gardens are also encouraged where there is no obstruction to pedestrian traffic or utility services located underground.

Council regulation of landscape environs within the "heritage conservation area" will be restricted to those identified in Schedule 1 of this plan. There is no tree preservation order over Millthorpe and development consent is not required to remove trees on private land unless specifically identified as a significant landscape feature in Schedule 1.

Utility / Service Structures

Utility/service structures is a general term given to ancillary developments that may be attached to, or adjacent to existing or new buildings. Such structures shall not be attached to the front facade of the building and shall not interfere with the views from neighbouring properties. Utility/service structures include the following:

• Solar collector panels and solar hot water systems - installed on the roof cladding at the same pitch and not facing the street.
• External hot water tanks and hot water heaters - not visible from the street.
• TV aerials - located towards the rear of the building and below the ridge height of the roof where possible.
• Rain water tanks - located at the rear of the building or be suitably screened. Colours should be in keeping with the existing roof or wall colour of the building.
Commercial Development

The above design guidelines have not been written with commercial development specifically in mind. However, the general principles outlined above shall be applied in any design of new commercial developments or extensions to existing commercial developments within Millthorpe. Similarly, renovation or extension of any former or currently used commercial or public buildings shall be based on the design principles outlined above and the specific locality characteristics identified in Part 6.

Rural Residential Development

The general principles outlined above shall be applied in the design of any new developments, or design of alterations and additions to existing buildings, in the rural residential areas surrounding Millthorpe covered by this plan. The following criteria are specific to rural residential development:

• Buildings, such as dwelling, sheds, etc, shall be concentrated in a single group and not spread over the whole property.
• Rural fencing should typically be post and wire.
• Colorbond metal fencing around buildings shall be avoided, particularly when visible from the roadway.
• Large scale industrial style sheds that dominate the other buildings on the site are not permitted.

Demolition

All demolition requires development consent from Council prior to proceeding.

Should you wish to totally or partially demolish a building of heritage significance (refer to Schedule 1), a development application will need to be submitted to Council, and then referred to the NSW Heritage Office for comment. Substantial justification for the proposed demolition of a heritage item would need to be submitted with any such development application.
PART 6: STREETSCAPE CHARACTERISTICS

The individual street by street analysis of existing buildings contained in Schedule 3 highlights both common and significant design elements that shall be taken into consideration when designing new buildings or alterations and additions to existing buildings.

Some buildings may not necessarily contribute to the overall streetscape and may be out of character with the heritage significance of the area. In such circumstances, any new building in the locality should concentrate on the design elements of nearby heritage buildings that contribute more positively to the streetscape.

The desired outcome of new building design is to achieve a development that is in keeping with the overall precinct characteristics, and that does not replicate inappropriate development in the area.

The matters outlined in Schedule 3 for each street are common to those contained in the Development Impact Form.
PART 7: "GOOD NEIGHBOUR" POLICY

SAMPLE APPLICATION FORM

Applicants are to relate the proposed development to the nearest heritage buildings (A) to the left and (B) to the right of the proposed site, or to the nearest buildings that contribute positively to the streetscape. View shall be from the street or the front. Buildings opposite may be taken into consideration if they have heritage relevance. Dimensions of adjoining buildings can be approximate.

Applicant: ___________________________________________

Proposed Development: ___________________________________________

Development Site: ___________________________________________

<table>
<thead>
<tr>
<th>SCALE</th>
<th>(A) Nearest building (left)</th>
<th>(B) Nearest building (right)</th>
<th>Proposed Development</th>
</tr>
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<tbody>
<tr>
<td>Number of storeys</td>
<td>__________________________</td>
<td>__________________________</td>
<td>__________________________</td>
</tr>
<tr>
<td>Height to eaves</td>
<td>__________________________</td>
<td>__________________________</td>
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<tr>
<td>Height of roof ridge</td>
<td>_________________________</td>
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<tr>
<td>Width of building</td>
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<td>(Circle appropriate)</td>
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<td>Flat low medium high</td>
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<td>Roof pitch</td>
<td>Hip gable skillion</td>
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<td>Window shape/style</td>
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<tr>
<td>Verandah</td>
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<tr>
<td>Carport/Garage</td>
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<td>yes no</td>
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</tr>
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<td>And location</td>
<td>__________________________</td>
<td>__________________________</td>
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<tr>
<td>Other (eg. Chimney)</td>
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<td>Walls</td>
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<td>__________________________</td>
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<tr>
<td>Roof</td>
<td>__________________________</td>
<td>__________________________</td>
<td>__________________________</td>
</tr>
<tr>
<td>Other (eg. Verandah post railing, gables)</td>
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<table>
<thead>
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<th>COLOURS</th>
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<tr>
<td>Roof</td>
<td>__________________________</td>
<td>__________________________</td>
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<tr>
<td>Other</td>
<td>__________________________</td>
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MAP 1: AREA COVERED BY THE DRAFT MILLTHORPE DEVELOPMENT CONTROL PLAN No. 2 - DEVELOPMENT CONSIDERATIONS FOR HERITAGE CONSERVATION SHOWN EDGED IN HEAVY BLACK
### SCHEDULE 1: MILLTHORPE HERITAGE ITEMS

#### BUILT HERITAGE

Heritage Items Identified in Blayney Shire Council's Heritage Study

*(Havenhand & Mather, February 1991)*

Ψ indicates heritage listing under Blayney Local Environmental Plan 1998.

<table>
<thead>
<tr>
<th>ID No.</th>
<th>Name</th>
<th>Address</th>
<th>Property Description</th>
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<tr>
<td>#89Ψ</td>
<td>Semi Detached Cottages</td>
<td>8-10 Blake Street Lot 9, Section E DP1713</td>
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<td>#94Ψ</td>
<td>Uniting Church</td>
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<td>#113Ψ</td>
<td>Residence</td>
<td>15 Crowson Street Lot 8 Section 5 DP1112</td>
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<td>#110Ψ</td>
<td>Residence</td>
<td>34 Crowson Street Lot 235 DP702956</td>
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<td>#85Ψ</td>
<td>Residence</td>
<td>18-22 George Street Lots 15-17, Sec G, DP3361</td>
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<td>#129Ψ</td>
<td>Residence</td>
<td>4 Hawke Street Lot 3, Sec 1 DP1112</td>
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<td>Police Station</td>
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<td>#98Ψ</td>
<td>Doctor’s Surgery</td>
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<td>Baptist Church</td>
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<td>Masonic Temple</td>
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<td>Group of Shops</td>
<td>7 Pym Street Lot 6, DP11941</td>
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</tr>
<tr>
<td>#105Ψ</td>
<td>Shop</td>
<td>9 Pym Street Lot 9, Sec B, DP1713</td>
<td></td>
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<tr>
<td>#107Ψ</td>
<td>Agency &amp; Residence</td>
<td>20 Pym Street Lot 12, Sec A, DP1713</td>
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<tr>
<td>#106Ψ</td>
<td>Railway Station</td>
<td>Pym Street Lot 3, DP11941</td>
<td></td>
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<tr>
<td>#119Ψ</td>
<td>Residences</td>
<td>14-16 Victoria Street Lot 3, DP662414 &amp; Lot 1, DP918239</td>
<td></td>
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<tr>
<td>#118Ψ</td>
<td>Residence</td>
<td>22 Victoria Street Lot 5, Sec B, DP1713</td>
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</tr>
<tr>
<td>#109Ψ</td>
<td>Former Grand Western Lodge</td>
<td>Victoria Street Lot 3, DP11941</td>
<td></td>
</tr>
<tr>
<td>ID No.</td>
<td>Name</td>
<td>Address</td>
<td>Property Description</td>
</tr>
<tr>
<td>---------</td>
<td>-----------------------------</td>
<td>--------------------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>#100aΨ</td>
<td>Residence - Former Bank of Commerce</td>
<td>29 Victoria Street</td>
<td>Lot 5, DP3537</td>
</tr>
<tr>
<td>Ψ</td>
<td>Rosebank - Former Bank of NSW &amp; Manager's Residence</td>
<td>Cnr Victoria &amp; Park Sts</td>
<td>Lot 4A &amp; Part Lot 5, Sec A, DP1713 &amp; Lot 1, DP356275</td>
</tr>
<tr>
<td>#99Ψ</td>
<td>Post Office</td>
<td>Cnr Victoria &amp; Park Sts</td>
<td>Cnr Lot 1, Sec F, DP3098</td>
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<tr>
<td>#91Ψ</td>
<td>Residence</td>
<td>46 Victoria Street</td>
<td>Lot 1, Sec F, DP3098</td>
</tr>
<tr>
<td>#91Ψ</td>
<td>School of Arts</td>
<td>48 Victoria Street</td>
<td>Lot 22, Sec F, DP3098</td>
</tr>
<tr>
<td>#93Ψ</td>
<td>Residence</td>
<td>52 Victoria Street</td>
<td>Lot 1, Sec G DP3361</td>
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<tr>
<td>#83Ψ</td>
<td>Residence</td>
<td>56 Victoria Street</td>
<td>Lot 3, Sec G DP3361</td>
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<tr>
<td>#90Ψ</td>
<td>Residence</td>
<td>57 Victoria Street</td>
<td>Lot 20, DP7929</td>
</tr>
<tr>
<td>#84Ψ</td>
<td>Residence</td>
<td>5 William Street</td>
<td>Lot 27, Sec G, DP3361</td>
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<td>Ψ</td>
<td>Residences</td>
<td>14-16 Pym Street</td>
<td>Lot 11 Sec A DP 1713</td>
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<tr>
<td>Ψ</td>
<td>General Store</td>
<td>1 Pym Street</td>
<td>Lot 4 DP 11941</td>
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</table>

**LANDSCAPE ITEMS**

Landscape features identified in Blayney Shire Council’s Heritage Study
(Havenhand & Mather, February 1991)

<table>
<thead>
<tr>
<th>ID No.</th>
<th>Description</th>
<th>Location (refer to map)</th>
</tr>
</thead>
<tbody>
<tr>
<td>L53</td>
<td>Redmond Oval - Trees &amp; memorial gates</td>
<td>Park Street</td>
</tr>
<tr>
<td>L54</td>
<td>Federation townscape - basalt kerb &amp; guttering</td>
<td>Various Streets</td>
</tr>
<tr>
<td>L55</td>
<td>Street trees - avenue of Ash trees</td>
<td>Victoria St (east of Park St)</td>
</tr>
<tr>
<td>L56</td>
<td>Avenue of Pine Trees</td>
<td>Blake St (east of Park St)</td>
</tr>
<tr>
<td>L57</td>
<td>Street trees - avenue of Ash &amp; Elm trees</td>
<td>Montgomery St</td>
</tr>
<tr>
<td>L58</td>
<td>Street trees - avenue of Plane trees</td>
<td>Park St</td>
</tr>
<tr>
<td>L59</td>
<td>Mature trees - Poplars &amp; Lauren bush</td>
<td>Corner Park &amp; Victoria Streets Public School Grounds</td>
</tr>
<tr>
<td>L60Ψ</td>
<td>Mature Trees - Oak &amp; Claret Ash</td>
<td>Public School Grounds</td>
</tr>
<tr>
<td>&quot;Rosebank&quot; gardens</td>
<td>Corner Park &amp; Victoria Streets</td>
<td></td>
</tr>
<tr>
<td>L61</td>
<td>Mature trees</td>
<td>Private garden - 64 Victoria St</td>
</tr>
<tr>
<td>L62</td>
<td>Mature trees and windbreak</td>
<td>Morley St</td>
</tr>
<tr>
<td>L63</td>
<td>Mature trees at village entrance</td>
<td>Catholic Church grounds and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cemetery-Park St (Orange Rd)</td>
</tr>
</tbody>
</table>

**MISCELLANEOUS HISTORICAL SITES**

Specified places identified in Blayney Shire Council’s Heritage Study
(Havenhand & Mather, February 1991)

<table>
<thead>
<tr>
<th>ID No.</th>
<th>Description</th>
<th>Location (refer to map)</th>
</tr>
</thead>
<tbody>
<tr>
<td>#2.1</td>
<td>Commercial Hotel Stables</td>
<td>Victoria Street</td>
</tr>
<tr>
<td>#3.1</td>
<td>Great Western Milling Company</td>
<td>Access at Corner Victoria &amp; Hawke Streets</td>
</tr>
<tr>
<td>#3.5</td>
<td>W &amp; E Hayes Produce Shed</td>
<td>Elliott Street</td>
</tr>
<tr>
<td>#3.6</td>
<td>Billiard Room</td>
<td>24 Pym Street</td>
</tr>
<tr>
<td>#C.8Ψ</td>
<td>Millthorpe General Cemetery</td>
<td>Park Street</td>
</tr>
</tbody>
</table>
25. Protection of heritage items and heritage conservation areas

(1) When is consent required?

The following development may be carried out only with development consent:

(a) demolishing or moving a heritage item or a building, work, relic, tree or place within a heritage conservation area,

(b) altering a heritage item or a building, work, relic, tree or place within a heritage conservation area by making structural or non-structural changes to its exterior, such as to its detail, fabric, finish or appearance,

(c) altering a heritage item by making structural changes to its interior,

(d) disturbing or excavating a place of Aboriginal heritage significance or an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,

(e) moving the whole or a part of a heritage item,

(f) erecting a building on, or subdividing, land on which a heritage item is located or which is within a heritage conservation area.

(2) What exceptions are there?

Development consent is not required by this clause if:

(a) in the opinion of the consent authority:

   (i) the proposed development is of a minor nature or consists of maintenance of the heritage item or of a building, work, archaeological site, tree or place within a heritage conservation area, and

   (ii) the proposed development would not adversely affect the significance of the heritage item or heritage conservation area, and

(b) the proponent has notified the consent authority in writing of the proposed development and the consent authority has
advised the applicant in writing before any work is carried out that it is satisfied that the proposed development will comply with this subclause and that development consent is not otherwise required by this plan.

(3) Development consent is not required by this clause for the following development in a cemetery or burial ground if there will be no disturbance to human remains, to relics in the form of grave goods or to a place of Aboriginal heritage significance:

(a) the creation of a new grave or monument, or

(b) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers.

(4) **What must be included in assessing a development application?**

Before granting a consent required by this clause, the consent authority must assess 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.

(5) **What extra documentation is needed?**

The assessment must include consideration of a *heritage impact statement* that addresses at least the following issues (but is not to be limited to assessment of those issues, if the heritage significance concerned involves other issues). The consent authority may also decline to grant such a consent until it has considered a *conservation management plan*, if it considers the development proposed should be assessed with regard to such a plan.

(6) The minimum number of issues that must be addressed by the heritage impact statement are:

(a) for development that would affect a *heritage item*:

(i) the heritage significance of the item as part of the environmental heritage of Blayney Shire Council and

(ii) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features, and

(iii) the measures proposed to conserve the heritage significance of the item and its setting, and
(iv) whether any archaeological site or potential archaeological site would be adversely affected by the proposed development, and

(v) the extent to which the carrying out of the proposed development would affect the form of any historic subdivision, and

(b) for development that would be carried out in a heritage conservation area:

(i) the heritage significance of the heritage conservation area and the contribution which any building, work, relic, tree or place affected by the proposed development makes to this heritage significance, and

(ii) the impact that the proposed development would have on the heritage significance of the heritage conservation area, and

(iii) the compatibility of any proposed development with nearby original buildings and the character of the heritage conservation area, taking into account the size, form, scale, orientation, setbacks, materials and detailing of the proposed development, and

(iv) the measures proposed to conserve the significance of the heritage conservation area and its setting, and

(v) whether any landscape or horticultural features would be affected by the proposed development, and

(vi) whether any archaeological site or potential archaeological site would be affected by the proposed development, and

(vii) the extent to which the carrying out of the proposed development in accordance with the consent would affect any historic subdivision pattern, and

(viii) the issues raised by any submission received in relation to the proposed development in response to the notification or advertising of the application.
26. Development affecting places or sites of known or potential Aboriginal heritage significance

Before granting consent for development that is likely to have an impact on a place of Aboriginal heritage significance or a potential place of Aboriginal heritage significance, or that will be carried out on an archaeological site of a relic that has Aboriginal heritage significance, the consent authority must:

(a) consider a heritage impact statement explaining how the proposed development would affect the conservation of the place or site and any relic known or reasonably likely to be located at the place or site, and

(b) except where the proposed development is integrated development, notify the local Aboriginal communities (in such way as it thinks appropriate) and the Director-General of Department of Environment and Conservation of its intention to do so and take into consideration any comments received in response within 28 days after the relevant notice is sent.

26A. Development affecting known or potential archaeological sites of relics of non-Aboriginal heritage significance

(1) Before granting consent for development that will be carried out on an archaeological site or a potential archaeological site of a relic that has non-Aboriginal heritage significance (whether or not it is, or has the potential to be, also the site of a relic of Aboriginal heritage significance), the consent authority must:

(a) consider a heritage impact statement explaining how the proposed development would affect the conservation of the place or site and any relic known or reasonably likely to be located at the place or site, and

(b) notify the Heritage Council of its intention to do so and take into consideration any comments received in response within 28 days after the notice is sent.

(2) This clause does not apply if the proposed development:

(a) does not involve disturbance of below-ground deposits and the consent authority is of the opinion that the heritage significance of any above-ground relics would not be adversely affected by the proposed development, or

(b) is integrated development.
27. Development in the vicinity of a heritage item

(1) Before granting consent to development in the vicinity of a heritage item, the consent authority must assess the impact of the proposed development on the heritage significance of the heritage item and of any heritage conservation area within which it is situated.

(2) This clause extends to development:

(a) that may have an impact on the setting of a heritage item, for example, by affecting a significant view to or from the item or by overshadowing, or

(b) that may undermine or otherwise cause physical damage to a heritage item, or

(c) that will otherwise have any adverse impact on the heritage significance of a heritage item or of any heritage conservation area within which it is situated.

(3) The consent authority may refuse to grant any such consent unless it has considered a heritage impact statement that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.

(4) The heritage impact statement should include details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.

28. Advertised Development

The following development is identified as advertised development:

(a) the demolition of a heritage item or a building, work, tree or place in a heritage conservation area, and

(b) the carrying out of any development allowed by clause 30.

29. Notice of demolition to Heritage Council

Before granting consent for the demolition of a heritage item identified in Schedule 2 as being of State significance, the consent authority must notify the Heritage Council about the application and take into consideration any comments received in response within 28 days after the notice is sent.
30. Conservation incentives

The consent authority may grant consent to the use for any purpose of a building that is a heritage item, or of the land on which such a building is erected, even though the use would otherwise not be allowed by this plan, if:

(a) it is satisfied that the retention of the heritage item depends on the granting of consent, and

(b) the proposed use is in accordance with a conservation management plan which has been endorsed by the consent authority, and

(c) the granting of consent to the proposed use would ensure that all necessary conservation work identified in the conservation management plan is carried out, and

(d) the proposed use would not adversely affect the heritage significance of the heritage item or its setting, and

(e) the proposed use would not adversely affect the amenity of the surrounding area otherwise than to an insignificant extent.

30A Development in heritage conservation areas

(1) Before granting consent for the erection of a building within a heritage conservation area, the consent authority must be satisfied that the features of the proposed building will be compatible with the heritage significance of the heritage conservation area, having regard to the form of, and materials used in, buildings that contribute to the heritage significance of the heritage conservation area.

(2) In satisfying itself about those features, the consent authority must have regard to at least the following (but is not to be limited to having regard to those features):

(a) the pitch and form of the roof (if any), and

(b) the style, size, proportion and position of the openings for windows or doors (if any), and

(c) the colour, texture, style, size and type of finish of the materials to be used on the exterior of the building.

(3) Consent must not be granted to development on a site within a heritage conservation area, which will result in a landscaped area of less than 5% of the site area.
SCHEDULE 3: STREETSCAPE ANALYSIS

STREETSCAPE ANALYSIS - Blake Street

**Scale:** Single storey, generally about 2.1m to verandah eaves and 3m to main eaves. Medium to small residential dwellings. Roofs are small span.

**Massing:** Roof pitch are medium to high (approximately 25 to 35°) with hipped ends and front decorative gables. Windows are vertical of golden proportions, verandahs are common with posts at about 2.5m, decorative post brackets.

**Materials:** Metal roofs. Brick walls are common, with some painted. Some decorative timber trimmed gables towards street.

**Colours:** Roof colours: Various - usually Victorian
Wall colours: Brickwork common, some painted cream.
STREETSCAPE ANALYSIS - Crowson Street

Medium sized residential, generally set back from street and well spaced.

**Scale:** Single storey, medium residential

**Massing:** Roofs of medium spans, medium to high pitch with front verandahs and posts at 2.5m to 3m spacings.

**Materials:** Face brickwork, timber boarded painted and metal roofs.

**Colours:** Face brickwork. Roof colours - red to grey tones.
STREETSCAPE ANALYSIS - Kingham Street

Scale: Single storey, generally about 2.1m to verandah eaves and 3.0m to main eaves. Small residential units. Roofs are small spans.

Massing: Roof pitch are medium to high (approximately 30 to 40°) with hipped ends and front bull nose verandahs common. Windows are vertical and verandahs are common with posts at about 2.5m. Some verandahs are now filled in.


Colours: Roof colours - green and galvanised iron. Wall colours - painted, usually cream, off-white or light tones.
STREETSCAPE ANALYSIS - Pilcher Street

Scale: Small single storey cottages of about 2.1m to verandah eaves.

Massing: Medium to high pitched roofs, usually hipped. Front verandahs with simple posts and detailing.

Materials: Metal roofs and timber lined walls.

Colours: Roofs - various. Walls - light tones, cream.
STREETSCAPE ANALYSIS - Stabback Street

Scale: Small single storey cottages, generally about 2.1m to verandah eaves and 3m to main eaves. Roofs are small span.

Massing: Roof pitch are medium to high (approximately 25 to 35°) with gables and hipped ends and chimneys. Windows are

Materials: Predominantly metal roofs
Painted timber board walls

Colours: Roof colours - red and galvanised iron
Wall colours - painted cream and light colours.
STREETSCAPE ANALYSIS - Unwin Street

Scale: Spacious street with mostly small cottages. Single storey, generally about 2.1m to verandah eaves and 3m to main eaves. Medium to small residential units. Roofs are small span.

Massing: Roof pitch are medium to high (approximately 25 to 35°) with gable ends and front decorative gables. Windows are vertical of even proportions and verandahs are common with posts at about 2.5m with decorative post brackets.

Materials: Metal roofs. Some decorative timber trimmed gables towards street.

Colours: Roof colours - various.
STREETSCAPE ANALYSIS - William Street

Scale: Single and two storey construction, approximately 5m to eaves. Medium to large residential. Roofs are small and large spans with front verandahs.

Massing: Roof pitch are medium to high (approximately 25 to 35°). Hipped roofs with single front facing decorative gables. Vertical shaped windows. Verandahs with posts 2.5 - 3m with accented brackets. Variation in setback. New house set well back from street.

Materials: Metal roofs. Face brickwork.

Colours: Various but strong use of heritage red and green. Timber details in lightly accented creams.

Landscape Elements: Attractive gardens that feature shrubs in the landscape setting of each house.
REFERENCES:

Blayney Local Environmental Plan 1998 - Blayney Shire Council.

Blayney Shire Heritage Study Final Report - Perumal Murphy, 1991

Blayney Shire Heritage Study Inventory - Havenhand and Mather, 1991


Development Control Plan for Hill End - Robert A. Moore Pty Ltd and P. Pike, 1992 (Evans Shire Council)

Development Control Plan for Rockley - Perumal Murphy (Evans Shire Council)

Heritage and Conservation Development Control Plan No.19 - Willoughby City Council.


Register of the National Estate Database - Australian Heritage Commission (No.873).