

STATEMENT OF HERITAGE IMPACT



Development Application

RFBI Benhome Masonic Village

No. 30 Regent Street, Maitland, New South Wales

June 2024 | J6626_02

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Phillips**
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Report Details	

Statement of heritage impact for: Partial redevelopment of the Maitland Royal Freemasons Benevolent Institution.

Prepared For RFBI Benhome Masonic Village

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We acknowledge that the land on which we live, learn and work as the traditional country of the Gadigal people of the Eora Nation. We acknowledge these traditional owners of this land and acknowledge their living cultures and the unique roles they have played in maintaining life, language, and culture in this region. We pay respect to their Elders past, present and emerging and all aboriginal people.

Cover photo: 'Benhome Board Building', Maitland (January 2024)
Weir Phillips Heritage and Planning

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1 INTRODUCTION

1.1 Preamble

A Development Application (DA) has been prepared on behalf of the Royal Freemasons Benevolent Institution in support of the partial redevelopment of the Maitland Royal Freemasons Benevolent Institution which is an aged care institution consisting of single rooms with private ensuites, library, wellness and activities rooms, as well as services including registered nurses and permanent care staff on site. This Statement of Heritage Impact (SoHI) report is an attachment to the Statement of Environment Effects.

The site is located within the Maitland City Council. The principal environmental planning instrument for the site is the *Maitland Local Environmental Plan 2011 (LEP 2011)*. There are two heritage items listed by Schedule 5 Part 1 of the *LEP 2011* on the site. These comprise 'House' (Item No. I171) and 'Benhome' (Item No. I172). The site also lies in the 'Regent Street Heritage Conservation Area' and is in the vicinity of other local heritage items under the *LEP 2011* and is adjacent to an item listed on the State Heritage Register under the *NSW Heritage Act 1977* ('Cintra – House, Garden and Stables').

Accordingly, under Part 5.10 of the *LEP 2011*:

(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.

In order to assess the potential impacts of the DA on heritage items, a heritage management document must be submitted with the DA. The appropriate heritage management document, in this instance, is a SoHI; and this document is submitted in satisfaction of this requirement.

This report has been prepared at the request of the client and accompanies architectural drawings prepared by IncluDesign.

1.2 Heritage Listings

The following Table 1 addresses the relevant heritage listings for the site. For further information refer to Section 4.

Table 1: Statutory Heritage Listings

Listing Type	Item Name and Details	Listing Number
State Heritage Register under the <i>Heritage Act 1977</i> (NSW).	No	N/A

In the vicinity of items on the State Heritage Register under the <i>Heritage Act 1977</i> (NSW).	'Cintra – House, Garden and Stables', No. 34 Regent Street, Maitland	01892
Listed as an item of local heritage significance by Schedule 5 Part 1 of the <i>Maitland LEP 2011</i> .	'House', No. 16 Regent Street, Maitland	1171
	'Benhome', No. 30 Regent Street, Maitland	1172
Located within the vicinity of local heritage items by Schedule 5 Part 1 of the <i>Maitland LEP 2011</i> .	'Cintra and Stables', No. 34 Regent Street, Maitland	1173
	'Victorian villa', No. 45 Regent Street, Maitland	1993
Located within a Heritage Conservation Area by Schedule 5 Part 2 of the <i>Maitland LEP 2011</i> .	'Regent Street Heirtage Conservation Area', Maitland	5
Located within the vicinity of Heritage Conservation Area by Schedule 5 Part 2 of the <i>Maitland LEP 2011</i> .	No	N/A

1.3 Methodology

A site inspection was undertaken in January 2024 for the preparation of this SoHI by Weir Phillips Heritage and Planning. All photographs of the site were taken at this time unless otherwise noted.

This SoHI has been prepared with reference to the Heritage NSW publications *Assessing Heritage Significance* (2023 update) and *Statements of Heritage Impact* (2023 update) and with reference to the planning documents listed under Section 8.2.

The historical information and assessments of significance contained in this SoHI partly rely on existing studies (refer to Section 8.2 below). Acknowledgment of the authors of these studies is duly given.

1.4 Limitations

Section 3 of this SoHI provides the established history and significance of the site and has been largely confined to an analysis of the heritage item 'Benhome', given this is the focus of the proposed works.

An assessment of archaeological potential and archaeological significance, Aboriginal or historical, is outside the scope of this SoHI.

2 SITE DESCRIPTION

2.1 Site Location

The site is located at 30 Regent Street, Maitland legally referred to as Lot 30 in DP 1224638 and has a total site area of approximately 1.4ha. The site has road frontages to Regent Street and Bonar Street and is located in the eastern portion of Maitland. The site is zoned R1 General Residential under the *Maitland Local Environmental Plan 2011*.



Figure 1: Map of No. 30 Regent Street. The site is outlined in red.
SIX Maps, 2024

2.2 The Proposed Works Area

For the following, refer to Figure 2, which reproduces an aerial photograph over the subject site.

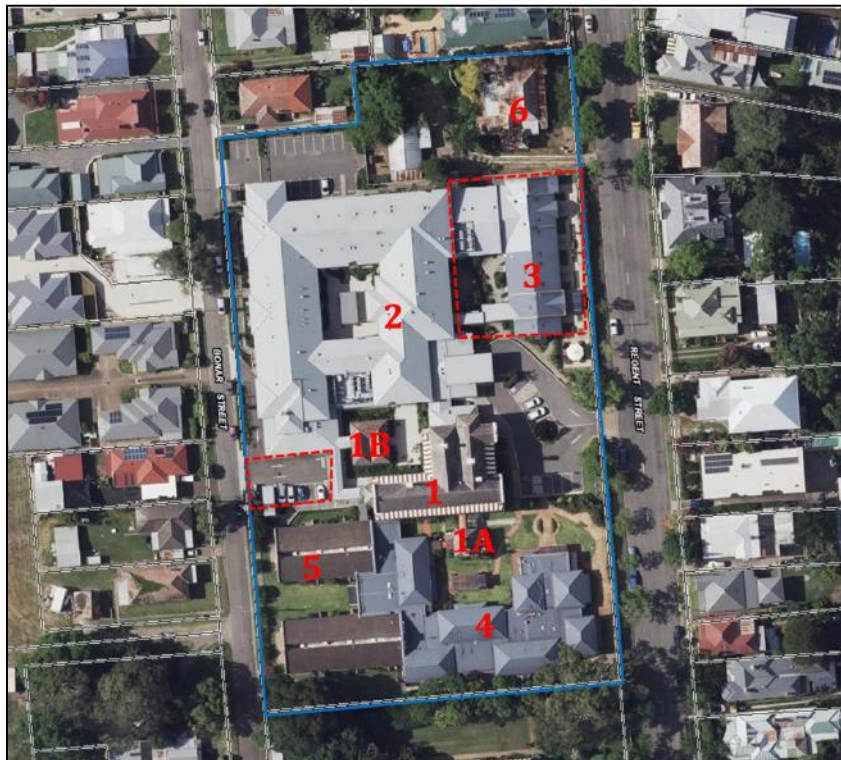


Figure 2: Aerial photograph of No. 30 Regent Street. The site is outlined in blue while the areas of the proposed works are approximately outlined in red.
SIX Maps, 2024; overlay by Weir Phillips Heritage and Planning

The site contains two heritage items: The first heritage item is 'Benhome' (Item No. I172). This comprises seven buildings of varying construction period which occupy the majority of the site and form the RFBI Benhome Masonic Village. Three of these buildings, 'Pender House', 'Matron's House' and 'Dossie Cottage' are the focus of the significance of the heritage item.

The second heritage item is 'House' (Item No. I171), which is comprised of a c. 1860s dwelling, located on the northeast side of the site with frontage only to Regent Street. It originally formed part of a separate allotment but was consolidated as part of the RFBI Benhome Masonic Village in c. 2017. No works are proposed to this heritage item.

Buildings - 'Benhome' (Item No. I172)

- **1 = 'Pender House'**
This building was constructed c. 1884 as a benevolent care home. No works are proposed to this building.
- **1A = 'Matron's House'**
This building was constructed c. 1884. No works are proposed to this building.
- **1B = 'Dossie Cottage'**
This building was likely constructed c. 1884 or afterwards. No works are proposed to this building.
- **2 = 'Benhome Board Building'**
This building was constructed c. 2019. A single-storey addition is proposed to this building.
- **3 = 'Rose Cottage'**
This building was constructed c. 1970s/1980s. Minor external and internal works are proposed to this building.
- **4 = 'Regency Wing'**
This building was likely constructed c. 2000s. No works are proposed to this building.
- **5 = 'Curtis Wing'**
This building was constructed c. 1980/1990s. No works are proposed to this building.

Buildings - 'House' (Item No. I171)

- **6 = 'House'**
This building was likely constructed as a dwelling c. 1860s. No works are proposed to this building.

2.3 General Setting

For the following, refer to Figure 3, an aerial photograph showing the site and the surrounding area.

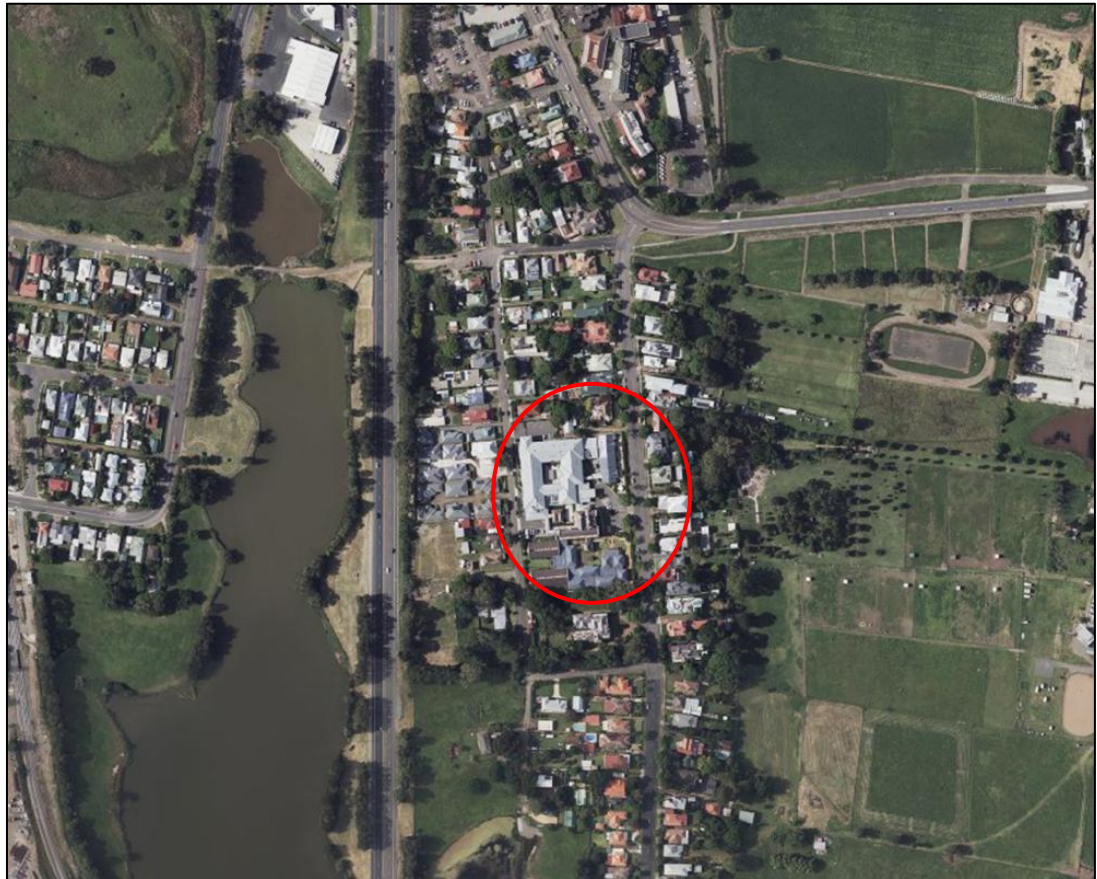


Figure 3: Aerial photograph showing the surrounding area. The site is outlined in red.
SIX Maps, 2024; overlay by Weir Phillips Heritage and Planning

The site is located in a residential area characterised by a north-south street alignment. The area contains a collection of mostly Victorian period dwellings, as well as later infill. To the immediate west of the site is the New England Highway, a major transport corridor, while to the northeast is the Hunter River.

2.3.1 Regent Street

Regent Street runs north-south between High Street and Steam Street. The road carries two-way traffic with provision for parking on both sides. Concrete footpaths with grass verges and established trees line either side of the road. The section of Regent Street in which the site is located is primarily residential and characterised by one and two-storey Victorian period dwellings, as well as later infill.

To the north of the site is No. 14 Regent Street, a single-storey Victorian period dwelling. The dwelling is constructed of face brick and has a hipped and gabled roof clad in corrugated iron. The dwelling is set close to the street behind a landscaped front yard.

To the south of the site is No. 35 Regent Street, a two-storey Victorian period dwelling. The dwelling is constructed of rendered and painted masonry and has a hipped roof clad in slate. The dwelling is set back from the street behind a landscaped front yard.

Dwellings opposite to the east include No. 19 Regent Street, a highly modified 20th century period single-storey dwelling and No. 23 Regent Street, a c. 1830s Victorian period dwelling.

Refer to Figures 4 to 8 which illustrate the streetscape.



Figure 4: Regent Street, looking north. 'Benhome' is to the left as indicated by the red arrow.



Figure 5: No. 35 Regent Street to the south of the site, a two-storey Victorian period dwelling.



Figure 6: No. 14 Regent Street to the north of the site, a single-storey Victorian period dwelling.

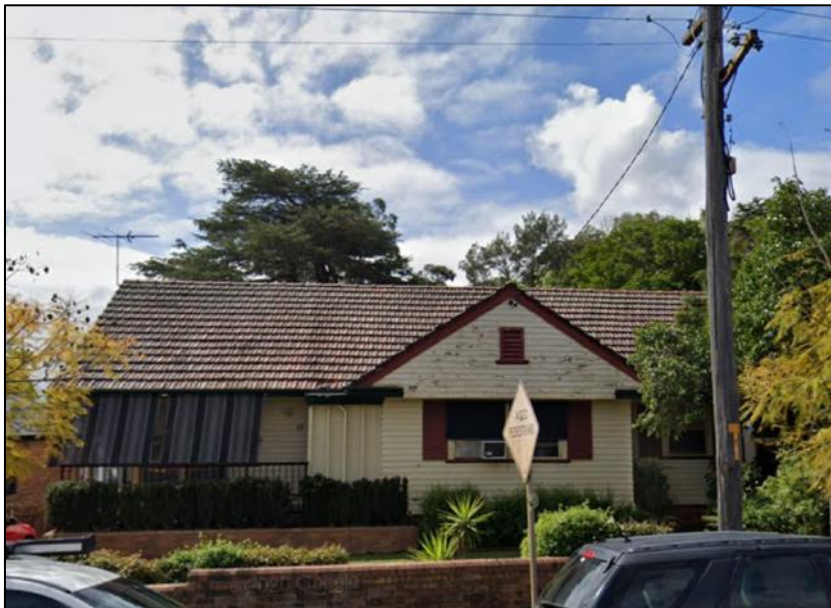


Figure 7: No. 19 Regent Street to the east of the site, a single-storey modified 20th century period dwelling.



Figure 8: No. 23 Regent Street to the east of the east, a single-storey Victorian period dwelling.

2.3.2 Bonar Street

Bonar Street runs west, then south, off High Street. The road is narrow and carries two-way traffic with limited provision for street parking. Concrete footpaths with irregularly spaced grass verges and established trees line either side of the road. The section of Bonar Street in which the site is located is residential. The east side of the street is largely occupied by the subject site, while the west side is characterised by single-storey Victorian period weatherboard cottages, as well as single-storey contemporary brick dwellings. Directly opposite to the west is No. 38 Bonar Street. This is a strata development comprising a pair of Victorian period weatherboard cottages which have been modified and converted for residential flat use, with contemporary dwellings to the rear. To the north of the site is No. 13 Bonar Street, a single-storey mid-20th century period brick dwelling. Refer to Figures 9 to 11 which illustrate the streetscape.



Figure 9: Bonar Street looking south. 'Benhome' is to the left as indicated by the red arrow.



Figure 10: No. 38 Bonar Street to the immediate west of the site, both single-storey modified Victorian period dwellings which form part of a strata development.



Figure 11: No. 13 Bonar Street to the north of the site, a single-storey mid-20th century period dwelling.

2.4 The Site

For the following, refer to Figure 12, an aerial photograph over the whole site at No. 30 Regent Street.



Figure 12: Aerial photograph of No. 30 Regent Street. The whole site is outlined in blue. The orange shading indicates the core of the RFBI Benhome Masonic Village.

SIX Maps, 2024; overlay by Weir Phillips Heritage and Planning

Key: 1, 1A, 1B = 'Pender House', 'Matron's House' and 'Dossie Cottage'

2 = 'Benhome Board Building'

3 = 'Rose Cottage'

4 = 'Regency Wing'

5 = 'Curtis Wing'

6 = 'House'

For the purposes of the following description, Regent Street is designated as the eastern boundary.

The site is a large generally rectangular allotment. The site boundaries are approximately as follows: north, 36m, then 56m; east, 161m; west, 15m, then 149m; and south, 92m. The total site area is approximately 1.425ha.

The majority of the site is occupied by the RFBI Benhome Masonic Village (shaded orange in Figure 12), which comprises seven buildings of varying construction date. It is primarily accessed from the main entry on Regent Street via a driveway that leads to a large asphalt paved forecourt with parking areas. There are two smaller service entries via Bonar Street, one to the rear of 'Pender House' (marked '1') and the second to the north of the 'Benhome Board Building' (marked '2'). Landscaping on the site comprises lawn, low-lying plantings (particularly behind the eastern boundary fence) and established trees, which are mostly located in the main forecourt. There are also internal courtyards with contemporary paving.

The northeast part of the site (unshaded in Figure 12) is separately fenced off from the RFBI Benhome Masonic Village and is bound to the north by a metal panel fence; to the east by a low timber palisade fence; to the south and west by a timber paling fence. There is a twin concrete strip driveway on the south side which leads to a shed at the rear. The shed is

constructed of timber-framed weatherboard cladding and has a gabled roof clad in corrugated iron. There is a timber-framed awning on the eastern elevation which hangs over three metal roller door openings. The site is densely overgrown with established trees and low-lying plantings which limited access.

Refer to Figures 13 to 17 which illustrate the site.



Figure 13: Looking east from outside 'Pender House' (1) towards Regent Street.



Figure 14: Main forecourt looking northwest towards the following: Far left, 'Pender House' (1); middle, 'Benhome Board Building' (2); and right, 'Rose Cottage' (3).



Figure 15: An example of landscaping in the forecourt next to Regent Street. The 'Regency Wing' (4) is visible to the right.



Figure 16: Parking area on the south side of the RFBI Benhome Masonic Village entry/exit via Bonar Street. A new extension is proposed in this area. The 'Benhome Board Building' (2) is visible to the right.



Figure 17: Parking area at the north of the RFBI Benhome Masonic Village as viewed from Bonar Street. The 'Benhome Board Building' (2) is visible to the right.

2.5 The Buildings

2.5.1 'Pender House', 'Matron's House' and 'Dossie Cottage' (Refer Figure 12: 1, 1A and 1B)

'Pender House' (marked '1') is a two-storey late Victorian period building. It is constructed of face brick and has a gabled roof clad in slate with several rendered masonry chimneys. The front elevation has two street facing gables set to either side of a two-storey verandah. The gabled bays have timber-framed double hung windows set within arched openings with moulded headers and sills. The main entry is via a timber panelled door on the north gable set between engaged classical columns. The two-storey verandah has a separate convex profile corrugated iron roof supported by simple metal posts which extend to the ground-floor, as well as a decorative cast iron balustrade and frieze.

The southern elevation is constructed of brick and has a separate two-storey verandah with similar detailing and arrangement of openings to the front elevation. The northern elevation is of brick and is blind on the northeast side. The northwest side has an L-shaped verandah on both floors, however, the first-floor balustrade is of timber and has access via a timber staircase. The rear elevation is of brick, excluding a small section of timber infill at first-floor level. It has no openings but there is access to the first-floor via a contemporary steel staircase.

There are two outbuildings associated with 'Pender House': the first is the 'Matron's House' (marked '1A'), located to the south of 'Pender House' and connected to it via a contemporary metal-framed glazed link with a corrugated iron roof. The 'Matron's House' is a single-storey c. 1884 structure constructed of brick. The building has a hipped roof clad in slate and decorated with cast iron cresting. It has a verandah on the east side with a convex roof clad in corrugated iron and supported by simple metal posts with decorative cast iron brackets and friezes above. Behind the verandah are a pair of timber-framed double hung windows with sandstone sills.

'Dossie Cottage' (marked '1B') is located to the northwest of 'Pender House'. It comprises a late Victorian period single-storey building constructed of brick on a rendered and painted masonry base. It has a pair of low hipped roofs clad in terracotta tiles. The openings comprise timber-framed double hung sash windows with face brick headers and rendered masonry sills. The interior was not inspected.

Refer to Figures 18 to 23 which illustrate the exterior of 'Pender House', 'Matron's House' and 'Dossie Cottage'.



Figure 18: Front elevation of 'Pender House' (1) as viewed from the forecourt off Regent Street.



Figure 19: Southern elevation of 'Pender House' (1) showing a simple timber balustrade to the verandah.



Figure 20: Rear elevation of 'Pender House' (1) showing a contemporary steel staircase. The 'Benhome Board Building' (2) is visible to the left.



Figure 21: Front elevation of 'Matron's House' (1A).



Figure 22: Rear elevation of 'Matron's House' (1A) showing glazed link.



Figure 23: Eastern elevation of 'Dossie Cottage' (1B).

2.5.2 'Benhome Board Building' (Refer Figure 12: 2)

The 'Benhome Board Building' (marked '2') is a two-storey building constructed c. 2019. It is located on the northwest side of the site and has frontage to Bonar Street. It is roughly square in shape and has a central courtyard in the middle. The building is constructed of brick and has a pitched roof clad in corrugated metal. The main entry is on Regent Street via a large glazed entry foyer with a partly cantilevered roof and sandstone surrounds. The openings comprise metal-framed awning windows with privacy screens and metal-framed glazed panel doors.

The interior was not inspected.

Refer to Figures 24 and 25 which illustrate the exterior of the 'Benhome Board Building'.



Figure 24: 'Benhome Board Building' (2) as viewed from Bonar Street.



Figure 25: The main entry to 'Benhome Board Building' (2).

2.5.3 'Rose Cottage' (Refer Figure 12: 3)

The 'Rose Cottage' (marked '3') is located on the northeast side of the site and has frontage to Regent Street. It is single-storey, constructed of brick and has a gabled roof clad in corrugated metal. The openings are metal-framed.

Refer to Figure 26 which illustrates the exterior of 'Rose Cottage'.



Figure 26: 'Rose Cottage' as viewed from Regent Street.

2.5.4 'Regency Wing' (Refer Figure 12: 4)

The 'Regency Wing' (marked '4') is located on the southeast side of the site. It is single-storey and constructed of brick with a complex hipped roof clad in corrugated iron. The openings are timber-framed double hung windows with metal awnings supported by timber posts, while doors are typically timber-framed with glazed panels. The interior was not inspected.

Refer to Figures 27 and 28 which illustrate the exterior of 'Regency Wing'.



Figure 27: 'Regency Wing' (4) as viewed from within the site, near 'Matron's House' (1A).



Figure 28: 'Regency Wing' (4) as viewed from Regent Street. 'Pender House' (1) is visible to the right.

2.5.5 'Curtis Wing' (Refer Figure 12: 5)

'Curtis Wing' (marked '5') is located on the southwest side of the site. It comprises a central brick structure with a hipped roof clad in corrugated metal and concealed by a masonry parapet. It has a pair of wings which project west towards Bonar Street. Both wings are constructed of brick and have separate gabled roofs clad in concrete tiles. The openings comprise metal-framed sliding windows and doors. The interior was not inspected.

Refer to Figures 29 and 30 which illustrate the exterior of 'Curtis Wing'.



Figure 29: A view of 'Curtis Wing' (5) with 'Pender House' (1) visible in the background.



Figure 30: Looking obliquely across the front elevation of 'Curtis Wing' (5).

2.5.6 'House' (Refer Figure 10: 6)

The 'House' (6) is located on the northeast side of the site and has frontage to Regent Street. It comprises a single-storey mid-Victorian period dwelling constructed of timber-framed weatherboard cladding. It has a hipped roof clad in corrugated iron with a brick chimney on the south side. The dwelling has a verandah that extends across the front elevation and wraps around to the northern elevation. The verandah has a separate awning roof clad in corrugated iron and is supported by timber posts (as well as temporary props). Behind the verandah is the main entry via a timber panelled door with top light, as well as pairs of timber-framed French doors to either side. The rear elevation has been enclosed with an asbestos cement (or equivalent) addition with timber-framed awning windows.

The interior was not inspected.

Refer to Figures 31 and 32 which illustrate the exterior of the dwelling.



Figure 31: The front elevation of the heritage item 'House'.



Figure 32: The rear elevation of the dwelling showing the later fibro enclosure.

3 HISTORICAL ANALYSIS

3.1 Aboriginal Background and Post-Contact History

While an Aboriginal history is not provided for, it is acknowledged that the original inhabitants of the Maitland City Council area were the Wonnarua people.

3.2 A Brief History of Maitland

The first official survey of the Hunter River was carried out in 1801. Governor King directed a party to examine the area and report on its potential as a source of resources for the colony. The area around what became Maitland was explored and a depot built as it was considered suitable for agricultural settlement and for timber-getting.¹

In subsequent years, several more parties of explorers and surveyors documented the surrounding area, particularly following the permanent settlement of Newcastle in 1804. Maitland was essentially settled as a place for convicts in c. 1818-1821 and was called in turn, The Camp, Molly Morgan Plans and then Wallis Plains, before settling on West Maitland in 1835.²

A second town to the east, surveyed in 1829, was initially called Maitland and then became East Maitland.³ East Maitland grew much more slowly than the earlier convict settlement Maitland. By 1914, the latter had 5,180 inhabitants compared to 12,790 in East Maitland. The subject lies is located in West Maitland. East Maitland was, however, the first to be proclaimed a municipality in 1862 and was followed by West Maitland in 1863. In 1944, the two were amalgamated along with several other shires and, in the following year, proclaimed a city.⁴

From 1818, early settlers were allowed 34-acres of land each in the area from Pitnacree to Maitland. These small farms were then replaced, after 1821, with a change in policy as land was granted to the wealthy in proportion to the amount of their capital on the condition that convicts would be employed for every 10-acres. The Hunter region was the principal district

¹ Wendy Thorp, *Maitland Heritage Survey Review: Thematic History* (1994) , p. 9.

² Thorp, *Maitland Heritage Survey Review*, p. 19.

³ Thorp, *Maitland Heritage Survey Review*, p. 22.

⁴ Thorp, *Maitland Heritage Survey Review*, p. 24.

to be developed as a result of this policy and was instrumental in establishing a pattern of land settlement characterised by large estates. These large estates were progressively broken up by the close of the 19th century, although smaller subdivisions from the 1850s onwards saw them reduced in size. The transition from the large estates to suburbanisation became more pronounced in the Inter-War period.⁵ The subject site lies on a 1,00-acre parcel of land originally granted to Frederick Augustus Hely on 18 August 1831. Refer Figure 33.

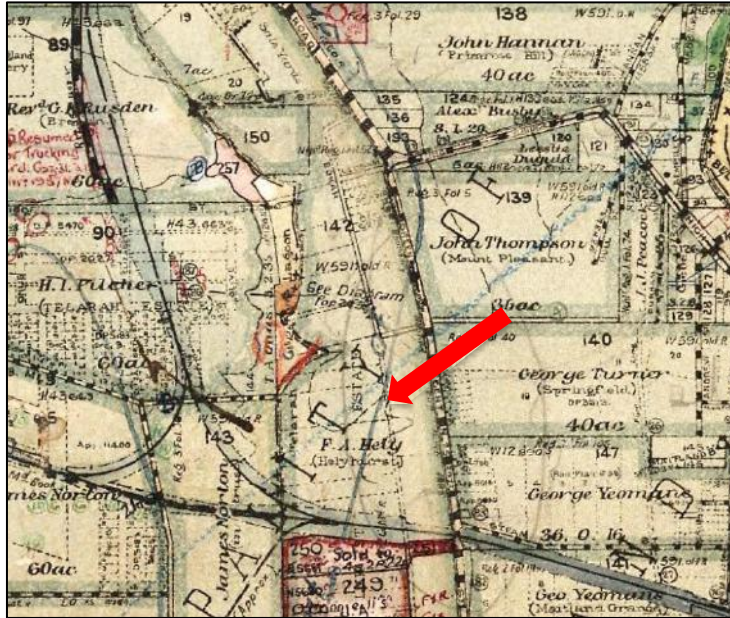


Figure 33: Detail, Parish of Maitland, County of Northumberland (n.d.). Hely's grant is indicated by the red arrow.

State Library of New South Wales; overlay by Weir Phillips Heritage and Planning.

In 1855, following the death of Frederick Augustus Hely, his 100-acre grant was subdivided into '75 building and garden allotments... commanding a beautiful view of the surrounding farms'.⁶ Refer Figure 34 showing a detail of the subdivision plan.

⁵ Thorp, *Maitland Heritage Survey Review*, p. 17.

⁶ *Empire*, 'Advertising', 2 March 1855.

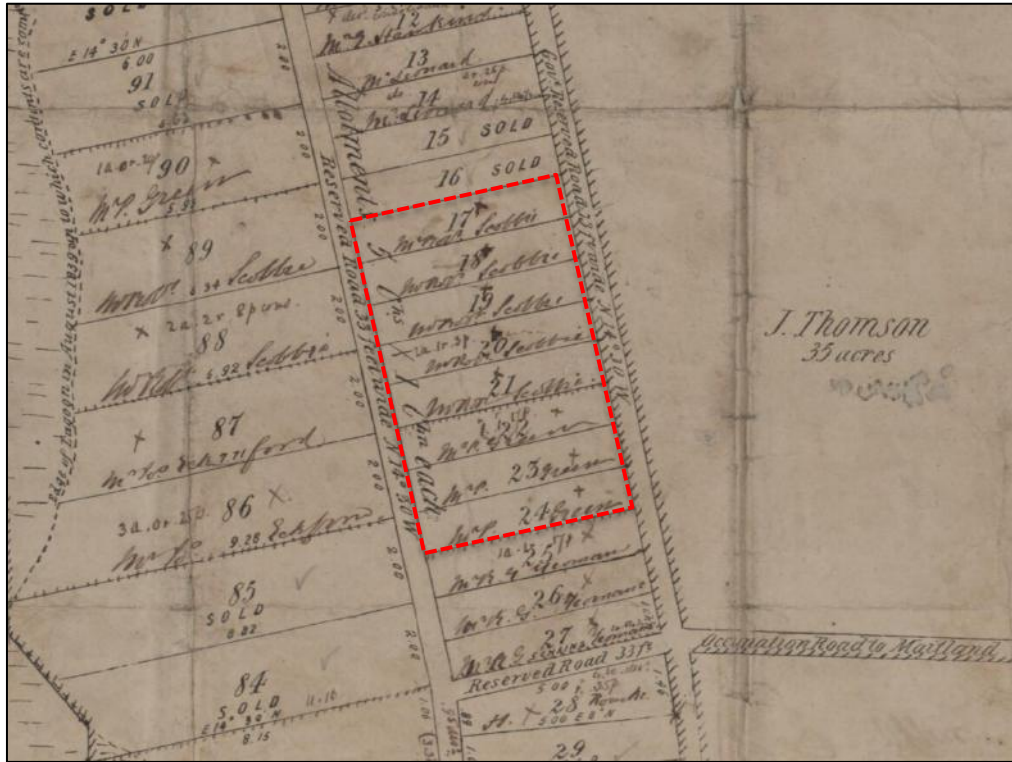


Figure 34: Detail, Hely's One Hundred Acre Grant, Building & Garden Allotments West Maitland: For Sale by Auction by Mr. A. Dodds, 1855. The site is outlined in red.
National Library of Australia; overlay by Weir Phillips Heritage and Planning

There are two heritage items on this site. The item, 'House' (Item No. I172) lay on Allotment 17, while 'Benhome' (Item No. I171) appears to have been on Allotments 18 through 24. Both sites later underwent subdivision and were recently consolidated into a single allotment in c. 2017. The history of each site and the buildings on them is set out briefly below.

3.3 'House' (Item No. I171)

3.3.1 The Construction of a Dwelling

This part of the site originally lay on Allotment 17 of the above subdivision. Preliminary research indicates that Isaac Sefton purchased this allotment, however, the year is not recorded. The entry for this item in *Central Maitland: A Study of its Historic Buildings and Townscape* suggests that the dwelling may date from as early as the 1860s.⁷ There is evidence for Sefton living in Regent Street, Maitland, based on an obituary for him dated 1867.⁸ His widow, Isabella, continued to live at this property until her death in 1891.⁹ The property was then put up for sale the following year, where it was described as:

Valuable and Eligibly Situated Allotment of Land, having a frontage to Regent-street, West Maitland, of 100ft., by a depth of 151ft., upon which is erected a Comfortable and Commodious Cottage Residence, containing 7 rooms, pantry, bathroom, bush-house, kitchen, laundry, stable, coachhouse, and large hay shed.

⁷ Bergsteiner, McInnes and Rigby Pty Ltd, *Central Maitland: A Study of its Historic Buildings and Townscape* (1977), p. 36.

⁸ *Maitland Mercury and Hunter River General Advertiser*, 'Family Notices', 22 August 1867.

⁹ *Sydney Morning Herald*, 'Family Notices', 20 November 1891.

*The above is one of the most healthful and desirably situated properties in the district, and cannot be surpassed as a family residence.*¹⁰

It appears that the sale did not succeed, for it was re-advertised for sale in 1909 as a 'commodious Residence, and outbuilding, at present occupied by the Miss Sefton'.¹¹ According to the study by Bergsteiner, McInnes and Rigby Pty Ltd, the dwelling was owned by J.M. Sparke in 1909, who commissioned local architect W.H. Pender to design additions to the sides and rear of the dwelling.¹²

Various members of the family owned the property until at least 1944, based on newspaper notices.¹³ The ownership history of the property after 1944 has not been ascertained. In 1990, it was advertised for sale as a 'four bedroom residence Circa 1865, wide verandahs, 2 bathrooms, three car garage'.¹⁴

The property was purchased by the Maitland Benevolent Society in 2016. In 2017, it was consolidated into the site comprising No. 30 Regent Street. No historic photographs of the site at street level have been located.

3.4 'Benhome' (Item No. I172)

3.4.1 The Establishment of the Maitland Benevolent Society

This part of the site lay on Allotments 18 to 24 of the subdivision of Hely's grant. In 1878, these allotments were purchased by the Maitland Benevolent Society, an institution established in 1843, the mission of which was to enhance the quality of life of the aged and frail. The society was first based at a hospital building on Campbell's Hill, erected in 1849. This first building, however, quickly proved inadequate for the increasing needs of the society.¹⁵ In 1878, the Society voted to raise the necessary funds for the erection of a new building on the basis that 'the asylum was so full, that the committee was unable to take the [aged poor] in'.¹⁶ The foundation stone for the original building on the site (now 'Pender House') was laid in Regent Street on 18 December 1884 was by the Hon. Henry Emanuel Cohen, member for West Maitland. The *Maitland Mercury and Hunter River General Advertiser* reported on the occasion:

*The new building will have a commanding aspect, free from the reach of floods. The plans shew an imposing two-storey structure of brick, on a concrete foundation, with slated roof. Owing to the lack of funds, the committee is not in position to authorize the completion of the whole work shown on the plans at the present time. A contract has been let for half the work, the southern portion, which is to cost £6,453.*¹⁷

Refer to Figure 35.

¹⁰ *Maitland Mercury and Hunter River General Advertiser*, 'Advertising', 27 February 1892.

¹¹ *Maitland Daily Mercury*, 'Advertising', 16 July 1909.

¹² Bergsteiner, McInnes and Rigby Pty Ltd, *Central Maitland*, p. 36.

¹³ *Newcastle Morning Herald and Miners' Advocate*, 'Advertising', 25 January 1944.

¹⁴ *Sydney Morning Herald*, 'Newcastle Auction', 17 March 1990.

¹⁵ Research Data Australia, 'Maitland Benevolent Asylum, later Maitland Hospital', <https://researchdata.edu.au/agy-6396-maitland-maitland-hospital/167840>, accessed 2 February 2024.

¹⁶ *Maitland Mercury and Hunter River General Advertiser*, 'Maitland Benevolent Society', 4 May 1878.

¹⁷ *Maitland Mercury and Hunter River General Advertiser*, 'Maitland Benevolent Asylum', 18 December 1884.

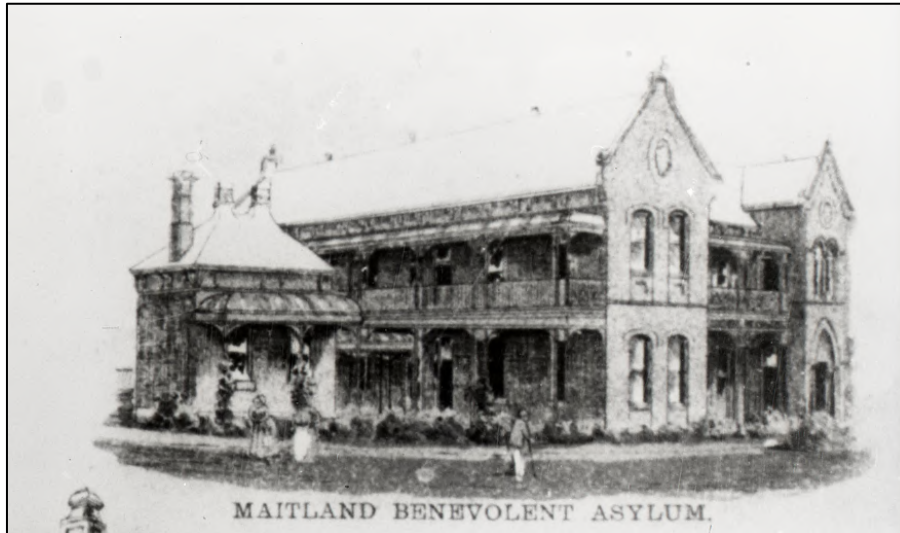


Figure 35: Illustration of Maitland Benevolent Asylum (c. 1884?) showing 'Pender House' (1) and 'Matron's House' (1A).

Newcastle Living Histories

The building was designed by J.W. Pender, an architect associated with 'Cintra' next door at No. 34 Regent Street, as well as numerous other buildings in Maitland. The building was erected by Messrs. W. Taylor and Son at a cost of over £6,000.

By October of the following year, it was reported that:

The works in connexion with the erection of the Maitland Benevolent Society's new premises in Regent-street, have progressed so satisfactorily that the building will, it is expected, be ready for occupation in a few weeks. Men have been engaged for some days on the upper floors, which have now been completed, and everything is ready for painters to begin operations. The building, which contains ample accommodation, and has a neat, internal aspect, is to be lighted with gas.¹⁸

The building had presumably been completed by early 1886 when the Society advertised for the position of Matron to come with a salary of '£40 per annum, with Board and comfortable quarters'.¹⁹ It may be that the 'Matron's House', similar in style to the main building, was constructed at the same time.

The Maitland Benevolent Asylum was registered as a public hospital under the *Public Hospitals Act 1898*. It underwent its first major expansion between 1903-1905 when the construction of the public wards was completed. A Blood Bank building and isolation cottage were also erected in 1916. In July 1926, the hospital was registered as a training hospital under the *Nurses Registration Act 1924* and within two years became a training school for nurses.

In 1949, the home was renamed from the Maitland Benevolent Society to the 'Maitland Home for the Aged'.²⁰ In 2018, the subject site was sold to the Royal Freemasons' Benevolent Institution. It now operates as RFBI Benhome Masonic Village.

¹⁸ *Maitland Mercury and Hunter River General Advertiser*, 'Local News', 6 October 1885.

¹⁹ *Maitland Mercury and Hunter River General Advertiser*, 'Advertising', 23 January 1886.

²⁰ *Newcastle Morning Herald and Miners' Advocate*, 'Change Home's Name after 82 Years', 16 March 1949.

3.5 Historic Aerial Photography

The earliest available aerial photograph over the existing site dates from c. 1972. The dwelling on the north side of the site can be seen, as can what are now 'Pender House', 'Matron's House' and 'Dossie's Cottage', as well as several smaller structures to the rear of 'Pender House'. Refer Figure 36.



Figure 36: C. 1972 aerial photograph over the site. The current site boundaries are outlined in red.

NSW Historical Imagery; overlay by Weir Phillips Heritage and Planning

Key: 1 = 'Pender House'

1A = 'Matron's House'

1B = 'Dossie Cottage'

6 = 'House'

The site underwent a major redevelopment c. 1980s with the construction of a quadrangle shaped building with an internal courtyard (since demolished), as well as 'Rose Cottage'. Refer Figure 37.



Figure 37: C. 1984 aerial photograph over the site. The current site boundaries are outlined in red.

NSW Historical Imagery; overlay by Weir Phillips Heritage and Planning

Key: 1 = 'Pender House'

1A = 'Matron's House'

1B = 'Dossie Cottage'

3 = 'Rose Cottage'

6 = 'House'

By no later than c. 1993, the 'Curtis Wing', located on the southwest side of the site, had been constructed. In addition, there was a structure on the northwest side of the site which has since been demolished to allow for construction of the existing car park in this area. Refer Figure 38.



Figure 38: C. 1993 aerial photograph over the site. The current site boundaries are outlined in red.

NSW Historical Imagery; overlay by Weir Phillips Heritage and Planning

Key: 1 = 'Pender House'

1A = 'Matron's House'

1B = 'Dossie Cottage'

3 = 'Rose Cottage'

5 = 'Curtis Wing'

6 = 'House'

The 'Regency Wing' had evidently been constructed by no later than c. 2010. Refer Figure 39.



Figure 39: C. 2010 aerial photograph over the site. The current site boundaries are outlined in red.

Reproduced from the *Preliminary Arboricultural Assessment and Advice* by Arterra Design Pty Ltd, 2024; overlay by Weir Phillips Heritage and Planning

- Key: 1 = 'Pender House'
 1A = 'Matron's House'
 1B = 'Dossie Cottage'
 3 = 'Rose Cottage'
 4 = 'Regency Wing'
 5 = 'Curtis Wing'
 6 = 'House'

By 2019, the quadrangle building had been replaced with the existing 'Benhome Board Building'.²¹ Refer Figure 42.

²¹ *Maitland Mercury*, 'Benhome officially opens new wing, and marks handover of new management', 29 April 2019.



Figure 40: C. 2023 aerial photograph over the site. The current site boundaries are outlined in red.

Reproduced from the *Preliminary Arboricultural Assessment and Advice* by Arterra Design Pty Ltd, 2024; overlay by Weir Phillips Heritage and Planning

Key: 1 = 'Pender House'

1A = 'Matron's House'

1B = 'Dossie Cottage'

2 = 'Benhome Board Building'

3 = 'Rose Cottage'

4 = 'Regency Wing'

5 = 'Curtis Wing'

6 = 'House'

4 ASSESSMENT OF SIGNIFICANCE

4.1 Summary of Existing Citations and Listings for the Site

For the following, refer to Table 2, a summary of the statutory heritage listings.

Table 2: Summary of statutory heritage listings.

Listing Type	Item Name and Details	Listing Number
State Heritage Register under the <i>Heritage Act 1977</i> (NSW).	No	N/A
In the vicinity of items on the State Heritage Register under the <i>Heritage Act 1977</i> (NSW).	'Cintra – House, Garden and Stables', Maitland	01892

Listed as an item of local heritage significance by Schedule 5 Part 1 of the <i>Maitland LEP 2011</i> .	'House', No. 16 Regent Street, Maitland	I171
	'Benhome', No. 30 Regent Street, Maitland	I172
Located within the vicinity of local heritage items by Schedule 5 Part 1 of the <i>Maitland LEP 2011</i> .	'Cintra and Stables', No. 34 Regent Street, Maitland	I173
	'Victorian villa', No. 45 Regent Street, Maitland	I993
Located within a Heritage Conservation Area by Schedule 5 Part 2 of the <i>Maitland LEP 2011</i> .	'Regent Street Heirtage Conservation Area', Maitland	5
Located within the vicinity of Heritage Conservation Area by Schedule 5 Part 2 of the <i>Maitland LEP 2011</i> .	No	N/A

4.2 Statements of Significance

4.2.1 Statement of Significance for 'Benhome' (Item No. I172)

The State Heritage Inventory does not provide a Statement of Significance for this item. The *Central Maitland: A Study of Its Historic Buildings & Townscape* (1977) heritage review provides the following statement:

Originally called the Maitland Benevolent Asylum, this building has always been a home for Maitland's older residents and the original funds were raised by donation and public subscription. Benhome is one of the largest and grandest buildings in Maitland and is easily visible from within the town. The building, as it now stands, was intended as a first stage, the right hand being the centre of a symmetrical building.

The front of the building is decorated in ornate cast iron of which the frieze and brackets are a design patented by the architect and used in many of his buildings. It is possible that some of the other patterns were also designed by him.

Beside the main building is the Matron's flat which due to the contrast in scale has the appearance of a dolls house. The original elaborate picket fence and gate have been replaced by a brick fence.²²

This Statement is adopted for the purposes of this assessment. It identifies the following key elements as being significant:

²² Bergsteiner, McInnes and Rigby Pty Ltd, *Central Maitland*, p. 37.

-
- The front elevation of 'Pender House'.
 - The 'Matron's House'.

The rear elevation of 'Pender House' is not identified as being of significance, nor are any other structures on the site.

4.2.2 Statement of Significance for 'House' (Item No. I171)

The State Heritage Inventory does not provide a Statement of Significance for this item. The *Central Maitland: A Study of Its Historic Buildings & Townscape* (1977) heritage review provides the following statement:

A post-regency house with French windows and shutters and probably the oldest house in Regent Street. The classical pattern on its column is similar to that at 60 Bourke Street. In 1909, W.H. Pender designed additions at the sides and rear for the owner J.M. Sparke, a Maitland businessman. Pilgrim Brothers were the builders. The house is in excellent condition and has a nice garden with a boundary picket fence.²³

This Statement is adopted for the purposes of this assessment.

4.2.3 Regent Street Heritage Conservation Area

The *Maitland Heritage Survey Review* (1994) provides the following Statement of Significance for this Conservation Area:

The area has historic significance of exceptional value recording an early settlement of the Hunter Valley which grew to be the major centre in the region – larger than Newcastle. It also became one of the largest settlements in NSW during the middle of the nineteenth century. Its historic role is reflected in the excellent examples of Commercial, Civic and Ecclesiastical buildings and in the rarer and more modest surviving examples of early housing.

The Conservation Area's aesthetic significance is derived from the intactness of its streetscapes, its landmark buildings and strong edge definition of river and flood plain. Regent Street contains an exceptional collection of mansions and large residences of the late Victorian and Federation periods.

The area is of social significance for its continuing roles as a regional centre for administration, cultural activities and several religious denominations.

It is considered to be of State heritage significance.²⁴

This Statement is adopted for the purposes of this assessment.

4.3 Additional Information Relating to the Site's Significance

4.3.1 Views to and from 'Benhome' (Item No. I172)

For the following, refer to Figure 41, an aerial photograph of the heritage item 'Benhome'. This photograph has been annotated to indicate view corridors to and from the item.

²³ Bergsteiner, McInnes and Rigby Pty Ltd, *Central Maitland*, p. 36.

²⁴ Brian McDonald and Wendy Thorp, *Maitland Heritage Survey Review: Study Report for Maitland Council* (July 1994), p. 21.



Figure 41: Aerial photograph over the site showing view corridors to and from the site.
SIX Maps 2024; overlay by Weir Phillips Heritage and Planning

The principal view corridor towards 'Benhome' is from directly outside on Regent Street. The front elevation of both 'Pender House' and 'Matron's House' have a high degree of visibility in this view corridor. This view corridor has a high level of significance. Refer to Figure 41 (View 1).

Views on approach from the north and south on Regent Street are limited to the upper floor and roof form of 'Pender House'. These views are interrupted at ground level by the 'Rose Cottage' and the 'Regency Wing' and have moderate significance. Refer to Figures 42 and 43 (Views 2 and 3).

The rear elevation of 'Pender House' can be seen from directly outside on Bonar Street. This view has a low level of significance. Refer Figure 45 (View 4).

The southern and rear elevations of 'Pender House' have limited visibility on approach from the north and south on Bonar Street. Refer Figures 46 and 47 (Views 5 and 6).

Views from the item look towards Regent Street and Bonar Street and have limited visibility at ground level. Refer Figures 48 and 49 (Views 7 and 8).



Figure 42: View 1 looking directly towards the front of 'Benhome'.



Figure 43: Looking towards 'Benhome' on approach from the south on Regent Street (View 2).



Figure 44: Looking towards 'Benhome' on approach from the north on Regent Street (View 3).



Figure 45: Looking east towards the rear of 'Benhome' from Bonar Street (View 4).



Figure 46: Looking towards 'Benhome' on approach from the north on Bonar Street (View 5). It has no visibility within this view corridor.



Figure 47: Looking towards the rear of 'Benhome' on approach from the south on Bonar Street (View 6).



Figure 48: Looking east from out the front of 'Benhome' towards Regent Street (View 7).



Figure 49: Looking west from out the rear of 'Benhome' towards Bonar Street (View 8).

4.3.2 Views to and from 'House' (Item No. 1171)

For the following, refer to Figure 50, an aerial photograph of the heritage item 'House'. This photograph has been annotated to indicate view corridors to and from the heritage item.

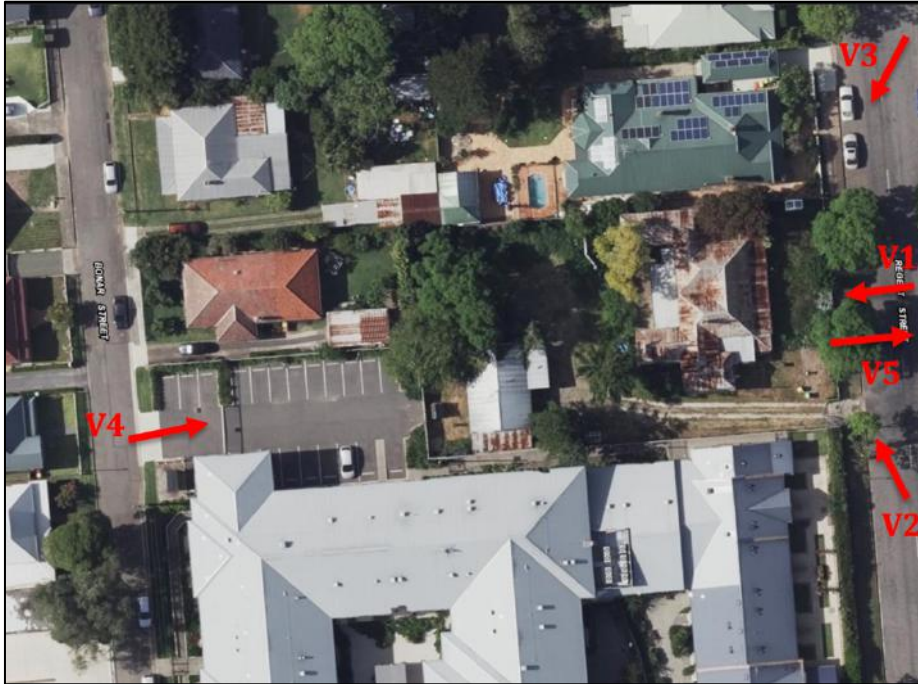


Figure 50: Aerial photograph over the site showing view corridors to and from the site. SIX Maps 2024; overlay by Weir Phillips Heritage and Planning

The principal view corridor towards the item ‘House’ is from directly outside on Regent Street, where the front elevation of the dwelling can be seen. The rear yard and shed have no visibility except obliquely. Refer Figure 51 (View 1).

Views on approach from the north and south on Regent Street are limited to the roof form and front fence. Refer Figures 52 and 53 (View 2 and 3).

The rear of the site has limited slot views from Bonar Street. Refer Figure 54 (View 4).

Views from the site are to the east looking towards the opposite side of Regent Street. Refer Figure 55 (View 5).



Figure 51: Looking towards the item from directly outside on Regent Street (View 1).



Figure 52: Looking towards the item on approach from the south on Regent Street (View 2).



Figure 53: Looking towards the item on approach from the north on Regent Street (View 3).



Figure 54: Looking towards the rear of the item from Bonar Street (View 4).



Figure 55: Looking east from the front of the site towards the opposite side of Regent Street (View 5).

4.3.3 Integrity

'Benhome' (Item No. I172)

The three original and significant components comprising the heritage item which include 'Pender House', 'Matron's House' and 'Dossie Cottage' appear, based on external examination, to be generally intact. Their immediate setting has, however, changed significantly since c. 1884 with the construction of additional buildings to support its historic use as a benevolent care home, now RFBI Benhome Masonic Village. Historic aerial photographs show the site underwent a major redevelopment from the mid-1970s onwards. All buildings, excluding those named above, date from the late 20th and early 21st centuries. It is further noted that the site has undergone lot consolidation, most recently c. 2017.

'House' (Item No. I171)

Similarly, the significant components that comprise this heritage item, which include the dwelling, fence and garden, appear to be generally intact. It is noted that the dwelling has been modified, particularly with regards to the side and rear elevations. The shed at the rear has also been substantially altered with its conversion to a three-car garage at an unknown date.

4.4 Heritage Items in the Vicinity of the Site

For the following, refer to Figure 56, which provides a detail of a heritage map from the *Maitland LEP 2011*. In this plan, local heritage items are coloured brown and numbered and Conservation Areas are hatched red and numbered. The site is outlined in blue and indicated by the blue arrow.

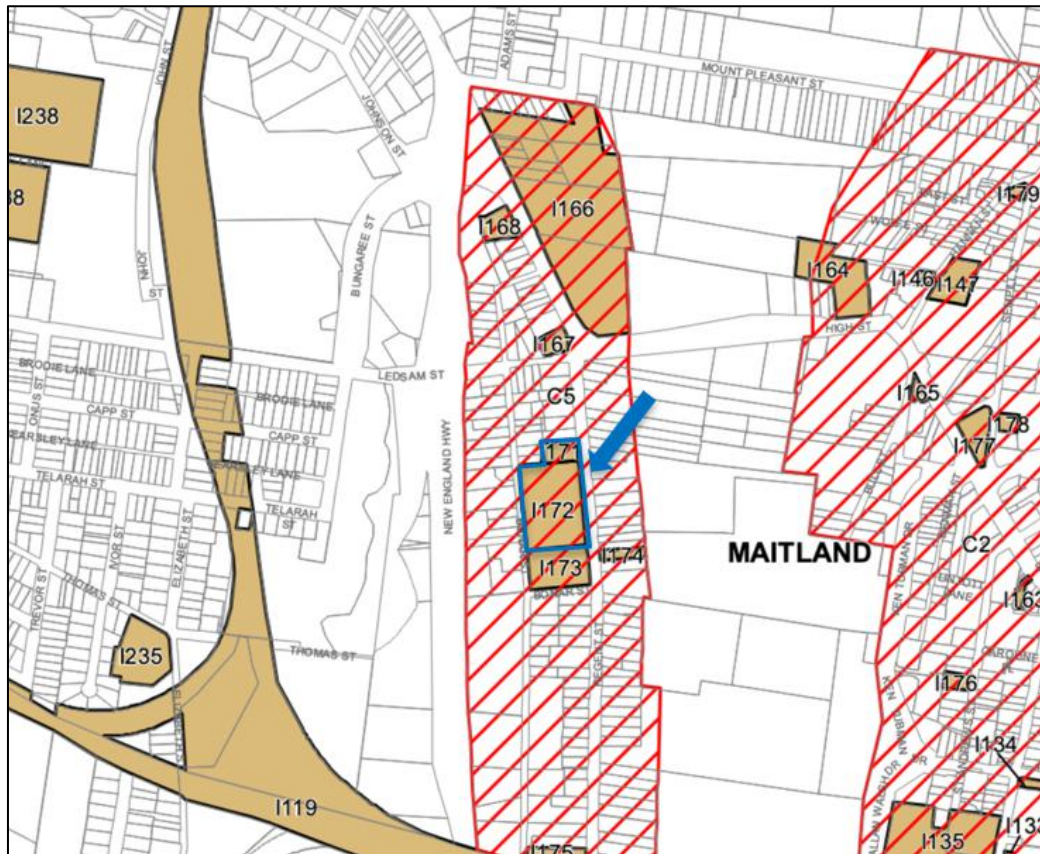


Figure 56: Detail, heritage map showing site in relation to heritage items (coloured brown and numbered) and Conservation Areas (hatched red). The site is coloured brown and numbered 'I171' and 'I172' and additionally outlined in blue and indicated by the blue arrow.

Local Heritage Items – Coloured brown and numbered
Local Conservation Areas – Hatched red and numbered
Maitland LEP 2011; overlay by Weir Phillips Heritage and Planning

4.4.1 Defining 'Vicinity'

For the items near to the subject site, 'in the vicinity' has been determined with reference to physical proximity, existing and potential view corridors and the nature of the proposed works.

Table 3: All heritage items and Conservation Areas within 100 metres of the site are identified in the table below.

Place ID	Name and Description	Address	Listing	Relationship to the site	
Local and State Heritage items and Conservation Areas within 100m of subject site					
Local ID	State ID				
1173	01892	'Cintra – House, Garden and Stables'	No. 34 Regent Street, Maitland	State	<p>This item is located adjacent to the south of the site.</p> <p>Significant views towards this item are from directly outside on Regent Street and Bonar Street.</p> <p>There are existing views between the item and the subject site, which are limited by dense vegetation on the boundaries of this heritage item.</p>
1174		'Victorian villa'	No. 45 Regent Street, Maitland	Local	<p>This item is located to the east of the site and is separated from it by a distance of 20m.</p> <p>Significant views towards this item are from directly outside on Regent Street. The dwelling has little visibility, except obliquely, due to dense vegetation in the front setback.</p>

Place ID	Name and Description	Address	Listing	Relationship to the site
Local and State Heritage items and Conservation Areas within 100m of subject site				
				There are existing views between the item and the site, which are reduced by intervening dwellings, vegetation and fencing.

Other items and Conservation Areas greater than 100m away are not listed above. Further information regarding their individual significance can be found on the NSW State Heritage Inventory.

Refer to Figures 57 and 58 which illustrate the items.



Figure 57: 'Cintra' as viewed from Regent Street.



Figure 58: 'Victorian villa' as viewed from Regent Street.

5 HERITAGE IMPACT ASSESSMENT

5.1 Scope of Works

The following should be read in conjunction with the plans prepared by IncluDesign that accompanies this application:

The proposed works will redevelop portions of the site, currently identified as the Royal Freemasons Benevolent Institution, as specified below.

The proposal will include:

- Renovate Rose Cottage and convert the space into the following:
 - 4 x 1-bedroom staff accommodation units with separate kitchen, living/dining, and bathroom facilities.
 - 4 x Additional rooms to be converted from their existing use to Assisted Living Unit (dirty utility room, Loung room)
 - A café with seating for approximately 30 people;
 - A salon with facilities to support hair and nail procedures;
 - A gym;
 - A multi-purpose room with storage.
- Construct a Level 1 floor consisting of 9 x rooms over the top of the existing carpark located off Bonar Street.
- Minor landscaping to the existing 'Courtyard 3', Rose Cottage and Bonar Street Carpark.

The proposal is assessed by consideration of:

- The relevant controls of the *Maitland LEP 2011*.
- The relevant controls of the *Maitland DCP 2011*.
- With an understanding of the requirements for Heritage Impact Statements provided by the Heritage NSW publication Statements of Heritage Impact (2023 update).

Refer to Figures 59 to 63 to 65 which reproduce the plans.

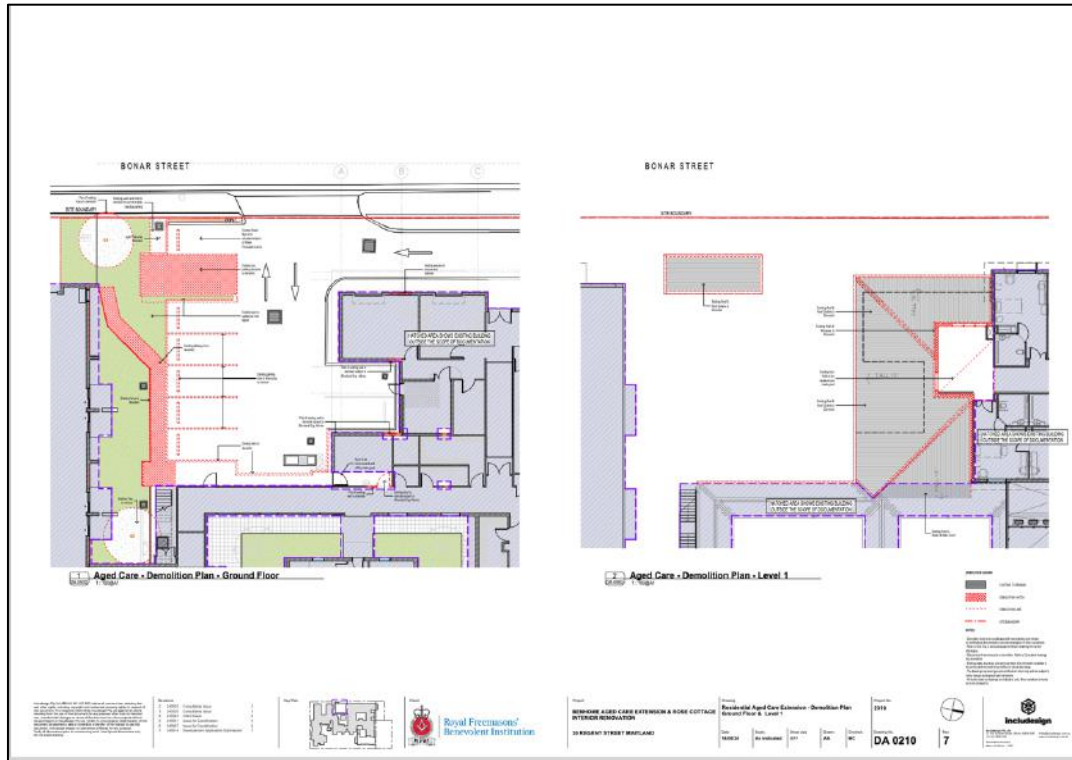


Figure 59: Demolition plan for the proposed extension to the 'Benhome Board Building'. IncluDesign, 2024



Figure 60: Elevations for the proposed extension to 'Benhome Board Building'. IncluDesign, 2024



Figure 61: Demolition plan for 'Rose Cottage'.
IncluDesign, 2024

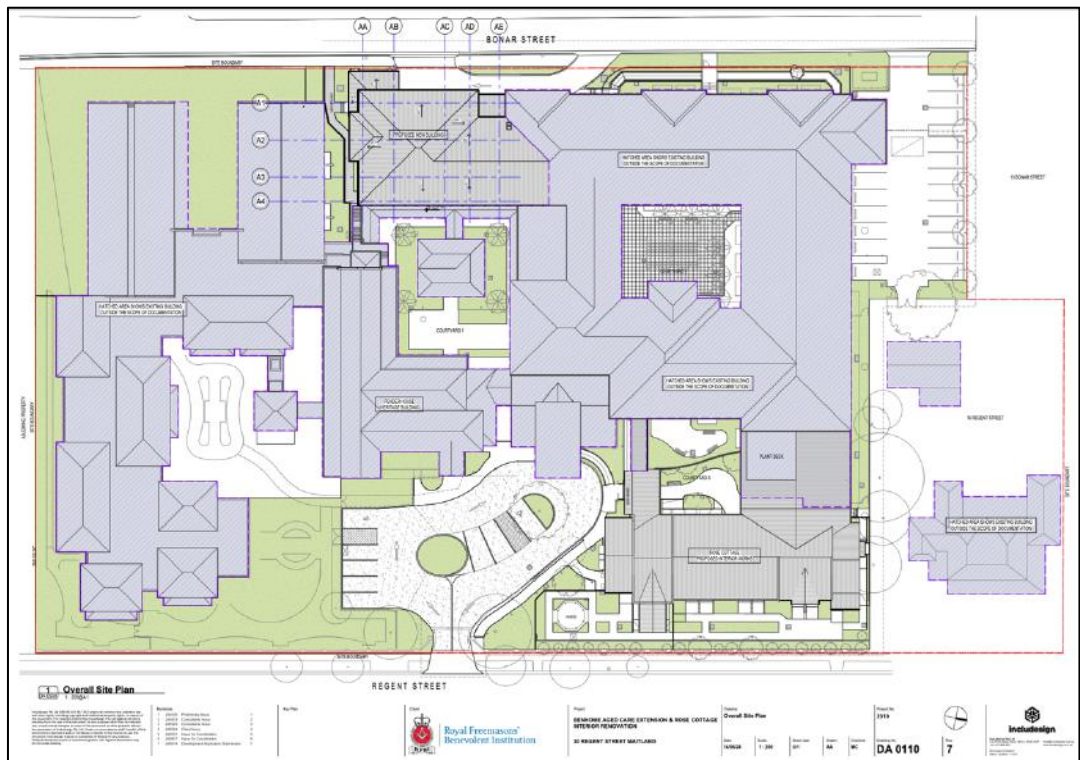


Figure 62: Proposed site plan.
IncluDesign, 2024



Figure 63: 3D view of the proposed extension to the 'Benhome Board Building'.
IncluDesign, 2024

6 EFFECT OF WORK

6.1 Effect of Works on 'Benhome' (Item No. I172)

The proposed works will facilitate new and improved facilities that are consistent with the existing aged care use of the site and, in so doing, will allow for the long-term conservation of the significant buildings that form the heritage item. These works will have an acceptable impact on 'Benhome' for the following reasons:

- No works are proposed to the significant components of the heritage item including 'Pender House', 'Matron's House' and 'Dossie Cottage', which will be retained *in situ*.
- The proposed extension to the contemporary 'Benhome Board Building' will have an acceptable impact as it is well-designed and will present as a simple horizontal extension that is consistent in form, scale and materiality with the existing building.
- The proposed extension will have no visibility within significant view corridors towards the heritage item, which are obtained from directly outside on Regent Street.
- The proposed extension to the 'Benhome Board Building' has been sensitively sited to the rear of significant elements in accordance with heritage advice.
- The proposed extension will reduce existing views towards the rear elevation, which already has limited visibility. Views of this elevation have less significance than the front.
- The design has successfully mitigated the impact by the use of a low pitched hip roof so the roof form, particularly the gabled end of 'Pender House', will remain visually prominent.

-
- The proposed extension will be constructed of brickwork like-for-like with the existing 'Benhome Board Building' and will have vertically proportioned windows and doors matching this building, to ensure to integrates easily with the setting.
 - The proposed works to the 'Rose Cottage' will have a minimal and acceptable impact as the works are to an infill building that makes no contribution to the significance of the item. Both exterior and interior modifications are minor and will not alter the massing and scale of the existing building, or the way in which it is perceived from the public domain.
 - The proposed removal of the existing trees T38 and T39 will have a minimal and acceptable impact as they both have a low retention value as a result of poor health. It is further noted that, while of some age, they were both planted well after the original construction period of the item and are not significant plantings. Their removal will improve views towards the rear of the site from Bonar Street. Refer to the Arborist Letter by Arterra Consulting Arboriculture that accompanies this application for further information.
 - The proposed works include new landscaping in and around 'Rose Cottage' which will enhance the setting of the heritage item through the provision of new plantings of an appropriate size and species. Refer to the Landscape Plans by Place Design Group that accompanies this application for further information.
 - The proposed works will, overall, have an acceptable impact as they are consistent with the historic and current use of the heritage item. The heritage item will continue to read and be understood by the public as a former benevolent asylum, now an aged care centre.

6.2 Effect of Works on 'House' (Item No. I171)

The proposed works will have a minimal and acceptable impact on the heritage item 'House' for the following reasons:

- No works are proposed to this heritage item. All its existing components will be retained *in situ*, with new works located outside of its immediate curtilage and sufficiently separated.
- The proposed extension to the 'Benhome Board Building' will have no impact as it will have no visibility from this item.
- The proposed removal of the existing trees T38 and T39 will have no impact as they were planted well after the construction period of the heritage item and do not form a significant part of its setting as they have no visibility from the heritage item. Refer to the Arborist Letter by Arterra Consulting Arboriculture that accompanies this application for further information.
- The proposed works to the 'Rose Cottage' will have a minimal and acceptable impact as the works are to an infill building that makes no contribution to the significance of the item. Both exterior and interior modifications are minor and will not alter the massing and scale of the existing building, or the way in which it is perceived from the public domain.
- The proposed works will, overall, have a minimal and acceptable impact as the heritage item will continue to read and be understood by the public as a mid-Victorian period dwelling.

6.3 Effect of Works on the Regent Street Heritage Conservation Area

The proposed works will have an acceptable impact on the 'Regent Street Heritage Conservation Area':

- No subdivision is proposed, notwithstanding, the site and surrounding lots have already undergone lot consolidation.
- The significant components associated with 'Benhome' (Item No. I171), including 'Pender House', 'Matron's House' and 'Dossie Cottage', and which make a positive contribution to the Conservation Area, will be retained *in situ* with no works proposed.
- The proposed extension to the 'Benhome Board Building' will have an acceptable impact as the addition is of an appropriate form, scale and materiality and has been sensitively sited to reduce its impact on views towards the rear elevation. Significant views of the front elevation, obtained from Regent Street will not be interrupted.
- The proposed works to the 'Rose Cottage' will have a minimal and acceptable impact as the works are to an infill building that makes no contribution to the significance of the item. Both exterior and interior modifications are minor and will not alter the massing and scale of the existing building, or the way in which it is perceived from the public domain.
- The significant components associated with 'House' (Item No. I172), including the dwelling, front fence and garden, and which make a positive contribution to the Conservation Area, will be retained *in situ* with no works proposed.
- The proposed removal of the trees T38 and T39 will have a minimal and acceptable impact as they both have a low retention value as a result of poor health. Their removal will improve views towards the rear of the site from Bonar Street. Refer to the Arborist Letter by Arterra Consulting Arboriculture that accompanies this application for further information.
- The proposed works include new landscaping in and around 'Rose Cottage' which will enhance the setting of the Conservation Area through the provision of new plantings of an appropriate size and species. Refer to the Landscape Plans by Place Design Group that accompanies this application for further information.
- The proposed works will, overall, have an acceptable impact on the Conservation Area because they are relatively minor, retain significant elements which make a positive contribution, and are consistent with the existing and historic use of the site.

6.4 Effect of Works on Heritage Items Within the Vicinity

'Cintra – House, Garden and Stables', No. 34 Regent Street, Maitland

This item is located adjacent to the south of the site.

The proposed works will have a minimal and acceptable impact on this heritage item for the following reasons:

- There will be no impact on the fabric of this item, which is sufficiently separated from the areas of the proposed works.
- There will be no impact on significant view corridors towards the item, which are obtained from directly outside on Regent Street, nor on secondary view corridors from Bonar Street.
- There will be no impact on significant view corridors from the item, which are directly west from Regent Street. The proposed works to 'Rose Cottage' are unlikely to have any visibility as they are minor and any views will be interrupted by existing intervening buildings and landscaping.
- The proposed extension to 'Benhome Board Building' may be visible from the rear of the item on Bonar Street, and will form part of its immediate setting. This will have a

minimal and acceptable impact as the extension is well-designed and consistent with the form, scale and materiality of the contemporary building to which it is appended.

- The proposed removal of the existing trees T38 and T39 will have no impact as they were planted well after the construction period of the heritage item and do not form a significant part of its setting as they have little to no visibility from the heritage item. Refer to the Arborist Letter by Arterra Consulting Arboriculture that accompanies this application for further information.
- The proposed works include new landscaping in and around 'Rose Cottage' which will enhance the wider setting of the heritage item through the provision of new plantings of an appropriate size and species. Refer to the Landscape Plans by Place Design Group that accompanies this application for further information.
- For the above reasons, there will be no impact on the ability of the public to understand and appreciate the heritage significance of this item.

'Victorian villa', No. 45 Regent Street, Maitland

The proposed works will have a minimal and acceptable impact on this heritage item for the following reasons:

- There will be no impact on the fabric of this item, which is sufficiently separated from the areas of the proposed works.
- There will be no impact on significant, albeit presently limited, view corridors towards the item, which are obtained from directly outside on Regent Street. The proposed works will retain the existing height and scale of all buildings on the site.
- There will be no impact on significant view corridors from the item, which are directly west towards Regent Street. The proposed works to 'Rose Cottage' may be visible, however, as they retain the existing massing and scale and are otherwise minor, there will be no impact on the way in which 'Rose Cottage' is perceived from this heritage item.
- The extension to 'Benhome Board Building' will have no impact as it will not be visible from this item.
- The proposed removal of the existing trees T38 and T39 will have no impact as they were planted well after the construction period of the heritage item and do not form a significant part of its setting as they have no visibility from the heritage item. Refer to the Arborist Letter by Arterra Consulting Arboriculture that accompanies this application for further information.
- The proposed works include new landscaping in and around 'Rose Cottage' which will enhance the wider setting of the heritage item through the provision of new plantings of an appropriate size and species. Refer to the Landscape Plans by Place Design Group that accompanies this application for further information.
- For the above reasons, there will be no impact on the ability of the public to understand and appreciate the heritage significance of this item.

6.5 Assessment against the *Maitland DCP 2011*

The following assesses the proposal against the relevant controls provided by Part C.4 Heritage Conservation of the *Maitland DCP 2011*.

<i>Maitland Development Control Plan 2011</i>	Weir Phillips Heritage and Planning
Part C.4 Heritage Conservation	

3. General Requirements for Alterations & Additions	
3.1 Sympathetic Design	Response
a) An alteration or addition must consider the characteristics of the existing building, and buildings in the surrounding area, and sit comfortably in this context.	The proposed addition is to an existing contemporary building that is separate from the original component of the heritage item, and will present as a simple horizontal extension of it with regards to its form and materiality.
b) New work should generally not precisely mimic the design and materials of the building, but be recognisable as new work on close inspection.	As set out above, the new work is to an existing contemporary building with which it has been designed to integrate easily in regards to its form and materiality. This is demonstrated by the use of like-for-like brick, window proportions and hipped roof form.
c) Mock historical details should not be applied as they will not be of any heritage value themselves, and can confuse our understanding between the 'new' and the 'old'	No mock historical details are proposed. The extension to the 'Benhome Board Building' will present as simple and contemporary which is consistent with the existing building.
d) Alterations and additions should blend and harmonise with the existing building in terms of scale, proportion and materials	The proposed addition is consistent with regards to the existing 'Benhome Board Building' which can be seen in the use of like-for-like brick, window proportions and hipped roof form.
e) Alterations and additions should not require the destruction of important elements such as chimneys, windows and gables	No alterations and additions are proposed which would require the destruction of any important elements such as chimneys, windows and gables.
3.2 Siting, Setback & Orientation	Response
a) Generally alterations or additions should occur at the rear of the existing building to minimise visual impact on the street frontage of the building, particularly where the additions and alterations involve a listed heritage item or a building which contributes to the heritage character of the Conservation Area.	The proposed addition is a simple horizontal extension to an existing contemporary building, which is located to the rear of the focus of the heritage item comprising 'Pender House'. The rear elevation to 'Pender House' has less significance than the front, however, the proposed addition has been sensitively sited in order to preserve existing views of the west gabled end of 'Pender House'.
b) Side additions should not compromise the ability for driveway access to the rear of the block.	No side additions are proposed.
c) No new structures should be built forward of an established building line	No new structures are proposed forward of the established building line.

d) An adequate area around the building including landscaping, fencing, and any significant trees should be retained	The proposed works will retain existing landscaping, fencing and any significant trees.
e) Larger additions can be successful when treated as a separate entity to retain the character of the original building in its own right.	The proposal is for a minor addition to a contemporary building that is already legible as a separate entity to the original building.
f) Front and side setbacks should be typical of the spacing between buildings located in the vicinity of the new development.	The existing front and side setbacks will be retained.
g) The orientation pattern of buildings existing in the area should be maintained.	The existing orientation pattern of buildings existing in the area will be maintained.
h) Rear additions are generally best stepped back from side building lines	The rear addition will be stepped back from the existing side building line.
i) Where the wall of an existing residential building in a Conservation Area is located less than 900mm from a side boundary, additions may be permitted to be constructed at the same setback as the principal building only where: i. they are small in scale and no greater than 20% of the existing building floor area; ii. there is no overhang of any part of the addition over the adjoining property; iii. there are no significant impacts on solar access to the adjoining property; iv. access for maintenance of the side wall of the addition can be provided wholly within the property boundaries	Not relevant to the proposal.
j) An addition must be constructed in accordance with the National Construction Code of Australia including requirements relating to fire safety, structural stability and termite resistance.	The addition will be constructed in accordance with the National Construction Code of Australia.
k) Any addition greater than 20% of the existing building floor area must be not less than 900mm from the side boundary and comply with the above.	The proposal is for a minor addition will be considerably less than 20% of the existing building floor area.
l) Extensions to the side elevation will not be appropriate if they alter established patterns of building and garden	The established patterns of building and garden will not be altered as a result of this side extension.
m) Additions to the side of a building should not remove or sever car access to the rear, where it is not sympathetically provided elsewhere	The addition to the side of the 'Benhome Board Building' will retain and enhance the existing car access at the rear.

n) Archaeological evidence should not be disturbed without consultation with Council and, where required, approval of Heritage NSW.	This statement is acknowledged. If any archaeological evidence is found, work will cease immediately and Council and Heritage NSW will be immediately notified.
o) Where there has been known building sections which have been removed, and the building fabric has been substantially altered such that only its position on the site maintains its original context, further alterations which remove footprint evidence may not be appropriate.	Not relevant to the proposal. The proposal is a simple extension of a contemporary building.
3.3 Size and Scale	Response
a) An alteration or addition should not be of a size or scale which overwhelms or dominates the existing building, substantially changes or destroys its identity or changes its contribution and importance in its surrounds.	The proposed addition is consistent with the scale of the existing 'Benhome Board Building', which already presents as visually subordinate to the original building 'Pender House' by virtue of its lower height and position.
b) New uses should be chosen which suit the size of the building, not requiring overwhelming changes.	No new uses are proposed.
c) Unless it can be demonstrated that greater scale would be appropriate in the individual circumstances, additions should be of the same scale as surrounding development.	The proposed addition is of the same scale as surrounding development on the site.
3.4 Roof Form & Shapes	Response
a) Roofs of extensions should be carefully designed so that they relate to the existing roof in pitch, eaves and ridge height.	The proposed addition will have a hipped roof which will present as a simple extension of the existing roof to the 'Benhome Board Building'.
b) Additional rooms can be added to heritage buildings appropriately where roof forms have been carefully integrated into the existing.	No new rooms are proposed to the heritage buildings on the site.
c) If it is important that the roof form remains unaltered, additional rooms can be added in a detached pavilion form placed at the rear or possibly the side. Roof pitch, ridge height, height of parapet and eaves on additions should relate to those of the original building.	As stated above, the extension is to an existing contemporary building, and not the heritage buildings.
d) Providing the roof space is large enough, attic rooms should be contained in roof forms for non- – habitable uses such as a study or a library. The volume required for	It is not proposed to do this.

habitable uses such as bedrooms may mean unacceptable alteration to roof form.	
e) New roof elements such as dormer windows and skylights should not be located where they are visually prominent.	No dormer windows or skylights are proposed.
f) Chimneys should be retained.	All original chimneys will be retained.
g) Service utilities such as water heaters, air conditioning units, antennae, satellite dishes must not be located on the principle elevations of buildings.	No new service utilities will be located on the principal elevations of buildings.
h) Use of roof materials should be the same as materials on the existing heritage building and those typically used in the Conservation Area.	The proposed roof materials will be consistent with those used on the 'Benhome Board Building'.
3.5 Materials & Colours	Response
3.5.1 General:	
a) Traditional combinations of materials used in heritage buildings should be considered when designing additions.	The addition will be primarily constructed of brick, which is a material found on the original part of the heritage item, as well as the contemporary buildings on the site.
b) It may not be appropriate or necessary to replicate the original combination of materials used in the original work. The use of a complementary material might make the increase in scale less noticeable and also enhance later understanding of the changes. For instance, timber weatherboard extensions to brick houses was a common practice which is still appropriate today, as was the use of corrugated iron roofs at the rear of houses behind main roofs constructed with tile or slate.	Refer a).
c) The use of highly reflective materials should be avoided.	The proposed materials and finishes will not be reflective; they will comprise brick and corrugated metal like-for-like with the existing 'Benhome Board Building'.
3.5.2 Doors & Windows	Response
a) Timber windows should be retained in existing buildings. New doors and windows should be of materials characteristic to the existing building, locality or an approved alternative.	All timber windows will be retained in existing buildings. New doors and windows will be like-for-like with existing contemporary building on the site, which is proposed to be altered.
3.5.3 Roofing	Response

a) Original roof material should be matched in any addition in material and colour. If, however original roofing is expensive such as slate, corrugated iron is a suitable alternative to the rear.	The proposal is to match the existing corrugated iron to the 'Benhome Board Building'.
b) Traditional stepped flashings, roof vents, gutter moulds, and rainwater heads should be used.	Not relevant to the proposal as the addition is to a contemporary building and these elements would be stylistically inconsistent with its age.
3.5.4 Brickwork	Response
a) New face brickwork should match the existing brick in colour and texture, and type of jointing and mortar colour.	The new face brickwork to the extension will match the existing 'Benhome Board Building'.
b) Existing face brick or stone on heritage items or heritage buildings in a Conservation Area should remain unpainted and unrendered.	The existing masonry on the heritage buildings will remain unpainted and unrendered.
3.5.5 Imitation Cladding	Response
a) Timber board imitations are not acceptable for additions to heritage items or work visible from the street in Conservation Areas.	No timber board imitations are proposed.
3.5.6 Colour Schemes	Response
a) Additions should employ colour schemes which do not detract from traditional colour schemes in the area. A number of good reference books on traditional colour schemes are available.	The addition will employ the existing neutral colour scheme that is utilized on the 'Benhome Board Building'.
b) Colour schemes suitable to the period of the building should be used.	The proposed colour scheme is suitable to the contemporary building on which it will be used.
c) Unpainted brick or stone should remain unpainted.	All unpainted brick and stone will remain unpainted.
3.5.7 Paving & Driveways	Response
a) Preferred materials for driveways include wheel strips and gravel. Plain or stamped concrete should be avoided.	The proposal retains the existing plain concrete driveway.
b) Paired wheel strips over public footway areas are preferable to solid driveways.	The existing solid concrete driveway will be retained.
3.6 Design of New Detail and Opening	Response

c) Alterations should avoid arbitrary changes to openings or other features which do not fit in with the symmetry or character of the original design.	No changes are proposed to the original buildings on the site.
d) If the street front of the original building is symmetrical, the addition should avoid simply extending the original design across the addition.	Not relevant to the proposal. The street front is not symmetrical, notwithstanding, the addition is located to the rear of the original building and separate from it.
e) New detail and openings should be simple in character using colour and materials which complements the original fabric.	No new details or openings are proposed to the original buildings on the site.
3.7 Evidence for Authentic Reconstruction	Response
a) The reinstatement of a lost feature should faithfully replicate or copy the original in design, materials, arrangement and position.	No lost features, if there any, are proposed for reinstatement.
b) Reconstruction should be identifiable as new work without at the same time making it intrusive.	No such reconstruction is proposed.
3.8 Removal of Unsympathetic Alterations and Additions	Response
a) Additions which are obviously out of character with the original design may be removed, whereas it may be preferable to retain well integrated additions or substantial alterations to the existing building.	No unsympathetic alterations or additions have been identified for removal.
3.9 Services and Technologies	Response
a) Exhaust vents, skylights, air conditioning ducts and units, solar panels, TV antennae and satellite dishes should not be visible on the main elevation of the building or attached to chimneys where they will be obvious.	No such services will be visible from the main elevation of the original buildings or attached to any chimneys.
b) In heritage areas they should be hidden from view as much as possible.	All new services will be located on the proposed extension and hidden from heritage areas as much as possible.
c) Essential changes to cater for electrical wiring, plumbing or other services should be limited to what is essential to permit the new use to proceed.	Any new electrical wiring, plumbing and other services will be confined to the extension to the 'Benhome Board Building', as well as the internal reconfiguration of the 'Rose Cottage'.
3.10 Landscaping	Response

a) When designing new gardens, reference should be made to surviving plants which indicate the basic garden structure, and can be worked into new designs.	New landscaping is proposed in and around 'Rose Cottage' which will improve the existing setting. No historic plants or garden features will be removed.
b) When selecting suitable trees, the following should be considered: the varieties that already exist in the area; the size of the tree when mature; the potential of the chosen species to interfere with services, retaining walls and other structures.	Refer a).
c) Many heritage garden reference books are available to explain typical settings for houses of different styles and periods.	Refer a).
d) Hard surfaces should be kept to a minimum.	Refer a).
e) Screening of hard surfaced areas is encouraged.	Refer a).
f) Garden structures should be appropriate to main buildings in terms of scale, style and materials.	Refer a).
g) Original surfaces such as close jointed brick paving or stone flagging common to Victorian and Federation sites, and pebble aggregate, quarry tile or mosaic tile aprons common to later Californian Bungalow styles should be retained.	No original surfacing survives.
3.11 Fencing	Response
a) Original fences should be retained.	All original fencing will be retained.
b) Fences should be located on the building line.	The new fencing will be located on the building line.
c) Fences should be simple with a level of detail comparable with the house.	The proposed front fence will be a simple metal palisade with hedging behind.
d) Fencing should generally be open or transparent, or backed with a hedge, not solid.	Refer c).
e) Fences should be of a scale comparable with the street.	The proposed front fence will be 1,800mm in height.
f) Front fences should be of materials characteristic to the surrounding area, particular to the street and suitable to the era of the house. Examples include timber picket, low masonry and hedges.	Refer c).

g) Plain or colour treated metal fences are not considered to be appropriate for Conservation Areas or Heritage Items on any street frontage or side boundary.	Refer c).
3.12 Garages, Carports & Sheds	Response
a) Garages and carports should preferably be detached and located at the rear or set well back at the side of a building behind the rear building line.	No new garages or carports are proposed.
b) Garages should be set back a minimum of 500mm from the side and the rear boundary.	Refer a).
c) Garages and carports should make reference to any established historic patterns in the street.	Refer a).
d) The use of landscaping such as screening or planting and front fences may be useful tools in integrating the structure with its site.	Refer a).
e) If connected to the main dwelling, garages should be positioned well behind the principle building line (ie 5m) or be positioned behind the dwelling.	Refer a).
f) Colours and materials should blend into the surrounding landscape. Custom orb iron roof profile and timber board profile cladding wall are common materials used.	Refer a).
g) Garages should have simple hipped, gable or skillion roofs depending on the design of the existing main building.	Refer a).
h) Gable or hipped roof with skillion roofed attachment is the most appropriate double garage roof form.	Refer a).
i) Existing outbuildings should be maintained and reused wherever possible.	All significant outbuildings to the heritage item 'Benhome' (Item No. I171) and 'House' (Item No. I172) will be retained.
j) Simple open light construction carports are preferable to solid heavily detailed buildings.	Refer a).
k) Tennis courts should not be sited so as to intrude on the setting of the main building. They will almost always be best located to the rear of the main building.	No tennis courts are proposed.
l) The pitch of a garage or carport roof should, in most cases, be comparable or	Refer a).

slightly lower than that of the main building – generally 25° – 30	
6. New Development in the Vicinity of Heritage Items	Response
a) Development in the vicinity of listed heritage items should respect and complement the built form character of those items in terms of scale, setback, siting, external materials, finishes and colour.	The proposed works are consistent with the predominantly one and two-storey scale of heritage items in the vicinity. The proposed extension to the ‘Benhome Board Building’ has been sensitively sited so that it has little or no visibility from nearby heritage items, and will be primarily constructed of brick with a neutral colour scheme.
b) New development should have regard to the established siting patterns of the locality.	The proposed extension will maintain the established siting of the ‘Benhome Board Building’.
c) New development should generally be set back from the building line of the adjoining or adjacent heritage item.	The proposed extension will be located to the rear well behind the front building line of the adjoining heritage item.
d) The sensitive selection of materials, colours and finishes is important in terms of achieving compatibility with the heritage items.	The proposed extension will be constructed of brick with a corrugated iron roof. Both materials match the existing ‘Benhome Board Building’ and are fully compatible with surrounding heritage items.
e) Height and scale of new buildings should not obscure or dominate an adjoining or adjacent heritage item.	The proposed extension is minor in scale, consistent with the height of the ‘Benhome Board Building’ and will present, where at all visible, as visually subordinate to the adjoining heritage item ‘Cintra’.
f) Development in the vicinity of a heritage item may be contemporary in design.	The proposed development will be a simple contemporary form as is consistent with the existing ‘Benhome Board Building’.

7 SUMMARY

A Development Application (DA) has been prepared on behalf of the Royal Freemasons Benevolent Institution in support of the partial redevelopment of the Maitland Royal Freemasons Benevolent Institution which is an aged care institution consisting of single rooms with private ensuites, library, wellness and activities rooms, as well as services including registered nurses and permanent care staff on site. This Statement of Heritage Impact (SoHI) report is an attachment to the Statement of Environment Effects.

The site is located within the Maitland City Council. The principal environmental planning instrument for the site is the *Maitland Local Environmental Plan 2011 (LEP 2011)*. There are two heritage items listed by Schedule 5 Part 1 of the *LEP 2011* on the site. These comprise ‘House’ (Item No. I171) and ‘Benhome’ (Item No. I172). The site also lies in the ‘Regent Street Heritage Conservation Area’ and is in the vicinity of other local heritage items under the *LEP 2011* and is adjacent to an item listed on the State Heritage Register under the *NSW Heritage Act 1977* (‘Cintra – House, Garden and Stables’).

The proposed works will have an acceptable impact on the heritage item 'House' (Item No. I171) because the significant mid-Victorian dwelling will be retained, as well as its fence and garden setting. No works are proposed to this heritage item.

The proposed works will have an acceptable impact on the heritage item 'Benhome' (Item No. I172) because the significant components 'Pender House', 'Matron's House' and 'Dossie Cottage' will be retained, with the works confined to later, non-significant parts of the site. The proposed extension is consistent with the form and scale of the existing 'Benhome Board Building' and has been sensitively sited to the rear outside of significant view corridors towards the heritage item. The existing 'Rose Cottage' is infill and makes no contribution to the significance of the item. The works to it are minor and will not alter its massing and scale or the way in which it is perceived from the public domain.

The proposed works will have no impact on the fabric of, or significant view corridors towards heritage items in the vicinity which include 'Cintra' (No. 34 Regent Street) and 'Victorian villa' (No. 45 Regent Street). The proposed extension to the 'Benhome Board Building' may be visible from the rear of 'Cintra', where it will present as well-designed and consistent in form, scale and materiality with the 'Benhome Board Building'. For the above reasons, there will be no impact on the ability of the public to understand and appreciate the heritage significance of these items.

The proposed works fulfil the aims and objectives of the *Maitland LEP 2011* and the *Maitland DCP 2011* by improving the quality and diversity of aged care options in Maitland while respecting the heritage significance of the area in which it lies.

8 REFERENCES AND DEFINITIONS

8.1 Definitions

Term	Meaning
Consent authority	The person or body with whose approval that act, matter or thing may be done or without whose approval that act, matter or thing may not be done.
Conservation	Conservation means all the processes of looking after a place so as to retain its cultural significance (as defined in <i>The Burra Charter</i>).
Development	The erection of a building, carrying out work, use of or subdivision of land.
Heritage significance	Term used in the assessment and understanding of heritage items that have significance in relation to their historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.
Moveable heritage	A moveable object that is not a relic.
<i>National Construction Code</i>	A code that sets minimum requirements for design, construction and performance of buildings, as well as plumbing and drainage systems throughout Australia.
Relic	Any deposit, artefact, object or material evidence that is of state or local heritage significance.
Setting	The area around an item, which may include the visual catchment.
State Heritage Inventory	An online database containing heritage items and conservation areas on statutory lists in NSW. This includes the State Heritage Register and local government items.
State Heritage Register	The NSW State Heritage Register. A list of places and items of importance to the people of NSW. Only places of state heritage significance are listed on the State Heritage Register. The State Heritage Register protects these items and their significance.
State Heritage Register item	A term to describe a heritage item that is of state heritage significance and is listed on the State Heritage Register.

8.2 Documentary Evidence

8.2.1 General References

8.2.1.1 Guidelines

Australia ICOMOS Inc (2013a) 'The Burra Charter: the Australia ICOMOS charter for places of cultural significance', Australian ICOMOS (International Council on Monuments and Sites) Inc, Burwood, accessed 9 June 2023.

Australia ICOMOS Inc (2013b) 'Burra Charter article 22 — new work', practice note, Australian ICOMOS (International Council on Monuments and Sites) Inc, Burwood, accessed 9 June 2023.

Heritage NSW (2019) Subdivision and NSW State Heritage Register items policy and procedure, Heritage NSW, NSW Government, accessed 9 June 2023.

Heritage NSW (2020) Material threshold policy, Department of Planning, Industry and Environment, NSW Government, accessed 9 June 2023.

DPE (Department of Planning and Environment) (2023) Assessing heritage significance, DPE, NSW Government, accessed 9 June 2023.

8.2.1.2 General References

Bergsteiner, McInnes and Rigby Pty Ltd, *Central Maitland: A Study of its Historic Buildings and Townscape* (1977).

Empire, 'Advertising', 2 March 1855.

Maitland Daily Mercury, 'Advertising', 16 July 1909.

Maitland Mercury, 'Benhome officially opens new wing, and marks handover of new management', 29 April 2019.

Maitland Mercury and Hunter River General Advertiser, 'Family Notices', 22 August 1867.

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McDonald, B. and Thorp, W., *Maitland Heritage Survey Review: Study Report for Maitland Council* (July 1994).

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Sydney Morning Herald, 'Family Notices', 20 November 1891.

Sydney Morning Herald, 'Newcastle Auction', 17 March 1990.

Thorp, W., *Maitland Heritage Survey Review: Thematic History* (1994).

8.2.1.3 Maps, Plans and Photographs

Aerial Photograph over Maitland (c. 1972). NSW Historical Imagery.

Aerial Photograph over Maitland (c. 1984). NSW Historical Imagery.

Aerial Photograph over Maitland (c. 1993). NSW Historical Imagery.

Aerial Photograph over Maitland (c. 2010). NSW Historical Imagery.

Hely's One Hundred Acre Grant, Building & Garden Allotments West Maitland: For Sale by Auction by Mr. A. Dodds, 1855. National Library of New South Wales.

Illustration of Maitland Benevolent Asylum (c. 1884?). Newcastle Living Histories.

Plan of the Parish of Maitland, County of Northumberland (n.d.). NSW LPI.

8.2.1.4 Planning Documents

Maitland Local Environmental Plan 2011.

Maitland Development Control Plan 2011.