

THE COUNCIL OF THE CITY OF MAITLAND

STATEMENT OF ENVIRONMENTAL EFFECTS

MIXED USE DEVELOPMENT – COMMERCIAL, TOURIST
ACCOMMODATION & FUNCTION CENTRE
RENOVATIONS AND ADDITIONS TO EXISTING BUILDINGS

Lot 11 & Lot 12 DP 1172875
Former Maitland Mercury Site
2 Hunter Street & 258 High Street MAITLAND



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QUICKSILVER HOLDINGS PTY LTD

1. INTRODUCTION

Hill Top Planners have been commissioned by the owners of the former *Maitland Mercury* Building in High Street Maitland to seek development approval for the partial change of use to a mixed use development incorporating a Tourist Accommodation & Function Centre and retail and commercial uses. This Statement of Environmental Effects (SoEE) accompanies a Development Application submitted to Maitland City Council pursuant to Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Situated on the site are two x two storey brick buildings constructed in 1882 and 1934. The site housed the offices and production facilities of the *Maitland Mercury* which commenced publication on 7th January 1843. Commercial activities have continued to operate on the site since that time.

1.1 THE PROPOSAL

The DA is seeking development consent for the adaptive reuse of the buildings on site for tourist accommodation and function centre purpose together with commercial and retail uses. Development consent is sought for the following proposed works:

- Demolition of part of the building which fronts Hunter Street which sits on Lot 11 DP 1172875.
- Construction of additions to the Hunter Street building so as to provide for a function centre and separate commercial tenancies.
- Construction of alterations and additions to the High Street building for the purposes of a adaptive reuse for tourist and accommodation.

The heritage significance of the site is of most importance to the design outcome as presented below:

The Maitland Mercury site, buildings and operation has significance at a local level for its association with newspaper and its historic role within Maitland and the surrounding area. The buildings provide a legible representation of the history, development and growth of Maitland over time with an important and dominant corner site position centrally located on the High Street.

The site and operation is socially significant as a well-known and important community facility contributing to an overall sense of place. The site and buildings present a good representative example of late 19th – early 20th Century commercial buildings and aesthetically provide a good example of the adaptation of classical architectural styles to the more austere and functional tastes of the interwar period.

Both the ‘old’ and ‘new’ Maitland Mercury buildings are representative of the work of the architect Mr Walter H. Pender, a well renowned architect who designed a number of comparable commercial buildings locally including AJS Bank at 248 High Street, Maitland and Mason Lodge at 5 Victoria Street, Maitland in the near vicinity of the Maitland Mercury.

The remnant earlier portion of the Maitland Mercury included decorative pilasters of some detail that reflect the style of the time apparent in both the AJS Bank building and Masonic Lodge building, both of which are much more decorative and all of which were constructed in the 1880’s. The later 1936 ‘new’ Maitland Mercury building is much less detailed though still of heavier masonry and render construction typical of this building typology and age within Maitland.

The proposal provides for the adaptive reuse of those parts of the existing buildings which are considered to be of architectural significance, the demolition of non-contributory additions, and construction of a two storey addition. The buildings have an existing floor area of 1739m².

The subject site is described as Lots 11 & 12 DP 1172875 and comprises an area of 2239m². The property is zoned B4 Mixed Use and lies below Council’s adopted 1% flood contour of 9.73m AHD. The site is located within the Central Maitland Heritage Conservation Area and the buildings have a Local Heritage Significance.

The following consultants have assisted with the project and their reports/plans form part of the documentation which has been submitted with this application:

Town Planning	<i>Hill Top Planners</i>
Architecture	<i>RTC Group</i>
Heritage	<i>Contemporary Heritage</i>
Survey	<i>Delfs Lascelles Surveyors</i>
Traffic	<i>Intersect traffic</i>
Landscape	<i>JC’s Garden Creations</i>
QS Report	<i>RPS Australia East</i>
Access Audit	<i>Lindsay Perry</i>
BCA Report	<i>Hunter PCA</i>
Arborist	<i>Bradley Magus</i>
Stormwater	<i>AL Civil design</i>
Geotech	<i>Hunter Civilab</i>
CPTED	<i>Hill Top Planners</i>
Acoustic	<i>EMM Consulting</i>
Waste	<i>Hill Top Planners</i>
Flooding	<i>Skelton Engineers</i>

1.2 STRUCTURE OF THE SOEE

The SoEE is structured in the following manner:

- Section 1 – Introduction; design team, & Pre DA matters
- Section 2 – Description of the Development.
- Section 3 – Statutory planning assessment.
- Section 4 – Identification and assessment of key planning issues relevant to the proposed development.
- Section 5 – Assessment in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*

1.3 PRE DA CONSULTATION

A pre development application meeting was held on 20 January 2022. The key matters raised in the pre lodgement meeting and the design/project responses to these matters are summarised in **Table 1**.

Table 1: Response to Pre DA Requests

Planning Issue	Response
<p>1. A detailed statement of environmental effects (SoEE) is required that fully addresses the environmental impacts of the development (including impacts on both the natural and built environments), the social and economic impacts in the locality, and how the environmental impacts of the development have been identified. The SoEE should demonstrate how identified impacts will be mitigated. A detailed discussion is required, but not limited to the applicable: Heritage requirements in the Development Control Plan 2011, 88b instrument, Flooding (Risks to Property and Risks to Life), Stormwater, Waste Management, etc. The SoEE must also address site suitability and demonstrate that in designing the proposal you have fully considered and responded to the applicable site constraints legislative provisions. Any departures from Council’s policies and DCP should be justified with appropriate reasons for justification.</p>	<p><i>These issues addressed in this SoEE.</i></p>
<p>2. 2A Heritage Impact Statement is required under clause 5.10(5) of the MLEP2011.</p>	<p><i>Provided</i></p>

<p>3. In addition to comment in the SoEE regarding section B3 (Hunter River Floodplain) of the MDCP, a survey plan and an engineer certification are required by Section 3.</p>	<p><i>Provided</i></p>
<p>4. An acoustic report to consider internal amenity relative to High Street and adjoining land uses, and the function centre activities.</p>	<p><i>Report has been prepared</i></p>
<p>5. An Access Audit is required.</p>	<p><i>Report has been prepared</i></p>
<p>6. A CPTED Assessment (report) is required.</p>	<p><i>CPTED Report has been prepared</i></p>
<p>7. Arborist Report having regard to the mature tree at the south-west corner.</p>	<p><i>Report has been prepared</i></p>
<p>8. Traffic Impact Assessment, with a focus on car parking provisions as required by the MDCP and servicing of the development, ie. access, unloading/loading. In terms of car parking, it is recommended an analysis of the car parking requirements be undertaken having regard to the provisions listed in section 2.2 of C11 of Part C of the MDCP2011.</p> <p>9. A Preliminary investigation of the potential contamination of the site to address SEPP 55.</p>	<p><i>Traffic Assessment has been prepared</i></p> <p><i>Report prepared</i></p>
<p>10. A review of Aboriginal Heritage regarding the development site is required (a Due Diligence is not required at this time). It is noted there are no sites on the AHIMS database within 200m of the development site. Refer to heritage comments regarding a preliminary archaeological assessment.</p> <p>11. A Waste Management Plan is required to address both the demolition/construction phase and the operational phase.</p>	<p><i>Assessment included in SoEE</i></p> <p><i>Report has been prepared</i></p>
<p>12. Detailed comments regarding a Social & Economic Assessment are to be incorporated in the SOEE. A specific Social Impact Assessment and Economic Impact Assessment are not required at this time.</p>	<p><i>Assessment included in SoEE</i></p>
<p>13. Details of existing and finished levels of the site are required. Any retaining walls and associated cut and fill are to be included with the finished levels. Any retaining walls shall be offset away from property boundaries and road reserves. In addition, provision of longitudinal section plans for retaining in relation to their relationship with boundaries and/or fencing is also required. Any departures from Council's DCP in this regard should be fully justified, in particular, where retaining is not offset from boundaries and should provide good justification given potential issues with construction of walls and sub soil drainage etc.</p>	<p><i>Survey plan prepared</i></p>

<p>14. Operational details are required, particularly in terms of the number of employees on site at any one time, hours of operation and activities associated with the commercial premises and function centre.</p> <p>15. Details of the location, illumination and size of any signage is required. SEPP 64 is to be addressed for any proposed signage.</p>	<p><i>Details included in SoEE</i></p> <p><i>Details included in SoEE</i></p>
<p>16. Urban Design:</p> <ol style="list-style-type: none"> a. Retention/demolition of the Hunter Street Shop front (refer to heritage comments) b. Outdoor dining – retain fencing and provide a landscaped setback to any formal treatment of the courtyard fronting Hunter Street. Detailed treatment of the High Street courtyard is required, to create a secure but active space. Design treatments should be undertaken by a Landscape Architect. c. Details of services and the like (a particular focus is the roof over the second-floor accommodation) d. Proposed fencing/security for the car park and associated landscaping e. Natural light to studios in the rear wing (first & second floor) to be detailed and compatible with heritage considerations 	<p><i>See architectural and landscape plans</i></p>
<p><i>Engineering Matters</i></p> <p>1. Stormwater</p> <ul style="list-style-type: none"> • Water sensitive urban design; • A concept stormwater plan, including on-site detention is required to be submitted with the DA in accordance with Council’s Manual of Engineering Standards. The plan must address Council’s water quality targets in MOES in regards to the car park areas and other stormwater. 	<p><i>Stormwater management plan prepared</i></p>
<p>2. Vehicle Access and Traffic Management</p> <ul style="list-style-type: none"> • Spaces 1 and 2 shown on the conceptual plans would not comply with Australian Standards. Demonstration that the development can achieve access and parking as well as manoeuvrability on site for all vehicles in compliance with Council and Australian Standards. • Access to public transport within proximity to development must be addressed in the Statement of Environmental Effects. 	<p><i>Addressed in Traffic Management Plan & SoEE</i></p>

2. PROJECT OVERVIEW

PROPERTY ADDRESS	2 Hunter Street & 258 High Street Maitland NSW 2323
TITLE	Lots 11 & 12 DP 1172875
SITE AREA	2 239 m ²
SITE LOCATION	The site is located within the Maitland CBD
STREET FRONTAGE	The site has a 23 metre frontage to High Street and a 47 metre frontage to Hunter Street
LOCAL GOVERNMENT AREA	The site is located within the Maitland LGA
PLANNING CONTROLS	Maitland LEP 2011 Maitland DCP 2011
ZONING	B4 Mixed Use Zone. <i>Commercial Premises, Tourist & Visitor Accommodation, and Function Centres</i> are permissible land uses in the B4 Zone.
MINE SUBSIDENCE	The site is not located within a Mine Subsidence District.
FLOODING	The lowest part of the site is at 8.23mAHD and lies below Council's adopted 1% flood contour of 9.73m AHD. The ground floor level is 9.40mAHD with a 1 st floor level of 13.71mAHD. Council's FPL for the site is 10.75mAHD
HERITAGE	The site is a listed Heritage Item (Local L155) and is located within the Central Maitland Heritage Conservation Area.
MAXIMUM HEIGHT	No height limits apply to development on the subject site.
FSR	No FSR applies to the site.
UTILITIES	Public utilities include water, gas, sewer, power and telecommunications.
EXISTING USES	The site has been used as the principle address of <i>The Maitland Mercury</i> newspaper since 1843. Since the newspaper vacated the premises in 2012 the main building has remained vacant. Some commercial tenancies have occupied the Hunter Street building since that time.
ADJACENT DEVELOPMENT	The site lies on a corner within a commercial area and there are commercial and civic buildings nearby.
VEHICULAR ACCESS	Vehicle access is off Odd Street

3. DEVELOPMENT PROPOSAL

3.1 Development Components

The proposed development is for the conversion of an existing buildings to tourist accommodation and a function centre and includes:

Ground Floor High Street Building

- Reception, lounge, bar, gallery and dining hall (105m²)
- 8 queen bedrooms with on-suites
- Kitchen, store room and amenities

Ground Floor Hunter Street Building

- Function room (190m²) , kitchen and amenities
- Two commercial tenancies 55m² each
- Car parking for 14 cars including 2 disabled spaces.

First Floor Hunter Street Building

- 9 queen bedrooms with on-suites
- 9 queen studios with on-suites and loft
- Accessible lift and stairs

First Floor Hunter Street Building

- Two commercial tenancies – 165m² each with amenities.

The development will result in an increase of floor area of 491m² from the existing 1739m² to 2230m².

Human Capacity

The development has a total capacity of 390 persons and an average capacity of 201 people.

Element	Maximum Capacity	Average Capacity
Hotel/ Accom	72	56
Restaurant	70	30
Bar	66	25
Gallery	10	4
Function Centre	100	50
Commercial 1	30	15
Commercial 2	30	15
Retail 1	6	3
Retail 2	6	3
TOTAL	390	201

Hours of operation

Hotel/ Accommodation	Front desk 7am – 9pm 7 days per week
Restaurant – Monday to Wednesday	7am – 3pm
Thursday to Saturday	7am – 11pm
Gallery Wednesday to Sunday	10am – 3pm
Function Centre Monday to Sunday	9am – 11pm
Commercial #1 & 2 Monday to Friday	7am – 5pm
Retail #1 & 2 Monday to Sunday	9am – 5pm



Figure 1 *Proposed development*



WEST ELEVATION – BUILDING 1 (HIGH STREET)

Figure 2 *High Street facade*



Figure 3 *Proposed building additions in Hunter Street.*

4. STATUTORY PLANNING ASSESSMENT

The following section provides an assessment of the proposed development against the relevant statutory planning framework including relevant Acts, environmental planning instruments, and development control plans.

The relevant State and Local planning controls that apply to the site and the proposed development, include:

- *Environmental Planning & Assessment Act 1979*
- *State Environmental Planning & Assessment Act 1979 Environmental Planning & Assessment Regulation 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Industry & Employment) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *Hunter Water Act 1991*
- *Maitland LEP 2011*
- *Maitland Development Control Plan 2011*

4.1 ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) provides the framework for planning and building in NSW. Clause 4.15 of the EP&A Act states the matters that are to be taken into consideration in the evaluation of a DA. This SoEE seeks to cover all those listed matters.

4.2 ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2021

The *Environmental Planning and Assessment Regulation 2021* provides further guidance to the EP&A Act. Application requirements, forms and supporting information to be provided with a Development Application is set out in the DoPE's – *Application Requirements*. This SoEE seeks to cover all those listed matters considered to be relevant to the development.

4.3 STATE ENVIRONMENTAL PLANNING POLICY (Resilience & Hazards) 2021

State Environmental Planning Policy (Resilience & Hazards) 2021 provides the state-wide statutory policy for the assessment and remediation of contaminated soils. Pursuant to the SEPP a detailed Site Investigation has been prepared by *Hunter Civilab*.

The investigation concluded that the site can be made suitable for the proposed mixed use development:

The detailed desktop review of available information and thorough site inspection including shallow soil investigation have enabled the development of a preliminary conceptual site model allowing assessment of potential health and environmental issues relating to the site. Key findings were:

1. Potential contamination sources at the site are limited based on historical land use;
2. Visible signs of gross contamination were not observed during site inspection and intrusive works;
3. Elevated PAH and Heavy Metal (lead and zinc) concentrations were identified within the soil samples taken at the site, these concentrations however, were acceptable under HIL-D land use assessment criteria considered applicable to the site; and
4. Benzo(a)Pyrene results were found to be in exceedance of Ecological Screening Levels (ESLs) as provided by NEPM (2013), however no vegetative stress was observed during the site investigation.

In summary, based on the desktop study and limited soil sampling conducted on the Site, no indication of gross contamination has been identified which would constrain the development of the Site for its proposed land use as a commercial development.

4. STATE ENVIRONMENTAL PLANNING POLICY (Industry & Employment) 2021

State Environmental Planning Policy (Industry & Employment) 2021 aims to ensure signage is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of a high-quality design and finish.

The SEPP applies to the proposed development as approval is sought for the replacement of the existing external signage to the building fronting High Street. Clause 3.6 of the SEPP prevents development consent from being granted to signage unless the consent authority is satisfied that it is consistent with the objectives of the SEPP and has satisfied the assessment criteria specified in Schedule 5.

An assessment of the proposed signage zones against the SEPP assessment criteria has been undertaken and summarised in **Table 2** below. This assessment demonstrates that the proposed signage satisfy the relevant provisions of the SEPP, including achieving the aims and objectives of the policy.

Table 2 – SEPP -Industry & Employment Schedule 5 Assessment Criteria

Schedule 5 - Assessment Criteria	Comment	Compliance
<p><i>Character of the Area</i> Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</p>	<p><i>The signage is modest in scale and compatible with the Maitland Civic Precinct.</i></p>	Yes
<p><i>Special Areas</i> Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</p>	<p><i>The signage will not detract from the amenity or visual quality of the heritage conservation area of nearby heritage buildings.</i></p>	Yes

Schedule 5 - Assessment Criteria	Comment	Compliance
<p><i>Views and Vistas</i> Does the proposal obscure or compromise important views? Does the proposal dominate the skyline and reduce the quality of vistas? Does the proposal respect the viewing rights of other advertisers?</p>	<p><i>The signage will not adversely impact on views or vistas from other properties, nor will it impede the visibility of any other existing signage.</i></p>	<p>Yes</p>
<p><i>Streetscape, setting and landscape</i> Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</p>	<p><i>The proposed sign is compatible with the scale of the streetscape, setting and character of the Maitland Civic precinct.</i></p>	<p>Yes</p>
<p>Does the proposal contribute to the visual interest of the streetscape, setting or landscape? Does the proposal reduce clutter by rationalising and simplifying existing advertising? Does the proposal screen unsightliness? Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</p>	<p><i>The proposed sign protrudes from the building and is of a design in keeping with the architectural quality of the building.</i></p>	<p>Yes</p>
<p><i>Site and Building</i> Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? Does the proposal respect important features of the site or building, or both? Does the proposal show innovation and imagination in its relationship to the site or building, or both?</p>	<p><i>The sign is appropriately sized and sited with consideration to the existing built form and surrounds. The proposed sign will replace an existing sign which is attached to the building.</i></p>	<p>Yes</p>
<p>Associated devices and logos with advertisements and advertising structures Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</p>	<p><i>The design of the sign reflects the historical name of The Mercury.</i></p>	<p>Yes</p>
<p><i>Illumination</i> Would illumination result in unacceptable glare? Would illumination affect safety for pedestrians, vehicles or aircraft? Would illumination detract from the amenity of any residence or other form of accommodation?</p>	<p><i>No, the sign will not impact on people in the locality.</i></p>	<p>Yes</p>
<p>Can the intensity of the illumination be adjusted, if necessary? Is the illumination subject to a curfew?</p>	<p><i>The intensity of the illumination can be adjusted if necessary. No.</i></p>	<p>Yes</p>
<p><i>Safety</i> Would the proposal reduce the safety for any public road? Would the proposal reduce the safety for pedestrians or bicyclists? Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</p>	<p><i>The proposed sign will not interfere with pedestrian or vehicular sight-lines as it will comply with all relevant Australian Standards and codes. The sign will not distract motorists or cause safety concerns.</i></p>	<p>Yes</p>



Figure 4 *Proposed Signage on Hunter Street facade.*

4.5 STATE ENVIRONMENTAL PLANNING POLICY (Sustainable Buildings) 2022

State Environmental Planning Policy (Sustainable Buildings) 2022 seeks to encourage the design and delivery of sustainable buildings. Chapter 3.1 specifies to commercial development as follows:

- (1) This Chapter applies to development, other than development for the purposes of residential accommodation, that involves—*
 - (a) the erection of a new building, or*
 - (b) alterations, enlargement or extension of an existing building, if the development has a capital investment value of \$10 million or more.*

As the cost of the project is under \$10 million, the provisions of the SEPP do not apply.

4.6 HUNTER WATER ACT 1991

The *Hunter Water Act 1991* requires an assessment requirements re Section 50 Compliance Certificate to be applied for at DA stage. Section 50 Notice of Formal Requirements #2022-1011 has been received and provided as part of the DA documentation.

4.7 MAITLAND LOCAL ENVIRONMENTAL PLAN 2011 (MLEP 2011)

MLEP 2011 is the comprehensive Local Environmental Plan for the Maitland Local Government Area (LGA).

4.7.1 Zoning

The subject site is zoned *B4- Mixed Use* as prescribed in the MLEP 2011. The objectives of the *B4 – Mixed Use* zone are prescribed as follows:

(a) *To provide a mixture of compatible land uses.*

(b) *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*

The proposed development is consistent with these objectives as:

- The development provides for the adaptive reuse of a site which has both social and architectural significance to the residents of Maitland.
- Builds on the existing fabric while retaining the significant heritage character of the streetscape.
- The proposal introduces tourist accommodation in close proximity to the Civic Precinct, Art Gallery, Maitland Athletics field and Maitland Sportsground. These facilities are within walking distance of the site.

The proposal to change the use of the site to tourist accommodation will reinforce the economic strength of the precinct and energise the area through the provisions of accommodation for visitors and a venue for functions. The site is located in an area well served by public transport and public infrastructure and adjoins the Civic Precinct. As a result, the proposed development meets the objectives of the *B4 – Mixed Use* zone.

4.7.2 Permissibility

The proposed development is defined as a *mixed use development* under MLEP 2011. The definition of Mixed Use is:

mixed use development means a building or place comprising 2 or more different land uses.

Function Centres, Tourist and Visitor Accommodation and *Commercial Premises* are a permissible land uses in the *B4* zone. The definition of these land uses are provided below:

function centre means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following—

- (a) backpackers' accommodation,
- (b) bed and breakfast accommodation,
- (c) farm stay accommodation,
- (d) hotel or motel accommodation,
- (e) serviced apartments,
but does not include—
 - (f) camping grounds, or
 - (g) caravan parks, or
 - (h) eco-tourist facilities.

commercial premises means any of the following—

- (a) business premises,
- (b) office premises,
- (c) retail premises.

As all the above uses are permissible in the B4 Zone, the proposed development may be lawfully approved by the Council.

4.7.3 Heritage Issues

The site is a locally listed Heritage Item I155 and lies within the *Central Maitland Heritage Conservation Area*. The provisions of Clause 5.10 Heritage Conservation apply to the development. In considering the impact the proposed development may have on the locality, the provisions of Council DCP 2011 – Chapter Heritage Conservation Guidelines, need to be considered. A Heritage Impact Statement was prepared by *Contemporary Heritage*. The recommendations and conclusions from this report are reproduced below.

1. *The following conclusions are made based on the assessment of heritage impact:*
2. *The proposal is in keeping with the character of the Central Maitland Conservation Area.*
3. *The proposal will not reduce the significance of the Conservation Area or any view corridors looking into or away from the site.*
4. *The proposed work facilitates the conservation and maintenance of the heritage item through compatible adaptive reuse.*
5. *The recommendations provided within the appended drawings should be considered as part of any further design development.*
6. *It is recommended that interpretation methods are integrated into the final design drawings rather than as a separate Interpretation Plan.*
7. *It is suggested that the photographs and descriptions provided within the associated CMP are sufficient so as not to require a separate Archival Record.*
8. *This report shall be read in conjunction with the final development application drawings and Statement of Environmental Effects.*
9. *The final assessment is that based on the considerations within this Statement of Heritage Impact, the proposal should be approved.*

A draft Conservation Management Plan (CMP) has been prepared for the site and forms part of this application.

4.7.4 Principle Development Standards

A table of compliance with the development standards of MLEP 2011 is included at **Table 3**.

Table 3: MLEP 2011 - Development Compliance

Clause	Control	Comment	Compliance
Clause 2.7 - Demolition	Demolition requires development consent	This application is for demolition of part of the existing building.	Yes
Clause 4.1 – Minimum Lot Size	Clause 4.1 applies to a subdivision of any land shown on the MLEP 2011 Lot Size Map that requires development consent.	The site does not have a Minimum Lot Size. The proposal is not seeking subdivision.	Yes
Clause 4.3 – Height of Building	Clause 4.3 states that the height of a building on any land is not to exceed the maximum height shown for the land on the MLEP 2011 Height of Buildings Map.	The site does not have a Height of Building limit. The Architectural Plans identify how the design of the project has responded to other similar scale built form in the locality.	Yes
Clause 4.4 – Floor Space Ratio	Clause 4.4 identifies that the maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the MLEP 2011 Floor Space Ratio Map.	The site does not have a Floor Space Ratio Limit.	Yes
Clause 5.10 – Heritage Conservation	Development consent is required for any of the following: <ul style="list-style-type: none"> • Demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance): • – A heritage item; • – An Aboriginal object; and • – A building, work, relic or tree within a heritage conservation area. 	The site includes the listed Mercury building. The site is located within a Heritage Conservation Area (HCA) [Area C2 -Central Maitland HCA] under Schedule 5, Part 2 of the MLEP 2011. The building known as the Maitland Mercury is listed as a heritage item, and a heritage assessment has found it has strong heritage value. A Heritage Impact Statement and Conservation Management Plan has been prepared by <i>Contemporary Heritage</i> .	Yes
Clause 5.21 - Flood Planning	Clause 5.21 applies to land that is shown as “Flood planning area” on the Flood Planning Map, and other land at or below the flood planning level.	The site is identified as flood prone land by the Maitland LEP and is inundated to an approximate height of 9.73m AHD during a 1% flood event. The development needs to be designed to ensure that the risks of structural failure or damage in event of a flood, including damages to other property are minimised and should be designed to withstand the effects of inundation of floodwaters. Flood statement has been prepared by <i>Skelton Consulting Engineers</i> .	Yes
Clause 7.1 – Acid Sulfate Soils	Ensure than development does not disturb, expose or drain acid sulfate souls and cause environmental damage.	The subject site is affected by Class 5 – acid sulfate soils. The development will not lower the water table by greater than 1 metre and therefore an Acid Sulfate Soils Management Plan is not required to be prepared for this DA.	Yes
Clause 7.2 - Earthworks	Earthworks must not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features on surrounding land.	The proposal will not involve cut or fill greater than 600mm, which is classified as exempt development under SEPP (Exempt and Complying Development Codes). A Geotechnical Report prepared by <i>Hunter Civilab</i> discusses the geotechnical characteristics of the site.	Yes

4.8 MAITLAND CITY WIDE DEVELOPMENT CONTROL PLAN 2011

The *Maitland City Wide Development Control Plan 2011* (MDCP 2011) provides detailed controls for specific development types and locations. Many controls in the MDCP 2011 relate to character, streetscape and public domain works. An assessment of the proposal against the key relevant controls within the MDCP 2011 has been provided in **Table 4**.

Table 4 – MDCP 2011 Compliance Table

Consideration	Control	Comment	Compliance
B3 Hunter River Flood Plain Management	<i>Developments with non-habitable areas are to satisfy the requirements of development on flood prone land and give particular regard to the structural stability of developments. A Certificate from a Structural Engineer based on information provided by a suitably qualified Hydraulic Engineer is to accompany the Development Application.</i>	A structural flood assessment has been provided confirming that the proposal is capable of withstanding expected flooding velocities. See comments at 5.8 below re habitable areas being below flood planning level.	Partial
B6 Waste Management 3.1 (a)	<i>An area must be allocated for the storage of materials for use, recycling and disposal with signage incorporated into the area.</i>	Provision has been given for managing waste generated by the development during construction and operation.	Yes
5.1 (a)	<i>A SWMMP must be provided</i>	Given that the development is for commercial uses, it is not expected that a SWMMP will be required for this DA.	N/A
C1 Accessible Living 2.1 (a)	<i>A Building Code of Australia (BCA) document must be prepared and submitted as part of the application.</i>	BCA statements have been prepared by Hunter PCA.	Yes
C4 Heritage Conservation 2.2	<i>A Statement of Heritage Impact is required to inform the design. The development should be compatible with the existing urban and historic fabric and any</i>	A HIS has been prepared by <i>Contemporary Heritage</i> . The proposal has been informed by the Statement of Heritage Impact and is compatible with the existing local heritage item.	Yes
2.3	<i>A Heritage Conservation Management Plan should be submitted with the DA that looks at the constraints and opportunities arising from a Statement of Heritage Significance.</i>	A Heritage Conservation Management Plan has been prepared by <i>Contemporary Heritage</i> .	Yes
2.5	<i>Preparation of an Engineering Assessment must be taken by a suitably qualified Structural Engineer with experience dealing with heritage related matters.</i>	Structural engineer advice has informed the design development.	Yes
2.6	<i>A Schedule of Works will be required for any alterations and additions to a heritage item.</i>	Importantly, it is noted that a detailed schedule of works will be prepared post determination.	Yes
2.7	<i>An Archaeology Assessment will be required with a DA for any proposal which will disturb the surface of an Archaeological Site or Potential Archaeological Site.</i>	There are no sites on the AHIMS database within 200m of the development site. Due to the fact that the site has been extensively disturbed over the last 150 years, the potential for artefacts to be	Yes

		found in situ is low. A Due Diligence report is not considered necessary.	
2.8	<i>Historic photographs or drawings may be required, where available, particularly when the intention is to restore the item back to its former or original state.</i>	Historic photographs and drawings have been utilised in the preparation of a Heritage Impact Statement.	Yes
4.1	<i>Sympathetic design should be practiced that ensure any alterations and additions respect the architectural character and style of the building and area.</i>	Sympathetic design has been implemented into the entirety of the proposed building design ensuring that the new development is of a scale proportionate to the existing heritage buildings.	Yes
5.7 Landscaping	<i>Generous green landscaped areas should be provided in the front of new residential buildings where ever possible. This will almost always assist in maintaining the character of the streets and Conservation Areas. New landscaping should not interfere with the appreciation of significant building aspects such as shopfronts or contributory building facades. Important contributory landscape characteristics such as canopy cover or boundary plantings should be retained in new development.</i>	The proposed landscape design retains the existing landscape theme. The proposed plantings and hardscape materials respect the heritage conservation area and High Street.	Yes
C6.1 Signage on commercial buildings	<i>New Signage The scale, type, design, location, materials, colour, style and illumination of any sign should be compatible with the design and character of the buildings and should not intrude on the visual qualities of the townscape. The architectural characteristics of the building should always dominate.</i>	This application seeks consent for signage to the High Street elevation of the building. The proposed signage will replace an existing illuminated sign. A SEPP assessment has been undertaken.	Yes
C11 Vehicular Access and Traffic	<i>1 car space must be provided per 45m² GFA within the Maitland City Centre</i>	A total of 13 car spaces have been proposed for the site. Based on the DCP parking requirements, a total of 82 parking spaces would be required for the proposed development. A Traffic Impact Statement (TIA) has been prepared by <i>Intersect</i> . Refer to Section 5.5 of the SOEE for further discussion.	Technical non compliance
C12 Crime Prevention	<i>A CPTED assessment must be provided with the Development Application</i>	A site specific CPTED assessment has been prepared by <i>Hill Top Planners</i> .	Yes
E3 Heritage Conservation Areas (Maitland HCA)	<i>Must retain commercial and administrative buildings which explain the historical importance and affluence of Maitland's commercial centre in the 19th Century</i>	The Mercury buildings have been retained as part of the proposal.	Yes
	<i>Retention of the original and early details of all-important buildings</i>	Original and early details of the Mercury Building have been	Yes

		retained as part of the proposal. The bulk of alterations and new work replaces intrusive 20th Century additions to the building fronting Hunter Street. Alterations to the internal building fabric is required to update the building's amenity and functionality.	
	<i>Views to important/reference buildings and the imposition of height limits to achieve this in close proximity to buildings</i>	The building has been designed to ensure there is no obstruction to views of heritage buildings from High street	Yes
	<i>Development should be sympathetic to surrounding development in terms of height, scale and form</i>	Sympathetic design has been implemented into the entirety of the proposed building design.	
	<i>A maximum height limit of three storeys</i>	<i>MLEP 2011 does not impose a Height of Building limit for the site. The proposed extension to the Hunter Street building follows the same height line as the retained building.</i>	Yes

5. SECTION 4.15 ASSESSMENT

The following assessment has been structured in accordance with Section 4.15 of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

The proposed development has been assessed in accordance with the relevant state, regional and local planning policies. This SOEE demonstrates that the proposed development is consistent with the relevant statutory planning policies and achieves the objectives of the relevant provisions.

ENVIRONMENTAL CONSIDERATIONS

5.1 DESIGN

The proposal seeks to utilise much of the existing building fabric with those elements proposed to be demolished assessed to be non-contributory to the heritage significance of the site. The Hunter Street extension will assist in closing in the street corner and compliment the original building which is intended to be the dominant element in the streetscape. The main building is to be retrofitted so as to provide 26 guest rooms each with ensuite. Based upon 2 persons per room, the facility will have the capacity to accommodate up to 52 guests.

The ground floor will provide reception, lounge, dining and kitchen facilities along with eight guest rooms.

The upper floor will be accessed by a lift and two sets of stairs and comprise a foyer and 18 guest rooms of which eight rooms contain a lofted bedroom and kitchenette.

The Hunter Street façade of the 1882 building is to be retained, with additions proposed so as to provide for the 190m² function centre, kitchen, amenities and two ground floor commercial tenancies. The first floor will accommodate 334m² of office space.

Carparking will be provided for 13 cars. The existing landscaped area fronting Hunter Street will be retained and enhanced.

5.2 HOURS OF OPERATION

The facility will operate 24 hours per day for guests. The function room will be utilised for both day and evening functions with most activity ceasing by 11pm. As the facility will be targeting the wedding reception market, both Friday and Saturday evenings will dominate the bookings.

Staffing numbers will comprise four full time and 10 part time staff however additional staff maybe required when the facility operates at full capacity, ie, all rooms occupied and a wedding in the function room. The dining room/café would be open to guests and members of the public during the day till 11pm.

5.3 IMPACT ON NEIGHBOURS - ACOUSTIC

The proposed new building works are located to the rear of the site and will not result in a detrimental impact on neighbouring properties by reason of overshadowing, noise, dust or stormwater impact.

An acoustic assessment concludes that the function centre can operate without detrimental impact on the amenity of the locality.

5.4 STORMWATER

The site is affected by flooding. As the area of hard surface area is not changing there is limited justification to provide stormwater detention for the proposed additions. A series of exiting drainage lines drain the site to both High, Hunter and Odd Streets. A stormwater plan has been prepared by *AL Civil Design* which proposes retention of 63% of stormwater. Currently the site does not detain any stormwater.

5.5 TRAFFIC & ACCESS

Vehicle access is provided via Odd Street which is to be retained in the proposal. A traffic and parking assessment was prepared by *Intersect Traffic* and forms part of the supporting documentation for this application. An extract from the assessment is reproduced below:

- *Current traffic volumes on the local and state road network are below the technical mid- block capacities of the roads and as such there is spare capacity within the road network to cater for development in the area and the existing road network is currently operating satisfactorily.*

- *The proposed development is likely to generate up to 258 vtpd or 56 vtpm during peak operating periods.*
- *The proposed development will not adversely impact on the mid-block traffic flows on the local road network.*
- *The proposed development will not adversely impact on the operation of the High Street / Hunter Street / Victoria Street signalised intersection or other intersections within the local road network.*

10.2 Intersection Capacity

The High Street / Hunter Street / Victoria Street signalised intersection will be the main intersection impacted on by this development. These traffic signals have been observed to work satisfactorily during peak AM and PM traffic periods well below its likely capacity. The addition of 56 traffic movements to this intersection during peak periods would not be expected to adversely impact on the operation of the traffic signals particularly noting that the two-way mid-block traffic flows on both High Street and Hunter Street will remain well below the two-way mid-block capacities through to 2032.

Further the traffic volumes on the intersection post development will also still be less than the traffic volumes on the intersection when the Maitland Mercury newspaper was produced and distributed from the site. Traffic volumes during peak periods for this operation on the site would have been at least equal to but more likely higher than for the proposed redevelopment of the site.

Overall it is concluded that the proposed development would not adversely impact on the operation of the High Street / Hunter Street / Victoria Street signalised intersection or other intersections within the local road network.

10.3 Access

The proposal seeks to utilise the existing vehicular access to the site off Odd Street to provide access to a 14 space car park and servicing area. This access is currently a reinforced concrete driveway (combined entry / exit) approximately 5.5 metres wide.

With the driveway supporting a 14 space car park accessed off a local road Table 3.1 of Australian Standard AS2890.1-2004 Parking facilities – Part 1 Off-street car parking requires the access to be a Category 1 access. Table 3.2 of Australian Standard AS2890.1-2004 Parking facilities – Part 1 Off-street car parking describes a Category 1 access as a combined entry / exit 3 metres to 5 metres wide. Therefore the existing driveway complies with the Australian Standard in regard to the type and width of access.

The existing driveway is not within a prohibited zone as described in Figure 3.1 of Australian Standard AS2890.1-2004 Parking facilities – Part 1 Off-street car parking and sight distance at the driveway exceeds the requirements of the Standard provided in Figure 3.2 which is a minimum 45 metres for a 50 km/h frontage speed.

Therefore it is concluded that use of the existing vehicular access to Odd Street proposed within the development is satisfactory as the access would still comply with the requirements of Australian Standard AS2890.1-2004 Parking facilities – Part 1 Off-street car parking.

5.6 CARPARKING

The proposal provides for a total of 13 car spaces. Based upon the Council car parking guidelines as set out in the Maitland DCP 2011, the proposed development will generate a requirement for some 82 car spaces. A variation in the required number of car spaces required is sought, based on the following reasons as detailed in the *Intersect* report:

1. *The development seeks to adaptively re-use an important historical site in the Maitland City Council area preserving the historical fabric of the site.*
2. *The development provides a much needed tourist accommodation and function centre facility in the Maitland City Centre that will have financial benefits to other businesses in the Centre.*
3. *In preserving the buildings on the site there is limited space to provide the required on-site car parking and to comply with the DCP would result in the loss of buildings on the site and thus the historical significance of the site.*
4. *The operation of the previous land-use on the site (production of the Maitland Mercury daily newspaper) resulted in an historical parking deficiency on the site that can be applied to reduce the DCP parking requirement for the site.*
5. *There is sufficient on-street and other public car parking areas available to cater for the parking demand generated by the development during peak parking demand periods.*

The *Intersect* report argues that the prior use generated the need for in excess of 31 spaces with much of the then car parking area being set aside for the movement of delivery vehicles servicing newspaper production:

In terms of the previous use of the site, this would fall under the definition of an Industrial use therefore under the current DCP would require the following car parking supply.

- *1 space per 75 m² GFA or 1 space per 2 employees WHICHEVER IS GREATER*

Noting the GFA of the existing buildings on the site as approximately 2,300 m² GFA the area DCP car parking calculation shows a requirement for 31 car spaces on the site. Without knowledge of staff numbers at the Mercury this is the parking requirement used to calculate the historical parking deficiency. It is difficult to determine the number of parking spaces provided on the site however with most of the proposed car parking area used for servicing with manoeuvring required for delivery vehicles and distribution vehicles it is considered reasonable to assume the historical on-site car parking deficiency of approximately 30 spaces. Applying this to the development would result in the car parking deficiency being reduced from 65 spaces to 35 spaces. Therefore if the deficiency is now reduced to 35 spaces the consequences of providing or not providing the required car parking needs to be considered.

To provide additional car spaces would require the removal of one or two of the existing buildings thereby destroying or adversely impacting an historical landmark in the Maitland City Centre. This is not considered a desirable outcome therefore the consequences of not providing the parking is needed.

In considering not providing the additional car parking it should be noted that the peak car parking demand will come with the operation of the Function Centre. Peak operation of the Function Centre is almost exclusively likely to occur during weekday evenings and / or weekend lunchtime and evening periods. Therefore these will occur during non-business hours and as such significant on-street car parking and nearby public parking will be available within convenient walking distance of the site that could cater for the overflow of parking. These areas would include;

1. *On-street car parking southern side of Odd Street between Hunter Street and James Street – approximately 30 spaces.*
2. *Both sides of Hunter Street between High Street and dead end – approximately 50 spaces.*
3. *High Street 250 metres either side of site. – approximately 90 spaces*
4. *Victoria Street south of High Street – approximately 50 spaces*
5. *Council Civic Centre Car Park (not including Senior Citizens Centre Parking) – approximately 30 spaces; and*

6. Council car park next to PCYC – 20 spaces.

This audit shows that there is approximately 270 on-street and off-street public car parking areas that could be used by Function Centre guests when attending functions. As the likely function centre / development overflow is likely to be in the order of at worst 65 spaces it is considered reasonable to conclude that there is sufficient available alternative car parking options to cater for the peak parking demand of the development as well as other businesses / facilities / developments in the area. Therefore it is reasonable to conclude the development will not adversely impact on the availability of public on and off street car parking in the vicinity of the site during the likely peak operation times for the development.

It is concluded that the proposed use will not generate the need for a greater number of car parking spaces as the previous land use.



Figure 5 Existing development

5.7 SERVICING

The Intersect report provides the following assessment regarding the servicing of the site:

The development is likely to be serviced up to 5 times a day by service vehicles ranging in size from small rigid vehicles such as food deliveries, laundry services and trade vehicles to medium rigid vehicles such as waste collection and beverage deliveries. The larger vehicles would only likely delivery on a frequency of 1 delivery / service per week. These deliveries will occur generally in the early AM periods to minimise conflict with light vehicles in the car park. The smaller vehicles will utilise vacant car parking spaces if the disabled car park 1 is being used. There is also a large area available for the standing of delivery vehicles near car parks #4 - #8.

Larger vehicles will reverse into the site from Odd Street and collect waste or deliver from the wide aisle within the car park as historically has been the case on the site. These services have a turnaround time less than 15 minutes therefore would only be a minor nuisance to the operation of the car park. These movements will also be planned to occur during non-peak periods for the development.

5.8 FLOODING

The site is located within the Hunter Valley Floodplain and is subject to flooding in events above the 2% flood frequency. The site is identified as flood prone land by the *Maitland Local Environmental Plan LEP*. In the Hunter River 1% AEP event, the site would be inundated to an approximate height of 9.73m AHD and experience a maximum velocity of up to 1 m/s over parts of the site.

Section B3 of the MDCP 2011 sets out the development controls for development on land below the flood planning level. It is considered that the proposed development will not increase flood hazard or flood damage risk to neighbouring properties. The existing buildings have withstood the 1955 flood event and the proposed additions can be constructed so as to ensure these structures can withstand the PMF and velocities expected to be experienced on the site.

The ground floor would be inundated by some 330mm during a 1% flood event. While this would result in causing some damage to soft furnishings of the guest units, there would be sufficient warning time for on-site management to arrange for the lifting of moveable items to the first floor, thus mitigating commercial losses.

In the event of a major flood, guests would be directed to vacate the building and vacate Central Maitland well in advance of when access out of Central Maitland would be cut off. It is considered that, in the circumstances, requiring the ground floor level to be raised 830mm to the FPL, is unnecessary given the proposed adaptive reuse of the buildings.

Appropriate flood proofing measures have been implemented into the design of the building. In the event of a flood event, the site would be subject to the flood evacuation procedures that apply to Central Maitland, and that are set out in the Maitland City Flood Plan.

5.9 LANDSCAPING

A detailed landscape plan has been prepared for the garden area which provides for the retention of the tall pine tree, fencing and lawn area. An arborist assessment on the existing and retained Norfolk Island Pine is provided. A number of recommendations are provided so as to ensure this tree is not detrimentally impacted by the development.

5.10 OVERSHADOWING

The shadow diagrams provided in the architectural plan set illustrate the shadows cast by both the existing and the proposed development at June 21. The diagrams illustrate that the predominate shadow cast by the proposed additions to the Hunter Street building, falls over the carpark and will not result in any adverse overshadowing to neighbouring properties.

5.12 SECURITY & SURVEILLANCE

A Crime Prevention Through Environmental Design (CPTED) Report has been prepared by *Hill Top Planners*.

Based on the CPTED assessment the following recommendations are made to improve the proposed development performance against the CPTED principles and reduce the identified crime and safety risks:

- Exterior lighting of the building to reflect architectural features.
- Provision of signage at key entry and exit points to delineate public and private space.
- Provision of CCTV coverage of external areas.
- Low maintenance and graffiti resistant materials should be considered wherever possible on surfaces that might be susceptible to graffiti.
- Prepare and implement a plan of management for the site that includes:
 - A lighting strategy to provide safe pedestrian movements at night. Lighting to comply with relevant Australian Standards.
 - Management of rubbish and graffiti removal, and maintenance of lighting within a timely manner.
- The Construction Management Plan (CMP) should include measures to manage pedestrian, cyclist and vehicle movements around the site during construction.

5.13 BCA

A BCA report has been prepared by Hunter PCA to provide guidance in relation to fire protection and compliance.

5.14 CONTAMINATION

A detailed site investigation has been undertaken by *Hunter Civilab*. The investigation identified that the site has the potential for contamination as a result of the site history and site observations. Based on the results of site history assessment, site observations, subsurface investigation and laboratory testing, there is no indication that the site exhibits gross contamination which would constrain the site for its proposed use.

5.15 ARCHAEOLOGY

While no subsurface investigation has been carried out to assess the potential for aboriginal significance, much can be drawn from a study undertaken by *Eureka Heritage* for the Maitland City Council Administration Building site at 262-283 High Street Maitland located some 100m to the east. The *Eureka* investigation and report comprise a preliminary assessment in order to provide an understanding of the need, or otherwise, for the further study and/or management of Aboriginal Cultural Heritage according to the Due Diligence Guidelines. *Eureka's* report included a separate due diligence study to address Aboriginal Cultural Heritage for the study site, comprising a comprehensive literature review and archaeological analysis. The report noted that the environmental context of the study area suggests it was unlikely to have been the focus of Aboriginal occupation, artefact manufacture and/or ceremonial activity. An analysis of the attributes of the study area found that it lacks the recognised and expected landforms and environmental attributes associated with Aboriginal occupation. The combined impacts of inundation through flooding, industrial activities, demolition, earthworks and the ongoing cycle of urban development, also means that it is highly unlikely that soils profiles in the study are retain any integrity. The assessment found:

'... although the presence of subsurface archaeological material cannot be entirely discounted, investigation and analysis has shown that it is reasonable to conclude that the presence of items or sites significant to Aboriginal Cultural Heritage is highly unlikely.

In the unlikely event that remnant material is present, it is unlikely to be found in context or to retain any stratigraphic integrity, thus its interpretative value as evidence regarding the use of the site would be considered negligible.'

To the writers knowledge no aboriginal artifacts were uncovered during the construction of the Administration building.

The Mercury site has been occupied by European settlement since 1825 and like the Council site, exhibits similar geographical and landuse characteristics over time. Unlike the Council proposal which involved excavations over the entire site, only a small area of the Mercury site will be subject to disturbance, and based on the Eureka findings outlined above, there is considered to be no justification or need carry out further study or consultation, or any justification for an application to the Office of Environment and Heritage for an Aboriginal Heritage Impact Permit (AHIP). Nevertheless, the following standard management measures have been recommended:

- *Development should be proceeded with caution and measures should be put into place in order to appropriately act upon the discovery of unexpected and significant archaeological resources.*
- *All site personnel involved in ground disturbance works should be briefed on the obligations related to the discovery of Aboriginal objects according to the National Parks and Wildlife Act 1974.*

5.16 SUITABILITY OF THE SITE

The site is considered to be suitable for the development for the reasons outlined below:

- The proposed development is permissible with consent in the B4 – Mixed Use zone.
- The proposed development is consistent with the objectives of the B4 zone which seeks to provide a mixture of compatible land uses in accessible locations. The site is situated on High and Hunter Streets close to the civic precinct of Maitland, near to other compatible civic and cultural land uses that are compatible with the proposed development.
- The proposed development has been sensitively designed to respect the locally listed heritage buildings and buildings of historic significance that exist on the site, these have been well integrated into the development.
- The development will provide additional visitor accommodation for Maitland, which is currently underprovided.

5.17 SOCIAL AND ECONOMIC IMPACTS

It is considered that the following economic and social benefits will be realised during both the construction and occupation stages, as a result of the proposed development:

- The development will contribute to the local and broader economy during construction, via direct economic activity from the construction workforce on High Street and the purchase of materials to construct the building;
- The proposed additions will provide additional retail and office accommodation
- The consolidation of Council staff and resources will contribute to the provision of local employment and have direct positive impacts on the walkable retail catchment;
- The proposed development retains and celebrates The Maitland Mercury enhancing the historic importance of High Street as the centre of commerce; and
- The proposed development will contribute to the future growth and change in the immediate locality.

5.18 THE PUBLIC INTEREST

The proposed development is in the public interest for the following reasons:

- The proposal will benefit the public by providing additional accommodation for visitors and tourists.
- The adaptive reuse of the former home of The Maitland Mercury into an accommodation and function venue will assist in the revitalisation of the Civic Precinct.
- The architectural features of the building will support the rich aesthetic qualities of the High Street streetscape and enhance the civic centre of Maitland.

6. CONCLUSION

The proposed development seeks to make use of existing buildings which form part of Maitland's rich architectural heritage. The alterations and additions have been designed so as to minimise the impact on both the internal and external fabric of the building while still providing well designed spaces for the new land use to operate. The proposed use will provide for a meaningful association with the history of *The Mercury* newspaper which existing on the site from 1843 to 2012.

While the site provides only 13 on-site carparking spaces, the proposed use will generate less demand for parking than the prior industrial/commercial use, and accordingly the proposal should not be refused on the basis of the provisions of insufficient parking. A variation to the provision of parking as required by Maitland DCP is sought.

The proposed development is considered an appropriate adaptive reuse for the site because:

- **The development is consistent with State and subregional strategic planning objectives.** The proposal directly supports state and local planning requirements to support the strategic vision of Central Maitland. Firstly, the provision for meeting the needs of visitors to Maitland, which are considered to be underserved. Secondly, the proposal adapts the existing heritage buildings to a use which will be accessible to many citizens and provide interpretive décor and memorabilia celebrating the long history of *The Maitland Mercury*.
- **The development satisfies the applicable local and state planning policies.** The proposal has been determined to achieve a high level of compliance with Council’s planning controls. The proposed additions have been well designed to ensure that the scale of the development does not overpower the heritage items, but \ rather enhance the utilisation of the site for commercial purposes.
- **The proposal is suitable for the site.** The proposal will make a positive contribution to the Maitland LGA through the provision of additional tourist accommodation and will serve as a catalyst for further upgrades and redevelopment of surrounding sites.

Having considered all the relevant considerations under Section 4.15 of the EP&A Act, it is considered that the proposal represents a beneficial development outcome that respects and enhances to the site’s location and Council’s vision for the Civic Precinct and adjoining places. The development is consistent with Council’s *Future Maitland Economic Development Strategy*.

It is recommended that Council consents to the proposed development.

Richard Bennett

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12th October 2022