

Statement of Environmental Effects

MAITLAND GAOL TOWER EXPERIENCE

6-18 John Street
East Maitland NSW 2323
(Lot 469, DP 1002766)

for

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Issue Register

Issue	Description	Date	Authorised
P1	Issued to Council for review	22 February 2022	Peter Donn 
A	Issued for DA Submission	24 February 2022	Peter Donn 

Cover Image

View of prison wall, Tower 1 and elevated gantry walkways

Preamble

This Statement of Environmental Effects (SEE) has been prepared by Donn Architects on behalf of Maitland City Council (MCC) Infrastructure & Works in support of a Development Application (DA) to document the proposed works to establish the 'Maitland Gaol Tower Experience' at 6-18 John Street, East Maitland NSW.

The SEE has been prepared having regard to Section 4.15: Evaluation of the *Environmental Planning & Assessment Act 1979* (EP&A Act) and in accordance with Clause 2(1)(c) & 4 of Schedule 1 of the *Environmental Planning & Assessment Regulation 2000* (EP&A Reg) to review the following:

- the environmental impacts of the proposed development
- how the environmental impact of the proposed development has been identified, and
- the steps taken to protect the environment or the reduce any anticipated harm to the environment.

The Maitland Gaol Tower Experience proposal has been designed to respond to the current development controls and the environmental qualities of the site and its surroundings. And the SEE demonstrates that the proposal substantially complies with the development controls applicable to the site.

The content of MCC's Development Application Guide 2015 has been referenced for the preparation of the SEE, and is formatted to meet the objectives of the Guide, as follows:

- A. Introduction/Brief Description of the Development
- B. Planning/Statutory Controls
- C. Site Analysis & Existing Uses
- D. Operational Details
- E. Access & Traffic
- F. Utility Services & Waste
- G. Privacy, Views & Overshadowing
- H. Flooding & Drainage
- I. Erosion & Sediment Control
- J. Heritage Conservation
- K. Other Environmental Impacts

The content of this SEE is based on design information provided on the following architectural documents:

- Drawing 22-087 A001: Cover Sheet
- Drawing 22-087 A020: Existing Ground Floor Plan
- Drawing 22-087 A021: Existing Floor Plan of Towers & Gantry Walkways
- Drawing 22-087 A025: Existing Survey Levels at Towers 1 & 6
- Drawing 22-087 A030: External Elevations – Sheet 1
- Drawing 22-087 A031: External Elevations – Sheet 2
- Drawing 22-087 A040: Existing Section & Internal Elevation – Tower 1
- Drawing 22-087 A050: Call Out Plans for Proposed Works
- Drawing 22-087 A100: Proposed Stair Plan(s) – Tower 1
- Drawing 22-087 A101: New Framing Plan, Offset Origin Plan, Slab Removal Plan & Section A – Tower 1
- Drawing 22-087 A150: Floor Plan & Photos inside Tower 6
- Drawing 22-087 A500: Miscellaneous Detailing
- Materials Palette

A. Introduction/Brief Description of the Development

Maitland Gaol has a long history which dates back to 1848 when its first stage was officially opened. The gaol was the longest continually operating correctional centre in Australia until its closure in 1998 as a maximum security prison. The gaol is now open to the public as a tourist destination and allied recreational uses.

The Maitland Gaol Tower Experience proposal is intended to emphasise the daily life of a prison officer by creating a unique immersive experience for visitors to access two of the former prison officer's towers and their adjacent gantry walkways. From these elevated positions visitors will be able to view across and deep into the gaol grounds. The experience will give visitors a sensory experience similar to that experienced by prison officers when the gaol was active.

The Maitland Gaol Tower Experience was identified as a key investment strategy in the 2020 Maitland Gaol Development Plan and this DA submission is a significant milestone for the gaol as a key enhancement to one of Maitland's most important destinations.

Prior to the preparation of the DA, several options were considered to investigate an optimum site position for the Tower Experience proposal. These options (6 in total plus derivatives) considered several tower locations and access stair arrangements around the gaol, and they were presented to project stakeholders including officers from the Heritage Council of NSW during November/December 2021. Following that review process a location for the project supported the use of Towers 1 and 6 and their immediate gantry walkways elevated above ground level. This area is along the gaol's south-west facing prison wall at its southern-most end immediately adjacent to John Street and off-street carparking areas. Primarily, this option was favoured, as it provided an opportunity to construct a new stair within one of the towers (Tower 1), which would be beneficial to the experience. A design proposal for the purposes of a DA submission was then developed on this basis.



Aerial Photograph of Maitland Gaol with Towers 1 and 6 marked red (Image source: NSW Govt. SixMaps)

The new access stair to be constructed within Tower 1 will be accessible from the base of the tower from the interior (the former prison yard). Whilst this 'internalised' access arrangement does not accurately align with how the prison officers used to access the towers (access was usually provided on the outside of the prison wall to maintain security), it is suitable for practical ticketing purposes, security reasons and public safety. The proposed access condition also makes use of the existing doorway location formed in sandstone that currently serves as an access point into a small unisex public toilet at the base of the tower.



South-west facing prison wall of Maitland Gaol - Tower 6 at right and Tower 1 at left (sheltered gantry walkways in between)

The proposed stair inside Tower 1 adopts a spiral design, which spans a vertical distance of 6.3 metres. A mid-landing is provided approximately half-way up as a rest point for tour participants. Additionally, the mid-landing level allows a view out through the sandstone walls of the tower shaft from little timber framed casement windows that are currently closed up with sandstone blocks and bird-mesh.



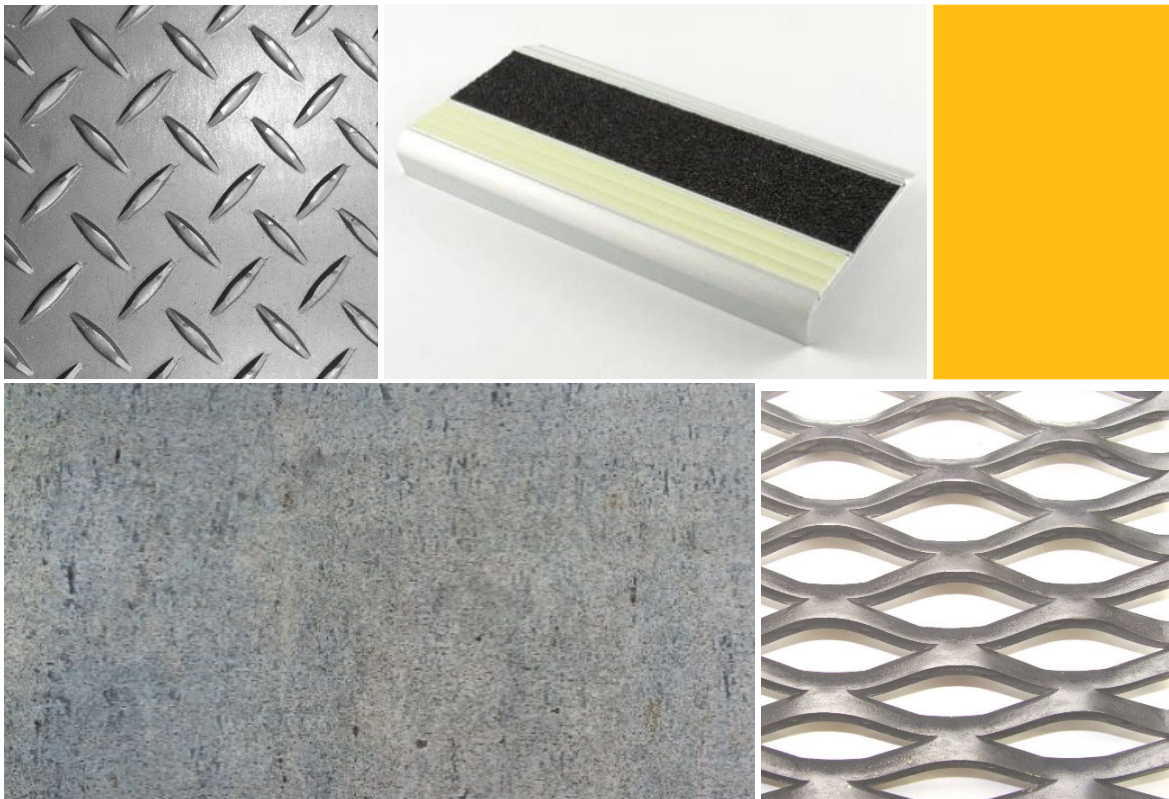
Tower 1 viewed from within former prison yard looking south – Gantry Walkways 1 and 2 in foreground

The base of the new stair will occupy what is currently a public toilet. All of the fixtures, finishes – including the tiled floor and slab on ground – will be carefully removed to create a new concrete floor and footings for the stair at a slightly lower level compared to the existing floor (about 100mm lower). This lower floor level will then allow a compliant accessible doorway at the base of the tower suitable for people with disabilities.

The spiral design is an ideal design solution which responds carefully to the heritage significance of the built fabric around the tower. Its compressed footprint and efficient array of stepping treads around a central singular column with connections top and bottom affords minimal disturbance to the existing sandstone walls and concrete floors. Some horizontal bracing members or outriggers will be needed to stabilise the stair against the sandstone walls, but these connections will be cushion-like and will not form an intrusive mechanical connection. The spiralling path of travel will also enable the public a rare glimpse and tactile experience of the sandstone shaft as they ascend/descend the stair. In contrast, a straight run stair flight would normally necessitate a number of bolted connections along raking stringers with additional support columns under the stringers and landings (a more invasive installation).

It should be noted that an old timber spiral stair exists inside Tower 6. In fact, it currently serves as a staff only access point up onto the gantry walkways at the southern corner of the gaol (for maintenance purposes). Unfortunately, this stair is quite unsafe to use and not suitable for public use and will remain that way in the context of this project. To some extent, the new spiral stair inside Tower 1 does recognise the built precedent of the existing spiral stair and provides a contemporary interpretation of it.

In relation to materiality, the new spiral stair will be a rigid galvanised steel structure evoking pragmatic utilitarian principles. The austere nature of the stair emphasises a re-imagining of a prison officer's daily routine of travelling to their post. The stair will consist of modern finishes and fittings, while also meeting optimal dimensional characteristics, non-slip ratings and visual contrasting elements required by modern building practices.



Some materials and colours to be adopted for the new stair

The top of the new spiral stair will terminate at the concrete floor inside the octagonal-shaped prison officer's room (Tower 1). Again, this enclosed room will offer some limited space for interpretive displays to convey information to the public about the gaol from a prison officer's perspective. A portion of the existing suspended

slab floor of the octagonal room will require removal in order to accommodate the stair and the required head clearance space of those who will use it. However, these slab alteration works – which will involve new supporting steel work connected to the existing building fabric - will not be perceived externally.

On arrival to the prison officer’s room, visitors will be presented with a choice of direction to proceed through 3 different doorways. These doors provide access out onto the external gantry walkways (Gantry Walkways 1, 2 and 3). All walkways straddle directly the old sandstone prison walls below and will offer the public expansive views across the prison complex. Gantry Walkway 1 is to the west of the tower and is 6.4 metres in length, while Gantry Walkway 2 is to the north and is slightly shorter in length at 5.2 metres. Gantry Walkway 3 to the east of the tower is much longer (36.3 metres) and forms a bridge-like connection to Tower 6 beyond. This walkway will allow visitors to safely walk across the prison wall between the two towers. The last walkway (Gantry Walkway 4) is accessed from the northern side of Tower 6 and is 5.3 metres in length.

All Gantry Walkways are constructed in galvanised steel components, have barrel-vaulted overhead corrugated steel shelters and weld-mesh balustrades that all exceed 1.3 metres in height – making the walkways quite safe for the public to use. The existing balustrading has been assessed by the project’s consulting structural engineer and is adequate to carry horizontal live loading required by modern building codes. Some minor repairs to replace rusted steel members, to fill gaps in the balustrade that exceed 125mm and to some additional bracing are only required and these works will be carried out as part of the overall works to ensure public safety.



Detail views of typical walkways (Gantry Walkway 3 at left and Gantry Walkway 1 at right)

Each walkway is sufficiently wide enough (typically 900mm) to allow passing and will need to be fitted with a new lighting system for night-time use and for use during an emergency.

As noted above, the Maitland Gaol Tower Experience includes the provision of public access into Tower 6. This tower is at the extreme southern corner of the old prison wall and will offer a slightly different experience of the gaol complex in comparison to Tower 1. Instead of 3 access doors onto external walkways, Tower 6 has only 2, providing access onto Gantry Walkways 3 and 4. An existing access hatch is in the floor of the tower which affords access to the old timber spiral stair below. This access hatch will be reconstructed with a trafficable glass non-slip floor and locked off to the public. A lighting system will be installed below the hatch to allow visitors to glimpse into the depths of the tower shaft below.



Tower 6 viewed from within former prison yard looking south and access hatch inside the tower

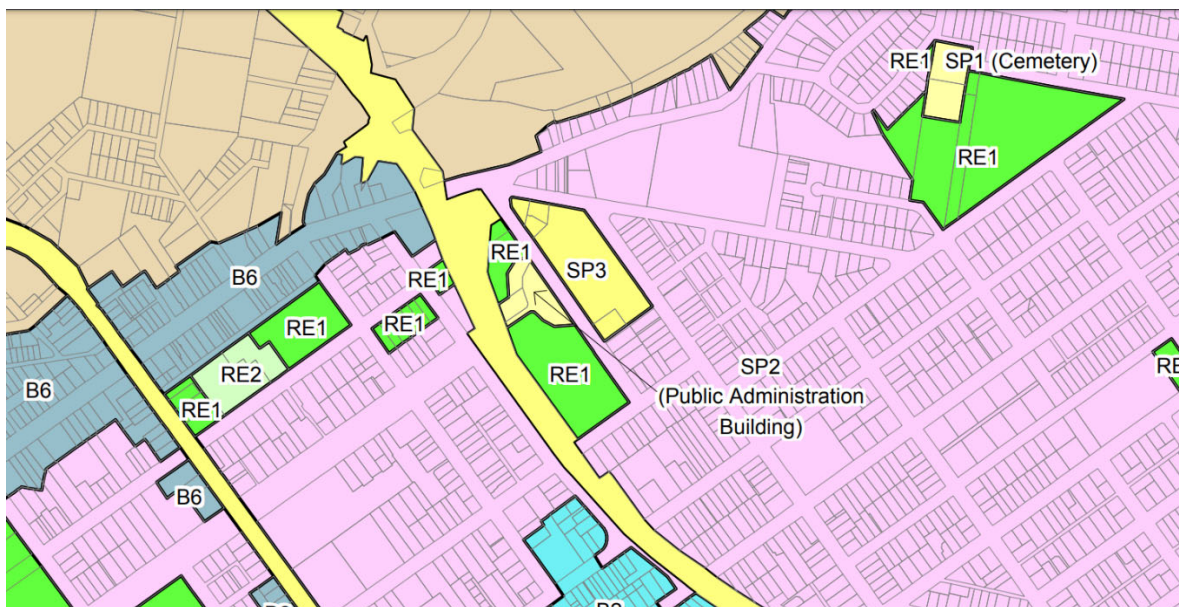
The overall intent of the Maitland Gaol Tower Experience is to transplant visitors into the towers and onto the gantry walkways – allowing them to walk in the shoes of former prison officers. With this, the objective is to do as little as possible without compromising public safety so as not to dilute the authenticity of the prison officer's workplace. Careful consideration has been given to protect and maintain most of the fixtures and fittings inside the towers regardless of their current condition – the prison officer's toilet and basin inside Tower 6 are preserved to add to the experience.

B. Planning/Statutory Controls

The Maitland Gaol site is legally defined as Lot 469 / DP 1002766 which has an overall approximate site area of just over 2 hectares (to be confirmed by survey). The property is zoned SP3: Tourist under the LEP. In addition to the LEP, the relevant development controls and State Environmental Planning Policies (SEPPs) affecting the site as they relate to the proposed works are as follows:

- **Maitland DCP 2011 (as amended July 2016)**
- **SEPP (Miscellaneous Consent Provisions) 2017**

The LEP defines the objectives of Zone SP3: Tourist primarily to enable land to be used for tourist-orientated development and related uses; and to protect and enhance the state heritage significance of Maitland Gaol by promoting adaptive re-use and tourism uses within the gaol precinct. The Maitland Gaol Tower Experience seeks to enhance the current tourist-related uses of the gaol with minimal impact on its heritage significance. The proposal is compatible with the information and education facilities already established on site and is therefore permitted with consent.



(Extract from) LEP Land Zoning Map – gaol site marked yellow and labelled SP3 (Source: Maitland LEP 2011 – LZN_004D)

Given the relative minor nature of the proposed development (it makes use of the existing building fabric already in place) other clauses of the LEP which are relevant to the design proposal are referenced below.

Clause 5.10: Heritage Conservation

The objectives of this clause are:

- to conserve the environmental heritage of Maitland,
- to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- to conserve archaeological sites, and
- to conserve Aboriginal objects and Aboriginal places of heritage significance.

Development consent is required for the proposed development from MCC and the Heritage Council of NSW, as the Gaol complex is located within the East Maitland Heritage Conservation Area and is listed on the NSW State Heritage Register as Maitland Correctional Centre (ID No. 01296). The state heritage listing also includes the adjacent former police station, outbuildings, stables and police barracks further to the east.

The development proposal has been designed in consultation with the project's consulting heritage architect – Heritas Architecture - and seeks to protect the distinctive character of the gaol, its built form and detailing.

Reference should be made to the Maitland Gaol Tower Experience: Statement of Heritage Impact report (SoHI), as prepared by the consulting heritage architect which refers to the proposed development in the context of the Maitland Gaol Conservation Management Plan (CMP) as well as other references.

Clause 5.21: Flood Planning

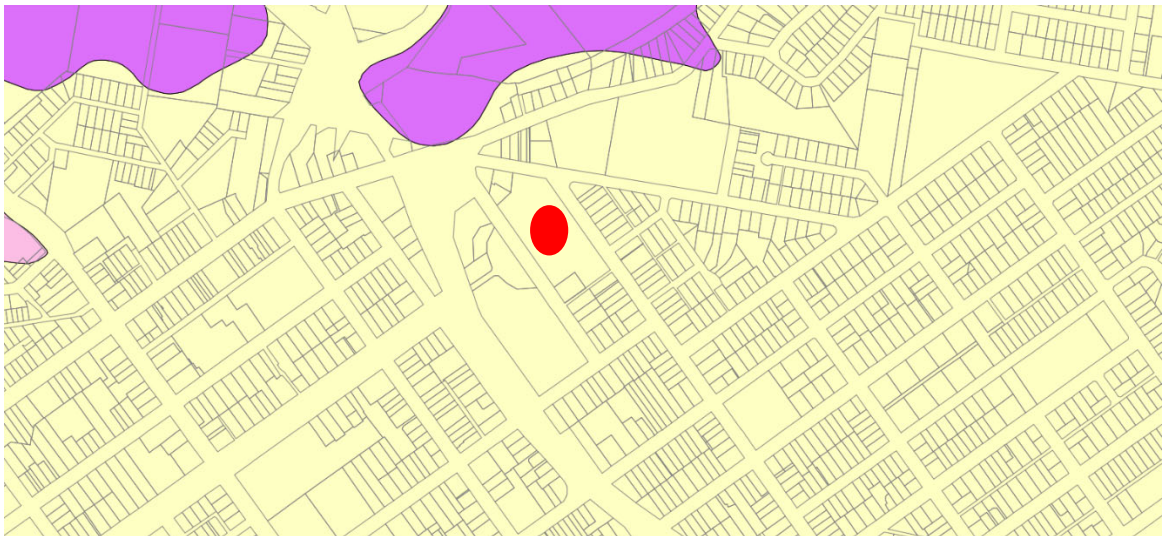
The Gaol site is clear of the designated flood prone area of East Maitland. The areas marked blue on the following map extract illustrate the extent of the adjacent local flood prone areas (the 1 in 100 year Average Recurrence Interval).



(Extract from) LEP Flood Planning Map_Sheet FLD_004D (gaol site marked red)

Clause 7.1: Acid Sulphate Soils

The site is identified as containing Class 5 acid sulphate soils. Given the nature of the proposal to utilise the existing building fabric, acid sulphate soils are not expected to be disturbed by the proposed works.



(Extract from) LEP Acid Sulphate Soils Map_Sheet ASS_004D (Gaol site marked red)

Clause 7.2: Earthworks

The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

Minor earthworks are proposed to accommodate new finished yard levels, structurally reinforced concrete slabs and footings as part of the proposed works. The proposed design will accommodate and improve on existing

access into the base of Tower 1 and will be undertaken with appropriate construction work methods inclusive of erosion and sediment controls in compliance with MCC's requirements.

Reference should be made to the SoHI, as prepared by Heritas Architecture, which refers to possible archaeological work related to the proposal which will need to be considered during earthworks.

Schedule 5 – Environmental Heritage

As noted above, the Maitland Correctional Centre, inclusive of the adjacent former police station, outbuildings, stables and police barracks are all heritage listed. The items are listed in the LEP as state significant at Item No. I52. Reference should be made to the SoHI, as prepared by the consulting heritage architect for a detailed heritage assessment of the proposal.

The relevant sections of **Maitland DCP 2011** have been reviewed and are referenced below.

Clause A.4 – Notification

A notification plan has been prepared (Drawing PNP: *Public Notification Plan*) and is submitted as part of the DA deliverables.

B.2 – Domestic Stormwater

The stormwater management system for the gaol site already exists and will not be fundamentally altered by the proposal. It is noted that the majority of rainwater appears to discharge from old copper downpipes (where provided). This condition was observed at the base of Tower 1 where the 50mm circular copper downpipe can be seen on the carpark side of the prison wall. The octagonal roof above Tower 6 also discharges into a 50mm downpipe. However, this downpipe does not proceed to the ground and has been broken off at the window sill line. This downpipe will be extended to the ground as part of the proposed works similar to the stormwater drainage condition at the base of Tower 1. In the near future, the stormwater management system on site will be investigated further with specialist engineers and will likely be enhanced as part of a larger separate scope of work.



Stormwater downpipes at Towers 1 and 6 (downpipe largely missing at Tower 6 on right)

B.6 – Waste Not – Site Waste Minimisation & Management

The proposed development is consistent with this clause and a Site Waste Management & Minimisation Plan (completed MCC pro-forma) has been prepared and is submitted as part of the DA deliverables.

C.4 – Heritage Conservation

As noted above, Maitland Gaol is a state listed heritage item and is located within the eastern extents of the East Maitland Heritage Conservation Area. Reference should be made to the SoHI prepared by Heritas Architecture, confirming that the proposal will not have a detrimental impact on the values and significance of the listed item and heritage conservation area.



(Extract from) LEP Heritage Map_Sheet HER_004D (gaol site marked blue)

C.11 – Vehicular Access & Car Parking

Maitland Gaol is well serviced by two bitumen paved off-street carparking areas that are shared with cyclists and pedestrians. The off-street carparks are accessed from John Street and consist of 2 accessible car spaces, 14 general-use spaces and 1 space suitable for a motorcycle. On street parking is also available within the vicinity of the gaol entry off John Street. Approximately 26 on-street parallel parking spaces are available for use along John Street (across the property frontage) and approximately 30 over-flow off-street parking spaces can be accommodated on vacant land areas to the east and west of the gaol. In total 72 car spaces can be attributed to the gaol entrance condition off John Street and for larger events (eg. Bitter and Twisted Boutique Beer Festival) nearby parklands and streets are used for parking on a temporary basis.

In relation to parking requirements, a specific land use which describes the gaol is not listed at Appendix A: Car Parking Requirements for Specific Land Uses. When considering 'Other Uses – not defined' at the end of the Appendix A Table there is no specific parking requirement specified, instead noting that parking must be provided to satisfy the peak cumulative parking requirements of the development as a whole. On this basis, the proposal will not necessitate an increase in parking spaces, as those visitors choosing to attend the Tower Experience are already largely catered for within the limits of anticipated visitation rates. Refer to Section E. Access & Traffic in this SEE for further information.

C.12 – Crime Prevention Through Environmental Design (CPTED)

A well-considered design reduces opportunities for crime by using design and place management principles that can reduce the likelihood of essential crime ingredients (law, offender, victim or target, opportunity) from being brought about. CPTED is based on the following four key strategies:

- territorial re-enforcement
- surveillance
- access control, and
- space/activity management.

Given that Maitland Gaol is a ticketed site with controlled entry and observation at one singular entrance off John Street – and the fact that the gaol complex is completely surrounded by the high impenetrable perimeter prison walls - the proposal is unlikely to have a negative impact on crime prevention. One positive benefit of the proposal will be the dramatic increase in casual surveillance from a high vantage point. Both the tour guide and visitors will have a unique perspective from atop the gantry walkways and towers to provide general surveillance of the immediate prison yard areas and adjacent carparking areas – a surveillance condition that was obviously a great asset to former prison officers when the gaol was functioning as a correctional facility.

E.3 – Heritage Conservation Area

3. East Maitland Heritage Conservation Area

Refer to Section J. Heritage Conservation in this SEE.

Compliance with **SEPP (Miscellaneous Consent Provisions) 2017** is provided in so far as any minor demolition work proposed as part of the improvements, will only be actioned following development consent.

C. Site Analysis & Existing Uses

As noted above, Maitland Gaol is a former maximum security prison which is now open to the public as a tourist destination and allied for recreational uses. Analysis of the site-specific area where the Maitland Gaol Tower Experience is proposed has been undertaken in a comprehensive manner. Detailed measurements have been recorded and documented to understand as-built features within and around Towers 1 and 6, the prison wall that connects them and the elevated gantry walkways above – with particular attention given to inspecting the old building fabric to inform heritage conservation objectives.

The following drawings record a complete analysis of as-built conditions which are supported by site survey information obtained from MCC's Infrastructure & Works Division (survey team led by Michael Osborn):

- A020: Existing Ground Floor Plan
- A021: Existing Floor Plan of Towers & Gantry Walkways
- A025: Existing Survey Levels at Towers 1 & 6
- A030: External Elevations - Sheet 1
- A031: External Elevations - Sheet 2
- A040: Existing Section & Internal Elevation - Tower 1

The as-built drawings provided a solid foundation on which to develop the design proposal – one which responds sympathetically to the heritage listing of the site. The drawings are detailed to include existing services as well so that any remediation work associated with the condition of services (eg. downpipes that need to be reinstated) are known and can be factored in as part of the scope of works.

The general topography of the Gaol site can be described as a gentle downward slope from north to south towards John Street and the railway beyond. portion of the prison is one of the lowest points of the site. The base of the old sandstone prison wall has a surveyed height level of approximately 26.5 metres AHD (Australian Height Datum) external to the prison yard - while the top of the old sandstone prison wall varies in slope around its perimeter but is generally 7 metres above the ground level below. It was observed that the levels of the prison yard on the other side of the sandstone wall were generally 0.5 metre higher than external ground conditions –

meaning the sandstone wall forms some retaining capacity to the former prison yard (at least at the corner of the gaol complex). Above the sandstone walls are the sheltered gantry walkways. The top of the barrel-vaulted shelters stand approximately 3.3 metres high, while the top of the octagonal-shaped copper roofs rising above the towers are slightly lower at approximately 3 metres above the sandstone wall capping.



*Birds-eye view of Maitland Gaol from the south with public entry point and Towers 1 and 6 marked red
(Image source: <https://www.mymaitland.com.au/place/maitland-gaol/>)*

Given the site's legacy, the trafficable surface around the gaol complex is generally of hardened concrete or stone – the bulk of the site being impervious. The public carparks to the south-west of the prison wall are bitumen paved and the land area immediately to the east (occupied by the former police station, outbuildings, stables and police barracks) offer some relief with permeable turfed areas and gardens.

In relation to existing materials observed above ground/pavement levels, the visual and tactile palette is quite understandably utilitarian in nature. Galvanised steel and concrete are the preferred choice throughout the gaol, but the harshness of these is softened somewhat by the old sandstone block walls which are visible in every direction throughout the gaol complex as the dominant wall material.

Roofing materials are generally galvanised steel corrugated profile with the exception being the terracotta tiled roof areas over the former Governor's Residence and the Lieutenant Governor's Residence, now used for administrative purposes that flank the public entrance. All 6 towers around the gaol perimeter have been constructed as 8-sided octagonal-shaped rooms which have concrete block walls, a mixture of steel framed and aluminium windows and are all topped with a standing seam profiled copper roof. The materials employed on the towers are incongruous with other parts of the gaol complex and relates to the reconstruction of each tower c.1970 compared to what once existed.

Reference should also be made to the SoHI, as prepared by Heritas Architecture – which includes brief descriptions of contextual historical features around the gaol and how it has been altered over the years.



Old photograph showing original form of Tower 1 and gantry walkways – looking west (Image provided by Zoe Whiting)



Current view of Tower 1 and gantry walkways – looking west (similar vantage point to old photograph above)

The proposed works will require alterations to some of the existing building fabric – principally the creation of a new void through the suspended concrete slab that is the floor of the prison officer's room inside Tower 1 (in order to accommodate the new spiral stair). The proposed alterations have been reviewed by the design

consultant team and in consultation with the Heritage Council of NSW in order to mitigate any impacts on the site's heritage significance. Several options for slab void creation were considered during the design phase and reference can be made to the consulting structural engineer's 'Heritage Structural Commentary' in support of the DA, as prepared by Shreeji Consultant.

Aside from key structural design considerations, the proposal intends to make good some of the obvious building defects by properly considering long-term solutions so that the gaol can be well-utilised by the public for many years to come. All of the doors at both towers will be replaced and windows will be repaired and re-glazed with safety glass for public safety. An intentional effort has been made not to introduce a polished appearance to the new work, as it is important to retain an authentic experience for the public to witness during tours.

In relation to building compliance matters, the proposal will include the introduction of active fire safety measures, which include emergency lighting systems and strategically placed fire extinguishers. And as the proposed spiral stair could potentially be used as an escape stair in the event of an emergency, a performance-based solution has been prepared in accordance with the adopted Performance Requirements of the Building Code of Australia (Volume 1). Reference can be made to the Performance Solution Report: Accessibility, as prepared by Lindsay Perry Access.

D. Operational Details

As described above, the Maitland Gaol Tower Experience is intended to provide safe public access to two former prison officer rooms at Towers 1 and 6, and their interconnecting gantry walkways (Gantry Walkways 1, 2, 3 and 4 as described on the DA drawings). This will allow for the development of guided tours to enhance interpretation of the gaol complex, particularly from a prison officer's perspective, with the intent being to afford visitors an opportunity to 'walk in the shoes' of a prison officer.

Maitland Gaol intends to operate both day-time and night-time Tower Experience tours once safe access to the towers is created. It is anticipated that tours, inclusive of pre-tour safety briefing, will be between 30 and 60 minutes long. Each tour will comprise one guide and between 10 to 15 tour participants. Initial operations would commence with groups of 10 per tour and may expand with operating experience.

The proposed hours of operation for the Tower Experience tours are 6am to 1am inclusive (7 days per week). However, it is anticipated that regular tours will run between 9am to 10pm (the last tour commencing at 9pm). It should be noted that Maitland Gaol may schedule special tours between 6am and 9am or between 10pm and 1am for private group tours or for special occasions. Operation of tours before 9am or after 10pm will be based on individual assessment and surrounding circumstances to ensure that they do not create disturbance to the nearest neighbours.

The Tower Experience tours will ascend using the spiral staircase within Tower 1. Other members of the public will be unable to enter the tower once a tour has commenced. The tour guide will direct patrons onto the gantry walkways and will provide narrative, commentary and answer questions to provide historical interpretation as part of the experience.

In relation to public safety matters, the following key assumptions have been considered by the project stakeholders:

- safety signage where appropriate will be installed to reinforce safety points in relation to points of contact, etc. - signage where there are rough surfaces, bumps or trip hazards created by things that cannot be designed out will be critical,
- in the event of an emergency, the towers will be fitted out with appropriate equipment and kits to render immediate first aid. This may include oxygen and auto defibrillators if a risk assessment and consultation with Fire and Rescue NSW indicates it is necessary. Staff will be trained to use them and to render first aid if called upon,
- in the event of a serious emergency requiring evacuation (eg. fire or a participant's serious medical event on one of the gantry walkways) such scenarios will likely require attendance by a Fire and Rescue NSW unit with the use of an elevated assistance platform, and

- the safety briefing content and the signing of declarations/waivers will be subject to legal advice and insurance requirements. A declaration/disclaimer form will need to outline the requirements for tour participants, require medical or other declarations and to the extent allowable by law, will indemnify Maitland Gaol and MCC. The declaration/disclaimer form will also authorise experienced gaol staff to render first aid or call for medical/rescue assistance if needed and for participants to accept those costs. The declaration/disclaimer form will also authorise Maitland Gaol and MCC to use any image or video of tour participants for promotional purposes, marketing, social media, etc. without compensation or further approval (a tick-a-box option will be available if they choose not to). The declaration/waiver process could be carried out online prior to attending the tour to make ticketing and safety briefing process more efficient.

During the tour, it is envisaged that the following restrictions will be applied for carry-on items:

- in general, it will be preferred that loose items not be taken up into the towers and onto the gantry walkways so as to minimise potential for items to be dropped or thrown,
- small bags that can be carried in such a way that does not restrict maintaining 3 points of contact when ascending or descending the stairs will be allowed as long as they are zipped or otherwise closed,
- cameras may be carried (again, provided 3 points of contact can be maintained whilst on the stair) or slung around the neck, and
- mobile phones or other electronic devices must be carried in pockets.

Consideration may be given to the provision of lockers for public use, but this will be subject to available space at the designated area for the lockers.

In consideration of the general health and capability levels of tour participants, it is anticipated that the following characteristics and conditions will be required of participants:

- be aged 16 years and above (children aged between 10 and 16 may participate in the tour provided they are accompanied by an adult),
- be able to confidently walk up and use a spiral stair, ascending and descending a total 30 stair treads in both directions – the spiral stair will rise vertically through the tower shaft to a height of 6.3 metres,
- excluding the motion of ascending and descending the spiral stair, be able to walk approximately 100 metres unassisted,
- be confident and comfortable at a height of approximately 7 metres above the ground,
- be able to hear and willing to follow verbal safety instructions from the tour guide, and
- must disclose to gaol staff if they have any of the following medical conditions:
 - vertigo, dizziness, loss of balance,
 - fear of heights or fear of enclosed spaces
 - limb absence or significant limb difference
 - heart conditions (including high or low blood pressure)
 - chronic illness
 - recovering from recent surgery
 - respiratory conditions
 - epilepsy or other conditions that could result in fits or seizures
 - pregnancy

It is reasonable to expect that participants disclosing any of the above listed conditions to gaol staff may be declined entry to the tour.

Tour participants aged 80 and above, and women who are more than 24 weeks pregnant, will be able to participate in a tour (subject to all other conditions) if they have a certificate of fitness signed by their GP.

Physical requirements will need to be outlined on the Maitland Gaol website, on a page during the ticketing process (acknowledgement of which will be required to complete purchase online). For in person purchases, signage, a flyer or explanation by a gaol staff member will ensure visitors are made aware of entry requirements. Staff will be trained to identify people who may have difficulty meeting the physical requirements.

In addition to the above entry conditions, where a participant is unable to comply with the following conditions, they will likely be refused entry to the tour:

- those unable to safely and confidently ascend and descend the spiral stair unassisted,
- those who are rude, abusive or intoxicated
- those who require crutches, frames or other mobility aids that prevent them being able to maintain 3 points of contact while ascending and descending a spiral stair,
- those whose physical exertion traits creates a high risk due to a heart, respiratory or other medical conditions,
- those who cannot hear safety instructions or directions adequately,
- those who have had a fit or seizure in the last six months,
- those with broken bones or fractures,
- children under 12 years of age who cannot independently climb stairs maintaining three points of contact, and
- parents, guardians or carers who intend to carry an infant.

In relation to project opportunities and benefits, the following points are noteworthy:

- the proposal creates a unique opportunity to access part of the gaol that has for 174 years been off limits and inaccessible to the public,
- utilising the existing towers, prison officer rooms and gantry walkways, as well as constructing a new spiral stair within one of the existing towers will ensure that there is minimal environmental impact (a number of alternative towers and walkways were investigated and all had significantly greater heritage, access, risk and cost impacts),
- Maitland Gaol is an iconic heritage site that attracts tourists to visit Maitland. Tourists visiting the site are often from Newcastle, Port Stephens, Lake Macquarie or Sydney and are often transiting to or from other attractions in the Hunter Valley. If not the prime reason to come to Maitland, the gaol offers a reason for those attending other sites to come into Maitland,
- MCC pays costs for staffing the gaol. Increased visitation and increased return visits will increase revenue and offset costs incurred by Council's ratepayers.
- in the 20 years of visitation to the gaol as a tourist destination, the most common request from the public has been for the ability to access the towers. The proposal addresses this overriding community feedback
- the public who will access the Maitland Gaol Tower Experience will form a greater understanding and interpretation of the gaol from the perspective of the prison officers stationed on the gantries; and indeed an appreciation of unarmed prison officers on the ground who the armed officers at high level were there to protect).
- most of the history and interpretation of the gaol focuses on stories and history of the buildings and the inmates. Providing access to the towers and gantry walkways allows the public to focus on the operation of the gaol from the perspective of the officers, which unlocks a new historical interpretation and unique experience.
- In relation to employment - whilst the project will generate some economic activity in relation to the employment of consulting professionals and construction workers – once works are completed, the proposal is unlikely to generate new employment opportunities at the gaol as the operation of the tours will likely utilise existing staff. That noted, some level of additional training will be required for tour guides.

E. Access & Traffic

Currently, the following parking provisions are available for use at and within close proximity to Maitland Gaol (totalling 72 car spaces):

- 2 accessible off-street car spaces,
- 14 general-use off-street car spaces

- 1 off-street space suitable for a motorcycle
- 26 on-street parallel parking spaces within the vicinity of the gaol's public entrance off John Street, and
- 30 over-flow off-street parking spaces can be accommodated on vacant adjacent land areas under the ownership of the gaol.

In addition, plentiful over-flow on-street parking spaces are available for use in the area, given its low density residential setting. And more overflow parking is available at nearby parklands and behind the Courthouse for special events.

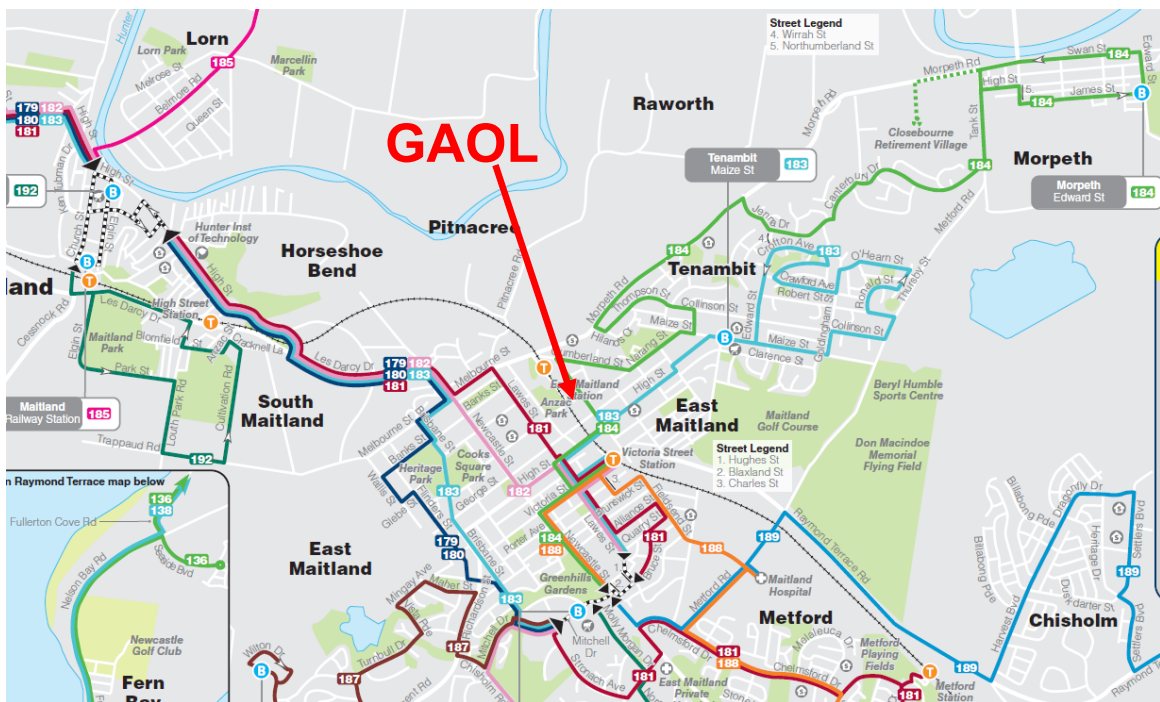
It is anticipated that the existing parking spaces both on and off the site can cater for expected number of participants intending to book for the Maitland Gaol Tower Experience. Based on current parking rates and analysis of peak times and slow periods, the additional traffic generated by the tower experience tours is estimated to be in the range of 3 to 4 cars per hour – which does not account for use of public transport. Therefore, even if all visitors were to arrive at the same time, this number of cars will not have a significant impact on the surrounding street network and established access into nearby residential properties.

The off-street parking areas are provided in two separate carparks, both accessed from John Street and are a short distance from the public entrance. The 2 accessible parking spaces that are positioned within the closest carpark to the entrance. Although the 2 designated accessible car spaces are spatially compliant with current Australian Standards, their paved gradients, central bollard and statutory signage are not compliant and the accessible path of travel leading from them to the public entrance also falls short of compliance.

It is understood that a site-wide assessment of disability access will be undertaken at a future date and existing non-compliances cannot be addressed as part of the Maitland Gaol Tower Experience project.

In addition to private vehicle uses referred to above, the gaol site benefits from its close proximity to East Maitland Railway Station. Visitors arriving via train are able to safely proceed to the John Street public entrance via a short stroll (about 200 metres).

Another public transport option is also available for visitors using the public bus network. Hunter Valley Bus Route 184 regularly services the East Maitland area running from Greenhills Shopping Centre, through East Maitland, and onto Tenambit and Morpeth.



Extract from Maitland & Raymond Terrace District Bus Network Guide (Map) – Route 184 marked green and gaol site marked red

Bus Route 184 travels along Lindsay Street on the northern side of the gaol – so visitors will need to walk around to John Street side to gain access at the public entrance. Route 184 is a limited service operating 6 trips per day (Monday to Friday) and 3 trips every Saturday and 2 trips on Sundays. The quantity of trips is the same in both directions.

F. Utility Services & Waste

Maitland Gaol is currently serviced by all the major utilities (town water, sewerage, electricity, telecommunications and gas). The existing electrical services will be modified and extended to adequately service the proposal in terms of new power and lighting. Fire extinguishers will also be procured and installed for use inside the towers.

Complete removal of the existing public toilet fixtures and fittings will be required at the base of Tower 1 and alterations to the existing amenities in both towers will also be required to ensure the visiting public do not attempt to use these fixtures during a tour (these were used by the former prison officers). The existing toilet and handbasin inside Tower 1 will need to be completely removed to allow the new spiral stair to be constructed. There is some consideration that the lost fixtures could be conveyed to the public interpretatively. The existing toilet and handbasin inside Tower 6 will be retained and disconnected for no use. No new sanitary plumbing fixtures will be installed as part of the proposal.



Existing toilet and handbasins in Tower 1 (left) will be lost and those inside Tower 6 (right) will be retained for interpretation

In relation to stormwater services, the rainwater downpipe which is currently missing at Tower 6 will be reinstated with an external 50mm circular copper pipe and matching astragals. Currently, the downpipe is only partly installed and in fact contributes to the degradation of the existing materials (it discharges onto the timber sill section underneath the window sill line).

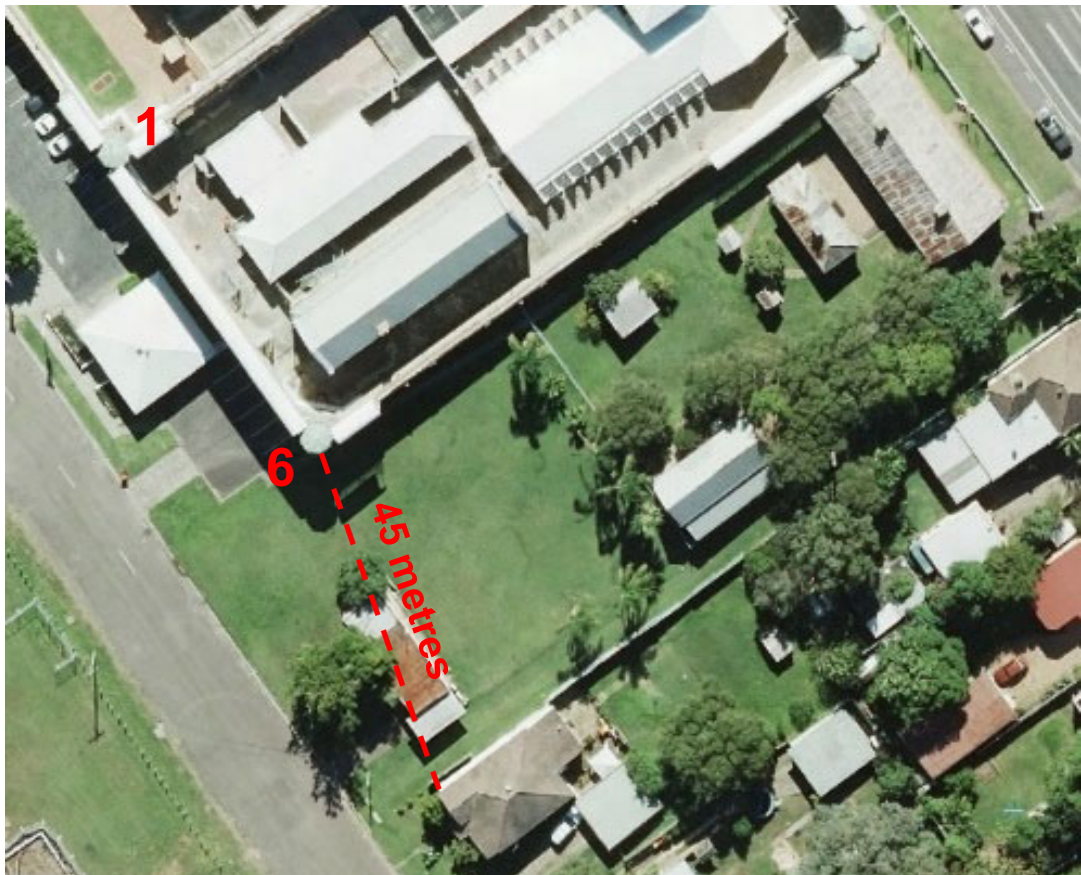
In relation to waste and recyclable materials generated at the gaol – these will continue to be collected and sorted on site for collection by MCC’s waste contractors.

In support of the proposal, a Site Waste Management & Minimisation Plan has been prepared and is submitted as part of the DA deliverables.

G. Privacy, Views & Overshadowing

In relation to potential noise and light spill generated by the proposed Maitland Gaol Tower Experience, which may affect the amenity of nearby residential properties, the following points are noteworthy:

- The John Street frontage - adjacent to the Towers 1 and 6 and associated gantry walkways - does not immediately service residential properties (the public use sites containing the East Maitland Courthouse, Anzac Park and railway are all immediately opposite the gaol site).
- The nearest residential property (22 John Street) is approximately 45 metres from the southern corner of the old prison wall (Tower 6) and at that distance will not give rise to overlooking issues into nearby residential properties. Considering the purpose of the tour is to engage with the gaol complex, any overlooking can be considered fleeting and unintentional.
- The separation distance to residential properties further to the north-east fronting Lindesay Street is in excess of 100 metres, which is a satisfactory distance to avoid any overlooking and noise impacts.



Minimum distance between southern corner of prison wall and nearest residential dwelling (Image source: NSW Govt. SixMaps)

- Currently, it is not proposed to amplify or project sound in association with the Tower Experience tour. Any commentary or conversations with tour members is not considered to have the potential to create noise impacts on nearby residential properties (particularly at 22 John Street). Any informative commentary offered by the tour guide at the closest point to residential properties to the east will be provided inside Tower 6 where the existing windows, walls, and doorways will attenuate generated sound.
- John Street is a relatively quiet street with little traffic movements. Apart from intermittent transient noise from trains, there is little background noise day or night. This will allow the tour guide to monitor volume of commentary, as it will not be necessary to speak loudly over background noise.
- Tour groups will be kept small to allow for safe management and this will also alleviate the need to yell to be heard.
- Where interpretive lighting exhibitions are to be installed – lighting will be directed as a visual effect onto the prison walls and buildings below within the enclosed gaol complex itself so that they can be viewed by the tour group from the gantry walkways above. There will be no light spill from such elements visible from outside the gaol.
- The existing carparks are between 45 to 100 metres away from the nearest residential property (22 John Street) and the main carpark closest to the public entry is screened by the former Visitor Processing Centre which is a single storey building sited below and mid-way along the length of Gantry Walkway 3. There are also ample additional on-street parking spaces available for use on both sides of John Street and these are of a sufficient distance clear of residential properties to address neighbourhood concerns.
- Currently, there is an established recreational use of the gaol site that extends late into the evening. Some visitors can arrive at the site as late as 9pm and leave as late as midnight for larger tours (up to 30 people). Similarly, Battlezone Laser Tag, who operate out of the eastern section of the gaol, can have up to 50 people attending bookings which conclude at 8pm. The proposed tower tours will finish by 10pm on a general basis - meaning visitors intending to book for the Maitland Gaol Tower Experience could arrive and leave any time over a 13 hour period (9am to 10pm). Assuming all of the tour participants will arrive by car and assuming 2.5 people per car, a tour group of 10 people could generate an additional 4 vehicles into the surrounding street network to use either off-street carparks or on-street parking. The traffic noise associated with this expected increase in vehicles can be considered insignificant.
- As noted previously, a new emergency lighting system will be required inside the towers and to the gantry walkways for compliance with the current building code. This will enable safe evacuation of the tour group in the event of an emergency. 'Two-in-one' light fittings will be carefully selected to operate as a general lighting but with emergency functionality. Appropriately robust light fittings will be selected and mounted in such a way as to avoid unnecessary light output and spill onto neighbouring residential properties.
- Sufficient artificial lighting in the carpark areas and along the John Street frontage currently exists to enable safe and orderly entry and exit into the gaol site.

In relation to any overshadowing effects of the proposal, the existing structures already exist on site and will be modified internally only with the insertion of the new spiral stair. No additional overshadowing will be perceived following completion of the proposed works.

H. Flooding & Drainage

As noted above in comments provided under Section B (DCP Clause 5.21: Flood Planning), the gaol site is clear of the designated flood prone area of East Maitland.

In relation to stormwater drainage – this infrastructure is already in place and no new significant work will be undertaken. It is noted that the copper rainwater downpipes that drain both of the octagonal shaped roof areas above Towers 1 and 6 drain openly to the surrounding ground or pavement surfaces. The missing downpipe will be reinstated at Tower 6 and will drain openly onto the permeable lawn area at the base of the prison wall to match the drainage condition at Tower 1. As the tower's roof area is minimal (10m²) and the existing downpipes

already discharge openly to the ground/pavement surface, the design proposal will not alter or adversely affect downstream or upstream stormwater discharge volumes.

I. Erosion & Sediment Control

The control of erosion and sediment run-off will be the building contractor's responsibility during construction. Sediment control barriers will be installed in accordance with MCC's sediment control policies - Landcom Publication Managing Urban Stormwater - Soils & Construction - Volume 1.

All sediment control measures will need to be in place prior to commencement of any demolition or earthworks, with measures subject to further additions or alterations where considered necessary and as directed by the superintendent or the relevant MCC Project Officer during the progression of the works.

Utilisation of sandbags downstream on the stormwater outlets at John Street will also be required.

It should be noted that the majority of construction activity will be carried inside the gaol complex. However, sediment control measures will need to be installed at the street frontage to account for heavy vehicle movements to and from the prison yard during controlled demolition and construction phases. Small trucks will most likely enter the site via the central driveway (former prisoner transport corridor) which is adjacent to the public entrance and approximately 40 metres from the base of Tower 1 (the primary work site).

J. Heritage Conservation

As noted above at Section B (DCP Clause C.4: Heritage Conservation), Maitland Gaol is a state listed heritage item and is located within the eastern extents of the East Maitland Heritage Conservation Area.

For development consent, any proposed works to a state listed item and within an established heritage conservation area requires the preparation and submission of a SoHI. Reference must be made to the detailed content of the SoHI, as prepared by Heritas Architecture, which reviews the design proposal in the context of the original character of the gaol and its development over a number of years since first stage opening in 1848. Maitland Gaol has historical value with respect to the preservation of its heritage significance, the development of Maitland as a regional centre and specifically its ability to attract visitors to the site to form an appreciation of its legacy.

As noted on the SoHI and earlier in this SEE, a comprehensive analysis of the possible options for the location of the Maitland Gaol Tower Experience pre-dates the DA submission. The current proposal, which provides access to the upper levels of Towers 1 and 6 and their associated gantry walkways can be considered to have the least cumulative impact on the heritage significance of the gaol and restricts impact to the built fabric that is of lesser significance. Ultimately, the proposal seeks to enhance interpretation of historical access to the former prison officer's towers in providing an authentic, unique visitor experience for tour groups that is sympathetic to the gaol complex.

K. Other Environmental Impacts

The existing eaves lining behind the fascia boards at both towers is damaged and partly missing at a number of locations. The lining will need to be carefully removed and replaced with new fibre cement sheeting as part of the proposed works. It is likely that the existing eaves lining sheets contain hazardous material and if disturbed could release harmful materials into the air. Although the existing lining will in total be less than 10m² in surface area, the sheeting will be removed by a licenced contractor and safely disposed in accordance with procedures recommended by SafeWork NSW and enforced by MCC.

Conclusion

The proposed Maitland Gaol Tower Experience project is of a modest scale, substantially complies with MCC's Local Environmental Plan 2011 (LEP) and MCC's Development Control Plan 2011 (DCP), brings social and economic benefits to Maitland and surrounding areas, and will reinforce the viability of one of Maitland's most important tourist and recreational attractions whilst complying with MCC's underlying heritage preservation objectives.

The Maitland Gaol Tower Experience project is a permissible form of development for the site and will have minimal impact on the adjoining lands as demonstrated throughout this SEE. The development proposal responds to current development controls and as a result provides a solution which is best-fit for the site and its context.

The proposed development is reasonable and appropriate when considered under the relevant matters of consideration in Section 4.15 of the EP&A Act, and is worthy of favourable consideration by the approval authorities.