

28 May 2021

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## STATEMENT OF ENVIRONMENTAL EFFECTS

The Bank Hotel – 76 Melbourne St, East Maitland

Alterations and additions to existing hotel



View from Melbourne St – Google Maps

## 1. Introduction

The following report and information has been prepared to accompany a Development Application to Maitland City Council made pursuant to Section 4.12 of the Environmental Planning and Assessment Act 1979.

The site is at 76 Melbourne St, East Maitland NSW. The building is a two storey building with the public areas of the hotel across the ground floor and first floor and there is an existing small basement area for storage.

The proposal requests alterations and additions to the pub and car park.

The alterations and additions are summarised below;

### Ground Floor

- Alterations and additions to the existing gaming room including an airlock to the external entry from Melbourne St.
- Alterations and additions to create new sports bar area behind the existing front terrace.
- Removal of the existing office to accommodate expansion of the gaming room.
- Relocation of the existing fire escape stairs to allow direct egress to Melbourne St and enclosure of stair for security.
- Adjustment to existing entry area in car park for entry into lounge bar area.
- Adjust line marking for existing car parking spaces in car park to accommodate relocated car park entry to gaming room

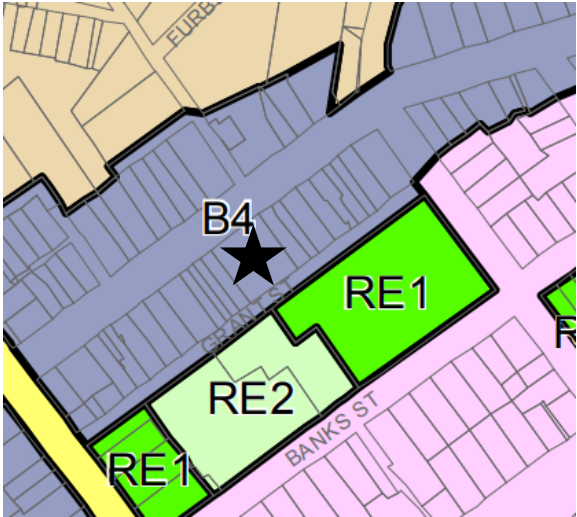

### Car park

- Adjust line marking for existing car parking spaces in car park to accommodate relocated car park entry to gaming room

The following document uses tables to consider the relevant parts of the Maitland City Council planning instruments. The relevant parts of the planning instruments include:

- Maitland Local Environment Plan 2011.
- Maitland Development Control Plan 2011.

## 2. Maitland Local Environmental Plan 2011

Relevant LEP requirements	Responses
<p><b>Land Zoning</b> LZN_004D B4 Mixed Use</p>	 <p>The map displays various land use zones: B4 (Mixed Use) in blue, RE1 (Residential Medium Density) in green, and RE2 (Residential Medium Density) in light green. A black star indicates the site location, which is situated within the B4 zone. Other labels include 'EURB', 'BANKS ST', and 'RE1'.</p>
<p><b>Acid Sulfate Soils</b> CL2_004D</p>	 <p>The map shows a yellow-shaded area representing Acid Sulfate Soils (CL2_004D). A black star marks the site area, which is located within this shaded region.</p> <p>Class 5 site area.</p>

**Flood Planning**  
FLD\_004D



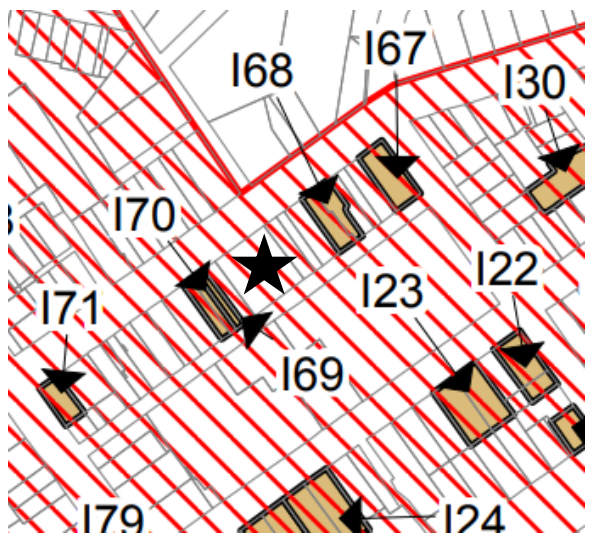
Site not affected.

**Floor Space Ratio**  
FSR\_004D



FSR = 2:1

**Heritage Map**  
HER\_004D



The site is not a heritage item. The neighbouring building is an item of Local significance.

	The site is within the General conservation area.
<p><b>Zone B4 Mixed Use</b></p> <p><b>1 Objectives of zone</b></p> <ul style="list-style-type: none"> <li>To provide a mixture of compatible land uses.</li> <li>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.</li> </ul> <p><b>2 Permitted without consent</b> Home occupations</p> <p><b>3 Permitted with consent</b> Attached dwellings; Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Home-based child care; Home industries; Hostels; Hotel or motel accommodation; Information and education facilities; Medical centres; Multi-dwelling housing; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4</p> <p><b>4 Prohibited</b> Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Pond-based aquaculture Recreation facilities (major); Residential accommodation; Resource recovery facilities; Rural industries; Sewage treatment plants; Sex services premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water recycling facilities; Wharf or boating facilities; Wholesale supplies</p>	<p>The proposal complies with the objectives for the zone.</p> <p>The existing use is permissible for the zone.</p>
<p><b>5.10 Heritage conservation</b></p> <p><b>Note—</b> Heritage items (if any) are listed and described in Schedule 5. The <a href="#">Heritage Map</a> may also show the location of a heritage item. Heritage conservation areas (if any) must be shown on the <a href="#">Heritage Map</a> as well as being described in Schedule 5. The location and nature of Aboriginal objects and Aboriginal places of heritage significance may be described in Schedule 5 and shown on the sheet of the <a href="#">Heritage Map</a> marked “Aboriginal Heritage Map”.</p> <p>(1) <b>Objectives</b> The objectives of this clause are as follows—</p> <p>(a) to conserve the environmental heritage of Maitland,</p>	<p>The site is not a heritage item.</p> <p>The neighbouring building is an item of Local significance.</p> <p>The site is within the General conservation area.</p> <p>The proposal is within the allowable building envelope for the site and is considered to have no adverse or negative impact to the heritage buildings nearby or adjacent and no adverse</p>


<p>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</p> <p>(c) to conserve archaeological sites,</p> <p>(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.</p> <p>(2) <b>Requirement for consent</b> Development consent is required for any of the following—</p> <p>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—</p> <p>(i) a heritage item,</p> <p>(ii) an Aboriginal object,</p> <p>(iii) a building, work, relic or tree within a heritage conservation area,</p> <p>(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,</p> <p>(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</p> <p>(d) disturbing or excavating an Aboriginal place of heritage significance,</p> <p>(e) erecting a building on land—</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</p> <p>(f) subdividing land—</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.</p> <p>(3) <b>When consent not required</b> However, development consent under this clause is not required if—</p> <p>(a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development—</p> <p>(i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and</p> <p>(ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or</p>	<p>or negative impact to the heritage conservation area and is therefore compliant with the objectives.</p> <p>The site is not a heritage item.</p> <p>NA</p>
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<p>(b) the development is in a cemetery or burial ground and the proposed development—</p> <ul style="list-style-type: none"> <li>(i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and</li> <li>(ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or</li> </ul> <p>(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or</p> <p>(d) the development is exempt development.</p> <p><b>(4) Effect of proposed development on heritage significance</b> The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</p> <p><b>(5) Heritage assessment</b> The consent authority may, before granting consent to any development—</p> <ul style="list-style-type: none"> <li>(a) on land on which a heritage item is located, or</li> <li>(b) on land that is within a heritage conservation area, or</li> <li>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),</li> </ul> <p>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p> <p><b>(6) Heritage conservation management plans</b> The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.</p> <p><b>(7) Archaeological sites</b> The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the <i>Heritage Act 1977</i> applies)—</p> <ul style="list-style-type: none"> <li>(a) notify the Heritage Council of its intention to grant consent, and</li> <li>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</li> </ul> <p><b>(8) Aboriginal places of heritage significance</b> The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance—</p> <ul style="list-style-type: none"> <li>(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by</li> </ul>	<p>The proposal is considered to have no adverse or negative impact to the heritage buildings nearby or adjacent and no adverse or negative impact to the heritage conservation area.</p> <p>The proposal is considered to have no adverse or negative impact to the heritage buildings nearby or adjacent and no adverse or negative impact to the heritage conservation area. Therefore a heritage Impact Statement is not applicable in this circumstance. Assessment of the heritage impacts and conservation area are addressed below in the report under responses to the DCP.</p> <p>NA</p> <p>NA</p> <p>NA</p>
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<p>means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and</p> <p>(b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.</p> <p>(9) <b>Demolition of nominated State heritage items</b> The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item—</p> <p>(a) notify the Heritage Council about the application, and</p> <p>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</p> <p>(10) <b>Conservation incentives</b> The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that—</p> <p>(a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and</p> <p>(b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and</p> <p>(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and</p> <p>(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and</p> <p>(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.</p>	<p>NA</p> <p>NA</p>
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### 3. Maitland Development Control Plan 2011

Relevant DCP requirements	Responses
<p><b>B.3 – Hunter River Floodplain</b>  <b>3. Development controls</b>            The onus is on the proponent to provide an adequate level of information to support any development on land below the FPL. The Council will require a Statement of Environmental Effects (or an Environmental Impact Statement if the proposal is designated development) justifying the development in its location. Objectives 1. The proposal is supported by adequate information to assess the impact of the proposal on flood behaviour, the environment, flood affectation and risk to life and property associated with the use of land.</p>	<p>Please refer to the Flood Risk Management Plan and the Site Flood Emergency Plan attached separately with the DA submission which address all of the relevant flood issues and controls and demonstrate compliance for the proposal.</p>
<p><b>C.4 – Heritage Conservation</b>  <b>2.2 Heritage Impact Statement (HIS)</b>            Clause 5.10(5) in the Maitland LEP 2011 provides for a consent authority to request the preparation of a Heritage Impact Statement (HIS) to assist in the assessment of a development application. A HIS analyses the impact that proposed works will have on a heritage item or Conservation Area. It is usually prepared with reference to a Statement of Heritage Significance. The HIS will often form part of the Statement of Environmental Effects usually required for a development application. It needs to be supported by sufficient information to allow Council to make an informed decision about the impact of the proposal. Together with supporting information it addresses:</p> <ul style="list-style-type: none"> <li>• why the item or area is of heritage significance;</li> <li>• what impact the proposed works will have on that significance;</li> <li>• what measures are proposed to mitigate negative impacts;</li> <li>• the range of solutions considered and evaluated, and why more sympathetic solutions are not viable.</li> </ul>	<p>A HIS is not applicable due to the simple nature of the proposal, assessment of heritage impact is undertaken below and demonstrates no impact to the neighbouring heritage items or conservation area.</p>
<p><b>2.4 Character Assessment</b>            A Character Assessment is required where, in the opinion of Council, the proposed works do not warrant the preparation of a formal HIS. A Character Assessment may be prepared by the applicant/owner. The Character Assessment should include the following, and be identified by the property description and the author's name and contact details:</p> <ol style="list-style-type: none"> <li>a) How old is the building/s proposed for alteration or additions, and what is known about its history? Try to ascertain the age of the building from any documents you may have such as the Land Title, or from the style of the building.</li> <li>b) Describe the main architectural features and characteristics of the building. List features such as what materials the building is made of, what the roof style is (i.e. hipped, gabled), the style of windows, whether it has a verandah.</li> <li>c) What is around the building or land? Describe the buildings that surround it and what they are used for.</li> <li>d) Describe what is proposed. Outline what alterations are proposed – what will the building be used for if the use is changing. Describe all structural and non-structural alterations required.</li> <li>e) Describe what efforts have been made to ensure the changes are sympathetic with the original building. List in point form. List also any previous work if appropriate. Outline</li> </ol>	<p>The Character Assessment is undertaken as below.</p> <p>a) 169 located at 82 Melbourne St is a direct neighbour and is of Local significance. 3 distinct types and colours of bricks make the façade to Melbourne St.</p>  <p>82 Melbourne St            The orange coloured bricks are typical of 1960's period and show an addition circa that time period. The brown brickwork</p>

<p>if the proposal will improve the function of the building. Are the materials, colour and design compatible with the design of the original structure?</p> <p>f) Describe any impact of the proposal on any surrounding developments, and on the character of the locality. Outline if the changes are in keeping with the character of the locality. Have you taken into consideration the information in this Chapter that relates to the area in which your development is located?</p> <p>g) Describe any sympathetic solutions which were considered, but discounted for particular reasons. List alternatives such as different materials, colours, etc. and outline why these cannot be implemented.</p>	<p>to the northern side with the single doorway is also and addition to the original purple bricks of the ground floor shop although this could have been a very early addition. The rendered base is most likely added with the first floor addition along with the hipped tiled roof. A rendered band is add above the purple bricks which is likely a first floor concrete slab. The rest of the building behind the front façade is in the orange bricks so is clearly part of the circa 1960's addition. The only original fabric is the purple brick front façade at the ground floor level with portal doorway detail. The ground floor windows and door are replaced with contemporary aluminum framed sections and new glazing.</p> <p>b) The significant architectural features are the purple brick façade on Melbourne St. The engaged piers, portal doorway detail and rendered banding are the remaining original features.</p> <p>c) The surrounding buildings are commercial / retail business.</p> <p>d) Nil works are proposed to the neighbours building. This assessment is to confirm the proposal does not impact the heritage significance. Refer to the proposed Melbourne St elevation which shows the proposal is appropriately scaled with the pub and the neighbour at 82 Melbourne St.</p> <p>e) NA</p> <p>f) The proposal is within the character of the streetscape and appropriately scaled with the front parapet scaled to the level of the underside of the existing street awning. This does not impact the significance of the heritage façade at 82 Melbourne St.</p> <p>g) A lower parapet was considered but the existing extension to the northern side of the hotel matches the underside of the existing street awning therefore it was considered more appropriate for the front elevation of the pub to have a consistent height either side of the awning giving the pub a clean and consistent presentation to the streetscape.</p>
<p><b>5. GENERAL REQUIREMENTS FOR NEW BUILDINGS IN HISTORIC AREAS</b></p> <p>This section suggests ways in which new buildings can be designed and located in harmony with existing development in historic areas. It aims to encourage an appreciation of the special character, features and setting of an area, then to reflect this understanding in the design of the newbuilding. This section relates to wholly new development on the site of a heritage item, on vacant land in a Conservation Area, or land which is in the vicinity of heritage items or Conservation Areas.</p> <p><b>5.1 Introduction</b></p> <p>It is essential that the scale and siting of new development does not detract from the scale, form, unity, and character of the surrounding area.</p> <p>New development should therefore respect the character of its surrounds. However, respect does not mean copying. While architectural replicas may appear visually compatible with their surroundings, they can confuse the original buildings in the area and give a false impression of historical development.</p> <p>New development can be contemporary in design when it is well integrated with and related harmoniously to its older neighbours.</p>	<p>The site is within the conservation area only, it is not a heritage item.</p> <p>The front elevation of the pub now has a consistent height either side of the street awning giving the pub a clean and consistent presentation to the streetscape.</p> <p>The simple parapet respects the heritage item at 82 Melbourne St by being simple and therefore not dominating it with detail or decoration.</p> <p>The proposal is contemporary and well integrated to the existing pub building.</p>

<p>Character of an Area: It is important to understand the characteristics and features of an area before deciding on the form and style of a new building.</p> <p>Conservation Areas: Part E of this DCP, provides an introduction to what are considered to be important characteristics of specific conservation areas.</p> <p><b>5.2 Siting a New Building</b></p> <p>a) Aim: To ensure that siting of new buildings respect the significance and character of the surrounding area.</p> <p>b) Requirements:</p> <ul style="list-style-type: none"> <li>• New development should have regard to the established patterns of the locality with regard to the typical location and orientation of buildings on an allotment.</li> <li>• The siting of a new residential building allowing for a generously sized front garden will usually assist in its successful integration.</li> <li>• New development should be sited behind the building line of any adjoining heritage item.</li> </ul> <p><b>5.3 Scale</b></p> <p>a) Aim: To ensure that the scale of the new building respects the significance and character of the surrounding area nor detrimentally impacts upon an established pattern of development in the vicinity. The majority of the Maitland Region is flat. This means that particular attention should be given to approach views and internal views of existing landmarks which should not be jeopardized. Large unbroken roof spans may be obtrusive in flat areas of low scale buildings. Articulation of the floor plan can be a useful way to breakup large spans. To ascertain the appropriate scale of new buildings, the following design aspects are of particular importance;</p> <ul style="list-style-type: none"> <li>• Reference to the main ridge line heights of original surrounding buildings;</li> <li>• Natural ground or street levels;</li> <li>• Ensuring different parts of the building are in scale with the whole;</li> <li>• Ensuring the scale of verandahs relate to the scale of those in adjacent buildings.</li> </ul> <p>b) Requirements:</p> <ul style="list-style-type: none"> <li>• The scale of a new house should be related to the size of the allotments laid out in the historical subdivision pattern of the area. This does not apply to consolidated lots. New buildings should be in scale of surrounding dwellings. Large houses on small allotments will tend to look awkward and dominate the surrounding area.</li> <li>• Large houses may be better located on large allotments in less sensitive areas.</li> <li>• New houses should generally remain at single storey in areas where the majority of buildings are single storey.</li> <li>• Landmark buildings in Conservation Areas which may be heritage items, mansions or public buildings will generally be surrounded by single story buildings, or those of a lesser scale. These landmark buildings should not be used as a precedent for increasing the scale of new buildings. New buildings should rather relate to the scale of existing development around the landmark and respect its prominence.</li> </ul> <p><b>5.4 Proportions</b></p> <p>The composition and proportion of building facades often form a pattern or rhythm which gives the streetscape its</p>	<p>The proposal fits with the character of the area and the existing style of the pub building.</p> <p>See response below.</p> <p>The proposal complies with the aim.</p> <p>The proposal aligns with the front boundary which maintains a consistent streetscape, setting back would be considered inconsistent.</p> <p>The proposal complies with the aim. The scale matches complimentary elements of the existing façade and hence the height of the parapet to Melbourne St as proposed.</p>
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distinctive character. Traditionally, older buildings up to the 1930's used vertical proportions, reflecting the construction technology of the day. Modern technology allows for much greater spans and often leads to a horizontal emphasis. The shape, proportion and placement of openings in walls are important elements in the appearance of a building.

a) Aim: To ensure that the proportions of the new building respect the significance and character of the surrounding area.

b) Requirements:

- Openings in visible frontages should retain a similar ratio of solid to void as to that established by the original older buildings.
- New buildings should incorporate the typical proportions of surrounding development, even when using modern materials.
- New buildings should establish a neighbourly connection with nearby buildings by way of reference to important design elements such as verandahs, chimneys or patterns of openings.

### 5.5 Setbacks

a) Aim: To ensure that the setback of the new building respects the significance and character of the surrounding area.

b) Requirements:

- Where there is a uniform historically based setback, it is generally advisable to maintain this setback in a new building. Where the new building will be obtrusive it should be set well back and heavily screened.
- If the setback varies, the new building should not be set closer to the street than an adjoining historic building (even if it is not an identified heritage item).
- Setback from side boundaries should be consistent with typical buildings in the immediate vicinity.

### 5.6 Form & Massing

The form and massing of a building is its overall shape and the arrangement of its parts. Important elements of mass in buildings include roofs, facades and verandahs.

Residential plan and roof forms differ greatly depending on the era of the building.

Plan forms characteristic of typical 1800's houses were simple often with a straight frontage, or where there walls at different lines, a verandah was placed to produce a plan form of a basic square or rectangular shape.

Most buildings constructed up to the 1900's were characterised by small roof forms with a roof.

Hips and gables generally did not span greater than 6.5 metres. If a house was to be wider or longer, another hip or gable or skillion were added.

The basic plan and roof form were often extended at the rear or sides by a skillion roof with a typical 25-degree pitch.

The roof is usually the most influential aspect of the design of new building in a Conservation Area. The shape of a roof and pattern it makes against the sky is generally distinctive in a Conservation Area and should be a primary consideration in the design of new development.

a) Aim:

To ensure that the form and massing of new buildings respect the significance and character of the surrounding area.

b) Requirements:

The proposal complies with the aim. The proportions of the proposal are consistent with the existing façade of the building.

The proposed openings are within a recessed section of the façade which is consistent with the adjacent existing pub building and is required to allow for compliant egress doors to swing in an outward direct for fire escape.

The proposal complies with the aim. Most commercial buildings are built to their side boundaries except for some of the single dwelling residences. The proposal infill the building across to the side boundary which was already done via an existing brick fence. The proposal is also to the front boundary as this maintains consistency with the adjacent neighbours.

The proposal complies with the aim. The proposed parapets align with the existing buildings bulk and scale while not overwhelming the neighbouring buildings or their scale.

- New buildings should be designed in sympathy with the predominant form and massing characteristics of the area.
- Houses generally had ridges of the same height. It is therefore important in new buildings to ensure that the width of wings can maintain a consistent ridge and roof height.

### 5.7 Landscaping

a) Aim: To ensure that new landscaping respects the significant characteristics and elements of the surrounding area.

b) Requirements:

- 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.

### 5.8 Detailing

a) Aim: To ensure that detailing on new buildings respects but does not imitate original detailing on older surrounding buildings.

b) Requirements:

- Avoid fake or synthetic materials and detailing. These tend to give an impression of superficial historic detail.
- Avoid slavishly following past styles in new development. Simple, sympathetic but contemporary detailing is more appropriate. Original materials and details on older buildings need not be copied, but can be used as a reference point.

### 5.9 Building Elements & Materials

Materials and their colours will influence how a new building will blend or intrude with the character of its surrounds.

a) Aim: To ensure that the use of materials and colours of the new building respect the significance and character of the surrounding area.

b) Requirements:

Doors and windows

- New doors and windows should proportionally relate to typical openings in the locality.
- Simply detailed four panel doors or those with recessed panels are generally appropriate.
- Mock panelling, applied mouldings and bright varnished finishes should be avoided.
- Older houses have windows which are of vertical orientation and this approach should be used in new buildings.
- Standard windows often come in modules of 900mm wide. Their use should be limited to single or double format only. The most suitable windows are generally double hung, casement, awning or fixed type.
- If a large area of glass is required, vertical mullions should be used to suggest vertical orientation. A large window could also be set out from the wall to form a simple square bay window making it a contributory design element rather than a void.
- Coloured glazing, imitation glazing bars and arched tops are not encouraged. Roofs

The proposal complies with the aim. The proposed adjustment of some planter boxes within the car park has nil affect to any of the surrounding vicinity.

The proposal complies with the aim. The simple parapet detail to Melbourne St compliments the existing building.

The proposal complies with the aim. The proposal will be an extension of the existing building colours for each element.

- Corrugated galvanized iron (or zincalume finish) is a most appropriate roofing material for new buildings in historic areas. It is also economical and durable. Pre finished iron in grey or other shades in some circumstances may also be suitable.
- Tiles may be appropriate in areas with buildings dating to the 1900's – 1930's. Unglazed terracotta tiles are the most appropriate. The colour and glazing of many terra cotta tiles make them inappropriate.
- Other materials to avoid include modern profile steel deck.
- Ogee profile guttering is preferable to modern quad profile. Plastic downpipes should be avoided in prominent positions.
- Preferred materials for driveways include wheel strips and gravel.
- It is important that the amount of hard driveway material does not dominate the front garden area. Walls Imitation Cladding
- Cladding materials which set out to imitate materials such as brick, stone, and weatherboard should be avoided as they tend to detract from the authentic character of the surrounding original buildings. Weatherboard
- 150mm weatherboards are generally appropriate for historic areas. They should be square edged profile unless the surrounding buildings are post 1920's. Brick
- Plain, non-mottled bricks are preferable with naturally coloured mortar struck flush with the brickwork, not deeply raked.

#### 5.10 New Commercial Buildings in Historic Areas

In addition to the above, new development in commercial precincts within Conservation Areas, or that adjacent to a Heritage Item should take into account the following issues. Requirements:

##### Building Heights and Setbacks

- The height of buildings should reinforce the desired scale and character of the area. Maximum building heights have been set out in Part Two, 'Conservation Areas'.

##### Services

- Service structures, and plant and equipment within a site should be an integral part of the development and should be suitably screened buildings and should not be built out.

##### On – Site Loading and Unloading

- Facilities for the loading and unloading of service vehicles should be suitably screened from public view.

##### Design of Car Parking areas

Car parking areas should be located and designed to:

- provide landscaping where practicable to shade parked vehicles and screen them from public view.
- provide for access off minor streets, and for the screening from public view of such car parking areas from surrounding public spaces and areas.

##### Car Park Structures Should:

- incorporate a façade designed to complement adjoining buildings in an urban context.
- be setback from the street frontage and out of view if possible.

##### Roof Form, Parapet and Silhouettes

The proposal complies as it is not a new development and is minor alterations and additions.

The proposal has heights and setbacks that complement the existing building and fit the streetscape.

The proposal complies as there are no exposed services or plant proposed to be added.

Existing loading occurs from within the car park at the rear of the hotel.

Car parking area is existing.

NA

<p>In Commercial areas, it is the consistency of parapets which make a significant contribution to the architectural character of an area</p> <ul style="list-style-type: none"> <li>• Where the prevailing pattern of roof forms assists in establishing the character of a townscape, new roof forms should seek to be compatible with the shape, pitch, and materials of adjacent buildings.</li> <li>• Parapet heights and articulation should be compatible with earlier surrounding buildings.</li> <li>• Lightweight materials such as ribbed coloured metals should not be used on vertical wall or parapet surfaces.</li> <li>• New verandahs should be based on design principles of traditional verandahs with sloping roofs galvanised iron and regularly spaced columns.</li> </ul>	<p>The proposed parapets are consistent with the streetscape and adjacent buildings.</p>
<p><b>C.11 – Vehicular Access &amp; Car Parking</b>  <b>1.4 Objectives</b></p> <ul style="list-style-type: none"> <li>• To ensure adequate provision of off-street parking to maintain the existing levels of service and safety on the road network;</li> <li>• To detail requirements for the provision of parking and loading/unloading facilities in association with development in the City of Maitland;</li> <li>• To provide a consistent and equitable basis for the assessment of parking provisions;</li> <li>• To facilitate design of parking areas, loading bays and access driveways which function efficiently;</li> <li>• To ensure that parking areas are visually attractive and constructed, designed and situated so as to encourage their safe use; and</li> <li>• To acknowledge the traditional lack of parking spaces within areas of historical or architectural significance (Central Maitland, Morpeth) and balance this with the need to facilitate development in order to maintain vitality and vibrancy in such centres.</li> </ul> <p><b>Appendix A</b>  <b>Car Parking Requirements for Specific Land Uses</b></p> <p><b>Land Use</b>  Registered Clubs/ Pubs (including sexual entertainment establishments)</p> <p><b>Parking</b>  Outside the Maitland CBD. 1 space per 10m<sup>2</sup> of public or licensed floor area (bar, lounge, dining room, games room) shall be provided.  Within the Maitland CBD - See Appendix C - Map 2.  1 space per 15m<sup>2</sup> of public or licensed floor area (bar, lounge, dining room, games room) shall be provided.  +  1 space per bedroom or motel unit.</p> <p><b>Comments</b>  Parking must be provided to satisfy the peak cumulative parking requirements of the development as a whole. Council may consider relaxing this requirement depending on the characteristics of the proposed development. For this purpose a comparison survey of similar developments, in similar locations should be provided with the development application.</p>	<p>The pub car park is existing and proposed adjustment to parts will accommodate relocation of spaces resulting from providing relocated access to the gaming room.</p> <p>Please refer to the separately attached traffic report with the DA submission.</p> <p>The pub is located outside Maitland CBD.</p> <p>Please refer to the separately attached traffic report with the DA submission for assessment of car parking.</p> <p>The Traffic Impact Assessment concludes that the subject site is suitable for the proposed development in relation to the impact of traffic, car parking provision, vehicle and pedestrian access and safety considerations.</p>
<p><b>C.12 - Crime Prevention through Environmental Design</b></p>	

<p><b>1.1 Development requirements</b></p> <p><b>Objectives</b></p> <ol style="list-style-type: none"> <li>1. The security of buildings and public spaces is achieved through the application of Crime Prevention through Environmental Design principles.</li> <li>2. Territorial reinforcement is achieved through good quality, well maintained buildings and spaces and the delineation of public and private areas.</li> <li>3. Good natural surveillance is achieved by the position of buildings and the orientation of uses toward public areas.</li> <li>4. Landscaping and lighting contribute to the safety of an area.</li> <li>5. Mechanical surveillance (e.g. CCTV) is only used where passive surveillance cannot be achieved or in isolated, high risk areas.</li> <li>6. Way-finding, desire lines and formal/informal routes are reinforced by physical and symbolic barriers that channel and group pedestrians into areas.</li> <li>7. Activity in public spaces is promoted by providing and maintaining high-quality public areas and promoting a diversity of uses that encourage activity throughout the day and night.</li> <li>8. Perception of crime is minimised by maintenance of public areas and the rapid response to vandalism and graffiti.</li> </ol> <p><b>Development controls</b></p> <ol style="list-style-type: none"> <li>1. The following developments shall include a detailed Crime Prevention through Environmental Design assessment that is prepared by an accredited person.</li> </ol> <ul style="list-style-type: none"> <li>• New centres</li> <li>• Mixed use residential/commercial development</li> <li>• Medium and high density residential development</li> <li>• Subdivisions involving newly developing areas</li> <li>• Parks and open space or publicly accessible areas</li> <li>• Community uses</li> <li>• Sport, recreation and entertainment areas</li> <li>• Other high use areas or developments where crime may be an issue.</li> </ul>	<p>The proposed alterations and additions create no negative CPTED issues.</p>
<p><b>E.3 - Heritage Conservation Areas</b></p> <p><b>3. East Maitland Heritage Conservation Area</b></p> <p><b>1.2 Statement of Significance</b></p> <p>East Maitland's historic significance is in its surviving record of the urban growth of Maitland. It is a relatively rare example of a town with origins based primarily on government functions, with links to the convict period and early immigration (Caroline Chisholm House). Its government functions, continued in the ongoing use of the Gaol (over almost 150 years), Courthouse and Lands Office and in the preservation of the former police buildings and Post Office, contribute to both historic and social significance. The Heritage Conservation Area's aesthetic significance is derived from its collection of residential, government, institutional and commercial buildings of all its periods of historic growth and their visual inter-relationship, in particular the strong axial composition based on the prominent hillside location of the Court House and Stockade Hill.</p> <p><b>1.3 Conservation Policies</b></p> <p>What to Keep:</p>	<p>The site is within the conservation area.</p>



<ul style="list-style-type: none"> <li>• Retain significance of the area as a relatively rare example of a town based on government/administrative functions;</li> <li>• Retain formal street plantings and footpaths in and around William and Banks streets;</li> <li>• Retain the landscape setting of the major administrative buildings such as the Courthouse and formal nature of original street layout;</li> <li>• Retain street widths of original townships and terminations of major vistas at parks;</li> <li>• Retain scale of original residential development within the limits of original township;</li> <li>• Retain original subdivision pattern, lot sizes and building setbacks.</li> <li>• Original layout of sandstone kerb and guttering.</li> </ul> <p>What to Encourage:</p> <ul style="list-style-type: none"> <li>• Generally low density, residential development retaining existing subdivision layout;</li> <li>• High quality of new and infill commercial design through better guidelines and more stringent controls.</li> </ul> <p>What to Avoid:</p> <ul style="list-style-type: none"> <li>• Large scale medium density development on large lots or at the rear of existing dwellings on larger lots;</li> <li>• Re-subdivision of large residential lots;</li> <li>• Inadequately controlled expansion of “Support Business” and “Special Business” uses in the Heritage Conservation Area.</li> </ul>	<p>The proposal complies with the conservation polices, the Melbourne St façade is consistent with the existing hotel building and contributes positively to the streetscape while having no negative affect to the direct neighbour at 83 Melbourne St which is an item of local significance.</p>
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## 4. The Likely Impacts

### Context and Setting

The application would result in changes to the external appearance of the hotel but would have no impacts on the context and setting of the hotel or its surrounds.

### Operational Details

No changes to the existing operational hours are proposed.

### Parking and Traffic Generation

The Traffic Impact Assessment concludes that the subject site is suitable for the proposed development in relation to the impact of traffic, car parking provision, vehicle and pedestrian access and safety considerations.

### Waste

Waste management will continue to be undertaken as it is at present.

### Noise

The accompanying Acoustic Report demonstrates that the operation will have no adverse impact upon the surrounding area, subject to the recommended conditions.

On the basis of the assessment undertaken in this Statement and supporting documentation potential detrimental impacts as a result of the development are considered to be appropriately mitigated.

The proposal has a satisfactory performance with regard to the applicable development controls under the LEP, DCP and will be appropriately managed through the implementation of the proposed Plan of Management. As a result of the design and proposed management measures, the proposal will not create any adverse impacts on the locality.

## **5. Public Interest**

The proposal is consistent with the character of the area. The proposal has been designed to minimise and appropriately manage potential adverse impacts on the amenity and safety of the locality. The proposal is consistent with the streetscape and has no impact on adjoining developments.

In addition, the proposal is satisfactory with regard to the applicable planning controls under the LEP and DCP.

Therefore the proposal is considered to be in the public interest.

## **6. Conclusion**

The proposed alterations and additions to the pub are considered to have no adverse effects to the surrounding commercial or nearest residential neighbours or the local vicinity and considered compliant to all relevant Council planning controls as discussed above.