

HMS ID: 7501

Ms Kristen Wells
Maitland City Council
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Letter uploaded to the NSW Planning Portal

Address: 6-18 John Street, EAST MAITLAND NSW 2323
SHR Item: Maitland Correctional Centre, SHR no. 01296
Proposal: Adaptive re-use of the former Maitland Gaol Governor's and Lieutenant Governor's
Residences for boutique accommodation.
Development Application no: DA/2024/859, CNR-74297, A-90692
Received: 18 October 2024

**Subject: Heritage Council of NSW – General Terms of Approval – Integrated Development
Application**

Dear Ms Wells

As delegate of the Heritage Council of NSW (the Heritage Council), I have considered the above integrated development application. In accordance with Section 4.47 of the *Environmental Planning and Assessment Act 1979*, the following general terms of approval are granted:

Approved development

1. Development must be in accordance with:
 - a. Architectural drawings, prepared by Maitland City Council, as listed below:

Dwg No	Dwg Title	Date	Rev
DA2-001_B	Cover sheet & Location Plan – Boutique Accommodation	07/08/24	B
DA2-002_E	Site / Roof Plan – Boutique Accommodation	27/03/25	E
DA2-010_E	DA Staging Plan – Boutique Accommodation	28/04/25	E
DA2-111_E	Plans – Boutique Accommodation	27/03/25	E
DA2-201_D	Elevations – Boutique Accommodation	22/01/25	D
DA2-301_D	Sections – Boutique Accommodation	22/01/25	D
DDA2-601_C	Details – Boutique Accommodation	07/08/24	C
DA2-602_A	Details – Boutique Accommodation Fire Place Type 1	22/01/25	A

Dwg No	Dwg Title	Date	Rev
DA2-603_A	Details – Boutique Accommodation Fire Place Type 2, 3 & 4	22/01/25	A
EX-100_C	Survey	07/08/24	C

- b. Statement of Heritage Impact for ‘Maitland Gaol Boutique Accommodation’, prepared by Heritas, dated 1 August 2024.
- c. Statement of Environmental Effects for ‘Maitland Gaol Redevelopment – Boutique Accommodation’, prepared by Barr Planning, dated September 2024.
- d. Response to Request for Information, prepared by Barr Planning, dated 28 March 2025.
- e. Heritage Interpretation Plan for ‘Maitland Gaol’, prepared by GML Heritage, dated 11 January 2025.
- f. Archaeological Assessment titled ‘Maitland Gaol Redevelopment: Archaeology’, prepared by Umwelt, dated September 2023.

EXCEPT AS AMENDED by the General Terms of Approval:

Details to be submitted for approval

2. The following information is to be submitted with the s.60 application for approval by the Heritage Council of NSW (or delegate):
 - a. Conservation works schedule for the Governor’s and Lieutenant Governor’s Residences, including salvage and reuse of original doors.
 - b. Detailed design of works required to the original timber staircases to achieve Building Code of Australia (BCA) compliance for balustrade height.
 - c. Detailed design of works required to the front door of the Governor’s Residence to achieve BCA compliance.
 - d. Details and location of proposed air conditioning condenser units discreetly located in the outdoor basement area.
 - e. Details and location of the proposed reversible ‘lock-box’ type arrangement to enable self-check-in.

Reason: The assessment and management of these details is considered essential in order to obtain a good heritage outcome.

Heritage consultant

3. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the

selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

Specialist tradespersons

4. All work to, or affecting, significant fabric shall be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage structures, materials and construction methods.

Reason: So that the construction, conservation and repair of significant fabric follows best heritage practice.

Site protection

5. Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

Reason: To ensure significant fabric including vegetation is protected during construction.

Heritage Interpretation Plan

6. A revised interpretation plan (or an addendum) for the Governor's and Lieutenant Governor's Residences must be prepared in accordance with the Heritage NSW publication 'Interpreting Heritage Places and Items Guidelines' (2005) and submitted for approval to the Heritage Council of NSW (or delegate) prior to the issue of a Construction Certificate/Government certification.
7. The interpretation plan must detail how information on the history and significance of the Governor's and Lieutenant Governor's Residences including Aboriginal cultural heritage values will be provided for the public, and make recommendations regarding public accessibility, signage and lighting. The plan must identify the types, locations, materials, colours, dimensions, fixings and text of interpretive devices that will be installed as part of this project.
8. The approved interpretation plan must be implemented prior to the issue of an Occupation Certificate/Government certification.

Reason: Interpretation is an important part of every proposal for works at heritage places.

Photographic Archival Recording

9. A photographic archival recording of the Governor's and Lieutenant Governor's Residences must be prepared prior to the commencement of works, during works and at the completion of works. This recording must be in accordance with the Heritage NSW publication 'Guidelines for preparing archival recordings of heritage items as a condition of consent' (2025). The digital copy of the archival record must be provided to Heritage NSW.

Reason: To capture the condition and appearance of the place prior to, and during, modification of the site which impacts significant fabric.

Unexpected finds

10. The Applicant must ensure that if substantial intact archaeological deposits and/or State significant relics or any other buried fabric such as works not identified in Archaeological Assessment titled 'Maitland Gaol Redevelopment: Archaeology', prepared by Umwelt, dated September 2023, are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: All significant fabric within a State Heritage Register curtilage should be managed according to its significance. This is a standard condition to identify to the applicant how to proceed if historical archaeological relics, or other unexpected buried discoveries such as works are identified during the approved project.

Aboriginal objects

11. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the *National Parks and Wildlife Act 1974*. Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the *National Parks and Wildlife Act 1974*.

Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.

Compliance

12. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

Section 60 application

13. An application under section 60 of the *Heritage Act 1977* must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

Reason: To meet legislative requirements.

Advice

Section 148 of the *Heritage Act 1977* (the Act), allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects,

places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

Right of appeal

If you are dissatisfied with this determination, section 70A of the Act gives you the right of appeal to the Land and Environment Court.

If you have any questions about this correspondence, please contact Lily Chu, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely

Rochelle Johnston

Rochelle Johnston
Senior Manager, Heritage Referrals
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As delegate of the Heritage Council of NSW

16 May 2025