

**PROPOSED FITOUT AND
CHANGE OF USE TO MEDICAL CENTRE
UNIT 1/175 HIGH STREET, MAITLAND**

**STATEMENT OF
ENVIRONMENTAL
EFFECTS**

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VERSION 2



WILSON PLANNING

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Table of Contents

1.0	Introduction	1
1.2	Site Details	1
1.3	Surrounding Development	5
1.5	Proposed Development	5
2.0	The provisions of any environmental planning instruments	5
2.1	Environmental Planning and Assessment Act 1979 (the Act)	5
2.1.1	Section 4.46 'Integrated Development'	5
2.2	State Environmental Planning Policies (SEPPs)	6
2.2.1	State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55)	6
2.2.2	State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)	6
2.3	Maitland Local Environmental Plan 2011 (MLEP 2011)	6
2.3.1	Zone and Zone Objectives	6
2.3.2	Land Use Table	7
2.3.3	Principal Development Standards	7
3.0	Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority	9
4.0	The provisions of any development control plans	9
4.1	Maitland Development Control Plan 2011 (MDCP)	9
5.0	The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	11
5.1	Environmental impacts on both the natural and built environments	11
5.1.1	Noise	11
5.1.1	Hazards	11
5.2	Social impacts	11
5.3	Economic impacts	12
6.0	Suitability of the site	12
7.0	The public interest	12
8.0	Conclusion	12

1.0 Introduction

1.2 Site Details

The subject site is legally described as SP66986 and known as 175 High Street, Maitland.

The site is irregular in shape and has a total area of 4,027m². Vehicular access is via Sparke Street, which runs off High Street.

The site contains an approved commercial building and at-grade carpark that has been strata subdivided. Unit 1 (Lot 1) has 16 carparking spaces allocated on title, Unit 2 (Lot 2) has 9 carparking spaces allocated on title, and Unit 3 (Lot 3) has 15 carparking spaces allocated on title (a total of 40 carparking spaces on the site). Unit 1 has a GFA of 876m² (over 2 levels).

The location of the site is shown in Figure 1. The existing premises (the subject of this DA) is shown in Figures 2-7 and was most recently used as a bulky goods retail premises.



Figure 1 – Location of site

Source: ePlanning Spatial Viewer, 2021



Figure 2 – Unit 1, the subject of this DA

Source: realcommercial.com.au

Figure 3 – Internal layout of Unit 1, the subject of this DA

Source: realcommercial.com.au

Figure 4 – Internal layout of Unit 1, the subject of this DA

Source: realcommercial.com.au

Figure 5 – Unit 1 storage to be used for the parking of home visit vehicles

Source: realcommercial.com.au

Figure 6 – Unit 1 mezzanine to be retained and only used for storage as part of the medical centre

Source: realcommercial.com.au

Figure 7 – Unit 1, the subject of this DA

Source: realcommercial.com.au



1.3 Surrounding Development

The site is bounded by New England Highway to the south and commercial centre to the north. The site is well located close to shops, employment and schools.

1.5 Proposed Development

Consent is sought for the fitout of Unit 1 for the purposes of establishing a medical centre (physiotherapy, occupational therapy, exercise physiology, and massage therapy) with the following:

- Reception area and waiting room
- 13 consultation rooms (No. 13 to be used as office for Practice Manager)
- Paediatric (Children's) Recovery Gym – 113.8m²
- Adult Recovery Gym – 116.64m²
- 3 additional WCs, including one accessible WC and shower (total of 5 WCs)
- Staff kitchen, and hand washing stations
- Storage and loading area to be used to park work vehicles (total of 4) used for home visits
- Mezzanine to be the used as storage only.

The proposed medical centre will have the following opening hours and staff numbers:

Hours of Operation	Staff Numbers
Monday – Friday: 7:30am – 7pm Saturday: 8am – 1pm Sunday: Closed	Practitioners: 10 professional staff members at any one time due to part time/job share roles.
	Support Staff: 4

2.0 The provisions of any environmental planning instruments

2.1 Environmental Planning and Assessment Act 1979 (the Act)

2.1.1 Section 4.46 'Integrated Development'

Integrated Development	Section	Comments
Fisheries Management Act 1994	s144 s201 s205 s219	N/A
Heritage Act 1977	s58	N/A

Coal Mine Subsidence Compensation Act 2017	s22	N/A
National Parks & Wildlife Act 1974	s90	N/A
Protection of the Environmental Operations Act 1997	ss43 (a), 47, 55 ss43 (b), 48, 55 ss43(d), 55,122	N/A
Roads Act 1993	s138	N/A
Rural Fires Act 1997	s100B	N/A
Water Management Act 2000 & Water Management Amendment (Controlled Activities) Regulation 2008	s89,90,91	N/A

2.2 State Environmental Planning Policies (SEPPs)

2.2.1 State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55)

Given the site's historical use, there is not considered to be any risk of contamination on the site and no further assessment is necessary. The site is considered fit for purpose for a medical centre.

2.2.2 State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

Part 3 Division 15 Subdivision 2 – Development in or adjacent to rail corridors and interim rail corridors - notification and other requirements

The proposed development is adjacent to rail corridor, the works involved are internal and no building works external. Therefore, referral to NSW Rail will not be required.

Part 3 Division 10 – Health services facilities

The proposal is characterised as a 'health services facility' and is permissible with consent in the B4 zone pursuant to the provisions of Division 10 of the ISEPP (NB. it is also permissible pursuant to the provisions of MLEP 2011).

2.3 Maitland Local Environmental Plan 2011 (MLEP 2011)

2.3.1 Zone and Zone Objectives

The subject site is zoned B4 Mixed Use. The objectives of the B4 zone are:

- To provide a mixture of compatible land uses.
- 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.

In regard to the first objective, the proposal will encourage a mix of compatible uses along main roads and supporting the city centre.

In regard to the second objective, the proposal will generate employment opportunities for the local community in an ideal location close to public transport (bus and train) and the New England Highway. The use will support the city centre without detracting from it, will provide high demand health services in an excellent location close to businesses, schools, hospitals and residents.

2.3.2 Land Use Table

The proposal is defined as a ‘medical centre’.

A medical centre is permissible with consent in the B4 zone. The definition of a ‘medical centre’ follows: *‘Medical centre means premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals. It may include the ancillary provision of other health services.’*

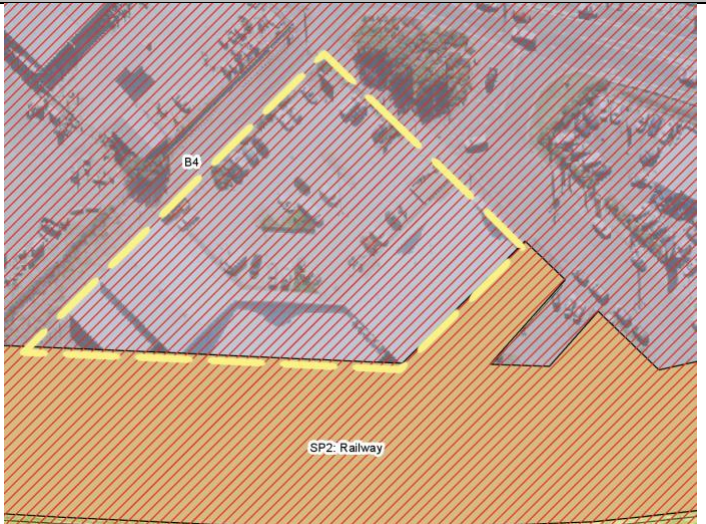
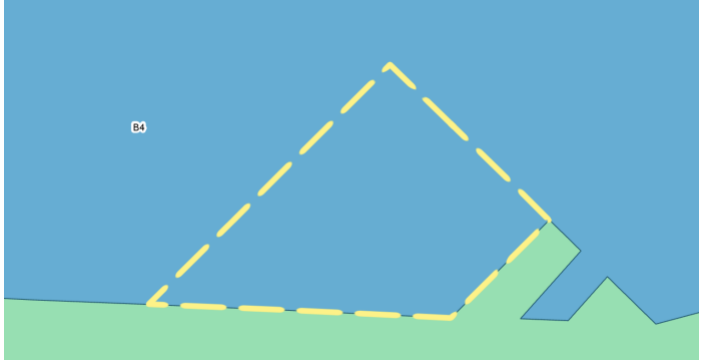
The adult and pediatric recovery gym areas are an essential component of any physiotherapy/occupational therapy/exercise physiology practice and will be solely used by patients of the medical centre for rehabilitation purposes, not for normal exercise and recreation. These recovery gyms are subordinate to the dominant use.

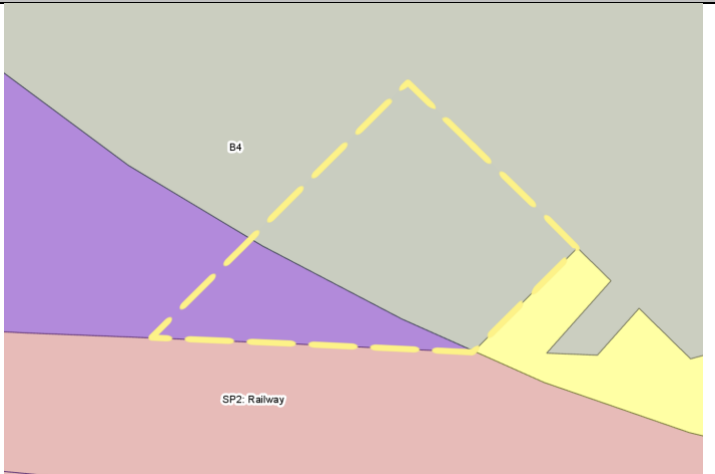
2.3.3 Principal Development Standards

The following table provides an assessment of the proposal against other relevant clauses of MLEP, including consideration of Principal Development Standards.

Maitland Local Environmental Plan 2011		
Clause	Provision	Comment
1.2	Aims of the plan	These are broad aims that have limited applicability to the current proposal. Notwithstanding the proposal is considered to be generally consistent with the aims.
4.3	Height of buildings	Not adopted.
4.4	Floor Space Ratio	Not adopted.
5.10	Heritage conservation	<p>The subject site does not contain a listed heritage item.</p> <p>The site is listed within Central Maitland Heritage Conservation Area and adjacent to the Government Railway listed heritage item. See map extract below.</p> <p>The type of development proposed, being a change of use and internal fitout works will have no impact to the heritage significance in the HCA or listed item adjacent.</p>

Maitland Local Environmental Plan 2011

Clause	Provision	Comment
		
5.21	Flood planning	<p>The site is identified as being flood prone land on the Flood Planning Map – see map extract below.</p>  <p>The footprint of the proposed medical centre has been assessed under the previous DA for the commercial building.</p> <p>The change of use and internal fitout will not alter the existing finished flood levels or flood impacts.</p>
7.1	Acid sulfate soils	<p>The site is identified in Class 4 and 5, the footprint of building is predominantly located within an area of Class 4 acid sulfate soils. See map extract below.</p> <p>The proposed development will contain works internal to the existing building and will not require further investigation.</p>

Maitland Local Environmental Plan 2011		
Clause	Provision	Comment
		
7.2	Earthworks	No earthworks proposed.

3.0 Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority

There are no known current draft or proposed instruments applicable to the proposal.

4.0 The provisions of any development control plans

4.1 Maitland Development Control Plan 2011 (MDCP)

The following table provides an assessment of the proposed development against relevant sections of MDCP 2011.

Maitland Development Control Plan 2011		
Clause	Provision	Comment
Part B6 – Waste Not – Site Waste Minimisation & Management		
	A completed SWMMP shall accompany the development application, indicating measures for the construction phase (if required) and its ongoing use.	A SWMMP has been prepared and accompanies the application. The waste storage and collection room is capable of accommodating bins for general

Maitland Development Control Plan 2011		
Clause	Provision	Comment
	The SWMMP or plans submitted with the application shall show the location of onsite individual or communal waste/ recycling storage area/s or room/s of an appropriate size to accommodate waste and recycling bins, either provided by Council or by a private waste facility. These areas are to be large enough to accommodate the waste generated by the development and be accessible by the waste contractor.	and recycled waste. A private contractor will service the development.
Part C6 – Outdoor Advertising		
	Various controls	No signage proposed under the current application.
Part C11 – Vehicle and Parking Access		
Calculation of Parking Requirements	Various controls	<p>The proposal involves a total lettable floor space of 876m²; however, the upstairs mezzanine will be used for storage only and will not attract carparking demand. Similarly, the current warehouse and loading area will be used for the parking of 4 company vehicles only and will also not attract carparking demand.</p> <p>The GFA of the premises excluding these two areas is 568m².</p> <p>The adult and pediatric recovery gym areas are an essential component of any physiotherapy / occupational therapy / exercise physiology practice and will be solely used by patients of the medical centre for rehabilitation purposes, not for normal exercise and recreation. These recovery gyms are subordinate to the dominant use. As such, they do not generate additional parking demand beyond the consultation rooms.</p> <p>So for the purposes of generating a parking demand, the GFA should be considered as 338m².</p> <p>The DCP Appendix A does not list a medical centre and the RTA Guide to Traffic Generating lists a rate of 4 spaces per 100m² GFA. Using this rate, the minimum number of parking spaces required is $338 / 100 * 4 = 13.52$ (14).</p>

Maitland Development Control Plan 2011		
Clause	Provision	Comment
		16 carparking spaces are allocated to Unit 1 and will be available for exclusive use by the medical centre. This provision is considered to be adequate for the proposed use.
C12 – Crime Prevention through Environmental Design		
	Various controls.	A medical centre in an existing commercial premises is not stated as development requiring Crime Prevention through Environmental Design.
E3.2 Central Maitland Conservation Area		
	Various controls.	The site is located within the Central Maitland HCA; however, it will be located within an existing approved commercial building and will have no impact on the HCA.

5.0 The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

5.1 Environmental impacts on both the natural and built environments

5.1.1 Noise

The proposed development is considered to have minimal impact on the environment, The use will generate low scale noise and is acceptable in this instance.

5.1.1 Hazards

The site is subject to flooding. The change of use will not alter the existing finished flood levels.

There are no other known hazards that would preclude development of the land for the purposes of a medical centre and ancillary use.

5.2 Social impacts

The proposed use will have a beneficial social impact on the locality, by providing a range of much needed health services for the local population.

5.3 Economic impacts

The proposed use will have a positive economic impact on the locality in that it will generate additional local short and long term employment and will result in additional spending in the local area.

6.0 The suitability of the site for the development

This report has demonstrated that the site is suitable for the proposed change of use as a medical centre. In summary, suitability is achieved given:

- The use is permissible and consistent with the relevant zone objectives.
- The development respects the existing commercial character of the immediate and surrounding locality.
- There are no prohibitive constraints posed by the site or those adjacent.
- There are no detrimental environmental or amenity impacts resulting from the proposed uses.

7.0 The public interest

The proposed use of the premises as a medical centre is considered to be in the public interest, in that it will provide a range of local health care services, provide local jobs and inject money into the local economy without detrimentally impacting on the environment or amenity of adjoining properties.

8.0 Conclusion

This Statement of Environment Effects has considered all natural constraints and hazards and found the site/premises to be suitable for the proposed use. It has been found that the proposed development will have negligible impacts on the natural or built environment and the proposal.

This report has addressed the permissibility of the development and found it to be permissible under MLEP. The proposal is considered to be compliant with MLEP and MDCP.

Approval of this application will allow a much-needed local medical centre to establish resulting in positive economic and social impacts in the local area.

Council's favourable consideration of the application is requested.



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