

**STATEMENT OF ENVIRONMENTAL EFFECTS
PROPOSED CHANGE OF USE TO A RECREATIONAL FACILITY
“STEPZ FITNESS MUSWELLBROOK”**

STEPZ FITNESS

**LOT 3 DP 1090457
SHOP B6 19-29 RUTHERFORD RD
MUSWELLBROOK NSW 2333**

Introduction

This report has been compiled as a Statement of Environmental Effects in assessment of a Development Application for a change of use to a Recreational Facility. The new business will be called “Stepz Fitness Muswellbrook”.

The plans have been designed in accordance with the requirements of Muswellbrook Development Control Plan. The existing building is classified by the local council as a *B2 Local Centre*. As identified in the Local Environmental Plan 2009, the Zone B2 has seven primary objectives.

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To maintain the status and encourage the future growth of the Muswellbrook established business centre as a retail, service, commercial and administrative centre while maintaining the centre’s compact form.
- To enable a wide range of land uses that are associated with, ancillary to, or supportive of the retail and service functions of a business centre.
- To maintain the heritage character and value and streetscape of the business centre of Muswellbrook.
- To support business development by way of the provisions of parking and other civic facilities.

Permitted with consent

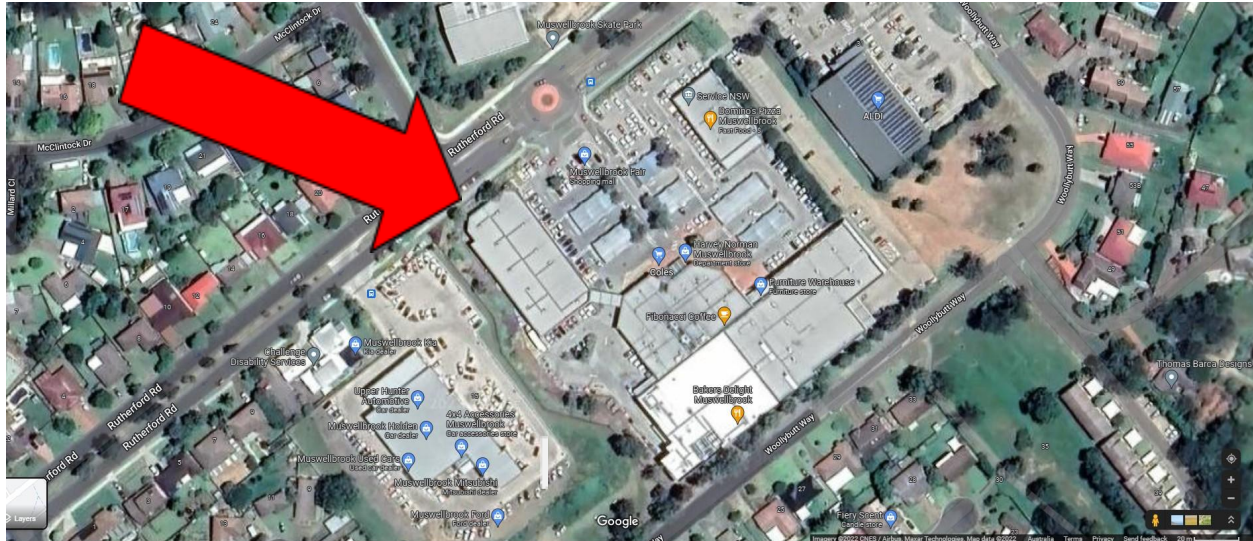
*Advertising structures; Bulky goods premises; Business premises; Car parks; Child care centres; Community facilities; Depots; Entertainment facilities; Environmental facilities; Garden centres; Hardware and building supplies; Heavy industrial storage establishments; Hotel or motel accommodation; Industrial retail outlets; Landscaping material supplies; Light industries; Office premises; Passenger transport facilities; Places of public worship; Plant nurseries; Recreation areas; **Recreation facilities (indoor)**; Recreational facilities (outdoor); Registered clubs; Respite day care centres; Roads; Service stations; Serviced apartments; Sex services premises; Shop top housing; Storage premises; Take away food and drink premises; Timber yards; Transport depots; Truck depots; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres.*

recreation facility (indoor) means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, **gymnasium**, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.

Location and Details

The site is located at 19-29 Rutherford Rd. The existing building is a single storey retail complex comprising commercial stores servicing all types of business trade including a Harvey Norman, Coles, a coffee shop and various small retail stores. The site is slightly sloping from the east down to the west. It has multiple parking spaces for the proposed gym and the remaining shops who share the car park space and come off Rutherford Rd. The structure is

made largely out of brick, concrete, aluminium and glass, typical of this type of building construction. There is an awning which surrounds the footpaths which provides all weather access into the building. Pathways are concrete and tiled or paved. The site is surrounded by other small buildings and businesses and in adjacent blocks including a Kia Dealership and an Aldi in the adjacent site. There are residential dwellings to the west however they are not directly in front of the building.



Proposed Development

The purpose of this statement of environmental effects is for the change of use from the existing building to a use of the building for a Gym.

Construction Details

The existing building comprises a slab on ground construction finished with tiled and carpet floor, concrete and masonry walls and aluminum windows, and plasterboard. The details of the construction for the proposed business have been addressed in the floor plan and specifications plan accompanying this report.

Floor Space Ratio

The building will not increase the floor space ratio.
This complies.

Maximum Number of Storeys.

The existing development is one storey and will not change.
This complies.

Setbacks

The existing dwelling is built on the entire south east and west boundary. It complied with council at the time of construction. No setbacks will be built on. It also complies with the current DCP Development in business zones.
This complies.

Landscaped area

Landscaping is not subject to this DA.

This complies.

Hours of trade

The business will trade from 24 hours Monday to Sunday all year round. Being a business district the effects of noise in the area will not affect people in residential dwellings in the nearby area as there will be no noise pollution. The gym will be open 24 hours a day however it will not be accessible to the general public. Only members with a smart card can sign themselves in. This will discourage anti-social behavior.

This complies.

Process description

The business will trade as a regular gym. There will be a foyer and entry point and separated communal table for socializing after a workout. Showers and disability toilets will be provided for the workout area.

This complies.

Staff

The business will be employing one person to oversee day to day gym general business.

This complies.

Building Character and Form

To ensure the development responds to both natural and built context and responds to the existing and future streetscape character. Overall, it has been designed to be sympathetic and complementary to the streetscape. It has taken an empty shop and enhanced the appearance.

This complies.

Car parking and Access

The complex currently has a 270 car park to the east of the building for as many car park spaces as required. One will be for the staff and customers. Considering the majority of customers will be walking to the gym and will live in the neighboring area means car parking spaces are not as important. Also there is a loading zone behind the complex for the loading and unloading of provisions for the business. With this considered there will be no adverse impacts on the parking in the area by this business opening.

This complies.

Site contamination assessment

There is no evidence of landfill or history of dumping of contaminated or hazardous materials

This complies.

Waste Disposal/Collection

The business will have a contract with local rubbish removal service to provide a general waste bin for the use by all the businesses in the complex. It is located inside the delivery zone to the south of the site and is emptied regularly (depending on the consumption and waste generated). Refer to the Site Waste Minimization and Management Plan for more detail.

This complies.

Heritage Listing

There is to be no damage done to any heritage listed buildings on site or in the vicinity of the construction zone. This includes neighboring houses caused by excavating and movement of the soil. It also includes the protection of trees which may be listed as heritage.

This complies.

Signage

According to the DCP for the zoning of Muswellbrook (B2 – Local Centre) These areas consist mainly of one and two storey buildings with shops at ground floor level that serve the local needs of the community and some shop top accommodation above. Existing signage is limited to small scale business identification signs such as fascia, under awning (some illuminated), top hamper and window signs. There are no large scale advertisements given the limited scale of the built form. There are limited examples of signage located above awning height that are not characteristic, or have been integrated into the design of the building. The existing character of these areas should be retained by limiting signage to small scale business and building identification signs in the forms previously described.

Location - Controls

- (i) Provide outdoor signage that is visually interesting and integrated with the architecture of the building.
- (ii) Use lettering, materials and colours that complement the existing building or place.
- (iii) Avoid signage that dominates the building.
- (iv) Provide an appropriate scale, form and similar proportions to the desired character of the streetscape. (Refer to character statements above and Fig. 16.1)
- (v) Do not locate signage where it will obstruct views, vistas or cause significant overshadowing.
- (vi) Provide outdoor signage which does not dominate the building or protrude above any parapet or eaves.
- (vii) Avoid locating advertisements over a window, other openings or which covers significant architectural detail of the building.
- (viii) The proposed means of fixture to the building or any support structure for freestanding signs must be consistent with the character.
- (ix) Avoid freestanding signs that dominate the skyline when viewed from the ground within one kilometre.

Restrictions - Controls

- (i) Do not provide any more than one large building and/or business identification sign per building to be allocated to a major tenant of the building.
- (ii) Under awning signs must be located 2.6m above natural ground level, not exceed 2.5 m in length or 0.5 m in height.
- (iii) Avoid advertising products that are not sold on the premises.
- (iv) Only one directory board permitted for multiple occupancy buildings.

- (v) Provide signs that respect the viewing rights of other advertisers. No advertising structure shall be erected closer than 3 metres in a horizontal plane to any other advertising structure.
- (vi) Integrate the name or logo (max. - 0.25m²) of the person who owns or leases an advertisement into the signage display area.
- (vii) Proposed signage greater than 20 square metres and within 250 metres of and visible from a classified road will be referred to the RTA for agreement.
- (viii) Permanent advertising panels have a maximum surface area of 6m² and are limited to one per property.
- (ix) Pole or pylon signs shall have a maximum advertising area of 3m² and a maximum height of 7m to the top of the sign, measured from ground level (existing).

Wall Signs - Controls

- (i) Allow only one wall sign per building elevation.
- (ii) Integrate wall signs into the overall design of the building.
- (iii) Avoid signs that have an area greater than:- • 10% if the wall elevation is > 200m² • 20m² if the elevation is greater than 100 m² but < 200 m² • 20% for elevations of <100 m²
- (iv) Protrusions from the wall should be no greater than 300 millimetres.
- (v) Avoid locating a wall sign on a building elevation if there is an existing building or business identification sign.

Facade is 156m² and the signage will cover approximately 20m²

This complies.

Conclusion

In conclusion this new Development Application has been designed and with both the relevant local and state governments guidelines, the Building Code of Australia. It meets the requirements of the DCP and LEP and it satisfies the requirements of the client.