



**zone**  
Planning Group

# Statement of Environmental Effects

Development Application  
Recreation Facility (Indoor) – Beach Clubhouse

Prepared for Palm Lake Works Pty Ltd

September 2024  
N24084

42 Lewis St,  
Old Bar



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## Document Control

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## Executive Summary

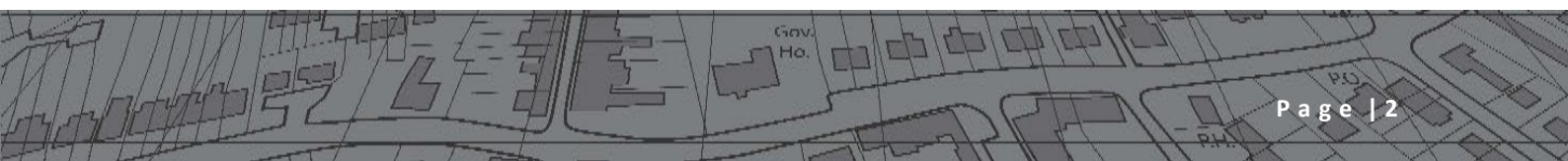
This Development Application is being made by Zone Planning Group (NSW) on behalf of Palm Lake Works Pty Ltd seeking development consent for a Recreation Facility (Indoor) consisting of a Beach Club House at 42 Lewis Street, Old Bar.

With reference to Section 4.15 Matters for Consideration of the *Environmental Planning and Assessment Act 1979*, the proposal is consistent with the relevant controls and permissible with consent, is suitable for the site and is unlikely to result in significant impact or be detrimental to the public interest.

This Application seeks a variation under clause 4.6 of the Greater Taree Local Environmental Plan 2010 (GTLEP) for the development standard set for the maximum building height on the land. A Request to Vary a Development Standard accompanies this Application.

The Development is compliant with the Greater Taree DCP 2010 Chapters D1.3 Old Bar to Manning Point, D3.1 Earthworks and D3.2 Erosion and sediment control requirements.

It is therefore requested that the application be approved subject to reasonable and relevant conditions.





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## Attachments

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<b>Attachment B</b>	Plan Set <ul style="list-style-type: none"><li>- Overall Site Plan</li><li>- Site Plan – Beach Clubhouse</li><li>- Ground Floor Plan</li><li>- Ground Floor Plan Pool</li><li>- First Floor Plan</li><li>- Building Elevations Sheet 01</li><li>- Site Elevations Sheet 01</li><li>- Sections Sheet 01</li></ul>	VIA Architects
<b>Attachment C</b>	Preliminary Civil Plans	Northrop Consulting Engineers
<b>Attachment D</b>	Engineering Design Report	Northrop Consulting Engineers
<b>Attachment E</b>	Statement of Landscape Intent	Boyd's Bay Group Planning
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<b>Attachment G</b>	Shadow Study	VIA Architects
<b>Attachment H</b>	Coastal Hazards Risk Management Plan	Zone Planning NSW





# 1 Introduction

This Statement of Environmental Effects (SEE) has been prepared for Palm Lake Works Pty Ltd and forms part of a development application to MidCoast Council for the construction of a Recreation Facility (Indoor) development comprising of a Beach Club House at 42 Lewis St, Old Bar. This application also applies to Lot 1 DP594864, Lot 2 DP1022067 and Lot B DP377867 for the purpose of legal access to the Site, via Forest Lane.

Palm Lake Works Pty Ltd is an Australian family-owned company with more than 47 years of expertise in crafting designer, resort-style living for over-50s. Palm Lake currently operates over 28 communities throughout Australia.

The objective of this proposal is to Construct a Beach Club House for the benefit of the residents of the related Manufactures Home Estate and land lease communities adjoining and adjacent to the site, including:

- Gymnasium
- Library
- Lounge area
- Fitness studios
- Bar and Café
- Restaurant
- Outdoor pool, spa and leisure area

The proposal, designed by VIA Architects, aims to be of visual interest in the surrounding area, with the proposed club house presenting a modern façade comprising consistent setbacks, materials and finishes at the street frontage to provide a high level of visual interest in the streetscape.

The proposal has been assessed in accordance with the relevant zone objectives in the Greater Taree Local Environmental Plan (GTLEP) 2010 and the relevant objectives of the Greater Taree Development Control Plan (GTDCP) 2010.

This document is divided into 6 sections. Section 2 contains a site analysis, Section 3 contains details of the proposal, Section 4 and 5 contains the detailed assessment of the application in accordance with Section 4.15(1) of the Environmental Planning and Assessment (EP& A) Act 1979, and Section 6 concludes the report.

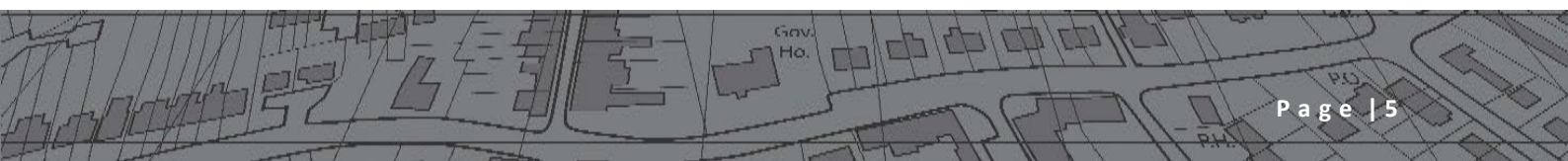
## 1.1 Background

The Clubhouse is associated with the adjoining Manufactured Home Estate (MHE) on Lot 2 DP1022067 and Lot B DP377867. The MHE was granted development consent in 2010 by DA 169/2010/DA and subsequent modifications B, C, MOD2022/0253 and MOD2024/0214 (currently under assessment).

# 2 Site Analysis

## 2.1 The Locality

The subject site is located approximately 1.1km to the south of the township of Old Bar within the MidCoast Local Government Area (LGA). Old Bar is a locality of approximately 4,485 residents with a median age of 50. The primary employment industries for the area include medical, social services and education.





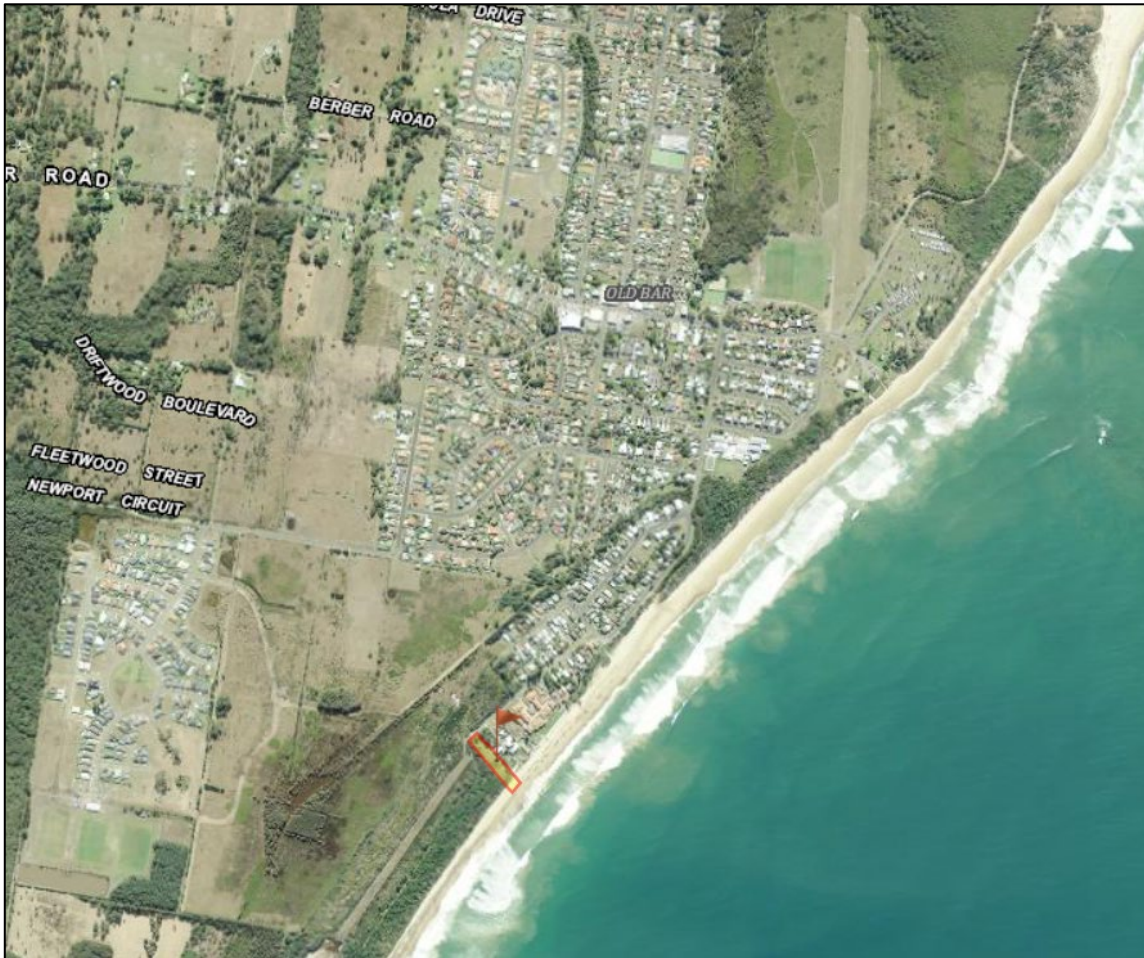
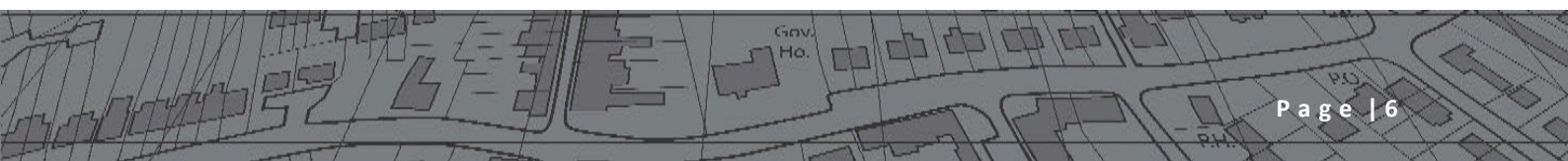


Figure 1 Locality of Old Bar (NSW Government)



Figure 2 Locality (Inset) (NSW Government)





### 2.1.1 Palm Lake Works Land Lease Community

The Beach Clubhouse is associated with the adjoining Palm Lake Works MHE development as illustrated in the below masterplan.

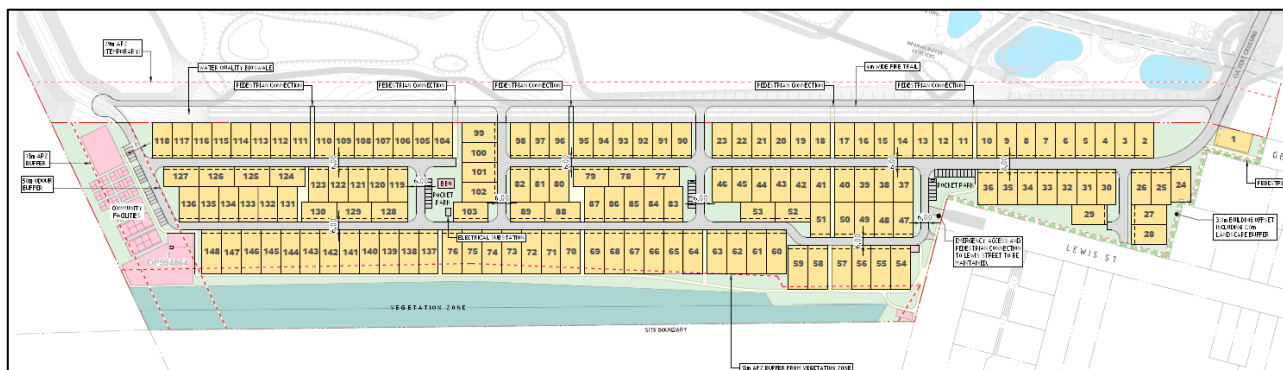


Figure 3 MHE Layout Plan (Northrop)

## 2.2 Site Description

The subject Site is described as Lot F in DP 420085, located at 42 Lewis Street, Old Bar. This application also applies to Lot 1 DP594864, Lot 2 DP1022067 and Lot B DP377867 for the purpose of legal access to the Site, via Forest Lane. The Site has an area of approximately 5,128sqm with boundaries of 30m (northwest - Frontage), 171.1m, (southwest), 31m (southeast) and 165.6m (northeast) as indicated on the Survey Plan included as Attachment A. The site is a vacant lot which is primarily clear of all vegetation with the exception of a smaller portion along the sand dune line. The site is connected to all urban services including, water, sewer, electrical and telecommunication services.



Figure 4 Aerial View of the Site (NSW Government)





## 2.3 Existing Character and Context

The streetscape of Old Bar is a vivid reflection of the township's charm and laid-back coastal lifestyle. The character of the streetscape is defined by several key elements that collectively enhance the town's unique identity.

The architectural style of Old Bar is predominantly low-rise and residential, characterised by cottages, coastal homes, and some more modern constructions however the nearby residential area is experiencing a shift towards modern, two-story dwellings and multi-dwelling housing developments.

The coastal influence is evident in the streetscape, with elements such as coastal-inspired colour schemes. The proximity to the beach is reflected in the relaxed, open feel of the streets, and the layout often facilitates easy access to the waterfront, enhancing the connection between the village and its natural surroundings. The use of natural materials like timber and stone in many buildings helps to harmonise with the surrounding environment, while colour palettes often feature soft, muted tones that complement the coastal setting. The village places a strong emphasis on maintaining green spaces, which provide shade, improve air quality, and create pleasant walking environments.

## 2.4 Constraints, Hazards and Protection

### 2.4.1 Acid Sulfate Soils

The Site is subject to areas of Class 4 and 5 Acid Sulfate Soils as illustrated in Figure 5 below.

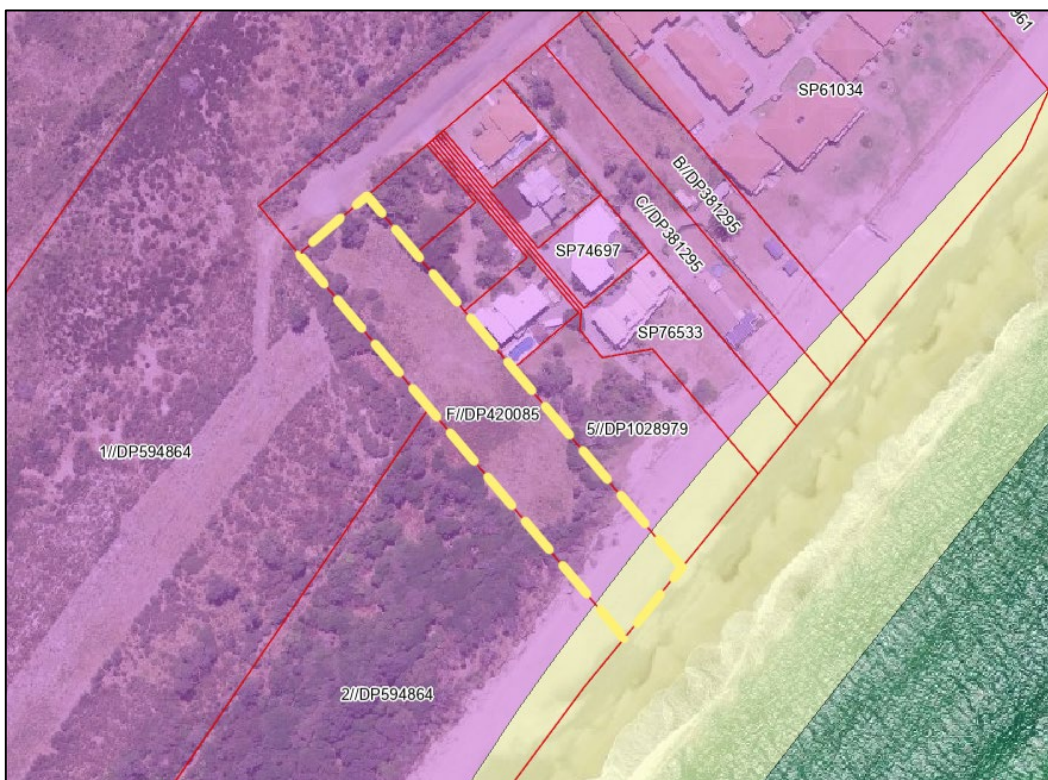
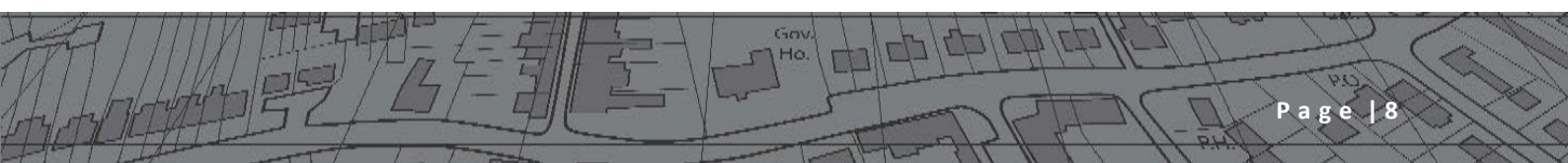


Figure 5 Areas of Acid Sulfate Soils (NSW Government)

### 2.4.2 Bushfire

The Site is identified as being bushfire prone, in vegetation category 3 and vegetation buffer as illustrated in Figure 6 below.





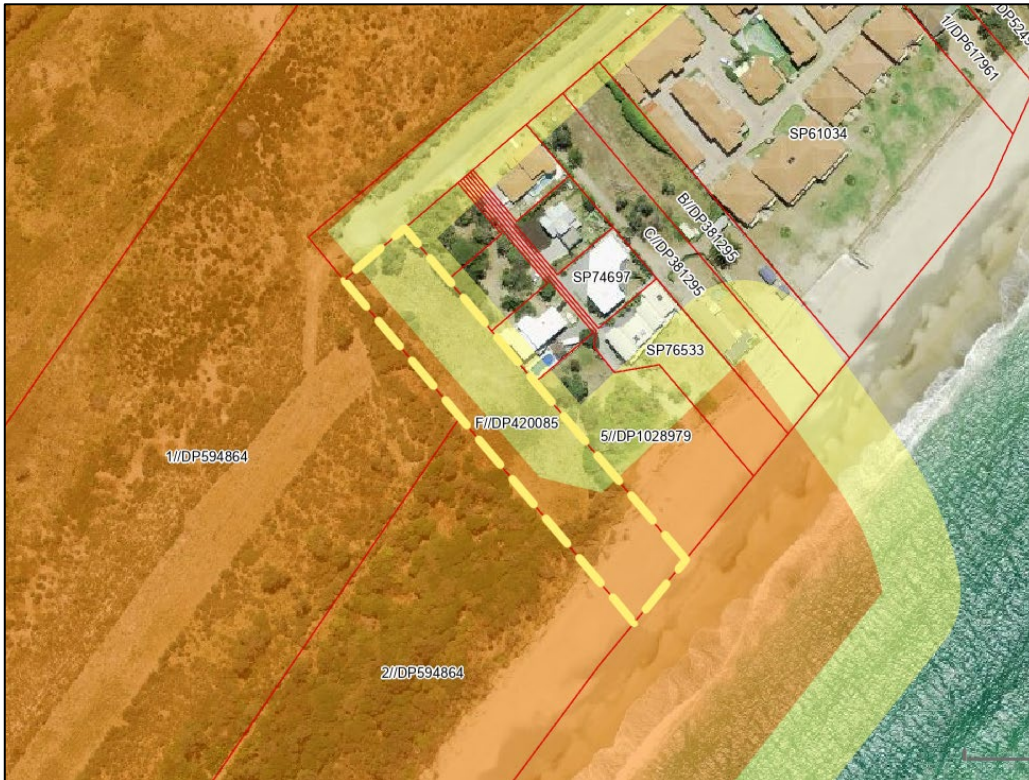


Figure 6 Bushfire Prone Land (NSW Government)

### 2.4.3 Coastal Environment

The Site is identified as being within the Coastal Use and Coastal Environment areas as illustrated in Figures 7 and 8 below.

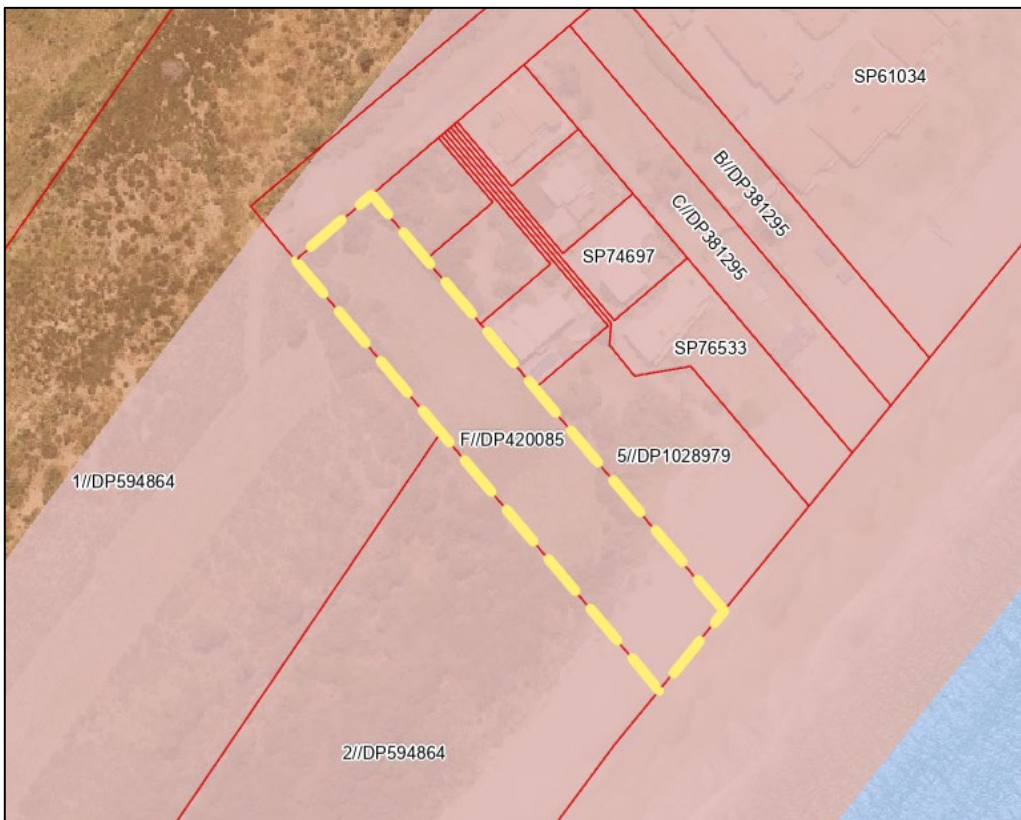


Figure 7 Coastal Use Area (NSW Government)



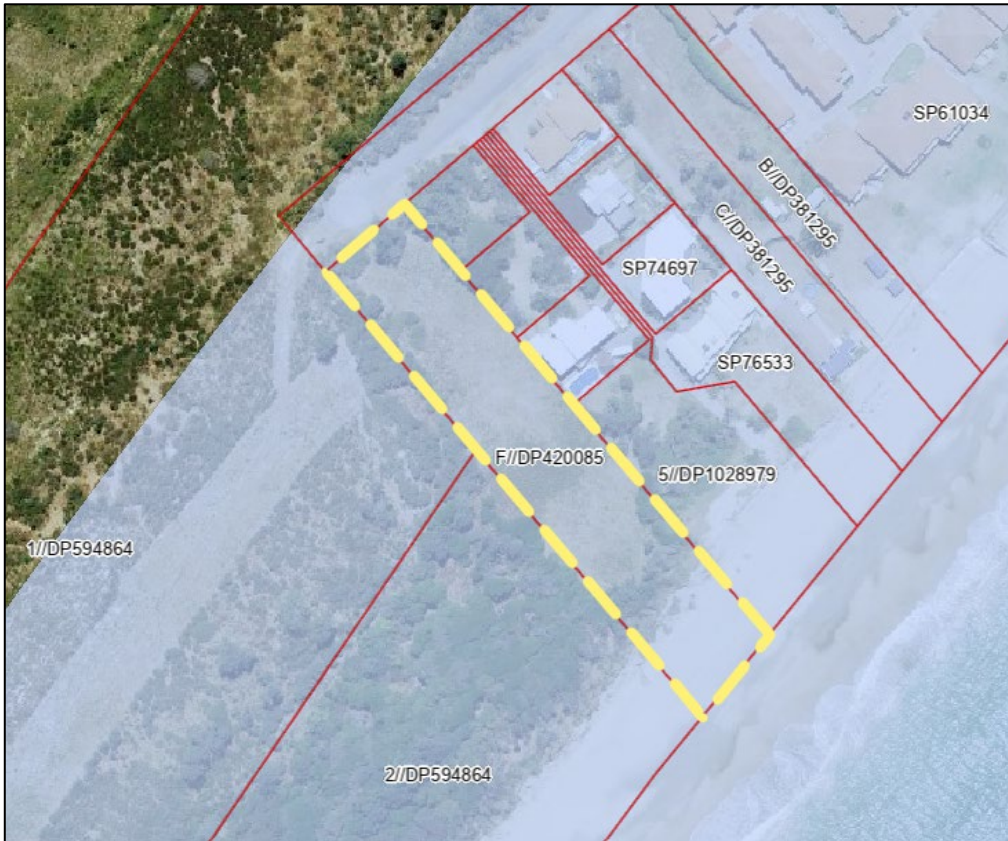


Figure 8 Coastal Environment Area (NSW Government)

Separately, Councils online mapping system has marked the site as containing the Immediate Hazard Line for coastal risk as shown in Figure 9 below.

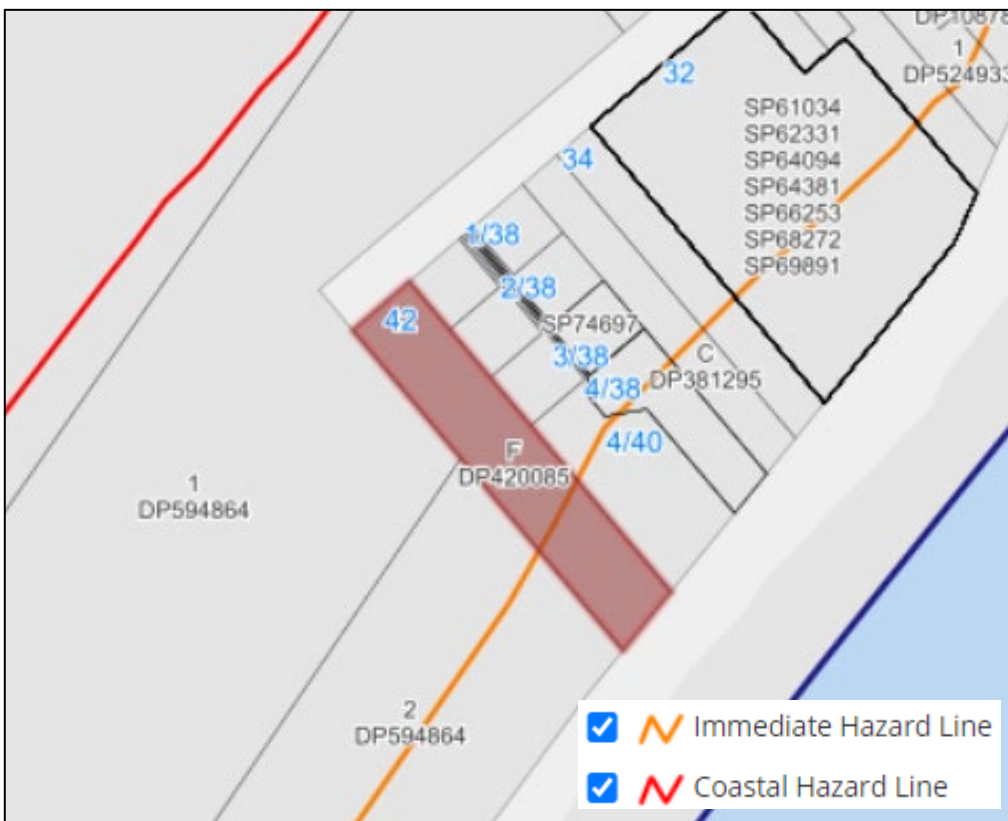


Figure 9 Coastal Hazard Lines (MidCoast Council)





## 2.5 Surrounding Road Network

The site has frontage to Lewis Street which is a local road of 20m in width. Lewis Street currently terminates at the Site.

## 2.6 Previous Approvals

The lot was created in 1960 through a 3-lot subdivision granted by the then Manning Shire Council. No other applications have been submitted for the land.

# 3 Details of the Proposal

## 3.1 Development Description

### 3.1.1 Built Form and Operation

The proposed development consists of:

- A single clubhouse building (recreation facility – indoor) containing a gym, lounge, café and dining room with staff and community amenities and rest areas.
- Swimming pool, spa and associated plant and storage areas
- Landscaping structures, including decking, pergolas and fire pit
- Associated roads, infrastructure, landscaping and earthworks
- Access from Forest Lane via Lot 1 DP594864, Lot 2 DP1022067 and Lot B DP377867

Table 1 Development Key Figures

Site Area	5,128sqm
Proposed GFA	2,865sqm
Floor Space Ratio	0.56:1
Setbacks	NE – 3m, NW – 11.4m, SW – 0m, SE >100m
Max Building Height	9.225m
Carparking	Nil

The details of the development are provided in the plan set included as Attachment B.



Figure 10 Visual Render of the Development (VIA Architects)



### 3.1.2 Services and Infrastructure

The development will require access to urban services such as reticulated water, sewer, telecommunications and mains electricity. A transformer is proposed to augment the required electricity loading. The Development also proposes an onsite solution to stormwater management, through the implementation of standard management practices as described in Attachments C and D. In particular:

- A 10kL rainwater reuse tank connected to the clubhouse roof for internal and external reuse.
- A gross pollutant trap to collect gross pollutants prior to discharge into the raingarden.
- A raingarden with a minimum 50m<sup>2</sup> filter media area located at the back of the site.

The Development proposes to utilise a contracted waste management company for the collection and disposal of waste.

### 3.1.3 Access

The site is proposed to be accessed from Forest Lane, via the associated residential development as illustrated in Figure 11 below and subject to consent of MOD2024/0214, the effect of which, is to essentially avoid the use of Lewis Street to access the Site and the MHE immediately to the south. An emergency entry point will however be maintained at the end of Lewis Street. As the use of the clubhouse is intended to be restricted to residents of the MHE, no additional public access is required.



Figure 11 Proposed Access (VIA Architects)

### 3.1.4 Traffic and Parking

The use of the development is restricted to residents of the Palm Lake community only. No access to the facility would be available to the general public. No parking spaces are to be provided on the Site, however, 17 car parking spaces, including a disabled parking space, and buggy set-down areas are provided within 20m of the building on Lot 1 for the purposes of convenient access by the Palm Lake community to the Beach Clubhouse Facility. Passive transport options such as walking, cycling or carts are encouraged. For ease of accessibility for less mobile residents, a drop-off area is incorporated near the front entrance of the building. The drop off area will also be available for the community bus.



### 3.1.5 Landscaping

The Development includes onsite landscaping for aesthetic, privacy and stormwater management controls. An indicative landscape plan has been developed and is included with this application as Attachment E. The landscaping selections include native and endemic species to the area which are suitable for coastal climates.

## 4 Planning Controls

The *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2021* (EP&A Reg) provide the framework for development and environmental assessment in NSW.

### 4.1 Environmental Planning and Assessment Act 1979

#### 4.1.1 4.15 Evaluation

In determining the development application, the consent authority must take into consideration the matters for consideration as identified in this section. These matters are addressed as part of this report as following.

### 4.2 State Environmental Planning Policies

An assessment of the relevant State Environmental Planning Policies to the application and supporting commentary has been included as Appendix 1.

### 4.3 Greater Taree Local Environmental Plan 2010

#### 4.3.1 Clause 2.3 – Zone Objectives and Land Use Table

The Development is defined as a Recreation Facility (Indoor) under the GTLEP. The land is zoned a split of R1 General Residential and C2 Environmental Conservation. The proposed Recreation Facility (Indoor) will be located on the R1 General Residential zoned land and is permissible with consent in the zone. Some additional site landscaping works (only) are proposed to extend beyond the R1 zone up to the mapped immediate erosion line, including rain gardens providing water quality treatment. The landscaping works are or will be designed to satisfy the provisions for exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (the Codes SEPP). The raingarden(s) are part of the Stormwater management system and are permitted with consent in accordance with Section 2.138 of *State Environmental Planning Policy (Transport and Infrastructure) 2021*.



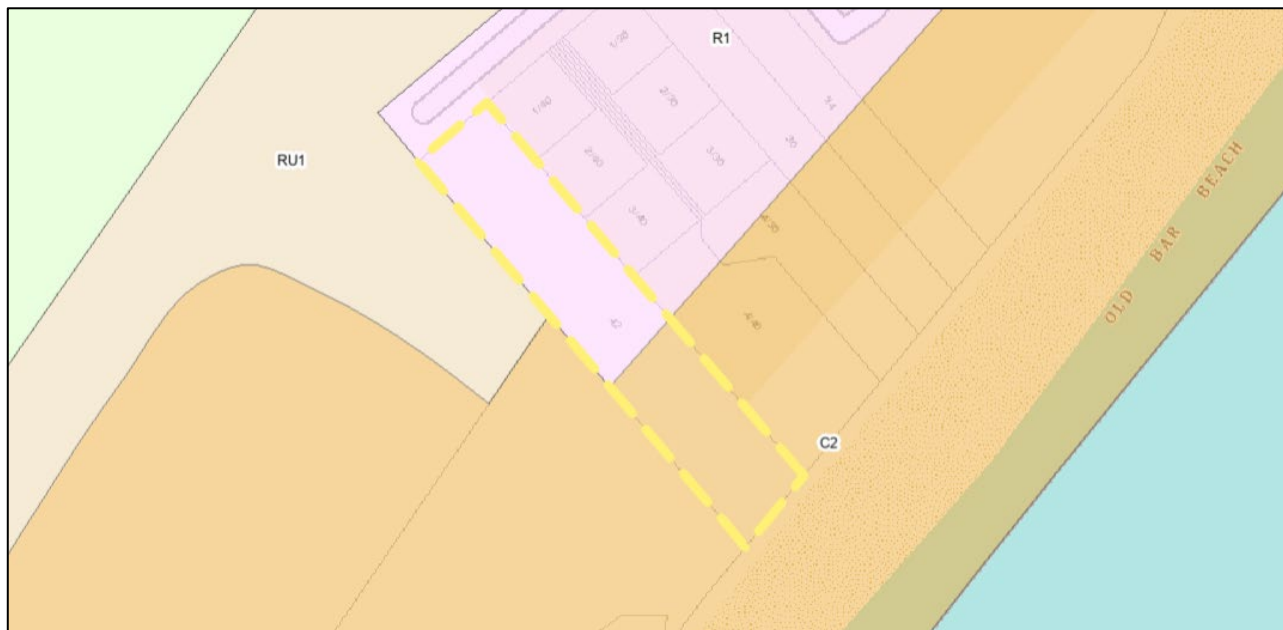


Figure 12 Land Use Zoning (NSW Government)

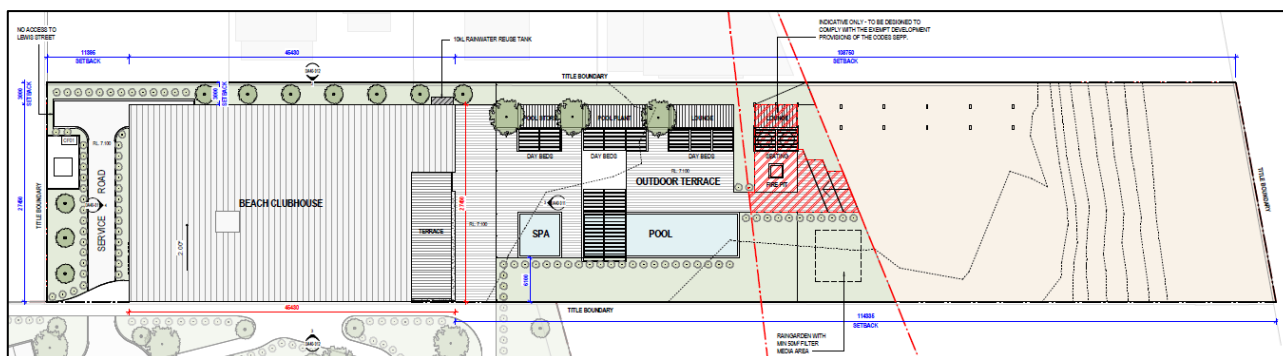


Figure 13 Site Plan Indicating Zoning Boundaries (VIA Architects)

#### 4.3.2 Principal Development Standards

The following table identifies the Principal Development Standards applicable to the application and lists the projects proposed compliance.

Table 2 Principal Development Standards

Relevant Clause	Development Standard	Proposal (Reference)	Compliance (Y/N)
4.3 Height of buildings	8.5	9.225m	N
4.4 Floor space ratio	0.6:1	0.56:1	Y

A Request to Vary a Development Standard under Clause 4.6 of the GTLEP has been submitted with this application to provide justification for the proposed increased building height of the development.

#### 4.3.3 Additional Local Provisions

The following table identifies the Additional Local Provisions relevant to the application and provides supporting commentary.

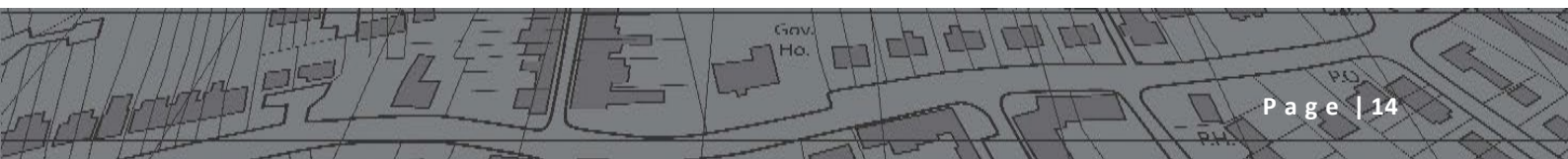




Table 3 Additional Local Provisions

Relevant Clause	Matters for Consideration	Proposal Comment (Reference)	Compliance (Y/N)
<b>7.1 Acid sulfate soils</b>	<i>(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.</i>	The proposed development is not a type as referred to in the table.  The maximum depth of disturbance relates to the proposed building footings, reaching approximately -0.5m.	Y
<b>7.3 Earthworks</b>	<i>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality, (b) the effect of the proposed development on the likely future use or redevelopment of the land, (c) the quality of the fill or the soil to be excavated, or both, (d) the effect of the proposed development on the existing and likely amenity of adjoining properties, (e) the source of any fill material and the destination of any excavated material, (f) the likelihood of disturbing relics, (g) proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</i>	Cut and fill earthworks are required for the development to form a suitable building platform. A Bulk Earthworks plan has been provided in Attachment C to this application, indicating that the maximum fill depth is 1m, and maximum cut is -0.5m. No retaining is proposed or required at these levels.  Cut and fill materials will be reused on site where practicable. Should additional volume be required or in excess, only certified VENM materials will be imported to the site and excess will be removed to an approved facility.  Associated erosion and sediment control measures will also be implemented as discussed further below.	Y
<b>7.11 Essential services</b>	<i>(a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable road access.</i>	The development will require access to urban services such as reticulated water, sewer, telecommunications and mains electricity. Preliminary investigations suggest the existing networks for these services are capable of extension to/ accommodating the development.	Y

## 4.4 Draft Environmental Planning Instruments

The draft Mid-Coast Local Environmental Plan (Draft MCLEP) is applicable as at this date. The draft MCLEP proposes to rezone the land to R2 Low Density Residential, with the accompanying land use table prohibiting recreation facilities (indoor) in the R2 zone. Palm Lake Works has made a submission against this land zoning change as part of the public notification period for the Draft MC LEP. The proposed rezoning applies to the wider locality and adopts a standardised zoning table. That is, it is not specific to the subject Site. In that context, the merits of the proposed use have not been considered and assessed in preparing the Draft MCLEP and it is submitted that in the circumstances of this case, whereby the proposal is intrinsically part of the Palm Lakes Community located immediately adjoining and adjacent to the Site, the relationship to, and compatibility with, existing and likely future character of development surrounding the Site and having regard to the merits of the proposal demonstrated via this application, the Draft MCLEP should not be given any determining weight.



## 4.5 Greater Taree Development Control Plan 2010

The Greater Taree Development Control Plan (GTDCP) 2010 applies to the subject site. A complete assessment against the requirements of the DCP has been included as Appendix 2 to this report.

## 5 Planning Considerations

This section describes in detail the potential environmental impacts associated with the proposed Activity during both construction and operation phase and includes identifying site-specific safeguards to ameliorate the identified potential impacts.

### 5.1 Comment on Natural Environmental Impact – s4.15(1)(b)

#### 5.1.1 *Landform, Geology and Soils*

The proposed development is not anticipated to have significant impacts on the local landform, geology, and soils. While grading and excavation may modify natural topography and landform, potentially disrupting existing drainage patterns and increasing the risk of soil erosion, comprehensive mitigation measures, including erosion control strategies and soil stabilisation techniques will be implemented to manage any potential impacts. Further details of Erosion and Sediment Control measures will be provided at detailed design stage.

#### 5.1.2 *Water Quality and Hydrology*

The development is unlikely to have adverse effects on water quality and hydrology in the area. Alterations to the landscape, such as the creation of impervious surfaces and changes in drainage patterns, can lead to increased runoff and the potential for pollutants—such as sediments, chemicals, and hydrocarbons—to be carried into nearby water bodies.

The development proposes to mitigate these impacts to water quality and hydrology through the implementation of standard management practices as described in Attachments C and D.

#### 5.1.3 *Land Contamination*

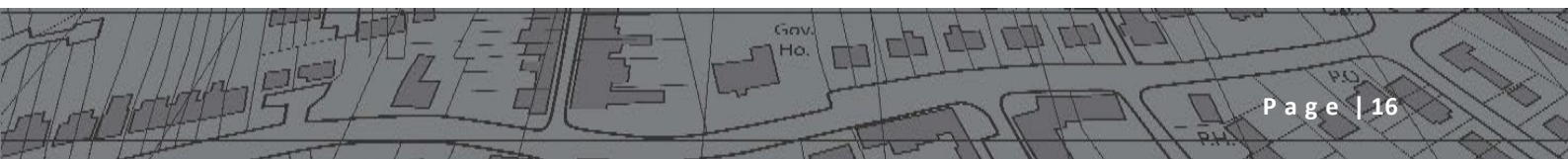
The Development is not a kind of potentially contaminating or high hazard risk. The Development will be constructed and managed such that any hazardous activities such as waste, sewage and stormwater management are controlled in a suitable manner.

### 5.2 Comment on Built Environment Impacts – s4.15(1)(b)

#### 5.2.1 *Impact on the Areas Character*

The architectural style of Old Bar is predominantly low-rise and residential, characterised by cottages, coastal homes, and some more modern constructions however the nearby residential area is experiencing a shift towards modern, two-story dwellings and multi-dwelling housing developments. The future character of the area is currently evolving with the development of the Palm Lake MHE, golf course and open watercourses.

The development aims to complement the streetscape, with elements such as coastal-inspired colour schemes, modern materials and colour palettes of soft, muted tones that complement the coastal setting.







### 5.2.2 Traffic, Parking & Accessibility

As the use of the development is restricted to residents of the Palm Lake community accessing the building from the internal footpaths and roadways, there is not intended to be a significant increase in local traffic on Lewis St.

## 5.3 Comment on Site Suitability – 4.15(1)(c)

### 5.3.1 Proximity to Services and Infrastructure

#### 5.3.1.1 Access

The Site has legal access to Lewis Street; however, the Development is proposed to be accessed via Forest Lane, via the internal roads of the related land lease and MHE development. Lewis Street is not proposed to be used for access to the Site.

#### 5.3.1.2 Water & Sewer

The Site is identified as being within Councils water district but adjacent to the Sewer district as illustrated in Figure 12 below. Preliminary investigations suggest these services are able to be augmented to accommodate the development.

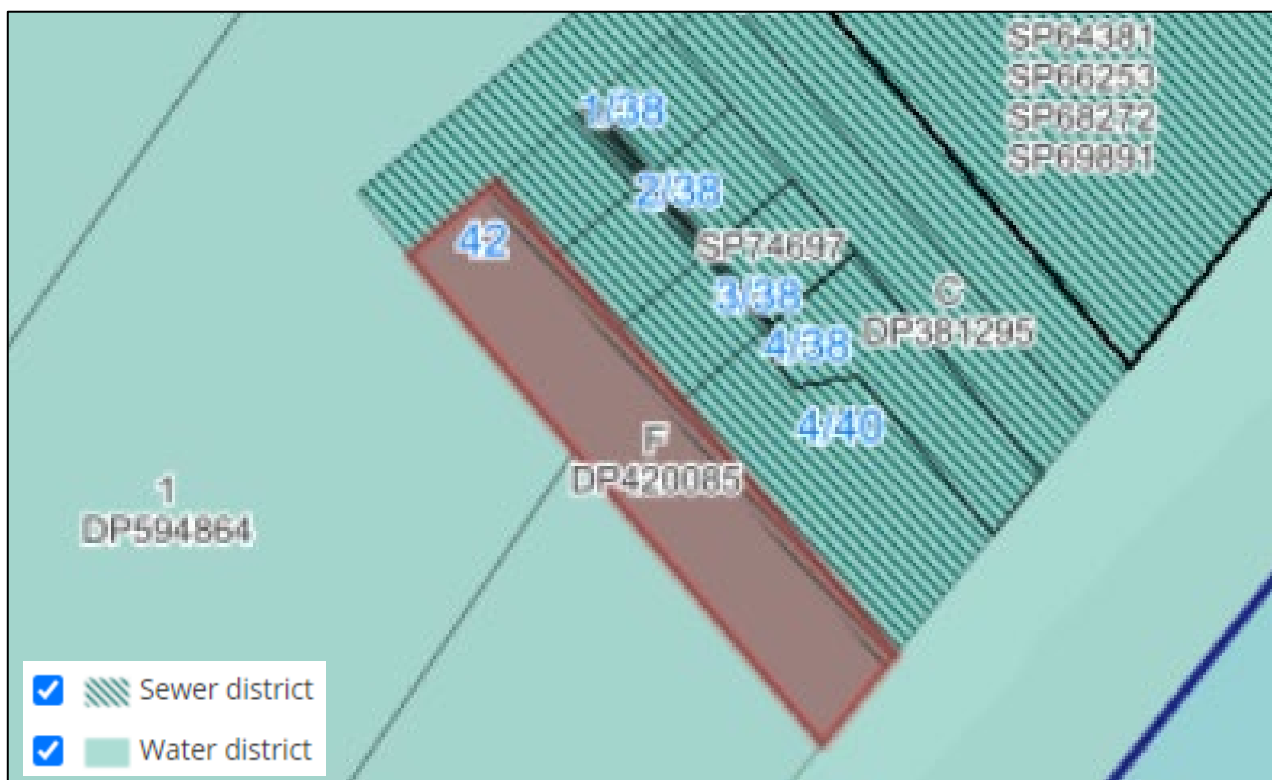


Figure 14 Water and Sewer Districts (Tweed Shire Council)

#### 5.3.1.3 Stormwater

The Site is not connected to Councils integrated stormwater management system. The Development has proposed an onsite solution as described in section 3.1.2 above.

#### 5.3.1.4 Electricity and Telecommunications

The Site does not benefit from existing access to mains electricity and telecommunications; however, these services are able to be extended to the Site.



### 5.3.2 Hazards

The land is identified as being subject to bushfire hazard in category 3 and vegetation buffer and therefore a Bushfire Assessment has been conducted and included with this application as Attachment F. The Assessment concludes that the Development as proposed is able to achieve the aim and objectives of *Planning for Bushfire Protection 2019* with the inclusion of a number of recommendations as listed.

## 5.4 Comment on the Public Interest – 4.15(1)(e)

### 5.4.1 Social Impact

The proposed beach clubhouse is expected to yield several positive social impacts. It will serve as a dynamic community hub, offering a versatile space for social gatherings, events, and recreational activities that can enhance community interaction and cohesion. By providing new amenities and opportunities for leisure, the clubhouse has the potential to enrich the quality of life for the residents of the adjoining and adjacent land lease and MHE communities and foster a sense of community. Additionally, its design and functions will be carefully considered to ensure accessibility and inclusivity for all members of the community.

### 5.4.2 Noise & Acoustic Amenity

The Development, has been designed to address and mitigate potential noise concerns, ensuring a suitable acoustic environment for both users and surrounding properties. The building will incorporate soundproofing materials and design elements to effectively manage noise levels within and between spaces and prevent disturbances to neighbouring properties.

The operational hours of the Clubhouse would comply with the local noise regulations and reasonable community expectations.

### 5.4.3 Privacy, Views & Overshadowing

The proposed development has been designed to address concerns related to privacy, views, and overshadowing. To ensure privacy for both the clubhouse users and adjacent properties, the design incorporates strategic landscaping, privacy screens, and carefully positioned windows that minimise direct sightlines into neighbouring areas.

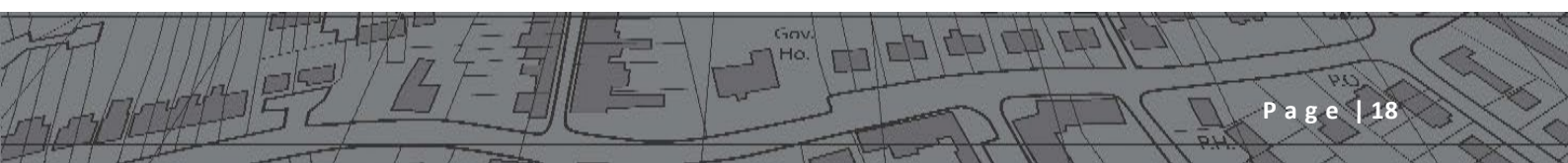
The building has been oriented to reasonably preserve the primary existing views for surrounding residences, avoiding obstruction of significant vistas and maintaining the scenic value of the coastline to the east. The building's height and massing have been considered to prevent overshadowing of neighbouring properties, with a design that adheres to sunlight access guidelines as illustrated in the shadowing diagrams provided as Attachment G.

### 5.4.4 Economic Impact

The development of the new clubhouse is expected to drive local economic activity by generating employment opportunities, both during its construction and its ongoing operations.

## 5.5 Referrals and Concurrence

No referrals or concurrences are required for this development.





## 5.6 Planning Agreement(s)

There are no voluntary planning agreements applying to the site or proposed with this application.

## 6 Conclusion

The proposed additional use for a Recreation Facility (Indoor) consisting of a Beach Club House at 42 Lewis Street, Old Bar, has been assessed in accordance with Section 4.15(1) of the EP&A Act 1979 and Council's planning instruments. The proposal is permissible with consent in the R1 General Residential zone under the Greater Taree LEP 2011 and in our opinion, is consistent with the relevant objectives of the Zone.

For the above reasons, it is our opinion the proposal is a well-designed contemporary development which will positively enhance the neighbourhood and local community. We consider the proposal to be in the interest of the public. It is therefore requested that the application be approved subject to reasonable and relevant conditions.

