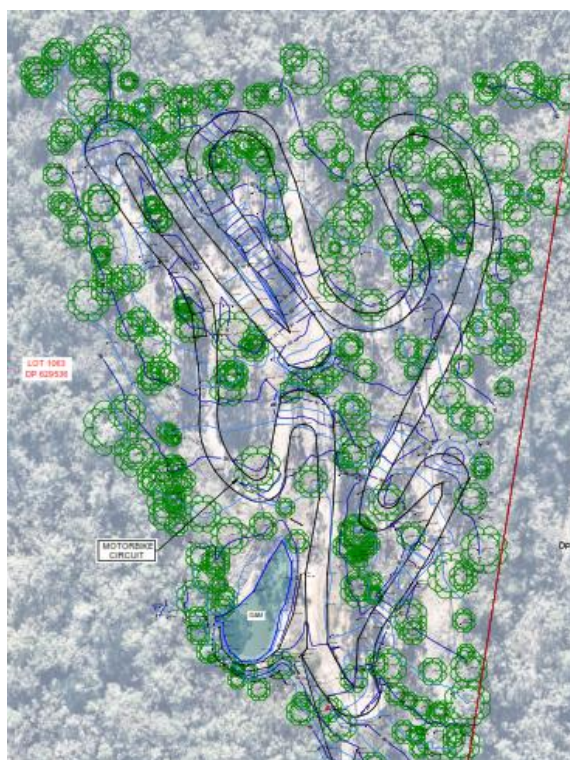




# LE MOTTEE GROUP

SURVEYING | CIVIL ENGINEERING | TOWN PLANNING | PROJECT MANAGEMENT  
STRATA CERTIFICATION | ECOLOGY | BUSHFIRE ASSESSMENT

Pty Limited ABN 38 136 535 156



## PROPOSED RECREATION FACILITY (OUTDOOR) **STATEMENT OF ENVIRONMENTAL EFFECTS**

LOT 1063 DP 629536

93 THOMPSONS LANE, STROUD

OUR REF: 9541

This report was prepared by Liam Davis from Le Mottee Group Pty Ltd (LMG).

LMG Ref: 9541

Date: 14 March 2025

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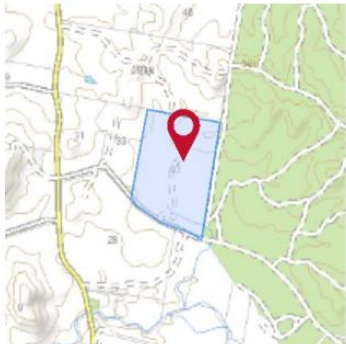
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## 1. INTRODUCTION

### 1.1 OVERVIEW

Le Mottee Group (LMG) has been engaged by Abbie Jane Marion Vernon-Smith and Jason Scott Reed to prepare Plans and a Statement of Environmental Effects (SoEE) to accompany a Development Application (DA) to Mid-Coast Council (MCC) for the use of an existing motorbike track on land at 93 Thompsons Lane, Stroud, as a recreation facility (outdoor) for non-competitive recreational motorcycle use.

	<b>Property Details</b>  Address: 93 THOMPSONS LANE STROUD 2425 Lot/Section /Plan No: 1063/-/DP629536 Council: MID-COAST COUNCIL
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This Statement of Environmental Effects (SoEE) provides details about the site and proposed development as well as making an assessment of the proposed development pursuant to the relevant matters under Section 4.15 of the *Environmental Planning and Assessment Act, 1979*.

### 1.2 SCOPE AND STRUCTURE OF THE REPORT

This Statement of Environmental Effects (SoEE) provides details about the site and proposed development as well as making an assessment of the proposed development pursuant to the relevant matters under Section 4.15 of the *Environmental Planning and Assessment Act, 1979*.

The remainder of the report is structured as follows:

- **Section 2** – Site Description
- **Section 3** – Proposed Development
- **Section 4** – Planning Provisions
- **Section 5** – Conclusion

### **1.3 SUPPORTING DOCUMENTS**

The following documents are provided as Attachments to this report:

- **Annexure A** – Development Plans
- **Annexure B** – Operational Noise Impact Assessment

## 2. SITE DESCRIPTION

The following section identifies the subject land, existing development on site and the surrounding development.

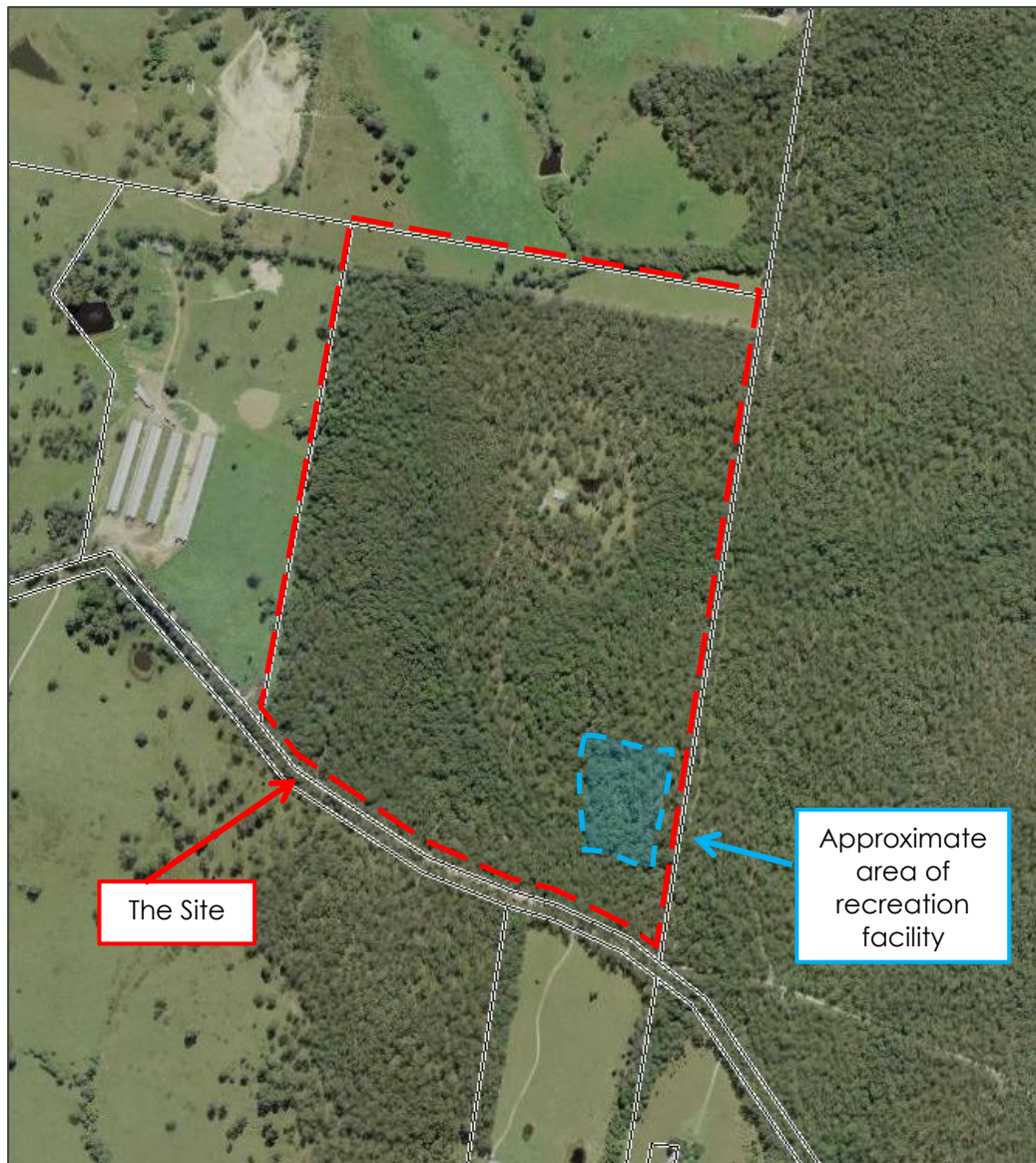
### 2.1 SUBJECT LAND

The subject land is located at 93 Thompsons Lane, Stroud. The land is formally identified as **Lot 1063 DP 629536**. For the purpose of this report, Lot 1063 shall be referred to as 'the site'.

The site has an area of approximately 45 ha with direct access to Thompsons Lane. The eastern boundary of the site is bordered by State Forest while privately owned land is to the north and west.

An existing dwelling and ancillary structures are supported on the land, in addition to an existing motorbike track that is proposed for commercial use pursuant to approval of this DA.





**Figure 1:** The Site (Source: NSW SixMaps).

## **2.2 EXISTING DEVELOPMENT**

The site supports an existing dwelling, ancillary structures, and wooded areas covered under a Private Native Forestry Plan.

## **2.3 PRIVATE NATIVE FORESTRY APPROVAL**

A Private Native Forestry Plan that was approved by Local Land Services and Mid-Coast Council covers the property, including the roads, existing tracks, dams, water sources and other features.

The PNF Plan authorises the following forestry operations (as defined in the Local Land Services Act 2013) to be carried out in the PNF area;

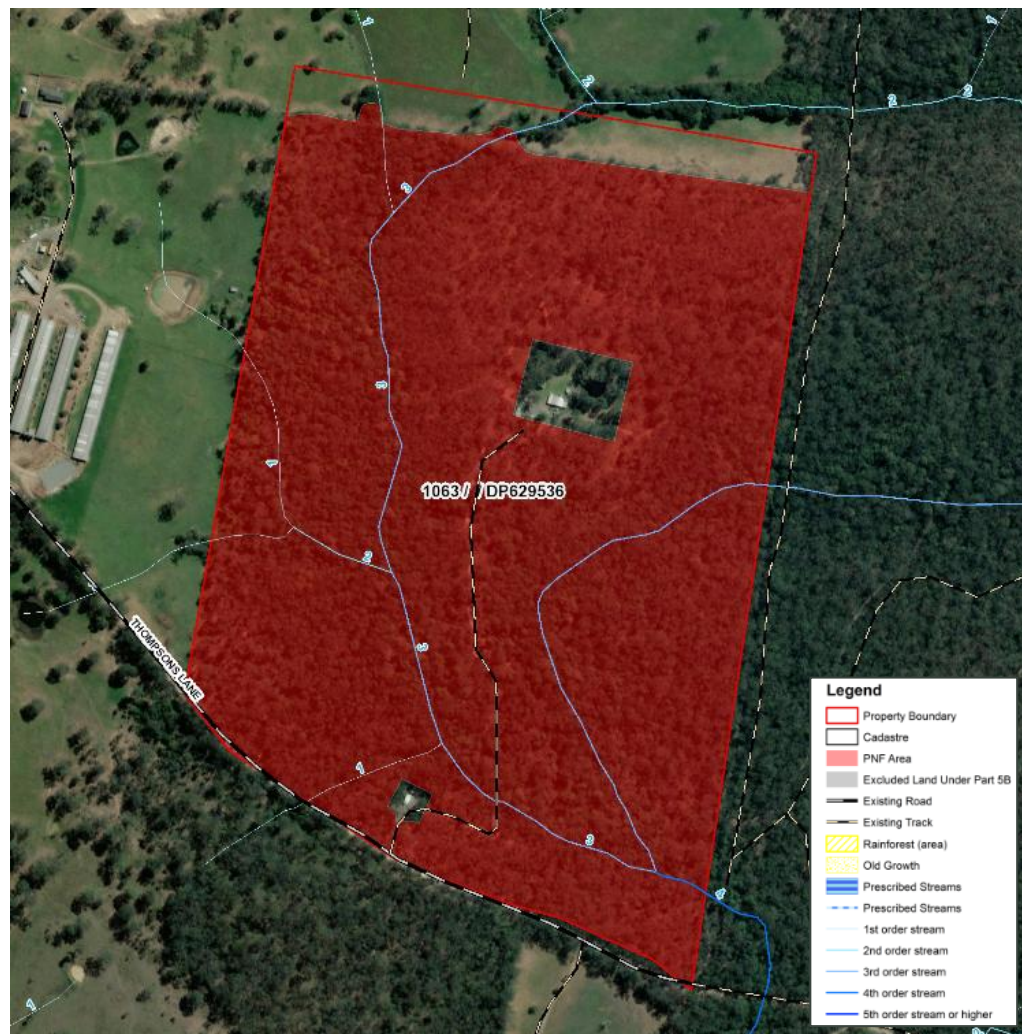
**a.** logging operations—namely the cutting and removal of timber from land for the purpose of timber production,

**b.** the harvesting of forest products—namely the harvesting of the products of trees and other vegetation (other than timber) that are of economic value,

**c.** ongoing forest management operations—namely activities relating to the management of land for timber production such as thinning, burning and other silvicultural activities,

**d.** ancillary activities to enable or assist in the above operations such as the provision of roads, snig tracks, waterway crossings and temporary timber storage facilities.

Forestry operations authorised by the PNF Plan do not require any further approval under the Biodiversity Conservation Act 2016 or the Local Land Services Act 2013.



**Figure 2:** PMF Area excerpt from Private Native Forestry Plan



## 2.4 PROPOSED DEVELOPMENT

## 2.5 AIM OF THE PROPOSED DEVELOPMENT

The aim of the proposed development is the commercial use of an existing motorbike track on site as a recreation facility (outdoor) for the purpose of non-competitive recreational motorcycle use. The definition of recreation facility (outdoor) under the Great Lakes Local Environmental Plan (LEP) 2014 is as follows:

**recreation facility (outdoor)** means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

### 2.5.1 DEVELOPMENT DETAILS

The motorcycle track is pre-existing, and this current application is seeking approval to operate the track for commercial and recreational motorcycle use. No competitive racing is proposed.

The motorcycle circuit is located on the eastern side of the property with existing access from Thompsons Lane. Please see *Figure 2* for more details on the proposed layout and *photographs 1 to 8* on the following pages.

Given that the circuit is preexisting, no further physical works are proposed to enable use as a recreation facility (outdoor). It is envisaged the development will not have any adverse impacts on the amenity of the area nor will it induce any impacts on the natural environment.



**Photograph 1:** The Site



**Photograph 2:** The Site





**Photograph 3:** *The Site*



**Photograph 4:** *The Site*





**Photograph 5:** The Site



**Photograph 6:** The Site





**Photograph 7:** The Site



**Photograph 8:** The Site



## 2.6 OPERATIONAL DETAILS

The proposed motorbike track shall operate with approximately 15 to 20 riders on the track at any one time, accommodating various bike sizes suitable for children through to adults. The operating hours shall be as follows:

- Saturdays: 9:00 AM – 5:00 PM
- Sundays: 9:00 AM – 5:00 PM
- Weekdays: 1–2 days per week (likely Wednesdays and Fridays) from 9:00 AM – 5:00 PM
- School Holidays & Public Holidays: Open from 9:00 AM – 5:00 PM

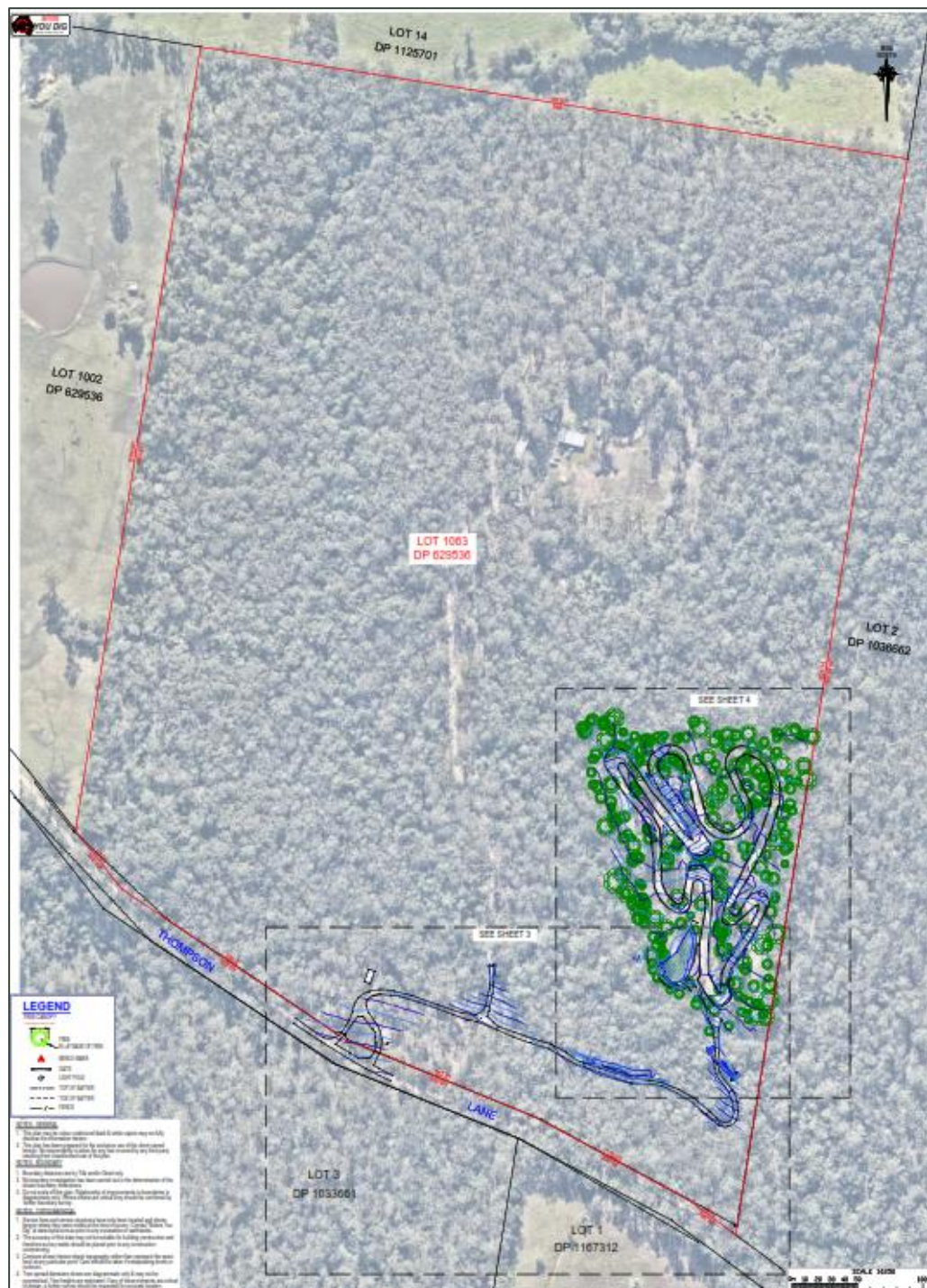


Figure 3: Site Plan (Source: Le Mottee Group).

Please see development plans provided as Annexure A for further details.

### 3. PLANNING PROVISIONS

#### 3.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Section 4.15 of the Environmental Planning and Assessment Act, 1979 provides the matters that must be considered in the assessment of any development application.

Section 4.15 of The Environmental Planning and Assessment Act, 1979, as amended, states the following:

*‘(1) Matters for consideration – general*

*In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:*

*(a) the provisions of:*

- (i) any environmental planning instrument, and*
  - (ii) 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 (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
  - (iii) any development control plan, and*
  - (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
  - (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
- that apply to the land to which the development application relates,*

*(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*

*(c) the suitability of the site for the development,*

*(d) any submissions made in accordance with this Act or the regulations,*

*(e) the public interest.*

The matters of relevance for this application are dealt with in the following sections of this Statement.

## 3.2 GREAT LAKES LOCAL ENVIRONMENTAL PLAN, 2014

### Summary of planning controls

Planning controls held within the Planning Database are summarised below. The property may be affected by additional planning controls not outlined in this report. Please contact your council for more information.

Local Environmental Plans	Great Lakes Local Environmental Plan 2014 (pub. 3-5-2024)
Land Zoning	RU2 - Rural Landscape: (pub. 3-5-2024)
Height Of Building	8.5 m
Floor Space Ratio	0.4:1
Minimum Lot Size	40 ha
Heritage	NA
Land Reservation Acquisition	NA
Foreshore Building Line	NA

**Figure 4:** summary of planning controls (NSW Spatial Viewer).

### 3.2.1 EXISTING ZONING

Under the *Great Lakes Local Environmental Plan (LEP) 2014*, the subject site is zoned **RU2 Rural Landscape**. A copy of the land zoning map is included as *Figure 5*.



**Figure 5:** Great Lakes LEP 2014 Land Zoning Map extract (Map Sheet LZN\_005 ).

### ZONE OBJECTIVES:

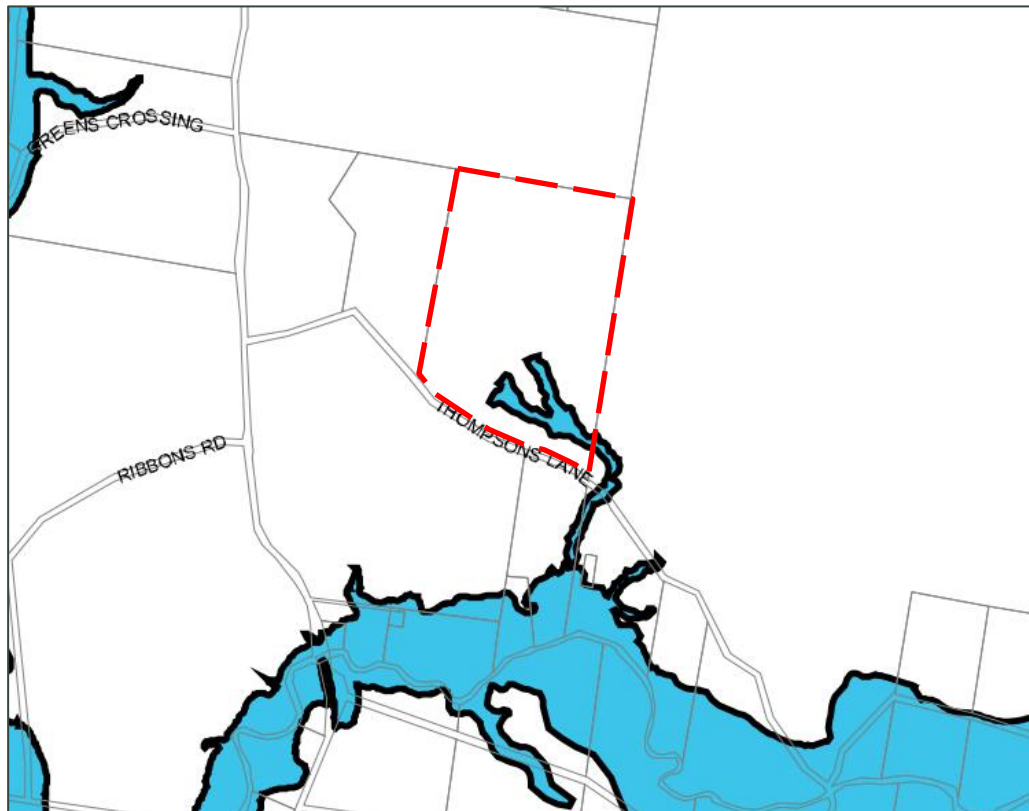
The objectives of the zone are:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.
- To provide for rural tourism in association with the primary industry capability of the land which is based on the rural attributes of the land.
- To secure a future for agriculture in the area by minimising the fragmentation of rural land and loss of potential agricultural productivity.

The proposed recreation facility (outdoor), being a motorbike track, is permitted with consent in the RU2 zone.

### 3.2.2 **CLAUSE 5.21 – FLOOD PLANNING**

The site is mapped as containing land identified as being with the flood planning area. The following figure is taken from the Mid-Coast Council Flood Planning Map:



**Figure 6:** Great Lakes LEP 2014 Flood Planning Map extract (Map Sheet FDL\_005).

The objectives of this clause are:

- (a) to minimise the flood risk to life and property associated with the use of land,



*(b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,*

*(c) to avoid adverse or cumulative impacts on flood behaviour and the environment,*

*(d) to enable the safe occupation and efficient evacuation of people in the event of a flood.*

This Development Application seeks consent for use of an existing motorbike track as a recreation facility (outdoor). The proposal will not require physical work and will not create adverse impacts on flood behavior in the environment. Further, the risk to life and property in the event of a flood is considered low given that appropriate ingress and egress may be obtained via land outside of the flood planning area.

It is expected that the proposed use of the motorbike track will not have an impact on local flood behaviour.

### **3.2.3      CLAUSE 7.2 – EARTHWORKS**

Given that the motorbike circuit is pre-existing, no physical work is required to enable the proposed use in this instance.

Infrastructure used in the forestry operations must comply with the PNF Code of Practice. Clauses 9.1. and 9.1.1. of the PNF Code of Practice relate specifically to the construction and maintenance of roads and their drainage. It is noted within the PNF Plan that concrete drainpipes were previously installed, and the current (preharvest) road condition complies with the Code. No further action is needed.

#### **PERMISSIBILITY:**

The proposed development subject to this report is use of the existing motorbike track as a recreation facility (outdoor) upon **Lot 1063 DP 629536**.

Under the provisions of the Great Lakes Local Environmental Plan (2014). There is nothing in the Great Lakes LEP (2014) that prohibits the proposed development.

### **3.3 GREAT LAKES DEVELOPMENT CONTROL PLAN, 2014**

#### **3.3.1 CHARACTER STATEMENTS**

Stroud is an inland village, which is typically located on main roads, railways or rivers which historically provided a transport link between regional centers. Future development within Stroud is to encourage development that makes a positive contribution to the historic character in terms of the existing historic buildings, places and landscapes.

The proposed Recreation Facility (Outdoor) is located outside the village precinct and will not detract from the historic character or ambience of Stroud.

#### **3.3.2 ENVIRONMENTAL CONSIDERATIONS**

##### Ecology

No physical works are required to enable the proposed use of the site. Given that the site maintains a PNF approval, logging operations, the harvesting of forest products and ongoing forest management operations shall be occurring on the site. Any remnant native vegetation and trees and the habitat of wildlife populations will be preserved.

##### Flooding

This Development Application seeks consent for use of an existing motorbike track as a recreation facility (outdoor). The proposal will not require physical work and will not create adverse impacts on flood behavior in the environment. Further, the risk to life and property in the event of a flood is considered low given that appropriate ingress and egress may be obtained via land outside of the flood planning area.

It is expected that the proposed use of the motorbike track will not have an impact on local flood behaviour.

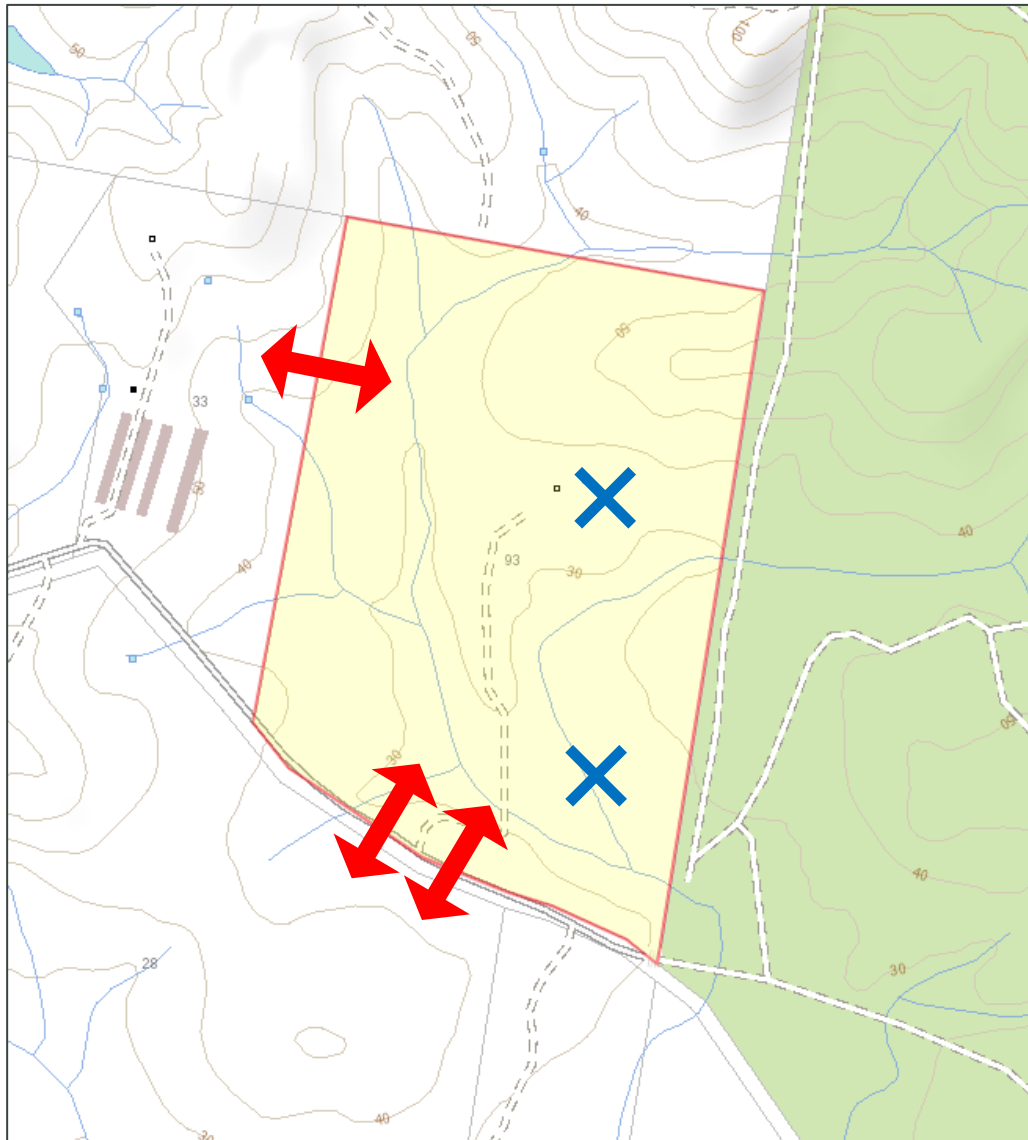
##### Effluent Disposal

Adequate facilities shall be provided as Portable Chemical toilets for the management of onsite sewage generated by the proposed use of the site.

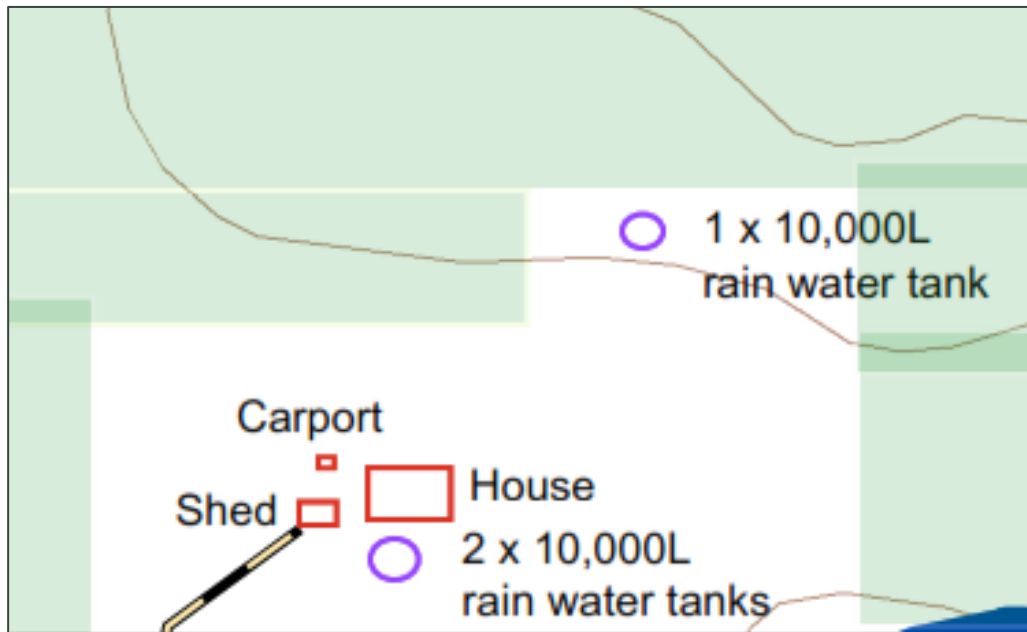
##### Bushfire

There is firefighting equipment located in the North and South of the property marked in Blue in *Figure 7* below. It includes a petrol water pump and fuel in a safe, accessible place, as well as hoses, irrigation systems

and water supplies of at least 10,000 L accessible from water tanks and dams.



**Figure 7:** Location of firefighting equipment and ingress / egress points



**Figure 8:** Location of firefighting equipment

There are 2 gates at the front of the property which is the main access point. The gate on the Eastern side is significantly wider and can fit a large truck or water tank. There is an additional gate on the Western side of the property, with access via the neighbouring property. The gates are marked in red in Figure 7 above.

As the forestry harvesting commences, the risk of bush fire will decrease significantly as it includes clearing the boundaries of the property to allow for a fire break. It will also increase access for services such as the Rural Fire Service to access the property if they need.

Prior to the commencement of the approved development, a Bush Fire Emergency Management and Evacuation Plan is to be prepared consistent with 'The NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan'.

### Heritage

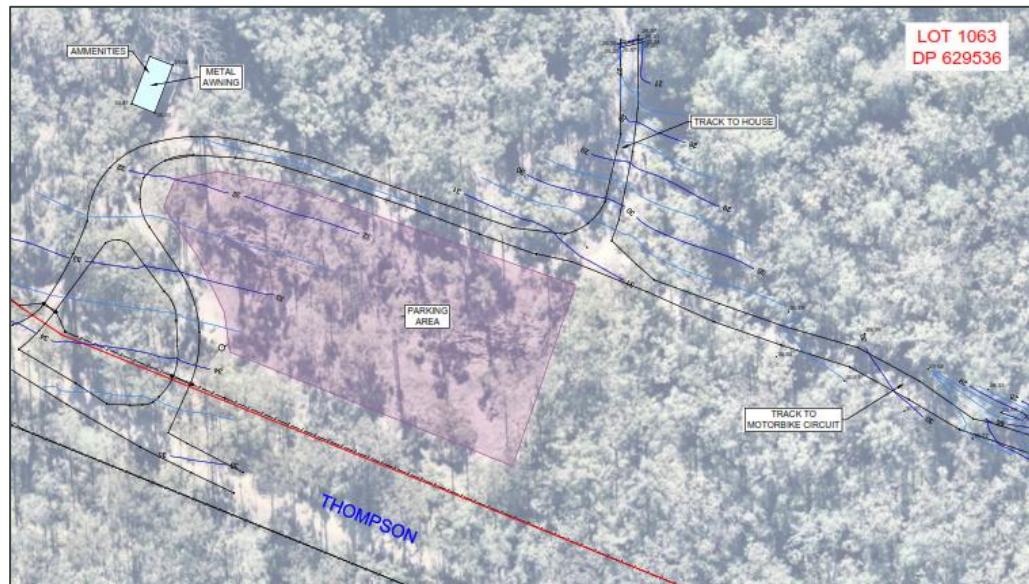
The proposed development is not expected to impact any aboriginal cultural heritage, practices, or places. An AHIMS search has been undertaken where there are no Aboriginal Heritage sites or Aboriginal Places identified within a 200m radius of the site.

Further, in any case that any artefacts or Aboriginal Cultural Heritage material be uncovered during excavation, work shall cease immediately, and relative authorities notified.

### 3.3.3 CAR PARKING, ACCESS, ALTERNATIVE AND ACTIVE TRANSPORT

There are no car parking rates for Outdoor Recreation Facilities and therefore a merits-based assessment is required.

The subject site supports ample areas for parking on site within proximity of the motorbike track, as nominated below in *Figure 9*. Parking shall be located over an existing area of generally cleared land and will be accessible directly from Thompsons Lane.



**Figure 9:** Location of car parking and amenities (source: Le Mottee Group)

### 3.3.4 WASTE MANAGEMENT

Adequate toilet facilities shall be provided in the form of Portable Chemical toilets for the management of onsite sewage generated by the proposed use of the site. Toilets shall be located within proximity of the existing car parking area and small awning providing cover for general amenities. Please see *Figure 9* above for details and development plans as Annexure A.

### 3.3.5 ADVERTISING AND SIGNAGE

Any signage shall be non-permanent in nature and will be generally for the purposes of site identification only.

### 3.3.6 OTHER PLANNING MATTERS

An Operational Noise Impact Assessment has been prepared by RCA Australia to accompany this application. This report concludes:



*'RCA have prepared this Noise Impact Assessment for Le Mottee Group on behalf of Abbie Vernon-Smith. RCA have adopted assessment noise criteria based on similar proposals and have assessed what we believe to be a reasonable typical worst case 15-minute scenario. The assessment found that there may be a 1 dB exceedance at one receiver (R3). A 1 dB exceedance would typically be regarded as negligible since most people will not be able to perceive a difference in noise levels when the difference is less than 2 dB. Regardless of this, RCA offer feasible and reasonable mitigation measures to minimise disturbance to the community.'*

The proposal shall operate within noise guidelines such as the Noise Policy for Industry and the NSW Road Noise Policy, and all noise mitigation measures as outlined by RCA shall be implemented or adhered to during operations to prevent adverse impacts on surrounding properties. No further action is required in this instance.

## 4. CONCLUSION

The proposal subject to this report and DA is the use of an existing motorbike track as a recreation facility (outdoor) for non-competitive recreational motorcycle use at **Lot 1063 DP 629536**, being 41 Thompsons Lane, Stroud.

The development is permitted with consent under the provisions of the Great Lakes Council Local Environmental Plan, 2013. The proposed development makes logical and sensible use of the site, as well as being of minimal environmental impact.

This statement sets out the primary matters for consideration under Section 4.15 of the Environmental Planning & Assessment Act and is accompanied by a number of attachments dealing with specific issues related to the site.

Given that there are no matters which justify refusal of the application, we respectfully request that Council provide a favourable determination.

## **Annexure A**

Development Plans

Le Mottee Group

## **Annexure B**

### Operational Noise Impact Assessment

RCA Australia