



Blue Sky
PLANNING &
ENVIRONMENT

Statement of Environmental Effects

Eco-tourist Facility

851 Wang Wauk Road Wang Wauk

Lot 43 DP 263785

June 2024

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1. Introduction and Background

This Statement of Environmental Effects (SEE) assesses the likely environmental impacts of the development in accordance with the requirements of the Environmental Planning and Assessment Act 1979. The assessment has been undertaken with reference to the plans and reports that have been lodged with the development application:

Plan / Report Name	Plan / Report Number	Revision / Date	Prepared By
Site Plan	Sheet 1 of 7	April 2024	Neil Ryan
Site Plan Insert	Sheet 2 of 7	April 2024	Neil Ryan
Floor Plans Manager's Residence	Sheet 3 of 7	April 2024	Neil Ryan
Elevations Manager's Residence	Sheet 4 of 7	April 2024	Neil Ryan
Cabin and Bathroom Elevations	Sheet 5 of 7	April 2024	Neil Ryan
Floor Plans Communal Area and Cabins	Sheet 6 of 7	April 2024	Neil Ryan
Communal Shed Elevations	Sheet 7 of 7	April 2024	Neil Ryan
Notification Plan 1	Sheet 1 of 4	April 2024	Neil Ryan
Notification Plan 2	Sheet 2 of 4	April 2024	Neil Ryan
Notification Plan 3	Sheet 3 of 4	April 2024	Neil Ryan
Notification Plan 4	Sheet 4 of 4	April 2024	Neil Ryan
Bushfire Assessment	Project No 24040	April 2024 Final	ABAC
Acoustics Report	NL240332-0-AU-RP01	10 April 2024	Northrop
Wastewater Management Report	3670_WMR_001	27 May 2024	Whitehead & Associates
NCC Capability Report	n/a	June 2024	Boyce Built Environment

In 2019 the current owners purchased the land and lodged a development application (DA) for a dwelling. That DA was approved in late 2019 (448/2019/DA). A machinery shed was constructed to store machinery and building materials, and the owners rented elsewhere whilst the dwelling was being constructed. Plumbing was connected in the shed for a toilet and shower to comply with 448/2019/DA to provide facilities for builders. The shed was constructed as Exempt Development. The construction of the dwelling has physically commenced, with the septic tank installed and driveway constructed (RDA 2021/4481).

In early 2020 when the covid pandemic lockdowns were enforced, the owners, who are full-time professional musicians, became unemployed and could no longer afford to pay rent whilst they built the approved dwelling so they moved into the shed and construction of the dwelling was temporarily put on hold.

To earn an income, the owners advertised for 20 people to stay on site (to comply with the covid restriction on a maximum number of guests) and provided live music. The facility was named "Hang At The Wang". Originally 10 teepees were provided for guest accommodation, but there was ongoing problems with mould in the canvas, which resulted in amenity issues, waste management issues and potential health issues for guests.

The facility was only intended to be a short-term solution to earning an income during the covid lockdowns, however the owners have been inundated with interest and bookings and the business has slowly evolved as a destination. In 2022 when the owners were still uncertain about covid and

their ability to tour they put 15 dates up for sale for 2023 at Hang at the Wang , which sold out within 36 hours.

Guests attend the facility from all over Australia. A licensed caterer (food van) attends the site with ready-prepared food; therefore, no food is prepared on site. No alcohol is provided on site, with guests free to bring their own alcohol.

To provide weather-proof accommodation, small portable tin huts were constructed in early 2023 to replace the teepees and another shed was erected close to the tin huts to provide a communal area out of the weather and provide live music entertainment for guests. An approved septic system has been installed and a separate toilet block constructed with 4 toilets and 2 showers for guests.

The owners are motivated to work with council to do what is needed to continue operating the business as the destination has grown hugely in popularity and has a highly beneficial socio-economic and tourism impact on the area, bringing in visitors from all over Australia, who typically stay longer in the area in other tourist accommodation, as well as frequenting local restaurants, cafes and other businesses. The unique business has been recognised across the country, with articles in national newspapers and a mainstream television show currently being filmed about the business.

It is intended that the facility will only be available for use up to 20 times per year for a maximum of a single night's stay (Saturday night) over the cooler months (May to October). Sites must be booked in advance.

On 31 October 2023 Council issued a Notice of Intention to issue an Order to cease use and demolish the unauthorised works as no development consent was granted for the facility and associated structures, including the shed in which the applicants are living whilst they build their approved dwelling. It should be noted that there were no neighbour complaints; the action came about as a result of Council becoming aware of the development through media coverage. The applicants advised Council that they would seek consent for the development.

The applicants and their consultants attended a pre-lodgement meeting at Council on 16 January 2024 and on 22 February 2024 the formal notes from that meeting were issued to the applicants. The table below summarises the issues raised at that meeting:

Issue	Response
Hazards	
Bushfire assessment will be required.	A bushfire assessment has been prepared and lodged with the application.
Characterisation	
Characterisation – may be considered to be a campground or an eco-tourist facility.	Approval is being sought for the use of the development as an eco-tourist facility.
The huts constructed on site do not fit any definition in relation to either a camping ground or a manufactured home / moveable dwelling. If the development is to be considered to be a camping ground the sites must only be occupied by a temporary structure.	Approval is being sought for the use of the development as an eco-tourist facility.

Issue	Response
Inclusion of the existing huts structures is problematic if the development is to be considered to be a camping ground.	Approval is being sought for the use of the development as an eco-tourist facility.
Stormwater management	
A stormwater drainage concept plan is required demonstrating how stormwater from all roof and paved areas is captured in a drainage system, conveyed to a point of discharge, and discharged in a legal manner.	The development is located on cleared rural land. The development will not be collecting stormwater to a single point of discharge as this would result in erosion. Currently the stormwater is collected from the sheds in rainwater tanks, with discharge by overland flow. As the huts are moveable dwellings, they cannot be connected to a single point of discharge, nor is this a requirement for rural structures.
It is noted that stormwater is proposed to be discharged at least 40 m from a third order stream. Careful investigations should be made as to whether this point of discharge can be achieved without downslope erosion or impact on the receiving creek and hence whether a controlled activity approval will be required.	No works are proposed within 40m of a waterbody. A controlled activity approval is not required.
No issues or requirements in relation to water quality.	Noted.
Water and sewer	
Approvals for OSSM systems have been issued. A wastewater report will be required to determine whether they need upgrading. Application required to be lodged to upgrade the current system/s if required.	A wastewater management report has been lodged with the application. Some minor works are recommended.
20 tent sites with up to 12 people per tent site proposed. All tent sites and the number of occupants for each tent site need to be considered into the wastewater report.	It is no longer proposed to provide tent sites.
The food van will be generating greywater. Details required about where the greywater will be disposed.	All waste from the food van, including greywater, will be disposed of offsite.
Building	
BCA report required for unauthorised structures.	A BCA report (NCC Capability Report) has been prepared and lodged with the application.
Structural engineering reports required on all unauthorised structures.	It is assumed that this would be a condition of consent.
Class of buildings of huts should be addressed. They are not classified as a manufactured home.	A s.68 application will be lodged for the huts. It is assumed that this would be a condition of consent.
Identify disabled access.	The plans lodged with the application identify disabled access.

Issue	Response
Ensure that there is 1.5m between the huts.	This is only a requirement for camping grounds. The application is not seeking consent for a camping ground. Fire rating has been addressed in the NCC Capability Report lodged with the application.
Environmental Health	
The huts may need to be modified to satisfy the Local Government Regulations for a camping ground.	The application is not seeking approval for a camping ground.
If whole site defined as a camping ground, the standards as prescribed under the Regulation are to apply.	The application is not seeking approval for a camping ground.
Noise – an acoustic report is to be lodged with the development application.	An acoustic assessment has been lodged with the development application.
Food – if food is to be prepared and supplied on site the relevant Codes and Standards for the fitout of the kitchen will apply. If the caterer is to supply food they will need to be registered and all food preparation undertaken within the van or off site.	No food is prepared on site. All meals are catered and supplied by a food delivery van.
Potable water – a quality assurance program for supplying potable water will be required.	All drinking water is supplied to guests in bottles.
Ecology	
All structures should be in previously cleared areas. Protection and enhancement of habitats is encouraged.	All structures have been located in pre-cleared areas. The site is being actively regenerated with locally native plant species.

On 8 February 2024 Council issued an Order to cease use and demolish the unauthorised development by 29 March 2024. An extension of time was granted due to Council not having released the pre-lodgement meeting minutes prior to that date.

This development application seeks consent for:

1. An eco-tourist facility, with tourist accommodation set out over approximately 1.5ha with structures that include 20 portable huts and a communal building.
2. Use of the existing shed, in which the owners currently reside, as a caretaker's residence and machinery shed for the facility.

The development is described in detail in chapter 3 of this SEE.

2. Description of Site and Surrounding Area

The site has a total area of 40 hectares and is located in Wang Wauk in the MidCoast Local Government Area (LGA). A site locality map is included below at Figure 1.

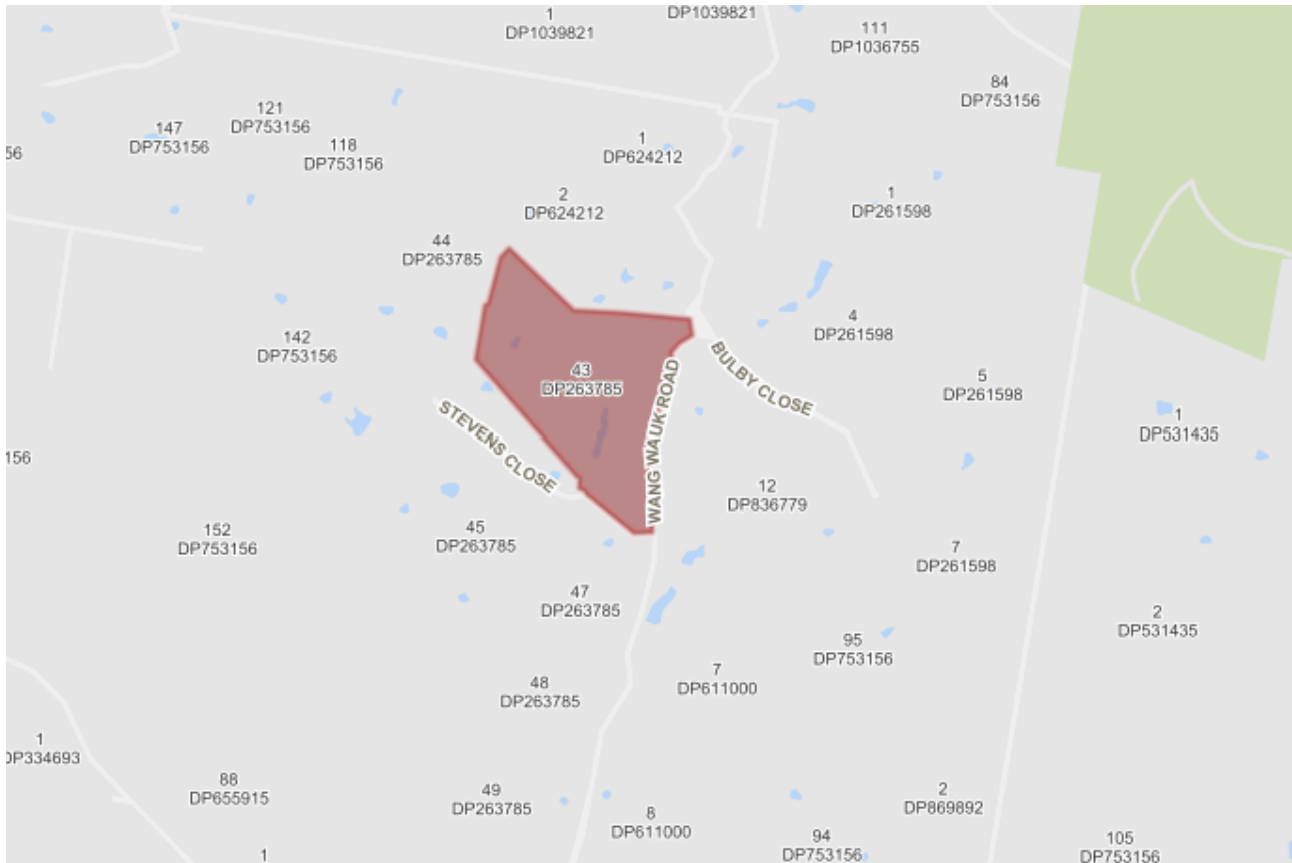


Figure 1: Site Location. Source: MidCoast Council online mapping November 2023.

2.1 Local context and neighbouring lands

The site was previously used for extensive cattle grazing. There is currently no grazing being undertaken on the site. The surrounding lands are used almost exclusively for extensive cattle grazing and rural lifestyle.

The closest neighbouring dwelling is located approximately 280m south of the development on the other side of Bulby Creek. Bulby Creek is densely vegetated with riparian vegetation. As the development is set at a lower elevation than the rest of the property, it cannot be viewed from any neighbouring dwelling.

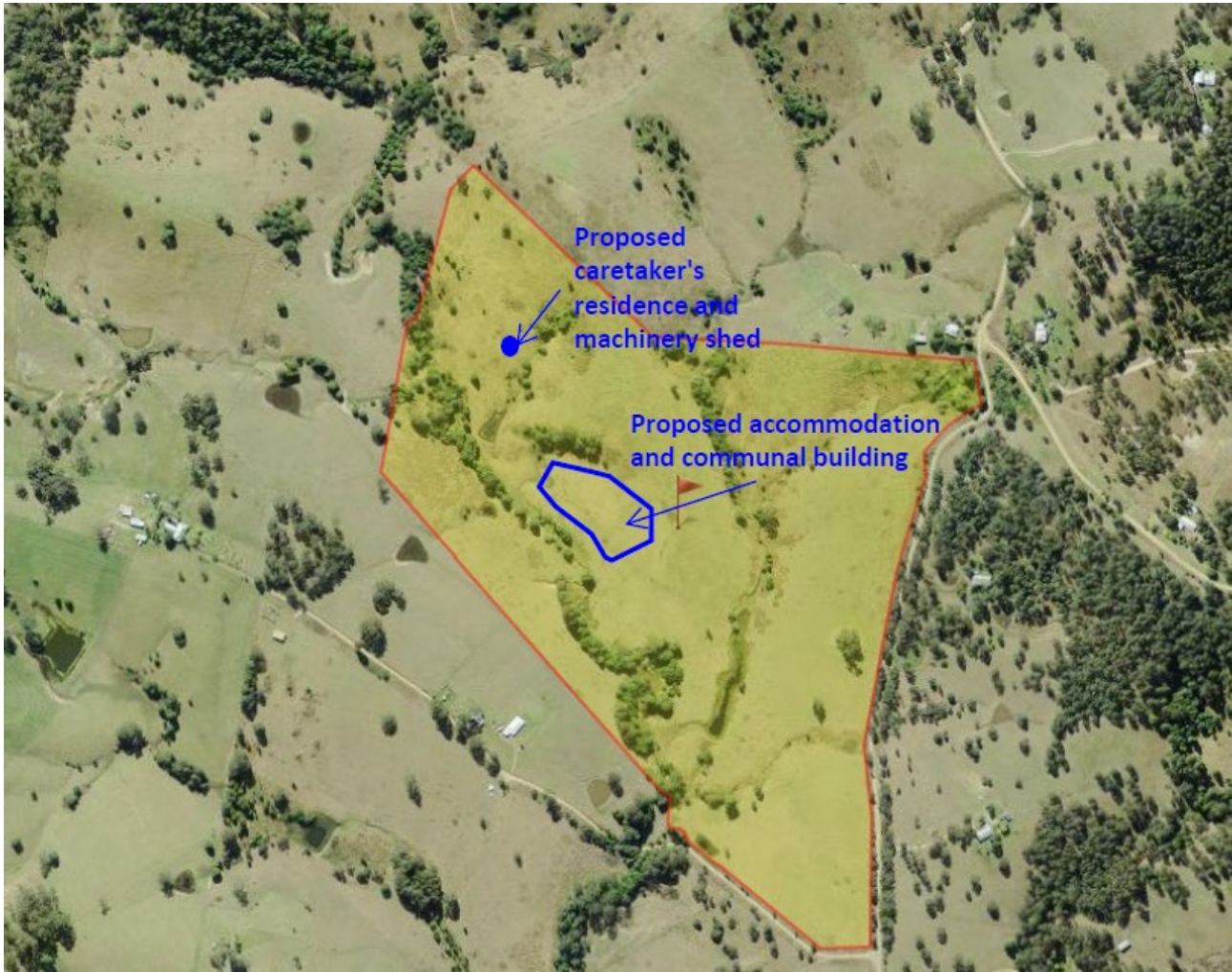


Figure 2: Location of eco-tourist facility. Source: ePlanning Spatial Viewer November 2023.

2.2 Site features

2.2.1 Biodiversity

The site is almost entirely cleared, with native vegetation remaining only along Bulby Creek and the drainage lines. The Bulby Creek riparian corridor is included on the NSW Biodiversity Values Mapping as shown in the figure below.

No vegetation is required to be removed for the proposal.



Figure 3: Location of eco-tourist facility relative to the mapped biodiversity values along Bulby Creek. Source: NSW Biodiversity Values Map and Threshold Tool.

2.2.2 Watercourses and drainage lines

Bulby Creek is a third-order stream which runs through the site and is located on the southern side of the development. A number of first and second order streams run through the site, however all stream crossings have been historically constructed and no additional crossings are required to be built to facilitate the development. All of the development is located greater than 40m from any watercourse. The development does not require a controlled activity approval.

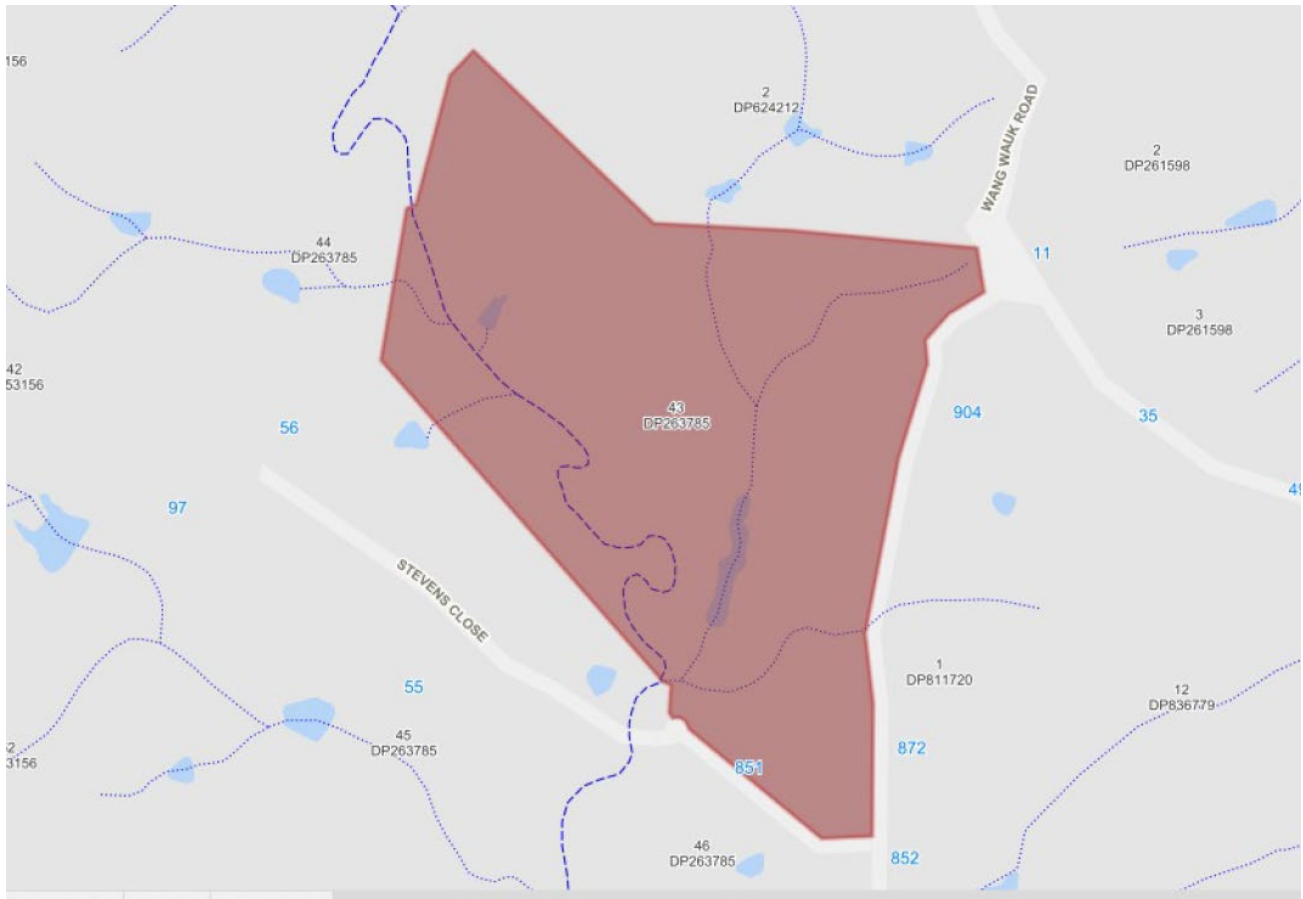


Figure 4: Watercourses and drainage lines. Source: MidCoast Council online mapping November 2023

2.2.3 Geology and Topography

Slopes across the site are generally south-west to south-east ranging from 5 – 7% in most areas, with some steeper gullies. The soil assessment undertaken indicates that the soils are primarily moderately structured clays.

No groundwater was encountered during geotechnical investigations and data indicates a monitoring bore approximately 90m north of the land.

The site is not located in a mapped acid sulfate soils area.

2.2.4 Services

Reticulated electricity is available to the site. There is no reticulated water or sewer available. Two on-site sewage management systems are located on the land. The wastewater management report lodged with the application indicates that these are both suitable for the development, but recommendations have been made for some minor upgrading to facilitate the eco-tourism accommodation requirements.

2.2.5 Restrictions, easements or land reservations

There are no relevant restrictions, easements or land reservations that would affect the development.

2.2.6 Site hazards

The site is mapped as bush fire prone. A Bushfire Assessment has been lodged with the application. The figure below shows the entirety of the land being located within vegetation category 3.

There are no other mapped or known site hazards applying to the land.

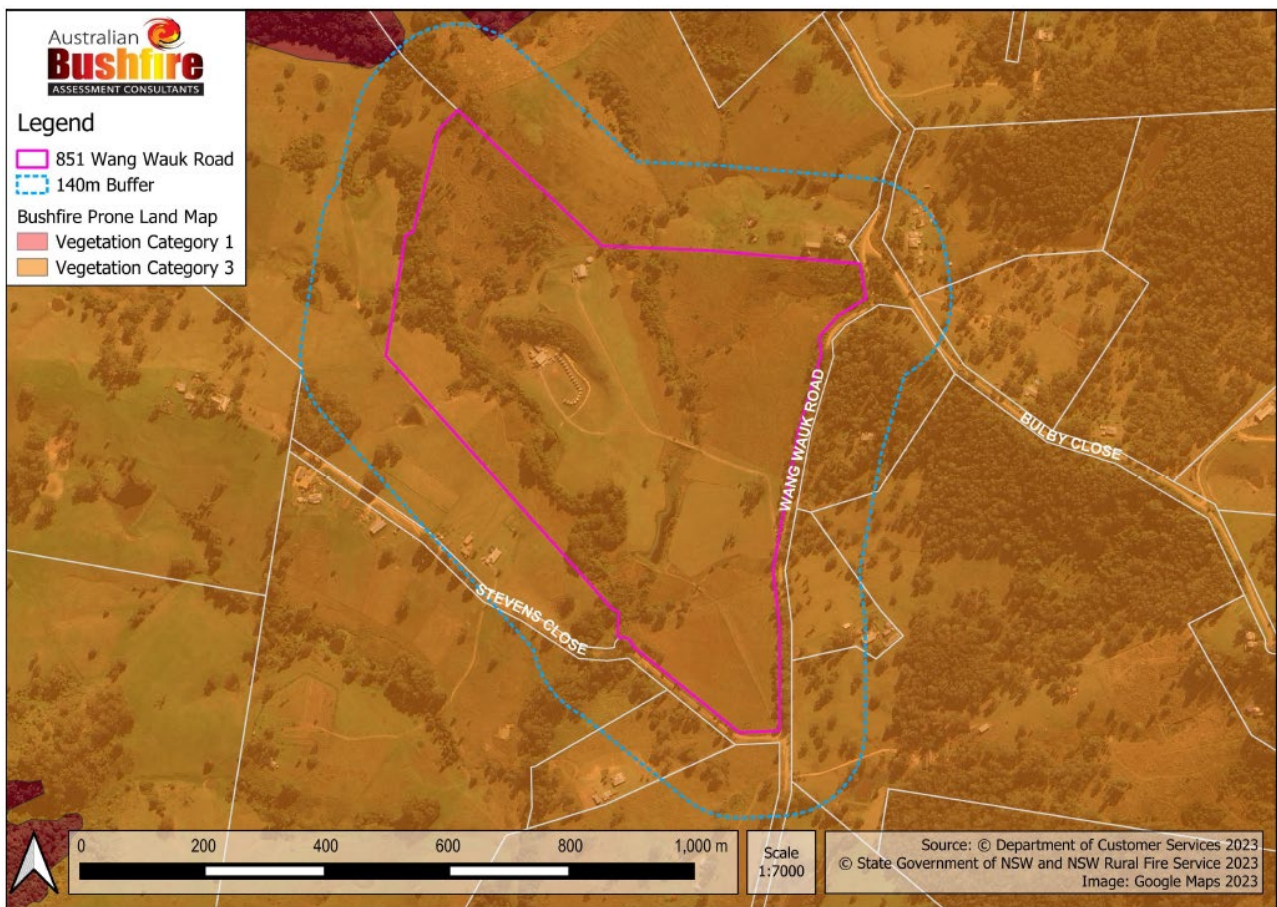


Figure 4: Bushfire prone land mapping. Source: Accuplan April 2024.

2.2.7 Coastal Management

The land is not located in the coastal zone.

2.2.8 Heritage and Archaeology

An AHIMS search undertaken for the land shows no known Aboriginal heritage items or places on the land or in close proximity.

There are no mapped heritage items located on the site or on neighbouring lands.

3. Description of Proposed Development

The development is an eco-tourist facility, with the accommodation and communal area set over approximately 1.5ha, though guests are free to walk around the property and enjoy the views and amenity. The facility is only open during the months of May to October and requires guests to book in advance. Bookings are limited to a maximum of one night per guest (Saturday night only), with availability averaging only twice per month (approximately). Currently the facility is fully booked up to 18 months in advance, though there is an extensive waiting list.

Greater Taree Local Environmental Plan 2010 defines an eco-tourist facility to be:

“a building or place that—

(a) provides temporary or short-term accommodation to visitors on a commercial basis, and

(b) is located in or adjacent to an area with special ecological or cultural features, and

(c) is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.

It may include facilities that are used to provide information or education to visitors and to exhibit or display items.”

The development includes:

- Twenty portable and lightweight Colorbond huts for guest accommodation. Each huts is constructed in the form of a small moveable hut on piers, large enough to fit a double bed and bedside table. The huts are not connected to reticulated services and can be moved around the site using a standard farm tractor or trailer. The huts are arranged in a “J shape” around the communal area to promote socialising and interaction.
- Communal amenities in the form of a large Colorbond shed providing an under-cover entertainment area for live music, a communal fire-pit area with tables and chairs, communal bathrooms and laundry facilities.
- Five storage containers located at the rear of the machinery shed used for storing equipment and tools for the facility.
- A large shed currently being resided in by the owners while they build their approved dwelling. Once the dwelling is constructed the shed will be used as a caretaker’s residence for the facility, and as a machinery shed.

The owners of the development provide live music for the entertainment of guests, within the under-cover entertainment area. The music begins in the afternoon at around 3pm and is finished by 10pm.

There is no food preparation on site. All meals are transported to site by a catering company.

The internal roads to the development have already been constructed and no further road construction is proposed, though the Bushfire Assessment notes that some works may be required to ensure that the property access road is to be upgraded where necessary to provide an all-weather two-wheel drive standard and ensure adequate capacity to carry fire fighting vehicles. This is likely to involve the topping up of the roads with additional gravel.

There are large flat areas for parking next to the accommodation area, with two huts providing accessible parking for people with disabilities.



Photo 1: internal hut layout



Photo 2: huts located around the communal fire-pit area

4. Environmental Assessment

4.1 Relevant Legislation

4.1.1 Rural Fires Act 1997

Parts of the site are mapped as bushfire prone. Section 100B of the Rural Fires Act 1997 requires that a bush fire safety authority must be obtained before undertaking development on bush fire prone land for a special fire protection purpose.

A bushfire assessment prepared by an accredited bushfire assessor has been lodged with the development application. It addresses Clause 44 of the Rural Fires Regulation 2013 to obtain a bushfire safety authority for the development. That assessment demonstrates that the proposed development is consistent with the performance criteria detailed in Planning for Bushfire Protection 2019.

4.1.2 Local Government Act 1993

Division 1, Section 68 of the Local Government Act 1993 requires that certain activities may only be carried out with the approval of the Council. Part A of Section 68 requires Council approval for moveable dwellings. The Act defines moveable dwellings to be *“any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation”*. The huts that have been constructed on site fall within the definition of moveable dwellings as they are portable and an approval under Section 68 will be sought for their continued use.

4.1.3 Environmental Planning and Assessment Act 1979

Division 4.3, Section 4.15 of the Act requires that a consent authority, in determining a development application, is to take into consideration the provisions of following matters as are of relevance to the development:

- (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 Planning 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), 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.*

These matters are addressed in detail below.

Relevant Local Environmental Plan

Part 2 - Land Use Zone/s

The site is located in the RU1 Primary Production zone as shown in the figure below. All surrounding lands are also located in the RU1 Primary Production zone. Eco-tourist facilities are permitted with consent in the RU1 zone.

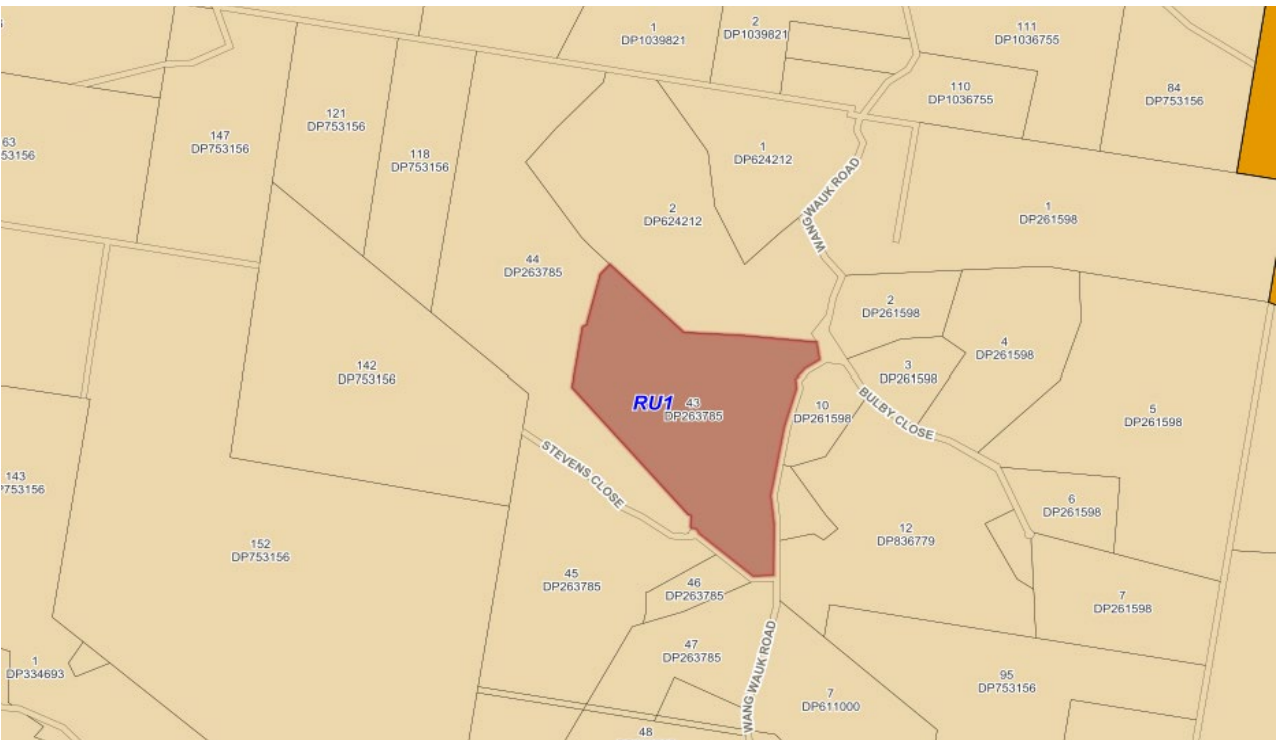


Figure 4: Land use zone. Source: MidCoast Council online mapping February 2024.

The objectives of the RU1 zone are:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To permit small scale rural tourism uses associated with primary production and environmental conservation with minimal impact on primary production and the scenic amenity of the area.*
- *To maintain the rural landscape character of the land.*
- *To protect and enhance the native flora, fauna and biodiversity links.*
- *To secure a future for agriculture in the area by minimising the fragmentation of rural land and loss of potential agricultural productivity.*

The development complies with the objectives of the zone as it is a small scale rural tourist use with minimal impact on primary production and the scenic amenity of the area.

Part 4 - Principal Development Standards

There are no principal development standards that apply to the development.

Variations to Development Standard/s

There are no variations being sought to any development standard.

Part 5 - Miscellaneous Provisions

Clause 5.13 Eco-tourist facilities applies to the development. The objectives of this clause are as follows:

(a) to maintain the environmental and cultural values of land on which development for the purposes of eco-tourist facilities is carried out	The development does not impact upon the environmental and cultural values of the land.
(b) to provide for sensitively designed and managed eco-tourist facilities that have minimal impact on the environment both on and off-site.	The development has a light footprint and has been sensitively designed to have minimal impact on the environment both on and off site.

The clause states that the consent authority must be satisfied with the following matters:

(a) there is a demonstrated connection between the development and the ecological, environmental and cultural values of the site or area	The development is located adjacent Bulby Creek, amongst an area which is being actively regenerated. The facility is an experiential destination where live music is played in a rural setting.
(b) the development will be located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment	The development is located in a previously cleared area. The roads are already constructed and are suitable for the development. No native vegetation removal is required.
(c) the development will enhance an appreciation of the environmental and cultural values of the site or area	The development provides a unique opportunity for guests to experience live music in a rural setting. Guests are free to walk around the land and appreciate the extensive views and amenity.
(d) the development will promote positive environmental outcomes and any impact on watercourses, soil quality, heritage and indigenous flora and fauna will be minimal	The development has a light footprint and will not impact upon any watercourse, soil quality, heritage or native vegetation.

(e) the site will be maintained (or regenerated where necessary) to ensure the continued protection of natural resources and enhancement of the natural environment	The site is being actively regenerated to remove weeds and increase native vegetation coverage.
(f) waste generation during construction and operation will be avoided and that any waste will be appropriately removed	All caterer's waste is removed from site by the caterer. Guests are requested to take their rubbish off site, and composting facilities are available for green waste. Waste generation is minimal.
(g) the development will be located to avoid visibility above ridgelines and against escarpments and from watercourses and that any visual intrusion will be minimised through the choice of design, colours materials and landscaping with local indigenous flora	The accommodation is set below the ridgeline. Although the caretaker's residence will be on the ridgeline, it is in the form of a standard rural shed consistent with other rural sheds in the area. All chosen colours are neutral.
(h) any infrastructure services to the site will be provided without significant modification to the environment	The existing approved septic systems will be utilised and upgraded as necessary. No modification of the environment is required for infrastructure services.
(i) any power and water to the site will, where possible, be provided through the use of passive heating and cooling, renewable energy sources and water efficient design	<p>The two sheds are already connected to reticulated electricity. The huts are not provided with electricity. As guests are only accommodated for one night, they are provided with a battery-operated lantern.</p> <p>Rainwater tanks (182,000L) are used for water supply (apart from potable water).</p>
(j) the development will not adversely affect the agricultural productivity of adjoining land	The development is for short-term accommodation only, for a maximum of 20 nights per year. It is set back a generous distance from any neighbouring property. The development will not have an impact on the agricultural productivity of adjoining land.
(k) the following matters are addressed or provided for in a management strategy for minimising any impact on the natural environment—	An Environmental Management Strategy has been lodged with the application.

(i) measures to remove any threat of serious or irreversible environmental damage, (ii) the maintenance (or regeneration where necessary) of habitats, (iii) efficient and minimal energy and water use and waste output, (iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment, (v) maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control.	
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Part 6 – Urban Release Areas

The site is not located within a mapped urban release area.

Part 7 – Additional Local Provisions

Clause 7.11 of the LEP states that development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:

- (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.

The site is not connected to reticulated water or sewer. The manager's residence and machinery shed are connected to reticulated electricity. The huts are transportable structures and therefore not connected to electricity. Light is provided within the huts by means of battery powered lamps.

Water is available to the site from rainwater tanks capturing runoff from the roofs of the structures. The water for the manager's residence is supplied by a 132,000L rainwater tank. The water for the communal shed in the development, as well as the amenities, is supplied by two 25,000L water tanks.

Wastewater is treated by two approved on-site sewage management systems. A minor upgrade is required in accordance with the wastewater report lodged with the application.

Suitable road access is provided from Wang Wauk Road, which is an unsealed two-lane road in good condition.

The development can be adequately serviced.

Schedule 1 – Additional Permitted Uses

The site is not included in Schedule 1.

Schedule 5 – Environmental Heritage

There are no mapped heritage items in proximity to the site.

Relevant State Environmental Planning Policies (SEPPs)

There are no SEPPs relevant to the development.

Relevant Development Control Plan

Greater Taree DCP 2010 applies to the development.

Part J is relevant to the development. The development has been assessed against the relevant objectives and controls of DCP 2010 as follows:

Part J1.1	General	
	Relevant Objectives	Compliance
	<ul style="list-style-type: none">Encourage a high standard of development that is sympathetic with the environment;Protect identified environmental quality, landscapes, flora and fauna;Protect and maintain the viability of agricultural lands;Maintain and enhance the rural or environmental scenic amenity.	The development is consistent with the objectives as it is a small scale rural tourist use which is unlikely to have a detrimental impact on scenic amenity or the natural environment.
	Relevant Controls	Compliance
	<p>On land zoned rural the following should be addressed in the use, design and siting of any proposed development:</p> <ul style="list-style-type: none">Existing vegetation and any endangered ecological communities;Mineral and water resources in the locality;The potential for soils erosion and measures that may be implemented to minimise that occurrence;Any natural hazards, including but not limited to flooding and bushfire risk;Service availability;Adjoining land uses including nearby agricultural operations;Prevailing winds, views and privacy;The scenic quality of the landscape, and any other environmental factors	<p>The development is located in a large, cleared area that sits below the ridgeline. It has a light footprint to minimise potential for environmental impacts and is located at a generous distance from neighbouring properties to reduce the potential for landuse conflict.</p> <p>The site is bushfire prone, and a bushfire assessment has been lodged with the development application.</p>
	Rural development must not reduce the potential of the land for agricultural production.	The development will still allow primary production to be carried out on the land.

	All development in rural locations will require a suitable system for the treatment and disposal of effluent in accordance with Council's Onsite Sewage Development Assessment Framework (DAF 2012) in Appendix E.	A wastewater assessment has been lodged with the development application, demonstrating that the site is capable of supporting on-site sewage management for the development.
Part J1.2	Building Setbacks	
	Relevant Objectives	Compliance
	Ensure that dwellings, dwelling alterations, additions and associated larger structures (i.e. garages and sheds) are set back from side and rear boundaries to minimise the bulk, scale and amenity impacts on adjoining properties;	The structures are set back at a significant distance from any boundary. There are unlikely to be any amenity impacts on adjoining properties.
	Relevant Controls	Compliance
	The minimum front street/road setback is 20m. Side and rear setbacks are to be a minimum of 10m.	All setbacks are achieved.
Part J1.3	Car parking and access	
	Relevant Objectives	Compliance
	<ul style="list-style-type: none"> • Ensure that parking areas, access ways, driveways and streets allow safe, appropriate and efficient vehicle movement and efficient connections to the existing street networks; • Provide adequate, secure and accessible on-site parking for all uses; • Minimise the visual and environmental impacts of off-street parking, through considered location of vehicle accesses and parking areas; • Minimise the visual and acoustic impact of vehicle movements on surrounding development / dwellings; • Ensure that car parking areas are contained in site and are surfaced appropriately to minimise the adverse effects of additional stormwater point loading. 	<p>Adequate parking is provided. Each huts has an available parking space. Disabled parking is provided in accordance with the relevant standards.</p> <p>Vehicle movements associated with the development are located at a generous distance from neighbouring properties and will be unlikely to have a negative impact.</p>
	Relevant Controls	Compliance
	Where Council considers that the subject land does not have all weather public road access, or that access is physically impractical or does not meet acceptable safety standards, Council will require upgrading of the road to a minimum acceptable standard, together with the lodgement of a bond to cover the costs of roadworks and safety measures including warning signs required for that development.	Safe, all-weather access is available to the development.

	Council may not support a development where the road upgrading is not practical in the circumstances.	
	Hardstand areas should be minimised and, where soil conditions permit, be substantially constructed using semi-pervious materials to reduce water run-off and increase soil absorption.	As the development is only operational for up to 20 nights per year hardstand parking areas are not required.
	Design for vehicle access and parking should in every instance take into account: <ul style="list-style-type: none"> • the uses proposed; • the provision of on-site car parking that is easily accessible; • the effect of sloping land; • the safety of pedestrians and vehicles; • efficient use of car spaces and access ways including manoeuvrability for vehicles between the street and the lot. 	The parking will be provided on a flat part of the land close to the accommodation. The parking area allows for suitable manoeuvrability and safety for guests.
Part J2.6	Eco-tourist development	
	Relevant objectives	
	<ul style="list-style-type: none"> • Maintain the environmental and cultural values of land on which development for the purposes of eco-tourist facilities is carried out. • Provide for sensitively designed and managed eco-tourist facilities that have minimal impact on the environment both on and off-site. • Recognition of the importance of key natural features to the visitor experience, and where they are off site recognise and address the potential indirect impacts associated with the development. 	<p>The development is a small-scale cultural destination which encourages appreciation of live music in a natural, rural setting with high environmental amenity.</p> <p>The development has a light footprint that recognises the natural features of the site which enhance the visitor experience without negatively impacting the environmental value of the site.</p>
	Relevant performance criteria	
	<ol style="list-style-type: none"> 1. There is a demonstrated connection between the development and the ecological, environmental and cultural values of the site or area. 2. The development must be located, constructed, managed and maintained so as to minimise any impact on, and to conserve the natural environment. 3. The development must enhance an appreciation of the environmental and cultural values of the site or area. 4. The development must promote positive environmental outcomes and any impact on watercourses, soil quality, heritage and 	The performance criteria in the DCP are the same as Clause 5.13 of Greater Taree LEP 2010. These are addressed above on pages 13-15. The development is capable of complying with Clause 5.13 and the relevant DCP clauses.

	<p>indigenous flora and fauna will need to be minimised.</p> <p>5. The site will be maintained (or regenerated where necessary) to ensure the continued protection of natural resources and enhancement of the natural environment.</p> <p>6. The development must be located to avoid visibility above ridgelines and against escarpments and from watercourses and that any visual intrusion will be minimised through the choice of design, colours materials and landscaping with local indigenous flora.</p> <p>7. Any power and waste services to the site will be provided, where possible, through the use of passive heating and cooling, renewable energy sources and water efficient design.</p> <p>8. The development must not adversely affect the agricultural productivity of adjoining land.</p> <p>9. The development will be designed to utilise materials that blend with the surrounding landscape, promoting the use of recycled materials and materials sourced from the region.</p> <p>10. The development must demonstrate that it is specifically located and designed for eco-tourist purposes and demonstrates a significant practical reliance on renewable energy and water reuse.</p>	
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Likely Impacts of the Development

Context and Setting

The facility is set within a small valley on a highly scenic and undulating property. The site is largely cleared of native vegetation, with only scattered trees and small pockets of woodland. The owners are actively regenerating parts of the site with native bushland and have removed the cattle from the property to assist with regeneration. Bulby Creek, which is included on the NSW Biodiversity Values Map, runs near to the facility and provides a tranquil and natural setting for guests of the accommodation. The accommodation is not visible from neighbouring properties but is partially visible from Wang Wauk Road.

The communal building for the facility is a rural shed, with storage containers located behind the shed to maintain the scenic amenity of the development. The communal building is typical of other rural structures in the area.

The scale of the accommodation is appropriate to the setting, with small portable Colourbond huts in neutral colours having a light footprint and low bulk to retain the rural character of the area. The structures are lightweight and portable and can be moved around the site as necessary.

The caretaker's residence is located adjacent the approved dwelling within a Colourbond structure that also provides a storage area for machinery and equipment. The building is typical of other rural buildings in the locality.

The development does not have an impact on the views or vistas of the locality or any impact on visual privacy. Any perceived impacts are short-term as guests are only able to book for one night (Saturday nights) and the accommodation is only (on average) available for booking twice per month, meaning that the accommodation is only occupied for two days in any one month period and up to 20 times per year.

The development does not result in any potential land use conflicts as guests are only able to stay for less than 24 hours, and the facility is located at a generous distance from any neighbouring property. There are no intensive agricultural operations within proximity to the development, and in the case that one started operating, it would be unlikely to have any impact on the development as stays are for one night only, and guests expect a "country" setting.

Site and Internal Design

The facility has been located within a small to avoid impacts associated with ridgelines, and to minimise acoustic, privacy and visual impacts on neighbouring properties.

The development has been designed to be sensitive to environmental conditions and site attributes and is deliberately sited over 40m away from Bulby Creek, and in a pre-cleared area to avoid any impacts associated with waterways, riparian vegetation and native vegetation removal.

The development has a small, lightweight footprint. Each hut is easily transportable and whilst privacy to each huts is maintained, the arrangement of the huts facing in towards the communal area encourages a sense of participation and socialisation.

Access and Transport

Access to the facility is via Wang Wauk Road, which is an unsealed rural road in reasonable condition. The internal driveway is constructed of gravel and traverses maintained grassland. The Bushfire Threat Assessment notes that some upgrading may be required to provide an all-weather two-wheel drive standard along the entirety of the road and to ensure adequate capacity to carry fire fighting vehicles.

Parking for guests is provided in the cleared paddock area adjacent the accommodation. As the parking area is open, there is space for at least one car per hut, with additional room available for parking should it be required. Disabled parking has also been provided to comply with relevant standards.

The development is unlikely to have any impact on Wang Wauk Road or significantly increase trip generation as it will only be open for a maximum of 20 nights per year.

Services

The manager's residence and machinery shed are connected to reticulated electricity. The huts are transportable structures and therefore not connected to electricity. Light is provided within the huts by means of battery powered lamps that guests can use around the facility.

The water for the manager's residence is supplied by a 132,000L rainwater tank. The water for the communal shed in the development, as well as the amenities, is supplied by two 25,000L water tanks.

Wastewater is treated by two approved on-site sewage management systems. A minor upgrade has been recommended to service the development.

The development can be adequately serviced.

Natural Hazards

Bushfire is the only mapped natural hazard on the site. A Bushfire Assessment has been lodged with the application. That Assessment makes a number of recommendations to be applied to the development to minimise the risk of bushfire to guests. Providing that the recommendations are applied on site, the development will comply with the aims and objectives of PBP 2019 and the risk to guests from bushfire is likely to be minimal.

Stormwater Management

The development is located on cleared rural land which is 40ha in size. Hardstand areas are limited to undercover concrete areas outside the communal building and caretaker's residence, as these are undercover there is no direct runoff from them. It is not appropriate for the development to collect stormwater to a single point of discharge as this would result in point-source erosion, nor is this a requirement of Council's Stormwater Guidelines. Currently the stormwater is collected from the sheds in rainwater tanks (182,000L), with discharge by overland flow.

Soils

No additional construction is required. There would be no exposure of soils as part of the development. Stormwater from the caretaker's residence and communal building are collected in rainwater tanks with a capacity of 182,000L, meaning that overland flow and potential scouring from the rainwater tanks is likely to be rare.

Biodiversity

No native vegetation is required to be removed for the development. All of the infrastructure for the facility has been located in pre-cleared areas. Although Bulby Creek is included on the NSW Biodiversity Values Map, the development is located over 40m away from the creek and is unlikely to have any impact.

Noise and Vibration

An Acoustic Assessment has been lodged with the development application.

The nearest residential receiver is approximately 300m south of the site. The noise monitoring and modelling results indicate that compliance with the NSW Noise Policy for Industry can be achieved at all residential receivers for all noise-producing activities associated with the development.

Social and Economic Impact

The development has a highly positive socio-economic impact. It brings tourists from across Australia and internationally to the MidCoast LGA who contribute to spending in the MidCoast tourist economy. As the facility is only available for guests on a single night (Saturday nights), most guests are likely to stay longer in the MidCoast area, particularly those that travel from long distances. The owners report that guests will often stay at other accommodation locally, for

additional nights, and frequent local cafes, restaurants and retailers. Other local businesses that are known to regularly benefit from the facility include:

- Amazing Grazing Bulahdelah who are currently catering for the stays. Amazing Grazing uses local produce from the region.
- The Artisan Farmer and Greenhouse Cafés at Nabiac who are recommended to all patrons when they finish their experience at the facility on a Sunday morning.
- Forster Laundromat who laundry all linen for the events.
- MNC Firewood who supply the firewood for the events.
- Forster mowers for all ground care maintenance.
- Nabiac Fuels for both patrons and fuel supply for machinery used in the business.
- Party Shop Supplies Tuncurry.
- Nabiac Hotel for local “bring your own” liquor supplies
- Bass n Blues in Taree for musical equipment maintenance and supplies.

The development receives a significant amount of publicity, given its uniqueness and popularity, including both print and digital media, which brings significant exposure to the MidCoast area.

The Suitability of the Site for the Development

The site is a large rural property undergoing active bush regeneration, with weed removal and replanting of native vegetation. It is highly scenic, with viewpoints across the surrounding valleys and mountains. It has an undisturbed creek corridor adjacent the development which is surrounded by intact riparian vegetation, providing amenity, screening and the opportunity for guests to immerse themselves in the natural values of the land.

Although the site is bushfire prone, potential bushfire risks can be adequately managed. The site is not subject to any other natural hazards.

The development can be adequately serviced and all roads are fully constructed in open, cleared areas. No further construction is required for roads, except for potentially some minor works to ensure that roads are suitable in all weather conditions to be accessed by firefighting vehicles.

The development will not have an impacts on the site’s biodiversity as it is a small-scale tourist development with a light footprint. The unique development promotes the enjoyment of live music in a natural setting.

The development is not being undertaken on prime agricultural land and will not be in conflict with surrounding landuses, being extensive grazing and large lifestyle properties.

Ambient noise levels are appropriate for the development.

The Public Interest

The development will have a highly positive benefit for the MidCoast area. As the publicity about the business continues to expand, it will bring significant national exposure to the area as a destination. The development aligns with the aims of Council’s Destination Management Plan to grow the visitor economy.

The development is unlikely to have any impact on the natural or built environments, or on neighbouring properties. Any natural hazards can be adequately managed and risks to guests is minimal.

Approval of the development is in the public interest.